DEC 16 1948

UNITED STATES OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 80th CONGRESS
SECOND SESSION

## VOLUME 94—PART 5

MAY 12, 1948, TO JUNE 2, 1948
(PAGES 5655 TO 6990)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1948

LAW LIBRARY
FEDERAL WORKS AGENCY

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 80th CONGRESS, SECOND SESSION

## SENATE

WEDNESDAY, MAY 12, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Heavenly Father, when we have prayed for guidance and it comes, let us not think it strange if it be something we would not have thought of, for Thy thoughts are not our thoughts and our way is not Thine.

Make us eager to know Thy will and Thy way of dealing with situations, rather than devising our own plans and asking Thee to bless them. Then shall we discover how much better is Thy way and how happy they are who walk in it. Through Jesus Christ our Lord. Amen.

### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., May 12, 1948.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. WILLIAM F. KNOWLAND, a Senator from the State of California, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
*President pro tempore.*

Mr. KNOWLAND thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 11, 1948, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5933) to permit the temporary free importation of racing shells; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REED of New York, Mr. WOODRUFF, Mr. GEARHART, Mr. DOUGHTON, and Mr. COOPER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 6481. An act making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes; and

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment.

### ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6226) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes, and it was signed by the Acting President pro tempore.

### EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, TREASURY DEPARTMENT (S. DOC. NO. 156)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department, amounting to $27,323,000, fiscal year 1949, in the form of an amendment to the budget for that fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROMOTION OF GREEK-AMERICAN FRIENDSHIP

A letter from the Secretary of State, transmitting a letter from George Th. Bacopoulos, member of the Greek Chamber of Deputies, Athens, Greece, relating to the establishment of a new Greek parliamentary group for the promotion of Greek-American friendship (with accompanying papers); to the Committee on Foreign Relations.

COMPENSATION OF EMPLOYEES OF VETERANS' CANTEEN SERVICE

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the service, and for other purposes (with an accompanying paper); to the Committee on Finance.

### PETITIONS

Petitions, etc., were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey; to the Committee on the Judiciary:

"Senate Joint Resolution 8

"Joint resolution memorializing the Congress of the United States to adopt legislation which will retain unto the States control over service, operations, and rates of any railroad which has been reorganized under the Bankruptcy Act

"Whereas the Central Railroad Co. of New Jersey is in bankruptcy; and

"Whereas certain bondholder groups of said railroad have filed a plan of reorganization, included in which is article III, which provides that the charter of the New Jersey company shall be amended or deemed to be amended and its franchises and statutory obligations shall be amended or superseded so that under certain conditions the said railroad would be under no obligation to operate suburban passenger service; and

"Whereas the curtailment or discontinuance of suburban passenger service on said railroad would work a severe handicap upon the municipalities thereby affected and such curtailment or discontinuance would be adverse to the public interest and would further be a breach of the intended obligations of said railroad when it received its charter from the State of New Jersey: Therefore be it

*"Resolved by the Senate and General Assembly of the State of New Jersey:*

"1. The Congress of the United States is urged to adopt legislation amending the Bankruptcy Act to the extent that upon the approval of a plan of reorganization of any railroad under said Bankruptcy Act such approval shall not affect the existing authority of any State or State regulatory agency relating to service, operations, or rates.

"2. The Secretary of State is directed to transmit, immediately following the passage of this resolution, a copy thereof properly authenticated to the Secretary of the Senate of the United States, the Clerk of the House of Representatives, and to each Member of the Senate and House of Representatives from the State of New Jersey.

"3. This joint resolution shall take effect immediately."

A telegram in the nature of a petition, from Francis V. Keesling, Jr., Washington public relations counsel for city and county of San Francisco, Calif., praying for the enactment of legislation providing sufficient funds for completion of the Cherry Valley project in Tuolumne Basin, Calif.; ordered to lie on the table.

A resolution adopted by the Council of Lithuanian Societies, of Baltimore, Md., favoring the enactment of House bill 6163, to authorize, for a limited period of time, the admission of displaced persons into the United States for permanent residence; ordered to lie on the table.

### INTERNATIONAL POLICE FORCE—PETITION

Mr. IVES. Mr. President, on behalf of the Young Citizens of the World, an organization in the Great Neck High School, at Great Neck, N. Y., I ask unanimous consent to present for appropriate reference a petition calling upon the United Nations to establish an international police force. The petition contains over 500 signatures.

The ACTING PRESIDENT pro tempore. Without objection, the petition will be received and referred to the Committee on Foreign Relations.

PROTEST AGAINST UNIVERSAL MILITARY TRAINING

Mr. CAPPER. Mr. President, a memorial which has come to me signed by a large number of citizens of Wichita, Kans., sets forth such sound reasons for their opposition to universal military training that I ask unanimous consent to present it for appropriate reference and printing in the RECORD without the signatures attached.

There being no objection, the memorial was received, ordered to lie on the table, and to be printed in the RECORD without the signatures attached, as follows:

Hon. ARTHUR CAPPER,
*Senate Office Building,*
*Washington, D. C.*

DEAR SIR: We, the undersigned citizens, sincerely believe that universal military training would be a menace to our democratic life and that it would not promote security, but on the other hand would endanger it, respectfully ask you to oppose the adoption of such a measure by our Government.

We further oppose the selective-service draft in peacetime, and are not in favor of any legislation that might turn our country into a police state.

We believe as patriotic citizens, that to make our defense more democratic, profit should be taken out of war or the preparation for war; and we ask you to take such steps as would further such a democratic course. We submit to you, that if the lives of Americans are to be sacrificed in war, no one should be put in the immoral position of being able to profit by such sacrifice.

Yours respectfully,
(Signatures omitted.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 1386. A bill authorizing modifications in the repayment contracts with the Lower Yellowstone irrigation district No. 1 and the Lower Yellowstone irrigation district No. 2; with an amendment (Rept. No. 1277);

S. 1445. A bill granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other; with an amendment (Rept. No. 1269);

S. 2254. A bill authorizing the transfer of a certain tract of land in the Fort Robinson Military Reservation to the city of Crawford, Nebr., and for other purposes; with amendments (Rept. No. 1278);

S. 2346. A bill to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund; without amendment (Rept. No. 1270);

S. 2508. A bill to increase the annual salary of the Coordinator of Federal Agencies in Puerto Rico from $7,500 to $10,000; with amendments (Rept. No. 1279);

H. R. 3344. A bill to amend the fourth paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended; without amendment (Rept. No. 1280);

H. R. 3635. A bill to ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947; without amendment (Rept. No. 1271);

H. R. 4461. A bill approving the performance in the field of certain functions relating to the public lands; with amendments (Rept. No. 1273);

H. R. 5122. A bill to amend section 9 of the act of August 24, 1912 (37 Stat. 512); without amendment (Rept. No. 1272); and

H. R. 5175. A bill to confirm and ratify act 205 of the session laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds; without amendment (Rept. No. 1281).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs:

S. 1987. A bill to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws; without amendment (Rept. No. 1274).

By Mr. WILLIAMS, from the Committee on Post Office and Civil Service:

H. J. Res. 339. Joint resolution to provide for the issuance of a special postage stamp series in honor of volunteer firemen; without amendment (Rept. No. 1275).

By Mr. CAPPER, from the Committee on Agriculture and Forestry:

S. Res. 223. Resolution authorizing a full and complete investigation of all problems related to foot-and-mouth disease and its incidence in neighboring countries, with amendments (Rept. No. 1276), and, under the rule, referred to the Committee on Rules and Administration.

By Mr. BROOKS, from the Committee on Appropriations:

H. R. 5883. A bill making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes; with amendments (Rept. No. 1283).

By Mr. AIKEN, from the Committee on Expenditures in the Executive Departments:

S. 1747. A bill to authorize credit in certain accounts of United States property and disbursing officers under the War Department, and for other purposes; with amendments (Rept. No. 1282).

PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED FORCES

Mr. GURNEY. Mr. President, from the Committee on Armed Services, I ask unanimous consent to report an original bill to provide for the common defense by increasing the strength of the armed forces of the United States, including the Reserve components thereof, and for other purposes, and I submit a report (No. 1268) thereon.

At this time I wish to take the opportunity of thanking each and every member of the Armed Services Committee for the time spent on this bill, the sincere effort and the helpfulness in getting a bill which I believe is a good bill. It is one that has had thorough consideration, and I believe it deserves the support of the Congress.

The ACTING PRESIDENT pro tempore. Without objection, the bill and report will be received, and the bill will be considered as having been read twice by its title and will be placed on the calendar.

The bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the Reserve components thereof, and for other purposes, was read twice by its title and ordered to be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

(Mr. GURNEY, from the Committee on Armed Services, reported an original bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the Reserve components thereof, and for other purposes, which was ordered to be placed on the calendar and appears under a separate heading.)

By Mr. FERGUSON:

S. 2656. A bill to provide for the free importation of salt brine; to the Committee on Finance.

S. 2657. A bill for the relief of Spero Carconen, known as Sam Carson; and

S. 2658. A bill for the relief of George Gabriel Herrmann, Greta (Marketa) Herrmann (wife), and Alice Herrmann (daughter); to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 2659. A bill to provide for expanded investigation and research at the experiment station at Golden, Colo.; to the Committee on Interior and Insular Affairs.

S. 2660. A bill to provide increases of compensation for certain veterans with service-connected disabilities who have dependents; to the Committee on Finance.

S. 2661. A bill for the relief of Maria Berta; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado (for himself and Mr. MILLIKIN):

S. 2662. A bill conferring United States citizenship posthumously upon Vaso B. Benderach; to the Committee on the Judiciary.

(Mr. MAGNUSON (for himself, Mr. LANGER, and Mr. PEPPER) introduced Senate bill 2663, to amend the Nationality Act of 1940, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. BUTLER:

S. 2664. A bill to authorize the Indian Claims Commission to hear and determine certain claims of the Indians of California; to the Committee on Interior and Insular Affairs.

By Mr. COOPER:

S. 2665. A bill for the relief of Nicole Sabbag; to the Committee on the Judiciary.

AMENDMENT OF NATIONALITY ACT OF 1940

Mr. MAGNUSON. Mr. President, on behalf of the Senator from North Dakota [Mr. LANGER], the Senator from Florida [Mr. PEPPER], and myself, I ask unanimous consent to introduce for appropriate reference a bill to amend the Nationality Act of 1940, and in order that I may not unnecessarily consume the time of the Senate, I request that a statement explaining the purposes of the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the statement presented by the Senator from Washington will be printed in the RECORD.

The bill (S. 2663) to amend the Nationality Act of 1940, introduced by Mr. MAGNUSON (for himself, Mr. LANGER, and Mr. PEPPER), was read twice by its title and referred to the Committee on the Judiciary.

The statement presented by Mr. MAGNUSON was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

The George Washington Legion is a group of Americans of all creeds and of all descents who, having served their country in a war to preserve liberty and democracy, now desire to complete their task in a part of the world where liberty is enslaved and democracy is threatened.

The Hebrew people were recognized in the mandate for Palestine in a joint resolution of the Sixty-seventh Congress and in the American-British Treaty of 1924 as having a right to independent sovereignty in Palestine. This right was confirmed by the United Nations General Assembly in November 1947.

The Hebrew people, endeavoring to fulfill this right, have been wantonly attacked by armed gangs originating, for the most part, in other countries.

It is in this country's historic tradition for Americans to render aid to any people anywhere fighting for essential liberty. It is a measure of repayment of our debt to men of good will, nationals of France, Poland, and other countries, who helped us achieve our own freedom and establish our own democracy. In the fulfillment of this tradition Americans have let no people in contemporary history fight alone on the side of right. The Lafayette Escadrille in France, the Flying Tigers in China are but two of the most recent instances of this. The George Washington Legion has urged the Congress of the United States to take all possible steps to permit Americans of good will to give the fullest possible aid to the Hebrew defenders of justice. The Congress of the United States is urged to make provision for the safeguarding of the national rights of the Americans who volunteer for this purpose.

We introduce the bill, therefore, to amend the Nationality Act of 1940 to preserve the citizenship status of citizens of the United States serving as members of certain armed forces, groups, or organizations established to preserve peace under the United Nations.

## PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED FORCES—AMENDMENT

Mr. RUSSELL (for himself and Mr. MAYBANK) submitted an amendment intended to be proposed by them jointly to the bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes, which was ordered to lie on the table and to be printed.

## HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 6481. An act making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment; to the Committee on Finance.

## STREAMLINING THE ELECTORAL COLLEGE—EDITORIAL FROM WASHINGTON TIMES-HERALD

Mr. LODGE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Streamlining a College," published in the Washington Times-Herald of May 9, 1948. The editorial has to do with Senate Joint Resolution 200, which was recently reported favorably by the Senate Committee on the Judiciary. A counterpart of this measure was unanimously reported in the House. I hope it will be before the Senate very soon.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"STREAMLINING A COLLEGE"

The electoral college—which isn't a college and doesn't do any first-instance electing—will come in for some drastic streamlining sooner or later if the Senate and House Judiciary Committees have anything to say about it.

These groups have recently approved a proposed constitutional amendment sponsored by Senator HENRY CABOT LODGE, Republican, Massachusetts, and Representative ED GOSSETT, Democrat, Texas, to make the electoral college reflect much more faithfully than it does now the wishes of the voters in Presidential contests.

But first it is necessary to explain what the electoral college is and does, for the benefit of those who don't know, and we suspect their name is legion.

When the Constitution was being hammered together by the 55 founding fathers back in 1787, there was tremendous dispute about the best and safest way to choose the President of the United States. The fathers were strong for liberty and justice, but most of them had a fear of mob rule, and they didn't want the Chief Executive and the Members of the Senate elected directly by the people.

Accordingly, the electoral-college system was devised—as first in article II, section 1, subdivision 2, and later (1804) modified by amendment 12.

Since then, we've been choosing Presidents thus:

The people vote on the first Tuesday after the first Monday in November of each Presidential year. In most States, they don't vote for the Presidential candidate by name. They vote for electors. Each State has as many electors as it has United States Senators and Representatives—New York, for example, having 47, Pennsylvania 35, Illinois 28, and so on.

In the early days before we had the two-party system, these men exercised a real choice when they cast their votes for President and Vice President. Those ballots, several weeks after the popular election, are signed, certified and sealed in the capitals of the various States, and are sent to the President of the Senate. Early in January, a joint session of Congress supervises the counting of the electoral votes, and solemnly declares that so-and-so and his running mate have won—which everybody knew the day after the November election.

Nowadays, the electors do not register a real choice, though theoretically they could do so. They merely vote for the Presidential candidates who got the popular majorities in the several States. In case of an electoral college tie, or failure of any candidate to get a majority, the House of Representatives must elect a President at once, from among the three leading men on the electoral ballots.

This system clearly does not register the popular will accurately. It can happen, and sometimes has, that a man who gets a minority of popular votes is chosen President. The outstanding episode of this kind in relatively recent times was the 1912 affair, when Woodrow Wilson copped with about 6,200,000 popular votes as against William Howard Taft's 3,500,000, and Theodore Roosevelt's 4,200,000.

Messrs. LODGE and GOSSETT and the Congressional Judiciary Committees want to change all that, within the framework of the electoral college.

VOTING IN PROPORTION

The proposed constitutional amendment would require the electors to cast their votes in proportion to the popular ballot totals in their States.

For illustration: Suppose that in the 1952 election (this reform cannot be adopted in time to affect 1948) New York State should ring up a total of 8,000,000 popular votes, of which about 5,000,000 went to Candidate A and 3,000,000 to Candidate B. Under the present system, Mr. A would get all 47 of New York's electoral votes. If the new plan were operating in 1952, Mr. A would get only five-eighths of those votes, or about 30, while Mr. B would get the other 17.

Multiply this example by the total of 48 United States States, and it becomes plain that the Lodge-Gossett method would change the electoral college into a clear and accurate instead of a clouded and unreliable reflector of the voters' wishes as registered at the polls.

Of course, it will take time to adopt such an improvement. The above-mentioned 55 Constitution architects made certain that the document couldn't be amended whimsically or overnight. Congress must first submit any proposed amendment to the State legislatures, and three-fourths—36—of them must ratify before it can take effect.

But we can at least hope, and do, that this ball may start rolling in earnest at the present session of Congress.

## LEAVES OF ABSENCE

Mr. CAIN. Mr. President, I ask unanimous consent to be absent from the Senate from tomorrow through Monday of next week.

The ACTING PRESIDENT pro tempore. Without objection, the order will be entered.

Mr. BALDWIN. Mr. President, it will be necessary for me to be absent from the Senate on Thursday and Friday of this week and Monday and Tuesday of next week, on public business. I ask consent of the Senate to be absent on those days.

The ACTING PRESIDENT pro tempore. Without objection, consent is granted.

## MEETING OF COMMITTEES DURING SENATE SESSION

Mr. CAIN asked and obtained consent for the fiscal subcommittee of the Committee on the District of Columbia to sit during the session of the Senate this afternoon.

Mr. WHERRY asked and obtained consent for the Subcommittee on Flood Control of the Committee on Public Works to sit during the session of the Senate today.

Mr. AIKEN asked and obtained consent for the Committee on Agriculture and Forestry to sit during the session of the Senate today.

## THE CIVIL RIGHTS PROGRAM—EDITORIAL FROM SOUTHERN AGRICULTURIST

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "The Threat of Tyranny," published in the Southern Agriculturist for May 1948, which appears in the Appendix.]

## THE DISPLACED-PERSONS PROBLEM

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an article regarding displaced persons, written by Martin Sommers, and published in the Saturday

Evening Post, which appears in the Appendix.]

CENTENNIAL CELEBRATION OF THE WOMAN'S MOVEMENT—ARTICLE BY EUDOCHIA BELL SMITH

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article entitled "Woman's Movement Began Century Ago," by Eudochia Bell Smith, published in the Denver Post, which appears in the Appendix.]

ALASKAN ELECTION RETURNS — EDITORIAL FROM THE ALASKA SUNDAY PRESS

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an editorial entitled "Territory Still Democratic," published in the Alaska Sunday Press, May 2, 1948, which appears in the Appendix.]

POLITICAL ISSUES—ADDRESS BY SENATOR McGRATH

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an address delivered by Senator McGRATH, chairman of the Democratic National Committee, in New Haven, Conn., May 11, 1948, at a dinner sponsored by the Democratic committee, which appears in the Appendix.]

PALESTINE AND MIDDLE EAST CONFERENCE—ADDRESS BY SENATOR MORSE

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address recently delivered by him at the Hotel Statler, Washington, D. C., before the Palestine and Middle East Conference, which appears in the Appendix.]

CIVIL DISOBEDIENCE—CORRESPONDENCE

[Mr. MORSE asked and obtained leave to have printed in the RECORD correspondence relating to civil disobedience, which appears in the Appendix.]

AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO CERTAIN AGREEMENTS BETWEEN CARRIERS

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, which was to strike out all after the enacting clause and insert:

That the Interstate Commerce Act, as amended, is amended by adding after section 5 thereof a new section as follows:

"SEC. 5a. (1) For purposes of this section—

"(A) The term 'carrier' means any common carrier subject to part I, II, or III, or any freight forwarder subject to part IV, of this act; and

"(B) The term 'antitrust laws' has the meaning assigned to such term in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914.

"(2) Any carrier party to an agreement between or among two or more carriers relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, or procedures for the joint consideration, initiation or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement (if approval thereof is not prohibited by paragraph (4), (5), or (6)) if it finds that, by reason of furtherance of the national transportation policy declared in this act, the relief provided in paragraph (9) should apply with respect to the making and carrying out of such agreement; otherwise the application shall be denied. The approval of the Commission shall be granted only upon such terms and conditions as the Commission may prescribe as necessary to enable it to grant its approval in accordance with the standard above set forth in this paragraph.

"(3) Each conference, bureau, committee, or other organization established or continued pursuant to any agreement approved by the Commission under the provisions of this section shall maintain such accounts, records, files, and memoranda and shall submit to the Commission such reports, as may be prescribed by the Commission, and all such accounts, records, files, and memoranda shall be subject to inspection by the Commission or its duly authorized representatives.

"(4) The Commission shall not approve under this section any agreement between or among carriers of different classes unless it finds that such agreement is of the character described in paragraph (2) of this section and is limited to matters relating to transportation under joint rates or over through routes; and for purposes of this paragraph carriers by railroad, express companies, and sleeping-car companies are carriers of one class; pipe-line companies are carriers of one class; carriers by motor vehicle are carriers of one class; carriers by water are carriers of one class; and freight forwarders are carriers of one class.

"(5) The Commission shall not approve under this section any agreement which it finds is an agreement with respect to a pooling, division, or other matter or transaction, to which section 5 of this act is applicable.

"(6) The Commission shall not approve under this section any agreement which establishes a procedure for the determination of any matter through joint consideration unless it finds that under the agreement there is accorded to each party the free and unrestrained right to take independent action either before or after any determination arrived at through such procedure.

"(7) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether any agreement previously approved by it under this section, or terms and conditions upon which such approval was granted, is not or are not in conformity with the standard set forth in paragraph (2), or whether any such terms and conditions are not necessary for purposes of conformity with such standard, and, after such investigation, the Commission shall by order terminate or modify its approval of such agreement if it finds such action necessary to insure conformity with such standard, and shall modify the terms and conditions upon which such approval was granted to the extent it finds necessary to insure conformity with such standard or to the extent to which it finds such terms and conditions not necessary to insure such conformity. The effective date of any order terminating or modifying approval, or modifying terms and conditions, shall be postponed for such period as the Commission determines to be reasonably necessary to avoid undue hardship.

"(8) No order shall be entered under this section except after interested parties have been afforded reasonable opportunity for hearing.

"(9) Parties to any agreement approved by the Commission under this section and other persons are, if the approval of such agreement is not prohibited by paragraph (4), (5), or (6), hereby relieved from the operation of the antitrust laws with respect to the making of such agreement, and with respect to the carrying out of such agreement in conformity with its provisions and in conformity with the terms and conditions prescribed by the Commission.

"(10) Any action of the Commission under this section in approving an agreement, or in denying an application for such approval, or in terminating or modifying its approval of an agreement, or in prescribing the terms and conditions upon which its approval is to be granted, or in modifying such terms and conditions, shall be construed as having effect solely with reference to the aplicability of the relief provisions of paragraph (9)."

Mr. REED. Mr. President, I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Acting President pro tempore appointed Mr. REED, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MYERS conferees on the part of the Senate.

SOUTHERN STATES COMPACT ON REGIONAL EDUCATION

The Senate resumed the consideration of the joint resolution (H. J. Res. 334) giving the consent of Congress to the compact on regional education entered into between the Southern States at Tallahassee, Fla., on February 8, 1948.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to refer the joint resolution to the Committee on the Judiciary.

Mr. WHERRY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Murray |
| Baldwin | Hawkes | Myers |
| Ball | Hayden | O'Conor |
| Barkley | Hickenlooper | O'Daniel |
| Brewster | Hill | O'Mahoney |
| Bricker | Hoey | Pepper |
| Bridges | Holland | Reed |
| Brooks | Ives | Robertson, Va. |
| Buck | Jenner | Russell |
| Butler | Johnson, Colo. | Saltonstall |
| Byrd | Johnston, S. C. | Smith |
| Cain | Kem | Sparkman |
| Capehart | Knowland | Stewart |
| Capper | Langer | Taft |
| Connally | Lodge | Taylor |
| Cooper | Lucas | Thomas, Okla. |
| Cordon | McClellan | Thomas, Utah |
| Downey | McFarland | Tobey |
| Dworshak | McGrath | Tydings |
| Eastland | McKellar | Vandenberg |
| Ecton | McMahon | Watkins |
| Ellender | Magnuson | Wherry |
| Ferguson | Malone | Wiley |
| Flanders | Martin | Williams |
| Fulbright | Maybank | Wilson |
| George | Millikin | Young |
| Green | Moore | |
| Gurney | Morse | |

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. McCARTHY], and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from Missouri [Mr. DONNELL] and the Senator from Minnesota [Mr. THYE] are absent by leave of the Senate.

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is absent by leave of the Senate.

The Senator from West Virginia [Mr. KILGORE] is absent on public business.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The Senator from Mississippi [Mr. STENNIS] is absent because of a death in his family.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, in making the few remarks on the pending question which I do, I think it will be plainly seen by anyone who listens more than 1 or 2 minutes that I am talking against myself, in more ways than one.

In the first place, I think there has been a strained interpretation of the Constitution—strained to such an extent that it may be unwise to act upon this resolution if it sets a precedent in assuming that the States which have got together in an attempt to take care of certain educational arrangements need to have the consent of Congress to do what they are trying to do.

I have not heard all the debate on this question. I think it will be evident to anyone, without spending any time on the historical background, or what the founding fathers were attempting to accomplish when they established the Constitution, but from a mere reading of section 10 of article I of the Constitution, how completely strained is the idea behind this resolution, and what it does to constitutional interpretation to imagine that the words "any agreement" used in article X mean literally any agreement. In the Constitution the words "any agreement" are followed immediately by the words "or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

We all know what the founding fathers were thinking about when the Constitution was established. They were trying to create a more perfect union, and they could not create a more perfect union if the States made alliances with each other, if States carried on war with each other, if States did all the things that are prohibited in the Constitution. But to assume that two or more States are barred from cooperative arrangements in conducting the affairs of an educational institution or contributing to the welfare and upbuilding of an educational institution to be commonly used by the citizens of more than one State is, I repeat, a strained interpretation which makes one feel inclined immediately to vote against the proposition from the constitutional point of view.

But that would not be right, Mr. President. Proposals come to the Congress of the United States supported by serious reasons and serious endeavors to meet given situations. Therefore, in a way I am happy that the resolution has come to us in this form, because the problem facing the Southern States, especially in regard to higher education, because of the fundamental laws of those States and because of the decisions of the Supreme Court under which the States must function, is a problem which the rest of the country cannot appreciate and does not appreciate.

I repeat that I am a bit perturbed that the resolution should come to us with the constitutional theory of the necessity of having this type of resolution; but I am glad that this type of resolution has to come to us in the way that it has come, because of the general situation in those States which are trying to help themselves meet their obligations in regard to education.

I am glad that the resolution comes to us, because it gives the Congress of the United States, if it sanctions this resolution, a position in relation to the aims of the Southern States in attempting to meet their educational situation. It gives the United States a relationship amounting almost to a partnership with them in their endeavor. I believe that this sort of dignity is the type of thing which is necessary in order to hold those States to a given objective, so that that objective will result in bringing about the type of educational facilities and the type of educational institutions which the colored people of the South deserve, which they have a right to demand, and which the law of the land has said they must have. With the cooperation of the States and the sanction of the Nation with respect to that cooperation, I believe that the South now has an opportunity to bring about an educational program quite as great in its possibilities as some of the mighty things which have been done lately for education in our country.

Everyone knows the need. Everyone realizes that as there is a more universal application of education to all the people of the South, a section where segregation is a fundamental, as time goes on there will be greater and greater pressure for education on the higher levels, and that pressure will have to be met. Between 15,000,000 and 20,000,000 colored people will be watching this experiment, hoping to see it develop, as it is anticipated that it will, in the flowering of great educational institutions, resulting not only in saving one medical school but in bringing about such a situation that education on the higher levels in the Southern States may be properly developed.

Of course, with my background and training, and having grown up in the public-school system of the West, and having gone from the beginning to the end of the public-school system, always in institutions that are nonsegregated, I feel in my heart and soul an urge to do what some of the amendments propose to do; namely, to make an effort to bring about nonsegregation. But, Mr. President, under present circumstances and under the present laws of these States and the law of the land, and in view of what the States are trying to do under the instructions set forth in decisions rendered by the Supreme Court of the United States, that would be unwise, and it would bring about the very opposite of what we are trying to do.

Let us take one simple illustration to show what would happen. The medical school situation in the United States is such that it has become necessary to introduce in the Congress of the United States a proposal to provide scholarships and grants to medical schools because the medical schools of our land cannot take care of the need for medical education and cannot supply the number of doctors which the Nation needs today. Everyone knows that the pressure in that respect is great. Everyone knows that if a nonsegregation theory is adopted for the one colored medical school in our country—and let us talk in terms of good common sense, Mr. President, and not in terms of theoretical right or wrong—the pressure for admission into that medical school on the part of white students, who in numbers are so many, and who are being deprived of opportunities for entrance into medical schools in all sections of the country, would be so great that probably this one school, which has been a colored school, would find itself accepting white students in such numbers that the nonsegregation idea would actually bring about an injustice to the blacks, and to such an extent that it would take a very long time to overcome it; and meanwhile the situation would produce great ill for the colored people.

Mr. President, several years ago the Federal-aid-to-education bill—which finally the Senate passed at this session, to the glory and to the credit of those who sponsored the bill, and with the cooperation of Senators on both sides of the aisle—was ruined on the floor of the Senate by an attempt to throw into the discussion of that bill certain amendments which ostensibly were for the purpose of helping the colored people. However, that was done with a different purpose. If the debates in that connection are read, it will be found that we told the truth about why those amendments were brought up. They were not brought up to do anything to help the colored people. They were brought up to kill the Federal-aid-to-education bill. That illustrates what can be done in connection with proposed legislation.

Mr. President, when the time comes for us to face the segregation question, let us face it on its merits. Let us not approach it in such a way that, without our meaning to do so, great damage will be done to many persons as a result. What the country and what the Congress want to do and what the resolution is aimed at doing is to work out some sort of technique whereby States which have had imposed upon them the responsibility of taking care of students whom probably they did not plan to take care of—but due to a decision of the Supreme Court they now find themselves under obligation to take care of them; and all of us rejoice in that, Mr. President—will be able to discharge that obligation. Those States feel weak, and probably it would not be to their best good for each of them individually to create small segregated institutions to take care of

the comparatively small group that need added educational facilities now, when the whole scheme of educational theory and practice in our country is to try to make educational institutions more universal and larger, in order that the students who attend them may have contact with and exposure to a very wide range of theory and practices and a universal type of education.

Therefore, Mr. President, I repeat that if the States which have leagued themselves together to ask the Congress of the United States to go into partnership with them are not serious in what they are attempting to do, if they have not really accepted the doctrine, as announced by the Supreme Court, that they must take care of the blacks in the same way that they take care of the whites, at least let us accept what they say they are going to do and let us unite with them and bring to the southeastern portion of the United States the educational facilities which will make over the people of that area who are affected, and which will to a great extent solve most of the problems which are related to what we call segregation and nonsegregation. It would be most regrettable for us not to move forward when there is a willingness on the part of so many States to unite together and to unite with the United States Government in the accomplishment of these purposes.

In my judgment, the proposed plan offers an unprecedented opportunity to the Negro advanced students and professional students of the South because of the facilities which can be provided under this resolution and under this compact. It is an opportunity which never has been offered to them before. Those facilities, Mr. President, will not be provided unless each State is jealous of doing its part with the other States in creating institutions of higher education, and unless they find themselves working in harmony with the educational policies of the Government in an effort to bring those institutions to the level they should occupy.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Oregon.

Mr. MORSE. I do not want to interrupt the Senator further than to make certain I understand the theory of the case, so to speak. Is it the position of the Senator from Utah that congressional approval of the compact is necessary as a matter of law?

Mr. THOMAS of Utah. No; I said in my opening statement it was not necessary.

Mr. MORSE. I was called off the floor and did not hear that statement. The Senator means as a matter of law, does he not?

Mr. THOMAS of Utah. As a matter of law, or as a matter of interpretation of the Constitution. But I said I am happy it has come in this way, because it can be used to the advantage of the country and of the States and of the people who are to be benefited by it. I do not in any sense accept the theory that under the Constitution an agreement of this type must come to the Congress; but I am happy that it has come, because it will make the United States an implied partner with 11 or 12 States in bringing about the solution of an educational problem that has been forced upon them by action of the United States through its highest Court.

Mr. MORSE. Mr. President, will the Senator permit one more question?

Mr. THOMAS of Utah. I yield.

Mr. MORSE. I do not want to interrupt the Senator, unless he is willing.

Mr. THOMAS of Utah. I like to be interrupted.

Mr. MORSE. Does the Senator agree that the Southern States could enter into agreements between and among themselves in respect to cooperation among themselves on educational problems, without a compact approved by the Congress?

Mr. THOMAS of Utah. I certainly do. I think there would have been no question from the standpoint of law and from the standpoint of the Constitution, if this scheme had been worked out on a regional basis and, under such an arrangement, there had been a South Carolina and North Carolina school which could be functioning today. We have recognized education in this country. We have recognized that education is controlled by the States as part of the State functions, and students from other States are charged higher fees when they enter tax-supported institutions in given States. But I do not know that we have ever assumed that a State institution was intended only for the people of the particular State. I am sure that all the devises and bequests that have been made have not been hampered by State lines, and State lines have never in any sense barred people from making certain private bequests, which have subsequently become public in nature because administered by public institutions. In no sense has the Constitution ever operated to make it impossible for example for a man in New York to set aside so many dollars for the benefit of a given group in another State for educational purposes. Those things have all been done, as the Senator knows.

Mr. MORSE. If the Senator will yield further, as I understand his theory, then it is that although it is unnecessary for the Congress to approve the compact, he thinks it would be good national policy in the field of education for Congress to approve, though under the Constitution it is not required to do so.

Mr. THOMAS of Utah. That is true. I think it a very wise policy, the kind of policy which will solve the question facing the people of the South at the present time.

Mr. MORSE. As I would say in a law case, to my friend from Utah, if he were on the opposite side of the counsel table, I am perfectly willing to rest my case on the basis of his testimony.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from New Mexico.

Mr. HATCH. In line with the discussion in regard to whether or not the compact is necessary, that argument has been made very frequently throughout the course of the debate. Every time it is raised this question comes to my mind: There is undoubtedly a strong view on the part of some, especially from the States which have proposed the compact, that a compact is necessary, and that it is necessary, under the Constitution, to have the consent of Congress. There is that evident difference of opinion. Assuming that such consent is unnecessary, that difference could never be resolved and determined until the courts had judicially passed upon a case in which, for instance, a taxpayer of the State of Florida sought to enjoin the use of tax money for the support of an institution in another State.

Mr. THOMAS of Utah. There would be a real case in that event.

Mr. HATCH. Yes; and then it would have to go through a long process, clear to the Supreme Court of the United States, in order to determine the question. If the contention be correct that the consent of Congress is unnecessary, what harm could arise from giving consent now? If it should prove to be necessary, grave injury could be done by denying consent; is that not correct?

Mr. THOMAS of Utah. I think the Senator in 2 minutes has stated the point better than I have done in half an hour.

Mr. HATCH. My attention has just been called by the Senator from Wyoming [Mr. O'MAHONEY] to the fact that the compact expressly provides that funds shall be derived from taxation by the constituent States.

Mr. THOMAS of Utah. So the resolution is all to the good, no matter how it is figured.

Mr. HATCH. Assuming the content of the resolution is proper, the question that is raised about the necessity of consent is entirely beside the point, as I see it.

Mr. THOMAS of Utah. I thank the Senator.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. In order to clarify the statement of the Senator from Utah, in view of his response to the question of the Senator from New Mexico, I desire to ask whether it is not a fact that; in response to the previous question by the Senator from Oregon, as to whether or not the consent of Congress was necessary, he was not thinking of the right of a State to admit to a State institution students from another State, and probably was not thinking of the provision of this compact, that the public funds raised by taxation of all States are to be used to support the proposed institution. So that what we are dealing with here is not the consent of the Congress to a State to create a new State institution, but the consent of Congress to an agreement among several States to establish regional institutions.

Mr. THOMAS of Utah. That is true.

Mr. O'MAHONEY. In that connection, does the Senator not agree that the consent of Congress is probably necessary?

Mr. THOMAS of Utah. I should not say it is necessary, Mr. President, according to the way I interpret the provision in the Constitution to which reference

has been made. I think the Constitution plainly states what types of compacts are barred. I see nothing in the Constitution, of itself, to prevent States from entering into agreements mutually to build a joint institution and to contribute jointly to it. If there be objection on the score of an improper use of the taxes of a given citizen, of course there is a real cause of action and there is the right of court review, because every citizen has the right to have his taxes used in a proper way. But proving that the taxes are used in an improper way, after the States have entered into such an agreement, is a question that would have to be resolved by the courts. For us to say here that the courts may decide one way or the other way is practically all that we can say regarding it. I am sure that so far as the founding fathers were concerned, when they wrote section 10 of article I of the Constitution they were not thinking of barring cooperation between the States for all purposes. They were thinking of barring cooperation which might in any way destroy the effectiveness of the "more perfect union" which they were endeavoring to establish. Even if I were a lawyer I would not argue a case such as this before any court on a strictly legal basis, because the aim in that which the States are endeavoring to do is surely to provide, to borrow an expression from the Federal Constitution and put it into the State constitutions, for the general welfare, to the extent of taking care of the welfare interest of citizens who are entitled to certain privileges and certain rights because of conditions imposed upon the States by the Federal Government.

As I said in the beginning, I want to argue the question from the standpoint of bringing about a situation which will improve the educational conditions, and especially those of the Negroes in the South. Furthermore, so far as professional schools are concerned, we desire to relieve the pressure which is now on the professional schools of the country and to give the boys and girls who are being deprived of professional education a little more opportunity than they have today of entering such schools and receiving education and satisfying their own individual ambitions for a livelihood.

Again referring to the constitutional phase, surely it is not improper to argue a constitutional question from the broad basis of intent to meet a situation which has been imposed by a decision of the Supreme Court. I repeat, Mr. President, that I am speaking in favor of something which I do not like. I am as much of a nonsegregationist, I imagine, as any one in this country. Having spent so much time in foreign lands and among foreign peoples, and having at one time had an opportunity to undertake a study of prejudice, which has something to do with this question, I know the broad significance and the fundamental meaning of what is attempted to be accomplished. It is heartening to all the people of the American Continent to realize that the States which have segregation laws and segregation constitutions, with dual systems of education, have entered into a compact.

Some States, not from intent but from the mere result of the facts of life as they are, have not given to the black man all that they have given to the white man. I agree with the decision of the Supreme Court. I think that if a State offers a white person an education it should offer the same sort of an education to a black person. I heartily agree with that principle. I am a nonsegregationist, and I want to see all conflicts which are based upon prejudice eliminated in some way or other. I know they will not be eliminated in my lifetime. I myself have been a victim of prejudice a great many times. I know the feeling of being in the minority. I have found myself alone, surrounded not by a million, but by two or three hundred million, different and antagonistic ideas. I feel for the black brother, as the Senator from Wisconsin [Mr. WILEY] called him. I want to see his rights adjusted; but by fighting for a principle I can see him actually hurting himself, hurting his fellows, and keeping scores and possibly hundreds of Negro boys and girls from an education. They think the principle is just and right, as I do; but everything cannot be done overnight. When at last the Southern States are entering into an agreement among themselves and making the United States a partner to that agreement, we know a new day is dawning for the college students of the southeastern area of the United States who have previously not had opportunities. To throw the segregation question into it is as mean and dastardly as it was to throw the segregation question into the Federal-aid-to-education bill 2 or 3 years ago, which resulted in killing that bill. The question was thrown in primarily to aid the black man, but it was not enginered by the black man; it was engineered by those who wanted to kill the Federal - aid - to - education bill. They were thoroughly successful in attaining their objective, but they left a mark upon the action of free deliberation which it will take a long time to remove from the Senate proceedings.

I say, let us meet these questions when they arise. What we are considering is not a scheme to create anything which will in any way hurt the black man anywhere. It is an attempt to aid and to help, not hundreds, but perhaps thousands, of black men in the southeastern area of the United States. As these educational institutions grow stronger and raise their standards, and more students begin to attend them, there will be a larger proportion of black people getting into the nonsegregated schools of the country.

The way to solve these questions is not to stand absolutely on a principle which cannot be successfully made dominant in our generation, or perhaps in two or three generations, but to go forward as we have gone forward since the Civil War, doing the best possible under the circumstances.

Mr. President, I wish to call attention to the fact that one group in the country, a minority group, who feel they have rights and that their rights are sometimes hindered because of the pressure of majority groups upon them, would deliberately destroy the opportunity for greater and broader education for their people by taking the noncompromising stand of insisting absolutely upon their rights until they get them. Of course, they do not get them in that way.

Let me point out something of which we all lose sight when we talk about civil rights. We interpret them only from the standpoint of individual rights. The right of association is something, and it is guaranteed by the Constitution. If we take away the equivalent of an individual's civil rights from a group, we may destroy civil rights. We have an idea about freedom of religion, and that implies freedom for religion. Are we going to carry our ideas about civil rights to such an extent that we will say that everyone has a right to join any church he wants to join, that every club must throw its door open, that every educational institution shall carry on its affairs without regard to its own wishes respecting standards? Are we going to say, believing in coeducation, that education for the separate sexes is wrong?

The glory of our country, Mr. President, is that we can do so many things without interfering with the liberties of others, not that we can do so few. The glory of our country is that we can join with those with whom we want to join, and be protected in that association. To assume that we ever want to see the time come when we are to remove from institutions, educational institutions especially, their right of self-judgment about their own requirements, about those who shall come into the school, about those who shall graduate, is to indulge in a violent assumption.

The proudest thing in every educational institution with which I have ever been connected has been its privilege to say, "No one shall graduate from this institution and be given a degree unless the faculty feels that he is entitled to it." That is pretty broad. A man may think he has earned his degree, but he cannot go forth and say that he is a graduate of the institution if his record has a certain mark against it which the institution knows brings it below the standard requirement. That is the glory of America, quite as much as the fact that we give everyone an opportunity to make a start.

Mr. President, my plea is a simple one. I wholly agree with the amendment offered by the junior Senator from New York who is presiding at this time [Mr. IVES in the chair]. I agree with all the sentiments in the amendment. But I think it is an unwise amendment to be offered to the pending joint resolution. I think it does not give the Negro another chance; it does not help him. It brings about a situation whereby the demand for uniformity and the demand for equal standards and the demand for everything else may actually hurt these educational institutions as they start in from the beginning and develop.

The desire is not to establish a Harvard overnight. That which makes Harvard, or has contributed to the making

of Harvard, is the two or three centuries which have gone into its building up and progress. I hope that none of the institutions which are to be started are to be set up as finished institutions. They are to be set up, I hope, as mere acorns, growing and developing and becoming the type of institution which will be in harmony with the idea which brought them into being. It is not possible to legislate a finished product. The institutions have to struggle, they have to work, they have to fight, they have to do all the things other institutions have done in order to become great. If we assume that we will not create a medical school in the southeastern section of the United States unless it is the equivalent of the Harvard Medical School or the Pennsylvania University Medical School, we make a great mistake. Such institutions have to grow up, and it seems to me one of the finest things to be conceived is the union of 11 or 12 States in partnership with the United States to work out a present problem, and all may rest assured that that problem will be worked out if opportunity is afforded.

Mr. President, it is very much easier to handle any question if we are able to adopt a plan and logically follow it through.

Mr. IVES. Mr. President——

The PRESIDING OFFICER (Mr. FLANDERS in the chair). Does the Senator from Utah yield to the Senator from New York?

Mr. THOMAS of Utah. I am glad to yield.

Mr. IVES. The junior Senator from New York very much appreciates the observations made by the distinguished Senator from Utah regarding the amendment proposed by the junior Senator from New York. I would point out, however, that it is not my purpose to have such a type of standard as was indicated in the remarks of the Senator from Utah. If the Senator from Utah will look at the amendment offered by the junior Senator from New York, he will see that it applies only to such institutions as may come within the purview of the compact now before the Senate for consideration. In other words, were there to be a Harvard in the South—and there are some very fine institutions in the South which do not have to bow to Harvard or to any other institution—were there to be that type of institution anywhere in the vicinity where the compact institutions, as we might call them, are involved, there would not of necessity be any requirement whatever that the standard of education in those institutions falling under the compact should be on a level, on a parity, at any time, with that of other institutions.

The idea is that where institutions are to be established, or institutions which are already existing are to be expanded or in any way supported through the instrumentality of the Southern States compact, these particular institutions must be on a parity insofar as quality of education is concerned.

My purpose in this instance, Mr. President, is a very simple one, which I explained the other day in my remarks. It is that the quality of education in every section of the country shall be at as high a standard as may be possible, and that, where public support is entailed in the field of education, this standard, insofar as it is possible to have a standard uniform, shall be uniform. In other words, for those pupils who are white there shall be no privileged standard, and for those pupils who are colored there shall be no underprivileged standard.

Mr. President, I have talked with a number of the Senators from the South, and I think the Senators from the South fully appreciate that this is a most desirable purpose, that it is most desirable from the standpoint of the South, and that it is bound inevitably in the end to produce a far better condition in the South, and in the country as a whole, than that which obtains at present.

I thank the Senator from Utah for allowing the interruption.

Mr. THOMAS of Utah. Mr. President, I am glad to have the statement of the Senator from New York. As I have said in my opening statement, I believe in the aims, I believe in the theory, I believe in all the Senator's amendment provides. I still think the amendment is unwise, however, for the simple reason that we have got to be prepared for growth and development. The history of education in our country shows that under the pressure of attempting to develop standards—and I have been a party to the development of standards in education—we have hurt, we have retarded the educational program in many places. We are dealing with a very practical situation, and I am afraid some do not have that clearly in mind. We want the schools which are contemplated to become established. We want the States in the South to become interested in such schools, and to make them operate successfully. But I do not want anyone to argue against an appropriation being made to a so-called compact institution on the score that this is not the time to make it; that we have got to wait until we are able to act, until we have the facilities to meet all the qualifications which may be required. I am aware that the Senator from New York by his amendment does not mean to present such an argument; but I know that that is the way similar proposals have been interpreted and are being interpreted.

Mr. President, it is not only the South which has had to fight against prejudice in connection with educational institutions and the meeting of standards. There are other regions in which the same situation has arisen. Such situations still exist and they always will exist. If, for example, some great educational institutions had been compelled to face a requirement of this kind existing in the fundamental law which brought them into being, the result would have been to retard their growth and development, I know the Senator from New York does not want to do anything which would have the result of retarding the growth and development of any educational institutions.

Mr. IVES. Mr. President, appreciating the fear which has just been expressed by the Senator from Utah, the junior Senator from New York has fully comprehended it, but does not join in it. Education being what it is, these variations to which the Senator refers would of necessity be expected to occur, and by the very process of evolution and progress in the field of education they would finally be eliminated. There is nothing in the amendment offered by the junior Senator from New York which in any way should be so construed as to prevent the gradual attainment of uniformity and equality in the field of education. That condition the junior Senator from New York realizes must be recognized and must be accepted. But the junior Senator from New York would like to point out that, were the Congress of the United States to adopt this compact, in effect it would be giving its approval and its blessing to whatever the compact contemplates or contains.

I am sure there are many of us in the Congress of the United States who do not feel that, in agreeing to any compact of this kind under which there is the definite probability and likelihood of segregation, at least for a period of time, we are willing to subscribe to the idea of segregation as essential in our American society. At the same time, I think in laying down the rules or the plan, under which such a compact would be carried out, we do not wish to subscribe to a principle by which ostensibly it might be construed that there are variations in education and in quality and standards of education as between races, or as between religions, or anything of that kind. These are broad principles that we are laying down in this compact, and it seems to the junior Senator from New York that in dealing with this matter the position which the Congress of the United States should take must be based on a firm, solid foundation of principle itself. That is the reason why the junior Senator from New York has offered the amendment to which the Senator from Utah refers.

Mr. THOMAS of Utah. I think the amendment offered by the chairman of the committee covers all that the Senator from New York is thinking about. The amendment of the Senator from Wisconsin provides:

> That the consent of Congress to this compact shall not in any way be construed as an endorsement of segregation in education.

Mr. IVES. Mr. President, will the Senator yield for a moment on that one point?

Mr. THOMAS of Utah. I yield.

Mr. IVES. The junior Senator from New York offered an alternative to that language which he thinks is more specific and has a little more substance, and that is to substitute the word "approving" for the three words "an endorsement of." That change has been agreed to, at least by the able junior Senator from Florida [Mr. HOLLAND]. Over the other part there is some disagreement.

Mr. THOMAS of Utah. I should like to say a word with respect to the other part of the amendment offered by the Senator from New York. Everyone knows that there are standard-making institutions established in the United States. They have been functioning now for half or three-quarters of a century. Everyone knows that when the credits of a student are taken from one of these institutions they will be scrutinized. It

is those standard-making institutions that we can trust to see us through this situation. But I repeat what I said before, that once there is read into the fundamental law the language "that the planning, establishment, acquisition, and operation of educational institutions shall include uniform standards of education for all such institutions under the said compact," and so on and so forth, then we can be as sure as we can be of anything that we shall run into difficulties. Everyone of us has watched a legislature act. Everyone of us knows the arguments that are used in connection with legislation. Everyone realizes that some of the finest pieces of legislation ever presented have been killed at the last minute because the standards laid down by it could not be technically lived up to.

Mr. IVES. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. IVES. The junior Senator from New York would like to ask the Senator from Utah a question, and I am sure that the junior Senator from New York anticipates the Senator's answer already, from what the Senator has previously said. The Senator from Utah himself, the junior Senator from New York believes, does not approve of what might be called a double standard of education, one for the colored people and one for the white people. Am I not correct in that statement?

Mr. THOMAS of Utah. Certainly the Senator from Utah does not believe in such a dual standard of education.

Mr. IVES. The next point the junior Senator from New York would like to make is that if the language in the amendment to which the Senator from Utah refers is not clear or can by interpretation in any way be distorted to bring about a condition such as that to which the distinguished Senator from Utah objects the junior Senator from New York will be among the first to desire to have that language changed. But what the junior Senator from New York desires most of all is to have some language in this compact, if we are to adopt it, which will make clear our purpose and intent that the standards and quality of education in institutions which may be affected by it and be publicly supported shall, insofar as possible, be uniform for all who may attend such institutions as students.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. COOPER. I have listened with interest to the argument made by the senior Senator from Utah. I know something of his experience in the educational field and I have been here long enough to know of his sincere interest in the improvement of educational opportunity for all our people. However, the argument about this amendment demonstrates clearly the fallacy and inconsistency of the position that this compact requires approval by Congress. The able Senator has said in the course of his remarks that education is the responsibility of the State and yet engages in an argument over the details of an amendment which in any form would represent an attempt by the Federal Government to impose conditions upon the States. I take the position that Congress cannot impose any condition in the field of education upon the States. If we say that it is a responsibility of the Congress to approve this compact we can only do so logically upon the ground that education is a matter of Federal interest and it can then be argued that Congress may impose conditions in the field of education in the States. If Congress can impose the condition proposed by the able Senator from New York [Mr. IVES] it can then be argued that it can impose the condition proposed by the Senator from Oregon [Mr. MORSE] with respect to segregation.

I think it is one of the most unfortunate positions that could be taken by any of the States, and particularly the Southern States, which have for years maintained the doctrine of States' rights, to come to the Congress and by implication say, "The educational field is one which is of some concern to the Federal Government. Therefore we ask the Federal Government to approve this compact."

With great respect, I say to the Senator from Utah that the very fact that we are arguing this amendment raises the implication that the Federal Government does have some interest in the field of education. I do not believe that it is a position consistent with the belief of the Senator, or with the belief of any other Member of the Senate.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TYDINGS. While I shall not address myself immediately to the philosophy of the proposal which is before the Senate, I believe that what I shall say will be an approach to the same idea.

My position is pretty much like that of the Senator from Kentucky, who has just spoken—that the States have practically complete control over their educational systems. I do not wish to enter into a discussion of that question for the moment. With the consent of the Senator from Utah I should like to ask the able Senator from Oregon [Mr. MORSE] a question.

The Senator from Oregon has offered a proposal which provides that any compact entered into between the States must contain a provision, in effect, that there shall be no discrimination in the registration of students because of race or color. That is correct, is it not?

Mr. MORSE. Or creed.

Mr. TYDINGS. Or creed. That is correct, is it not?

Mr. MORSE. That is correct.

Mr. TYDINGS. Maryland is one of the States which desires this compact. I am sure the Senator will agree with me that we are motivated by a desire to give to those who have been denied equal opportunity of education because of color, creed, or race, that which they are entitled to have, namely, the same chance to obtain an education that most of the citizens of my State now have an opportunity to get in certain educational institutions in Maryland. The Senator agrees that the purpose of this compact is to give equality of opportunity in education to those who in some degree have been denied such equality of opportunity.

Mr. MORSE. I agree that that is an allegation.

Mr. TYDINGS. I am not undertaking to cross-examine the Senator at all; but I think we all realize that whether we agree with this procedure or not, the motivating impulse behind it is to provide equality of opportunity, through a novel method, to those who otherwise would be denied such equality of opportunity to get an education.

Mr. MORSE. I am prefectly willing to accept that as one of the motivations behind this compact, but not the only one.

Mr. TYDINGS. That was my point.

Let me submit this proposition to the Senator: He has offered a proposal which, whether we agree with him or not, is perfectly understandable. His position is that we cannot, as a Congress, or should as a Congress, ratify a compact between the States which might, by a certain interpretation of the compact, deny the right of registration because of race, color, or creed. I am wondering if the Senator would be agreeable to rewording his amendment—not that it would be satisfactory to me, but because it would be what I think the Senator from Oregon desires to do, while he seeks to do other things as well. For example, suppose his amendment were to read like this:

> That any regional school established under this compact shall not apply any registration qualifications based upon a discrimination because of race, color, or creed, to any student—

That is the language of the Senator's amendment. Would the Senator be agreeable to adding the words "unless such regional school is established to give equality of educational opportunity to students who otherwise would be denied such opportunity."

In other words, the whole purpose of the compact is to remove discrimination because of race, color, or creed. Certainly the Senator would be completely within the philosophy of his original amendment if he were to accept these qualifying words, because what is sought to be done by this compact is to remove discrimination, so that a man shall have an opportunity to be a doctor, for example, regardless of race, color, or creed. I am wondering if the Senator from Oregon would be inclined to support that point of view.

Mr. MORSE. If the Senator from Utah will permit me to answer the Senator from Maryland, I will say to my good friend from Maryland that I wish to pay him a very deserved compliment. If I ever got into any legal difficulties, civil or criminal, there is no one I would rather have to try my case than the Senator from Maryland.

Mr. TYDINGS. The Senator is certainly complimentary, but in this case I think he is flattering me.

Mr. MORSE. Not at all.

Mr. TYDINGS. I think he would be a better attorney for himself than the Senator from Maryland could ever be.

Mr. MORSE. Before I give a direct answer to the Senator's question, I want

him to understand my theory in this argument.

First, I am opposed to the compact, to the very idea of congressional sanction of the compact, because in my judgment, as a matter of law, it is not the type of compact which requires congressional sanction; so I vote "no" on the compact for that reason.

Mr. TYDINGS. That is entirely understandable to me.

Mr. MORSE. I wish to add only one point. I argued this question at great length. I think the Senator is familiar with the argument, but in order properly to preface my reply to his question, let me say that I think it is a serious mistake from the standpoint of national policy. After all, that is the theory of the speech of the Senator from Utah, because in reply to my question he agrees with me that congressional sanction of this compact is not necessary under the Constitution, but he believes that from the standpoint of national policy it would be a good idea for the Congress, nevertheless, although not required to do so under the Constitution, to approve this compact.

I wish to say to the Senators on the other side of the aisle, who I think have great interest in this matter, that I think they would establish a very unfortunate precedent if Congress should approve this compact, because according to my view of the matter it would then permit the Federal Government to proceed to lay down conditions in the field of education, and I do not think the Senators on the other side of the aisle should wish such a precedent to be established at this time.

With that as a preface, I come to the Senator's direct question. My answer to it will likewise be direct. Mr. President, his proposal would be entirely unacceptable to me. I could not accept his amendment, for the reason that I have a very sincere difference of opinion with my good friends on the other side of the aisle over the question of civil rights. They can disagree with me, of course; they can say, "I do not understand how he gets that way." But that is the way I am, Mr. President. I feel that so far as Federal policy is concerned—and we shall deal with the question of Federal policy if my motion to recommit is defeated—the Federal Government of the United States should never sanction a compact without laying down a nonsegregation principle and condition within that compact.

The amendment of the Senator from Maryland would permit of segregation, and as a matter of Federal policy I am opposed to segregation. Therefore, I could not accept the Senator's amendment.

Mr. TYDINGS. Mr. President, will the Senator from Utah yield further?

Mr. THOMAS of Utah. I yield.

Mr. TYDINGS. I understand the position of the Senator from Oregon, and I wish to say that my own amendment sprang out of a desire to try to understand the Senator's point of view and to meet his point of view and at the same time to provide a means whereby those who now are not getting equality, which is the ideal situation which all of us would like to see occur, would get what was intended by this compact, without infringing on the nondiscrimination provisions of the amendment of the Senator from Oregon.

In other words, the Senator from Maryland took a practical rather than a technical view of the situation. He concedes that the Federal Government should not approve a compact which in the registration of students would permit discrimination because of race, color, or creed. I said, "That is what the Senator from Oregon wants; therefore I shall attempt to meet that provision," because this compact is designed to eliminate the very thing which the Senator wants eliminated, namely, lack of opportunity because of race, color, or creed.

So the words proposed by the Senator from Maryland are to the effect that the idea of the Senator from Oregon, if adopted, would prevail, unless the compact was designed to make the situation which the Senator from Oregon wishes to safeguard a reality, rather than a theory.

I hope I have made myself plain on this matter. In other words, I think the Senator from Oregon could accept the language I have suggested without backtracking one iota on the principles he has laid down as governing his position, because he says there should be no discrimination because of race, color or creed. The Senator from Maryland attempts—knowing that there is discrimination—to eliminate it by the language he has sought to add to the amendment of the Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator from Utah yield once more, to permit me to say a further sentence?

Mr. TYDINGS. Mr. President, I ask the Senator to permit me to interrupt once more. I wish to repeat that I have offered this suggestion in the best of faith, without any desire to take advantage of anyone by any sharp practice, so to speak. I say that because there has been a little smiling back and forth here. I have to concede that there is some ingenuity in the idea of the Senator from Maryland, but it is sound ingenuity, and it gets to the sound principles involved.

Mr. MORSE. Mr. President, I wish to say to the Senator that by smiling, I did not mean to indicate that I considered that there was any sharp practice. I am always ready to debate with the Senator from Maryland, and I am always in good spirits when I do so.

Mr. TYDINGS. I thank the Senator.

Mr. MORSE. I wish to assure the Senator that a part of our difference is to be found in the fact that I give a different meaning to the term "nondiscrimination" than does the Senator from Maryland. I include within "nondiscrimination" protection against segregation. I think that represents our difference.

Mr. TYDINGS. Mr. President, I thank the Senator from Utah for permitting these interruptions and for being so tolerant in allowing the Senator from Oregon and me to take part in the debate at this time.

Mr. CAIN. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. Yes; but I wish to conclude my remarks.

Mr. CAIN. Certainly. Let me say that by the recent debate the Senator from Washington is somewhat confused. If I understood the Senator from Oregon correctly, he said that the Senator from Utah agreed with his contention that it was unnecessary for the Congress to ratify this compact. But as I read section 10 of article I of the Constitution, if I correctly understand it, it provides that any compacts entered into between the States must be approved by the Federal Government. Is not that the correct meaning of that provision of the Constitution? If the Senator will clear up my uncertainty regarding that matter, I shall be very grateful.

Mr. THOMAS of Utah. Mr. President, to do that will necessitate a repetition of the first half of my remarks. But I can sum up by saying that I agree completely with the Senator from Oregon that the type of compact that is before the Senate today in no sense was anticipated by the founding fathers, and that although section 10 of article I of the Constitution uses the words "any agreement," if we read what follows and what precedes we catch the spirit as to what the words "any agreement" mean. To assume that an agreement of the kind now before us is one which must be approved by Congress because of article I, section 10, of the Constitution, is a very strained interpretation, when we consider the history and the facts and the law of the Constitution itself, although there may be and there may have been, time and time again, agreements accepted by the Federal Government which probably were not agreements that necessarily should have come to the Federal Government. So from the standpoint of precedent, very likely one could prove the point that every agreement among the States must come to the Congress; but from the standpoint of the Constitution, and surely from the standpoint of the purposes of the Constitution, that would be a very strained interpretation, indeed.

So I agree with the Senator from Oregon in his legal interpretation.

Mr. CAIN. I am very grateful to the Senator for that statement.

Mr. THOMAS of Utah. Mr. President, I thought my sentimental talk in regard to getting on all sides of this question at the same time and staying on all sides of it at the same time would never lead to a legal discussion. I did not intend that it should. Whenever the lawyers get control of the floor of the Senate, it is time for a Senator such as the senior Senator from Utah to retreat.

Mr. President, I shall not retreat, but I shall close my discussion by pointing out that if all these legal ideas are applied, they may interfere with the accomplishment of the fundamental purpose of this extremely good plan, namely, to try to do something for the development of higher education for colored people in the southeastern section of the United States. That is the objective of this measure.

If we study the educational activities of the Government of the United States, we can find objection to every one of them. When the Land Grant College Act was first proposed and passed by the

Congress of the United States, the then President of the United States, Mr. Buchanan, despite the fact that the act was sponsored by a gentleman from Vermont and despite the fact that that gentleman was a lawyer, said the act was unconstitutional because there is no ground, so said he, under the Constitution of the United States for the Federal Government to go into the educational field. But when a greater American became President of the United States, he saw the ends to be attained. Abraham Lincoln, in the midst of civil war, was willing and anxious to expand our educational system by signing the Land-Grant College Act.

Mr. President, we are told certain things cannot be done, because to do them would promote religion; that certain things cannot be done, because to do them would emphasize the fact that segregation is being recognized. But all those things are being done in an educational way by the Government of the United States. It has not been considered a sanction of segregation that the ROTC, under the auspices of the United States of America, moves into segregated schools. It is not a sanction of the teaching of religion in schools when the ROTC moves into a religious institution.

Mr. President, under the bill to provide an education for soldiers, I am sure a constitutional question might be raised, but if during the war as a result of the Selective Service Act a boy in the midst of his studies was deprived of the opportunity to complete his education, although there was a provision in that act that persons studying for the ministry should not be interfered with, and he now desires to take a religious course in one of the colleges, the Federal Government could not stop him, because there is the first amendment to the Constitution.

All I am pleading for, Mr. President, is that we look at the objectives to be attained by the bill. Let us endeavor to attain those objectives. The country's professional schools are crowded. A great segment of our boys and girls are ready for education. They cannot get it. The pending legislation is a means of letting those boys and girls get an education.

Principles will continue. There will never come a time in the history of the United States, if we persist for a thousand years, but that we shall have to be fighting for some right. This is never going to be a land of bliss, Mr. President. It may be a land of peace, but it will never be a land of bliss. The very creation of the Congress of the United States, in its conception and in its ideas, provides for differences of opinion, and the expression of such differences. So we may pray, we may argue, we may hope, we may desire the time to come when pure bliss and pure understanding shall govern us in all our affairs, and when you and I, Mr. President, shall never have any problems at all. But it is not going to come in my lifetime, nor in your lifetime. In fact, if the type of objection now raised is persisted in and we do nothing until the perfectionist's point of view is accomplished, if we cannot accomplish good as we go along, then of course the basic good for which this country stands is lost

I trust, Mr. President, that the joint resolution will be passed, that it will not be amended, and that the Congress of the United States, being put on their responsibility and their sincerity, will be able to lend assistance when these States come forward and say, "We have got to admit this situation. We cannot take care of it individually. Help us take care of it." Let us give them the sanction to go forward, and let us from time to time review it. If they do not live up to the promise implied in the sanction, then let the public bring influence to bear, but let us enable them to make a start.

## FREEDOM OF SELECTION AMENDMENT TO SELECTIVE SERVICE ACT—PERSONAL STATEMENT

Mr. RUSSELL. Mr. President, this morning, as is my custom, I listened to a news broadcast over one of the national radio systems. The statement came over the air—this is an approximate quotation—that Senator RUSSELL, Democrat, of Georgia, announced that he would press the amendment rejected by the Committee on Armed Services yesterday, providing for segregation of the races in the armed forces. The inference was clear that the amendment was mandatory as to segregation of the races.

Some of the other news broadcasts I heard also strongly implied that the amendment by law would impose segregation of the races in the National Military Establishment. A quick though incomplete review of a number of newspapers this morning shows that all the headlines and many of the news articles commenting on the committee's action tend to create the same erroneous impression. For example, Mr. President, from the headline on the news story relating to this action, from the Washington Daily News, I read:

Southern Senators battle for segregated draft.

The news article in itself was fairer and more clear. The headline was certainly misleading. The Washington Post headline read:

Segregation threatens chances on the floor [of the draft bill].

Some of the news articles were even more misleading. I read from the usually accurate and reliable Baltimore Sun:

Four southern Democrats undertook to have the committee write into the proposed bill an amendment specifically requiring the military services to follow a strict policy of segregation in the proposed training program. But the committee rejected this, 7 to 4.

Mr. President, I realize the impossibility of correcting this erroneous impression created by all these radio broadcasts and by the headlines and news articles. I realize that I have no means nor method whereby I can get the true facts in regard to the amendment before the American people, to enable them to pass judgment on its merits. My efforts are limited to the small number of our citizens who receive the CONGRESSIONAL RECORD. I shall, however, use the limited means available to me to enable at least the readers of the CONGRESSIONAL RECORD to know what the amendment actually contained and a few of the reasons why it was suggested. I shall therefore read into the RECORD at this point the amendment which will be offered to the bill in the Senate, which is a slight revision and perfection of the hurriedly written amendment considered by the committee on yesterday. The amendment reads as follows:

Any person who registers as required by the terms of this act, or any person who hereafter voluntarily enlists in the armed forces of the United States, shall be afforded an opportunity to state in writing over his signature whether he has a preference to serve only in a unit all of the enlisted personnel of which are of his own race. Such opportunity shall be afforded at the time of registration in the case of those registering under the requirements of this act, or upon enlistment in the case of those who are not in the service on the date this act takes effect. Any such person who expresses such preference shall thereafter be assigned only to units of a type consistent with his preference. The right to express and the effect of expressing any such preference shall be clearly explained to each person who hereafter registers under this act or who enlists in the armed forces of the United States. As used in this section the term "unit" means a group of persons serving in the armed forces who (1) share the same housing, messing, or sanitary facilities, or (2) participate jointly in recreational or social activities.

Any commissioned officer of the armed forces who knowingly and willfully denies to any person his right to express a preference upon enlistment as provided by subsection (a) or assigns any person after induction to any unit in violation of the provisions of such subsection shall be guilty of conduct unbecoming an officer and a gentleman and shall be subject to trial and punishment under the appropriate Article of War or Article for the Government of the Navy.

Mr. President, in the delusion which turned out to be somewhat fatuous, that the press and radio might apprise the people of what the amendment actually sought to accomplish, I hurriedly prepared a statement immediately after the committee's action and sought to make it available to the radio and press services, stating as briefly as possible the effect of the amendment and a few of the reasons why its supporters thought it should be adopted. In order to enable the readers of the CONGRESSIONAL RECORD to know those brief reasons, I shall now read this statement:

I cannot support a system of compulsory military service which will deny boys compelled by law to give 2 years of their lives to the armed forces the very modest right to serve with members of their own race upon their specific request. The amendment does not enforce segregation. It only preserves freedom of choice in the individual as to the race of the military unit in which he is forced to serve.

The President of the United States has unequivocally endorsed the report of his so-called Commission on Civil Rights, which strongly denounced any form of segregation of the races in any of the armed services as being discrimination. The Department of the Navy has announced that it has already carried out the President's policy and abolished any form of segregation in the Naval Establishment.

The President is the Commander in Chief of the Army and Navy. In his civil rights message to the Congress of February 2, the President categorically stated that he had instructed the Secretary of Defense to take steps as rapidly as possible to eliminate any remaining instances of discrimination in the

armed services. This statement has been applauded as a declaration that he proposed to eliminate segregation in any form. There is no question as to his power to do this.

The amendment proposed in the Committee only permits any person registering for the draft to express a preference to serve with a unit of the armed forces composed of members of his own race, and instructs the services to assign him to such a unit. The Committee rejected this amendment.

I have always believed in military training for the young men of this country to build up a strong reserve to enable us to meet any national danger. I have supported every measure to strengthen our national defenses which has been before the Senate during my service. I have earnestly worked to perfect and strengthen the pending defense bill, and appreciate the fact that the Committee adopted a number of changes and amendments I suggested which will make the bill more effective as an instrument of national defense.

I cannot, however, vote to take boys of my State between the ages of 18 and 26, against their desires, into the armed services with the definite knowledge that the Commander in Chief proposes to intermingle the races in the most intimate relations of life. The morale and health of the men is sure to be adversely affected. The official figures of the War Department during the last war show that the percentage of crime in Negro organizations was approximately twice that of white units. The official reports of the United States Public Health Service show that of the first 2,000,000 selectees examined in World War II the prevalent rate for syphilis among white males was 17.4 percent per 1,000, but among nonwhite males it was 252.3 percent per 1,000. In the age group 20 to 25 years the prevalent rate of syphilis among nonwhite males was 19 times greater than among white males. It is unnecessary to give other figures showing the relative percentage of crime and other kinds of venereal diseases as between the two groups to demonstrate the fairness of allowing these selectees the right to express a preference.

I am anxious to support, earnestly and to the extent of my ability, a fair bill for compulsory military service, but I cannot bring myself to vote to intermingle the races in the services over the protest of the individual citizen involved as is now in process. The men of the South have discharged their full duty and more in every war our country has fought. They stand willing to defend their country in the future. I shall not vote to compel them to serve in the Army if they are to be denied the simple right to declare a preference to serve, and in case of war to die, in a unit with men of their own race and kind.

Mr. President, I know how unpleasant it is to talk about percentages of crime and venereal diseases as between the races. I have many Negro friends. It is painful almost to the point of nausea for me to be compelled by duty to make a fight on such an issue. The issue presented in this amendment, however, goes far beyond any mere matter of racial prejudice. It involves such vital factors as the health and morals of hundreds of thousands of American boys who will be taken from their homes into the services. It will directly affect the morale and discipline of our armed services. It bears directly upon the inherent and fundamental right of free-born American citizens to a free choice of the type of people with whom they will live.

As painful as it was, I raised the same issue when another Senator examined General Eisenhower on segregation on his appearance before the Armed Services Committee. I knew that some phases of the legislation would bear directly on the question of segregation, and thought that in such an important question the American people were entitled to the facts. I accidentally listened to a radio transcription of General Eisenhower's appearance before the committee, which I did not even know had been made at the time he appeared, and found to my amazement that my questions and General Eisenhower's answers as to the incidence of crime and venereal diseases, as well as certain statistics which I have just cited, had been censored from the broadcast.

Mr. President, because these matters are unpleasant to discuss I shall not be deterred from my plain duty in stating not only these facts, but a great many more facts, when the amendment shall be considered in the future, in the attempt to establish the fairness of permitting draftees to serve with members of their own race when they specifically desire such service. If there should develop a conspiracy of silence to prevent those facts, as unpleasant as they may be, from being brought to the attention of the American people, they will at least be embalmed in the RECORD of the Congress of the United States, and will be available to the comparatively few who do read the CONGRESSIONAL RECORD.

I wish to reiterate, Mr. President, that there is nothing in the amendment which would prohibit any person from serving in mixed units and unsegregated units if he so desires, and is so assigned by the armed services unless the individual took affirmative action to prevent such service.

I can reassure all those subject to the draft, and the parents of those subject to the draft who desire to have their sons serve in unsegregated units, that they can have that opportunity under the amendment, and I read the amendment into the RECORD so that even a wayfaring person who reads it will see that there is no prohibition against any man serving in a nonsegregated unit where he has a desire to do so and is so ordered.

The right to serve in a unit of his own kind is established as a special privilege in the legislation, and inheres solely and exclusively to those who assert in writing, over their own signatures, that during the 2 years they are compelled to give their country they prefer to serve in a unit composed of members of their own race.

Mr. President, I have never cast a vote that caused me more distress than my vote against the bill in committee on yesterday. My record in regard to strengthening the national defense is clear. Not once since I have been a Member of the Senate have I voted against any bill or amendment which proposed to strengthen any part of our defense establishment. The CONGRESSIONAL RECORD for the 1930's will show that for several years I waged a vigorous battle to provide military training to every high school and college which desired it.

In 1940, when danger clouds started flying, I called up the War Department for assistance in preparing a selective service bill to put the defenses of this Nation in order. That was long before any person in high authority had ever suggested the desirability of a Selective Service Act. I remember well that the then Secretary of War sent to my office a man who introduced himself to me as Major Hershey. He was the expert of the Department on selective service matters. Within a few months that man was handling the induction of some ten or twelve million American youth into the armed services. The then Major Hershey was most cooperative, but he told me in the course of our conversation that a few days previously Representative WADSWORTH, of New York, had called him up, and that he was cooperating with Mr. WADSWORTH in preparing a selective service bill. Inasmuch as Mr. WADSWORTH had taken the matter up with him earlier, and I knew a bill was going to be introduced, and not wishing to infringe upon the priority of Mr. WADSWORTH, I did not introduce my bill.

Mr. President, I have always been an earnest supporter of universal military training. I worked long and hard in the preparation of the bill which has today been reported to the Senate by the chairman of the Committee on Armed Services. Many of the provisions of that bill were inserted on my suggestion. Among them were the mandatory order provision, sometimes referred to as the draft of industry, which seeks to assure that we will have proper and sufficient equipment at reasonable prices, for the men called to the colors. I offered the amendment which provided for the deferment from the draft of veterans of the last war who had served more than 90 days. I suggested the changes which will assure less-favored communities that they will not be deprived of medical attention through the operation of the draft of dentists and doctors. I insisted upon the provision for the establishment of State quotas under the draft, and allowing credit on such State quotas for men who are presently in the armed services. I brought to the attention of the committee several other items which in my opinion make the present bill much fairer and more workable, and which I believed at the time would greatly enhance its chances of passage.

Mr. President, I earnestly hope that the final draft of the bill will be in such shape that I shall be able to support it. But I do not propose to subject the young men of this Nation to compulsion which will force them to serve 2 years under conditions which will be unnecessarily distasteful to them, and which will be dangerous to their health and to their morale, as well as to their chances of making records of honorable service.

Mr. President, this is a Presidential election year, and the leadership of both parties are most responsive to the demands of organized minorities. For my part, I cannot gamble with the effects of a civil-disobedience movement directed by the Negro agitator, A. Phillips Randolph, or with further attempts to appease and seduce the followers of Henry A. Wallace. I have read the President's message, I have read the report of what he called his Commission on Civil Rights. I can understand the English language. I could never forgive myself if in the future I should meet some boy, a boy whom I am supposed to represent in this

body, who had, on account of unbearable conditions of service, deserted his post and had his life ruined by a dishonorable discharge. Nor, Mr. President, could I bear to confront some young man who would carry through his life the marks of some disease contracted by him, through no fault of his own, because I had consented that he be placed, against his will, in service under conditions which were unfavorable to him.

Mr. President, I send to the desk and ask to have printed and lie on the table an amendment which I shall propose in behalf of myself and the senior Senator from South Carolina [Mr. MAYBANK] relating to the subject I have been discussing.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table.

## SOUTHERN STATES COMPACT ON REGIONAL EDUCATION

The Senate resumed consideration of the joint resolution (H. J. Res. 334) giving the consent of Congress to the compact on regional education entered into between the Southern States at Tallahassee, Fla., on February 8, 1948.

Mr. STEWART. Mr. President, I desire to speak on the joint resolution under consideration, and the motion to refer it to the Committee on the Judiciary.

I think it is most unfortunate that the present situation with respect to the proposed legislation, and the compact between some 15 States, has developed. I had thought, when the joint resolution was first introduced in the Senate as Senate Joint Resolution 191 in February of this year, that it was a fine proposal, and in that respect my mind has not changed. I thought also that the proposal would be received enthusiastically by the Congress, and that there would be a minimum amount of difficulty in securing its unhampered passage. An identical measure passed the House of Representatives a few days ago by a substantial majority.

I am sorry the present legislative snarl, if that is the proper word, concerning the proposed legislation, has developed. The question which precipitated the debate upon this measure of course grew out of the amendment offered by the able Senator from Oregon [Mr. MORSE], which deals with the matter of segregation, and concerning which he has already so ably spoken.

I repeat that I am extremely sorry that the present situation exists. I think the matter is not only one that presents a constitutional question, or that presents a quesion of policy with respect to segregation, but I think it is also one that presents a question of policy, or at least of national interest, insofar as education is concerned. I believe that the debate here and the hearings which were held after the Senate joint resolution was introduced and referred to the subcommittee of the Committee on the Judiciary have revealed not only the high-minded purpose behind the compact but the absolute necessity for the carrying out of some sort of an agreement to obtain the desired end of affording medical education to college students in the United States, and particularly at Meharry Medical College in my State of Tennessee.

I should like to point out—and if in doing so I may be guilty of repetition, I think I am thoroughly justified in doing it from the standpoint of emphasis—some of the things which were testified concerning the compact which would give to 15 States of the Union the right to support educational institutions. Of course the compact itself is not confined to any one particular institution. It is comprehensive in its scope, and would give to the 15 States and other States that might join the right to erect educational institutions of different kinds and support them, but the particular case at hand, and the one which has been debated and testified so much about, is the Meharry Negro Medical College in Tennessee.

Among the first witnesses to testify in the hearings was Dr. Clawson, president of Meharry Medical College. Dr. Clawson testified, and others have testified likewise, and there is no dispute about the fact, that Meharry Medical College will of necessity close its doors in June of this year unless some form of relief such as is contemplated by the States' compact is provided. Dr. Clawson said there is now existing a deficit of some $352,000, which accrued by reason of the fact that the college was allowed to encroach upon the corpus of the endowment fund by an agreement which was arrived at, and that unless the compact can be agreed upon, the college will simply have to close, because it cannot encroach further upon the endowment fund. So, as he stated, they are faced with a crisis.

I should like to point out that this Negro medical school in Nashville, Tenn., has been in existence for about 80 years. Dr. Clawson testified that it has produced in that period of time 56 percent of the present Negro medical and dental practitioners in the country, and that it now has an enrollment of approximately 500 students.

Another thing of extreme importance, insofar as this medical school is concerned, is pointed out by Dr. Clawson, and that is the Meharry Medical College and Howard Medical College here in the District of Columbia graduate half the Negro doctors who serve their people as members of the medical profession in the United States. Indeed, Dr. Clawson filed a statement in connection with his testimony which pointed out that in all the other colleges of the United States there were only 86 colored medical students in attendance. The break-down he gave shows that the University of Michigan Medical College at the present time has 18 Negro medical students. I might add by way of parenthesis that the record shows that Meharry Medical College also has 18 Negro medical students from the State of Michigan. So the college itself not only serves 15 Southern States which have sought permission to enter into the compact, but it serves all the States of the Union.

The break-down also shows that Ohio State, for instance, has 5 Negro medical students, Yale has 3, Harvard has 1, and so forth, making a total, I repeat, of only 86 Negro medical students attending medical schools throughout the entire United States, outside the Meharry Medical College and Howard University Medical School.

I should like to read one or two excerpts from the testimony of Dr. Clawson. He said in response to a question that was asked him concerning Howard University:

> They—
>
> That is, Howard—
>
> have 70 in the class of medicine, we—
>
> At Meharry Medical College at Nashville, Tenn.—
>
> have 65 [students]. They—
>
> At Howard—
>
> have 55 in dentistry and we—
>
> That is, at Meharry Medical College—
>
> have 35. So they have more. I am talking about freshmen classes, each class.
>
> Schools are restricted to the number of students. The councils of medical and dental education tell you whether you can take 65 or 25, and all schools are the same.

Then, Mr. President, Dr. Clawson proceeded to point out that if nonsegregation, which is sought by the amendment of the Senator from Oregon, is insisted upon or is made a reality, that is, if the segregation amendment is adopted and segregation is abolished, then the opportunity offered the Negro students of Meharry Medical College would be seriously reduced, because he pointed out that there are annually about 14,000 applicants, if I recall the figures correctly, for entry into the various medical schools of the United States, of which, all told, there are probably less than 80. I have forgotten the exact number. Dr. Clawson testified that if the antisegregation amendment should be adopted, and segregation abolished, then the Negro students who seek entry into these schools would have to compete with 14,000 applicants of all races who apply for entry to the various medical schools throughout the country, instead of having to compete, as now, with a comparatively small group of applicants of their own color. He states that they receive between 500 and 600 applications each year, but can accept only a limited number.

Dr. Clawson further points out that the graduates of Meharry College are attending to the physical needs of about 7,000,000 colored people—people of their own race. This institution has become famous throughout the entire country as a medical school. Its graduates have gone out into the world and have achieved marked success.

I wish to read further from the testimony of Dr. Clawson. It seems to me that it is very pointed, fair, and clear. He says:

> Dr. CLAWSON. It seems to me that, having been a sailor in my past, this is very similar to a crew who would throw the cook over because they served food that was of Canadian origin on an American boat. That is how this thing looks to me. It would throw over an institution that has given all of this just to stand on a principle which would not be in the least affected.
>
> If we are sacrificed at Meharry, the constitutions of those Southern States will not change overnight. They will go on. Those who would destroy Meharry for an imaginary principle should direct their activities

at the constitutions of the Southern States and not at Meharry. We are not playing politics in this. We want to survive, and we want to serve those 500 students we have there, who will go out and serve half of the Negro population of this country. They will do their share, because we know that we do produce over half.

Now, it seems to me that in the District of Columbia, where there is no constitution requiring separate education, the greatest offender would be our sister school, Howard—not that I want to see it closed, or anything of that kind, but let it attack where you will have a greater chance of success of opening it up to unsegregated opportunity for all people.

What would happen if you closed Nashville? The States' constitutions require the setting up of Negro schools. There would be 15 little Negro medical colleges, and they could not afford them.

I cannot see the reason why anybody would want to destroy Meharry to secure something like that. That would be the end of it.

Another witness testified at the hearings held upon this measure. He had been a student at Meharry College. His name is Dr. Daniel Thomas Rolfe. He is at present professor of physiology at Meharry Medical College, and executive secretary of the Meharry Alumni Association. Dr. Rolfe was asked to state something of his background. He said:

Dr. ROLFE. Mr. Chairman, I am professor of physiology at Meharry Medical College and am executive secretary of the Meharry Alumni Association. I am a graduate of Meharry of 1927.

I took postgraduate work in physiology at the University of Chicago and at Cornell University in New York.

I have been teaching physiology there since 1930. I have been secretary of the Alumni Association since 1938, and I know more about the alumni of Meharry Medical College than any other person, because of my position. I am closer to their real thoughts, because, during the past 2 or 3 years I have had an opportunity to travel about wherever our alumni were in sufficiently large groups raising money for an alumni hall.

In that period I was successful in collecting $200,000 for the construction of this building that was given solely by the alumni of Meharry Medical College without appeal to outside aid.

I think that the fact the alumni of Meharry Medical College out of their own resources, which are not too great, gave $200,000—incidentally that was given by 1,200 out of a possible 2,500—shows their fundamental interest, and it has been said that it was the finest alumni group of any medical institution in point of loyalty and in point of interest.

Dr. Rolfe was then interrogated by several Senators, and testified briefly. He emphasized Dr. Clawson's testimony, to which I have referred. Among other things, Dr. Rolfe pointed out that the alumni of Meharry Medical College are in favor of this compact.

The CHAIRMAN. Are the alumni in favor of this compact arrangement?

Dr. ROLFE. The overwhelming majority, as Dr. Clawson has pointed out. Only three groups have evinced any opposition, and it was out of ignorance, because soon after we publicized what the regional plan was about and how dependent Meharry was on it, to these people, they formally withdrew what they had said; and in my personal communications and conversations with large numbers of them, they are behind it.

Dr. Rolfe testified that for several years the alumni of Meharry College, seeing that the time must come when it would reach an end of its activities unless some financial relief could be obtained—and they had desperately tried to obtain it through every means known—then began to court, so to speak, the governors of the Southern States. The idea of the regional school to be established under this compact or agreement, ratification of which is sought, was not conceived by the governors of the Southern States, but by the alumni of Meharry College themselves. They called upon various public officials in several States in the area with which the institution would serve, and in which it is now endeavoring to serve. Over a period of several years they made these contacts, and finally sold the Governors the idea which is represented in Senate Joint Resolution 191.

It is unfortunate that this proposal should not have reached the Congress a year or two ago, some time ahead of the decision of the Supreme Court in the Oklahoma case, and other things affecting segregation and so-called civil rights which have been made matters of public attention within recent months. It is unfortunate that this compact could not have been considered at a calmer time, because if it fails, the failure will be a serious blow to the country. It will be serious because unless some other arrangement can be made to continue the operation of this institution, a number of qualified Negro medical students will be deprived of the right to practice medicine, because they will be denied the right to go to school.

We all know that there is perhaps a greater shortage of medical schools in the country today than ever before. At least there are many thousand more applicants each year than can be taken care of by the capacity of the existing schools. I learned that in the District of Columbia one medical school had applications from more than 2,000 prospective medical students. It was possible to accept only about 85, who were selected from the 2,000 applicants.

According to the record, this college will cease operations this summer unless something can be done to rescue it. If it ceases operation, those who would otherwise graduate from the school will be deprived of the right to practice medicine and continue the fine work which has been done by the graduates of that institution throughout the years among their own people, and, indeed, among both races. Not only will there be an increased burden on the remaining doctors in looking after the health of the country; but it seems to me that it would be a sin and a shame if capable young colored men were not permitted to continue their educational pursuits at Meharry Medical College.

If I may be permitted to say so, Mr. President, I think there seems to be a great deal more interest at the present moment in the apparently all-important matter of segregation than there is in the general welfare, health, well-being, and education of the colored race in the United States.

Mr. MAGNUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Tennessee yield to the Senator from Washington?

Mr. STEWART. I yield.

Mr. MAGNUSON. I am not quite clear about one matter in relation to the question of segregation. If this compact is approved and established, will the laws of the Senator's State of Tennessee relating to entrance examinations or admission to the Meharry College apply, or will the States which are parties to the compact enact laws relating to application for admission?

Mr. STEWART. I am not prepared to answer that question. We discussed it briefly no later than yesterday. My thought about it is simply until such time as the States formulate rules relating to entrance—as probably they would undertake to do—the laws of the State of Tennessee probably will apply. That is my opinion, although I have made no great study of the matter.

Mr. MAGNUSON. So in this connection, any laws relative to segregation would have to be applicable only to the State of Tennessee; is that correct?

Mr. STEWART. That is my opinion, although I may not be correct. We discussed that matter briefly on yesterday. I do not know of any other answer I could make now, in view of my limited knowledge of the situation. But the debate on segregation in the Senate has been precipitated, of course, by the amendment offered by the Senator from Oregon, in which he undertakes to abolish altogether the idea of segregation. Of course, the Senator from Washington is familiar with that amendment.

Mr. MAGNUSON. Yes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. HOLLAND. If I may be permitted to comment on the question asked by the Senator from Washington, I should like to say that the printed hearings contain a compilation of the constitutional and statutory requirements in that respect of the 15 States which join in the compact. That compilation shows that 14 of the 15 States have constitutional requirements of segregation, and that in the other State—the State of Arkansas—there are similar requirements, except they are made solely through statute. The other 14 States—those which have constitutional requirements on that subject—have supplemental statutory enactments about it.

The hearings show that it was stated very clearly by the Governor of Florida, who was chairman of the committee by which the compact was drafted, and who was charged with its submission here, that, of course, in carrying out the provisions of the compact the States would be bound—not only one of them but each and all of them—to follow the several State constitutional and statutory requirements, and it was further made clear that there was no intention of departing from those requirements.

Is that an answer to the Senator's question?

Mr. MAGNUSON. Yes; that is an answer; but I am trying to get this mat-

ter clear in my own mind. The Senator from Tennessee has said that the laws of the State of Tennessee would apply until this matter was worked out. Is that correct?

Mr. STEWART. Yes.

Mr. MAGNUSON. I understand the reason for that to be that some other law governing the question of application and admission could not be enforced in Tennessee. Of course, I appreciate the fact that most of the States involved in this compact by custom and by law have practically the same type of provision.

Mr. HOLLAND. There is no intention to depart from the constitutional and statutory requirements, and there could not legally be any action which would result in doing so.

However, when the Senator refers to the laws of Tennessee, I would call his attention to the fact that his point is absolutely correct only when applied to an institution in Tennessee. I understand, therefore, that he has addressed his question to the existing institution under consideration, Meharry College. Substantially the same answer would have to be given in regard to an institution located in any of the other 14 States affected. But insofar as Meharry College is concerned, entirely apart from the constitutional question of segregation, other requirements, if any, of Tennessee law would naturally apply to that institution, which is located in that State.

Mr. MAGNUSON. I merely wish to have a clear understanding of the matter, because suggestion has been made that some of the other States which are parties to this compact might wish to determine, either jointly or severally, that some other requirements should be applied, aside from the requirements of the laws of Tennessee.

Mr. HOLLAND. I think the Senator is entirely correct as to Meharry College, and the same statement would apply to any other institution under this compact. In other words, the laws of the State where the institution is located would first have to be adhered to.

Mr. STEWART. Mr. President, there can be no doubt about that, in my opinion. I repeat that it was only yesterday that we discussed this matter, although we discussed it only briefly. But as the Senator from Washington has suggested—and the Senator from Florida can verify this, I am sure—most of the States which have entered into the compact have substantially the same scholastic requirements and the same provisions in respect to educational requirements. But I repeat that if this compact is entered into, probably it will result in more uniformity of laws or some compilation of regulations concerning admission, all of which would have to be within the purview of the provisions of the constitution of the State in which the particular school or institution is located.

Mr. President, I was saying that it seems to me that the matter of educating the colored students—not only within the 15 States, but throughout the entire United States—along the lines of the program at Meharry College, outweighs any imaginary—as Dr. Clawson calls it—proposition such as segregation. The all-important matter is education. The question of segregation should not enter into this proposition at all. It has been stated here—and I shall not undertake to argue the legal phases of the matter, because I am not sufficiently informed on them, and I have done very little research work on that aspect of the case—that this compact or a compact or an agreement of this nature could be entered into by the various States of the Union without congressional authority, and that therefore the introduction of this joint resolution and its consideration by the Congress is utterly unnecessary. Mr. President, it seems to me that is an added reason why the matter of segregation should not be considered here; because if we can do this without congressional authority, then certainly it can be done under conditions as they exist now, and the matter of segregation would remain as it is. So, if it can be done without congressional authority, certainly no harm will be done by giving the authority without amending the joint resolution.

Mr. President, I now yield the floor.

Mr. SPARKMAN. Mr. President, I desire to discuss the compact for a few minutes, particularly with reference to the amendment which has been offered by the distinguished Senator from Oregon, and also the motion the Senator from Oregon has made to refer the joint resolution to the Committee on the Judiciary. It is not my purpose, Mr. President, to argue at any length the requirement of the Constitution that the compact be ratified or approved by Congress. I have not studied that phase of the situation. I have read the very simple, clear, unambiguous language of the Constitution, which in plain language says:

> No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State.

As I understand the argument of those who say congressional approval is not necessary, it is based on some language that was used in a court decision on another case that did not involve this particular question, a case that was not necessarily, as we lawyers call it, on all fours with it. But be that as it may, I want to say, with the Senator from Tennessee [Mr. STEWART] and the Senator from Utah [Mr. THOMAS], that even if it is not necessary to have the compact ratified by Congress, it certainly does no harm, and I think it may do a great deal of good.

I can easily see that any one of these States would be slow to enter into an undertaking with one or more of the other States to undertake an expensive program, if there were any likelihood that a suit brought by a taxpayer might at some later date invalidate the whole proceeding.

Furthermore, Mr. President, this thought occurs to me; I do not know that it is valid, but if a suit should be brought by a taxpayer, it would be brought in the State courts, and a determination would be made in the supreme court, or the court of last resort, of the particular State. I am not sure that a question would be presented of such nature and in such a manner that it would entitle the suit to go on to the Supreme Court of the United States in order to get a ruling on this constitutional provision. But be all that as it may, it seems to me that certainly it would do no harm whatever, for the Congress to ratify or consent to this compact, and certainly it would remove all doubt so far as action on the part of these States may be concerned.

The Senator from Oregon makes an earnest argument about the effect of this congressional approval of the segregation. I cannot follow his argument. In one breath he says such approval is not necessary. If it is not necessary, then the ratification would be wholly ineffective. If it is ineffective, as it would be according to his argument, certainly it would be ineffective in every respect and would have nothing to do with extending or in any way affecting segregation or nonsegregation.

Mr. MORSE. Mr. President, will the Senator yield, only for clarification of my position?

Mr. SPARKMAN. I yield to the Senator from Oregon.

Mr. MORSE. It is not my position that if it is unnecessary, it is ineffective. I simply take the position that under the Constitution congressional approval of the compact is not necessary. I then take the position that if we are going to assume it is necessary, there falls upon the Congress the duty of laying down conditions as to national policy which in the judgment of the Congress should be laid down. That is the position of the Senator from Oregon.

Mr. SPARKMAN. I am very glad to have the Senator from Oregon make that additional statement.

Mr. President, I want now to discuss briefly the question of segregation. I regret exceedingly that this forward-looking step that has been projected by the Southern States in the field of education has been allowed to go off at a tangent on the question of segregation. But since it has, I want to discuss it very briefly. Certainly the compact does not extend segregation as it is known in the various States of the Union. Of course, most of the Senators who have spoken have referred to segregation in the 15 Southern States, or the 16 that provide for it in their laws and constitutions. So far as the constitutional provision is concerned, so far as the laws are concerned, perhaps those are the only States that have segregation; but I believe that every Member of the Senate knows that nonsegregation is farcical so far as it is practiced throughout the Nation. I know of no better way of pointing that up than by citing the fact that of 77 medical schools in the United States only 21 have any Negro students. Six of them have only one each; three others have only two each; five others have only three each; one, only five; another one, only six; two others, only seven; two others, only eight. The University of Michigan, which leads the list, has 18.

How any Senator having that kind of a record before him can talk about nonsegregation in the schools of the United States is beyond my understanding.

Last night, Mr. President, I participated in a little radio forum with some students in the Washington area. The forum was broadcast over the American

Broadcasting Co. After the broadcast was over I received a telephone call from a Negro student, who told me that he had finished his premedical course and was trying to enter a medical school. In his statement he said to me: "These so-called nonsegregated schools are a joke. I have no more chance of getting into one of them than anything in the world. They have built up something to keep me out." Of course, we all know, by looking at the record, that that statement is true. There is not a word in the compact which in any sense whatsoever changes the status of segregation or nonsegregation as it is practiced in the Nation today.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STEWART. As I understand, there is also no such thing as segregation provided for in the charter of Meharry College. The Senator from Florida [Mr. HOLLAND] would know about that, I am sure. My recollection is that it was chartered in my State in 1887, and it was not chartered as a Negro school.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. I am not able to answer the Senator's question, but it was established to serve the Negro race, whether or not the charter so states.

Mr. STEWART. That is the point I wanted to make. There has been a common understanding. During all the period of time since it has been established it has so served. There was not a word about segregation in the charter or in the original grant when it was made. There has simply been a tacit understanding.

Mr. SPARKMAN. Mr. President, since the Senator from Tennessee has brought up the question, I might add this thought: I am not familiar with the act of Congress under which Howard University in the District of Columbia was established, but I do not believe there is any requirement in it that that institution shall be a wholly segregated school. As a matter of fact, I believe it admits a few white students from time to time. I think it has probably five a year in the medical school. Nevertheless we know that by practice, custom, and understanding Howard University is maintained essentially as a school for Negroes.

Mr. STEWART. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I yield.

Mr. STEWART. I should like to point out how well people can get along when they are not interfered with.

Mr. SPARKMAN. Of course that is true. There is nothing in the compact that would in any way extend segregation or change the situation in any respect. There is nothing in it which would interfere with any one of the States in carrying on education. It is only the amendment offered by the Senator from Oregon [Mr. MORSE] that seeks to reach down into the jurisdiction of the respective States and tell them how they shall conduct their schools. As a matter of fact, the Senate had before it not long ago a bill providing Federal aid for education. Every single amendment which sought in any way to disturb the States in operating their school affairs was voted down. I cannot state this as a positive fact, but it is my opinion that the able Senator from Oregon was one who voted with us in voting down those amendments, his theory at that time being that a State had the right to control its schools and that the Federal Government had no right to step in. Yet the purpose of his amendment today is to step in and say to the States that they cannot operate their schools as they want to and should operate them.

Mr. President, I think it has been pointed out already, but for fear that it may be overlooked I want to say a few words regarding the effect on Meharry College and on the training of Negro doctors if the amendment offered by the Senator from Oregon should prevail. Assuming that Meharry College continues—although I think the other assumption, that Meharry College will close its doors, is correct—according to the testimony of the president of that institution, last year Meharry had 729 Negro applicants and approximately 300 white applicants. If the amendment offered by the Senator from Oregon had been in effect and the students had been chosen on the basis of mental aptitude and scholarship attainment, which is the basis generally applied in the selection of medical students in our medical schools, rather than on the basis of race or color, that institution would have had had only 5 Negro students. Of the 729 who applied, only 5 would have been admitted. Of the 300 white students who applied, 60 would have been admitted.

The witness further testified that had the same rule been applied to Howard University in the District of Columbia, only 9 Negro students would have been admitted and 61 white students would have been admitted. So instead of having a class of approximately 140 Negro students entering medical school, there would have been a total of 14. That is the practical effect of the amendment. I do not see how colored students would be taken care of in the other 75 medical schools in the United States, because those schools, other than Howard University and Meharry College, are training only 86 colored students. I am not referring to the freshman class, but to the entire medical class.

It has been pointed out that a great majority of the Negro doctors in this country are trained at the two segregated Negro medical schools, Howard University and Meharry College. According to the memorandum prepared, I believe, by the National Association for the Advancement of Colored People, which was inserted in the CONGRESSIONAL RECORD, May 11, 1948, by the Senator from North Dakota [Mr. LANGER], 85 percent of the Negro doctors are trained at those two schools. I shall read the statement. It is as follows:

The two Negro schools, Howard University Medical School in Washington, D. C., and Meharry Medical College in Nashville, Tenn., graduate, and from their inception have trained, the large majority of Negro physicians (about 85 percent).

The cry goes out from all the people who are interested in the Negro problem that more Negro doctors are needed. As a matter of fact, in this same memorandum it is pointed out that only about 3 percent of the doctors of this country are Negroes, whereas the population ratio is about 10 percent, and that therefore 10 percent of the number of doctors should be Negroes. Yet the adoption of the amendment of the Senator from Oregon, instead of stepping up the training of Negroes, instead of giving them something, would actually take away from them, and make it impossible for the great majority of Negro applicants for medical training to get any training whatsoever, or to get any consideration in any medical college.

Mr. President, the Senator from Oregon has also moved to refer the joint resolution to the Committee on the Judiciary. I suppose every Senator knows that if the joint resolution shall be referred, it will virtually kill the compact. I do not know what the individual States would do in the face of the arguments advanced by the Senator from Kentucky and the Senator from Oregon as to the nonnecessity of congressional approval of the compact, but in my opinion the States are going to be very, very slow to act, with the result, in my opinion, that the compact will be killed.

Mr. President, if Meharry College shall close it will mean that the facilities for training half the Negro doctors in this country will be taken away. Certainly they are not going to be taken care of in the other medical schools.

By the way, there is a second point raised by the amendment offered by the Senator from Oregon which I wish to mention, namely, requirement that the schools so established shall maintain minimum standards. I call attention to another part of the testimony of Dr. Clawson, that out of 14,000 medical students throughout the United States last year the national average—a kind of norm that was established through some kind of mental test—was 500 points, but that of the applicants at Meharry College only 45 could have qualified under that high average, and that the school was required to lower its standard by 100 points in order that a sufficient number of applicants could fill up the freshman class. Yet if the amendment of the Senator from Oregon had applied to Meharry College last year, they would not have lowered that norm by 100 points.

Mr. TAYLOR. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield to the Senator from Idaho.

Mr. TAYLOR. I should like to ask the Senator from Alabama if he thinks it right that Negro students should have a lower entering average than whites. Does he not think it proper that people should be attended by doctors who do not have a mental average that is below what is normal in other places?

Mr. SPARKMAN. I am not an expert on the establishment of this norm,

or mental average, or whatever it was. I do feel that the Meharry College has been turning out a good class of doctors, and I feel that the college certainly was within its rights in lowering the average by 100 points, in order to give the Negro applicants opportunity to enter the school and get a medical education.

I should like to add that, according to all the testimony, unless it is possible to have a flexible requirement like that, the Negro applicants in this country, whatever the reason may be, are not going to get into medical schools. I am not resting on my statement, I am taking the testimony of one of the leading Negro educators in this country, who testified to that effect before the committee.

Mr. TAYLOR. I do not know about the facts, but it seems to me that the entering average should be the same for all. I feel that every citizen should be considered an American regardless of his race, and that Americans should not be discriminated against or favored in any way, that all people, black and white, are entitled to be cared for by good doctors, who are able to pass examinations.

Mr. SPARKMAN. I certainly agree with the Senator from Idaho in the statement that people have a right to be attended by good doctors, but I am willing to risk the judgment of the board at Meharry College and the State board of examiners who examine the doctors after they are trained, to make certain that they are good doctors, worthy to practice in the State of Tennessee, or the State of Idaho, or wherever their place of practice may be.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield to the Senator from Florida.

Mr. HOLLAND. If the Senator will yield, I should like to say that I may be able to make a contribution here which will clear up this matter.

There was not any diminution in the minimum standards whatever. If that had followed, the school could not have retained its class A standing, and it could not have retained its standing with the American Medical Association. It was a lowering of the mean or average requirement as among all students whom they accepted as compared with the average of all students accepted out of the 14,000 applicants, of whom many had to be turned away, in the other medical schools of the Nation. It was in no sense a lowering of the minimum standards required, because to have done that would have meant a forefeiting of the class A standing, and also recognition by the American Medical Association.

Mr. SPARKMAN. I am glad to have that explanation from the Senator from Florida. Of course, it does mean that had there been a purely competitive basis, then Meharry could not have filled its freshman class out of the Negro applicants. Dr. Clawson made that statement before the committee.

Mr. HOLLAND. The Senator is absolutely correct in his statement. The evidence of the president of Meharry before the committee was that if the competition had been general, that is, as between both white applicants and colored applicants in Meharry and Howard, the result last year would have been that only five students could have been admitted to Meharry and only nine to Howard, and all the rest of the applicants who would have been admitted would have been white applicants, and would now be white students. That was the statement of Dr. Clawson.

Mr. SPARKMAN. That is correct. Let me read this paragraph from Dr. Clawson's statement in connection with that reference:

> Let me, therefore, briefly summarize the actual situation. Had all the Negro applicants in the year 1947 been thrown in competition with the national total of 14,000, we would have had 9 at Howard, 5 at Meharry, and 21 in the other 22 schools, or a total of 35 freshman Negro medical students as compared to the 156 now enrolled in all schools.

Mr. McFARLAND. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield to the Senator from Arizona.

Mr. McFARLAND. I regret that I have been unable to be on the floor of the Senate during all the debate, and the question I have in mind may have been covered, but is there any question about the competency of the faculty at Meharry, or the standards of instruction there?

Mr. SPARKMAN. None whatsoever.

Mr. McFARLAND. Then, I take it, this question about the students would not enter into a consideration of the standards of the college.

Mr. SPARKMAN. Except that there must be certain minimum standards for admission into the school. That is what I was discussing.

Mr. McFARLAND. The point I am getting at is that there is no question that the students receive good instruction at this college.

Mr. SPARKMAN. That is correct.

Mr. McFARLAND. How does the college rank with other medical colleges?

Mr. HOLLAND. If the Senator will yield, I shall be glad to answer that question.

Mr. SPARKMAN. I yield to the Senator from Florida.

Mr. HOLLAND. Meharry Medical and Dental Colleges are both class A colleges. Up until a couple of years ago the Meharry Dental College was the only class A dental college in the South. Meharry Medical and Dental Colleges happen to be two of the very small number of such colleges within the Nation whose graduates have not had a single failure before any of the State medical or dental boards in the past 2 years.

Mr. McFARLAND. I thank the Senator from Alabama and the Senator from Florida for the information they have given us.

Mr. SPARKMAN. Mr. President, as I said in the beginning, I am sorry that the question of segregation has played such a large part in the discussion of the compact, an instrument which does not in any way affect or disturb or change or extend the present practices, customs, and laws of the country relating to segregation or nonsegregation.

Dr. Clawson, in a letter which he included in the hearings, made a statement which impressed me as being a correct analysis of the real Negro problem in the South, and it is a problem which unfortunately many who can see only the question of segregation apparently completely overlook. He said:

> The segregation that hurts is not the segregation of higher education but the segregation of economies.

A little further on, in talking about those who had been admitted to Meharry and those who were eligible to be admitted, he said:

> These are the Negroes who have broken through economic segregation.

After all, if the Negro problem is ever worked out in the South, it is going to be worked out by the economic opportunity that is given to the Negro, by the opportunity that is given to the Negro boy to attend a medical school somewhere. What difference does it make to him as to how the problem of segregation or nonsegregation is solved if he is able to secure the thing he most wants, an education which will enable him to be worth something to his people and to his country? Yet a great many of the so-called or would-be friends of the Negroes fight these windmills of segregation even at the expense of denying to the Negro a chance to break through what Dr. Clawson so ably described as economic segregation. While fighting against segregation they deny to him an economic opportunity and a chance to get on and to make something out of his life.

Mr. President, there is much more involved in the pending measure than merely the maintenance and establishment of schools for giving Negroes education. Of course, we hope that by the compact we shall be able to do a great deal more for the Negroes than we have ever done for them before, but by the same token we hope that we may be able to do a great deal more in our section of the country for the white boys and girls, as well as for the black boys and girls who want higher education and specialized training.

It happens that the Negro school, Meharry Medical College, is the one that is involved in the very first move, because it is a school which is about to close its doors. It is a valuable asset for training Negro students to be doctors and dentists in the southern section and indeed all over the country, and we do not want to see it close its doors.

But, Mr. President, there is a great deal more involved that that. One day last week a young man came to my office. He is a student at George Washington University in this city. He spent 4 years in the service. He is 26 years of age. This year he has finished his preveterinary training. He cannot find a veterinary school into which he can gain entrance. He is a resident of the State of Florida, which has no school of veterinary medicine. He came to me and asked if I would write to the School of Veterinary Medicine at Auburn, Ala., to try to help him gain entrance to that school. He said, "You realize I am getting up in years. The years are passing

by fast, and if I am ever to be a veterinarian I must go to school." This boy has made a fine record for himself. I wrote to the dean of Veterinary Medicine at Auburn and urged the acceptance of this boy if it were at all possible, but I know what the answer will be, because I have had other experiences of the same kind. Not very long ago my good friend, the able Senator from Virginia, came to me and said that a boy in Virginia wanted to go to Auburn and study veterinary medicine. I wrote a letter on his behalf, and the answer came back: "We have all the applicants from the State of Alabama we can take care of."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. I should like to call to the attention of the Senator, though it may already be within his knowledge, that it was stated at the hearings on the pending measure, that the Governor of Florida had already approached the Governor of the Senator's State of Alabama in the hope to work out, under the compact, joint arrangements for the support of Auburn and for its enlargement, to make it a finer instrumentality, upon the condition, of course, of admission of students from the State of Florida. So that is one of the many things already in mind which can be done helpfully under the compact.

Mr. SPARKMAN. Yes. That is exactly what I was leading up to. It shows the need of different States joining together to support certain schools. My understanding is that one of the first movements contemplated is an agreement between Florida and Alabama relating to the students of veterinary medicine at Auburn. Florida perhaps cannot afford to build a separate school of veterinary medicine. The chances are there is not a sufficient number of applicants from the State of Florida to make it worth while to do so. But Florida can certainly help the State of Alabama to enlarge that school of veterinary medicine, so that students from both States can use the same facilities and thereby participate in the program of training boys in veterinary medicine.

The same thing is true in many other fields. A good many States do not have dental colleges. My own State of Alabama does not have one, but is opening one this coming fall. I believe the State of Florida does not have a dental college. I think that is true also as to a medical college. I do not think Florida has a medical college. For years the State of Alabama did not have a medical college, except for the first 2 years of training, but now it has established a fine, first grade medical school at Birmingham. How easy it would be for Florida, Mississippi, and perhaps other States who do not have within their borders medical schools, to join with the State of Alabama and maintain a real medical school which young men of our section could have an opportunity to enter. The same thing could be done with respect to various other types of schools.

Let us consider graduate training. I am not sure how many schools in the South give adequate training leading to a doctor of philosophy degree, but I do know that there are very few. Why should a boy from the South have to leave the South in order to receive graduate training in any subject he wants to take? Yet it is almost necessary for him to do so today because the individual Southern States have not been able to build and maintain graduate schools.

Mr. President, I know that these examples could be multiplied many times over, but I shall not extend the discussion of the matter. I have been greatly interested all my life in the matter of education. I was a school teacher myself at one time. I know something about the problems which have confronted the South not only with respect to the question of giving adequate education to the Negroes, but affording adequate educational opportunities to all our boys and girls, white or black. I know how the South has worked and taxed itself and tried hard to overcome its handicaps and to solve this problem. Of all the things the Southern States have ever done in the field of education nothing exceeds the proposed compact by way of a forward-looking program of giving proper attention to educational opportunities for our people.

Mr. President, if this measure is loaded down with amendments seeking to impose upon the individual States certain requirements as to what they must or must not do in their respective educational systems, and the measure is defeated, the United States Senate will have dealt a death blow to one of the finest movements in behalf of educational opportunity in this country that has ever been conceived. I certainly hope that neither the amendment of the Senator from Oregon [Mr. MORSE] nor his motion to refer may prevail.

Mr. PEPPER. Mr. President, the whereas clauses in the compact now under consideration show the purpose and design of the compact for which the consent of Congress is asked in the pending joint resolution. Those whereas clauses read as follows:

> Whereas the States who are parties hereto have during the past several years conducted careful investigation looking toward the establishment and maintenance of jointly owned and operated regional educational institutions in the Southern States in the professional, technological, scientific, literary, and other fields, so as to provide greater educational advantages and facilities for the citizens of the several States who reside within such region; and
>
> Whereas Meharry Medical College, of Nashville, Tenn., has proposed that its lands, buildings, equipment, and the net income from its endowment be turned over to the Southern States, or to an agency acting in their behalf, to be operated as a regional institution for medical, dental, and nursing education upon terms and conditions to be hereafter agreed upon between the Southern States and Meharry Medical College, which proposal, because of the present financial condition of the institution, has been approved by the said States who are parties hereto; and
>
> Whereas the said States desire to enter into a compact with each other providing for the planning and establishment of regional educational facilities.

That ends the whereas clause. The effective part of the compact, the portion which indicates the intent of the compact, appears on page 3 of the House joint resolution:

> Now therefore, in consideration of the mutual agreements, covenants and obligations assumed by the respective States who are parties hereto (hereinafter referred to as "States"), the said several States do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting States which, for the purposes of this compact, shall constitute an area for regional education supported by public funds derived from taxation by the constituent States for the establishment, acquisition, operation, and maintenance of regional educational schools and institutions for the benefit of citizens of the respective States residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

Those three whereas clauses and the language which I have just read embody the substance of the compact. They show the design of the States entering into the compact, and what the States propose to do pursuant to that design, namely, to establish, acquire, operate and maintain regional educational schools and institutions "for the benefit of citizens"—not just some of the citizens, but "for the benefit of citizens"—that means all the citizens—"of the respective States residing within the region so established," that is, within the area embraced by the several compacting States.

Mr. President, there is good reason why the southern States should join together in a compact and endeavor to provide more institutions and schools of educational character for the benefit of the citizens of those respective States. Our growth of college attendance is very encouraging. The President's Commission on Higher Education in its report—volume I, pages 25 and 26—to the President reported on the record of growth. In 1900 fewer than 250,000 students, less than 4 percent of the population 18 to 21 years of age, were in institutions of higher learning. The enrollment in these institutions had risen to 1,500,000, or 16 percent of this age group in 1940 and to 2,354,000 in 1947, 1,000,000 of whom were veterans who had deferred their education because of World War II. The school year 1948 will witness even larger enrollments.

But, as the Commission has pointed out, we must admit that our educational attainments are far below desirable standards. I am speaking now of the Nation as a whole. Almost 17,000,000 men and women over 19 years of age in 1947 have stopped their education at the sixth grade or less. And, of these, 9,000,000 had never attended school or had stopped before finishing the fifth grade. About 19 percent of our high-school-age boys and girls and over two-thirds of our 18- and 19-year-olds were not in school.

At a time when we believe in the sovereignty of the citizen to solve the challenging problems of democracy, it is a pitiable evidence of our internal weakness that so many of our citizens have not had better educations and have not had better educational opportunities and facilities in all of America than have been available to them.

This condition is caused either by economic barriers in the family or in the

community, or by other barriers. It is apparent from the facts which I shall present later why these barriers have resulted in less than 5 percent of Americans 25 years of age and over graduating from college, and less than 10 percent having had the benefit of at least 1 year of college education.

The facts are simply these:

There is a concentration of large numbers of school children in low-income families.

The regional differences in this concentration has resulted in striking disparities in the distribution of the financial ability of the South particularly to carry its education load.

At every stage of the educational process financial limitations and other economic obstacles prevent individuals, particularly the more able ones, from receiving the full amount of education best suited for them. The major ones are the economic status of the family or the individual, the upward trend in fees for higher education, and the increase in the cost of education.

Many of our ablest boys and girls have to go to school outside of the South to get graduate training and sometimes adequate professional training because of the lack of schools in that area. Thus, in Florida, for example, in 1946, 100 students from the State had to go outside to attend a medical school and in 1945, 72 young men and women from Florida attended medical colleges outside the State. And yet, Mr. President, literally hundreds of our finest boys and girls from Florida were unable to get into medical schools in other States. Florida has no medical school of its own.

There is a growing shortage of medical and other professional personnel which, if not checked by 1960, may greatly endanger our health and progress in the sciences. The South is losing to other parts of the country the boys and girls who leave the South to get graduate and other professional training elsewhere. In consequence, the shortages in the South will be more greatly accentuated than in the rest of the country unless something is done immediately to correct the situation.

The concentration of large numbers of children in low-income families is particularly marked in certain regions of the country. These regional differences have resulted in striking disparities in the distribution of the financial ability of the regions to carry their educational loads. For example, the South traditionally has had the highest birth rate, yet economically the region is the least able to finance education. This region in 1945 faced the responsibility of educating no less than 37.1 percent of the Nation's children—5 to 17 years of age—but its share of the total income payments was only 22.6 percent. Mr. President, I repeat that the South had 37.1 percent of the Nation's children 5 to 17 years of age, but it had only 22.6 percent of the Nation's income. In 1940 the South was educating 36.6 percent of the Nation's children with 19.6 percent of the income payments. The disparity between educational load and income is most striking in the farm population of the South. On southern farmers, in 1940, fell the task of supporting and educating 17.1 percent of all children of school age—5 to 17—although the income received from farming in this region was only 2.6 percent of the national total of income payments. Mr. President, again I reiterate that the farmers of the South had 17.1 percent of the Nation's children of school age, 5 to 17, but had only 2.6 percent of the country's income.

The education of each individual to the fullest extent of his ability encounters economic obstacles at every stage of the educational process. This point is illustrated in a study of boys who were in the sixth grade of Pennsylvania schools in 1926. Mr. Elbridge Sibley, reporting a follow-up study of their later education, found a close correlation between the highest grade of school completed, intelligence quotient, and the father's occupational classification.

The 1938 report of the American Youth Commission of the American Council on Education, Youth Tell Their Story, likewise shows a high correlation between paternal occupation and the educational progress of the children. Mr. President, that simply means, not that a man of low-income status produces children less capable than the children of a man of high-income status but that the children of the poor do not have the opportunities which the children of the rich enjoy, even in this great American Republic. It is to that situation we are addressing ourselves in this regional compact—to improve the ability of the States, by working together, to provide educational opportunity for the children of all the people, not just the children of the well-to-do.

A study of the Milwaukee public-high-school graduates shows that only 33 percent of the most capable students attended full-time college. About 70 percent of those who did not attend indicated a desire to attend if a complete scholarship could be provided; 77 percent of those who did not attend gave an economic reason as the cause.

The report concluded:

> The gifted boys and girls who are not in college are to a large extent the children of the less-favored economic classes. Schooling is not really free at the present time. Everyone cannot have an unlimited amount of schooling, unless he possesses a considerable amount of money. To give the needed financial assistance to all young people who wish to attend college, and who would profit from it, entails a program of somewhat liberal proportions.

Yet I hope to see the day, Mr. President, when the Congress of the United States, for the Government of the United States and the several States, will provide loan funds, if not other funds, by which every American boy and girl will have an opportunity at least to go as far as he or she is capable of going, in receiving skill, training, and education.

All data emphasize the impact of economic disadvantage upon the educational life of the people. Throughout the Nation young people in rural-farm areas have completed less school grades than the rural nonfarm and urban population of the same age. According to the 1940 census, the 14-year-old children in rural-farm areas had completed 7.4 years of school, whereas the figures show 7.8 for rural nonfarm and 8.3 for urban areas. The disparity for 18-year-olds is even greater: 9.2 years in the rural-farm areas, 11.1 in rural nonfarm, and 12.0 in urban. Nor is this differential a reflection of retarded school careers in rural areas, since the median age in each school grade is about the same in the various areas.

In 1940, 29 percent of the Nation's children 5 to 17 years of age were in rural-farm areas, but the income from agriculture for the United States as a whole was only 7 percent of the total income payments in the United States.

The differences in income are so great, especially between urban and rural areas, that even though some predominantly rural States allocate unusually high portions of their budgets for education, this budgetary provision is not enough to develop quality institutions of higher education.

A marked discrepancy in the relative rate of school and college enrollment of children in the urban and rural areas is revealed in chart 6. The increase in the attendance of the 20- to 24-year-old age group is due largely to the influx of veterans. In all areas, the proportionate number of persons in attendance has been far below the goals established by this Commission.

Sharp and significant differences exist between the educational situations in urban and rural areas. For example, with respect to the educational attainment of youths aged 20 to 24, the median of school years completed in 1940 was 12.0 in urban areas, 10.7 in rural nonfarm areas, and 8.8 in rural-farm areas. The same disparity is revealed in the analysis of schooling completed by the adult population.

Thus it is apparent that just before World War II a man or woman living on a farm had only about one-fourth the chance of having completed college as someone in the city, and almost twice as much chance of not having completed more than 4 years of grade school. In 1947 of the urban youth 20 to 24 years of age, 12.5 percent were attending school, whereas of the rural nonfarm youth 8.8 percent were in school, and of the farm youth only 6.5 percent were in school. Thus it appears as though much of this differential is persisting.

Where a community or State with a low income has an extremely high birth rate, it becomes next to impossible for it to provide the funds for an adequate educational program. In contrast, communities with a relatively small youth population are in a far better position to meet their obligation. In 1945, for example, only 18 percent of the population of California was between 5 and 17 years of age. In the same year the 5- to 17-year age group amounted to 31 percent of the population of South Carolina. As a measure of potential support for the schools, the total income payments in each State was divided by the number of children in that State. If California's percentage of children had been as high as South Carolina's, the State income per child of school age would have been cut from $9,029 to $5,243. If South Carolina's percentage

of youth had been as low as California's, her State income per child would have been raised from $2,363 to $4,070.

By devoting 1.5 percent of the 1945 income in the State to public elementary and secondary education, California managed an average expenditure per child of $131, whereas 1.8 percent—a larger percentage, mind you—of the total income in Mississippi averaged $36 per child—nearly $100 less. If Mississippi had equalled California's educational expenditures per child, it would have consumed 6½ cents out of every dollar of income received by every person in Mississippi. The resulting inequality of educational opportunity for the children of the two States is glaringly obvious.

In 1945 the South had 27 percent of its population in the ages 5 through 17, as contrasted with a national average of 22.7 percent—5 percent less, Mr. President—and with 20.2 percent in the Northeast—7 percent less.

In that year the South had a birth rate of 24.7 per 1,000 civilians, while the Nation averaged 21.5 and the Northeast had only 19 births per thousand civilians. Clearly the South is supplying new population to the Nation out of all proportion to its numbers.

Mr. President, the South has to admit that it does not have the economic strength to give its children the educational opportunities which are to be found in other States of the Nation. But by pooling their resources and their strength, and working together, the Southern States can do better than they can do separately.

The States with the highest per capita incomes have lower proportions of their population with no school years completed and higher average school years completed than the States with the lowest incomes. Similarly, the States with the highest incomes per capita per school child aged 5 to 20 years have a larger proportion of school-age children in school, a higher percentage of adult literacy, and fewer men disqualified for services in the armed forces by reason of education deficiencies. In 1940 the 12 wealthiest States had a ratio of 900 high-school students per 1,000 persons 14–17 years of age. The 9 States with the lowest high-school enrollment rates in 1940 were Southern States, which were among 10 States with the lowest per capita incomes.

Mr. President, there are very material and very threatening shortages in the professions in the United States.

It is anticipated that with full employment, the number of persons employed in professional and semiprofessional occupations will increase from 3,300,000 in 1940, to between 4,400,000 and 4,800,000 in 1950. By 1960 this number may reach 5,100,000. The administrative occupations, in which 3,700,000 were employed in 1940, are expected to require between 5,300,000 and 5,800,000 by 1930, and clerical and sales workers will increase from 7,500,000 in 1940 to between 10,500,000 and 11,000,000 in 1960.

The need for teachers: By far the largest and most urgent demand for new personnel is in elementary and high-school teaching. According to the United States Bureau of Labor Statistics, we must recruit and train nearly 1,000,000 new teachers during the 10 years from 1950 to 1960. In sheer size alone this is a serious and challenging responsibility.

Mr. President, there is crying need in the South today for doctors, dentists, nurses, engineers, and other persons of professional skills. I particularly wish to read an editorial from the Daily Times of Tampa, Fla., with respect to the shortage of doctors in the Southern States, and the relationship to the provision of training for medical students to the number of doctors settling in southern sections. This editorial reads as follows:

When proponents of socialized medicine plug their cause, they often resort to the argument that if the rural population of the Nation is ever to get proper medical care, it must be through direction of the Federal Government.

It is true that the number of physicians serving rural areas, particularly in the South, is pitifully small. In Mississippi, "the forty-eighth State" the ratio of physicians to rural residents is the lowest in the Nation.

The Mississippi State Board of Health in 1945 studied the problem. It found that of 1,000 Mississippians who had finished medical training in the last 20 years, less than 40 percent came back to practice in that State.

I now add, Mr. President, the reminder that Mississippi does not have a medical school. This article says that of the thousand Mississippians who had finished medical training in the last 20 years, less than 40 percent came back to practice in that State.

This study led the Mississippi Legislature to set up a program whereby competent young men and women are financed in obtaining a medical education provided they will contract to return and practice 2 years in a rural area designated by the State's medical education board. Aid to the students is given in the form of loans—a maximum of $5,000 for 4 years. At present there are 86 students, including 8 Negroes, attending 15 medical schools under the plan. Backers of the program believe it ultimately will bring a continuing harvest of doctors for rural Mississippi.

Now, Mr. President, Florida and Mississipi and West Virginia, three of the compact States, are among the few States of the Union which do not have approved 4-year medical colleges. Also, Mr. President, there are six of the Southern States, parties to the proposed compact, which do not have approved dental schools, according to the American Dental Association standards. In addition to that, there are many other professional schools which do not adequately exist in the South at the present time.

Mr. President, I say therefore that, by the terms of the resolution, the whereas clauses and the first 14 lines which I read on page 3 of the House resolution, the purpose of this bill is to provide for the establishment, acquisition, operation, and maintenance of regional educational schools and institutions for the benefit of the citizens of the several States.

That, Mr. President, is a laudable objective. That is a high and noble purpose for those States to engage upon, and, Mr. President, in this matter, as in all others, the Southern States propose to avail themselves of the principle that in union there is strength.

So it seems to me, Mr. President, that the Congress of the United States would applaud any segment of States in the Union which proposed to get together and to provide for "the establishment, acquisition, operation, and maintenance of regional educational schools and institutions for the benefit of the citizens" of those States, because, Mr. President, when you benefit the citizens of any part of America you strengthen the whole country not only for its security but for its progress and prosperity as well.

I, therefore, have joined as one of the introducers of the approving resolution, Mr. President, because I hope to see the day when the Southern States, acting individually and in concert one with another, with Federal help—I hope we may sometime see it—provide, I say, educational opportunities as good for the students of those States and that part of the country as are to be found in any part of America.

There is no citizenry of this country, Mr. President, that is better than the citizenry of the South. There is no part of American population which has a potential capacity, the ability to learn, the strength of character, the patriotism and the high purpose, Mr. President, beyond that found in the South. What has held the South back is economic disability and economic handicap; or, to put it in a plainer term, Mr. President, the poverty of the South is what has held the level of southern education and opportunity down for the southern boy and girl. That is the reason they have gone away to graduate schools in other parts of the country and to professional schools in other parts of the land, taking training in other sections of the Nation. Mr. President, that is why most of them have remained in other parts of the country, to enrich those areas rather than to come back and to cultivate and develop the South from which they come.

So, Mr. President, it would seem to me that the Congress would applaud this effort on the part of the Southern States to establish by concert better educational opportunity for the citizens of the South.

Now, Mr. President, there does not seem to me, therefore, to be any reason why the motion now pending to refer the resolution back to the committee from which it has been favorably reported should be adopted. What is the argument made for the motion to recommit, Mr. President? I doubt if any additional data could be given to the distinguished Committee on the Judiciary, which heard this case, than they received when the hearing was had. The chairman of the committee, the majority of the committee, Mr. President, are not asking for additional time and additional opportunity to take more testimony or to conduct further hearings, to make more inquiry. No, on the contrary, Mr. President, the chairman of the committee which heard the testimony is himself here to defend his resolution, which has the favorable report of his committee. I should not think, Mr. President, that in the face of the appeal of the committee for adoption of the

resolution that a Member would be able to persuade the Senate that the committee itself needed further time for more hearings upon the subject.

Mr. President, it is not made the basis of the argument really that additional time is needed, that there must be further opportunity for taking more testimony, the accumulation of additional data. But there is another amendment pending, which proposes to provide, as a condition on the part of the Congress to giving its consent to this compact, that there must not be segregation practiced in any one of the regional educational institutions which might be set up by the States, acting in accord with the compact, if the consent of the Congress were given.

Now, Mr. President, I say in the first place that the bill was not designed, the compact was not composed, for the purpose of affecting segregation. It was proposed to set up institutions that would aid in furnishing educational advantage and opportunity for the citizens of the States. And, of course, whether they are white or black, brown or yellow, or some other color, whatever their creed or national origin, if they are born in a Southern State, or if they are naturalized in America and have been residents the qualified length of time in the Southern States, they are citizens, Mr. President. So, on its very face, the compact does not limit the proposed program to any segment of the citizenry. It proposes without discrimination, so far as the face of the resolution shows, to give this opportunity to the citizenry as a whole of the States that are entering into the compact.

But, Mr. President, it is said that the Congress should lay down a principle. Well, did the Congress, when it appropriated its money by the hundreds of millions, as the Senate has already voted to do, to aid education in the public-school system of the South, lay down any criteria of segregation or nonsegregation, any criteria of what group or class or segment of citizens are to be beneficiaries? No. Should the Congress impose those conditions, Mr. President, then, when it is asked to do nothing more than to give its consent to a compact entered into among the several States?

It would not seem to me so, Mr. President. If we were ever to lay down any criteria as a condition for the Federal Government to give its approval, we should have laid them down when the Federal Government was giving both its approval and its money to aid the public-school system of the whole country. Yet the Senate consciously, avowedly, and with high purpose and vision eliminated entirely from the Federal-aid-to-education bill the question of any criteria which might be laid down by the Government of the United States respecting segregation or the bestowal of the benefits of that legislation upon any particular part of the population.

Mr. President, we are not asked to give any money in aid of these regional schools which might be built under the provisions of the compact. We are asked only to permit the States to spend their own money. Yet we are told we must lay down conditions and prescribe criteria upon which they can establish their own educational institutions.

I supported the Federal-aid bill and have been in favor of such a bill ever since the first time I ran for the Senate in 1934. The South must have Federal aid in order to give its children equal educational opportunities. I hope we shall continue to receive hospital aid and in the future receive such aid in larger volume than we are receiving it at the present time, and for the same reason. But, Mr. President, the Federal-aid-to-education bill would not have passed the Senate if the Senate had laid down Federal criteria determining who the teachers should be, what they should teach, what relationship should exist among the students, or other things which might have been prescribed out of the imagination of the Senate. That was a salutary and wise measure, Mr. President, and one from which I believe Congress will not depart.

But, Mr. President, if the Federal Government is to enter into the question of the prescription of criteria—the laying down of standards—should it not do so on an equal plane? Why should we say there cannot be segregation in a regional school, but that there may be segregation in a State school? Let us take, for example, one of the capitals of the South, such as Richmond, the capital of the great State of Virginia. There might be a regional medical school established in furtherance of this compact, and Congress might say, "You cannot have segregation in a school in Richmond supported by 8 Southern States, let us say, or by 11 Southern States, but you can have segregation in a medical school operated in the same city and perhaps in the adjoining block by 1 Southern State." If we have authority to do it in one case, it would seem to me we have authority to do it in another; and if it is good public policy to do it in one, obviously, it would be desirable public policy to do it in another; or if we are not to do it in the one case, we should not attempt to do it in the other.

We have conscientiously and with intentional high purpose refrained from laying down Federal criteria in our Federal-aid bills. No one has proposed, in connection with this legislation at least, that we lay down such criteria in schools of a single State. Why should we establish a precedent here in connection with regional schools, Mr. President, when there is no justification for the distinctive classification?

So, first, I raise the question of policy. If we are to do it at all, should it be done in this particular isolated case? You say, "I am interested in the principle of civil rights. I want all the people to be protected in the enjoyment of their civil rights." That is not an unreasonable request, but, after all, Mr. President, is not that something they are entitled to under the Constitution of the United States? Who is the arbiter of the Constitution of the United States? The courts of the country—the inferior courts and the Supreme Court. They are the ones who are to determine whether segregation can lawfully be practiced. If they hold that it cannot be practiced in a State institution, I presume they will hold it cannot be practiced in a Southern State in a regional institution.

So I do not think, Mr. President, Congress should attempt to decide any constitutional question in this particular case, because that question, no doubt, in due course and in due time, will be clearly, unequivocally, and finally settled by the Supreme Court of the United States, and, being the supreme law of the land, it will have to be observed in both regional and State institutions. No one would contend, if segregation cannot be practiced in a State school in a Southern State, under the decision of the Supreme Court of the United States, it could be practiced in a regional southern school in the same or another Southern State. So if the Supreme Court of the United States decides the question of segregation, it will apply uniformly, as it should, however the Court may decide it, to the so-called State schools directly operated by the several States and to the regional schools which might be operated under this compact.

Mr. President, I heard some of the testimony before the committee, in which the argument was ably made by eminent lawyers that, if Congress gave its consent to this compact by implication or by indirection, it would be held to have influenced the judiciary in the decision of the constitutional question of segregation. They have a right to call the attention of Congress to the fact that any action it might take might in some way prejudice a case in court. So far as I am aware, I have voted against every attempt in the Senate since I have been a Member of it to take jurisdiction of a matter which was in litigation and let Congress decide the case, rather than the courts. I would not attempt to do differently in this case. I want to ask my colleagues, could language of reservation be clearer that we do not propose to do that? In the resolution which was reported by the House, I believe there is no reservation, but in the Senate resolution there is a reservation on page 2, as follows:

> *Provided*, That the consent of Congress to this compact shall not in any way be construed as an endorsement of segregation in education: *Provided further*, That the planning, establishment, acquisition, and operation of educational institutions be not in conflict with the Constitution of the United States under the said compact entered into February 8, 1948.

The able chairman of the Judiciary Committee has offered an amendment to House Joint Resolution 334, which I understand we are now considering, technically, which provides "that the consent of Congress to this compact shall not in any way be construed as an endorsement of segregation in education."

How can a lawyer rise in court and say, "If Your Honor please, since the Oklahoma case"—or the Missouri case or some other case—"was decided, the Congress of the United States has acted upon this matter, and its action indicates that such-and-such is true," and thus claim that our action here prejudiced his effort

to prevent segregation? In view of that language, how can such an argument be made?

The able Senator from New York [Mr. IVES] proposes an even stronger amendment. As for myself, I have no objection to it. It provides "that the consent of Congress to this compact shall not in any way be construed as approving segregation in education."

Not only endorsing, but as approving—as giving its approval to it and indicating that it meets with its accord. How could a lawyer argue in court, "If Your Honor please, since those cases were decided, the Congress of the United States has taken action which indicates that it is the purpose of the Congress to perpetuate segregation"? How could any lawyer argue that, when it is provided in one of the amendments—and one of them, I am sure, will be adopted by the Senate—that the consent of Congress to the compact shall not in any way be construed as an endorsement of segregation, and in the other amendment it is provided that the consent of Congress shall not be construed as approving segregation?

It does not mean that Congress is taking one side or the other. It is not saying it is for it or against it. It is saying that this is a measure which on its face does not present to us any segregation question.

We are entitled to presume that the States will do their duty, and if they do not, it is for the person who claims wrong to seek redress in the proper forum. There is no one appealing to us here to redress any wrong. We have not any delegations here saying, "We ask you to pass legislation which will redress our wrongs." We are merely presented with a compact. It does not say a thing about the brown or the black or the white or the yellow people, or the Catholics or the Protestants. They might intend to keep the Protestants in one school and the Catholics in another, but they have not told us about it if they are. It would be up to the person being wronged to seek redress in the proper forum. But we are not asked to do that in the measure before us. We are not a court, we are a legislative body. If they were to enter into a compact to sponsor football games, to build a joint football stadium which would accommodate a million people, they would have to come here, presumably, according to the views of some.

After all, article I, section 10, of the Constitution, provides that the States shall not enter into any agreement or compact without the consent of Congress. On its face any kind of an agreement or compact would have to be presented to the Congress for its consent. Are we to pass on the details of every compact presented to us? Are we to decide whether it was a good agreement or not, whether one side got the advantage of the other? We are not asked to pass on the merits of the compact, except to say that on its face it is fair, and if there is no contest, if there is no charge of fraud or corruption or any sinister purpose, surely it does not seem to me we are to pass on all the collateral issues which might possibly arise out of the situation.

It seems to me, therefore, Mr. President, that the joint resolution presents a high, a clear, and a laudable purpose, namely, the desire of the Southern States—and some of the States are on the perimeter of the South—to get together and provide better educational facilities—let me read the language—provide for the "establishment, acquisition, operation, and maintenance of regional educational schools and institutions."

Mr. President, because they propose to take over Meharry College, we are not passing on segregation in Meharry College. They say that that is one of the schools they want to take over. That is a question which will be decided in another forum, no doubt. They may not want to have segregation, or they may. There is nothing said about segregation.

On the face of the joint resolution, it does say they want to take over this college and operate it, and they say that the charitable contributors have quit giving it funds, and it is going to close. They tell us also that 56 percent of all the Negro doctors of America come out of this school, and that it is not in the public interest for it to close.

I am in favor of any medical school operating, I do not care for whom or by whom it is operated. Surely Meharry College is in the public interest, and it should be operated. There is nobody else proposing to operate it. The State of Tennessee is not here saying "We will operate it." The United States Government is not proposing to operate it. The donors who have made financial gifts to it have said they cannot give any more money. It takes money to run it. What are we going to do? The Southern States do say, "We will operate the school." Are we going to say, "No, you cannot operate it because you may discriminate against somebody down there." They may run over somebody with a truck. If they do, they will have to pay damages, if the injured can make out a case in court. I say that those who seek redress for wrong should seek it in the proper forum, and if such a case comes here properly, we will deal with it when it comes here.

Now, just these concluding words. We are told we are to deal with the subject of civil rights, in this session of the Congress. I shall have something to say upon that subject when the proper time arrives. I am going to be one casting a vote, if I live and remain a Member of the Senate, and I propose to deal with the question of civil rights when we come to the bills covering that subject, and I am not going to dodge any of them. I am going to vote the way I think is right; and that will be that.

But why should we anticipate the civil rights debate, which we are going to reach in due course, and use that issue, over which there may be differences of opinion, to defeat what is a laudable purpose, subscribed to and entered into by the States of the South?

Mr. President, as a southern citizen born and reared on southern soil, whose ancestors came out of it, have fought for it, and sleep in it, I wish to see the South progress, and this is an instance where the United States Government, by giving its consent to the cooperation of the Southern States, can aid them in their efforts to raise the levels of educational opportunity to higher planes for the deserving children of the South.

We do not ask your help, however much we may deserve it, in meeting our great education challenge. We ask only that you let us work together to help ourselves.

Mr. MORSE. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield to the Senator from Oregon.

Mr. MORSE. I have listened to the Senator's very glowing speech, and enjoyed it, as I always enjoy the speeches of the Senator from Florida.

Mr. PEPPER. The Senator knows it always grieves me to find myself in even partial disagreement with the Senator from Oregon.

Mr. MORSE. It is a long way from being partial in this instance.

Mr. PEPPER. I am more regretful when I find myself in total disagreement with the Senator.

Mr. MORSE. I have one question to ask the Senator, because I did not catch exactly what he said in his remarks.

Mr. PEPPER. I compliment the question in advance, and knowing the legal skill and the rapier-like mind of the Senator from Oregon, I know before he asks it that it will be a good question.

Mr. MORSE. There is nothing rapier-like in it; I wish to ask a blunt question. Does the Senator think, as a matter of law, that it is necessary for the Congress of the United States to approve the compact involved in the joint resolution?

Mr. PEPPER. I do not know whether it is or not. I am inclined to think that probably the weight of opinion is that the courts would hold that it was necessary for the Congress to give its consent to the compact before it could be fully effective. However, it might be the other way. The Senator will understand the reluctance of the States to spend their people's money to buy land, erect buildings, and to launch upon a program, running the risk of its being declared invalid by some court to which some person, taxpayer or otherwise, with a right to complain, might come in an effort to have the action set aside.

Mr. MORSE. Does the Senator from Florida agree that under article I, section 10, of the Constitution, which contains the compact provision, a compact necessary to be sanctioned by the Congress of the United States would be one which involved a Federal question, a Federal function, a Federal prerogative, or Federal jurisdiction?

Mr. PEPPER. I do think that that question should usually enter into the consideration. Obviously, all agreements do not have to be entered into as compacts and receive the consent of Congress, because if that were so, when the States entered into an agreement, through the universities or in some other way, to have a football season, or to enter into a fair together, or to promise to exhibit in a fair, or that sort of thing, they would be required to get consent to the compact. But, as was said by the

Senator from Alabama, we have debated the matter considerably. The House of Representatives has already passed the consent joint resolution, we in the Senate have debated it for some time, and at least we eliminate any doubt if Congress does give its consent, and usually this is the kind of case with respect to which a State would naturally prefer to be on the safe side.

Mr. MORSE. Does the Senator know, however, of any Federal question that is involved in this particular compact, and if so, what is the question?

Mr. PEPPER. I cannot say that there is any Federal question, except that it is an agreement entered into among the States, and the Constitution itself uses the language:

> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

The Senator will readily admit that the language of the Constitution is sufficiently broad to require every agreement and every compact to have the consent of the Congress. If the Senator will allow me to add, it is probably a matter of degree. Mr. Justice Holmes in his famous statement, as Senators remember, said that everything from the Twelve Tables of the law to the present is a matter of degree. Probably it depends upon the degree of involvement in the compact, the number of agreements entered into, the relative importance of the agreements, the scope of them, and the general range of activity which is contemplated. But in a case like this the legislatures of the several States have to act, because they have to appropriate the money, they have to give their approval to what the States do. The governors have to sign the compact subject to the ratification of their legislatures just as an ambassador who signs an agreement signs it subject to the ratification of the country from which he is accredited. The compact involves the expenditure of public funds over a period of time for the purpose of carrying out the terms of the compact. A regional board of control is set up, and there is a constancy of cooperation in the enterprise.

Mr. President, I will say that I heard partially and read in full with great respect, the able address made by the distinguished Senator from Kentucky [Mr. COOPER]. There is no one in this Chamber who holds him in higher esteem than I do because of his legal ability and his estimable character as a gentleman and a Senator. He may be correct in what he said. It is a close question in my mind as to whether it is necessary that there shall be a ratification of the compact on the part of the Congress or not. But assuming it to be a 50–50 question, any one of us as a lawyer would advise in favor of ratification of the compact by Congress, just as we would advise a client who had a comparable case, "You had better sign the contract," or if it were a question of executing a document under seal, "You had better execute the document under seal," or if it were a matter of real estate in which the question of title was also involved, we would advise that there be a quitclaim deed executed or the title quieted.

Mr. MORSE. Mr. President, will the Senator yield to permit me to ask him one or two more questions?

Mr. PEPPER. I yield.

Mr. MORSE. The Senator will agree with the Senator from Oregon, will he not, that since the adoption of the Constitution the Supreme Court has from time to time interpreted article I, section 10, by decisions which have held, first, that not all matters by way of agreement between the States need to be submitted to the Congress——

Mr. PEPPER. That is correct.

Mr. MORSE. And second, that when a compact does need to be submitted to the Congress, then the Congress has the authority and jurisdiction to lay down conditions which apply?

Mr. PEPPER. I do not dispute that as a legal matter.

Mr. MORSE. And that, so far as I can find in the decisions, and I have heard of no exceptions in the present debate, this question of the necessity for a Federal issue, or a Federal function, or a Federal prerogative being necessarily involved has been the controlling principle so far as the decisions are concerned.

So I want to say to my good friend from Florida that our difference, as I see it, is the same difference that I have with the distinguished Senator from Utah [Mr. THOMAS], who earlier today made a speech, which I think can be properly described as I described that of the Senator from Florida this afternoon as a very able one, in support of Congressional approval of this compact. My difference, I repeat, because I am not going to let sight of it be lost during the debate, is, first, that there is no necessity as a matter of law under the Constitution for Congress to approve the compact, unless its proponents can show a Federal issue involved, and, second, if a Federal issue is involved in the compact, then there is jurisdiction in Congress to lay down conditions as conditions precedent for the approval of the compact. That is where I think we have raised very clearly the whole question of civil rights, and that is why I repeat I do not think the Federal Government should involve itself in education on a regional basis.

Mr. PEPPER. Mr. President, I will say in reply to my distinguished friend from Oregon that he will note that in this case 15 States are actual or potential parties to the compact. That is nearly one-third of all the States of the Union. They range from as far west as Oklahoma and Texas to as far north as the State of Maryland. That is quite a geographical area of the country. Where so vast a territory, where so many States are involved, and where the compact involves so many activities which are contemplated under the program, again I say on the theory of the question of degree, that it would be safer for the public money to be expended only after the consent of Congress has been given to the agreement, than that we should proceed without having asked the consent of the Congress.

Let me say that, if the motion of the Senator from Oregon should prevail this afternoon, and the matter should go back to the committee, there is no way that that could be taken as an official position on the part of the Congress or the Senate that the compact was a matter within the jurisdiction of Congress. Indeed, if both Houses were to adopt the joint resolution, but formally say that they had examined the proposed compact and found that it was not the kind of agreement for which the consent of Congress was required, it would have the same effect. I think the courts would probably respect the determination of the Congress. But one House has already passed it overwhelmingly, and if the Senate just referred it no one could cite that action to a court to contend that it constituted the determination of the Congress acting as both bodies must act, that it was outside the necessity of congressional consent.

Lastly, I want to say to my able friend that I have not in any sense of the word implied or said that Congress does not have the power to lay down conditions. In that respect the Senator is absolutely correct.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. WILEY. On that point I wish to say a few words. I have heard such a statement made by the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Kentucky [Mr. COOPER], and now I have heard it from the distinguished Senator from Florida [Mr. PEPPER]. I think that is not a fair statement of the law, and I want to say frankly what the statement of law now made by the Senator from Florida would mean. Normally, where congressional consent is essential, the consent may be granted upon terms which may be appropriate to the subject and transgressing no constitutional limitation. Now we get into the field of constitutional limitation. We get into the field of checks and balances in our Government. We get into the field of the functions which belong to the States and the functions which belong to the Federal Government. Certain Senators have agreed, and have argued during the course of the debate, that there is no reason to have the Federal Government approve the compact because it relates to a State function. They have got to take one horn of the dilemma, not both. So I ask the Senator from Florida, and I should like to have his reaction, what is the constitutional limitation upon the Federal Government in case of the public schools of the country where there are no funds granted to the State, and no aid given to the State? Has not the Supreme Court held, beginning with Chief Justice Taft, that segregation is a matter which belongs to the States; that they alone can determine that question, if equality of opportunity and facilities is provided? So there is a limitation upon the power, and when Chief Justice Hughes used the language he did it is something which even the distinguished

Senator from Oregon [Mr. MORSE] cannot override.

Mr. PEPPER. I want to say that no doubt I may have been too hasty in my acquiescence in the suggestion. I have never made any particular study of that aspect of the problem, and I had generally assumed that when Congress was called upon to exercise a power it could condition the exercise of that power as it saw fit to. Of course it cannot lay down an unconstitutional condition; there is no doubt about that.

Mr. WILEY. Absolutely.

Mr. PEPPER. And, if the Senator is correct in his assumption that our dual system of government contemplates that the States shall be sovereign in the educational sphere where Federal money is not involved, why then of course the conclusion would follow.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MORSE. I want to say to my good friend from Wisconsin that I am sure the Senator from Florida knows how exceedingly fond of the Senator from Wisconsin I am. I think he is a very able lawyer. But even able lawyers sometimes lose cases because they are wrong respecting the law, and I think my good friend from Wisconsin is wrong in his legal conclusions in this case.

Mr. WILEY. It is apparent that such an opinion should be expressed of the views of the Senator from Wisconsin, when he deals with two such liberals as those with whom he is now engaged in debate, and one of whom is on one side of the fence and the other on the other side of the fence.

Mr. PEPPER. Well, it is good to have the cohesion of our good conservative friend from Wisconsin.

Mr. MORSE. I assure the Senator from Florida that I used the quotation from Chief Justice Hughes in support of the position I have taken throughout this debate, because it supports my position and is quite irrelevant to the position the Senator from Wisconsin has taken.

One further comment to my good friend from Wisconsin; I am not going to let him pass to me the dilemma on which he finds himself caught in this debate. He is the one who cannot have it both ways. He must take the position either that this compact requires Federal sanction or that it does not require Federal sanction. If it requires Federal sanction, the Senator from Wisconsin cannot object to the position of those of us who insist upon conditions being attached to this compact which we think can be reconciled with sound national policy so far as education on a regional level is concerned.

I invite the attention of the Senator from Florida to page 5 of the compact, starting with line 17. The language reads as follows:

> Any two or more States who are parties of this compact shall have the right to enter into supplemental agreements providing for the establishment, financing, and operation of regional education institutions for the benefit of citizens residing within an area which constitutes a portion of the general region herein created, such institutions to be financed exclusively by such States and to be controlled exclusively by the members of the Board representing such States provided such agreement is submitted to and approved by—
>
> Approved by the Congress? No—
>
> approved by the Board prior to the establishment of such institutions.

What we have here is a master compact, and we have a section within the compact which gives the States blanket authority to enter into other compacts, the nature of which we do not even know about, the approval of which is granted by a board.

I say that when we start analyzing the blanket powers which are granted in this compact we begin to see it in an entirely different light. This is an exceedingly broad power which it is sought to give to the States. Not only are we asked to approve this compact but to approve other compacts, supplemental compacts, which might later be entered into by the States without even any knowledge by the Congress itself.

Mr. PEPPER. Mr. President, I am afraid the Senator is failing to give the proper emphasis to the fact that prior to the two States entering into such an agreement the Congress will have given its consent to the over-all compact, and that the subject about which the two States might deal would be limited to the subject which had already had the consent of the Congress with respect to the several Southern States. It is not a case therefore, of two States in another part of the country, not involved in this compact, entering into such an agreement without coming to the Congress. These are two of the compacting States; and the whole number of States will already, by hypothesis, have had the consent of Congress to enter into this compact to perform certain definite functions relative to the provisions of educational opportunity. Only in furtherance of that same design may the two States enter into agreements one with the other.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MORSE. I respectfully point out to the Senator that there is quite a difference between the Congress approving the language and the conditions set forth in this compact and the Congress granting blanket authority to approve in advance other compacts on this general subject matter which may be entered into by two or more States, which agreements may lay down conditions which we think violate sound national policy even more than I think this particular compact violates sound national policy. In addition to the reasons I have already advanced, it is because of the point of law that I think it is important that the Congress carefully scrutinize compacts from the standpoint of the extent to which they may impinge upon national policy that I would oppose the granting of such blanket power for the institution of additional compacts.

Mr. PEPPER. The best way I can answer the able Senator is to say that I regard the situation as coming within the legal principle of ejusdem generis. They are all of the same class. The scope of the authority which the two States may exercise must be of the same character and the same quality and class as the authority exercised by the several States under the compact. That is the reason why they do not have to come back to the Congress.

Mr. MORSE. The two compacts may be on the same general subject matter; but the policies and conditions which may be adopted in respect to supplemental compacts may be so in violation of what the Congress would consider to be a sound national policy that we might be shocked by those conditions once they were put into effect. That is why I say that in the consideration of this compact we cannot escape the importance of the duty of the Congress to pass judgment upon the conditions under which the authorities granted shall be exercised.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CAIN. Unfortunately—or fortunately—a good many of us in the Senate are not lawyers. It is possible for us to enjoy, without understanding, some of the legal uncertainties and differences of opinion which are being debated.

Mr. PEPPER. I think it is a fortunate thing for the Senate.

Mr. CAIN. If the Senator will permit me, I should like to ask him a layman's question: What, in the considered opinion of the senior Senator from Florida, is likely to happen to the very fine objectives sought to be realized by the passage of this resolution if the compact is not consented to by the Congress?

Mr. PEPPER. From what I have heard said about the compact by the Governor of Florida and by my colleague and others who have taken an acute interest in it, what the States will do, for example, will be to establish a forestry school somewhere in the South. We have great forest resources in the South, but we do not have educational institutions at which forestry is taught. The States will join in the establishment of a forestry school. I have no doubt that outstanding graduate schools, which would probably attempt to achieve the high level of the best graduate schools of the country, would be established.

Mr. CAIN. I think the Senator may have misunderstood me in part. I wish to try to determine, if I can, what will happen to the objectives which the Senator has in mind if the ratification by the Federal Congress which is desired is not obtained.

Mr. PEPPER. I am fearful that the States will be hesitant to enter into these ventures, involving the expenditure of public money, and committing themselves to an extensive program of expenditure and development of certain institutions. I am afraid that they would not feel justified in asking their legislatures to appropriate money, to start building, buying real estate, and organizing faculties without an assurance that the legal obstacle of the consent of Congress would not be raised.

Mr. CAIN. The Senator seems to have very good reason to believe that if the compact is not approved the medical college which is specifically referred to is likely not to be developed, as is the joint desire of the 15 interested States.

Mr. PEPPER. In the particular case of the Meharry Medical College, so far as we now know, that school would probably collapse if the Southern States did not take it over. They are the only ones I know of who are proposing to take it over.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. WILEY. If there is any doubt in the Senator's mind, Dr. Rolfe, a colored gentleman closely associated with Meharry College, is seated in the gallery. He testified before the committee. The Senator can ask him his opinion after the close of the Senate session.

Mr. CAIN. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. WILLIAMS in the chair). Does the Senator from Florida yield to the Senator from Washington?

Mr. PEPPER. I yield.

Mr. CAIN. A number of other Senators share my uncertainty as to the question presently before the Senate. We are most desirous that a proper way be found in which to advance educational opportunities on a regional basis. It is for that reason that I ask the question.

Mr. PEPPER. I should like to have my colleague [Mr. HOLLAND] give the answer even more authoritatively; but there is no doubt that all the evidence we have at present indicates that this Negro school, furnishing 56 percent of all the Negro medical graduates in the United States, would have to close.

Mr. CAIN. It would likewise follow that a number of other objectives which it is sought to accomplish would fail if the compact were not ratified by the Congress.

Mr. PEPPER. There is no doubt about it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HOLLAND. If I may participate in the answer, I have had an opportunity to confer with the interested parties. Since our session of yesterday I conferred not only with the president of Meharry and the chairman of the alumni association, but also with the attorney who has been advising with them, and who has likewise been advising with the governors and with the foundations.

My understanding is that the foundation at Meharry College constitutes trust funds donated by various benefactors, who gave the funds on the condition that they be used exclusively for the benefit of the Negro race; and the attorney and the trustees and the foundation feel that they could not possibly agree to turning over the assets of this institution, with its heavy investment—as to which the record shows that the general education board alone has a $10,000,000 investment—without substantial assurance of its continuance as an educational institution.

The second dilemma is this—and I continue to give my view, after having talked with the governors of several of the States affected: It is my view that the States would be left not only in a difficult position but perhaps in a helpless and hopeless position, even if the trustees and the foundation found some way to turn over this institution, because they would be left in the position of asking the legislature to appropriate State moneys for the operation of this institution for Negroes, without being given a sound basis upon which to raise added millions of dollars of State money to establish a new institution which would be in a State other than the ones participating; except as to the State where it might be located.

So, from both the standpoint of the State and the standpoint of the preservation of this particular college, which according to the record went in the hole last year $350,000 out of its endowment fund, the whole thing collapses and the whole plan is ruined unless Congress gives its consent.

Mr. CAIN. Mr. President, will the Senator yield once more?

Mr. PEPPER. I yield.

Mr. CAIN. The junior Senator from Washington, having discussed this matter during the course of the day with the Senator from Oregon, would like very much to pose to the Senator from Oregon the same question which has just been posed to the Senator from Florida, and which has been replied to by the Senator from Florida. The two Senators from Florida are of the opinion that the objectives, which all of us admit are laudable, cannot possibly be achieved unless this compact is ratified. I think the Senator from Oregon holds to the contrary view.

Mr. MORSE. Mr. President, I am completely satisfied in my own mind that the objectives can be achieved and that there is nothing to stop the States from entering into agreements among themselves, so long as they do not raise any Federal question.

As I said yesterday, it is up to them to run the risks in respect to any Federal legislation or question which might be involved in any policies they propose to carry out by means of agreements or compacts. That is true on a State basis.

Mr. President, I have been very much interested in a discussion I had this morning with my good friend the Senator from Virginia [Mr. ROBERTSON]. I am sure he will not object to my making it a matter of record at this time. I talked to him in regard to an arrangement which I understood had been entered into between the State of Virginia and the State of West Virginia concerning the attendance at the medical school in the State of Virginia of students from the State of West Virginia. He said that there is such an arrangement, and that he sees no objection to it. Obviously, if those 2 States can do that, 2 other States or 3 or 4 other States or 15 other States can take similar action.

So I say to the Senators from Florida that I am not so concerned as they are that these objectives will not be reached. I am satisfied that they will be reached.

I wish to say further, for whatever it may be worth, that I was told today in the reception room by an official of one of the educational foundations in the United States that he thought I should know that there are educational foundations and financial interests in this country which have no intention of seeing Meharry College close, and that the approval of the compact is not necessary to keep Meharry College in operation.

As I said yesterday, it certainly is not necessary that this compact be approved, if the Southern States concerned over the future of Meharry College wish to proceed to finance it. Certainly it seems to me—although it is not for me to give any gratuitous advice to the great State of Tennessee—that so far as legal power is concerned, there is nothing to stop Tennessee from giving financial support to Meharry College.

Mr. WHERRY. Mr. President, will the Senator from Florida yield, to permit me to propose a unanimous-consent request?

Mr. PEPPER. I am glad to yield.

Mr. WHERRY. It is our intention to obtain a vote on this motion. I understand that the pending question is the motion of the junior Senator from Oregon to refer the joint resolution to the Judiciary Committee. I understand that there are at least two more Senators who would like to speak on the motion during the session of the Senate this afternoon. It seems to me there is no reason why we could not conclude by 6 o'clock today.

While the Senator from Wisconsin [Mr. WILEY] is on the floor—for he is vitally interested in this motion—and also while the Senator from Florida [Mr. HOLLAND] is on the floor, I should like to propose a unanimous-consent request, as follows: Inasmuch as there is still an hour and a half between the present time and 6 o'clock this afternoon, for the advice of other Senators, so that they may know when a vote is to be taken, I ask unanimous consent that the Senate vote on the motion to refer, at 6 o'clock this afternoon.

Mr. WILEY. Mr. President, reserving the right to object, let me say that the distinguished acting majority leader suggested this matter to me. In view of the fact that I have not had time to go over the very interesting and very challenging argument presented yesterday by the distinguished Senator from Oregon, I suggested that because of the importance of this matter I thought the vote should not be had today. I take that position, because, first, I know that a number of Senators have engagements beginning at 5:30 p. m. today; and, in the second place, I know that this issue—as indicated so clearly in the interrogatories which were propounded just a few moments ago—is not entirely understood by a number of Senators who have not been on the floor during all of the debate.

I regard this matter as a vital one. Sixteen Commonwealths have requested congressional approval of this compact; the House of Representatives has approved the compact, and we have the matter before us after full and complete hearings. Let me say that if Senators will examine the record of the hearings, they will find that the opposition took up two-thirds of it. Senators will find that the same arguments which have been advanced in the debate here on the floor of the Senate were presented at the committee hearings by the CIO lawyers. The identical matters have been presented.

Mr. WHERRY. Mr. President, will the Senator withhold his objection for a moment, please?

Mr. WILEY. Certainly.

Mr. WHERRY. The unanimous-consent request is not proposed with any though of cutting off debate or preventing debate by any Senator who wishes to present his views on the pending motion. If the Senator from Wisconsin feels as strongly as he has just indicated about continuing the debate, far be it from me to attempt to obtain a unanimous-consent agreement if it does not meet with his full approval. But I should like to suggest that if the motion does not prevail, many of the things we are now discussing will be stated over and over again on the floor of the Senate.

I am simply trying to expedite the matter, because we have ready for consideration now the civil functions appropriation bill, and we were supposed to proceed with it tomorrow. There is also ready for consideration a bill relative to the national security, the displaced persons bill, and a bill coming from the Foreign Relations Committee. We have a very heavy schedule.

So far we have had more than 4 days' debate on the pending joint resolution. If the Senator feels that he cannot give such unanimous consent tonight, let me ask whether he will suggest a time tomorrow for the Senate to vote on the motion. Of course, if the motion prevails, consideration of the joint resolution will be terminated. If the motion does not prevail, the Senate will continue to debate the joint resolution.

So I appeal to the Senator's judgment in regard to how best to proceed. I repeat, if the motion is rejected the debate on the joint resolution will not be terminated.

Mr. WILEY. Of course, that is like cutting off the head of a goose, and saying that it does not terminate the goose. But it does.

Mr. WHERRY. Mr. President, I did not mean to infer either that it did or did not. All I am seeking to do is to have the Senate vote tonight at 6 o'clock on the motion to refer. But if that is not possible, will the Senator from Wisconsin suggest a time for the Senate to vote tomorrow on the motion to refer the joint resolution?

Mr. WILEY. I suggest 3 o'clock tomorrow afternoon, and, in view of the fact that the very able argument by the Senator from Oregon needs a thorough going into, I suggest he be allowed 1 hour, and that I be allowed 2 hours, the time to be apportioned.

Mr. WHERRY. Mr. President, if the Senator will yield for one further request, could the Senator make it 2 o'clock, the time to be divided equally for 1 hour? I will state my reason. I think if the Senator would consent to that, and the motion should prevail, the Senate could proceed to other business. If it should not prevail, I am quite satisfied we could go a long way with the Army civil functions appropriation bill tomorrow afternoon. Three o'clock would make it pretty late. If the Senator could concede 1 hour, and make it 2 o'clock, and divide the time between proponents and opponents, I would deeply appreciate it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WHERRY. Yes; I am glad to yield.

Mr. HOLLAND. Reserving the right to object, I should like to try to clarify the situation. It is the understanding of the junior Senator from Florida that there are three other speakers who wish to be heard on this particular measure, one of whom I did not know about until a few minutes ago. I understand the junior Senator from Maryland [Mr. O'CONOR] wishes to be heard upon it. The senior Senator from Wisconsin has advised me that he probably wants to be heard at length tomorrow, but prefers to have the opportunity to read, which he has not yet had the chance to do, the able address of the Senator from Oregon made yesterday.

I expect to speak, if I am recognized, for perhaps 45 minutes or an hour. I understand the Senator from Idaho [Mr. TAYLOR] has a speech he wishes to make this afternoon upon another subject.

Mr. WHERRY. Mr. President, if the Senator from Florida will withhold his objection, I should like to state it is not the intent to recess now. There would be ample opportunity to continue debate on the question tonight. I feel, if the proponents and opponents can agree to it, that 2 o'clock would allow a fair distribution of the time, I again remind the Senate that it has been debating this issue for more than 4 days, and certainly we have got to settle the question of the motion.

If the measure is not referred, we shall be on these issues for many hours, and really the time between now and the time we contemplate adjourning is becoming very valuable. I plead with the Senators, if they can do it, since both of them are present, to make the hour 2 o'clock and divide the time, and I shall be glad to stay here as late as any other Senator may want to stay this evening in order to afford time for any speeches between now and the recess.

Mr. MORSE. Mr. President, if it will help the majority leader, he may reduce my time to 20 minutes.

Mr. WHERRY. That is fine. If I can get a concession from the distinguished Senator from Florida——

Mr. HOLLAND. Mr. President, I do believe, from what the Senator from Wisconsin has told me, he can finish his speech in less than perhaps an hour and a half.

Mr. WILEY. It will take me 30 minutes. That would give us an hour in which to talk.

Mr. WHERRY. Mr. President, I ask unanimous consent then that the hour for voting be set for 2 o'clock, and that an hour and a half be allotted to opponents of the motion and 30 minutes to the proponents, the time to be controlled by the junior Senator from Oregon [Mr. MORSE] for the proponents and by the Senator from Florida [Mr. HOLLAND] or the Senator from Wisconsin, whichever one would like to take charge of it, for the opponents.

The PRESIDING OFFICER. Is there objection to the request?

Mr. HOLLAND. Mr. President, I do not like to hold up the vote. I think the Senator will agree I have spoken very modestly as to the length of time. I do not know what the intentions of the Senator from Oregon may be. He has indicated heretofore he wants to speak. He is not here, and I cannot say how much time he desires. Under the circumstances, I feel I should object to any such short limitation as that proposed.

Mr. WHERRY. Mr. President, if the Senator will yield to me, my understanding was that the distinguished Senator from Florida asked for an hour and a half. He would have an hour and a half, and the Senator from Oregon would have 30 minutes.

Mr. HOLLAND. That would take care of the Senator from Wisconsin, but I do not know about the Senator from Rhode Island. I do not know whether the Senator from Maryland has left the Chamber for the afternoon. He has already notified me he wants to speak. The Senator from Alabama advises me the Senator from Maryland has left for the afternoon. I certainly do not want to deprive any Senator who has not been heard of a reasonable chance to be heard, and I do not believe the acting majority leader wishes to do that.

Mr. WHERRY. No, Mr. President. Will the Senator suggest, then, the hour at which he would be agreeable to vote on the pending motion, and will he suggest how the time should be divided?

Mr. HOLLAND. I will suggest 5 o'clock, Mr. President. I think that would give ample time for the matter to be heard.

Mr. WHERRY. Very well. I withdraw the request.

Mr. TAYLOR obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield a moment?

Mr. TAYLOR. I yield.

Mr. HOLLAND. In addition to suggesting 5 o'clock for the vote, I should be perfectly willing, in order to expedite the matter, to have the unanimous-consent agreement provide that immediately thereafter the vote be taken on the pending amendment offered by the distinguished Senator from Oregon.

Mr. WHERRY. I appreciate that.

Mr. HOLLAND. And the one offered by the Senator from Wisconsin, who offered the committee amendment—so the whole deck may be cleared at that time.

Mr. WHERRY. Mr. President, that would not really gain much. The main thing is to get the unanimous-consent agreement on the pending motion. I would not want to cut off anyone. If the Senator from Florida is agreeable, the debate may continue until 5 o'clock this afternoon, and in the interim we may find out how best to proceed. It seems to me we can remain late enough tonight, and continue tomorrow until 3 o'clock, in order to get this motion out of the way. I suggest once again that the Senator reconsider, and make the hour 3 o'clock. Inasmuch as the distinguished Senator from Oregon has agreed to take only 30 minutes, that would provide 2 hours and 30 minutes for the distinguished Senator from Florida and other Senators who would

like to discuss the question. It seems to me that is a very reasonable request to make, if the Senator can acquiesce, but I repeat I would not want to cut off anyone if he felt in his own judgment there should be more time.

Mr. HOLLAND. Mr. President, I have just been advised by the junior Senator from South Carolina that he, too, wants to speak on this measure, so that I think that 5 o'clock would be about the earliest hour we could possibly fix to dispose of the motion.

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. WHERRY. Mr. President, will the Senator yield for one moment?

Mr. TAYLOR. I yield.

Mr. WHERRY. I know the Senator from Florida is good-natured. Would he make it 4 o'clock, so we could still get some work done tomorrow afternoon, after disposing of the motion?

Mr. HOLLAND. Does the Senator mean the motion dealing with the referral?

Mr. WHERRY. Yes; the one motion to refer.

Mr. HOLLAND. Mr. President, in view of what the Senator from South Carolina tells me about the length of his speech, I am willing to agree to that, provided the distinguished Senator from Wisconsin is agreeable.

Mr. WHERRY. I thank the Senator. Now, Mr. President, I propose the unanimous-consent request that at the hour of 4 o'clock p. m. tomorrow the Senate proceed to vote on the pending motion of the junior Senator from Oregon [Mr. MORSE] to refer the resolution now under consideration to the Committee on the Judiciary and that the time be divided, when the Senate reconvenes tomorrow, as follows: Thirty minutes to the proponents of the motion, to be controlled by the junior Senator from Oregon, and 3 hours and 30 minutes to the opponents, the time to be controlled by the Senator from Florida [Mr. HOLLAND].

Mr. MORSE. I said I would agree to take only 20 minutes.

Mr. WHERRY. I gave the Senator 30 minutes, thinking he might want more time before it was over.

Mr. VANDENBERG. I thought we were talking about equal rights.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The agreement, as reduced to writing, is as follows:

*Ordered,* That on the calendar day of Thursday, May 13, 1948, at the hour of 4 o'clock p. m., the Senate proceed to vote, without further debate, upon the motion of the Senator from Oregon [Mr. MORSE] to refer to the Committee on the Judiciary the pending joint resolution (H. J. Res. 334) giving the consent of Congress to the compact on regional education entered into between the Southern States at Tallahassee, Fla., on February 8, 1948; and that on said day of May 13 the time between 12 o'clock and 4 o'clock shall be divided as follows: 30 minutes for the proponents of the motion, to be controlled by the Senator from Oregon [Mr. MORSE], and 3 hours and 30 minutes for the opponents of the motion, to be controlled by the Senator from Florida [Mr. HOLLAND]. (May 12, 1948.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

PROPOSED CONVERSATIONS BETWEEN THE UNITED STATES AND RUSSIA

Mr. TAYLOR. Mr. President, on VE-day there was great rejoicing throughout the world that the great conflict in Europe had come to an end. We still had ahead of us a struggle in the Pacific. Then came VJ-day, and the people of the world looked forward to an era of peace, but since that time international relations, especially between Russia and the United States, have deteriorated to the point where the people of the world are becoming well-nigh hopeless. We are revolving, as the saying goes, in a slough of despair, because it is realized that another war can well mean the end of civilization, possibly the end of life on this planet. However, yesterday was the day of the greatest rejoicing, I believe, since VJ-day. I believe there were more people in the world who had hope in their hearts yesterday than at any time since VJ-day, certainly to a greater extent than at any time since relations between Soviet Russia and the United States started to deteriorate so rapidly. Joy and hope were in the world yesterday, Mr. President, because the newspapers informed us that there was a possibility of Russia and the United States getting together to talk over their difficulties.

Here is a heading which appeared in the Washington Times-Herald; similar headings appearing in other newspapers:

Red Radio Says Soviets Desire Talk With United States on Differences.

Of course, Mr. President, we had heard rumors before that Russia wanted to talk to us. Some time ago in the United States News Mr. David Lawrence flatly stated that the Russians were seeking an interview with us. He did not equivocate regarding it; he simply said they wanted to talk to us and that overtures had been made. Mr. Lawrence is a rather reliable reporter and his publication strives for accuracy.

Recently Mr. Arthur Krock, a thoroughly reliable reporter, in the New York Times said that these rumors persisted, that Russia wanted to talk things over with us, but, Mr. Krock said, the high moguls in Washington were ready for Russia and they were not going to let Russia get away with anything like that. In other words, it seemed that we were determined to go through with a cold war, even if it ended in a hot one.

I was one of those who were very pleased at the news in the newspapers yesterday. Later in the day word came from the White House, from the highest place in our Government, that the message delivered to Mr. Molotov by Mr. Bedell Smith had been misunderstood; that we were not offering to negotiate with the Russians; that the message was meant as a warning to the Russians that we did not intend to call off the cold war, but that we were set in our ways and determined to continue on as we had in the past.

The headline on the front page of the Washington News last evening was:

Truman chills Reds' reception of peace offer.

I can only say, Mr. President, that the Red peace offer was not all that Mr. Truman chilled. He chilled the hopes of people not only in America but all over the world.

The heading on the third page of the Washington News, where the article appears, is this:

Truman ignores peace bid.

Certainly that seems to bear out what Mr. Arthur Krock said recently, when he stated that the administration would refuse to be taken in by any offer to talk over and negotiate our differences. We have become the strongest nation in the world by reason of the fact that we were not devastated during the recent war. We increased our industrial capacity while Russia was being devastated. If our country had been equally devastated, it would be laid waste from Kansas City east.

In this morning's Washington Post there appears this little item:

RUSSIANS FLOCK TO READ BULLETINS

Moscow, May 11.—Russians crowded five and six feet deep in front of newspaper bulletin boards today to read a Russian-American exchange of notes which they hoped might lead to better relations.

Laboring men in overalls, shawled mothers with babies in their arms, white-collar workers and army officers—

Mind you, Mr. President—"and army officers." Evidently even Soviet army officers are interested in peace—

stood patiently awaiting their turn to read the three full columns of a Tass Agency dispatch on the exchange.

As they read, they nudged each other and made such comments as:

"Good, huh? Good!"

For the first time in months many of them beamed at those among them who obviously were foreigners.

"That's something people understand," an elderly subway construction engineer said. "Molotov will get together with you folks yet, you just see."

The crowd around him babbled agreement.

That poor Soviet engineer did not reckon with Harry Truman and the Wall Street military clique that have usurped control of our country. I should say, Mr. President, that Mr. Truman has abdicated control of the country and handed it over to Wall Street and the military. No, the Russians who were happy over the news of peace negotiations, looking toward a peaceful settlement of our differences, did not reckon with those who are in power in the United States at the present time.

Mr. President, despite the fact that Mr. Truman has thrown cold water on the world's hopes that the Russians and the United States might get together, he has not entirely quenched the fire of hope. Following yesterday evening's headline that Mr. Truman wanted to make it plain that we were not offering

to talk to the Russians, in today's Evening Star the following headline appears:

Europe grasps at hope for lasting peace in United States-Soviet exchange.

Mr. President, they are still grasping, in spite of the fact that Mr. Truman says there is no hope and that we are determined to be tough to the bitter end.

The second part of the headline reads as follows:

Much to gain, little to lose if talks are held, statesmen believe.

Mr. President, the statement is that "statesmen believe."

The article reads as follows:

LONDON, May 12.—Europeans, official and unofficial, today seized on Russia's announcement of her willingness to talk things over with the United States as a glint of hope for lasting peace.

The general reaction was that there may be much to gain and little to lose by such talks, no matter whose idea it was.

They are sensible people, of course, Mr. President.

Later on in the article the following appears:

In Rome, Italian Foreign Minister Carlo Sforza declared:

"Silences are dangerous, and conversations never are. It is for this, holding peace above all else, that I am happy contact has been made between Washington and Moscow."

Mr. Sforza did not take into consideration that we have a man named Harry Truman as our President. Mr. Truman does not know that it is good to talk things over.

The article further says:

European newspapers echoed these views—

These views of Italian Foreign Minister Sforza.

Mr. President, here is a good one:

"America is big enough and strong enough and earnest enough in her will to peace to take up Mr. Molotov's offer without loss of face or prestige," the Daily Express said, and the same view was echoed in almost all other London papers.

Mr. President, anyone would think that America was big enough and strong enough and earnest enough to talk to Russia without losing face and feeling that we were appeasing someone. I contended that on the floor of the Senate some time ago. But it not a question of American bigness, Mr. President; it is a question of the smallness of the President of the United States.

I read further from the article:

"A chance is offered, if a slender one, of a way out," the Manchester Guardian said editorially.

It is too bad that the people of Europe, the people of the United States, and the people of all the rest of the world have to have their hopes dashed because we have a man from Missouri who feels that he must live up to the tradition of Missouri stubbornness and not talk to anyone, now that he has set out on a course of being tough with everyone.

In his statement yesterday, Mr. Truman had this to say, when he said that we were not offering any peaceful settlement or were not offering to negotiate:

The policies of the United States Government in international questions have been made amply clear in recent months and weeks. They have the support of the majority of the American people. They will continue to be vigorously and firmly prosecuted.

Perhaps Mr. Truman's point of view that we must not talk to the Russians has the support of a majority of the American people at this moment because of the great amount of anti-Russian war propaganda that has been put out in this country. A majority of the people may be so frightened, so apprehensive, that they feel that this "get tough" policy is the proper course for our country to pursue.

I have mentioned, Mr. President, the war propaganda that has been going on in the press. Here is a good example of it. The last great war scare we had was the submarine hysteria a few weeks back. There were submarines everywhere. Of course, it finally turned out they were off the Aleutian Islands and on the other side of Alaska, closer to Russia than to us, and they had a perfect right to be anywhere they wanted to be so long as they did not come within our 3-mile limit. But the newspapers played it up for all it was worth.

I was in California at the time, and after it all fizzled out and we found that, in the first place, no one knew whether the submarines were Russian or not; and, in the second place, that they had a right to be where they were, then the San Jose News wanted to milk the situation dry, for all it was worth. This was about 2 days after we had found out there was no danger from submarines at all, they were not close to us, and probably they were our own. But here is the headline, clear across the top of the page:

Submarines sighted off coast.

When I read that, Mr. President, even I was apprehensive. I was right there, and the coast was close, and I thought possibly they had some rockets or something. One never can tell, Mr. President, what they have nowadays. So, I would not say very eagerly, but rather apprehensively, I started to read what it was all about. You would imagine, Mr. President, such a headline would be worth at least three columns, but it is all squeezed into one column. The subheading says:

Sub thought to be United States vessel maneuvering.

Of course that should be worth a banner headline across the top of a newspaper. That is not an exceptional headline in the newspapers. It is not unusual for them to misrepresent the news in headlines of that kind. It is more dangerous than one would think at first glance, because so many Americans work so hard that, after a day's work, when they go home, they read the headlines, turn to the comics to see what Dick Tracy and Little Abner are doing, and then it is time to turn out the lights and go to bed. They may read the football and baseball scores. So the headlines do their dirty work.

We have heard a great deal about Russian animosity toward us. The press would lead us to believe the Russians are ready to attack us.

Mr. President, I think a recent dispatch from Germany by Eddy Gilmore is very enlightening. He is a well-known correspondent. In a story sent from Moscow, April 7, he says:

Returning to the Soviet Union from the United States, one is struck by the absence of war talk among the Russian people. One simply doesn't hear any.

I wish this article could be placed in the hands of every American, in view of the war propaganda that has been carried on. I will say this about the American press, Mr. President. I criticize them frequently; but, if you can get hold of a big paper like the New York Times or the New York Herald Tribune and read it thoroughly enough, if you have sense enough to separate the wheat from the chaff, you can get the truth; they do print it. Little papers do not even print it; they do not have the space. And they all misrepresent. That is the great crime.

Recently I was invited to address the American Society of Newspaper Editors. I do not know why they invited me, and I guess I shall never again be invited, because I could not resist the temptation, when I had them all together, to tell them, if war came, they would be largely responsible, that if there were anybody left to write history, I did not see how a historian could say anything except that the American press was the greatest villain that ever inhabited the face of the earth. Some editors applauded me. Some of them hissed me.

But I was quoting from this article by Eddy Gilmore. He is chief of the Associated Press Bureau at Moscow. He has just returned to his post by way of Berlin, following a trip to the United States. He continues:

In Berlin the United States press department told me I'd better take a Russian-speaking American officer from the liaison section with me to the Soviet airdrome to catch the plane.

ESCORT OFFERED

"We'll give you a military escort, too," they said.

Showing up at 2 a. m. I was met by a liaison officer who said if it was all the same to me he wouldn't go along into the Soviet sector.

Brave soldiers we have, Mr. President.

I told him I spoke Russian and it wasn't necessary.

With a German chauffeur, four suitcases, a typewriter, and a small dog I had purchased for my little daughter, I set out. Halfway to the Russian zone we were overtaken by American military police.

"We will escort you," said one of the men.

"Why?" I asked.

"Well, you never can tell," said the man.

HALT AT SOVIET ZONE

About 100 yards from the Soviet zone the military police car halted.

"This is as far as we go," said the man next to the driver. "We'll wait here. If your driver doesn't come back, we'll know you and he have had it."

What dramatic gentlemen our soldiers were.

This was not cheerful talk for so early in the morning.

About 200 yards down the road in the Soviet zone was a road block. A young Rus-

sian soldier stepped out and held up his hand.

"Where to?" he asked.

I told him.

"Got any documents?"

I told him, "No—just an American passport with a Soviet visa." He examined them by the headlights.

NO PAPERS FOR JEEP

"What about documents for the jeep and driver?" he asked.

"Don't have any. Yesterday was Sunday."

"Oh, well," said the guard, "I guess everything is all right."

This certainly was not very ominous.

At the airport gate it was the same story. Again I got through with no trouble.

"Here's your ticket," said the official. "We are not charging you for the dog. He can ride free."

There were 11 Soviet officers behind me. One suggested I should accompany him to have some tea.

After tea we discovered there was some vodka.

These Russians, Mr. President. They are terrible people. This sounds as if possibly they dug up some of the Russians who were killed at Stalingrad, does it not? They were brave and gallant Russians then. I thought they had all been killed at Stalingrad, because I had not seen anything about Russians of that kind since then. But here is one. He drinks tea. He is a timid fellow. Then they get around to vodka. It seems he is sociable. He offers a toast. The story continues:

TOAST TO FRIENDSHIP

"To the friendship of our countries," said a young major returning to Moscow from an assignment in Berlin.

"To peace between our countries always," I proposed. All 11 officers drank the toast at once.

Despite the Berlin tension in the American headlines and war talk, I heard not one word of that in Moscow. I'll wait 24 hours, I said to myself, and talk to more Russians. This I've done. Not one has mentioned war or the possibility of it.

Mr. President, it is inconceivable that day in and day out we are hammered with this war propaganda, and yet a reliable correspondent who is over there suggests that nobody wants to fight us; they are friendly toward us. I have contended this right along. I have been told this before by UNRRA representatives and the representatives of other organizations.

When I saw the propaganda in the newspapers day in and day out and heard inflammatory statements of Senators older than I, and the statements by the President of the United States, even I began to wonder. I wondered, Are you a "sap"? Are you a "softie"? These people are heathens. They want to conquer us. They are mean. They are saying all sorts of things about us in the Soviet press. Even I began to doubt, and to think, maybe these people are as bad as it is said they are. Then there comes along something like the statement which I have just read.

Mr. President, I think one of the greatest crimes in all history is being perpetrated upon the American people. I have said on the floor of the Senate, and I reiterate, that we are being led down the same road on which Hitler took the German people. The German monopolists and militarists started two world wars in the hope of conquering and economically exploiting the rest of the world. We have moved into Hitler's shoes and are determined to conduct a war against Russia and then to exploit the world. That is a part of the scheme to enable our businessmen to infiltrate and gain control of the industries of other countries.

Recently I had to laugh when I read about our conference in Bogota. We told those people they should change their laws and their constitutions, if necessary, so that our businessmen could invest their money and be protected. A Mexican representative told our boys, "If you want to investigate money in Mexico, that is fine. If you do not want to invest, that is fine, too. What we need is protection from your investors."

I sent that Mexican a telegram and said, "Hi, fellow." I did not put it in those words, but in more diplomatic language. I said, "I congratulate you for standing up for your rights, and I want you to know that not all Americans are imperialists. I want you to know that there are millions of Americans who still believe in the good-neighbor policy of Franklin D. Roosevelt."

We are losing every friend we have in the world, Mr. President, and are supporting the worst elements we can possibly unearth. When we cannot unearth any more we spend money and try to set them up in business and tell them to go ahead.

Recently in Greece, there were a number of prisoners who had been in jail since Hitler's occupation. Their crimes were against Hitler's occupation. They had committed them at the behest of our wartime propagandists, who told the Greeks, "You sabotage Hitler and we will be over to save you pretty soon." We got there. We are in Greece with plenty of guns. Recently a couple of hundred prisoners got out, but instead of being given medals and annuities for life, which they should have had for their services to humanity and to the Allied cause in the war, they were lined up and shot. Of course, they were shot because men like that are not safe to have around when we are out to exploit the world. If they opposed Hitler, they will oppose us also. They are dead now; they are out of the way. But there are others in Greece still fighting, Mr. President. I am sorry for them. I wish there were something more concrete that I could do to help them. I wish it sincerely. If I did not think I could accomplish more good here in the United States by opposing the dastardly un-American policies which are being foisted on the American people by a Fascist government, I would take up a gun and help those fellows.

Mr. President, I have here an editorial from the New York Herald Tribune entitled "Greek Democracy." I ask unanimous consent to have it printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GREEK DEMOCRACY

Greece is known as the birthplace of democracy, but that form of government has hardly been known there since the fourth century B. C. The present time is unfortunately no exception. In criticizing the Greeks one must remember the turbulence of their recent history. Nevertheless, it is perforce embarrassing to the United States, engaged as it is in an ideological war, to be so closely associated with a government that seems bent on suppressing those democratic elements that do exist in Greece, and on smothering the possibilities of democratic expression.

The events of the last 2 weeks have been reported in lucid detail by our correspondent, Mr. Homer Bigart, who gained experience (and won official disapproval) by exposing police-state methods in Poland. At the same time that the information division of the American aid mission was reassuring the world to the effect that the Greek press enjoys "as real a freedom" as that existing in the United States, two Athens editors were being jailed for expressing criticism of a type that could never have been questioned in this country, even in wartime. These editors, who are Socialists (but anti-Communists) had attacked the Government for executing political prisoners who had been in jail since 1944. The "crimes" they were accused of had been committed against the German Nazi and Italian Fascist occupation forces. Since they had been in jail for more than 3 years, they could obviously have had no part in the recent and current guerrilla activities.

The reasons given for their execution at this time are hardly flattering to the United States. During the period when the British were "advising" the Greeks it was felt that the death sentences could not be carried out because of the likelihood of an unfavorable reaction by British public opinion and the British Labor Government. Now that the British have been replaced by the Americans, this consideration apparently no longer holds.

Hundreds and possibly thousands of arrests have been carried out during the last week or two under sweeping powers given the general staff for "purging the home front." Premier Sophoulis himself has no control over the military courts before which the accused must appear. Other thousands are held without trial, interned on small islands, on suspicion of disloyalty. Finally, the Greek Government and the rightist press try to make it appear that these things are done with the full approval of the American aid mission.

All this sounds much too much like what is being done in the countries behind the iron curtain. When it happens there, the United States protests vigorously. One method of the police state is to attempt to muzzle foreign correspondents. There was a threat of this in Czechoslovakia ecently. Now a Greek royalist newspaper has demanded that foreign correspondents be subjected to censorship. It feels that something should be done about reporters like Mr. Bigart, who is described as "an instrument of Moscow." (Warsaw and Moscow would both be surprised to learn that.) Another paper writes: "We must have martial law, whether we like it or not, whether our friends and allies agree or not, whether Bigart and those who share his opinion accuse us or praise us." The official Greeks are operating on the theory that their "friends and allies" will condone all their acts. They should be disabused of that notion.

Mr. TAYLOR. Mr. President, I have an article from the New York Herald Tribune which says that the action taken against the Greek leftists is called a gesture to the United States. In other words, when the British were there they did not kill so many, but the Greeks feel that we like to have the leftists killed, so they are killing everybody in sight. They were killing so many persons that the British interceded and asked that

we ease up a little bit. They did not ask us; they asked the Greeks. However, it amounted to asking us, because we are running the show. The Greeks would not kill people unless we gave them our O. K. The British, the great exploiters of the centuries, were never accused of being soft-hearted, but now they have to beg us to please be less brutal. The French also have interceded. They have asked us not to be so tough. The Norwegians have also interceded. The Lord knows who else has interceded. Those are all that I have read about in the newspapers. It is unbelievable.

Mr. President, here is something which is very interesting. We were told that the Marshall plan had to be put through immediately because people in Europe were starving. Some of us contended that there were hungrier people in South America, Central America, and China. We contended that the Marshall plan was to try to buy allies to fight communism; that it would turn out to be a militarist plan before it was over with. How right we were. We are now being asked to transform the Marshall plan into a military plan. They are coming out boldly and asking us to amend the act so as to spend money for guns instead of for food.

This article says:

Europe feels pang—

That is a sharp pain, I suppose.

Europe feels pang—

Of what? Starvation? That would be a pang, would it not? No; it feels—

pang of overproduction.

The article goes on to say that in Holland they are faced with a serious overproduction of foodstuffs that will have to be destroyed in the face of Europe's prevailing food shortage, because there is no possibility of selling the products.

There are hungry people over there. The Germans are hungry. I do not love them, but I should like to feed them. I should not say that I do not love them. I have nothing against the German people. They permitted themselves to be duped and deceived by Hitler. The American people are following in exactly the same path. They are permitting themselves to be duped and deceived by a clique of Wall-Streeters and militarists. Mr. Forrestal is the most dangerous man in America today. He is a potential Hitler.

Here is an article which says:

Forrestal aides—

That means his helpers—

sidetrack probe on Saudi Arabia oil.

Naturally they would sidetrack a probe. He got his aides put into the Department of Justice so they could investigate him. The Senator from Maine [Mr. BREWSTER] wanted Forrestal investigated, so Forrestal got all his helpers and put them into the Department of Justice, and now they are investigating him. That is wonderful. No wonder he is interested in Saudi Arabian oil. He used to be president of Dillon-Read, the principal financial agent of Texaco and Standard Oil Co's. They own the American-Arabian Oil Co.

Mr. President, I do not know what is the matter with the Republicans. They have been so scared by the Red smear that they are afraid to speak up. If they would inform the American people of all the crooked things going on in the Government, how militaristic it is, and how fascistic it is, why, good Lord, this administration would not have any more chance of being reelected than a snow ball in the hot place. But the Republicans have hollered so much about communism they have become scared. They are afraid to criticize the Government, because if anyone does that he is "red," he is subversive. Congress is now considering the Mundt bill by which we can jail anyone for saying anything. The Attorney General can say "This man is aiding Russia." That is what I will be accused of doing here today. But I am trying to aid my own country to stay free and to stay out of war. But the Attorney General's office could say I was aiding Russia and could throw me into a concentration camp. I read the other day that preparations had all been made so that within 24 hours after we had a crisis they could have 20,000 people behind barbed wire. What kind of a crisis is that going to be? We have had crises before and they never did that. If they have 20,000 people behind barbed wire in 24 hours, how many will there be in 3 months? Who will they be? I have a good suspicion that I probably will be one of them.

Mr. President, the other day a coincidence occurred. In the New York Herald Tribune there was an article on one side of the paper by Walter Lippmann, one of the great experts on foreign affairs. On the other side of the page there was an article by Sumner Welles, former Secretary of State and foremost authority on foreign affairs. Mr. Lippmann had this to say:

The stereotyped assumption that all discontent is Communist-inspired, that all discontent emanates from Moscow, will, if we persist in holding to it, be as fatal to our hopes and policies as it is contrary to our traditions and our genius.

On the other side, Sumner Welles said, speaking about the Bogota Conference:

The Conference provided new evidence that the inter-American system is in real danger of collapse. For this, Communist intrigues are not responsible. It is due chiefly to our own policies in recent years. The impression of the public here that all is well is being deliberately fostered in Washington.

In other words, Sumner Welles says they are a bunch of liars, and I say so, too. They are deceiving the people bluntly, with no attempt even at sugar-coating it any more.

Here is something I should like to put into the RECORD. It reads:

There has never been a just war or an honorable one.

That is true, of course, Mr. President. I think one side of a war can be just. I believe that in the last two wars, considering Hitler's aggression, our wars were just. Of course, that did not make them just wars on both sides.

I can see a million years ahead, and this rule will never change. The loud little handful will shout for war.

That is Mr. Forrestal, and Hairbreadth Harry, and our controlled press—most of it. They are the little handful who will shout for war.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Idaho yield to the Senator from California?

Mr. TAYLOR. I yield.

Mr. KNOWLAND. I wish to thank the Senator from Idaho for permitting this slight interruption in his remarks.

Mr. TAYLOR. It is not the first time today.

Mr. KNOWLAND. I will say to the Senator from Idaho that I have just been presiding over the Senate during the course of his remarks. Frankly, so far as I am concerned, I speak as a member of the Republican Party, sitting on this side of the aisle, and I will say to the Senator from Idaho that I do not know of a person on or off the floor of the Senate of the United States, or at any place in this country of 140,000,000 people, who has more consistently, who has more aggressively, given aid and comfort to the Kremlin than has the Senator from Idaho. I have listened to him here attacking the President of the United States. It is true the President is a member of the opposition party, but so long as he sits in the White House he is my President, he is the President of all the 140,000,000 people of the United States of America.

I say to the Senator from Idaho that when he makes the statement that the able Secretary of Defense is like a Hitler, he does no service to his country or to the people of the United States. Mr. James Forrestal has had a long and honorable career in the service of his people and in the service of his country. He served during the war years as Secretary of the Navy. He has ably served his country in attempting to put our defense organization in order so that we will not go the way countries behind the iron curtain have gone.

When the Senator from Idaho makes an attack upon the press of the United States he is following the same pattern that has been followed in every country that has lost its liberties and has gone behind the iron curtain. First, Communist forces in those countries destroy the freedom of the press and the confidence of the people in their press, and I defy the Senator from Idaho to deny that the American people are better informed than any other group of citizens anywhere in the world today.

When he attacks his own government, and its national defense organization, as he has done today, he follows precisely the same pattern that has been followed by every Communist group in every country that has gone behind the iron curtain. They seek to destroy the confidence of the people in their Government, in the executive branch, in the judicial branch, and in the legislative branch.

The Senator, if he tried, could not give more aid and comfort to the Kremlin than he has given on the floor of the United States Senate this day.

Mr. TAYLOR. I thank the Senator from California. I may say that his re-

marks will probably rate a great deal more attention than anything I have had to say here today.

I would also like to say that I wager that in Germany, when Hitler was taking over and anyone criticized him, there were many people who stood up and made speeches just like that delivered by the Senator from California.

When he says one is "red" if he criticizes the administration and that he tries to undermine the people's confidence in the Government, I can only say that there are going to be a lot of Reds during the campaign very soon. They are all going to be out trying to undermine the confidence of the people in the administration. Even the Senator from California will be out on the hustings in California trying to make the people think they should elect Republicans over Democrats. The only difference between the Senator and myself in that respect is that I want to elect Henry Wallace.

Mr. STEWART. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Tennessee?

Mr. TAYLOR. I yield, but——

Mr. STEWART. I do not want the Senator to yield if there is any hesitancy. I was merely going to make the observation that I think that is sufficient difference.

Mr. TAYLOR. Sufficient difference if he wants to elect Republicans?

Mr. STEWART. The Senator said the difference was that he himself wanted to elect Henry Wallace. That is an adequate difference, so far as I am concerned.

Mr. TAYLOR. Yes, and as I understand, the Senator says it is all right for the Republicans to want to elect themselves.

Mr. STEWART. Certainly, I do. I think most of the Republicans I have found, like Democrats, are patriotic. I have never found any of them subscribing to the Moscow theory.

I wish to say, while I am on my feet, that I congratulate the Senator from California. I came into the Chamber just a few moments before he took the floor, the Senator from New Mexico [Mr. HATCH] succeeding him in the chair. I did not know what he had in mind, but I wish to congratulate him on having made a patriotic statement, and one which I think was well timed.

Mr. TAYLOR. The Senator did not hear what the Senator from Idaho had to say?

Mr. STEWART. I heard enough to rather tempt me to say something.

Mr. TAYLOR. The other day the distinguished minority leader came into the Chamber and though he did not hear anything I said, he still congratulated those who were at odds with me.

Mr. STEWART. I think that most of what the Senator from Idaho has been saying will fall on deaf ears.

Mr. TAYLOR. I shall go back and read what I started to read previously. It is from the Carolina Times of Durham, N. C., issue of April 25, 1948, as follows:

> There has never been a just war or an honorable one. I can see a million years ahead and this rule will never change. The loud little handful will shout for war. The pulpit will object at first. The great, big, dull bulk of the Nation will rub its sleepy eyes, and try to make out why there should be a war, and will say: It is unjust and dishonorable, and there is no necessity for it. Then the handful will shout louder. A few fair men on the other side will argue and reason against war and at first will have a hearing and will be applauded; but it will not last long: those others will out-shout them and presently the antiwar audiences will thin out and lose popularity. Before long you will see this curious thing; the speakers stoned from the platform, and free speech strangled by hordes of furious men, who in their hearts are still at one with those stoned speakers—but do not dare say so. And now the whole Nation, pulpit and all, will take up the war cry, and mob any honest man who ventures to open his month; and presently such mouths will cease to open.

That was written by Mark Twain, Mr. President, in his book, The Mysterious Stranger.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield.

Mr. McMAHON. I was detained in committee until a few moments ago, and I have not heard the Senator's speech. I should like to ask if during his remarks he has explained the Russian position respecting the United States efforts to secure effective international control of atomic energy? If the Senator has not spoken on that subject, I should like him to tell me if he plans, before Congress adjourns, to discuss this question, and to defend the Russian position on this most important of all questions now pending before the peoples of the world.

Mr. TAYLOR. Mr. President, I had not planned to discuss it. I shall be most happy to do so. Generally, if something puzzles me I try to put myself in the other fellow's place and put all the facts in proper relation to other facts and see how I would feel under the same circumstances. I can only say that we can read in the American press almost every day statements by high officials that we can bomb any part of Russia and return, and that we must get ready to fight Russia, and statements of that kind. There is no more beating about the bush. We name Russia. It is no longer a war against an aggressor, or anything like that; we just name Russia. Russia is devastated. Her country is laid waste. She lost millions of her people in the war. We are very strong. We suffered very little in the way of casualties. Our industry was built up during the war. We are incomparably stronger than Russia in the field of production, which is all-important in fighting a war. We sent an army into Russia after World War I.

Mr. McMAHON. Mr. President, will the Senator yield at that point?

Mr. TAYLOR. Yes.

Mr. McMAHON. We have just concluded unsuccessfully negotiations started on June 14, 1946. Efforts were made through the committee of the United Nations to remove from the world the threat of an atomic arms race. At the end of those discussions every country that was a party to them agreed that the proposals this country made for the solution of this terrific and terrible problem, were fair and just and objectively right. The one country that refused to agree to this disposition of the matter was the country that the Senator now defends.

When history is written, if there is any history to be written, I think it will be found that it was this action by the Soviet Union which did more than anything else to threaten the peace of mankind, prevent the stabilization of the world, and put the fear of being blown to pieces into the minds of people who desire only to go about their business and earn their daily bread. This refusal by Russia will be pointed to as having done more than anything else to cause disturbance in the world.

I have been waiting for Mr. Wallace—I might say I have been waiting for my colleague—to defend that position. Mr. Wallace, it will be remembered, in September 1946, engaged in a controversy with our delegate to the United Nations on that subject. When that controversy was concluded no fair-minded man could honestly say who was right in his contentions. Since that time neither Mr. Wallace nor anyone else who follows him and who supports him, has endeavored to support the Russian position in that regard. The reason to me is plain. It is that they cannot support it.

I urge the Senator from Idaho, if he intends to go before the American people, as I know he does, to advance his own candidacy and that of Mr. Wallace, to prepare himself now, and that he ask Mr. Wallace to prepare himself now to defend the position taken by the Senator which is, I understand, a justification of the Russian position on this supremely important question.

Mr. TAYLOR. Mr. President, the Senator puts words in my mouth, as is the habit of those who oppose Mr. Wallace and myself. They keep trying to put us in the position of defending Russia, and they ask us what Russia is going to do, as though we would know what Russia is going to do. They ask us why did Russia do this and why did Russia do that. I do not have the slightest idea. As I said, I wanted to answer this question for myself if I could find some reason for them to refuse to sign the atomic agreement, and I was explaining it when the Senator from Connecticut took over. I shall proceed if he cares to have me do so.

I had come to the point where I was saying that we sent an army into Russia after World War I. Fourteen nations sent armies into Russia. I am going back to that time to show that the Russians have reason to doubt the peaceful intentions of the rest of the world. I say we should try to put ourselves in their place and imagine that these things had happened to us.

Between the wars all we have ever heard about is the sabotage by the Communist Party in this country. Well, between the wars our capitalists, with the tacit approval at least and very often almost the open support of the western governments, financed fifth column activities in Russia so successfully that, along about 1937, they had to take out a number of their generals and cabinet officials and shoot them.

Suppose they had been equally successful in their sabotage, in their fifth column

aggression in this country. In that case we would now be pretty suspicious.

Litvinoff offered to disarm at Geneva in 1933. Nobody paid any attention to him. Russia offered to fight when Czechoslovakia was invaded. Nobody paid any attention to Russia again. The idea seemed to be merely to pass the whole thing off.

Then since the war our country has been taken over by Wall Street. Mr. Forrestal, who is Secretary of Defense, was formerly president of Dillon, Read & Co., which was one of the financial houses which actively helped finance Adolf Hitler and the Nazis to power with the understanding that they would fight Russia. Mr. Draper, a vice president of Dillon-Read, was very active in setting up cartels among our businessmen and German businessmen. He is Under Secretary of the Army. The military has an influence in American life that it has never had before. Practically every job which is not held down by a monopolist is filled by a general.

The Russians can see all these things. They hear statements to the effect that we must fight Russia, that we have planes that can go there and back, and that we must have bases on their borders. We do have such bases, all around them, pushing right up against them—in Turkey, Iran, Japan, Okinawa, and Korea. We are right up against Russia all the way around.

If we were to reverse the circumstances and give the Russians the atomic bomb, we being without it, the situation would be different if they were asked to sign an agreement with respect to the atomic bomb, which provided that it should not be destroyed until the question was entirely settled.

The proposed agreement called for inspectors to go into Russia. I do not believe that Russia wants any outsiders in Russia—not because they might see what the Russians have. They have a great deal of devastation, desolation, and dissatisfaction. They are not afraid to have anyone see what they have. They do not want anyone to see what they have not. I believe that is the reason why they refused to come to any agreement which called for inspectors going into Russia. If they had full confidence that we did not want war with them, that we were not out to make war on them, I think we could reach an agreement on a great many things.

Henry Wallace feels that way about it. Last night, in contrast to the stand taken by Mr. Truman in saying that we did not want to talk to the Russians, that they misunderstood our note, and that we were simply telling them how tough we were, Mr. Wallace delivered a statesmanlike address. He had prepared a talk before any discussion of negotiations between Russia and the United States. He had prepared an open letter to Stalin calling for negotiations to talk things over. It is a great contrast compared with the lack of statesmanship—almost, it seems, the desire on the part of Mr. Truman to be President at the end of the world, and be the last President of the United States. Mr. Wallace's open letter to Stalin is a masterpiece of statesmanship by comparison. I shall not take the time of the Senate to read it. The hour is late. Very few Senators are present. I want to place it in the RECORD. That is the principal reason for my speaking at this time. I ask unanimous consent that the open letter of Mr. Wallace to Mr. Stalin be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

A CENTURY OF PEACE

Although the notes of Ambassador Bedell Smith and Foreign Minister Molotov are both characterized by the same self-righteousness which has led to the international crisis, they represent great hope to those of us who have consistently maintained that peace is possible and they represent a severe blow to the propagandists on both sides who have insisted that the two nations cannot live at peace in the same world. The two letters assume what we have long contended—that the wartime cooperation between the two great powers can be rebuilt and strengthened in time of peace. The exchange of notes, opening the door to negotiations, must be followed by a meeting—an open, fully reported meeting of representatives of both the United States and the Soviet Union. With the prospect of such a meeting, I present my thoughts on the steps necessary to achieve the century of peace.

THE COLD WAR MUST STOP

The United States of America and the Union of Soviet Socialist Republics must take immediate action to end the cold war. This involves taking definite, decisive steps looking toward the following objectives:

1. General reduction of armaments—outlawing all methods of mass destruction.

2. Stopping the export of weapons by any nation to any other nation.

3. The resumption of unrestricted trade (except for goods related to war) between the two countries.

4. The free movement of citizens, students, and newspapermen between and within the two countries.

5. The resumption of free exchange of scientific information and scientific material between the two nations.

6. The reestablishment of a reinvigorated United Nations Relief and Rehabilitation Administration or the constitution of some other United Nations agency for the distribution of international relief.

Neither the United States of America nor the Union of Soviet Socialist Republics should interfere in the internal affairs of other nations. Neither the United States of America nor the Union of Soviet Socialist Republics should maintain military bases in other United Nations countries. Neither the United States of America nor the Union of Soviet Socialist Republics should terrorize the citizens of members states of the United Nations by massing land forces, establishing air bases, or making naval demonstrations. Neither the United States of America nor the Union of Soviet Socialist Republics should use financial pressure, economic pressure or the pressure of secret agents to obtain political results in other countries. Both the United States of America and the Union of Soviet Socialist Republics, in the spirit of the United Nations Charter, should collaborate to the limit in furthering the political, economic, and cultural health of the world. To that end the United States of America and the Union of Soviet Socialist Republics should join the various subsidiary agencies of the United Nations, such as the World Health Organization, the Food and Agricultural Organization, and The United Nations Educational, Scientific, and Cultural Organization.

REHABILITATION OF EUROPE

It is to the advantage of both the United States of America and the Union of Soviet Socialist Republics to give maximum economic help to Europe as promptly as possible within the framework of the United Nations, proportioned to the devastation and economic need. As soon as possible the European Cooperation Administration and the United Nations and the Economic Commission for Europe should be converted into a reinvigorated and expanded United Nations Relief and Rehabilitation Administration for the purpose of building a highly productive economically unified Europe in which there would be no barriers of trade communication or culture between eastern Europe and western Europe.

SPEEDY PEACE WITH GERMANY

The Union of Soviet Socialist Republics, the United States of America, Great Britain and France should conclude a peace treaty with Germany at the earliest possible moment. The objective is the prompt reestablishment of a peace-loving German Government in charge of a united Germany which is obligated to the strict fulfillment of the Yalta and Potsdam agreements. Russian, French, British, and American troops should be withdrawn from Germany within 1 year after the signing of the German peace treaty.

PEACE IN THE FAR EAST

Neither the United States of America nor the Union of Soviet Socialist Republics should send arms into China. Both the United States of America and the Union of Soviet Socialist Republics should withdraw troops from both China and Korea. There should be set up as soon as possible a government for all of Korea. Both the United States of America and the Union of Soviet Socialist Republics should adhere to the principle of equal rights for all nations in China, with respect for the sovereignty of China, and refrain from interference in the internal affairs of China. Both the United States of America and the Union of Soviet Socialist Republics can benefit from a China which is strong and unified on the basis of economic and political democracy.

JAPAN

A peace treaty with Japan based on agreements heretofore arrived at should be made at the earliest possible moment. Both the United States of America and the Union of Soviet Socialist Republics have a vital interest in a democratic and peace-loving Japan. All nations having occupation troops in Japan should withdraw them within a year after the signing of the peace treaty with Japan.

VETO AND ATOMIC ENERGY CONTROL

The excessive use of the veto and the impasse with regard to certain phases of atomic energy control are the expression of the lack of confidence between the two nations. They are symptoms, not causes. Both can be handled constructively once confidence is established in the major issues. The door should be promptly opened to the extraordinary benefits which atomic energy can bring to mankind at peace. Atomic energy for war is a crime and a curse. Atomic energy for peace can be science's greatest blessing.

ACCESS TO RAW MATERIALS

The Atlantic Charter has provision for freedom of access to raw materials by the nations of the world. This is very important for the smaller nations, and both the United States of America and the Union of Soviet Socialist Republics should carry out the spirit of article 4 of the Atlantic Charter.

There are possibilities of increasing interchange of goods between the United States of America and the Union of Soviet Socialist Republics to a volume many times the prewar figure. Such an increase in trade excluding any discrimination will promote friendly relations between the two countries

and thereby strengthen the cause of world peace.

ASSURANCE WITH REGARD TO RUSSIAN AND AMERICAN INTENTIONS

Millions of citizens in the United States of America believe it is the settled purpose of Soviet leaders to conquer the world. Millions of citizens in the Union of Soviet Socialist Republics believe it is the settled purpose of the United States of America to invade the Union of Soviet Socialist Republics. Both point to specific instances to make their point. Each nation should state definitely and categorically that it has no design on the territorial integrity of any other nation.

COMMUNISM AND CAPITALISM

The ideological competition between communism and capitalism is a different matter from the misunderstanding between the Union of Soviet Socialist Republics and the United States of America. The latter can be solved in a way that will preserve peace. But the competition between the capitalist and Communist systems is never ending. It is the concern of both nations to see that this competition remains constructive and that it never degenerates into the status of such a religious war as the Thirty Years War which so devastated Europe at the beginning of the seventeenth century.

Russia cannot be held responsible for the excesses of local Communists any more than the United States of America can be held responsible for the reprehensible exploitation of backward peoples by many capitalists who are not citizens or only nominally citizens of the United States of America.

Undoubtedly many Communists and capitalists have expressed the belief that their particular system will inevitably dominate the world. But that does not mean that the Union of Soviet Socialist Republics and the United States of America must engage in perpetual conflict. The two countries can agree to a modus vivendi while the slow process of time determines the strong and weak points of the two economic systems and the free peoples of the world make day by day the small choices which eventually will evolve, on the basis of empiricism, systems which will be best adapted for the various individual countries.

THE CENTURY OF PEACE MUST COME

There is no misunderstanding or difficulty between the United States of America and the Union of Soviet Socialist Republics which can be settled by force or fear and there is no difference which cannot be settled by peaceful, hopeful negotiation. There is no American principle or public interest, and there is no Russian principle or public interest which would have to be sacrificed to end the cold war and open up the century of peace which the century of the common man demands.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield.

Mr. HATCH. During the course of the Senator's remarks I happened to have on my desk a copy of the Washington News of today. The principal editorial in that issue is entitled "America Wants Peace." There is a discussion of the incidents which the Senator from Idaho has just discussed—to my mind very unfairly. I think this editorial states America's position most ably and adequately. It concludes with this paragraph:

Whatever Stalin has in mind the United States should go on striving for world recovery and security.

That, Mr. President, we shall do. The editorial continues:

We should hope for the best and be prepared for the worst until Russia in deed acts for peace.

That closes the editorial.

I wish to say to the Senator from Idaho that whenever Russia acts by deeds for world peace the strongest ally she will find for world peace will be the United States of America.

Mr. President, I am not ashamed of my country's record. Throughout the long and troublesome days since the shooting war ended every move of this country has been a move for peace—Dumbarton Oaks, the San Francisco Charter, the agreement to join the International Court of Justice, our proposals for the control of atomic energy, our work in the United Nations—every effort has been directed toward but one end, one goal, and that is that the world might be freed from the curse of war, that law and justice might be established instead of the rule of force. I am proud that my country has taken that leadership and adheres to that position, as she does now, and as she will continue to do, despite the criticisms and despite what I conceive to be the confused, unwarranted, and—perhaps not knowingly—untrue statements by the Senator from Idaho, Mr. Wallace, and others with whom they are associated.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed in the body of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICA WANTS PEACE

America wants peace with Russia. When Ambassador Smith told Foreign Minister Molotov on May 4 that "the door is always wide open for full discussion and the composing of our differences," he spoke for all America—Government and people. If this diplomatic exchange, so wisely initiated by our Government, leads to eventual reconciliation it will be welcomed with great rejoicing and prayerful thanksgiving by our people.

That is our hope. On the record of Russia's past performance and on Mr. Molotov's current statement in justification of Soviet aggression, it is impossible to build much hope. But there is a chance, however slight, that Russia has learned the lesson that aggression does not pay in the end and wants to cooperate for a just peace. We must be alert to that opportunity if it comes.

President Truman's statement on the Moscow broadcasts of the confidential Smith-Molotov exchange has been interpreted by some as throwing cold water on reconciliation efforts. We do not think so. The President in all honesty had to correct any misconceptions in Moscow that the United States would compromise the basic democratic principles.

The Smith and Truman statements are pleas for peace, but not for peace at any price. They offer the hand of friendship—"the United States has no hostile or aggressive designs whatsoever with respect to the Soviet Union." But they warn that American foreign policies have the overwhelming support of the American people, and "will continue to be vigorously and firmly prosecuted."

This American move is a desperate effort to prevent Russia from provoking world war III under the same fatal mistake that the Kaiser and Hitler made. They thought democracy was too weak to defend itself. According to the wishful Communist propaganda, America is divided and about to go bust—the Presidential election, and the economic crash they predict, will force a change in what they picture as the unpopular official policy of helping European recovery and security.

As Ambassador Smith said to Mr. Molotov: "Whether and in what degree the members of the Soviet Government themselves believe this distorted version, my Government has no means of estimating." It was for that reason, he said, he must correct those distortions and reaffirm American ability and intention of the United States to continue the firm policy for national security and world peace, which are jeopardized by Russia.

Ambassador Smith did not propose another conference immediately. Instead, he pointed out that members of the Soviet Government "have it in their power to alleviate many of the situations which today weigh so heavily on all international life," and asked them to do so. The drift toward war cannot be stopped by mere words—there are already plenty of agreements, all broken—but only if the Soviet rulers take positive steps toward peace.

The Molotov reply is a complete evasion. It repeats its attack on the Marshall plan, the "western European union," American security measures and American democratic policy. It justifies Soviet aggression and infiltration in eastern Europe and elsewhere as pure democracy and perfect peace.

Of more importance during and since this diplomatic exchange, Stalin has continued his war-breeding in Germany, Greece, Korea, China, and elsewhere, and his Communist fifth columns have continued to function in the United States and other democracies.

Nevertheless, despite all these facts it may be that Stalin wants to change. Perhaps his failure to wreck the Marshall plan or prevent the "west Europe union" or steal the Italian election, perhaps unrest among his satellites and his own people, perhaps America's firm policy and world response, have opened his eyes. Or maybe by another diplomatic "peace" offensive he plans to bull us, while he recovers from recent defeats and prepares for more aggression.

Whatever Stalin has in mind, the United States should go on striving for world recovery and security. We should hope for the best, and be prepared for the worst until Russia in deed acts for peace.

The ACTING PRESIDENT pro tempore. Has the Senator from Idaho concluded?

Mr. TAYLOR. Mr. President, I yield the floor.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO SENATE BILL 2242—DISPLACED PERSONS

During the delivery of Mr. TAYLOR's speech,

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. TAYLOR. I am happy to yield to the distinguished chairman of the Democratic Party.

Mr. McGRATH. Mr. President, on behalf of the Senator from New Mexico [Mr. HATCH] and myself, I offer for printing a proposed amendment in the nature of a substitute for Senate bill 2242, the displaced persons bill. It is well known that there was a close division of opinion in the Senate Judiciary Committee as to whether the provisions of the bill as reported from the committee are adequate to meet the displaced persons problem. In the Senate

as a whole, also, there are many Senators who believe that the provisions of the committee bill are inadequate.

A number of amendments to separate parts of the bill have been submitted by various Senators, with a view to offering them in an effort to improve the bill when it is considered by the Senate. But the committee bill is imperfect in so many of its details that some objectionable features would still remain even if all the perfecting amendments heretofore offered should be agreed to.

It is our view that the main issues involved and the basic philosophy of this measure can be presented to the Senate in the most orderly fashion by an amendment in the nature of a substitute. Accordingly, we expect to offer such an amendment which would provide a practicable and workable plan for the admission of 200,000 qualified displaced persons over a 2-year period. We believe that the amendment is far superior to S. 2242, which we regard as unduly restrictive and discriminatory in the number and types of persons to be admitted and cumbersome to the point of unworkability in its administrative features. The amendment which we suggest follows, for the most part, the bill reported by the House committee. It omits certain provisions of the House bill which we regard as unnecessary or objectionable. The provisions of the amendment are explained in more detail in an accompanying memorandum.

We believe that this approach will facilitate the transaction of the business of the Senate and will best afford an opportunity for legislation.

We invite all Senators who will, both Democratic and Republican, to join with us in sponsoring this amendment.

The amendment, in the nature of a substitute, to the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes, was ordered to lie on the table and to be printed.

Mr. LUCAS. Mr. President, will the Senator from Idaho yield that I may ask the Senator from Rhode Island a question?

Mr. TAYLOR. I am happy to yield to the Senator from Illinois.

Mr. LUCAS. As I understand, the Senator from Rhode Island is a member of the Committee on the Judiciary.

Mr. McGRATH. That is correct.

Mr. LUCAS. Recently I made a request for a report of the hearings on Senate bill 2242, and I was advised by the clerk of the Committee on the Judiciary that the testimony, if any had been taken at the hearings, was never reduced to writing so that Senators would have an opportunity to read it. Is that correct?

Mr. McGRATH. A considerable record was made by the committee. I do not believe it has been printed for general distribution to Senators.

Mr. LUCAS. I made a rather exhaustive search for evidence taken down upon this important measure, and I was unable to discover anything in the files of the Committee on the Judiciary which would give me any information as to the evidence taken upon the bill. I merely raise this question because in my opinion Senate bill 2242 is one of the most important measures reported to the Senate for a long time, and it is inconceivable to me that the Committee on the Judiciary would report a bill of this kind without having some testimony which Senators could see in order to ascertain exactly what transpired before the committee.

I mention this because many of my constituents in Illinois are writing me about the hearings on the bill, and I have to tell them that there is no printed report I can send them because no such report has been prepared. Furthermore, many people, minority groups as well as others, are tremendously interested in the bill, and they keep telling me of many defects and faults that lie in it. That is why I have been trying to find out who testified, what was said, what was done, when, and how, but up to the present I have not been able to find anything.

May I inquire of the Senator who appeared as witnesses before the committee?

Mr. McGRATH. If the Senator from Idaho will yield further, I shall endeavor to answer the Senator.

Mr. TAYLOR. I yield.

Mr. McGRATH. The committee took considerable testimony, both in this country and throughout Europe, and that testimony was considered by the committee. I am not advised that it has ever been printed.

Mr. LUCAS. Can the Senator tell me why the Committee on the Judiciary would not print hearings of such importance as these?

Mr. McGRATH. All I can say to the Senator is that those of us who were advocating action on the problem covered by the bill realized, as the Senator has so ably expressed it, the great necessity for the legislation, and we were most anxious to get the subject matter out of the committee and onto the calendar of the Senate so that we might proceed to build here on the floor the kind of legislative enactment that was necessary. We did not feel there was any chance of getting a satisfactory bill out of the committee, there was division; so we voted to report the bill without amendment, and the purpose of offering the amendment in the nature of a substitute is to have before the Senate a constructive proposal dealing with the problem as a whole.

Mr. LUCAS. If I may make one further observation in the time of the Senator from Idaho—and I appreciate his yielding——

The ACTING PRESIDENT pro tempore. If the Senator will wait a moment, the present occupant of the chair would like to get the parliamentary situation clear, as he has just come into the chair. The Chair understands the Senator from Idaho has the floor.

Mr. TAYLOR. That is correct.

The ACTING PRESIDENT pro tempore. Has the Senator from Idaho yielded to the Senator from Illinois to make an inquiry of the Senator from Rhode Island?

Mr. TAYLOR. I have; I ask unanimous consent that the discussion of the question raised by the Senator from Rhode Island appear at the end of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LUCAS. As my final remark on the bill, now being discussed, I repeat what I said before about the importance of this kind of a measure, and I say that it is not possible to write a bill on the floor of the United States Senate, with all the amendments which are to be offered to the bill. I know many will be offered—without some background, some history, some report of some kind, so that Senators who are interested will have an opportunity to read the report, and be prepared to ask intelligent questions of the proponents of amendments.

I think it is shocking to find a bill of this kind coming from the Committee on the Judiciary without a report or without a print of hearings of any kind, so that Senators who are interested—and I know every Senator will be interested in the measure—may have an opportunity to study and examine the report with a view of preparing himself so that he may thoroughly appreciate and understand the situation and ultimately cast an intelligent vote.

Mr. McGRATH. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. TAYLOR. I yield.

Mr. McGRATH. I should think we would have a report from the Committee on the Judiciary, and I should think we would have the printed testimony taken in the committee. However, at this late date I sincerely hope we are not going to put any extra blocks in the roadway to passage of some legislation affecting displaced persons, while we wait for the printing of the voluminous reports of testimony. Why it has not been done, I do not know. I have not the responsibility for what is done by the committee in the way of printing.

Mr. HATCH and Mr. LUCAS addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Idaho yield; and if so, to whom?

Mr. TAYLOR. I yield to the Senator from New Mexico.

Mr. HATCH. It was exactly what the Senator from Illinois has said about the difficulty of writing a bill of this importance on the floor of the United States Senate that prompted the Senator from Rhode Island and myself to prepare the substitute measure, which brings in practically all the things other Senators have been working on, making a comprehensive, complete, and workable bill on this important subject.

It had been our intention to invite other Senators who have been concerned with the matter to join us in offering the substitute, but we had no opportunity to confer with all of them. But the Senator from Rhode Island did say—and I wish to emphasize it—that we want all Senators on both sides of the Chamber who are interested in the measure, and who agree with us in the substitute, to join with us in sponsoring it. I have in mind the Senator from New Jersey [Mr.

SMITH], who has been most active in the matter, and I have others in mind also. We urge both Republican and Democratic Senators who are desirous of getting a good bill to study overnight the substitute measure we have worked out, and if possible let us announce their names tomorrow as sponsors of the measure. Our purpose was to avoid writing a bill on the floor of the Senate. The number of amendments involved would make it almost impossible to enact an adequate bill on this most important subject. That is the primary reason why we have drafted the substitute measure.

Mr. COOPER. Mr. President, will the Senator from Idaho yield to me?

Mr. TAYLOR. I yield to the Senator from Kentucky.

Mr. COOPER. In order that there may be no misunderstanding of what has been done in the Committee of the Judiciary respecting displaced persons' legislation, I should like to make a brief statement. I make the statement because the chairman of the Committee on the Judiciary [Mr. WILEY], and the chairman of the subcommittee charged with the problem, the Senator from West Virginia [Mr. REVERCOMB] are not present. I think the matter should be cleared up because the statements that have been made leave the impression and suggestion before this body that nothing has been done in the matter of displaced persons.

I should like to call to the attention of the Senate the fact that the distinguished Senator from Rhode Island, and a very good friend of mine [Mr. MCGRATH], who now offers an amendment in the nature of a substitute for the displaced persons bill, has for months been a member of the subcommittee of the Committee on the Judiciary which has been studying the problem of displaced persons. The Senate may have forgotten the steps which have been taken in this matter, and I will recall those steps. There has been a great deal of talk about displaced persons and there has been a great deal of talk about the interest of the administration in displaced persons.

But if we refresh our recollection about action taken by the administration in this session and last, rather than talk, it will be remembered that nothing has been done in this body toward implementing or carrying into effect a solution of the problem of displaced persons other than the steps which I will detail.

Last year the Senator from Michigan [Mr. FERGUSON] introduced the first bill in this body dealing with the subject of displaced persons. Joining with him in that measure the distinguished Senators from New Mexico [Mr. HATCH], from New Jersey [Mr. SMITH], from Rhode Island [Mr. MCGRATH], from Massachusetts [Mr. SALTONSTALL], from Oregon [Mr. MORSE], from Ohio [Mr. BRICKER], and myself. Because of the introduction of that bill by the distinguished Senator from Michigan [Mr. FERGUSON] a resolution was adopted by the Senate calling for a study of the problem of displaced persons by the Committee on the Judiciary. A subcommittee of the committee was appointed for that purpose. On the subcommittee were the Senator from West Virginia [Mr. REVERCOMB], the Senator from Nevada [Mr. MCCARRAN], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Missouri [Mr. DONNELL], and myself. Attached to it the Senator from New Jersey [Mr. SMITH], representing the Committee on Foreign Relations and a member of the Armed Services Committee, the Senator from Virginia [Mr. BYRD]. Three of the members of that committee, the Senator from Rhode Island [Mr. MCGRATH], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Missouri [Mr. DONNELL], went to Germany and Austria and stayed for periods ranging from 6 to 7 weeks. The Senator from New Jersey [Mr. SMITH] went with the subcommittee and made an intensive study of the problem.

While they were there they heard testimony of displaced persons, and persons charged with the care and responsibility for displaced persons. I do not know whether that testimony was reduced to writing, and whether or not it has been transcribed. The Senator from Rhode Island [Mr. MCGRATH] knows that when the Congress met, the subcommittee went immediately into executive session. With the exception of hearing informally some representatives of the churches, no formal hearings were held. Extensive hearings had been held in the House side before a subcommittee of the Committee on the Judiciary. A great part of the testimony in the House was given by representatives of the Government. Those statements were available for the Senate committee or for the Members of the Senate. It was believed that the investigation which had been made at first hand in Germany itself was more important than anything that could be said second hand by representatives of the Government.

A full and lengthy report was made by the subcommittee, consisting of many pages, containing a great deal of information, which has been transcribed. I do not know whether or not it has yet been printed, but I assume that it will be printed, and will be made available to the Members of the Senate when the Senator from West Virginia [Mr. REVERCOMB] returns.

As the result of the investigation by the subcommittee and after days and days of study in the subcommittee a bill upon the subject of displaced persons was prepared. With his usual faithfulness, the distinguished Senator from Rhode Island [Mr. MCGRATH] was present day after day at those meetings. He knows that upon nearly every issue there was a vote of 3 to 2. Usually he and I joined together in voting. There was no complete agreement upon the bill. The bill went to the full Committee on the Judiciary, and in that committee certain amendments were submitted by members of the subcommittee.

It was finally agreed that the best thing to do to expedite the matter was to get the bill on the floor of the Senate, and the committee voted to report the bill. Later, because it did not satisfy all of the members of the committee, the Senator from Rhode Island [Mr. MCGRATH], the Senator from New Jersey [Mr. SMITH], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Oregon [Mr. MORSE], the Senator from Michigan [Mr. FERGUSON], and myself prepared amendments and over a month ago submitted them, and they are now before this body. I consulted with the Senator from Rhode Island [Mr. MCGRATH], and he told me to add his name to those who sponsored the amendments, and he said that possibly he might submit some amendments later.

I have gone into some length to detail this matter, but I have done so, and I am justified in doing, as an answer to statements which seem to leave the impression that nothing has been done in the committee on this matter; that there has been no careful consideration of the subject; and that suddenly, in the last day, it has become imperative that something be done in order to meet the problem of displaced persons. I have detailed the steps which have been taken, in justice to Senators who have worked for 7 or 8 months upon the subject, and who have been intensely concerned with the problem.

Mr. MCGRATH. Mr. President, will the Senator from Idaho yield to me?

Mr. TAYLOR. I yield to the Senator from Rhode Island.

Mr. MCGRATH. I desire to corroborate every statement made by the Senator from Kentucky [Mr. COOPER] with respect to the amount of work that has been done by the members of the subcommittee of the Committee on the Judiciary and by the whole Committee on the Judiciary with respect to this matter, and remarks I have made in answer to the Senator from Illinois apply only to the question of why we do not have a printed record before us. Very diligent work was done, and the bill was reported by the committee with the understanding that each member of the committee reserved the right to present amendments.

I want it distinctly understood that all I have tried to do here today, which is for the convenience of the Senate, and that is all, is to present an amendment in the form of a substitute which incorporates as nearly as my own views can bring them together, the various parts of the total problem, because I do not feel, Mr. President, that, with time going by as rapidly as it is in the present session, the Senate itself is going to be able to write an adequate bill on the floor.

I said in my previous statement that we would almost completely rewrite the bill by the adoption of individual amendments on the floor if we were finally to have a bill that was nearly satisfactory. I have presented the substitute now so that it may be printed.

Mr. WHERRY. Mr. President, will the Senator from Idaho yield to me so I may ask the Senator from Rhode Island a question on that point?

Mr. TAYLOR. I yield to the Senator from Nebraska.

Mr. WHERRY. I understood the Senator from Rhode Island to say that he offered his amendment in the nature of a substitute, and that he would ask all members of the subcommittee who

favored the provisions of the substitute amendment, to sign it. I ask the distinguished Senator from Rhode Island whether he asked the Senator from Michigan [Mr. FERGUSON] to sign the amendment before he submitted it.

Mr. McGRATH. I submitted the amendment so it might be printed and placed in the hands of Senators.

Mr. WHERRY. I ask the Senator from Rhode Island whether he asked the Senator from Michigan [Mr. FERGUSON], the Senator from West Virginia [Mr. REVERCOMB], and the other members of the subcommittee of the Committee on the Judiciary to join with him in submitting the amendment.

Mr. McGRATH. No; because I did not believe that there would be time for that.

Mr. WHERRY. Then, Mr. President, the statement made by the distinguished Senator is that he hopes that the other members of the subcommittee will join with him, yet he has not given them an opportunity to sign the amendment before he submitted it.

Mr. McGRATH. I hope when Senators read the amendment in the form of a substitute they will see fit to join with me in it. I have not abandoned my own intention of going forward with other Senators in the sponsorship of other amendments if the substitute is not acceptable to the Senate. I still reserve the right to press the other amendments which I have submitted, and to join with the Senator from New Jersey [Mr. SMITH] and other Senators in pressing their amendments, if it is necessary for us to write the bill on the floor by way of a series of amendments.

Mr. WHERRY. This is a substitute bill, is it not?

Mr. McGRATH. It is an amendment in the nature of a substitute.

Mr. WHERRY. It is so far reaching that I felt that inasmuch as the Senator had worked with other members of the subcommittee, before he offered the substitute he could have shown appreciation of the work of other members of the subcommittee and asked them to join with him before offering a substitute for the bill on which they had been working for 8 months.

Mr. McGRATH. Many amendments in the nature of substitutes are submitted on the floor of the Senate, for the information of other Senators. A Senator does not always ask every other Senator concerned with the subject before he exercises his right as a Senator to submit an amendment.

Mr. WHERRY. This is a substitute bill.

Mr. McGRATH. Yes; and I have a right to offer it.

Mr. WHERRY. Other members of the subcommittee have worked for 5 months along with the Senator. The Senator says that he hopes they will join him; but they were not given an opportunity to see the substitute before the Senator presented it.

Mr. McGRATH. They cannot see it until it is printed.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield to the Senator from New Jersey.

Mr. SMITH. I should like to say a word in addition to what the Senator from Kentucky [Mr. COOPER] has said. I admit that I am amazed and cannot quite understand why a substitute bill is being offered at this point. I did not see it until about 2 minutes ago. I thought that the terms of the bill had been worked out in a practical way in order to get the important issue before the Senate as promptly as possible.

The Senate will recall that last summer a subcommittee of the Committee on the Judiciary went abroad to study this question. Also, because the problem had reference to foreign relations, provision was made for an advisory member from the Committee on Foreign Relations. I was asked by the Senator from Michigan [Mr. VANDENBERG] to serve in that capacity. There was also an advisory member from the Committee on Armed Services, The Senator from Virginia [Mr. BYRD], a member of that committee, was asked to serve.

Personally, in connection with the trip which I took last summer, I went into the displaced-persons question very fully. I spent a great deal of time in Geneva, and I made a report of my own to the Committee on Foreign Relations, with which report I think the Senator from New Mexico [Mr. HATCH], a member of that committee, is familiar. I sent copies of the report to the other members of the subcommittee, including the Senator from Rhode Island [Mr. McGRATH].

I had understood that we had practically agreed that the procedure would be to have the bill reported by the Judiciary Committee in the form in which it was. There was a difference of opinion over it. I had understood that Senators who joined with me would join in presenting amendments on specific provisions on which we did not agree. Those amendments are now pending. The Senator from Michigan [Mr. FERGUSON], as a member of the Committee on the Judiciary, had submitted those amendments. The sponsors of the amendments included the Senator from Rhode Island [Mr. McGRATH], the Senator from Kentucky [Mr. COOPER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Oregon [Mr. MORSE], and myself. We have been working ever since the bill was introduced to try to obtain as early consideration for it as possible so as to dispose of it. We adopted the course of reporting the original bill, which was well conceived, but did not quite cover the subject, and then presenting to the Senate various amendments which we felt were needed—amendments as to the amount, date, and so forth.

I feel very much amazed that a surprise party like this should come at the eleventh hour, when we are about to take up the bill. I have not heard of the proposal until this time. Possibly if we had known that this was to be done we could have agreed upon it beforehand.

There was considerable difference of opinion as between the committee and those who are sponsoring the substitute. I hardly think it is the proper procedure to bring the question up in this way and try to get the Senate to overrule the Judiciary Committee. It may be that I am mistaken in my position that I must support the Judiciary Committee in presenting the bill. I shall argue against the majority of that committee for the amendments which I think ought to be added to the bill. I am undertaking to do my share in that job, and I shall endeavor next week to have those amendments incorporated.

Mr. LUCAS. Mr. President, will the Senator from Idaho yield to me?

Mr. TAYLOR. I yield to the Senator from Illinois.

Mr. LUCAS. Can the Senator from New Jersey tell me why none of this testimony has ever been reduced to writing, when so much time and effort has been spent upon the report?

Mr. SMITH. I am not a member of the Judiciary Committee. I was simply present by invitation. I attended only the meetings which I was invited to attend as an advisory member.

Mr. LUCAS. I thought the Senator said that he was a member of the committee which went to Europe.

Mr. SMITH. I went to Europe with the Senator from New Mexico [Mr. HATCH] on another mission; but as a part of that mission, and because the Senator from Michigan [Mr. VANDENBERG] asked me to serve as an advisory member in this investigation, I remained in Europe after my committee returned and visited Geneva to make a special study of the problem of displaced persons.

Mr. HATCH. Mr. President, will the Senator from Idaho yield to me?

Mr. TAYLOR. I yield to the Senator from New Mexico.

Mr. HATCH. The Senator from Idaho has yielded to me once before, and I am very grateful that he now yields again.

I regret very much that any misunderstanding has arisen, and that perhaps there has been an attempt to draw some wrong inferences and wrong conclusions as to who was or was not asked to join in sponsoring this substitute.

The plain facts are these: I conferred with the Senator from Rhode Island [Mr. McGRATH] because he was a member of the committee. By the way, I might take offense too. I joined originally with other Senators in trying to obtain action on the problem of displaced persons, but I was not asked to join in amendments which were submitted later, and I took no offense at that, because I felt that Senators with whom I had been previously associated were just as much interested and concerned in the problem of displaced persons as I was, and that they were doing their utmost to bring about a solution of it.

I not only intend to support their position, but if the proposal for a substitute is voted down, I shall continue to support their amendments, and I shall continue to work for every amendment which will bring about worth-while solution of this great humanitarian problem. I am not offended because I was not asked to join in certain amendments.

Mr. President, in the utmost good faith the Senator from Rhode Island and I extended an invitation to other Senators, no matter on which side of the

Chamber they sat, to join with us in this measure. We did not have time to see and talk with each Senator individually, but we ask Senators to read this measure tonight, and permit us to say tomorrow that they join as coauthors and sponsors of the substitute measure.

We are very much in earnest. We want the support of other Senators. We certainly do not want their opposition. We want every Senator, Republican or Democrat, who has an interest in this great humanitarian problem, to work with other Senators to enact the best legislation that can be enacted.

If it would serve any good purpose, I would ask unanimous consent that my name be withdrawn from the substitute measure and the names of other Senators be substituted for mine, because I am in earnest in seeking their cooperation and support. I believe that when the substitute measure is read it will be found that we have done a comprehensive job such as all Senators are trying to do, with the amendments and the bill which came from the committee.

I know something about senatorial procedure. I know how difficult it is to obtain an agreement on anything—even for the acting majority leader to obtain a unanimous-consent agreement to vote at a certain hour. I know how impossible it is to enact legislation intelligently and wisely by rewriting an entire bill on the floor of the Senate. It is for that reason that we prepared this substitute measure. I urge all Senators, including the Senator from Illinois [Mr. LUCAS], who I hope will also join in sponsoring the substitute measure——

Mr. LUCAS. I might sponsor it if I knew anything about it.

Mr. HATCH. The Senator will have an opportunity tonight to read it.

Mr. LUCAS. I do not know whether I can read it in one night. For some time I have been looking for evidence on this subject, and I have not been able to find it.

Mr. HATCH. I do not doubt the statement of the Senator from Illinois that he has searched for evidence; but I hope he will not let inability to find the evidence he needs cause him to raise objection or throw any obstacles in the way of this proposed legislation.

Mr. President, I think I have said enough. I want Senators to know that no offense was intended. On the contrary, it is earnestly desired that Senators who are devoted to this subject join with us in bringing about the enactment of worth-while legislation.

Mr. LUCAS. Mr. President, will the Senator from Idaho yield to me for one further observation?

Mr. TAYLOR. May I ask how long the speech of the Senator from Illinois is to be?

Mr. LUCAS. About 4 minutes. I can make it in 3 minutes, if the Senator wishes.

Mr. President, I do not want my position misunderstood because of the few questions which I propounded to the Senator from Rhode Island. If there is any Senator who has received more mail than I have upon the subject of displaced persons, I should like to meet him. I happen to be one of the Senators representing the State of Illinois. Not only once, but half a dozen times, I have made inquiry from the Judiciary Committee to try to obtain something—something other than a bill—in the way of evidence which was produced before that committee, so as to have some understanding as to the meaning of the bill, because I have been receiving all types and kinds of letters and other communications giving interpretations of the measure and what it means. I was trying to find out what the Senators who took all the testimony had concluded regarding the meaning of the bill. Considerable time was spent in taking testimony in the committee. I cannot understand why any committee, after the Congress appropriates $50,000 for it to take evidence, would not bring back from Germany some information about displaced persons, so that Senators would have an opportunity at least to read the evidence taken there. The evidence has never been printed. It has never been distributed. Why not, Mr. President? That is all I am asking.

I am not trying to inject any partisan issue into this situation, and I hope my able friend the Senator from Kentucky is not trying to place me in a partisan position in regard to the matter of displaced persons. I am still asking for information.

We now have two bills on the subject, and we have approximately 14 amendments relative to them, and we are expected to vote intelligently on this question in the next 2 or 3 days. Mr. President, in regard to the long-range farm program, evidence was taken for months, and every word of that evidence has been printed, and any Senator who is interested in the long-range agricultural program can read the testimony of every witness. That measure is an important one.

This displaced-persons bill is also important. Now, simply because the Senator from Illinois wants to have some information on the bill, he is charged indirectly with partisanship in regard to an important measure of this kind. Mr. President, there is no partisanship at all about my position regarding the bill. I must have a considerable amount of information on it. My people in Illinois are interested in this matter. I know that the bill which came from the Judiciary Committee is discriminatory and unduly restrictive; I know that much merely from reading the bill myself.

We had a right to know what the Senators were doing in the committee and who testified before the committee and what they said and who was interested in the bill and who was not interested in it. But not a line or a word of such information comes to us. The committee simply has reported the bill, and it has given us no information about it. The committee simply asks Senators to draw on their imaginations regarding the bill.

Mr. WHERRY. Mr. President, will the Senator from Idaho yield to me?

Mr. TAYLOR. I yield.

Mr. WHERRY. I am very much interested in the remarks which have been made by the Senator from Illinois. I think a question so important as this should be fully understood, and all information on it should be made available.

However, did I correctly understand the Senator from Illinois to say that he was a cosponsor of the substitute amendment?

Mr. LUCAS. No; I knew nothing about the amendment until a moment ago.

Mr. WHERRY. I was not sure whether the Senator was a cosponsor of the substitute.

Mr. President, I feel that when the proposed legislation comes before the Senate for consideration—and of course there is no emergency about it tonight, because the bill is not now before us—sufficient information on it should be had by all Senators. I did confer with the Senator from Illinois, and I did indicate that it was the intention to have the bill taken up in the near future. It was scheduled for consideration on next Monday.

I think the members of the Judiciary Committee should recognize the fact that all possible information should be made available to all Senators, for their consideration.

I simply raise the question that inasmuch as the subcommittee members apparently have agreed about the proposed legislation and inasmuch as the Senator from Rhode Island [Mr. MCGRATH], the chairman of the subcommittee, has done such fine work on it, if a new bill is to be introduced, at least the subcommittee should be apprised of its provisions and should have an opportunity to consider them before the new bill is debated on the floor of the Senate. Certainly that should be done.

Mr. LUCAS. Mr. President, permit me to take this opportunity to thank the Senator from Idaho for his graciousness and tolerance in yielding to me.

Mr. WHERRY. Mr. President, I also wish to thank the Senator for yielding.

Mr. TAYLOR. I have been very happy that my oratorical efforts have inspired other Senators to indulge in the debate which has been proceeding for some time now.

## PROPOSED CONVERSATIONS BETWEEN THE UNITED STATES AND RUSSIA

After the conclusion of Mr. TAYLOR'S speech,

Mr. WHERRY. Mr. President, while the Senator from Idaho is present, let me say that I was one of the Senators who, I thought constructively, criticized his remarks a few weeks ago. I think I have done so three times. I have done so very affectionately, because after all, Members of the Senate are members of the greatest legislative body in the world. We all have our rights. We enjoy a certain fellowship which exists in no other body in the world.

I hope the distinguished Senator from Idaho will take what I am about to say in the spirit in which it is said. If he were a citizen of Russia he could not have said in any legislative hall in Russia, about the Russian Government, what he had the privilege to say about his own Government today. That is a fact. We must begin to recognize some of these facts if we are to continue to exist. Our freedoms cannot continually be violated, or we shall lose them.

I beseech the Senator from Idaho to take what I am about to say in the spirit of brotherly love. I have been behind the iron curtain. If the Senator from Idaho were a Russian citizen he could not say about that government what he has said here today about the Government of the United States. Why? I think there is a difference between American ideology and Russian ideology.

I shall never forget the briefing which Gen. Omar Bradley gave some of us before the war was over. I could not understand the acts of cruelty which were perpetrated upon the victims in the concentration camps such as those to which the Senator from Idaho referred this afternoon. I saw those acts of cruelty. They were unbelievable to me. They were not only indecent, but inhuman. I cannot conceive of any people committing such acts of cruelty and such atrocities as were committed in those concentration camps.

I said to the general, "Why is this? Why do these people do such things? Do you think we could do such things in America?" General Bradley is one man whom I dearly love. I think he was a great general, and that he has been a great statesman. He turned to me and said, "It is a difference in ideology. In America we are brought up to love our fellow men, because of our free institutions. We value human life. We value what we call freedom, because we are Americans, and it is instilled in the fibers of our souls from the very beginning." He said, "That is the difference. It is not a question of a difference in the fertility of the soil or a difference in the resources of the two countries. It is a difference because of the fact that we in America have been trained differently. We believe in these fundamental truths. We not only believe in the freedom of speech and the freedom to take part in the Government but we also believe in many other fundamental freedoms, as typified by our free school system and the freedom of the church."

Yes, Mr. President; there is a difference, and it is a big difference. That is the difference between the United States and Russia.

When the criticism was made that sooner or later we shall be out fighting for the Democratic Party or fighting for the Republican Party, I say, Yes, that is the American way; we are going to criticize constructively those who hold high places in Government, because we believe in the two-party system and we believe in representative government. But there is all the difference in the world between fighting for those principles and fighting for the ideology of a country whose principles would require the overthrow of our Government itself. There is a great deal of difference.

So when one is talking about or advocating or complimenting a country which takes a different position from ours, I do not say it is aiding and abetting the enemy, but I say it is going rather far in taking advantage of the freedom of speech which exists in this country. I have sometimes been criticized unjustly, but that is the privilege of anyone, under the freedom of speech in the United States. I do not care what is said about me, so long as freedom of speech is maintained in our country.

That is the thought I wish to leave with the Senator from Idaho [Mr. TAYLOR]: That he has had the freedom, today, to criticize our Government; he has called Mr. Forrestal a Hitler; he has called the President of the United States "Hairbreadth Harry." Where could he do that in any other country on the face of the globe? He could not do it in Russia. It simply could not be done there, because Russia has a way of dealing with those who criticize some of her leading people, and no doubt the way such persons are treated is unjust, unfair, and without a hearing.

I wish to say once again that each and every time when a matter as this sort comes up, I shall continue to state my ideology as I see it, and my love for my fellow men. I say this not unfairly, but in the hope that perhaps I can do something, inside the Senate and outside the Senate, to continue to preserve the freedoms we have in this country. I hope I can do that.

I suggest to the distinguished Senator from Idaho that in his remarks in the future, rather than to continue to go beyond what I think is fair and just, under freedom of speech, it might be a fine thing if he would consider, in making his criticisms, that it would be well for him to stay within the bounds of justice, and not criticize to an extent that would, as the distinguished Senator from California has said, aid or abet the enemy, because we are in a very difficult position today.

Mr. President, I want peace just as much as the Senator from Idaho wants it. All of us should try to get peace. We should try to get it in every way we can, in one way and another. We should have salesmen who can sell peace to the world. No one wants to go to war. But we have different ideas and opinions of how to preserve peace.

I humbly suggest to the distinguished Senator from Idaho that when I hear remarks similar to the ones he has uttered today here on the floor of the United States Senate, I simply cannot help but think to myself, "How long can these freedoms exist?" Certainly if we are ever taken over by a country which has an ideology which results in having those who offend it treated in the way they are treated in Russia, our freedoms could not last very long. Mr. President, we are playing with fire.

So far as I am concerned, I should like to state briefly an experience I had in Europe. While I was there, I had a chance to visit a boy whom I thought was mortally wounded. The last thing he said to me was this: "Senator, when you get back to the States, won't you do a favor for me?"

I said, "Sure. What?"

He said:

"I want you to step down and kiss the ground for me."

Believe me, Mr. President, after the plane bringing me back to the United States landed, and after my family met me at the airport, I went out to my home in Virginia, and I did that very thing; I kept faith with that American boy.

What did he mean by what he said to me? What was his idea about the soil being sacred? Mr. President, I have thought about that experience time and time again. He meant that the institutions built on our soil were sacred to him. Those are the institutions for which he fought, and for which no doubt he gave his life. He was thinking about the little schoolhouse where he attended school, and about his classmates at that school; he was thinking about his home and his brothers and sisters and the freedom of his home. Such freedom is not enjoyed in any other country in the world. He was thinking about his Sunday school and his Sunday-school teacher and his friends at the Sunday school and at the church which he attended from the time since he was a boy. Yes; he was thinking about the freedom of our country and its institutions and its government.

Believe me, Mr. President, I rededicated my life to the purposes for which that boy gave his life. Regardless of whether I am in the Senate or out of it, I shall continue to fight for the freedom of the individual in this country and for the freedom of speech and for the other freedoms and rights which are enjoyed in the United States. But let me suggest that we must do it in the American way. That is what has made America great. That is what has made America the leader and the greatest Nation under the sun today. That cannot be accomplished in any other way.

Mr. President, when we are wrong, let us try to get right. If we are unjust, let us try to deal out equity. Let us find these things and try to solve them in the way that the great American people have solved them in the past. Certainly we can do that in the future. I refuse to believe that it cannot be done. We can preserve this America of ours; we can preserve its great institutions. But believe me, Mr. President, we must do it in the American way.

Now I am glad to yield to the Senator from Idaho.

Mr. TAYLOR. Mr. President, I cannot follow the Senator's line of reasoning. I did not make one statement here today that in any way could be construed as endorsing the Russian way of life or communism or as wanting it in this country or as wanting it in any place, for that matter. I made no statement of that sort. All I did was attack the growth of fascism in this country. I love these freedoms in the same way that the Senator from Nebraska does. But they can be destroyed from the right as well as from the left; and I think the danger from the right, just now, is much greater than the danger from the left, here in the United States.

That is my whole object. I see this thing coming, and it follows the pattern that Hitler laid down. He had a law just like the President's loyalty order. He had a law just like the Mundt bill, under which anyone can be prosecuted in regard to anything which those in authority wish to outlaw.

Mr. WHERRY. Mr. President, right there let me interrupt, to say that apparently a defense of the things we have tried to write into our statutes and

our procedures is what the Senator objects to. So far as the Mundt bill is concerned or so far as the non-Communist pledge under the Taft-Hartley Act or under some other measure is concerned, I wish to tell the Senator from Idaho now that if we are to preserve these freedoms, we simply cannot allow the presence in great organizations of persons who believe in ideologies based on the overthrow of our Government. I simply could not countenance that. Probably this is not the place to thresh out that matter. I certainly would let the RECORD speak for itself relative to what the distinguished Senator from Idaho has said. I think the implications are plain. Regardless of senatorial courtesy in the Chamber of the Senate of the United States, I wish the Senator to know that he could not say about Russia—if he were a Russian and were in Russia—what he has said today on the floor of the Senate about the United States.

Mr. TAYLOR. Mr. President, what does that have to do with what I have had to say?

Mr. WHERRY. It has a great deal to do with it. I think such talk has a tendency to undermine and destroy the American freedoms that are so great and so important to us and so loved by us. If such talk is continued, it not only will disrupt the two-party system, but it will permit a foreign ideology to take hold of us and destroy our Government.

Mr. TAYLOR. Mr. President, we are getting into something now: If the disruption of the two-party system has some persons worried, I wish to say that recently, I went down to Alabama——

Mr. HATCH. Mr. President——

Mr. WHERRY. Mr. President, I shall not yield to permit the Senator from Idaho to discuss his experiences in Alabama. If he wishes to say anything about the two-party system, I shall be glad to yield; but I shall not yield for the purpose of permitting him to discuss his experiences in Alabama. I shall be glad to yield to the Senator, to permit him to anwer any statements I have made in regard to ideologies; but otherwise I shall yield to the Senator from New Mexico.

Mr. TAYLOR. Very well; let the Senator yield to the Senator from New Mexico.

Mr. WHERRY. Very well; I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, somewhat aside from the colloquy which has been taking place, but especially in connection with what the Senator from Idaho said regarding events which have occurred within the last day or two, the exchange of notes and the conversations between Russia and our Ambassador, General Smith, I happen to have a release by our State Department of a statement made by Secretary Marshall at his press conference today. I think it is of great interest in the light of the criticism made by the Senator from Idaho. I ask unanimous consent that at this place in the body of the RECORD the statement of Secretary Marshall be printed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

With regard to General Smith's confidential interview with Foreign Minister Molotov, this was directed toward a very definite purpose. There had been in this country a confusion of publicity and of statements or speeches, relating to our actions and our attitude toward the Soviet Union. The number of such statements would probably increase as the political campaign becomes intensified. It was therefore felt to be highly important to distinguish in the minds of the Soviet Government between such statements and the definite policy of this Government, which remains unchanged.

Since our basic purpose was to reaffirm the formal position of this Government and to distinguish it from the mass of unofficial statements, our responsibility was to make clear the position of the United States Government, and of the United States alone.

General Smith did not ask for any general discussion or negotiation. We have had a long and bitter experience with such efforts. This Government had no intention of entering into bilateral negotiations with the Soviet Government on matters relating to the interests of other governments. The discussion of any proposals in regard to outstanding issues which the Soviet Government may have in mind, must, as a matter of course, be conducted in the body charged with responsibility for these questions. What we want is action in the fields where action is possible and urgently necessary at the present time. I refer to the matters before the Security Council and other United Nations bodies, such as the situation in Korea, questions before the Allied Control Council in Berlin and the Austrian treaty negotiations, where the utmost of difficulties have arisen and stalemates generally resulted. It would be very unfortunate if an attempt were made to sit down at a table and enter into general discussions and have the discussions result in failure to reach agreements, or result in disputes over the obligations which might be undertaken in such agreements. That would do the world great harm. We cannot afford a continuation of such failures. What we must have is successful action where such action is now sorely needed.

Mr. WHERRY. Mr. President, does the Senator from Idaho desire me to yield at this time?

Mr. TAYLOR. .Yes; I want to say what I started to say.

Mr. WHERRY. I am glad to yield to the Senator from Idaho.

Mr. TAYLOR. I was not about to recount my experiences in Alabama, where I was pushed around rather roughly. I merely wanted to point out that not one Senator, not anybody, made a protest at all. That is because I am out; I am not one of them any more; I joined up with Henry Wallace. I believe, Mr. President, that if I were to make a speech about the culture of potatoes in Patagonia, somebody would find something communistic about it. I did not, in any way, shape, or form endorse Russia or anything that Russia has done. I was condemning our own press for painting Russia as an aggressor, and I read a dispatch. It was not my say-so. I read the dispatch from Eddy Gilmore saying the Russians were not talking war. I criticized our Wall Street-military setup, which I sincerely believe is leading us right down the road where Hitler took the German people. I do not know how we can stop a thing like that, Mr. President, unless we criticize it, and criticize it severely. It is argued that one cannot get up in Russia and say these things. Of course he cannot. I do not contend he can. I do not want it to be that way in America. I want it so we can say what we please. If the Senator thinks I am crazy when I say these things, that is fine.

Mr. WHERRY. Oh, no. Mr. President, I have never said the Senator from Idaho was crazy.

Mr. TAYLOR. I mean saying it in senatorial language.

Mr. WHERRY. All right.

Mr. TAYLOR. That is fine. I want the Senator to say it.

Mr. WHERRY. Just a moment. Mr. President, I have the floor.

Mr. TAYLOR. No; the Senator yielded to me.

Mr. WHERRY. I yielded merely for an observation.

Mr. TAYLOR. I shall wait, then, until I obtain the floor in my own right.

Mr. WHERRY. I want the Senator from Idaho to know I have never said one disrespectful thing of him.

Mr. TAYLOR. Oh.

Mr. WHERRY. Oh, no.

Mr. TAYLOR. The Senator said I was a Communist.

Mr. WHERRY. I have not said the Senator was crazy. I implored him to accept the criticism I was about to give in the spirit in which it was offered. Is that not right?

Mr. TAYLOR. Yes. Oh, I think a lot of the Senator from Nebraska; I really do.

Mr. WHERRY. Now the Senator is talking. That is the way to get together.

Mr. TAYLOR. But how the Senator can sit and listen to me, and then take my speech and make entirely something else out of it, and make something seem like communism, I cannot understand. I did not say those things.

I am not defending communism. I want no part of it. I have never been a Communist, and I never shall be one. Merely because some of us do not belong to the two old parties we should not be characterized as Communists.

Mr. WHERRY. Does the Senator remember making a speech not long ago in which, I believe, he said he did not know whether he was a Socialist or a Communist? Was that not it?

Mr. TAYLOR. I do not know what I said at that time.

Mr. WHERRY. I think the RECORD will show that he said he did not know. I was merely trying to be helpful, so the Senator would not get away from the good old American doctrine of freedom of speech and all that goes with it, which would be lost if we adopted a foreign ideology.

Mr. TAYLOR. That is what I, too, do not want to lose. I do not want to lose it to a Hitler or to a Stalin.

Mr. WHERRY. I want to be absolutely courteous to the Senator from Idaho. Has the Senator concluded? I did not mean to cut him off.

Mr. TAYLOR. Yes. I am through. I merely wanted it thoroughly understood that I did not say——

Mr. WHERRY. That you were a Communist?

Mr. TAYLOR. Anything that the Senator's speech seemed to indicate he thought I said.

LEAVE OF ABSENCE

Mr. PEPPER. Mr. President, on behalf of the senior Senator from Montana [Mr. MURRAY] and at his request, I ask that he be excused from the Senate, in order that he may attend to important public business in his State, for the next 10 days.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMENTS ON SOUTHERN STATES COMPACT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD certain telegrams and letters which I have received in connection with the pending joint resolution.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *May 11, 1948.*

Senator WAYNE MORSE,
*Senate Building:*

Greatly heartened by position you and other Senators are taking on Congress approval for setting up regional universities. Negro Americans would prefer lose Meharry rather than yield to un-American principle of segregation. Am sending you copy recent article entitled "Unsegregated Higher Education Challenge to the Church." More power to you.

CHANNING H. TOBIAS.

---

BIRMINGHAM, ALA., *May 11, 1948.*

Senator MORSE,
*Senate Office Building,*
*Washington, D. C.:*

Stick to your amendments to the regional education pact. The compact is a scheme by southern Governors to deprive Negro citizens their rights to the same education provided within the borders of their States for whites. Alabama is one of the Southern States with a tax-supported medical college. But Negro citizens cannot attend. The southern Governors who have not dealt fairly in other fields of education, as between white and black, will not be fair on a regional basis. Kill or amend the compact.

EMORY O. JACKSON,
*Editor, Birmingham World.*

---

BIRMINGHAM, ALA., *May 11, 1948.*

Senator WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

Fight to the end for your amendment barring segregation and racial discrimination in the proposed regional education compact. Meharry Medical College is merely bait used by southern Governors to develop a crisis psychology. The compact clashes with the recommendations of the President's Committee on Higher Education. Regional compact without antisegregation and antidiscrimination amendments should not be approved.

D. S. STEPHENS,
*President, Birmingham*
*Branch of NAACP.*

---

WASHINGTON, D. C., *May 4, 1948.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

Overwhelming majority of Negroes in the United States are unequivocally opposed to Senate Joint Resolution 191, giving congressional approval to education compact of Southern States because it is only a scheme to extend racial segregation and circumvent decisions of United States Supreme Court. We urge that you review cogent arguments against plan contained in hearings before Judiciary Committee. On behalf of National Association for Advancement of Colored People further urge you to be present Senate floor May 6 when matter scheduled for consideration and vote against resolution.

WALTER WHITE,
*Secretary, NAACP.*

---

PITTSBURGH, PA., *May 4, 1948.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

As publishers of the largest Negro newspaper in the United States, we believe we are expressing the viewpoint and wishes of a vast majority of Negroes in this country, both North and South, in voicing our vehement disapproval of ratification by the Senate of Senate Joint Resolution 191, known as the regional educational interstate compact.

It is the thinking among our group that this piece of legislation is a deliberate effort to circumvent recent decisions of the Supreme Court affecting the obligation of the various States in the matter of technical educational opportunities for every citizen of their respective States.

The National Alliance of Postal Employees, National Dental Association, National Medical Association, the Negro Newspaper Publishers Association, the National Fraternal Council of Negro Churches of America, the Conference of Presidents of Land Grant Colleges, National Negro Insurance Association, the National Association for the Advancement of Colored People, the National Legislative representative of the AFL, Walter Reuther, president, UAW (CIO), are a few of the representative organizations and individuals who are not only opposed to this legislation, but testified before the subcommittee of the Committee on the Judiciary of the United States Senate expressing their disapproval. We wish to respectfully call your attention to the caliber and quality of the organizations expressing opposition to this legislation.

THE PITTSBURGH COURIER PUBLISHING CO.,
MRS. ROBERT L. VANN, *Publisher-Treasurer,*
IRA F. LEWIS, *President, Pittsburgh, Pa.*

---

ATLANTA, GA., *May 5, 1948.*

Hon. WAYNE MORSE,
*United States Senate:*

Southern regional education perpetuates discrimination; 10,000 Omega leaders urge our position.

OMEGA PHI PHI FRATERNITY,
J. H. CALHOUN,
*First Vice Grand Basileus.*

---

NEW YORK, N. Y., *May 11, 1948.*

Senator WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

You are doing a magnificent job. Thanks. Negroes and decent white people will not be bought with a mess of pottage in the form of Meharry College or sell their future hopes to keep that or any other school open. If proponents of regional plan are sincere, let them give money to continue Meharry as a private institution and not use that as excuse. You are absolutely right in terming Meharry issue as red herring.

WALTER WHITE.

---

CHICAGO, ILL., *May 11, 1948.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

Your position on Meharry College is absolutely correct, may I congratulate you on the courage exhibited in the matter yesterday. Regards.

R. R. CHURCH.

---

WASHINGTON, D. C., *May 11, 1948.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

We ask you to vote for Senator MORSE's motion to recommit House Joint Resolution 334, the segregated regional education plan and all other motions and amendments proposed by Senators MORSE and LANGER.

LESLIE PERRY,
*National Association for the*
*Advancement of Colored People.*

---

BIRMINGHAM, ALA., *May 12, 1948.*

Senator WAYNE B. MORSE,
*Senate Office Building:*

Thanks, our deepest thanks, for vigorous opposition to regional compact on education. Since question been under consideration I have been in personal contact with Negroes from Washington to Texas. Opposition well nigh universal. They show fear of what will happen to us and our children if Congress gives its approval to concept of segregation by passing this bill into law. May God bless and sustain you.

DR. E. W. TAGGART,
*President of National Dental Association.*

---

RESOLUTIONS AND PROPOSALS FOR ACTION ADOPTED BY THE SOUTHWIDE CONFERENCE ON THE PROPOSED REGIONAL EDUCATION PLAN, CLARK COLLEGE, ATLANTA, GA., MAY 8, 1948

As a result of discussions and proposals considered in today's sessions, the conference hereby resolves as follows:

I. ON PROFESSIONAL SCHOOLS

1. We believe that the only way a Negro can approach equity in the whole matter of professional education in the South and throughout the United States, is for all professional schools to open their doors to stuents, without regard to race, creed, or sex. To this end, we feel that every effort should be made to abolish all barriers in the form of tradition and laws, which tend to continue the segregated professional schools.

2. As to Negro institutions which now have professional schools, it is our opinion that they should put forth every effort to strengthen their facilities in the form of equipment and faculty as the opportunities permit. We also feel that our Negro graduate and professional schools should attempt to admit to their student bodies such white students as are willing to come. Another venture in this same direction is in the area of exchange students among white and Negro institutions, as has long been the practice in regard to teaching personnel.

3. As regards the compact seeking authority to establish regional schools in the South by the southern governors, we are opposed to the setting up of such regional schools. Any provisions for professional training not now available to white and Negro students of the South, should be opened up to all groups, without regard to race, creed, or sex. We also oppose the establishment of professional colleges as separate units scattered throughout the southern area, as that would defeat the primary aims of the university, which is composed of a collection of colleges, and through the exchange of ideas and research, strengthen one another.

4. We stand for and urge private, church, and public colleges and universities to open their doors to all citizens without regard to race, creed, or sex, and that the necessary action, legal and otherwise, be initiated to achieve this end.

5. We wish to state clearly that we stand opposed to the taking over of Meharry Medical College, Nashville, Tenn., or any other such institution by the proposed Regional Education Interstate Compact Board of Control, and we deplore the fact that any educational leader would offer to cooperate with the proposed plan in any way.

II. ON PUBLIC AND LAND-GRANT COLLEGES AND PRIVATE SCHOOLS

1. There is a great amount of distrust of the sincerity of the people who proposed this plan, due to the past records of performance in the area of Negro education in these particular States.

2. The proposal is a plan to perpetuate segregation. Moreover, the duplication of education is more costly.

3. Regardless of the soundness of the principles of the proposal for regional schools, we are opposed to it because it is a set-up to be maintained for educating special groups.

4. We feel that it is undemocratic for a State to provide and maintain within its borders institutions for one certain group and require the other group to go outside the borders of the State to secure the same training. We feel firmly that it is the duty of each State to take care of all of its people regarding their education within the State.

5. If the segregated regional schools are set up while we are trying to democratize the countries of the world we will hold up America for criticism.

6. The southern regional education plan is an effort to get around United States Supreme Court decisions.

III. ACTION PROPOSED

In order to effect the spirit of these resolutions, we request the national office, State, and local branches of the National Association for the Advancement of Colored People to institute the following proceedings:

1. To attack the legality of the southern regional education interstate compact, if the joint resolution should be passed by the Congress of the United States, as to the ownership of property and administration of funds, and as to the decisions of the United States Supreme Court, which provide for equal education for all citizens within the borders of each State.

2. To institute taxpayers' suits within the several States subscribing to the compact against the payment of State funds for the purchase and operation of regional institutions for education.

3. To initiate the making of applications and, if necessary, the filing of suits within the borders of the several States by Negro students to enter white colleges and by white students to enter Negro colleges.

We further resolve that these resolutions be presented to the press, Members of Congress, and to all organizations interested in the subject of equal education with a view toward influencing public opinion and securing support for the ideas adopted through resolutions and active programs.

C. L. HARPER,
*Chairman.*
R. A. THOMPSON,
*Secretary.*

Representatives from the following organizations participated in the conference: Kappa Omega Chapter—Alpha Kappa Alpha Sorority, American Teachers' Association, Atlanta NAACP Youth Council, Young Women's Christian Association, Albany State College, National Association of Collegiate Deans and Registrars of Negro Schools, Atlanta Urban League, Omega Psi Phi Fraternity, Barber Scotia College, Rome, Ga., Civic and Political League, Shaw University, Southern Regional Council, Atlanta University Alumni Association, Georgia Teachers and Education Association, Atlanta Branch, NAACP, Atlanta Business and Trade Association, Atlanta Daily World, Atlanta Housing Authority, National Negro Business League, Dade County, Fla., Medical Academy, Hampton Institute, Atlanta University, Morehouse College, Spelman College, National Medical Association, Georgia Workers' Education Service, Paine College, Florida State Teachers' Association, Meharry Alumni Association, Georgia Negro Chamber of Commerce, National Dental Association, Florida A. and M. College, Interdenominational Ministers Alliance, Atlanta, Ga., Gammon Theological Seminary, B. T. Washington Night School, Arkansas State Teachers' Association, Virginia State Teachers Association.

RECESS

Mr. WHERRY. I move that the Senate recess until tomorrow, Thursday, at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 13, 1948, at 12 o'clock noon.

---

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, MAY 12, 1948

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we know that wrong is wrong and right is right, and Thou hast laid upon us the power of choice; help us to work together for the kingdom of peace among all people, standing firm, as men of ripe character and of clear conviction as to everything which is God's will.

"We cannot always trace the way
Where Thou, Almighty One, dost move;
But we can always, always say
That God is love.
There are no errors in the great eternal plan,
And all things work together
For the final good of man."

Hear our prayer for Jesus Christ's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 120. Concurrent resolution providing for the printing as a House document of the pamphlet entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for Persons Who Served in the Armed Forces of the United States During World War I, World War II, or Peacetime (After April 20, 1898), and Those Dependent Upon Them, With Special Reference to Those Benefits, Rights, and Privileges Administered by the Veterans' Administration"; and

H. Con. Res. 189. Concurrent resolution authorizing the printing as a House document of the final report of the Select Committee on Foreign Aid and authorizing the printing of 5,000 additional copies thereof.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6226) entitled "An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 10 to the above-entitled bill.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2358) entitled "An act to authorize the payment of a lump sum, in the amount of $100,000, to the village of Highland Falls, N. Y., as a contribution toward the cost of construction of a water-filtration plant, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. BALDWIN, and Mr. MAYBANK to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 110) entitled "An act to amend the Interstate Commerce Act with respect to certain agreements between carriers," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REED, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MYERS to be the conferees on the part of the Senate.

MIGHT AND MEN

Mr. GOFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. GOFF. Mr. Speaker, when I was a boy, Theodore Roosevelt said, "Speak softly and carry a big stick." I was impressed then, and as the years have gone on I have been more than ever convinced of the wisdom of T. R.'s precept.

I realize there may be many fine, loyal Americans who believe we can settle all our international troubles by mutual agreement. That is true if national leadership of opposite peoples is equally fair-minded and will honestly abide by any agreement that is reached. That is rational international dealing among free and civilized humanity. But, remembering as we do the broken promises of Adolf Hitler, I think we had better hold onto that persuasive big stick.

I opposed universal military training because, among other reasons, it puts the emphasis on mass manpower. Now that this body has decided that our chief reliance shall be on air power, on machines, and not on men, we should not leave here without providing the means to insure such limited manpower as will meet our requirements. There will be no second chance if we guess wrong, and America loses a war to our churlish potential attacker. But if we are ready for it, there will be no attack. The free peoples of the world will breathe easier if they can rely on American arms and might.

Soviet leaders would seem to have become much more agreeable since we started cleaning the old musket; but when the peace pipe is being passed back and forth these days, we Americans want to make sure there is not opium in it when it comes our way.

It has been suggested that we encourage voluntary enlistments by a cash bonus. I want no part in putting a price tag on patriotism. The accusing finger of our war dead will give us no rest if we embark on such a course. I do not see how I could face my veterans at home if I voted for such inducements for

peacetime service. Surely there is a limit to what this country is prepared to pay for the performance of a citizen's duty to protect his country.

I shall support the House selective service bill. The Senate combination bill involves a long-range program, too many complications, too many arguments.

Our Army needs men. There is a simple, direct, effective American way to get them. I hope we can quickly agree on a fair temporary draft bill to complete the program of arms and men, and then we can proceed with other necessary business.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. GOFF. I yield.

Mr. RANKIN. Since we are providing a big stick in the form of an adequate Air Force, does not the gentleman think it is about time we stopped speaking softly to an outfit that attempts to insult us every time they get a chance, and speak firmly and positively instead?

Mr. GOFF. No; I think we can still speak quietly, but it makes a lot of difference when we are prepared to take care of ourselves.

The SPEAKER. The time of the gentleman from Idaho [Mr. GOFF] has expired.

PRESIDENT TRUMAN'S FOREIGN POLICY

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. BUFFETT]?

There was no objection.

Mr. BUFFETT. Mr. Speaker, on November 25, 1941, the then Secretary of War, Henry L. Stimson, wrote in his diary:

> The question was how we should maneuver them—Japan—into the position of firing the first shot without allowing too much danger to ourselves. It was a difficult proposition.

Twelve days later war arrived.

Mr. Speaker, yesterday the President took a cold and hostile attitude toward a development that apparently seemed to provide a real possibility of better relations with Russia.

His attitude indicates that Congress should be concerning itself as to whether or not the President is embarked on the course set earlier by Roosevelt and Stimson.

Moreover it would seem mandatory that those top-level Republicans who have collaborated in Truman's foreign policy should promptly reveal whether or not they also take Mr. Truman's uncompromising attitude.

Mr. Speaker, the administration's past policy of Russian appeasement was evil enough. But a policy that deliberately provokes war is a thousand times worse.

The SPEAKER. The time of the gentleman from Nebraska has expired.

EXTENSION OF REMARKS

Mr. DONDERO asked and was granted permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include an editorial and in the other to include a statement on the full use of existing highways.

Mr. WHEELER asked and was granted permission to extend his remarks in the RECORD and include an address by Henry W. Sampson.

Mr. PRICE of Illinois asked and was granted permission to extend his remarks in the RECORD and include a newspaper article.

MILK PRODUCTION

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, hear ye! Hear ye! The April figure showing the national milk production is now released. What does it show? It shows that the national milk production is continuing in its downward trend. It shows the lowest April milk production since 1941, even though we have had a 10,000,000 increase in population and a 58-percent in the baby crop. This downward trend of production has been apparent each month since last August. When and where will it end?

A few years ago we heard much comment about providing a quart of milk a day or its equivalent to peoples of other lands. Today we find that after 15 years of the more abundant life the American people are not even provided a quart of milk or its equivalent a day. The American people are evidently to prepare for less and less unless a change of attitude takes place. This administration is now providing our school children skim milk in the national school-lunch program. The skim milk is not even fortified with Vitamin A or Vitamin D.

The antilivestock attitude of the present administration, that is so allergic to the dairy industry, is shown by the fact that they have not up to this late hour even announced a support price for milk. Thirty-seven percent of the sheep, 6,000,000 head of cattle, including 2,000,000 head of milk cattle, have been sent to the coolers of the packing plants during the past 5 years. It would take 3,000,000 milk cows to produce the butter that is being taken over by the synthetic product known as oleo this year. If we had 1,000,000 milk cows in addition to the 2,000,000 that have already been killed, we would have a more ample supply of veal and beef. We not only have the school children provided unfortified skim milk, but we have ever increasing amounts of oleo replacing butter, and we have a continuing shortage of beef available to the consumers of America.

If the poultrymen of America had followed Mr. Luckman's advice, eggs would no doubt be over $1 a dozen today. Too many people in high places evidently contracted Luckmanitis even though he was quickly discredited. They accomplish indirectly what Mr. Luckman tried to accomplish by direct action.

How much longer are we going to be a party to this uneconomic approach to our food problem?

PROTECTING THE HIGH COST OF LIVING

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BUCK]?

There was no objection.

Mr. BUCK. Mr. Speaker, pious protestations to the contrary notwithstanding, the Truman administration is taking positive steps to hold the cost of living at present levels.

Linseed oil prewar sold in tank cars at from 8 to 10 cents per pound. The present price is some 300 percent higher. Yet the Department of Agriculture has recently banned additional imports of flaxseed to keep the price from going down.

No wonder the American people are demanding a change in administration.

THE VIRGIN ISLANDS COMPANY

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, we have a situation in the Virgin Islands which I think is very critical at the present time. The Virgin Islands Company, which has been operating during the past 14 years and which is the principal industry of the islands, will automatically expire on June 30 unless this Congress takes some action with respect to reconstructing its financial structure and incorporating it under the new Federal Corporations Act.

I simply take this moment to emphasize the urgency of quick action on the part of Congress, because the Company is in no position to acquire appropriations by reason of the corporation law, and the Congress cannot act too quickly on this proposition.

JOINT COMMITTEE ON HOUSING

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 197, to continue the Joint Committee on Housing beyond March 15, 1948, and for other purposes.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That section 3 of the concurrent resolution entitled "Concurrent resolution to establish a joint congressional committee to be known as the Joint Committee on Housing" (H. Con. Res. 104, 80th Cong.), is hereby amended to read as follows:

"SEC. 3. The committee shall report to the Senate and the House of Representatives not later than March 15, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable. For administrative purposes of concluding its business the committee is authorized to continue until July 15, 1948."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TRANSPORTATION OF AIR MAIL BETWEEN AIRPORT AND POST OFFICE OR BRANCH

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 590) providing for the consideration of the bill (H. R. 2588) requiring all mail consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles (Rept. No. 1941), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT OF MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 591) providing for the consideration of the bill (S. 1006) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation (Rept. No. 1942), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1006) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CONFIDENTIAL REPORT OF SUBCOMMITTEE ON EDUCATION AND LABOR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I read with interest in the Star on Sunday a news item in relation to what is alleged to be a confidential Committee print pending in one of the subcommittees of the Committee on Education and Labor. I noticed that the distinguished chairman of the subcommittee was quoted as saying:

When it came to my desk several weeks ago I decided to send it to various organizations, such as the CIO, AFL, National Association of Manufacturers, and United States Chamber of Commerce for their comments.

Mr. Speaker, it seems to me that when that was done the report was no longer confidential. In view of that, I think the chairman of the subcommittee ought to let each Member of the House obtain a copy of that report because once the comments of anybody outside the Congress are asked, the confidential character of any committee report is lost, and certainly we Members ought at least to have the same advantages as any of these organizations that are mentioned.

His course was probably a very desirable one, and my comment is not to be construed as criticism, because I have no such state of mind on this occasion, but I do wish to call attention to the fact that it is no longer confidential, and I believe, Mr. Speaker, that the subcommittee might well let the Members of the House get copies of this report. It might also be well for them to make it public, but I do not go that far. At least we Members ought to get a copy of the report.

It is said that nobody knows who wrote it, but that could very easily be ascertained.

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a report from the Committee on Un-American Activities.

Mr. SEELY-BROWN asked and was given permission to extend his remarks and include an editorial.

CONFIDENTIAL INFORMATION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in view of what the gentleman from Massachusetts [Mr. McCORMACK] said, may I ask him if what he read was from a newspaper report?

Mr. McCORMACK. Yes.

Mr. HOFFMAN. Does the gentleman believe then that when we hear over the radio or read in the press about certain information coming out of the executive departments, including the Department of State, we should also have that information?

Mr. McCORMACK. The gentleman, as usual, goes very far afield. I was reading from a news item which stated that the chairman of the subcommittee had written to these organizations for their comment. It was based on that I felt whatever confidential character there may have been had been nullified and under those circumstances the Members of the House should have a copy.

Mr. HOFFMAN. Would not that hold true when we hear over the radio, for instance, that the State Department had said this and that and is quoted. Would that not destroy the confidential nature of the information.

The SPEAKER. The time of the gentleman from Michigan has expired.

ONE HUNDREDTH ANNIVERSARY OF THE SIGNING OF THE TREATY OF GUADALUPE HIDALGO

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Speaker, this month, those of us who hail from California are beginning the celebration of a centennial of peace. On May 30, 1848, the Treaty of Guadalupe Hidalgo was signed by Mexico, ending the Mexican War and ceding the lands, of which California was a part, to the United States. The contrast between that May in 1848 and this month of 1948 is startling. In 1848, gold had just been discovered at Sutter's Mill, and the great gold rush began. I might add that this was the only time when southern Californians were attracted in any considerable numbers to the northern section of the State and that most of them returned home, more than ever content with the golden sunshine of the south.

California was never in the status of a territory. The bitter feud between Clay and Calhoun over the balance of slave and free States delayed decision long after the Treaty of Guadulupe Hidalgo was signed, and the Californians finally drew up their own constitution, ratified it and selected their first legislature by a free and democratic general election, and sent their first Senators, Gen. John C. Fremont and William M. Gwin, to Washington. So perfect was the constitution designed by our pioneer statesmen, that Congress granted statehood without the intermediate stage of territorial government. On September 9, 1850, California's star was added to the flag.

The city of Los Angeles in 1848 had a population over 1,610 persons. Today it is close to 2,000,000, and 14,000 new

citizens are moving into the county each month.

Back in 1848 transportation was by the dangerous route overland, subject to constant attack by hostile Indians; or around the even more dangerous Horn at the tip of South America by clipper ship, or through the disease-infested jungles of the Panamanian Isthmus. Thousands paid with their lives for the courage with which they dared these wilderness routes. By any route it was a hazardous journey of months.

A fierce spirit of freedom burned in these early pioneers. There are probably no more colorful and tumultous pages in the history of our country than those written by the simple homesteaders, the crews of the tall clippers and the Argonauts who battled for gold hidden in California's mountains and streams.

Hubert Howe Bancroft, in his History of California, says:

> In the anthem of human progress there is a chorus of events which rolls its magnificent volume around the world, making all that went before or that which follows seem but the drowsy murmur of the night. The political history of California opens on such a chorus.

The events of which he speaks may since have been overshadowed by two world wars and now by the threat of a third. But certainly, in the annals of this country, no epoch is more astounding than the one whose centennial we are celebrating this month. Because of the slavery dispute, the new lands to the West became a major pawn in the battle of words between the North and the South, and California was left for almost 2 years with no government except that of changing military commanders and the local alcaldes, nearly all relicts of Mexican rule. The gold rush precipitated conditions so chaotic that they led to the committees of the vigilantes and the people at last decided that they would act if the Congress would not.

The principles of freedom spoke eloquently in the councils of the pioneers. They hotly resented taxation without representation, which Congress had imposed, even though it had provided no territorial framework for the orderly process of law. The temper of the time and place is well demonstrated in the edict of Col. Richard B. Mason, one of the succession of military governors, when, after news of the signing of the Treaty of Guadalupe Hidalgo reached California, he proclaimed:

> The Mexicans will be protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion. From the new order of things there will result to California a new destiny. Instead of revolutions and insurrections, there will be internal tranquillity. The arts and sciences will flourish, and the labor of the agriculturist, guided by the lamp of learning, will stimulate the earth to the most bountiful production. Americans and Californians will be one and the same people, subject to the same laws and enjoying the same rights and privileges.

On September 3, 1849, the constitutional convention met at Monterey. It is noteworthy that the delegates included Americans from 15 different States, 6 Californians, formerly subjects of Mexico, a Swiss, a Scot, a Frenchman, and a Spaniard. Nearly every profession and trade were represented, many of the members being gold miners as well. They did not attempt to originate a constitution—instead, they compared those of the States they knew, and borrowed and modified sections of each which seemed best suited to the needs of their new land. Slavery was excluded. The resulting document was an almost perfect example of a State constitution.

It was signed October 13, 1849. Copies were printed and carried all over California for the people to see. On November 13 the general election was held, at which the constitution was ratified and representatives elected to the new State legislature. Edward Gilbert and George W. Wright were elected to serve as Congressmen. The legislature met on December 15 in San Jose, choosing P. H. Burnett as Governor, and Fremont and Gwin as United States Senators.

Washington found the arrival of the new stateless Senators extremely embarrassing, and President Taylor finally came to their rescue by suggesting that they make a joint communication to the Congress, stressing the reasons for California's need for admission to the Union, based on her history. The statement made a deep impression, and the Senate passed the bill on August 13, 1850, with the House concurring September 7. The President signed September 9 and California had achieved her statehood.

The century of history which we are celebrating today, and will continue to celebrate for the next two years is one of which all Americans can be proud.

Today, in the air age, California is only a few hours away. The flowers you are wearing in your lapels, in honor of the Treaty of Guadalupe Hidalgo, were growing but yesterday in our gardens. California, the Golden State, is one of the brightest stars in the constellation of the Union. Gentlemen, I trust that you will join with us today in praying that our celebration here of a century of peace and prosperity is an omen for the achievement of even greater peace and prosperity for our entire Nation and the world.

Mr. Speaker, a little later in the day the California delegation, particularly of southern California, will be privileged to have available for the Members some boutonnieres which the Members may wear in honor of this celebration of the signing of the Treaty of Guadalupe Hidalgo.

### ONE HUNDREDTH ANNIVERSARY OF THE SIGNING OF THE TREATY OF GUADALUPE HIDALGO

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS of California. Mr. Speaker, I join with my colleagues from California, in asking the Members to share with us the one hundredth anniversary of the signing of the Treaty of Guadalupe Hidalgo which laid the cornerstone upon which California a few years later became a State. It is curious to look back now, realizing that we are now represented in the Congress by 23 Members, and to note that in 1846, California had only 10,000 people living there, of which it was said 2,000 were foreigners, meaning that 2,000 were from States of the United States, and 8,000 were of Spanish-Mexican descent. By 1848, the population had grown to 26,000, and I am advised by the Census Bureau that the population of California has now grown to 8,822,688.

Mr. Speaker, we say that there is room for more people, as residents or as visitors to California, and we invite all of you to visit us during the celebrations which will mark the anniversaries beginning with the signing of the Treaty of Guadalupe Hidalgo in 1848 and extending to the admission of California as a State in 1850.

### CALIFORNIA CENTENNIAL

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, in connection with the one hundredth anniversary of the signing of the Treaty of Guadalupe Hidalgo, I want to call your attention to one thing that happened in California that had a great effect on history. That was the discovery of gold on January 24, 1848, by James Wilson Marshall, who was a partner of Captain Sutter, who, in turn, was the founder of the city of Sacramento. That started the great gold rush of 1849. It took about a year to get the information as to the discovery of gold back to the east coast. We had, as a result, one of the greatest migrations that our country has ever had. Curiously, California has had three great migrations: The gold rush of 1849; the migration in the thirties—the so-called Oakie and Arkie migration—and the great migration that started about 1940 that has brought, in the last 8 years, over 3,000,000 new people to California from every State in the Union.

The people who came to California in the great gold rush of 1849, and following, came over three different routes. One group came across the continent in covered wagons. To those of us who have traveled over this route by automobile and also been off the beaten paths on hikes through the mountains it seems almost incredible that thousands of people, including women and children, should have been able to make this trip by ox-drawn or horse-drawn vehicles. Remembering that there were no roads and very few trails, I have frequently wondered how the pioneers coming across on the immigrant trail were able to finally get to California. It shows one what sturdy men and women America had in 1849. Another group came via the Isthmus of Panama. They took a boat from the Gulf of Mexico or the Atlantic seaboard and went to Panama, and they crossed the Isthmus and took another boat and went to San Francisco.

These pioneers also went through great hardships. Some of them perished of the heat and of disease, while awaiting boats, on the Isthmus of Panama. The third group took the long route by boat around the southern tip of South America, via Cape Horn.

It is very interesting to note that in those days the pioneers had, as one of their problems, the matter of law and order. Government, such as it was, was very weak. There was much disregard for law. In some places there was curbstone justice where a group of citizens hastily got together to act as a jury, and one of the members of the community, selected by the others, to act as judge, would try a man. The alleged criminal would be given a trial, and in the case of the graver crimes, if the defendant were found guilty, he would be hanged on the spot. This is what gave one of the towns the name Hangtown. To give force to law, vigilante committees were organized. In other words, they organized to compel obedience to the law and put whatever force was necessary behind it to accomplish that purpose. That had a very marked effect on strengthening the Government and bringing about the law and order that was required.

One other matter is of great interest historically. As the miners mined along the streams and mountains in California, they made local rules to govern whatever conditions arose, over which there might be disputes. These local rules that were made in California, and I believe in other Western States as well, in those early mining days furnished the foundation for the mining act of July 26, 1866. The Mining Act referred to was introduced in the Senate by Senator Sherman, of Ohio, and in the House of Representatives by Mr. Julian, of Indiana.

The gold of California is said to have largely paid the cost of the Civil War. California remained on the Union side, after a tempestuous struggle within the State and helped win the war by furnishing men, and also furnishing gold.

There has been placed in the Appendix of the RECORD by me a series of lectures by Rockwell Dennis Hunt, Ph. D., a noted California historian. I am sure that the Members and perhaps others will find these lectures very interesting as Professor Hunt describes in fascinating style various phases of the life in those romantic days.

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, I want to join with my colleagues from California in calling the attention of the Members of the House to this eventful year, the one hundredth anniversary of the signing of the Treaty with Mexico at Guadalupe Hidalgo. It is a pleasant contrast to the present-day disturbances between nations that we have lived peacefully for 100 years with the great Republic of Mexico, with the exception of one or two incidental skirmishes that amounted to nothing of great consequence. It is also worthy to note that in 1848, Abraham Lincoln was a Member of this House, and it is very interesting to read his statements made at that time about the confusion President Polk was in at the time the treaty was signed, as well as Lincoln's historical comment at that time that the war was unnecessary and could have been avoided. Lincoln later as President of the United States showed his friendliness to Mexico when, as a struggling Republic, he assisted Mexico to resist foreign imperialism and become an independent Republic. The treaty was signed in one of the most historically religious buildings in Mexico at Guadalupe, where, at the present time, there is one of the most beautiful church edifices on the North American Continent, which I have had the pleasure of visiting. I trust that the other Members of the House will join with us in celebrating this one hundredth anniversary of the treaty signed between Mexico and the United States, which later resulted in California becoming one of the States of the United States and which has since become one of the great sections of the country to which millions from all over the Nation have come to make their home.

California now has one of the large delegations in Congress, with 23 Members, which will be increased soon due to the tremendous increase in population since the last census.

Let us hope that the peace we have enjoyed with Mexico during the past 100 years shall continue as a shining example of mutual understanding that can exist between two countries.

## EUROPEAN RECOVERY PROGRAM

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, when Congress passed the Foreign Assistance Act of 1948, it declared the act would "sustain and strengthen principles of individual liberty, free institutions, and genuine independence in Europe." There is nothing in the act about helping Socialist governments to abolish free institutions and saddling genuine independence with bureaucratic dictation.

I have in my hand a joint release of the United States Department of Commerce and the ECA. Its final sentence states:

> The ERP legislation is based on the belief that the use and strengthening of private channels of trade is an important part of economic recovery, not only for Europe but for the rest of the world.

Now that sounds fine but let us examine the release and find out just what they mean by "the use and strengthening of private channels of trade."

First, they tell us that European importers have to consult with their governments and get permission before they place orders for material under ECA. I presume that that is the principle of individual liberty. If their governments turn them down because they do not vote right, they are just out of luck. The next step in this principle of free institutions is, of course, that each European government must reach an agreement with all the other participating governments. After that an ECA permit has to be obtained. Then, when the United States exporter finally received his order, accompanied with a permit from an ERP importer, he still has to go to the Office of International Trade of our Department of Commerce for an export license. Mark this next step, I quote: "Neither the ECA nor any other agency of the Government will guarantee the granting of an export license simply because an importer in an ERP government has received permission from his government to pay for a shipment with dollars. In granting an export license for shipments to these countries, the OIT will follow its normal procedure."

Now if anyone can tell me what all this red tape has to do with the principles of "individual liberty, free institutions, and genuine independence in Europe" or anywhere else I should like to know. Mr. Speaker, the ERP must not be used as a method of using taxpayers' money to manufacture red tape with which to bind Socialist bureaucrats onto public pay rolls.

## RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

MAY 12, 1948.

Hon. JOSEPH W. MARTIN,
*Speaker, House of Representatives.*

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Public Lands Committee.

Sincerely,

PRESTON E. PEDEN,
*Member of Congress.*

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

## ELECTION TO COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 592) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That PRESTON E. PEDEN, of Oklahoma, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Agriculture.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DOUGHTON. Mr. Speaker, I offer a further resolution (H. Res. 593) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That JOHN BELL WILLIAMS, of Mississippi, and JOHN A. WHITAKER, of Kentucky, be, and they are hereby, elected members of the standing Committee of the House of Representatives on Post Office and Civil Service.

The motion was agreed to.

A motion to reconsider was laid on the table.

MAKING AVAILABLE TO CONGRESS INFORMATION FROM EXECUTIVE DEPARTMENTS

Mr. BROWN of Ohio. Mr. Speaker, I call up House Resolution 575 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. J. Res. 342, directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress. That after general debate, which shall be confined to the joint resolution and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Expenditures in the Executive Departments, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH], and yield myself such time as I may use.

Mr. Speaker, House Resolution 575 makes in order the immediate consideration of House Joint Resolution 342, which in turn provides for directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress. If I might explain the meaning of this joint resolution, and the reasons for it, in a few short sentences, I would say that in recent years we have seen bureaucracy grow to such great proportions in the United States, and so many responsibilities placed upon both the executive branch and legislative branch of the Government, that it is absolutely necessary that the Congress have the authority and power, such as this, in order to be certain that the will and mandates of the Congress are properly carried out; that the appropriations made by Congress are expended as intended, and that the activities of the executive branch of the Government, and I refer especially to its bureaus and agencies, be checked regularly, and that they do supply to the Congress the information the Congress must have in order to legislate intelligently.

I have said on the floor many times in the past, and I repeat it now, that it is my opinion, under our system of government, and under our Constitution, the Congress of the United States has two great and grave responsibilities. I am not certain in my own mind which is the greatest or which comes first, but I do know what these two great and grave responsibilities are. One is to legislate and the other is to investigate. I have always contended, and I do now contend, that no Congress can legislate properly, intelligently, or well unless that Congress is completely informed, and unless it has at its command all of the information necessary for arriving at a sound and good judgment.

There has been, and perhaps there will always continue to be, here in this country, a disagreement as to the rights, privileges and responsibilities, of the legislative branch of the Government and of the executive branch. Yet, having read with a great deal of interest a number of times most of the debates in the Constitutional Convention, I am convinced that the primary branch of our Government, as far as responsibilities are concerned, is the Congress of the United States—the legislative branch. I am convinced that this is the body, the Congress, which actually represents the people, and that it is only through the Congress that the people can be kept completely and properly informed upon the activities of their Government.

I regret that it is necessary to bring forth a resolution like this. I am not at all certain that this resolution is entirely perfect in its draftsmanship. I am fearful, perhaps, that we should amend it in an instance or two. In fact, I personally expect to offer an amendment which will clarify the meaning of one particular section of the bill. I am sure I shall have the support of most of my colleagues on the committee, if not all. This resolution does not even directly or indirectly stem from the so-called Condon case. In fact, this question was before the Congress long before the Condon case was ever heard of. Yet the Condon case is a perfect example of what we refer to in connection with the necessity for this legislation, where you have a committee established by this House to look into certain matters, and where one of the great agencies of Government refuses to make available to that committee, even in executive session, the information which it seeks, and which the party involved in the controversy wants made public.

I do not question the right of the President to do as he has done in the Condon case under the present law. There is a real question whether he has acted wisely, however, whether such incidents will arise in the future can easily be settled by the Congress adopting this joint resolution. However, the President of the United States has seen fit to take the papers in this particular Condon case from the Department of Commerce into his own keeping. Of course, this resolution, as I understand it, would not apply to the President himself, or any papers that he might have in his possession. However, I do feel that this is such a serious problem that it should be considered thoroughly by this House and by the Congress.

In conclusion, I would like to point out that under House Joint Resolution 342 no committee could demand or subpena any papers in question unless first the majority of the committee voted therefor; and either the Speaker of the House, in case of a House committee, or the President of the Senate, in case of a Senate commitee, approved the issuance of a subpena for the papers in question. I think that provision gives adequate protection. However, there is greater protection provided for in this bill, and that is that the information so obtained shall be kept, under majority vote of the committee, secret and in confidence, and a penalty is provided for revealing any of the information which might be obtained in confidence from any branch of the Government, especially if that information is decided by a majority of the committee to be of such import that making it public would be of injury to the public welfare.

Therefore, I hope this resolution, making in order the consideration of House Joint Resolution 342, will be adopted.

Mr. Speaker, I reserve the remainder of my time.

Mr. SABATH. Mr. Speaker, I am indeed pleased that the gentleman from Ohio [Mr. BROWN], presenting the rule, acknowledges the fact and concedes to the President the right to refuse to deliver any confidential matters or evidence that he believes are of importance or of a confidential nature.

This matter comes to us due to the fact that about 2 years ago someone wrote an anonymous letter questioning the patriotism and loyalty of Dr. Edward Condon.

In that connection, may I say that I do not know the gentleman, and up to this year I do not think I ever heard of him, although he has held a very important position for many years in the Government service.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BROWN of Ohio. Knowing the gentleman as I do and knowing he wants to keep the record straight——

Mr. SABATH. That is always my aim.

Mr. BROWN of Ohio. I would like to point out that the Committee on Expenditures had this matter before it long previous to the Dr. Condon case even became an issue, and I believe they reported it out before the Condon case became an issue. This is not based on the Condon case alone.

Mr. SABATH. I know, but that committee did not see fit to bring in, recommend, or urge any legislation, until the Committee on Un-American Activities made it an issue. The legislative committees and the Appropriations Committee of this House never did have trouble obtaining any information they sought. I never heard of any complaint from any legislative committee or even the Appropriations Committee to whom we have given extraordinary power to investigate any complaint, that they have been unable to obtain information that would be of interest and benefit and that was needed for legislative purposes.

This matter comes to us because about a year and a half after this letter was sent about Dr. Condon and after the Commerce Department, under the direction of Secretary Harriman, caused an investigation to be made by its special loyalty committee, they came to the conclusion that there was no justification

for any such insinuation as to the loyalty of Dr. Condon.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. McCORMACK. I think it is very interesting to note that this is the first time in the history of this country that this question has ever been raised in the form of a bill. Seventy-nine Congresses have passed, and the first time a specific question arose was in Washington's day. So, right down to the present, without regard to who was President or what the President's party might have been, right down through our constitutional history this question has arisen, but no Congress has ever yet reported out of committee a bill.

Let me call attention to the fact that this bill places the Speaker of the House of Representatives, whoever he may be, and the presiding officer of the Senate, whoever he may be, in the place of the President of the United States.

Mr. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. GRAHAM. And under our succession law just passed, does not the Speaker succeed to the Presidency, and does not the President pro tempore of the Senate succeed to the Presidency?

Mr. McCORMACK. That is true, but the gentleman is a good constitutional lawyer and on this great fundamental question I am surprise by his statement, coming from him.

I want to call particular attention to what this bill does. When a confidential paper is required by a committee of the House, it gives the Speaker of the House a veto power over the committee. The paper cannot be asked for unless the Speaker approves it. First of all, it gives him a veto power. Secondly, it substitutes him for the President of the United States, and this applies likewise to the Presiding Officer of the Senate. This places the Presiding Officer of the Senate in the place of the President of the United States. You have got to realize what is taking place in the passage of this bill. Not only does it give the power of veto to the Presiding Officer of either House but it means that veto substitutes the Presiding Officer of the House or the Senate for the President of the United States in determining this far-reaching question.

Mr. SABATH. I wish I could answer clearly the question propounded by the gentleman from Massachusetts; however, I appreciate his explanation because he is a member of that committee and has given the matter a great deal of thought. As a member of the Rules Committee, the duty of which is to call attention sometimes to unfair and unjustifiable rules that are brought in here covering unwarranted, unjustifiable resolutions or bills, I thought I would say a few words in this matter, although in this instance, of course, I am going to rely on the gentleman from Masssachusetts who, as I have stated, has devoted a great deal of thought and study to this question. As he stated, many times heretofore Presidents have refused to comply with a request of the House of Representatives when they in their judgment felt and believed the information sought was strictly confidential and of important nature.

The Constitution provided for three branches of government, the executive, the legislative, and the judicial. I shall not maintain that from time to time any mistakes have not been made by the three branches, and we must all realize and recognize the fact that there is nothing perfect under the sun, nor will I contend that, even under our democratic form of government, everything is perfect. Notwithstanding that, it is conceded that the democratic form of government is the best government devised by man. In the past conflicts of opinion arose between the executive and legislative branches of the Government, but it never became necessary for the legislative branch, or was it deemed necessary or expendient to adopt any legislation that would take away the powers granted to the executive and judicial branches until this day.

Mr. Speaker, frequently in the past, beginning with the very first administration of President George Washington, questions of jurisdiction have arisen between the executive and legislative branches, but never was it deemed necessary or expedient for the legislative branch to adopt any legislation that would take away the powers granted to the executive and judicial branches under the Constitution until this day. The records show that in 1796 President Washington declined to comply with a congressional request for information.

President Jefferson likewise refused to allow his Cabinet to supply documents in the trial of Aaron Burr. In 1825 President Monroe also refused to submit to the House documents relating to the conduct of naval officers. In 1833 President Jackson refused to furnish the Senate a paper read by him to the executive departments relating to the removal of deposits of public money from the Bank of the United States. Again in 1886 President Cleveland supported his Attorney General's refusal to furnish documents relating to the removal of a district attorney. Again in 1941, the then Attorney General, Mr. Robert H. Jackson, now a Justice of the Supreme Court, refused to furnish certain reports of the Federal Bureau of Investigation because such a disclosure of the reports could seriously prejudice law enforcement. The latest refusal of the Civil Service Commission and the President to make available certain files of the Commission containing confidential information completes the long array of precedents that have preserved the prerogatives and rights of the executive branch. Yet notwithstanding these many precedents which should be known to the gentleman from Michigan [Mr. HOFFMAN], and to the entire membership of the Committee on Expenditures in the Executive Departments, this resolution was introduced, considered, and reported by the committee. Aside from the precedents which I have cited, there have been numerous decisions and rulings by the Supreme Court which are set forth in the minority report. Therefore, Mr. Speaker, in view of the preponderance of these decisions made over a period of 150 years, it is my opinion that this resolution is purely of a political nature and is an effort to aid the Committee on Un-American Activities.

Notwithstanding the statement of the gentleman from Ohio [Mr. BROWN] I feel that the consideration of this resolution is due to the Condon matter because after a year and a half the Committee on Un-American Activities obtained information that an anonymous letter was sent to the Atomic Energy Commission, that the Department of Commerce had made an investigation and also that the FBI made an investigation. Notwithstanding all those investigations resulting from an anonymous letter, none of the alleged charges, as I understand it, were proven, and the reports of all investigative agencies indicated that there was no justification for questioning the loyalty or patriotism of Dr. Condon. But the Committee on Un-American Activities sought some additional publicity, so they requested that they be furnished the report of the FBI. That request has been refused because under the Constitution the President has the right to withhold any information that he concludes is not in the public interest or may endanger the safety of the country.

Mr. HUBER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Ohio.

Mr. HUBER. Does the gentleman not feel that it might be possible that the sponsors of this legislation may be outsmarting themselves in that some time in the future, with a Republican administration and a Democratic Congress, certain Members of the Congress might embarrass the administration in power, and that this legislation may boomerang on them?

Mr. SABATH. I do not agree with the gentleman because the Democratic Party has never taken any such action and I am sure will not do so in the future. This is purely a political gesture for politics; purely for politics and for nothing else.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. As a rule the gentleman does not ask questions; he makes insinuations.

Mr. HOFFMAN. Oh, no.

Mr. SABATH. If he would ask me a legitimate question and seek information, yes.

Mr. HOFFMAN. I have a question.

Mr. SABATH. He has introduced a resolution; he has prepared a report, and in addition to that has prepared an answer to the minority report. Naturally, I regret exceedingly that I have not been able to read his last answer to the minority report since it came to my attention only a few minutes ago.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield for a question.

Mr. HOFFMAN. The question is this: In view of what the gentleman said about this legislation proving or might prove to be a boomerang and might aid a Democratic Congress, if that ever happened

again, having a Republican President, does the gentleman not think that he ought to, from a political standpoint, support us?

Mr. SABATH. Well, I do not play politics with important matters. This is a constitutional question.

Mr. HOFFMAN. The gentleman said a moment ago it was a political question.

Mr. SABATH. It is political on the part of the Republicans. I hope that the Democratic Party will never lend itself to any cheap political activities as has been suggested.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I would like to finish.

Mr. RIZLEY. I know the gentleman wants to be fair.

Mr. SABATH. Of course, the gentleman has been manifestly fair at all times.

Mr. RIZLEY. The gentleman wants to be absolutely fair, and I know that he did not intend to say that this was a political bill, because such distinguished gentlemen on the committee as Mr. LANHAM, Mr. HARDY, and Mr. WILSON of Texas on the minority side signed the majority report on this bill. Certainly the gentleman does not want to accuse Members over there of playing politics, I am sure.

Mr. SABATH. Unfortunately we have on this side some gentlemen who are not as progressive and who do not always try to preserve the rights and privileges of the membership of this House and also who have been found frequently to cooperate and vote with the reactionary Republicans. Of course, that is their right. They are Members of Congress. They have been elected, and that is their prerogative to vote in accordance with their conscience. I said "conscience." Well, perhaps sometimes it is not due to their conscience, but because they have been misled frequently, and that is the reason. If they had real information at all times they would not have cooperated with you gentlemen on the left as they have from time to time. In this case, if they had been aware of the underlying reason for this resolution, and that this resolution aims to interfere with the executive branch of the Government (in violation of the Constitution), I am satisfied their names would have not been found on the majority report.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two editorials and one or two articles on this question.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. I still must insist that this is a political resolution, because former Secretary Harriman and the newly appointed Secretary of Commerce, Mr. Sawyer, who only a few days ago examined the report, came to the same conclusion as former Secretary Harriman, that there is nothing in the FBI report that would in any way reflect upon the honesty or loyalty of Dr. Condon. But, Dr. Condon himself urged that this report be made public; consequently I know and I am satisfied that there cannot be anything against this man who has served the country in important capacities for so many years. Notwithstanding his request, the President still feels that it is his sworn duty under the Constitution to refuse to comply with the request, believing that the information sought may not be for the best interests of the country, and the chances are he very likely feels that the request has been made merely to make more capital and give more publicity to the Condon case and strengthen, perhaps, the position of the Committee on Un-American Activities.

Mr. Speaker, I call attention to a provision in the reported joint resolution which was not in the resolution originally introduced by the gentleman from Michigan. It reads as follows:

SEC. 2. When, by virtue of section 1, any committee of the Congress shall have received information, books, records, or memoranda from any of the departments, agencies, Secretaries, or individuals in pursuance of a request made under the authority of said section, it shall forthwith, by majority vote of the membership of said committee, determine what, if any, part of such information shall be made public and what part shall be deemed to be confidential, and it shall thereafter be unlawful for any member of said committee or any employee thereof or any other individual obtaining knowledge of such information because of the disclosure of such information to said committee to divulge or to make known in any manner whatever not provided by law to any person any part of the information so disclosed to said committee and which has by said committee been declared to be confidential; and any offense against the foregoing provision shall be a misdemeanor and shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both, at the discretion of the court.

I am surprised that they did not make the penalty 10 years imprisonment and a fine of $10,000. Do you know that this penal clause applies to Members of Congress, employees of Congress, and to members of the press? You always say you are for a free press and desire to protect the press, but this is something that applies to the press and would subject any newspaperman who would publish any such information to fine and imprisonment, and any Member of Congress or employees of Congress who might give out such information would also be subject to these penalty provisions.

I hope you will give this proposal serious consideration before you vote for the rule, although I suspect that you will again do the wrong thing, as you have been doing right along since you came into power; but it will not continue much longer, I hope. However, the people will soon have an opportunity to vote on your record, and they will find that this legislation, among other similar pieces of legislation, has been brought in for the purpose of delaying legislation the people are seeking and pleading for, such as legislation for housing and education, legislation for relief from the high cost of living, and other legislation in the interest of the people. I know what the result will be, notwithstanding that you feel that you have a chance in the next election. When the people are made familiar with your record and your actions I know they will again return to this House a majority of Democrats, who have at all times and will in the future have the rights and interest of the people as well as the country at heart.

Under the permission given me, I insert an editorial appearing in the Washington News of May 7, entitled "A Good Bill to Kill," as follows:

A GOOD BILL TO KILL

Congress should not try to assume power to force confidential information out of the Government's executive agencies.

Representative CLARE HOFFMAN, Republican of Michigan, wants Congress to do that. He is pushing a bill to compel officials and employees of the executive agencies to give congressional committees any information and records the committees see fit to demand.

If Congress enacts that measure, over the Presidential veto it surely would provoke, the issue it raises is certain to be carried to the courts. We have little doubt that the courts would knock out the proposed law as an unconstitutional attempt, by one branch of the Government, to invade the authority of another equal and coordinate branch.

The President, who heads the executive agencies, should require them to give committees of Congress all information that can be given safely and properly and that is essential to intelligent work by the legislative branch. But, we think, final responsibility for deciding what is safe and proper to give must remain with the President.

Even Mr. HOFFMAN recognizes one serious danger. That is that information "detrimental to the country," once it reached a committee, might leak out into general circulation. But against it he proposes an equally dangerous "safeguard." His bill provides that any committee, by majority vote, could put its own seal of secrecy on any information received from an executive agency. That having been done, any Congressman or Government employee who disclosed such information or any newspaper reporter who published it could be fined $1,000, sent to jail for a year, or both.

A committee majority, desirous of suppressing information that the public ought to have, could make fine use of a provision like that. It could adopt its own definition of "detrimental to the country," and so undertake to muzzle all Members of Congress and all reporters.

With or without this provision in it, the Hoffman bill would invite abuses worse than any abuse of executive secrecy is likely to be. Congress ought to kill this bill and so avoid a legislative blunder which, even though the courts probably would correct it, would subject Congress to much thoroughly deserved criticism.

I also include as part of my remarks an editorial under the heading "Legislative blackjack," which appeared in the Washington Star of May 7:

LEGISLATIVE BLACKJACK

If the House committee headed by Representative HOFFMAN were to succeed in its effort to set up fines and prison terms for Members of Congress and reporters who "leak" confidential information, it probably would be necessary to build new jails to accommodate the offenders. But that apparently is not going to happen. For the proposal is a silly one, and responsible Members of the House have indicated that they recognize it as being silly.

There is another and more serious aspect of this bill. It authorizes and directs all officials and employees of all executive departments and agencies created by Congress to turn over to congressional committees, when certain conditions have been met, any information, records, etc., in their possession. For example, this bill, if it became law, would require the Secretary of Commerce to surrender the Condon file to the

Committee on Un-American Activities, despite the fact that his superior, the President, has forbidden him to do so. And if the Secretary, acting on instructions from the President, should refuse to give up the file, then it would be he, and not the President, who would be in the position of violating the law. Thus, the effect of this bill would be to drive a wedge between the President and his subordinates in the executive branch, to make these subordinates amenable to the will of Congress rather than to the orders of the President.

The avowed purpose of the bill is to enable Congress to obtain information it needs to legislate intelligently and it cannot be denied that this raises a real problem. It is conceivable that an arbitrary President might use his power over his subordinates to withhold from Congress information which it ought to have. The fact is, however, that many Presidents, beginning with George Washington, have refused to submit certain information to Congress and it can hardly be said that these refusals have made it impossible for Congress to function intelligently. The solution of this problem lies not in an intrusion by Congress into the domain of the Executive, but in the employment of a sense of reason by both parties.

A President ought to make necessary information available to the Congress and generally he does. On the other hand, there are certain kinds of information, such as the Condon file, some FBI reports, etc., which ought to be withheld and Congress ought not to attempt to obtain such data by use of a legislative blackjack.

In addition, there is, of course, grave question as to the constitutionality of this bill. But it ought not to go to that test. It should be killed by the Senate, if not by the House.

Mr. Speaker, after reading these articles, I do not see how any fair-minded Member of Congress can vote for this resolution. They clearly and forcefully show why the House resolution should be defeated. However, as I have stated, I know the gentleman from Massachusetts, the ranking minority member of the Committee on Expenditures in the Executive Departments, who appeared before the Committee on Rules and ably gave convincing reasons for opposing this resolution, and who has given study to the question of the constitutionality of the proposed bill, will be able when he takes the floor to convince a majority of the membership that the resolution should not pass.

In conclusion, may I call the attention of the gentleman from Michigan [Mr. HOFFMAN], as well as the members of the Committee on Un-American Activities, to House Concurrent Resolution 156, which I introduced on March 11 and on which, unfortunately, up to now I have been unable to obtain consideration. This resolution provides a procedure for the guidance of committees of the House as to the conduct of hearings and a means as to obtaining evidence for their use. The resolution is as follows:

House Concurrent Resolution 156

*Resolved by the House of Representatives (the Senate concurring)*, That the following provisions of this concurrent resolution are adopted as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively.

SEC. 2. Any person who believes that testimony or other evidence given in a public hearing before any committee tends to defame him or otherwise adversely affect his reputation may file with the committee a sworn statement, concerning such testimony, which shall be made a part of the record of such hearing.

SEC. 3. Such a person shall in addition have the right (a) to testify personally in his own behalf; (b) to have the committee secure the appearance of witnesses requested by him for the purpose of testifying in his behalf, and to examine such witnesses, either personally or by counsel, but no more than four such witnesses shall be called; and (c) to have the committee secure the appearance of witnesses whose testimony adversely affected him, and to cross-examine such witnesses, either personally or by counsel, but such cross-examination shall be limited to 1 hour as to any one witness.

SEC. 4. Any person who wishes to avail himself of the rights accorded by section 3 shall, within 30 days of the receipt by the committee of the testimony complained of, file a petition with the committee requesting the fixing of a time and place for the receiving of testimony or the conduct of cross-examination and designating the witnesses to be summoned. Such a petition shall be accompanied by the sworn statement of the petitioner that the petition is not filed for the purpose of delaying or obstructing the work of the committee, but because his reputation has been unjustifiably damaged or otherwise adversely affected by false accusations or inference. The committee shall, within 10 days after the receipt of such a petition, fix a time and place for the receiving of testimony or the conduct of cross-examination, which time shall not be later than 30 days after the receipt of the petition, and shall secure the appearance at such time and place of the witnesses designated in the petition.

SEC. 5. Any witness summoned at a public or private hearing before any committee shall have the right to be accompanied by counsel. Such counsel shall be allowed to observe the hearing, but shall not be allowed to participate therein or to advise the witness while on the witness stand unless the committee, in its discretion, shall otherwise determine.

SEC. 6. In the conduct of hearings, the evidence received shall, so far as possible, be relevant and germane to the subject of the hearing.

SEC. 7. If the testimony of a witness at a private or public hearing before any committee is reported stenographically, such witness shall be entitled to a stenographic transcript of such testimony upon payment of the cost of the transcript.

SEC. 8. A committee shall not publish or file any report, interim or final, unless and until a meeting of the committee has been called upon proper notice and such report has been approved by a majority of those voting at such meeting.

SEC. 9. No committee or employee thereof shall publish or file any statement or report alleging misconduct by, or otherwise adversely commenting on, any person unless and until such person has been advised of the alleged misconduct or adverse comment and has been given a reasonable opportunity to present to the committee a sworn statement with respect thereto as provided in section 2.

SEC. 10. No member or employee of a committee shall, for compensation, speak, lecture, or write about the committee, its purposes, procedures, accomplishments, or reports during the existence of the committee and while he is a member of the committee or in its employ.

SEC. 11. As used in this concurrent resolution, the term "committee" includes a standing or select committee of either House of Congress, a joint committee of the two Houses, and a duly authorized subcommmittee of any of the foregoing.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I had not wanted to participate in this discussion, but I refuse to run away from a plain duty, or to suppress a conviction, so profound as that entertained by me on the general question here involved. The committee sponsoring this resolution is wrestling with a problem, upon the right solution of which the peace and security of our country may depend. While I have some misgivings with regard to the power of the Congress to compel the production of the Hoover letter, I cannot associate myself with any effort to defeat the committee in its effort to secure evidence which might properly influence action that it should take.

This tender consideration for the Constitution, so often expressed by people who have for years been endeavoring to liquidate and wipe out this Committee on Un-American Activities, which is striving so desperately to rid our country of those influences and of those people, who, like termites, are boring away night and day in the endeavor to undermine and destroy the institutions which we so greatly love, arouses my suspicions.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman.

Mr. SABATH. Do you not feel that the President of the United States is a patriotic and loyal citizen, having the best interests of the country at heart and that he would feel that if it were for the best interests of the country, he would have released that before?

Mr. COX. The press reports that the President has had this letter transmitted to the White House, and that he now carries it closely hugged to his bosom. To me, if that be true, it is something which I greatly regret. It is an unfavorable light that is turned upon the Chief Executive and compels me to say again that we have too often found in high places in the Government people who have gone to the extreme in the endeavor to safeguard and protect the alleged right of people who are trying to take advantage of the rights guaranteed by the Constitution, to wreck and destroy it. It may be that Congress is taking an extreme move in pressing for the adoption of this resolution. If, however, it errs, it errs in the interest of trying to preserve the country. I regret that the President has challenged the right of the Congress to see this letter. It is this that has brought forth this resolution.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. RANKIN. As the gentleman knows, I am a member of the Committee on Un-American Activities. I was not a member of the subcommittee that investigated this Condon matter. If Dr. Condon had asked the Department of Commerce to submit this letter months ago, he would not be suffering the embarrassment that he is today.

I want to say in answer to the gentleman from Illinois [Mr. SABATH] that while the Committee on Un-American

Activities has taken all the abuse of disloyal, communistic elements in this country, it has probably done more to protect American institutions than any other committee Congress ever created.

The SPEAKER. The time of the gentleman from Georgia [Mr. Cox] has expired.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that in the remarks I make in Committee of the Whole I may include the report of a committee some years ago and other excerpts and court decisions and quotations.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. RANKIN. Mr. Speaker, I make the same request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GRAHAM. Mr. Speaker, I make the same request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I make the same request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MAKING AVAILABLE TO CONGRESS INFORMATION FROM EXECUTIVE DEPARTMENTS

Mr. RIZLEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HOFFMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 342. Pending that motion, I ask unanimous consent that the time may be equally divided between the majority and minority.

The SPEAKER. The rule provides for the division of time.

The question is on the motion of the gentleman from Michigan [Mr. HOFFMAN].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. J. Res. 342) directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress, with Mr. ALLEN of Illinois in the chair.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized.

Mr. RIZLEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Obviously, a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 61]

| | | |
|---|---|---|
| Andersen, H. Carl | Gallagher | Mitchell |
| Andresen, August H. | Gore | Morrison |
| Andrews, N. Y. | Griffiths | Mundt |
| Arends | Hartley | Murdock |
| Barrett | Hébert | Norton |
| Battle | Hedrick | O'Toole |
| Bell | Heffernan | Pfeifer |
| Bender | Hendricks | Philbin |
| Boykin | Herter | Ploeser |
| Buchanan | Holifield | Plumley |
| Buckley | Jarman | Powell |
| Butler | Jenkins, Pa. | Regan |
| Byrne, N. Y. | Johnson, Okla. | Rich |
| Carroll | Johnson, Tex. | Rohrbough |
| Celler | Jones, N. C. | Rooney |
| Clark | Kearney | Scoblick |
| Clevenger | Kearns | Sheppard |
| Clippinger | Kee | Short |
| Dawson, Ill. | Kefauver | Sikes |
| Deane | Kirwan | Smith, Wis. |
| Delaney | Lane | Stigler |
| D'Ewart | Larcade | Stratton |
| Dingell | Lemke | Taber |
| Dirksen | Lewis, Ky. | Taylor |
| Domengeaux | Ludlow | Thomas, N. J. |
| Dorn | Lusk | Welch |
| Douglas | Lyle | West |
| Ellis | McConnell | Whitaker |
| Engle, Calif. | McCulloch | Wilson, Ind. |
| | Meade, Md. | Wood |
| | Miller, Calif. | |

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. ALLEN of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration House Joint Resolution 342, finding itself without a quorum, he caused the roll to be called, when 341 Members responded to their names, disclosing that a quorum was present, and he submitted herewith the names of the absentees for printing in the Journal.

The SPEAKER. The Committee will resume its session.

The CHAIRMAN. Under the rule, the Chair recognizes the gentleman from Michigan [Mr. HOFFMAN] for 2 hours and the gentleman from Massachuetts [Mr. McCORMACK] for 2 hours.

The gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, House Joint Resolution 342 is an effort, by overall legislation, to make available to every committee of the Senate and the House, under certain circumstances, information in the possession of the executive departments which is necessary to enable the Congress to carry out the duties imposed upon it by the Constitution.

The resolution does not grow out of the Condon or any other single incident.

It is an effort to avoid what will otherwise in the future be piecemeal legislation made necessary whenever a conflict arises between the Congress and the Executive Departments as to the availability of specific information.

It is an attempt to enact legislation which, when interpreted by the courts, will give both the Congress and the executive departments a final answer and a guide for the settlement of numerous inevitable disputes which otherwise will arise.

WHAT IT IS NOT

The resolution has, by certain editors, columnists, and radio commentators, been assailed as an infringement upon the powers of the Executive and as an abridgement of a free press.

Permit me to point out the inaccuracy of their statements, the unsoundness of their conclusions, by a statement of what the resolution is not.

(a) The resolution in no way seeks information from any individual holding an office created by the Constitution.

Neither by its terms nor by implication does the resolution seek information from the President or from any member of the judiciary. It asks that the committees of the Congress be given information which is in the possession of the Government departments, agencies, and boards created by congressional action or which exist only by virtue of congressional appropriations.

(b) It does not abridge the freedom of the press because, by no possible construction, will it make unavailable to the press information which it heretofore has been able to obtain.

There always has been some abridgement of the press.

FREE SPEECH AND A FREE PRESS

The first amendment to the Constitution, which provides that the Congress shall make no law "abridging the freedom of speech or of the press," has never and does not now mean that the individual may say, or that the press may print, everything which either desires.

An example is found in title 18 of the code which contains provisions making it a criminal offense to exercise the right of free speech or a free press if the effect thereof be to, among other things, incite insurrection, carry on certain correspondence with foreign governments; to interfere with, impair or influence the loyalty, morale or discipline of the military forces of the United States; to advocate the overthrow of the Government by force.

Chapter 4 of title 50 of the code, sometimes known as the Espionage Act, makes it a crime to unlawfully obtain, or permit to be obtained, information affecting the national defense or to utter disloyal words in time of war.

If it be said these restrictions on the right of free speech and a free press apply only in time of war, other limitations of the abridgment of the right of a free press may be cited. Section 1305 of title 19 of the code prohibits the importing of any book, pamphlet, writing, print, picture or drawing which contains information detrimental to the national welfare. It prohibits the importation of obscene books, pamphlets, papers, and so forth.

A better known example is found in the Federal and State laws which prevent the disclosure of grand jury proceedings.

The statute which created the Atomic Energy Commission makes it a criminal offense to disclose certain information.

The Internal Revenue Code, which makes available to the Finance Committee of the Senate, to the House Ways and Means Committee or to a select commit-

tee of the Senate or House specially authorized to investigate returns, or to a joint committee so authorized, sitting in executive session, certain information, makes it unlawful for any employee or officer of the United States to divulge or make known certain information.

Subdivision (f) of section 55 of title 26 of the Code further provides that it shall be unlawful for any person to print or publish in any manner whatever not provided by law certain information contained in tax returns. Subsequent subdivisions of the same subsection provide that the officers or employees of any State or any political subdivision thereof, and any shareholder who divulges information obtained from certain tax returns, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both. Those provisions have been the law of the land for almost 10 years. Permit me to give you the words of the statute:

PENALTIES FOR DISCLOSING INFORMATION

1. Federal employees and other persons: It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office or discharged from employment.

(1) State employees: Any officer, employee, or agent of any State or political subdivision, who divulges (except as authorized in paragraph 2 of subsection (b), or when called upon to testify in any judicial or administrative proceeding to which the State or political subdivision, or such State or local official, body, or commission, as such, is a party) any information acquired by him through an inspection permitted him or another under paragraph 2 of subsection (b) shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both.

Shareholders: Any shareholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both.

The precedent for the penalty imposed by the resolution upon any individual who discloses information obtained under this resolution which has been declared to be confidential is found in the Code, title 26, section 55 (f).

To me it seems absurd to argue that if this resolution is adopted and under it information is given to a congressional committee, the determination by that committee that a portion of that information shall not be given to the press is an unlawful abridgment of a free press. Every Member of the House, every reporter, editor, columnist, and radio commentator who is worth his salt knows from daily experience that the Senate frequently goes into executive session, committees of the Senate and of the House hold executive sessions and that what transpires at those sessions is, in theory at least, secret.

NOT AN ABRIDGMENT OF A FREE PRESS

The charge that the committee or its chairman is attempting by this resolution to abridge a free press is, in view of the record of the committee and its chairman, ridiculous.

The committee has probably held fewer executive sessions than any other committee of either body. The chairman of the committee believes that the best way of dealing with any problem which calls for action by the Congress is to publicly put the facts on the record. The only exceptions to that rule are instances when the committee is dealing with information, the disclosure of which, the armed forces insist and the committee believes, would endanger the national security, or when a committee is marking up a bill and publicity could only result in delay and confusion growing out of irrelevant and perhaps incessant interruptions.

The committee reporting out this resolution has been extremely jealous of any attempt to abridge the right of the press.

One outstanding example will prove the point. Not long ago, the Security Advisory Board of the State-War-Navy Coordinating Committee, acting under Executive Order 9835, put out a document prescribing minimum standards for the handling and transmission of classified information in executive departments and agencies of the Federal Government. That document restricted the disclosure of, among other, "confidential" information.

Confidential information was defined as follows:

The term "confidential" as used herein applies to information, the unauthorized disclosure of which, although not endangering the national security, would be prejudicial to the interests or prestige of the Nation or any governmental activity thereof, or would cause serious administrative embarrassment or difficulty, or would be of advantage to a foreign nation.

Under that definition, had it become effective, the press would have been prohibited from disclosing any information which, in the opinion of the Administrator, would "cause serious administrative embarrassment."

There, permit me to say to the gentlemen of the press, was a real abridgment of a free press.

Who, may I ask, came to the defense of a free press? None other than the ranking majority member of the committee which reported this resolution—the gentleman from Ohio [Mr. BENDER].

At his request, the chairman appointed a subcommittee; the gentleman from Ohio asked the departments to withhold or revise the document; hearings were held; the proposed restrictions were revised and finally representatives of the departments and of the press agreed upon a voluntary censorship of information which might be obtained from the departments.

For his part in detecting and calling attention to the proposed regulations as an abridgment of the press, Mr. Nat. S. Finney was awarded the Pulitzer prize of the year.

To date, the only medal or certificate of merit which has been awarded to the gentleman from Ohio [Mr. BENDER] for the outstanding meritorious service which he rendered in this instance has been condemnation and criticism from certain editorial writers who oppose the adoption of this resolution.

To prove that the adoption and the enforcement of the resolution will result not in abridgment of a free press but in an enlargement of the freedom of the press, it is but necessary to state the facts as they now exist.

As every reporter knows, in his quest for news he frequently is confronted by a door closed by some subordinate in an executive department. He is politely, but firmly, told that the information sought is confidential. The door remains closed, the information is not available. If this resolution becomes the law of the land, the information which has been denied the press will, under certain conditions, become available to a committee of the Congress.

Some editors, columnists, and radio commentators scream that a committee of Congress has then set itself up as a censor of public news. Assuming that to be true, it still follows that the Congress has obtained from the executive departments information which before was declared to be confidential and secret by someone in the executive departments. Having obtained that information, the committee then has the authority, by a majority vote, to decide whether the prior action of the executive department in declaring the information to be confidential and secret should be sustained or whether a portion of it or all of it should be given to the press.

The effect of the resolution will be to pry loose from the departments that which has heretofore been secret, to review it through the action of a majority of the committee and, if experience is any guide, the net result will be a release to the press of a large part of the information which, without the resolution and the action of a congressional committee, it would have been unable to get.

IN PRACTICAL OPERATION

This resolution will widen the field, add to the volume of information which will be available to the press in practice, instead of resulting in an abridgment, of a free press.

It is an extension of the ability of the press to obtain information.

THE PURPOSE OF THE RESOLUTION

Permit a brief restatement of the purpose of the resolution.

It is to make available to the Congress information withheld by the executive departments which the Congress deems to be necessary and to enable it to properly perform the legislative duties imposed upon it by the Constitution.

Has the Congress under the Constitution the power to enact legislation compelling the executive departments to make available the required information?

For years, Federal statutes have authorized the chairman, and recently the members, of congressional committees to administer an oath. For almost 10 years, section 192, title 2, of the United States Code has provided that—

> Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100 and imprisonment in a common jail for not less than 1 month nor more than 12 months.

That statute, as you will note, does not exempt any member of the Executive department from being sworn as a witness, nor does it make any mention of the right of anyone to refuse to answer any question pertinent to the inquiry, because someone in an executive department has declared the information sought to be either secret or confidential.

Section 652 of title 5 of the United States Code, which was enacted more than 35 years ago, provides that—

> The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.

Those statutes have been upheld by the decisions of the United States Supreme Court.

Strange, indeed, would it be if those in the departments created by congressional acts, existing only because of continued congressional appropriations, had the right to deny to the agency which created them, which, from year to year breathes life into them through continued Federal appropriations, information necessary to enable Congress to determine the necessity for their continued existence, to learn whether they were properly exercising the functions imposed upon them, whether they were honestly spending the money which Congress gives to them.

Is the creature greater than its creator? Can a department whose very existence depends upon the action of the Congress refuse to tell the Congress what it is doing, how and for what purpose it is spending public funds? Neither the Department of State, the Department of Justice nor the Department of Commerce are created by the Constitution. Each and all of the departments and agencies exist because of the action of the Congress. The Congress, if it so desires, can abolish those departments. Does it not follow then that it has the authority to make and procure information in the possession of those departments? Just when and where did the executive departments get the idea that they were above and beyond the reach of the Congress?

But why prolong the discussion? Ever since, and long before the adoption of the Constitution, legislative bodies exercised the power here sought to be used. A clear and authoritative statement of the right of the Congress to enact this proposed legislation has been given us by the decision of the United States Supreme Court in the case of *McGrain* v. *Daugherty* (273 U. S. 135).

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Assuming that this resolution is adopted and passed by both Houses of Congress and the President is required to sign it.

Mr. HOFFMAN. Yes.

Mr. KEEFE. Assuming he vetoes it and it is ultimately passed over his veto so as to become law and it goes into operation. Then the House Committee on Un-American Activities directs an executive department to turn over a letter or a file and the President immediately directs that executive agency not to do it. What then happens, if anything?

Mr. HOFFMAN. Nothing, except as the decision of the President may be changed by public opinion. I do not believe that the Congress has any authority over the President of the United States.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN. Mr. Chairman, I yield myself 5 minutes additional.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Our next step is to impeach the President of the United States.

Mr. KEEFE. Outside of the question of impeachment, there is nothing that can be done?

Mr. HOFFMAN. Not that I know of. Inasmuch as the office of President is created by the Constitution I know of no way by which the Congress can reach him except, as the gentleman from Pennsylvania says, by impeachment.

Mr. KEEFE. As I understand it, Congress passed a resolution directing the Secretary of Commerce to turn over to the House for inspection the so-called Condon letter. The President directed the Secretary of Commerce not to turn that over, and he refused to turn the letter over to the committee in the face of a specific direction from the House arising from the passage of that resolution. Now we are asked to pass this resolution, and a similar situation occurs. Nothing happens, except as the gentleman from Pennsylvania indicated—the Congress, in its wisdom, based upon that simple fact, desires to initiate impeachment proceedings, thereby try to impeach the President. Now I am asking the gentleman if that is not exactly the situation that confronts us in connection with what is a very well-intentioned effort to protect what is conceived to be the proper sphere of influence and activity of the Congress and what would come about as a result of passing this resolution?

Mr. HOFFMAN. I do not think so. Assuming this resolution becomes the law of the land and it is upheld by the Supreme Court, if a congressional committee makes proper demand upon the executive department to turn over something, and it refuses, under this resolution as I expect it will be amended, the executive or the individual in the executive department so refusing would be subject to a penalty. I cannot conceive of any man being in the Presidential office who will follow a course similar to that taken by the present Executive when he called for the return of that letter. I do not believe public opinion will permit a repetition of that practice. I do not believe that any man in the White House, after he realizes what a move of that sort means, and after passage of a resolution like this and its interpretation by the Court, will have the hardihood, if I may use that word in preference to another more harsh term, to follow that course. I cannot believe that possible.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. BREHM. Does the gentleman have any opinion as to how the present Supreme Court might rule on this question?

Mr. HOFFMAN. Well, I am talking at the moment about the passage of this resolution and not its future construction. All the Congress can do is to carry out its obligation.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to ask the gentleman about a matter that I am a little doubtful whether it comes under the jurisdiction of his committee. Complaints have been made to me that the Civil Service Commission has, without consulting Congress, eliminated the requirement for an applicant to submit a photograph or fingerprints, and as a result they have professionals who stand examinations for other people. Now, members of the fire department of this city, whose names I will not give, came to me less than a week ago and said that their fire department was being stacked in that manner. I am just wondering if the gentleman's committee would have a right to go into that and investigate and see how far-reaching that practice is. Again, you remember they abolished our counter-intelligence system, and it seems to me that the pay rolls of some of these bureaus are being stacked with the most incompetent individuals of any who ever stood the examination.

Mr. HOFFMAN. I am trying to discuss this resolution.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. HOFFMAN. Mr. Chairman, I yield myself 10 additional minutes.

I hope that my good friend will not point out additional duties for our com-

mittee. We are down 200 miles under the sea now. Please let us go ahead.

Mr. RANKIN. Maybe I will wake up some other committee.

Mr. HOFFMAN. All right.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes; if it has to do with this resolution.

Mr. VORYS. The gentleman, in giving an example a moment ago, said that if the committee should by a majority vote request certain papers and the officials would refuse, that the official would be subject to punishment. As I understand the resolution, it would require not only a majority vote of the committee, but the approval of the Speaker before the law could be invoked; is that correct?

Mr. HOFFMAN. That is correct.

Mr. VORYS. So that there would be for the protection, let us say, of any official not only the requirement of the majority of the committee, but the considered judgment to be expressed through his approval of the duly elected Speaker of the House of Representatives who has, by recent law, become the successor to the Presidency itself before the procedure here could be invoked; am I correct?

Mr. HOFFMAN. The gentleman is correct. That provision was written into the resolution to quiet the fears of those very, very—maybe "timid" is not quite the word—people who think or who presume that the Members of Congress have less intelligence, less discretion, less patriotism than the employees in the executive departments. That is why it was put in there, to quiet the fears, as I say, of those who might think that the Congress may go widely astray.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. Is that not a safeguard against the encroachment of the rights of the citizen that takes away from the House the power to act freely in such matters; in other words, if the House should determine that evidence called for by a committee should be produced, then should the right to get it be conditioned upon the sanction of the presiding officer?

Mr. HOFFMAN. Perhaps not. Perhaps the gentleman is right. I am inclined to agree he is right, but I have attempted to explain why it was put in there. But there are so many people who are so doubtful, who are so fearful of your intelligence and mine, of your patriotism and mine, that they do not want to trust the Congress. They will elect us, and then someone in some other district, perhaps unaware of our standing at home, comes along and says that the Congress as a whole is not to be trusted.

But let me continue the discussion of our authority to obtain information from the executive departments.

The decision of the United States Supreme Court—United States Reports, volume 273—McGrain against Daugherty, decided on January 17, 1927, unequivocably holds that the Constitution, directly or by implication, gives the Congress the authority to obtain, from whatever source it may be desired, information necessary to enable it to carry out the duties imposed upon it by that instrument. True, in the case of Mally S. Daugherty, brother of the Attorney General, he was not an employee of the executive department. The case, however, announces the principle that a committee of either House investigating the activities of one employed in Executive departments, has the right to obtain any and all information necessary to enable it to legislate, to check on the manner in which the funds appropriated by it are spent, the manner in which the laws enacted by it are administered.

Twice in the opinion the Court stated the issue. On page 154 of the opinion we find this language:

We have given the case earnest and prolonged consideration because the principal questions involved are of unusual importance and delicacy. They are (a) whether the Senate—or the House of Representatives, both being on the same plane in this regard—has power, through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the constitution.

Again, on page 160, the Court said:

The first of the principal questions—the one which the witness particularly presses on our attention—is, as before shown, whether the Senate—or the House of Representatives, both being on the same plane in this regard—has power, through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution.

In holding that the Congress had the power to obtain information necessary to enable it to perform its duties, even though the Constitution did not in express words give that power to the Congress, the Court said:

The Constitution provides for a Congress consisting of a Senate and House of Representatives and invests it with "all legislative powers" granted to the United States and with power "to make all laws which shall be necessary and proper" for carrying into execution these powers and "all other powers" vested by the Constitution in the United States or in any department or officer thereof (art. I, secs. 1, 8). Other provisions show that, while bills can become laws only after being considered and passed by both Houses of Congress, each House is to be distinct from the other, to have its own officers and rules, and to exercise its legislative function independently (art. I, secs. 2, 3, 5, 7). But there is no provision expressly investing either House with power to make investigations and exact testimony to the end that it may exercise its legislative function advisedly and effectively. So the question arises whether this power is so far incidental to the legislative function as to be implied.

In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both Houses of Congress and in most of the State legislatures.

This power was both asserted and exerted by the House of Representatives in 1792, when it appointed a select committee to inquire into the St. Clair expedition and authorized the committee to send for necessary persons, papers, and records. Mr. Madison, who had taken an important part in framing the Constitution, only 5 years before, and four of his associates in that work, were Members of the House of Representatives at the time, and all voted for the inquiry (3 Cong. Ann. 494). Other exertions of the power by the House of Representatives, as also by the Senate, are shown in the citations already made. Among those by the Senate, the inquiry ordered in 1859 respecting the raid by John Brown and his adherents on the armory and arsenal of the United States at Harpers Ferry is of special significance. The resolution directing the inquiry authorized the committee to send for persons and papers, to inquire into the facts pertaining to the raid and the means by which it was organized and supported, and to report what legislation, if any, was necessary to preserve the peace of the country and protect the public property. The resolution was briefly discussed and adopted without opposition. (CONGRESSIONAL GLOBE, 36th Cong., 1st sess., pp. 141, 152.) Later on the committee reported that Thaddeus Hyatt, although subpenaed to appear as a witness, had refused to do so; whereupon the Senate ordered that he be attached and brought before it to answer for his refusal. When he was brought in he answered by challenging the power of the Senate to direct the inquiry and exact testimony to aid it in exercising its legislative function. The question of power thus presented was thoroughly discussed by several Senators—Mr. Sumner, of Massachusetts, taking the lead in denying the power and Mr. Fessenden, of Maine, in supporting it. Sectional and party lines were put aside and the question was debated and determined with special regard to principle and precedent. The vote was taken on a resolution pronouncing the witness' answer insufficient and directing that he be committed until he should signify that he was ready and willing to testify. The resolution was adopted—44 Senators voting for it and 10 against.

The Court then cited a number of decisions from State courts to the same effect.

After reviewing the decision in *Anderson* v. *Dunn* (6 Wheat. 204), *Kilbourn* v. *Thompson* (103 U. S. 168), *In re Chapman* (166 U. S. 661), and *Marshall* v. *Gordon* (243 U. S. 521), the Court said:

While these cases are not decisive of the question we are considering, they definitely settle two propositions which we recognize as entirely sound and having a bearing on its solution: One, that the two Houses of Congress, in their separate relations, possess not only such powers as are expressly granted to them by the Constitution, but such auxiliary powers as are necessary and appropriate to make the express powers effective; and, the other, that neither House is invested with general power to inquire into private affairs and compel disclosures, but only with such limited power of inquiry as is shown to exist when the rule of constitutional interpretation just stated is rightly applied.

The Court then held:

We are of opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. It was so regarded and employed in American legislatures before the Constitution was framed and ratified. Both Houses of Congress took this view of it early in their history—the House of Representatives with the approving votes of Mr. Madison and other Members whose service in the Convention which framed the Constitution, gives special significance to their action—and both Houses have employed the power accordingly up to the present time.

* * * * *

We are further of the opinion that the provisions are not of doubtful meaning, but,

as was held by this Court in the cases we have reviewed, are intended to be effectively exercised, and therefore to carry with them such auxiliary powers as are necessary and appropriate to that end. While the power to exact information in aid of the legislative function was not involved in those cases, the rule of interpretation applied there is applicable here. A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. All this was true before and when the Constitution was framed and adopted. In that period the power of inquiry—with enforcing process—was regarded and employed as a necessary and appropriate attribute of the power to legislate—indeed, was treated as inherent in it. Thus there is ample warrant for thinking, as we do, that the constitutional provisions which commit the legislative function to the two Houses are intended to include this attribute to the end that the function may be effectively exercised.

The contention is earnestly made on behalf of the witness that this power of inquiry, if sustained, may be abusively and oppressively exerted. If this be so, it affords no ground for denying the power. The same contention might be directed against the power to legislate, and, of course, would be unavailing. We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses. But if, contrary to this assumption, controlling limitations or restrictions are disregarded, the decisions in *Kilbourn* v. *Thompson* and *Marshall* v. *Gordon* point to admissible measures of relief. And it is a necessary deduction from the decisions in *Kilbourn* v. *Thompson* and *In re Chapman* that a witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry.

In answer to the argument that a committee might be inclined to travel far afield and obtain information not necessary to enable it to legislate, the Court said:

Plainly the subject was one on which legislation could be had and would be materially aided by the information which the investigation was calculated to elicit.

This becomes manifest when it is reflected that the functions of the Department of Justice, the powers and duties of the Attorney General and the duties of his assistants, are all subject to regulation by congressional legislation, and that the Department is maintained and its activities are carried on under such appropriations as in the judgment of Congress are needed from year to year.

The only legitimate object the Senate could have in ordering the investigation was to aid it in legislating; and we think the subject-matter was such that the presumption should be indulged that this was the real object. An express avowal of the object would have been better; but in view of the particular subject-matter was not indispensable. In the Chapman case, where the resolution contained no avowal, this Court pointed out that it plainly related to a subject-matter of which the Senate had jurisdiction, and said "We cannot assume on this record that the action of the Senate was without a legitimate object"; and also that "it was certainly not necessary that the resolutions should declare in advance what the Senate meditated doing when the investigation was concluded."

That decision has never been modified or overruled. It today is authority justifying the adoption of this resolution.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New York.

Mr. JAVITS. The gentleman objects to the amendment to section 2 of this resolution which would provide that where the secretary of an executive department marked information confidential the committee would keep it confidential?

Mr. HOFFMAN. Where he marked it?

Mr. JAVITS. In other words, there would be two ways of making information confidential under this resolution, first, if the committee so resolved, or, second, if the secretary transmitting the information asked that it be kept confidential. That part is not in this resolution.

Mr. HOFFMAN. I do not see why any secretary or anyone in the executive departments should have the final word on what information should be made available to the Congress.

THE REASON FOR THE INTRODUCTION OF THIS RESOLUTION

Earlier, something was said to the effect that this resolution did not grow out of the Condon incident. The present resolution and somewhat similar ones were drafted long before the Condon incident arose. Committees of the other body and of the House, seeking information to enable the Congress to determine whether legislation was needed, what form legislation, if needed, should take, were frequently and repeatedly denied information in the possession of executive departments.

Recently, the Civil Service Commission and the Federal Mediation and Conciliation Service in the first instance denied information to congressional committees, subsequently, and by letter, and after considerable urging, made at least part of the information available.

The Department of Justice refused, and still refuses, to give a House committee information which might reveal the sources of hundreds of thousands of dollars which were paid, part to the Federal Government, part to private individuals, in a successful effort to open the prison gates to men convicted of a conspiracy to extort a million dollars from industry. The men paroled were by Government prosecutors branded as professional criminals. One, under oath, admitted that for 30 years he had never been engaged in other than illegal business. The information sought and denied would undoubtedly disclose whether the Department of Justice did or did not connive, was or was not protecting, aiding, and abetting these paroled convicts in obtaining the paroles, in continuing at large.

It has become almost a custom for the executive departments when congressional committees come rapping at the doors, behind which it is evident there might be information which would reflect upon the activities of that particular department, to deny admission.

In committee, the opponents of this resolution argued that, inasmuch as 79 previous Congresses had not found this legislation to be necessary, this Congress should not adopt it. Seventy-nine Congresses never found the Marshall plan to be necessary. Seventy-nine Congresses never found it necessary to give to other nations more than $80,000,000,000. The statement that 79 Congresses never found legislation of this type necessary is no argument against the present need, for 79 Congresses never found executive departments so insistent in their refusal to deny to the Congress information which it needed and requested.

Never, during the existence of 79 previous Congresses, has the Nation been confronted by a bureaucracy which was so egotistical, so arrogant, so defiant of the power of the Congress as that which challenges the authority of the Eightieth Congress.

Who shall determine whether disclosure of information endangers the security of the Republic? The denial of information to the Congress rests upon the false assumption that the officials, the clerks, and the employees in the executive departments have a greater degree of loyalty and efficiency than have the Members of Congress.

It is assumed that if the Congress compels executive departments to disclose to it information which the head of that department deems to be confidential and the disclosure of which would endanger the Republic, the Congress will peddle it to the world. That assumption is an insult not only to the Members of Congress but to the people whose representatives they are. It is without foundation in fact.

It ignores the fact that the very first words of the Constitution are these:

All legislative powers herein granted shall be vested in a Congress of the United States.

That in the exercise of those powers the Congress must create and supervise departments and agencies and that every activity of those agencies must be made available to the Congress.

The Congress, and only the Congress, is given the power to provide for the common defense and the general welfare of the United States. It is given the authority "to make all laws which shall be necessary and proper for carrying into execution" the powers conferred upon it by the Constitution "and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

The Constitution has spoken; the executive departments are ill-advised to ignore its terms. The Congress has the power to adopt this legislation and it should now assert itself and recapture from the bureaucrats the power which they, without authority, are exercising.

THE PRESENT SITUATION AND THE LEGISLATION PROPOSED

Presently the executive departments are denying to the Congress information

which they label as confidential but which the committees of the Congress believe is necessary to enable it to perform the duties imposed upon it by the Constitution.

Sometimes the decision as to what information shall or shall not be given to congressional committees is made by a subordinate; sometimes it is made by the head of the department; and sometimes, as in the Condon case—as in the Steelman case—the final decision is made by the President.

This resolution seeks to make available to the Congress information which individuals in the executive department have declared to be secret, confidential, and unavailable—information which they refuse to give to the Congress.

There is no evidence that either the discretion, the intelligence, or the loyalty of those who hold office by virtue of congressional action and appropriations is superior to that of the Members of the Congress who hold office by virtue of the Constitution and the expressed will of the voters. Inasmuch as someone must assume that responsibility, there is no reason why the responsibility of determining whether the disclosure of certain information will or will not injuriously affect the security of the Republic should not rest upon the Congress, which, under the Constitution, is charged with protecting the general welfare of the Nation.

To protect, insofar as possible, the security of the Republic, while at the same time guaranteeing to the citizenry a free press and free speech, this resolution was drawn.

Note its terms. It expressly provides that a request to the executive departments for information must be made by a majority of the committee.

As a further safeguard, the resolution provides that that request must receive the approval of the Speaker or the Acting Speaker of the House, or, if the request comes from a committee of the other body, the approval of the Acting President of that body.

Certainly, the combined ability, loyalty, and discretion of a majority of a congressional committee and of the Presiding Officer of the Senate or the House is at least equal to like qualities possessed by department heads.

Nor is that the end of the safeguards contained in the resolution. It further provides that, when information has been received by a committee, the committee shall forthwith meet, and by a majority vote of the committee, determine whether the information received should be kept secret, whether a part and, if a part, what part, shall be made public and what part shall remain secret.

Do I hear a yell from the press and from certain uninformed individuals that this is an abridgment of free speech? If I do, then let me answer that, without the action of the congressional committee, the information, a part of which through the action of the committee, it may get, is beyond its reach.

Nor is the foregoing all. The resolution, following the pattern set by the Internal Revenue Code, makes it an offense for any Congressman, any member of the committee, any of the committee employees, to make public that part of the information which has by the committee been declared secret.

In conclusion, let me assert that this resolution is within the scope of the constitutional power granted to the Congress.

It is an enlargement, rather than an abridgment, of a free press.

It is rendered necessary by the recent persistent refusals of the executive department to make available to the Congress information which comes into its possession because, and only because, of legislative action and appropriations, and which information is necessary to enable the Congress to perform its legislative duties.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. HOFFMAN. Mr. Chairman, I have taken too much time, but the subject has not been half covered. I will take no more time, but only ask that Congress now assert the authority which it must have if it is to perform its constitutional duty.

Mr. McCORMACK. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is the first time in the entire history of our country that this matter has ever been presented to any branch of the Congress of the United States in the form of a bill. So we must realize that 79 Congresses have passed, and no committee of them has ever reported out such a resolution as this. Different Congresses have had individual cases such as the Condon case, for example, and there have been many heated controversies in past years, but never has any Congress reported out such a resolution during all of the constitutional history of our country. We know there were some brilliant men in the past 79 Congresses. We can assume that they must have recognized there was a zone where there must be an independence of the executive branch, the same as we have to have a sphere or zone which we must have to have our independence as a legislative body.

Certainly, in consideration of matters in executive session, you and I would not say that any other branch could demand the disclosure of such information from us. Certainly, when a Member goes down to testify in court, the House of Representatives gives that Member permission to do so because we want to preserve our independence. We recognize that if Members may be summoned and if they were to be compelled to answer such summons without the permission of the House, then the very independence of the legislative body might be impaired—even more than impaired; it might be destroyed.

So there is a place somewhere where each coordinate branch of the Government must have rights that it can pass upon itself, even if we disagree or if they disagree with us. The answer to that is on the political sphere, not in the terms of party politics, but on the part of the people; and we will answer to them.

Let me give an illustration. The gentleman from Michigan [Mr. HOFFMAN] said we could abolish any department or agency of Government. Yes; but would we? If we did, could we conduct the executive branch of the Government? If we wiped out the Treasury Department today, we would have to create some other agency, and it would have to be under the Constitution in the executive branch of the Government. We could not run the Treasury Department ourselves. Therefore, while the power exists, we would not dare exercise that power, because if we did it would become a political question in the minds of the public, and each and every one of us and the Congress itself would have to answer to the people for the exercise of such power.

So the mere fact that we have the power of appropriation does not mean that we have the power to do anything we want to in relation to the executive branch of the Government or in relation to the judicial branch of the Government.

The gentleman from Michigan also said he could not conceive of any man in the White House doing what the present occupant did in relation to the Condon papers. I am not going to debate this on whether the Condon papers should have been sent up or not, because that is only incidental to the great questions we are discussing today. That bill is more far reaching and fundamental than that. But let me call the attention of the gentleman to the fact that this is not a precedent. Theodore Roosevelt did the same thing. When Theodore Roosevelt was President, there was a controversy arose in a case between the Senate and the late Theodore Roosevelt. The President sent a special message to the Senate on January 6, 1909, that he had been orally advised by the Attorney General that, in his opinion, that there was insufficient grounds for proceeding against the steel corporation. He said:

> I have thus given to the Senate all the information in the possession of the executive department, which appears to me to be material or relevant, on the subject of the resolution. I feel bound, however, to add that I have instructed the Attorney General not to respond to that portion of the resolution which calls for a statement of his reasons for nonaction. I have done so because I do not conceive it to be within the authority of the Senate to give directions of this character to the head of an executive department or to demand from him reasons for his action. Heads of executive departments are subject to the Constitution, and to the laws passed by the Congress in pursuance of the Constitution, and the directions of the President of the United States, but to no other direction whatever.

Thereafter, the Senate subpenaed Herbert Knox Smith, who was head of the Bureau of Corporations—they had a Bureau of Corporations at that time—to appear before its Committee on the Judiciary. Mr. Smith appeared, and when he did the committee informed him that, if he did not at once transmit the papers and documents requested, the Senate would order his imprisonment. Mr. Smith reported this to the President, the latter ordered him in writing to turn over to the President all the papers in the case, "so that I could assist the Senate in the prosecution of its investigation."

What happened afterward can best be stated in President Roosevelt's own words. He said:

I have those papers in my possession, and last night I informed Senator Clark of the Judiciary Committee what I had done. I told him also that the Senate should not have these papers and that Herbert Knox Smith had turned them over to me. The only way the Senate committee can get those papers now is through my impeachment, and I so informed Senator Clark last night. The Senator informed me that the Senate was only anxious to exercise its prerogatives and, if the papers were of such nature that they should not be made public, the committee was ready to endorse my views.

But I—

This is Theodore Roosevelt speaking—

But I said, "It is just as well to take no chances with a man like Culbertson"—

The Senator from Texas—

who was behind this thing, so I will retain those papers until the 3d of March at least.

That was the expiration of his term.

Some of these facts which they want, for what purpose I hardly know, were given to the Government under the seal of secrecy and cannot be divulged; and I will see to it that the word of this Government to an individual is kept sacred.

That happened during the administration of President Theodore Roosevelt. So this particular situation is nothing new; there is precedent for it.

My friend talks about the freedom of the press. There are some pretty red faces on the Committee on Expenditures in connection with that. They voted this out; they voted this amendment out. They ought to have known that it included "any person," and that is without limitation.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. In a minute. I know that the gentleman—and I want to say he had no intent—I absolve the gentleman from that and I want to go on record——

Mr. HOFFMAN. The gentleman means he wants to ask a question and answer it too? Will the gentleman let me ask one?

Mr. McCORMACK. I just want to follow this line a little. I respect the gentleman and I will always yield to my friend when I think it is the right time—but I want to say that there is a difference between the internal revenue provision and that which is contained in the bill. It is a crime for anyone to divulge that information. We know why. Under this resolution if it is adopted then any committee can demand that income-tax returns be brought up to it, but under this resolution it becomes a crime to disclose information only if a majority of the committee decides that it is confidential. In other words, it becomes criminal only after a majority of the committee decides to make it such, whether they think it should be confidential or not. What about the Members of the minority, what about the minority view? Just because a majority determines that something should be kept confidential does not necessarily mean that it should be kept confidential. I now yield to my friend from Michigan.

Mr. HOFFMAN. The gentleman spoke about faces of members of the committee being red when this matter of the free press was brought up. I listened carefully to the lengthy, pleading, informative, logical arguments of the gentleman who is a member of the committee and I never heard him say anything about free press. Was my hearing bad? Did I miss something the gentleman said in the committee?

Mr. McCORMACK. Did the gentleman from Massachusetts vote to report the resolution out?

Mr. HOFFMAN. No, he did not.

Mr. McCORMACK. No, of course not.

Mr. HOFFMAN. Did the gentleman from Massachusetts mention anything about free press?

Mr. McCORMACK. Well, I opposed it and was justified in observing that I had that in mind; but I opposed the resolution, I voted against the resolution. The gentleman from Michigan—and I absolve him from any intent to go that far—raised it in the Rules Committee. He said: "Why should they not be guilty of treason?" Now the gentleman said it impulsively perhaps, but the gentleman said it just the same, and now he has taken the floor and made the argument in justification of keeping it in the resolution, yet he says there is going to be an amendment taking that out. So he is riding two horses on this proposition.

Since the gentleman raises that question, I voted against this resolution and the gentleman from Michigan not only voted for it but he proposed it.

Mr. HOFFMAN. That is right. Will the gentleman yield now?

Mr. McCORMACK. I yield.

Mr. HOFFMAN. Does the gentleman think it is unfair to me, for example, if I am willing to take the danger, or assume the danger of wearing a striped suit if I disclose information which the Congress thinks should be confidential? If I want to do that the members of the press might be willing to do it.

Mr. McCORMACK. I dislike putting the gentleman in jail.

I am against this resolution also because I would not want to put my friend in jail or any Member of the House, as well as of the press on a matter of this kind.

Mr. HOFFMAN. Will the gentleman permit me to say this—

Mr. McCORMACK. Go ahead.

Mr. HOFFMAN. I have never felt there was any danger of going to jail except when William Powers Maloney and the New Deal were after me.

Mr. McCORMACK. Oh, well, of course, the gentleman would sink to that low.

There is a difference between the provisions in this resolution and the provisions of law the gentleman referred to in relation to freedom of the press. But in any event an amendment will be offered. When it is offered and adopted you and I will be subject to the provisions of this resolution, your secretary will be subject to the provisions of the resolution, the stenographer in your office will be subject to the provisions of the resolution. I do not know what the amendment will be but every person in the United States, except those who might be excluded by the amendment, will be subject to the provisions of the resolution if by chance it ever becomes law.

The gentleman from Michigan says there are some people who do not want to trust Congress and that is the only reason they put the amendment in giving the Speaker and the presiding officer of the Senate a veto on the action of a committee or the majority of a committee. I have an idea the Speaker is a Member of Congress. While the Speaker is the presiding officer, I never knew that he was not a Member of this body. I know that our Speaker, the gentleman from Massachusetts [Mr. MARTIN], is elected from a congressional district in Massachusetts. I assumed that during the 150 years of our constitutional existence every man who presided over this office had been elected first as a Member this body and that he was elected Speaker by a majority of the Members of this body.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. The gentleman knows that under our Constitution the Speaker does not have to be a Member of this body.

Mr. McCORMACK. Has there ever been one who was not a Member of the body?

Mr. GRAHAM. No, but that is begging the question.

Mr. McCORMACK. Has there ever been one? Does the gentleman deny that the gentleman from Massachusetts, JOE MARTIN, is a Member of this body? Of course not. When the gentleman from Pennsylvania [Mr. GRAHAM] is discussing the law and the Daugherty case you have to draw a distinction. Under the Supreme Court decisions Members of the Cabinet are officials of the executive branch and they are different from private citizens. The Supreme Court has ruled differently on both cases. You cannot use the Daugherty case and the line of cases in support of it to justify this resolution because it is entirely different when it involves a private citizen who has been summoned and who refuses to appear or appearing refuses to answer questions than a public official.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, if we want to bring this matter to a head it is not necessary to pass a law or to pass this resolution. Let us assume that a committee of Congress vested with the power and authority to summon witnesses, called on the head of an agency, say the Secretary of Commerce, and the Secretary of Commerce appears, which he would do, and in that appearance said he cannot answer questions because it concerns confidential matters, or that the President has taken that position and has given him such instructions, which you and I would have to do if we were in his position, there is nothing in the world to stop that committee from then reporting a resolution

to the House to bring him before the bar of the House. We can try men in this body. It has not been done for some years, but it was. I am not saying we should in view of the intricate problems of the day, but we have that power. We have original jurisdiction.

We could then make a test case, purely impersonal; bring the man before the bar of the House, then he could bring a writ of habeas corpus, which would immediately throw the matter in the courts. I submit this whole question would then be squarely presented to the courts. That would be the quick way to do it. Yet seventy-nine Congresses in their wisdom never went that far, seventy-nine Congresses even in the heat of the days succeeding the War Between the States or even before the War Between the States in the heat of arguments that arose in those periods never went that far.

This is nothing new. It first started with George Washington. The question arose on the right of the executive branch of the Government, the President, to determine on confidential matters or confidential papers.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield further?

Mr. McCORMACK. I yield.

Mr. HOFFMAN. Of course, the issue between Washington and Congress at that time had to do with foreign policy which, under the Constitution, clearly came within his exclusive jurisdiction.

Mr. McCORMACK. In George Washington's time it was instructions to a United States Minister concerning the Jay Treaty.

In Thomas Jefferson's time it was confidential information and letters relating to Burr's conspiracy.

In James Monroe's time it was documents relating to conduct of naval officers.

In Andrew Jackson's time it was copy of a paper read by President to heads of departments relating to removal of bank deposits. Copies of charges against removed public officials. List of all appointments made without Senate's consent, since 1829, and those receiving salaries, without holding office.

In John Tyler's time it was names of Members of Twenty-sixth and Twenty-seventh Congresses who applied for office. Report to War Department dealing with alleged frauds practiced on Indians, and Colonel Hitchcock's views of personal characters of Indian delegates.

In James K. Polk's time it was evidence of payments made through State Department, on President's certificates, by prior administration.

In Millard Fillmore's time it was official information concerning proposition made by King of Sandwich Islands to transfer islands to United States.

In James Buchanan's time it was message of protest to House against resolution to investigate attempts by Executive to influence legislation.

In Abraham Lincoln's time it was dispatches of Major Anderson to the War Department concerning defense of Fort Sumter.

In Ulysses S. Grant's time it was information concerning Executive acts performed away from Capitol.

In Rutherford B. Hayes' time it was Secretary of Treasury refusal to answer questions and to produce papers concerning reasons for nomination of Theodore Roosevelt as collector of Port of New York.

In Grover Cleveland's time it was documents relating to suspension and removal of Federal officials.

In Theodore Roosevelt's time it was Attorney General's reasons for failure to prosecute United States Steel Corp. Documents of Bureau of Corporations, Department of Commerce.

In Calvin Coolidge's time it was list of companies in which Secretary of Treasury Mellon was interested.

In Herbert Hoover's time it was telegrams and letters leading up to London Naval Treaty. Testimony and documents concerning investigation made by Treasury Department.

In Franklin D. Roosevelt's time it was Federal Bureau of Investigation reports.

Director, Bureau of the Budget, refused to testify and to produce files. Chairman Federal Communications Commission and Board of War Communications refused records.

In Franklin D. Roosevelt's time it was General Counsel, Federal Communications Commission, refused to produce records. Secretaries of War and Navy refused to furnish documents, and permission for Army and naval officers to testify. J. Edgar Hoover refused to give testimony and to produce President's directive.

In President Truman's time it was issued directions to heads of executive departments to permit officers and employees to give information to Pearl Harbor Committee. President's directive did not include any files or written material. Civil Service Commission records concerning applicants for positions.

There have been others. There is a history going right back to the days of Washington, of President after President, with due respect to the Congress, but feeling that it was their constitutional duty not to disclose it. Whether they were right or wrong, I am not going to argue that. I am arguing with respect to their rights. If they were wrong, they were responsible to the people, just the same as we are. There has got to be independence in this body. There has got to be independence in the executive branch. There has got to be independence in the judiciary. We have to respect one another. These questions arose on isolated occasions, but unfortunately they did arise.

I am not going to argue the right or wrong in any of these cases. I say that the President of the United States, whoever he is, on confidential matters must have the right of judgment. If he is wrong, then it is up to the people. We have a right to express our views, but we have no right to force them on the Executive, because if we use force it means that the Executive becomes completely subject to the Legislature. Certainly that was never the intent of the framers of the Constitution, any more than it was the intent that we should become subject to the executive branch of the Government or to the judicial branch, or vice versa.

This is a deep constitutional question. I am arguing on the merits what is a deep question of law. I have here a report about which very few know, in the case of George F. Seward, in the Forty-fifth Congress, where the matter was referred to the Committee on the Judiciary. This report is signed by Benjamin F. Butler, the chairman. What did Butler say in part?

But it may be asked, cannot the House direct a subpena to any executive officer of the departments to produce any books actually in his possession in the course of official duty, and bring them before the House for the purpose of information or to aid an inquiry? Certainly that can be done, and, in proper cases, ought to be done; but, in contemplation of law, under our theory of government, all the records of the executive departments are under the control of the President of the United States; and, although the House sometimes sends resolutions to a head of a department to produce such books or papers, yet it is conceived that, in any doubtful case, no head of department would bring before a committee of the House any of the records of his office without permission of, or consultation with his superior, the President of the United States; and all resolutions directed to the President of the United States to produce papers within the control of the Executive, if properly drawn, contain a clause, "If in his judgment not inconsistent with the public interest." And whenever the President has returned (as sometimes he has), that, in his judgment, it was not consistent with the public interest to give the House such information, no further proceedings have ever been taken to compel the production of such information. Indeed, upon principle, it would seem that this must be so. The Executive is as independent of either House of Congress as either House of Congress is independent of him, and they cannot call for the records of his action or the action of his officers against his consent, any more than he can call for any of the journals and records of the House or Senate.

The highest exercise of this power of calling for documents, perhaps, would be, in the course of justice, by the courts of the United States, and the House would not for a moment permit its journals to be taken from its possession by one of its assistant clerks and carried into a court in obedience to a subpena duly issued by the court.

The House wants to grant permission by action of the House.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I yield myself 10 additional minutes.

The mischief of the House calling for documents might easily be a very great one. Suppose the President is engaged in a negotiation with a foreign government, one of a most delicate character, upon which peace or war may depend, and which it is vitally necessary to keep secret; must he, at the call of the House, or of any committee of the House, spread upon its records such state secrets to the detriment of the country? Somebody must judge upon this point.

That is true. Somebody must judge there. This resolution states that it shall be the Speaker in the case of the House, after a majority of the committee

have voted in favor of it. It takes this right to be the one to judge away from the President. In effect that is what it does, and places it not in a majority of the committee but in a majority of the committee and the Speaker. Thus the Speaker has a veto power, so under this bill the power is given to the Speaker of the House of Representatives after action has been taken by a committee. The same thing applies to the Presiding Officer of the Senate.

Continuing:

Somebody must judge upon this point. It clearly cannot be the House or its committee, because they cannot know the importance of having the doings of the executive department kept secret. The head of the executive department, therefore, must be the judge in such case and decide it upon his own responsibility to the people—

That is correct. If he makes a mistake, his responsibility is to the people—

and to the House, upon a case of impeachment brought against him for so doing, if his acts are causeless, malicious, willfully wrong, or to the detriment of the public interests.

There is a report of the House Committee on the Judiciary of the Forty-fifth Congress.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MILLER of Connecticut. I wonder why in those cases that the gentleman from Massachusetts has cited someone did not feel strongly enough about the matter to follow through and have the Supreme Court of the United States decide the constitutional question involved.

Mr. McCORMACK. The only inference we can draw there, my friend, is that in the past 79 Congresses, and I have cited many cases, the legislative branch has not asserted the right. I am not challenging that right. But then the Executive said, "It is a matter for me to determine under the Constitution." And the legislative branch never joined the issue.

Mr. MILLER of Connecticut. In other words, no Congress felt strong enough about the matter to have it settled by the Supreme Court.

Mr. McCORMACK. I am not challenging the fact that there is that right, but the assertion of the right is a different question. I must recognize that there must be an independence of the other branches which must be preserved the same as the independence of the legislative branch must be preserved, and I say that under our form of government, consisting of the three coordinate branches, the President of the United States is the one to judge, and not the Congress. And, in turn, the judge of the President of the United States is the people.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. COLE of Kansas. According to the illustration given by the gentleman in the cases that he has cited, as I understand the matter, the resolution as amended will not apply to the State Department, would it?

Mr. McCORMACK. Yes.

Mr. COLE of Kansas. In other words, in line 4 of the present resolution, where it says "departmenets created by Congress," that would apply to the State Department?

Mr. McCORMACK. Yes. It is created by Congress.

Mr. COLE of Kansas. That would include the State Department?

Mr. McCORMACK. Yes. The gentleman will find that all the departments and agencies are created by Congress. The executive branch is a constitutional branch. But then the Congress passes laws creating the different departments and agencies.

Mr. COLE of Kansas. The gentleman thinks that this covers the State Department?

Mr. McCORMACK. Yes; it covers all agencies and all departments, as I understand it, in the executive branch of the Government.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. NICHOLSON. Are these men who are on the radio as commentators and selling soap and hats and other things considered as part of the press?

Mr. McCORMACK. If the gentleman would ask me if radio commentators are considered as part of the press without reference to what the sponsor is selling, I would say "Yes" and they should be so considered. We have to stand for some things that we may not personally like to preserve the rights that we all possess. I say that in no critical sense, but they do come within the purview of freedom of the press and freedom of speech. In any event they come within the purview of the rights guaranteed by the Constitution. That would be my answer to the gentleman.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ALBERT. Are not the inferior courts created by the legislative branch of the Government?

Mr. McCORMACK. Yes.

Mr. ALBERT. Are they not as independent a third branch as the executive departments?

Mr. McCORMACK. They are exactly.

Mr. EBERHARTER. Under the provisions of this bill, could a committee call on the State Department for a confidential letter which they had obtained from some foreign government?

Mr. McCORMACK. Absolutely.

Mr. EBERHARTER. Or the matter might be with respect to some treaty negotiation or with respect to any matter in process of settlement between the two countries?

Mr. McCORMACK. Absolutely. The only place where this would not operate would be with reference to the President and to the office of the President of the United States. Then what we would do is pass a resolution if it is consistent with the public interest or words to that effect. Furthermore, you must remember that the information we want is on legislative matters. The Executive engages in many activities in enforcing the law and in dealing with other countries which are not legislative in nature. You must remember that a great many confidential papers have no relationship to legislation. Of course, by a far stretch of interpretation, you could bring everything in. I will admit that. But I am trying to apply a rule of reason to the operation of our Government. This resolution, if it became law, would include everything.

Mr. MacKINNON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MacKINNON. All of the papers that the gentleman has mentioned relate to the manner in which laws passed by the Congress are being administered.

Mr. EBERHARTER. If the gentleman will yield to me in that connection, the State Department does a great many things pursuant to the Constitution with reference to which no legislation has been passed, such as the making of treaties, and the gentleman's argument therefore does not apply.

Mr. MacKINNON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MacKINNON. I will discuss that at greater length in my remarks but all of that is done on money appropriated by Congress.

Mr. EBERHARTER. Oh, that is not a matter of legislation.

Mr. McCORMACK. That is not a matter of legislation, because we appropriate money. To say that because we appropriate the money we could destroy all the agencies of the executive branch of the Government, is not proper.

Mr. MacKINNON. We are not destroying anything.

Mr. McCORMACK. But you say we appropriate the money. I will agree to that. But would we? If we did, what would we do? We would have to establish some other agency. If you do not call it the Treasury Department you have to call it something else. We could not administer the executive branches of Government, because under the Constitution we cannot. Never mind the practical difficulties, we simply cannot. So that the argument that we have the power to appropriate, then it becomes a higher political question of us with the people, just the same as in the case of the President who says that "these papers are papers that in the exercise of my duty as President of the United States and under the Constitution I should not transmit," then he has to answer to the people.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. KNUTSON. As I read the resolution that is now before the House, it would confer the power of subpenaing papers to any department of Government, including the Treasury Department.

Mr. McCORMACK. Everything.

Mr. KNUTSON. Including income-tax matters.

Mr. McCORMACK. Yes.

Mr. KNUTSON. Now, the gentleman, who was the distinguished majority leader in the prior Congress and for many years a valued member of the Committee on Ways and Means, will agree that that would be a very dangerous thing to do?

Mr. McCORMACK. I referred to that in the earlier part of my remarks. I agree with my friend.

Mr. KNUTSON. I am sorry I did not hear the gentleman's entire speech.

Mr. McCORMACK. But, again, what I am trying to convey is this: We are debating one of the most important questions that has ever faced the Congress. This is a constitutional question of the deepest importance. That is all I can say. I respect the views of my friends. I never impugn the motives of any Member, and in disagreement I respect their views and ask them to respect mine. We may have little pleasantries on the political field, but we all understand that, if it is done on a high plane, without an attempt on the part of one Member to destroy another Member, that is all very well.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. McCORMACK. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, if I have impressed upon the membership the great importance of this constitutional question, I feel that I shall have accomplished something as a result of my remarks.

Mr. HOEVEN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOEVEN. There is much merit in the position taken by the gentleman. I am wondering would the gentleman favor a resolution which would limit this question as to where the loyalty of a Government employee is involved; that in that particular case the papers should be turned over.

Mr. McCORMACK. Let me answer that. I am glad the gentleman asked that because it calls to my attention an observation I wanted to make.

You remember when the Loyalty Committee was established that the FBI was to make the investigation. You remember J. Edgar Hoover said that the FBI would not make the investigation if the investigation was made known even to the person whose loyalty was in question. Now, that is pretty far-reaching. When I saw that, I said, "Here I am charged with a crime. I am not entitled to know my charge or my accuser, but here I am a Federal employee and I am not entitled to know what the FBI has found out, yet those on the Board can know and pass upon it. I and my attorney cannot know." Mr. Hoover said it would destroy the effectiveness of the FBI to carry out his work, because he and his agents have to talk to many persons who give him information in confidence.

I do not know whether that answers my friend's question or not.

J. Edgar Hoover himself, as I remember, refused to permit the FBI to be used as the medium of investigation if the person whose loyalty might be questioned, if he or his attorney were permitted to see what the reports were in order to prepare their case. That disturbed me, but then I saw his reason and I hesitated. I have not yet formed an opinion—I will be frank—but I cannot ignore the reasons of J. Edgar Hoover with his vast experience in taking the stand he does. Then I realized that in investigations such as his Bureau makes they have got to rely on a lot of information coming from people who exact from them the promise to keep their names confidential.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BOGGS of Louisiana. The gentleman is making a very broad and comprehensive statement, and I congratulate and commend him upon his doing so. Also I came in after the gentleman had begun his address, and he may already have covered what I want to ask. It seems to me that this is one of the most flagrant invasions of the authority of the executive by the legislative that has come before the Congress since I have been here. Has the gentleman discussed the constitutional implications of this legislation?

Mr. McCORMACK. No; I have it all here, and I intend to put it in the RECORD. My purpose was to try and convey just one message to the membership, the real basic question involved. That is the message I want to convey. When my friend discusses the law—and he is a brilliant lawyer—I will ask him to differentiate between public officials and private individuals summoned before a legislative committee. The Daugherty case was that of a private individual. That is entirely different than summoning the head of an agency or a member of the President's Cabinet.

This is the first time in the constitutional history of our country that this matter has been presented to the Congress in the form of a resolution. It raises this very deep fundamental question that goes to the very roots of our Goverment in its organizational set-up and in its operational operation, and to the very roots of the integrity of the three coordinate branches of Government. These things unfortunately arise every now and then, but to try and meet it by a head-on invasion of other branches necessary to its existence is not the approach. It should be by individual cases. As a matter of fact, if this Congress wanted to approach it and have it acted upon speedily the way to do it would be to summon the one who refused to testify on the ground that the papers were confidential or that the President had ordered him not to do so—a friendly proceeding could be made of it—and when he was brought before the bar of the House he could then exercise his legal right, and I assume it would be in the nature of a writ of habeas corpus and this whole grave question decided in an orderly way by the courts of the country.

I hope that my friends without regard to party, recognizing the solemnity of their oath on this great constitutional question, will pass upon it in accordance with the views they entertain in their conscience, not on the basis of policy, but treat it as a question of the gravest constitutional nature.

Mr. Chairman, under permission granted to revise and extend, I include the following in my remarks:

The constitutional objections to House Joint Resolution 342 may be briefly summarized as follows:

The resolution will result in the coercion of the executive departments. Its purpose is to compel the heads of those departments, against the wishes of the President, to furnish information, papers, and documents to congressional committees after the President has determined that it would be against the national public interest to do so. In effect, the resolution proposes to make of the executive departments an adjunct of the legislative branch. Henceforth, says the resolution, heads of the executive departments are to be the servants of the majority of a congressional committee, which shall have the power to supervise the executive branch of the Government. In short, to the extent that congressional committees are to direct the executive departments, in violation of and against the orders of the President, and the heads of those departments, those committees will be clothed with a supreme unrestrained executive power. It will be helpful to review what the Constitution states concerning the executive power.

The Constitution provides:

> The executive power shall be vested in a President of the United States (art. 2, sec. 1, clause 1).

Before entering on the execution of his office the President must take an oath:

> I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States (art. 2, sec. 1, clause 7).

And the President is also required to "take care that the laws be faithfully executed"—article 2, section 3.

While the Constitution does not mention the words "Cabinet officer" or "Cabinet member," it does provide that the President may require the opinion in writing of the principal officers of each of the executive departments, and the President is also given power, with the Senate's consent, to appoint the heads of of departments—article 2, section 2, clause 2.

From 1789 until 1913 there were established 10 executive departments, all of which partake of one uniform system and function, to enable the President to perform his duties under the Constitution as the Chief Executive officer of the Nation. The present attempt by Congress to interfere with the President's executive function is not new. Attorney General Mitchell, in an opinion to President Hoover dated January 24, 1933, wrote:

> Attempting to have committees of Congress approve Executive acts, or execute administrative functions, or participate in the execution of laws is not a new idea. Carried to its logical conclusion it would enable Congress, through committees or persons selected by it, gradually to take over all Executive functions or at least exercise a veto power upon Executive action, not by legislation withdrawing authority, but by the action of committees, or of either House acting separately from the other (37 Op. A. G. 62).

II. COURT DECISIONS

The rule of law which governs the exercise of the President's power, under the Constitution, to control the acts of the heads of departments, was stated by Chief Justice Marshall in *Marbury*

v. *Madison* (1 Cranch 137, 143, 144 (1803)), as follows:

By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which Executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: they respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive (p. 164).

The assertion has also been made that since Congress created the executive departments, they necessarily have the power to compel the heads of those departments to obey its commands, rather than the President's wishes. Chief Justice Taft answered that contention as follows:

But it is contended that executive officers appointed by the President with the consent of the Senate are bound by the statutory law and are not his servants to do his will, and that his obligation to care for the faithful execution of the laws does not authorize him to treat them as such. The degree of guidance in the discharge of their duties that the President may exercise over executive officers varies with the character of their service as prescribed in the law under which they act. The highest and most important duties which his subordinates perform are those in which they act for him. In such cases they are exercising not their own but his discretion. This field is a very large one. It is sometimes described as political. (*Kendall* v. *United States* (12 Peters, 524 at p. 610).) Each head of a department is and must be the President's *alter ego* in the matters of that department where the President is required by law to exercise authority. (*Myers* v. *United States* (272 U. S. 52, 132–133).)

After citing instances of Executive dealings with foreign governments and with domestic problems, Chief Justice Taft stated:

In all such cases, the discretion to be exercised is that of the President in determining the national public interest and in directing the action to be taken by his executive subordinates to protect it. In this field his Cabinet officers must do his will. He must place in each member of his official family, and his chief executive subordinates, implicit faith * * *

The duties of the heads of departments and bureaus in which the discretion of the President is exercised and which we have described, are the most important in the whole field of executive action of the Government (p. 134).

Finally, in *Humphrey's Executor* v. *United States* (295 U. S. 602), the Court stated:

The fundamental necessity of maintaining each of the three general departments of Government entirely free from the control or coercive influence, direct or indirect, of either of the others, has often been stressed and is hardly open to serious question. So much is implied in the very fact of the separation of the powers of these departments by the Constitution; and in the rule which recognizes their essential coequality. The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there (pp. 629–630).

In *McGrain* v. *Daugherty* (273 U. S. 135 (1926)), the principal question before the Court was whether the Senate had the power, through its own process, to compel a private individual to appear before one of its committees, in order that he might give testimony needed to enable the Senate efficiently to exercise a legislative function belonging to it under the Constitution.

After reviewing the legislative practice beginning with an investigation by the House of Representatives in 1792, the statutes relating to the compulsion of the testimony of private persons, and the Court decisions, the Court thus stated its conclusion:

So, when their practice—

Referring to both Houses of Congress—

in the matter is appraised according to the circumstances in which it was begun and to those in which it has been continued, it falls nothing short of a practical construction, long continued, of the constitutional provisions respecting their powers, and therefore should be taken as fixing the meaning of those provisions, if otherwise doubtful (p. 174).

The heart of the case, and the reason for the Court's finding that there was a legislative power to summon private persons for inquiry, was because of a practice, long continued, of summoning private persons before the Houses of Congress to give testimony and to produce papers.

Applying the principle of the Daugherty case to the long-continued practice by the executive branch to withhold confidential papers from Congress and its committees, we find:

1. Ever since 1796, the executive branch has asserted the right to say "No" to the Houses of Congress, when they have requested confidential papers which the President or the heads of departments felt obliged to withhold, in the public interest.[1]

2. Beginning with the denial by a court, in a criminal trial, of a subpena for the production of a letter by President Adams in 1800,[2] the courts have uniformly held that they will not compel a President or head of department to give testimony or to produce papers which, in his judgment, required secrecy.[3]

3. More significant still is the fact that never in our entire history has either House taken any steps to enforce requests for the production of testimony or documents which have been refused by the executive branch. In the two famous debates on this subject, in the Cleveland and Theodore Roosevelt administrations, it was admitted that it was useless to pass reolutions aimed at forcing compliance by the Executive with congressional requests for papers and documents, when the Executive could ignore such resolutions.[4]

It appears clear, therefore, that we have, in the words of the Supreme Court in the Daugherty case, "a practical construction, long continued, of the constitutional provisions respecting their powers," by the executive and legislative branches—273 United States 174. The long-continued practice of the executive branch to withhold confidential papers, in the national public interest, from the legislative branch, and the passage of no law by Congress to change that practice argue persuasively for the possession of such a power, under the Constitution by the Executive. It is not likely that the United States Supreme Court will lightly ignore more than 150 years of legislative acquiescence in the assertion of that power.

Our conclusion is fortified by the views of William Howard Taft, who wrote, following his retirement from the Presidency and prior to his appointment as Chief Justice:

There is in the scope of the jurisdiction of both the Executive and Congress a wide field of action in which individual rights are not affected in such a way that they can be asserted and vindicated in a court. In this field the construction of the power of each branch and its limitations must be left to itself and the political determination of the people who are the ultimate sovereign asserting themselves at the polls. Precedents from previous administrations and from previous Congresses create an historical construction of the extent and limitations of their respective powers, aided by the discussions arising in a conflict of jurisdictions between them.[5]

Referring to the Daugherty case, the Supreme Court, in *Sinclair* v. *United States* (279 U. S. 263, 291), stated:

And that case shows that, while the power of inquiry is an essential and appropriate auxiliary to the legislative function, it must be exerted with due regard for the rights of witnesses, and that a witness rightfully may refuse to answer where the bounds of the power are exceeded or where the questions asked are not pertinent to the matter under inquiry.

It has always been recognized in this country, and it is well to remember that few, if any, of the rights of the people guarded by fundamental law are of greater importance to their happiness and safety than the right to be exempt from all unauthorized, arbitrary, or unreasonable inquiries and disclosures in respect of their personal and private affairs. In order to illustrate the purpose of the courts well to uphold the right of privacy, we quote from some of their decisions (pp. 291–292).

Both the Daugherty and Sinclair cases dealt with private individuals who had refused to testify before Senate committees. We have noted the statement of the Supreme Court that there are bounds of power which Congress and its committees may not exceed in questioning private persons, whose rights are guarded by fundamental law. The rights of the executive branch would seem to be guarded by the same fundamental law, the Constitution, which declares the executive branch to be independent of the other two branches, and gives it the right to resist unbounded assertions of inquiry. If, in the judgment of the Supreme Court, private witnesses may rightfully refuse to answer, the President and heads of departments have their rights not to answer inquiries requiring disclosure of confidential information, which they have asserted almost from the beginnings of our Government.

---

[1] William Howard Taft, Our Chief Magistrate and His Powers (1916), p. 129; Binkley, President and Congress (1947), pp. 44, 167; Finley and Sanderson, the American Executive and Executive Methods, pp. 199 ff.

[2] Trial of Thomas Cooper, Wharton's State Trials (1800), p. 667.

[3] *Marbury* v. *Madison*, supra, p. 3 of this memorandum.

[4] Forty-third CONGRESSIONAL RECORD 3730, 3732 (1909).

[5] Taft, Chief Magistrate (1916), pp. 1–2.

III. THE HOUSES OF CONGRESS HAVE IN THE PAST FOLLOWED THE SUPREME COURT DECISIONS

The foregoing decisions of the Supreme Court, which declare that the decision of the Executive is conclusive in matters involving the exercise of political and executive discretion, have been acted upon by the House of Representatives and Senate. Thus, in 1879, during the administration of President Hayes, the House Judiciary Committee had to deal with the failure of George F. Seward, consul general of the United States in China, to testify before the House Committee on Expenditures in the State Department. Seward had failed to produce records pursuant to a subpena. The Judiciary Committee report stated that Seward was not in contempt for the following reason:

> And whenever the President has returned—
>
> As sometimes he has—
>
> that, in his judgment, it was not consistent with the public interest to give the House such information, no further proceedings have ever been taken to compel the production of such information. Indeed, upon principle, it would seem that this must be so. The Executive is as independent of either House of Congress as either House of Congress is independent of him, and they cannot call for the records of his action or the action of his officers against his consent any more than he can call for any of the journals and records of the House or Senate. (Rept. No. 141, p. 3, 45th Cong., 3d sess.)

The report concluded by boiling the issue down to this narrow point: Who is the best judge, in a close case, of the propriety of divulging to any committee of the House state secrets? Is it the House or is it the President? We quote from the report:

> Somebody must judge upon this point. It clearly cannot be the House or its committee, because they cannot know the importance of having the doings of the executive department kept secret. The head of the executive department, therefore, must be the judge in such case and decide it upon his own responsibility to the people, and to the House, upon a case of impeachment brought against him for so doing, if his acts are causeless, malicious, willfully wrong, or to the detriment of the public interests. (Rept. No. 141, pp. 3–4, 45th Cong., 3d sess.)

In the Senate debate on the Legislative Reorganization Act of 1946, Public Law 601, Seventy-ninth Congress, Senator DONNELL'S familiarity with the Supreme Court's views and decisions concerning the separation of powers of the three branches of our Government was directly responsible for striking out the word "surveillance" and the substitution for it of the word "watchfulness" in section 136 of the act.

Section 136 provides that to assist Congress in appraising the administration of the laws, and in developing necessary legislation, each standing committee of the Senate and the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of all laws, the subject matter of which is within the jurisdiction of such committee.

Senator DONNELL feared that if the standing committees of the Senate and House were to have the power of surveillance of the executive branch they would, by the very definition of that word, have the right to inspect and review what the executive agencies were doing. But, under the Constitution, that would be an improper exercise of power by the legislative branch. We quote the views of Senator DONNELL and Senator La Follette in the Senate debate:

> Mr. DONNELL. * * * I do, however, have in mind this point: It seems to me that we clearly have in our type of Government three distinct divisions—the judicial, the executive, and the legislative. It appears to me that when the legislative has enacted legislation the function of administering the legislation thereupon rests with the executive department of the Government. I do not deem it advisable that the legislative department shall undertake either to make itself an adjunct to the executive department or that it shall have upon itself the responsibility of seeing that there is a proper administration of the law which it has itself passed and the administration of which it has cast upon specific persons or agencies.
>
> It appears to me that it would be very unfortunate if there should arise the inference from this section of the bill that it is intended hereafter that the standing committees of this body shall be in effect an operating branch of the Government and shall undertake to control the exercise of power by the administrative agencies.[6]
>
> Mr. LA FOLLETTE. * * * I am just as conscious as is any other Senator of the field upon which the Congress must not transgress, and has no right to transgress. That is the field of administering and executing the laws.[7]

It is well to point out that Senator La Follette was head of a Senate committee, and was coauthor with Congressman MONRONEY of the legislative reorganization bill. The bill, as finally adopted in the Senate and the House, was the "end product of more than a year of study, hearings, and deliberations conducted by the Joint Committee on the Organization of Congress—Ninety-second CONGRESSIONAL RECORD, page 6344.

Although Senator La Follette's original report to the Senate proposed the "inspection and review" of the administrative agencies of the Government by the standing committees of the Senate and House—Report 1400, Seventy-ninth Congress, second session, May 31, 1946, page 6—he was obliged to accept Senator DONNELL'S amendment following debate. Furthermore, the Senate rejected an amendment which was offered by Senator MCCLELLAN which aimed at the compulsion of both testimony and papers from the heads of departments and other Government employees and officials—Ninety-second CONGRESSIONAL RECORD, 6555, 6566. Thus, the Legislative Reorganization Act, and in particular section 136, which we discussed, represents the crystallized views on the reorganization of Congress following painstaking work by a joint Senate and House committee, and debate by the House and Senate.

The quintessence of the argument which won the Senate's approval of the present wording of section 136 of the Reorganization Act, and rejected the terms "inspection and review," "surveillance," or superintendence by the legislative branch of the executive branch, is contained in the following words, which were likewise uttered by Senator DONNELL:

> Mr. DONNELL. * * * To my mind, we are discussing something of fundamental importance. To my mind, the obligation of the Congress of the United States does extend to the point of watchfulness, and to the extent of subsequent legislation which may prove necessary in order to correct abuses. But I do not believe that it is the duty of the Congress of the United States to undertake to administer, the respective executive branches.[8]

IV

Tested by the foregoing Supreme Court decisions, and by the action of both Houses of Congress, the resolution constitutes an unconstitutional encroachment by the legislative branch upon the executive branch.

V. MISCONCEPTIONS IN THE MAJORITY REPORT

It may be well to address ourselves briefly to some fundamental errors which appear in the report of the majority of the Committee, and in the answer to minority report—House Report 1595, Eightieth Congress, second session.

(a) In the amended version of the joint resolution the words "created by the Congress" were inserted in line 4 of page 1. That insertion appears to conform with the statements contained on page 4 of the majority report under the heading "The issue." It highlights the reasons for the assertion by a majority of the Committee of a power to direct the executive departments.

The proponents of the resolution assert that since Congress has authority to create the executive departments, and has exercised that authority, and since it is charged with the duty of appropriating funds and enacting legislation for the proper and effective activities of the executive agencies, it therefore has both the right and the duty to obtain all needed information from the executive agencies.

We have referred to Chief Justice Taft's answer to the foregoing argument in the Myers case—see pages 3 and 4 of this memorandum. We will therefore not dwell upon it here. However, it is well to point out that neither the resolution nor the arguments of the proponents are new. A similar resolution was introduced in the Senate in the administration of Theodore Roosevelt. It provided that every public document in the files of any department of the Government relating to any subject over which Congress had jurisdiction was subject to the call or inspection of the Senate—Forty-third CONGRESSIONAL RECORD 839, 1909; Senate Resolution 248, Sixtieth Congress, second session.

The arguments of the Senators who favored adoption of the resolution were: Congress was responsible, in the very beginning of our Government, for creating by statute the executive departments. What Congress created, it can at any time modify by statute or entirely abolish. Since Congress created the departments, the heads of those departments owe their principal obligation to it. Either House of Congress may,

[6] 92 CONGRESSIONAL RECORD, 6445 (1946).
[7] Ibid., p. 6446.
[8] 92 CONGRESSIONAL RECORD 6446 (1946).

therefore, demand compliance by heads of departments with calls for information and papers.

Opponents of the resolution argued that it was impossible to settle a controversy with the executive branch by means of a resolution. Final settlement lay "in the observance by both Houses of Congress of the constitutional relations that exist between the coordinate departments of the Government." Senator Dolliver asked some pointed questions in the 1909 debate which struck at the vitals of the controversy. He said:

> What I want to know is, where Congress gets authority either out of the Constitution or the laws of the United States to order an executive department about like a servant. (43 CONGRESSIONAL RECORD, p. 3732 (1909).)

Senate Rayner answered by asserting that each House of Congress had the power to order anyone that had information or documents coming within its jurisdiction and control. He cited the Kilbourn and Chapman cases—*Kilbourn* v. *Thompson* (103 U. S. 168); *In re Chapman* (166 U. S. 661)—in support. Senator Dolliver replied that those cases involved private citizens who had refused to appear and give testimony before committees of the Senate, and not officials of the executive departments—Forty-third CONGRESSIONAL RECORD, page 3732.

Senator Beveridge made the point that "there was the gravest possible question of power involved." He went on to assert that, assuming that the Senate were willing to ignore all the precedents, beginning in Washington's day, and assuming that the Senate had the power to demand information from the executive departments, "to whom should the demand go? Should it not go to the President?" He went on and asked:

> Is it possible that the Congress should not direct its demand for information to the supreme head of the executive departments? All of those departments act in unison. It is to the efficiency of the Government that they act in unison. Shall Congress in a mood of petulance or anything else go over the head of the President, to whom it should respectfully prefer its request, and go to one of his Cabinet members? What is the objection to having the President direct his various Cabinet officers as to furnishing the information demanded by Congress? That question has not even been touched upon in this debate.
>
> So we see it is not only a question of power, but it is also a question of propriety. It occurs to me that a President would be seriously lacking in self-respect who did not resent passing over his head to one of his Cabinet officers.[9]

The debate also developed the point that there was no way to enforce the resolution if the President directed the heads of departments to disregard it. The President and the heads of departments, in a proper case, might resolve to pay no attention to any request for documents; passing the resolution, therefore, would be a futile gesture—Forty-third CONGRESSIONAL RECORD, pages 3730, 3732, 1909.

The resolution did not come to a final vote.

Professor Willoughby, in his well-known treatise, The Constitutional Law of the United States, discusses the resolution and refers to the foregoing Senate debate. He concludes that the constitutionality of the position taken by President Theodore Roosevelt would seem to be clear. President Roosevelt had refused to the Senate Judiciary Committee the information which the Senate resolution aimed to obtain, and had instructed Colonel Knox, the head of the Bureau of Corporations, Department of Commerce, who had the documents in question, to ignore a subpena request by the Senate Judiciary Committee, as well as the threat of that committee to imprison Colonel Knox for failure to honor the subpena.

Referring to the contests between Congress and the Presidents as to the right of the former to compel the furnishing to it of information, Willoughby states that it has been established that the President may exercise full discretion as to what information he will furnish, and what he will withhold—W. W. Willoughby, The Constitutional Law of the United States, second edition, 1929, pages 1488–1491; see also Forty-first CONGRESSIONAL RECORD, pages 104, 105, 1906.

The Joint Committee on the Organization of Congress published a joint committee print wherein the views of Prof. Herman Finer of Harvard University are contained. We quote therefrom:

> But how far can the Executive be compelled to answer—this is the decisive question. It would seem to me that the Executive is highly protected. Impeachment is a birch rod in a cupboard too far away from the everyday domestic scene to worry a department head. *McGrain* v. *Daugherty* (237 U. S. 135, 1927) gives a wide interpretation to the power of inquiry, but does not refer to those who currently hold office, as against the Presidential power to direct them not to give information.
>
> In 1906 (CONGRESSIONAL RECORD, December 6, 1906), the gist of a Senate debate on the subject of obtaining information from Cabinet officers, even when directed by resolution of the Senate, was that information had been withheld in whole or in part by order of the President, and no remedy was available. Cleveland (Senate, March 1, 1886) supported his Attorney General in refusing information to the Senate.
>
> * * * * * * *
>
> * * * It is the President who has the sole constitutional authority to see that the laws are faithfully executed, with the vast meaning this phrase has acquired. * * * His Cabinet has small authority distinct from his authority: In the sense that really matters they are subordinates.[10]

Views similar to those expressed by Professors Willoughby and Finer are to be found in standard texts which have been written on the Constitution and on the relationship of the President to Congress:

Charles K. Burdick, former dean of Cornell Law School and chairman of the Law Revision Commission of the State of New York, The Law of the American Constitution, 1922, pages 127–128.

Edward S. Corwin, The President: Office and Powers, 1941, pages 213–214, 281.

Ernest J. Eberling, Congressional Investigations, 1928, page 282.

John H. Finley and John F. Sanderson, the American Executive and Executive Methods, 1908, pages 199–200, 231–233, 264, 265.

John Philip Hill, the Federal Executive, pages 55–56.

Edward Campbell Mason, Congressional Demands upon the Executive for Information, papers of the American Historical Association, volume 5, 1891, page 33.

William Rawle, A View of the Constitution of the United States of America, 1829, pages 171–172.

William Howard Taft, Our Chief Magistrate and His Powers, 1916, page 129.

Woodrow Wilson, Constitutional Government in the United States, 1907, pages 66–67, 76, 205.

(b) A second misconception contained in Congressman HOFFMAN'S answer to the minority report is the statement that title 2 of the United States Code, section 192, does not excuse any individual from answering process issued by a congressional committee—House Report 1595, part 2, Eightieth Congress, second session, page 7.

*In re Chapman* (166 U. S. 661) involved the refusal of a private individual to appear as a witness before a special committee of the Senate. He was tried under sections 102, 103, and 104 of the Revised Statutes. Those sections are substantially the same as sections 192, 193, and 194 of title 2, United States Code. The Court held that Congress had the power to enact a statute to enforce the attendance of witnesses and to compel them to make disclosure of evidence.

The Chapman case was decided in 1897. For approximately 40 years prior to that decision, there had been a law, similar to the present sections 192, 193, and 194—sections 102, 103, and 104 of the Revised Statutes afore-mentioned—designed to compel the testimony of witnesses before the Houses of Congress. Nevertheless, in the famous Senate debate of 1886, the most notable debate of its kind in the annals of Congress—that debate arose out of the refusal of the Attorney General, at the direction of President Cleveland, to furnish the Senate with the reasons for the removal of a United States attorney, the President taking the position that the records were confidential and of a private nature despite the fact that they were filed with the Department of Justice; the records were never produced to the Senate, despite a strongly worded Senate resolution directed to the Attorney General, Seventeenth Congress, RECORD, pages 2211–2814, of 1886—and in the Senate debate of 1909 referred to above, it was freely admitted that there was no statute which compelled the head of a department to give information or papers to the Houses of Congress against the President's wishes—Forty-third Congress, RECORD, page 3730, 1909, and page 3732; see also Forty-first Congress, RECORD, pages 104, 105, 1906. Moreover, almost from the beginning of our Government, heads of departments and other officials of the executive branch had failed to comply, on the ground of the national public interest involved, with congressional demands for information

[9] Ibid., 3738 (1909).

[10] His paper bears the title: "Questions to the Cabinet in the British House of Commons: Their Applicability to the United States Congress," Joint Committee Print, 79th Cong., 2d sess., The Organization of Congress, June 1946, pp. 56, 57.

and papers. Not in a single instance was any action ever taken by the Houses of Congress against a head of a department or other official who thus refused to comply.

It must be concluded, therefore, that while sections 192, 193, and 194 of title 2, United States Code, dealing with the refusal of witnesses to testify in congressional investigations, apply to private citizens and persons, they have never been applied to the executive departments and, indeed, must be considered inapplicable to them.

(c) Congressman HOFFMAN'S answer to minority report, in dealing with the right of Congress, states that "the law which governs us is the common law, the Constitution and the acts of Congress as interpreted by the courts—House Report 1595, part 2, Eightieth Congress, second session, page 4. Of course, the Constitution and the acts of Congress as interpreted by the courts are authoritative. The following quotation from the Supreme Court's decision in *Kilbourn* v. *Thompson* (103 U. S. 168) should, however, put an end to contentions that precedents which were relevant to English parliamentary investigations apply to investigations conducted by the Congress:

We are of opinion that the right of the House of Representatives to punish the citizen for a contempt of its authority or a breach of its privileges can derive no support from the precedents and practices of the two houses of the English Parliament, nor from the adjudged cases in which the English courts have upheld these practices (p. 189).

* * * * *

It is believed to be one of the chief merits of the American system of written constitutional law, that all the powers intrusted to government, whether State or national, are divided into the three grand departments, the executive, the legislative, and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, upon that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other (pp. 190–191).

It is important to note that McGrain against Daugherty and Sinclair against United States, supra, both referred to the Kilbourn decision and to the restraints which it imposed on the congressional power of inquiry. And in Barsky against United States—Appendix District of Columbia, No. 9602, decided March 18, 1948, page 5—the Court, citing the Kilbourn case as well as McGrain against Daugherty, said: The congressional power of inquiry is not unrestricted.

It is clear from the foregoing that the President and the heads of departments may not be compelled to produce papers or disclose information in their possession where, in their judgment, such disclosure would be contrary to the public interest.

It is worth noting that President Washington, in his farewell address, cautioned against the dangers resulting from the encroachment of one branch of the Government upon another. He said:

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all departments in one, and thus to create, whatever the form of government, a real despotism.[11]

House Joint Resolution 342 is a clear example of an encroachment by the legislative branch upon the executive branch.

THE RIGHT OF THE PRESIDENT AND THE HEADS OF DEPARTMENTS, IN THE NATIONAL PUBLIC INTEREST, TO KEEP INFORMATION AND PAPERS IN THE EXECUTIVE DEPARTMENTS CONFIDENTIAL—THE VIEWS OF TEXT WRITERS

William Howard Taft, Chief Magistrate, 1916:

The President is required by the Constitution from time to time to give to Congress information on the state of the Union, and to recommend for its consideration such measures as he shall judge necessary and expedient, but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest (p. 129).

Westel Woodbury Willoughby, the Constitutional Law of the United States, 1929, volume III:

The constitutional obligation that the President "shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient, has, upon occasion, given rise to controversy between Congress and the President as to the right of the former to compel the furnishing to it of information as to specific matters. As a result of these contests it is practically established that the President may exercise a full discretion as to what information he will furnish, and what he will withhold.

The discretionary right of the President to refuse information to Congress has been exercised from the earliest times (sec. 968, p. 1488).

Professor Willoughby cites the "vigorous and long-continued controversy" which was waged in Cleveland's administration as to the right of the Senate or of its committees to obtain from the office of the Attorney General certain papers bearing upon certain suspensions from office made by the President. Willoughby also cites the controversy in 1909, in Theodore Roosevelt's administration when the Attorney General, on the President's instructions, refused to divulge to a Senate committee the reasons for nonaction by the Department of Justice in the United States Steel Co. case, for violation by it of the Antitrust Act of 1890. Willoughby cites Roosevelt's classic statement to the Senate:

Heads of the executive departments are subject to the Constitution, and to the laws passed by Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever (sec. 968, p. 1490).

[11] Richardson, Messages and Papers of the Presidents, vol. 1, p. 219.

Willoughby concludes his comments on the Cleveland and Roosevelt controversies with the Senate, as follows:

The constitutionality of the positions taken by Presidents Cleveland and Roosevelt would seem to be clear (sec. 968, p. 1491).

Charles K. Burdick, the Law of the American Constitution, 1922:

SEC. 51. The Supreme Court's attitude toward political questions: The legislative and executive branches of Government are essentially the political branches, and with the exercise of their distinctively political powers the judiciary will not interfere. On this point Chief Justice Marshall said:

"By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority and in conformity with his orders.

"In such cases their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political. They respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive. The application of this remark will be perceived by adverting to the act of Congress for establishing the department of foreign affairs. This officer as his duties were prescribed by that act, is to conform precisely to the will of the President. He is the mere organ by which that will is communicated. The acts of such an officer, as an officer, can never be examinable by the courts" (pp. 127–128).

Prof. Herman Finer, Harvard University, in a paper entitled "Questions to the Cabinet in the British House of Commons: Their Applicability to the United States Congress":

But how far can the Executive be compelled to answer—this is the decisive question.

In 1906 (CONGRESSIONAL RECORD, Dec. 6, 1906), the gist of a Senate debate on the subject of obtaining information from Cabinet officers, even when directed by resolution of the Senate, was that information had been withheld in whole or in part by order of the President, and no remedy was available. Cleveland (Senate, March 1, 1886) supported his Attorney General in refusing information to the Senate.

In January 6, 1909, Theodore Roosevelt resisted a Senate demand for information on certain administrative proceedings, arguing: "I do not conceive it to be within the authority of the Senate to give directions of this character to the head of an executive department, or demand the reasons for his action. Heads of executive departments are subject to the Constitution, and to the direction of the President of the United States, but to no other direction whatever."

As for the President himself, Professor Corwin's opinion is authoritative (the President, p. 444); it is certain that a congressional investigating committee could not require the President to attend its proceedings, answer questions, or produce documents.

* * * * *

It is the President who has the sole constitutional authority to see that the laws are faithfully executed, with the vast meaning this phrase has acquired—the maker of the Republic's policy, the watcher of the finances, the supreme manager of the machinery of administration. He is responsible for the every-day conduct of foreign affairs. His Cabinet has small authority distinct from

his authority: In the sense that really matters they are subordinates. (Joint Committee Print, 79th Cong., 2d sess., The Organization of Congress, June 1946, pp. 56, 57.)

Edward Campbell Mason, in a paper entitled "Congressional Demands Upon the Executive for Information," asks the question: "Can the President of the United States or his subordinates in the executive department be compelled to transmit papers or give information to Congress?"—Papers of the American Historical Association, volume 5, 1891, page 33.

The instances which he examined did not disclose any power sufficient to compel compliance. While the House may lay claim to the necessary power because of its authority in impeachments, such power was never exercised or even clearly defined. The author next turns to the power of the Senate to act as in impeachment proceedings and inquires whether the Senate can compel the Executive to furnish information. However, since a court has not the power to compel an executive officer to disclose matters which, in his opinion, should be kept secret, it would appear to follow that, unless the Constitution grants such power, the Senate likewise cannot compel disclosure of confidential information.

The foregoing reasoning led Mr. Mason to conclude that the Congress may not compel the Executive to give information by its power of impeachment. He refers to United States Revised Statutes 102, 103, and 104, which were passed in 1857. Those give either branch of Congress the right to summon witnesses. It would appear, however, that the Executive is outside the operation of that power.

If my reasoning is sound, Congress derives no power from its legislative authority to compel the President or the officers under him in the executive department to furnish papers or to testify (ibid., p. 40).

Finally the author urges a practical argument against coercing the executive branch. The three departments of our Government are supreme and independent. It would be impossible for the Congress to coerce the executive branch except by a resort to arms. While a President might be impeached for high crimes and misdemeanors, the author concedes that it is difficult to imagine an impeachment based on a refusal to furnish information. Such a refusal is neither a crime nor a misdemeanor.

John Philip Hill, the Federal Executive:

Courts cannot usually call upon heads of departments to answer in relation to official acts. The court said, in *Decatur* v. *Paulding* (14 Peters, 522), that many acts required of the heads of the executive departments required use of discretion, and where not purely ministerial were not subject to order of the courts (p. 55).

On the point that the President is responsible for all acts of his Cabinet and heads of departments, the author states:

The position of the heads of the executive departments is summed up in Cooley's Blackstone's Commentaries (book 1, pp. 231 and 236). He there states: "The President, not the Cabinet, is responsible for all the measures of the administration, and whatever is done by one of the heads of departments is considered as done by the President, through the proper executive agent. In this fact consists one important difference between the Executive (King) of Great Britain and of the United States; the acts of the former being considered as those of his advisers, who alone are responsible therefor, while the acts of the advisers of the American Executive are considered as directed and controlled by him (Ibid., pp. 55–56).

Ernest J. Eberling, Congressional Investigations, 1928:

It is also true that congressional committees in their ardor to investigate have at times pushed their demands to a point where compliance with them would have interfered with the Executive in the discharge of his constitutional duties. It would seem that the Executive is justified in resisting, therefore, any demand when it is believed that compliance therewith would be incompatible with the public interest. Members of Congress have frequently admitted this point. The decision of the Executive in the case of a dispute must necessarily be final. The question would not be justiciable and the infliction of punishment by one coordinate branch upon the other would be wholly repugnant to the constitutional scheme. The Executive, no less than Congress, is accountable directly to the people and the ultimate decision must rest in such matters with the electorate (p. 282).

Woodrow Wilson, Constitutional Government in the United States, 1907:

As legal executive, his constitutional aspect, the President cannot be thought of alone. He cannot execute laws. Their actual daily execution must be taken care of by the several executive departments and by the now innumerable body of Federal officials throughout the country. In respect of the strictly executive duties of his office the President may be said to administer the Presidency in conjunction with the members of his Cabinet, like the chairman of a commission. He is even of necessity much less active in the actual carrying out of the law than are his colleagues and advisers. It is therefore becoming more and more true, as the business of the Government becomes more and more complex and extended, that the President is becoming more and more a political and less and less an executive officer. His executive power are in commission, while his political powers more and more center and accumulate upon him and are in their very nature personal and inalienable (pp. 66–67).

Upon analysis, it seems to mean this: the Cabinet is an executive, not a political body. The President cannot himself be the actual executive; he must therefore find, to act in his stead, men of the best legal and business gifts, and depend upon them for the actual administration of the Government in all its daily activities (p. 76).

Fortunately, the Federal Executive is not dispersed into its many elements as the executive of each of our States is. * * * But in the Federal Government the Executive is at least in itself a unit. Everyone subordinate to the President is appointed by him and responsible to him, both legally and politically. He can control the personnel and the action of the whole of the great "department" of government of which he is the head. * * * The three great functions of government are not to be merged or even drawn into organic cooperation, but are to be balanced against one another in a safe counterpoise. They are interdependent but organically disassociated; must cooperate, and yet are subject to no common authority (p. 205).

John H. Finley and John F. Sanderson, the American Executive and Executive Methods, 1908:

The President has always exercised a discretion as to giving or withholding information upon the request of either House for it. Thus President Washington declined to communicate to the House of Representatives the correspondence relating to the British treaty. President Jackson in 1833 withheld certain pending matters relating to the Maine boundary dispute; and President Tyler in 1842 declined to lay before the House of Representatives the conditions of the same affair. President Polk in 1845 in like manner withheld information from the Senate as to the pending proceedings for the annexation of Texas, and in 1848 declined to lay before the House the instructions given as to the negotiation of the treaty with Mexico. President Fillmore declined to comply with a request of the Senate made in legislative session for information as to negotiations with the Sandwich Islands. President Buchanan declined to lay before the Senate the correspondence relating to the slave ship *Wanderer*, and President Lincoln likewise declined on March 26, 1861, to communicate Major Anderson's dispatches from Fort Sumter. These instances are referred to as examples of a general practice (pp. 199–200).

The executive theory of the relations of the President with the heads of departments is that where the law confers a discretion upon one of them, that discretion is subject to his discretion and control. This theory received an elaborate consideration and statement from Attorney General Cushing. After reciting the relevant terms of the acts of Congress constituting the several executive depa tments, he said: "But through all these successive changes in detail, the theory of departmental administration continued unchanged, viz: Executive departments with heads thereof discharging their administrative duties in such manner as the President should direct, and being in fact the executors of the will of the President. All the statutes of departmental organization, except one, expressly recognize the direction of the President, and in that one, the Interior, it is implied, because the duties assigned to it are not new ones, but such as had been exercised by other departments. It could not, as a general rule, be otherwise, because in the President is the Executive power vested by the Constitution, and also because of the constitutional provision that he shall take care that the laws be faithfully executed, thus making him, not only the depository of the Executive power, but the responsible executive minister of the United States.

And again he said: "I hold that no head of a department can lawfully perform an official act against the will of the President, and that will is by the Constitution to govern the performance of such acts. If it were not thus, Congress might, by statute, so divide and transfer the Executive power as utterly to subvert the Government, and to change it into a parliamentary despotism, like that of Venice or Great Britain, with a nominal executive chief utterly powerless—whether under the name of doge or king, or president, would be of little account so far as regards the maintenance of the Constitution" (pp. 231–233).

Heads of departments, in the exercise of a sound discretion, may decline to furnish communications or papers in their custody in response to legal process; they would be justified in representing to the court that upon public considerations they declined to furnish them. "The administration of justice is only part of the conduct of the affairs of any State or Nation, and is, with respect to the production or nonproduction of papers from the files of an executive department, subject to the general welfare of the community." And executive regulations prescribing rules as to the production or nonproduction of such documents have been sustained (pp. 264–265).

Edward S. Corwin, the President: Office and Powers, 1941:

Another precedent of great significance from Washington's administration was the first President's refusal in 1796 to comply with a call from the House of Representatives for papers relative to the negotiation of the Jay Treaty. The demand was originally fathered by Madison, and presumably reflected the theory of Helvidius that the President's diplomatic role is chiefly instrumental of the national legislative power in the realm of foreign relationship. Washington's declination, nevertheless, he now conceded to be proper so far as it represented the President's deliberate judgment that the papers were "of a nature that did not permit of disclosure at this time." The concession so broadened the force of the precedent that nowadays a President feels free by the same formula to decline information even to his constitutional partner in treaty making, whereas Washington's refusal rested primarily on his denial that the House was entitled to discuss the merits of a treaty. In 1906 a debate arose in the Senate over the adventurous foreign policy of the first Roosevelt, in the course of which the entire ground that had been covered by Pacificus and Helvidius more than a century before was retraveled, Senator Spooner assuming the Hamiltonian part, Senator Bacon the Madisonian. In the face of his general position Bacon conceded that "the question of the President's sending or refusing to send any communication to the Senate is not to be judged by legal right, but [is] * * * one of courtesy between the President and that body."[12] The record of practice amply bears out this statement.

The further question arises, whether the President's duty "from time to time [to] give to the Congress information of the state of the Union" infers the duty to give them such information as the Houses, or either of them, may desire, providing he is in possession of it. The answer established by practice from the beginning is that the President is complete master of the situation and is entitled to select both the occasions of his communications and their content. Thus neither the President nor the Secretary of State is ever "directed" by the Houses to furnish desired information or papers, but only "requested" to do so, and then only if it is "in the public interest" and they should comply—a question left to be determined by the President. More than that, however, Presidents have sometimes intervened to exonerate other heads of departments than the Secretary of State, and even lesser administrative officials, from responding to congressional demands for information, either on the ground that the papers sought were "private," "unofficial," or "confidential," or that the demand amounted to an unconstitutional invasion of Presidential discretion.[13] Page 281.

William Rawle, A View of the Constitution of the United States of America, 1829:

It is the duty of the President from time to time to give Congress information of the state of the Union; * * * yet it has been always understood that he is not required to communicate more than, in his apprehension, may be consistent with the public interests. Either House may at any time apply to him for information; and, in the regular course of government, can apply only to him, where the matter inquired of, is principally under his superintendence and direction, although they frequently exercise the right to call upon the chief officers of executive departments, on matters peculiarly appertaining to them, and in like manner occasionally refer to the Attorney General of the United States on subjects appropriate to his office. The applications directly to the President, are generally accompanied with a qualification evincing a correct sense of the obligation on his part to avoid or suspend disclosures, by which the public interest, that both are bound to keep in view, might be affected.

Such disclosures the legislature in general expressly disclaims. In recurrence to our history, it must be obvious, that these official communications are chargeable with being rather more full and liberal than is common in other countries. In support of the practice it has been said, that in republics there ought to be few or no secrets; an illusory opinion, founded on ideal conceptions, and at variance with the useful practice of mankind. If all the transactions of a cabinet, whether in respect to internal or external business, were regularly exhibited to the public eye, its own operations would be impeded; the public mind be perplexed, and improper advantages would sometimes be taken. Foreign powers, pursuing as they invariably do, a different course themselves, would justly object to such proceeding (pp. 171–172).

THE RIGHT OF THE PRESIDENT AND THE HEADS OF DEPARTMENTS, IN THE NATIONAL PUBLIC INTEREST, TO KEEP INFORMATION AND PAPERS IN THE EXECUTIVE DEPARTMENTS CONFIDENTIAL—SUPREME COURT CASES

*Marbury* v. *Madison* (1 Cranch 137, 143, 144, (1803)) defines the limits at which a court must stop when the head of a department invokes the privilege that the information sought from him is confidential and cannot be disclosed. The court wished to ascertain certain facts relating to a commission which had been issued by President Adams to one Marbury. To that end it summoned Levi Lincoln, the Attorney General, before it for questioning. Mr. Lincoln objected to answering the questions. While he respected the court's jurisdiction, "he felt himself delicately situated between his duty to this court, and the duty he conceived owed to an executive department"—pages 143–144.

He was acting as Secretary of State at the time when the transaction in question had happened. He was, therefore, of the opinion that he was not bound to answer "as to any facts which came officially to his knowledge while acting as Secretary of State"—page 143.

The Court said, that if Mr. Lincoln wished time to consider what answers he should make, they would give him time; but they had no doubt he ought to answer. There was nothing confidential required to be disclosed. If there had been, he was not obliged to answer it; and if he thought that anything was communicated to him in confidence, he was not bound to disclose it—page 144.

The rule of law was stated by the Court as follows:

By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: They respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive (p. 164).

Judge Marshall spoke of the intimate political relation between the President and the heads of departments:

1. * * * The intimate political relation subsisting between the President of the United States and the heads of departments necessarily renders any legal investigation of the acts of one of those high officers peculiarly irksome, as well as delicate; and excites some hesitation with respect to the propriety of entering into such investigation. * * *

* * * The province of the court is, solely, to decide on the rights of individuals, not to inquire how the executive, or executive officers, perform duties in which they have discretion. Questions in their nature political, or which are, by the Constitution and laws, submitted to the executive, can never be made in this court (pp. 168–170).

*State of Mississippi* v. *Johnson* (71 U. S. 475 (1866)): The court held that the President of the United States could not be restrained by injunction from carrying into effect an act of Congress which was alleged to be unconstitutional. The court held that it had no power to compel the President to perform executive and political duties. We quote:

Very different is the duty of the President in the exercise of the power to see that the laws are faithfully executed, and among these laws the acts named in the bill. * * * The duty thus imposed on the President is in no just sense ministerial. It is purely executive and political.

An attempt on the part of the judicial department of the Government to enforce the performance of such duties by the President might be justly characterized, in the language of Chief Justice Marshall, "an absurd and excessive extravagance" (p. 499).

The Congress is the legislative department of the Government; the President is the executive department. Neither can be restrained in its action by the judicial department; though the acts of both, when performed, are, in proper cases, subject to its cognizance.

The impropriety of such interference will be clearly seen upon consideration of its possible consequences (p. 500).

A case frequently cited by courts and text writers is *Appeal of Hartranft* (85 Penn. State. Rep. 433 (1877)). The court said:

We had better at the outstart recognize the fact, that the executive department is a coordinate branch of the Government, with power to judge what should or should not be done, within its own department, and what of its own doings and communications should or should not be kept secret, and that with it, in the exercise of these constitutional powers, the courts have no more right to interfere than has the executive, under like conditions, to interfere with the courts. * * *

* * * We are inclined to think the conclusion thus reached is wise and discreet; and it is supported by the best text writers of our times. These state the law to be,

[12] Refers to supporting authority cited by Corwin on p. 404, in particular the Senate debate of December 6, 1906, [CONGRESSIONAL RECORD] pp. 213–214.

[13] Refers to President Cleveland's special message to the Senate of March 1, 1886, vindicating the Attorney General's refusal to comply with a demand for certain documents relating to the suspension of George M. Duskin from office; also President Roosevelt's special message of January 6, 1909, giving his reasons for directing the Attorney General not to reply to a resolution of the Senate, which asked the reasons for failure by the Attorney General to prosecute the Tennessee Coal & Iron Co.

that the President of the United States, the governors of the several States and their cabinet officers, are not bound to produce papers or disclose information committed to them, in a judicial inquiry, when, in their own judgment, the disclosure would, on public grounds, be inexpedient (1 Greenf. on Ev., sec. 251; 1 Whart. Law of Ev., sec 604). Thus, the question of the expediency or inexpediency of the production of the required evidence is referred, not to the judgment of the court before which the action is trying, but of the officer who has that evidence in his possession (pp. 445, 447).

---

OPINION OF THE ATTORNEY GENERAL OF THE UNITED STATES

POSITION OF THE EXECUTIVE DEPARTMENT REGARDING INVESTIGATIVE REPORTS

(It is the position of the Department of Justice, restated now with the approval and at the direction of the President, that all investigative reports are confidential documents of the executive department and that congressional or public access thereto would not be in the public interest.)

(This accords with the conclusions reached by a long line of predecessors in the office of Attorney General and with the position taken by the President from time to time since Washington's administration; and this discretion in the executive branch has been upheld and respected by the judiciary.)

APRIL 30, 1941.

Hon. CARL VINSON,
*Chairman, House Committee*
*on Naval Affairs.*

MY DEAR MR. VINSON: I have your letter of April 23, requesting that your committee be furnished with all Federal Bureau of Investigation reports since June 1939, together with all future reports, memorandums, and correspondence, of the Federal Bureau of Investigation, or the Department of Justice, in connection with "investigations made by the Department of Justice arising out of strikes, subversive activities in connection with labor disputes, or labor disturbances of any kind in industrial establishments which have naval contracts, either as prime contractors or subcontractors."

Your request to be furnished reports of the Federal Bureau of Investigation is one of the many made by congressional committees. I have on my desk at this time two other such requests for access to Federal Bureau of Investigation files. The number of these requests would alone make compliance impracticable, particularly where the requests are of so comprehensive a character as those contained in your letter. In view of the increasing frequency of these requests, I desire to restate our policy at some length, together with the reasons which require it.

It is the position of this Department, restated now with the approval of and at the direction of the President, that all investigative reports are confidential documents of the executive department of the Government, to aid in the duty laid upon the President by the Constitution to "take care that the laws be faithfully executed," and that congressional or public access to them would not be in the public interest.

Disclosure of the reports could not do otherwise than seriously prejudice law enforcement. Counsel for a defendant or prospective defendant, could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Disclosure of the reports at this particular time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which you wish to protect the country. For this reason we have made extraordinary efforts to see that the results of counterespionage activities and intelligence activities of this Department involving those elements are kept within the fewest possible hands. A catalog of persons under investigation or suspicion, and what we know about them, would be of inestimable service to foreign agencies; and information which could be so used cannot be too closely guarded.

Moreover, disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants—sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.

Disclosure of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.

In concluding that the public interest does not permit general access to Federal Bureau of Investigation reports for information by the many congressional committees who from time to time ask it, I am following the conclusions reached by a long line of distinguished predecessors in this office who have uniformly taken the same view. Examples of this are to be found in the following letters, among others:

Letter of Attorney General Knox to the Speaker of the House, dated April 27, 1904, declining to comply with a resolution of the House requesting the Attorney General to furnish the House with all papers and documents and other information concerning the investigation of the Northern Securities case.

Letter of Attorney General Bonaparte to the Speaker of the House, dated April 13, 1908, declining to comply with a resolution of the House requesting the Attorney General to furnish to the House information concerning the investigation of certain corporations engaged in the manufacture of wood pulp or print paper.

Letter of Attorney General Wickersham to the Speaker of the House, dated March 18, 1912, declining to comply with a resolution of the House directing the Attorney General to furnish to the House information concerning an investigation of the smelter trust.

Letter of Attorney General McReynolds to the secretary to the President, dated August 28, 1914, stating that it would be incompatible with the public interest to send to the Senate in response to its resolution, reports made to the Attorney General by his associates regarding violations of law by the Standard Oil Co.

Letter of Attorney General Gregory to the President of the Senate, dated February 23, 1915, declining to comply with a resolution of the Senate requesting the Attorney General to report to the Senate his findings and conclusions in the investigation of the smelting industry.

Letter of Attorney General Sargent to the chairman of the House Judiciary Committee, dated June 8, 1926, declining to comply with his request to turn over to the committee all papers in the files of the Department relating to the merger of certain oil companies.

In taking this position my predecessors in this office have followed eminent examples.

Since the beginning of the Government, the executive branch has from time to time been confronted with the unpleasant duty of declining to furnish to the Congress and to the courts information which it has acquired and which is necessary to it in the administration of statutes. As early as 1796, the House of Representatives requested President Washington to lay before the House a copy of the instructions to ministers of the United States who negotiated a treaty with Great Britain, together with the correspondence and other documents relating to that treaty. In declining to comply with the request, President Washington said:

"* * * as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office * * * forbids a compliance with your request." (See Richardson, Messages and Papers of the Presidents, vol. 1, pp. 194, 196.)

In 1825, the House of Representatives requested President Monroe to transmit certain documents relating to the conduct of the officers of the Navy of the United States on the Pacific Ocean, and of other public agents in South America. In his reply, President Monroe refused to comply with the request, stating that to do so might subject individuals to unjust criticism; that the individuals involved should not be censured without just cause, which could not be ascertained until after a thorough and impartial investigation of their conduct; and that under those circumstances it was thought that communication of the documents would not comport with the public interest nor with what was due to the parties concerned. (See Richardson, Messages and Papers of the Presidents, vol. 2, p. 278.)

In 1833, the Senate requested President Jackson to communicate to that body a copy of a paper purporting to have been read by him to the heads of the executive departments, dated September 18, 1833, relating to the removal of the deposits of the public money from the Bank of the United States. President Jackson declined. (See Richardson, Messages and Papers of the Presidents, vol. 3, p. 36.)

In 1835 the Senate passed a resolution requesting President Jackson to communicate copies of the charges, if any, which might have been made to him against the official conduct of Gideon Fitz, late surveyor general south of the State of Tennessee, which caused his removal from office. In reply President Jackson again declined to comply. (See Richardson, Messages and Papers of the Presidents, vol. 3, pp. 132, 133.)

This discretion in the executive branch has been upheld and respected by the judiciary. The courts have repeatedly held that they will not and cannot require the executive to produce such papers when in the opinion of the executive their production is contrary to the public interests. The courts have also held that the question whether the production of the papers would be against the public interest is one for the executive and not for the courts to determine. *Marbury* v. *Madison* (1 Cranch 137, 169); *Totten* v. *United States* (92 U. S. 105); *Kilbourn* v. *Thompson* (103 U. S. 168, 190); *Vogel* v. *Grauz* (110 U. S. 311); *In re Quarles and Butler* (158 U. S. 532); *Boske* v. *Comingore* (177 U. S. 459); *In re Huttman* (70 Fed. 699); *In re Lamberton* (124 Fed. 446); *In re Valecia Condensed Milk Co.* (240 Fed. 310); *Elrod* v. *Moss* (278 Fed. 123); *Arnstein* v. *United States* (296 Fed. 946); *Gray* v. *Pentland* (2 Sergeant & Rawle's (Pa.), 23, 28); *Thompson* v. *German Valley R. Co.* (22 N. J. Equity 111); *Worthington* v. *Scribner* (109 Mass. 487); *Appeal of Hartranft* (85 Pa. 433, 445); *2 Burr Trials* (533–536); see also 25 Op. A. G. 326.

In *Kilbourn* v. *Thompson*, supra, the Court said:

"It is believed to be one of the chief merits of the American system of written constitu-

tional law that all the powers intrusted to government, whether State or National, are divided into the three grand departments, the executive, the legislative, and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other."

In *Appeal of Hartranft*, supra, the Court said:

"* * * We had better at the outstart recognize the fact that the executive department is a coordinate branch of the Government, with power to judge what should or should not be done, within its own department, and what of its own doings and communications should or should not be kept secret, and that with it, in the exercise of these constitutional powers, the courts have no more right to interfere than has the executive, under like conditions, to interfere with the courts."

The information here involved was collected, and is chiefly valuable, for use by the executive branch of the Government in the execution of the laws. It can be of little, if any, value in connection with the framing of legislation or the performance of any other constitutional duty of the Congress. We do not undertake to investigate strikes as to their justification or the lack of it, but confine investigation to alleged violations of law, including, of course, violation of statutes designed to suppress subversive activity, and to general intelligence to guide executive policy. Certainly, the evil which would necessarily flow from its untimely publication would far outweigh any possible good.

I am not unmindful of your conditional suggestion that your counsel will keep this information "inviolate until such time as the committee determines its disposition." I have no doubt that this pledge would be kept and that you would weigh every consideration before making any matter public. Unfortunately, however, a policy cannot be made anew because of personal confidence of the Attorney General in the integrity and good faith of a particular committee chairman. We cannot be put in the position of discriminating between committees or of attempting to judge between them and their individual members, each of whom has access to information once placed in the hands of the committee.

Of course, where the public interest has seemed to justify it, information as to particular situations has been supplied to congressional committees by me and by former Attorneys General. For example, I have taken the position that committees called upon to pass on the confirmation of persons recommended for appointment by the Attorney General would be afforded confidential access to any information that we have—because no candidate's name is submitted without his knowledge and the Department does not intend to submit the name of any person whose entire history will not stand light. By way of further illustration, I may mention that pertinent information would be supplied in impeachment proceedings, usually instituted at the suggestion of the Department and for the good of the administration of justice.

It is for the reasons given that I feel it my duty to decline your request, believing that in them you will find justification for my refusal.

Respectfully,

ROBERT H. JACKSON.

Mr. HOFFMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Chairman, as has been stated by the distinguished gentleman from Massachusetts, who in my judgment has made a real brilliant argument, this is one of the most grave, one of the most serious, and one of the most far-reaching steps that any Congress of the United States will ever take. But we have come to the point in our national history where we must determine once and for all what are the distinct powers and duties of the separate and coordinate divisions of our Government—executive, legislative, and judicial. We always go back to the Constitution of the United States.

Those of you who have read Max Farrend's History and Notes of the Constitution, Elliott's Debates, James Madison's Notes, and many other publications that have come down through the years, know that when that group of 55 men gathered in the city of Philadelphia, those men came there with a clear conception of what they were to do; that after Edmund Randolph had offered first of all the Virginia plan and this had been countered by the New Jersey plan under Judge Patterson and the others, there came out of the debate the famous Connecticut Compromise under Roger Sherman, Johnson, and the others of those great characters that gave us our Constitution.

What was the fundamental and basic thing underneath it all? A system of compromise, of reconciliation, of giving and taking, and of adjustment. A separation of powers. So that down through the years we have come to know our Constitution as one of great checks and balances.

That is what we are going to discuss here for awhile today. The gentleman who preceded me said there was a twilight zone between these different divisions of government. There is not, in my judgment, in the sense that he has indicated.

When our founding fathers provided and devised this Constitution they said that each division would check upon the other. May I illustrate. When we pass a bill here in the House, it goes to the other body, then to the President. The President vetoes it; it comes back here. He has exercised the part of his power, we have exercised part of our power, the other body has exercised its power. But when it comes back here and we pass it over his veto by a two-thirds vote, and it goes to the other body and it in turn passes it over his veto by a two-thirds vote, then you have seen the full functioning of our constitutional processes of each separate unit exercising its power, each mutually dependent and interdependent, none exclusively within itself, and no twilight zone between them, a system of checks and balances adequately functioning.

Mr. Chairman, in our discussion of the Constitution we refer always to three great parts of that Constitution, the legislative, the executive, and the judicial. But we always miss one part. If I am striking at the heart of this thing today, I want to say this to you, and I now read amendment No. X among the 22 which James Madison, who was a member of that great convention, submitted to the First Congress, then to the public for ratification through the State legislatures. What did the amendment say?

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.

Now do you see the concrete things you are confronted with at the start? We are always ignoring the people. We are minimizing the powers of the States, and when we are legislating nationally and federally we are thinking only in terms of those delegated powers given under the Constitution and not of the other powers which are restricted and prohibited and reserved to the States. Shall the people always be ignored and kept in ignorance of the conduct of their administrative agencies?

Let us take a common-sense view of this situation for a moment. It is this: If you will now go back and remember your Constitution, you will remember that right after the quotation of the preamble there follows this language:

> All legislative power herein granted shall be vested in the Congress of the United States, which shall consist of a Senate and a House of Representatives.

We come first. We are the first named in the Constitution. What is next? The executive power shall be vested in a President of the United States. Next, the judicial power of the United States shall be vested in the Supreme Court and such inferior courts as the Congress shall from time to time ordain and establish. First there is your legislative branch, second your executive branch, and, third, your judicial branch, and the only branch of the judicial that has any standing under the Constitution is the Supreme Court and no inferior court unless created by the Congress.

What is the next step? Let us take a common-sense view of this. At the time of the adoption of the Constitution back in the year 1787, we were a small nation stretching along the Atlantic coast with 3,000,000 people. What were the means of communication? The sailboat, the birchbark canoe, and the means of transportation through the pathless forests was the pack horse. The California delegation today spoke of the early migration to that State. It was our Pennsylvania Conestoga wagon that carried across the continent the provisions that they used in building and constructing that great West. Thus did Pennsylvania contribute to that great western movement. What have we today? A great Nation of 145,000,000 people, 48 great States with a far-flung area of 3,600,000 square miles; great systems of transportation and communication, railroad, telephone, telegraph, radio, as well as land, water, and air, automobiles, and means of every form that men of an inventive and creative genius have been able to devise for the mobility and accessibility of men to every part of this country.

Did that Constitution to which I refer remain static? Did it stop there? Did it end there? No. The Supreme Court of the United States has said that it is

not static, but elastic; that we apply the rule of reason, and we will make this Constitution devised in these primitive days applicable to these modern days, so that it will be accessible and usable to all persons at all times.

Now, what happened? Just as our country spread out from shore to shore and even beyond that, very complicated conditions arose which man created with the result that the legislative branch of this Government, finding that it could not properly deal with those powers which the Executive must execute under the power given it, gave us first of all back in 1889 the Interstate Commerce Act, with powers to construct and set up an administrative board with the necessary powers and functions, to deal with the matters presented before it. It was known that this Commission would grow and expand as the means of communication increased.

What do we face today? There are 1,141 bureaus and departments set up in our Government, with an expanding bureaucracy of over 2,000,000 people. A new situation has now arisen that no one could ever have foreseen in the early days of our Government. As the gentleman from Massachusetts has correctly stated, this was never done before, but if ever the hour of decision has arrived it is now. We are going to deal with it now and we have to deal with it head-on. We cannot avoid it any longer. No matter what the failure of the past has been, no matter wherein we have failed to meet this condition, we can no longer brush it aside. It is a matter of determination for us. We, as Abraham Lincoln said once before, will be remembered in spite of ourselves. "The fiery trial through which we pass will light us down in honor or dishonor to the remotest age. We shall nobly save or meanly lose the last best hope of earth."

This is a sort of brief summary coupling up with what has occurred. Now we come head-on to the decision. What is the power of this Congress to subpena witnesses, call them before committees, and compel those witnesses to testify? Unfortunately, here again the Supreme Court has never decided the question squarely and on the particular point. The case to which the distinguished gentleman from Massachusetts [Mr. McCORMACK] referred is the famous case of McGrain against Daugherty, decided back in 1926 or 1927. The opinion was written by Justice Van Devanter, and the circumstances briefly were these: A deputy sergeant at arms of the Senate had been given a subpena to serve. The gentleman from Massachusetts [Mr. McCORMACK] has clearly drawn the distinction in this case. This was a subpena to be served not upon a private individual but upon a member of the Cabinet. I am reading you for a moment from the syllabus in order that you may be properly oriented in this case:

> Each House of Congress has power through its own process to compel a private individual to appear before it in any one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution.

And the point? A private individual.

You will note that this does not decide the question that you can compel a Cabinet officer to appear, but may I give you by way of clarification a statute which you should recall and which is very important, in my judgment, as bearing upon the particular matter we are discussing.

Every so often the Congress of the United States takes a great forward step. Back in the year 1921 the Congress of that period recognized that something must be done about the budgetary and financial affairs of the United States. In the year 1921 it set up the budget system of the United States and also the office of Comptroller General. The background of this was this: On the budgetary side, the President was to have control, and he was to require through the budget officer and his subordinates the submission of estimates upon which budgets could be prepared. But as the great balancing wheel of that, there was also set up the office of Comptroller General, who was to serve for 15 years, appointed by the President. If you will read the law, you will see that the Comptroller General has power to compel the production of those secret matters within the province of the Executive power that the gentleman from Massachusetts argues today our branch of the Government has no right to ask for. I refer you to that act for your information.

If you will indulge me for a moment, may I read to you from this case the decision of the Supreme Court. I know the reading of a matter of this kind is always boresome and laborious to some, but I want to bring to your attention the language of the Court. This is the language of the Supreme Court decision in the case of *McGrain* v. *Daugherty* (273 U. S. 135), opinion by Mr. Justice Van Devanter:

> In approaching the principal questions which remain to be considered, two observations are in order.
>
> The first of the principal questions—the one which the witness particularly presses on our attention—is, as before shown, whether the Senate—or the House of Representatives, both being on the same plane in this regard—has power,. through its own process, to compel a private individual to appear before it or one of its committees and give testimony needed to enable it efficiently to exercise a legislative function belonging to it under the Constitution.

What is our duty? If I correctly apprehend what our duty is, it is this:

> The primary purpose of a committee of Congress in conducting an investigation is to assist the function of lawmaking. A secondary purpose of almost equal importance is fulfilled by investigations whereby Congress supervises and checks activities in the executive departments. In the latter type of investigation two questions of basic importance arise: How far can Congress go in requiring information from the executive branch of the Government? To what extent does the separation of powers of the Federal Government protect the executive officers? To date these questions have not been completely answered.

If you approach it from this angle or that angle or any other angle, I repeat to you what I said in the beginning, that this is a matter that can no longer be avoided. We must meet it. This great sprawling bureaucracy with these tremendous grants of powers and the subordination which past executives have sought to bring about in lowering the dignity, honor, and position of the Congress, can no longer be tolerated. We have come to the moment of decision. Therefore, let us meet it like men. Let us pass this resolution without respect to whatever individual may be the incumbent at the White House. Let us say to him: "Thus far shall thou go, and no farther." Then when the Supreme Court passes on it, we can again as we did the other day on the tidelands matter, declare what the policy of the Government shall be. Having done that, my friends and brethren, we will have done a man-size job.

Mr. McCORMACK. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Chairman, it had not been my intention to speak on this measure but unfortunately I was not able to be on the floor during the debate on the rule. I understand there were some implications that this is considered to be a party matter. I do not consider it so. As I see it, it would affect equally either party that happened to be in administrative power at the time. I did not consider it to be partisan at the time the matter was considered by the committee.

I understand also that reference has been made to the fact that three Democratic members on the committee voted to report out this measure. I am one of those three. The record in the committee will show that in voting to report this measure out I specifically reserved the right to oppose the measure on the floor of the House. This is shown also in the body of the report.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to my chairman.

Mr. HOFFMAN. There is no question about that. As I understand it, all three members who signed the report reserved that right. Four of the members who signed the minority report were not present at the hearing.

Mr. HARDY. I thank the gentleman. I wanted to clear that point up. I understood it was not adequately cleared up this morning.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield.

Mr. McCORMACK. I do not know what implication the gentleman from Michigan intends when he stated that four of the members who signed the minority report did not attend the meetings. Does he mean to say that they were not consulted?

Mr. HOFFMAN. No. I meant just what I said. They were not present.

Mr. McCORMACK. All right. My friend reported this resolution. It is all right with me.

Mr. HOFFMAN. They were not present when the committee considered the resolution. It is all right with me.

Mr. McCORMACK. It is a common practice for that to happen, and then the members be consulted afterward; is it not?

Mr. HOFFMAN. That is right.

Mr. HARDY. Since you are using my time, I am going to have to ask for another minute.

Mr. HOFFMAN. I yield the gentleman two additional minutes.

Mr. McCORMACK. No. I yield the gentleman an additional 5 minutes.

Mr. HOFFMAN. I yield the gentleman two additional minutes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for five additional minutes.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield.

Mr. BROOKS. I have been reading the report, and I notice the gentleman's name is affixed to the report. I would like to know this, briefly: Does the gentleman concur with the reasoning in the majority report, to which his name is signed?

Mr. HARDY. Not entirely. I do not recall having seen the report until after it was printed. I do not recall that it was presented to me for signature. I voted favorably on reporting the measure to the House for consideration, specifically reserving the right to oppose the measure on the floor.

There have been instances when additional information from the executive departments would have been most helpful to our committee in its work. There have been instances in which the executive departments have declined to honor requests from our chairman. It is presumed that the executive departments had reasons for withholding the information which, in their judgment, seemed valid. I shall not discuss the merits or demerits of these reasons, but I think it unfortunate that there has not always existed a close spirit of cooperation between the executive departments and the committees of Congress.

I shall vote against the resolution. My reasoning is entirely different from the reasoning that has been presented heretofore. My position is not based on grounds of conflict with the Constitution, and I recognize the sincerity of the various arguments that have been presented on this point and which will be presented, I am sure, later on in the debate. Frankly, on that score I am somewhat confused. I shall oppose it because I am afraid of it. I am afraid of leaks in information that may be disastrous, that may be serious to our Government. Personally, I do not want access to highly secret information that may be embarrassing or may be harmful to our Government, if it got out. I have witnessed leaks. I do not know how they came about. But supposedly confidential information did get out of our own committee and appear in the columns of the press. More important information could get out equally as easily. Of course, I know that penalties are provided, but the imposition of penalties on those responsible for divulging information would not undo the damage that might already have been done. That reasoning is entirely different from reasoning along constitutional lines. I leave arguments of constitutionality for my more erudite lawyer friends, but I am voting against this resolution purely from the standpoint of a common-sense approach to a realistic situation. I do not believe that confidential information secured in this manner can be kept confidential.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. HOFFMAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I realize perfectly well that this resolution presents to the Committee a most important and perhaps puzzling problem. May I confirm, however, what has already been said by the chairman of the Expenditures Committee, that this resolution did not have its origin in any particular incident which has occurred recently in connection with the attempt of a committee of the Congress to obtain information from the executive branch; rather, the idea has grown not only amongst members of the Committee on Expenditures but amongst many Members of the House on both sides of the aisle that Congress should have better facilities for obtaining information, should be more effective in obtaining information valuable to it in the performance of its legislative functions. The Condon case has nothing to do with this. One or two instances have occurred in the last 2 or 3 years which may have concentrated the attention of the Members on this problem, and as a result of this—and they extend back a good many years—we have this resolution.

This measure may not be absolutely perfect in every word and phrase. I understand some amendments are going to be offered to it, of what nature I am not as yet informed except in part. I am sure that you are as deeply impressed as I was by the address made by the gentleman from Pennsylvania. In an exceedingly able manner he traced the evolution of our Government under the Constitution and brought us to the point which I think we realize we have now reached, brought us to the point where the legislative branch of the Government should become more effective, more efficient in the performance of the functions ascribed to it under the Constitution. I need not remind you as he has already done, of the enormous growth of the executive branch. The growth has been due to the fact that one Congress after another going back through the years has conferred upon the executive branch new functions. The number of functions now performed by the Federal Government was undreamed of 30 or 40 years ago. I know if my own good father who served in this House for 20 years knew of the extension of the powers of the Federal Government as they now exist, he would turn over in his grave. No longer are we living under a simple government, and the more complex it grows, the more widespread it becomes, the greater number of functions it assumes, the more difficult it is for the legislative branch to keep track of it. I confess it has grown beyond my power to keep track of even a small fraction of the Federal Government. I have sat in some hearings recently on a matter of tremendous importance to the development of the West and have learned some things I never suspected could have been going on. There are only three or four of us on that subcommittee which has been listening to the testimony, and this investigation is still in its infancy.

It may not be surprising to you for me to say that I regard the Congress of the United States as a great institution, the most important of the three branches of government, because it represents the people directly. I have been concerned in recent years—and I have been here off and on now for nearly 30 years—at the difficulties confronting the Congress in doing its job and losing in part at least some of the confidence of the public. Should the Congress lose the confidence of the public as a result of failure to legislate intelligently, democracy as we understood the term is gone in this country.

We have reached the point, as the gentleman from Pennsylvania has so well said and stated much better than I can, when we must move in the direction of more efficient legislation and if we are to succeed in such a move we must have more information. That is the purpose of the pending resolution.

I shall refer to only one or two provisions contained in the resolution. The effort of the Committee on Expenditures was to dignify the process by which the Congress would get the information, not to pass the buck to anybody but to prevent, for example, a hasty decision on the part of the majority of a quorum of a standing committee initiating the move to get information. It is for that reason that we placed in this measure the provisions that it must be at the request of the majority of all the members of the committee.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Is it not a fact that in connection with the ultimate disposition of all papers of the various bodies created by this Congress we authorize their destruction; therefore, having the ultimate control we should have the initial and primary control.

Mr. WADSWORTH. That is absolutely true. We have the power to authorize the destruction of papers contained in the executive branch of the Government.

Then in order to further dignify and protect the process, we provide in this resolution that the committee thus acting must go to the Speaker of the House who represents the whole House and obtain his consent before it can demand of the executive department the information it desires. Now that was not for the purpose of passing the buck to the Speaker, as has been suggested here, but it was to dignify the process. The Speaker, of course, will carry a heavy responsibility. Speakers are accustomed to doing that, and they can be trusted to do it well, decently, and honestly. That is the reason for these precautions, as some people describe them, contained in this resolution; to make it more certain that the power here exercised shall not be abused or used carelessly. It has safeguarded the use of that power. True, if this resolution should become law, the

issue raised under it may come before the Federal courts and ultimately the Supreme Court of the United States. But why not? I would welcome such a development.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. How could that happen? I would like to pursue that a little further. How would it happen after this resolution becomes law, assuming it is passed over the President's veto? Whoever the President may be would have to say whether a particular thing is confidential and then refuse it. I would like to know how it would get to the Court.

Mr. WADSWORTH. It might happen under the penalty provisions of this bill. The gentleman cannot put words in my mouth.

Mr. McCORMACK. I am not trying to. I am trying to obtain information.

Mr. WADSWORTH. The President, of course, cannot be approached under this resolution. May I say, in making an observation on another point that was raised a little while ago nor can the Congress demand of the President the records of confidential negotiations with foreign governments. That is outside of the field of the jurisdiction of Congress, for under the Constitution of the United States the President represents the country in the conduct of foreign relations. For example, neither confidential communications between the President or his agent, the Secretary of State, with the American Ambassador in Moscow nor communications with foreign governments would be subject to the provisions of this resolution. You need not be alarmed about that. What we are concerned about is the operation of the executive branch of our Government on our domestic scene. This resolution represents an attempt—some may call it awkward—at least, it represents an attempt to secure better information for the Congress as it attempts to do its duty representing the people.

Mr. McCORMACK. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I call attention to the fact that my friend from New York [Mr. WADSWORTH], I am sure, unintentionally made a statement to the House that is not warranted by a review of the provisions in this resolution. I agree with him that any confidential papers of the President would not be affected, whether it be with an Ambassador or not, but when the gentleman says that confidential papers between the Secretary of State and an Ambassador or anybody else in a foreign country is not covered, then I am in complete disagreement with my friend, because it is covered by this resolution. The Atomic Energy Commission is covered. If this had been the law just before the invasion of Europe and the majority of a committee wanted information, they could pass a resolution to get information from General Eisenhower or General Marshall. Nothing in the world could stop them under the provisions of this resolution. Now, if it affects the office of the President, then what about all of the other agencies which the President is the head of? They are all subject to the provisions of this resolution. Every department of Government is. The State Department is created by law. The Secretary of State is created by law. Every agency and every department and Cabinet officer is a creature created by law to enable the President to carry out the duties of the executive branch. So, when you get away from the President, this applies to every agency of Government, whether we are at war or whether we are at peace, and it does not confine itself to domestic affairs. I want to stress the point as emphatically as I can because my friend from New York, I am sure, unintentionally conveyed to the House, the impression that so far as the papers of the State Department in relation to foreign countries are concerned, they would not be subject to the provisions of this law.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. WADSWORTH. Let me say that the gentleman from New York to whom the gentleman referred did not make that statement unintentionally. I meant it.

Mr. McCORMACK. Does the gentleman from Michigan say that this resolution does not cover the situation of a majority of the committee voting to get confidential papers of the State Department, the Speaker concurring and approving?

Mr. HOFFMAN. Of course it does not, because the Constitution itself puts all foreign relations under the executive department.

Mr. McCORMACK. This is amazing. You specifically exclude the State Department, do you?

Mr. HOFFMAN. Certainly we do, but there are certain fields the State Department covers besides foreign relations, and when it comes to those fields it should come under this resolution.

Mr. McCORMACK. You would have to put in the resolution an amendment like the freedom-of-the-press provision, if you want to protect that, because this resolution covers that.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Chairman, the constitutional or unconstitutional phases of this resolution have been quite ably discussed and I shall not approach the proposed legislation from that angle. I would, however, like to make a few observations on the practical dangers that I see in this measure.

I yield to no man or woman in this House in my opposition to communism and to its ideology, to everything for which it stands, and have consistently pursued a course in this House that I have felt was in the direction of aiding the preservation of a free America which, in its freedom, could stamp out any false ideology.

There are, however, times when legislators get quite a little bit in hysteria in their opposition to a given evil force to which they are directing their thought and energies. Hysteria is as dangerous as other factors that adversely affect grave consideration of legislative measures.

My only appeal here today, and I make it as one of you who are opposed to communism and are opposed to communistic infiltration, is to pause for a moment in order that we may be sure that in combating the very thing we desire to stamp out we are not injuring the safeguards which, down through the centuries have protected America against that type of evil influence and ideology.

This bill does not state that the Congress can subpena various types of papers from the departments. As I read it, it vests that authority in any committee of the House. Reference was made a moment ago to the preservation of the dignity of the Congress. I subscribe to that, and subscribe to it in an age where there has been a reaching out by bureaus, but if those bureaus transgress the authority vested in them or if those bureaus are holding back an individual piece of information or a document, there is nothing to stop Congress in its wisdom from obtaining a given document as was done here some weeks ago by majority action. The power of legislation would still be preserved and the dignity of the Congress would remain intact, which it seems to be feared today we will let drift away if we do not pass this legislation. Instead we have a dragnet bill which would permit any committee to get any secret paper. We say that the information may not get out. I have been in public life for a long time. I have been in conferences with numerous true and tried people, both within and without the Congress of the United States. But, my colleagues, if you are in a conference with over two or three people, no matter how sincere they may be, if the subject matter of the conference has to do with some matter or information which is secret and other information that is not secret, then after days go by, your recollection becomes dim as to what is secret and what is not secret. If the committee is entitled to this information, a colleague may ask you on the floor of the House what the information was, and you begin to rack your mind as to what was secret and what was not. Then it is only a short time before the information begins to seep out over your radio and through your news commentators.

In an age when it is necessary for these departments of our Government, the FBI, the Treasury Department, our Army and our Navy, to gather secret information, barriers should not be set up to stop the free flow of information to departments that might make vital use of it. By the passage of this legislation, we say to the citizens of our country, "If you give any information to an FBI agent or to an agent, perchance, investigating subversive activities or income-tax frauds, you may be revealed as the source of that information." If you say to citizens that information they give in secret to an investigator is not held inviolate, you have immediately made it extremely difficult to combat violations of law—to combat communism, if you will, because certainly American citizens

are not freely going to give information which possibly for security reasons of their own or for fear of retaliation they might otherwise freely give to an agent for the use or for the good of the Government. The Government will not get such information if the persons who might give it know that a committee of the Congress may summon for any of these papers and the names of the various people who gave the information become known. It is going to make it extremely difficult to obtain not only secret information, but necessary information for carrying on the orderly processes of our Government.

A situation could have prevailed had this been law at the time—where the War Department could have been summoned and secret and confidential plans as to the time and place of the European invasion might have been obtained, with disastrous effect to invading forces.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SASSCER. We have, through the various checks and balances, to which reference has been made, prospered as a strong nation. When Congress is opposing bureaus that attempt to take over legislative functions, let us not, the legislative branch of the Government, attempt to reach in and carry on the administrative details in governmental departments, particularly when we have the safeguards of legislative powers through which we can act at any time on any individual case.

Let us not tear down the structure of judicial processes and the safeguards of our Constitution in order to possibly clear up one or two infectious spots. The Congress should gain all the information it needs. We have that authority. The authority properly exercised will meet the requirements necessary for the committees to carry on intelligent and orderly investigations.

A secret investigation record which contained irresponsible statements as to the character of a person being investigated could, under this bill, be obtained by a committee of the Congress, and even though some of the statements given in the investigation were unproven and without foundation, but still a part of the file, if made public the unfounded statements would be dignified in the public mind as being a part of the public record or an FBI investigation.

It is easier and probably more popular to vote for this resolution than against it, but it seems to me that too often a majority vote is obtained because of the current feeling in a particular issue without regard to its effect and through the fear that in voting against the measure, the person so voting might put himself in a position, by association, of being wrongfully classified.

Mr. Chairman, I yield back the remainder of my time.

Mr. HOFFMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MACKINNON].

Mr. MACKINNON. Mr. Chairman, previously I have discussed this issue and the related parallel issues on this floor. I would like to make a few rambling observations about some of the things that have been said heretofore today, and probably touch upon a few things that have not been mentioned.

As has been stated, this involves an interpretation of the Constitution. At this point I insert at complete length the argument of Hon. Hatton Sumners, who was then chairman of the Committee on the Judiciary of the House of Representatives, when he appeared amicus curiae before the United States Supreme Court in the case of Jurney against McCracken:

ARGUMENT OF HON. HATTON W. SUMNERS IN THE WILLIAM P. M'CRACKEN CASE

May it please the court: The respondent does not raise the question of jurisdiction or of the proper exercise of existing power, but he definitely challenges the existence of any power in the Houses of Congress summarily to punish for a completed act interfering with the effectiveness of their inquisitorial power. Such a challenge goes very deeply into the structure of the Government. It raises the question whether the Congress is in fact a responsible, coordinate branch of the Government. Certainly the Congress is not a responsible, coordinate branch of the Government if it is dependent upon the other branches of the Government in getting the facts necessary to guide its legislative judgment. But it is not merely the denial of that power to the Houses of Congress which is involved, but the denial of all summary power from every source to punish for a completed act interfering with legislative processes. If respondent's theory is sustained, all power of every nature to preserve itself at this point would be denied to the legislative branch. No other agency of government can exercise summary power in its behalf. Whether or not even the slow, uncertain, criminal procedure would be put in operation to support the Houses of Congress seeking to discharge a constitutional duty would depend entirely upon the other two branches of the Government. Under such an arrangement, it could not be held that Congress is a responsible, coordinate branch of the Government. Congress cannot be held responsible for not doing properly that which it does not have the power properly to do. Responsibility for doing is always dependent upon the power to do. Remove the power and you remove the responsibility.

It would seem profitable at this point to make some examination of this interesting governmental power summarily to punish for interference with governmental processes. Looking at this power as it operates, it is easy to see that punishment for contempt is not a punishment for a crime in the ordinary sense. It is a sort of consolidated power of Government; of quick, direct action, originating out of necessity, which goes with certain duties assigned to the judicial and legislative branches of Government as a protective and effectuating agency. If contempt were a crime in the ordinary sense, the individual proceeded against unquestionably would be entitled under his constitutional guaranty to trial by jury. The legislative branch could not proceed at all. Courts could not proceed except in the ordinary way. No judge has any knowledge of what constitutes crime until the act shall have been denounced by the legislative branch of the Government. Judges have no authority to proceed against crime except as they derive authority from Congress. They have no knowledge that a crime may have been committed until advised by the grand jury or the district attorney, and the power of the courts to punish crime does not arise until the jury shall have advised that a given person committed a crime.

It cannot be admitted that any officials of this Government possess powers which they have acquired by inheritance and hold by prescription and which they may exercise against a private citizen in direct contravention of a specific constitutional guaranty. This extraordinary governmental power has no concern for the dignity and feeling of public officials as such. Its concern is for governmental efficiency. Necessity initiates, justifies, and fixes the limits of this power.

This court has provided that yardstick. In *Anderson* v. *Dunn* (6 Wheat. 204) it says: "Analogy and the nature of the case furnish the answer—'the least possible power adequate to the end proposed.'"

Measured by this yardstick, when there is an equality of need among the branches of the Government there must be allowed an equality of power. To hold that a branch of the Government, manned by a personnel chosen directly by the people, answerable directly to the people, and removable directly by the people, may not be intrusted with enough power of itself properly to protect itself and properly to discharge its constitutional responsibility, we submit, is an indictment of the whole scheme of representative government. As we understand the contention of the respondent, it is this: The Houses of Congress may imprison a refusant witness to compel him to produce a required document, but the minute he destroys the document the power of the Houses of Congress ends. He purges himself of contempt by an act of supercontempt. He frees himself of prison by the destruction of that for the nonproduction of which he has been imprisoned. The law goes to the Senate and says to it: "You may imprison the person until he delivers the document," and as soon as he is in jail the law goes to the individual and says to him: "You do not have to deliver the document. If you will destroy it that will be a 'completed act,' and the Senate will have to release you immediately."

It will not be questioned, that under our Constitution, before it was written the legislative and judicial branches of the Government each exercised this summary power. In view of the contention in the instant case, it seems a pertinent inquiry whether in the writing of our Constitution we drew any new lines of cleavage between the legislative and judicial branches of the Government.

The House of Commons was never a part of the English judiciary. It never drew any power or privilege of Parliament from that source. The powers and privileges of Parliament were acquired by the House of Commons when, as the representative of the people, it was engaged in a contest with the King for the mastery of the government of England. The House of Lords, when exercising judicial functions, did not do so as a part of the national legislature. It is true that during the confusion of powers and the shifting of power back and forth among the King and Lords and Commons, each, when powerful enough, moved across the line of its natural jurisdiction. In isolated instances during these times the House of Commons attempted to exercise at least quasi-judicial power, but suitors never resorted to the House of Commons. It was never recognized as a judicial tribunal, and its attempts in that direction were always challenged, never conceded, and were abandoned more than a century before we wrote our Constitution. Even the judicial power of the House of Lords had practically ceased to exist at the time we wrote our Constitution. As the economic organization and the laws became more complicated, the power to sit as the court of last resort of necessity passed more and more from this body of persons composed largely of laymen holding place because of the accident of having been the first sons of their respective fathers. This power passed to the great law officers of the government. Even the power to impeach had fallen into disuse. Since 1715 there have

been only two cases of impeachment, according to the great English authority, Sir Erskine May. The development of cabinet government directly responsible to the House of Commons, the removal of judges by join address, and the subjecting of all public officials to the jurisdiction of ordinary courts removed the necessity for this power, and with it went the power.

When we wrote our Constitution, most of the powers and privileges of Parliament had lost the support of necessity and fallen away, leaving the fiction instead of the fact of their existence. The great privilege of judging of the election of its own members has since passed from the House of Commons to the judiciary. But this is significant: This power summarily to proceed against those who interfered with the discharge of legislative duties was as completely possessed and exercised by the Houses of Parliament at the time we wrote our Constitution as it had ever been. Not only was that true but as the scope and difficulty of governmental responsibilities had increased, the importance and the frequency of exercise of the inquisitorial powers of Parliament had continued to increase. Documents became more important. Things which formerly, in simple times, had been held in memory were entrusted to records. Thus we see the operation of natural law upon governmental power. Those parliamentary powers and privileges which had ceased to be sustained by necessity fell away while the powers, including this summary power, which were sustained by an increasing necessity became more vigorous and more frequently exercised in proportion to that increasing necessity. That tendency has continued since our separation from Great Britain. As the affairs of government become more complex and as the forces with which government must deal in protecting the general public interest become stronger, better organized, and more shrewdly advised, the necessity for a strong inquisitorial agency of government must increase. Access to documents is indispensable.

When Court adjourned yesterday, I was ready to invoke, for what it may be worth, the rule of construction applicable to borrowed provisions and governmental arrangements. It may be stated, as a fact accepted everywhere, that we brought into our new Constitution the general governmental arrangement of coordinated responsible legislative, executive, and judicial departments which obtained under the old Constitution. I speak of the facts and not of the fictions of English constitutional development or of the mythological tales of our own Fourth of July orators. While other powers had fallen away, this power of the House of Commons to punish for a completed act which interfered with the effectiveness of its process remained. It came attached to the legislative branch into our Constitution by adoption of that to which it was attached. Contemporaneously with the beginning of the Government under the written Constitution, that fact was recognized. Not only did the contemporaneous practices of Congress so recognize that fact, but this Court, in *Anderson* v. *Dunn*, which has been referred to, held to the limitation of judicial interference which obtained under the unwritten constitution. It should be remembered that it was 93 years after the writing of our Constitution until the opinion of *Kilbourn* v. *Thompson* (103 U. S. 168), which the district attorney has discussed. The total effect of that opinion and subsequent opinions, we contend, leaves the former judicial and practical construction undisturbed, insofar as the inquisitorial powers of Congress are concerned. It is respectfully suggested, however, that the decisions are in some confusion, which indicates the possible advisability of a reexamination and clarification.

Did the writing of our Constitution make any material change in the general line of cleavage formerly established under our unwritten constitution between the legislative and judicial branches of our Government? The great struggles of English constitutional history had been to bring about a governmental arrangement under which the legislative and judicial branches of the Government would possess each for itself an independent power adequate for the discharge of its duties and with the incidental purpose of fixing inescapable responsibility for their discharge. The facts of history leave no doubt on that point, nor do they leave any doubt that it was our purpose to preserve that arrangement. Did we succeed in doing so? Parliament enacted bills of divorce and attainder and some others which are semijudicial. These powers were not denied to Congress and given to the judiciary under the written Constitution; they were denied to the Federal Government.

The houses of Parliament passed private bills semijudicial in their nature, but each session of Congress we pass many private bills. They may be founded in tort, growing out of the injury to a person, for instance, by a Government truck. Evidence is taken, witnesses are examined, argument may be had, judgment in favor of the suitor against all the people given, and the money paid out of the Federal treasury. Yet the passage of these bills does not make the Houses of Congress part of the judiciary. The enactment of this character of legislation makes neither the Parliament nor the Congress a part of the judiciary.

Powers may be delegated to this Court to appoint inferior officers. The exercise of that power would not make this Court a part of the executive branch of the Government.

The Senate sits in the trial of impeachment: That does not make it a part of the judiciary. The Senate sits in conference with the President on the appointment of executive and other officers. That does not make the Senate a part of the executive.

We did not create a new Constitution as a result of the Revolution. All the pre-Declaration of Independence conventions and resolutions show, whether from small groups or from such sources as the Boston convention and the Continental Congress, the demand of the Colonies was not for a new government or for a new constitution. The complaint was that King George and his Parliament were violating our Constitution which had come down to us through the centuries as our heritage from our ancestors. We fought not to free ourselves from a constitution but to preserve it. Ours was not a revolution in an explosive sense. It was not a true revolution. It was a territorial secession and a resort to arms to preserve our existing Constitution. When we wrote our Constitution we naturally brought forward in the main our former unwritten constitution around which the battle of the Revolution had been fought. On this point an analytical comparison of the unwritten with the written Constitution, the facts of our history and the weight of probabilities agree.

May it please the Court, before moving definitely to meet the test of necessity as laid down by this Court in *Anderson* v. *Dunn* (6 Wheat. 204), I wish respectfully to reserve the point, for whatever that reservation may be worth, whether, if it be a fact that this power summarily to punish for a completed act interfering with the discharge of their constitutional duty, came to the Houses of Congress with the Constitution, and was appropriated and exercised before and after judicial approval, that power cannot constitutionally be taken from the Houses of Congress except by constitutional amendments, or surrender by the Houses of Congress. I am not at variance with the test of necessity laid down by this Court. Whether that test is to be applied for the Houses of Congress by the courts, or by the Houses of Congress for themselves, and answer given by them to the people for the method of exercise may sometime become important, but in either case it ought to be agreed that exercise of summary power by any branch of the Government ought always to fall within the limitations of necessity as laid down by this Court in *Anderson* v. *Dunn*.

There is a difference in the circumstances of the legislative and judicial branches of Government as they relate themselves to the necessities and powers of self-preservation, but with respect to making effective their procedure in getting facts upon which to base official action, the necessities of the two branches of the Government in all respects are identical. Their procedure is identical—subpena persons and papers, testimony under pain and penalty of perjury, etc. Their need for protective and effectuating power, therefore, we respectfully submit, is identical. It is just as necessary to have the facts in order intelligently to legislate as it is necessary to have the facts in order intelligently to adjudicate. Equality of necessity calls for an equality in power. If that proposition is sound, the contention of the respondent is unsound. If it be true that Congress is a responsible, coordinate branch of the Government, it is difficult to conceive upon what political philosophy or notion of our system of Government one of the coordinate branches of the Government, the judiciary, should be asked to deny to Congress, another coordinate branch of the Government, a power to aid in doing its work, which power the judiciary finds necessary in the doing of an identical thing of an identical importance in exactly the same way and by the same methods as is required by the Houses of Congress.

The power of the National Legislature to guard and make respected and effective its own processes, and the power of the judiciary by its intervention to stop the exercise of that power is directly in issue in the instant case. The possession of power by each, the legislative and the judicial branches of the Government, to punish summarily those who interfere with its efforts to get the facts necessary to discharge a governmental duty, is not a blending or confusion of powers, but their separation. Such an arrangement gives to each the necessary power efficiently to do its work and thereby fastens upon each inescapable responsibility for properly doing its work. Such an arrangement also tends to the preservation of interdepartmental harmony and mutual respect and helpfulness. Without such an arrangement there cannot be responsibility. Without responsibility there cannot be efficiency.

If the respondent's contention is sustained, as I understand that contention, a witness summoned duces tecum before the Senate, for instance, could assault the process server. That would be a completed act. He could not only refuse to respect the summons but he could destroy the documents summoned after service. He could bring them into the presence of the Senate and in its presence destroy the documents, and that destruction, being a completed act, would relieve him from all power of the Senate, coercive or otherwise. The Senate could only go to the other branches of the Government and tell them about it. Looking at the matter in a common-sense sort of way, and this is a very practical matter with which we are dealing—governing ourselves is a most practical matter—how long could the courts of this country maintain the respect and hold the cooperation necessary efficiently to carry on under such a limitation? How long could they maintain respect for the Government whose courts they are? Quite as long as the Houses of Congress can do it, if the contention of the respondent is sustained.

I remember when this honorable Court tried the Texas and Oklahoma boundary dispute in which certain oil properties were involved. Suppose at that time I had in my possession a Spanish grant fixing the boundary in favor of Oklahoma, and this document alone could do that. A lot of valuable

property was involved in that dispute; enough to justify employing the best lawyers available. May we suppose that I was an agent representing a large interest in that case, representing Texas parties, the process server came to Texas and in order to prevent the execution of his process he should be assaulted. By the limitation sought to be imposed upon the Houses of Congress, that being a completed act, the Court could do nothing about it. Would that limitation upon summary power be calculated to protect process servers from physical violence and calculated to make the process of this Court respected in the future?

If the same limitations rested upon the power of the Court which the respondent asked the Court to declare with respect to the House of Congress, operating under a similar public necessity to have all the facts, that document could have been destroyed after service. It could have been destroyed on the steps of the Capitol, possibly destroyed in this room, and the Court could do nothing except go down to the district attorney and tell him about it, and make appeal to that official to do something to vindicate the power of the Court—not vindicate its power; it would not have any power. If the district attorney did not think well of it, that would be the end of the matter. The Court would have to come back and go to work at something else. But suppose it should persuade the district attorney; it would still have to persuade the judge. Suppose it persuaded the district attorney and the judge; if a grand jury should intervene, it would have to persuade it, and after that each of the 12 jurors. If 11 jurors were persuaded, and 1 for any reason would not give his agreement, that would end the matter, insofar as that effort was concerned. That would be a fine arrangement for myself and my clients. Doubtless there are many interests in this country that would like to see that limitation put upon the power of the courts, as well as upon the Houses of Congress. Under such an arrangement I might take that chance of tearing up the document. There was enough in that case to make it worth while. People do things of that sort. There are a lot of opportunities and a lot of possibilities of escape between the initiating of an ordinary criminal prosecution and a final verdict sustained by the higher courts when there is enough money to employ the best legal talent available and do all the other things helpful in the circumstances. There is a long road between the initiating of a criminal case and a unanimous jury verdict sustained by the court of last resort. There are a lot of people who would really prefer to take that road.

I trust that I am not guilty of any breach of the proprieties in comparing this Court and its situation and its requirements to those of the Senate, which in the realm of legislation sustains a position comparable to the position of this great Court in the realm of judicature. Not only is the ability of the legislative branch of the Government to do its work involved, but it is important to note that while it is necessary to protect the interests of the private citizen against governmental oppression, it is also necessary to preserve a sufficient strength in government to protect the interests of the people. One of the things which destroys free government is that people endeavor to protect against the possibilities of the abuse of governmental power by removing power from the Government until the Government has been made so weak that in a crisis it is unable to respond, and the people turn in disgust to a strong system of government, sometimes a dictator.

Government, in order to be respected and to be able to protect the weak, must be strong enough to compel respect for its mandates.

To have it established in this country that the Senate, chosen by the people, removable by the people, and responsible to the people for the discharge of its constitutional duty and for its respect for the rights of private citizens, can have its ability properly to discharge its public duty paralyzed by a contemptuous refusal and destructive action of a citizen bent either upon preventing an examination of documents which the Senate has a right to examine or of showing his contempt for this agency of government, we submit, from the standpoint of common sense, is ridiculous.

In a definite sense, under the test of necessity provided by the Court, this is a fact case. There is before this Court that which has some of the quality of expert testimony. The Houses of Parliament before the Constitution was written insisted upon this power as a matter of necessity, and public opinion agrees with the Houses of Parliament. They were experts on the question of need. The same is true with reference to the judiciary during that period and the attitude of public opinion toward that claim of power. These judges were experts on the question of need. Since the writing of our Constitution our judges, our Members of Congress, British judges, and British members of Parliament by practice and formal action have given their testimony that this power is a necessity.

Now let's see whether the Senate may be trusted with this power. That seems to be the only remaining question. The legislative branch of Government has been trusted with that power since the beginning of parliamentary government. But let us see where the Senate comes from and what powers have we felt it safe to give to it. The Senate of the United States is the people of the United States, in one of the branches of the Congress assembled. They are selected directly by the people of the United States and answerable directly to them. The Constitution gives the Senate, with the House, the power and the duty to enact laws which govern and protect the lives and relationships of every human being in the Nation. They have the responsibility of legislating for the other two branches of the Government. The Senate has the power, with the House of Representatives, to declare war, to send every person able to bear arms to the battlefield to pledge every dollar of this Nation's present and future assets for its debts. The Senate has the power and the duty to pass judgment on every person the President suggests as necessary to aid him in carrying forward the executive business of government. The Senate is given the stupendous power of impeachment; stupendous when you consider its scope and substance, and how it might operate to remove every officer from the lowest executive officer to the incumbent of the White House, and to remove every member of the judiciary from the lowest court to this honorable Court. And yet this Court is asked to hold that in a matter however important, when the examination of documents is necessary, an individual who could help the Senate if he would, may be guilty of every conceivable act of contempt and of interference, may paralyze the inquisitorial machinery of the Senate, and there is no power by certain and speedy punishment to establish respect and compel obedience and cooperation. If that were to be held, upon what basis could the Congress claim to be a responsible coordinate branch of the Government, or upon what foundation of fact could the people hold it to that responsibility?

The slow uncertainty of the ordinary criminal procedure controlled by other departments of the Government cannot give the speed and power and independence required by a responsible coordinate branch of the Government dependent for its effective action upon the efficiency of its inquisitorial powers. The genius of our Constitution manifested in the distributed arrangement of our governmental powers, parliamentary practice under the old and the written Constitution, and the practice of our courts, we respectfully submit, show agreement with the proposition just stated.

Therefore, in behalf of the House of Representatives, we respectfully insist, the contention of respondent to the contrary notwithstanding, that it is established that the two Houses of Congress have the status of a coordinate branch of the Government each clothed with the indispensable independent power to preserve that status and to make effective its processes constitutionally exercised in the discharge of its legislative duties.

Ninety percent, maybe a little more or a little less, of all Federal activities owe their existence to Congress. They all owe their continuance to the action of the Congress. I recognize the inherent difficulty of attempting to touch something that is inherently a Presidential function by virtue of powers specifically given him by the Constitution. In that field I would place foreign affairs, the Secretary of State, the Army and Navy, the Treasury, and the Attorney General. So far as their constitutionally vested powers are concerned, I do not believe they are affected by this legislation; and, likewise, so far as the appliaction of particular statutes are concerned I believe the Court would follow the time-honored rule of statutory construction that general legislation of this character would not be deemed to override the specific guaranties contained in special laws. So I am not worried about the Atomic Energy Commission and a number of other fields that are so protected.

It has been argued that we have independent departments of government. Mr. Chairman, in my opinion, that is an excess generalization and represents an oversimplification of the true situation. It represents what I consider is a rather naive approach. Under our Constitution, as I read it, we do not have any independent departments. We do have three branches of government that are independent in the exercise of certain functions. It is the functions that are independent, not the departments; but fundamentally we have a government of checks and balances. We in the Congress cannot interfere with the executive power as it affects us, we cannot interefere with the judicial power as it affects us any more than they have the right to interfere with our exercise of the legislative power.

The Supreme Court of the United States has stated that it is a necessary incident of the legislative power that we have the opportunity and the power to compel the production of information. See McGrain against Dougherty. The courts have stated that we can use the subpena. There is nothing in the Constitution that gives the Congress the power to subpena information any more than there is anything in the Constitution that gives the courts the power to subpena. As the subpena power is ancillary to the power of the judiciary it is also ancillary to the power of the legislature; and I will venture the observation that the subpena power is of lesser importance when exercised by the court than when the subpena power is exercised by the Congress.

The courts judge and interpret the law after it has been written and apply it in isolated individual cases, but we here have to decide, before any court gets jurisdiction, what the law of this land shall be. Few cases reach the courts compared to the number of instances where individuals are affected by laws made by Congress. The income tax is a good illustration. How many income tax cases get to court compared to the number of individuals who are forced to pay taxes? Is it not more important to fix a fair tax than it is to punish a few violators. Laws of Congress affect intimately every man living within this domain but the courts touch very few. Certainly everything that has been said as to the necessity and the desirability of the judiciary having the subpena power applies with far greater vigor to the Congress of the United States.

I am not 100 percent for this resolution as it is presently written. I want to say frankly that I am of the opinion that the subpena power which we presently possess gives us everything we would have under this particular resolution. The difficulty comes in our following up after we have met a refusal. Under the subpena power as it exists today we come to the particular point where we run into a refusal as to what to do to compel obedience. Then it is up to us to make a decision. Mr. Chairman, we are going to be exactly in the same position with respect to this resolution; and we are going to be compelled if this resolution passes, the same as we are today, to decide whether we are going to proceed with a contempt action. We cannot get around that. I recognize the fact that this will help because there are a lot of people down in these departments with peculiar mentalities—and I have run into a number of them in the short time I have been here—who do not respect anything if it is not written in the form of a law.

If the Supreme Court said it, or if the Supreme Court said that the Constitution stated it, they still do not believe it exists unless it is written into law. From that standpoint, this resolution, if adopted, will have some value.

Mr. Chairman, I made the statement that I had run into a number of such individuals since becoming a Member of Congress. I know a great many citizens back home, if they were in my position and had run into as many devious claims of secrecy by Federal departments as I have in the small amount of work a first-term Member usually engages in, would realize the importance and necessity of doing something to make public business public. I find these governmental departments around here hiding behind everything they can possibly hide behind so as not to give information upon public matters of public interest. They hide behind Executive orders, regulations, Attorneys General opinions, attorneys' opinions, even though the opinion is rendered by an attorney under the control and direction of the person requesting the opinion and after the Member had first taken a position. They often hide behind the word "confidential."

Mr. Chairman, I would like to say a few words about what they mean by confidential and secret and how something becomes confidential or secret. Those words are bandied about here considerably. What makes it confidential? What makes it secret? Who says it is confidential? Who says it is secret? What do they attempt to do by those methods? Why, the entire objective is merely to stop producing evidence on matters involving public business primarily because it would embarrass the administration.

I recognize that there are a few instances where it may be a good thing to keep a small amount of information in restricted categories, but I do not think valid reasons exist in 95 percent of the cases, and I do not believe they exist in 99 percent of the cases where requests are made and refused by the executive department. Obviously, the Army, Navy, and the Atomic Energy Commission have matters of vital importance that must necessarily be kept secret because of the effect it would have upon our security.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Can we not safely presume that a majority of the members of the committees of this House are just as patriotic, just as able to protect secrets, as anyone in these agencies—some bureaucrat, for example?

Mr. MACKINNON. I will answer that at length in the remaining time I have. I think generally that is true; however, there are instances, such as atomic-energy secrets and military secrets, I am sure the gentleman did not include in his remarks. We do not wish to be exposed to that information, and we would not be under this resolution.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HOFFMAN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. MACKINNON. Mr. Chairman, I have examined these claims of secrecy while I have been a Member of Congress. I ran into similar claims when I served in the legislature of my own State for a number of years. I have never yet seen the claim of secrecy made that when the information was dragged out and given to the public there was any real merit to the claim. I have never yet seen one. There may be some that exist, but I will have to be shown. I have never seen a good excuse for secrecy and I will say further that the reasons I get down here from the Federal departments I consider far inferior to some of those I got back home. They are equally ingenious.

Mr. Chairman, I want to say one additional thing about section 2. The gentleman from Michigan mentioned the ability of Congress to deal with certain confidential information. As to section 2 of this bill, which would set up a committee procedure for establishing confidential data, I personally do not think that is too workable. For instance, under that provision, a member would be charged with an offense, which depended upon the action taken by a particular committee. I am sympathetic with the desire of the chairman of the committee and the committee itself to protect confidential information where it is absolutely confidential and necessarily confidential, but I cannot see that the procedure of section 2 would be workable.

On the whole, I consider the resolution is more good than it is bad, but will support correctional amendments in line with the foregoing views. There is certainly a crying need to open up the public records of these departments to public scrutiny.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MCCORMACK. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS of Louisiana. Mr. Chairman and members of the Committee, I have listened to this debate since it started this afternoon, and I believe that with only one or two exceptions there has not been a member of this Committee who has stood in this well and attempted to defend this legislation as it is written. I believe that there are many very good reasons for that reluctance among the Members of our body.

In the first place it appears to me that this legislation is obviously and palpably political. It is directed against the President of the United States. It is an indication that we, as Members of the Congress, do not have confidence in the integrity, and in the loyalty, and in the good faith of the President of the United States. There are many policies that the President of the United States has publicly advocated which I have not supported, and there may be from time to time many others that I will not support, but the fact remains that the President of the United States, whether he be Republican or Democrat, answers to the people of the United States and his conduct under the Constitution of the United States is reportable to the people of the United States.

We are saying here that we put our judgment over and above that of the Chief Executive of our country in the question of security and in the question of loyalty. It strikes me that regardless of whether we have a Democratic President or a Republican President, that this is one of the most obvious and one of the most notorious invasions of the constitutional separation of powers that has occurred, certainly since I have been participating in and reading the debates of this great body. Aside from that obvious political consideration it seems to me that there are other implications of possibly an even more commanding consideration in this bill. The proponents of this legislation come before us advocating this legislation and asking us to vote for it because, they assert, the security of the Nation and the public interest of the country demand it. In my opinion quite the contrary is the truth.

The very basis of security, in many cases, whether we like it or not, is secrecy. When the FBI conducts an investigation, whether it be about a probable employee of the Federal Government, whether it be about a pending criminal prosecution, or whether it be about a matter involving the fundamental security of this Nation, the first thing that many people interviewed ask

is this: "Can I be assured that the information which I give is confidential and secret?"

If that assurance cannot be given, if the agent of the FBI must reply, "I don't know," or if he must say, "I can't tell you; it may not be," I venture to say that in many cases if not in a majority of the cases the information obtained will be neither adequate nor complete. Thus the resolution actually harms the investigative agencies of the Government.

That adds up, it just makes good sense. If you have information about a party that you cannot prove in a court of law, and you give it to an agent of the Government, and at a subsequent period that information is made public, you are subject to the law of slander, the law of libel, criminal and civil, and necessarily you are going to protect yourself and are not going to give the information.

The same thing applies in the investigation of loyalty cases. This resolution comes to us under the guise that it is intended to get at the so-called Condon case. I think it would do much more harm in loyalty matters than anything possibly involved in that case, although I know none of the facts involved. The same point I have made in connection with every FBI investigation would apply in every loyalty investigation. If it were known that the information was not confidential and that the information might be made public, again, the Government would be deprived of valuable information.

I have heard it said by some of the rather luke-warm proponents of this legislation, and they all appear to be luke-warm, that there are certain fields of Federal activity in the executive branch of the Government which will be eliminated from this legislation. What assurance do we have that such will be the case? It has been stated that the State Department, because of the fact that it operates in some categories under the treaty-making powers and in other categories under other constitutional powers, will not be subject to the requirements of this legislation if enacted into law. I see no such assurance in this legislation. As someone on the majority side pointed out, each department whether it operates exclusively on the constitutional plane or on the legislative plane, has to come to Congress for appropriations, so the distinction at best is a rather specious one.

Let us now go into the broad field of national security, the operation of the Army and the Navy. Let us presume, and possibly the illustration I gave is a fantastic one, but not beyond the realm of possibility, that 2 or 3 years back some committee of this body had decided that it wanted information about when we would invade the Continent of Europe. Would it not have been possible, had this legislation been on the books, for that committee to have gone down to the War Department or the Navy Department and demanded information about when D-day would occur and what would be involved in that D-day? Can you imagine a more serious threat to security?

I think the distinguished chairman of the committee said that, after all, we have just as much reason to trust our brethren in this body as we have to trust the President of the United States. With all due regard and due respect to my friends and colleagues, I cannot help but recognize our human frailties in this body, I cannot help but recognize the penchant that many of us seem to have for seeing our names in the headlines. I cannot help but understand, too, that if a Member's name should get in the headlines in some sensational story, violating the security and the defenses of this Nation, there is no remedy provided for the punishment of a Member for giving away that confidential information. Remember what is uttered on this floor is privileged to the Members and the press. If someone in the executive branch of the Government reveals information vital to the security of this Nation he is subject to the laws of this Nation, he is subject to losing his job, he is subject to the regulations of the executive department, and because he is subject to those rules, is subject to those regulations, and is subject to the penalties which may accrue if he violates that security, he may very well lose his job and he might end up with criminal penalties assessed against him. By that expression I do not mean to indicate a lack of confidence in my brethren in the House. But I do recognize the apparent desire of some Members to do something sensational to get publicity. I have not seen any finer opportunity presented since I have been in the Congress to bring about that sort of thing, which is quite contrary to what we are attempting to achieve in this proposed legislation. I trust the Congress will think twice, and that it will not pass this bill in a spirit of hysteria and with the idea that we are going to stop the spread of communism by passing this resolution. This legislation questions the fundamental loyalty of the President of the United States, and in doing that it is wrong. It invades the constitutional prerogatives of the Executive, and again this is wrong. It does not help security. Actually, it creates a serious threat to security. I trust the Members of this body will think long, hard, and calmly and in a judicious spirit vote down this nefarious proposal.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. HOFFMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, I had come here today prepared to oppose the resolution principally for one reason. That was because under its present provisions a newspaperman or a member of the press might become involved in some matter which would finally cause him to be punished. I am told, and we are all told, by the very distinguished and able gentleman from Michigan that that part is to be removed from the bill by an amendment to be offered by the gentleman from Ohio [Mr. BROWN]. I think there is no Member of this body who is in closer touch with the frustration that has suddenly come to the Congress of the United States over the refusal of the executive branch of the Government to give us information than am I. The name of Dr. Condon has been mentioned a number of times here. It was started by the gentleman from Illinois [Mr. SABATH] who painted Dr. Condon in very rosy colors as a great patriot and a very deserving employee of the Government of the United States. The first time I ever heard the name of Dr. Condon was when the Subcommittee of the Committee on Un-American Activities, of which I am a member, issued a report in which it did not accuse him of being disloyal or being dishonest or unpatriotic or anything of that kind, but it did accuse him of being the weakest link in our security situation here in the United States. I was deeply concerned, as I presume all other Americans were concerned, that we should have a weak link high in the Government of the United States, particularly one who had knowledge of that tremendous world secret, the atomic bomb. I was also astonished and amazed when it was called to my attention by Dr. Condon himself that he was my constituent and that he lived not very far from me in Pennsylvania and had lived there quite a number of years. Like all other Members of Congress, both of the House and of the Senate, I shall protect the honor and reputation and security of my constituents, just the same as any of the rest of you will. On the other hand, if I should find a constituent of mine who does not deserve protection, be assured that he will not get it from me.

The history of Dr. Condon's case up to date is this: The chairman of the full Committee on Un-American Activities, J. PARNELL THOMAS, rose from a sickbed, a very sick man, because he was so disturbed about the situation, particularly the situation regarding the atomic bomb. He summoned his subcommittee together and after going over a number of matters, they issued this report. A number of us were assigned to look further into Dr. Condon. The facts are familiar to all of you now. We requested from the then Secretary of Commerce, Mr. Harriman, the letter that J. Edgar Hoover, Director of the Federal Bureau of Investigation, sent to Mr. Harriman, describing the activities of Dr. Condon. Much has been made of what the letter contains. As ranking member of the committee, after the Condon matter was exposed, I called all of the employees, all of the investigators off the various other jobs they were doing and put them on the Condon case. We are just about ready to make a report to give Dr. Condon his bill of particulars, almost 100 typewritten pages of his activities in the past several years.

Dr. Condon is Director of the Bureau of Standards. I am afraid the Bureau of Standards is not too familiar to many Members of Congress, but it is a highly important part of the American Government. It plays a highly important part in the American way of life; as a matter of fact, it goes into everything from silk stockings that the girls wear to the atomic bomb. Dr. Condon is one of the known experts on the methods of creating the atomic bomb.

The letter that Mr. Hoover wrote to Mr. Harriman has been discussed in thousands of places, over the radio, and in all the newspapers as to just what it contained. The thing was grabbed on,

of course, by the Communists. There is no effort here to say that Dr. Condon is a Communist, and presumably there never will be such an effort. Nevertheless, every left-wing organization in the country began to work on this business, to the extent that they finally got, as far as many thousands of confused minds are concerned, the idea that J. Edgar Hoover, in his letter to Secretary Harriman, said that Dr. Edward U. Condon did this, he saw this person, he talked to this person, he went to that party, and on, and on, and on, but after going through all this he still believed Dr. Condon was perfectly all right and perfectly secure, and everything of that kind. Well, it does not say any such thing. I know what is in the letter. It describes what the Bureau of Investigation found about Dr. Condon, and it winds up, "Yours very respectfully, J. Edgar Hoover, Director of the Federal Bureau of Investigation."

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. HOFFMAN. Is it not the practice of the FBI always to recite the facts and not to express an opinion?

Mr. McDOWELL. The gentleman is exactly correct. They neither express an opinion nor do they reveal their sources of information when they give a report to any department of Government.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. McCORMACK. Does the gentleman think the FBI should reveal its sources of information?

Mr. McDOWELL. Most certainly I do not.

Mr. McCORMACK. This resolution will compel it.

Mr. McDOWELL. I do not agree with the gentleman from Massachusetts on that point. The Committee on Un-American Activities is not at all concerned with the sources of information of the great FBI. Of course not. We are an investigating body ourselves, and we would refuse to give our own sources of information. That is just common logic.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. GRAHAM. And is this not the criterion, that inasmuch as the President appoints the Attorney General, who in turn appoints the Director of the FBI, that evidence collectively goes to that channel alone and not to the Congress, and all we are doing here is setting up a separate entity which will protect us in the same way, by which we will have access to information brought back directly to Congress?

Mr. McDOWELL. The gentleman is exactly correct.

Mr. HOFFMAN. Will the gentleman yield again?

Mr. McDOWELL. I yield.

Mr. HOFFMAN. I would like to ask whether or not your Committee on Un-American Activities has cooperated with the executive department and furnished them information, and approximately to what extent.

Mr. McDOWELL. I am glad the chairman of the committee that brought this resolution to the floor has asked me that question. I went to the committee this morning, and unless I have made a mistake—and I do not think I have made a mistake—ever since the Committee on Un-American Activities was created—and I might remind the distinguished gentleman from Massachusetts [Mr. McCORMACK] that the seed of one of the flowers in the garden that is in the Committee on Un-American Activities was planted by him. The Nation will be eternally grateful for his action. There have been 16,000 requests for information from the Committee on Un-American Activities from various agencies of the Government; the Army, the Navy, the State Department, the Civil Service department, and the FBI. Any of you can walk over with me after we are through here, and you will find two rooms over there so full of Government agents of one kind or another that you cannot get around. The Old House Office Building is controlled by the gentleman from New Jersey [Mr. AUCHINCLOSS], and I have been beating his ears in for months trying to get more space over there to let more FBI agents into the files of the Committee on Un-American Activities.

Not very long ago, about 10 days ago, one of the most distinguished and able Members of this House—he, not being here, I cannot mention his name—was talking with the Acting Secretary of Commerce, Mr. Foster, the Secretary having just resigned. They had some business together about the Department of Commerce. The Member of Congress said:

> Mr. Secretary, why do you not send up the Condon letter? The House obviously wants the letter as a vast majority of the Members have voted to ask you to send that letter up; why do you not do it?

The Acting Secretary said: "We cannot because it would reveal sources of information."

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOFFMAN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. McDOWELL. Mr. Chairman, I will digress for 1 minute from the resolution to discuss something else. Tomorrow we have got to consider the Mundt bill. The Mundt-Nixon bill nowhere contains the word "Communist Party," but the word "Communist" is mentioned many scores of times. The Communist Party is not named or mentioned, but the Mundt bill, if adopted and put into practice in the United States, will for the first time in 30 years break the back of this international political conspiracy that is attempting to enslave the world.

The Mundt bill is no partisan bill; it is no bill for Republicans only and not Democrats; it is a bill for 99 percent of the membership of this House and the other body to finally grab this thing and destroy it here in a free land.

Tomorrow all hell is going to break loose in Washington because 7,000 people are coming here to oppose the Mundt bill. When you go back to your offices today you are going to find all sorts of bales of telegrams and letters telling you that the Mundt bill sets up a police state, that this is the beginning of fascism and everything else that has been cried against by the Communist Party for years and years.

The greatest argument they are making against the Mundt bill is that no hearings were held on it. Why, the Committee on Un-American Activities has been holding hearings for 10 years, and thousands of investigations have been made by committees controlled by Democrats and Republicans, by the great Texan, Martin Dies, and the great Georgian, John Wood, and now by the gentleman from New Jersey, J. Parnell Thomas. All these results have been combined into the wisdom that you are going to find in the Mundt bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. McCORMACK. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. ISACSON].

Mr. ISACSON. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. McCORMACK. Does the gentleman insist on his objection?

Mr. HOFFMAN. Does not the gentleman want to get through with this bill? Well, Mr. Chairman, I withdraw my objection.

The CHAIRMAN. The gentleman from New York is recognized to proceed out of order for 8 minutes.

Mr. ISACSON. I thank the gentleman from Michigan very much.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include therein extraneous material.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISACSON. Mr. Chairman, the exchange of diplomatic notes between our Ambassador, Walter Bedell Smith, and the foreign minister of the Soviet Union are of momentous importance to the peace of our country. I know that the people of my district—yes, and the people of the Nation are anxious that we investigate every opportunity for a lasting and dignified peace.

On May 4 our Ambassador Walter Bedell Smith delivered to the Foreign Minister of the Soviet Union a message which stressed three points: First, that American foreign policy would be vigorously and firmly carried out with the overwhelming support of the American people; second, that the United States has no hostile or aggressive designs against Russia; third, that "as far as the United States is concerned the door is always wide open for full discussion and the composing of our differences."

The same thought had been expressed previously on half a dozen occasions by

President Truman and Secretary Marshall, notably in the President's message to Congress on March 17, and the Secretary's testimony to the House Foreign Affairs Committee on May 5. But never until May 4 had it been stated directly to the Soviet Foreign Minister by the American Ambassador.

On May 9 Mr. Molotov replied. His statement also contained three points: first, he reiterated and justified the foreign policy of the Soviet Union; second, he complained of American intervention in the domestic affairs of other states, and of the progressive development of the network of naval and air bases in all parts of the globe, and of the formation of alliances allegedly directed against the Soviet Union; third, he stated that the Soviet Government "agrees to the proposal to proceed to the discussion and settlement of differences existing between us."

Immediately thereafter Moscow radio broadcast the exchange of views to the entire world. The broadcast was attended with unusual and most significant publicity which emphasized the Soviet's willingness to discuss the differences existing between the two nations. All over Europe and then all through the world the great masses of the people, living in increasing fear and apprehension of a horrible third world war, rejoiced. This was the first small, welcome ray of hope in the gathering, threatening clouds of war.

In Moscow the United Press report quotes:

Russians crowded five and six deep in front of newspaper bulletin boards today to read the Russian-American exchange of notes which, they hoped, might lead to better relations.

Laboring men in overalls, shawled mothers with babies in their arms, white-collar workers, and army officers stood patiently awaiting their turn to read the full three columns of a Tass Agency dispatch on the exchange.

As they read, they nudged each other and made such comments as: "Good, huh? Good."

For the first time in months many of them beamed at those among them who were obviously foreigners.

In Paris, in Prague, the newspapers report the crowds were jubilant. In Berlin one newspaper said: "It is the first ray of hope."

In this country, peoples of all political parties declared their joy at the possibility of reapproachment between the Soviet Union and the United States.

One Republican Presidential aspirant declared it "the best news since VJ-day."

At Lake Success, the Associated Press reports "diplomats from East and West agreed today that understanding between the Soviet Union and the United States would make the United Nations an overnight success." Secretary General Trygve Lie issued a formal statement welcoming the news that Washington and Moscow would get together, delegates from the western states talked happily, and the mood was bright.

And then yesterday, May 11, the President of the United States replied:

First. He reiterated the foreign policy of this country;

Second. He stated that the United States has no hostile or aggressive designs.

But where was that all-important third point?

Our President completely ignored the suggestion of the Soviet Union regarding peace conferences between the two nations.

The American people, the people of the world, stand aghast.

Does the President of the United States offer "no comment" on the Soviet Union's acceptance of a United States proposal to discuss peace?

Is our President, in behalf of the American people, turning his back on peace, on proposals for peace talks initiated by our own country?

Is he closing the door on the hopes and jubilation of the peace-loving peoples of the world?

Has Harry Truman got the peace jitters?

Or is this incredible lapse another example of his now-celebrated bipartisan political schizophrenia, his remarkable on-again, off-again double-talking on vital issues; on-again, off-again price controls; on-again, off-again partition for Palestine; on-again, off-again civil liberties?

Is the Truman bipartisan promise to the world to be an on-again, off-again peace?

The newspapers say that our top officials accuse Russia of distorting the meaning of the American Ambassador's note, which stated that "the door is always wide open for full discussion and the composing of our difference."

Perhaps so. But even if this be true this is truly a colossally unimportant observation.

It is not important whether the Soviet Union correctly defined the intention of the American note, or whether that interpretation was strained.

It is not important that the American note may have constituted merely a reiteration of former position.

The important thing is that the impasse between these two great nations had finally been broken. That whether by interpretation or misinterpretation the first feeler had been put out toward a conference which might lay the foundation for understanding between these nations and a lasting peace.

If, indeed, the American note was simply a reiteration of our former position and our position has always been that the door for discussions is always open, then it would seem inevitable that our Nation would accept the developments of the last few days and utilize them to the end that such discussions might be held without further delay in an effort to avoid the total destruction of yet another war. The American people want to know why this proposal was so summarily rejected.

Here was no proposal for appeasement.

This was a proposal for a dignified conference between two nations.

It is regrettable that our President saw fit to reject this overture.

I join with Henry A. Wallace in his open letter to the heads of the two governments in the hope that the door to peace is even yet not completely closed:

OPEN LETTER BY HENRY A. WALLACE

A CENTURY OF PEACE

Although the notes of Ambassador Bedell Smith and Foreign Minister Molotov are both characterized by the same self-righteousness which has led to the international crisis, they represent great hope to those of us who have consistently maintained that peace is possible and they represent a severe blow to the propagandists on both sides who have insisted that the two nations cannot live at peace in the same world. The two letters assume what we have long contended—that the wartime cooperation between the two great powers can be rebuilt and strengthened in time of peace. The exchange of notes, opening the door to negotiations, must be followed by a meeting—an open, fully reported meeting of representatives of both the United States and the Soviet Union. With the prospect of such a meeting, I present my thoughts on the steps necessary to achieve the century of peace.

THE COLD WAR MUST STOP

The United States of America and the Union of Soviet Socialist Republics must take immediate action to end the cold war. This involves taking definite, decisive steps looking toward the following objectives:

1. General reduction of armaments—outlawing all methods of mass destruction.

2. Stopping the export of weapons by any nation to any other nation.

3. The resumption of unrestricted trade (except for goods related to war) between the two countries.

4. The free movement of citizens, students, and newspapermen between and within the two countries.

5. The resumption of free exchange of scientific information and scientific materials between the two nations.

6. The reestablishment of a reinvigorated United Nations Relief and Rehabilitation Administration or the constitution of some other United Nations agency for the distribution of international relief.

Neither the United States of America nor the Union of Soviet Socialist Republics should interfere in the internal affairs of other nations. Neither the United States of America nor the Union of Soviet Socialist Republics should maintain military bases in other United Nations countries. Neither the United States of America nor the Union of Soviet Socialist Republics should terrorize the citizens of member states of the United Nations by massing land forces, establishing air bases, or making naval demonstrations. Neither the United States of America nor the Union of Soviet Socialist Republics should use financial pressure, economic pressure, or the pressure of secret agents to obtain political results in other countries. Both the United States of America and the Union of Soviet Socialist Republics, in the spirit of the United Nations Charter, should collaborate to the limit in furthering the political, economic, and cultural health of the world. To that end the United States of America and the Union of Soviet Socialist Republics should join the various subsidiary agencies of the United Nations, such as the World Health Organization, the Food and Agricultural Organization, and the United Nations Educational, Scientific, and Cultural Organization.

REHABILITATION OF EUROPE

It is to the advantage of both the United States of America and the Union of Soviet Socialist Republics to give maximum economic help to Europe as promptly as possible within the framework of the United Nations,

proportioned to the devastation and economic need. As soon as possible the European Cooperation Administration and the United Nations and the Economic Commission for Europe should be converted into a reinvigorated and expanded United Nations Relief and Rehabilitation Administration for the purpose of building a highly productive, economically unified Europe in which there would be no barriers of trade, communication, or culture between eastern Europe and western Europe.

SPEEDY PEACE WITH GERMANY

The Union of Soviet Socialist Republics, the United States of America, Great Britain, and France should conclude a peace treaty with Germany at the earliest possible moment. The objective is the prompt reestablishment of a peace-loving German Government in charge of a united Germany which is obligated to the strict fulfillment of the Yalta and Potsdam agreements. Russian, French, British, and American troops should be withdrawn from Germany within 1 year after the signing of the German peace treaty.

PEACE IN THE FAR EAST

Neither the United States of America nor the Union of Soviet Socialist Republics should send arms into China. Both the United States of America and the Union of Soviet Socialist Republics should withdraw troops from both China and Korea. There should be set up as soon as possible a government for all of Korea. Both the United States of America and the Union of Soviet Socialist Republics should adhere to the principle of equal rights for all nations in China, with respect for the sovereignty of China, and refrain from interference in the internal affairs of China. Both the United States of America and the Union of Soviet Socialist Republics can benefit from a China which is strong and unified on the basis of economic and political democracy.

JAPAN

A peace treaty with Japan based on agreements heretofore arrived at should be made at the earliest possible moment. Both the United States of America and the Union of Soviet Socialist Republics have a vital interest in a democratic and peace-loving Japan. All nations having occupation troops in Japan should withdraw them within a year after the signing of the peace treaty with Japan.

VETO AND ATOMIC-ENERGY CONTROL

The excessive use of the veto and the impasse with regard to certain phases of atomic-energy control are the expression of the lack of confidence between the two nations. They are symptoms, not causes. Both can be handled constructively once confidence is established in the major issues. The door should be promptly opened to the extraordinary benefits which atomic energy can bring to mankind at peace. Atomic energy for war is a crime and a curse. Atomic energy for peace can be science's greatest blessing.

ACCESS TO RAW MATERIALS

The Atlantic Charter has provision for freedom of access to raw materials by the nations of the world. This is very important for the smaller nations, and both the United States of America and the Union of Soviet Socialist Republics should carry out the spirit of article 4 of the Atlantic Charter.

There are possibilities of increasing interchange of goods between the United States of America and the Union of Soviet Socialist Republics to a volume many times the prewar figure. Such an increase in trade, excluding any discrimination, will promote friendly relations between the two countries and thereby strengthen the cause of world peace.

ASSURANCE WITH REGARD TO RUSSIAN AND AMERICAN INTENTIONS

Millions of citizens in the United States of America believe it is the settled purpose of Soviet leaders to conquer the world. Millions of citizens in the Union of Soviet Socialist Republics believe it is the settled purpose of the United States of America to invade the Union of Soviet Socialist Republics. Both point to specific instances to make their point. Each nation should state definitively and categorically that it has no design on the territorial integrity of any other nation.

COMMUNISM AND CAPITALISM

The ideological competition between communism and capitalism is a different matter from the misunderstanding between the Union of Soviet Socialist Republics and the United States of America. The latter can be solved in a way that will preserve peace. But the competition between the capitalist and Communist systems is never ending. It is the concern of both nations to see that this competition remains constructive and that it never degenerates into the status of such a religious war as the Thirty Years War which so devastated Europe at the beginning of the seventeenth century.

Russia cannot be held responsible for the excesses of local Communists any more than the United States of America can be held responsible for the reprehensible exploitation of backward peoples by many capitalists who are not citizens or only nominally citizens of the United States of America.

Undoubtedly many Communists and capitalists have expressed the belief that their particular system will inevitably dominate the world. But that does not mean that the Union of Soviet Socialist Republics and the United States of America must engage in perpetual conflict. The two countries can agree to a modus vivendi while the slow process of time determines the strong and weak points of the two economic systems and the free peoples of the world make day by day the small choices which eventually will evolve, on the basis of empiricism, systems which will be best adapted for the various individual countries.

THE CENTURY OF PEACE MUST COME

There is no misunderstanding or difficulty between the United States of America and the Union of Soviet Socialist Republics which can be settled by force or fear and there is no difference which cannot be settled by peaceful, hopeful negotiation. There is no American principle or public interest, and there is no Russian principle or public interest which would have to be sacrificed to end the cold war and open up the century of peace which the century of the common man demands.

Mr. McCORMACK. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, as I sat here this afternoon and listened to this most interesting debate, I could not help but be impressed with one point that is so obvious and must be so obvious to all of us, and yet it has not really been raised by anybody. I think that this resolution could only come up once in 12 or 16 years. It could not come up in every session of Congress. When I sat there I was thinking about it. I said to myself, "Well, why would this resolution come up at this time? Why would it not come up in other Congresses?" The reason is because we have a Democratic President, a Democratic Executive, and we have a legislative body controlled by Republicans. Now because of that situation which occurs only about once in 12 or 16 years we are faced with a resolution of this kind. It is a resolution of embarrassment by one political party toward another political party; a Congress that is controlled by Republicans to embarrass a Democratic Executive. As has been stated and debated so excellently here by the gentleman from Massachusetts [Mr. McCORMACK], as well as the remarks of the illustrious lawyer on the other side, the very genial gentleman, they have all stated that this subject matter has never been thrashed out in Congress.

The question as to the powers of the three branches of Government has been under consideration many times. It has been up and everybody has known about it, and at different times it has been kicked about, but no one has ever grabbed this ball and said, "We are going to put it over the goal." You are going to have an election in November. Most of you Republicans feel that you are going to win. You think you are going to elect a Republican President and you are going to have control of Congress.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. I cannot yield now.

Mr. HOFFMAN. I just wanted to ask the gentleman whether he agreed with us.

Mr. SADOWSKI. I did not yield to the gentleman.

If you gentlemen are so sure that you are going to win in November, why do you not bring up this resolution when you have control of the White House, when you have a Republican sitting in the White House and you have full control of Congress? You could put this resolution through in a hurry then. But would you do it under those conditions? I doubt very much that you would. I do not think you would. I do not think the Democrats would ever put through a resolution like this if they had control of the House and control of the White House.

So what does it amount to? It means, if we pass this resolution, that when we Democrats have control of the House and if you have a Republican President, we should harass and embarrass your Republican President at every opportunity. Then, when we have a Democratic President and you have control of the House, then you are going to embarrass a Democratic President. Would that make for good government? Does that make for a good America? What are you going to achieve by it? What good will come to the country from it? It will be nothing but a destructive program of harassment, nothing constructive. If that is what is back of this resolution, and I think it is, then this resolution is strictly just a political resolution. I think it is just strictly politics. I think it is destructive politics. I think it is the kind of politics that is no good for the average fellow down in my district that tries to work for a living. I do not think it is going to do any good to America to put through this kind of a business of one body harassing another.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. The gentleman said, why do we not do it next year when he assumes the Republicans will be in power.

Mr. SADOWSKI. I did not say I assumed they will be; I said some of you assume they will be. I did not say I assumed it.

Mr. McDOWELL. I assumed that the gentleman assumed it.

Mr. SADOWSKI. No, I did not say that, and I never did assume that; and for the good of the country, I hope that the Democrats will win an overwhelming victory in November.

Mr. McDOWELL. I wonder if the gentleman ever heard of Gaston B. Means, a Secret Service agent who ran a big racket and was sent to jail, I believe, in the administration of Herbert Hoover.

Mr. SADOWSKI. Yes, I recall reading about it.

Mr. McDOWELL. Harry Sinclair was most certainly no opponent of the Republican administration, a millionaire, a rich man, a Fascist per se because he was a millionaire, and he went to jail under a Republican administration.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Sinclair was summoned as a private citizen. There is your distinction. In the Daugherty and Sinclair cases they were summoned as private citizens. In that case the Supreme Court said they sustained the right of the Senate committee to summons them because it was in connection with an investigation of a legislative body, but the Supreme Court said that it was clearly indicated that a committee of the Congress does not have carte blanche to summons a private citizen.

Mr. McDOWELL. The point I am making is that he says this is an attempt to embarrass the President politically. We are attempting to defend our country. Does the gentleman recall a former Member of the United States Senate and a former member of the Cabinet, Secretary of the Interior Albert B. Fall, of New Mexico, who finally went to jail in a Republican administration? This certainly is not political.

Mr. SADOWSKI. He went to jail without its being necessary to put into effect this kind of a resolution.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. I yield to the gentleman from Ohio.

Mr. HUBER. There were quite a few who went to the penitentiary during that administration. If they are going to parade their stripes around to justify this resolution, we may as well give up.

Mr. SADOWSKI. There probably should have been a good many more go to jail under this stenchy Republican administration.

Mr. McCORMACK. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I had not intended to take the floor today to speak on this resolution, but after listening to the remarks of my colleague the gentleman from Pennsylvania [Mr. McDOWELL] I thought I should make a few comments on the Dr. Condon case. It is very interesting to notice yesterday that another gentleman, who I believe is not on the floor, but you will find his remarks on page 5512 of yesterday's RECORD, rose and said in an apologetic manner that the charge that the Committee on Un-American Activities has made charges that Dr. Condon is a Communist or that Dr. Condon is disloyal, was not so. I want to state emphatically that there has never been any such charge made. The statement made against Dr. Condon is simply this, and I quote:

> One of the weakest links in our atomic security is Dr. Edward U. Condon.

That is expressing the situation very mildly. We have those same words practically repeated today by the gentleman from Pennsylvania [Mr. McDOWELL]. It seems that the gentlemen from that side of the aisle are beginning to weaken a little bit on the Dr. Condon case. After putting out a very, in my opinion, misleading report in which certain portions of the FBI letter were quoted and certain portions, incidentally, left out, the portions quoted were the ones purporting to be derogatory to Dr. Condon and the parts which state no evidence was found to indicate Dr. Condon was a Communist or was disloyal was very handily left out of the subcommittee's report. The Dr. Condon case is one of those famous cases which will go down in history. Here is a man, whether he is disloyal to the United States or not, I do not know—I do not think he is personally—I do not think he is disloyal—but whether he is or not, that is beside the point, because this man has been pilloried by the Committee on Un-American Activities for about 11 months. Aspersions have been cast upon his loyalty. What do you mean when you say that he is the weakest link in our atomic-security chain? If you do not mean that the man is disloyal to the United States, what do you mean? That certainly is not a compliment.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Not just at the moment. I will yield to the gentleman later.

Mr. McDOWELL. I was going to tell you.

Mr. HOLIFIELD. He has been pilloried, as I said, for about 11 months. He went before the committee and sent letters to the committee asking that he be allowed to come before the committee to defend his good name. Eleven months have gone by and he has not yet been given an opportunity to defend his name and his character. On April 21, a hearing was set to bring Dr. Condon before the committee. He was subpenaed to come before this group, notwithstanding that he had expressed in person and by letter his willingness to come before the committee without a subpena. April 21 came around and the committee postponed the hearing. Why was the hearing postponed? I know they will come out and say that they would not get the letter.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Mr. Chairman, I decline to yield at this time.

The committee will probably say, "If we could just get this FBI letter." The gentleman from Pennsylvania stated that he knows what is in the FBI letter and that he already knows what is in it. Part of it was printed, so evidently they must have had access to the letter. I wonder if this is not just an excuse to prevent Dr. Condon from going before the committee and to keep from giving him a chance to put his case before the American people. I challenge this committee to call Dr. Condon before the committee and give him a chance to clear his character. I point out further that Dr. Condon has just recently voluntarily excluded himself from further atomic secrets. Does that sound like a man who is guilty? Does a man who comes before a committee and ask to be heard sound like a man who is fearful of something in his record? He came out in the paper within the last 2 or 3 days and said as far as he was concerned he wishes the President would release this letter; that he has nothing to fear in the letter, and as far as he is concerned he would like to have the letter released. He told me that many months ago, and I made a statement on the floor that he did not mind having the letter released.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. McCORMACK. Mr. Chairman, I yield the gentleman four additional minutes.

Mr. HOLIFIELD. So it is not because Dr. Condon is fearful of anything that will be turned up against him. But I say that no committee of Congress has a right to take an American citizen and pillory him before the bar of public opinion and constantly refuse to give him a right to defend himself, even though it be a committee of Congress.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield first to the gentleman from Pennsylvania.

Mr. McDOWELL. You asked what do we mean by "the weakest link in the chain." That is easy to answer. It is the link that might first break and destroy the ship.

Mr. HOLIFIELD. Now the gentleman has answered my question. Let me ask the gentleman if you thought that this was the weakest link in the chain of national security and you said in your report that this was a matter of most urgent attention, why did you not call him before you and bring the charges of the weakness of that link and let him answer you?

Mr. McDOWELL. He was subpenaed, and something occurred that the committee had nothing to do with.

Mr. HOLIFIELD. He was subpenaed on April 21. This has been going on since March 1947.

Mr. McDOWELL. The man who was most conversant with all these details again became sick. He is a sick man now.

Mr. HOLIFIELD. Had he been sick for 11 months?

Mr. McDOWELL. No. I only know about Dr. Condon since April 1, 1948.

Mr. HOLIFIELD. Dr. Condon was pilloried by the chairman of your committee, I might say to the gentleman, as long ago as March 1947 in the American magazine, and in the following months in Liberty magazine, and after that charge was placed against him he asked to be allowed to come before the committee and defend himself, and until this good day he has not been allowed to come before the committee.

Mr. McDOWELL. It must have been a very small stab. As a matter of fact, a pinpoint prick, because I did not know anything about it. I usually know what is going on in the committee.

Mr. HOLIFIELD. Of course, I am not responsible for the gentleman's lack of information on the Condon case.

Mr. McDOWELL. It is not Dr. Condon's loyalty that is questioned here. It is his associations.

Mr. HOLIFIELD. Why did you not bring him before your committee and expose those associations?

Mr. McDOWELL. That is exactly what we are going to do. We are going to present him with a hundred pages of a bill of particulars.

Mr. HOLIFIELD. That is just fine. When are you going to do it? Are you going to wait until Congress has adjourned so that no man can rise on the floor and defend him?

Mr. McDOWELL. He will have plenty of chance to defend himself, and it will be before the Congress adjourns.

Mr. HOLIFIELD. I trust the gentleman will give him a chance to come before his committee. I do not know and I do not care whether he is guilty or innocent, but all I ask is fair play for any man who is accused of being disloyal or the weakest link in a chain, or any other charge. I say in the common, ordinary sense of American fair play he deserves the right to defend himself, and that quickly, and not after months and months of delay whereby he is under a cloud of suspicion among his associates and among the people of America.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr HOFFMAN. As I understand it, the gentleman is complaining because the good doctor has not had a chance to present his case. If you will vote for this resolution and get it adopted the Department will furnish the information. The doctor will be called before a congressional committee, confronted by the evidence and be given every opportunity to refute it. To my mind, that would be the orderly, constitutional, fair, and just way to handle the situation.

Mr. HOLIFIELD. Oh, the gentleman is very clever with his statement, but I will say to the gentleman that his resolution goes much further than this. This goes into long-standing executive powers, and I would say to the gentleman, Would he respond to a request from the President of the United States for the hearings of one of his secret committee hearings?

Mr. HOFFMAN. Certainly.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. McCORMACK. I yield to the gentleman two additional minutes.

Mr. HOFFMAN. Most surely I would. Will you assist us in getting the Department of Justice to give us the information showing how these four paroled gentlemen, one of whom has not had any lawful business in 30 years, came to be paroled? Will you agree to help get that information for us?

Mr. HOLIFIELD. I do not know about that case, but I want to pin the gentleman down to the question I asked. Does the gentleman say that any committee of Congress that has a secret hearing, the Ways and Means Committee or the Atomic Energy Committee, that the President of the United States can by right come down and demand what goes on in that committee hearing? That is what the gentleman's resolution would give to the Congress of the United States the right to do—access to the most confidential matters in the executive departments.

Mr. HOFFMAN. Will the gentleman stop for four words to let me answer?

Mr. HOLIFIELD. If the gentleman wants to be fair, he would let the President have the secret information of the Ways and Means Committee.

Mr. HOFFMAN. Now, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. HOFFMAN. I have nothing to do with other committees but I will say that so far as the committee of which I am chairman is concerned insofar as my influence goes the President can ask for and he will receive any information we have in that committee.

Mr. HOLIFIELD. Now the gentleman has disarmed me because the gentleman is my chairman, and I know how fair he has been in his committee, and I certainly say with all sincerity that I have never served under a fairer chairman than the gentleman from Michigan.

Mr. HOFFMAN. The gentleman is as always overly generous and courteous.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McCORMACK. The gentleman from Oklahoma [Mr. MONRONEY], has called to my attention something I never considered before in connection with this resolution and its danger. After the committee has voted to ask for confidential information and the Speaker has approved it, it comes back to the committee and if a majority of the committee votes to make it confidential it becomes confidential and to disclose it becomes a crime. Under that even the minority members of the committee could not file a minority report; and that goes back to interference with the independence of the legislative branch of the Government, because when you take away the right of one member of a committee or one Member of the House to file a minority report you have taken away the independence of the legislative branch of the Government.

Mr. HOLIFIELD. It is all that the gentleman says. It not only trespasses upon the executive powers but it will rebound also upon the legislative powers.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McDOWELL. In response to the question as to whether or not the President could come down and get secret documents from congressional committees, I may say that the files of our committee are just as secret as the files of the Bureau of Investigation, yet 16,000 times agents of the President of the United States have come to the committee rooms and withdrawn matter from our secret files.

Mr. HOLIFIELD. I recognize that the gentleman has a very high opinion of his committee, but I would hardly put it on a plane with an executive department having constitutional powers, an executive branch with constitutional prerogatives that are given the executive branch. With all due respect to the gentleman's high regard for his committee I would not put it on that high a plane.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. EBERHARTER. Suppose the committee had a confidential executive session at which they had a witness who said, "I will tell you what I know about this if you will keep it in confidence." He does. Then the President or some agent of the President asks the committee to divulge what that witness had said. Would that be a violation of confidence?

Mr. HOLIFIELD. If an oath of secrecy had been taken in regard to matters discussed in the committee of course it would be a violation. It would be a violation and the gentleman knows that.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McCORMACK. That very thing happened in a subcommittee of which my friend from Michigan was a member when we had the Chief of the Central Intelligence before us. The gentleman from Ohio [Mr. BROWN] was there. The witness was willing to give us certain confidential information but my friend from Michigan said he would not accept it as confidential. That very thing happened.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. HOFFMAN. Will the gentleman from Massachusetts listen while I refresh his recollection?

Mr. McCORMACK. I always listen with fear and trepidation and sometimes with pleasure.

Mr. HOFFMAN. And I hope with profit; though that I doubt, but what happened was that I said that if the information to be disclosed to the Committee was to be secret I would get out. Was not that it?

Mr. McCORMACK. Yes; and any information you got you were going to disclose. And you started to get out, too. In other words, the gentleman said he would not sit in a committee and receive confidential information because he was not going to be bound by that secrecy that would be imposed upon confidential

information being given to us, which we all get. I get confidential information. So did Speaker RAYBURN and so does Speaker MARTIN.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. McCORMACK. Mr. Chairman, I yield the gentleman two additional minutes.

I can tell things now after the event has happened that I could not tell before, but 18 months before the atomic bomb was dropped there were certain things had to be done, certain experiments carried out. We knew them 18 months before. We accepted them as a solemn obligation to keep to ourselves. We all receive some confidential information in executive sessions. Every committee does at some time or other and it is accepted as such and no man says, "I will run out and not keep it secret if it is given to me."

Mr. HOLIFIELD. And the President of the United States has no right to that secret information and we are not going to give to the President that secret information. If we wish to volunteer it to him or if the President wishes to volunteer information in his good judgment to the committees of Congress that is perfectly all right; but to force him to do it is a different proposition.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HALLECK. I understand something about the information that I know the gentleman from Massachusetts, the gentleman from Texas, and the other gentleman from Massachusetts received. Of course, they treated it in confidence. I, myself, have sat on committees of the Congress and received confidential information that was kept confidential and, as far as I know, Members of Congress have not violated the confidences lodged in them. Which brings me to this question: Why is it, then, that the opponents of this legislation proceed on the theory that the committees of Congress, the Congress itself, and its individual Members are irresponsible and intent only on disclosing confidential information to the disadvantage of the country? I do not follow that view.

Mr. HOLIFIELD. I may say to the majority leader, and I respect him very highly, that the gentleman has often been on committees where confidential information has leaked out, as has even been the case in confidential Republican caucuses where information which was supposed to be private has leaked out. I am sure the gentleman knows that.

Mr. HALLECK. I willingly grant that many things that go on in our caucuses have leaked out, but I do not know of a single instance where confidential information given to a committee of which I was a member has leaked out.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. McCORMACK. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. HOLIFIELD. Mr. Chairman, I may say for the benefit of the majority leader that his attempt to inject into this discussion the fact that the opponents are fearful of confidential information leaking does not involve the question at issue here and that is not the level on which this debate is being conducted, either by the proponent, the gentleman from Michigan, or the gentleman from Massachusetts. We have been discussing it on a high constitutional plane, or attempting to. I give the gentleman from Michigan and the others credit for doing that. That has been the plane upon which it has been conducted, and I regret the fact that my distinguished friend attempts to inject such a limited materialistic issue as that into a campaign involving a great constitutional question.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If I may have the attention of the gentleman from Massachusetts [Mr. McCORMACK], the incident to which he referred was one where I was convinced before the committee went into session that the information was not confidential; so I said I would not listen to it if I could not tell it, and prepared to withdraw. That I was correct about that—that the information was not confidential—was shown because after a short time the head of Central Intelligence who was testifying, said, "There is nothing that anybody should not have, nothing that is secret," and he called in the press and gave to the reporters all the information he had given us.

Mr. McCORMACK. As a matter of fact, the gentleman from Michigan was going to go out and state his views to the press and rather than have the head of Central Intelligence with three of us give three different statements to the press, we had a meeting. Now, the gentleman laughs and he may if he wants to. He has a weird way of laughing at times that brings enjoyment to us in many ways. The gentleman will remember that as a result of that there was other information that was not disclosed to us that the Director did not feel under the circumstances he could divulge and so far as I am concerned, as a member of the committee, I would not feel justified in asking anyone in executive session if they desired to disclose confidential information because of the statement made and the position taken by the gentleman from Michigan.

Mr. HOLIFIELD. Mr. Chairman, as moderator of this very interesting debate and forum on the floor, which I am sure has been of great benefit to all Members, I wish to thank each and every participant. It has been a very enjoyable interlude in this serious debate and I trust some good will come from it.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. HOFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MACKINNON].

Mr. MACKINNON. Mr. Chairman, I am sure any person reading the RECORD of this debate will see the ample reasons why much of this information that is considered secret and confidential should not be so kept and should be disclosed to the public. There are two statements that have been made here. One is that in connection with the prosecution that occurred in the Teapot Dome case they said they came in as "private citizens." It was inferred that a private citizen did not have as many rights as a Government employee. Why, gentlemen, the exact converse is the truth. We have more authority to demand information from Government employees than we do from private citizens. We cannot go into their private affairs.

There is another matter I believe to be of interest because to my knowledge it is the only case that has ever arisen in the history of our country where the specific point here involved was ever decided. That arose in the Teapot Dome case at the trial of Daugherty (former Attorney General) in the Federal District Court for the District of Columbia. In that case the claim was made that certain information which the prosecution considered necessary to the conviction of the Attorney General was secret information vital to our national defense and could not be released. That information was subpenaed by the court. The question was argued before the judge and he decided the question was presented as to who would determine the question—the Navy or the court. The judge in effect said, "I have the subpena power" and after extensive argument he decided that it was up to the judge to determine that question and not up to the executive department. If the gentleman will go down and read the original record in the Daugherty case, which is on file down here and which I have examined, he will find that the issue was so decided. In that case so-called confidential and secret information, was disclosed over the objection of the executive department with no damage to the national interest. That case is not reported because there was no conviction in the lower court; consequently it was not appealed.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCORMACK. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, I do not yield to anybody in this House in my desire to see a strong and an effective legislative branch in operation; in fact, I spent a considerable number of years in the hope of improving and strengthening the organization of representative democracy.

I believe that this democracy requires a strong congressional branch, alert, and alive to its principal duties of making and passing intelligent laws and carrying on a proper surveillance of the departments under its jurisdiction.

But, I do not think that we dare risk, in these dark days, the extreme danger of taking on duties that the framers of the Constitution never intended for the legislative branch to have. I have always been resentful of usurpation of powers of the Congress by the executive department, yet I am just as frightened when I see a resolution come in as we have before us, that would usurp the

rightful powers of the executive department and turn them over to congressional action. I think we are going to do a great disservice to the legislative branch of this Government if we try and expand our duties to where, in effect, we will create a legislative oligarchy and become the supergovernment of this great democracy. I think the adage: "Shoemaker stick to your last" is a very good adage for us to follow.

One other point I would like to call your attention to. I think one of the greatest and most fundamental privileges of a democracy, and certainly in this Congress, is the right of every Member of the House to enjoy and exercise freedom of speech on the floor of this House and yet, gentlemen, if you pass this resolution, freedom of speech will pass out of the control of the individual Member of this House. It impinges on the right of the Member to stand on this floor and discuss intelligently anything that has come before the committee of which he is a member, if under the provisions of section 1, some material has been determined by a majority in control of that committee to be of a confidential nature.

Where is your definition of "confidential"? If section 1 is used, it is only in the minds of the majority members of that committee, whether they be Democrats or whether they be Republican.

If you want to muzzle the voices of the Members of the House on this floor in the future, as the distinguished minority leader has said, today you furnish the weapon to prohibit any minority report when any information has come into any of the committees under the provisions of section 1 of this resolution.

You deny the right of any committee member that was sitting on that committee, when the provisions of section 1 of this resolution were exercised, to even go to the great Speaker of this House or to the majority leader or the minority leader and disclose to these men in great positions of authority, anything that has come before the committee under the provisions of section 1.

Is that what we wish to do? If it is, then I think we should announce to the world and to this country in particular that we are cutting loose from our idea of democracy and freedom of speech, the power of this great House and the individual responsibility of every Member.

Once this resolution is passed you have the rule of the majority saying, under section 1, what any Member dare disclose in a debate, in a minority report, or in any other way. I for one do not wish to be bound by such a limitation of a committee majority.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from New York.

Mr. COUDERT. I was interested in what the gentleman had to say about the usurpation made in this resolution. Does the gentleman deny that one of the most useful and important functions of Congress is the function of investigation, its inquisitorial power?

Mr. MONRONEY. I agree with the gentleman. I think that for 160 years the Congress of the United States under present authority has exercised that and exercised it wisely. I see no reason at this late date, because of some one or two cases, to come in here and modify our whole system of democracy by passing such a resolution as this, that will strip away in one action the freedom of speech of the individual Members of this House.

Mr. COUDERT. Will the gentleman deny that in view of the enormous growth and power of the Executive over the last 15 or 20 years the inquisitorial function of Congress is more important than it has ever been before?

Mr. MONRONEY. I agree with the gentleman. I think if he will read the Legislative Reorganization Act he will find that the committees of Congress were not only given additional staffs but it was made a part of their regular duty to keep legislative surveillance of the departments under them. I say to the gentleman that under our present power and under the precedents that have been set here we can adequately do this job without trampling into the dust the Constitution of the United States.

Mr. HOFFMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I am delighted to yield to the distinguished gentleman from Pennsylvania, who made such a remarkable speech on this resolution a while ago.

Mr. GRAHAM. I thank the gentleman. The gentleman from Iowa, of course, is familiar with the Reorganization Act passed in the Seventy-ninth Congress. Will the gentleman indulge me for a moment while I read a section? Then I wish to propound a question to the gentleman.

Mr. CUNNINGHAM. Surely.

Mr. GRAHAM. I am now reading from section 136 of that act:

> To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws the subject matter of which is within the jurisdiction of such committee, and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

In the light of what I have read, and also in view of the precedent now established by the action of the Congress, which is a part of the fundamental law of this country, does the gentleman feel that there would be an invasion of the powers of the executive by requesting information from the bureaus that are now functioning in the administrative branch of the Government?

Mr. CUNNINGHAM. I do not. I think it would be entirely in keeping with the intention of the founding fathers who wrote our Constitution. I think in this whole debate this afternoon, one important point has been overlooked and that is when the Congress of the United States speaks, it is the voice of the people speaking. Each Member of this body carries in his pocket through his election certificate the proxy of the people he represents. He may not always represent them the way they would like to be represented, but they have the right of removal once every 2 years. Since the Members of Congress are speaking for the people in legislative matters, how can they do a good job for them without having access to all of the facts and records? I believe that was the intention of the framers of the Constitution. Does that answer the gentleman's question?

Mr. GRAHAM. The gentleman has answered the question fully. Will the gentleman answer one other question please? In view of the statement made by the gentleman from Oklahoma that if this resolution is enacted into law it will forbid free speech and make Members liable. Can that be reconciled with the constitutional provision that no Member shall be questioned for anything said upon the floor of the House?

Mr. CUNNINGHAM. No. It cannot. If you wish to preserve free speech as was intended by the framers of the Constitution, the enactment of this resolution is necessary.

Mr. GRAHAM. I thank the gentleman.

Mr. CUNNINGHAM. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read the joint resolution, as follows:

> *Resolved, etc.*, That all executive departments and agencies of the Federal Government, and the secretaries thereof, and all individuals acting under or by virtue of authority granted said departments and agencies, are, and each of them hereby is, authorized and directed to make available and to furnish to any and all of the standing, special, or select committees of the House of Representatives and the Senate, acting under the authority of any Federal statute, Senate or House resolution, joint or concurrent resolution, such information, books, records, and memoranda in the possession of or under the control of any of said departments, agencies, secretaries, or individuals as may, by any of said committees, be deemed to be necessary to enable it to carry on the investigations, perform the duties, falling within its jurisdiction, when requested to do so: *Provided*, That said request shall be made only upon a majority of the members of said committee: *And provided further*, That if the committee be a committee created by the Senate, upon approval of the President or President pro tempore of the Senate: *And provided further*, That if the committee making such request be a committee created by or acting under the authority of the House of Representatives, upon approval of the Speaker or Acting Speaker of the House of Representatives, such majority vote of the committee to be shown by a certificate of the chairman of the committee, countersigned by the clerk; the approval of the President or President pro tempore of the Senate or the Speaker or Acting Speaker of the House of Representatives to be shown by letter over his signature.

With the following committee amendment:

> On page 1, line 4, after the word "Government", insert the words "created by the Congress."

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in view of the remarks made by the distinguished gentleman from New York [Mr. WADSWORTH], I want the RECORD to clearly show that this resolution covers every agency of Government. The State Department is created by law passed by the Congress. I pause for any Member to show me where the State Department is a constitutional creation. The President of the United States, the executive branch, is established by the Constitution as a separate branch of Government. You will find in there "President." You will find that he may ask the opinions of heads of departments, but Congress created the departments. No matter what anyone says, under this bill, if it should become law—and I do not expect it will see the light of day in the Senate—if it should become law, this covers the State Department. It covers the War Department, the Navy Department, the Department of the Air; it covers the Atomic Energy Commission. It covers every agency and department of Government. I cannot understand how such a distinguished gentleman as the gentleman from New York [Mr. WADSWORTH], can make the statement that he did, when the language of the bill is as clear, as the old saying which I learned as a youngster, "As clear as the nose on your face."

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. MACKINNON. I think the gentleman overlooks the argument that no bill is effective beyond constitutional limitations, and that the functions to which the gentleman refers in the State Department, the Army, the Navy, the Treasury, and the Attorney General are vested in the executive department by the Constitution.

Mr. MCCORMACK. Where?

Mr. MACKINNON. Well, in the Constitution.

Mr. MCCORMACK. You show me where there is any such thing as the State Department mentioned in the Constitution.

Mr. MACKINNON. Oh, wait a minute. I said the power.

Mr. MCCORMACK. Why, all powers of any agency are in the executive branch, if you want to follow that up.

Mr. MACKINNON. You are twisting the words.

Mr. MCCORMACK. Well, I would not do that intentionally.

Mr. MACKINNON. I understand the gentleman would not do that intentionally. The specific power given to the President to "make treaties" and to "appoint ambassadors and other public ministers" is the genesis of the power for the State Department. That power is in the President, conferred specifically by the Constitution. The power conferred by the Constitution upon the President to be Commander in Chief of the Army and the Navy is the genesis of the Army and the Navy Departments.

Mr. MCCORMACK. This bill says that "all executive departments and agencies of the Federal Government created by the Congress, and the Secretaries thereof, and all the individuals acting under or by virtue of authority granted said departments and agencies are," and so forth. The State Department is created by the Congress. So is the War Department. Furthermore, the first controversy that arose in Washington's day was in connection with the State Department. That is the first controversy that arose between a President and the Congress or either branch of Congress. It was on the very thing to which the gentleman has himself referred, which he says is excluded. My suggestion is, if you do not want the State Department to be covered by this bill, the War Department or the Navy Department, you had better do as somebody else is going to do for the press—and the only reason they are doing it for the press is that they are afraid of the press.

Mr. HOFFMAN. Oh, now, please. Will the gentleman yield?

Mr. MCCORMACK. I respect the press.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MCCORMACK. Certainly. Let me put it this way. We all respect the press. That would be a better way of expressing my sentiments. So I am going to take out the word "afraid." That did not convey my true state of mind, because while I respect them I do not fear them. I would not admit it publicly if I did.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MCCORMACK] has expired.

Mr. MCCORMACK. Mr. Chairman, I ask for one additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. HOFFMAN. We are just timid; not afraid.

Mr. MCCORMACK. All right. We will leave it that way. So that those who do not feel this should cover the War Department, the State Department, and some of the other departments, had better put in an amendment excluding them from the operations of this resolution, because the language of the resolution clearly includes every agency and department of Government outside of the President of the United States; and that means his own personal office; the President of the United States and the office of the President of the United States.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. MCCORMACK] has again expired.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 4 minutes, reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, those words "created by act of Congress" were inserted by the committee to clarify the meaning, to take the sting out of the charge that the Congress was endeavoring to pry into the business of the President and to make the President subject to congressional action. That is the reason, and the only reason, they were put in. The committee wanted it made clear that there was no intent to trespass upon the President's territory. The gentleman does not distinguish—but the committee does—between offices and officers created by the Congress under the constitutional power granted it and duties created by the Constitution. Over the former we have jurisdiction; over the latter, none.

The amendment is a limitation making clear the intent that Congress does not in any way desire to interfere with the President.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. EBERHARTER. Why does not the Committee care to interfere with the office of the President?

Mr. HOFFMAN. What is that?

Mr. EBERHARTER. Why does not the Committee care to interfere with the office of the President?

Mr. HOFFMAN. Because Congress has no right to interfere with it. He holds his office by virtue of the Constitution, the Constitution prescribes his duties, we do not. Does the gentleman want to go down and interfere with him?

Mr. EBERHARTER. The main purpose of this resolution is to interfere with the appointees of the President, is it not?

Mr. HOFFMAN. Appointees; yes, when they exist only because of congressional action when they conceal from Congress information which is necessary to enable us to legislate, when they draw the cloak of secrecy around actions as they did in the Department of Justice which enabled them to get and keep four Capone gangsters out of jail. Information of that nature is what we are trying to get at.

Mr. EBERHARTER. In other words, you want to interfere with all the employees of the executive department.

Mr. HOFFMAN. No, no, no, no; but the committee claims, I think a majority at least, that if the Congress has the authority to create an office and authority to pay the man who holds it, Congress is at least entitled to know where he spends his time and what he is doing and how he spends the money the Congress gives him to perform his official duties.

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

Mr. COMBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBS:

On page 2, lines 15 and 16, strike out the words "upon approval of the President or President pro tempore of the Senate" and insert in lieu thereof "upon approval of a majority of the Members of the Senate, present and voting."

And on page 2, strike out all after the comma in line 19 and all that follows down through line 25 and insert in lieu thereof the following: "Upon approval of a majority of the Members of the House of Representatives, present and voting; the majority vote of the committee shall be shown by a certificate of the chairman of the committee, countersigned by the clerk; the approval of a majority of the Members of the Senate or of the House of Representatives, as the case may be, present and voting, shall be shown by letter over the signature of the President or President pro tempore of the

Senate or of the Speaker or Acting Speaker of the House of Representatives, as the case may be."

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a consent request?

Mr. COMBS. I yield.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes, five to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COMBS. Mr. Chairman, I doubt that I will have to take the full 5 minutes to present the amendment. It is self-explanatory. You will observe that the purpose of the resolution we are considering is to confer upon all committees—standing, special, or select, the privilege by a simple majority vote to enforce a demand for information, books, and records from various departments and officials of our Government.

The amendment I have offered would require the committee to bring its report and request to the House or the Senate, as the case may be, and secure that permission at the source from which it should come, from the House or the Senate. I would remind you that each committee of this House that goes out to make an investigation of any kind is acting under the authority of the House of Representatives of the United States of America. I am not willing for committees to have unlimited privileges, either committees now existing or that may hereafter be created, to go out on fishing expeditions with the authority of this House and by a simple majority vote to speak and act for the House of Representatives in so important a matter as forcing a Cabinet officer or other responsible executive official to disclose information which he has refused to produce on the ground that it will imperil the national interest.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Georgia.

Mr. COX. I propose to vote for this bill as written if that be the only choice I have. I do believe, however, that the gentleman's amendment improves the measure.

Mr. COMBS. Mr. Chairman, we should not forget that the Congress of the United States must maintain its own dignity, its authority, and the respect of the American people. I do not think it is in keeping with the prestige of the Congress that committees be turned loose to exercise their own judgments in matters so vital as these and to go and call for secret documents, communications, and records of various departments of our Government, hail responsible officials before them and make demands for confidential information in the name of and upon authority of the House or Senate without specific authority from the body for which the committee acts.

Mr. Chairman, that is the purpose of my amendment. I think it is a good one.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the adoption of this amendment would destroy the force and effect of this entire resolution, because it would require every question and every issue that might develop relative to the subpenaing of any records or the bringing in of any records or any information before a committee to be fought out on the floor of the House, and to thus be made public. Under the provisions of this resolution the committee itself decides in executive session whether or not certain papers may be needed for the use of the committee, then must submit to the Speaker evidence that their claim is well sustained.

Mr. GRAHAM. Forthwith.

Mr. BROWN of Ohio. Forthwith is correct, of course.

If we had to bring every one of these questions, if we had to bring every one of these issues before the House for general debate, we could not possibly get a sound judgment from the House, for no Member of the House would want to pass on the problem unless you gave him complete and full information here on the floor as to why the papers in question were needed, and what they might disclose. Naturally such could not be done without destroying the effect of the entire resolution.

Mr. COMBS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Texas.

Mr. COMBS. The only case in which the authority here granted would be necessary to be invoked would be where the executive division of the Government has refused to submit these papers.

Mr. BROWN of Ohio. Certainly, and that is what this entire resolution is about—where they have refused to give us information we want. That is the only reason the resolution is here. It is because some of the agencies of government have refused to furnish to the Congress the information that the Congress must have in order to properly legislate. Now the gentleman says you must first bring before this House the entire question as to whether or not the information the committee desires is proper and whether the committee should ask for it, and debate the whole problem publicly.

Mr. MATHEWS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New Jersey.

Mr. MATHEWS. What would a committee investigating a matter do when it was investigating and wanted a record and Congress was not in session?

Mr. BROWN of Ohio. That situation also could arise: The House might not be in session. The committee which is authorized to sit while the House is not in session might, under the gentleman's amendment, be unable to get any of this information for many, many months. That would kill the whole activity of the committee.

Mr. COMBS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Texas.

Mr. COMBS. Is it not true that when the executive branch has refused to surrender those papers on the ground it would be inimical to the public interest that is of sufficient importance for the Congress to pass on?

Mr. BROWN of Ohio. Of course, Congress designates and delegates certain powers to the various committees. Now, if you have a committee of this House that you do not have confidence in, abolish the committee or name a new committee. That is why we have the committee system, because it is impossible for all the Members of the House to be properly informed on all subjects and on all matters at all times. As I say, whenever a committee violates its rights and its privileges, then it is time that the committee be abolished or its membership changed.

I hope the amendment is voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. COMBS].

The question was taken; and on a division (demanded by Mr. COMBS) there were—ayes 40, noes 82.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HOFFMAN: Page 2, after line 25, insert the following sentence: "Any officer or employee in any such executive department or agency who fails or refuses to comply with a request of any committee of the Congress made in accordance with the foregoing provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or by imprisonment for not exceeding 1 year, or both, at the discretion of the court."

Mr. HOFFMAN. Mr. Chairman, that language, too, comes from the Internal Revenue Code. After this resolution was voted out, my attention was called to the fact that there was no penalty imposed for any violation of any employee or officer in the executive department. Obviously, without some penalty of some kind, it would be rather innocuous.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. LEA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEA: On page 2, line 12, after *"Provided"*, strike out the balance of line 12 and all of line 13 and in lieu thereof insert: "That said request shall be made only by a majority vote of all the members of the committee voting therefor at a formal meeting of the committee."

Mr. LEA. Mr. Chairman, the present language of the resolution is that the request must be made by a majority of the members of the committee. I have no doubt it was the purpose of those who reported this resolution to require a vote by a majority of all the members in a formal meeting, so to carry out that purpose I offer this amendment.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman is correct; that was the intention. If the gentleman thinks the language does not accomplish the purpose we had in mind, the committee is willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. BAKEWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAKEWELL:

On page 1, lines 4 and 5, strike out "and the Secretaries thereof."

Page 2, line 8, strike out "Secretaries."

On page 2, after line 25, insert "*And provided further*, That the provisions of this resolution shall not apply to members of the President's Cabinet."

Mr. BAKEWELL. Mr. Chairman, the purpose of the resolution before us today is to enable the legislative branch to obtain from the executive branch any facts, figures, information, and data it might want. I am in favor of the principle of the resolution but, in my humble judgment, it goes too far. The resolution in its present form grants a respectful immunity to the President of the United States. In my judgment, that same immunity should be extended also to the President's immediate official family, that is, his Cabinet.

Historically, in many instances Presidents such as Washington, Jefferson, Jackson, Cleveland, and others have refused to give certain information to Congress. In each instance where the President has so declined, the Congress has honored that declination. The purpose of my amendment is to extend to the Cabinet members the same respectful immunity which we maintain for the President.

If this resolution is adopted in its present form, in my opinion it will establish a very dangerous precedent. It will give the Congress of the United States the power to dominate the executive branch by subpenaing any Cabinet officer and require him to divulge confidential information. We could summon Secretary Forrestal and ask him to disclose all military information and secrets which are available. Likewise the Congress could insist upon full disclosure of all atomic research and developments. Such information would shortly become public property: Anyone who has served in the Army or Navy certainly knows the value of maintaining top-secret, confidential, and classified information. I have not lost such faith in our three-branch system of Government as to think that the President, who is Commander in Chief of our Army and Navy, or any member of his Cabinet would abuse the discretion they have in maintaining confidential information. I do not think that they would conceal information which does not militate against the interests of the United States, nor do I think that they should be compelled to release information which in their opinion would be detrimental to the best interests of our country. That discretion is now lodged in the President, and it has traditionally to all intents and purposes been lodged also in his Cabinet. I think we should consider this problem carefully and so discreetly so as to be certain that the respectful immunity we grant the President is likewise granted to the members of his Cabinet.

If the resolution is adopted in its present form the members of the Cabinet can be subjected to legal process. I cannot conceive of Secretary Marshall or Secretary Forrestal or any other member of the Cabinet having to be served with a summons to appear before a congressional committee. I have faith in them and in the exercise of their discretion insofar as the security and welfare of our country is concerned. If it would militate against the best interests of this country to disclose secret or confidential information, I have faith that the President as well as the members of his Cabinet would do the proper thing in the exercise of their discretion. Unless and until that discretion is abused, I cannot support this resolution in its present form. I hope to see the same respectful immunity from legal process granted to the Cabinet officers as is granted to the President. After all they are the alter ego of the President. I therefore urge the adoption of my amendment.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate the desire of the gentleman from Missouri to protect the President's immediate official family, as he calls them, but I would like to call to his attention and to the attention of the Members the fact that a great many of our Government agencies are at least technically, and I think legally, under the direct jurisdiction of the various secretaries or Cabinet members of the President's immediate family. The adoption of this resolution would mean that you could not get information from the Civil Aeronautics Authority, for instance, under the Secretary of Commerce, and that you could not get information from any other agencies of Government, such as the Marketing Administration under the Secretary of Agriculture. I would like to call to the attention of the House the fact that during the war and before and since the war, the Committee on Armed Services, and the then Committee on Military Affairs, and the Committee on Naval Affairs, had these very same defense and military officials before them many, many times to discuss many, many secret matters. But never once was this country endangered by any information that came out of any of those great committees. The Committee on Foreign Affairs hears the Secretary of State in executive session day after day on international and national affairs which affect the welfare of this country and the welfare of the world. There have never been any charges made against that committee. I want to say to the gentleman from Missouri I have just as much confidence in the honesty, itegrity, and good sound judgment of the members of those various congressional committees as I have in the honesty, integrity, and good judgment of the secretaries who serve in the Cabinet of the President.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HALLECK. Does the gentleman have any idea that if this resolution is adopted, the Committee on Armed Services in the event of war, or even in peacetime, would send for Secretary Forrestal and seek to get from him confidential information or top-secret information and then disclose it to the world? Why, to me that is just utterly absurd. It impugns the integrity, capacity, and ability of the committees of Congress, as well as the Members of Congress themselves, a thing to which I cannot subscribe.

Mr. BROWN of Ohio. Of course the gentleman is entirely correct. I want to go just a step further, if I may. It is impossible to believe that under the provisions of this resolution that the Speaker of the House, whether he be the gentleman from Massachusetts or the gentleman from Texas, would authorize any action under this resolution which he thought for one moment would reveal such secret information. I say to you I have supreme confidence in the Speaker of the House, whoever he may be, and he would not idly subscribe to any action, or the issuance of any subpena, which would in any way endanger the welfare and security of this country.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. McCORMACK. Might I call attention to the fact that during the Civil War, there was a special committee appointed which did much irreparable damage, so that when the majority leader says he cannot conceive of any Committee on Armed Services doing it, while I cannot conceive of the present committee doing any such thing, we cannot tell who is going to be there in the future. But we know that it did happen in the past.

Mr. BROWN of Ohio. Of course, I did not serve in that particular Congress, and I do not know just what did happen. But if I have read my history correctly, those committees did not reveal any information which was of any real value or service to the enemy during that time. If such a thing did happen years ago, I want to say to the gentleman from Massachusetts I am certain it would not happen under the Congress as it is made up in these modern times. We have men serving in the Congress on both sides of the aisle who are just as trustworthy and loyal as any Secretary or Cabinet officer. Therefore, I hope this amendment will be voted down.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. BROWN] has expired.

Mr. RAYBURN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. RAYBURN. I yield.

Mr. HOFFMAN. I ask unanimous consent that all debate upon this particular amendment close in 10 minutes, the last 5 minutes to be reserved to the committee.

Mr. RAYBURN. Well, reserving the right to object, I might want more than 5 minutes.

Mr. HOFFMAN. I only want 5 minutes after the gentleman has finished.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. RAYBURN. Mr. Chairman, I have sat here all day and I have listened to a very interesting debate. The more debate I have listened to the more things come to my mind, as just expressed by the very able young gentleman from Missouri [Mr. BAKEWELL]. I have heard gentlemen express themselves on this floor today upon so many fundamental questions that I have agreed with in the years gone by. When I saw my old and very dear friend and my able friend, the gentleman from New York [Mr. WADSWORTH], take the floor today, I felt certain he was going to resist the enactment of legislation of this kind and character.

I do not know what you gentlemen think the powers of Congress are. Are they limitless? Is there no limit under the Constitution to which any Congress, much less a very partisan one, would go? Back in the formative period of this Government there was a great jurist. He is quoted by all of us. Especially was he quoted by the Federalists in the early days of this Republic. In 1803 he gave forth this language in a very familiar case, which we lawyers all have heard something about. Sometimes when discussions like these come up I get just a little sorry that I ever studied law, because I would not have been so bothered about my vote on some of the issues raised. But Mr. Justice John Marshall used this language a long time ago:

> By the Constitution of the United States the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to the country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which Executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political: They respect the Nation, not individual rights, and being entrusted to the Executive, the decision of the Executive is conclusive.

Pass this resolution. The President says to his Cabinet officer, "No, you are my agent, you are my alter ego; do not give that information to the Congress."

What are you going to do about it? You might have an unseemly session, an unseemly row upon the floor of the House of Representatives. What are you going to do about it? Are you going to impeach the President of the United States because he says the giving up of certain information is not in the public interest? Who is better qualified in matters of national defense—lay aside the State Department that the gentleman from New York says is not covered at all in this legislation—who is better qualified in matters of national defense and the safety of the country?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Who is better prepared? Who knows more about our foreign affairs? He knows better than any other man in government—not you; not me. Who knows better what is necessary to bring an army and navy and an air force together to defend the country than the President of the United States? And in his wise discretion he makes recommendations to Congress.

My friend from New York said that for nearly 30 years he had been around here. I happen to have been around here 35 years, and I have said from his high place many times that the House of Representatives, next to family and friends, is my life and it is my love; and I do and I shall deeply regret seeing the House of Representatives embark upon a sea as uncertain and in my opinion as dangerous as this one.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I think we all understand why this matter is before us here today. It is the direct result, the inevitable result of continuously growing resistance on the part of agencies and the departments of the Government to furnish to the Congress of the United States information that the Congress, as representatives of the people should have to discharge properly its duties and responsibilities.

I certainly do not want to be harsh in anything I say with respect to the arguments presented by those who oppose this resolution. I must say, however, that in my opinion too much of the argument against this measure has proceeded on the theory that Members of Congress in their individual capacity and as committees of Congress, acting as an arm of the Congress, are irresponsible. The opposition's argument seems based on the premise that the Congress itself is an organization of irresponsible people without regard, even as the President has regard, for the welfare of the country. I do not agree with any of the arguments that proceed on that basis. I believe that the Members of Congress have time and again demonstrated that they are just as loyal custodians of confidential secrets of the Government as the people in the executive agencies of the Government.

There is an amendment pending, and I do not address myself particularly to it except to say again, as I also pointed out in an interrogation, that I cannot conceive of the degree of irresponsibility on the part of any committee of the House that might bring about the sort of thing as horrible as the example that has been suggested here. Such a possibility is too fantastic to merit serious consideration. It has been argued here by competent lawyers and very able Members that the resolution, if enacted into law, would not go to the lengths that has been asserted here. Let me say that I have served in the Congress for a number of years. I have the conviction, based on this experience, that on too many occasions the Congress and the country have not been given by the departments and agencies the information that we should have been given in order to legislate properly. Too many times we have been required to legislate in a vacuum. Why? Because apparently everyone else in the world knew what was going on except the Congress, and we were left officially uninformed. Too many times, may I say advisedly, I have had to find out what my Government was doing from the Moscow radio instead of from the Washington radio.

Mr. Chairman, I am not trying to inject a partisan note in this, and certainly it should not be a partisan matter. I understand that some urge this is just some sort of spite work designed somehow to get at Mr. Truman, the President of the United States. Let me remind those who make such an argument that in the conduct of the foreign affairs of this country the President has time and again called upon the Congress to cooperate with him in promoting the best interest of the country. In what respect have we failed? We have, as a matter of record, given him our cooperation in the field of foreign relations.

After the last election President Truman said that the people have spoken, and he acknowledged that they expressed their wants by electing a Republican Congress, and accordingly he would cooperate with the Congress the people selected. But he has vetoed practically every major bill that we sent him in response to the people's demands as a part of our program. So I say, let us stop this business of politics and political oratory, and let us get down to what this is really all about.

All through my congressional service I have felt a constant conflict between legislative responsibilities and executive responsibilities. You see, we pass a law as the legislative branch of the Government. We create an agency of the Government for its administration. That agency then becomes a part of the executive branch and the appointing power passes to the President of the United States. He names the head of the agency, the commission, bureau, board, or whatever it may be. That agency is, as I said, a part of the executive branch of the Government, answerable, it is true, as the gentleman from Texas said, in a measure at least to the President of the United States as the head of an executive branch of the Government.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HALLECK. Mr. Chairman, those agencies and departments in the executive branch of the Government are yet

the creatures of the Congress of the United States. We created them, and they are answerable to us. We can change the law under which they operate or we can repeal the law. Each year they come to us for appropriations to carry on their operations. We can deny or grant them funds. So I say, Mr. Chairman, they still owe to us a responsibility.

Under the respective Cabinet positions are grouped all sorts of operations and agencies of Government. Is it to be said, I ask the gentleman from Texas, that this power of refusal to give even the barest information to a congressional committee might extend to an agency in the Department of Commerce, say the Civil Aeronautics Authority, or any of the agencies just because they are a part of the executive branch of the Government? I cannot agree to any such interpretation as that. I have served on a great legislative committee of this House, the Committee on Interstate and Foreign Commerce, and we have upon occasion said, "What sort of a government would it be if the people operating under our jurisdiction can, with impunity, refuse to give us the information that we ask of them?" Yes; I served on a special committee once that investigated the National Labor Relations Board. That was back in the days when my friends on the right side of the aisle had an overwhelming majority in the House of Representatives. As a result of that investigation amendments to the Wagner Act were adopted here by a vote of 2 to 1. Who would urge that that agency could, with impunity, withhold information from us or close its files to us?

Some say that it is possible that information of a confidential nature will be disclosed. Well, I just have not seen that sort of thing happen. The fact of the matter is that for a long time there has been a provision in the law that the Committee on Ways and Means may have access to income-tax returns, but they cannot be made public, except maybe in certain larger brackets. I am not for making income-tax returns public, and I continue to hold to that position. But, how, I ask the gentleman from North Carolina rhetorically, could the Committee on Ways and Means perform its responsibility in drafting tax legislation except that they have access to that very information? Reference has been made to the legislative reorganization bill that was passed in the last Congress when the gentlemen on the other side of the aisle had control. It fell to our lot to put it into effect, and I might say parenthetically it was a painfully arduous job shrinking those committee chairmanships from 45 to 19. I even doubt whether you would have put it into effect, but we did, and we have tried to live under it and we have lived under it. One thing that the act requires of every committee is that it maintain constant surveillance of the departments of Government coming under their jurisdiction. Does that imply, I ask the gentleman from Oklahoma, who somehow or other seemed to think otherwise a little while ago in general debate, that free speech was going to be interfered with? I have never seen any interference with free speech.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Why does it not follow from that very language of the Reorganization Act that we not only have the right but the responsibility to get from these agencies and departments of Government the information necessary to permit us to follow their activities, to determine how they are administering the law, and whether or not they are administering it properly, and whether or not they are spending the taxpayers' money the way it ought to be spent?

I did not participate in the drafting of this pending resolution. The House of Representatives in the Committee of the Whole is at this moment considering amendments to perfect it. I take it that when that process is completed, the exact character as well as fundamental purposes of this legislation may be finally determined, and then we will be in a position to vote the measure up or down. As for myself, I am convinced that the time has come for the Congress of the United States to say in no uncertain terms we are going to have the information to which we are entitled, and we propose to get it. As Members of Congress, we have responsibilities to the people themselves, and this is their Government. We represent them.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I cannot sit here and remain silent and permit some of the remarks of my friend from Indiana to pass unnoticed, especially when he says the question of irresponsibility on the part of Members of Congress has been raised during this debate, although no one raised that question but the gentleman himself in the speech he has just made. Until he made those remarks, as far as my recollection is concerned, this debate was conducted upon a plane which was pretty well confined to the fundamental question involved in the pending resolution. Certainly I have no recollection of any statement being made by anyone on either side of this question, until the gentleman from Indiana had spoken, to the effect that the irresponsibility of Members of Congress and of committees of Congress was the reason why this resolution should not become law, and why we were opposing it.

The gentleman deplored political references. I know of no one that said this bill is aimed at President Truman. I did not. The majority and minority reports of the committee met the basic issue head on. I think the gentleman from Michigan [Mr. HOFFMAN] will admit that, because at the outset of the minority report I stated:

> Aside from the serious constitutional objections to the resolution, it proceeds on a highly questionable assumption that the majority of any congressional committee—

And so forth. I also said:

> The resolution and the majority report squarely raise, as the majority report recognizes, an issue as to whether one branch of our tripartite Government, the legislative, may obtain confidential papers from another branch, the executive, in fields in which that other branch has exclusive jurisdiction.

So the gentleman from Indiana has injected into this the question of irresponsibility of Members of Congress Nobody else has done so.

With reference to what the gentleman from Oklahoma [Mr. MONRONEY] said, that if a majority of the committee votes that any information sent for is confidential, and the minority feel that the views of the majority are wrong, the minority cannot file a minority report; what he says on the floor here is another thing. If this resolution ever passed and a member of a committee violated it on the floor of the House, despite his constitutional rights, there would probably be a resolution offered either to censure him or remove him as a Member of this body. If this resolution passes and any member of a committee violated it while making a speech on the floor of the House, then this body in justice to itself ought to follow it up by taking proper steps either to censure him or remove him from membership in this body. In any event, it prevents any Member from filing a minority report, because a minority report is something that is filed and not stated on the floor of the House. It prevents any Member from exercising, as far as these matters are concerned, his legislative right under the Constitution, that no one can take away from him the right, if he so desires, to file a minority report.

The gentleman from Indiana makes reference to the statement of the gentleman from Oklahoma about free speech being curtailed. What you and I can say here, many times we cannot say outside. We are protected by the Constitution, because the framers realized that, in our capacity as legislators, with reference to our statements on the floor we have to be protected not for ourselves, but for our institutions of Government. But if we said on the outside, in the open, many things that we say on the floor, we would not be entitled to the legal immunity we do have as Members of Congress in connection with things we may say on the floor.

The question of irresponsibility on the part of Members of Congress has been injected into this debate by my friend from Indiana and by no other Member.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that debate on this amendment close in 3 minutes, to be used by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, let us in these 3 minutes, if we can, untangle some of the thoughts that have been wound up in a snarl. The gentleman from Massachusetts talks about a

minority report. Of course, under this resolution there will not be any minority report because there will not be a majority report.

Under the resolution this information, if we get it, comes to the committee and the committee decides what it desires to do with it, what part, if any, should be made public; what part if any should be kept secret. When the committee has so decided, that will be the end of it.

The only difference between that procedure and the present procedure is that the resolution opens the door to a committee of the Congress to get essential information, remove the ban which some employee or officer in an executive department has already imposed. We do not throw the door wide open to the press or to the people or to the Congress. We open the door a crack and take a look. If a majority of the committee decides that what we see inside should be given to the Congress, we pass it along, and if the committee, substituting its judgment for the judgment of some bureaucrat, says "no," then that is the end of that.

The gentleman's amendment, I know, is offered in good faith, but nevertheless, it should be voted down. It should be voted down for the reason that you might just as well throw the resolution out the window as to accept the amendment which would strike out the word "Secretaries." He seeks to exempt the personal representatives of the President. There is no attempt or purpose here to bring in those who act with the President as his confidential advisors, who are, as you might say, his other self. But if you strike out the word "Secretaries," you kill the resolution.

Who are the Secretaries?

The Secretaries to whom his amendment refers are the heads of the various departments. In important cases, they would be the individuals who issued the order denying the Congress the information sought.

At the moment there is a practice in some of the departments of refusing to let any information be cleared until the permission of the head of the department—the Secretary, be it the Secretary of the Department of Commerce, of Labor, or of Justice—has been given.

If I knew of any way to separate Mr. Clark, the head of the Department of Justice, from Mr. Clark, the Secretary, then I could go along.

I hope the committee rejects this amendment.

The CHAIRMAN. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from Missouri [Mr. BAKEWELL].

The amendment was rejected.

Mr. CHURCH. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: On page 2, line 12, after the word "request", insert the words "if it has been refused."

Mr. CHURCH. Mr. Chairman, I have spoken to the chairman of the committee with regard to this amendment. Let me read what it is:

On page 2, line 12, after the word "request" insert the following: ", if it has been refused."

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. BROWN of Ohio. I think I know what the gentleman wants to accomplish, but of course a request cannot be refused until it is made. This proviso applies only to the making of the request. It says that before any part of this act can become effective, the request must be made.

Mr. CHURCH. I am trying to clarify the situation so there will be no question about obtaining information where there has been no refusal to furnish information requested. When the Committee on Rules or the Committee on Appropriations or any committee or its chairman want certain information brought up, and there is no refusal to supply it, certainly we must not go through the procedure set forth in lines 12 to 25, on page 2 of the resolution, before we get that information. Therefore, merely to clarify that situation I have offered this amendment for the committee to consider. I expect to vote for this resolution. I believe language like this should be in the resolution. I do not like much of the wording in the resolution, and it is difficult to amend. I was unable, on account of the shortness of time, to prepare the amendment the way I would like it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. HOFFMAN. Will the gentleman tell me what it is he wants to do? After the word "provided", in line 12, on page 2, what do you want to do with it?

Mr. CHURCH. My amendment provides that in line 12, after the word "request", there be inserted the words "if it has been refused."

I call attention to the following language in line 12:

*Provided*, That the said request shall be made only upon a majority vote of the members of said committee.

And so forth. I do not want the language I have just quoted to require each chairman of a committee to follow that procedure before he can call before his committee the heads of bureaus for information and testimony where there has been no refusal to furnish that information. Every day we are calling before our committees these department heads for testimony that has to do with their departments, and it is a common practice for them to testify when called. But sometimes they are reluctant to come. I am afraid that unless this language is clarified this procedure outlined in this bill will be necessary before they come. The language in the resolution can be construed to require the committee to make its request only after a majority vote of the members of the committee. Some committee member might insist that there be a majority vote of the members of the committee before his chairman calls before his committee any witness, even though that witness had not refused information. The purpose of the resolution, of course, is to outline a procedure that is necessary after a request for information has been refused, but it seems to me that the words "if it has been refused" should appear in the bill; otherwise, you set up a cumbersome procedure here that must be followed in order to obtain information, and so forth, from department heads, whether or not there is first a refusal to furnish it.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. BROWN of Ohio. Of course, this is a proviso that certain things shall be done, and the line to which you refer says:

*Provided*, That the request shall be made upon majority vote.

Of course, you cannot have a request refused until the request has been made. Under the provisions of this bill, this whole section deals only with the provision that a request has been made.

Mr. CHURCH. In the confusion, I do not believe the gentleman heard my statement.

The language as it now appears in the resolution might set up a formula that must be followed in order to obtain information, whether or not the information is refused. Someone might cite this statute as a required procedure that we must follow even when there is no refusal involved.

Mr. BROWN of Ohio. Of course, you set forth that certain things shall be done to get this information, provided a request has been made.

Mr. CHURCH. Yes.

Mr. BROWN of Ohio. Of course, if the request has not been made, you do not have anything to argue about.

Mr. CHURCH. No. You make the statement:

*Provided*, That such request shall be made only upon majority vote of the members of the committee.

The gentleman surely does not want to require that procedure in order to obtain information where there is no refusal to furnish it. I am placing this language in the record so it may be considered in the other body. If, at this late hour, you want to vote the language in this amendment down, you may do so. I believe it should be in the bill somewhere if the resolution becomes law.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. CHURCH] has expired.

Mr. BROWN of Ohio. Mr. Chairman, I do not believe it is necessary to answer the argument made in favor of the amendment except to say that if you will read the resolution you will notice that certain things can be done by a committee provided this request has first been made.

I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CHURCH].

The amendment was rejected.

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Florida: On page 2, line 13, after the letter "a" in line 13, strike out "majority" and insert "two-thirds of."

Mr. ROGERS of Florida. Mr. Chairman, the amendment I have offered merely substitutes the words "two-thirds" of the members of the committee rather than "a majority." The reason for that is this: Whatever political party is in power can absolutely control the situation. It seems to me in that event you would certainly need the consent of both parties in the House. In other words, if the Republicans really control the next session then you would have to have the approval of some of the Democrats in order for the request to be made; if the Democrats were in power you would need some of the Republicans. It ought not to be a one-party affair. In other words, before we request information from the department there should certainly be an agreement of both parties, or at least we should have two-thirds of the members of the committee voting for a request. I think this will improve the resolution and I hope the committee will accept this amendment.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if this amendment is adopted we will go to the two-thirds rule in our committee system in Congress, instead of continuing the majority rule. We even elect Presidents by a majority vote. We elect Members of Congress by a majority, and sometimes by only a plurality. If a majority of all the members of a committee vote in favor of such a resolution, it is sufficient. I do not believe any political party, either Republican or Democratic, should stoop to these measures simply as a political vehicle.

I therefore hope the amendment will be voted down.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. ROGERS of Florida. Does it not take a two-thirds vote to change the rules of the House?

Mr. BROWN of Ohio. Under certain circumstances, yes; under other circumstances, no. This does not change the rules of the House in any way. I hope the amendment will be voted down.

Mr. ROGERS of Florida. Is this not more or less an unusual request?

Mr. BROWN of Ohio. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

SEC. 2. When, by virtue of section 1, any committee of the Congress shall have received information, books, records, or memoranda from any of the departments, agencies, Secretaries, or individuals in pursuance of a request made under the authority of said section, it shall forthwith, by majority vote of the membership of said committee, determine what, if any, part of such information shall be made public and what part shall be deemed to be confidential, and it shall thereafter be unlawful for any member of said committee or any employee thereof or any other individual obtaining knowledge of such information because of the disclosure of such information to said committee to divulge or to make known in any manner whatever not provided by law to any person any part of the information so disclosed to said committee and which has by said committee been declared to be confidential; and any offense against the foregoing provision shall be a misdemeanor and shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding 1 year, or both, at the discretion of the court; and, if the offender be an employee of the United States, he shall be dismissed from office or discharged from employment.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio to the committee amendment: On page 3, line 10, after the word "thereof", strike out the rest of line 10, all of line 11, and all of line 12 down to and including the word "committee."

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. BROWN of Ohio. Mr. Chairman, if I may have the attention of the House for about 3 minutes for consideration of this amendment, to which I believe everyone will agree, I understand the chairman of the committee will then make a motion that the Committee rise. If you will refer to page 3, line 10, this amendment simply strikes out the wording which would apply the penalty to persons other than committee members or employees thereof. What the amendment actually does is to make certain that the press of the country, the newspaper and radio men of the Nation, cannot be charged with violation of law if they print information which some member of a congressional committee might give them, and if they accept it in good faith. I do not believe there is any objection to this amendment and I hope it will be adopted.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I am wondering whether the amendment means anything after you cut out the clause which you propose to cut out, because it applies then only to Members of Congress and the committees.

Mr. BROWN of Ohio. That is right. They are the only ones charged with the responsibility to keep the secret.

Mr. SMITH of Virginia. It retains the criminal penalty on Members of Congress.

Mr. BROWN of Ohio. And members of the committee.

Mr. SMITH of Virginia. Members of Congress are protected under the Constitution from prosecution on account of any statement they may make on the floor of the House.

Mr. BROWN of Ohio. But not off the floor of the House.

Mr. SMITH of Virginia. Let me finish. Members of Congress are protected in two ways: First, from any statements they might make on the floor of the House. They can disclose all of this information in a speech on the floor. In the second place, you cannot prosecute them under this criminal provision because they are exempt from arrest while in attendance of Congress.

Mr. BROWN of Ohio. The gentleman is too good a lawyer to make that statement, and I am amazed and surprised that he makes it. Do not go out into my State of Ohio and violate a law, whether you are a Member of Congress or not, because you will land in the hoosegow. I imagine the same thing would happen in Virginia. It certainly did happen recently to one of our colleagues from another State. I cannot agree with the gentleman's statement, and I know the gentleman did not mean it.

Mr. SMITH of Virginia. The gentleman knows that Members of Congress during sessions of Congress and on their way to and from those sessions are exempted.

Mr. BROWN of Ohio. No; only for certain things. The gentleman must read the Constitution again.

Mr. SMITH of Virginia. I am pretty familiar with that document. The only exemptions are where it is a breach of the peace or a felony. Suppose a Member of Congress should make a speech on the floor of the House disclosing that information, certainly the gentleman will agree with me then that you could not prosecute him or do anything with him?

Mr. BROWN of Ohio. I do not agree with the gentleman, and I do not think the courts would agree with him either. I hope the gentleman is not brought before the bar of judgment and have such a charge against him.

Mr. SMITH of Virginia. Does the gentleman mean to say a Member of this House can be prosecuted for any statement he makes on the floor of the House?

Mr. BROWN of Ohio. No; certainly not. I am talking about giving information elsewhere. If he gives it publicly on the floor I presume the House would at least censure him for giving out information that is confidential. I doubt that the House of Representatives would permit a Member to stand up here and violate this law.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HOFFMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ALLEN of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Joint Resolution 342, directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. BREHM asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. HART asked and was given permission to extend his remarks in the RECORD.

Mr. JOHNSON of California. Mr. Speaker, several days ago I was granted unanimous consent to insert two lectures in the Appendix of the RECORD. The Public Printer informs me that these lectures will exceed two pages of the RECORD and will cost in one case $189.34, and in the other $236.67, but I ask that they be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD in two instances; to include in one an editorial appearing in the New York Herald Tribune, and in the other a survey made by the Gold Star Society.

Mr. HAND asked and was given permission to extend his remarks in the RECORD on the subject of low-cost housing.

Mr. ANDERSON of California (at the request of Mr. LATHAM) was given permission to extend his remarks in the RECORD and include a letter.

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to include as part of my remarks made in the Committee of the Whole the argument of Mr. Hatton Sumners before the United States Supreme Court in the case of Jurney against McCracken.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Shreveport Times.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in three instances and include in each excerpts.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD on the bill H. R. 2455.

Mr. ISACSON asked and was given permission to extend the remarks he made in Committee of the Whole and include extraneous matter.

EXTENSION OF RECONSTRUCTION FINANCE CORPORATION

Mr. WOLCOTT. Mr. Speaker, I call up the conference report on the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 1 of the Reconstruction Finance Corporation Act, as amended is amended to read as follows:

"'SEC. 1. (a) There is hereby created a body corporate with the name "Reconstruction Finance Corporation" (herein called the Corporation), with a capital stock of $100,000,000 subscribed by the United States of America. Its principal office shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the Board of Directors. This Act may be cited as the "Reconstruction Finance Corporation Act".

"'(b) Within six months after the close of each fiscal year the Corporation shall make a report to the Congress of the United States which shall contain financial statements for the fiscal year, including a balance sheet, a statement of income and expense, and an analysis of accumulated net income. The accumulated net income shall be determined after provision for reasonable reserves for uncollectibility of loans and investments outstanding. Such statements shall be prepared from the financial records of the Corporation which shall be maintained in accordance with generally accepted accounting principles applicable to commercial corporate transactions. The report shall contain schedules showing, as of the close of the fiscal year, each direct loan to any one borrower of $100,000 or more, each loan to any one borrower of $100,000 or more in which the Corporation has a participation or an agreement to participate, and the investments in the securities and obligations of any one borrower which total $100,000 or more. Within six months after the end of each fiscal year, beginning with the fiscal year ended June 30, 1948, the Corporation shall pay over to the Secretary of the Treasury as miscellaneous receipts, a dividend on its capital stock owned by the United States of America, in the amount by which its accumulated net income exceeds $250,000,000.

"'(c) Within sixty days after the effective date of this amendment, the Corporation shall retire all its outstanding capital stock in excess of $100,000,000 and shall pay to the Treasury as miscellaneous receipts the par value of the stock so retired.'

"SEC. 2. Section 2 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 2. The management of the Corporation shall be vested in a board of directors consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the five members of the board, not more than three shall be members of any one political party and not more than one shall be appointed from any one Federal Reserve district. The office of director shall be a full-time position. The term of the incumbent directors is hereby extended to June 30, 1950. As of July 1, 1950, two directors shall be appointed for a term of one year, two directors shall be appointed for a term of two years, and one director shall be appointed for a term of three years. Thereafter the term of the directors shall be for a term of three years, but they may continue in office until their successors are appointed and qualified. Whenever a vacancy shall occur in the office of director other than by expiration of term, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. After the confirmation of the directors by the Senate, the President shall designate one of the directors to serve as chairman for a period coextensive with his term as director. The directors, except the chairman, shall receive salaries at the rate of $12,500 per annum each. The chairman of the board of directors shall receive a salary at the rate of $15,000 per annum.'

"SEC. 3. Section 3 (a) of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 3. (a) The Corporation shall have succession through June 30, 1956, unless it is sooner dissolved by an Act of Congress. It shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease or purchase such real estate as may be necessary for the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal; to select, employ, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the transaction of the business of the Corporation, in accordance with laws, applicable to the Corporation, as in effect on June 30, 1947, and as thereafter amended; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted. Except as may be otherwise provided in this act or in the Government Corporation Control Act, the board of directors of the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures under this Act and the manner in which they shall be incurred, allowed, paid, and accounted for, without regard to the provisions of any other laws governing the expenditure of public funds, and such determinations shall be final and conclusive upon all other officers of the Government. The Corporation shall be entitled to and granted the same immunities and exemptions from the payment of costs, charges, and fees as are granted to the United States pursuant to the provisions of law codified in sections 543, 548, 555, 557, 578, and 578a of title 28 of the United States Code, 1940 edition. The Corporation shall also be entitled to the use of the United States mails in the same manner as the executive departments of the Government. Debts due the Corporation, whether heretofore or hereafter arising, shall not be entitled to the priority available to the United States pursuant to section 3466 of the Revised Statutes (U. S. C., title 31, sec. 191) except that the Corporation shall be entitled to such priority with respect to debts arising from any transaction pursuant to any of the following Acts or provisions in effect at any time: Sections 5d (1) and 5d (2) of the Reconstruction Finance Corporation Act added by section 5 of the Act entitled "An Act to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes", approved June 25, 1940 (54 Stat. 573); sections 4 (f) and 9 of the Act entitled "An Act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes", approved June 11, 1942 (56 Stat.

354, 356); section 2 (e) of the Emergency Price Control Act of 1942 (56 Stat. 26); the Surplus Property Act of 1944 (58 Stat. 765 and the following); sections 11 and 12 of the Veterans' Emergency Housing Act of 1946 (60 Stat. 214, 215); and section 403 of the Sixth Supplemental National Defense Appropriation Act (56 Stat. 245).'

"SEC. 4. Section 4 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 4. (a) To aid in financing agriculture, commerce, and industry, to encourage small business, to help in maintaining the economic stability of the country, and to assist in promoting maximum employment and production, the Corporation, within the limitations hereinafter provided, is authorized—

"'(1) To purchase the obligations of and to make loans to any business enterprise organized or operating under the laws of any State or the United States: *Provided*, That the purchase of obligations (including equipment trust certificates) of, or the making of loans to, railroads engaged in interstate commerce or air carriers engaged in air transportation as defined in the Civil Aeronautics Act of 1938, as amended, or receivers or trustees thereof, shall be with the approval of the Interstate Commerce Commission or the Civil Aeronautics Board, respectively: *Provided further*, That in the case of such railroads or air carriers which are not in receivership or trusteeship, the Commission or the Board, as the case may be, in connection with its approval of such purchases or loans, shall also certify that such railroad or air carrier, on the basis of present and prospective earnings, may be expected to meet its fixed charges without a reduction thereof through judicial reorganization except that such certificates shall not be required in the case of loans or purchases made for the acquisition of equipment or for maintenance.

"'(2) To make loans to any financial institution organized under the laws of any State or of the United States. If the Secretary of the Treasury certifies to the Corporation that any insurance company is in need of funds for capital purposes, the Corporation may subscribe for or make loans upon nonassessable preferred stock in such insurance company. In any case in which, under the laws of the State in which it is located, any such insurance company so certified is not permitted to issue nonassessable preferred stock, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, the Corporation is authorized to purchase the legally issued capital notes or debentures of such insurance company.

"'(3) In order to aid in financing projects authorized under Federal, State, or municipal law, to purchase the securities and obligations of, or make loans to, (A) States, municipalities, and political subdivisions of States, (B) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (C) public corporations, boards, and commissions: *Provided*, That no such purchase or loan shall be made for payment of ordinary governmental or nonproject operating expenses as distinguished from purchases and loans to aid in financing specific public projects.

"'(4) To make such loans as it may determine to be necessary or appropriate because of floods or other catastrophes.

"'(b) The powers granted in section 4 (a) of this Act shall be subject to the following restrictions and limitations:

"'(1) No financial assistance shall be extended pursuant to paragraphs (1), (2), and (3) of subsection (a) of this section, unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made under paragraphs (1), (2), and (3) of subsection (a) of this section shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.

"'(2) No loan, including renewals or extensions thereof, may be made under sections 4 (a) (1), (2), and (4) for a period or periods exceeding ten years and no securities or obligations maturing more than ten years from date of purchase by the Corporation may be purchased thereunder: *Provided*, That the foregoing restriction on maturities shall not apply to securities or obligations received by the Corporation as a claimant in bankruptcy or equitable reorganization or as a creditor in proceedings under section 20b of the Interstate Commerce Act, as amended: *Provided further*, That any loan made or securities and obligations purchased prior to July 1, 1947, may in aid of orderly liquidation thereof or the interest of national security, be renewed or the maturity extended for such period not in excess of ten years and upon such terms as the Corporation may determine: *Provided further*, That any loan made under section 4 (a) (1) for the purpose of constructing industrial facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction. The Corporation may, in carrying out the provisions of subsection 4 (a) (3), purchase securities and obligations, or make loans, including renewals or extensions thereof, with maturity dates not in excess of forty years, as the Corporation may determine.

"'(3) In agreements to participate in loans, wherein the Corporation's disbursements are deferred, such participations by the Corporation shall be limited to 70 per centum of the balance of the loan outstanding at the time of the disbursement, in those cases where the total amount borrowed is $100,000 or less, and shall be limited to 60 per centum of the balance outstanding at the time of disbursement, in those cases where the total amount borrowed is over $100,000.

"'(c) The total amount of investments, loans, purchases, and commitments made subsequent to June 30, 1947, pursuant to section 4 shall not exceed $1,500,000,000 outstanding at any one time: *Provided*, That the aggregate amount outstanding at any one time shall not exceed (1) under subsection (a) (4) $25,000,000, and (2) for construction purposes under subsection (a) (3) $200,000,000, and (3) under the last two sentences of subsection (a) (2) $15,000,000.

"'(d) No fee or commission shall be paid by any applicant for financial assistance under the provisions of this Act in connection with any such application, and any agreement to pay or payment of any such fee or commission shall be unlawful.

"'(e) No director, officer, attorney, agent, or employee of the Corporation in any manner directly or indirectly, shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

"'(f) The powers granted to the Corporation by this section 4 shall terminate at the close of business on June 30, 1954, but the termination of such powers shall not be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this Act prior to the close of business on such date, or (2) to affect the validity or performance of any other agreement made or entered into pursuant to law.

"'(g) As used in this Act, the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.'

"SEC. 5. Effective as of midnight June 30, 1947, the first sentence of section 8 of the Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows: 'The Corporation, including its franchise, capital, reserves and surplus, and its income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to special assessments for local improvements and shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.'

"SEC. 6. Subsection (m) of section 206 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows:

"'(m) The first section and sections 2, 3, 9, 11, and 13 of the Act approved January 31, 1935 (49 Stat. 1), as amended;'.

"SEC. 7. Section 208 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is hereby repealed.

"SEC. 8. Section 209 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows:

"'SEC. 209. During the period between June 30, 1948, and the date of enactment of legislation making funds available for administrative expenses for the fiscal year ending June 30, 1949, the Corporation is authorized to incur, and pay out of its general funds, administrative expenses in accordance with laws in effect on June 30, 1948, such obligations and expenditures to be charged against funds when made available for administrative expenses for the fiscal year 1949.'

"SEC. 9. The third paragraph of section 24 of the Federal Reserve Act, as amended by section 328 of the Banking Act of 1935, as amended, is hereby amended to read as follows:

"'Loans made to established industrial or commercial businesses (a) which are in whole or in part discounted or purchased or loaned against as security by a Federal Reserve bank under the provisions of section 13b of this Act, (b) for any part of which a commitment shall have been made by a Federal Reserve bank under the provisions of said section, (c) in the making of which a Federal Reserve bank participates under the provisions of said section, or (d) in which the Reconstruction Finance Corporation cooperates or purchases a participation under the provisions of the Reconstruction Finance Corporation Act, as amended, shall not be subject to the restrictions or limitations of this section upon loans secured by real estate.'"

And the House agree to the same.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
*Managers on the Part of the House.*

C. DOUGLASS BUCK,
HOMER E. CAPEHART,
BURNET R. MAYBANK,
J. W. FULBRIGHT,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of

the two Houses on the amendment of the House to the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The conferees have agreed to a substitute for both the Senate bill and the House amendment. The substitute agreed to substantially follows the House amendment. Except for clarifying, clerical, and minor changes, the differences between the House amendment and the substitute agreed to in conference are explained below.

The Senate bill required the Corporation, after the end of each fiscal year, to pay over to the Secretary of the Treasury as miscellaneous receipts a dividend on its capital stock owned by the United States in the amount by which its accumulated net income exceeds $50,000,000. The House amendment requires the Corporation within 6 months after the end of each fiscal year to make such a payment in the amount by which its accumulated net income exceeds $400,000,000. The conference substitute follows the language in the House amendment except that the dividend is to be in the amount by which the accumulated net income exceeds $250,000,000.

The Senate bill provided for an extension through June 30, 1960, of the succession of the Corporation and an extension through June 30, 1958, of the lending powers of the Corporation. The House amendment provides for an extension of the Corporation's succession and lending powers through June 30, 1952, and through June 30, 1950, respectively. The conference substitute extends the succession of the Corporation through June 30, 1956, and the lending authority of the Corporation through June 30, 1954.

The Senate bill provided authority for the Corporation to subscribe for or make loans upon the nonassessable preferred stock of banks, trust companies, or insurance companies upon certification of the Secretary of the Treasury that any such bank or trust company under the supervision of the Controller of the Currency or a State banking department or any insurance company is in need of funds for capital purposes. The Senate bill also contained authority for the Corporation to purchase the legally issued capital notes or debentures of such institutions when under the laws of the State in which they are located they are not permitted to issue nonassessable preferred stock or can do so only by unanimous consent of stockholders. The House amendment contains no comparable provision. The conference substitute retains the provision of the Senate bill with respect to subscriptions of or loans upon the nonassessable preferred stock, and the purchase of capital notes or debentures, of insurance companies upon certification by the Secretary of the Treasury with a provision that such subscriptions, loans, and purchases shall not exceed $15,000,000 outstanding at any one time, and omits any such authority with respect to banks and trust companies.

The House amendment included a provision, in the paragraph authorizing the Corporation to extend aid in financing governmental projects, to the effect that no purchase or loan should be made "for the acquisition or construction, by any such public agency, for any property or facility for the production, sale, or supply of any commodity, product, or service, if any private person, firm, or corporation is then actively engaged in the production, distribution, or supply of the same commodity, product, or service in the same area." In view of the fact that the effects of this language might be far reaching, the conferees asked the author of the amendment in the House to appear before them and explain the proposal in detail, which he did. It appeared that the situation sought to be reached was a situation which would involve the furnishing of aid to a public project which would compete with private industry. The general counsel of the Corporation advised the conferees that in the situation in question the Corporation had not heretofore made any such loan and would not make any such loan in the future. In the light of this clarification of the issue and with a view to avoiding any far-reaching results that might not be presently contemplated, the conference substitute omits the House provision.

The Senate bill provided for agreements to participate in loans where the Corporation's disbursements are deferred but such participations by the Corporation were limited to 65 percent of the balance of the loan outstanding at the time of the disbursement in those cases where the total amount borrowed is $100,000 or less and to 50 percent of the balance outstanding at the time of the disbursement in those cases where the total amount borrowed is over $100,000. The House amendment provides that the Corporation's participation in such deferred participation agreements be limited to 75 percent of the balance of the loan outstanding at the time of disbursement without regard to the size of the loan. The conference substitute follows the language of the Senate bill, but substitutes 70 percent for 65 percent in the case of loans of $100,000 or less and 60 percent for 50 percent in the case of loans exceeding $100,000. The committee of conference was unanimous in its opinion that, notwithstanding any inference that might be drawn from language in the committee reports, the Reconstruction Finance Corporation in making deferred participation agreements could rely upon the statement of the applicant that its correspondent banks were not interested in taking the participation offered.

The Senate bill repealed the provision in existing law empowering the Corporation to purchase with a favorable priority surplus property for resale to small business. The House amendment retains this authority with modifications designed to prevent discrimination against small business not purchasing through the Corporation. The conference substitute retains the Senate provision.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE
PAUL BROWN,
WRIGHT PATMAN,
*Managers on the Part of the House.*

Mr. WOLCOTT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MULTER (at the request of Mr. MCCORMACK) was given permission to extend his remarks in the RECORD.

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD.

Mr. KLEIN (at the request of Mr. ISACSON) was given permission to extend his remarks in the RECORD and include certain extraneous material.

RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES

Mr. LECOMPTE. Mr. Speaker, I submit a privileged resolution (H. Res. 594) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That a revised edition of the Rules and Manual of the House of Representatives for the Eighty-first Congress be printed as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES FOR THE PREVENTION OF COLLISIONS ON CERTAIN INLAND WATERS

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3350) relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 13, after "vessels", insert "as defined in rule numbered 1."

Page 7, lines 9, and 10, strike out "and higher than the side lights."

Page 8, line 18, strike out "of at least fifteen feet above" and insert "higher than."

Page 13, line 10, strike out ", and with an efficient foghorn."

Page 13, line 12, strike out "foghorn and."

Page 24, after line 10, insert:

"SEC. 5. Where any Navy or Coast Guard vessel of special construction, as certified to by the Secretary of the Navy, or the Secretary of the Treasury in the case of Coast Guard vessels operating under the Treasury Department, or such official or officials as either may designate, is now or may hereafter by virtue of statute, convention, or treaty be exempt from compliance with any requirements of the International Rules of the Road, such type of vessel shall similarly be exempt from compliance with any corresponding requirement under the rules specified in this act."

Page 24, after line 10, insert:

"SEC. 6. This act shall become effective on January 1, 1949."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDMENT OF ACT OF JULY 23, 1947

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4892) to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219, 80th Cong.), with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 4, strike out "to read as follows: Strike" and insert "by striking."

Line 5, strike out "add" and insert "adding."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

OYSTER BEDS

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3505) authorizing an appropriation for investigating and rehabilitating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre spillway, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, strike out all after "Louisiana" down to and including "session)" in line 11.

Amend the title so as to read: "An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre Spillway, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the President recently stated that the TEW bill, as it passed the Senate, was "in wonderful form," and had his wholehearted endorsement. This bill among other things would raise the rate on GI loans for homes for veterans from 4 to 4½ percent and with other charges might go as high as 5 percent. I wonder if this particular provision carries the wholehearted endorsement of the President.

The homestead housing bill, H. R. 4488, which is on the Union Calendar No. 886 is a bill to provide homes for veterans exclusively. I have no quarrel with many features of the TEW bill but I am convinced that the veterans' homestead bill meets the special needs of veterans which the TEW bill does not. The homestead bill does not increase the interest rate. It should pass immediately in order that veterans may secure homes as soon as possible and have the advantages of good building weather. It is the American Legion bill as amended by the Veterans' Committee and passed unanimously by that committee. It is an amendment to the loan provisions of the GI bill of rights.

STIMSON ON TRADE AGREEMENTS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I have asked for this time in order to read into the RECORD some excerpts from a book written by the Honorable Henry L. Stimson, a gentleman who has been revered and honored, and who has been an American historical character during the past two generations.

The title of the book is "On Active Service in Peace and War" and the excerpts are from chapter 23 entitled "The Beginnings of Peace," pages 591 and 592; and chapter 22 entitled "Toward General War," pages 298–301 on the subject of "Trade Agreements."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EBERHARTER. Mr. Speaker, early in 1934 Stimson had his chance to strike a blow for Hull's dearest policy, and at the same time to give support to a principle which was important to him. For over 40 years, since the time in 1892 when he voted for Grover Cleveland, Stimson had been at heart a low-tariff man. His views were by no means radical; he believed that to a certain degree tariff protection was probably a necessary adjunct to the high standard of American living. At the same time he was convinced that by the exigencies of congressional tariff making the American tariff had become a hodgepodge of excessive rates designed mainly to protect inefficient and wholly uneconomic industries. And after his experiences in the State Department he was, emotionally, a stern enemy of the whole concept of economic isolation which lay behind the pressure for higher tariffs. Granting that free trade in the classical sense was no longer possible in an era of managed currency, Government controls, and rigid economies, he nevertheless believed that for the United States—a creditor nation—greater imports were an imperative necessity. Whatever might have been the earlier wisdom of high tariffs, and whatever might be right for other nations, the American tariff must now come down. In the year after leaving the State Department Stimson had occasion to give close attention to the tariff problem. He was particularly impressed by a little book from the pen of Henry Wallace called America Must Choose in which the Secretary of Agriculture argued with force and clarity for lower tariffs to permit greater agricultural exports. So in April 1934, when the first reciprocal trade agreement bill was before the Senate, Stimson was eager to help, and on receiving Hull's assurance that his support was welcome, he made a radio speech strongly supporting this Democratic measure.

The main argument of this speech was simply for increased foreign trade. Stimson drew on Wallace's book for his contention that without a healthy foreign trade the United States must slip toward a controlled economy:

Mr. Wallace frankly points out the dangers and difficulties which will lie before us if we adopt the former course—the compulsory Government control of production and marketing * * *; the suppression of our hereditary initiative and love of freedom; and, worst of all, the stifling of individual free thought and speech which is a necessary accompaniment of the process if we carry national planning to its full conclusion. I am very glad that he frankly announces his own distaste and opposition to such a process and that he evidently believes that we should try as far as possible to follow the other course—that of trying to restore our international trade[1]

The speech continued with a description of the increasing restrictions placed on foreign trade by foreign nations and then took a course directly in line with Stimson's whole philosophy of government: The power to meet the situation must be given to the Executive. The proposed bill would in effect give to the President authority to make limited changes in the American tariff.

I think that some such legislation should be promptly passed to meet the emergency which confronts us. I am not impressed with the objection that it would give undue or dictatorial powers to our Executive.

Carefully hedged as it was, this speech was not in its direct statement a low-tariff document. In its political effect, however, it was exactly that, as the reaction of its audience demonstrated. Stimson was surprised and pleased with its reception, which was friendly in all quarters but one.

I took a little care of the publicity and it went off with a pretty good bang. The Times and Tribune, of New York, printed it in full and it obtained great publicity all over the country. The Republicans on the whole were very angry, of course, for it contravened their rather stupid policy of indiscriminate opposition. This was a time when an opportunity was presented to assist the policy of the conservative advisers of the President and to oppose that of the radicals, and I felt that it was very important to take it. * * * I received a great many letters of commendation and almost no public criticism. * * * Of course, Hull and the members of the Department were thoroughly delighted, and Hull again and again thanked me for it. The President himself told me that he thought I was the chief influence in securing the probable passage of the bill. (Diary, May 18, 1934.)

Mr. Roosevelt was not a man who ever sacrificed his friendly feelings to strict accuracy, and Stimson never believed himself the father, or even the midwife, of the Trade Agreements Act. But he was always glad that he had done what he could to help.

[1] Radio address, April 29, 1934.

Through the succeeding years he became more and more convinced that the path on which Cordell Hull set out in 1934 was the only one which gave any promise of a stable commerce in a prosperous America; tariff reduction, with or without equivalent concessions from other nations, was the only sensible course for the United States.

In 1936 the Republican insistence on a high tariff so disgusted him that in spite of his growing disapproval of the New Deal he took no active part whatever in the campaign. In 1947, when the Republicans in Congress once more demonstrated their continued subservience to the selfish pressure groups which produce tariff barriers, he was more angry still, for the Second World War and its aftermath had made the economic impossibility and blind folly of such a program more evident than ever. He did not know when his party—and many Democrats, too—would understand that America must learn to like heavy imports, but he was certain that the longer their ignorance continued, the more painful the resulting lesson would be.

PLANNING FOR RECONSTRUCTION

As Secretary Hull again and again emphasized in his regular meetings with Stimson, the critical question of the postwar period was whether or not the United States would truly become a participating and effective member of the world community. Uncertain as the path to peace might be, it seemed clear that the decision of 1920 had led up a blind alley; the bankruptcy of isolationism was evident.

Upon the proper nature and extent of future American participation in world affairs there was less agreement. Stimson inclined to agree with Hull that here, as in the peace treaties, economics was central. America must so organize her trade and her foreign finance that the world might achieve the economic stability which had never been approached after 1918. In long-range terms, this meant a constant effort to expand American foreign trade, and especially American imports, by the kind of policy so valiantly begun by Mr. Hull 12 years before. When the Reciprocal Trade Agreements Act was extended in May 1945, Stimson warmly congratulated President Truman.

I told him that I had always regarded these treaties as the fundamental basis for our postwar condition and that I thoroughly shared his views and was greatly relieved at the good size of the vote. (Diary, May 27, 1945.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PLUMLEY (at the request of Mr. ARENDS), until May 19, on account of official business.

To Mr. DAVIS of Tennessee, for the balance of the week, because of absence from the city.

To Mr. BRAMBLETT, for an indefinite period, on account of official business.

To Mr. BULWINKLE, until June 1, 1948, on account of important business.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include extraneous material.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. MARCANTONIO. Mr. Speaker, I am constrained to object.

ENROLLED BILL SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6226. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 107. An act for the acquisition and maintenance of wildlife management and control areas in the State of California, and for other purposes;

H. R. 338. An act for the relief of Amin Bin Rejab;

H. R. 345. An act for the relief of Ollie McNeill and Ester B. McNeill;

H. R. 817. An act for the relief of Andres Quinones and Letty Perez;

H. R. 831. An act for the relief of George Chan;

H. R. 1022. An act for the relief of Peter Bednar, Francisca Bednar, and others;

H. R. 1189. An act to establish the methods of advancement for post-office employees (rural carriers) in the field service;

H. R. 1392. An act for the relief of Mrs. Charlotte E. Harvey;

H. R. 1562. An act to increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States;

H. R. 1653. An act for the relief of Edward W. Bigger;

H. R. 1724. An act to legalize the admission to the United States of Sarah Jane Sanford Pansa;

H. R. 1749. An act to amend the act entitled "An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk";

H. R. 1953. An act for the relief of John F. Reeves;

H. R. 2000. An act for the relief of Jeffersonville flood control district, Jeffersonville, Ind., a municipal corporation;

H. R. 2418. An act for the relief of Luz Martin;

H. R. 3189. An act for the relief of Joe Parry, a minor;

H. R. 3224. An act for the relief of Frank and Maria Durante;

H. R. 3608. An act for the relief of Cristeta La-Madrid Angeles;

H. R. 3740. An act for the relief of Andrew Osiecimski Czapski;

H. R. 3787. An act for relief of Mrs. Maria Smorczewska;

H. R. 3824. An act for relief of Mrs. Cletus E. Todd (formerly Estelle Ritter);

H. R. 3880. An act for the relief of Ludwig Pohoryles;

H. R. 3998. An act to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes;

H. R. 4018. An act authorizing the transfer of certain real property for wildlife, or other purposes;

H. R. 4050. An act to record the lawful admission to the United States for permanent residence of Moke, Lucie, Raymonde, and Robert Tcharoutcheff;

H. R. 4068. An act to authorize the Federal Works Administrator to construct a building for the General Accounting Office on square 518 in the District of Columbia, and for other purposes;

H. R. 4129. An act for relief of Jerline Floyd Givens and the legal guardian of William Earl Searight, a minor;

H. R. 4130. An act for relief of Dennis (Dionesio) Fernandez;

H. R. 4631. An act for relief of Antonio Viliani;

H. R. 5035. An act authorizing attendance of United States Marine Band at eighty-second GAR encampment;

H. R. 5118. An act authorizing sale of certain Indian land on Flathead Reservation;

H. R. 5137. An act to amend the Immigration Act of 1924, as amended;

H. R. 5262. An act authorizing sale of individual Indian lands acquired under the act of June 18, 1934, and under the act of June 26, 1936;

H. R. 5543. An act granting consent to Carolina Power Co. to build Lumber River Dam;

H. R. 5651. An act authorizing Secretary of the Interior to convey certain lands to South Dakota;

H. R. 5805. An act extending Mustering-Out Payment Act of 1944;

H. R. 5963. An act authorizing construction of District of Columbia courthouse; and

H. R. 6226. National Defense Supplemental Appropriation Act, fiscal 1948.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p. m.), the House adjourned until tomorrow, Thursday, May 13, 1948, at 12 o'clock noon.

---

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1545. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the service, and for other purposes; to the Committee on Veterans' Affairs.

1546. A letter from the Chairman, Federal Power Commission, transmitting copies of the following newly issued reports: Statistics of Public Owned Electric Utilities; a preliminary report of electric energy production, generating capacity, and fuel consumption of electric utilities for the year 1947; and a report on the power market survey for the Missouri River Basin, area D—Nebraska, part 1, power requirements; to the Committee on Interstate and Foreign Commerce.

1547. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $106,912,000 for the War Assets Administration (H. Doc. No. 648); to the Committee on Appropriations and ordered to be printed.

1548. A communication from the President of the United States, transmitting supplemental estimates in the amount of $40,610,275 and a proposal for an indefinite appropriation for refunding internal-revenue collections for the Treasury Department, in the form of amendments to the budget for fiscal year 1949 (H. Doc. No. 649); to the Committee on Appropriations and ordered to be printed.

1549. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 26, 1948, submitting a report, together

with accompanying papers and an illustration, on a review of reports on, and a preliminary examination and survey of, Tillamook Bay and Bar, including protection of Bay Ocean Peninsula from erosion and storms, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on September 16, 1946, and authorized by the river and harbor acts approved on June 20, 1938, and March 2, 1945 (H. Doc. No. 650); to the Committee on Public Works and ordered to be printed, with one illustration.

1550. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 22, 1947, submitting a report, together with accompanying papers and an illustration, on a review of report on the St. Francis River, Mo. and Ark., for flood control on the L'Anguille River, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on September 18, 1944 (H. Doc. No. 651); to the Committee on Public Works and ordered to be printed, with one illustration.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 590. Resolution providing for consideration of H. R. 2588, a bill requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles; without amendment (Rept. No. 1941). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 591. Resolution providing for consideration of S. 1006, an act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation; without amendment (Rept. No. 1942). Referred to the House Calendar.

Mr. TOLLEFSON: Committee on Merchant Marine and Fisheries. H. R. 6110. A bill to permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes; without amendment (Rept. No. 1943). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNUTSON: Committee on Ways and Means. H. R. 6489. A bill to provide for the temporary free importation of lead; without amendment (Rept. No. 1944). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of California: Committee on Armed Services. H. R. 5882. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes; with amendments (Rept. No. 1947). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA: Committee on Interstate and Foreign Commerce. H. R. 6318. A bill to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone; with an amendment (Rept. No. 1948). Referred to the House Calendar.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams; without amendment (Rept. No. 1949). Referred to the Committee of the Whole House on the State of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 5716. A bill to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz; without amendment (Rept. No. 1945). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 6220. A bill for the relief of Alex Bail; without amendment (Rept. No. 1946). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 6522. A bill to provide for the removal of weeds from lands in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. COX:

H. R. 6523. A bill to establish an American Mothers Memorial Commission to prepare plans and estimates of costs for the construction in the District of Columbia of a national memorial to the mothers of America; to the Committee on House Administration.

By Mr. MILLER of Nebraska:

H. R. 6524. A bill to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929; to the Committee on the District of Columbia.

By Mr. MUHLENBERG:

H. R. 6525. A bill to amend the Public Health Service Act to provide for research and investigation with respect to the cause, prevention, and treatment of cerebral palsy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTSON:

H. R. 6526. A bill to provide for the deduction from gross income for income-tax purposes of expenses incurred by farmers for the purpose of soil and water conservation; to the Committee on Ways and Means.

By Mr. LANDIS:

H. R. 6527. A bill to provide assistance to certain local school agencies overburdened with war-incurred, or postwar national-defense-incurred, enrollments; to the Committee on Education and Labor.

By Mr. MANSFIELD:

H. R. 6528. A bill to amend the Social Security Act, as amended, for the purpose of permitting States, and political subdivisions and instrumentalities thereof, to secure coverage for their officers and employees under the old-age and survivors' insurance provisions of such act; to the Committee on Ways and Means.

By Mr. MULTER:

H. R. 6529. A bill to amend the Internal Revenue Code with respect to the taxation of certain corporate distributions; to the Committee on Ways and Means.

By Mr. POTTS:

H. R. 6530. A bill to remove certain inequities in the computation of interest on income-tax deficiencies, credits, and refunds, and for other purposes; to the Committee on Ways and Means.

By Mr. SOMERS:

H. R. 6531. A bill to amend the Nationality Act of 1940 to preserve the citizenship status of citizens of the United States serving as members of certain armed forces, groups, or organizations established to maintain peace in Palestine; to the Committee on the Judiciary.

By Mrs. SMITH of Maine:

H. R. 6532. A bill to provide benefits for members of the Reserve components of the armed forces who suffer disability or death from injuries incurred while engaged in active-duty training for periods of less than 30 days or while engaged in inactive-duty training; to the Committee on Armed Services.

By Mr. BEALL:

H. R. 6533. A bill to provide increased pensions for widows and children of deceased members and retired members of the Police Department and of the Fire Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GOODWIN:

H. R. 6534. A bill to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HORAN:

H. R. 6535. A bill to amend the Tariff Act of 1930 as amended; to the Committee on Ways and Means.

By Mr. BENNETT of Missouri:

H. R. 6536. A bill to establish a United States Air Academy; to the Committee on Armed Services.

By Mr. BUCK:

H. J. Res. 400. Joint resolution to prohibit the consignment selling of bakery products, and of refunds, credits, exchanges, discounts, gifts, or allowances in connection therewith, and for other purposes; to the Committee on Banking and Currency.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to adopt legislation which will retain unto the States control over service, operations, and rates of any railroad which has been reorganized under the Bankruptcy Act; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 6537. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of J. T. Melson against the United States; to the Committee on the Judiciary.

By Mr. BLOOM:

H. R. 6538. A bill for the relief of Mrs. Sapho Diamantopoulos; to the Committee on the Judiciary.

By Mr. FISHER:

H. R. 6539. A bill for the relief of the widow of Robert V. Holland; to the Committee on the Judiciary.

By Mr. GOSSETT:

H. R. 6540. A bill for the relief of Tom R. Hickman; to the Committee on the Judiciary.

Mr. JONES of Washington:

H. R. 6541. A bill for the relief of Kwan Hon Cheun; to the Committee on the Judiciary.

By Mr. KING:

H. R. 6542. A bill for the relief of Mrs. Rosaria Cusimano; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. R. 6543. A bill for the relief of Mary Thomas Schiek, a Red Cross employee injured by the Army; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 6544. A bill for the relief of Max C. Simon; to the Committee on the Judiciary.

By Mrs. NORTON:

H. R. 6545. A bill for the relief of Tech. Sgt. Albert J. Budjako; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

1899. By Mr. HART: Petition of Lt. Robert P. Grover Post, No. 377, Jewish War Veterans of the United States, of Jersey City, N. J., urging that the Government of the United States be called upon to reaffirm its stand in favor of the partition of Palestine; to the Committee on Foreign Affairs.

1900. Also, petition of Lt. Robert P. Grover Post, No. 377, Jewish War Veterans of the United States, urging the immediate enactment into law of the Taft-Wagner-Ellender housing bill; to the Committee on Banking and Currency.

1901. By Mr. HAYS: Petition of the Protestant Episcopal Church of the diocese of Arkansas, urging Congress to take action by increasing quotas for displaced persons into this country; to the Committee on the Judiciary.

1902. By Mr. HOLMES: Petition of citizens of Yakima, Wash., including 63 members of Yakima senior high school faculty, urging world federal government with limited powers adequate to maintain peace, and favoring Senate Concurrent Resolution 24 and House Concurrent Resolution 59; to the Committee on Foreign Affairs.

1903. By the SPEAKER: Petition of Florence Sander and others, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1904. Also, petition of Cyril Leonowicz and others, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1905. Also, petition of Donald Goldburg and others, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1906. Also, petition of Adam Yokur and others, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1907. Also, petition of Mrs. Annie Burns, West Palm Beach, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1908. Also, petition of J. Ambrose Bray, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1909. Also, petition of Elmer Forrey, West Palm Beach, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1910. Also, petition of Departmnet Store Employees Union, Local 1250, CIO, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1911. Also, petition of Shelly Taylor and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1912. Also, petition of Sarah Dworkin and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

## OATH OF OFFICE, MEMBERS AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

> "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by each of the following Members and Delegates of the Eighteenth Congress, pursuant to Public Law 412 of the Eighteenth Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U. S. C., title 2, sec. 25), approved February 18, 1948:

ALABAMA

1. Frank W. Boykin.
2. George M. Grant.
3. George Andrews.
4. Sam Hobbs.
5. Albert Rains.
6. Pete Jarman.
7. Carter Manasco.
8. Robert E. Jones, Jr.
9. Laurie Calvin Battle.

ARIZONA

*At large*

Richard F. Harless.
John R. Murdock.

ARKANSAS

1. E. C. Gathings.
2. Wilbur D. Mills.
3. James W. Trimble.
4. Fadjo Cravens.
5. Brooks Hays.
6. W. F. Norrell.
7. Oren Harris.

CALIFORNIA

1. Clarence F. Lea.
2. Clair Engle.
3. Leroy Johnson.
4. Franck R. Havenner.
5. Richard J. Welch.
6. George P. Miller.
7. John J. Allen, Jr.
8. Jack Z. Anderson.
9. Bertrand W. Gearhart.
10. A. J. Elliott.
11. Ernest K. Bramblett.
12. Richard Nixon.
13. Norris Poulson.
14. Helen Gahagan Douglas.
15. Gordon L. McDonough.
16. Donald L. Jackson.
17. Cecil R. King.
18. Willis W. Bradley.
19. Chet Holifield.
20. Carl Hinshaw.
21. Harry R. Sheppard.
22. John Phillips.
23. Charles K. Fletcher.

COLORADO

1. John A. Carroll.
2. William S. Hill.
3. J. Edgar Chenoweth.
4. Robert F. Rockwell.

CONNECTICUT

1. William J. Miller.
2. Horace Seely-Brown, Jr.
3. Ellsworth B. Foote.
4. John Davis Lodge.
5. James T. Patterson.

*At large*

Antoni N. Sadlak.

DELAWARE

*At large*

James Caleb Boggs.

FLORIDA

1. J. Hardin Peterson.
2. Emory H. Price.
3. Robert Sikes.
4. George A. Smathers.
5. Joe Hendricks.
6. Dwight L. Rogers.

GEORGIA

1. Prince H. Preston.
2. E. E. Cox.
3. Stephen Pace.
4. A. Sidney Camp.
5. James C. Davis.
6. Carl Vinson.
7. Henderson Lanham.
8. W. M. (Don) Wheeler.
9. John S. Wood.
10. Paul Brown.

IDAHO

1. Abe McGregor Goff.
2. John Sanborn.

ILLINOIS

1. William L. Dawson.
2. Richard B. Vail.
3. Fred E. Busbey.
4. Martin Gorski.
5. A. J. Sabath.
6. Thomas J. O'Brien.
7. Thomas L. Owens.
8. Thomas S. Gordon.
9. Robert J. Twyman.
10. Ralph E. Church.
11. Chauncey W. Reed.
12. Noah M. Mason.
13. Leo E. Allen.
14. Anton J. Johnson.
15. Robert B. Chiperfield.
16. Everett M. Dirksen.
17. Leslie C. Arends.
18. Edward H. Jenison.
19. Rolla C. McMillen.
20. Sid Simpson.
21. [Vacant.]
22. Melvin Price.
23. Charles W. Vursell.
24. Roy Clippinger.
25. C. W. (Runt) Bishop.

*At large*

William G. Stratton.

INDIANA

1. Ray J. Madden.
2. Charles A. Halleck.
3. Robert A. Grant.
4. Geo. W. Gillie.
5. Forest A. Harness.
6. Noble J. Johnson.
7. Gerald W. Landis.
8. E. A. Mitchell.
9. Earl Wilson.
10. Ralph Harvey.
11. Louis Ludlow.

IOWA

1. Thos. E. Martin.
2. Henry O. Talle.
3. John W. Gwynne.
4. K. M. LeCompte.
5. Paul Cunningham.
6. James I. Dolliver.
7. Ben F. Jensen.
8. Charles B. Hoeven.

KANSAS

1. Albert M. Cole.
2. Errett P. Scrivner.
3. Herbert A. Meyer.
4. Edward H. Rees.
5. Clifford R. Hope.
6. Wint Smith.

KENTUCKY

1. Noble J. Gregory.
2. John Whitaker.
3. Thruston B. Morton.
4. Frank L. Chelf.
5. Brent Spence.
6. Virgil Chapman.
7. W. Howes Meade.
8. Joe B. Bates.
9. Wm. Lewis.

LOUISIANA

1. F. Edw. Hébert.
2. Hale Boggs.
3. James Domengeaux.
4. Overton Brooks.
5. Otto E. Passman.
6. James H. Morrison.
7. Henry D. Larcade, Jr.
8. A. Leonard Allen.

MAINE

1. Robert Hale.
2. Margaret Chase Smith.
3. Frank Fellows.

MARYLAND

1. Edward T. Miller.
2. Hugh A. Meade.
3. Edward A. Garmatz.
4. George H. Fallon.
5. Lansdale G. Sasscer.
6. J. Glenn Beall.

MASSACHUSETTS

1. John W. Heselton.
2. Charles R. Clason.
3. Philip J. Philbin.
4. Harold D. Donohue.
5. Edith Nourse Rogers.
6. George J. Bates.
7. Thomas J. Lane.
8. Angier L. Goodwin.
9. Donald W. Nicholson.
10. Christian A. Herter.
11. John F. Kennedy.
12. John W. McCormack.
13. R. B. Wigglesworth.
14. Joseph W. Martin, Jr.

MICHIGAN

1. George G. Sadowski.
2. Earl C. Michener.
3. Paul W. Shafer.
4. Clare E. Hoffman.
5. Bartel J. Jonkman.
6. William W. Blackney.
7. Jesse P. Wolcott.
8. Fred L. Crawford.
9. Albert J. Engel.
10. Roy O. Woodruff.
11. Charles E. Potter.
12. John B. Bennett.
13. Howard A. Coffin.
14. Harold F. Youngblood.
15. John D. Dingell.
16. John Lesinski.
17. Geo. A. Dondero.

MINNESOTA

1. August H. Andresen.
2. Joseph P. O'Hara.
3. George MacKinnon.
4. Edward J. Devitt.
5. Walter H. Judd.
6. Harold Knutson.
7. H. Carl Andersen.
8. John A. Blatnik.
9. Harold C. Hagen.

MISSISSIPPI

1. J. E. Rankin.
2. Jamie Lloyd Whitten.
3. William M. Whittington.
4. Thos. G. Abernethy.
5. Arthur Winstead.
6. William M. Colmer.
7. John Bell Williams.

MISSOURI

1. Wat Arnold.
2. Max Schwabe.
3. William C. Cole.
4. C. Jasper Bell.
5. Albert L. Reeves, Jr.
6. Marion T. Bennett.
7. Dewey Short.
8. Parke M. Banta.
9. Clarence Cannon.
10. Orville Zimmerman.[1]
11. Claude I. Bakewell.
12. Walter C. Ploeser.
13. Frank M. Karsten.

MONTANA

1. Mike Mansfield.
2. Wesley A. D'Ewart.

NEBRASKA

1. Carl T. Curtis.
2. Howard Buffett.
3. Karl Stefan.
4. A. L. Miller.

NEVADA

*At large*

Charles H. Russell.

NEW HAMPSHIRE

1. Chester E. Merrow.
2. Norris Cotton.

NEW JERSEY

1. Chas. A. Wolverton.
2. T. Millet Hand.
3. James C. Auchincloss.
4. Frank A. Mathews, Jr.
5. Charles A. Eaton.
6. Clifford P. Case.
7. J. Parnell Thomas.
8. Gordon Canfield.
9. Harry L. Towe.
10. Fred A. Hartley, Jr.
11. Frank L. Sundstrom.
12. Robert Winthrop Kean.
13. Mary T. Norton.
14. Edward J. Hart.

[1] Died Apr. 7, 1948.

NEW MEXICO

*At large*

A. M. Fernandez.
Georgia L. Lusk.

NEW YORK

1. W. Kingsland Macy.
2. Leonard W. Hall.
3. Henry J. Latham.
4. Gregory McMahon.
5. Robert Tripp Ross.
6. Robert Nodar, Jr.
7. John J. Delaney.
8. Joseph L. Pfeifer.
9. Eugene J. Keogh.
10. Andrew L. Somers.
11. James Heffernan.
12. John J. Rooney.
13. Donald L. O'Toole.
14. Abraham J. Multer.
15. Emanuel Celler.
16. Ellsworth B. Buck.
17. F. R. Coudert, Jr.
18. Vito Marcantonio.
19. Arthur G. Klein.
20. Sol Bloom.
21. Jacob K. Javits.
22. A. C. Powell, Jr.
23. Walter A. Lynch.
24. Leo Isacson.
25. Charles A. Buckley.
26. David M. Potts.
27. Ralph W. Gwinn.
28. Ralph A. Gamble.
29. Katharine St. George.
30. Jay LeFevre.
31. Bernard W. Kearney.
32. William Thomas Byrne.
33. Dean P. Taylor.
34. Clarence E. Kilburn.
35. Hadwen C. Fuller.
36. R. Walter Riehlman.
37. Edwin Arthur Hall.
38. John Taber.
39. W. Sterling Cole.
40. Kenneth B. Keating.
41. James W. Wadsworth.
42. Walter G. Andrews.
43. Edward J. Elsaesser.
44. John C. Butler.
45. Daniel A. Reed.

NORTH CAROLINA

1. Herbert C. Bonner.
2. John H. Kerr.
3. Graham A. Barden.
4. Harold D. Cooley.
5. John H. Folger.
6. Carl T. Durham.
7. J. Bayard Clark.
8. Charles B. Deane.
9. Robert L. Doughton.
10. Hamilton C. Jones.
11. Alfred Lee Bulwinkle.
12. Monroe M. Redden.

NORTH DAKOTA

*At large*

Wm. Lemke.
Chas. R. Robertson.

OHIO

1. Chas. H. Elston.
2. Wm. E. Hess.
3. Raymond H. Burke.
4. William M. McCulloch.
5. Cliff Clevenger.
6. Edward O. McCowen.
7. Clarence J. Brown.
8. Frederick C. Smith.
9. Homer A. Ramey.
10. Thomas A. Jenkins.
11. Walter E. Brehm.

LAW LIBRARY
FEDERAL WORKS AGENCY

12. John M. Vorys.
13. Alvin F. Weichel.
14. Walter B. Huber.
15. P. W. Griffiths.
16. Henderson H. Carson.
17. J. Harry McGregor.
18. Earl R. Lewis.
19. Michael J. Kirwan.
20. Michael A. Feighan.
21. Robert Crosser.
22. Frances P. Bolton.

*At large*

George H. Bender.

OKLAHOMA

1. Geo. B. Schwabe.
2. William G. Stigler.
3. Carl Albert.
4. Glen D. Johnson.
5. Mike Monroney.
6. Toby Morris.
7. Preston E. Peden.
8. Ross Rizley.

OREGON

1. Walter Norblad.
2. Lowell Stockman.
3. Homer D. Angell.
4. Harris Ellsworth.

PENNSYLVANIA

1. James Gallagher.
2. Robert N. McGarvey.
3. Hardie Scott.
4. Franklin J. Maloney.
5. George W. Sarbacher, Jr.
6. Hugh D. Scott, Jr.
7. E. Wallace Chadwick.
8. Franklin H. Lichtenwalter.
9. Paul B. Dague.
10. James P. Scoblick.
11. Mitchell Jenkins.
12. Ivor D. Fenton.
13. Frederick A. Muhlenberg.
14. Wilson D. Gillette.
15. Robert F. Rich.
16. Samuel K. McConnell, Jr.
17. Richard M. Simpson.
18. John C. Kunkel.
19. Leon H. Gavin.
20. Francis E. Walter.
21. Chester H. Gross.
22. James E. Van Zandt.
23. W. J. Crow.
24. Thomas E. Morgan.
25. Louis E. Graham.
26. Harve Tibbott.
27. Augustine B. Kelley.
28. Carroll D. Kearns.
29. John McDowell.
30. Robert J. Corbett.
31. James G. Fulton.
32. Herman P. Eberharter.
33. Frank Buchanan.

RHODE ISLAND

1. Aime J. Forand.
2. John E. Fogarty.

SOUTH CAROLINA

1. L. Mendel Rivers.
2. John J. Riley.
3. W. J. Bryan Dorn.
4. Jos. R. Bryson.
5. James P. Richards.
6. John L. McMillan.

SOUTH DAKOTA

1. Karl E. Mundt.
2. Francis Case.

TENNESSEE

1. Dayton E. Phillips.
2. John Jennings, Jr.
3. Estes Kefauver.
4. Albert Gore.
5. Joe L. Evins.
6. J. Percy Priest.
7. Wirt Courtney.
8. Tom Murray.
9. Jere Cooper.
10. Clifford Davis.

TEXAS

1. Wright Patman.
2. J. M. Combs.
3. Lindley Beckworth.
4. Sam Rayburn.
5. J. Frank Wilson.
6. Olin E. Teague.
7. Tom Pickett.
8. Albert Thomas.
9. Clark W. Thompson.
10. Lyndon B. Johnson.
11. W. R. Poage.
12. Wingate H. Lucas.
13. Ed Gossett.
14. John E. Lyle.
15. Milton H. West.
16. Ken Regan.
17. Omar Burleson.
18. Eugene Worley.
19. George Mahon.
20. Paul J. Kilday.
21. O. C. Fisher.

UTAH

1. W. K. Granger.
2. William A. Dawson.

VERMONT

*At large*

Charles A. Plumley.

VIRGINIA

1. Schuyler Otis Bland.
2. Porter Hardy, Jr.
3. J. Vaughan Gary.
4. W. M. Abbitt.
5. Thos. B. Stanley.
6. J. Lindsay Almond, Jr.[1]
7. Burr P. Harrison.
8. Howard W. Smith.
9. John W. Flannagan, Jr.

WASHINGTON

1. Homer R. Jones.
2. Henry M. Jackson.
3. Russell V. Mack.
4. Hal Holmes.
5. Walter Franklin Horan.
6. Thor C. Tollefson.

WEST VIRGINIA

1. Francis J. Love.
2. Melvin C. Snyder.
3. Edward G. Rohrbough.
4. Hubert S. Ellis.
5. John Kee.
6. Erland H. Hedrick.

WISCONSIN

1. Lawrence H. Smith.
2. Glenn R. Davis.
3. Wm. H. Stevenson.
4. John C. Brophy.
5. Charles J. Kersten.
6. Frank B. Keefe.
7. Reid F. Murray.
8. John W. Byrnes.
9. Merlin Hull.
10. Alvin E. O'Konski.

WYOMING

*At large*

Frank A. Barrett.

[1] Resigned Apr. 17, 1948.

ALASKA

*Delegate*

E. L. Bartlett.

HAWAII

*Delegate*

Joseph R. Farrington.

PUERTO RICO

*Resident Commissioner*

A. Fernós-Isern.

# SENATE

THURSDAY, MAY 13, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, refresh us with Thy spirit to quicken our thinking and make us sensitive to Thy will.

We may be unconscious of our deepest needs, accustomed to things as they are, ceasing to desire any changes.

We may be unwilling to pay the price of better things.

Show us, Thy servants, the things that must be changed, that we hinder Thee no more. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 12, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On May 11, 1948:

S. 182. An act for the relief of Sgt. John H. Mott;

S. 576. An act for the relief of Dan C. Rodgers;

S. 1611. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn.;

S. 1648. An act to authorize the expenditure of income from Federal Prison Industries, Inc., for training of Federal prisoners;

S. 1806. An act for the relief of Ensign Merton H. Peterson, United States Naval Reserve;

S. 1875. An act for the relief of the estate of Francis D. Shoemaker; and

S. J. Res. 198. Joint resolution to authorize the Postmaster General to withhold the awarding of star-route contracts for a period of 60 days.

On May 12, 1948:

S. 1164. An act for the relief of Doris D. Chrisman;

S. 1298. An act to validate payments heretofore made by disbursing officers of the United States Government covering cost of shipment of household effects of civilian employees, and for other purposes; and

S. 1545. An act to authorize a bridge, roads and approaches, supports and bents, or other

structures, across, over, or upon lands of the United States within the limits of the Colonial National Historical Park at or near Yorktown, Va.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5669) to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1308. An act for the relief of H. C. Biering;

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes;

H. R. 3505. An act authorizing an appropriation for investigating and rehabilitating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre spillway, and for other purposes;

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the Eightieth Congress);

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport irrigation district, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 197) to continue the Joint Committee on Housing beyond March 15, 1948, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 3505. An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre spillway, and for other purposes; and

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.).

SOUTHERN STATES COMPACT ON REGIONAL EDUCATION

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to refer the joint resolution (H. J. Res. 334) to the Committee on the Judiciary.

The time until 4 o'clock is to be divided, controlled by the Senator from Oregon [Mr. MORSE], 30 minutes, controlled by the Senator from Florida [Mr. HOLLAND], 3 hours and 30 minutes—paradoxically, on the question of equal rights. Neither Senator is in the Chamber at the moment.

EXTENSION OF RECONSTRUCTION FINANCE CORPORATION—CONFERENCE REPORT

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the unfinished business and proceed to the consideration of the conference report on Senate bill 2287, the Reconstruction Finance Corporation bill, and that the time be divided, under the equal-rights suggestion of the distinguished President pro tempore, about 7 to 1, between the proponents and the opponents of the report.

The PRESIDENT pro tempore. The time will be figured out in some way.

Is there objection to the unanimous-consent request? The Chair hears none.

Mr. BUCK submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 1 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 1. (a) There is hereby created a body corporate with the name "Reconstruction Finance Corporation" (herein called the Corporation), with a capital stock of $100,000,000 subscribed by the United States of America. Its principal office shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the Board of Directors. This Act may be cited as the "Reconstruction Finance Corporation Act".

"'(b) Within six months after the close of each fiscal year the Corporation shall make a report to the Congress of the United States which shall contain financial statements for the fiscal year, including a balance sheet, a statement of income and expense, and an analysis of accumulated net income. The accumulated net income shall be determined after provision for reasonable reserves for uncollectibility of loans and investments outstanding. Such statements shall be prepared from the financial records of the Corporation which shall be maintained in accordance with generally accepted accounting principles applicable to commercial corporate transactions. The report shall contain schedules showing, as of the close of the fiscal year, each direct loan to any one borrower of $100,000 or more, each loan to any one borrower of $100,000 or more in which the Corporation has a participation or an agreement to participate, and the investments in the securities and obligations of any one borrower which total $100,000 or more. Within six months after the end of each fiscal year, beginning with the fiscal year ended June 30, 1948, the Corporation shall pay over to the Secretary of the Treasury as miscellaneous receipts, a dividend on its capital stock owned by the United States of America, in the amount by which its accumulated net income exceeds $250,000,000.

"'(c) Within sixty days after the effective date of this amendment, the Corporation shall retire all its outstanding capital stock in excess of $100,000,000 and shall pay to the Treasury as miscellaneous receipts the par value of the stock so retired.'

"SEC. 2. Section 2 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 2. The management of the Corporation shall be vested in a board of directors consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate. Of the five members of the board, not more than three shall be members of any one political party and not more than one shall be appointed from any one Federal Reserve district. The office of director shall be a full-time position. The term of the incumbent directors is hereby extended to June 30, 1950. As of July 1, 1950, two directors shall be appointed for a term of one year, two directors shall be appointed for a term of two years, and one director shall be appointed for a term of three years. Thereafter the term of the directors shall be for a term of three years, but they may continue in office until their successors are appointed and qualified. Whenever a vacancy shall occur in the office of director other than by expiration of term, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. After the confirmation of the directors by the Senate, the President shall designate one of the directors to serve as chairman for a period coextensive with his term as director. The directors, except the chairman, shall receive salaries at the rate of $12,500 per annum each. The chairman of the board of directors shall receive a salary at the rate of $15,000 per annum.'

"SEC. 3. Section 3 (a) of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 3. (a) The Corporation shall have succession through June 30, 1956, unless it is sooner dissolved by an Act of Congress. It shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease or purchase such real estate as may be necessary for the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal; to select, employ, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary for the transaction of the business of the Corporation, in accordance with laws, applicable to the Corporation, as in effect on June 30, 1947, and as thereafter amended; and to prescribe, amend, and repeal, by its board of directors, bylaws, rules, and regulations governing the manner in which its general business may be conducted. Except as may be otherwise provided in this act or in the Government Corporation Control Act, the board of directors of the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures under this Act and the manner in which they shall be incurred, allowed, paid, and accounted for, without regard to the provisions of any other laws governing the expenditure of public funds, and such determinations shall be final and conclusive upon all other officers of the Government. The Corporation shall be entitled to and granted the same immunities and exemptions from the payment of costs, charges, and fees as are granted to the United States pursuant to the provisions of law codified in sections 543, 548, 555, 557, 578, and 578a of title 28 of the United States Code, 1940 edition. The Corporation shall also be entitled to the use of the United States mails in the same manner as the executive departments of the Government. Debts due the Corporation, whether heretofore or hereafter arising, shall not be entitled to the priority available to the United States pursuant to section 3466 of the Revised Statutes (U. S. C.,

title 31, sec. 191) except that the Corporation shall be entitled to such priority with respect to debts arising from any transaction pursuant to any of the following Acts or provisions in effect at any time: Sections 5d (1) and 5d (2) of the Reconstruction Finance Corporation Act added by section 5 of the Act entitled "An Act to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes", approved June 25, 1940 (54 Stat. 573); sections 4 (f) and 9 of the Act entitled "An Act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes", approved June 11, 1942 (56 Stat. 354, 356); section 2 (e) of the Emergency Price Control Act of 1942 (56 Stat. 26); the Surplus Property Act of 1944 (58 Stat. 765 and the following); sections 11 and 12 of the Veterans' Emergency Housing Act of 1946 (60 Stat. 214, 215); and section 403 of the Sixth Supplemental National Defense Appropriation Act (56 Stat. 245).'

"SEC. 4. Section 4 of the Reconstruction Finance Corporation Act, as amended, is amended to read as follows:

"'SEC. 4. (a) To aid in financing agriculture, commerce, and industry, to encourage small business, to help in maintaining the economic stability of the country, and to assist in promoting maximum employment and production, the Corporation, within the limitations hereinafter provided, is authorized—

"'(1) To purchase the obligations of and to make loans to any business enterprise organized or operating under the laws of any State or the United States: *Provided,* That the purchase of obligations (including equipment trust certificates) of, or the making of loans to, railroads engaged in interstate commerce or air carriers engaged in air transportation as defined in the Civil Aeronautics Act of 1938, as amended, or receivers or trustees thereof, shall be with the approval of the Interstate Commerce Commission or the Civil Aeronautics Board, respectively: *Provided further,* That in the case of such railroads or air carriers which are not in receivership or trusteeship, the Commission or the Board, as the case may be, in connectiton with its approval of such purchases or loans, shall also certify that such railroad or air carrier, on the basis of present and prospective earnings, may be expected to meet its fixed charges without a reduction thereof through judicial reorganization except that such certificates shall not be required in the case of loans or purchases made for the acquisition of equipment or for maintenance.

"'(2) To make loans to any financial institution organized under the laws of any State or of the United States. If the Secretary of the Treasury certifies to the Corporation that any insurance company is in need of funds for capital purposes, the Corporation may subscribe for or make loans upon nonassessable preferred stock in such insurance company. In any case in which, under the laws of the State in which it is located, any such insurance company so certified is not permitted to issue nonassessable preferred stock, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, the Corporation is authorized to purchase the legally issued capital notes or debentures of such insurance company.

"'(3) In order to aid in financing projects authorized under Federal, State, or municipal law, to purchase the securities and obligations of, or make loans to, (A) States, municipalities, and political subdivisions of States, (B) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (C) public corporations, boards, and commissions: *Provided,* That no such purchase or loan shall be made for payment of ordinary governmental or nonproject operating expenses as distinguished from purchases and loans to aid in financing specific public projects.

"'(4) To make such loans as it may determine to be necessary or appropriate because of floods or other catastrophes.

"'(b) The powers granted in section 4 (a) of this Act shall be subject to the following restrictions and limitations:

"'(1) No financial assistance shall be extended pursuant to paragraphs (1), (2), and (3) of subsection (a) of this section, unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made under paragraphs (1), (2), and (3) of subsection (a) of this section shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.

"'(2) No loan, including renewals or extensions thereof, may be made under sections 4 (a) (1), (2), and (4) for a period or periods exceeding ten years and no securities or obligations maturing more than ten years from date of purchase by the Corporation may be purchased thereunder: *Provided,* That the foregoing restriction on maturities shall not apply to securities or obligations received by the Corporation as a claimant in bankruptcy or equitable reorganization or as a creditor in proceedings under section 20b of the Interstate Commerce Act, as amended: *Provided further,* That any loan made or securities and obligations purchased prior to July 1, 1947, may in aid of orderly liquidation thereof or the interest of national security, be renewed or the maturity extended for such period not in excess of ten years and upon such terms as the Corporation may determine: *Provided further,* That any loan made under section 4 (a) (1) for the purpose of constructing industrial facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction. The Corporation may, in carrying out the provisions of subsection 4 (a) (3), purchase securities and obligations, or make loans, including renewals or extensions thereof, with maturity dates not in excess of forty years, as the Corporation may determine.

"'(3) In agreements to participate in loans, wherein the Corporation's disbursements are deferred, such participations by the Corporation shall be limited to 70 per centum of the balance of the loan outstanding at the time of the disbursement, in those cases where the total amount borrowed is $100,000 or less, and shall be limited to 60 per centum of the balance outstanding at the time of disbursement, in those cases where the total amount borrowed is over $100,000.

"'(c) The total amount of investments, loans, purchases, and commitments made subsequent to June 30, 1947, pursuant to section 4 shall not exceed $1,500,000,000 outstanding at any one time: *Provided,* That the aggregate amount outstanding at any one time shall not exceed (1) under subsection (a) (4) $25,000,000, and (2) for construction purposes under subsection (a) (3) $200,000,000, and (3) under the last two sentences of subsection (a) (2) $15,000,000.

"'(d) No fee or commission shall be paid by any applicant for financial assistance under the provisions of this Act in connection with any such application, and any agreement to pay or payment of any such fee or commission shall be unlawful.

"'(e) No director, officer, attorney, agent, or employee of the Corporation in any manner, directly or indirectly, shall participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

"'(f) The powers granted to the Corporation by this section 4 shall terminate at the close of business on June 30, 1954, but the termination of such powers shall not be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this Act prior to the close of business on such date, or (2) to affect the validity or performance of any other agreement made or entered into pursuant to law.

"'(g) As used in this Act, the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.'

"SEC. 5. Effective as of midnight June 30, 1947, the first sentence of section 8 of the Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows: 'The Corporation, including its franchise, capital, reserves and surplus, and its income shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to special assessments for local improvements and shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.'

"SEC. 6. Subsection (m) of section 206 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows:

"'(m) The first section and sections 2, 3, 9, 11, and 13 of the Act approved January 31, 1935 (49 Stat. 1), as amended;'.

"SEC. 7. Section 208 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is hereby repealed.

"SEC. 8. Section 209 of title II of the joint resolution entitled 'Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation', approved June 30, 1947 (Public Law 132, Eightieth Congress), is amended to read as follows:

"'SEC. 209. During the period between June 30, 1948, and the date of enactment of legislation making funds available for administrative expenses for the fiscal year ending June 30, 1949, the Corporation is authorized to incur, and pay out of its general funds, administrative expenses in accordance with laws in effect on June 30, 1948, such obligations and expenditures to be charged against funds when made available for administrative expenses for the fiscal year 1949.'

"SEC. 9. The third paragraph of section 24 of the Federal Reserve Act, as amended by section 328 of the Banking Act of 1935, as amended, is hereby amended to read as follows:

"'Loans made to established industrial or commercial businesses (a) which are in whole or in part discounted or purchased or loaned against as security by a Federal Reserve bank under the provisions of section 13b of this Act, (b) for any part of which a commitment shall have been made by a Federal Reserve bank under the provisions of said section, (c) in the making of which a Federal Reserve bank participates under the provisions of said section, or (d) in which the Reconstruction Finance Corporation cooperates or purchases a participation under

the provisions of the Reconstruction Finance Corporation Act, as amended, shall not be subject to the restrictions or limitations of this section upon loans secured by real estate.'"

And the House agree to the same.

C. DOUGLASS BUCK,
HOMER E. CAPEHART,
BURNET R. MAYBANK,
J. W. FULBRIGHT,
*Managers on the Part of the Senate.*

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
*Managers on the Part of the House.*

Mr. BUCK. Mr. President, I move that the report be agreed to.

Mr. FLANDERS. Mr. President, I should like to ask some questions about the report. Does the conference report include the provision for a secondary mortgage market in RFC?

Mr. BUCK. It does.

Mr. FLANDERS. Since title II of the housing bill, S. 866, which is in the House of Representatives at the moment, contains an entire title devoted to that subject, will the inclusion of the provision in the RFC extension bill interfere with the consideration by the House of the similar provision of Senate bill 866?

Mr. BUCK. I cannot answer that question for the Senator, but insofar as I know, I should not think it would. I can see no connection between the two.

Mr. FLANDERS. I am wondering if a statement such as this would be substantially correct: Using the colloquial term "Fannie May," which has been applied to this provision in the RFC measure, the "Fannie May" is contained in the RFC extension bill in order to prevent the lapse of secondary mortgage operations by the Government, but it does not preclude the possibility of the passage of title II of S. 866 and the establishment of the Federal Home Mortgage Corporation provided for therein. It merely continues the "Fannie May" operation until such time as the House can act on S. 866.

Mr. BUCK. Mr. President, I would say to the distinguished Senator from Vermont that the understanding of the House conferees was that this provision would carry on in the RFC Act until and unless they could get a similar provision written in the Housing Act, and if a secondary market was provided in the Housing Act, then the similar provision in the RFC Extension Act would be repealed.

Mr. FLANDERS. Mr. President, I offer no objection.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Is there further debate on the conference report?

Mr. LODGE. Mr. President, is it in order now to insert material in the RECORD?

The PRESIDENT pro tempore. The Senator can be recognized, under the order, for anything he wishes. The Chair would like to say to the Senate that it is proceeding under a unanimous consent agreement, with the time divided between now and 4 o'clock, and any time taken except on the conference report should be with the consent of the Senator from Florida [Mr. HOLLAND] and the Senator from Oregon [Mr. MORSE].

Mr. LODGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LODGE. So long as the Senate is considering the conference report, the division of time does not apply, does it?

The PRESIDENT pro tempore. The time is charged against both sides, in proportion.

Mr. LODGE. Evenly?

The PRESIDENT pro tempore. No; it is not divided evenly, because the division in the time itself is 7 to 1.

Mr. LODGE. I should like to ask unanimous consent to insert some material in the RECORD.

The PRESIDENT pro tempore. The Senator could be recognized on the conference report to do anything he pleased. The Chair was merely indicating what the general matter of fair play suggested.

Mr. LODGE. I ask recognition, then.

The PRESIDENT pro tempore. The Senator from Massachusetts.

## COUNTING OF ELECTORAL VOTES

Mr. LODGE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Worcester Gazette and one from the Boston Post, both dealing with the subject matter of Senate Joint Resolution 200, which is the proposal to amend the Constitution so that the electoral vote will be counted in proportion to the popular vote in selecting the President and Vice President.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Worcester (Mass.) Gazette of May 5, 1948]

### "FOR ELECTORAL REFORM"

The United States has never hesitated to abolish outworn procedures to make democracy more workable. Senators, who used to be elected by the States' legislatures, are now elected by popular vote. The lame-duck Congress was abolished by constitutional amendment. Women were given the right to vote.

Now a proposal which has been cropping up for years has reached a stage where its adoption becomes a real possibility. This is the move to abolish the electoral college in Presidential elections and have Presidents elected by popular vote. A bill providing for a constitutional amendment to this effect has passed the judiciary committees of both House and Senate and can reasonably be expected to come to a vote in a short time. Proposed by Senator LODGE, it does not abolish the electoral vote of the States but merely divides it in proportion to the vote given each candidate. At present a State's entire electoral vote goes to one candidate.

This amendment, if passed, will accomplish one basic purpose. It will eliminate the possibility of a man's receiving the majority of the popular vote and failing to be elected President. Such a situation has happened only very infrequently in our history, the worst being the Hayes-Tilden election of 1876. However, that it has happened at all indicates a flaw in the present system.

The electoral college was set up by the founding fathers because at that time few States had a popular vote and because the States wanted to reserve to themselves the method of choosing Presidential electors. However, for many years the electors have been chosen in all the States by popular vote; indeed most voters do not even know the names of the electors, merely voting for the Presidential candidate himself. The point is, the electoral college is an anachronism and has no real function any more. Furthermore, it can occasionally be a means of frustrating the popular will. This year, for example, Virginia may use the old device of the electoral college to help prevent President Truman from receiving the vote of that State, even though the voters might favor him.

Though the proposed constitutional amendment will accomplish nothing startling, it will remove a small obstacle in the path of a more complete democracy. The chances of abolishing the electoral college now seem brighter than ever before.

---

[From the Boston (Mass.) Post of May 5, 1948]

### "VOTING REFORM"

Perhaps with the fiasco in the Presidential delegate voting in Massachusetts last week in mind Senator HENRY CABOT LODGE has asked the Senate Judiciary Committee for early action on the proposal to amend the Constitution to abolish the Electoral College. A similar bill has been approved by the House Judiciary Committee and is now before the Rules Committee.

The new measure provides that, in electing a President and Vice President, the electoral vote of each State shall be counted for the candidates in proportion to the popular vote they receive. Under the present system a State's whole electoral vote goes to the Presidential candidate receiving a majority of the votes, which in effect throws the minority vote of that State into the discard. Through this system a President is sometimes elected without receiving a majority vote of the whole country.

The electoral college was one of the few failures put into the Constitution by the original framers of that great document. They had assumed that through this process a group of men of high character with no party bias would be chosen to elect the President. But it never worked out that way, even from the very beginning.

## PRESIDENTIAL ILL HEALTH

Mr. LODGE. Then, Mr. President, I should like to have some other editorials inserted which relate to the fact that twice within recent years the President of the United States has been in very poor health, and the fact of his ill health has had a very marked effect on national policy. I do not think it is seriously doubted, for example, that if President Wilson had been in his normal good health, compromises would have been reached that would have resulted in the United States entering the League of Nations. It also occurs to me that had President Roosevelt been in good health the arrangements made at Yalta might have been altogether different.

This matter I have called to the attention of the Commission on Reorganization of the Executive Branch. I have also received a letter from Mr. Ernest H. Wilkins, former president of Oberlin College, on the subject. It is very brief, and it will take me just a few seconds to read it. He says:

177 HOMER STREET,
*Newton Center, Mass., May 3, 1948.*

DEAR SENATOR LODGE: In connection with your sound idea of providing substitution in

a case of Presidential incapacitation, you may be interested to know that President Wilson toward the end of his life, once said to Senator Theodore E. Burton: "I wish I had accepted the Senate reservations."

Senator Burton told me this about 20 years ago, soon after I became president of Oberlin College, of which he was a trustee.

I do not know just when the remark was made by President Wilson, but it seems to me to suggest that if he had kept his health, or had been replaced by an acting executive in sound health, we might, though belatedly, have entered the League.

Yours sincerely,

ERNEST H. WILKINS,
*President Emeritus of Oberlin College.*

Mr. President, I ask unanimous consent that various editorials on this subject of the health of Presidents be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Fall River (Mass.) Herald News of May 5, 1948]

WHEN PRESIDENTS FALL ILL

Any grammar-school pupil can tell you who succeeds to the Presidency of the United States when an elected President dies. But, neither he nor his father nor his grandfather can tell you what steps could legally be taken under existing laws to safeguard the public interest if a President insisted on retaining office after he had become too ill to administer its duties.

Probably most of us have never thought about the possibility of such a contingency, and those who have thought about it have taken it for granted that the Vice President would automatically take over. There is, it appears, no law that would empower the Vice President to do this unless the President voluntarily resigned.

Senator LODGE has called the matter to the attention of the Hoover commission which is currently studying the executive branch of our Federal Government, and has thereby done a publice service. The Hoover commission can do no more than recommend laws to fit such a contingency, but its recommendations would certainly receive respectful attention.

Within our memory there have been two Presidents whose physical condition very closely approximated a situation such as Senator LODGE envisions. One was President Wilson, and the other was President Franklin D. Roosevelt. There were days when official Washington frankly doubted that President Wilson was functioning as President. There were days, too, when it was frankly doubted that President Roosevelt's obviously weakening strength could longer sustain him.

But, even after the Hoover commission shall have arrived at a conclusion relative to the kind of a law required, there will still remain the question of how sick a President must be before he is deemed incapable of carrying on. Who will decide? The President? Or the President's doctor? And can you imagine a President's doctor declaring his patient non compos mentis?

---

[From the Boston (Mass.) Traveler of May 4, 1948]

THE HEALTH OF PRESIDENTS

Senator LODGE has addressed a question to the Hoover commission which is studying the reorganization of the executive branch of our Government. He does not suggest an answer, but he does suggest that an answer might well be forthcoming.

The Constitution has a specific provision for the Presidential succession if the President dies, a provision which has been improved recently. But what happens if the President lives and is incapable of performing his tasks?

The question is not an academic one. A President is a human being, and mortals are often bedridden in their later years. Presidents are seldom young men.

The surprising thing is that the tragedy has occurred only once in American history. President Wilson lay helpless for months while government in the executive branch more or less took care of itself. The "perhapses" that cannot be entirely overlooked. If Wilson had remained in the full possession of his very great mental powers, he might have achieved the wisdom necessary to consent to compromise on the League of Nations issue. Perhaps we would not have had the Second World War.

This is pure speculation, but what follows is not. One mental and physical incapacitation in over 150 years is less than the law of averages calls for. Sooner or later that law will catch up with us. It might be wise to answer Senator LODGE's question now.

---

[From the Worcester (Mass.) Telegram of May 5, 1948]

SICK PRESIDENTS

The dispute between President Woodrow Wilson and Senator Henry Cabot Lodge, of Massachusetts, was bitter and was never settled. President Wilson wanted the United States to enter the League unconditionally. Senator Lodge wanted us to join with reservations. Neither one would yield, and so we stayed out.

An echo of the old fight is now heard. Senator HENRY CABOT LODGE, JR., grandson of the famous reservationist, says that he does not think that it is seriously doubted "that if President Wilson had been in his normal good health, compromises would have been reached which would have resulted in the United States joining the League of Nations."

That gracious conjecture should please Mr. Wilson's admirers. But Mr. LODGE's interest in this is a highly practical one. He wants something done about the possibility of Presidents being ill in the future. He would avoid a repetition of the Wilson and Roosevelt situations. The country was virtually without a President when Wilson was a helpless invalid, for nearly a year and a half, and the people suspected it. In the case of Franklin D. Roosevelt, he was not a well man in the last year of his life, but the people did not know this. Magazine articles and other publicity stuff gave the impression that he was in good health.

The Constitution says that the powers and duties of the President "shall devolve" on the Vice President in case of the inability of the President. The same applies to a President's removal, death, or resignation. Everybody would know it if a President were removed from office, or if he died or resigned. No definitions or judgments are needed there. But "inability to discharge the powers and duties of the said office"—that is something else. Just what is "inability" and just who shall say whether or not a President is suffering from inability? The Constitution is completely silent on those points.

Senator LODGE believes that the gap ought to be filled. He hopes that there will be a study of this and a recommendation by former President Hoover's commission studying measures for reorganizing the executive branch of the Government. This is an old task, put off year after year. It ought to be cleaned up.

---

[From the Boston (Mass.) Herald of May 4, 1948]

SICK PRESIDENTS

Senator LODGE has certainly focused attention on a serious omission in our laws relating to the Presidency when he asks the Hoover Commission studying the executive branch to consider means for protecting the public interest in the event of Presidents being incapacitated by illness. We make bold to suggest, however, that this may turn out to be a tough assignment, having in mind the case of the late Franklin D. Roosevelt.

For at least a year and a half before his death the late President was progressively failing. The correspondents who visited him regularly could see it. Many visitors saw it. The public got a suggestion of it in photographs and movies. But, nonetheless, throughout the whole final decline Dr. Ross T. McIntire, the White House physician, insisted that Mr. Roosevelt was in excellent health. Within a year of his death when there were visible signs of failing, the physician told newspapermen that the President was in unusually good physical condition for a man of his years. Unfortunately, Dr. McIntire maintained this same position after the President's death. Since there was no autopsy, there is no way of checking his judgment. The bedside judgment of the cause of death was cerebral hemorrhage, but this might have been induced by one of a number of organic maladies.

One can well understand that there was every reason for Dr. McIntire, a personal friend of the late President, to skip lightly over any signs of weakness he may have detected in the Chief Executive's health. The Nation was at war. Enemy governments might make much of the disclosure of some threatened disaster to the American President's health. Again, during much of this period the President was running for reelection. Opponents, desperate for arguments against him, could easily have capitalized admissions that the President was ill, or suggestions that he might not live out a fourth term. For these two reasons the fair-minded will sympathize with Dr. McIntire's position. What is more difficult to understand is why, if the doctor had concealed something during those perilous times, he could not have been frank about it after the war was over. Because those who saw Mr. Roosevelt fading away while Dr. McIntire kept saying he was in excellent health, will otherwise never cease having doubts.

The question for Mr. Hoover's commission is, then, how do you find out when a President is ill?

---

[From the Haverhill (Mass.) Gazette of May 6, 1948]

WHEN THE PRESIDENT IS ILL

Senator LODGE has directed attention to an important national problem.

He wishes a constitutional formula for coping with the health of a President when it becomes so bad a Chief Executive cannot properly do his work.

He is thinking of the illnesses that befell Woodrow Wilson and Franklin D. Roosevelt near the end of their White House service.

He is even thinking that Roosevelt in his prime would have done better with Stalin at Yalta than the late President did.

The Constitution makes provision for meeting the national emergency caused by a President's death, but it is silent on the emergency that may be caused by his ill health.

Obvious means of dealing with the emergency of Presidential ill health, it seems to us, would be through a board of eminent citizens on which both major parties would be represented and in which medical men would have the decisive word.

But even such a board sometime would be suspected of using his ill health as a pretext to get rid of a President for political reasons.

LODGE has presented the problem to the right parties, former President Hoover and the members of the commission that are studying measures for reorganization of the executive branch of our Government.

ORDER OF BUSINESS

The PRESIDENT pro tempore. The question is on the adoption of the conference report.

Mr. IVES. Mr. President——

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. The regular order can be asked for, can it not, and the Senate can return to consideration of the conference report, which is the immediate business before the Senate?

The PRESIDENT pro tempore. The Chair would think so.

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senate proceed with the consideration of the conference report.

Mr. IVES. Mr. President, I am sure that the time required by the Senator from Indiana [Mr. JENNER] and myself would be far less than is now being consumed by discussion of procedure.

Mr. WHERRY. Mr. President, I withhold objection to the request of Senators now on their feet to present certain matters, but if such procedure is continued beyond a reasonable time I shall ask for the regular order.

The PRESIDENT pro tempore. The Senator from New York is recognized in his own time to speak on the conference report.

Mr. IVES. Mr. President, I quite agree with the remarks made by the distinguished Senator from Vermont in connection with the conference report, and I am glad to see that is now before the Senate for action.

At the same time I should like to submit a report from the Committee on Post Office and Civil Service.

The PRESIDENT pro tempore. The Chair is not indicating that the Senator cannot discuss anything he feels like discussing while discussing the conference report.

Mr. IVES. Mr. President, I am delighted to note that at last we have arrived at a subject in the Senate on which we must be germane. I yield decidedly on that point.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

SENATOR FROM MARYLAND

Mr. JENNER. Mr. President——

The PRESIDENT pro tempore. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, I ask unanimous consent to submit a report from the Committee on Rules and Administration concerning the election contest of Markey against O'Conor, which is pending before this body, and I submit a report (No. 1284) thereon. Also I report an original resolution from the Committee on Rules and Administration to accompany the report.

The PRESIDENT pro tempore. Without objection, the report will be received, and the resolution will be received and read by the clerk.

The Chief Clerk read the resolution (S. Res. 234), as follows:

*Resolved*, That HERBERT R. O'CONOR is hereby declared to be a duly elected Senator of the United States, from the State of Maryland, for the term of 6 years, commencing on the 3d day of January 1947, and is entitled to be seated as such.

The PRESIDENT pro tempore. The resolution will go to the calendar.

SPECIAL COMMEMORATIVE STAMP

Mr. IVES. Mr. President, I ask unanimous consent to submit a report from the Committee on Post Office and Civil Service which approves Senate Joint Resolution 210, to authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City, and I submit a report (No. 1285) thereon.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill will be placed on the calendar.

UNIVERSAL MILITARY TRAINING—LETTER FROM CLAYTON E. KLINE

Mr. CAPPER. Mr. President—

The PRESIDENT pro tempore. The Chair recognizes the Senator from Kansas.

Mr. CAPPER. Mr. President, I have received a letter from Clayton E. Kline, a very able attorney of Topeka, Kans.—my home town—expressing his opposition to universal military training. His views on this important subject are so constructive that I send his letter to the desk, and ask unanimous consent that it be printed in the RECORD and appropriately referred.

The PRESIDENT pro tempore. Without objection, the letter will be printed in the RECORD and lie on the table.

The letter is as follows:

APRIL 28, 1948.

Hon. ARTHUR CAPPER,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR CAPPER: I read in the Topeka Daily Capital this morning what appears to be the substance of the Senate's so-called Draft Act. It appears to me that again the Congress is wholly ignoring the expressed provisions of the Constitution.

As the newspaper reports the bill, it would draft for 2 years men between 19½ and 25, and would force these men into the Regular Army, Navy, or Marine Corps. It would draft others between 18 and 19½ for a year and force them into the Regular Army, Navy, or Marine Corps.

Remember, this is a peacetime measure and constitutes involuntary servitude at its worst, violating every right of the individual citizens to freedom. Even the dictators have not gone this far. True they have put into effect universal military service, but they have not discriminated.

If Congress wants to put in universal military training that is one thing because under such an act everyone is treated alike. Under the proposed act one boy is taken out of a community, forced to waste 2 years of his life in what to him will be virtual slavery while a neighboring boy is permitted to go along, finish his college, do what he pleases, enjoy absolute freedom, and secure the benefits of this discriminatory measure. If anything could possibly be done to make a youngster in this situation hate his country, I know of no better approach. I think under our Constitution a boy would be absolutely justified in refusing to serve. If Congress refuses to pay any attention to the mandates of the Constitution, then why should the young man, whose rights are being taken away and who is being virtually enslaved, pay any attention to it?

As I have said before, if Congress wants to institute universal military training that is one thing and then there is no discrimination for all are required to serve, but the measure now being considered is absolutely unthinkable and can do nothing but tear down all respect of the youth of this country for their Government. If we are to have dictatorship, then why resist it?

I served in the First World War, and my son enlisted at 17 and served in the second one. I certainly am, and always have been, in favor of adequate defense for this country, but in peacetime it certainly should be provided through either universal military training or preferably through a voluntary enlistment system. If Congress will provide for the payment of $100 per month to privates there will be no difficulty in building up a volunteer Regular Army. I have urged this before, and I urge it now. It is the only American way to handle the situation.

In addition, it is the best way, because a peacetime Army should be a professional Army. It should be composed of men who make the Army their avocation, and properly paid it is a good one for that vast number of youth of this country who do not desire to go to college, who are not too anxious to do heavy labor, or to learn a trade. They can serve a useful purpose as soldiers in the Regular Army, provide adequate defense for the country, and do a good job for themselves. To me, there can be no question as to the proper decision. It means either slavery for the few who are taken and who do not want to serve in the Army in peacetime, or a voluntary system consonant with freedom under our Constitution and laws.

I trust that you will do everything possible to defeat this measure. It can do nothing but result in harm to the country and to the individuals who are going to be discriminated against and who will necessarily maintain a violent resentment against service. In my opinion, they will have every justification for such an attitude.

I know the Regular Army well. I know how these youngsters are kicked around. In wartime it is necessary, but in peacetime it should only be inflicted on those who volunteer for service, and, believe me, neither Congress nor anyone else can protect them against the treatment which will be accorded.

There are many who have never served in the Army who do not realize the seriousness of this proposed measure and its ultimate ruinous effect. There is really only one way to find out, and that is to serve as a private in the rear ranks for a period of time.

I am sending a copy of this letter to each of our Congressmen.

Yours very truly,

CLAYTON E. KLINE.

Mr. WHERRY. Mr. President, I object to any further insertions at this time, and ask for the regular order, which is, as I understand, the consideration of the conference report on Senate bill 2287.

The PRESIDENT pro tempore. The Senator is correct.

Mr. WHERRY. That has not yet been acted upon, has it?

The PRESIDENT pro tempore. No. The Senator is correct.

EXTENSION OF RECONSTRUCTION FINANCE CORPORATION — CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the

House to the bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Delaware [Mr. BUCK] to agree to the conference report.

The motion was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. WHERRY asked and obtained consent for the Subcommitee on Flood Control of the Committee on Public Works to sit during the session of the Senate today.

He also obtained similar consent for the Fiscal Subcommittee of the Committee on the District of Columbia.

SOUTHERN STATES COMPACT ON REGIONAL EDUCATION

The Senate resumed the consideration of the joint resolution (H. J. Res. 334) giving the consent of Congress to the compact on regional education entered into between the Southern States at Tallahassee, Fla., on February 8, 1948.

Mr. HOLLAND. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes the Senator from Florida, who will either address the Senate or yield part of the time controlled by him to other Senators.

Mr. HOLLAND. Mr. President, I understood it was the purpose of the acting majority leader to suggest the absence of a quorum. I shall be glad to yield to him for that purpose if it is agreeable to him to do so.

Mr. WHERRY. I shall be glad to do so, and suggest that the time taken in calling of the roll be charged proportionately to the proponents and opponents of the pending measure. If there is no objection, Mr. President, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hawkes | Morse |
| Ball | Hayden | Myers |
| Barkley | Hickenlooper | O'Conor |
| Brewster | Hill | O'Daniel |
| Bricker | Hoey | O'Mahoney |
| Bridges | Holland | Reed |
| Brooks | Ives | Robertson, Va. |
| Buck | Jenner | Russell |
| Butler | Johnson, Colo. | Saltonstall |
| Byrd | Johnston, S. C. | Smith |
| Cain | Kem | Sparkman |
| Capehart | Kilgore | Stewart |
| Chavez | Knowland | Taylor |
| Connally | Langer | Thomas, Okla. |
| Cooper | Lodge | Thomas, Utah |
| Cordon | Lucas | Tobey |
| Downey | McClellan | Tydings |
| Dworshak | McFarland | Vandenberg |
| Eastland | McGrath | Watkins |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Ferguson | Magnuson | Wiley |
| Flanders | Malone | Williams |
| Fulbright | Martin | Wilson |
| George | Maybank | Young |
| Gurney | Millikin | |
| Hatch | Moore | |

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate on public business.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Wisconsin [Mr. MCCARTHY] and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from Missouri [Mr. DONNELL] and the Senator from Minnesota [Mr. THYE] are absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

The Senator from Rhode Island [Mr. GREEN] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The Senator from Mississippi [Mr STENNIS] is absent because of a death in his family.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Caroline [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Seventy-nine Senators have answered to their names. A quorum is present.

The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to refer House Joint Resolution 334 to the Committee on the Judiciary.

The Senator from Florida [Mr. HOLLAND] is in control of 3 hours and 8 minutes, and the Senator from Oregon [Mr. MORSE] is in control of 27 minutes.

The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I yield such time as he may require to the Senator from Wisconsin [Mr. WILEY].

DISPLACED-PERSONS LEGISLATION

Mr. WILEY. Mr. President, I desire to speak briefly on a matter which is not related to the particular subject before the Senate.

I was unavoidably absent from the floor yesterday when a discussion ensued among several Senators respecting the actions of the Committee on the Judiciary regarding displaced-persons legislation. I feel that certain inferences were made which for the sake of clarity need correction.

I am particularly interested in the Judiciary Committee, and in the personnel of that committee. When anything is said on the floor that seems to reflect on the character, ability, or integrity of the members of that committee, like an old clucking hen I come to the rescue. In this case certain implications were made which were so unfounded and so unreasonable that I must take 5 minutes to give the facts.

From reading the RECORD of May 12, 1948, I find that the Senator from Illinois [Mr. Lucas] is reported on page 5691 of the RECORD to have stated that the Senate Committee on the Judiciary has reported a displaced-persons bill but has given Senators no information concerning it and that he has made several inquiries of the Committee on the Judiciary. I quote him as his language is recorded on page 5691 of the RECORD:

> to try to obtain something—something other than a bill—in the way of evidence which was produced before that committee, so as to have some understanding of the meaning of the bill.

On the same page of the RECORD the Senator from Illinois makes what I regard as a disparaging remark respecting the conduct of the Committee on the Judiciary with reference to the expenditure of the $50,000 which was appropriated to the committee pursuant to Senate Resolution 137 of the Eightieth Congress. Mr. President, as chairman of the Judiciary Committee of the Senate, I am disturbed over the implication of these remarks. I therefore propose to set the Senator from Illinois straight regarding the facts.

In the first place, Mr. President, under date of March 2, 1948, there was printed and filed with the Senate Senate Report No. 950, which is a report of the Committee on the Judiciary respecting displaced persons in Europe. I have a copy of the report before me, and copies can be obtained from the committee. In canvassing the committee I find that no member has received inquiries concerning this report, but we have distributed to interested persons thousands of copies of the report, and we have had 2,000 additional copies printed, which are available.

This report is 84 pages in length and constitutes a carefully prepared résumé of the facts developed in the investigation of displaced persons by the Committee on the Judiciary or by the subcommittee. There has at all times been an ample supply of these reports available for anyone who desired a copy of the report. Indeed, in the course of the past few days an additional 2,000 copies of the report were printed and are available for distribution.

Mr. President, with reference to the transcript of the testimony which was taken by the subcommittee in Europe, may I comment that this transcript is also available for any Senator who desires to peruse it. This transcript has not been printed for general distribution, because much of the information contained in the transcript was furnished to the subcommittee with the explicit understanding that the information was of a confidential nature. The reason for the confidence was that certain of this information deals with the investigative procedures currently followed by the occupying authorities with reference to subversive elements in displaced-persons camps.

With reference to the expenditures of the funds of the committee, I make these observations: The records of the disbursing office of the Senate will show that the entire expenditures of the subcommittee and four staff members on the complete European investigation of displaced persons amount to $3,251.33. The Senate will recall that under the provisions of Senate Resolution 137 the Senate Committee on the Judiciary was required to make a full and complete investigation of the entire immigration

system; and the displaced-persons problem is only one phase of the investigation. Although the subcommittee which has been appointed under the provisions of the resolution has been operating almost a year on this investigation, it has not yet expended the initial appropriation of $50,000. Let me remind the Senate that the last complete investigation of our immigration system took place during the years from 1907 to 1911, and that the appropriation for that investigation was more than $800,000.

Mr. President, my observations today are made solely in order that the record may be corrected and may reflect the true state of the facts. I wish to say that I appointed that subcommittee, and I was requested by the members to accept the chairmanship of it. But I said "No." They wished to know why I took that position, and I related an incident which occurred in my State some time ago; I was told of it when I was a boy. It seems that the chairman of a newly formed county was a man of German descent by the name of Hahnemann. That county, being quite newly formed, had to build a courthouse. The chairman of the county, Mr. Hahnemann, said in his rather broken English, "Vell, ve have got a heck of a job on our hands now, and it will take a heck of a lot of good men to do the job, and ve have to have a heck of a good committee for that job, and that committee has to have a heck of a good chairman, so I appoints myself."

Mr. President, I never forgot that story. Consequently, I did not appoint myself as a member of the subcommittee. But I took my wife with me to Europe, and we went there at our own expense. While there, I visited many of the displaced persons camps, and obtained a great deal of information about them. It was afterwards that the subcommittee went there and made its investigation. On that subcommittee were many good men, such as the Senator from Nevada [Mr. McCARRAN], the Senator from Missouri [Mr. DONNELL], the Senator from Kentucky [Mr. COOPER], the Senator from West Virginia [Mr. REVERCOMB], and other Senators whose names I do not recall at the moment.

My only purpose in speaking on this subject at this time is, if possible, to stop the disintegrating influences which develop when a Member of the Senate rises on the floor and makes remarks inferring that some Members of the Senate are not doing their jobs. I know that the Members of the Senate are doing their jobs, and are working, in many cases, 80 hours a week.

### SOUTHERN STATES COMPACT ON REGIONAL EDUCATION

Mr. President, I wish to say to my good friend the Senator from Florida that I think all I have to say on the subject which is now the order of business can be said in the course of 20 or 25 minutes.

Last night, after the close of the session of the Senate, and after I saw three groups of businessmen, I went home and read through the speech which my good friend the Senator from Oregon [Mr. MORSE] had made. I think it a remarkable piece of work, and I give him all credit for it. I do not think there is another Member of the Senate who could do the job he has done, and could do so good a job in as poor a cause.

I went through that RECORD. When I got through it, I closed my eyes and meditated, and probably uttered a prayer and asked that I might be able to clarify this whole situation in as few words as possible. I think the answer came. I think I can state the law and the issue involved.

Mr. President, the issue before the Senate of the United States is on the question of agreeing to the motion of the Senator from Oregon that House Joint Resolution 334 be referred to the Committee on the Judiciary. The Judiciary Committee has reported to the Senate Senate Joint Resolution 191 which corresponds to the joint resolution which the House has passed. The alleged grounds of the Senator from Oregon for requesting the referral of the House joint resolution to the Senate committee are, first, that he feels that a further study should be made of the question as to whether approval by the Congress is necessary. Mr. President, to answer that point let me say that after reading the Senator's speech last night, I find that in his speech he has given all the legal evidence there is. He has quoted all the decisions on the subject there are. Anyone reading his speech must come to the conclusion that there is no conclusive answer as to whether this compact requires the action of the Senate or whether it is advisable for it to have the approval of the Senate. The Senator quotes from the record of the CIO attorneys. He quotes from the record of the other attorneys who represented the colored people at the hearing. The record is replete with every quotation which the Senator from Oregon used in his speech and every bit of evidence he used in his speech.

Please understand me, Mr. President. I say to the Senators who do me the honor of listening to my remarks at this time that I shall be brief, but it will be necessary for them to pay close attention, because what I have to say will lay down the law as I think it is and as I think I would start out with it if I were on the Supreme Court of the United States and were passing upon this matter.

Article I, section 10, of the Constitution provides:

> No State shall, without the consent of Congress * * * enter into any agreement or compact with another State.

That is very simple language. When the Constitution was first drafted, that language did not appear in it. I have before me a copy of the first article prepared on this subject, from which it appears that that language was not in the first draft of the Constitution. Later it was put in. We could refer to history to get the story of its meaning, if that were necessary. But listen to the language that is used:

> No State shall, without the consent of Congress * * * enter into any agreement or compact with another State.

That is very definite. I am glad to see the distinguished junior Senator from Kentucky [Mr. COOPER] in the Chamber. I say to him that the language I have just read from the Constitution seems very clear. Yet, we find in the argument of the distinguished Senator from Oregon that he refers to cases in which it has been held that Congress must give its consent or must deny its consent, and other cases in which it has been held that it is not necessary to have action taken by the Congress. But when we refer to the Senator's argument, we find that there is complete disagreement about that conclusion. It is important to know that there is such disagreement. Articles written by learned members of the faculties of Yale, Harvard, and other law schools refer to the disagreement. One writer says it is necessary that all compacts receive such approval. Other writers say, as I shall show, that such approval is not necessary, except, as a Court wrote in one of the cases, when a political question arises.

Mr. President, in the cases in which Congress must give its consent or deny its consent, Congress may impose conditions, first, if such conditions are appropriate to the subject—that is an important point—and, second, if such conditions do not transgress constitutional limitations.

There are two points which should be stressed. One relates to the word "may," in connection with the statement that Congress may impose conditions in cases in which it has been held, as in connection with political questions, that congressional approval of agreements or compacts is necessary. But in such cases the question arises, Are such conditions appropriate? Do they transgress constitutional limitations? I understand the Senator from Kentucky says this is not a case in which consent is essential. Am I correct in my understanding?

Mr. COOPER. The Senator is correct.

Mr. WILEY. Therefore, if this is a case in which it is unessential, the question arises, Is it advisable? There are two questions. Is it advisable under all the facts to approve the compact, notwithstanding the contention of both my distinguished associates that consent is unessential and unnecessary?

Mr. President, we must distinguish between a situation in which approval is essential and one in which it is merely advisable. If it is essential, Congress may impose appropriate conditions, but they cannot violate constitutional limitation. If unessential but simply advisable, what is the law with respect to the right of Congress to impose conditions? I hope I make myself clear on that point. Let me repeat. Is it advisable under all the facts to approve the compact, when, as Senators say, consent is not essential? The answer to that question calls for the application of something an old judge said to me when I was practicing in the State supreme court, "Young man, do not forget to press your equities."

We come now to the able argument of the Senator from Utah [Mr. THOMAS], which I wish I could restate, respecting the difference between essentiality and advisability. Let us bear in mind that

both my distinguished colleagues agree that consent of Congress to the compact in question is unessential. If I step over on that side of the fence and agree with them, for the time being, that it is not essential, I inquire is it advisable? If history is allowed to speak, the answer is "Yes." A hundred or more cases are set forth in the record. Only last week this august body did the same thing over again, in connection with a compact to which the States of Wisconsin, Michigan, and Minnesota were parties, relative to a boundary line, with respect to which it was held that approval of the Congress was unessential. The Senate approved the compact last week.

In the course of the argument by the Senator from Oregon [Mr. MORSE], authorities were cited on both sides. First, the Senator says congressional approval is not essential. He then cites authority which raises a doubt as to whether it is essential. That agrees with statements found in the Yale Law Review and other publications, that the language of the Constitution means what it says, that there must be approval or disapproval. So then, Mr. President, we are now talking about the equities.

That is the second point advanced by the distinguished Senator from Oregon. During his argument he cited authorities which indicated doubt as to the essentiality of congressional approval. The Senator does not discuss the question of advisability, which I shall discuss in a few moments, but he raises the question as to whether it is essential. On one side of the fence he cites a decision holding that its approval applies only in case political matters are involved. In that connection, Mr. President, I shall quote from one of the greatest writers in America on the subject of constitutional law, not heretofore quoted by any Senator in this argument. I should like to have the record show clearly that Willis, on constitutional law, states:

A third method is that of interstate compacts.

In this I think he is quoting very largely from Storey.

This method is available both for justiciable and nonjusticiable disputes and both when the Federal Government has no power and when the Government has a concurrent power.

Please note that language.

It has been held again and again that the States have the power to enter into compacts with each other with the consent of Congress, and apparently in the case of interstate compacts unlike compacts with foreign countries, political questions are not excluded.

Continuing the quotation:

Apparently if interstate compacts do not involve political questions the States have some power to enter into them without the consent of Congress. * * * As to matters of this sort, with the exception of interstate commerce, the United States can have no public interest nor concern and they do not entrench upon the national authority and there is no reason why the Congress should be required—

"Should be required." But the Congress, through 150 years, has by its own actions distinguished between what is imperatively necessary and what is advisable. Last week, as I have stated, the Judiciary Committee having favorably reported, the Senate approved a compact by three States in relation to boundary lines, a type of compact as to which it has been repeatedly held that congressional approval is neither imperatively necessary nor required. But the Senate gave its consent.

Mr. President, I again have in mind the advice of the old judge to the youthful lawyer, "Argue your equities." Sixteen commonwealths out of the 48, comprising one-third of the States of the Union, have come to this august body.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. COOPER. Before the distinguished Senator passes to the question of policy or advisability, I should like to ask whether, upon the basis of the authorities he has read, he is prepared to say as a matter of law that the compact now under consideration requires approval by Congress.

Mr. WILEY. I shall go into that fully. I wish to argue the three facets of the matter together. I may reply to the Senator's question by asking him whether, on the basis of the facts, he can say that in his humble opinion approval is unnecessary? Has not the Senator so stated previously?

Mr. COOPER. I would say, in my humble opinion—and it is in my humble opinion—upon the basis of cases which have been decided by the Supreme court, the compact under consideration does not require congressional approval.

Mr. WILEY. I so understood. In that respect, the Senator agrees fully with the Senator from Oregon.

Mr. COOPER. That is correct.

Mr. WILEY. In the other points of his discussion I understand the Senator did not concur. Has the Senator reached the conclusion, from an examination of the precedents, that 9 out of overy 10 of the precedents, using, now, the Senator's logic, hold that Congress has heretofore approved when it was necessary to secure approval or when it was considered advisable?

Mr. COOPER. I would say that there are three sources of legal authority which may be examined. First, there is section 10, article I of the Constitution itself. One method of interpretation is that of association of subjects. The subject matter of section 10, other than compacts and agreements against which State action is prohibited relate to the invasion of Federal power.

The second field of authority is found in the decisions of the Supreme Court. I think the distinguished Senator must admit that the decisions hold, first, that all compacts do not need congressional approval and second, that compacts need congressional authority only when an invasion of Federal authority is involved.

There is a third source of legal authority, found in the action which has been taken by Congress prior to this time. In the report of the committee 112 compacts which have been heretofore approved by Congress are cited as precedents. A study of the subject matter will show that they relate to matters in which the Federal Government had some interest.

Mr. WILEY. I do not think I can disagree with that statement. What I wanted to make clear to the distinguished Senator from Kentucky was this: We start with the premise that in the argument of the distinguished Senator from Oregon [Mr. MORSE], who has carried the brunt of the battle, there is a conflict of authority. Distinguished Senators say there is conflict as to whether, in cases such as the one before the Senate, it is absolutely essential to have congressional consent, or whether it is advisable. I say that in such a case we do not have to spend our time arguing it. Consent can be given as it was given last week in the Wisconsin case. But it is important, Mr. President, to distinguish between cases in which consent is essential and cases in which it is only advisable, because, as my argument will show, the power of the Government to impose conditions exists only in cases in which it is essential. They are limited by the language of Mr. Justice Hughes to whether conditions are appropriate or whether they transgress constitutional limitations. That, in substance, is a quick analysis of my argument.

Is it advisable, under all the facts, to approve the compact? The Senator from Kentucky has just said that consent is not essential. That is the very essence of the argument of the Senator from Oregon. I say if it is not essential, but is advisable, the question of whether it is advisable depends upon the facts and the equities. I started by saying that one-third of the States of the United States has come to the Congress with a petition, if it may be called that, or a compact. The other House of Congress has approved the compact. In that petition or compact those States are asking that they be empowered to enter into a system of regional school building for the benefit of the citizens of that area. No one has contended that building a school is interstate commerce. Consequently, the Federal Government does not "get its nose under the tent" because of the commerce clause. No one contends—and I say this advisedly—that the building of a regional school, in and of itself, is a violation of the fourteenth amendment. No one would so contend, nor has it been said that it could, by any stretch of the imagination, do away with constitutional segregation in those States. The contention has been that it will extend segregation. Mr. President, I remember French history, which tells us that Madam Roland said, "Oh, liberty, what crimes are committed in thy name." Paraphrasing that statement, I say, "Oh, civil rights, what crimes are committed in thy name." One of the crimes that will be committed, if the Senate should listen to the argument against giving consent, will be to tear down Meharry Medical College. Secondly, it will do away with the collaboration and cooperation, which are so necessary in this age, into which 16 States have entered with the idea of building up the educational fabric of the South.

Some persons are against segregation in schools. I have spoken my piece on that subject. I do not favor segregation

in my State. If I were to move to the South and live under southern conditions and raise my little brood, as I have raised four, I do not know whether I would favor segregation. I have been against segregation because, in the North, it is no problem. In my State we live with the colored people in our business relations, and they are our equals. But I have traveled in the South and in the isles of the Caribbean, and I have visited places where I could see there might be two sides to the segregation issue. But the segregation issue is not here involved. It is thrown into the discussion as a red herring to befuddle our thinking and to do away with a constructive step by 16 commonwealths.

I say it is undisputed—I am speaking about the equities—that a failure to give consent means a deterioration and breakdown of the entire policy. What is this policy? In simple words, it is that 16 States, which heretofore economically have not been sufficiently strong to build up their schools, want to join together to build regional schools. How does it work? Let us first consider the State of Florida. It has no medical school. Consequently, under the interpretation of the Supreme Court, there is no medical education for either black or white persons, and it is not the obligation of the State to give medical education. Only if and when the black or white are favored unduly does the fourteenth amendment come into play because of the question of equality.

The Senator from Oregon said in effect that the dissolution of Meharry College did not mean anything. That is contrary to all the facts. Fifty-six percent of all the colored doctors in America have come from Meharry, and, as shown by the argument of the distinguished Senator from North Dakota, there is a greater need than ever for colored physicians and dentists.

I am speaking about the equities, I am speaking about the obligation of the Senate in regard to the question whether it is advisable—after these distinguished Senators say it is not necessary—to get the consent of the Congress, and I cite the fact that of the 112 cases decided by the Senate, nine out of every ten of them prove that it was not necessary but advisable for the Senate to lend its consent.

Mr. President, I am glad the distinguished President pro tempore is paying attention to this legal argument. The second question is, Assuming consent is not essential, if Congress should give consent, could Congress impose conditions? Justice Hughes said in his decision, in substance, that only where consent is essential may the Congress impose conditions. That is merely common sense, as I shall demonstrate in a few moments in discussing the question of constitutional limitations. I repeat, only where consent is essential may Congress impose conditions.

Of course, this part of my argument does not go to the question of the advisability of imposing what I call the nefarious conditions which are proposed. It is a question of whether Congress may, following the argument of these Senators that congressional consent is not essential, impose conditions.

Now we come to the second issue. Assuming consent is essential—and the opponents will not assume that—if Congress wants to adopt the Morse conditions, can these peculiar conditions be imposed?

We remember that the Court has said that when congressional approval is essential, Congress may impose conditions if the conditions are appropriate to the subject, and if they do not transgress any constitutional limitation. I ask, Mr. President, is it appropriate for the Federal Government to attempt to change the constitutions of 16 States? Is it appropriate for the Federal Government, after the Supreme Court has said that segregation in the States is in substance constitutional if equality of education is furnished to impose a condition as to segregation? In none of the cases where equality was not furnished did the Court ever upset segregation provided for in the constitutional provisions of those States. All the Court did was to say, "Mr. State, you must provide equivalent educational mechanism."

Are such Morse conditions appropriate to the subject? What is the subject? Sixteen commonwealths want to make a compact to provide for the building of regional educational institutions to take care of the educational requirements of the people of those 16 States. Is it appropriate? It is not possible to find any cases on that point. It is necessary to use common sense, and sometimes I agree with Dooley, who said, "Be jabers, they call it common, but it is the scarcest commodity on the market."

If we are going to permit arguments such as we have heard here to barricade, in this instance—because it involves 16 Southern States—the rights of those States to carry on, all in the name of civil rights, what crimes are being committed in that name? That slogan is like the word "liberal." Senators remember the story of the southern gentleman who was elected judge and who was supposed to be a liberal. In one of his first cases after one of the boys had been found stealing a chicken he gave him a sentence of 16 years. The judge said after he had sentenced him "Have you anything to say, Moe?" Moe replied, "Yas, suh; you is pretty liberal with other people's time."

We often hear the word "streamlining." It is used widely throughout the country. Newspapers, commentators, and foggy artists use it. Every time we hear anyone say something is going to be streamlined, we think the millennium is to be brought about.

Mr. President, I am coming now to the other subject. I have asked, Are these Morse amendments appropriate to the subject? The second question is, Do the Morse conditions transgress constitutional limitations?

I ask again, Is it appropriate for the Federal Government to attempt to change the constitutions of 16 States? Is this the time and place for my good friend to be stressing the subject of equal rights? Both the Senator from Kentucky and the Senator from Oregon, as I have said, agree that, as the decisions stand, education is a State function and that the fourteenth amendment can operate only when there is not equality of education, but it has never been held that equality operates to do away with segregation. In other words, it has never been held that the constitutional provisions of a State, in a matter that is strictly a State matter, can be upset.

Do the Morse conditions transgress constitutional limitations? I should like to ask the Senator from Kentucky that question, do the Morse conditions transgress constitutional limitations?

Mr. COOPER. Mr. President, the distinguished Senator will recall that when I discussed this matter last Monday I took the position that it was unnecessary to have the approval of Congress to the compact, and that any amendments offered would be ineffective. I agree with the Senator from Wisconsin, and in my argument on Monday, upon the premise that the Federal Government had no power at all to interfere in the field of local State tax-supported education, argued that the approval of the compact was unnecessary, and that any amendments offered to the compact would, in my opinion, be absolutely ineffective and meaningless.

Mr. WILEY. I want to thank the Senator. That is just the way I understood his argument. Yet I have heard the Senator from Oregon a dozen times on the Senate floor praise the Senator from Kentucky and say that he agrees with him 100 percent. I wonder if the Senator from Oregon really understands the import of the argument of the Senator from Kentucky. The Senator from Kentucky agrees fully with me on every argument I have been making except possibly one. He says it is totally unnecessary to have the consent of Congress; that the States can proceed without it.

Oh, but Mr. President, the evidence is pretty clear that reputable lawyers feel that it would be advisable to secure the consent of Congress; that this is a domain of no man's land because it involves setting up legal institutions, institutions which can possibly issue bonds, erect buildings, acquire land, hire school teachers, promulgate educational regulations; that it is something new; that there has been nothing like it before in the history of America.

The Senator from Oregon says several of the States have sent some of their students into other States and it was not necessary to have congressional approval nor was it advisable. Who ever said it was? But the Supreme Court has said very definitely that equality of mechanism means such equality within the State; and if one institution is erected for whites one must also be erected for the colored people in the State.

I am glad indeed to have my good friend, the Senator from Kentucky, for whom I have a deep affection, come over on my side of the fence.

I now want to quote fundamental law, as follows:

> Congress has no inherent sovereign power in the realm of domestic legislation. In internal affairs the Federal Government can exercise no power except those specifically enumerated in the Constitution and such implied powers as are necessary and proper to carry into effect the enumerated powers.

That is from *United States* v. *Curtiss-Wright Export Corp.* (299 U. S. 304).

In contrast to the position taken by the Senator from Oregon, the position of the Senate Committee on the Judiciary when it approved the legislation providing for the compact, and of its chairman, is as follows:

First. There are cases where the consent of Congress is imperatively necessary when compacts are entered into between States.

Second. When such is the case, the Congress may impose conditions, if such conditions are appropriate to the subject and such conditions do not transgress constitutional limitations.

I should like to ask the Senator from Kentucky another question, because I appreciate his fine mind. He has heard me say several times, quoting the distinguished former Chief Justice Hughes, that in those cases where congressional approval is essential, conditions can be imposed if the conditions are appropriate, and if they do not transgress any constitutional limitations. That is the basis for question No. 1. Assuming it to be essential to secure the consent of Congress in the present case, would the Senator from Kentucky say that the Morse conditions are appropriate?

Mr. COOPER. Mr. President, if it were assumed that it is essential in the present case to have congressional approval, which I do not admit, the amendment offered by the Senator from Oregon would be entirely appropriate and could be imposed by this body.

Mr. WILEY. The entire amendment?

Mr. COOPER. I would say that if it is deemed that it is essential to have congressional approval of the compact it can only be upon the ground that there is an invasion of Federal power, and, that being true, the Congress could impose any condition it desired. I again say that this demonstrates the weakness of the position; you must admit if you oppose the Morse amendment that there is not any essentiality for the approval by Congress.

Mr. WILEY. May I continue the inquiry just a little bit further? We have assumed for the sake of the argument, which is entirely different from the statement of the Senator from Kentucky and the Senator from Oregon, that consent is essential.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MORSE. I do not understand that statement. I could not hear it all. I want to be sure the Senator was quoting me accurately, if he was quoting me.

Mr. WILEY. I made the statement several times that the Senator from Oregon and the Senator from Kentucky have agreed in relation to the particular compact pending before the Senate, it is not essential to have the consent of the Congress.

Mr. MORSE. That is correct.

Mr. WILEY. Very well. Now, I wanted to ask the Senator from Kentucky a question. Assuming that it is essential, does the Senator see any reason for imposing such conditions as the Senator from Oregon would impose? That goes to the word "may" used by the Court.

Mr. COOPER. Assuming that approval is essential—two questions are raised—the question of the legal effect of such an amendment and the policy effect of such an amendment. Speaking to the first question, I would say that as the law stands today, under the decisions of the Supreme Court, it is my opinion, and here I differ with the Senator from Oregon that the adoption of the amendment does not change the existing law. I do not argue now the merit of a decision but it is true that the Supreme Court has not said that there shall be no segregation in schools. Unless the Court should reverse its decision, then I would say that the amendment, even if it is accepted, would not be effective.

Mr. WILEY. I am glad to have that statement.

Mr. COOPER. I want to say to the distinguished Senator that I have not changed my position one iota from the statement I made on Monday.

Mr. WILEY. I do not think the Senator has.

Mr. COOPER. I have taken the position all the way through that in this case there is no essentiality in that there is no invasion of Federal power. Therefore the approval is not necessary, and any amendments which are offered cannot in any way bind the States.

Mr. WILEY. From the last statement of the Senator I understand clearly that he and I agree on this point, that where it can be said approval is not essential, no conditions can be imposed by the Federal Government. Does the Senator agree to that statement?

Mr. COOPER. I have so stated several times.

Mr. WILEY. That is fine.

I was speaking of the position of the majority of the Senate Judiciary Committee, including myself, that there are cases in which the consent of Congress is imperatively necessary when compacts are entered into between the States. When such is the case, the Congress may impose conditions which are appropriate to the subject if such conditions do not transgress constitutional limitations.

I did not quite get the idea of the Senator from Kentucky. Assuming again that congressional consent is essential, and that under such circumstances the Congress has the authority to impose conditions which are appropriate if they do not transgress constitutional limitations, the first question, that of appropriateness, calls for judgment. The Senator might say that one thing was appropriate, and I might say that another thing was appropriate. Therefore it is a question in the individual case as to what would be appropriate, because Congress does not have to impose conditions. It may impose them. The point I was getting at was this: In the judgment of the Senator from Kentucky, assuming that consent is essential, would he say that it would be appropriate to impose such conditions?

Mr. COOPER. Mr. President, I think we are getting into a rather involved legal discussion.

Mr. WILEY. No; this is a question of fact.

Mr. COOPER. I do not want the statement which I previously made to be misunderstood. I have taken the position from the very beginning that the Federal Government has no power in the field of local tax-supported schools and for that reason we cannot impose any restriction of any kind upon the action of the States. A moment or two ago the Senator asked me a question, based upon an assumption that it is essential to have approval, if then the amendment proposed by the Senator from Oregon would be effective? I say that if we assume the essentiality of approval, then we assume that the Federal Government has power in the control of local schools. If we go so far as to say that the Federal Government has such power, then, of course, Congress can impose the restriction proposed by the Senator from Oregon.

Mr. WILEY. The Senator has not answered my question. I am asking him whether or not he personally feels that under these circumstances it would be appropriate to attach such conditions.

Mr. COOPER. Assuming that consent is essential.

Mr. WILEY. Yes.

Mr. COOPER. The Senator has asked me a very difficult question. I tried to discuss it in my argument the other day. I must come back to the fundamental position which I hold, that I do not believe that the Federal Government should interfere in the control of schools. I oppose the centralization of power in the Federal Government for that purpose. Upon that basis I have said that when adjustments are made in the field of segregation and other controversial fields, I think they will come about as the result of progressive interpretation of the law by the courts, action by the States, and action by the Congress in proper fields. For that reason, I do not believe that the attachment of such an amendment to this measure is proper.

Mr. WILEY. I thank the Senator. I believe that he and I now agree on practically every angle of the case before us. So the statements of the distinguished Senator from Oregon do not gibe with the conclusion which I have just stated.

We were discussing the position of the Senator from Wisconsin as chairman of the Judiciary Committee, and the position of the majority of the committee. We have taken the position that there are cases in which the consent of Congress is imperatively necessary when compacts are entered into between the States. When such is the case, Congress may impose conditions if such conditions are appropriate to the subject and do not transgress constitutional limitations.

We have just received the answer of the distinguished Senator from Kentucky, to the effect that he does not believe that such conditions are appropriate to the subject, even if we assume that it is essential to have the consent of Congress.

I am glad to see that the distinguished Senator from Oregon is in the Chamber. If he had been present earlier I would have been very happy to ask him a few questions. I shall carry on.

Mr. MORSE. I am at the Senator's service.

Mr. WILEY. There is no question about that. I know of no other Senator so fecund of expression and versatile of intellect, or with such a wonderful smile as that of the Senator from Oregon.

Mr. MORSE. I thank the Senator.

Mr. WILEY. There are cases, as exemplified by approval of the Congress of a compact a week ago between Wisconsin, Michigan, and Minnesota where, under all the facts, it is advisable to approve the compact, but it is not absolutely essential to have approval. There is a vast difference, when we return to the original language of the Constitution and see what it means.

Personally I have no fear of the consequences in this case. I think we must prove ourselves mice or men. The suggestion of my dear friend from Oregon that he would insist on attaching all the civil-rights amendments does not bother me at all. They have no place in this discussion, and they would simply be brought in as an impediment or barrier in the solution of a very important social and educational problem.

The facts and the equities in this case make it advisable to have the approval of the Federal Government. I have gone into those facts. I discussed them at length when I first took the floor 3 days ago, and I shall not restate them. The facts should be made apparent to everyone who has eyes to see and ears to hear. Sometimes in the serious discussion of problems which we are called upon to solve we should recharge our batteries with humor.

In such a case as indicated by Judge Hughes, no conditions can be imposed, because consent is not essential. In cases in which consent is essential—and I am stating my conclusions and the conclusion of the majority of the committee—when it is essential to have Federal Government consent, the courts have held that the Federal Government may impose conditions. Therefore in this instance the Senate must decide; first, whether consent is essential; and if it is essential, then whether it is desirable to impose the Morse conditions. Both the Senator from Oregon and the Senator from Kentucky, as well as other Senators, say that consent is not essential. Other Senators say that it might be. Therefore, is there any reason why we should hesitate to perform a function which we have performed 116 times before, and which we performed only last week?

If the Senate finds that consent is essential, and it decides to impose conditions, the right and nature of those conditions are limited by whether or not such conditions are appropriate to the subject and whether or not such conditions transgress constitutional limitations. I have repeated that statement so often because there is a great deal of confusion on the issue. My conclusion is that the conditions suggested by the Senator from Oregon are neither appropriate nor constitutional; and that is the conclusion of the Senator from Kentucky, as it stands on the RECORD.

We are confronted with a situation in which, in the first place, the Senator from Oregon contends that Congress should not approve the compact, because such approval is not necessary; but, in the second place, even though the Senator contends that such approval may be unnecessary, he attempts to impose conditions. Such an attempt is a complete contradiction of his claim that congressional approval is unnecessary, because conditions can be imposed only if it is absolutely necessary and essential that the consent of Congress be given in the first place.

Mr. President, it is extremely disappointing to me to find it necessary to disagree with distinguished Senators, particularly Senators of my own party, the Republican Party, which throughout its history has been a champion of civil rights, both on this particular issue and on all other issues. The Republican Party has championed the right of men of all races, creeds, and colors to equality under law. Mr. President, the phrase "equality under law" is a magnificent one. But because of so much misunderstanding as to what constitutes civil rights and because of the loose thinking that is occurring and the propaganda that is being disseminated to groups of all kinds, we have rather forgotten and overlooked the great values which we have in this country. That does not mean that we cannot evolve through the years. It does mean, however, that we shall evolve only if and when the individual himself evolves. "Work out your own salvation" was the mandate of the Master; and nations grow strong and correct their inherent faults only by the work of individuals.

The other day the Senator from North Dakota [Mr. LANGER] mentioned on the floor of the Senate the fact that the students at the University of Texas have objected to segregation. Ah, Mr. President, there is a light in the darkness. Then why do not the citizens of Texas amend their constitution? But we are a government of majorities, and our Federal Government is separate and distinct, in the sense that we have 48 Commonwealths with powers which have never been delegated to the Federal Government. As I have pointed out, the Federal Government has only the powers which have been given to it by the States. I refer to domestic powers and those necessary to put into operation such powers.

So, Mr. President, I have hope; but I am not ready, simply because there is a thief on the train, to put a block on the track and wreck the entire train. I might get the thief in that way, but I would also hurt a great many other persons. So I am not ready, in the name of civil rights, to interfere with what the Senator from Kentucky calls the constitutional rights of the States of the Union—and I agree with him.

In my previous remarks I referred to the point that once a camel gets his nose under the tent it is not long before he gets his whole anatomy under it. Similarly, Mr. President, the next thing we know some of us from the North might find ourselves confronted with a bureau in Washington in comparison with which the FBI would be only a drop in the bucket. The same issue arises in connection with the antilynching law which we on the committee are studying. No one favors lynching or murder; but we have a problem there, too, and it is now before the Judiciary Committee, and the Judiciary Committee is going to take time enough to know what it is doing.

Mr. President, I have stated time and time again that I do not favor educational segregation. I am opposed to mob action which deprives any citizen of his constitutional rights. But I am also in favor of the Constitution, because it has made this country the greatest land in the world.

A few moments ago, when I first took the floor, I made some remarks in reference to the statements made yesterday by the Senator from Illinois [Mr. LUCAS], whom I am glad to see on the floor of the Senate at this time. My remarks were in relation to the displaced-persons bill. Mr. President, why do millions of people wish to come to this country? Is it because our country is not a desirable place or is it because it is the best country on earth, where liberty exists, where men live to the full? Of course, it is true, Mr. President, that in many respects we have not progressed as far as we wish to, but we are making progress, and we shall continue to do so if we do not derail the train.

Mr. President, I assure my colleagues that it would be very easy for me to go along with some of my friends, Senators representing Northern States, for the supposed purpose of protecting the American Negro population; I assure the Senate that it is difficult to disagree with my colleagues; but I take my stand in behalf of full respect for the Constitution. As I see it, I can do nothing else.

My good friend, the Senator from Oregon, has referred to the committee hearings. I wish all Senators would examine the hearings. If they do, they will find that the colored people who opposed this measure took up three-fourths of the record at the hearings. They will also find that the lawyers representing the colored people were given every opportunity to file briefs. They will further find that the brief and the argument which have been presented to us by the Senator from Oregon, as I said at the beginning of my remarks, are based upon the material the colored people presented at the hearings; and Senators will also find that the Attorney General, through his Assistant Attorney General, gave his opinion to the committee. That opinion is in the record, despite what the Senator from Oregon has said to the contrary. The opinion will be found at page 58 of the committee hearings. It is signed by Peyton Ford, Assistant to the Attorney General.

Mr. President, I have taken a great deal more time than I had expected to take. I agree that under the decisions there is a question as to the need for congressional approval, but I say there is no question that it is advisable. Since we have approved one compact which relates only to boundary lines between the States of Wisconsin, Minnesota, and Michigan—and there is a vast difference between that compact and the one we are now considering, the details of which I have already gone into—then there is

no reason in the world why the Senate should not approve the compact now before us, and especially so when we consider the fact that 9 out of 10 of the other compacts the Congress has approved fall in the same category, the group of compacts for which approval has been regarded as advisable.

In the quotation I read from Willis on Constitutional Law, Mr. President, he said:

As to matters of this sort—

Referring to compacts—

the United States can have no interest and concern.

He intimates that in such cases approval is not necessary. The words "interest and concern" are words of wide meaning and import. Within the last week or so the Senate has demonstrated its interest in education by passing a bill providing for $300,000,000 for aid to education. Why was that done? It was done because it was clearly demonstrated that the Government had an interest in that matter because during the last world war 1,200,000 of our young men were found deficient in education and were found not to have the equivalent of a fourth-grade education, and as a result were rejected for service. Does the Government have an interest? Yes. However, that interest does not become primary in the sense that it can militate against the underlying right of the State to determine its educational policy. But the Government has by its own act shown its interest, and that is therefore an added reason for saying that approval of the compact under consideration should be found unnecessary but advisable. It is an additional reason for not agreeing to the motion made by the Senator from Oregon to refer the joint resolution to the committee.

Again, on the question of interest, I repeat with the lawyers from the South, that with 16 States, comprising one-third of the United States, represented, the Government had better have an interest and a concern.

I am happy to restate what I think was the conclusion of the distinguished Senator. Certainly the conditions found in the amendment offered by the Senator from Oregon are very inappropriate. In the first place, they violate the constitutions of the various contracting States with respect to a subject the Senator admits is within the jurisdiction of those States, namely, education. That being so, the language proposed transgresses the constitutional limitations upon the power of the Federal Government to inject itself into strictly State affairs.

As I stated before, this is another instance of the wisdom of the founding fathers. Let us consider the geographic situation that existed in the days when the fathers drafted the provision and wrote it with living letters into our Constitution. Thirteen States, 13 commonwealths—aye, more, 13 nations, were asserting their independence, they were creating tariff walls; some of them were arming with a view to making war upon the others. All at once, the wisdom of the fathers, the wisdom of Washington, Hamilton, Madison, and others, brought into being the Constitution. In their consideration of this particular subject they wrote into the Constitution language saying to the States, in substance, "You cannot go ahead and make agreements between and among yourselves. You cannot make compacts."

It is agreed by all authorities that "compacts" is a wider, a more extensive term than "treaty." That provision was written into the Constitution as a matter of self-protection, in order that a disintegrating process should not come into being. It was provided that a compact must be approved by Congress. Following through the years, an attempt was made by the courts to ascertain what the real intent was, which resulted in conflicting precedents. Authorities from one university said, "The language means just what it says." One court wrote into its opinion an obiter dictum, saying, "It applies only to political matters." But not so Judge Story. A man of profound learning, he wrote his commentaries as soon as possible after this country came into its own as a constitutional Republic. From the language which appears at several places in the record, it is very clear that there is a distinction between cases in which consent is necessary and cases in which consent is merely appropriate or advisable. It is further clear, I repeat, that, if necessary and essential, then only such conditions may be imposed as are appropriate and are not violative of constitutional limitations.

Yes, Mr. President, on the question of interest and concern, I say the Federal Government has an interest and concern in this matter in aiding the 15 or 16 States to expand public education. The Federal Government should also be interested to see that, every time some constructive legislation is presented to the Congress, Congress is not swayed by synthetic thinking on irrelevant issues. Let it not be swayed from a right course by the injection into this case of the so-called civil-rights issue, and, Mr. President, using quoted language, that is a mighty big "interest and concern."

At the start my dominant purpose in asking congressional approval of the compact was to fulfill my obligation as a Senator of the United States. On the other hand, I respectfully submit that the position taken by the Senator from Oregon is, first, to abandon the right of Congress to approve compacts in important fields when necessary or advisable; and, second, in the event he is unable to weaken the Constitution along that line, he would absolutely violate the Constitution by asking the Federal Government to impose its judgment in a field in which the State jurisdiction is unquestioned.

For the above reasons, Mr. President, I believe the Senate should reject the motion to refer House Joint Resolution 334, and should thereafter give its approval to the compact.

Mr. MORSE. Mr. President, I yield 10 minutes of our time to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 10 minutes.

Mr. COOPER. Mr. President, it seems to me that the course of the debate has become quite involved in legal, technical discussion. It is not my purpose to further cloud the issue by an involved discussion of legal points. I propose to speak for 10 minutes, and in that time to discuss as clearly and succinctly as possible the grounds upon which I base my opposition to the adoption of the resolution, and my support of the motion to recommit offered by the junior Senator from Oregon.

In the first place, I oppose adoption of the resolution upon legal and constitutional grounds—upon the ground that there is no necessity for approval of the compact by Congress. As I said a few moments ago, in colloquy with the distinguished Senator from Wisconsin, I believe there are three sources of legal authority for the determination of this matter.

One is the section of the Constitution which applies to this subject, namely, section 10 of article I. The second source of authority is the series of cases which have been decided upon the point by the Supreme Court of the United States. The third is found in the compacts which have heretofore been approved by the Congress. These, to my mind, are the only sources of legal authority which can lead the Congress to a determination of the question of its authority and power to approve the compact. I now say, in opposition to the very able argument which has been made by my good friend from Wisconsin [Mr. WILEY], that a study of these three sources of authority leaves no doubt that Congress is only required to approve a compact if it proposes in some way to invade a field of Federal authority. Applying that test to this situation, we can reach only one conclusion. The proponents and the opponents of the resolution agree upon one point, namely, that the field of State tax-supported education is the peculiar prerogative of the States. I can think of no States in the Union which would more jealously or more zealously protect and defend that prerogative than would the very States which are now asking Congress to approve this compact. The powers of the States and of the Federal Government have been separated. The Supreme Court of the United States has said again and again that the field of education falls within those powers separated to the States. That being true, when States propose to establish or maintain schools, I think it follows logically that they are not attempting to invade any field of the Federal Government. Upon that test it seems to me to be clear that there is no necessity for approval of the compact; and if there is no necessity for such approval, then there certainly is no authority for the Congress to approve this compact.

The inconsistency of the position of the proponents was very clearly demonstrated yesterday in the exchange between the distinguished Senator from New York [Mr. IVES], who now occupies the chair, and the distinguished Senator from Utah [Mr. THOMAS]. They argued at some length over the details of an amendment to this compact which had been offered by the distinguished Senator from New York, when both had

or would admit that Congress could not in the first instance limit the power of the States in the field of education.

A second inconsistency will appear if the motion of the Senator from Oregon [Mr. MORSE] is defeated. If the resolution is not recommitted, and the amendment offered by the distinguished Senator from Oregon comes before this body for decision, we shall see the proponents of the measure, who now say that there is some power or authority of Congress which demands approval of the compact, take the reverse position, and they will say that Congress has absolutely no authority in the field of local or State tax-supported education. The argument inconsistent with that now advanced for approval of the compact will be made upon every amendment which is proposed to the compact, if the motion to recommit is not agreed to.

Mr. President, I now want to turn my attention to the argument of my distinguished friend from Wisconsin [Mr. WILEY] that the compact should be approved as a matter of advisability. That is another way of saying that it should be approved as a matter of policy. With all due regard for my very good friend, I cannot remember that in his argument he stated whether he believed that the compact legally required the approval of Congress.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. WILEY. Again we come to a question of definition of terms. The Senator used the word "required," in the sense of being mandatory. If we read the language of the amendment in the Constitution and read the articles written by the professor of Yale University, and other articles submitted by the distinguished Senator from Oregon, we shall find that there is a disagreement as to whether all compacts are required to have consent. It will be found that there are only certain compacts which require consent.

Mr. MORSE. Mr. President, will the Senator yield for a parliamentary purpose?

Mr. WILEY. I yield.

Mr. MORSE. I should like to have an understanding with the Senator that the time he is consuming shall be taken from his time and not from our time.

Mr. WILEY. I supposed I should be kind enough to answer the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER (Mr. IVES in the chair). One minute has already been used by the Senator from Wisconsin out of the time of the Senator from Kentucky.

Mr. WILEY. Mr. President, I shall be very brief. I am sure that in my interrogation of the Senator——

Mr. HOLLAND. Mr. President, I yield to the Senator from Wisconsin whatever time may be necessary to answer the statement of the Senator from Kentucky.

Mr. WILEY. I want to get back to the position which the Senator has taken in his statement, which, in my opinion, is simply that if and when it is not mandatorily required that consent be had, there should be no consent. Is that correct?

Mr. COOPER. Yes.

Mr. WILEY. I say that if there ever was a case in which we cannot distinguish between what the opponents are contending for, it is this case, because, while they say it is not essential to have consent, they then proceed to say, "But we can impose conditions." The Senator from Kentucky has agreed with me this afternoon that if consent is not essential, we cannot impose conditions. The Senator from Oregon has quoted authorities on both sides of the question. He has been very free about that. He has quoted reports from Yale University interpreting the constitutional provision to the effect that the language means just what it says and that there is no leeway. Then he quotes decisions to the effect that there are cases in which the consent of Congress is not needed. Then he says there are other cases in which consent is needed, and that we can impose any condition desired. He forgets the language which says, "unless it is appropriate, or if it does not transgress constitutional limitations."

Mr. President, I thought I had a clear understanding with the distinguished Senator from Kentucky as to his position. Do I correctly understand that he means to reverse what he said this afternoon?

The PRESIDING OFFICER. Is the Senator from Kentucky speaking on his own time, or on the time of the Senator from Wisconsin.

Mr. MORSE. I shall be glad to yield time to him.

Mr. HOLLAND. Mr. President, I yield time to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Kentucky has 3 minutes remaining in which to conclude his remarks.

Mr. COOPER. I have not reversed or changed my position at any time during this argument. I want to pass from the very short discussion of my position on the legal aspects of the subject to the question raised by the distinguished Senator from Wisconsin concerning the advisability of approving this compact. He bases his argument in part upon the necessity of approval of the compact to aid a particular school, Meharry College.

I pointed out in my argument a few days ago that Congress could confer no power on the States which they did not already possess under their own laws. If they possess the power under law to appropriate and help the school which has been so often referred to, as well as other schools, they can appropriate money and help them without the approval of Congress. If they do not possess the power, Congress cannot supply the deficiency. I would like to see this school aided and believe that the States have the right to enter into a compact to aid without our approval. I do not believe that my objection made to the approval of the compact is simply a technical or legalistic argument. I oppose it as a matter of policy, as my distinguished friend the senior Senator from Wisconsin supports it as a matter of policy. I oppose it because I believe it is bad policy for the Congress to suggest or assume that the Federal Government has the power to interfere in the field of local, State-supported educational institutions.

There is a trend in this country today toward the centralization of power in the Federal Government. We have seen the progressive steps taken in localizing power in the Federal Government. We have seen it in the interpretation of the commerce clause, and in the interpretation of other sections of the Constitution.

I do not deny or question that some of the progressive steps that have been taken were needed, but I do oppose the extension of any Federal power in the field of State tax-supported education. It has been chiefly upon that ground that I have opposed the approval of the compact, and that I oppose any of the amendments which are offered.

I should like to speak for a moment—and then I shall close—upon the question raised about civil rights.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COOPER. May I have 1 minute more?

Mr. MORSE. I yield the Senator 1 minute more.

Mr. COOPER. I said Monday that the questions which have been raised in this debate will probably be raised again when the civil rights matters are presented directly to the Senate, and when they are presented, so far as I am concerned I intend to consider them in the light of their constitutionality under present decisions of the Court, or under a reasonable interpretation of the Constitution.

I believe always that inequalities and injustices can only be corrected in legal and constitutional ways. I will not vote for political measures. The law and the Constitution are always the protectors of individual liberties and rights. The chief matter for the determination of this body in respect to the pending resolution relates to the preservation of the division of powers between the States and the Federal Government, and particularly in the field of local education.

Mr. HOLLAND. Mr. President, in my opinion the subject before the Senate has been fully debated, and temperately, and I shall continue to debate it temperately, and in the hope that I may bring out some things which have not been mentioned, or which have not been mentioned as fully as I should like to have them considered by the Members of the Senate.

In the first place, I call attention to the fact that any action referring the House joint resolution to the Senate Committee on the Judiciary cannot be construed in the favorable light of the Congress having decided that no authority exists in it or no necessity exists for the submission to it of this particular compact, for the giving of its consent. That follows from two facts, first, that the House of Representatives passed on the question; and I hope Senators have read the arguments made in the House, particularly by three Members of the House, Representative MARCANTONIO, Representative ISACSON, and Representative POWELL. The same questions were raised, and the House has decided—and certainly it has as much authority to

decide this question as has the Senate of the United States—that it should approve the compact, and it has done so by a vote, as I recall, of about 5 to 1.

Likewise, when the matter has come to the floor of the Senate for debate, while there is one Senator, the distinguished junior Senator from Kentucky [Mr. COOPER], who has taken his stand peculiarly and solely on the legal question, as I have understood him, there are others who have made it quite apparent in their arguments that they feel that this particular measure should not be approved in its present form because they believe that if and when approved it should carry attached to it a nonsegregation condition.

I remember in particular the very forceful and firm argument on that point made by the Senator from North Dakota [Mr. LANGER]. Surely he was speaking out of his conviction, if not upon his experience, and the Senate will recall that he made it very clear that he felt that the only way in which an American institution of higher learning could properly be conducted as he saw it under real American and democratic philosophy was not only under a policy of nonsegregation, but that that policy should go down, as he put it, to the very level of girls of the two races occuping the same room while they attended the institutions of higher learning.

So, Mr. President, we do not have the favorable situation in which anyone could reasonably argue that the refusal of the Senate to take jurisdiction and to approve this very useful, this highly constructive compact, was an expression of the Congress to the affirmative effect that it was not necessary or proper for the Congress to consider and give its consent or its disapproval to this particular compact.

I think that is one point that is so crystal clear that it must be fully understood at this time that the adoption of the motion to refer would not only be the death knell insofar as the opportunity of passage of the joint resolution is concerned, but that it would also be the death knell of any possible construction, on the part of any person whomsoever, that the Congress of the United States had taken an affirmative position in this matter to the effect that it could not give consent and should not give consent to this particular compact for the reason that it had no jurisdiction to do so, and that there was no necessity for it so doing.

Mr. President, I intend to speak only briefly on the legal aspects of the matter; and I may say, in passing, that I am sorry there is not a larger number of Senators present. I think it is highly regrettable that, in the hour just approaching the time when a vote will be had on this important matter, many Senators who have not participated in the discussions up to this time, and have not been present during the debate, still remain away, and must vote without hearing the arguments on this subject, which is of vital importance to an area of this Nation containing nearly 11,000,000 members of the Negro race, and containing some 35,000,000 white people. I say to the Senate that while the racial question has been injected by those who oppose the pending measure as a principal issue, it by no means should be so considered, because the full development of the educational opportunities of the white youth of the South are involved, and that involves a great many more citizens, in number, and the opportunity of many more youths, than is true with reference to the members of the Negro race, important as the compact is to them.

Coming down to the legal question, I wish briefly to recite, so that the RECORD can clearly show, these factors: First, that an able subcommittee of the Committee on the Judiciary sat and heard this matter; that this very question, the question of the necessity of the compact being given the consent of the Congress, was one of the issues presented to them, and that the able members of the subcommittee, which consisted of the chairman of the Committee on the Judiciary, the Senator from Wisconsin [Mr. WILEY] and the former Solicitor General of the United States, the Senator from Rhode Island [Mr. MCGRATH]—and I think I am not betraying any secret when I say, Mr. President, that they entered into this investigation disinclined to support the compact—both came out with the feeling that here was a compact which required consent, and their positions have been well shown. The position of the Senator from Wisconsin has been fully stated in the RECORD, and I think his legal experience and ability entitle his opinion to be considered and heard with just as much respect as that of any other Senator in this body.

Mr. MCKELLAR. Mr. President, will the Senator yield to me?

Mr. HOLLAND. I yield to the Senator from Tennessee.

Mr. MCKELLAR. Before the Senator goes into the legal aspects of the matter, I want to read into the RECORD exactly what the Constitution provides in the latter part of section 10 of article I. I do not see how the language can be misunderstood, and I wonder if the Senator knows how it can be misunderstood:

> No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State.

This is a compact between several States. Why does not the compact come absolutely within the inhibition of the Constitution? The compact must be approved by Congress or consented to by the Congress. The language is unmistakable; it is clear. We might as well disregard everything else contained in the Constitution if we disregard this plain language. It is the plainest language I have ever read:

> No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State.

Mr. HOLLAND. I thank the Senator from Tennessee, and I think he is sound in the position which he has taken.

Continuing with my argument, not only do we have an affirmative holding on this matter to the effect that the consent of Congress is required to the compact by the two distinguished Senators, the Senator from Wisconsin and the Senator from Rhode Island, and affirmative action upon their findings by a large majority of the Committee on the Judiciary, but I call attention to the fact that this precise matter was referred to the Attorney General, and that the opinion of the Assistant to the Attorney General, Mr. Peyton Ford, as printed in the report of the committee to accompany the Senate bill, shows clearly what he and his associates found and what he reported to the committee.

Mr. President, the question is, Shall we, who are tied up here in the course of debating many, many matters and hearing others before committees, allow our horseback opinions to be held as of greater weight and of sounder validity than the opinion of the Department of Justice of the United States, after a reference to the men who serve the Nation there peculiarly in the field of law, and who have ample time and facilities to pursue a subject and to return a sound and satisfactory opinion which is entitled to great weight? I simply read this wording out of the report, from a letter signed by Mr. Peyton Ford, and I think the wording is so clear on this point that it requires no amplification by me:

> It appears that it is necessary for the States to obtain the consent of the Congress in order that the compact may have validity in accordance with article I, section 10, paragraph 3, of the Constitution.

Citing *Virginia* v. *Tennessee* (148 U. S. 503 (1893)).

The very case, peculiarly, Mr. President and Senators, upon which the distinguished junior Senator from Kentucky and the distinguished Senator from Oregon have predicated their argument which comes to the exactly opposite conclusion, as stated by them, that no consent is necessary. The Assistant Attorney General of the United States found to the other effect; not that it was advisable, not that it was possible, not that it was permissible, but—I read again:

> It appears that it is necessary for the States to obtain the consent of the Congress in order that the compact may have validity—

Not security from attack, not the mere assurance that they can proceed safely, but in order that it may have validity, and therefore be made the basis of any legal procedure or program.

The third point I want to make is that I have consulted the trustees of Meharry Medical College. Whatever as been said in the present debate has all been to one effect with reference to Meharry; that it is a fine institution, that it is carrying one-half or more of the load of education of Negro youth in medicine and in dentistry in this Nation, that it has been created by the gifts of many people and foundations for the serving of the members of the Negro race, and that it is doing a grand job. Now, just as this compact happened to take substantial form and to be sent here by the Governors, an offer came from the trustees of Meharry, backed by the foundations which have been making it possible for Meharry to operate for the last 10 years by paying the deficits; and that offer is that this institution be turned over to the Southern States for operation out of Southern States' tax moneys because—and I say it

is only right and just that this should be done—because the great majority of the youth who are educated there come from the Southern States.

I have in my hand and I offer for the RECORD a letter from Hon. T. Graham Hall, chairman of the Board of Trustees of Meharry Medical College, a distinguished southern citizen who lives at Nashville, Tenn., a letter which makes it crystal clear that unless the consent of the Congress is obtained to the compact tragedy will fall upon Meharry College and upon those 500 students who are now domiciled there and those others who hope to enter there, including students not only from the Southland but about 36 percent of them, as I recall, from other parts of our Nation, and a small percentage of them from foreign nations where there is no opportunity afforded for members of the Negro race to receive such training.

I read the letter for the RECORD so that Senators may realize that a vote to kill the compact is a vote to kill Meharry, and so that they may be prepared to assume the responsibility for taking such action if in their judgment it should be taken. It is addressed to me, dated May 8, and is as follows:

MY DEAR SENATOR: I am writing you this letter in order that there may be no misconception about the pending proposal of Meharry Medical College to the Southern States. Meharry Medical College is, and always has been, operated exclusively for members of the Negro race. All of its property and its endowment is held in trust for the exclusive benefit of the Negro race, and the pending offer to convert this institution to a regional basis is expressly conditioned upon the agreement of the Southern States to continue the institution on its present standard and exclusively for the benefit of members of the Negro race.

Mr. President, there could not be any clearer language than that. But I continue:

Under these circumstances, if the consent of Congress to the southern compact is conditioned upon, or in any way restricted, so as to prevent the operation of Meharry under the compact as an institution segregated for the exclusive benefit of Negroes, our proposal to the Southern States could not be accepted, since we are wholly without authority to turn over the property or the income from endowment in the absence of a binding legal obligation from the Southern States requiring the continuance of Meharry as an institution devoted exclusively to members of the Negro race.

I hope Senators will listen to the next sentence, particularly Senators who are considering assuming the responsibility for sounding the death-knell of Meharry, and of the opportunity to members of the Negro race which is involved in its continued operation.

As you know, Meharry must close its doors at the end of the present term unless congressional approval is obtained in such manner as not to interfere with the acceptance of the institution by the Southern States and its continuance as a segregated school for Negroes.

I reread that sentence because it is so clear and affirmative, and its makes it so plain that the college will perish unless Congress gives its consent, without the inclusion of any condition of nonsegregation. I do not believe that Senators will find it possible to read any other construction into that sentence:

As you know, Meharry must close it doors at the end of the present term unless congressional approval is obtained in such manner as not to interfere with the acceptance of the institution by the Southern States and its continuance as a segregated school for Negroes.

This is absolutely required in order to preserve the institution for the Negro. If segregation in favor of the Negro is prohibited, then the Southern States would be required to accept both white and colored students, and under present conditions, white students would completely crowd out Negro applicants on the basis of individual qualifications.

Surely when this situation is explained to Congress, no reasonable person, knowing these conditions, could insist upon congressional consent being so conditioned as to defeat the only existing opportunity for Negro medical and dental education in the South, and to destroy one of the only two such institutions in the United States.

Sincerely yours,

T. GRAHAM HALL,
*Chairman of the Board of Trustees, Meharry Medical College.*

Mr. President, I do not think it is necessary to mention further the contents of this letter, which are so clear and self-explanatory. However, I wish to say for the benefit of the RECORD and of Senators who have open minds upon this matter and who want to make the clean, wholesome, sound, and just decision—and I believe that includes all Members of this body—that Meharry has survived as one of seven institutions which were attempted in this field by the South. It was singled out by the great foundations which had an interest in the Negro youth of the southland and of all the Nation, to be enlarged and made into a fine instrumentality for the service of the Negro youth. It is the only such institution in the South. It has been singled out and supported for the past 10 years by such foundations as the General Education Board—the Rockefeller Foundation—the Carnegie Foundation, and the Russell Sage Foundation, because it offered the unique opportunity through which this great service could be rendered.

Mr. President, that letter states the attitude of Meharry College. I come now, in the discussion of the legal question, to another phase of the subject. I hope Senators will listen. I would very greatly appreciate the courtesy of Senators in listening to this statement, because I think this is a vital question to the youth of their own States and to the cause of education in the Nation. It is inconceivable to me that the subject is unworthy at least of attention on the part of Members of the Senate.

I discuss now briefly the question of whether or not this compact on regional education in the South was in the opinion of the attorneys who advised Meharry, who advised the boards, and who advised the Southern Governors, one which required the consent of Congress under section 10 of article I of the Constitution.

It so happens that Mr. Cecil Sims, one of the fine attorneys of the South, whose home is at Nashville, whose record and reputation speak for themselves, and who is one of the best lawyers we have, was in the city of Washington yesterday on business before the Board of Tax Appeals. I had only a few minutes to discuss the subject with him. I find that his research has been great, and that his conclusion is so strong as to the necessity of submission to and approval of this compact by Congress, that I asked him to tarry while I dictated this statement of his position from which I shall read. He, with other counsel, had made a careful study of the constitutional questions involved. I interpolate that I believe it was possible for them to make a much more careful study than it is possible for any of us to make in the pressure of a session of Congress—certainly a more careful study than I have been able to make.

It is his strong belief that the consent of Congress to this compact is necessary to its validity, just as stated by the Assistant Attorney General, Mr. Peyton Ford, and that the courts will so hold when the question reaches them.

Following the same line of reasoning as that stated by the distinguished Senator from Wisconsin [Mr. WILEY], Chairman of the Committee on the Judiciary, during this debate, Mr. Sims called my attention to the fact that under this compact there is created for the participating States no mere private proprietary right in other States, but instead a greatly extended field of public governmental activity through the enlargement and extension of a well recognized governmental function, that of public education, over which the States have exclusive control within their own boundaries.

Under this compact—

Mr. Sims says—

each participating State will be obligated to supply money raised by State taxation to a regional board of control, to be spent, in the discretion of that regional board of control, in the operation of a joint governmental institution located in another State beyond the reach of its courts, beyond the reach of its executive action. The administrative agency spending its tax money and administering the institution will be composed of representatives of all the participating States, not solely its own representatives. The joint operation will be for the benefit not solely of its own youth, but equally for the youth of the other States participating. The employment of personnel, the payment of salaries, the maintenance of discipline, the granting of degrees, and the establishment and carrying out of policies essentially governmental in character, will all be through joint machinery created by all the States, drawing its authority from each of them.

This is the conclusion of his statement:

How can it be said that such a procedure does not clearly enlarge and also place on an extraterritorial basis the scope of the governmental activities and functions of each of the affected States in the field of education?

In addition to that point, Mr. Sims called attention to another fact. I myself had mentioned this before I had seen him. I remember that in a colloquy the other day I mentioned the point that there is a case of first impression made here, not only because the field of joint education is entered, but also because for

the first time an organization is created covering such a large part of the Nation, including 15 States, an organization created under a compact by the specific terms of which there might easily operate machinery under which one State participating in a particular venture might not even be contiguous to the other States which were operating in the same venture. In the colloquy the other day I mentioned the possibility, for example, of States such as Florida and West Virginia, both of which have mineral interests, working together under the compact in the establishment of a school of mines. At the present time there is no such school in the Southland.

I mentioned another possibility under the compact. Mr. Sims mentioned it, and stated that it had always caused him much concern. Under the compact not every State of the 15 will necessarily participate in the entire venture. The compact provides, as did the Constitution of the United States when it was first suggested back in 1787, that a smaller number than the total may come in, the requirement being that the compact shall not be effective until at least 6 States, through their legislatures, have given it their approval. It might easily be possible, in fact it is both possible and probable, that coming under this compact would be States—and this would be the case with my own State of Florida, in the event that Georgia and Alabama did not come in—which would be entirely remote from, and not adjoining, any other State within the compact. There is a point so completely new and, in the opinion of Mr. Sims, so completely dangerous that he felt that that point alone, even without the existence of the other point already mentioned, required the submission of this compact to the Congress.

Mr. President, I have spoken of the attitude of counsel in the matter. I myself have not had a chance to make any particular research in this connection; obviously that is impossible. I would be perfectly willing to let the matter rest on the basis I have just stated. But Mr. Sims, when away from his office, and without any authorities available to him, was able to give me references to several different cases which he said were among those which, in his mind and in the mind of other eminent counsel, had raised the question to such a degree that they felt that certainly the strongest case was made for the requirement of the Constitution that compacts of this type, including this particular compact, should be submitted to the Congress for its approval or disapproval. I shall not outline all the arguments he mentioned or all the citations he gave; but one of them is based on a recent article by a professor at the University of Indiana, as set forth in the Indiana Law Journal for 1940–41, at page 209. That article lays down various constitutional questions arising under compacts; and one which is mentioned at the bottom of page 209 of the article is in the field—

(4) Of attempting to achieve extraterritoriality.

Mr. President, Senators will remember, of course, that one of the grounds cited by Mr. Sims was his feeling that under this set-up there was no question in the world that an enlargement of the present activity in education by the various States was certainly accomplished by this set-up, and that as to every State participating in a given institution, it would be an extraterritorial activity, except in the case of the one State within whose boundaries the particular institution would be set up. Mr. Sims called attention to that fact as coming from a student of the law whose opinions are entitled to great respect, and he referred to it as one of the things that had caused him great concern.

He also told me, let me say briefly, about a reported court case in New York. I shall give the citation. Anyone who wishes to ascertain the details of that case should read it. I am frank to state that I have not had an opportunity to read it. It is to be found in Miscellaneous Reports of New York, volume 115, page 351. As I have said, I have not had an opportunity to read it. It is the case of City of New York against Wilcox. In that case the question presented—as I understand from Mr. Sims; and again I state that I have not read the case—was one of the validity of a compact between the States of New Jersey and New York with respect to the setting up of a joint harbor commission or authority by which, by the combined personnel furnished by the two States, certain tax moneys were to be spent. In that decision in which Mr. Sims states there is a careful and full delineation of this whole matter and of the questions contained therein—there is, he said, a recital of the fact that but for the fact that Congress had been given the chance to pass upon that compact and but for the further fact that Congress had consented to it, the compact would have had to fall, and that such ruling was made by the courts of the State of New York.

I should like to refer to another matter which has caused me trouble. Before I do so, I wish to state that Mr. Sims says this is a very active question. He called my attention to the fact that the last issue of the Law Journal of Vanderbilt University contained a scholarly article on it, and the last issue of the Law Journal of the University of Virginia had another article on it, and it has been an interesting subject, in respect to which there is great division of opinion because of the fact that there have been no recent cases and that the multiplicity of situations which arise under our complex modern life so greatly exceeds the matters which have been submitted to the courts and have been passed upon by the courts. I call attention to that point in passing. But here is one of the things which caused me the greatest concern, and I ask Senators who are lawyers to follow this matter with particular closeness, since I think it involves a point which they cannot pass over lightly, because it involves a hazard as to what would happen in this particular matter—a hazard which cannot be ignored, because this point is raised in a brief written by a lawyer who is now a distinguished member of the United States Supreme Court, Mr. Justice Frankfurter, but who at the time he wrote the article was a law professor at Harvard Law School, and he wrote the article in conjunction with the then dean of the Harvard Law School, Mr. Landis.

I shall not attempt to read all of what is said in the article; but I point out that on pages 694 and 695 of the Yale Law Journal, volume 34, will be found the article to which I advert. I shall read one paragraph from the text and one from the notes. I think they would cause any reasonable lawyer who was considering the question of whether a client who came to him for advice should in such a case insist upon obtaining the consent of Congress, to decide in the affirmative, and to decide that he could not possibly approve the set up without having such a submission made and without having an affirmative finding by the Congress in the matter—in other words, a decision by Congress that it would give consent to the compact.

I shall not read all of the historical references at the beginning of the article, but I begin with a paragraph near the bottom of page 694:

> Historically the consent of Congress, as a prerequisite to the validity of agreements by States, appears as the republican transformation of the needed approval by the Crown.

Previously he had shown that the approval by the Crown was called for when the Colonies had agreements or compacts of this kind.

I read further:

> But the Constitution plainly had two very practical objectives in view in conditioning agreement by States upon consent of Congress.

Mr. President, these are not my words; these are the words of a gentleman who is now a very distinguished member of the United States Supreme Court, and these are the two questions which he says were in his mind and are to be kept in mind under this particular provision of the Constitution, when it is measured against the validity of any particular compact:

> For only Congress is the appropriate organ for determining what arrangements between States might fall within the prohibited class of treaty, alliance, or confederation, and what arrangements come within the permissive class of agreement or compact.

I pause to remark—and I think that all Senators who are lawyers know this is the case—that this particular section of article I of the Constitution completely prohibits the entering by one State with another into anything which would be regarded as a treaty, alliance, or confederation, but does permit States to enter into agreements or compacts, subject to the consent of Congress.

I read further:

> But even the permissive agreements—

The first question he has raised is that there is no authority anywhere except in the Congress to decide whether a particular compact lies within the treaty field or the compact field. This statement is made by a present member of the Supreme Court of the United States; and again I call attention to the fact that nothing so sweeping has ever been entered into between States and has

reached the Congress, even as between States adjoining one another, much less as between States 15 in number and comprising a large part of the Nation, as is the case in respect to this compact.

Now his second point:

But even the permissive agreements may affect the interests of States other than those parties to the agreement. The national and not merely a regional interest may be involved. Therefore, Congress must exercise national supervision through its power to grant or withhold consent, or to grant it under appropriate conditions. The framers thus astutely created—

This is Mr. Frankfurter speaking—

The framers thus astutely created a mechanism of legal control over affairs that are projected beyond State lines and yet may not call for, nor be capable of, national treatment. They allowed interstate adjustments but duly safeguarded the national interest.

I close my quotation from the text. But now I read from a note to the same article note No. 37, at the bottom of page 695. I hope the Members of the Senate who are lawyers will listen to this, because they know as well as I the import of the question as to what is self-executing and what is not. It is one of the things that come forward to plague us lawyers as practical legal business comes across our desks and is required by us to be submitted to the courts in order that what may or may not be our opinion may be subjected to careful scrutiny by the courts before a structure is created upon which commitments are to be made and moneys expended. I quote this note, as follows:

There is no self-executing test differentiating "compact" from "treaty."

I interject the thought, made clear by the note, there is only one place where the determination can be made as to what is a treaty and what is a compact, and that is here in the Congress of the United States. Mr. President, that sounds like good law to me. It sounds like good common sense. And what is more to the point, it so appeals to the sound judgment and the legally educated mind of Mr. Justice Frankfurter that he puts it in his own article. I continue to read:

Story and other writers have attempted an analytical classification. See Story, Constitution. (5th ed. 1891, secs. 1402-1405.) The attempt is bound to go shipwreck—

Here we have an expression from one who is at the present a member of the United States Supreme Court to the effect that any attempt to say what is a treaty or what is a compact or to fix general standards to determine which is which, is "bound to go shipwreck."

The attempt is bound to go shipwreck, for we are in a field—

Listen to this, Mr. President—

we are in a field in which political judgment is, to say the least, one of the important factors.

What he is saying there is that the judgment of Senators of the United States and Representatives of the United States as Members of the Congress is recognized in the Constitution as being an important factor in the decision as to whether any submitted compact in the first instance is a compact or a treaty, and, in the second instance, whether it is wise in the protection of the interests of all the people that such compact shall be approved. I quote again:

The considerations that led the Supreme Court to leave Congress the determination of what constitutes a republican form of government as guaranteed by the Constitution—

Citing various cases—

are equally controlling in leaving to Congress to circumscribe the area of agreement open to the States.

Mr. President, there are some good lawyers in this body who have been called upon to pass upon serious matters affecting investments, affecting important financial plans and programs. There is not one of them who has ever been called upon to pass upon a matter more serious than this, because here is a matter that will require the investment of millions of dollars of public funds of the States affected, upon the hope and the belief that a sound substantial foundation has been built, and it is a matter also which deeply touches the health and the future properity and opportunity of the people of a large part of our Nation, and when I say "people" I do not mean only the Negro people; I mean the white people and all the people.

Now, Mr. President, I do not think you would want to have a better guidepost than this, and I do not have the slightest idea that the distinguished junior Senator from Kentucky, sound as he is of conscience and conviction, fine a lawyer as I am sure he is, or the distinguished junior Senator from Oregon, as to whom the same remarks are applicable, would for one single solitary moment consider giving the go-ahead signal to clients coming to him and asking, "Can we safely and with the assurance of approval by the courts if this matter is attacked, go ahead in this vital matter, without the submission to Congress and the procuring of the consent of Congress to this compact?" I think that is the answer, and I do not believe that any Senator here will come to any other conclusion.

Mr. LUCAS. Mr. President, will the Senator yield for one question?

Mr. HOLLAND. I yield.

Mr. LUCAS. The Senator from Florida a moment ago mentioned the financial obligations of the respective States which might enter into the compact. The thought occurred to me as I listened to the able argument made by the Senator, whether or not there would be any question of the authority or the power of the States to appropriate money for the purpose of carrying on the educational activities involved in the compact.

Mr. HOLLAND. I am grateful for the question of the Senator. My answer would be that there certainly is question as to the authority of these States to appropriate money to be spent beyond the boundaries of their State in a public venture in which they join with other States, and that nobody will know until the State courts have passed upon it with finality, whether or not that authority exists.

I remind the Senator that this question can be raised, not just in one forum, not just in one set of courts or system of courts, but in the courts of any of the 15 States affected as well as in the courts of the United States. The distinguished Senator from Illinois, good lawyer as he is, I know would never even dream in his remotest dreams of approving a set-up as uncertain and as indefinite as this for the investment of huge sums of money used by a private plant, much less for the going through all the intricacies of submission to legislatures for the securing of special appropriations, and with the knowledge that each or any of them might be subjected to rigid, drastic legal tests on this ground, namely, that the States have not asked and secured the consent of Congress, to secure which the Constitution says they must get the consent of Congress before they can operate with validity under it.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. LUCAS. I believe I recognize the validity of the argument made by the Senator. However, I was wondering, even though the Senate approved the compact, what authority under their respective constitutions the States would have even then to appropriate money, for instance, for the construction of a university, we will say, outside the particular State appropriating the money.

The thought occurred to me that authority certainly would have to be found in the constitution of the State itself before money could be appropriated for the construction of a university outside the State. At least, that is my understanding of our own constitution in Illinois. I was wondering whether or not the Senator had made an examination of the respective constitutions of the various States that are parties to the compact to determine whether or not each State would have the power to appropriate money even though the Senate agreed to a compact of this kind.

Mr. HOLLAND. I appreciate the question of the Senator. I have not made any such search. I have procured a copy from the Legislative Reference Bureau of all the constitutional and general statutory provisions on education of each of the affected States, and they are printed in the report of the hearings.

I have also discussed the problem with the attorneys affected. They have called to my attention the fact that, in the first place, there is no question about the exclusive authority of the States in the field of public education within their own limits. They have also called attention to the fact that there have been repeated instances, which have been unquestioned, in which appropriations have been made by various States for the doing of incidental things which fall far short of a program like this, of making a capital investment for the sending of students to schools which are without their boundaries.

I should like to advert to the point made by the Senator from Oregon [Mr. MORSE] yesterday afternoon. He attempted to bring up as an argument for the defeat of the compact the fact that the State of West Virginia sent sertain

medical students to the University of Virginia Medical School under an agreement for their training to be compensated for as between the two States. I should like to call attention to the fact that there are many such instances. They have not been challenged. But they fall far short of the program under this compact being simply situations in which a fixed sum of money is paid without any joint proprietary situation being created, or without any joint operating responsibility being created, but simply as a matter of one State paying another State for education in the facilities already existing in the second State and sending youths from the first State which has no facilities for education in the particularly desired field. That is a far cry from this situation in which there is to be spent not just a few hundred thousand dollars, but many millions of dollars.

Mr. LUCAS. Mr. President, will the Senator yield for one observation?

Mr. HOLLAND. I yield.

Mr. LUCAS. Frankness compels me to admit that I have not had opportunity to make any exhaustive examination of the legal proposition which I submitted to the Senator a moment ago. I thought, in view of the importance of the question, that perhaps some Senator had made a careful examination of the power of the respective States to appropriate money for the purposes referred to in the compact. I undertook to say that under the program a considerable amount of money would be required from each State. Obviously, as the Senator stated a moment ago, we can do only what is within the limitations and the powers laid down in the respective States with regard to spending money. Whether any State would be permitted to spend money outside its own boundaries for the establishment of a university in another State, without direct authority and power lodged in the constitution of the State, I seriously doubt. I am merely handing down a curbstone opinion. Such opinions are sometimes good and sometimes bad.

Mr. HOLLAND. Of course those questions exist. I will say to the Senator that the Governors and the State officials who are cooperating in the matter think they have the authority, and they realize that they are likely to be subjected to suits; but if they are subjected to suits on that account they will, by obtaining the consent of Congress without nonsegregation conditions, have gotten rid of at least two questions which they regard as much more important, one being the question of whether the consent of Congress is required and, secondly, the question of nonsegregation, because if the consent of Congress be given without limitations against segregation, then under the laws prevailing in the various States there certainly cannot be raised the question as to whether they have the right to go outside of their own limits for the purpose provided for in the compact which is already legal under their own law.

Mr. President, I go next to the practical questions which are involved. The first practical question has to do with the legal questions involved, because every question of law must be construed against the facts of the particular case. I have already read a letter from the trustees of Meharry College, but I want to repeat in the RECORD the fact that it is a great institution in which an enormous amount of money has already been invested by benefactors who have found it a good and satisfactory outlet to them for the creation of better facilities for the education of the youth of the Negro race in medicine, dentistry, and nursing. I am not advised as to the full amount which has been invested. The record shows that $10,000,000 has been invested by the General Education Board and that additional millions have been invested by the other two great foundations and by other donors. The record does not show what was originally invested by the Meharry brothers who, by the way, as I recall, were from the State of the distinguished Senator from Illinois [Mr. LUCAS]; nor does the record show how much was invested by the Methodist Church, which was the original sponsoring agency. But the fact is that the whole investment represents an activity which has been established exclusively for members of the Negro race. The trustees who now have charge are in deed and in fact trustees to see that nothing shall possibly occur which would defeat the objective of the donors in the establishment of this great institution for the serving of members of the Negro race.

So, from the standpoint of the trustees and the standpoint of the boards which are affected, there is, of course, the very grave question as to whether they shall be safe in proceeding. They have answered by saying that they will proceed if the consent of Congress be given. They proceed on no other basis, so far as we know. It is shown by the record that 10 years ago the condition was imposed that they would, out of their various sources of revenue, provide for deficits from year to year in the operation of the institution, provided that before the end of this school year there should be found some way of permanently supporting the institution, principally out of tax funds, either Federal or State. Last year, as shown by the record, the deficit was $352,000, and it has been shown that the operating deficit, paid as it has been out of the endowment principal, has been so large it has materially impaired the endowment fund. So the trustees have that in mind when they lay down the condition that if and when their offer is accepted it be accepted after congressional consent to this compact and under a situation in which there will not be a question existing as to whether the Southern States can send southern white boys to displace the Negro boys from their opportunity for training at Meharry. The record also shows that large numbers of white boys, never out of the South, have come to Meharry and to Howard University and have sought to displace the opportunities of the Negro youth at those two institutions. At Meharry the policy has been adhered to that no white youth can be educated there, because if that practice were ever started, now that competitive conditions are so difficult, the opportunities for Negroes would be largely eliminated.

The Senator from Alabama [Mr. SPARKMAN] yesterday afternoon called attention in his argument to the fact that the record shows, and it does so show, that if the same kind of average standard for admission had been adhered to in Meharry that was adhered to throughout the Nation, only 5 out of 103 members of the freshman class of 1947 would be Negroes and the balance would be white boys. All who were admitted had to pass the minimum standards, of course.

I have called attention to this point simply so that it may be clearly understood that the trustees who have a heavy responsibility resting upon their shoulders and consciences have felt that they cannot safely make this proposal or go through with it except upon the twofold condition which is so clearly stated in the letter which I have read today from the president of the board of trustees, that condition being, first, that the compact be consented to by the Congress; secondly that the question of consent shall be handled in such a way with regard to racial segregation that the Negroes may continue to have these facilities which were established and paid for by their benefactors and that their rights may be carefully and firmly preserved.

Mr. President, with reference to the question from the standpoint of the States, I call attention to the fact that if the trustees of Meharry and if the Foundations were ready to go ahead on a trial basis—and they have not indicated that they are so ready, at least insofar as Meharry is concerned—all that the States would risk would be the question of the carrying forward of any program of which they would pay a portion of the operating cost from year to year. There is not any question of purchase of the magnificent facilities of the school, there is not any question of their making a new capital investment in Tennessee at all. On the other horn of the dilemma, unless there is substance and foundation and reasonable assurance that this compact will stand, the Southern States will find themselves in the position where, while they can go ahead at Meharry on a trial and error basis, assuming that the trustees and Foundations would agree to it—and they have not even indicated that they would—they could go ahead with that as to Meharry, whereas to the contrary, insofar as the white students of their States were concerned, whose education would call for the setting up of new institutions, which would require the making of additional capital investments in the amount of millions of dollars, as to this field they would have no possible assurance or security upon which they could proceed, but would have to wait, and wait interminably, through the 5 or 10 years during which this whole question would be wearily fought out through the lower State courts, through the lower Federal courts, and finally up to the United States Supreme Court, before there would be any sound basis upon which they could proceed in setting up regional institutions for the education of the white youth of the States.

Mr. President, we are all practical men, and I call attention to the fact

that the record shows that there are only two publicly supported dental schools in all this region. I call attention to the fact that the record shows that in five or six of the States there are not any medical schools, either for white or colored. Am I asking Senators to strain their balanced judgment at all in asking them to come to the conclusion that simply nothing will be done under this compact unless there is an assured and firm foundation, granted by the giving of consent of Congress to this compact, so that the Southern States can proceed, if they proceed with reference to Meharry, and proceed at the same time, coincidentally, in the serving of the white youth of the respective States in the establishment and setting up and later the operating of the new institutions which will be set up for them?

Mr. President, without talking more on the legal aspects of the matter, I wish at this time to express my appreciation to certain Members of the Senate. I am grateful to all the Members of the Senate who have been willing to come and listen to the debate. There is nothing in the debate so far as I am concerned, but a patient desire to get something worked out which will be constructive. I am grateful to all Senators, but particularly to certain Members of the Senate whose names I wish to mention, because I know it has been an onerous duty to go through with their particular duties in connection with the consideration and presentation of the pending joint resolution.

My thanks go first to the Senator from Wisconsin [Mr. WILEY] and to the Senator from Rhode Island [Mr. MCGRATH]. I indicated a while ago that I had every reason to believe that when they were asked to constitute themselves a subcommittee of the Committee on the Judiciary to hear this matter they were disinclined toward approval of the compact. Yet meticulously they went into the matter, they combed all the truth out of the fiction and fears and apprehensions, and, with their strong approval, took the measure to the full Committee on the Judiciary, and supported it there.

I call particular attention to the fact—and I deeply appreciate his attitude in the matter—that the chairman of the Committee on the Judiciary, the Senator from Wisconsin, has gone further and has courageously and splendidly and efficiently taken the leadership in fighting for this compact here upon the floor of the Senate, so that all might clearly understand that he, holding the responsible position which he occupies as chairman of the Committee on the Judiciary, has come to the conclusion that here is a wholesome thing which he feels should be done with the approval and consent of the Members of the Congress of the United States, particularly those of the Senate, and regardless of what part of the Nation they happen to come from. I am grateful to him for his position.

Let me say that I am likewise extremely thankful to the distinguished senior Senator from Utah [Mr. THOMAS], known perhaps as the most liberal Member of this body. I had no idea what his position would be on the joint resolution, and I was much impressed when the distinguished Senator from Utah took the position he assumed, and then stood firmly on this floor and stated his views to the membership of the Senate and to the Nation—because everything the Senator from Utah speaks is news to the Nation. When he, speaking to the Nation, said in his quiet tone that here was something which was constructive and eminently worth while, something which he thought called for the approval and the consent of the Members of the Senate, something in which he rejoiced, if I understood his words, because he thought it showed a willingness of the Southern States, who had had a problem placed upon them by the Nation and under decisions made by the Nation, which did not rest upon others—he rejoiced at the demonstrated willingness of the South to assume its good, full, fair part of the burden of colored education, for he was speaking particularly about that.

I thought that expression could not possibly fall upon deaf ears, either in the membership of the Senate or throughout the Nation, because the Senator has so clearly handed down the only sane, reasonable, democratic verdict that can be reached in this important matter, the verdict that this is the only way, working with the only tools which the States of the South, through their constitutions, have perfected, and which the National Government has approved, through the decisions of the United States Supreme Court, the only way in which immediate and substantial progress can be made in this vital, this extremely vital, field of enlarging the opportunities open to the colored youth of the Nation in the field of education, and particularly in the field of medical and dental and nursing training. I am more grateful than the Senator will ever know for his taking that position, and I think what he has said cannot fall upon deaf ears.

Mr. President, let me remark that, just as this debate has been proceeding in the Senate, I have been hearing over the radio at night, I have been reading in the newspapers during the day, that those who are the friends of the colored schools of the Nation are even now engaging in a Nation-wide appeal for more strength, for financial donations which will enable them to do a better job in their field. I do not hear that that plea has fallen on deaf ears. I wonder if the citizens of the States represented by the various Members of the Senate who have found only something to criticize in this measure are taking the same attitude with reference to the appeal now being made in behalf of institutions for Negro education throughout the Nation, and which I am very sure is not falling upon deaf ears anywhere in our country.

I am sure, Mr. President, that the good people of the State of Oregon, joining hands with the good people of the State of North Dakota and of the State of Michigan, and of the 15 States which are in this compact, and of all the other States of the Nation—and they are all good States—are answering that appeal, and are turning in more money so that the cause of education of the Negro youth of the Nation may be aided and expedited. At the same time, while that appeal is going out, Mr. President, and being answered, shall it be said, can it be said, that somewhat the same kind of an appeal here, except that it expresses the willingness which is demonstrated by the 15 Southern States participating, not through donations provided to them from elsewhere, not through donations by the Federal Government, but through their own tax funds, to continue the vital activities which go on down at Meharry—shall it be said with truth that the Members of the Senate of the United States, after the Members of the House of Representatives have voted by a vote of 5 to 1 at the other end of the Capitol in favor, have withheld their approval to the doing of a better job at Meharry with public money coming out of the States which supply the major portion of its students?

Mr. President, I would hate to be responsible for taking a stand which, I believe, would shut off Meharry, would shut off the possibility of increased education for the Negro youth at other potential institutions. I want to make it crystal clear that the 15 Southern States mean business in this matter. They have come here in good faith. They have come here constructively. They have offered to carry a larger part of the burden of the Negro education, and to do a great deal better job for white education than they have ever done before. I do not believe the conscientious citizens who comprise the Members of the Senate on both sides of the aisle are going to turn a deaf ear to this appeal. I do not believe that when people who need education come here crying for bread Members of the Senate are going to hand them instead a stone. I will not believe that until the votes are actually cast and show the contrary.

Mr. President, there are certain other things I should like to mention, because I would not have anyone feel that I wanted to stand solely upon the legal aspects of this matter or upon sectional aspects of it, or race aspects of it. I just want to make it crystal clear that insofar as segregation in education is concerned, I do not think it needs my defense, but I am willing to defend it and judge it by some of the outstanding things which it has done, which have not been done elsewhere, Mr. President, and are not being done elsewhere, and a hostile vote in the Senate here will not start the wheels turning to do them elsewhere.

The first thing I mention in this connection is in the field of medical education. I wish that I had the oratorical capacity displayed yesterday by the Senator from Alabama [Mr. SPARKMAN] who called the attention of the Senate so eloquently to the fact that the South under segregated education in this particular field has done and is doing so much better a job than is being done by the rest of the Nation. Mr. President, I am not here to criticize anyone else. I am not here to say that discrimination exists in these other schools as a matter of deliberation. I do not know why these facts should be so, but I am just going to point out again a few of the facts which inescapably appear from the record and which are going to come back to the consciences of the Members of the Senate who may consider voting against

this measure. What do they show? It is printed in the RECORD. Eighty-six colored youths comprise the complete number of the representatives of that race who are now students in any class of all the institutions of learning in the field of medicine and dentistry throughout the Nation from Maine to California. Elsewhere in the RECORD Senators will find that 21 is the full number in all those institutions in the freshman class which entered this year.

Mr. President, I do not think it is important to analyze the reasons for that. I prefer not to do so. I am willing for the Senators and for the people of the States who have their own problems to decide what they should do and what they can do. But I am pointing out that if it is left to the institutions outside the South, the door of opportunity is surely slammed shut in the faces of the thousands of Negro youth of the land who want to obtain an education in the fields of medicine and dentistry. I tell the Senate that when I heard the letters read by the Senator from Wisconsin—and I also read some which he did not read into the RECORD—it was simply inescapable to me that many members of the Negro race, who are youths, of the proper age for education in these fields, want that education not solely as a matter for their own aggrandizement and betterment, but that they are impelled by the desire to be of greater service to their fellows, and particularly of greater service to the other members of their own race.

Mr. President, by doing whatever we do here today we are not going to open a bit more widely the doors of opportunity in the institutions of learning in this field throughout the Nation outside the South.

Mr. President, in a moment I want to read into the RECORD letters from a dean and an assistant dean of important medical schools outside the South, showing the problems with which they are confronted. One came from the great State of Michigan. Another came from the equally great State of California. Before I read those letters I want to say again that I do not think it is incumbent upon the Southern States to criticize—and certainly the junior Senator from Florida does not criticize—what is being done in these other States, or in the institutions of these other States. He is simply calling attention to the facts as shown from the RECORD, and the facts as shown by his file of communications, from the youths of the Negro race who have found the door of opportunity slammed shut to them in other parts of the Nation, and who say they cannot find any place where they can go unless Meharry can be kept open.

Mr. President, I call attention to the fact—I am not going to read the whole list, for it is already in the RECORD—that Harvard University Medical School, one of the finest in the Nation, has in its whole student body, not just in the freshman class, as shown by the record, one Negro youth. I want to call attention to the fact that that happens to be a privately endowed institution. I call attention to the fact that the University of Pennsylvania, another one of the great institutions for medical training, a public institution, standing in that field for a great people and a great State, as shown by the record, has in all of its classes one Negro youth among its medical students.

Mr. President, we might wish that we were not confronted with that kind of a situation. We might wish there was something we could do about it here. But there is nothing we can do about it here. To the contrary, Mr. President, all we can do here is to try to keep open and to try to pry wider open doors in the South which have been sympathetically open, and in the case of Meharry I want to make it clear that in large measure they are kept open through the beneficence and generosity of citizens who live not in the South, but who live in other parts of the Nation. How can we keep those doors open and how can we open them ever wider in order to admit more and more Negro youths whom we know perfectly well have not had adequate facilities or facilities in anything like sufficient opportunity for their training?

I am going to read these two letters. I see my time is nearly up, but I think it is important that the Senate should hear them. I am afraid that Senators have not read the RECORD. The first letter is from Hardy A. Kemp, M. D., dean of the College of Medicine of Wayne University, Detroit, Mich. It is a letter to the dean of Meharry Medical College, Dr. Michael J. Bent, and is as follows:

DEAR DR. BENT: We had two Negro students in our freshman class when we started in February 1946. One was dropped because of poor scholarship; the other remains and is doing very well.

You might be interested to know that in more than 500 applications which we are considering seriously we do not have more than a dozen Negroes. Not a single one of these is from a Negro girl. With the large Negro population in Detroit and surrounding territory in Michigan, I should think we would have more applications and from those who are better qualified than those we have applying at the moment.

I thought perhaps this incidental comment might be of interest to you.

With best regards.

Sincerely yours,

HARDY A. KEMP, M. D.,
*Dean.*

Let us see what is happening in connection with applications to Meharry from the State of Michigan. In order to make the case completely fair, I wish to state that the University of Michigan Medical School is the institution which has the largest number of Negroes attending any institution outside the South in this field, with 18 Negroes in its student body. What do the facts show as to the applicants from Michigan? In the year 1947, the year in which there was one student left at Wayne, and in which there were 18 students in the whole student body at the University of Michigan, the record shows, as Senators will find on page 40, that there were 15 applicants of Negroes from Michigan alone to Meharry, and that 4 of them were actually accepted in the freshman class.

Mr. President, are we going to shut that door of opportunity instead of opening it wider? I do not believe that mercifully inclined, decently inclined men, such as I see sitting here in the Senate, are going to take any such position.

The next letter is from Dr. J. N. DeLamater, who signs as assistant dean of the University of Southern California School of Medicine. It is a very fine letter. The letter reads as follows:

THE UNIVERSITY OF
SOUTHERN CALIFORNIA,
SCHOOL OF MEDICINE,
*Los Angeles, February 10, 1948.*

MICHAEL J. BENT, M. D.,
*Dean, School of Medicine,*
*Meharry Medical College,*
*Nashville, Tenn.*

DEAR DR. BENT: In answer to your enclosed inquiry of February 4, I should like to say that this school of medicine has not had any Negro student enrolled while I have been here, nor do our records show that any Negro students have ever been enrolled. I should like to tell you, however, that our committee on selection and promotion would be delighted to entertain applications from superior Negroes. In the past there have been a number of applicants who have applied but upon the basis of their scholastic record, their aptitude scores, and recommendations, our committee has not found it possible to accept them.

If a recent article in the Saturday Evening Post truly represents the facts, you must have numerous superior applicants whom you cannot satisfy. I would greatly appreciate any effort on your part to divert two or three outstanding applicants toward this school. While I as an individual cannot promise that any who apply will be selected, I can forthrightly say that they will be given the utmost conscientious possible consideration.

I shall look forward to hearing from you in the near future concerning this matter.

Sincerely yours,

J. N. DELAMATER, M. D.,
*Assistant Dean.*

I do not doubt that he means exactly what he says when he says that any such applications "will be given the utmost conscientious possible consideration." I call attention to the fact that it is abundantly shown from the record that last year 14,000 youth tried to get into the medical schools, and that there were facilities to accommodate only a small fraction of them. Under the heavy competition which prevails—and it is right that it should prevail—in those institutions outside the South, and under the laws and under the rules and procedure in those institutions, they have not been able to help very much in meeting this problem. Mr. President, are we going to close one of the two doors which yet remain open?

I shall not proceed longer with that particular line of argument; but in connection with the matter of segregation, I wish to call attention to the fact that the South, under its peculiar system, has done a marvelous job in general, in giving a better opportunity to members of the Negro race who have wanted to serve in professional posts in education, that is, as teachers, as principals, as college professors, or as presidents. Without taking the time of the Senate to read it, I ask leave to have inserted in the RECORD a statement from the Legislative Reference Service dated February 20 of this year, addressed to me and showing the situation both in the States where segregation applies and in the States where segregation does not apply, as to the opportunities given to colored citizens who have chosen to spend their lives in education.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
*Washington, D. C., February 20, 1948.*

Hon. SPESSARD L. HOLLAND,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR HOLLAND: In response to your request of February 16 we are enclosing a report prepared for you in the Legislative Reference Service entitled "Total Negro Population, 1940, and Total Instructional Staff of Schools and Colleges for Negroes in Specified States and the District of Columbia, 1943–44." We would like to draw your attention to the footnotes which explain the meaning of several terms which appear in the title, according to the use of these terms in this report.

We find no published data on the number of Negroes on the instructional and administrative staffs of schools and colleges located in States which do not provide for segregation of the races in educational institutions. Dr. Ambrose Caliver, specialist in higher education for Negroes, United States Office of Education, has given us an unofficial estimate or guess that the total number is about 3,000. Dr. Martin D. Jenkins, professor of education, Howard University, Washington, D. C., has stated to us his rough estimate or guess that the number is about 2,500. According to United States Census data the total number of Negroes in these States in 1940—all of the States not included in the enclosed report—was 2,716,513 (Statistical Abstract of the United States, 1947, p. 20).

On the basis of these estimates it would appear that the number of Negroes who become teachers and administrative officials of schools and colleges, in relation to the Negro population is several times higher in the States which provide for segregation in educational institutions than in the States which do not so provide. Dr. Caliver has expressed to us the opinion that such is the case.

Sincerely yours,

ERNEST S. GRIFFITH,
*Director, Legislative Reference Service.*

*Total, Negro population, 1940, and total instructional staff [1] of schools [2] and colleges [3] for Negroes in specified States [4] and the District of Columbia, 1943–44*

| State or the District of Columbia | Negro population | Instructional staff [1] | | |
|---|---|---|---|---|
| | | Schools [2] | Colleges [3] | Total |
| Alabama | 983,290 | 6,001 | 432 | 6,433 |
| Arkansas | 482,578 | 2,654 | 121 | 2,775 |
| Delaware | 35,876 | 253 | 45 | 298 |
| Florida | 514,198 | 3,341 | 184 | 3,525 |
| Georgia | 1,084,927 | 7,642 | 361 | 8,003 |
| Kentucky | 214,031 | 1,412 | 59 | 1,471 |
| Louisiana | 849,303 | 4,360 | 245 | 4,605 |
| Maryland | 301,931 | 1,757 | 85 | 1,842 |
| Mississippi | 1,074,578 | 6,499 | 173 | 6,672 |
| Missouri | 244,386 | 1,560 | 128 | 1,688 |
| North Carolina | 981,298 | 7,410 | 406 | 7,816 |
| Oklahoma | 168,849 | 1,475 | 101 | 1,576 |
| South Carolina | 814,164 | 6,007 | 281 | 6,288 |
| Tennessee | 508,736 | 2,980 | 295 | 3,275 |
| Texas | 924,391 | 6,590 | 394 | 6,984 |
| Virginia | 661,449 | 4,370 | 401 | 4,771 |
| West Virginia | 117,754 | 999 | 120 | 1,119 |
| Dist. of Columbia | 187,266 | 1,243 | 341 | 1,584 |
| Total | 10,149,005 | 66,553 | 4,172 | 70,725 |

[1] Includes for schools, teachers, supervisors and principals; for colleges, instructional and administrative staff.
[2] Public day schools.
[3] All institutions of higher education.
[4] States having separate educational systems for Negroes.

Sources: Second column—U. S. Department of Commerce, Bureau of the Census, Statistical Abstract of the United States, 1947, p. 20. Third column—U. S. Federal Security Agency, U. S. Office of Education, Biennial Survey of Education in the United States, 1942–44, ch. II, Statistics of State School Systems, 1943–44, p. 71. Fourth column—Unpublished data obtained from the Research and Statistical Service, U. S. Office of Education.

Mr. HOLLAND. I am very sure that if Senators will read this statement they will be surprised at the facts established by the Legislative Reference Bureau in this field. Here they are:

They show that in the States which have segregation by law, there were, according to the census of 1940, 10,149,005 Negro citizens, and 35,197,765 white citizens. Of the more than 10,000,000 Negro citizens in those States, 70,725 of them were professionally in education. An average of 7 out of every 1,000 Negro citizens in the southern area were gainfully employed in the teaching profession and in carrying forward the banner of education in that area.

The statement shows, to the contrary, that in the rest of the Nation, all told, from the best figures which can be made available—and they are furnished by Dr. Ambrose Caliver, specialist in higher education for Negroes in the United States Office of Education, and Dr. Martin D. Jenkins, professor of education at Howard University, Washington, D. C.—an estimated number between 2,500 and 3,000, depending upon whether we accept the estimate of Dr. Caliver or that of Dr. Jenkins, were employed in the same activities of professional education in all the States outside the South.

It is shown by the census of 1940 that in the States outside the South there were a total of 2,716,000 Negro citizens. I will simply give the comparative figures. They show that whereas 7 out of 1,000 Negroes in the South were gainfully employed in education, only a fraction over one per thousand—and the fraction is so tiny that it may be disregarded—or one-seventh as many, were gainfully employed in education in the area outside the South. Any system which gives an opportunity to seven times as many good people to qualify them for teaching posts and to devote their lives to the teaching profession, as are given the same opportunity elsewhere, must have merit in it. There are seven times as many in the South, as compared with the system outside the Southern States.

Mr. President, the difference does not stop there. In the case of the Northern States, it happens that there are no presidents of institutions of higher learning who are Negroes—none whatever. The opportunity for advancement is very slight, whereas there are many, many presidents of institutions of learning in the South who are Negroes. For example, all 17 of the presidents of the land-grant colleges for Negroes in the South are themselves Negroes. In my own State, in addition to the institution which has been mentioned, there are three other colleges for Negroes exclusively, which have colored presidents. So the opportunity for advancement in their chosen profession is greater in the South. But that is not all the picture.

I ask particular attention to this part of the study. In the South, and under the southern system, every Negro teacher has the opportunity to devote himself as a missionary to the advancement of the youth of his own race. It is an opportunity for service which I have found is generally most attractive to Negroes who have entered the teaching profession.

I am sure that the distinguished senior Senator from Georgia [Mr. GEORGE] has noticed, in his years of public service, that it is true in his State that the Negro teacher occupies a place of high standing, respect, and prestige among his own people—and rightly so, because he has devoted his life to an effort to bring greater opportunity for improvement in education, and for all that goes with it, to the youth of his own race.

I have placed this information in the RECORD so that Senators may see it, and so that the Nation may realize that segregation in education is not built largely upon the question of discrimination, but to the contrary is built upon a very deep conviction which prevails, not only among our white citizens, but among most of our colored citizens, that it is the best system and that under it, under our philosophy, under our laws, and under our social customs the maximum of opportunity may be accorded to members of the race which, it so happens, most needs the liberal benefits of education. Mr. President, there is not the slightest doubt about it. This is the fact in the field of medical, dental, and nursing education. It is also the fact in the field of general education, just as I have shown by the record.

I insist that this system and tradition, which is indigenous to the South and is a part of the sacred warp and woof of our traditions, is doing a better job than the other system is doing. I do not reflect on the motives or intentions or wishes of any citizen or of any State anywhere else. I am simply stating that I am willing to stand on the record which has been built by the experience and the deep, lasting, and abiding convictions of the people not only of my race but of that other friendly race, among such large numbers of which we live down there. Mr. President, this is the best way to get the desired results.

Let me dwell for a moment on the question of the practical aspects of this problem. This is a problem in which the Federal Government, through withholding the consent of Congress, can do terrific damage; but it happens to be a case in which laws passed by the Congress which offer some affirmative program—although none yet has been offered in this respect—cannot meet and solve this problem, because it is one which in effect is not limited to the great institutions of higher learning. It affects, likewise, the more humble places of education, such as the one in my own home town, a 12-room brick, high school for Negroes, and a very creditable one. I wish to state that the Negroes have kept it up with the greatest of pride, and they have built most of their civic activities around that institution. This problem is applicable not only there, but also down in the country schoolhouse. Way off yonder by the bayou, or down in the naval stores regions of the South, wherever education carries its torch, that is where this problem has to be solved; and the solution of it must be based on the sympathetic understanding and good will of the members of both races, acting in an effort to give the maximum of opportunity to the members of both races, who, in great part, live there in harmony and tranquillity.

I wish to tell you that during these decades we have gone ahead, in respect to both our white people and our colored people, in a way that is hard to measure in tangible terms. We come here now with a program by which we hope to make further progress. I do not think the Members of the Senate should say, "No, we shall prevent you; we bar the door," and thus prevent such progress by the children of both races who dwell in the part of the Nation extending from Baltimore to the Rio Grande and from St. Louis to Miami, comprising among its citizens approximately 10,000,000 Negroes and 35,000,000 white people, who live together in all kinds of contacts, and yet in the main live together most peacefully, most harmoniously, and most constructively, and with each one of them glad to see added opportunity come to the youth of either race or to the youth of both races.

Mr. President, I believe my time is almost up. I wish to place in the RECORD an additional exhibit which I think will throw added light upon a problem which arose the other day in connection with the colloquy between the distinguished Senator from Oregon [Mr. MORSE] and myself in respect to Howard University. I spoke of it as a segregated institution. I should have spoken of it as a Negro institution. The distinguished Senator from Oregon called attention to the fact that there is a sprinkling of white students there. I offer for the RECORD a report on this subject by the Legislative Reference Service of the Library of Congress, prepared for me long before the debate began. It shows the actual facts as to that particular institution of learning. I am in favor of it; I am glad we are supporting it liberally. It received $4,287,000 out of the Federal coffers last year. I do not think that it begins to meet the problem, but it meets a large part of it—just about as large a part of the problem in the field of medical, dental, and nursing education as we propose to meet, not with Federal funds, but with State funds, at Meharry College by prolonging and enlarging that institution.

As Senators read this article in the RECORD, it will appear that Howard University was founded exclusively for freedmen back in the days immediately following the War Between the States. It will appear affirmatively that it is generally referred to as a Negro institution by its own people and by the appropriate agencies of the United States Government. For instance, here is an excerpt from Life magazine for November, 1946:

> Howard University. It is America's center of Negro learning. Howard was the first Negro college in America and today is the largest.

Here is an excerpt from a publication entitled "Howard University, a History: 1867–1940," issued by the Graduate School of Howard University:

> To establish a school for the elevation of the freedmen.

The article continues in a way that cannot be misunderstood. I shall not take the time of the Senate to read further from it now.

In the United States Government Manual, 1940, page 298, it appears that this university is jointly supported by congressional appropriations and private funds for the higher education of the colored youth of the Nation. That statement was made by Paul V. McNutt, then Federal Security Administrator in 1940.

In the United States Government Manual, Second Edition, 1947, page 360, the statement appears that the lack of higher educational facilities for Negroes in the States in which most of them live has resulted in a serious deficiency in professional services for Negroes essential for their better development and greater security. It is stated that Howard University, jointly supported by congressional appropriations and private funds, is a comprehensive university organization, offering instruction in 10 schools and colleges—and so forth. I shall not attempt to give all the information that is presented by that source.

Last of all, I wish to mention an article entitled "Negro at Last Heads Howard University—Acquisition of Dr. Mordecai W. Johnson as President Places Local University as Capstone of Negro Education in America." The article is by Edward H. Lawson, and appears in the Washington Post for August 1, 1926. The article makes the same sort of reference to Howard University.

Mr. President, as I have said, the memorandum to which I have been referring has been prepared by the Legislative Reference Service of the Library of Congress. The figures I shall now submit were reported to the Legislative Reference Service of the Library of Congress by the president of Howard University on May 4 of this year: That, out of a total of 5,035 students in residence at Howard University, there were 69 white students—or just a trifle more than 1 percent of the entire number.

It is shown in the record in this case and in the hearings that, of all the medical-school and dental-school students at Howard University, only 2 are white. I do not protest the presence of those white students there, if they wish to go there. I do call attention to the fact that at Meharry College white students are not permitted to attend, and they do not attend. Meharry College does not want to mix up its student groups in that way. It feels that it has a mission to perform for the colored youth of the Nation. I hope the fact that the authorities at Howard University are letting in a sprinkling of white students does not mean that they have anything less than the greatest of pride in their own mission and their own institution as an institution originally set up exclusively for the members of their race; and, of course, Mr. President, in connection with the operation of that institution under Federal funds and Federal management, it is constantly referred to as a Negro institution. Mr. President, there is nothing invidious in that reference. Instead, it should be a subject of great pride to them. It is so regarded by the heads of institutions and the staffs and the planning agencies of the great institutions of learning in the South which serve the Negro race exclusively, such as Tuskegee, Fiske, Atlanta University, and Meharry—and I could read here a list of other great schools which have done so much for that race, and, as well, for all mankind.

Mr. President, I now submit this memorandum for printing in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON HOWARD UNIVERSITY

1. CREATION AND AUTHORITY

Howard University was established by act of March 2, 1867 (14 Stat. 438). Its functions under the Department of the Interior were transferred to the Federal Security Agency by section 11 (c) of reorganization plan IV, effective June 30, 1940.[1]

The act incorporating Howard University in the District of Columbia, as amended, reads in part as follows:

"*Be it enacted, etc.*, That there be established, and is hereby established, in the District of Columbia, a university for the education of youth in the liberal arts and sciences, under the name, style, and title of 'the Howard University.'[2]

* * * * *

"SEC. 8. Annual appropriations are hereby authorized to aid in the construction, development, improvement, and maintenance of the university, no part of which shall be used for religious instruction. The university shall at all times be open to inspection by the Bureau of Education and shall be inspected by the said Bureau at least once each year. An annual report making a full exhibit of the affairs of the university shall be presented to Congress each year in the report of the Bureau of Education.[3]

* * * * *

"SEC. 10. And be it further enacted, that the said corporation shall not employ its funds or income, or any part thereof in banking operations or for any purpose or object other than those expressed in the first section of this act; and that nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same."[4]

2. PURPOSE

A search of the CONGRESSIONAL GLOBE and the Executive Journal of the Senate by the writer of this report has revealed no record of debate on the bill (S. 529, 39th Cong.) which was enacted into law incorporating the Howard University in the District of Columbia. The following statements give an insight into the purpose of the university in inception and in present operation.

"1. Howard was the first Negro college in America and today is the largest. It was founded in 1866 immediately after the Civil War, largely through the efforts of Gen. Oliver Otis Howard, who had served in the Union Army at Bull Run, Fair Oaks, and Antietam.[5]

"2. In November 1866, the Missionary Society of the First Congregational Church of Washington, D. C., decided to establish a school for the elevation of the freedmen who were pouring into the city by the thousands annually. At first, this missionary society decided to open a theological seminary. Then, realizing the urgent need for doctors, it decided to establish a chair of medicine within this theological seminary. Later, it

[1] U. S. Government Manual, second edition, 1947, p. 360.
[2] 14 Stat. 438.
[3] 45 Stat. 1021 (amendment).
[4] 14 Stat. 439.
[5] Howard University. It is America's center of Negro learning. Life, November 18, 1946, p. 109.

was decided to add a normal department, to prepare teachers for the elementary schools that were springing up in the city and in the country.

"The first draft of the charter (January 23, 1867) provided for a college only. The next draft of the charter (February 6, 1867) provided for a university with the following departments: normal, collegiate, theological, law, medical, agriculture, and any other departments desired. On March 2, 1867, this second draft of the charter was approved by the people of the United States in Congress assembled.[6]

"3. This university is jointly supported by congressional appropriations and private funds for the higher education of the colored youth of the Nation. (Statement by Paul V. McNutt, Federal Security Administrator, 1940.)[7]

"4. The lack of higher educational facilities for Negroes in the States in which most of them live has resulted in a serious deficiency in professional services for Negroes essential for their better development and greater security. Howard University, jointly supported by congressional appropriations and private funds, is a comprehensive university organization, offering instruction in 10 schools and colleges as follows: the college of liberal arts, the school of engineering and architecture, the school of music, the college of medicine, the college of dentistry, the college of pharmacy, the school of law, the school of religion, the graduate school, the school of social work, and, in addition, a summer school. (Statement by Mordecai Johnson, President of Howard University, 1947.)[8]

"5. Howard University, located in the Nation's capital, is the largest institution for higher education for Negroes in the United States and is likewise the only comprehensive university system designed primarily for them.[9]

"6. Howard University is today the capstone of Negro education." [10]

3. APPROPRIATIONS

Appropriations by the Congress of the United States to Howard University totaled $2,853,814 for 1947 and $4,287,480 for 1948.[11]

4. WHITE STUDENTS AND MEMBERS OF THE FACULTY

According to an estimate obtained by the writer of this report from Dr. Mordecai Johnson, president of Howard University, on May 4, 1948, there were at the university 69 white students of a total enrollment of 5,035, and 68 white persons on the faculty numbering 450 altogether.

C. A. QUATTLEBAUM,
*General Research Section.*

MAY 4, 1948.

Mr. HOLLAND. Mr. President, I have only a few minutes' time left. In conclusion, I wish to say that no one is sorrier than I am that by the choice of those who apparently are speaking for the majority, this issue of race has been made the primary issue in the course of this debate; at least, most of the attention has been addressed to it. I want to make it very plain that such is not by the election or choice of the people who are proposing this great constructive movement. To the contrary, we need institutions in such fields as petroleum engineering, in ceramics, in textile engineering, in forestry, mining, and metallurgy, and we need more institutions in medicine and dentistry and all the other learned professions and arts in which we are now deficient or wholly lacking, reasonable facilities for the instruction of our youth. We have a 3½ to 1 white population, and the number of youth ready for college training is much greater than in that proportion. We think this by no means is a race question but that, to the contrary, we are ambitious to be allowed, under the consent of and with the approval of the Congress, to move ahead with a sound and a lasting and a useful program for the service of the youth of both races who live in our part of the Nation, and for the service of many youths of the colored race, Mr. President, who unfortunately find the door of learning slammed shut in their faces in the sections of the Nation outside the South.

The tables placed in the RECORD show that 36 percent of the students at Meharry come not from the South, but from the North, the East, and the West, and they are welcome. The people of Nashville, I am sure, are proud of that institution. People of all the rest of the South are proud of it. I am proud of what I have seen of the ministrations to their own race largely performed by devoted men who happened to be black, but who have been trained at Meharry College, and who have carried the mission of mercy to suffering humanity to thousands upon thousands, nay, millions of lives in the Southland that have needed that balm of Gilead which was not available from any other source.

Mr. President, I feel deeply on this matter. I feel deeply not because I am a white man, not because we have the Negro problem, but because I think it is the only way in which we are going to move forward. I have not heard here from Senators who oppose us the slightest word of constructive planning which would give hope to anybody in this great area of the Nation, inhabited by 45,000,000 people, Mr. President, who are good Americans, and who are entitled to have a chance to educate themselves and to uplift their families and to put themselves into position better to serve their race and their Nation and the cause of mankind.

Mr. President, I feel, just as so humbly and yet so effectively stated by the distinguished senior Senator from Utah yesterday upon this floor, that we ought gratefully to take hold of this machinery which is created here out of the thinking of good men and good women of both races, extending over many years, at least as far back as 1934 and 1935, and write into existence a sound and secure program, under which alone we can go forward to serve the cause of humanity in the South in the way that we want to serve it.

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. MORSE. Mr. President, I yield 10 minutes to the Senator from Michigan.

The PRESIDENT pro tempore. The Senator from Michigan is recognized for 10 minutes.

Mr. FERGUSON. Mr. President, several days ago in the Senate I made a few remarks in relation to the compact. I want at this time to discuss the compact from the legal angle, as to what we might expect it to accomplish if it were approved by the Congress and became operative.

It is apparent from the compact itself that it does not apply solely to Meharry Medical College. If this were a question of the Southern States desiring to contribute to the maintenance of Meharry Medical College at Nashville, Tenn., that would be one question, and we would not be debating it here on the Senate floor. But I think it is clear from the compact itself that they desire to do something else. They desire that the United States give up a part of its sovereignty in order that there may be a compact among the States.

Mr. President, there are two sovereignties in America, the United States sovereignty, which covers the entire Nation, and State sovereignty, which applies solely to the State. If the compact needs the approval of Congress, it is because the United States is giving up a part of its sovereignty. The term agreement or compact is used in article I, section 10, of the Constitution as follows:

> No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State.

As used in that section, the term does not apply to every possible compact or agreement between one State and another for the validity of which the consent of Congress must be obtained, but the prohibition is directed to the formation of any combination tending to the increase of political power in the States, which may encroach upon or interfere with the just supremacy of the United States.

Mr. President, there are two sovereignties. It was necessary, because of the Dred Scott decision, to amend the Constitution to make certain persons citizens of the United States. So I say that the urge to have this compact approved by the Congress of the United States is because of a desire that the United States of America give up a part of its sovereignty. Why do I say that? Because of the language in the compact itself:

> Now, therefore, in consideration of the mutual agreements, covenants, and obligations assumed by the respective States who are parties hereto (hereinafter referred to as States), the said several States do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting States which, for the purposes of this compact, shall constitute an area for regional education supported by public funds derived from taxation by the constituent States for the establishment, acquisition, operation, and maintenance of

[6] Dyson, Walter. Howard University. A History: 1867–1940. Washington, D. C., the Graduate School, Howard University, 1941, p. 44.

[7] U. S. Government Manual, fall 1940, p. 298.

[8] U. S. Government Manual, second edition, 1947, p. 360.

[9] Howard University. Bulletin. Howard University News. General Information. July 1, 1945, p. 9.

[10] Edward H. Lawson, "Negro at Last Heads Howard University. Acquisition of Dr. Mordecai W. Johnson as President Places Local University as Capstone of Negro Education in America." Washington Post, Aug. 1, 1926, p. 3.

[11] U. S. Bureau of the Budget. The Budget of the U. S. Government for the Fiscal Year Ending June 30, 1949, p. A49 (figure for 1948 excludes contract authorizations amounting to $2,087,675).

regional educational schools and institutions for the benefit of citizens of the respective States residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

Mr. President, in the case entitled "Missouri ex rel. Gaines against Canada, Registrar of the University of Missouri et al.," the opinion of the Court says:

The basic consideration is not as to what sort of opportunities other States provide, or whether they are as good as those of Missouri, but as to what opportunities Missouri itself furnishes to white students and denies to Negroes solely upon the ground of color. The admissibility of laws separating the races in the enjoyment of privileges afforded by the State rests wholly upon the equality of the privileges which the laws give to the separated groups within the State.

Mr. President, I am firmly of the opinion it will be argued in the courts of this land that if Congress approves the compact a portion of the sovereignty of the United States will be surrendered. It will be contended that Congress created a new area or a new subdivision. Mr. President, it does not require the approval of the Congress if that is not what is intended to be done because in the case of *Cummings* v. *Richmond County Board of Education* (175 U. S. 528, at page 545), we find this language:

The education of people in schools maintained by State taxation is a matter belonging to the respective States, and any interference on the part of Federal authorities with the management of such schools cannot be justified except in the case of a clear and unmistakable disregard of rights prescribed by the supreme law of the land.

What was the Supreme Court saying in that case? It was saying that education is a local matter belonging to the sovereignty of the State, except where there might be a violation of the fourteenth amendment. Therefore, Mr. President, if we approve the compact it will be contended that we have granted to the States a new subdivision, a new area, in which they can exercise their authority. Then they would perpetuate segregation.

Mr. President, as I stated recently, I cannot vote to perpetuate segregation in educational institutions. The argument gets down to that point. Segregation is not practiced in the State of Michigan, from which I come. As I have said, in the medical school of the University of Michigan there is the largest number of colored students of any institution outside of a solely colored institution.

Therefore I oppose this compact, but not only on the ground that it will later be used for the purpose of segregation. It was said by the able Senator from Florida [Mr. HOLLAND] that if regional schools were established undoubtedly segregation would be practiced. In other words, if a white school were built in North Carolina and a colored school were built in Tennessee it would be claimed that there was no question about their being used for segregation purposes. I can read between the lines in the document itself that if they build a State school, all that would be necessary would be for one or more States to contribute to education at the school, and it would be said that all such schools were regional schools and, therefore, segregation should apply.

There is no doubt about the law in this case. This compact should not be approved.

We find this language in 148 United States Reports, in the case of Virginia against Tennessee:

To those to which the United States can have no possible objection or have any interest in interfering with, as well as to those which may tend to increase and build up the political influence of the contracting States, so as to encroach upon or impair the supremacy of the United States or interfere with their rightful management of particular subjects placed under their entire control.

So, Mr. President, as I voted against this measure in the committee, I shall vote now to send it back to the committee. If it ever reaches a vote on the floor, I shall be compelled to vote against it.

The PRESIDENT pro tempore. The Senator from Oregon is recognized for 6 minutes.

Mr. MORSE. Mr. President, in the short time remaining, I should like to make several points. The first point goes to the matter of the law involved in the debate over the compact. From the beginning to the end of the debate the opposition has presented no authority by way of a United States Supreme Court decision which justifies the conclusion that the compact requires congressional approval. To the contrary, Mr. President, the very case cited by Mr. Peyton Ford, who is referred to by the Senator from Florida [Mr. HOLLAND] as being one of the leading authorities supporting his position on the compact, holds the opposite of that which the Assistant Attorney General says it holds. The language of the Court itself, referring to article I, section 10, of the Constitution, in the case of Virginia against Tennessee refutes Mr. Ford's position on the case. Thus on page 519 of the decision the Court says:

Looking at the clause in which the terms "compact" or "agreement" appear, it is evident that the prohibition is directed to the formation of any combination tending to the increase of political power in the States, which may encroach upon or interfere with the just supremacy of the United States.

I am at a complete loss to understand Mr. Ford's misinterpretation of Virginia against Tennessee. In that case the United States Supreme Court said:

There are many matters upon which different States may agree that can in no respect concern the United States.

In that case the Court made clear that the compact section of the Constitution relates to compacts which "may encroach upon or interfere with the just supremacy of the United States."

Throughout this debate I have challenged the proponents of this regional school compact to point out in what way the compact will "encroach upon or interfere with the just supremacy of the United States," as that principle is laid down in Virginia against Tennessee. The proponents of this compact have failed completely to meet me on that issue.

Since the Tennessee case, Mr. President, there has not been a single decision handed down by the United States Supreme Court contrary to the ruling in that case.

The legal issue is, Is there a Federal question involved in the compact? As the Senator from Kentucky [Mr. COOPER] says, if there is not a Federal issue involved, we have no right to take jurisdiction over the compact. If we do take jurisdiction, Mr. President, we have the duty to see to it that we lay down a sound Federal policy in regard to education on a regional basis. The Senators on the opposition side cannot have it both ways. They cannot say that there is Federal jurisdiction only for the approval of the compact, but they want no Federal jurisdiction insofar as laying down conditions under which the compact shall operate is concerned. If we take jurisdiction, Mr. President, then squarely before us is the question as to what Federal policy shall operate in the regional schools. Senators from the South no more than Senators from the North should welcome Federal infringement upon educational policies.

The second point I want to make, Mr. President, relates to the power of the Congress to lay down conditions when approving compacts. I have cited a long list of Federal precedents in United States Supreme Court decisions supporting my contention that Congress has the power to impose conditions, and not a Senator on the opposition side has been able to refute one of them. I submit that they set forth the law on this subject.

The next point I wish to make is that three distinguished members of the Senate Judiciary Committee, the Senator from Kentucky [Mr. COOPER], the Senator from North Dakota [Mr. LANGER], and the Senator from Michigan [Mr. FERGUSON], who are on the full Judiciary Committee but not on the subcommittee, are supporting my motion to recommit. They are asking for an opportunity to consider the legal questions further, because, in their judgment, the full committee has not considered as carefully as it should the legal issues which have been raised in the course of the debate. They do not agree that this compact has been considered as carefully by the full Judiciary Committee as is desirable in light of this debate.

The next point I want to make is on the question of policy. I think it would be most unfortunate for us, through this instrument, which does not require Federal approval, to raise on the floor of the Senate the issue of the educational policy which shall prevail in regional schools. If we do, then we cannot and should not fail to consider the question of civil rights in its totality, Mr. President.

This afternoon in the cloakrooms there have been discussions of strategy, as to what may be the the best way to solve this parliamentary situation. I address these remarks particularly to my Republican colleagues. The suggestion of parliamentary strategy which I have heard is that perhaps the Senate should vote against my motion, and at a later time

in the debate move to take up some other business. Those who propose that strategy suggest that it would kill the compact for this session of Congress as effectively as my motion. To my Republican colleagues I want to say that they have an opportunity in connection with my motion to decide directly and openly whether they want to set this compact aside. I hope the vote will not be made on the basis of any parliamentary strategy. I hope that we shall not avoid the responsibility which is ours of preventing the establishment of a bad precedent in the field of American education. I hope we shall make clear that we are against giving to the Federal Government any authority over education in the States or on a regional basis. A vote for my motion is tantamount to giving such clear notice. I consider that taking action on the compact by defeating my motion would constitute an acceptance of jurisdiction on the part of the Congress of the United States over education policies in regional schools. I ask the Senators from the South where they think that principle will lead? I am not completely clear as to the theory of the Senator from Florida [Mr. HOLLAND]. He is the only Senator I have heard on the other side who has intimated that there is a Federal duty or obligation to approve this compact. The distinguished Senator from Utah [Mr. THOMAS] clearly summarized the position of most of the proponents of the compact when, with his usual forthrightness, in answer to a question put by me he admitted that there is no necessity for Congress to approve the compact.

I want to say to the Senators from Virginia, West Virginia, Vermont, and New Hampshire that those four States already give us two good precedents for not approving this compact. Those States have arrangements between themselves which have never been approved by Congress. In the case of Virginia and West Virginia their agreement is for the use of an educational institution at Richmond. In the case of Vermont and New Hampshire, I am told, it covers the joint use of a penitentiary. Those are precedents against the necessity of approval of this compact by this body. I say that there has never been presented in the debate a single precedent which justifies our taking jurisdiction over a subject matter such as is contained in the compact. In the interest of keeping State rights in education protected I say that this particular proposal should be referred to the committee for further consideration and study.

The PRESIDENT pro tempore. All time under the unanimous-consent agreement has expired.

Mr. WHERRY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. The hour of 4 o'clock having arrived, would it be out of order to suggest the absence of a quorum?

The PRESIDENT pro tempore. The Chair thinks the suggestion of the absence of a quorum is always in order.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Ball | Hatch | Millikin |
| Barkley | Hawkes | Moore |
| Brewster | Hayden | Morse |
| Bricker | Hickenlooper | Myers |
| Bridges | Hill | O'Conor |
| Brooks | Hoey | O'Daniel |
| Buck | Holland | O'Mahoney |
| Butler | Ives | Reed |
| Byrd | Johnson, Colo. | Robertson, Va. |
| Cain | Johnston, S. C. | Russell |
| Capehart | Kem | Saltonstall |
| Capper | Kilgore | Smith |
| Connally | Knowland | Sparkman |
| Cooper | Langer | Stewart |
| Cordon | Lodge | Taylor |
| Downey | Lucas | Thomas, Okla. |
| Dworshak | McClellan | Thomas, Utah |
| Eastland | McFarland | Tobey |
| Ecton | McGrath | Tydings |
| Ellender | McKellar | Vandenberg |
| Ferguson | McMahon | Watkins |
| Flanders | Magnuson | Wherry |
| Fulbright | Malone | Wiley |
| George | Martin | Williams |
| Gurney | Maybank | Young |

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to refer House Joint Resolution 334 to the Committee on the Judiciary.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN] who is absent by leave of the Senate on official business is paired with the Senator from Florida [Mr. PEPPER]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from Florida would vote "nay."

The Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate on public business. If present and voting, the Senator from Connecticut would vote "yea."

The Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent

The Senator from Missouri [Mr. DONNELL] is absent by leave of the Senate.

The Senator from Indiana [Mr. JENNER], who is absent on official business, is paired with the Senator from Louisiana [Mr. OVERTON]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Louisiana would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Iowa [Mr. WILSON] are absent on official business.

The Senator from Ohio [Mr. TAFT] is necessarily absent. If present and voting, the Senator from Ohio would vote "yea."

The Senator from Minnesota [Mr. THYE] is absent by leave of the Senate. If present and voting, the Senator from Minnesota would vote "yea."

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Montana [Mr. MURRAY] are absent by leave of the Senate.

The Senator from Rhode Island [Mr. GREEN] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Louisiana [Mr. OVERTON] is absent because of illness.

The Senator from Mississippi [Mr. STENNIS] is absent because of a death in his family.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Rhode Island [Mr. GREEN] is paired with the Senator from North Carolina [Mr. UMSTEAD]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from North Carolina would vote "nay."

The Senator from New York [Mr. WAGNER] is paired on this vote with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from New York would vote "yea," and the Senator from Mississippi would vote "nay."

The Senator from Louisiana [Mr. OVERTON] is paired on this vote with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Indiana would vote "yea."

I announce further that on this vote the Senator from Florida [Mr. PEPPER] is paired with the Senator from Vermont [Mr. AIKEN]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Vermont would vote "yea."

The result was announced—yeas 38, nays 37, as follows:

YEAS—38

| | | |
|---|---|---|
| Ball | Ferguson | Millikin |
| Barkley | Flanders | Morse |
| Brewster | Gurney | Myers |
| Bricker | Hickenlooper | Reed |
| Bridges | Ives | Robertson, Va. |
| Brooks | Johnson, Colo. | Saltonstall |
| Buck | Langer | Smith |
| Butler | Lodge | Taylor |
| Capper | Lucas | Tobey |
| Cooper | McMahon | Vandenberg |
| Cordon | Magnuson | Wherry |
| Downey | Malone | Williams |
| Dworshak | Martin | |

NAYS—37

| | | |
|---|---|---|
| Byrd | Hoey | O'Daniel |
| Cain | Holland | O'Mahoney |
| Capehart | Johnston, S. C. | Russell |
| Connally | Kem | Sparkman |
| Eastland | Kilgore | Stewart |
| Ecton | Knowland | Thomas, Okla. |
| Ellender | McClellan | Thomas, Utah |
| Fulbright | McFarland | Tydings |
| George | McGrath | Watkins |
| Hatch | McKellar | Wiley |
| Hawkes | Maybank | Young |
| Hayden | Moore | |
| Hill | O'Conor | |

NOT VOTING—21

| | | |
|---|---|---|
| Aiken | McCarran | Stennis |
| Baldwin | McCarthy | Taft |
| Bushfield | Murray | Thye |
| Chavez | Overton | Umstead |
| Donnell | Pepper | Wagner |
| Green | Revercomb | White |
| Jenner | Robertson, Wyo. | Wilson |

So Mr. MORSE's motion was agreed to, and House Joint Resolution 334 was referred to the Committee on the Judiciary.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its

reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5933) to permit the temporary free importation of racing shells.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

MAIL EQUIPMENT SHOPS AT WASHINGTON, D. C.

A letter from the Postmaster General, transmitting a draft of proposed legislation to authorize the construction of an addition to the building of the mail equipment shops at Washington, D. C., and for other purposes (with accompanying papers); to the Committee on Public Works.

LAWS PASSED BY LEGISLATURE OF PUERTO RICO

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a volume containing the acts of the Fourth and Fifth Special Sessions of the Sixteenth Legislature of Puerto Rico, June 23 to July 5, and November 24 to 29, 1947 (with an accompanying document); to the Committee on Interior and Insular Affairs.

REPORTS RELATING TO ELECTRIC UTILITIES

A letter from the Chairman of the Federal Power Commission, transmitting, for the information of the Senate, copies of that Commission's newly issued reports entitled "Statistics of Publicly Owned Electric Utilities," "Electric Energy Production, Generating Capacity and Fuel Consumption of Electric Utilities", and "Power Market Survey for the Missouri River Basin, Area D—Nebraska, Part 1, Power Requirements" (with accompanying reports); to the Committee on Interstate and Foreign Commerce.

PETITIONS

Petitions, etc., were laid before the Senate by the President pro tempore, and referred as indicated:

A concurrent resolution of the legislature of the State of New Jersey; to the Committee on Finance:

"Assembly Concurrent Resolution 11

"Concurrent resolution memorializing the United States Senate to pass the bill now pending before it to repeal the prohibitive tax on colored margarine

"Whereas there is pending in the United States Senate a bill to repeal the prohibitive Federal tax on colored margarine; and

"Whereas the House of Representatives has passed this important bill; and

"Whereas the State of New Jersey and many other States have repealed State taxes and restrictions on manufacture and sale of colored margarine; and

"Whereas prompt enactment of the bill now pending in the United States Senate will mean immediate and substantial savings to every family in the United States and will make available a wholesome and healthful food to the people of the United States at a reasonable price: Therefore be it

*"Resolved by the House of Assembly of the State of New Jersey (the senate concurring):*

"1. That the United States Senate be memorialized to pass the bill to repeal the prohibitive tax on colored margarine.

"2. That a copy of this resolution be immediately forwarded to the Secretary of the United States Senate and to the Senators representing the people of the State of New Jersey."

A resolution adopted by the United States-Mexico Border Public Health Association, Laredo, Tex., recommending that countries that have not completed application and ratification of the World Health Organization do so in the interest of world unity; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on Post Office and Civil Service:

H. R. 1608. A bill to amend an act entitled "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes," approved August 10, 1939 (53 Stat. 1338); without amendment (Rept. No. 1286).

By Mr. CAPEHART, from the Committee on Interstate and Foreign Commerce:

H. R. 3578. A bill to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes; without amendment (Rept. No. 1288).

By Mr. REED, from the Committee on Interstate and Foreign Commerce:

S. 2547. A bill to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone; with an amendment (Rept. No. 1287).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 1504. A bill to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861; with amendments (Rept. No. 1289);

H. R. 183. A bill to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska; without amendment (Rept. No. 1290);

H. R. 3633. A bill to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands; without amendment (Rept. No. 1291);

H. R. 3954. A bill to approve Act No. 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii," and Act No. 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds; without amendment (Rept. No. 1292);

H. R. 4091. A bill to ratify act 237 of the Session Laws of Hawaii 1947; without amendment (Rept. No. 1293); and

H. R. 4823. A bill to provide adequate school facilities within Yellowstone National Park, and for other purposes; without amendment (Rept. No. 1294).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN:

S. 2666. A bill to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, to active-duty members of the Civil Air Patrol, and for other purposes; to the Committee on Labor and Public Welfare.

S. 2667. A bill to amend and supplement section 2 of the act approved August 30, 1935, relating to the construction and financing of toll bridges over the Delaware River by the Delaware River Joint Toll Bridge Commission of the Commonwealth of Pennsylvania and the State of New Jersey; to the Committee on Public Works.

By Mr. LANGER:

S. 2668. A bill to authorize the admission into the United States of persons of races indigenous to Indochina, to make them racially eligible for naturalization, and for other purposes; to the Committee on the Judiciary.

S. 2669. A bill to amend section 631 (b) of title 5, United States Code, by adding a new subsection, to be cited as subsection (c); to the Committee on Post Office and Civil Service.

By Mr. SALTONSTALL:

S. 2670. A bill to amend section 10 of the act of August 2, 1946, relating to the receipt of pay, allowances, travel, or other expenses while drawing a pension, disability allowance, disability compensation, or retired pay, and for other purposes; to the Committee on Armed Services.

By Mr. MAGNUSON:

S. 2671. A bill for the purpose of erecting a Federal building at Blaine, Wash.; to the Committee on Public Works.

By Mr. CAPEHART:

S. 2672. A bill for the relief of Mrs. Hattie Truax; to the Committee on the Judiciary.

By Mr. FLANDERS:

S. 2673. A bill to incorporate the American Standards Association; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. BALL):

S. 2674. A bill authorizing the construction of flood-control work on the Red River of the North, Minnesota and North Dakota; to the Committee on Public Works.

By Mr. IVES:

S. J. Res. 215. Joint resolution to exempt from levy of admissions tax the International Air Exposition and the Golden Anniversary Educational Exposition, being produced by the city of New York through the Mayor's Committee for the Commemoration of the Golden Anniversary of the City of New York; to the Committee on Finance.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949—AMENDMENT

Mr. RUSSELL submitted an amendment intended to be proposed by him to the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed as follows:

On page 49, lines 4 and 5, to strike out "$225,000,000" and insert in lieu thereof "$300,000,000."

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 197) to continue the Joint Committee on Housing beyond March 15, 1948, and for other purposes, was referred to the Committee on Banking and Currency.

PART II OF ADDRESS BY HENRY WALLACE AT PENNSYLVANIA PEOPLES' CONVENTION

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD part II of an address delivered by Hon. Henry A. Wallace at the Pennsylvania Peoples' Convention on March 7, 1948, at York, Pa., which appears in the Appendix.]

COMMENTS ON EXCHANGE OF DIPLOMATIC NOTES WITH RUSSIA

[Mr. HATCH asked and obtained leave to have printed in the RECORD a letter entitled "Negotiating With Russia," written by Louis Fischer and published in the New York Times of Thursday, May 13, 1948; an editorial entitled "Deeds, Not Words," published in the New York Times of May 13, 1948; an article entitled "Note to Molotov Put United States on Record With Denial of ERP Ag-

gression Moves," written by Constantine Brown and published in the Washington Evening Star of May 12, 1948; and an editorial entitled "Up to Russia," published in the Washington Evening Star of May 12, 1948, which appear in the Appendix.]

GEN. DOUGLAS MACARTHUR—ADDRESS BY WARREN E. WRIGHT

[Mr. WHERRY asked and obtained leave to have printed in the RECORD a radio address on Gen. Douglas MacArthur, delivered by Warren E. Wright at San Antonio, Tex., on April 15, 1948, which appears in the Appendix.]

LEAVES OF ABSENCE

Mr. AIKEN asked and obtained consent to be absent from the Senate until Monday next.

Mr. WILEY asked and obtained consent to be absent from the Senate tomorrow.

CIVIL FUNCTIONS OF DEPARTMENT OF ARMY APPROPRIATION BILL, 1949

Mr. WHERRY. Mr. President, I move that the Senate proceed to consider House bill 5524, making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. WHERRY. Mr. President, the distinguished Senator from Maine [Mr. BREWSTER] is about to present a conference report, but before that is done I wish to announce to the Members of the Senate that after certain matters have been attended to we will take up the nominations on the Executive Calendar. To one of the nominations there will be objection and some debate will be had on it. So I ask Senators to remember to be in their seats when the Executive Calendar is reached.

Mr. WILEY. Mr. President, as I have previously stated, I expect to be absent from the Senate tomorrow. In that connection, in view of the fact that recommittal seems to be the order of the day, I wish to say that I understand that tomorrow a motion will be made to recommit the civil-functions appropriations bill. None of us can be consistent all the time. Whereas I was against recommittal today, I shall be for recommittal tomorrow, and I want the RECORD to show accordingly. I trust that if the civil-functions appropriation bill goes over until Monday, I shall be priviliged to be present to state why I feel that I am justified in voting for recommittal on Monday, just as I stated today that I felt justified in keeping before the Senate the joint resolution which we were discussing.

TEMPORARY FREE IMPORTATION OF RACING SHELLS—CONFERENCE REPORT

Mr. BREWSTER. Mr. President, I present the conference report on House bill 5933 to permit the temporary free importation of racing shells, and ask for its immediate consideration.

The PRESIDENT pro tempore. The report will be read.

The conference report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5933) to permit the temporary free importation of racing shells, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill insert the following:

"SEC. 2. (a) Paragraph 1798 of the Tariff Act of 1930, as amended, is hereby amended by inserting, after the sixth proviso, the following: '*Provided further*, That in addition to the exemption authorized by the fourth preceding proviso, a returning resident who has remained beyond the territorial limits of the United States for a period of not less than twelve days, shall be permitted to bring into the United States up to but not exceeding $300 in value of articles (excluding distilled spirits, wines, malt liquors and cigars) acquired abroad by such resident of the United States as an incident of the foreign journey for personal or household use or as souvenirs or curios, but not bought on commission or intended for sale, free of duty: *Provided further*, that any subsequent sale, within three years after the date of the arrival of such returning resident in the United States, of articles acquired and brought into the United States pursuant to the provisions of the immediately preceding proviso shall subject the returning resident declaring the articles to double the import duty which would have been collected had this additional exemption not been in effect: *Provided further*, That the additional exemption authorized by the second preceding proviso shall apply only to articles declared in accordance with regulations to be prescribed by the Secretary of the Treasury by such returning resident who has not taken advantage of the said exemption within the six-month period immediately preceding his return to the United States.'

"(b) The amendment made by subsection (a) shall be effective with respect to articles declared on or after the day following the date of enactment of this act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

EUGENE D. MILLIKIN,
O. BREWSTER,
ALBEN W. BARKLEY,
*Managers on the Part of the Senate.*

DANIEL A. REED,
ROY O. WOODRUFF,
BERTRAND W. GEARHART,
R. L. DOUGHTON,
JERE COOPER,
*Managers on the Part of the House.*

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. BREWSTER. Mr. President, I may say that the only material change in the amendment adopted by the Senate was in the reduction from $500 to $300 in the amount of entry admitted, as was stated in the discussion before the Senate. So I move the adoption of the conference report.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine.

The report was agreed to.

CLINTON P. ANDERSON—ARTICLE BY DREW PEARSON

Mr. HATCH. Mr. President, the newspaper column entitled "Merry-Go-Round," written by Mr. Drew Pearson and published daily in many newspapers throughout the country, is not often inserted in the CONGRESSIONAL RECORD, except on occasions when some Member of Congress places it in the RECORD for the purpose of sharply and sometimes bitterly disagreeing with the contents of some particular article. Whether true or not, it is generally believed that Mr. Pearson's writings in the Merry-Go-Round are, as a rule, more critical of Members of Congress and other officials than they are complimentary.

However, today I read the Merry-Go-Round as it appears in this morning's Washington Post. Somewhat to my surprise, but greatly to my gratification, I find that today Mr. Pearson indulges in no critical or caustic remarks. On the contrary, the article is highly commendatory of former Secretary of Agriculture Clinton P. Anderson. It is entitled "Italy Victory Credited to Anderson." Mr. Pearson says, and I think quite truthfully, that if Secretary Anderson had not made a vital decision on farm policy at the end of the war, "starvation and communism both would be rampant in Italy today."

The article continues:

Few people know about that decision. It came at the end of the war when American farm leaders had visions of farm surpluses and falling prices. Wanting to avoid a farm slump, the killing of little pigs, and the plowing under of cotton, farm leaders urged less production.

But Secretary Anderson said "No."

This was a tough decision to make. For if Anderson was wrong, it meant that he would be cussed out by farmers for years to come. Carefully he read the reports of David Houston, Secretary of Agriculture under Woodrow Wilson, for guidance. Houston gave him none.

Nevertheless, Anderson finally demanded that farmers increase, not decrease production—which is the big reason why we have had enough grain to feed Europe.

Mr. President, I am glad that Mr. Pearson knew about this decision which was reached by Secretary Anderson and which has had such a beneficent result in preserving the freedom and integrity of the Italian people. Other incidents are set forth which clearly reflect the ability with which Mr. Anderson served as Secretary of Agriculture. I shall not discuss them now, except to add that Secretary Anderson did make a most enviable record as Secretary of Agriculture and also as a Member of Congress when he served in the House as a Representative from my State.

I am glad to ask unanimous consent that the entire article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MERRY-GO-ROUND—ITALY VICTORY CREDITED TO ANDERSON

(By Drew Pearson)

(EDITOR'S NOTE.—Clinton Anderson, retiring Secretary of Agriculture, today receives the brass ring from Drew Pearson, good for one free ride on the Washington Merry-Go-Round.)

Several editors have said some nice things about this columnist in connection with the Italian elections. However, the real man who won the elections stepped out of the Truman Cabinet this week and went back to New Mexico to run for the United States Senate.

For if Secretary of Agriculture Clinton Anderson had not made a certain, vital decision regarding farm policy at the end of the war, starvation and communism both would be rampant in Italy today.

Few people know about that decision. It came at the end of the war when American farm leaders had visions of farm surpluses and falling prices. Wanting to avoid a farm slump, the killing of little pigs, and the plowing under of cotton, farm leaders urged less production.

But Secretary Anderson said "No."

This was a tough decision to make. For if Anderson was wrong, it meant that he would be cussed out by farmers for years to come. Carefully he read the reports of David Houston, Secretary of Agriculture under Woodrow Wilson, for guidance. Houston gave him none.

Nevertheless, Anderson finally demanded that farmers increase, not decrease production—which is the big reason why we have had enough grain to feed Europe.

NO PICTURE FARMER

Clint Anderson has been one of the most refreshing and variegated personalities in the turbulent Truman administration.

He has a cattle ranch back in Albuquerque, has made a lot of money at insurance, voted against all insurance measures in the House of Representatives.

Though wealthy he has made some of the most effective speeches in Congress championing labor and blasting lush business profits. FDR was one of his idols.

Coming to New Mexico from South Dakota because of lung trouble, Anderson first worked for the Albuquerque Journal, where he uncovered the first tip on the Fall-Teapot Dome scandal. This was the fact that the then Secretary of the Interior had received a $25,000 stallion from Harry Sinclair. That started the train of circumstances which finally upset the Teapot Done lease, brought two resignations from the Coolidge Cabinet and sent both Fall and Sinclair to jail.

Later, Anderson went into insurance, became the biggest individual insurance man in his State, then was elected to the House of Representatives. Now Anderson is going home to run for the upper branch of Congress—the United States Senate.

Though Anderson says he was a better Congressman than Cabinet member, actually he did an outstanding job as Secretary of Agriculture.

SOLVING SOAP SHORTAGE

Not only in regard to grain, but sugar, copra, and cotton was he most farsighted. During the first months after the war, the world, desperately hard up for soap, received no coconuts from the Philippines. Plenty still grew there, but weren't being harvested. So Anderson induced the Army and Navy to send small boats up Philippine rivers and trucks to inland plantations—until enough copra was carried out to solve the world's fat and soap shortage.

The end of the war also found the United States Commodity Credit Corporation with 7,500,000 bales of surplus cotton. Not only was the taxpayer likely to be stuck for this cotton, but the surplus had a depressing effect on the market.

So Anderson conceived the idea of selling it to Japan and Germany for the manufacture of textiles. Both countries needed a nonwar industry, and textiles were the best answer. Anderson sold Japan and Germany the cotton; the American farmer benefited; Europe and Asia got badly needed clothing.

SUGAR SALESMANSHIP

One of Anderson's greatest triumphs was his purchose of two Cuban sugar crops at the same time. Sugar then was scarce, and in order to keep prices down he wanted to buy both the 1946 and 1947 Cuban crops. But the Cubans said "No," and Agriculture Department emissaries got nowhere with them.

Finally, Anderson, himself, went to Cuba, called on President Grau San Martin.

"This is a situation where Cuba can win the good will of the United States for a long time," he told the Cuban President. "Cuba faces the alternative of having sugar prices shoot way up, then come down with a crash—or of keeping them steady. A boom and bust such as after the last war isn't going to do you any good. But if you cooperate with us now, we'll remember it."

President Grau said he agreed, but that Cuban workers were afraid the price of United States wheat, lard, etc., would go up, so they would find themselves paying more while sugar sold for the same low price. So Anderson proposed an escalator clause by which the price of sugar would increase if the cost of American lard and wheat increased.

The President of Cuba agreed. In 72 hours Anderson had closed a deal which other emissaries had not been able to sign in 6 weeks.

## EXECUTIVE SESSION

The PRESIDENT pro tempore. Is there any further business before the Senate? If not, without objection, the Senate will proceed to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. GURNEY, from the Committee on Armed Services:

Brig. Gen. Francis K. Newcomer, United States Army, for appointment as Governor of the Panama Canal, provided for by the Panama Canal Act, approved August 24, 1912, vice Maj. Gen. Joseph C. Mehaffey, United States Army;

Maj. Gen. Louis Aleck Craig O3575 to be the Inspector General, United States Army, for a period of 4 years, effective on date of appointment, under the provisions of section 7, National Defense Act, as amended, and section 513, Officer Personnel Act of 1947, vice Maj. Gen. Ira Thomas Wyche;

Brig. Gen. John Stewart Bragdon O3770, Army of the United States (colonel, U. S. Army), for appointment as assistant to the Chief of Engineers, United States Army, for a period of 4 years, effective on date of appointment, and for appointment to the grade of brigadier general in the Regular Army of the United States, under the provisions of section 11, National Defense Act, as amended, and title V, Officer Personnel Act of 1947;

Ernest A. Brav, and sundry other persons, for appointment in the Regular Army of the United States;

Albert N. Abelson, and sundry other persons, for appointment in the Regular Army and Regular Air Force of the United States;

First Lt. John Edward Lineberger, and sundry other officers, for promotion in the United States Air Force;

Capt. William M. Angas, Civil Engineer Corps, United States Navy, for temporary and permanent appointment to the grade of rear admiral in the Civil Engineer Corps of the Navy;

Capt. Andrew G. Bisset, Civil Engineer Corps, United States Navy, for temporary appointment to the grade of rear admiral in the Civil Engineer Corps of the Navy;

Wendell C. Thompson and sundry other officers for permanent appointment in the Supply Corps and Civil Engineer Corps of the Navy;

Paul F. Abel and sundry other midshipmen to be ensigns in the Navy;

Louis E. Woods and several other officers for appointment to permanent grade in the Marine Corps;

William T. Clement for appointment to the temporary grade of major general in the Marine Corps;

Harry B. Liversedge for appointment to the temporary grade of brigadier general in the Marine Corps; and

Philip J. Costello and sundry other warrant officers now serving in temporary commissioned ranks, to be permanent commissioned warrant officers in the Marine Corps.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

## WAR ASSETS ADMINISTRATION

The legislative clerk read the nomination of Jess Larson to be War Assets Administrator.

Mr. TYDINGS. Mr. President, I should like to address myself to this nomination. I will say at the start that I feel that perhaps the nomination will be confirmed, but I should like to point out certain facts which the Senate ought to take into consideration in passing upon a nomination of this importance. If Senators will give me their attention for a few minutes, I shall explain the reasons which impel me to oppose the nomination of Mr. Larson. I shall move that Mr. Larson's nomination be recommitted to the Committee for the purpose of further investigation.

Mr. WHERRY. Mr. President, will the Senator yield for an announcement?

Mr. TYDINGS. I yield.

Mr. WHERRY. I should like to inform Members of the Senate that after the executive session has been concluded we expect to proceed with the civil functions bill for a while this evening. No doubt it will be debated tomorrow, and it may even go over until Monday. But a start will be made on it this evening.

Mr. TYDINGS. Mr. President, there was a plant located near Salt Lake City, Utah, called the Kalunite Plant. In course of time it became the duty of the War Assets Administrator to dispose of that plant. Proposals were drawn, and invitations to bidders were prepared and sent to those who would likely want to purchase this plant. I have in my hand a copy of the invitation to bid. I

shall try to make my explanation brief, so I shall not read the entire page, but the pertinent part of it, to which I shall address myself, reads as follows:

In the event that no acceptable bid is received, at the discretion of this Administration either a new cut-off date will be set or negotiations will continue with only the highest bidder.

A new cut-off date in effect means that new bids will be asked for. So the bidders who receive this invitation to bid on the Kalunite plant, located near Salt Lake City, Utah, were put on notice by the War Assets Administration that in the event no acceptable bid was received, at the discretion of the Administration either a new cut-off date would be set and new bids would be asked for, or negotiations would continue with only the highest bidder. I ask Senators to bear that in mind, because it is pertinent to this discussion.

When the bids were opened, it was found that there were three bidders. The highest bidder was the American Potash & Chemical Corp. It bid $752,000. The second bidder was the Columbia Metals Corp., which bid $635,000; and the lowest bidder was J. R. Simplot Co., which bid $625,000.

Briefly, the Simplot people got the property. This is the explanation made by the War Assets Administrator as to why the lowest bidder got the property:

First of all, under the law it is required, I understand, that the Administrator favor small business, as opposed to big business. The American Potash & Chemical Corp. was rated as worth about $20,000,000. I do not have the rating of the other two companies, but I understand that the Simplot Co. today is worth approximately $2,000,000. That is my understanding from Mr. Simplot's testimony. He had about $25,000,000 worth of war contracts during the war, according to his own testimony; and, as I recall, his fortune increased from approximately half a million dollars to approximately a million and a half or two million dollars, during the war, after the payment of taxes.

The Columbia Metals Corp. was even smaller than the Simplot Co., whose bid I now indicate on the chart. When Mr. Larson came before the committee and testified—I did not know this at the time, and unfortunately the hearings were closed before I had a chance to obtain the document I now hold in my hand—he led us to believe, I think, from a reading of the testimony which I have on my desk, that the Department of Commerce, which passed upon these three bids to find out who was small business and who was big business, favored the Simplot Co. and because of that the bid was given to the Simplot Co. But in the meantime the Simplot Co., knowing that it was the low bidder, negotiated with Mr. Larson, and bid up to $752,000 for the plant; that is, it offered an additional amount sufficient to make up the difference between its original bid and the highest bidder's figure, so that the Government got, or will get, $752,000 from the Simplot Co., which at the time the bids were opened bid only $625,000.

In the invitation to bid it was said that negotiations would continue with only the highest bidder. But the negotiations actually continued with only the lowest bidder. No opportunity was given to the Columbia Metals Corp., which is even smaller than the Simplot Co., to approximate the $752,000 bid. In other words, in the statement of the conditions under which the bids were to be received—the invitation to bid—nothing was said about small business, nothing at all was said which would make one believe that in the awarding of this contract, consideration would be given to anything other than the conditions set forth in the invitation to bid. But after the invitation went out and after the bidders had spent money in examining the plant, seeing what it was worth, and hiring engineers to see what it would cost to reconvert it and whether it could be profitably operated, and after the bids were opened and it was found that the bid of the American Potash & Chemical Co. was high, then new rules were set up, and the bid of the American Potash & Chemical Co. was thrown out, the bid of the Columbia Metals Co. was thrown out, and the J. R. Simplot Co.'s bid was accepted, and it was awarded the contract.

Mr. Larson referred to the information he received from the Department of Commerce which he said caused him to award the bid to the Simplot Co., the lowest bidder. He did not have the report with him at the time when he testified, but I thought that perhaps it was all right. However, it occurred to me that I might get the report and read it.

Here is what the report says: It does not recommend the Simplot Co. at all. It recommends the Columbia Metals Corp. But Mr. Larson distinctly left us under the impression that he was following out the recommendations of the Department of Commerce, and that those recommendations indicated that he should make the award to the Simplot Co. Here is what the Department of Commerce said:

DEPARTMENT OF COMMERCE,
OFFICE OF SMALL BUSINESS,
*Washington, D. C., December 4, 1947.*

To: The Office of the Administrator, War Assets Administration, room 5014, Railroad Retirement Building.

From: J. L. Kelly, Director.

Subject: WAA offering for sale, Plancor 291—Kalunite Incorporated Facility, Salt Lake City, Utah.

Our attention has been directed by the Senate Small Business Committee to proposals for the sale of Plancor 291, the Kalunite Corp. plant, Salt Lake City, Utah, by the War Assets Administration. The responsibilities of this Office under section 18 (c) and (d) of the Surplus Property Act were pointed out and a request was made that this Office look into the possibility that discrimination against small business might result if the proffered plant were awarded to one of the bidders.

Because of the responsibility imposed upon this Office—

Mr. President, that is the Department of Commerce, Office of Small Business—

by the Surplus Property Act, by Executive Order of the President No. 9655, dated December 27, 1945, and subsequent General Order No. 12 of the Department of Commerce, dated January 5, 1946, it is incumbent upon this Office to bring to the attention of the War Assets Administration—

Mark this, Mr. President—

the needs and requirements of small business, and any cases or situations which would result in discrimination against small business in the purchase or acquisition of surplus property by them, or in the disposal thereof by the responsible disposal agency. We have, therefore, gone very thoroughly into the elements of this case and the circumstances related to the offering of Plancor 291, and wish to present for your consideration some of the more significant facts or circumstances which we consider pertinent not only to the economic interests of a large number of small business concerns and to the free enterprise system of this Nation, but also of vital importance to the world economy.

We have established the fact that two of the three bidders—

Mark this, Mr. President—

the Simplot Corp. and the Columbia Metals Corp. do qualify under the provisions of the Surplus Property Act as small business concerns, and that one bidder, the American Potash & Chemical Corp., even if considered entirely independent of subsidiaries and affiliates, could not, by these same standards, be termed as a small business concern. It is, therefore, our responsibility to establish as nearly as possible whether the disposal of this surplus Government facility to this latter company would fulfill the requirements and meet the stated objectives of the Surplus Property Act, as it relates to small business concerns, and the establishment of free independent enterprise, the discouragement of monopolistic tendencies, and the strengthening and preservation of the competitive position of small business concerns in an economy of free enterprise.

A separate document is being presented to convey certain additional information which we deem pertinent to the consideration of this case and its significance with respect to small business.

Because of our responsibility to aid small business generally, and thereby our obligation toward the domestic and the world economy, it is incumbent upon this office—

That is the Department of Commerce, Office of Small Business—

to cooperate with other agencies of the Government to achieve the prompt and full utilization of surplus Government property in the manufacture of those products found to be in critically short supply without fostering monopolistic tendencies or the restraint of trade, we have found it necessary to consider, along with other elements, the production proposed by the respective bidders and the relative need for the proposed products to aid in reestablishing a strong and stable peacetime economy, the development of maximum opportunities for independent operators in trade, industry, and agriculture, to stimulate and to stabilize full employment.

Now:

The American Potash and Chemical Corp. and the Simplot Corp. propose to convert the Kalunite plant within 12 to 18 months, with considerable additional cash expenditure, to the production of phosphatic fertilizers, whereas the Columbia Metals Corp. proposes to convert this same plant within 60 days, at a relatively small additional capital expenditure, to the production of nitrogenous fertilizer (ammonium sulfate).

We have been informed by reliable authorities in the Department of Agriculture, the Department of Commerce, the Economic Subcommittee of the Senate Committee on National Resources, and by the House Select

Committee on Foreign Aid, that there exists today an acute shortage of nitrogenous fertilizers for domestic and for foreign use, and that the shortage is destined to prevail for a number of years to come.

That was what this plant was going to make.

On the other hand, it is reported by the same sources that phosphatic and potassic fertilizers are virtually in balance in respect to supply and demand.

Keep in mind that what this company was going to make was the thing that was desired by the Department of Agriculture, the Department of Commerce, the Committee on National Resources of the Senate, and by the House Select Committee on Foreign Aid, and that what the other two companies were going to make was a commodity which was not in short supply.

Only one of the small plants proposes to manufacture ammonium sulfate, a nitrogenous fertilizer determined to be in acutely short supply; production would begin within 60 days. This small company offered $125,000 more than the highest previous bid, $25,000 over the estimated fair value fixed by WAA, and the higher bid of the two small companies now under consideration. This small company proposes to utilize this plant to effect a saving (at least $10 per ton) upon their present production costs, which saving they pledge will be reflected immediately in their sale price of ammonium sulfate from this point. The fact that the acquisition of Plancor No. 291 would also make it possible for the company to increase their production of ammonium sulfate in the Salem, Oreg., plant, will make it possible for them to effect a saving in production costs at that plant also, which saving would, in turn, be reflected in the sale price of nitrogenous fertilizer from the Salem operation.

Mr. LUCAS. Mr. President, will the Senator name the company, for the RECORD?

Mr. TYDINGS. It is the Columbia Metals Corp. That company is making this particular fertilizer which is in tremendous demand, its activities will result in a reduction in the price of this commodity, and the acquisition of the Utah plant will assist them with their other plant at Salem, Oreg., and enable them further to reduce production costs.

The Simplot Corp. has allegedly expressed an unwillingness to further increase their bid price on the grounds that they can build a new plant for the production of phosphate fertilizers.

Mind you, Mr. President, the letter is dated the 4th of December. In it the Department of Commerce says that this company, which was the low bidder, had refused to increase its bid, but, the next day, award was made to this company at the figure bid by the highest bidder.

That they can build a new plant for the production of phosphate fertilizers, a product now in critically short supply, for a cost comparable to their present offering, plus the capital expenditures claimed to be necessary on Plancor 291.

Let us now see what the Office of Small Business in the Department of Commerce really recommended.

We therefore feel it obligatory upon this office to point out the facts presented and to indicate our belief that an award to the firm which has finally become the highest bidder—

That is the American Potash & Chemical Corp.—

would in effect constitute a discrimination against small business since, under these circumstances, an award to a small, independent company proposing to manufacture a product determined to be in acutely short supply, at a reduced cost, would more completely meet the requirements and stated objectives of the Surplus Property Act.

It has been necessary in some instances for this Office to acknowledge the advisability of making awards to large companies in preference to small companies in the past because of the feasibility of using a certain facility to effect essential production and to relieve shortages, without regarding such actions as discriminatory against small business.

Mark this:

In this case, however, notwithstanding the higher bid price of the one large company, we feel that failure to make an award to the Columbia Metals Corp. will, in effect, not only constitute a discrimination against a particular small-business concern, but against small independent fertilizer manufacturers and distributors and, therefore, against free enterprise.

Notwithstanding that, the Office of Small Business of the Department of Commerce recommended that the award be made to this company which had submitted a bid $10,000 higher than the bid of another company, the latter company, J. R. Simplot Co., was awarded the plant.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LUCAS. The Senator has been saying "this company" and "this company." Would he kindly identify the companies by name, for the record?

Mr. TYDINGS. I thank the Senator for his suggestion.

To summarize, the Department of Commerce says, "The highest bidder is Big Business, and we are going to throw them out. Of the remaining two companies, this one is smaller. The Columbia Metals Corp. is a smaller company in respect to its financial standing than the J. R. Simplot Co. The Columbia Metals Corp., however, is not only the highest of the two remaining bidders, but it is going to make a fertilizer which is in short supply, which is vitally needed, and if the Columbia Metals Corp. gets this plant, it will result in a reduction of about 10 percent in the cost of this priceless fertilizer ingredient." So the Department of Commerce recommended without qualification that the Columbia Metals Corp. be awarded the contract. But instead, notwithstanding the wording of the invitation to bid that "negotiations will continue with only the highest bidder," the War Assets Administrator negotiated only with the lowest bidder, in effect, and awarded them the contract.

Let me read the concluding paragraph, then I shall endeavor to summarize and make a suggestion to the Senate:

The financial responsibility of the Columbia Metals Corp. has been questioned by the legal counsel to the Surplus Property Review Board of the War Assets Administration. In this regard we wish to direct your attention to the fact that this company—

That is, the Columbia Metals Corp.—

has posted the necessary cash security and proposes in their bid to pay 25 percent of the proffered price. This company—

That is, the Columbia Metals Corp.—

has offered a definite basis for payment of the balance within 10 years.

Here is the United States Government broadcasting an invitation to bid on a plant which the War Assets Corporation is seeking to sell. In due time certain persons are interested. Surveys of the whole situation are made and a figure is arrived at. When the bids are opened it is shown that the American Potash and Chemical Corp. has bid $752,000; the Columbia Metals Corp. bid $635,000; J. R. Simplot bid $625,000. The Administrator told the bidders that if they bid on the plant one of two courses would be adopted, so that they would know how to proceed, whether to spend money for a survey of the plant and to incur other expenses incidental to the bid. The War Assets Administrator said that in the event no acceptable bid was received, then at the discretion of the Administration either one of two things would happen: A new cut-off date would be set, or negotiations would continue with only the highest bidder. That is all the caveat emptor involved. The would-be buyers have been put on notice. They have been told to what the terms of the bid must conform, and they made their bids in good faith accordingly.

The Administrator, after a lot of what I choose to call bad administration, not to use the term "hocus-pocus," went to the Department of Commerce and asked the Small Business Section to tell him which of the three bidders under the law was small business and which of the three, if any, under the law, was large business, and what the War Assets Administrator should do. The Department of Commerce sent him a document which said, "We think you ought to throw out this concern. It is big business. We do not want it to get the plant. We think you should give it to this concern, that is, the Columbia Metals Corp., first, because that company is small business, secondly, because it is a higher bidder than J. R. Simplot, the other small business, and thirdly, because within 60 days it is going to make fertilizer for which there is great need in this country, and particularly in this section, which will bring about a reduction, probably, in the cost of this ingredient. The product which J. R. Simplot will make is not in short supply. Therefore, we recommend all the way through that Columbia Metals Corp. get the contract."

Yet, in spite of that, who got it? The contract was given to the lowest bidder. I called most of these facts to the attention of Mr. Larson, who is a very attractive man personally, a man against whom personally I have not the slightest animosity of any kind. I never asked Mr. Larson to award the contract to any one of the three concerns. It is immaterial to me whether he gives it to this one, that one, or the other one. So far

as I am concerned, I have no interest, direct or indirect, or in any manner, shape, or form in any one of the three companies. So far as I know, no one with whom I am remotely connected has any stock in any of the three companies. I want Senators to know that.

I suggested to Mr. Larson that he throw out all three bids, because I thought that the Government could not afford to break its word. I said, "You told the three bidders the conditions under which they should bid. You said if you received bids you would do one of two things: You would reject them, or ask for new bids. That was one thing. You said that if the price was unsatisfactory you would negotiate only with the highest bidder to see if you could get him up to a point where the property ought to be sold." I said, "The Government cannot afford to break its word. The Government's word in that invitation to bid is, in my judgment, just as good as the Government's word written in the middle of a war bond. Why did you not throw out the bids? Why did you not give the contract to this concern, in the first place, which the Small Business Section of the Department of Commerce said ought to have it?"

I have never received any good answer to that question. When Mr. Larson came before the committee he left me under the impression that the Small Business Section of the Department of Commerce had recommended that the J. R. Simplot Co. get the contract. I have his testimony here to prove it, but I do not want to take the time to read it. I sent for and received the recommendations of the Department of Commerce and found that the Department recommended that Columbia Metals Corp. receive the contract. I do not know anyone in the world connected with the Columbia Metals Corp., but I think they have been "sold down the river," and I think this company has been also. I think I have made out a pretty good prima facie case that there is more to this transaction than meets the eye, and at the proper time I shall move that the nomination be recommitted for further investigation to the committee which reported it. I have already adduced additional facts since the committee reported the nomination some time ago.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LUCAS. I merely want to ask one question, and that is whether Mr. Larson's conversation with the Senator from Maryland disclosed that he ever had any conversation or conference at all with the Columbia Metals Corp. in line with what the Secretary of Commerce has written.

Mr. TYDINGS. In answer to the question of the Senator from Illinois, let me say that after the three bids were presented Mr. Larson testified that representatives of the three concerns and various Members of the House and Senate who had written concerning the sale of the plant had a joint conference and they had quite a talk regarding the whole proposition. I do not think anything was done at the first conference. At least, that is my recollection of his testimony. Mr. Larson had very little to say regarding his treatment of the Columbia Metals Corp., except that the Government had another plant in Salem, Oreg., which the Columbia Metals Corp. wanted to get, as well as the one which is under discussion here. So he said to the Columbia Metals Corp. representatives, "I will give you the plant in Oregon." That took care of them and left an opportunity to give this plant to the Simplot Co.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MALONE. I cannot let this occasion pass without saying a word regarding Mr. Larson. I never heard of him until he was appointed——

Mr. TYDINGS. Does the Senator want to ask me a question, or make a speech? I wish the Senator would defer a moment until I can make sure whether any Senator want to ask me any questions before I surrender the floor.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Nebraska.

Mr. WHERRY. May I ask the distinguished Senator the final price which was determined in the award to J. R. Simplot Co. How much was it?

Mr. TYDINGS. The J. R. Simplot Co. was finally told that if it would bid as much as the highest bidder the plant would be awarded to it. In other words, negotiations were carried on with only the lowest bidder, to the extent of getting the company to go up to $752,000.

Mr. WHERRY. But they did pay $752,000.

Mr. TYDINGS. That is correct.

Mr. WHERRY. In these negotiations did the Columbia Metals Corp. show they had the financial structure to enable them to buy this plant and also continue to finance the plant they had leased?

Mr. TYDINGS. They had not gotten the plant in Oregon yet. They had complied with every requirement which the War Assets Administration had put upon them as a condition precedent to buying this plan. Further than that, the Senator from Nebraska wrote the War Assets Administrator and urged him to award the plant to the Columbia Metals Corp.

Mr. WHERRY. I think that was because of the bid of the American Potash and Chemical Corp. I cannot remember all the details, and I am just trying to get all the facts before Senators. The Senator may have brought them all out, but as I recall, the Small Business Committee—and I am speaking of the Small Business Committee of the Senate—felt that the American Potash and Chemical Corp. was large business, and if I remember correctly—and I am merely trying to get the facts before the Senate—was it not true that they were under two indictments for violation of the Sherman Act?

Mr. TYDINGS. Not that I know of.

Mr. WHERRY. I think that if the Senator will bring all the facts out——

Mr. TYDINGS. Just a moment.

Mr. WHERRY. I am not trying——

Mr. TYDINGS. Just a moment. That is not an argument. The fact that a concern is under indictment has not a thing in the world to do with the bona fides of this proceeding. In this country a man is presumed to be innocent until he is found to be guilty, and with all due respect to my good friend the Senator from Nebraska, I think that is trying to work in an element of prejudice, and has no effect on the bona fides.

Mr. WHERRY. I hope the Senator will not feel that I am in anyway trying to justify or not justify. I was merely getting all the facts I could remember before the Members of the Senate. If I were going to do what the Senator suggests, I would do it in my own time. I think it is important to know why the Senate Small Business Committee recommended that the American Potash & Chemical Corp. should not be awarded that business.

Mr. TYDINGS. I agree with the Senator, and it is equally important to know why the Small Business Committee recomended the Columbia Metals Corp. and why it did not get the award.

Mr. WHERRY. If I recall correctly, the answer was that the American Potash & Chemical Corp. had some financial difficulty, and if I remember correctly—I may be wrong, and perhaps the Senator from Oregon remembers— in lieu of awarding the Utah plant to the Columbia Metals Corp., did they not acquire the property they were then housed in and settle on that basis, and they could not handle both of them? I may be wrong, but I think those are vital things to consider, and I would not want the Senator for one moment to think I was raising anything in these questions to bring into the argument something that is immaterial.

Mr. TYDINGS. Let me say to the Senator——

Mr. WHERRY. This is a pretty broad subject.

Mr. TYDINGS. The subject which the Senator has raised as to the financial ability of the Columbia Metals Corp. to purchase this plant was investigated by the small-business section of the Department of Commerce, and I will read exactly what they say about that point. Listen:

> The financial responsibility of the Columbia Metals Corp. has been questioned by the legal counsel to the Surplus Property Review Board—

No doubt inspired by one of the other bidders—

of the War Assets Administration.

Listen to this:

> In this regard we wish to direct your attention to the fact that this company has posted the necessary cash security and proposes in their bid to pay 25 percent of the proffered price.

Mr. WHERRY. I am not denying that at all. I am asking the Senator, however, if the record of the full negotiations would not show this situation. This is hazy in my mind, and I am not standing on it as accurate in any way, but it seems to me, as I recall this particular instance, the Columbia Metals Corp. was perfectly satisfied to obtain full use of the plant they were then occupying, in lieu of taking the Utah plant. I may be absolutely

incorrect. I wondered if the Senator knew about that.

Mr. TYDINGS. There is nothing in the record that shows the Columbia Metals Corp. ever withdrew their strategic position in this transaction, and I submit that the Administrator, if he threw out this company as being big business, had to negotiate with only the next highest bidder, which was the Columbia Metals Corp., and there is nothing in the testimony to show any negotiation of the character that was carried on with Simplot.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield, but before I do, let me say that I have nothing personal in the world against Mr. Larson. It is not necessary for Senators to say he is a charming fellow, or that he has had a fine career out in this town or that, or give the fine points of his record. I am not discussing Mr. Larson as an individual. I am discussing a transaction of the United States Government under the tutelage and the supervision of Mr. Larson, which, in my opinion, reflects upon his capacity to administer the office for which we are about to confirm him.

Now I yield to the Senator from Utah.

Mr. WATKINS. The question was asked whether the American Potash & Chemical Corp. had been under indictment. I went into that matter. It was called to my attention and I found it was untrue. Other corporations ahead of this one at one time had been, but there had been a reorganization—a new owner came into control—and there was no record whatsoever against this company.

Mr. TYDINGS. I thank the Senator.

Mr. WATKINS. I should like to say, in that connection, that the civic organizations of Utah, particularly at Salt Lake City, favored the War Assets Administrator following out the announcement in his bid and awarding the plant to the highest bidder. I appeared personally before him, representing their views, and presenting to him what they had to say about it. We also understood that the Columbia Metals Corp. had presented a bid which did not comply with the terms. In other words, they said, "We want this plant in Salt Lake City if we can also bid on the one in Oregon," and, as I understood, they did not comply at that time.

I also understand, in connection with the discussion, that the American Potash & Chemical Corp. also intended—and so informed the Administrator—that it would manufacture the nitrogenous fertilizers, and Simplot also told them the same thing. There was no situation there where the other two were only going to manufacture what was not in short supply. As a matter of fact, the three of them were willing to manufacture fertilizer, which was badly needed.

I should like to state also that the award to the Simplot Co. practically gave that company a monopoly of phosphate and fertilizer in the intermountain region.

Mr. TYDINGS. That is true.

Mr. WATKINS. The Simplot Co. is in good standing in my State. The thing has been done, we have accepted it, and we have no quarrel.

Mr. TYDINGS. The Senator has been most helpful, and I am sure that all he has said is not only helpful but accurate.

Let me say that I have tried to develop, without a great familiarity with the territory, the monopoly side of this bid. There are three big plants which make the kind of product which the Simplot Co. will make in the Kalunite Salt Lake City plant. One is to the north of Salt Lake City, around Butte, I believe. The other two were on the west coast. So that Simplot, which has a plant at Pocatello, Idaho, now has one at Salt Lake City, and making this particular kind of a product gives him a monopoly throughout the whole intermountain area, without any competition whatsoever.

Mr. KEM and Mr. SALTONSTALL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield; and if so, to whom?

Mr. TYDINGS. Before I yield—and I shall yield in a moment—I wish to put into the RECORD an editorial from the Deseret News, published at Salt Lake City, Utah, the issue of December 31, 1947. This journal is one of the most substantial newspapers of the West, is it not, I ask the Senator from Utah?

Mr. WATKINS. It is one of the oldest, probably the oldest west of the Missouri River.

Mr. TYDINGS. The caption of this editorial is "War, Waste, and Ethics." What it has to say, this being a newspaper in Salt Lake City, where this plant is located, about the way this transaction was handled, makes very interesting reading. It is certainly an indictment of the War Assets Administration, which is very significant. I shall read a couple of paragraphs, and then I shall yield to the Senator from Missouri. I read as follows:

> Now the high bidder is protesting, as well it might. What is the purpose of soliciting bids if not to get the best price obtainable, and put all on a fair equality of opportunity? By what standard of morals can a low bidder, after the bids are opened and laid on the table, be permitted to change his bid and carry off the plum for precisely the sum offered by the high bidder in the first place?
>
> This is not to criticize Mr. Simplot, to whom the award was made. He had a right to bid any sum he chose and to buy as cheaply as he could. Obviously he bid less than he thought the plant was worth to him for he raised his bid by $127,000 to meet his competitor's offer. What reason is there for supposing that the bid accepted represents the fair value of the plant? If the high bidder had been another $300,000 or $500,000 higher, what reason is there for assuming that that price would not also have been met by the successful bidder?

Then the editorial continues with this significant remark:

> It makes not the slightest difference to the Deseret News who obtains or operates the property. It does not know the bidders. But the morals involved raise another question.

Listen, Senators—

> In common honesty if the high bid was to be rejected, then all bids should have been rejected and new ones called for.

That is what the invitation to bid said.

> It is a fair guess that if that had been done—

And that is what I suggested to Mr. Larson—

> that if that had been done, the price would have gone measurably above $752,000.

In my opinion if these three bids had been rejected for any legitimate reason, and new bids had been asked for, a higher price would have been obtained, because while these bids were pending the American Potash & Chemical Co., I am advised, notwithstanding they had bid $752,000, wrote Mr. Larson before the award was made that they would go up to eight hundred and some thousand dollars if it was going to be a case of negotiating with the highest bidder. In my opinion two or three hundred thousand dollars more could have been obtained for the plant if that had been done.

Let me continue for one more sentence.

Mr. WHERRY. What company would pay two or three hundred thousand dollars more?

Mr. TYDINGS. I said that the American Potash & Chemical Co., before the award was made, offered to go up to eight hundred and some thousand dollars for it.

Mr. WHERRY. I did not understand what company the Senator spoke of.

Mr. TYDINGS. But the other company was not asked to meet that price. It was only asked to meet what the American Potash & Chemical Co. had bid on the initial opening.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HAWKES. What I have heard stated here would be and is a great revelation to anyone who has ever been engaged in business. I am one who believes that the United States Government has got to do business the way decent people do business.

Mr. TYDINGS. I thank the Senator. That is all I am asking for, a square deal for these three concerns, and I do not think they have had it.

Mr. HAWKES. I should like to ask the Senator this question: When the United States Government is unethical what hope is there to get people to bid reasonable sums for property offered for sale by the Government? In such a situation what hope is there to get them in the future to make bids if there is to be followed a practice such as the one in this instance? The American Potash & Chemical Co. bid $752,000 and the Government breached its word, which, I agree with the Senator, should be a word of honor, and let the lowest bidder—and I do not know any of the bidders—have another opportunity, and he raised his price to the point of the top bid which was made, but not to the point at which the plant could have been sold. Is it not true that it could have been sold at a higher price?

Mr. TYDINGS. Yes. Let me read one more sentence, and then I shall yield to the Senator from Missouri [Mr. KEM].

Mr. HAWKES. I am sorry to have interposed. I realize that the Senator said he would yield next to the Senator from Missouri.

Mr. TYDINGS. Here in two eloquent sentences is the answer to what the Senator from New Jersey said:

If any private owner played fast and loose in that way, with solicited bids he would be denounced for unethical practice. Is the Government absolved from adherence to ethical standards exacted of private citizens? It costs something to prepare and submit bids. There must be visits of inspection. There must be computations to determine adaptability to intended uses; determination of market demand for products; costs of manufacture at the new location and multitudinous other factors must be studied and resolved.

Bidders take all these risks. If their bids are too low they have lost. Per contra, if a bid is high, the bidder has a right to the benefit of his better judgment, unless all are considered too low and discarded together.

* * * * *

War is waste. There is no time in the processes connected with it when its wasteful character is not manifest. If proof be needed, witness a $7,000,000 property dumped for $752,000. But transcending this material wastage by infinity is the human wastage—wastage of life—and worse still, perhaps, the wastage of standards of honor.

What an indictment of the United States Government.

Mr. President, I ask that the entire editorial from the Deseret News, of Salt Lake City, of December 31, 1947, may be printed in full in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WAR, WASTE, AND ETHICS

Protests seem to be the order of the day. They pile one on top of another. There is a case in point right here. The Kalunite plant built in Salt Lake at a tremendous cost, sometimes stated as being $7,000,000, has been declared surplus property and its disposal ordered.

Bids were solicited and received. The high bid was $752,000—a sum said to be considerably higher than the fair disposal value fixed by the Government agency, but so far from cost that one wonders about the basis for fixing fair value.

A lower bidder protested the sale to the high bidder and a hearing was held. The upshot was that the lowest bidder of all—$127,000 below the high bidder—was permitted to meet the high bid and sale to him was ordered.

Now the high bidder is protesting, as well it might. What is the purpose of soliciting bids if not to get the best price obtainable, and put all on a fair equality of opportunity? By what standard of morals can a low bidder, after the bids are opened and laid on the table, be permitted to change his bid and carry off the plum for precisely the sum offered by the high bidder in the first place?

This is not to criticize Mr. Simplot to whom the award was made. He had a right to bid any sum he chose and to buy as cheaply as he could. Obviously he bid less than he thought the plant was worth to him for he raised his bid by $127,000 to meet his competitor's offer. What reason is there for supposing that the bid accepted represents the fair value of the plant? If the high bidder had been another $300,000 or $500,000 higher, what reason is there for assuming that that price would not also have been met by the successful bidder?

It makes not the slightest difference to the Deseret News who obtains or operates the property. It does not know the bidders. But the morals involved raise another question. In common honesty if the high bid was to be rejected, then all bids should have been rejected and new ones called for. It is a fair guess that if that had been done, the price would have gone measurably above $752,000. Each bidder naturally wanted to buy at the lowest acceptable figure. The problem was to guess how much competitors would offer and to bid just enough above them to gain the award. Low bidders guessed wrong, but instead of having to abide by their mistakes, with full knowledge of what the high bid was, the low bidder was allowed to match it and gain the award, though by raising his bid he thereby confessed that his real bid was far below what the property was worth to him.

If any private owner played fast and loose in that way with solicited bids he would be denounced for unethical practice. Is the Government absolved from adherence to ethical standards exacted of private citizens? It costs something to prepare and submit bids. There must be visits of inspection. There must be computations to determine adaptability to intended uses; determination of market demand for products; costs of manufacture at the new location and multitudinous other factors must be studied and resolved.

Bidders take all these risks. If their bids are too low they have lost. Per contra, if a bid is high the bidder has a right to the benefit of his better judgment, unless all are considered too low and discarded together.

It does not do to say the war disposal agency did not agree to, nor was obligated to accept the high bid. It profited here $127,000 by reason of the high bid. Will it recompense the high bidder for getting for it that extra sum? It will not. Doubtless the successful bidder would have got the plant for $625,000 if there had been no higher bid. Because there was a higher bid, the agency profited $127,000, all at the expense of the one who made it—rather a shabby performance.

Neither does it help the morals of the situation to say the agency's rules for disposal, or the law, require that preference be given small business over big business. Surely this does not mean that taxpayer's money is to be given as a gratuity to set one up in business because he may qualify as being small. There are plenty of worthy "small" citizens who would be happy to go into business if public money were offered free to establish them. And that is precisely what is involved here. If the low bid of $625,000 had been accepted, that would amount to giving the bidder, a private citizen, $127,000 of money which belongs to the overburdened taxpayers. The rule adverted to cannot mean more than that of two bidders making substantially equivalent offers, the small bidder is to be preferred. The course taken by the agency, in getting the low bidder to raise his offer, proves that the agency so construes the rule. It can't arbitrarily say to one, "You are so big I shall accept a mere fraction of what you offer from the one whom I say is small."

Neither can it honorably circumvent the plain demands of ethical practice, or the requirements of its own rule by the shabby subterfuge indulged here. If the American Potash & Chemical Co. was not an eligible bidder, why wasn't it told so in the first place and excluded from the bidding? If it was an eligible bidder, as receipt and consideration of its bid demonstrates that it was, then on what plane of morals can it be denied the fruits of its judgment exemplified in its bid, and a competitor who guessed wrong and sought to profit by acquisition of a valuable public property at a confessedly gross undervaluation, be rewarded by a preference unjustified by the rule invoked?

War is waste. There is no time in the processes connected with it when its wasteful character is not manifest. If proof be needed, witness a $7,000,000 property dumped for $752,000. But transcending this material wastage by infinity is the human wastage—wastage of life—and worse still, perhaps, the wastage of standards of honor.

Mr. HAWKES. Mr. President, will the Senator again yield?

Mr. TYDINGS. I yield.

Mr. HAWKES. The Senator read from the editorial language which said that if a private institution did what was done by the Government in this case it would be charged with unethical practice.

Mr. TYDINGS. Would be indicted.

Mr. HAWKES. And might be indicted. We have courts of justice, where justice, as we have known it, is administered, and a private institution charged with such practice could be sued, and damages collected for breach of contract.

Mr. KEM. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. KEM. The Senator from Maryland has made abundantly clear with his usual clarity the point that he terms under which the property was offered for sale were not complied with by the War Assets Administrator. The question I am about to ask him does not go to that point, but is directed rather to the good faith in which the Administrator acted. Did the Administrator ascertain whether or not Columbia Metals Corp. was willing to offer $752,000, the price at which the property was sold?

Mr. TYDINGS. I cannot answer that question categorically, because, so far as I can recall, it was never asked specifically. I am of the opinion, from the general purport of the Administrator's testimony, that the Columbia Metals Corp. was not asked to bid $752,000. However, I may be mistaken. The specific question was not asked, but that was the impression left by the Administrator's testimony.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MOORE. I should like to ask the Senator from Maryland if this statement was made to the committee which considered the nomination?

Mr. TYDINGS. Yes.

Mr. MOORE. And was it embodied in any record made on the nomination?

Mr. TYDINGS. I made a statement. I went before the committee 2 days. Further than that, a memorandum was sent to me. It is a memorandum submitted by the Columbia Potash & Chemical Corp. regarding disposition of Plancor 291 by the War Assets Administration. I did not use this memorandum because it looked to me to be ex parte testimony, and perhaps it might be colored. But Mr. Larson used it. And he quoted, I think, from page 6. Mr. Larson read from the memorandum and he stopped when he got to a certain point in his reading, because up to that point all that he had read favored the position he had taken. But I do not think Mr. Larson knew that I had a copy of this document. So when he completed the part he wanted to read I asked him to continue, and as he read on the following two or three sentences, Senators will see by reading the report that it was most

critical of Mr. Larson rather than praiseworthy. This is what the critical part was on page 7. I shall not take the time to read it all:

A concern interested in purchasing surplus property is, of course, on notice of the foregoing special provisions for small business. It must reckon with the fact that the term "small business" is not defined in the act and is subject to interpretation by the disposal agency under regulation No. 10 (sec. 8310.1 (b) (7)).

That is where he quit. Then I said, "Well, read on, Mr. Larson," and this is what the report said:

But it is entitled to have the discretion left by the act and the regulation to the disposal officer exercised with reason and with business fairness. And where the disposal officer, by establishing and publishing terms of disposition which include no provision for singling out a small business, represents that for a particular transaction the price bid, not the relative size of the bidders, is to be the basis for an award, the bidders should be entitled to rely on the representation in the absence of plain and unmistakable reasons under the law for not carrying out the representation.

Mr. Larson, to quote him exactly, said that he was ashamed of this transaction. I asked him, if he was ashamed of it, why he did not throw it out.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MOORE. I understood that he referred this question to the Department of Commerce, as he was obliged to do, to determine whether these businesses were big or little businesses, and he was told by the Department of Commerce that the American Potash & Chemical Corp., the high bidder, should not be considered, for the reason that it did not qualify as small business. Am I correct in that statement?

Mr. TYDINGS. That is correct.

Mr. MOORE. The complaint the Senator is making is that that provision was not included in the proposition made to bidders.

Mr. TYDINGS. Many things have been sold by the Government with respect to which the question of small business did not enter. Small business is not defined in the act. The law does not state whether a capitalization of $100,000, $1,000,000, or $50,000,000 is small business. Many times when invitations to bid are invited, there is no mention of small business. Take the case of the sale of the Big Inch, which involved almost $100,000,000. The invitation to bidders stated that if the bids were not acceptable they would all be thrown out and new bids would be asked for, or the right was reserved to negotiate with the highest bidder, on the theory that he would probably be willing to pay a price nearer the cost. So when invitations for bids were sent out, every bidder had a right to rely on the assumption that the question of small business would not enter into the problem.

Mr. MOORE. Does the Senator complain because Jess Larson submitted the question to the Department of Commerce for information?

Mr. TYDINGS. As I understand, Jess Larson himself did not prepare these invitations.

Mr. MOORE. But it was done by the Administration.

Mr. TYDINGS. It was done by the Administration; and he was the general counsel when they were prepared. He was not the Administrator. But when the bids came in Mr. Larson was the Administrator, and he saw what the terms were to be in the invitation to bid, and what the bids were in relation to those terms. So he had knowledge before he took any action.

Mr. MOORE. He has been Acting Administrator for many months, has he not?

Mr. TYDINGS. Yes. I have been trying to get him to straighten this matter out, and ask for new bids.

Mr. MOORE. His appointment has been held up by the committee, has it not?

Mr. TYDINGS. The chairman was kind enough, during the time I was in the hospital, to hold it up until I could get back, and until such time as I felt that I had regained sufficient vigor to present the case.

Mr. MOORE. Even long before that, this appointment had been pending before the committee. If the Senator will permit me, I wish to say that Jess Larson is from my State. I have a slight acquaintance with him.

Mr. TYDINGS. He is a very likable man.

Mr. MOORE. He is a very fine man, in my opinion. However, certain material was sent to me from Oklahoma, containing complaints about his conduct there several years ago.

Mr. TYDINGS. I received the same complaints. I did not use the material.

Mr. MOORE. I filed the complaints with the committee. I want my position to be understood, since Mr. Larson is from my State. I filed the complaints with the committee and notified those who made the complaints that they would have an opportunity to be heard. I believe that the nomination has been held up for a long time so that they might be heard. So far as I know, they have never asked to be heard by the committee.

Mr. TYDINGS. Whether those charges were ever referred to the committee or made known to the committee, I am not in a position to say. They had their roots back in Oklahoma. They were sent to me. I do not know the persons who sent them, but I understand that one of the complainants was formerly a high officer in the State government.

I did know about this particular transaction. I do not want to smear Mr. Larson. I have not a thing in the world against him. I would rather do him a good turn than a bad one. This question has to do with his fitness to hold the office for which he has been nominated.

Mr. MOORE. If the Senator will allow me to make a suggestion, I have a high regard for Mr. Larson, but I do not know anything about his past record. Nothing has been done about that. However, I think it is in the interest of Mr. Larson that this question be cleared up. I do not represent him.

Mr. TYDINGS. Does the Senator mean the present question, or the old charge?

Mr. MOORE. The nomination ought to go back to the committee so that his record can be cleared by testimony.

Mr. TYDINGS. I should like to hear from some member of the committee.

Mr. HOEY. Mr. President, I should like to make a statement about this matter.

Mr. TYDINGS. Does the Senator want the floor in his own right?

Mr. HOEY. Yes. I am a member of the committee. I heard all the testimony on all sides, and I wish to make a statement when the opportunity comes.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McCLELLAN. The chairman of the committee is not present. Whatever the charges were in Oklahoma, perhaps they reached our committee through the Senator from Oklahoma. I do not recall. But when those charges came before our committee, the chairman of the committee appointed a subcommittee to investigate the charges. This question was not before us at that time. I do not recall now who was appointed on the subcommittee.

Mr. HOEY. I was a member of the subcommittee.

Mr. McCLELLAN. The Senator from North Carolina was on the subcommittee. The subcommittee went into the charges and fully satisfied itself. It reported to us that they were baseless, and that it would be a waste of the time of the committee to hold extensive hearings on them. That is the way the subcommittee felt about it.

If the Senator will further yield, I should like to make one further statement.

Mr. TYDINGS. Before I yield further to the Senator, I should like to have the RECORD show that the Senator from Maryland, when he was before the committee, never in any way, manner, shape, or form referred to the charges which were then in his possession, because frankly, he called the Senator from Oklahoma and stated that he had no desire to draw a red herring across the trail because he was interested only in this transaction. I asked the Senator from Oklahoma whether he knew anything about the charges. He stated that certain charges had been sent to him, and that he had sent them to the committee. So the Senator from Maryland made no reference of any kind, in any manner, shape, or form to anything except the question which is now before us.

Mr. McCLELLAN. Mr. President, will the Senator further yield?

Mr. TYDINGS. I yield.

Mr. McCLELLAN. In that connection, if Senators are disturbed about whether there is anything against Mr. Larson's name so far as the Oklahoma charges are concerned, I think the committee was wholly satisfied in that regard.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MOORE. I assure the Senator from Arkansas that I did not know a sol-

itary thing except the statement which was sent to me. I did not even read the charges. I heard some conversation about them. I took no part in them, because all I did was to offer the witnesses who made the complaint an opportunity which I am sure they would have if they wanted to come here and testify. I do not know a thing about the charges, and I disclaim any knowledge or any opinion in that respect.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McCLELLAN. The Senator from North Carolina [Mr. HOEY] was a member of the subcommittee which investigated that question, and he will make a statement concerning it.

Mr. TYDINGS. I do not think it is fair to Mr. Larson to bring in the other question. No charges have been made on the floor of the Senate, and whether the information be good or bad, I do not believe that it is a part of this hearing.

Mr. McCLELLAN. Mr. President, if the Senator will further yield, I did not bring up the question; but since it was brought up, I felt that Mr. Larson was entitled to have the statement made that a subcommittee investigated the question and felt that there was nothing to the charges, and that it would not be worth taking up our time to go into them.

I should like to point out one further thing in connection with the three bids. Since great emphasis is being placed upon the notice to bidders, let me point out that this property had been in the hands of the War Assets Administration for 2 years or longer, and the administration had been trying to sell it. I have not read the record of the hearings, but I understand that bids have been received on this property four or five different times.

Mr. TYDINGS. That is correct.

Mr. McCLELLAN. Each time three companies bid, but not the American Potash & Chemical Corp. It was never a bidder on this plant, until this last time. Only the three companies which had been bidding on the plant previously were submitted notices to bid at this time. So the American Potash Co. evidently got the papers and forms which had been sent to another company which had been bidding on the property all along—a small company, which, as I recall, qualified as a small business concern, and submitted its bid.

Mr. TYDINGS. Does the Senator know that to be the fact?

Mr. McCLELLAN. That is the testimony.

Mr. TYDINGS. Yes; but what does the Senator mean by a small concern?

Mr. McCLELLAN. As I understood the matter, Mr. Larson testified as to the other company—the one to which a notice was mailed, but which did not submit a bid the last time, but, instead, the American Potash Co. bid in its place—as I recall his testimony, that it was a small concern and was eligible, and had this bid been from it, the contract would have been awarded to it. That is my recollection of the matter.

Mr. President, if the Senator from Maryland will yield further—

Mr. TYDINGS. Yes, although of course I wish to conclude.

Mr. McCLELLAN. I understand. I wish to make an observation, and then I shall not take any more time at this point.

As I have said, I have not read the testimony since the committee heard it. If there is to be any serious question about it, all of us should read it, because we are dealing with the question of the confirmation of the nomination of a person against the character of whom nothing can be said, so far as I know. All that is involved here is a question of discretion or whether there has been a breach of faith.

As I see it, when the American Potash Co. failed to qualify, that left only two other bidders. I wish to say—and I believe the record will reflect this statement—that negotiations were carried on with the other two bidders, and finally it developed that the Columbia Metals Corp. would have financial difficulty in trying to finance both plants, including the one in Utah, because it would require approximately $2,000,000 to convert this plant in order to adapt it to make the fertilizer which each company wished to make there; and some arrangement was worked out with the next highest bidder, whereby it accepted a plant in Oregon, which so far as I know it was satisfied with; I do not think there is any testimony that it was not satisfied with it.

Finally Mr. Larson submitted to the low bidder a proposal that if it would pay the high bid which had been submitted, the contract would be awarded to it.

Mr. TYDINGS. Mr. President, I am about to surrender the floor. I simply wish to make this summary: Hundreds of invitations for bids which were sent out in connection with surplus property had nothing to say about small business. Hundreds of contracts for surplus properties which were taken over by big business were awarded on bids made on invitations which had nothing to say about small business. For instance, the Big Inch pipe line comes to my mind, because the Armed Services Committee, of which I am a member, had to pass on that matter, among others. We rejected the original bid that was made, and got a higher one.

In this case there was every reason to believe that either every bid would be rejected or negotiations would be continued with only the highest bidder. However, negotiations were continued with only the lowest bidder. There has never been anything in the testimony to show that the Columbia Metals Corp. said, "We do not want the plant."

The difference between the position of the Senator from Maryland and the position of the members of the committee is illustrated by a remark made by the able Senator from North Carolina [Mr. HOEY], when I was testifying before the committee. He said, "Granted Mr. Larson made a mistake, but I do not think we should reject him on this one mistake—granted that he has made a mistake."

I think that was the attitude of the committee. There is no question in my mind that the committee members think this whole transaction is regrettable and that it ought to have been handled more efficiently. Yet I say that if we had been one of the two companies making the highest bids, and had been rejected, it would not be so easy for us to take the detached position which Senators take when they have not been directly involved. It makes a big difference when you are the loser or the gainer. I think the Government of the United States should see to it that all its constituents, be they corporate or individual, are treated with exact fairness, and that its word is religiously adhered to in any transaction in which it may be engaged.

Mr. SALTONSTALL. Mr. President, if the Senator will yield to me, I should like to ask him a question.

Mr. TYDINGS. Certainly, although I am prepared to yield the floor.

Mr. SALTONSTALL. The Senator from Maryland has stated that he believes Mr. Larson has exercised bad judgment. Does the Senator say flatfootedly that there is any evidence of bad faith, or is it simply a matter of bad judgment?

Mr. TYDINGS. I would have to say that there are elements in this matter which certainly lend themselves to a belief that it would not be what might be called strictly regular.

Mr. President, before I surrender the floor, I wish to make a motion that this nomination be recommitted to the committee which reported it, with instructions to investigate further. For instance, I did not know, and there is no evidence before the committee up to now to show, that the Department of Commerce, Small Business Section, had recommended that this contract be awarded to the Columbia Metals Corp. From Mr. Larson's testimony, I was made to believe that the Department of Commerce had recommended that the contract be awarded to the Simplot Co. But that is not the case.

Mr. MALONE. Mr. President, I should like to ask my distinguished colleague, the Senator from Maryland, whether there was any difference between the proposed method of payments, and whether the Simplot Co. offered to pay cash.

Mr. TYDINGS. I shall read that, if the Senator is interested in it. But the answer is "No." The three companies had different financing plans.

Mr. MALONE. Then did the Administrator, in the judgment of my distinguished colleague, violate his oath of office in the action which he finally decided to take? In other words, was it within his discretion to act as he did?

Mr. TYDINGS. Of course I do not think—and I have tried to argue this for the last hour—that it was within the discretion of the Administrator to say, "If you gentlemen will come in and bid, here are the terms on which the award will be made," and then tear them up, and say, "No; we will do it in another way." I have tried for an hour to prove that point.

Mr. MALONE. Mr. President, I am familiar with the fact that the sale of this plant has been long delayed, but not to the extent of being able to determine whether the Administrator went outside his discretion.

Mr. TYDINGS. In my opinion, he did.

Mr. MALONE. At one time I asked the Administrator the status of Mr. James Gallagher's bid for the Columbia Metals Corp., a man for whom I have a high regard. But there was some suggestion that he wanted both plants—both the one in Utah and the one in Washington on the same bid and that the bid did not qualify. There again I have not sufficient information to pass judgment.

I wish to say for Mr. Jess Larson that I have the highest regard for him; and in comparison with his immediate predecessor, I think there is such a contrast with respect to good administrative practices that there is no comparison whatsoever. I think Mr. Larson is head and shoulders above a great many Government officials who are engaged in Government operations at this time, so much so that I could not let this opportunity pass without saying that I have such a high regard for him, and that I have never known of any complaint regarding his administration, until now, also that I intend to vote for his confirmation.

Mr. TYDINGS. Of course, Mr. President, neither the Senator from Nevada nor I am qualified to pass on Mr. Larson's administration of the War Assets Administration. Probably the Senator from Nevada knows of only one one-hundredth of 1 percent of what has taken place in that Administration, and I know about the same amount.

Mr. MALONE. The Senator is entirely correct, it is impossible to pass on more than our opinion of his integrity. A mistake is not so important—questioning his integrity is important.

Mr. TYDINGS. So I know that our opinion of Mr. Larson's capacity is not worth a continental in any court of judgment.

But I have stated my position regarding his exercise of judgment. It makes no difference whether others agree with me or do not agree with me. I present the question to the Senate.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. HOEY. Mr. President, a few days after this nomination came to the committee of which I am a member, the distinguished Senator from Oklahoma sent over some charges which originated in the State of Oklahoma. The Senator from Vermont [Mr. AIKEN], chairman of the committee, appointed the Senator from Minnesota [Mr. THYE] and myself on the subcommittee.

We took the file in this case, and went over it very thoroughly, and investigated it as fully as we could without having witnesses come before us. We had a number of pieces of evidence submitted to us. After going over the case thoroughly, both the Senator from Minnesota and I were absolutely satisfied that there was nothing in the Oklahoma charges, and we submitted such a report to the full committee, and it was unanimously approved by the committee.

Then came the presentation of this matter. The Senator from Maryland [Mr. TYDINGS] was sick at the time, so the committee deferred the matter until he recovered and could present it. I want to say for the Senator that he made a very splendid investigation and presentation of this question to the committee. I think he rendered a distinct public service, because there are many things not only concerning this matter but about all the dealings of the War Assets Administration which I think need to be ventilated and as to which the public needs to know the procedure.

When we come down to this individual case, I heard the testimony at all times covering the whole matter. After considering all the testimony, the committee reported unanimously in favor of the confirmation of the nomination of Mr. Larson.

Let us consider the situation. The disposal of this property had been under way for 2 years. One proposition after another had been submitted, and the bids were finally raised from the original $130,000 up to the ultimate figure of $752,000. The last time bids were requested there were three parties who had previously bid, and the invitation to bid was sent to those three parties.

The invitation was not sent to the American Potash & Chemical Corp. It had never before submitted a bid, so it did not receive a copy of the invitation unless it got it from somebody else. It was not sent to them.

There were three bidders the last time previous to this taking of bids, and each one of them was sent a copy of this invitation to bid. The American Potash & Chemical Corp. received no invitation to bid, unless they procured it from the other bidders, who had previously been bidding on the plant.

The War Assets Administration had had the property appraised in the regular method by which they appraise property, the appraisal being $611,000. They had continued to reject bids failing to come up to that figure. It was desired on the part of everybody concerned that the plant be put in operation, because the purpose was to manufacture high-grade phosphates, which were very seriously needed.

When the bid in question was received, it became necessary, under the law passed by the Congress, for the Administrator to submit the matter to the Commerce Department.

Now, upon the question of the eligibility of the bidder. In accordance with that law, Mr. Larson submitted the bids to the Commerce Department. They made a report, ruling out the American Potash & Chemical Corp. After they did that, there were but two bids remaining. The Commerce Department, under the law passed by the Congress giving them the power and the authority to do so, ruled out the highest bidder.

When that bidder was ruled out as not being small business, the law having provided that preference must be given to the small business, the Small Business Committee of the Senate, of which my distinguished friend the Senator from Nebraska is chairman, wrote a letter suggesting that the bid of this small business concern should be accepted.

What happened after that occurred? Mr. Larson called in the Columbia Metals Corp. and the Simplot Co., the two bidders qualifying before the Commerce Department, the only two certified as having qualified. If we are to follow the law which was passed by the Congress and the recommendations of the Commerce Department, then Mr. Larson could not have considered the bid of the American Potash & Chemical Corp. He was, therefore, reduced to the necessity of considering the two other bids submitted.

As soon as that came about he communicated with Columbia Metals Corp. and gave them the opportunity to say whether or not they wanted to purchase the plant. He told them, "Of course, we want to get as much as the high bid, which was $752,000." In discussing the matter, he went into their financial situation saying, "Now, you want the plant at Salem, Oreg. Can you finance that plant and this plant, both?" After some discussion about that and the question of increasing the bid, the Columbia Metals Corp. manager said, "I cannot increase this bid without holding a meeting of my board of directors. I have no authority to increase it." Mr. Larson said, "It is important to get this plant in operation, because the time is growing short, and if we are going to do anything about it we have got to do it right away." He called in the Simplot Co.'s representative who said, "I will raise my bid to $752,000, and I will give you an answer today that I will take it." After discussing the matter with Columbia Metals Corp. and the Simplot Co., Mr. Larson conferred with others, including several Members of the House of Representatives and several Senators. I do not mean that any of them had any interest in this at all except they wanted the plant to get under way and into production. It was going to cost about $2,000,000 to convert the plant for the purpose of manufacturing a high grade of phosphate, of which there was a critical shortage.

After full discussion of the matter, Mr. Larson decided to make the award to the Simplot Co. That was done, and the contract executed. The contract provides, as the only exception to its being put into effect by the Government, that if the Justice Department should rule that the effect of the award would be to create a monopoly, then the Government could refuse to make the award.

The Justice Department approved the award to the Simplot Co., stating that its control of the plant in question would not create a monopoly, the field being open for all plants operating in that area. There are three or four great plants producing phosphates of this sort, and the entire territory is open. The Justice Department said, "There is no objection on the part of the Department of Justice on the ground of creating a monopoly, to awarding this plant to the Simplot Co."

Following that ruling the award was fully consummated.

The Senator from Maryland has very accurately, very intelligently, and very fully presented the matter, both to the committee and now upon the floor. I want to thank him, as the committee did, for fully investigating and developing the matter. The committee has also gone into it very fully. I remember asking the distinguished Senator this question before the committee: "Senator, let us assume for the sake of argument that probably Mr. Larson ought to have awarded

this plant to the other company—not the first one, because under the law and under the regulations of the Commerce Department it was ruled out. That company, if given more time, might have been able to qualify. They had been awarded another plant, the operation of which was likewise essential. Let us assume for the sake of argument that probably Mr. Larson ought to have done something further about it. Is there anything about that that tends to disqualify him for this position? Or, assuming he made a mistake, would the making of one mistake, in view of all the problems confronting the War Assets Administrator, justify the Senate in refusing confirmation? Because he failed to exercise the best judgment possible, according to the Senator's standards, should he be disqualified?"

Personally I cannot consent to that, because, whether we like it or not, or whether we think it wise or not, the Congress has provided that certain bidders shall be eliminated. If they are eliminated because of being big and we want small business to have such plants, then certainly in the exercise of good faith the War Assets Administrator must pursue that policy and must make awards to those who qualify.

One thing more with reference to the invitation for bids. I mentioned the fact that an invitation was not sent to the American Potash & Chemical Corp. I also mentioned that the form for the bid was not written by Mr. Larson. The bid invitations were sent out before he ever became Administrator. He never saw the bid, never heard of it, in the sense of this language in it, until after the bids were opened. But in this very same bid sent out with this language, it had the other language, that the War Assets Administration reserved the right to reject any and all bids. That was in it also.

Therefore they had the broad right to reject any and all bids, notwithstanding the language contained in the bids. The same sheet that went out, which was not sent to the bidder, because he had never been in the picture before but had evidently obtained the bid form from the other bidder who retired, had embodied in it the statement that the right was reserved to reject any and all bids submitted by anyone.

When we analyze this situation we find a man who is filling a very difficult position, having to solve all the problems that come before him and having to make decisions. Assuming that he probably should have negotiated some time longer to see whether the Columbia Metals Corp. could have qualified, yet, the matter having dragged along for 2 years, and the plant finally being in position to reopen and obtain the machinery necessary to operate, he decided he might as well bring the matter to a close, and he closed it with the award of the contract. Is there anything in that action which reflects upon the capacity, the integrity, or the judgment of the War Assets Administrator to the extent of denying confirmation?

Mr. KEM. Mr. President, will the Senator yield?

Mr. HOEY. I yield to the Senator from Missouri.

Mr. KEM. The Senator from North Carolina is asking a question. It seems to me the question is whether, if a mistake was made, it was made in good faith or in bad faith. I should like to ask the Senator whether the Columbia Metals Corp. was given an opportunity to buy the property for $752,000.

Mr. HOEY. The evidence shows that the War Assets Administrator called in a representative of the Columbia Metals Corp. and asked him if his company would pay $752,000. He replied that he could not give an answer. He said, "I will have to have a meeting of my board of directors before I can tell you."

Mr. KEM. I have one more question, Mr. President. Is the Columbia Metals Corp. now complaining, or did it ever complain, about the way in which it was treated?

Mr. HOEY. I do not understand that it complained, but I cannot say definitely with respect to that, because that aspect was not gone into fully. There was a negotiation with them, and a discussion of the subject. They were asked whether or not they could meet the high bid which had been submitted, and the representative of the company said he could not do so without having a meeting of the board of directors of the corporation, which would require time and further information. There was also discussed at the same time, the proposition of the amount of money which would be required to convert the plant. The representative was told, "You are bidding on the Salem plant, and I think your bid will be accepted, because it is a high bid." After a good deal of discussion the company was awarded the Salem, Oreg., plant, and the other plant was awarded to the Simplot Co.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HOEY. I yield.

Mr. HATCH. I was interested in the question asked by the Senator from Missouri as to whether any complaint was made. Did anyone appear, making any charges that the company was not fairly dealt with?

Mr. HOEY. No; there was nothing regarding that brought out before the committee. If anyone had any grievance it was not brought before the committee.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HOEY. I yield to the Senator from Nebraska.

Mr. WHERRY. The Senator is a member of the committee. Was the nomination reported unanimously?

Mr. HOEY. Yes. The entire committee was not present, but there was a quorum of seven present.

Mr. WHERRY. Does the Senator recall the vote?

Mr. HOEY. It was unanimous.

I might say in response to the question of the Senator from Missouri that from a full investigation of the matter I am absolutely firm in saying that I do not find anything which reflects upon the integrity or the good faith of the War Assets Administrator. I think the only question that can be raised is with regard to whether he made a mistake in judgment by not pursuing further negotiations and dealing with the matter further, allowing time for the board of directors to meet. Then the only question would have been as to whether the company would be willing to raise its bid to the amount which the Government did receive. The appraisal value was $611,000, and the Government received $752,000 for the plant.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HOEY. I yield to the Senator from Kentucky.

Mr. BARKLEY. Inasmuch as the Simplot Co. had agreed on the very day the matter was submitted to them to make a high bid, it is fair to assume that the Columbia Metals Corp., after whatever delay was necessary, had also agreed to make a high bid. The War Assets Administrator would still have the discretion to decide which one should have the award, both of them offering to make a high bid, and the Administrator having decided to sell to the Columbia Metals Corp. the Oregon plant, and assuming that both of them were equally responsible financially, would it have been a violation of sound discretion, even under hose circumstances, to have awarded the contract to the company which received it, since the Administrator had discretion to decide between them?

Mr. HOEY. I think that is a correct statement, and I think the committee took that view of it. I think the whole examination did not reveal any underhand dealing. It was all open and aboveboard. Everyone had a right to talk about it. The subject was under discussion, and it was talked over with representatives of small business. The decision which was reached, I think, was the result of honest investigation and the desire on the part of the Administrator to do what he thought was best under the circumstances.

Mr. TYDINGS. Mr. President, I have no desire to prolong the debate. If I may have about 10 minutes I should like to clear up one or two points which I think are in obscurity.

I cannot accept all the implications which flow from the assertions made by my distinguished friend from North Carolina [Mr. HOEY]. First of all, he says the invitation to bid contained the clause that the Government reserved the right to reject any or all bids. That clause is in every proposal, private, and public. Did the Government reject all bids? Did it ask for new bids? Not at all. Suppose the American Potash and Chemical Co. had not bid at all; then suppose, for the logic of the thing, the price was $635,000. In other words, a customer was brought in who, in good faith, made a bid, and did not have to write in and say, "Please send me one of the invitations to bid. I want to bid on the plant." The fact that he received, through some other source, one of the invitations to bid, does not imply any impropriety. I am sure my friend from North Carolina does not mean to convey the idea that there is anything improper about that.

Mr. HOEY. No; not at all.

Mr. WHERRY. Mr. President, several Senators are waiting to learn what the procedure will be——

Mr. TYDINGS. I shall be through in a couple of minutes.

Mr. WHERRY. I should like to ask the Senator from Maryland if he will yield so that I may submit a unanimous consent request that when the Senate meets tomorrow at noon it agree to vote at 1 o'clock the time to be divided equally between the proponents and opponents. I make that request so that the Senators will now know what to expect tomorrow.

The PRESIDING OFFICER (Mr. IVES in the chair). Is there objection to the request?

Mr. KEM. Mr. President, would it be proper to ask the Senator from Maryland to ascertain between now and the meeting of the Senate tomorrow whether the Columbia Metals Corp. was given an opportunity to buy the property at $752,000, and whether or not that company was mistreated in the transaction?

Mr. TYDINGS. I should have to answer that both "yes" and "no." I think the Senator from North Carolina covered the subject accurately. The company wanted two plants. Mr. Larson said, in effect, "If you let go of the Utah plant, you can have the plant in Oregon."

Mr. KEM. The Senator from North Carolina said he did not know whether there was a complaint or not.

Mr. TYDINGS. Let me put it to the Senator in this way. The bids were opened on the 17th of November. The award was made on the 4th of December. Between the 17th of November and the 4th of December, why could not the Columbia Metals Corp. be given a few days to contact its board of directors and ascertain whether the company wanted the plant?

Mr. KEM. Assuming that the Senator is correct as to the manner in which the case was conducted on the question of good faith, it seems important as to whether or not, first, the Columbia Metals Corp. was given on opportunity to bid $752,000, and, secondly, whether they are complaining as to the manner in which the matter was handled.

Mr. TYDINGS. I can give the Senator the answer to that. The Administrator, Mr. Larson, said to the Columbia Metals Corp., "Will you bid $752,000?" The president, I think it was, replied, "I cannot commit my company to a higher bid without having a meeting of my board of directors." We all know that a meeting of a board of directors of a company is not a difficult thing to have. All they would have had to do would have been to say, "You stand in the position where you are entitled to the first choice. Therefore go back to your board and tell me whether you want it or not." But Mr. Larson then said, "You also want the plant over in Oregon"—or Washington, I have forgotten which State it was in—"suppose we let you have that plant." And that, to a large extent, satisfied the Columbia Metals Corp., which was then in the position, if they said "No," of possibly not getting either plant. This thing is not quite as beautiful as it might look.

Mr. KEM. Will the Senator advise us tomorrow as to whether the Columbia Metals Corp. is complaining of the way in which the matter was handled?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Nebraska that the Senate vote at 1 o'clock tomorrow?

Mr. BARKLEY. May I ask the Senator if that is a definite time for a vote, 1 o'clock, or not later than 1 o'clock?

Mr. WHERRY. At 1 o'clock.

The PRESIDING OFFICER. And the Chair understands the time is to be divided equally.

Mr. WHERRY. The time to be divided equally between the proponents and the opponents.

Mr. TYDINGS. If the Senate agrees to it.

The PRESIDING OFFICER. Is the Senator from Maryland objecting?

Mr. TYDINGS. I am not objecting.

The PRESIDING OFFICER. Without objection, the order is made.

The unanimous-consent agreement as reduced to writing is as follows:

*Ordered*, in executive session, that on the calendar day of Friday, May 14, 1948, at the hour of 1 o'clock p. m., the Senate proceed to vote without further debate upon the motion of the Senator from Maryland [Mr. TYDINGS] to recommit to the Committee on Expenditures in the Executive Departments the nomination of Jess Larson, of Oklahoma, to be War Assets Administrator; and that the time between 12 o'clock noon and 1 o'clock on said day be divided equally between those favoring the motion to recommit and those opposing the motion, and controlled, respectively, by the Senator from Maryland [Mr. TYDINGS] and the Senator from North Carolina [Mr. HOEY].

Mr. TYDINGS. Mr. President, Senators desire to go to their homes, and I shall surrender the floor at 5 minutes after 6, which is only about 4 minutes from now. There are one or two things I should like to clear up.

First of all, the point has been made that the American Potash & Chemical Corp. was not one of the bidders that had bid before. That has nothing to do with the matter. What has that to do with it? The fact is that they were there honestly, in conformity with the provisions of the invitation to bid, and were the highest bidder. That is the fact.

The second point is that the Columbia Metals Corp. was never given an opportunity to submit the proposition to its board of directors whether they would pay as much as Simplot said he would pay on the spot. Instead, they were offered a plant in a neighboring State, which induced them—there is no doubt about it, in my opinion—to let go of the Utah plant, because if they had said "No" they might have lost them both. That is simply plain, common sense.

I am sure Senators do not remember what I am about to read, because it was not read clearly the first time, but it has to do with one of the most important angles in this affair, if Senators want facts. The Department of Commerce recommended that the Columbia Metals Corp. be given this property because the Columbia Metals Corp. was going to make a product which was in scant supply, high priced, and which the economy of the country needed, while the Simplot Co. was going to make a product which was not in short supply, and which the economy of the country did not require. Therefore, in the interest of serving the general public, beating down prices, and in accordance with the law, the Department of Commerce recommended that the Columbia Metals Corp. be given this plant. They never had an opportunity to meet the $752,000 figure, and in my opinion they should not have been asked to meet it.

Mr. EASTLAND. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. EASTLAND. Did I understand the Senator to say that the Simplot Co., the successful bidder, was not going to make a product which the country needed?

Mr. TYDINGS. That is what the Department of Commerce said. Does the Senator want to hear it? I am trying to get it over to the Senate. What is the Simplot Co. going to manufacture?

Mr. EASTLAND. Fertilizer.

Mr. TYDINGS. What kind?

Mr. EASTLAND. Mixed fertilizer.

Mr. TYDINGS. What kind?

Mr. EASTLAND. Mixed fertilizer.

Mr. TYDINGS. What kind of fertilizer?

Mr. EASTLAND. Phosphate and nitrogen.

Mr. HOEY. Twelve-four; high grade.

Mr. EASTLAND. It is a product which is not only in short supply in the United States but it is in short supply in the world.

Mr. TYDINGS. Will the Senator permit me to read what the Department of Agriculture says about the products to be made by these two concerns? Will he listen to me?

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. TYDINGS. Will the Senator listen to me?

Mr. EASTLAND. Certainly I will listen to the Senator from Maryland, but, regardless of what the Senator says, it is a matter of common knowledge it was a question of filling a critical need of the country.

Mr. TYDINGS. If the Senator will compose himself and let his ears drink in the wisdom I am about to impart, I think I can convert him to my point of view. This is what they say:

The American Potash & Chemical Corp. and the Simplot Corp. propose to convert the Kalunite plant within 12 to 18 months, with considerable additional cash expenditure, to the production of phosphatic fertilizers, whereas the Columbia Metals Corp. proposes to convert this same plant within 60 days, at a relatively small additional capital expenditure, to the production of nitrogenous fertilizer—ammonium sulfate.

We have been informed by reliable authorities in the Department of Agriculture, the Department of Commerce, the Economic Subcommittee of the Senate Committee on National Resources, and by the House Select Committee on Foreign Aid, that there exists today an acute shortage of nitrogenous fertilizers for domestic and for foreign use, and that the shortage is destined to prevail for a number of years to come.

On the other hand, it is reported by the same sources that phosphatic and potassic fertilizers are virtually in balance with respect to supply and demand.

Thus the Columbia Metals Corp., was going to make a kind of fertilizer which was in great demand and in short supply, and the other two companies were

going to make a fertilizer of which there was no shortage.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. TYDINGS. If the Senator will let me finish, because he has not gotten all of this.

Does the Senator think that the Department of Agriculture does not know its business? Does the Senator think that Department of Commerce does not know its business, that the Small Business Committee of the Senate does not know its business? They all back me up.

Mr. EASTLAND. The Senator is asking me a question. Will the Senator yield for a question?

Mr. TYDINGS. Yes, I yield.

Mr. EASTLAND. The Senator stated that the nitrogenous fertilizers which were needed badly at home and abroad were to be manufactured by one of the companies, but the proof shows that the fertilizer which was critically needed in the Northwest, in the area to be served by that plant, a mixture of nitrogenous fertilizer and phosphate, was to be manufactured there, something to serve the Northwest section of the United States, and not a product for export, which was as the Senator quoted from the statement of the Department of Agriculture.

Mr. TYDINGS. The Department of Agriculture does not know anything about it, the Department of Commerce does not know anything about it, the Small Business Committee of the Senate does not know anything about it, the Committee on the Economic Report does not know anything about it, and the Committee on National Resources of the Senate does not know anything about it, but the Senator from Mississippi knows all about it.

Mr. EASTLAND. It is an entirely different product.

Mr. TYDINGS. I know it is. That is what I am trying to point out to the Senator.

Mr. EASTLAND. No; what the Senator pointed out to the Senate was that there was a world-wide need for nitrates, and that the Department of Agriculture said it, and that is true.

Mr. TYDINGS. And the Columbia Metals Corp. is going to make it, and the other two concerns are not going to make it.

Mr. EASTLAND. But the Northwest did not need a nitrogenous product, but the fertilizer this company made, and the reason why they got the plant was because they were making a product for sale in that particular area and not for export over the world.

Mr. TYDINGS. Very well.

Mr. EASTLAND. I think the Senator's position is absolutely sound when he says there is a world-wide need for nitrate, as the Department says.

Mr. TYDINGS. There is a world-wide need for phosphates and bananas and cotton and everything else. But that is not what is involved here. What is involved is that the Columbia Metals Corp. was going to make a kind of fertilizer which is not being made or is not available in the Northwest, and the other two concerns were going to make a kind of fertilizer which is in reasonable supply in the Northwest.

Mr. EASTLAND. No; Mr. President——

Mr. TYDINGS. The report continues:

> Only one of the small plants proposes to manufacture ammonium sulfate, a nitrogenous fertilizer determined to be in acutely short supply; production would begin within 60 days. This small company offered $125,000 more than the highest previous bid, $25,000 over the estimated fair value fixed by WAA, and the higher bid of the two small companies now under consideration. This small company proposes to utilize this plant to effect a saving (at least $10 per ton) upon their present production costs, which saving they pledge will be reflected immediately in their sale price of ammonium sulfate from this point.

In other words, the Department of Agriculture, the Department of Commerce, the Small Business Committee of the Senate, and the Committee on National Resources all say that we need the kind of fertilizer that only Columbia Metals Corp. was going to make, and while we need the kinds of fertilizer the other two companies were going to make, the latter kind of fertilizer is in substantially adequate supply.

Mr. EASTLAND. Will the Senator yield to me for a moment more and then I am through?

Mr. TYDINGS. Yes. But the Senator ought to state the facts without smiling each question away. He is not stating anything by way of refutation of what I have said.

Mr. EASTLAND. The Senator spoke of a company which makes a nitrogenous fertilizer. A purely nitrogenous fertilizer was a product not in wide use, not in wide demand in the Northwest. It was a mixed fertilizer that was in great demand there, and that was the need which the Columbia Metals Corp. would fill. I have no interest in this matter.

Mr. TYDINGS. Mr. President, I wish to conclude, and then I shall yield the floor.

Mr. President, it is perfectly obvious to me that most Senators are agreed that there is something to be desired about this transaction. I do not think anyone is going to rise and say that there is not something to be desired about it. I have tried to present the facts. It is no skin off my knuckles whether the nomination of Mr. Larson is confirmed or whether it is rejected. I have produced here facts. They have been brought to me in my position as Senator, and I have presented them to the Senate. I do not care whether Mr. Larson's nomination is confirmed or not. Personally I am not going to vote for the confirmation of his nomination. I will probably be the only Member of the Senate who will not do so. But it is a pretty small government that tells its citizens that they can rely upon certain mechanics surrounding an invitation to bid, and then violates those mechanics, and instead of dealing only with the highest bidder gives the lowest bidder the chance to buy a piece of property.

Mr. WHERRY. Mr. President, does the Senator still want his motion to recommit to stand?

Mr. TYDINGS. Yes. The motion is to recommit. Before the motion is put I wish to make a statement. I am perfectly willing to submit the matter without argument. I do not think that any Member of the Senate is going to be influenced by what takes place tomorrow. I think there is much in the testimony that ought to be presented in a court of law if we were going to try the case in court, which cannot be presented in the rough-and-tumble hearings here. I was only trying to bring out the high points. But sufficient has been presented to indicate that all is not as it should be. I am willing to have the question decided as soon as the Senate meets tomorrow at noon, because I believe no Senator is going to be influenced one way or the other by any further debate.

Mr. WHERRY. Mr. President, I feel that inasmuch as the unanimous-consent agreement has been entered into we had better leave it stand as it is.

Mr. TYDINGS. Very well.

The PRESIDING OFFICER. The unanimous-consent agreement which has been entered into is that a vote shall be taken on the motion of the Senator from Maryland [Mr. TYDINGS] tomorrow at 1 o'clock.

Mr. WHERRY. Mr. President, will the Chair state the business which is now pending before the Senate?

The PRESIDING OFFICER. The pending business is that which the Chair has just stated; the vote on the motion of the Senator from Maryland to recommit the nomination, which is to be taken at 1 o'clock tomorrow.

Mr. WHERRY. Mr. President, will the Senator state what the business of the Senate will be following the vote on that motion.

The PRESIDING OFFICER. After the vote is taken at 1 o'clock tomorrow, if the nomination is not recommitted, the nomination of Mr. Larson will be before the Senate for action, after which the other nomination on the Executive Calendar will be in order.

### RECESS

Mr. WHERRY. So that the Senate may be advised, I wish to state that when the Senate recesses today it will recess in executive session, and at 1 o'clock tomorrow the vote will be taken on the motion of the Senator from Maryland, after which the remaining business on the Executive Calendar will be taken up. If the motion of the Senator from Maryland is not agreed to, the question will be on the confirmation of the nomination of Mr. Larson and the other nomination on the calendar, after which the Senate will revert to legislative session, and the unfinished legislative business will be resumed, which is the civil functions appropriation bill.

I now move that the Senate take a recess until tomorrow, Friday, at noon.

The motion was agreed to; and (at 6 o'clock and 17 minutes p. m., the Senate took a recess until tomorrow, Friday, May 14, 1948, at 12 o'clock noon.

---

### NOMINATIONS

Executive nominations received by the Senate May 13 (legislative day of May 10), 1948:

#### NATIONAL ARCHIVES

Wayne C. Grover, of Utah, to be Archivist of the United States.

UNITED STATES MARSHAL

Roulhac Gewin, of Alabama, to be United States marshal for the southern district of Alabama. (Mr. Gewin is now serving in this office under an appointment which expired March 24, 1948.)

IN THE MARINE CORPS

The following-named officer to be a lieutenant colonel in the Regular Marine Corps:

Robert C. Burns

The following-named officer to be a first lieutenant in the Regular Marine Corps:

William E. Bonds

The following-named officers to be second lieutenants in the Regular Marine Corps:

| | |
|---|---|
| Edward R. Carney | Jack L. Reed |
| Joseph L. Davis | William J. Schreier |
| Raymond J. Elledge | Donald R. Segner |
| Robert E. Hill | George F. Thayer |
| Herbert W. Johnson | Chester E. Tucker |
| Elmer H. Keshka | Henry M. Walter, Jr. |
| Chester J. Krist | William J. White |
| William H. Macklin | Robert C. Whitebread |
| Robert T. Miller | |

WITHDRAWAL

Executive nomination withdrawn from the Senate May 13 (legislative day of May 10), 1948:

POSTMASTER

Mr. Alvah P. Saulpaugh to be postmaster at Red Hook, in the State of New York.

# HOUSE OF REPRESENTATIVES

THURSDAY, MAY 13, 1948

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our ever-living God, to whom we are indebted for all things, grant unto us a clear conception of the best and highest in public and private life. May we earnestly strive to measure up to the principles of the greatest Teacher of men.

Guide our Speaker and the Congress with the spirit of wisdom; help us to be careful of our words as of our actions, and as far from speaking ill as from doing ill. Through these critical times, make us solemnly aware of the challenge that tyranny abroad can be mastered only by a glorious sense of freedom at home, with the whole range of our country as our field of service. In the Master's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was granted permission to extend his remarks in the Appendix of the RECORD in two instances and include two addresses.

Mr. PATTERSON asked and was granted permission to extend his remarks in the RECORD and include an article from the Bridgeport (Conn.) Sunday Herald of Sunday, May 2.

Mr. TWYMAN asked and was granted permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. MALONEY asked and was granted permission to extend his remarks in the RECORD and include a statement.

CEREBRAL PALSY

Mr. MUHLENBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MUHLENBERG]?

There was no objection.

Mr. MUHLENBERG. Mr. Speaker, yesterday I introduced a bill to amend the Public Health Service Act to provide for research and investigation with respect to the cause, prevention, and treatment of cerebral palsy, and for other purposes. Cerebral palsy, often known as spastic paralysis, is a form of the disease under which there is a tightening of muscles often so severe as to lock the muscles in cramp and prevent normal reaction. It may affect one side only, or one limb, or may affect all extremities. It often affects tongue and throat muscles, causing speech impediment. Mentality, however, remains normal, as is usual in all paralysis cases.

It is due largely to the publicity attendant on the Warm Springs Foundation that this heretofore neglected phase of life of the handicapped has become of general interest because that foundation, while investigating and tremendously helping cases of infantile paralysis, has found it must use all its resources on that work and cannot approach the question of research in or aid to the cerebral palsy handicapped. These thus remain without help. It is a problem truly national in scope and needing national contribution in both money and talent, and it is for this purpose that the bill is presented.

Recently the Washington papers have called attention to the great necessity for treatment of these cases, and it is tied locally to the work of the Crippled Children's Society in Washington, which has done a splendid job under great limitations of equipment and personnel. Also in Washington we have the Goodwill Industries, which has done a fine piece of work in assisting those handicapped by cerebral palsy together with those having other handicaps; but all these local efforts depend so much on the enthusiasm of a single person and can do so little with their limited financial resources that I am convinced that their efforts should be united in work on a national scale, aided by proper equipment and guided by those too few outstanding specialists who have made this study a life work. Almost all the patients can be physically reeducated to a useful position in life, and the relatively small sums which will be used for research would be repaid to the citizens of the United States many times over by the rehabilitation of these presently neglected handicapped persons and by the contribution of their intellectual attainments to the success of our society. I ask your serious consideration and support of the purposes of the bill.

I append hereto a statement about the purpose of the bill made by Mr. Paul A. Strachan, president of the Association of the Physically Handicapped:

STATEMENT OF PAUL A. STRACHAN, PRESIDENT, AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED, INC.

We have seen for many years the indubitable necessity for special treatment and training of those afflicted by cerebral palsy. Hundreds of cases have come to our attention, and the consensus is that medical science and methods of education have only comparatively recently made headway in this field.

There are three primary phases of importance. Medical treatment, including therapy, education and training of the individual, and education of the general public. Of equal importance is special training for parents of cerebral-palsied children. We have seen all too many instances where the parents, following the false and often dangerous trail of "carrying the child on a pillow," have completely ruined any chance of inculcating in that child the self-determination, reliance, and energy to carry out a program of attainment of physical and professional proficiency.

One great difficulty, also, is public discrimination against employment of cerebral palsied. The average employer evidently feels that a cerebral-palsied person is, as a rule, both incapable and unreliable, and is, therefore, a bad employment risk.

We have made and are making strenuous efforts to overcome this unfavorable condition, but we fully realize that until some universal standard of treatment and training is applied, the cerebral palsied will lack the means needed to benefit and fit themselves for public work.

Therefore, in preparing this bill, we were mindful of the necessity for adequate medical treatment as a prerequisite, and we consulted the most eminent specialists in the field of cerebral palsy to ascertain their views. We believe the bill, therefore, represents a fair composite of opinion of such specialists. We also consulted the organizations of cerebral palsied (spastics) because we know that no one can better understand the difficulties attendant upon this affliction than those who suffer from it themselves.

We know this measure to be necessary to the welfare of hundreds of thousands of our citizens, and we therefore urge early and favorable action by the Congress, as well as all organizations, groups, and individuals at interest, to bring it to speedy and effective operation.

A DRAFT OF ONE IN TEN

Mr. TWYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. TWYMAN]?

There was no objection.

Mr. TWYMAN. Mr. Speaker, I desire to quote the following editorial which appeared in the Chicago Daily Tribune on Wednesday, May 12:

A DRAFT OF ONE IN TEN

It isn't easy to know just how many additional men the draft is expected to furnish to the Army, Navy, and Air Service. The other day somebody was talking about 700,000. A few weeks ago the figure was 200,000. A Senate committee on Friday adopted 350,000 as its goal.

The disparity in these figures suggests, first of all, that Mr. Forrestal and his colleagues aren't being candid. Once they get authorization for the draft they can be expected to use it for all it is worth. Their aim is an enormous standing Army, big enough to provide all the good jobs and all the power

that an officer class can desire. When the principle of peacetime conscription has been approved, the militarists will produce the crisis or crises that will seem to justify increasing the levies and keeping them high.

Certainly if the need is for no more than a few hundred thousand men, the draft is an absurdity. Conscription can be defended as practical when the Nation wishes to put millions of men in uniform. At such times every sound young man whose services are not urgently required elsewhere is taken. The draft that the militarists are talking about now would take perhaps one young man in ten after all those in his age group who are disqualified for mental and physical deficiencies and all other valid reasons have been eliminated.

Nobody can make that kind of a draft anything but a scandal. With one in ten to be accepted, all kinds of influence would be brought to bear on the draft boards. Favoritism among prospective conscripts was not wholly avoided even in wartime when there was much less opportunity for sharp practice, when most young men were eager to play their part, and when it was relatively easy to obtain men of the highest character to serve on draft boards. In the contemplated draft none of these circumstances would obtain.

The militarists in Washington know this. If they are not alarmed at the prospect, it is because they do not intend this to be a draft of 1 in 10. They are out for a huge conscript army. Some of them have the grandiose notion that with such a force they can boss the world. Certainly with such an army, they won't stay out of any war anywhere in the world; and certainly with such an army, they will destroy the Republic as other republics have been destroyed by military adventurers in other lands.

Actually, there is no need at this time to consider peacetime conscription. The Army Air Force, the Navy, and Marine Corps are having no difficulty in maintaining their complements of enlisted personnel. The Army Ground Forces would have no difficulty either if they would permit voluntary enlistments on the same basis as is contemplated by the proposed selective-service legislation.

EXTENSION OF REMARKS

Mr. SEELY-BROWN and Mr. MILLER of Maryland asked and were given permission to extend their remarks in the Appendix of the RECORD.

EUROPEAN AID

Mr. SCHWABE of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SCHWABE of Missouri. Mr. Speaker, on June 5, 1947, Secretary George C. Marshall asked the European nations to tell us how much help they felt they should have from American taxpayers. Since that time there have been many commissions and committees appointed both here and abroad to study and report on the various phases of this program.

The participating European nations met in Paris and on September 22 last year submitted a program to Mr. Marshall. Since that time various arms of the executive branch have put the program through the wringer and have come out with reports and propaganda urging the need for putting the program through not later than April 1. The Congress performed as directed and ERP became law on April third. It, therefore, came as somewhat of a shock to me to read in the New York Herald Tribune of May 6 that the Chairman of our Appropriations Committee, the gentleman from New York, the Honorable JOHN TABER, had said that he would be unable to make a report on ERP appropriations for another 2 weeks and that the delay was due to the fact that the newly organized ECA was not able to present the facts needed by the committee as rapidly as had been expected. This certainly indicates to me, and I think to any reasonable person, that the program was rushed through without sufficient study.

As this act passed the Congress it authorized the expenditure of $6,098,000,000 in 1 year. This is more money than any Republican administration has ever spent in the same period on the administration of the entire government of the United States. It certainly deserves as much study as the entire budget did back in the days when Congress devoted most of its time to the careful study of appropriation bills.

I am happy to see that the gentleman from New York [Mr. TABER] and his colleagues on the Appropriations Committee are demanding the essential facts before giving any further approval. It is heartening to know that this committee is no rubber stamp. Americans should be fully grateful.

We would do well to remember this experience the next time we are asked to rush through legislation without the necessary facts before us.

NORTHPORT IRRIGATION DISTRICT, NEBRASKA

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6067) authorizing the execution of an amendatory repayment contract with the Northport irrigation district, and for other purposes, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "Interior", insert "upon finding specifically that existing repayment contracts between the United States and the Northport irrigation district cannot reasonably be carried out by the said district."

Page 1, line 5, strike out "existing" and insert "such."

Page 1, line 6 and 7, strike out "between the United States and the Northport irrigation district."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. RICH. Mr. Speaker, reserving the right to object, the Senate added an amendment to the effect "unless it can reasonably be paid back." What is meant by that?

Mr. CRAWFORD. The gentleman has just heard the amendment read. This amendment reads:

Upon finding specifically that existing repayment contracts between the United States and the Northport irrigation district cannot reasonably be carried by the said district.

It means that where the situation has arisen wherein the time of payment needs to be extended the finding must be made that they cannot meet it within the agreed time.

Mr. RICH. If for any reason at any particular time they are not able to pay it, is that a loophole so that they can forgive all the payments?

Mr. CRAWFORD. No, it is not, I may say to the gentleman from Pennsylvania. This has to do with a specific Northport irrigation district where the terms are such that they do need some additional time. The gentleman from Nebraska [Mr. MILLER] is familiar with the subject and interested in it.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. MILLER of Nebraska. I might say that under any of the irrigation bills that are passed here the Secreary of the Interior and Bureau of Reclamation are always given a certain amount of authority in adjusting contracts.

In this irrigation district in western Nebraska, four districts are involved, the oldest irrigation districts in the United States. The four districts have had some seepage and needed adjustment in some minor things. The four districts and the Bureau of Reclamation got together and are unanimous on this.

It is merely one of those adjustment contracts and this amendment placed in the bill by the other body bases it on "reasonable prospect of repayment." They must be given some leeway to meet emergencies that come up.

Mr. RICH. It is not then in any way an amendment that foregoes payment or an intent on the part of the people to consider this a loophole through which they can get out of payment?

Mr. MILLER of Nebraska. Not at all.

Mr. RICH. Then I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

BOULDER CITY, NEV.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4966) directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev., with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out "the" and insert "a."

Page 1, line 11, strike "it" and insert "one."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5669) to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 11, line 10, strike out all after "reimbursable" down to and including "Act" in line 13.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman if this is the same kind of an amendment as that offered on the previous bill?

Mr. CRAWFORD. No; I would not say so. This has to do with a different type of operation. This provision stricken out of the House bill, that it is not the intent of this act to settle any claim said tribes may have, and so forth, is a little different.

Mr. RICH. The gentleman is looking after repayment of these funds into the Treasury?

Mr. CRAWFORD. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PREVENTION AND TREATMENT OF CEREBRAL PALSY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, there has been introduced a resolution by our distinguished colleague the gentleman from Pennsylvania [Mr. MUHLENBERG] to amend the Public Health Service Act and provide for research and investigation with respect to the cause, prevention, and treatment of cerebral palsy, and for other purposes.

Only those who have had in their family anyone afflicted with this dread disease can fully appreciate the import of this resolution. There are many in this country who bear their cross as a result of the travail and the suffering caused their loved ones by cerebral palsy. Little attention in general has been given to those afflicted. Too often the malady is caused by inadequate care at childbirth and by inexpert medical service. Proper research and investigation will undoubtedly tend to prevent in appreciable degree the mistakes and faulty service that bring such misfortune to the people.

It is hoped that the committee in charge of this resolution will be most expeditious in giving it consideration. It will redound to the great benefit of those who are afflicted and also redound to the health and well-being of the country as a whole.

ECONOMIC RECOVERY PROGRAM

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS of California. Mr. Speaker, when the State Department came on Capitol Hill with its so-called economic recovery program, it brought along a document entitled "Commodity Requirements of European Recovery and the Cost of United States Assistance." This document later appeared in a committee print, Outline of European Recovery Program, which I hold in my hand. I read from page 105:

It is extremely difficult to estimate the contribution which the Western Hemisphere countries other than the United States can reasonably be expected to make to the financing of the dollar deficit of the participating countries during the first 15 months of the program. Having regard to all the circumstances it doesn't seem inappropriate to expect that these countries will be able to finance at least $700,000,000 of the participating countries' deficit with them.

The clear implication of this statement was that the success of the program depends upon other Western Hemisphere countries contributing $700,000,000 to the common cause.

When Secretary Marshall and Ambassador Douglas appeared before the Senate Foreign Relations Committee, the Committee members were unable to get any assurance this sum would be furnished by the other countries. Mr. Speaker, since this $700,000,000 is needed for the success of ERP and since it does not seem to be forthcoming it is entirely possible, even probable, that we may be asked to supply it in addition to the amounts already requested.

The Bogota Conference is now over and I have seen no public announcement of any ERP contributions by other American countries. In fact, our Secretary of State told this conference on April 1, 1948, with what authority I do not know, that our "Government is prepared to increase the scale of assistance it has been giving to the economic development of the American Republics." I hope the members of the Appropriations Committee will look into this matter so they can report to us what likelihood there is of other countries joining this cooperative program or if we are later going to be asked to supply another $700,000,000 and then perhaps a few billions more for the "economic development of the American Republics." We certainly should have this information before we vote on further appropriations.

EXTENSION OF REMARKS

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an article entitled "Farm Land Prices Continue Uptrend" appearing in the journal of the American Bankers Association.

Mr. BUCK asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. HAND asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement by Hon. James F. Hoge, of the New York bar. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $301.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. MACKINNON asked and was given permission to extend his remarks in the RECORD and include extracts from the work of Edwin S. Corwin entitled "The President—Office and Powers."

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an editorial, and in the other an article from the State Department.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in Committee of the Whole and include therein an article by James Doherty appearing in the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDER GRANTED

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

UNNECESSARY WASTE OF GRAIN AND GRAIN PRODUCTS

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUCK. Mr. Speaker, on January 12, 1948, I brought to the attention of the membership of the House an annual loss of approximately 600,000,000 loaves of bread resulting from consignment selling by the baking industry. I urged that the practice be curbed by voluntary agreement under Public Law 395.

Efforts to effect such agreement in the industry have failed. Yesterday I introduced legislation to call a halt to this

improvident practice. This shocking waste of wheat and flour, at a time when the American public is being asked to conserve food and peoples abroad are in dire want, is inexcusable. The remedial legislation, applicable to the entire industry, will merely accomplish the result which should have been achieved by voluntary agreement.

Mr. Speaker, I append an editorial from the New York World-Telegram entitled "Why Waste 600,000,000 Loaves?"

WHY WASTE 600,000,000 LOAVES?

In its zeal and zest to promote food saving, particularly the conservation of grain to send to Europe, the Department of Agriculture is printing millions of cookbooks to be supplied free to all American housewives who will merely take the trouble to write their names and addresses on postcards and mail them to Food Conservation, Washington 25, D. C.

These cookbooks, which tell how to make potatoburgers, eggaroni, and like unappetizing, dreary-sounding food-savers, will cost the Government $20,000 per million to print.

Yet, Secretary of Agriculture Clinton P. Anderson, who is so keen to have American housewives conserve grain for overseas, hasn't even yet stopped the huge annual waste of more than 600,000,000 loaves of bread through the baking industry practice of consignment selling.

This practice means that the wholesale baker, after delivering to retail grocers and restaurants more bread than they can possibly hope to sell, takes back the unsold stale loaves.

Earlier this year Representative ELLSWORTH B. BUCK, of Staten Island, tried hard to interest Congress in this enormous bread waste. Attempts to get from members of the American Bakers Association voluntary agreements to end consignment selling were met by excuses based on competitive difficulties, also professed fear of violation of the antitrust laws.

This, despite assurances from Attorney General Tom Clark that the Department of Justice would take no such action in the case of industrial agreements to further grain conservation.

If saving grain is still so important and imperative, why doesn't the Secretary of Agriculture now take prompt and drastic action to stop, as was done during the war, all consignment selling of bread? It would end the continued shocking waste of 600,000,000 loaves of bread a year, cost the Government far less than its lavish distribution of free cookbooks, and, at least, share the duty to save with the housewife.

"THERE HAVE BEEN DIFFICULTIES TO USE THE MONEY"

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, Government agencies are constantly harassed by the fear that they will have to return unexpended appropriations to the taxpayers. Overseas they catch on quickly. An article appearing in a Danish paper, published in Copenhagen, translated for me by the Library of Congress, says:

Purchase of new scientific apparatuses and instruments is considered as a part of Denmark's reconstruction, and therefore they will come under the $40,000,000 loan which Denmark has got from the International Bank.

Their scientific research board has gathered opinions from all of the technical and scientific laboratories (official), and altogether desires purchases of 2,200,000 crowns.

The Ministry of Education has proposed to the finance committee that this amount will be used, and it will certainly not encounter any difficulties, as it is well known that there have been difficulties to use the money, and the loan has to be used by the end of 1948.

Mr. Speaker, this sort of thing is becoming infectious.

CONGRESSIONAL SUBPENA POWERS

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MACKINNON. Mr. Speaker, the very interesting debate of yesterday on the duty of governmental bureaus to furnish information on public matters to Congress was so affected by the interests of those who, on the one side, would prohibit full disclosure, and, on the other side, those who would expose the transactions and activities of the Pauleys, Condons, and pardoned criminals, and the connection of public officials with those instances that it is hard for the public to know whether the executive department should, under the law, furnish the information. On this point I quote Edwin S. Corwin, the outstanding legal writer, and I quote from page 281 of his great work, The President—Office and Powers, New York University Press:

Nevertheless, should a congressional investigating committee issue a subpena duces tecum to a Cabinet officer ordering him to appear with certain adequately specified documents, and should he fail to do so, I see no reason why he might not be proceeded against for contempt of the house which sponsored the inquiry. And the President's power of pardon, if measured by that on the King of England, does not extend to contempts of the Houses of Congress.

Also on this question, article II, section 3, United States Constitution states the President "shall from time to time give to the Congress information of the State of the Union."

The use of the word "shall" places a duty on the President. Is this to be construed so as to permit the President to evade the duty by giving only such information as is beneficial to him and to refuse to give information that the Congress specifically requests. This particular section of the Constitution has never in practice been given its proper recognition but, in connection with another provision, this language may finally prove to require even the President to respond to subpenas.

CONGRESSIONAL POWER TO IMPEACH OFFICERS

The other constitutional provision I refer to is article I, section 2, which states the House of Representatives "shall have the sole power of impeachment."

That gives the House the power to act as the grand inquest of the Nation. With that power, the Congress is duty bound to see that the actions of all officers of the executive department and particularly the Cabinet officers and the President, conform to the law of the land. How can Congress execute this duty conferred upon it if the executive branch—and particularly the top officers—can refuse to furnish evidence from official Government files that would embarass them and might show they should be impeached?

EXTENSION OF REMARKS

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. CANNON asked and was given permission to include in the remarks he expects to make in the Committee of the Whole today certain excerpts from speeches he previously made on the floor in this session.

RACING SHELLS

Mr. REED of New York submitted a conference report and statement on the bill (H. R. 5933) to permit the temporary free importation of racing shells.

H. C. BIERING

Mr. FOOTE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1308) for the relief of H. C. Biering, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "acting" and insert "for his own acount and."

Page 1, line 8, strike out "$11,212.05" and insert "$7,057.96."

Page 1, line 9, strike out all after "Biering" over to and including "fact" in line 3, page 2, and insert "and said E. A. M. Biering against the United States for expenses necessarily incurred in contesting the erroneous issuance by the Alien Property Custodian on October 11, 1943, of vesting order numbered 2392, which resulted in the seizure of $67,066.55 from said H. C. Biering, acting as attorney in fact for said E. A. M. Biering, and in securing the return of the sum so seized."

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1949

Mr. JOHNSON of Indiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6500)

making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes; and pending that motion, Mr. Speaker, I should like to make an agreement with the gentleman from Missouri as to time for general debate.

Mr. CANNON. I think we can get along on this side with an hour and a half. I hope we shall not have to consume that much time, but I have requests that would indicate we might need that much time.

Mr. JOHNSON of Indiana. Would the gentleman cut that down to an hour?

Mr. CANNON. We will make every effort to hold down the debate on this side.

Mr. JOHNSON of Indiana. Could we agree on 2 hours, an hour on a side?

Mr. CANNON. Mr. Speaker, I think that is running a little close on a major appropriation bill, but I am always glad to agree with the gentleman from Indiana. So we will accept an hour on our side.

Mr. JOHNSON of Indiana. Then, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentlemen from Missouri [Mr. CANNON] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6500, with Mr. HOEVEN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as usual in considering this bill, the committee took no action regarding the items of the Senate, and the bill is written as the budget came to us so far as the Senate items are concerned. With reference to the House, we made very few changes from what the bill was last year. Wherever possible we made reductions. We show a total reduction in the bill of some 8.3 percent. The bill provides the fund which was started in the deficiency bill for additional telephone operators so as to make it possible for each Member to have two telephones which were badly needed and which I do not believe can be called at all extravagant. The fact of the matter is that the officers of the House have been very economical. In many instances the amounts provided for them by law and appropriated for them have not all been expended. They have been turning part of the money back. That applies both to the majority and minority officers of the House. There is one matter that has been called to our attention, and which we have thought a good deal about, although we did not do anything about it in this bill this year. I am inclined to think, however, that we probably should do something next year. As the Members know, the other body provides automobiles for the majority and minority leaders. The House of Representatives has never done that. Here the majority and minority leaders have as much or more use for an automobile in the discharge of their official duties and in accordance with the position that they hold than those of the Senate. As I say, while we did not take any action on it this year, I think it might have been well if we had, and it should be considered seriously next year.

The appropriation for the Capitol buildings has been increased to make some repairs which were needed; $49,000 have been appropriated to paint the dome, and other parts of the building, the architect of the Capitol claiming that they should be painted at least every 4 years and that if that is not done this year they would badly deteriorate and it would cost much more to repair the damage.

There is an increase in the Capitol power plant. One of them is due to the increase in the cost of fuel, in other words, coal. The other increases are because of needed repairs. The power plant, of course, is a big institution, and we have held those repairs to what we consider a minimum consistent with efficiency to permit them to do the work that they are supposed to do to provide the necessary power.

The Copyright Office of the Library of Congress has received an increase. It is not as large an increase as was requested, but I believe it is such as will allow them to get along and give better service this year. By next year we will be able to tell how much money is brought into the Copyright Office as a result of the increase in copyright fees provided in a bill recently passed and signed by the President. At that time we will be able to determine, I believe, the expenditures that the Copyright Office needs in order to perform their functions. Taking it all in all, the bill is not changed a great deal from last year. The Library of Congress asked for numerous increases, the restoration of all cuts made in 1948, and for many additional jobs. The committee did not see fit to grant any of them. What increases are shown are the result of the automatic pay raises under the Ramspect Act and such other legislation. As long as we have those automatic pay raises and provide the same number of employees for the various institutions, there will always have to be an increase in appropriations to take care of those pay raises. In some instances we thought some of those pay raises should be absorbed, and did not allow the full amount.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. RICH. Was it possible, in reviewing the departments, that you might be able to cut down on some of the employees and thus save some of the funds that were paid to others because of the recent legislation? Did you make any saving in that respect?

Mr. JOHNSON of Indiana. I think there is great possibility of that being accomplished if we can get the facts upon which to base our actions in making the cuts. As you probably know, it is the most difficult thing to get any of the agencies that appear before the Appropriations Committee to admit that they have anything that they do not absolutely require. It is a most difficult thing. I think it shows the need of a really true investigation as to the absolute needs.

There is a matter that I shall call attention to in a few minutes, which I think demonstrates the fact very well.

Mr. RICH. When Mr. Woodrum, of Virginia, was a member of the committee, he recommended that each subcommittee have an official representative for that subcommittee, which would cost probably eight or ten thousand dollars a year, but figuring that if they could go to those departments and make an investigation, they could then inform the subcommittee and it would result in a great saving. I have always advocated that on the part of economy, because they could give you the information that you are unable to get.

Mr. JOHNSON of Indiana. The subcommittee has its investigators. However, those investigators did not proceed far enough to give us the reports containing anything of value at this time. We hope to have it in good form by next year.

Now, referring to the matter of funds, I think the membership would be very interested in a matter that was called to my attention. During the course of the hearings this matter was gone into. It was called to my attention, and I just wonder if it does not illustrate what the departments do to Congress and to the American taxpayers.

I have a series of pictures here, just a few dozen that came out of what is purported to be 100,000 or 150,000 photographs, taken by the same agency, and now kept in the Library of Congress. The Library of Congress did not take these photographs. That cannot be charged to them, although the Library is preserving them. They were taken by the Federal Farm Security Agency, in the Department of Agriculture.

The first pictures were taken in 1935, and they run through 1943. Some of these pictures were taken while our country was in war and when we were begging the American people to save and buy bonds so that we could have the money to whip the Germans and the Japs; while photographic supplies were in such short demand that the ordinary citizen could not buy them. I know some of my friends, who have small children, wanted to keep a series of pictures of the children each month or each six months, as they grew up, but they could not buy the supplies. They could not get the film and they could not get the paper. But somehow or other, the Federal Farm Security Agency got all they wanted.

All of these pictures were not taken by the Farm Security Agency, however. Some were taken by the Office of War Information. I want to call your attention to them and I want to ask any Member of the House who serves on the Appropriations Committee if it was ever presented to them by the Office of War Information or the Farm Security Administration that they were spending money to take pictures of this kind.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield myself 10 additional minutes.

I want you to take a good look at these pictures. Here is the first one taken in Baltimore, Md., in April 1943. This is war-information negative 2208–E. The photographer was Marjorie Collins. The title is "Getting Off a Trolley."

Of what value is it? And that was in 1943. I wonder how much they paid the photographers in traveling over the country? We have pictures here from all sections of the country. How much was their expense? What was their salary? What kind of organizational set-up did they have? Did they have a director and superintendent and staffs and stenographers and such?

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield.

Mr. CANFIELD. Will the gentleman restate to the committee how many of these photographs were taken in 1943 and 1944?

Mr. JOHNSON of Indiana. I cannot tell the number from 1943 and 1944 but the information as I recall is that there are some 150,000 pictures and I understand there are still 137 file cases over here in the Library of Congress filled with these pictures.

Now here is a very good one taken in front of the Security Administration in Washington, D. C., in 1942. The photographer was John Farrell. The title is "Construction of Temporary War Emergency Building on the Mall Near Sixteenth and Seventeenth Street Northwest." That is fine. Now the title of the picture is Pile of Bricks. And that is the only thing shown, a pile of bricks. I want you to take a good look at these.

The next one was taken in Danville, Vt. The photographer was Fritz Henley. The title is "Mr. Hastings in His General Store Taking an Order Over the Telephone." Most illuminating and I know of great value to the country.

But here is one taken at Grand Lake, Nebr., in June 1939, by Dorothea Lang, entitled "The Challenger." It shows a railroad train.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield briefly?

Mr. JOHNSON of Indiana. I yield.

Mr. PHILLIPS of California. I think the gentleman is wrong to criticize these. If the Federal housing shortage continues there will be a lot of people in the near future who would like to look at a pile of bricks; and if inflation continues at the present rate there will be a lot of people who would like to see a man taking an order over the phone in the general store.

Mr. JOHNSON of Indiana. Here is one taken in Eufaula, Okla., photographed by Russell Lee. The title is "Oil Cans at the Side of a Filling Station." It shows a large number of empty oil cans piled up.

Here is another taken down in Texas in 1933: "Farmers sitting against the wall."

And here is a wonderful one from Washington, D. C.: "Farm Security Administration." I wonder what this has to do with farms and farm security. The title of this one is "People in Streetcar."

And here is a wonderful one. The title of this is "A Sign." It was taken at Crowley, La., and is a picture of a Coca-Cola sign. The photograph was taken by Russell Lee.

Here is another one, "Man sitting in front of store," taken at Craigsville, Minn.—a wonderful thing.

Here is one taken in Washington, D. C. The title is "A Woman, Probably a Government Clerk, Waiting for Streetcar on a Rainy Day, Probably Near the United States Bureau of Engraving." He did not even know, apparently, where he had taken the picture.

Here is another from Washington: "Three women, probably Government clerks, waiting for a bus on a fall afternoon."

Here is another: "Washington, D. C., August, 1942: Waiting for the streetcar at Seventh and Florida Avenue NW."

Here is one from Plain City, Okla., near Oklahoma City. You people appreciate this one. This was taken by Ben Shahn.

Here is one taken up near Frederick, Md.: "Thresher taking a drink." All you can see is the cup out of which he is drinking.

Here is another fine one: "Baby carriage in front of a lunchroom," taken in South Dakota. You cannot even see the baby.

I do not know why the Farm Security Administration would take one like this: "Detroit vicinity, August 1941: Jack Dwyer taking off his coat in a saloon."

Here is one that shows that the Farm Security Administration photographers were smart and knew what they were doing. This was taken by John Bachon, in Grundy County, Iowa, in 1940: "A corn shock caught on a barbed-wire fence." He does not know what a corn shock is. It might have been a corn husk or a corn shuck, but he probably did not know the difference.

Here is a very interesting one, and I know one that will add a lot. This was taken down in Louisiana in 1941, entitled "Spanish Muskrat Trapper Lying on His Bed After Too Much Whisky and Red Wine."

Here is one of a woman who lives in a row house.

Now, here is a real gem, one that was taken out in Beatrice, Nebr., entitled "Men Picking Their Teeth." This is a Farm Security Administration picture.

Mr. POULSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from California.

Mr. POULSON. Is it not to the credit of the people of Nebraska that they still have their teeth?

Mr. JOHNSON of Indiana. That may be. Here is one in Washington: "The Telephone Used in the Information Division of the United States Department of Agriculture." It is the picture of a telephone, no different from any other telephone.

Here is another one, the picture of a slate roof that was taken by Photographer Mydans at Greenbelt.

Here is one taken at Keysville, Va.: "Girl Showing Boy Her Graduation Ring." It shows two hands, one of them with a ring on it.

Now, we go from the sublime to the ridiculous. Here is one taken in Butte, Mont., by Arthur Rothstein. It is a picture of Venus Alley. If anyone from Butte knows what Venus Alley is they might inform the House. If they do not we will look at the next two pictures.

This one was taken at Butte, Mont., by Arthur Rothstein. It is of Venus Alley entitled, "Sign in a Window in Venus Alley." There is the window with the sign "Elinore" in it.

Here is another one taken at Butte, Mont., by Arthur Rothstein. It is also entitled, "Sign in a Window in Venus Alley," and the sign says "Mickey." There is written and pasted there on the window the following: "I will be here Sunday. Mickey."

Mr. Chairman, there are quite a few more of these pictures if anyone wants to see them. I shall not take time to go through them, but they are all about as ridiculous as the ones to which I have referred.

With reference to the question asked by the gentleman from Pennsylvania in regard to cutting down expenses, I wonder if it would not be well to have some real investigations of these departments to find out about these things. I venture the assertion that no one on the committee had justified to them the expenditure of money for purposes such as demonstrated by these pictures. The pictures have file numbers; they are all cataloged; they are all numbered, the numbers of the films are given, and they are mounted on photographer's cardboard. That went on from 1935 through 1943. So I say, Mr. Chairman, it is high time that the Appropriations Committee and the membership of the House in general scrutinize these appropriations and scrutinize them closely to see that things of this character are not carried on any longer. This sort of thing should be stopped immediately.

I recommend most highly all of the investigations possible so that we may have all the information we can get before we appropriate money.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CANNON. Mr. Chairman, I desire to commend the chairman of the subcommittee, the distinguished gentleman from Indiana [Mr. JOHNSON], on the very thorough and comprehensive hearings he held on this bill, and the economy exercised in drafting the bill. I do not think we have had within my recollection a more able or efficient chairman in charge of this bill than the gentleman from Indiana. He is a businessman, and he has handled this bill, which is a business proposition, in that it is the housekeeping bill of the Congress, in a practical businesslike way. It has been a pleasure and privilege to be associated with him on the committee.

We have reported out a fairly good bill. I do not approve of all the provisions in the bill, especially the provisions for the Congressional Library. I think there should have been some amendments, which I will take occasion to call up later. For the present, in order to

have ample time, I shall discuss a collateral matter.

Mr. Chairman, on May 6, 1948, in the debate on the conference report on the first deficiency appropriation bill, 1948, I said, as reported on page 5454 of the RECORD:

> It is to be regretted that when the original appropriation was made a sufficient amount was not authorized to have taken care of the situation without having to incorporate it in this bill.

In response to that statement the gentleman from Wisconsin [Mr. KEEFE] said:

> I take this time merely to keep the record straight in view of the statement that has just been made by the distinguished gentleman from Missouri [Mr. CANNON], who has the facility for making statements that sometimes do not accord with the facts.

Let us consider both the gentleman's statement and the facts. The first question is, What is there in the statement that does not accord with the facts? No one will deny that it is a matter of regret that sufficient funds were not originally provided, thereby avoiding this long drawn-out procedure here in the House and in the Senate, as well as the readjustment required in the various States threatening the dismissal of hundreds of essential employees and the closing of public employment offices. Does anyone contend that it is not a matter of regret, and is there anything in that statement warranting the vicious language used by the gentleman from Wisconsin?

But the gentleman from Wisconsin goes on to say:

> The gentleman from Missouri has sought to give the impression it is unfortunate we are compelled to consider this deficiency because the matter should have been taken care of in the regular appropriation estimate or when the regular appropriations and estimates were considered for the fiscal year 1948.

So let us take the gentleman's point of view. It is nothing new for this session of Congress, as the gentleman from Wisconsin has well said, to be compelled to consider deficiencies because the matter which should have been taken care of in the regular appropriation bill was deferred under the guise of a saving or an economy and had to be taken care of in a subsequent deficiency bill.

You cannot recall a deficiency bill which has been considered in this Congress in which there were not large items replacing money which had been cut from the estimates and heralded to the country as an economy. I called attention to a number of such instances when the first deficiency bill was under consideration. And items aggregating $1,068,000,000 for tax refunds to replace the $800,000,000, broadcast all over the Nation as a saving in the last session, were carried in House Joint Resolution 355, and in the first deficiency bill passed in the first week. They cut out of the estimates $800,000,000 for tax refunds and included them in a tabulation they presented to the country as a retrenchment, claiming they had saved $800,000,000 for the Public Treasury. It now develops that they not only failed to save $800,000,000, but they had to put back the $800,000,000 and $268,000,000 besides.

But the gentleman says these deficiencies to which we refer have risen because of situations which could not have been in the contemplation of the committee at the time the budget estimate was considered, due to wage increases given State employees long after they considered the 1948 budget; that such items are imponderables.

Let us look at it from that point of view.

The Senate proposed an additional appropriation of $1,850,000,000 for grants to States for unemployment compensation administration. That was the proposition before us. $57,586,000 had previously been appropriated for this purpose in the Labor-Federal Security Appropriation Act of 1948. Later that amount was further increased by $8,026,000 in the Supplemental Appropriation Act of 1948. These two appropriations combined fell short of the budget estimates by $4,000,000, and it was represented to the country that the $4,000,000 was a saving.

Also, the Senate proposed an appropriation of $2,560,000 for grants to States for public employment offices—$57,382,400 was appropriated for this purpose in the Labor-Federal Security Appropriation Act of 1948, and that amount was later increased by $7,460,000 in the Supplemental Appropriation Act of 1948. Again, the two appropriations combined fell short of budget estimates by $8,345,600.

In both instances it will be noted that the additional amounts proposed by the Senate to the pending bill, the first deficiency bill, 1948, were well within the amounts by which the budget estimates presented to the last session were reduced. In other words, had the knife been used more judiciously, there would be no need now to consider a third request for funds for the current fiscal year.

As a matter of fact, the sums carried for unemployment compensation and employment offices in the first deficiency bill will not be sufficient to keep those services functioning effectively. A fourth estimate may be expected before the close of the session. And I predict now that in addition to the amount which we carried in this bill, there will be a fourth and further request for additional appropriations because even on this third bite at the cherry we did not give them enough money to see the unemployment compensation administrator and the employment offices through.

So far as the estimates not being contemplated that may be; but, on the other hand, had the prior appropriations contained a reasonable margin for contingencies as most lump-sum appropriations do, there would be no need now for the Congress to be devoting its time to this third request

Mr. Chairman, appropriating on the installment plan is neither economic nor efficient. And it is a deceptive course, because the amounts which the people are led to believe have been saved ultimately must be restored in large numbers in supplemental grants.

The gentleman from Wisconsin concludes by saying that as a result of the hearings conducted this morning we are providing the deficiency funds as a result of situations that have arisen since the regular 1948 appropriations and estimates were considered. Even granting the gentleman's contention, no such situation, Mr. Chairman, has arisen since the Senate held hearings on these items and sent them to the House. In the conference with the Senate conferees the gentleman from Wisconsin—and he was particularly and specially mentioned in the Senate as the leader of these obstructive tactics—the gentleman from Wisconsin had before him all the information the Senate had when it provided for these deficiencies. And if there was any further information which he needed or wanted, he could have held brief hearings at that time, as he later did in order to save his face after it became evident that the situation was so intolerable that he would have to yield.

The explanation was that the gentleman from Wisconsin was against allowing money to maintain the Unemployment Compensation Service in a going condition. He was against allowing money to keep the Employment Office open.

He was against it when the Senate amendments were considered in the preliminary meeting of the House conferees. He was against it when he considered the Senate hearings. He was against it when the Senate conferees argued with him that the two services must be continued and could not be continued without the money provided in the Senate amendments. He was against it in the second conference until it became clear that the country would not be denied these essential appropriations.

The gentleman from Wisconsin says the situation could not have been in contemplation of the committee and that the items were imponderable, but in both the first and second conferences with the Senate and with the hearings and report and amendments before the conference available, he knew exactly or could have known what was required and why.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, I yield myself 15 additional minutes.

In both the first and second conferences with the Senate, with the Senate hearings and report and amendments before the conference, he knew exactly, or he could have known exactly what was required and why it was required. There were no imponderables then. But he was determined to deny these social-security agencies the bare appropriations required to keep them alive and functioning, and he continued that opposition as long as it was tenable.

There is nothing new in the gentleman's obstinate opposition to adequate funds for these two social-security services. We have but to go back to the genesis of social-service legislation to understand the gentleman's attitude.

Under the terrible depressions which scourged the country prior to 1933, regardless of how industriously men

labored—or how well they managed—there were many who were able to lay aside a competence for retirement. There was no place for indigent old age but the poorhouse, and periodically industries shut down and turned millions of men out on the streets who tramped the highways and "rode the rails" looking for work, any kind of work, at any wage, to support their families. But there was no recourse except ineffective public charity or crime.

And nothing was done about it. President Hoover was appealed to but neither he nor his Congress exhibited any interest while the situation grew steadily worse.

It was left for President Roosevelt and his Congresses to enact the Social Security Act which, for the first time, provided old-age assistance for the superannuated, unemployment compensation for those unable to find jobs and aid for dependent children and for the blind and unfortunate.

When the bill was finally reported to the House, the entire Republican membership on the Ways and Means Committee unanimously joined in filing a minority report bitterly opposing it, insisting it was unconstitutional, and predicting it would increase unemployment, and they continued to oppose expanded activities and increased appropriations as vigorously and as uncompromisingly as the gentleman from Wisconsin [Mr. KEEFE] opposed them in the conferences on the deficiency bill.

Mr. KEEFE. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. CANNON. If the gentleman will permit me to complete my statement, I shall be glad to yield.

The position which the gentleman takes here in opposing proper funds to continue these activities is the traditional position taken by his party from time immemorial. But the forces of public opinion and the extraordinary success of the social-security service, especially the unemployment compensation and public employment service features, forced them to modify their position, and at the last Republican National Convention at Chicago a platform was adopted pledging this Congress to an expansion of the social-security activities.

The gentleman from Wisconsin has been a particularly prejudiced obstacle to the redemption of those solemn party pledges. So notorious has been the attitude of the gentleman from Wisconsin in that respect, not only the 1948 program but on the 1949 program as well, that it has been protested in the public press. For example, the Washington Post in its issue of May 5 says editorially:

> The House of Representatives last week passed an appropriation bill for the Federal Security Agency—

And that bill was passed under the direction of the gentleman from Wisconsin, who was chairman of the subcommittee which drafted it. This editorial refers directly to his personal handiwork.

> The House of Representatives last week passed an appropriation bill for the Federal Security Agency, in which the funds requested by the Bureau of the Budget for operation of the Social Security Administration were cut so drastically as to invite its disintegration.

That is a strong statement, but the Washington Post, one of the great newspapers of the Nation and the world, considers itself justified in making that emphatic statement.

> These are strange ways indeed to carry out the 1944 Republican Party platform pledge to support "extension of the existing old-age insurance and unemployment insurance systems to all employees not already covered."
>
> The Budget estimate for operation of the office of the Social Security Commissioner was $3,151,165. The amount appropriated by the House was $221,000, a cut of no less than 93 percent. The effect, of course, is to leave the Commission impotent. His office is the nerve center of a complex system in which competing demands for protection of children, the aged, the blind, and the unemployed must be brought into balance. The regional offices through which his controlling influence was exerted are taken away from him and the determination of policy is thrown back, in effect, to the level of the four constituent Social Security Bureaus. These, then, instead of being integrated are all too likely to be working in rivalry and at cross purposes.
>
> The budget request for informational services was reduced from $109,997—certainly no great sum for a Federal organization serving millions of American citizens—to $79,997. This will mean that people who have rights under the social-security program, rights gained through their own contributions, may all too frequently lose them through ignorance. Widows or orphans entitled to insurance benefits may find them forfeited solely because of an information failure. Equally short-sighted is the slash of $100,000 from the $230,000 asked for research and statistics. This will cut the research staff of this great Agency from 50 to 20 persons, clerical and administrative personnel included, and will hamper intelligent planning for the future.
>
> Most damaging of all, perhaps, is the cut of nearly $23,000,000 in the funds for the United States Employment Service and the Unemployment Compensation Commission and the combination of the two in a new Bureau of Employment Security entirely outside the jurisdiction of the Social Security Administration.

It is to be noted that, although we passed the streamlining bill in the last Congress by a tremendous majority, guaranteed for all time to come to eliminate riders on appropriation bills, eliminating a practice that everybody agreed was reprehensible, legislation under the guise of an appropriation; that the gentleman resorts to that unlawful and unparliamentary practice in his efforts to cripple social-security legislation and deny social-security funds.

> This is obviously outright legislation in the guise of an appropriation bill. It tends to segment and disrupt what should be coordinate and complementary. The Social Security Act is too vital and valuable a part of the Nation's economic structure to be subject to this sort of trickery and demolition. The Senate, it is to be hoped, will show a greater measure of true conservatism when it considers this appropriation bill.

Let us hope the Senate justifies that expectation, and that the Senate conferees will this time be more successful in resisting the objections of the gentleman from Wisconsin than they were in their first conference with the gentleman on the first deficiency bill.

The Washington Post says the work of the gentleman from Wisconsin and his colleagues, in their attempts to sabotage the social-security services, amounts to "demolition." Is it to be wondered that he seeks to divert attention from that record by abuse and vituperation?

Mr. Chairman, in the consideration of the numerous and diverse subjects necessarily under debate in the House it is inevitable that there should be differences of opinion. And we have honest differences of opinion every day here on the floor, But such differences do not warrant the personal abuse and the vile and unparliamentary language used by the gentleman from Wisconsin.

By way of contrast it is only necessary to note how differences of opinion have been customarily handled in this session. When our distinguished and beloved Speaker made the statement in a radio address which was published in the CONGRESSIONAL RECORD that a Republican Congress had balanced the budget for the first time in 16 years, I disagreed with him briefly, as will be noted on page 1634 of the RECORD:

> Reverting to articles in various national magazines just referred to, there appeared in a recent issue of Collier's a high and deserved encomium on the Speaker of the House. I subscribe most heartily to the many laudatory things said in that article about our distinguished Speaker. I yield to no one in my affectionate regard for him as a man, or in my regard and admiration for his outstanding ability as a legislator, as the Presiding Officer of the House and as heir-apparent to the Presidency of the United States. No more talented and gifted man has served in the high office of the Speakership. But there is one perhaps inadvertent statement in the article—one which has since been repeated in many quarters—which must not be allowed to go unchallenged.
>
> The statement was to the effect that under his Speakership a Republican Congress has balanced the budget; that the Republican-controlled Eightieth Congress achieved a balanced budget for the first time in 16 years; that it took a Republican Congress to achieve the first balanced budget in 16 years.
>
> Now, Mr. Chairman, there is no foundation whatever for such statements. When the Republican Party took over control of the Congress in January 1947, the budget they received from the President was not only in balance but it was in balance for the first time since it went into the red during the Hoover administration. If anyone here on the floor, or elsewhere, entertains the slightest doubt about the accuracy of that statement, or if there is any claim that our Republican friends are entitled to any credit for balancing the budget for either the fiscal year of 1948 or 1949, it is only necessary to examine the figures set forth in table 5, on page A-10 of the Budget, submitted to the Congress early last month.
>
> The last fiscal year in which we were at war was the fiscal year ending June 30, 1946. Only 6 months and 3 days following the close of that fiscal year the President presented a balanced budget for the fiscal year 1948. And that is the year Republican apologists would have the country believe they balanced the budget. Such claims are manifestly absurd. You can be certain the chairman of the Committee on Appropriations, the gentleman from New York [Mr. TABER], who probably knows as much about the fiscal affairs of the Nation as any man alive, has never made any such ridiculous claims as that.

The Government was in the red when they turned it over to us in 1933. We received it in the red and we turned it back to them in the black. And in my opinion, it will be in the red again when they return it to us in the next Congress.

When—page 3972—the chairman of the Committee on Appropriations, the gentleman from New York [Mr. TABER], said, in the course of his remarks on the first deficiency appropriation bill, that only six or seven million dollars were for replacement of cuts made in former bills, my comment was:

I was surprised when the chairman said in answer to my question that only about $6,000,000 or $7,000,000 in the bill is for replacements of cuts made in former bills. If you go through this bill, you find that practically half of the new obligational availability is directly due to the need for restoration of amounts previously claimed as economies. In other words, this committee has ever since the beginning of the Eightieth Congress been operating in many instances on the installment plan. The departments come before the committee and demonstrate the need of definite funds and the committee arbitrarily cuts the appropriation below the amount on which the department can operate, and then tells the country that we have made a saving.

And when the money falls short of the requirements of the department the committee brings in a deficiency or supplemental appropriation which absorbs or more than absorbs the so-called economies.

The last deficiency bill passed here in the House was made up principally of such restitutions. And a large part of this bill is made up of such items.

These appropriations by installments do not save a thin dime. On the contrary, they involve additional and unwarranted cost to the Government. Additional work is shouldered on the Federal agencies and the Congress in the repeated processing of these come-back estimates. Budget staffs are burdened unnecessarily with additional work and the committees and the two Houses must without profit devote valuable time and energy to these repetitious proceedings. And we end up by restoring the funds arbitrarily denied without supporting factual data.

Mr. TABER. Would the gentleman point out one such item as that?

Mr. CANNON. Certainly. Here, for example, is the amount restored for Government relief in occupied areas. And here is something like $75,000,000 of delayed funds for the postal service. And there is a very substantial amount here for replacement of cuts in the provision for the Atomic Energy Commission. And here is money for the replacement of arbitrary cuts in the replenishment of the working capital of the Government Printing Office. Just these items alone will total something like $295,000,000 instead of the $6,000,000 or $7,000,000 which the gentleman assured us just now would include all replacements for cuts made in previous appropriation bills and heralded to the country as savings and economies.

However, when the gentleman from Wisconsin [Mr. KEEFE], who seems to have a predisposition for such statements, charged on the floor on March 11 that facts had been garbled, I answered him, page 2586, in kind:

Even if the President wanted to keep these Communists in the bosom of the Government, which is unthinkable, the weight of public opinion would force them out. We have seen aroused public opinion operate. We saw the effect of pitiless publicity on the three fellows we had up here in the last Congress. When payment of their salaries was refused they applied to the Court of Claims, and the Court of Claims sustained them. We carried it up to the Supreme Court. The Supreme Court said they were entitled to draw their back pay.

But their position was untenable. All three of them resigned. The department was too hot to hold them. Public opinion was too intense to permit them to stay. We got rid of them. If we handled those 3 we can handle these 14 just as effectively and just as expeditiously under this resolution.

The other day when this matter was up, the gentleman from Wisconsin [Mr. KEEFE] took issue with me and made the statement that the facts were being garbled, that the facts were not given, or that the facts were misrepresented. I have notified the gentleman from Wisconsin [Mr. KEEFE] that I would take this up today. May I say that if there is any misstatement of fact, and apparently there was, it was the gentleman from Wisconsin who was guilty of the misstatement of facts on this floor. Here is what he said:

"He"—the gentleman from Wisconsin—"should get himself in accord with the facts and not make the charge on the floor of the House that the Republican chairman and the Republican Committee on Appropriations are failing in their responsibilities to get rid of communism existing in the State Department."

Well, now, what other conclusion can there be? The chairman of the committee made the statement on the floor that the Communists were there, and he has done nothing to get rid of them. At least, no action has been recommended or reported to this House providing any kind of a method for their disposition.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CANNON. Mr. Chairman, the gentleman from Wisconsin then said:

'The gentleman from Missouri makes the bald statement that under his administration as chairman he got rid of three of them and challenges the present chairman to emulate him in doing the things which he says never took place at all. * * * They did not fire these people at all. They stayed on the job."

Anybody knows that a Communist never gives up a job on the inside as long as he can hold it. These people would be in their jobs today if we had not taken action. We did get rid of them. They are no longer a part of the Government. All of them were out of the employ of the Government before the opinion was handed down by the Supreme Court.

Now, the gentleman from Wisconsin takes great credit to himself for the part that he had in this proceeding.

He makes the statement that he had the honor to suggest on the floor of the House that a new special committee should be appointed for this purpose. And he says it was done. You get the impression in reading his speech that he initiated the proceedings. As a matter of fact, all he ever did was to go along with the Democratic majority. The matter was first suggested by the gentleman from Florida [Mr. HENDRICKS], who, in 1942, proposed that action be taken, and who, in 1943, offered an amendment to deny the salary of certain men accused of being Communists. At the time that amendment was under consideration, the gentleman from Wisconsin [Mr. KEEFE] debated the question. He made no suggestion whatever that he had ever thought of taking any such action. He was undoubtedly present, because he is quoted in the RECORD as saying:

"The very voices that are now crying out against the adoption of this amendment, however, are the voices that in the last campaign vilified me because of my pre-Pearl Harbor votes."

He seems to be sensitive about his pre-Pearl Harbor votes.

And Mr. O'Connor interrupted him to say:

"I was branded just the same as was the gentleman from Wisconsin [Mr. KEEFE] by the New Republic as being an agent of the Nazi government."

The gentleman from Wisconsin [Mr. KEEFE] acquiesced:

"I remember well the situation that existed in this country at the time of the last war. I know how emotions can be whipped up, and I feel that we should act deliberately in this matter with full knowledge of what we are doing."

Then he makes a statement that he was appointed on the committee by the Speaker of the House. He had just previously said he was glad I had appointed him. So, it is a question of when the gentleman was making a misstatement. Was he making a misstatement when he said he was appointed by the chairman of the committee or when he said he was appointed by the Speaker? Certainly, he was making a misstatement when he said we did not get rid of the three Communists.

The gentleman from Wisconsin not only contradicted himself but he also contradicted the gentleman from Minnesota [Mr. JUDD] when he insisted that due to the decision of the Supreme Court the committees of the House were without power to rid the department of Communists and other objectionable employees. The gentleman from Minnesota [Mr. JUDD] in the same colloquy stated that his committee, the Committee on Expenditures in the Executive Departments, was getting rid of many of them. If the method by which the Committee on Expenditures in the Executive Departments is getting rid of the Communists in the departments is not permissible under this resolution, then let us adopt the plan followed so effectively by Mr. JUDD's committee. Let us use it on the 14 Communists which the chairman of the Committee on Appropriations tells us are impregnably intrenched in the State Department. Let us either take steps to get rid of Communist-affiliated employees in the Government or quit talking about them.

Mr. Chairman, all such differences of opinion have been disposed of in a parliamentary manner but in this instance when a statement is made that there is cause for regret that an original appropriation was not provided to avoid a deficiency, then partisan members vote to leave in the record a churlish and unwarranted statement, a violation of the rules of this House or of the rules of any other self-respecting parliamentary body, that the gentleman from Missouri has a facility for making statements that do not accord with the facts.

I am glad to say, Mr. Chairman, that it was not the action of the House. It was the action solely of members on that side of the aisle—and many on that side of the aisle did not concur in it.

And I was about to overlook the gentleman from Ohio [Mr. BENDER]. At the close of the vote, the gentleman from Ohio [Mr. BENDER] secured 1 minute to make a charge of something manifestly worse which had taken place in 1945. I had to look it up in the RECORD to find what it was. And I wish anyone interested would take the time to read the debate on the subject on December 11, 1945. I was trying to save $17,000 on a new office which had been created the year before and which everybody who appeared before the committee said had accomplished nothing. I wanted to abolish the office and save the $17,000 and

the House did abolish it and it has never been referred to since. But the gentleman from Ohio evidently favored spending the money and interrupted to ask a question and then proceeded to make a stump speech, which I deleted from my remarks, under the rules of the House. I had forgotten saving that $17,000, but evidently he has not forgotten it.

Mr. Chairman, I appreciate the vote of confidence received—on both sides of the aisle—for I count the adverse vote on that side of the aisle especially significant. It is a high compliment that in the debate here on the floor the gentleman from Wisconsin, unable to discuss the merits of his case convincingly, found himself at such a loss as to have to adopt the course traditionally followed by the shyster lawyer who, having a poor case, resorts to abuse of the opposing attorney.

But, may I remind certain gentlemen on that side of the aisle that name calling is not argument and abuse is not statesmanship.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE]

Mr. KEEFE. Mr. Chairman, of course the rules of the House do not permit me to speak the sentiments that are rushing and crowding for expression at this time. What words I was able to hear as uttered by the gentleman from Missouri—and I sat within 6 feet of him in the front row while he was delivering himself of this abusive declaration toward me—those things which I was able to hear indicated to me the truth of the old adage, "He who tooteth his own horn is like he who dyeth his mustache; he kiddeth only himself."

The gentleman, apparently cringing under what he conceives to be an unwarranted lash administered by the House of Representatives the other day, when by a roll call vote of 171 to 137 the House refused to expunge from the May 6 RECORD the remarks of the gentleman from Wisconsin, has apparently taken a lot of time to build up a defense against that action that he wants to use down in his district in the forthcoming campaign. He has delivered himself of a speech for home consumption. He has gone far afield from the issue that was before the House on the 6th of May, and the gentleman well knows it. He has digressed in his remarks in a manner that ill becomes one who is frequently referred to as a great parliamentary leader.

I shall in due time take a little time and make a speech that will gather together some of the votes and remarks of the gentleman from Missouri that reflect his attitude.

Mr. Chairman, I was in my office this morning from 8:30 to 11:45 a. m. At no time did the gentleman advise me that he intended to attack me. Common courtesy would have required this. I ask for none from the gentleman, however, and assure him that in due time I shall answer every statement in his speech. He has asked for it and the House is entitled to the facts in order that the record may be kept straight.

Oh, how he loves to appear as the bleeding heart, bleeding for underprivileged humanity, and the great defender of social security. Without any research I well remember the time when the gentleman who is now addressing you offered an amendment to a deficiency bill then pending that provided the initial funds and program for setting in motion the emergency material and infant-care program. Who was it that arose on the floor of the House and objected? The gentleman from Missouri [Mr. CANNON]. But that effort in behalf of the wives and children of servicemen would not be denied, despite the opposition that he made, and when the bill came back from the Senate the provision was in that bill and there was not a dissenting voice.

The gentleman from Wisconsin, whom he has attempted to depict as the enemy of social security, as he well knows and as the record will show, and I will put the exact quotations in the RECORD and the reference to it when I revise these remarks and get permission to do so in the House, will indicate the attitude that the gentleman from Missouri then expressed with respect to one of the greatest programs that was developed during the war.

Now let us get to the basic facts that prompted me to make the statement which I did in this RECORD of May 6.

We were in conference with the Senate on the deficiency bill. The Senate committee placed in the deficiency bill two items, one for administration expenses for unemployment compensation administration in the States, and the other for administrative expenses for the State employment services. One was $2,500,000 and the other was somewhat in excess of that amount broken up as two separate items.

Those matters had never been considered by a committee of the House of Representatives. They were put in by the Senate. When we went to the conference, I looked through the Senate hearings and found that they were very skimpy indeed, to say the least. There was no break-down whatsoever to show what those funds were to be used for. I objected to giving these millions of dollars additional to these two services until I knew what the money was for. The Senators agreed and we had a unanimous agreement, and my little friend from Missouri was there and did not object. He signed the conference report. The conference report came back to the House and was passed unanimously, and the gentleman from Missouri never objected then as he had a right to do. Then the conference report went to the other body. In the meantime, the States of New York, Pennsylvania, New Jersey, California, and Michigan indicated that due to situations that had arisen in those States, the operation of those services might be impaired if that deficiency was not allowed. So the Senate sent it back to the conference for further consideration. Again we went to the conference called by the Senate and after hearing the facts, the chairman of the conference, Hon. STYLES BRIDGES, requested me as chairman of the House committee to hold a hearing the next day and get a break-down of those two estimates so that the conference would know what it was all about. Did the gentleman from Missouri object then? He did not. He sat there without opening his mouth, largely because, I assume, he did not know or understand what was before the conference. I conducted those hearings the next day, starting at 9:30 and concluding at 11:30. As a result of this conference and that hearing, we received a break-down from both the UC and the Employment Service operation showing what those moneys were to be spent for. The gentleman from Missouri apparently does not understand it at all. But as a result of that effort, the conference struck from this deficiency appropriation $1,325,185 in one item and, I believe, approximately $250,000 in another. Of course, the saving of a million and seven or eight hundred thousand dollars perhaps does not mean anything to the gentleman from Missouri, but it meant something to this conference of which he was a member. Again the conference agreed on striking out that amount of money from this deficiency as a result of the hearings conducted by the gentleman from Wisconsin, whom the gentleman from Missouri condemns so bitterly this morning. Again the gentleman from Missouri signed the conference report. Again the report came back to the House and was passed unanimously. Today the gentleman from Missouri stands on the floor and denounces the gentleman from Wisconsin as being an enemy of social security. Let me tell you something. You may get away with that down in your district in Missouri—where you have some pretty tough opposition this fall, I understand.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. KEEFE. I will take my chances with the membership of this House or with the people of this country who have written me reams of letters, which I can show, indicating the magnificent work that the committee of which I have the honor to be chairman has done in this field. You will see before we get through that we have done one of the most constructive jobs in the interest of social security in this country that has ever been attempted. Were I to follow the leadership of the gentleman from Missouri [Mr. CANNON] I would take these budget estimates as they are handed up here, hold a little mimic hearing and report it to the Congress and beat my breast saying what a great job I had done.

Where was the gentleman from Missouri [Mr. CANNON] when the report came from Congress and the bill, of which he complains, was reported? Was he on the floor? Did you hear a squeak out of him? You did not. He was a member of the Appropriations Committee, and this House, with only about 29 votes against it on the roll-call vote, supported the committee of which I have the honor to be chairman. Most of the debate on the bill related to the so-called non-Communist rider. Where was the gentleman from Missouri at that time when his voice might have been heard? He was silent. Then he comes in here

today, when he apparently has charge of the time on this bill, and attempts to excoriate the gentleman from Wisconsin as being opposed to social security.

The gentleman from Missouri made the statement when the deficiency bill came back here:

> It is to be regretted that when the additional appropriation was made a sufficient amount was not authorized to have taken care of the situation without having to incorporate it in this bill. Certainly the House should have agreed to the Senate amendment without requiring this extra conference.

It was the unanimous action of the conference that resulted in the extra hearing, and the gentleman from Missouri was there. Why did he not raise his voice then? He did not, because the action of the conferees was unanimous and it was right.

Now, let me tell you the facts. The facts are simply these, that subsequent to the regular appropriation estimates being approved for 1948, due to a natural-gas shortage in Michigan, and due to circumstances that could not be foreseen, there was a tremendous amount of unemployment that was not figured in the estimates when they were made for the fiscal year 1948. There were wage increases in all State services that could not be anticipated. Those wage increases made the administration cost more money. So they came in and asked for a deficiency. We supposed it was because of that critical situation. But when we broke the situation down we found that on the employment office side $1,325,000 of that requested deficiency was for what purpose? A purpose unknown to anybody heretofore. They requested it in order that six States might dip into this title III money, and fortify their State systems of retirement and use the money that was paid under title III to fortify the retirement systems of those six States, by taking out of that fund the money necessary to make the employer's contribution to the State retirement fund; something unheard of; never presented to any committee of Congress.

When we developed those matters before the conference every member of the conference, Democrats and Republicans alike, said, "It is an unheard-of thing. We want to know what the facts are."

In fact, I furnished the distinguished Senator from New Mexico a copy of an opinion by the Comptroller General, and after reading it he was of the opinion that there was a serious question as to the legal authority for us to make expenditures of that kind. And my little friend from Missouri sat there with his mouth closed; never opened his mouth during the entire conference. Again, I repeat, he did not open his mouth, because he does not understand and does not know the techniques that are involved in the administration of the employment services or the administration of the unemployment compensation.

Then he has the effrontery to stand up here in the well of the House and condemn and damn me. I have spent 10 years of my life in diligent study and effort to promote the administration of the employment services and unemployment compensation throughout this country, and every State administrator well knows that to be a fact.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks. I have no present knowledge as to what the gentleman has included in his speech. I assure you that as soon as I have had an opportunity to read the statement of the gentleman from Missouri, I shall answer it in order that the record may reflect the truth.

The CHAIRMAN. The Chair will state that the gentleman from Indiana [Mr. JOHNSON] has 25 minutes remaining, and the gentleman from Missouri [Mr. CANNON], 25.

Mr. CANNON. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. CANNON. Mr. Chairman, the gentleman from Wisconsin [Mr. KEEFE], who has just spoken, has not even attempted to touch the real issue. He has very carefully avoided it. He has not attempted to justify the unpardonable language which he used on the floor.

He has confined his discussion entirely to the complaint that the members of the minority did not save him and his colleagues from their error in opposing adequate appropriations from the Unemployment Compensation Administration and the unemployment offices.

Nor can he take refuge in the fact that even after the bill and first conference report came to the floor a dictatorial minority did not deter a downtrodden majority from passing the bill and the conference report dictated by the gentleman from Wisconsin.

He makes a frank confession. He concedes that he knew all about the bill and that no one else knew anything about it. That is all the greater condemnation of his determined opposition to a minimum appropriation to keep social-securities activities functioning.

The criticism of members of the minority for signing the conference report and voting for the bill or the report are absurd. They had no voice in the matter. You cannot oppose or refuse to approve and vote for a bill or a conference report carrying vital appropriations simply because you do not approve of one or two items in the bill.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I am glad to yield to the gentleman from Wisconsin.

Mr. KEEFE. Is it not a fact that the conference report was unanimous? And that the gentleman from Missouri was present there all the time and agreed completely with everything that was said and done?

Mr. CANNON. Certainly not. No member of the minority agreed to the drastic cut the gentleman insisted on making in the social-security funds. But we had to sign the report or be placed in the position of opposing essential appropriations for other purposes carried by the bill and refusing funds the lack of which would have placed other activities in as precarious a situation as the Unemployment Compensation Administration and the employment offices.

Mr. KEEFE. But the gentleman voiced no opposition in the conference.

Mr. CANNON. The gentleman knows I did not agree. I signed the conference report, because I had no choice.

Mr. KEEFE. Of course the gentleman did.

Mr. CANNON. It was a case of signing it or abandoning the rest of the bill.

Mr. GAVIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GAVIN. I wish to ask the chairman what legislation we are discussing. What good bill is before the House?

The CHAIRMAN. The House is in the Committee of the Whole in general debate on the bill H. R. 6500. The gentleman from Missouri has been recognized for 5 minutes and his time has not expired.

Mr. GAVIN. Mr. Chairman, I make the point of order that the gentleman is not discussing the bill under consideration. It is time we got back to a discussion of this bill. We have taken too much time on extraneous matters.

The CHAIRMAN. The Chair will state that under general debate, the debate is not confined to the bill.

The point of order is overruled.

The gentleman from Missouri will proceed.

Mr. CANNON. I can understand the anxiety of the gentleman to get away from the facts in the case, and I can understand the anxiety of the gentleman from Wisconsin to get away from the facts.

He says he was not aware of the situation necessitating the appropriation of these funds until the morning of the last conference. As a matter of fact, he cannot deny that he knew of the facts on which the Senate had based its amendments and he knew of them before the first conference. He cannot dodge that. The Senate hearings and report were simultaneously available with the Senate amendments. He cannot disguise the fact that he was opposed to the efficient administration of the social-security law as evidenced by his refusal to agree with the Senate conferees after long and exhaustive argument with them in the first conference. He was just traditionally opposed to the whole idea. He knew at that time that failure to make the appropriation would require the discharge in the State of New York alone of over 900 employees and make it impossible adequately to administer the program. He knew at that time that in the State of Michigan, for example, they would have to close numbers of employment offices immediately, making it impossible to attempt adequately to administer the program. And still he refused even to compromise with the Senate conferees. He would not agree to a penny.

The remarks of the gentleman from Wisconsin are enlightening in another respect. His discussion betrays a familiarity with political aspirations in my Congressional district. He seems to be attempting to make political capital here which can be used by his party in my

district in the coming campaign. He is apparently already attempting to campaign against me in the coming election at the expense of the beneficiaries of the Social Security Act. That is one congressional district in which the election cannot be dictated from Washington. If it could, I am certain the gentleman would be glad to take precautions which would keep me at home and thereby save him and his colleagues in the next Congress from the reminder of their failure to provide for the administration of the laws which have brought to that district and the State of Missouri the greatest prosperity the country has ever known.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield myself 1 minute for the purpose of expressing my thanks and appreciation to the members of the committee on both sides for their untiring work in writing this bill. I can happily say that in our committee we had no political considerations at anytime. All the members devoted themselves to a sincere effort to write a good bill, which I think we did. All of the members rendered a very valuable service. I also want to thank the committee clerks, Mr. Wilson and Mr. Sprangle, who performed valuable service to the committee.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk proceeded with the reading of the bill.

Mr. JOHNSON of Indiana (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as having been read and that it be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. Are there any points of order against any provisions of the bill? If not, the Chair will recognize Members to offer amendments.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in connection with the present appropriation bill and all other appropriation bills, the question of tax dollars and the amount raised is of vital importance because it is from the money raised as a result of our revenue laws or the tax dollars paid by our taxpayers that appropriations are capable of being made. For years I have been first interested then concerned with a provision in the internal revenue laws that the Congress in its wisdom enacted many years ago, the purpose of which was to prevent corporations from unreasonably withholding surplus for the purpose of avoiding the payment of surtaxes in the hands of some stockholders. I can well remember in the latter thirties when this matter came before this body. At that time I opposed the formula known as the third basket tax that was contained in the bill that was designed to meet the serious situation where corporations unreasonably withheld the distribution of their profits or their surpluses in the nature of a dividend. We liberalized, as I remember, section 102 of the Internal Revenue Code at that time making it easier for the Bureau of Internal Revenue in court proceedings, directed against particular corporations, to present their cases to the courts, meeting some difficulties in the law that existed at that time as the result of our court procedure.

This is a matter of great importance to millions of stockholders of different corporations who are denied payment of proper dividends. The question is whether or not a few stockholders, and particularly large ones who have substantial incomes from other directions, can exercise their influence to prevent a corporation declaring a proper dividend so that they can avoid the payment of a higher surtax or to prevent getting into a higher surtax bracket.

As indicating the seriousness of this situation I call attention that in 1947, with corporate net income in the United States of over $17,000,000,000 that the corporations declared dividends of a little over $6,000,000,000. I cannot understand why there is such a small amount of dividends paid by corporations in proportion to net income. In 1929 when the net corporate income, that is, income after taxes, was about $9,000,000,000, or a little less, the dividends paid were between five and six billion dollars. In 1939, following the depression period, with corporate net income of $6,000,000,000, there was about $4,000,000,000 in dividends paid. I agree that is a high ratio.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. I am not advocating that the ratio of dividends to net income should be 80 percent. In 1940, with a corporate net income of about $6,000,000,000, the dividends declared were about $4,250,000,000. In 1941, with corporate net income of about $9,000,000,000 the dividends declared were close to $5,000,000,000. In 1946, with corporate net income of about $11,500,000,000, the dividends declared were about $5,500,000,000. Yet, in 1947, with a $17,500,000,000 corporate net income, the dividends declared were only a little over $6,000,000,000.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. BUCK. Of course, the gentleman recognizes the necessity of having a surplus to carry a corporation over bad times, does he not?

Mr. McCORMACK. That is true. The gentleman's statement is absolutely correct, and I have that in mind, and I am glad the gentleman asked the question so that I can make it a part of my remarks. I recognize also that the corporations use some of their surplus for plant extensions and other capital purposes, such as the replacement of capital that may have been impaired in other years, but that is a matter that concerns individual corporations, and the Bureau of Internal Revenue, if it should go after a corporation on the ground that it is unreasonably withholding dividends, would be justified in considering that. I recognize that the cost of construction has gone up, and I agree that that and similar factors should be considered, but I still say that the cost of living has gone up for the average stockholder, and that certainly with a $17,500,000,000 corporate net income, the amount of dividends last year ought to have been in excess of the $6,000,000,000 plus that it actually was. All of the factors my friend from New York says in sound business must be recognized, I know business must recognize, but I do feel that the small stockholder should be given consideration, and that in those corporations where there is an unreasonable withholding—and I am applying this only to that situation—the wishes of the large stockholders, or those with large incomes from other directions should not dominate the dividend policy of the corporations.

My only purpose in rising is to call attention to this and to the fact that the Bureau of Internal Revenue with justice to all corporations, and justice to each individual corporation, should vigorously look into this matter and carry out the mandates of the law, not only for the benefit of the small stockholder who is entitled to that consideration but also for the benefit increased dividends will bring to our Government in the form of more tax dollars.

Mr. Chairman, my main purpose in speaking on this occasion is for the interest of the small stockholders of corporations. They certainly are affected greatly by the increased cost of living. It is persons in the fixed-income class that are the ones most adversely affected by inflation. And yet while the cost of living during the past several years has gone up sharply, the percentage of dividends to the total net income declared by corporations has decreased.

The total dividend payments in 1947 was $6,800,000,000, or 39 percent of the total corporate net income which net income is estimated at seventeen billion four hundred million, and this represents the lowest proportion paid out in any year since the Department of Commerce series was started in 1929. Let us contrast this with the higher percentages paid out in previous years, such as 69 percent in 1929, 76 percent in 1939, 63 percent in 1940, 48 percent in 1941, and 45 percent in 1946, all active years.

It seems to me that in the interest of the Government, and certainly in the interest of the small stockholder, the Bureau of Internal Revenue should be active in seeing that corporations do not unreasonably withhold surplus in order that certain of its stockholders, usually the large ones, and officers of the corporation, are not driven into a high surtax bracket. Such a policy is one to benefit the few at the expense of the many.

Mr. ANGELL. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

HYDROELECTRIC POWER INTERCONNECTIONS BETWEEN PACIFIC NORTHWEST AND CALIFORNIA

Mr. ANGELL. Mr. Chairman, on April 12, 1948, our good and esteemed friend, the gentleman from the Second California District, inserted on page A2239 of the Appendix of the RECORD the suggestions he made to the House Interior Sub-Appropriation Committee covering needed power relief to California necessitated by the crippling shortages existing in that State. The press accounts following this submission and similar accounts covering earlier testimony before the House Public Lands Committee have resulted in considerable apprehension in the Pacific Northwest. The northwestern editorials bearing on this subject, which have come to my attention, indicate a fear that this proposal is the first step of a program to undercut northwestern resources, to increase the basic power rate, and—later—to amend the Bonneville Act. I can readily see from some past legislative history that a reason exists for such apprehension.

I have seen no indications that the proposal of the gentleman from California contemplated such a wide and unsound program, but it is easy to see how misconceptions could arise from the language used in describing these ideas. Before such a complex subject can be completely discussed on its merits, more factual information is needed than is presently available. I understand that the interconnection proposal has not been surveyed and that a factual feasibility analysis has not been covered in any report submitted to the Congress. Until such surveys have been accomplished and a resulting complete feasibility and protective report is submitted to the Congress, any discussion of this problem must be more or less tentative. I am discussing this situation not in a spirit of criticism but rather for the purpose of opening up a fair and full analysis so that the people of the affected States can be fully informed, since what has been offered to date has caused apprehension and in some cases suspicion.

In order to keep the record straight until such background material is available, I wish to offer a few observations based on such substantial material as is quickly at hand. The Rivers and Harbors Subcommittee of the House Public Works Committee, of which I happen to be chairman, has long had original jurisdiction over the water resources of the Columbia River. For over 20 years certain phases of the over-all characteristics of this river have been under study by my committee. As a matter of fact, because of this original jurisdiction it was necessary, following the decision of the United States Supreme Court in the Arizona Parker Dam case, for the House Rivers and Harbors Committee to authorize the Grand Coulee project in the Rivers and Harbors Act of 1935. Legislative jurisdiction over the Central Valley project rests with a different House committee; namely, the Public Lands Committee.

Before I proceed further I wish to point out several significant economic facts. In my opinion these facts ultimately will carry considerable weight when the interconnection matter is later discussed following receipt of feasibility reports applying to this proposal.

The economic destiny of Oregon and Washington is closely tied to the economic progress of California. The Pacific coast and adjacent Western States commercially have much in common. For example, the lumber industry of southwestern Oregon is now feeling the pinch of the California power shortage. The operations of lumber mills in this area have been curtailed.

Any cause which injures California also has an adverse effect on the business of the adjoining States. Oregon, similar to California, has encountered mass population migration, and the existing utility facilities needed to serve the resulting increased demand in both States have been severely taxed. The Columbia Basin is short of native fuels, but long on water, while California has been blessed with liquid-fuel resources but is short on water supply. Indications are that California will encounter diminishing petroleum reserves and that it cannot develop water sources and hydro power to fully support its population increases. It therefore follows that the Columbia Basin States should help California, provided they can do so without injury to their own natural position. Basic engineering data is not now available to measure the extent of this help. This data should be made available at an early date so that the people of both regions can be given the full facts in order that discussions covering this intertie will not become unnecessarily controversial. We need to know the many complex variable factors governing such a power interrelationship. Until we have brought all these factors together into a composite balance sheet we will not be able to accurately appraise the full effects.

BASIC FACTS

After mentioning such brief preliminaries let us now examine a few basic established facts applying first to the comparative river flows in the lower Columbia and the Sacramento near the Shasta Dam site. After we have made this comparison we will be in a position to translate these known characteristics into tentative development and utilization factors applying to the electric generation, transmission, and export of power.

It is an accepted fact that the quantity and type of river flow are determined by the extent, topography, character, storage potentialities, and climatic conditions applying to any given watershed. The drainage area of the Sacramento River at the Shasta Dam site is officially stated at 6,665 square miles, while the drainage area of the Columbia River at The Dalles, Oreg.—some 70 miles above Bonneville Dam—is 237,000 square miles. The mountain snowfields which contribute to the flow of the Sacramento at Shasta Dam site have north and south distance less than 150 miles, while the comparative figure applying to the Columbia is about 950 miles. The Columbia Basin snowfall supply extends from northern Utah through the Selkirks of northern Canada (the Columbia is an international stream). Snow-melt contributions have a greater diversity if the distance traveled by the seasonal sun position is greater. All of these factors naturally give the Columbia a much greater sustained flow and greater hydro potentiality than is possible on the Sacramento. It follows that the Columbia is a large sustained-flow stream, whereas the Sacramento must be considered in the torrential classification. Such a brief review indicates that the power benefits accruing from the Columbia must greatly exceed those possible on the Sacramento.

FLOW DIVERSITY

Information on the flow diversity between the two watersheds is very meager and no yardstick is therefore presently available to measure benefit flows in critical or average years. Two-thirds of California's population and agricultural activities are located south of Sacramento, while the available water in this south and central California area is only one-third of the State's total. Such facts indicate a tendency to require unidirectional flow of benefits.

Early in the last war serious power shortages developed in the southeast section of this country. These past shortages were remarkably similar to the present situation in California. To overcome the resulting production handicap, the war agencies resorted to transmission line interconnections. This practice was continued throughout the war. From the results of these interconnections there can be no controversy as to this practice being a constructive and a wise procedure. Unfortunately, as far as I can determine, there have been no quantitative results published covering these interconnections. From what is available, I would judge that the country as a whole benefited to the extent of around 5 percent increase in the then available power capacity.

FLOW OF BENEFITS AND UPSTREAM STORAGE

It is apparent that before the flow of benefits can be determined, a thoroughgoing survey and analysis must be undertaken covering all the elements connected with flow characteristics. The meager information that is available indicates the need for more information to determine the flow of benefits.

Natural river flows can be modified or regulated through the use of upstream water storage. The California impression that no storage opportunities exist on the Columbia is totally erroneous. Existing preliminary surveys and studies made by the Army engineers indicate that great and low-cost storage potentialities exist in the Columbia Basin. This basin is rich in large head-water lakes and natural reservoir sites. Around 25,000,000 acre-feet of upstream storage would make the Columbia a commercially firm power-producing stream on the basis of fitting a most probable future load curve. Grand Coulee Reservoir has 11,000,000 acre-feet of total storage, but only 5,200,000 acre-feet can be effectively

used on account of diminishing returns resulting from head-water draw-down. Hungry Horse project in western Montana, now under construction, will provide about 3,000,000 acre-feet of additional usable storage by 1951. This Hungry Horse storage alone will firm up 377,000 kilowatts in four downstream plants, which value approaches the total California estimated gain figure. The Hungry Horse storage effect was apparently ignored in the preliminary California estimates. This amount of Hungry Horse contribution power transformed from dump into firm, at a 60 percent use factor, is equivalent to an additional annual kilowatt-hour production of some 1,450,000,000 kilowatt-hours. The Canadian headwater lakes of the Columbia are located in virgin country, and between 4,000,000 and 6,000,000 acre-feet of storage could be obtained at such sites at an exceptionally low cost when and if international agreements are worked out. There is also a large similar lake within the American boundary, largely surrounded by virgin lands, which could cheaply yield 3,000,000 to 5,000,000 acre-feet, or perhaps more. In addition, preliminary surveys on the Kootenai Branch of the Columbia in northern Idaho and western Montana show outstanding storage opportunities. The Columbia Basin informational surveys to accurately determine the economic breaking point in the storage utilization curve are yet to be made. The determination of such a breaking point is a substantial factor in measuring the available firm, secondary, and dump power. This analysis must be made to determine the important element of feasibility. Until this is consummated it will be impossible to accurately figure what power can be most economically used locally and what amount can be justified for export.

WASTE OF POWER

The statement that the Bonneville system wastes annually about 2,000,000,000 kilowatt-hours cannot be substantiated. The significance of such a figure can be appreciated when it is known that this amount of power is equivalent to 54 percent of the actual 1947 fiscal year output of the Bonneville generating station. The Pacific Northwest, because of a lack of fuel, pioneered in hydrogeneration and long, high-voltage transmission. Consequently, over a long period the people of the Northwest have been thoroughly educated as to power, and the language and thinking of the industry are in common use. Actually the Northwest is badly short of commercial and defense power, and will be for some time. Many of our people have visited the Bonneville plant located on one of our principal highways. These visits have confirmed the widespread knowledge that since its completion this plant has operated continuously around the clock except for mechanical breakdowns under overloads approximating 20 percent. There have been no visible signs of waste. Consequently the implication that any of the Bonneville output can be exported, leads to suspicion.

The use of the 2,000,000,000 kilowatt-hours figure results from either a misconception of power application on the Columbia or an unintentional error in calculations. I personally do not think that the intent was to suggest exporting any firm or such other power as will be converted into firm power in the near future. It was unfortunate that the word "waste" and the figure of 2,000,000,000 kilowatt-hours crept into the discussion, as they evidently resulted in impressions in the Northwest different from what was intended. Therefore, what I say in this connection is not designed to be critical but, rather, to help in reaching a common understanding, as I feel that I know some of the elements causing such a misunderstanding.

On page A2240 of the Appendix of the RECORD this statement can be found:

The power potential of the Columbia River must be used as it flows by the power plants.

Technically, this expression means that the two main Columbia River generating stations were considered to be what is known in the industry as "run of the river" plants. This is not the case. Grand Coulee, next to Boulder, is the largest storage plant in the country, and Bonneville is an exceptionally large pondage plant, with pondage values ranging from 100,000 to 500,000 acre-feet, depending on the controlled water level of the plant's forebay. In a "run of the river" plant the energy equivalent to water not going into the existing load curve is considered to be dump energy resulting from waste of water. In the case of a storage or pondage plant, a substantial part of such hypothetical wastage can be placed in storage or pondage, for use during other hours in a given season or week. Therefore, applying a load use percentage to the peak load, as was evidently done, cannot be taken as a measure of availability when applied to storage or pondage plants.

Another possible source of error could have arisen from the use of the 1947 Columbia River flows. That year's flows were abnormally high—so high that it was not necessary for the smaller tributary plants to carefully regulate their low-capacity reservoirs. Under normal, subnormal, or critical water conditions these smaller plants shut down during the graveyard shift to permit the reservoirs to fill up, and then call on the main river plants to carry this load through the use of excess water. To consider that such high-year excess is a measure of availability will result in injuries to the smaller plants located within the Columbia River Basin and can have an adverse effect on the entire region.

There are many other variable hydraulic considerations that enter into this complex problem, such as utilization of the flood seasonal flows in processing aluminum and other like defense materials, the loss of heads during flood flows, saving of oil in the steam plants of the Pacific Northwest, economic use of secondary water during subnormal and critical years, the advisability of the overinstallation of water wheels to provide seasonal power, the prior water rights in the watershed, the important elements of navigation, flood control, and reclamation, the effect on fish and wildlife, and many other related topics. Again, Bonneville sells power on a kilowatt-year rate and thereby contracts to serve around the clock. A substantial part of the power incorrectly designated as waste really belongs to the contractees and must be made available at their call. It will be a difficult matter to bring all the hydraulic and electric elements into one balance sheet for purposes of determining what is best for the various States. This can only be accomplished after detailed surveys and a complete analysis. Congress needs to be supplied with a substantial amount of additional information before it can accurately appraise this complex matter.

TRANSMISSION LINES

The justified economic transmission of export off-peak power presents almost as many complex variables as do the hydraulics of the situation. It is impossible, in such a discussion, to cover these points fully, as so much basic material governing such transmission is also not available. I can therefore only touch the high spots applying to the transmission of export power.

The air-line distance from the Grand Coulee plant to The Dalles, Oreg., is about 240 miles. The similar mileage from The Dalles, via Detroit, to Eugene, Oreg., is about 190 miles, and from Eugene to the California boundary is 180 miles. The air-line distance from the California boundary to the Shasta plant is about 100 miles. Transmission lines—especially in rough country—cannot follow the air lines and the route miles usually exceed the air-line mileage by some 10 to 20 percent depending on locations and terrain. The route mile distance from the Grand Coulee plant to the Shasta plant is therefore around 820 miles, and from The Dalles—the approximate lower river generation center when McNary Dam is completed—is approximately 540 miles.

Three hundred miles was formerly considered the economic transmission limit, but recent developments indicate that this limit may be economically increased to somewhere around 500 miles. Therefore, any economical export to California must come from the lower Columbia or lower Willamette plants when these are installed. This set-up can be accomplished through the displacement of energy. What power can be economically displaced and transmitted over such long distances is now an open question and must be tested out by models—especially since there will be take-offs along the route. Until such a test is made I do not feel that anyone is in a position to say that 50,000 kilowatts or 100,000 kilowatts, or even more, can be displaced over a single 220,000-volt line into California. Such capacity variations are of such proportions that any error made in this value can upset feasibility calculations. The short-hour use of such export power must also be considered, as there is a breaking point in feasibility calculations determined by the hour's use of the resulting investment.

All the existing transmission lines between the lower Columbia River and the Shasta plant are low-voltage lines. The capability of such lines is low, and the physical transmitting distance may be

below 150 miles. Appropriations for a 230,000-volt line are presently under consideration by the Congress. This 230,000-volt line extends from Goldendale, Wash., to Eugene, Oreg., via the Detroit plant now under construction. This line is not scheduled for completion until 1951. It is impossible to route such volumes of power via the Portland area on account of existing bottlenecks growing out of heavy demands in that area. It is apparent that any future lines routed towards the California boundary must be routed through The Dalles.

The existing transmission situation will therefore prevent an early solution of the interconnection problem. Accordingly there is sufficient time to make a thoroughgoing survey, analysis, and report on this problem which must be forthcoming before the proposal can be considered on its merits and the full effect on the long-time economy of the Pacific Northwest determined. The material that is available indicates that the interconnection proposal is a long-range matter which, to be effective, should await the completion of the McNary and the upstream storage plants.

H. R. 6367

The gentleman from California has introduced a bill, H. R. 6367, which embodies the proposals he outlined in the CONGRESSIONAL RECORD on April 12, 1948. I have gone over this bill and find that a sincere effort has been made in section 3 to meet the points I have raised in this discussion. Whether it does or does not can only be determined after a survey has been made and all the angles analyzed and a comprehensive report submitted to the Congress. There is so much involved in the proposal that the hearings on this bill should be so extensive that every interest involved can have its day in court.

This bill has been referred to the Committee on Public Lands, although my committee has long had jurisdiction and contact with all the phases affecting the Columbia River. There is a great deal more involved than reclamation and constitutionally I doubt that the reclamation aspects can govern. I trust that the Public Lands Committee will consider the limits of its jurisdiction and respect the long-established jurisdiction of my committee applying to the Columbia River.

CONCLUSION

Such facts as are available indicate that his matter cannot be considered as a problem susceptible of immediate solution. It is a long-range problem rather than a short-range problem. It contains so many variables that the full and long-time effect on the Columbia Basin can only be determined by a complete study and full and extended hearings. I have not discussed many other points covered by the gentleman from California. On the items omitted I feel that many of the points he raised have merit. I appreciate his position and respect his motives, but so much is involved that can affect the future destiny of the Columbia Basin that this bill must be given extraordinary attention. The mere shortness of this bill is no indication of the many far-reaching issues involved. We are here dealing with the transfer of benefits from a large interstate and international watershed to one which is intrastate. The long-conflicting experiences on the Colorado are certainly a precedent in such matters. The decisions of the Supreme Court affecting the transfer of benefits between watersheds suggest caution in handling such transfers.

I have no doubt but that the region I represent desires to help California and its neighboring States, but in so doing Oregon does not want to surrender any rights belonging to the people which may become extremely valuable in the distant future. I think that all who have some measure of responsibility in this matter wish to have extensive hearings on H. R. 6367.

Mr. JOHNSON of Indiana. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOEVEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6500) making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. JOHNSON of Indiana. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

RACING SHELLS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 5933) to permit the temporary free importation of racing shells.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House to read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5933) to permit the temporary free importation of racing shells, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill insert the following:

"SEC. 2. (a) Paragraph 1798 of the Tariff Act of 1930, as amended, is hereby amended by inserting, after the sixth proviso, the following: '*Provided further*, That in addition to the exemption authorized by the fourth preceding proviso, a returning resident who has remained beyond the territorial limits of the United States for a period of not less than twelve days, shall be permitted to bring into the United States up to but not exceeding $300 in value of articles (excluding distilled spirits, wines, malt liquors and cigars) acquired abroad by such resident of the United States as an incident of the foreign journey for personal or household use or as souvenirs or curios, but not bought on commission or intended for sale, free of duty: *Provided further*, That any subsequent sale, within three years after the date of the arrival of such returning resident in the United States, of articles acquired and brought into the United States pursuant to the provisions of the immediately preceding proviso shall subject the returning resident declaring the articles to double the import duty which would have been collected had this additional exemption not been in effect: *Provided further*, That the additional exemption authorized by the second preceding proviso shall apply only to articles declared in accordance with regulations to be prescribed by the Secretary of the Treasury by such returning resident who has not taken advantage of the said exemption within the six-month period immediately preceding his return to the United States:'.

"(b) The amendment made by subsection (a) shall be effective with respect to articles declared on or after the day following the date of enactment of this Act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

DANIEL A. REED,
ROY O. WOODRUFF,
BERTRAND W. GEARHART,
R. L. DOUGHTON,
JERE COOPER,
*Managers on the Part of the House.*

EUGENE D. MILLIKIN
By O. B.,
O. BREWSTER,
ALBEN W. BARKLEY,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5933) to permit the temporary free importation of racing shells, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text adds a new section to the bill as it passed the House, which section amends paragraph 1798 of the Tariff Act of 1930, as amended. Paragraph 1798 permits a resident of the United States to bring into the country, free of duty, up to but not exceeding $100 in value of articles (including distilled spirits, wines, and malt liquors aggregating not more than one wine gallon and including not more than 100 cigars) which are acquired abroad by such resident as an incident of a foreign journey for personal or household use or as souvenirs

or curios, but not bought on commission or intended for sale. This exemption may be utilized only by a returning resident who has not taken advantage of the exemption within the 30-day period immediately preceding his return to the United States. To be eligible for the exemption the returning resident must have remained abroad for not less than 48 hours, if the articles to which the exemption is to be applied have been acquired in any country other than a contiguous country which maintains a free zone or free port. If the articles have been acquired in a contiguous country which maintains a free zone or free port the period of absence is specified in special regulations prescribed by the Secretary of the Treasury under the statute but must not exceed 24 hours.

The amendment to paragraph 1798 made by the Senate amendment provides an exemption of $500, in addition to the $100 exemption, for a returning resident who has remained abroad for a continuous period of at least 12 days. This additional exemption may be utilized by a returning resident only once within any 6-month period, and may not be applied to distilled spirits, wines, malt liquors, and cigars. The amendment also provides that if a returning resident who takes advantage of this additional $500 exemption sells, within 3 years, any article brought into the United States free of duty under the exemption, he shall be subjected to double the import duty which would have been colleced on such article had the additional exemption not been in effect. The amendment also provides that the additional exemption shall apply only to articles declared in accordance with regulations prescribed by the Secretary of the Treasury.

The House recedes with an amendment which fixes the amount of the additional exemption at $300, in lieu of the $500 provided in the Senate amendment, which limits the application of the amendment to paragraph 1798 to articles declared on and after the day following the date of enactment of the bill, and which makes minor clarifying changes in the Senate amendment.

Amendment to title: This is a technical amendment, necessitated by the amendment of the Senate to the text of the bill. The House recedes.

DANIEL A. REED,
ROY O. WOODRUFF,
BERTRAND W. GEARHART,
R. L. DOUGHTON,
JERE COOPER,
*Managers on the Part of the House.*

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. REGAN. Mr. Speaker, this conference report on H. R. 5933 provides for the importation of an additional $600 value in merchandise per annum with certain restrictions, free of duty, by any citizen of the United States, on the theory that it will aid foreign and friendly countries through the greater distribution of our dollars in such countries.

This additional $600 will make a total of $1,800 in merchandise that any citizen may bring into our country free of duty each year.

My past votes on measures for relief of our friendly countries is adequate evidence of my desire and willingness to aid these countries in distress, but, Mr. Speaker, are we not extending ourselves too far in following the recommendations of the various travel agencies in granting this additional show of liberality to the great harm and loss of business to our border merchants?

These merchants that have been and are being taxed to support the recovery plan are now to suffer the additional loss of business and unjustifiable competition.

These same merchants for whom I make this plea have already suffered and are suffering a great loss of business through the import restrictions placed on their merchandise by our border Republic.

I protest with all my vigor the adoption of this conference report on H. R. 5933.

### CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Ninety-four Members are present, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 62]

| | | |
|---|---|---|
| Abernethy | Griffiths | Mundt |
| Anderson, Calif. | Hartley | Murdock |
| Battle | Hébert | Norrell |
| Bell | Hedrick | Pfeifer |
| Bender | Hendricks | Phillips, Tenn. |
| Boykin | Jarman | Ploeser |
| Bramblett | Jennings | Plumley |
| Bulwinkle | Johnson, Okla. | Powell |
| Butler | Johnson, Tex. | St. George |
| Celler | Kearney | Scoblick |
| Clark | Kearns | Sheppard |
| Clevenger | Kee | Sikes |
| Clippinger | Kefauver | Smith, Ohio |
| Cravens | Keogh | Stigler |
| Davis, Tenn. | Kirwan | Stratton |
| Dawson, Ill. | Klein | Taylor |
| D'Ewart | Lane | Thomas, N. J. |
| Dirksen | Lea | Trimble |
| Donohue | Lichtenwalter | Welch |
| Dorn | Lusk | West |
| Douglas | Lyle | Whitaker |
| Engle, Calif. | Meade, Md. | Whitten |
| Fisher | Miller, Calif. | Winstead |
| Fogarty | Morrison | Wood |
| Gallagher | Morton | |
| Gore | Multer | |

The SPEAKER. On this roll call 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

### EXTENSION OF REMARKS

Mr. BLOOM asked and was given permission to extend his remarks and include an editorial.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include an article by Guy E. Wyatt.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD and include a letter and her reply thereto, and a resolution.

Mr. ARNOLD asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD.

Mr. COLMER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

### MAKING AVAILABLE TO CONGRESS INFORMATION FROM EXECUTIVE DEPARTMENTS

Mr. HOFFMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H. J. Res. 342) directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate, information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of House Joint Resolution 342, with Mr. ALLEN of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, May 12, there was pending an amendment offered by the gentleman from Ohio [Mr. BROWN] to the committee amendment on page 3 of the bill.

Without objection, the Clerk will again read the amendment offered by the gentleman from Ohio.

There was no objection.

The Clerk again reported the amendment.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, on yesterday the gentleman from Oklahoma [Mr. RIZLEY] made the statement that the gentleman from Virginia [Mr. HARDY], the gentleman from Texas [Mr. WILSON], and I had signed the majority report. That statement is correct. But in that connection I want to read into the RECORD a portion of the report with reference to our signing of it:

> The committee was unanimously of the opinion that, if legislation of this type was to be enacted, the proposed resolution, as amended, was the fairest type of a bill that could be enacted into law. Upon roll call, 17 Members voted to report out the resolution as amended. Four, Mr. BOGGS, Mr. LANHAM, Mr. HARDY, and Mr. WILSON, who voted in the affirmative, reserved the right to offer amendments or to oppose the legislation upon the floor, if upon further consideration, they deemed that course advisable.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I gladly yield to the gentleman.

Mr. HOFFMAN. The gentleman is reading from the majority report?

Mr. LANHAM. Yes.

Mr. HOFFMAN. That is a correct statement, is it not?

Mr. LANHAM. Yes. I just wanted to get it into the RECORD again because several Members have asked me about it.

I want to say that when this resolution was before the committee, it was approached not from any political angle, but because we all recognized that there was a deep and significant question involved. Knowing the work that our distinguished chairman, the gentleman

from Michigan [Mr. HOFFMAN] had put on the resolution, we felt that the matter should be passed upon by the House. But realizing that we were getting into the twilight zone or no-man's land where the question of the extent of the power of the executive department and of the legislative department was not clearly defined, some of us were uncertain about the wisdom of the legislation. But we did think that the House should be allowed to pass upon it. That is why I and others voted that the resolution be reported out favorably. However we reserved the right, as you will see from the report, to oppose the resolution on the floor of the House.

Since the debate on yesterday, I have become convinced that the dangers in the resolution far outweigh any benefits that the Congress might reap from the enactment of this legislation. Therefore I shall oppose the resolution and vote against it.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. BROWN of Ohio. The gentleman, however, is not opposed to the amendment, as I understood him to say at the outset of his remarks?

Mr. LANHAM. No; I favor the amendment. I think the amendment ought to be adopted.

The thing that finally convinced me that we ought not to enact this legislation was the fact that the gentleman from Ohio objected to and the Committee of the Whole voted down the amendment offered by the gentleman from Florida [Mr. ROGERS] which would have required a vote of two-thirds of the Committee before any executive department could be required to furnish confidential information.

Mr. BROWN of Ohio. Will the gentleman yield further?

Mr. LANHAM. I yield.

Mr. BROWN of Ohio. The gentleman, of course, realizes that the resolution provides that the Speaker of the House must also approve the action of the committee, which is another safeguard against any wrongdoing.

Mr. LANHAM. I agree with the gentleman, and if those safeguards had not been in the bill I would never have signed the report asking that it be reported.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. McCORMACK. In practical operation we simply take away from the President the power granted to him under the Constitution and transfer it to the Speaker of the House and the Presiding Officer of the Senate.

Mr. LANHAM. I think that is a fair interpretation of the provision referred to.

Mr. BROWN of Ohio. Of course, whenever the House or Senate wishes to take action, it is the usual procedure to have the Speaker or the President of the Senate, rather than the President of the United States, approve any legislative action.

Mr. LANHAM. That is true. But I think here we are probably invading the executive field.

Mr. McCORMACK. That is the case, where the Speaker transmits, but this language says the Speaker must approve. "Upon approval of the Speaker." That is an entirely different proposition from the Speaker transmitting.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. LANHAM] has expired.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on this particular amendment close in 15 minutes, the last 5 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

The CHAIRMAN. The gentleman from New Mexico [Mr. FERNANDEZ] is recognized for 5 minutes.

Mr. FERNANDEZ. Mr. Chairman, I was puzzled yesterday when the gentleman from Indiana [Mr. HALLECK] and the gentleman from Ohio [Mr. BROWN] extolled the virtues of the Members of Congress and of the Congress as a whole, and then turned right around and asked us to vote for this bill which provides for fines and imprisonment of Members of Congress and their staffs if they discuss information presented to committees. That is all this resolution does—an unprecedented thing.

If the Congress has the right to demand any and all files it sees fit from the Secretary of State and the Secretary of the Armed Forces and other members of the Cabinet, it has that right already. If it does not have that right, then passing this law will not give it to Congress. In either event, this law is in effect meaningless except for the penalty provisions which would apply to information requested and voluntarily furnished by those departments.

In fact, I think this resolution has only one purpose. It places many of us in the position of darned if you do and darned if you do not. If we vote for it, our action will be hailed to the country as one condemning the President for doing what every President has done—protected the rights of the Executive from encroachment by the legislative branch. If we vote against it, it will be argued that we have something to conceal. Pardon me for saying so, but it is purely a political resolution.

I know that the gentlemen on the left of the aisle who are supporting this resolution do not like what I say. We do not like some of the things they have said here.

All this political bickering is not conducive to the welfare of the country. I propose that we Democrats make you Republicans a sporting proposition—a sporting proposition once suggested by an old pioneer from New Mexico.

Back in the Territorial days of New Mexico, two pioneers, James Hagerman and Charles Eddy, were bosom friends and contributed greatly to the development of the State. They prospered as the State prospered. But in time they became separated and ended by being bitter enemies.

Hagerman had gone to New York to interest capital in the building of a railroad from Roswell to Amarillo. He spent many months in New York interviewing capitalists and bankers. In the course of his rounds promoting his railroad, Hagerman was surprised to learn that his old friend, Charles Eddy, was also in New York attempting to promote another railroad in the same area. He did not like some of the things that Eddy was saying about him and he finally wrote his former friend, Eddy, a letter in which, after reciting the things that Eddy had been doing and the things that Hagerman thought he should not have done, Hagerman ended his letter to Eddy with these words:

> Now, we should have peace between us, until this promotion is ended. Our attitude is hurting New Mexico and I make you this proposition: If you will quit telling lies about me, I will quit telling the truth about you.

The CHAIRMAN. The gentleman from Massachusetts [Mr. McCORMACK] is recognized for 5 minutes.

Mr. McCORMACK. Mr. Chairman, I can wholeheartedly support this amendment, and I congratulate my friend from Ohio, although his consideration and action was delayed in awakening to the danger that this bill carried to the press, and its violation of one of the great fundamental rights guaranteed by our Constitution.

During the 14 years of Democratic control of the House and the Congress there has never been a bill reported out that even remotely invaded the freedom of the press. Despite the fact that 84 percent of the press are against the Democratic Party, we have always insisted that the provisions of the Constitution be strictly adhered to. I was most amazed when the Republican members of the committee reported out this resolution with this amendment in it because the language very clearly showed that it covered everybody, and that included the press. So I urge the adoption of this amendment. After the amendment is adopted then the only one to be subject to its provisions and who can be prosecuted or jailed will be Members of Congress.

Mr. GAVIN. And their employees.

Mr. McCORMACK. Oh, wait a while—and the employees of the committee. But you do not suppose anybody is going to indict or prosecute a poor employee of a committee? And, particularly, they would be very very limited as employees of the committee are limited in number in relation to the members of the committee. So for all practical purposes after this amendment is adopted, and I strongly urge its adoption, and I am confident it will be adopted, the only ones subject to the penalty will be Members of Congress.

I hope that after we adopt the amendment and preserve the freedom of the press if I am a member of any committee that votes to make anything confidential, that the press will not come around bothering me because they might help put me in jail after I have helped keep them out of the possibility of going to jail. So any time I am on a committee and this question comes up I am going to put a big sign outside my door: "The press will not be admitted." I will have to do this for my own protection.

Furthermore, I want to suggest to the members of the press now that we are saving them, that after this is adopted and if this bill should ever become law and they are free, that if any committee should vote to impose a confidential character on any matter, do not come around to any Member of Congress and use the power of the press upon him because I am afraid then they might go after the Member of Congress and the member of the press on a conspiracy charge, because a conspiracy is still a crime and anybody who participates in a conspiracy to make known information that is confidential with a Member of Congress is guilty of a conspiracy whether he is a member of the press or not.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BROWN of Ohio. Let me say to the gentleman from Massachusetts that as a colleague in Congress and also as a newspaper publisher I shall be very happy to use whatever influence I have toward keeping him out of jail in the future. I am sure he will remain out of jail.

Mr. McCORMACK. That is fine, because my friend means it. His solicitude for me pleases me.

Mr. BROWN of Ohio. May I say to the gentleman that I will be very happy any time it is necessary to go the gentleman's bond during trial to do so. I would do that for any friend.

Mr. McCORMACK. I admire a man who has the courage to do that.

In conclusion, I want to congratulate the Members of the House for exempting the press from the possibility of going to jail. I hope they will not engage in any conspiracy and I also hope they will not try to put any of us in jail if this resolution should ever become law.

The CHAIRMAN. The Chair recognizes the genteman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I am sure the gentleman from Massachusetts, the minority whip, will agree with me that throughout consideration of this resolution by the committee the partisan angle was not injected, was it?

Mr. McCORMACK. The gentleman wants an answer for the RECORD?

Mr. HOFFMAN. Yes or no.

Mr. McCORMACK. There was no partisan consideration.

Mr. HOFFMAN. The first I ever heard of this partisan political angle was when we got this resolution on the floor.

Mr. McCORMACK. What partisan angle?

Mr. HOFFMAN. The one the gentleman from New Mexico was speaking about.

Mr. Chairman, I am not opposing the pending amendment. In an effort to save the Government a little money I drafted this resolution myself. So I went back to the precedents and I hauled down the code. There in section 55, title XXVI, subsection (f) and subsequent sections I found where the New Deal—the Democratic administration, pardon me, you do not disown it—had written into law years ago—it seems years ago, it was only 10—the same provision that I wrote into this resolution.

The gentleman from Massachusetts [Mr. McCORMACK] yesterday, perhaps inadvertently, expressed the thought that Members of Congress were afraid of the press and thought this provision ought to come out, although he did accept my word that Members of Congress were not fearful. "Brutus was an honorable man." We are all courageous men. We may perhaps be a little timid at times.

I call your attention to the fact that while the gentleman has made an oration here about only Members of Congress and employees of committees now being subjected to a penalty, he is one of the opponents of this bill. In my ignorance, in my lack of wisdom and experience, I thought anyone who disclosed this confidential information ought to be subjected to some penalty. As a Member of Congress, I have no objection to subjecting myself to a criminal penalty if I disobey the laws of the land and I am sure upon mature consideration the gentleman from Massachusetts would not have any objection to that either.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Of course, under the provisions of this bill the only persons who will have access to any of this confidential information in the executive branch of the Government will be members of committees and the employees of committees.

Mr. HOFFMAN. And Drew Pearson.

Mr. BROWN of Ohio. Probably. Therefore, if any member of a committee makes this information public he should be subjected to the penalty.

Mr. HOFFMAN. The only reason this legislation is here, at least so far as I am concerned, and I have had something to do with starting it to rolling, is because in recent years the freedom of the press and of the people to information and the right of the Congress to information has been denied, and I may say to the gentleman from Massachusetts, denied by the executive departments and your President, and, may I add, my President? That is the only reason that this legislation has been found necessary. Yesterday, the gentleman said that 79 Congresses—I know you do not like it, but we love each other.

Mr. McCORMACK. Let me say that I have the greatest respect for my friend from Michigan; one man who is intellectually honest.

Mr. HOFFMAN. And being a good Republican, your feeling is reciprocated—reciprocity is good Republican doctrine you know.

The gentleman said yesterday that 79 Congresses had never found this type of legislation necessary. That is right. Seventy-nine Congresses never were gagged and never were denied information essential to legislation, as has the Eightieth Congress.

I doubt the fairness and wisdom of the amendment. Because compromises are sometimes necessary, I do not oppose it.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the amendment be again read.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN] to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment was agreed to.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 3, line 8, after the word "confidential" delete the comma and insert in lieu thereof a period, and strike out the remainder of line 8 and all down to and including line 21.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, the gentleman from Indiana [Mr. HALLECK] well and ably expressed and condemned the thought that has been in the minds of altogether too many people. Too many of the opponents of this bill seem to have it in their minds. I am not referring to the Members of the House, I am referring more particularly to the members of the press, who have made a great deal of adverse comment on it. There seems to be an impression somewhere that because a man was elected by his constituents to serve as a Member of this body he was no longer worthy of trust and confidence; that he himself did not have any discretion or did not possess loyalty to as great a degree as those in the executive departments who now maintain an abridgement of the press which we who support this legislation seek to at least partially end. I resent that. I do not care so much about myself, but that assumption is an insult to my people, and it is an insult to the people of every man who has been here more than one term. It is an intimation that they elect to Congress men who are disloyal, who are loose-mouthed, "blabber-mouths," who do not have the good sense, judgment, and courage to keep to themselves information which should be confidential. That is what it is. Are we not ready and willing to obey the criminal laws?

Why should we ask exemption from penalties which apply to others?

The gentleman from Ohio [Mr. SMITH] said that if this provision went through, Members of Congress should go home. I say that when the day comes that a Member of Congress is not willing to apply to himself the same penalties he seeks to impose on others he better go home and he better stay there. This provision is of no value unless we put some penalties in for those who violate it.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Of course, this section applies only if Members of Congress have obtained this information after going through the full procedure

provided in this resolution, and then disclose information that the majority of the committee has decided is confidential.

Mr. HOFFMAN. And that the Speaker has decided is confidential. I say a man that turns that out ought to have some penalty inflicted on him.

Mr. BROWN of Ohio. A Member of Congress is not an employee of the United States, he is an officer of the United States, and he can be removed only by action of the House.

Mr. HOFFMAN. Yes; and a Member of Congress can without subjecting himself to that penalty come on the floor of the House, if he is that kind of an individual, and disclose anything, and the only penalty would be discipline or expulsion by the House.

As I stated before, the same provision is in our revenue law. There is a penalty there, and it applies to Congressmen, and the Supreme Court of the United States has so ruled. So where is the danger?

Mr. BROWN of Ohio. The adoption of this amendment, of course, would be saying to the country that the Congress did not want to take any responsibility under the Criminal Code for the observance of this law.

Mr. HOFFMAN. Yes, we would be making employees responsible, but not the Members of Congress. With that I cannot agree.

The CHAIRMAN. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 31, noes 85.

So the amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been a misapprehension which I feel ought to be cleared up in the minds of the Members because the provisions of the Internal Revenue Code have been referred to several times. Congress has made income-tax returns secret. If Congress had not by affirmative act and specific legislation in the revenue acts in the past provided for secrecy, income-tax returns would be made public. So we made them secret. Then the Congress had to provide something to protect that secrecy. That is entirely different from the situation that exists today. The gentleman from Michigan has referred to the remarks made by the majority leader on yesterday about the lack of confidence of the Congress in Members. I agree with the gentleman from Michigan [Mr. HOFFMAN], and we all do, but that is a part of the journey of life and especially a part of public life. No matter how much we deplore it, we are not going to meet it except by example on our own part. But in connection with the provisions of the bill now confined to Members of Congress and members of the staff, and for all practical purposes, Members of Congress, I think keeping this in is an admission on our part that we cannot repose confidence in our own Members. Certainly I think the gentleman from Ohio [Mr. SMITH] made a very able argument in support of his amendment. We must have confidence in ourselves. Yet providing a criminal penalty denies that very fact. We are the only ones left who can be prosecuted.

It does not bother me much because by the time this becomes law, and I cannot see it for many years to come, if it ever does become law, the chances are that I will not be subject to its provisions.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOFFMAN. Has not the gentleman from Massachusetts opposed this resolution on the theory that confidential information should remain in the executive departments because if it came to Congress, the Members would divulge it?

Mr. McCORMACK. No; I have not opposed it on that theory at all. I have opposed it on the ground the independence of the executive branch is dependent upon that branch having that power it has exercised heretofore the same as we have to have certain powers to keep our independence.

Furthermore, what is the greatest punishment that a member of a legislative body can get? Censure by his fellow members, or expulsion. Usually, there must be a serious act before a legislative body will go to the length of expulsion, but censure by fellow members is a very serious punishment. If any Member violated a confidence, if this resolution should become law, we have within our power the greatest means of punishment, public censure or expulsion. I do not care whether this provision, section 2, remains in the resolution or not. I am opposing the resolution for fundamental reasons. I hope that for our own respect, when this resolution goes back to the House there will be a separate vote on this amendment and the amendment will be defeated, because, in a sense, section 2 is unnecessary to this resolution.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. KNUTSON. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: On page 3, line 22, strike out "SEC. 3" and insert "SEC. 4." "SEC. 4. Nothing contained herein shall alter the procedure for inspection of tax returns by committees of Congress prescribed by section 55 (d) of the Internal Revenue Code."

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. KNUTSON. I yield.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 15 minutes, the last 3 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. HOFFMAN. I do not expect to oppose the amendment.

Mr. KNUTSON. Then, there is no use arguing it, but I would like to ask, Mr. Chairman, that the section be numbered "3" instead of "4," because there is a section 4 in the bill.

This amendment merely strikes out the present section 3 and substitutes the language which the Clerk has just read.

The CHAIRMAN. Does the gentleman want the amendment to follow page 3, line 21?

Mr. KNUTSON. Yes.

Mr. NICHOLSON. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLSON. I make the point of order that this amendment is not germane to this bill. It brings in a matter which concerns something that is already on the books and amends that law.

Mr. COOPER. Mr. Chairman, I make the point of order that the point of order comes too late and it is not any good anyway.

The CHAIRMAN. The Chair is ready to rule. The Chair will hold that the amendment is germane and overrules the point of order.

Mr. JAVITS. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. KNUTSON. I yield.

Mr. JAVITS. Have we passed section 2? My amendment was to section 2. I understood the gentleman's amendment succeeds section 2.

The CHAIRMAN. We have passed section 2.

Mr. JAVITS. The last amendment was offered by Dr. SMITH to section 2, and I understood we were still on that section and I rose to offer an amendment to section 2.

The CHAIRMAN. Section 2 is a committee amendment and has been adopted and is not subject to amendment.

Mr. BROWN of Ohio. Mr. Chairman, on behalf of the committee, the committee will accept the amendment offered by the gentleman from Minnesota [Mr. KNUTSON]. It is a worth-while amendment.

Mr. KNUTSON. In view of the broad-minded attitude of the committee in accepting the amendment, I will not take any more time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. KNUTSON].

The amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, there is a committee amendment on the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN as a committee amendment: Page 3, after line 21, insert the following new section.

"SEC. 5. If any provision of this joint resolution, or the application of such provision to any person or circumstances, is held invalid, the remainder of the joint resolution or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby."

And change the numbers of the succeeding sections accordingly.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, since this is merely a perfecting amendment, I do not care to spend time on it.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. SMITH of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Ohio. Do I understand we have passed section 2? Have we passed section 2?

The CHAIRMAN. Section 2 has been adopted as a committee amendment. We have passed section 2.

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. I do not know whether any Member desires to offer an amendment to section 2, but I wish to ask the Chair in connection with it as a matter of preserving the rights of any Member who wishes to offer an amendment to section 2—my distinct recollection is that the committee amendment was agreed to. Thereafter the gentleman from Ohio [Mr. SMITH] offered his amendment. A point of order could have been made then, I realize. None was made, however, and the amendment was adopted and acted upon, which was proper.

In the light of the foregoing, I ask the Chair whether or not that by implication constituted Committee consideration of the previous section; also that other Members who desire to offer amendments to section 2 may be permitted to do so.

The CHAIRMAN. No; the Chair will state to the gentleman from Massachusetts that does not. The gentleman could ask unanimous consent to return to section 2 for that purpose.

Mr. McCORMACK. I simply wanted to keep the RECORD straight. The Chair has made his ruling, and a correct ruling, in my opinion, in view of the circumstances. I wanted the RECORD clear, and a ruling of the Chair, which I understand and appreciate.

Mr. COMBS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COMBS. I have an amendment to offer as a new section following section 2. I wish to inquire as to whether it would be proper to offer this amendment as soon as these committee amendments have been disposed of.

The CHAIRMAN. The Chair would state to the gentleman that that would be the proper time for the gentleman to be recognized.

Mr. HOFFMAN. Mr. Chairman, I have another committee amendment at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. HOFFMAN: On page 3, lines 24 and 25, strike out the words "This resolution shall become effective within 10 days after its adoption" and insert in lieu thereof "This joint resolution shall become effective on the 10th day after the date of its enactment."

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. HOFFMAN. The amendment in no way changes the meaning. It is merely language suggested by the drafting service to perfect the resolution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. COMBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COMBS: Page 3, strike out lines 22 to 25, inclusive, and insert in lieu thereof the following:

"SEC. 3. There is hereby created a joint committee to be composed of three Members of the Senate, to be appointed by the President or President pro tempore of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker or Acting Speaker of the House of Representatives. It shall be the duty of the joint committee to formulate and present, not later than 90 days after the date on which this joint resolution becomes effective, to the Senate and to the House of Representatives, for adoption, such rules as the joint committee may deem advisable with respect to the powers, duties, and procedures of all committees of either House under this joint resolution.

"SEC. 4. Any and all laws, rules, or regulations in conflict with this joint resolution are hereby repealed.

"SEC. 5. (a) The powers of committees with respect to obtaining information, books, records, and memoranda in the possession of or under the control of any executive departments, agencies, Secretaries, or individuals, shall not be effective prior to the adoption by both Houses of Congress of rules relating to the powers, duties, and procedures of committees under this joint resolution.

"(b) This joint resolution shall become effective within 10 days after its adoption."

Mr. HOFFMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Mr. Chairman, the amendment now proposed is an amendment to a section which we have passed. It changes the procedure by which the Congress seeks to get this information, and, in addition to that, it is an attempt to overrule the rules of the House or change the rules of the House as to the functioning of legislative committees.

Mr. COMBS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman is recognized.

Mr. RAYBURN. Mr. Chairman, is the Chair going to rule on the point of order? Of course, this amendment is not subject to a point of order because it has to do with the procedure of special committees of the House. That is what we are talking about here, and that is what we are legislating in reference to.

Mr. COMBS. May I be heard on the point of order?

The CHAIRMAN. The gentleman is recognized.

Mr. COMBS. First, I want to say, in reply to the gentleman from Michigan [Mr. HOFFMAN], that the amendment I have offered is not an amendment of a section which we have passed. It proposes the addition of sections following section 2, which we have just finished considering. It is, therefore, timely. I want to make a further observation with regard to the germaneness of my amendment. It does not propose, as the gentleman from Michigan contends, to change the rules of the House nor to bypass the Rules Committee. It proposes simply to provide special rules to govern committees in the exercise of the special powers granted by the very resolution we are now considering. The fact that it provides for a special joint committee to formulate such rules and submit them to the House and Senate for consideration and adoption does not, in my opinion, constitute the setting up of the kind of joint committee that would violate the rule of germaneness. The sole function of the committee provided for would be to devise and propose a set of rules for House and Senate consideration.

Mr. HOFFMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. The gentleman is not speaking on the point of order. He is speaking on his amendment.

The CHAIRMAN. The gentleman will speak on the point of order.

Mr. COMBS. Mr. Chairman, with all due respect, I think I am speaking on the point of order. The point made is that my amendment is not germane to the resolution under consideration. I am simply stating what my amendment proposes in order that I may point out that what it proposes is germane to the resolution, because it would simply implement the resolution by providing orderly procedures for the exercise by committees of the very powers of investigation conferred upon them by the pending resolution. Thus, the amendment seeks to set up a procedure to guide the committees in doing the very things which the resolution before us empowers them to do. At present there are no suitable or adequate rules under which the committee can proceed. Such rules are necessary.

Mr. Chairman, may I say that I confined the amendment purely to the procedure applicable to this resolution so that it would be germane. I have introduced a resolution today providing for a similar committee to develop rules applicable to all committee investigations, and Heaven knows we need that.

The investigating function of Congress is important. Congressional investigations, conducted of course through appropriate committees, are necessary not only to develop information for the guidance of Congress in the formulation of legislation but in certain instances for the information of the American people. Certainly Congress has the power to make appropriate investigations of the departments and agencies under its jurisdiction and their officials. And it also rests under the duty of making such investigations when needed.

In recent years the investigative activities of the Congress and its committees, both standing and special, have increased enormously—yet the rules of the House designed primarily to promote the legislative procedures have not been amended so as to provide any adequate procedure for the governing of committees in making investigations.

This has caused much public criticism of Congress—criticism that can be avoided if suitable procedures are developed, adopted, and enforced.

Courts have rules to govern the investigations they make. They have rules that protect the secrecy of grand jury investigations, rules which govern the appearance of witnesses and the production of documentary evidence. These rules make it possible to conduct court inquiries in an orderly manner to secure information and to develop facts. They also provide for the adequate protection of witnesses summoned before the grand juries and before the courts. We need similar rules, adapted of course to the committee type of investigation, to govern the activities of Congress through its committees.

The promulgation of such rules will require careful thought and study by a small but capable committee which in turn can submit its recommendations and suggested rules to the House and Senate for consideration and adoption. It is the best way to get the job done and, in my judgment, the only way we are likely to get it done. The resolution I introduced today, and which I referred to a few minutes ago, if enacted will get the job done.

We must not forget that when a congressional committee makes an investigation it is acting in the name of and under the authority of the body which creates it. We, in the Congress, cannot escape our responsibility in this regard if we would and we should not want to do so.

At the present time it is possible for the numerous committees of the Congress, without any coordinated system or plan, to summon department heads and other responsible officials before them day after day. We need to bring some kind of order out of the chaos that is thus created. This situation, unless remedied, may continue to enlarge its scope and the numerous committee activities until it seriously interferes with the executive departments of the Government in the performance of their duties. We owe it to ourselves, to the prestige of the Congress of the United States, and to the American people to establish orderly and sensible rules.

As for the amendment I have offered to the pending resolution it would make a beginning in the right direction. I want to state frankly that I am opposed to the resolution because, in my judgment, it is clearly unconstitutional. In addition, it would set a dangerous precedent of the legislative branch of the Government invading the jurisdiction of the executive branch of the Government. But while I am opposed to the resolution, apparently a majority of you intend to support it. And if you are going to enact it into law by all means let us at least provide for the setting up of an orderly procedure to govern the committees in the exercise of the powers the resolution would confer upon them.

Mr. BROWN of Ohio. Mr. Chairman, may I be heard?

The CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, as I understand the gentleman's amendment it proposes that we set up a joint committee which would change the rules of the House and the rules under which the standing committees of the House—not special committees of the House and Senate but the standing committees—would operate, therefore a point of order would lie against the amendment.

The CHAIRMAN (Mr. ALLEN of Illinois). In the opinion of the Chair, this amendment would create a joint standing committee. It would take away the authority of the Rules Committee which under the rules of the House has jurisdiction over this subject. The Chair therefore holds that the amendment is not germane and sustains the point of order.

Mr. HERTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HERTER: Page 3, after line 21, insert the following:

"SEC. 3. It shall be unlawful for any individual, while or after holding any office or employment under the United States Government, to appropriate or take custody of, for his own unofficial use or the unofficial use of any other person, any papers, documents, or records (other than those which are of a character strictly personal to him) to which he has or had access solely by reason of holding or having held such office or employment. Any individual who willfully violates this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000, or by imprisonment for not exceeding 1 year, or both, at the discretion of the court.

"And change the numbers of succeeding sections accordingly."

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I will be happy to yield.

Mr. HOFFMAN. The committee will be glad, after hearing the gentleman, to accept his amendment.

Mr. HERTER. I am very grateful to the gentleman for that contribution.

Mr. Chairman, this amendment is intended to get at an abuse which has arisen over a great many years, not necessarily maliciously, but in many cases to the detriment of the public interest. Officials of the Government, particularly high officials of the Government—and this has taken place over a great many years—have gone out of office or have left office and taken with them papers which should be state papers, and which they have later turned to their own advantage through publication or through other use. As a matter of fact, only recently an extremely embarrassing situation occurred as the result of official papers being considered the personal property of high officials. Shortly after the cessation of hostilities, the Russians occupied the Kurile Islands. The question was raised from time to time under what authority they had occupied that particular piece of land very close to the Alaskan chain of islands. The United States Government alleged that the Russians did so without any agreement on the part of the United States. Moscow radio replied saying that that occupation was in conformity with an agreement reached between President Roosevelt and Stalin.

The State Department denied that any such agreement had ever been reached. Later, however, on making inquiry at the White House, it was found that a high official of the White House had a carbon copy of such an agreement. No one has ever yet been able to get at the original because all the official papers were removed from the White House and are now in packing cases at Hyde Park and no one has access to them, because the trustees to whom they have been turned over feel that they are no longer public documents. I am not saying this for partisan political reasons. The same thing has happened in Republican administrations as well as Democratic administrations. High Government officials, particularly Cabinet officers, have left office and have taken with them official papers feeling that when they left office they had a right to clean out all the files. They are, of course, entitled to all of their private papers, and that is entirely proper. They are even entitled, if they wish so to do, to take carbon copies. This particular amendment will affect only the original documents which in many cases are not copied and not available elsewhere except in the top official files. This would maintain these papers for the proper purpose for which they are intended, namely, the conduct of the public business.

I hope, therefore, that the amendment will be adopted.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the language which I sought to have stricken from the pending bill can have the effect of reflecting upon the integrity of Members of Congress, in my opinion. The high office held by the lawmakers of the United States should not be subjected to the possibility of such a stigma. The idea is so repugnant to my sense of duty and the trust vested in me that I shall now be constrained to vote against the bill.

Mr. CHURCH. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I spoke briefly yesterday, and I shall not take much time today. The need of legislation which House Joint Resolution 342 aims to provide is emphasized by the excellent and timely story of "an invisible government in the United States," appearing in the Chicago Daily Tribune this morning. I have obtained unanimous consent to include it, and it will appear at the end of my remarks. I urge every Member to read this factual story by James Doherty. The first page headline reads: "Parole scandal reveals Capone gang's crime empire—mob spread influence to high places."

Mr. Chairman, by reading this entire story by James Doherty the Members will realize the need for this kind of legislation. Congress should pursue this Capone gang parole scandal until it finds out who in high position really ordered their paroles; who received and who paid bribes. Congress should find out if the grand jury in my own Cook County is to be used in suppressing information.

Something should be done about the United States Department of Justice in its apparent determination to hog-tie the FBI in the investigation of the Capone gang parole scandal by the Committee on Expenditures in the Executive Departments.

Mr. Chairman, Congress has a duty in this matter to find out all that happened

in the Capone parole matter and how it happened. This bill, if it becomes law, will help.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield to the gentleman from Virginia.

Mr. HARDY. May I ask the gentleman if he knows whether Mr. Doherty of the Chicago Tribune timed this particular article to tie in with the discussion on this measure?

Mr. CHURCH. I do not know, but do not believe so. The mere fact that I said it is timely was to indicate that it has a bearing on this legislation. I will not take the time now to read this article nor quote parts of it for the gentleman's edification. I hope all Members will read it in its entirety. I ask the Congress to back up this committee headed by the gentleman from Michigan [Mr. HOFFMAN], and to pass this bill so that the people may have the benefit of information they are now being deprived of because it is being refused by the Attorney General of the United States and other departments of the Government.

The article referred to is as follows:

[From the Chicago Daily Tribune of May 13, 1948]

PAROLE SCANDAL REVEALS CAPONE GANG'S CRIME EMPIRE—MOB SPREADS INFLUENCE TO HIGH PLACES—HERE IS COMPLETE REVIEW OF CASE

(By James Doherty)

This is the almost incredible story of an invisible government in the United States, which draws its sinews from underworld gutters, yet finds familiar footing in high places, including the White House.

It is a story which has its roots in the blood and greed of the Capone era and which spreads its corruption laden branches from Pennsylvania Avenue to Dallas, Tex., and beyond.

It will tell how Capone gangsters muscled their way into control of unions and extorted millions of dollars from union members and the movie industry, immune to the ordinary processes of law until two members of the gang were tripped up and squealed.

MYSTERY AND MIRACLES

It will explain how, after four members of the gang were sentenced to prison for 10 years, mysterious forces began to move to accomplish miracles. It will tell how the four men, among the most notorious criminals in the Nation, whose records were known even to school boys, walked out of prison as freemen on almost the first day they became eligible for parole, although their own attorneys, in pleading for light sentences at the time of their trial, had told the court that their clients, because of their records, had less than one chance in a thousand of ever being paroled.

It will tell how the four criminals obtained transfer from one prison to another with amazing and mysterious ease; how they were visited in prison by deputies still in control of the Capone gang's gambling and other activities, and how, from their prison cells, they continued to direct these activities and even exerted a strong influence—in some political subdivisions a decisive influence—in Chicago elections.

It will tell how other pending charges against the four criminals, which would automatically have barred their parole, vanished into thin air at the behest of the Justice Department, through the contrivings of a Dallas, Tex., lawyer, a close friend of the Attorney General and counsel for other gangsters, whose name did not even appear of record in the proceedings.

PAROLES MADE EASY

It will tell how prison transfers and their final paroles were arranged and expedited beyond all common practice in such matters, by a St. Louis attorney for gangsters who visits President Truman in the White House and calls him "Harry."

It will tell how hundreds of thousands of dollars in income tax liens against the four gangsters were cut to less than 20 percent of the original figure, and then settled by means of bundles of money dropped on the desk of a Chicago lawyer who was steeped in the politics of Jake Arvey's twenty-fourth ward and who was twice indicted for vote frauds. (The indictments were later quashed on technicalities.) The lawyer, Eugene Bernstein, told the congressional committee members the money came from men he didn't know, never saw before, and who took no receipts for their contributions.

It will disclose how, shortly before these mysterious bundles of money began to rain on the attorney's desk, slot machines, long dormant in Cook County, began to run full blast—with or without the approval of the owners of the places in which they were installed.

POLITICAL TIES NOTED

It will tell how, at the height of a county election campaign shortly before the paroles, the Republican leaders in several Chicago wards, predominantly Italian, suddenly went to sleep; and how, on election day, these wards returned Democratic majorities never equaled before or since, a source of great gratification to administration figures in Washington who subsequently refused to cooperate in an investigation of the granting of the paroles.

In telling these things, it will adhere rigidly to facts backed by court records and sworn testimony in congressional hearings, concerning whose accuracy there can be no vestige of doubt.

The beginning of the story goes back to the days of the depression, when the Capone syndicate, its profits from bootlegging drying up, began to cast about for other sources of revenue. Scarface Al Capone, boss and founder of the gang, had gone to prison in 1931 as a million dollar income tax cheat. Frank (the enforcer) Nitti came out of prison and was the new chief.

RESORT TO KIDNAPINGS

For a time, the bootleggers, who also were vice mongers and operators of gambling joints, resorted to kidnaping to keep up the flow of wealth to their pockets.

They became known as the mob, or the syndicate. They kidnaped a few union leaders and, finding that large ransoms for such gentry were an "easy touch," they concluded the unionists were vulnerable, the Congressmen learned. A new field was opened for the Capone mob.

James Caesar Petrillo, czar of all union musicians, was kidnaped in 1933 and $50,000 ransom was paid, after which six Chicago policemen were assigned exclusively to him as bodyguards for 7 or 8 years.

Robert Fitchie, president of the Milk Wagon Drivers' Union, was kidnaped in 1931 and his union paid $50,000 ransom for him. Steve Sumner, business agent of the union, said the money was picked up by Murray (The Camel) Humphries, one of the top men in the Capone gang, and Frank Diamond, who was convicted with the other four gangsters with whom this story deals, but who was not paroled with them, according to the records.

UNION EXPLOITATION STARTS

Exploitation of unions seemed safe and sure. The foray against the Hollywood magnates had its birth when George Browne, head of the Chicago Stage Hands' Union, and Willie Bioff, an ex-panderer who had evaded a Cook County jail sentence, met on Chicago's West Side early in the days of the depression.

Bioff had organized several Jewish butchers into a "protective" association. Bioff furnished protection for a price, he admitted. Browne, in need of financial help himself, had taken over a chicken-killers' union. They decided to team up.

Extortion of food from merchants enabled them to start a soup kitchen for unemployed stage hands. They also exacted cash donations. Gradually they grew bolder. Browne had a club over the heads of motion-picture-theater owners, some of whom employed stage hands. Some had let their stage hands go when vaudeville waned.

BALABAN SHAKEN DOWN

Barney Balaban, of Balaban & Katz, owners of a movie chain, was approached for a donation to the soup kitchen. Under pressure, he agreed to contribute $7,500. The shake-down team demanded $50,000, then agreed to take $20,000.

They got the $20,000, too, after they had shown their strength. An era of extortion for them and their associates had begun.

The $20,000 put Browne and Bioff into the big league. They were able to meet and do business with the top men of the Capone gang. They attended a party in a Rush Street night club operated for the gang by Nick Circella, also known as Nick Dean. Nick saw Browne and Bioff buying champagne with $100 bills and questioned them about the source of their wealth. When the pair told their success story, Circella was convinced they had a fine new racket. He ordered them to accompany him to a house in Riverside where they faced Nitti, the top gangster, and Frank Rio, who had been Capone's constant companion.

NITTI CUTS HIMSELF IN

Bioff and Browne told how they had shaken down the big movie firm of Balaban and Katz.

Nitti lisfened. Then, quietly, he said:

"From now on, we are in for 50 percent of your take."

Nitti studied the operations of Browne and Bioff. The more he did so, the more he admired them. He got an idea. He would make Browne president of the International Alliance of Theater and Stage Employees.

Nitti called a meeting at the home of Harry Hochstein, who started his public career as a morals inspector in Chicago, and after a zigzag political history became chauffeur for Capone hoodlums. Hochstein had a house in Riverside. Later he was indicted for perjury for denying, under oath, that the meeting was held there.

PLAN TO RUN CONVENTION

Present at this meeting, in addition to Nitti, were Rio, Louis Buchalter (since executed in New York), Paul (The Waiter) Ricca, Louis (Little New York) Campagna, one of the Fishetti brothers, who were cousins of Capone, and a few minor characters in the Nitti gang.

"We have connections that can handle the delegates to the stage hands' convention in Louisville," Nitti explained. The convention was in 1934.

"Frank Costello and Lucky (Charles Luciano, since deported) will take care of the New York delegation."

Buchalter, also known as Lepke, said that he, personally, would vouch for the delivery of the New York votes at the convention.

"Longey (Abner) Zwillman will deliver the New Jersey votes," Nitti continued. "Johnnie Dougherty (now sheriff in St. Louis) will handle St. Louis."

KANSAS CITY CONNECTIONS

Testimony at the subsequent trial of the gangsters disclosed that Nitti had two other stalwarts in Kansas City who were to deliver Missouri and Kansas union delegates to

Browne. They were Tony Guzzio (who testified before a Federal grand jury here recently that he is still the agent for the gang's Chicago brewery), and Charlie Corrallo.

"They are the Lucky Lucianos of Kansas City," Bioff explained, meaning that they controlled vice, gambling, bootlegging, and racketeering privileges.

The Chicago delegation to the IATSE convention in Louisville in 1934 included Tony Accardo, recently indicted because of illegal visits to his chief, Ricca, in Federal prison; Louis Romano, who was muscled into control of the Chicago bartenders' union, and "Hindu" Imburgio, whose brother, Joseph Imburgio Bulger, an attorney, figured in the trial of the four gangsters and the present investigation into their paroles.

CONTROLLED UNIONISTS

"We made Jerry Horan and Mike Carozzo heads of their unions and we can do it for you." Nitti told Browne. Horan was national head of the building service employes' union. Carozzo controlled many thousands of street and building laborers, mostly Italians.

It is of sordid record that the IATSE convention elected Browne as international president, and the record was supplied to the congressmen.

Browne obeyed Nitti and immediately named Bioff as Browne's "personal representative," with full power to act—call strikes, and settle them. Nick Circella was named Chicago representative.

One of Nitti's first orders to Browne was "never meet an exhibitor or producer or discuss business with anyone except when Nick Circella is present." That applied to Chicago. Bioff would act for the mob elsewhere.

ORGANIZE AND COLLECT

"Get organized and collect some dough," Nitti told Bioff.

Tommy Maloy, head of local No. 10, of the motion-picture operators' union in Chicago, was killed by a shotgun blast on Chicago's outer drive on February 4, 1935. Nitti ordered Circella to take over Maloy's union. The motion-picture operators' local, like Browne's stagehands' local No. 2, was a part of the IATSE of which Browne was president.

Circella started a drive to force the motion picture theater owners to put two men in a booth, meaning to force them to hire two operators where they needed only one. The Chicago theater owners paid $100,000 to stop that maneuver. Balaban and Katz paid $80,000 of it.

The late William Pacelli, former twentieth ward alderman, who was handling the affairs of the boys, was put on the pay roll of an organization representing the smaller theater owners.

LEVY ON THEATER MEN

Jack Barger, of the Rialto Theater, who had to pay the syndicate 50 percent of his profits for the privilege of doing business in the first ward, under Capone-Ricca-Guzik domination, was compelled to put Frank Maritote, alias Diamond, brother-in-law of Capone, on the theater pay roll for $200 a week and keep him there 5 years.

Phil D'Andrea, who had operated a bawdy house on the West Side with Jack Zuta, was put on the Balaban and Katz pay roll for $175 to $200 a week, and kept on the pay roll for at least 5 years. His brother and sister also were put on theater pay rolls.

Chicago exhibitors were paying the Nitti gang. The extortion plan was working.

Meanwhile, Bioff was shaking down Hollywood. He started out by getting $100,000 from Joe Schenck in some kind of a funny deal. Bioff called a few strikes to show his power, and the money rolled in.

"We told Nick Schenck to get $2,000,000 for us," Bioff explained later to a jury.

NITTI BOOSTS HIS TAKE

In the beginning, Browne and Bioff split 50–50 with Nitti, Ricca, and Campagna; but in 1935 Nitti demanded two-thirds of the loot, and Bioff told Browne it would have to be that way, because they couldn't operate without the Nation-wide power of the Nitti mafia organization behind them.

Louis Greenberg, Nitti's financial adviser, who recently testified before a congressional committee in Washington, sent a man named Frank Korte to be vice president of the union.

Izzy Zevin, a brother-in-law of Greenberg, was sent to the union to take charge of a levy of 2 percent on the wages of the 46,000 members of the international.

It was this action—robbing the workers—that later brought about a so-called mail-fraud indictment against the gangsters. It was this second indictment which Attorney General Tom Clark dismissed prior to their parole.

THE MONEY ROLLS IN

With money rolling in from both sides of the racket—from the union members and from their employers—the gangsters began buying farms and estates. Bioff had a $330,000 home in Hollywood. Ricca bought a plantation in the South and a farm in Illinois. Campagna bought farms in Indiana and Michigan.

In Chicago, Nitti, pleased with his new technique, was taking over other unions. There was a mention in the record of his plan to make George McLane, boss of the Chicago bartenders' union, head of the International Union of Bartenders, Waiters, and Miscellaneous Hotel and Restaurant Employees. McLane, however, was eventually thrown to the wolves, and Louis Romano, one of the delegates who helped elect Browne, was put in charge of the local union by Nitti.

Nitti had plans for an extortion empire he was organizing with these purposes in view:

1. To control the country's drinking.
2. To control the country's entertainment.
3. To control the country's gambling.

ROPE IN PERFORMERS

Nitti ordered Bioff to take charge of the American Guild of Variety Artists, called Agva for short, and it was planned to make Charles (Cherry Nose) Gioe, one of the now notorious four parolees, its boss. All important night club and vaudeville performers in the country had to belong to Agva.

An exposé of his unsavory past in 1939 resulted in Bioff being extradited from California to Chicago to serve a 6-month jail sentence for pandering. Bioff went to the Bridewell on April 15, 1940.

While there, Bioff demanded that the Nitti gang use its political power to get him out. Gioe, whose later conviction was due mainly to Bioff's testimony, was sent to the jail to tell Bioff that the $25,000 fee the gang wanted to pay James Slattery, then United States Senator, to seek a pardon for Bioff, had been spurned. State's Attorney Courtney said the mob then offered $50,000 for a pardon for Bioff.

In Washington, Jacob M. Arvey, Cook County Democratic boss, testified that Bioff sought to retain Arvey as his attorney. Arvey said he refused to act for Bioff.

BIOFF GETS REVENGE

In jail, Bioff had demanded and obtained every possible privilege, but was demanding more. Gioe was sent to tell Bioff to behave himself. Gioe later told associates he found it necessary on that occasion to hit Bioff, and to call him a panderer. Bioff got revenge later by his testimony in the extortion case against Gioe and the other gangsters.

Out in California, Bioff's activities were coming into the spotlight. He was indicted on an income tax fraud charge. His deals with the movie magnates, which caused many false bookkeeping entries, resulted in the indictment of Joe Schenck, chairman of the board of Twentieth Century Fox. Eventually Schenck was convicted and sentenced to 3 years in prison, partly as the result, Bioff admitted later, of Bioff's perjured testimony.

On his own income tax case in California, Bioff obtained a delay by representing that his services were necessary to the motion-picture industry's war effort. He had resigned from the IATSE when his pandering past was flashed on the screens of the world, but after getting out of jail, he was welcomed back into the union at one of its conventions.

INDICTED FOR EXTORTION

The Government had learned how much money Bioff and Browne had taken out of the industry. In 1941, they were indicted in New York. The charges were that they had used their union positions to extort $550,000 from four of the country's leading motion-picture companies—Twentieth Century-Fox, Loew's Inc., Paramount Pictures, and Warner Bros.

The indictments were voted in New York because Browne maintained his principal office there. Circella, of course, represented him in Chicago, and Bioff represented him in Hollywood. Circella was indicted at the same time and eventually pleaded guilty. John P. (Big) Nick, of St. Louis, who was Browne's first vice president of the union, also was indicted and convicted.

On November 12, 1941, Bioff was sentenced to 20 years with a stipulation by Judge John Knox that it would be 10 years if he paid a $20,000 fine. Browne's sentence was for 8 years. Judge Knox retained jurisdiction, however, at the request of Prosecutor Boris Kostelanetz, who was investigating the connection of the Capone gang, under Nitti, Ricca, and Campagna, with the extortion scheme.

BROWNE AND BIOFF SQUEAL

Kostelanetz believed someone might be willing to trade testimony for time. He was right. Browne and Bioff were willing, after they had spent a year in prison. They squealed on their gangster mentors.

As a result, nine gangsters were indicted, including Nitti and six others from Chicago, charged with extorting more than $1,000,000 from movie producers, and with stealing another $1,000,000 or more from union members.

The other Chicagoans indicted were Louis Campagna, Paul Ricca, Frank Maritote, Philip D'Andrea, Ralph Pierce, and Charles Gioe.

The first indictment said the $1,000,000 from the movie industry was exacted for "protection," that is, to prevent and dissuade the defendants and their confederates from injuring or attempting to injure the business of the victims, by the use or misuse of the power which the defendants had over labor unions.

NITTI COMMITS SUICIDE

Circella, who pleaded guilty, later was denied a parole. He did not testify against Ricca and the others before the grand jury which indicted them, although he was listed as a possible prosecution witness in the trial.

On the day the indictment was returned, March 19, 1943, Nitti committed suicide in North Riverside, less than a mile from his home. It was reported he feared he would be convicted. He knew his financial manager, Louis Greenberg, had testified against him before the New York grand jury, and that Browne and Bioff had squealed, and that there was a possibility that Circella might be a witness against him.

The others were taken to New York for a trial which began October 6, 1943, before Judge John Bright of the United States District Court. Bioff, the first witness, told of a time when, he said, he wanted to get out of the business of extorting money from businessmen. He said he told Nitti, Ricca, and Campagna he was going to resign.

RESIGNATION MEANT DEATH

"Anybody who resigns from us resigns feet first," he quoted Campagna as telling him.

The gangsters did not testify in their own defense. The Government had traced payments of $1,800,000 in cash to the extortioners, and on the basis of the testimony relative to a split of two-thirds for the Nitti mob, and one-third to be divided by Browne and Bioff, the Government alleged that $1,200,000 was turned over to the Chicago syndicate.

On December 22, 1943, a jury of nine women and three men found seven defendants guilty. Ralph Pierce, one of the indicted Chicago gangsters, had been freed by a directed verdict. Those convicted were Ricca, Campagna, Gioe, D'Andrea, Maritote, and the lesser lights. These were John Roselli, of Hollywood, former west coast organizer and agent for the gang, and Louis Kaufman, of Newark, N. J., former business agent for the IATSE local in Newark. All were permitted to remain at liberty on bail until December 30, 1943.

SEEK LIGHT SENTENCES

On that day Judge Bright gave consideration to pleas for light sentences.

"There is no hope for parole for these men, so please consider that in fixing sentence," James Murray, defense attorney, told the court.

A. Bradley Eben, another defense attorney, said: "There isn't one chance in a thousand that a parole board would ever give these men consideration because of their past records."

"I agreed with that statement—that there seemed to be not one chance in a thousand that the men ever would be paroled," Prosecutor Kostelanetz recently testified before a congressional committee investigating the paroles.

Judge Bright decided that six of the men should serve the maximum terms, 10 years, and pay fines of $10,000. The seventh defendant, Kaufman, received a sentence of 7 years.

GET PRISON TRANSFER

"The evidence showed the guilt of these men was practically without dispute," said Judge Bright. "Except for Kaufman, not one of them was a member of the union, or had any right to interfere with the activities of the union."

On April 4, 1944, they were received in the Federal penitentiary in Atlanta, Ga., having been held until then in detention cells in New York City.

But they didn't stay there. Even before they entered prison, wheels began turning in an effort to get them out.

The first evidence of this came when the gangsters were transferred from the penitentiary at Atlanta to the penitentiary at Leavenworth, Kans., "so they would be nearer home." This was done at the request of Paul Dillon, a St. Louis attorney and former campaign manager for President Truman.

Dillon explained later that he acted at the request of the late Edward (Putty Nose) Brady, former Missouri legislator and saloon owner.

BRADY'S HELP SOUGHT

Dillon said Brady, in turn, had been requested to enlist his aid in behalf of the imprisoned gangsters by the wife of Louis Campagna, with whom Brady had long been acquainted.

By coincidence, Dillon had been attorney for Nick, vice president of Browne and Bioff's IATSE, when Nick was indicted for extorting $10,000 from movie-theater owners.

In any event, as soon as Dillon asked for the transfer of the four convicts, they were transferred, although a memorandum signed by the Atlanta prison warden, which later was placed in the files of a congressional investigating committee, said "it is evident money was paid for the transfer."

As time went on, the Tribune, which daily sifts hundreds of reports and rumors, began to hear of strange goings-on in five wards where the voters are predominantly Italian. A county election was approaching. Republican leaders in these five wards were influenced, through Italian organizations and otherwise, by the leaders of the Capone syndicate. The reports, as repeated, were that the Republican leaders had been ordered to deliver all the votes they could to the Democrats, "to help out the boys."

SLOT MACHINES POP OUT

About the same time, slot machines began to appear in the country towns, which were in the jurisdiction of Michael Mulcahey, Democratic sheriff. Tavern owners told Tribune reporters that they got the machines whether they wanted them or not.

The wheels were turning. In order to get out of prison, Ricca and his fellow convicts knew they had to clear two hurdles. One was the settlement of the Government's claim against them for unpaid income taxes running into hundreds of thousands of dollars. The other was to obtain the dismissal of the indictment still pending, which charged the gangsters with extorting a million dollars or more from members of the IATSE.

In connection with his income-tax problems, two men called on Paul Ricca at Leavenworth penitentiary. One was Attorney Bernstein, a political figure in Arvey's twenty-fourth ward. The other man signed the prison register as Joseph Imburgio Bulger, a Chicago attorney. But he wasn't Bulger. He was Tony Accardo, or Joe Batters, who was running the syndicate's affairs while the syndicate heads were in prison. Both Bernstein and Accardo were subsequently indicted by a Chicago Federal grand jury.

BANK NOTES RAIN DOWN

It was after this visit, Attorney Bernstein subsequently told a congressional investigating committee, that fat bundles of bank notes began to rain on his desk, dropped there by men who said, "This is for Paul."

Bernstein told the committee he didn't ask questions. By means of a deal with the Internal Revenue Bureau, tax claims against the four gangsters totaling $670,000 were settled for $128,000. The bundles of money so mysteriously dropped on Bernstein's desk were applied toward the payment of this tax settlement, Bernstein said.

The wheels were still turning. But there remained the mail-fraud indictment, which, if it continued to stand, would serve as an automatic bar to the parole of the four gangsters at the end of 3 years and 4 months, representing one-third of their sentences, which they had to serve before becoming eligible for parole.

CALLS ON TOM CLARK

One day a lawyer named Maury Hughes from Dallas, Tex., dropped in for a chat with a couple of assistants to his great and good friend, Attorney General Tom Clark, another Texan. Hughes is a former Texas Democratic State chairman. He was on the Texas delegation which supported President Truman for the Vice Presidential nomination in the convention which nominated the late President Roosevelt for a fourth term.

Hughes, although he has no office in Chicago, also has represented another member of the Capone syndicate—Mike (the Greek) Potson, former owner of Colosimo's restaurant, recently convicted here of income-tax evasion.

After Hughes had his chat with the Attorney General's assistants, a special assistant to Clark appeared in Federal District Court in New York and asked for the dismissal of the mail fraud indictment against the four gangsters. The court asked several sharp questions, but there was no getting around the fact that the Justice Department wanted the indictment dismissed. The court ordered it dismissed.

ADMITS $15,000 FEE

Maury Hughes did not appear as an attorney of record. Nevertheless, he testified later before a congressional committee that for his chat with three of Mr. Clark's assistants he received a fee of $15,000, paid to him he said, by a mysterious Mike Ryan, who looked, Hughes recalled, like an Italian. He said he never has seen Mike Ryan again and wouldn't know where to find him.

The Chicago election was out of the way by this time, and the five Italian wards had cast unprecedently large Democratic votes.

Chairman Arvey of the county Democratic organization admitted to the investigating committee that the Republican leaders in the five wards did help the Democrats that time, but he denied there was any deal.

"It is true that the five Italian Republican ward leaders sat the election out, but they did so because they were sore at Governor Green for a slight to some of their legislators," Arvey told the committee. "It is true the Democrats got more votes in those wards at that election than ever before or since."

ARVEY RATHER EVASIVE

On the subject of slot machines, Arvey said he had no information. He admitted, however, that he had heard about the indictment of several persons for operating slot machines at or about the time the taxes for the imprisoned gangsters were squared, and at or about the time the five Italian Republican ward leaders delivered Democratic votes.

"If Scotty Krier, Democratic committeeman out in the Skokie district, said he got an O. K. from downtown to allow slot machines to run, to whom did the term 'downtown' refer?" Arvey was asked.

"Maybe he meant the Tribune," Arvey replied. "It is downtown. I don't know. You'd have to ask him who he meant."

Representative BUSBEY, Republican, of Illinois, a member of the committee, said the Arvey testimony was important in view of the story that Chicago Republicans in certain wards were herded into polling places to vote Democratic "so four guys can get out on parole."

VOTE FRAUDS CHARGED

Arvey at first disowned Bernstein as a member of his Twenty-fourth Ward Democratic Club, but later admitted he had been mistaken. Arvey testified that Bernstein had not been a Twenty-fourth Ward Democratic club member since 1931. It was shown that Bernstein was twice indicted on vote fraud charges in 1939 because of his activities as a precinct captain in the Arvey organization.

The wheels are still turning, and they have nearly completed their revolution. On August 6, 1947, Attorney Dillon dropped in to see his old friend, T. Webber Wilson, chairman of the Federal parole board, in Washington.

Seven days later, almost on the very day they became eligible for parole, the four gangsters walked out of prison.

Some of the circumstances of their release were extraordinary, to say the least.

RED TAPE QUICKLY CUT

For one thing, the day before the gangsters were released, the parole office in Chicago received a telephone call from the prison at Leavenworth requesting that certain matters of red tape, such as interviewing sponsors for the parolees, be expedited. They were—and how. Within a matter of hours, investigations which ordinarily require days, or even weeks, were announced as completed, and the result was transmitted to Leavenworth, clearing the way for the gangsters' release on schedule.

On August 13, 1947, the prison doors swung open for them. The next day they were in Chicago. A storm of protest followed. Police Commissioner Prendergast said the gangsters should have been barred from Chicago forever. The Chicago crime commission said the paroles were an outrage and a national disgrace.

The Tribune, digging into the then undisclosed circumstances surrounding the

paroles, encountered a singular wall of official reticence.

It was learned that Chairman Wilson of the parole board had resigned, effective August 31, and had gone to his home in Coldwater, Miss., where he subsequently died.

PAID DEBT TO SOCIETY

The two other members of the board, Fred S. Rogers and B. K. Monkiewicz, said they had never heard of the Capone gang, and were of the opinion that these middle-aged criminals could be rehabilitated and they wanted to give them another chance.

The fact that Campagna had served a previous term for robbery was shrugged off. "He paid his debt to society," said Rogers, a former member of the Texas State parole board.

The fact that D'Andrea had been arrested during the trial of Al Capone in the courtroom of Judge James Wilkerson in Chicago in 1931, with a loaded pistol in his pocket, was mentioned. It made little impression.

At his Mississippi home, Chairman Wilson said he was familiar with conditions in Chicago. He had made political speeches here, he said.

STORY CALLED CHILDISH

Wilson said he knew something about the Capone gang but didn't believe all he read. It was his opinion, he said, that Browne and Bioff, who had been released by court order after serving 3 years, in return for their testimony in the extortion trial, were the real offenders.

Representative BUSBEY characterized Wilson's explanations as childish.

"There are nasty rumors in Chicago that somebody got a lot of money to let these desperate gangsters out of prison," BUSBEY wired J. Edgar Hoover, director of the Federal Bureau of Investigation.

Representative BUSBEY subsequently pointed out the sharp contrast between the ease and precision with which paroles fell into the laps of the four Capone hoodlums, at the earliest moment it was possible for them to be released, and the parole experience of William R. (Big Bill) Johnson, former Chicago gambler, now serving a 5-year term in the Federal prison, at Terre Haute, Ind., for income-tax evasion.

RAPS EASY SETTLEMENT

"Johnson's only crime was income-tax evasion," BUSBEY commented. "He was convicted October 12, 1940, and became eligible for parole in November last year, after completing 20 months of his sentence. Johnson also applied for a parole, but apparently he neglected to retain Paul Dillon or Maury Hughes as counsel. On April 1 of this year the parole board denied Johnson's application.

"The four gangsters who were sentenced for the much graver offense of extortion, also were guilty of income-tax evasion. Yet, as a prelude to their paroles, they were permitted to settle the Government's income-tax claims against them at less than 20 cents on the dollar, despite the fact that they are wealthy men, and have property on which the Government could have levied.

"Paul Ricca, who testified before the committee that he had an income of from $50,000 to $100,000 a year, owns a 1,100-acre farm in Kendall County. Campagna owns a 750-acre farm in Indiana, and rents 150 acres in partnership with another man."

WASHINGTON RETICENT

In New York, Judge Bright said he had opposed the Ricca gang paroles, and so had Prosecutor Kostelanetz. But in Washington, there was no disposition on the part of any official to make public the facts concerning the release of the gangsters.

Board members Monkiewicz and Rogers suggested that possibly Judge Bright had forgotten a letter he wrote them. They intimated the judge had consented to the release. Judge Bright's letter was obtained. Its conclusion was:

"The activities of these defendants not only were directed against the motion picture industry but also against the unions and union members. I know of no better way to suppress this kind of activity than by severe punishment."

The House antiracketeering subcommittee, headed by Representative CLARE HOFFMAN, Republican, Michigan, opened hearings into the granting of the paroles, in Chicago, on September 25, 1947.

TRUMAN FRIEND EXPLAINS

Without being summoned, Attorney Dillon stormed before the committee and asked to be heard.

"Yes, I managed two of President Truman's senatorial campaigns in St. Louis," said Dillon, "but that had nothing to do with the fact that I appeared for these four men before the parole board last August. I did that as a favor to Mrs. Campagna, who was the friend of my friend, Edward Brady, member of the Missouri Legislature. I didn't get paid, either."

After that hearing, Dillon sent a bill for $10,000 to Campagna, and it was paid, he testified in a later appearance before the committee in Washington.

"What about your activities in behalf of those Chicago convicts in getting them transferred from Atlanta to Leavenworth?" asked Chairman HOFFMAN.

BUSBEY BLAMES CLARK

"I didn't get paid for that, either," replied Dillon.

Representative BUSBEY said he pinned on Attorney General Clark the personal responsibility for dismissal of the mail fraud indictment against the gangsters.

Clark, when he appeared before the committee, assumed responsibility for refusing the committee's request for a report prepared by the FBI after its agents questioned more than 200 persons about the paroles granted the Capone hoodlums.

Clark had directed the FBI to conduct an investigation after the congressional inquiry was launched, but suppressed its report. He told the committee that he found in the report no evidence of corruption. One of the strange things about the FBI investigation was that FBI agents questioned Maury Hughes, whose connection with the paroles had not been disclosed at that time, about a conversation Hughes said he had overheard in a night club about a conference of Republican leaders in Berrien Springs, Mich., for the purpose of plotting a "smear" in connection with the granting of the paroles.

TWO CLARK APPOINTEES

"In the beginning, Clark told us he had no power over the Parole Board," Busbey said in a statement. "He said it was an autonomous body, which could and did act without consulting or answering to him. But it was established that no one on the Parole Board would talk to the press without special permission from the Attorney General.

"Then it was shown that Clark had actually appointed two of the three parole board members who freed the Ricca gang, and that he does have the power to fire them without rhyme or reason. It was shown that he appointed his neighbor from Texas, Fred Rogers, in January 1947, and Monkiewicz in June 1947, when the parole applications of the Chicagoans were coming up for consideration.

"It was shown that Clark knew about the other New York indictment that would have been a bar to parole. It was shown that Clark was head of the Criminal Division of the Department of Justice back in 1943 when the case was prosecuted, which gave him the duty of supervising the prosecution."

OFFICES IN SAME BUILDING

"Maury Hughes testified he has known Clark since Clark was 10 years old, and that he and Clark have offices in the same building in Dallas.

"Hughes said he didn't consult his old friend, Clark, about having the mail-fraud indictment dismissed. He consulted three of Clark's most confidential aids.

"Hughes said he talked with James McGranery, who had the title of Assistant Attorney General; with Douglas McGregor, who succeeded McGranery in that position, and with Peyton Ford, who now holds that job. McGranery was appointed a Federal judge in Philadelphia some time after he talked with Hughes. McGregor resigned last October after the congressional investigations started and returned to his Texas law practice."

NOT ON COURT RECORD

"The name of Hughes does not appear on any court record in connection with the dismissal of the indictment which charged the gangsters with stealing 2 percent of the wages of the 46,000 union members. The dismissal was obtained before a different judge than the one who heard the other case, and apparently it was done on motion of the Government—not of any defense counsel.

"Hughes said he was told by the man who hired him that Ricca wanted the mail fraud indictment out of the way so he could get a parole. When that action was accomplished, on May 6, 1947, the way was cleared for the parole. Hughes acknowledges receipt of a fee of $15,000."

Attorney General Clark told the committee that the dismissal of the mail fraud indictment was routine, and that it had been recommended by Kostelanetz.

Kostelanetz, called before the committee, testified that he had only recommended that the mail fraud indictment be kept alive for "at least 2 years after the date of the denial of an appeal of the men for a new trial."

"HIGHLY SIGNIFICANT"

Theodore Rein, an attorney who appeared before the congressional committee in behalf of Ricca and challenged the committee's jurisdiction, denied that his law partnership of many years with Congressman ADOLPH J. SABATH was responsible for his being hired to represent Ricca.

Representative BUSBEY asserted, however, that the fact that Rein, a partner of Sabath, Attorney A. Bradley Eben, whose mother is employed in the White House, and Congressman Vito Marcantonio, who was considered as being close to the late President Roosevelt, were employed by the Chicago gangsters, along with Maury Hughes, close friend of Attorney General Clark, and Paul Dillon, intimate friend of President Truman, was highly significant.

Dillon's relationship with the Chicago gang was again mentioned by Willie Heeney, veteran Capone gangster, who came here from St. Louis. Heeney, who was a partner of Campagna in two prosperous Cicero gambling houses, said Dillon frequently visited him at his El Patio Club in Cicero, and he frequently visited Dillon in St. Louis.

DENY FINANCING PAROLES

Dillon, Francis Curry, Joliet gambler, and Louis Greenberg all denied financing the paroles of the four gangsters. Heeney, an aging semi-invalid, just pleaded ignorance.

Curry, vigorous, in his early forties, gave sharp answers to the Congressmen who had directed a hunt for him that was carried on for more than a month before he was subpenaed. He admitted having gambling concessions in Will County and Joliet, but refused details of his income.

However, Theodore Link, a St. Louis newspaperman, tied Curry to the gambling operations of the Capone gang in Chicago, Joliet, St. Louis, and down to Dallas, Tex.

PAROLE SYSTEM HARMED

Rogers, on the witness stand, refused to admit the paroles were "an error." He said the resultant investigation had done great harm to the parole system.

Monkiewicz accepted a full share of the responsibility for freeing the gangsters. Then, under questioning by Chairman HOFFMAN, he disclosed that the convicts were at large for 2 days before he knew it.

He said he was appointed to the board on June 5 and was sent out to visit prisons. He returned to Washington August 15, he said, "and these cases were on the top of my agenda."

"But the men were out of prison 2 days then," said HOFFMAN. "Apparently two members could order a release, so what did they need of you?"

FAILED TO DISSENT

"Well, I could have dissented," said Monkiewicz. "But I didn't. I studied the files for half an hour and then signed the release order, making it unanimous."

Wilson died before the committee could question him. Judge Bright also died during the investigation. A half dozen or more employees of the Internal Revenue Bureau have refused to give the committee information on the details of the settlement of the income-tax claims against the paroled gangsters.

The investigation is continuing.

Mr. HARDY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I was particularly interested in the comment of the gentleman from Illinois in connection with the article that appeared in the Chicago Tribune by Mr. James Doherty. I have had the pleasure of serving with my chairman on a committee investigating paroles. It occurred to me as particularly significant that that article should have appeared this morning, for while apparently Mr. Doherty stayed out of the Tribune during the period that the paroles were under active consideration by the committee, there was some evidence to indicate he was using the investigation purely as a medium of publicity for the Chicago Tribune.

It seems rather significant to me that this should have appeared in a paper which reached here today. It seems rather significant that the gentleman from Illinois should have injected it at this point. I realize that Chicago has had a wave of gangsterism in the past. That is unfortunate. Perhaps it is unfortunate, too, that those parolees were paroled. It may be that the Department of Justice could have provided the committee with more information than it did.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I am delighted to yield to my chairman.

Mr. HOFFMAN. Does not the gentleman think that if that matter were left to the committee, of which he is a member, that you would be able to handle it?

Mr. HARDY. Distinctly so, and if Mr. Doherty would stay out of the Chicago Tribune where he has been getting so much publicity, we would get along better. I thank you.

Mr. BUSBEY. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BUSBEY to the Herter amendment: After the period following "court" add the following:

"This section shall be retroactive to recover any such papers, documents, or records that have been taken in violation of this section."

Mr. HERTER. Mr. Chairman, a point of order. It is clearly unconstitutional to make certain penalties retroactive and the amendment is not germane to the bill.

The CHAIRMAN. The Chair holds that the House does not pass on questions of constitutionality and overrules the point of order.

Mr. BUSBEY. Mr. Chairman, I am wholeheartedly in accord with the amendment offered by our distinguished colleague, the gentleman from Massachusetts [Mr. HERTER]. The only thing his amendment does not do is to make the recovery of papers retroactive. There have been many, many very important papers taken by officials of the Government which did not belong to them and certainly could never be considered as personal in any way, shape, or form. Those papers and documents were the property of the Government. Unless my amendment to the amendment offered by the gentleman from Massachusetts is adopted I do not believe that we will ever have an opportunity to recover these papers which belong to the Government and which certainly should be placed in the National Archives. I hope the House will seriously consider my amendment for the benefit of posterity.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. BUSBEY].

Mr. Chairman, the amendment offered by the distinguished gentleman from Massachusetts [Mr. HERTER] contains a penalty clause. While I find myself in general agreement with the thought and purpose of the amendment to the amendment as submitted by the gentleman from Illinois, I would like to see many of the papers that have been taken out of Government offices returned to Government offices. The adoption of this amendment to the amendment as offered by the gentleman from Illinois would, of course, be retroactive and would be ex post facto legislation and unconstitutional—there is no question about it. Therefore, it could not be enforced but would destroy the effect of the Herter amendment. Therefore, I sincerely hope the amendment will be voted down.

Mr. BUSBEY. The gentleman from Ohio is certainly in accord with the purpose of the amendment.

Mr. BROWN of Ohio. Absolutely, but I hope the gentleman will withdraw the amendment.

Mr. BUSBEY. As long as the gentleman is in accord with the purpose of the amendment, I ask unanimous consent to withdraw the amendment to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HERTER].

The amendment was agreed to.

Mr. PRIEST. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this resolution proceeds on the basis of a number of gross misconceptions.

It proceeds on the assumption that the majority of any congressional committee, plus either the President of the Senate or the Speaker of the House, is in a better position than the President of the United States to know and determine what information, available to him in and for the carrying out of his duties, the public interest requires shall be maintained on a confidential basis. Merely to state this proposition is to demonstrate its incorrectness. It would be most presumptuous for a congressional committee which seeks information about a particular matter that it may be investigating, to set its judgment up against that of the President as to the importance of keeping confidential the information sought. No congressional committee can presume to know as well as the President whether it is in the public interest that a given piece of information in the executive branch be kept confidential. Only the President is in a position fully to know what matters in addition to the particular information itself must be considered in arriving at this judgment. A committee whose knowledge must perforce be confined to one particular aspect of Government activity cannot possibly know this. No more, for that matter, can the President of the Senate or the Speaker of the House.

The resolution has been amended, since first introduced, by the insertion of the words "created by the Congress," in line 4, so as to be applicable to information only in those departments and agencies of the Government created by the Congress. The assumption appears to be that since the Congress has authority to create the executive departments and has exercised that authority, it therefore has the right to tell those departments how they shall do their business and what information obtained by them in the course of their business they shall turn over to the Congress. This assumption is wrong. If it were true, all the business of the executive branch of the Government, except that performed by the President in person, would be performed under congressional direction and supervision. Except for the President himself, the entire executive branch has been created by the Congress, and the funds for its operation as well as the funds for the payment of the President's salary and expenses are appropriated by the Congress. It is rather naive, as well as late in the day, to assume that from this congressional authority stems the power to run the executive branch. All the precedents—judicial, congressional, and executive—are to the contrary.

Something new has been added to the resolution. Further amendments provide that it shall be a crime, punishable by fine or imprisonment, or both, for any individual to divulge information,

knowledge of which he obtained by reason of the disclosure of such information to a congressional committee pursuant to House Joint Resolution 342. Such divulging of information will, however, be a crime only in those instances where a majority of the committee has declared the information divulged to be confidential. The basic assumption of this new provision is likewise incorrect, as has been demonstrated above. It would be most presumptuous for a congressional committee with one piece of information before it, which it has obtained by virtue of this resolution, to pass judgment upon whether the public interest requires that information, or some part thereof, to be held confidential. The information in the hands of the committee may on its face and to the unsuspecting appear completely innocuous. The President, the Secretary of Defense, or some other officer in the executive branch might, on the other hand, have good reason to know that public disclosure of the apparently innocuous information, because of its relationship to other pieces of information, is contrary to the public interest or to the national security. Intelligence officers, those of foreign powers as well as ours, know full well the value of picking up and fitting together a number of pieces of information, each by itself apparently innocuous.

The President is charged with the defense of the United States, both in terms of internal and external security. Under the President, the Congress has specifically provided that various aspects of that defense are to be maintained by specified officers and agencies in the executive branch, for example, the Secretary of Defense, the Director of the Central Intelligence Agency, the Atomic Energy Commission, the Federal Bureau of Investigation, and others. To say, as the resolution does, that these officers and agencies, and others of like national importance, are to be required, at the request of any committee of the Congress, to disclose information to that committee, despite the fact that the particular officer knows that such a disclosure will impair the national security, is to say that these officers and agencies can no longer be responsible for that security. Responsibility for the national security must carry with it the authority, the unquestioned authority, to decide what information may and what may not be disclosed. No committee of the Congress has, nor does the President of the Senate or the Speaker of the House have, this responsibility; no committee of the Congress nor the President of the Senate nor the Speaker of the House should have this authority.

The tendency exhibited by this resolution is an alarming one from the standpoint of the Congress itself. The Congress values highly and guards carefully its rights to be free of inquiry by the courts. The Congress would resent, and justifiably, any attempt to pry into the activities of, say, one of its committees in executive session. The Congress has no more business prying into the confidential business of the executive branch.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on all amendments close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MATHEWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall vote for this resolution.

It was my intention to have offered an amendment to the committee amendment which is section 2 of this resolution—House Joint Resolution 342—to throw some safeguard around persons not members of committees or employees thereof, who might come into possession of information found to be confidenitial by a majority of the committee without knowing that such information had been found confidential, but the amendment of the gentleman from Ohio [Mr. BROWN] obviated the necessity of my amendment and I therefore did not offer it.

Realizing the extreme importance of this resolution I listened carefully to the entire debate.

I was much impressed by the argument of the gentleman from Massachusetts [Mr. MCCORMACK] against the resolution, but I was more impressed by the clarity, logic, and courage of the splendid presentation in favor of the resolution by the gentleman from Pennsylvania [Mr. GRAHAM].

I am not one who will vote for anything regardless of my belief of its unconstitutionality and thus "pass the buck" to the Supreme Court, nor am I one to vote against something because I have some slight doubt as to its constitutionality, particularly where the objective to be accomplished appears to be a good one.

There is much to be said on both sides of the present question. On the one hand there is absolute necessity for the maintenance of the independence of each of the three branches of our Government. Any ill-advised attempt by one branch to encroach upon the proper function of another branch should be defeated. On the other hand, Mr. Chairman, how can the legislative branch of this Government function when the enormous bureaucracy which has been created under the general jurisdiction of the executive department arbitrarily refuses to furnish the legislative branch with information absolutely essential to the intelligent formulation and passage of legislation?

In the short time I have been a Member of this House, I have suffered, along with the other Members, in determining how to vote, from lack of complete information upon subjects because somebody in the executive department just did not want to give it to the Congress. It seems to me utter folly for the people to elect Representatives to the Congress, giving them the responsibility of the passage of legislation, and then entertain the expectation that they can intelligently perform their functions without the facts necessary to do so.

It is rather surprising, and at the same time amusing, to hear some Members express awful fear that the legislative branch of this Government will improperly dominate the executive branch when those same Members no doubt sat during the long term of the practical dominance of the Congress by the Executive beginning shortly after 1933. Although I was not in the House during most of this period, it is certainly a matter of common knowledge that legislation was prepared by the Executive, brought on the floor of this Congress, and passed without change and without question by many Members, under some kind of theory that the Executive knew better what legislation the country needed than did the Members of the House and Senate, whose duty and function it was to themselves prepare and pass upon legislation.

We certainly do not want dominance by any branch of this Government, but there is far less danger of an effective dominance by 435 Members of the House and 96 Members of the Senate than from 1 man in the White House. While, as Jefferson intimated, 531 tyrants are no better than 1 tyrant, nevertheless it ought to be plain from history that 1 tyrant is more efficient in tyranny than a deliberative body of 531.

Recently I had occasion to examine into decisions of the Supreme Court—most of them prior to the appointment of the present personnel of that Court—on the subject of the investigatory powers of Congress, and those decisions convinced me that the Supreme Court has not only recognized the existence of those powers and sanctioned the proper procedure for calling witnesses before it, but has, at the same time, passed upon the limitations of the powers, including the type of questions witnesses were required to answer.

It appears from the remarks of both the proponents and opponents of the present resolution that the calling and questioning as witnesses of officials and employees of the executive department by the legislative department of the Government has not been directly decided by the Supreme Court. Not only do I believe that these questions should be passed upon by that Court, and that the passage of the resolution is about the only way we can get decisions in point, but it is also my belief that within reasonable limitations which will not interfere with or encroach upon the constitutional duties of the Executive, this Congress ought to be held to have the power to obtain from executive officials and employees information proper and necessary for its legislative functions just the same as it can now obtain that information from private individuals. In fact, it would seem that it is more important for the Congress to obtain such information from such officials and employees than from private individuals.

In conclusion, therefore, Mr. Chairman, I am of the opinion that this Congress does not have the power through its investigatory function or otherwise to disturb, interfere with, hamper, or embarrass the Executive in the proper performance of the duties which the Constitution prescribes for him, yet at the same time, that that Executive should never be in a position to arbitrarily prevent this Congress from obtaining information necessary for its legislative function through the Executive's sole judgment or desire about what information

that Congress should have. Consequently, the only way, as so courageously pointed out by the gentleman from Pennsylvania [Mr. GRAHAM], to determine this matter is by the passage of the resolution before us which, I believe, properly guards against the danger of divulgence of information which, if made public, would jeopardize the safety of our country. Therefore, I shall vote for the resolution.

Mr. JAVITS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 8, line 21, at the end of the section add a new section 3, as follows:

" 'SEC. 3. Notwithstanding any provision of this resolution, if the President or the Secretary of an executive department so requests in writing, information, books, records, or memoranda submitted to any committee of the Congress hereunder shall be deemed confidential;' and renumber the succeeding sections appropriately."

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the amendment is not in order because in effect it strikes out the enacting clause, which is a preferential motion and should be presented in writing.

The CHAIRMAN. The Chair will rule that the amendment is germane. The gentleman from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. Chairman, this amendment is offered in an effort to bring a little reason and balance into this entire controversy. Half of the problem is dealt with by giving a majority of the committee, under this resolution, the right to determine when particular information is confidential, and if it is, establishing severe penalties for divulging it publicly. My amendment assumes that the executive department is a responsible agency of Government, the President having been elected by the people—and I think my colleagues on my side of the aisle will agree that the next President is likely to be of another political party, of that of the majority in the Congress, yet if we pass this resolution he, too, will have the same problem, and so will his Secretaries who serve in the Cabinet under him.

This amendment which I propose provides that the President and the Secretaries shall have coequal right with the Congress to stamp a particular item of information "Confidential," and then the protection of this particular resolution shall extend as well to that information.

The important point in what I am trying to effect by my amendment by way of compromise between the widely divergent points of view here expressed, is this: A committee of Congress which wants information gets it, but the executive department has a right to say, "We also, being the representatives of the people, have a right to say that this information is considered confidential. Therefore, we give it to you because you are entitled to have it, but you must keep it confidential."

I know the argument will be made that that will be putting the executive department in the position of saying that anything it turns over to Congress can be marked "Confidential." But the men in the executive department are adults and will do their job according to their oath of office. As a matter of illustration, in the Foreign Affairs Committee we had some information handed to us which we considered very important, which the State Department marked "Confidential." We did not think it ought to be confidential. We thought the public ought to have it. Therefore, we sent it back and said, "We are sorry. If you insist on marking this 'Confidential,' we will not accept it." Our democratic purposes being what they are, the State Department promptly released the information and sent it to us as unclassified.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. WALTER. If the gentleman's amendment is adopted, there is nothing that would prevent the Congress from receiving this information, even though it is stamped "Confidential."

Mr. JAVITS. Not at all. The point is, the committee gets what it is after. It gets the information, but you give the executive department coequal right to protect those matters as confidential which it considers the public interest to require to be protected.

The committee and the executive department have a coequal right, under my amendment, but the Congress gets its information.

Mr. Chairman, I urge upon the committee that what my amendment proposes is a fair compromise.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that all debate on this and all other amendments close in 5 minutes.

Mr. EBERHARTER. Mr. Chairman, reserving the right to object, I would like to know whether the request of the gentleman includes any further amendments to the bill.

Mr. HOFFMAN. Has the gentleman any amendment?

Mr. EBERHARTER. No; I do not have any amendment, but I would like to make some remarks on the bill.

Mr. HOFFMAN. Does any other Member have an amendment?

Mr. COUDERT. Mr. Chairman, I have an amendment.

Mr. HOFFMAN. Mr. Chairman, I move that all debate on this amendment close in 5 minutes.

The CHAIRMAN. The question is on the motion.

The motion was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I rise in oposition to the amendment.

Mr. Chairman, again this is an amendment which I am sure has been offered in good faith and yet an amendment which destroys the effectiveness of this legislation; and if I may have the attention of the House for just about 5 minutes, I would like to read an order issued by one of the agencies of this Government setting forth what the word "Confidential" means. This is Circular No. 61 of July 29, 1947, issued by the Veterans' Administration. I quote:

Confidential information is information the unauthorized disclosure of which although not endangering the national security would be prejudicial to the interests or prestige of the Nation, any governmental activity or any individual or—

And I want you to get this, Mr. Chairman—

or would cause administrative embarrassment or difficulty.

That is the description and the definition of what "confidential papers" are by the Veterans' Administration; and it was the exposé of this particular order that won for Nat Finney the Pulitzer prize, because he did show it up and he forced that agency of the Government to withdraw it.

If this amendment as suggested by the gentleman from New York is adopted then anything in the world that any Department wants to call confidential must be kept confidential by the committee and the whole Congress cannot be given the information whether it creates embarrassment for the Department or not.

There is every protection in the world in this law for those things which are absolutely confidential. You have the honor and the integrity of the Speaker, you have the honor and the integrity of the committee system and of the majority of each and every legislative committee in the House which stands guard over any secret that might be dangerous if made public, and properly protecting the interest of the Government.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I would like to continue for just 1 minute.

What this amendment does, of course, is to permit departments to decide for themselves whether they want the Congress as a whole or the public to learn anything about what is going on in their agency; and, under the law as it has been written here, it would be the committees and the Speaker of the House who would decide in the final analysis as to what should be done about this confidential information and certainly not the agency which might be under investigation. As I have just said, of course, here is a perfect example of it. We have had it in our own experience as to where some agency would mark something secret or confidential. I have heard members of the Appropriations and other great committees come to the floor of the House—and the Un-American Activities Committee—and say so. After all, it is up to the Congress to decide whether this information should be made available to every Member of the House.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. JAVITS. Is it not a fact that the gentleman's argument undertakes to differentiate between whether the information should be made public or kept confidential?

Mr. BROWN of Ohio. No; the answer is a definite no.

Here is a paper that has been marked confidential, because, they say, it may embarrass a particular agency and should be held confidential. Now, none of that information could be made available under the gentleman's amendment except to the committee, but the committee would be barred from making it public to the rest of the Members of this House who might have to have it in

order to legislate properly. The effectiveness of the whole act is therefore destroyed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The amendment was rejected.

Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COUDERT: Page 3, line 23, after the word "repealed" strike out the period and add "*Provided*, That nothing herein contained shall alter any provision of law which expressly protects from disclosure specified categories of information obtained by executive departments and agencies."

Mr. COUDERT. Mr. Chairman, I have offered this amendment rather in the nature of an exploratory operation. By section 3 we purport to repeal all laws inconsistent with existing law which, of course, is the result of this act anyway. It is not at all clear to me what will be repealed and I think it is equally clear that there are provisions of law which we do not want to repeal. I have in mind, for instance, the provisions of the statute governing the secrecy of atomic energy development information. Section 3 of this joint resolution would have the effect of repealing the protection now accorded against disclosure of atomic energy secrets.

There are other forms of information which the executive departments receive that are presently protected by express statutory provision. It may apply to information received by the Census Bureau, for instance, possibly some information received by the Securities and Exchange Commission as well as others. I do not know all of them, but now we propose to blindly repeal sections we do not know anything about and that we do not want to repeal perhaps.

I offer this general amendment to protect from repeal statutes that expressly provide for secrecy in particular cases and I hope the amendment will be accepted by the committee.

Mr. BROWN of Ohio. Mr. Chairman, the committee will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COUDERT].

The amendment was agreed to.

Mr. MURDOCK. Mr. Chairman, I have not participated in the debate on this measure because important official proceedings elsewhere called for my attendance during most of the time when this measure was being considered by the House. However, I feel that I must express by views on it for the record. I am constrained to vote against the passage of this House joint resolution. I do not entertain much hope that it could be remedied by recommittal to the Committee, but I am opposed to it in its present form.

I listened with great interest to the logical and persuasive argument of the gentleman from Missouri [Mr. BAKEWELL] who offered an amendment that the provisions of this enactment should not extend to Cabinet officers. However, his amendment was voted down. I certainly feel that this legislation, even if it were thought necessary, is going too far when it applies to the members of the President's Cabinet.

The most fundamental feature of our constitutional Government is the tripartite division into the three equal and coordinate departments: namely, the legislative department, the executive department, and the judicial department, as provided for in the first three articles of the Constitution. While we have a system of checks and balances provided for in the Constitution, each department being somewhat limited by the control of it by the other two, I feel that that delicate balance established by the founding fathers would be seriously modified and thrown out of balance, or at least would tend to be thrown out of balance, by the enactment of the provision now before us. For that reason, I am constrained to vote against it.

After each war in recent American history, during which time the legislative department has necessarily been somewhat subordinated to the executive department, it seems there has been an inevitable reaction and the legislative department has retrieved some of the powers which it lost to the executive department during the period of the emergency. Perhaps that is as it should be that the fundamental balance might be restored. However, human nature being what it is, our past experience after each war has been that the legislative department not only quickly retrieved the delegated wartime powers which the executive department exercised during the emergency, but usually has gone further than merely to restore the balance.

The legislative department has sometimes in a vindictive spirit regained its prominence and powers and subordinated the executive department to a corresponding degree. I think I see the same thing happening now as it happened after the First World War, and as it happened after the Civil War. It is a question in my mind how much this conflict between the two great departments is for the good of the country, and how much of it will result in harm. To my mind, the passage of House Joint Resolution 342 would go too far and be harmful. There is no question in my mind but it contains dangerous possibilities which might even be probabilities.

It is not chiefly because I am a Democrat and of the same party as the present Executive administration, and that this enactment, if passed, will be passed by a Republican Congress, that I am in opposition. I do not hold a brief for all of the acts of the Democratic administration during the recent momentous years while I have been a Member of the Congress. I have no desire to shield any wrong-doing in the administrative departments during the recent war or since. I say let investigations be made and questionable acts be revealed to the public under present law. But I think existing law is ample without the enactment of this dangerous resolution.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ALLEN of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Joint Resolution 342, directing all executive departments and agencies of the Federal Government to make available to any and all standing, special or select committees of the House of Representatives and the Senate information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress, pursuant to House Resolution 575, he reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. McCORMACK. Mr. Speaker, being opposed to the resolution, I offer a motion to recommit.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McCORMACK moves that the bill be recommitted to the Committee on Expenditures in the Executive Departments.

Mr. HOFFMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. McCORMACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 217, not voting 69, as follows:

[Roll No. 63]

YEAS—145

| | | |
|---|---|---|
| Abbitt | Eberharter | King |
| Albert | Evins | Lanham |
| Allen, La. | Fallon | Larcade |
| Andrews, Ala. | Feighan | Lea |
| Bakewell | Fernandez | Lesinski |
| Barden | Flannagan | Lucas |
| Bates, Ky. | Fogarty | Ludlow |
| Beckworth | Folger | Lynch |
| Bland | Foote | McCormack |
| Blatnik | Forand | McMillan, S. C. |
| Bloom | Garmatz | Madden |
| Boggs, La. | Gary | Mahon |
| Bonner | Gordon | Manasco |
| Brooks | Gorski | Mansfield |
| Brown, Ga. | Gossett | Marcantonio |
| Bryson | Granger | Meade, Ky. |
| Buchanan | Grant, Ala. | Miller, Conn. |
| Buckley | Gregory | Mills |
| Burleson | Hardy | Monroney |
| Byrne, N. Y. | Harless, Ariz. | Morgan |
| Camp | Harrison | Morris |
| Cannon | Hart | Morton |
| Carroll | Havenner | Multer |
| Celler | Hays | Murdock |
| Chapman | Heffernan | Murray, Tenn. |
| Cheif | Hobbs | Norblad |
| Colmer | Holifield | Norton |
| Combs | Huber | O'Brien |
| Cooley | Isacson | O'Toole |
| Cooper | Jackson, Wash. | Pace |
| Courtney | Jenkins, Ohio | Passman |
| Crosser | Jones, Ala. | Patman |
| Deane | Jones, N. C. | Peden |
| Delaney | Karsten, Mo. | Philbin |
| Dingell | Kelley | Pickett |
| Domengeaux | Kennedy | Poage |
| Doughton | Keogh | Preston |
| Douglas | Kerr | Price, Fla. |
| Durham | Kilday | Price, Ill. |

| | | |
|---|---|---|
| Priest | Sabath | Thompson |
| Rains | Sadowski | Vinson |
| Rayburn | Sasscer | Walter |
| Redden | Smathers | Wheeler |
| Regan | Smith, Va. | Whittington |
| Richards | Somers | Williams |
| Riley | Spence | Wilson, Tex. |
| Rivers | Stanley | Worley |
| Rogers, Fla. | Teague | |
| Rooney | Thomas, Tex. | |

NAYS—217

| | | |
|---|---|---|
| Allen, Calif. | Gillie | Miller, Md. |
| Allen, Ill. | Goff | Miller, Nebr. |
| Andersen, H. Carl | Goodwin | Muhlenberg |
| | Graham | Mundt |
| Andrews, N. Y. | Grant, Ind. | Murray, Wis. |
| Angell | Gross | Nicholson |
| Arends | Gwinn, N. Y. | Nixon |
| Arnold | Gwynne, Iowa | Nodar |
| Auchincloss | Hagen | O'Hara |
| Banta | Hale | O'Konski |
| Barrett | Hall, Edwin Arthur | Owens |
| Bates, Mass. | | Patterson |
| Beall | Hall, Leonard W. | Peterson |
| Bender | | Phillips, Calif. |
| Bennett, Mich. | Halleck | Potter |
| Bennett, Mo. | Hand | Potts |
| Bishop | Harness, Ind. | Poulson |
| Blackney | Harvey | Ramey |
| Boggs, Del. | Herter | Rankin |
| Bolton | Heselton | Reed, Ill. |
| Bradley | Hess | Reed, N. Y. |
| Brehm | Hill | Rees |
| Brophy | Hinshaw | Reeves |
| Brown, Ohio | Hoeven | Rich |
| Buck | Hoffman | Riehlman |
| Buffett | Holmes | Rizley |
| Burke | Hope | Robertson |
| Busbey | Horan | Rockwell |
| Byrnes, Wis. | Hull | Rogers, Mass. |
| Canfield | Jackson, Calif. | Rohrbough |
| Carson | Javits | Ross |
| Case, N. J. | Jenison | Russell |
| Case, S. Dak. | Jenkins, Pa. | Sadlak |
| Chadwick | Jensen | Sanborn |
| Chenoweth | Johnson, Calif. | Sarbacher |
| Chiperfield | Johnson, Ill. | Schwabe, Mo. |
| Church | Johnson, Ind. | Schwabe, Okla. |
| Clason | Jones, Wash. | Scott, Hardie |
| Coffin | Jonkman | Scott, Hugh D., Jr. |
| Cole, Kans. | Judd | |
| Cole, Mo. | Kean | Scrivner |
| Cole, N. Y. | Keating | Seely-Brown |
| Corbett | Keefe | Shafer |
| Cotton | Kersten, Wis. | Short |
| Cox | Kilburn | Simpson, Ill. |
| Cravens | Knutson | Simpson, Pa. |
| Crawford | Kunkel | Smith, Kans. |
| Crow | Landis | Smith, Maine |
| Cunningham | Latham | Smith, Wis. |
| Curtis | LeCompte | Snyder |
| Dague | LeFevre | Stefan |
| Davis, Ga. | Lemke | Stevenson |
| Davis, Wis. | Lewis, Ohio | Stockman |
| Dawson, Utah | Lodge | Sundstrom |
| Devitt | Love | Taber |
| Dolliver | McConnell | Talle |
| Dondero | McCowen | Tibbott |
| Eaton | McCulloch | Tollefson |
| Elliott | McDonough | Towe |
| Ellis | McDowell | Twyman |
| Ellsworth | McGarvey | Vail |
| Elsaesser | McGregor | Van Zandt |
| Elston | McMahon | Vorys |
| Engel, Mich. | McMillen, Ill. | Vursell |
| Fellows | Mack | Wadsworth |
| Fenton | MacKinnon | Weichel |
| Fletcher | Macy | Wigglesworth |
| Fuller | Maloney | Wilson, Ind. |
| Fulton | Martin, Iowa | Wolcott |
| Gamble | Mason | Wolverton |
| Gathings | Mathews | Wood |
| Gavin | Merrow | Woodruff |
| Gearhart | Meyer | Youngblood |
| Gillette | Michener | |

NOT VOTING—69

| | | |
|---|---|---|
| Abernethy | Dirksen | Kearney |
| Anderson, Calif. | Donohue | Kearns |
| Andresen, August H. | Dorn | Kee |
| | Engle, Calif. | Kefauver |
| Battle | Fisher | Kirwan |
| Bell | Gallagher | Klein |
| Boykin | Gore | Lane |
| Bramblett | Griffiths | Lewis, Ky. |
| Bulwinkle | Harris | Lichtenwalter |
| Butler | Hartley | Lusk |
| Clark | Hébert | Lyle |
| Clevenger | Hedrick | Meade, Md. |
| Clippinger | Hendricks | Miller, Calif. |
| Coudert | Jarman | Mitchell |
| Davis, Tenn. | Jennings | Morrison |
| Dawson, Ill. | Johnson, Okla. | Norrell |
| D'Ewart | Johnson, Tex. | Pfeifer |
| Phillips, Tenn. | Sikes | Welch |
| Ploeser | Smith, Ohio | West |
| Plumley | Stigler | Whitaker |
| Powell | Stratton | Whitten |
| St. George | Taylor | Winstead |
| Scoblick | Thomas, N. J. | |
| Sheppard | Trimble | |

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Klein for, with Mr. Ploeser against.
Mr. Whitaker for, with Mr. Welch against.
Mr. Gore for, with Mr. Thomas of New Jersey against.
Mr. Donohue for, with Mr. Hartley against.
Mr. Pfeifer for, with Mr. Kearns against.
Mr. Engle of California for, with Mr. Gallagher against.
Mr. Miller of California for, with Mr. Coudert against.
Mr. Abernethy for, with Mr. Lichtenwalter against.
Mr. Kirwan for, with Mr. Anderson of California against.
Mr. Davis of Tennessee for, with Mr. D'Ewart against.
Mr. Harris for, with Mr. Jennings against.
Mr. Whitten for, with Mr. Plumley against.
Mr. Kee for, with Mr. Clippinger against.
Mr. Powell for, with Mr. Mitchell against.
Mr. Sikes for, with Mrs. St. George against.
Mr. Norrell for, with Mr. Scoblick against.
Mr. Hedrick for, with Mr. Stratton against.
Mr. Kefauver for, with Mr. Taylor against.
Mr. Dorn for, with Mr. Kearney against.

General pairs until further notice:

Mr. Butler with Mr. Morrison.
Mr. Bramblett with Mr. Rivers.
Mr. Phillips of Tennessee with Mr. Fisher.
Mr. Smith of Ohio with Mr. Johnson of Oklahoma.
Mr. Griffiths with Mr. Battle.
Mr. Clevenger with Mr. Bell.
Mr. H. Carl Andersen with Mr. Boykin.
Mr. Dirksen with Mr. Lane.
Mr. August H. Andresen with Mr. Hébert.

Mr. SMITH of Virginia changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. HOFFMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays, 142, not voting 70, as follows:

[Roll No. 64]

YEAS—219

| | | |
|---|---|---|
| Allen, Calif. | Busbey | Dolliver |
| Allen, Ill. | Byrnes, Wis. | Domengeaux |
| Andersen, H. Carl | Canfield | Dondero |
| | Carson | Eaton |
| Andresen, August H. | Case, N. J. | Elliott |
| | Case, S. Dak. | Ellis |
| Angell | Chadwick | Ellsworth |
| Arends | Chenoweth | Elsaesser |
| Arnold | Chiperfield | Elston |
| Auchincloss | Church | Engel, Mich. |
| Banta | Clason | Fellows |
| Barrett | Coffin | Fenton |
| Bates, Mass. | Cole, Kans. | Fletcher |
| Beall | Cole, Mo. | Fuller |
| Bender | Cole, N. Y. | Fulton |
| Bennett, Mich. | Corbett | Gamble |
| Bennett, Mo. | Cotton | Gathings |
| Bishop | Cox | Gavin |
| Blackney | Cravens | Gearhart |
| Boggs, Del. | Crawford | Gillette |
| Bolton | Crow | Gillie |
| Bradley | Cunningham | Goff |
| Brehm | Curtis | Goodwin |
| Brophy | Dague | Graham |
| Brown, Ohio | Davis, Ga. | Grant, Ind. |
| Buck | Davis, Wis. | Gross |
| Buffett | Dawson, Utah | Gwinn, N. Y. |
| Burke | Devitt | Gwynne, Iowa |
| Hagen | Lodge | Rockwell |
| Hale | Love | Rogers, Mass. |
| Hall, Edwin Arthur | McConnell | Rohrbough |
| | McCowen | Ross |
| Hall, Leonard W. | McCulloch | Russell |
| | McDonough | Sadlak |
| Halleck | McDowell | Sanborn |
| Hand | McGarvey | Sarbacher |
| Harness, Ind. | McGregor | Schwabe, Mo. |
| Harvey | McMahon | Schwabe, Okla. |
| Herter | McMillen, Ill. | Scott, Hardie |
| Heselton | Mack | Scott, Hugh D., Jr. |
| Hess | MacKinnon | |
| Hill | Macy | Scrivner |
| Hinshaw | Maloney | Seely-Brown |
| Hoeven | Martin, Iowa | Shafer |
| Hoffman | Mason | Short |
| Holmes | Mathews | Simpson, Ill. |
| Hope | Merrow | Simpson, Pa. |
| Horan | Meyer | Smith, Kans. |
| Hull | Michener | Smith, Maine |
| Jackson, Calif. | Miller, Md. | Smith, Wis. |
| Javits | Miller, Nebr. | Snyder |
| Jenison | Muhlenberg | Stefan |
| Jenkins, Pa. | Mundt | Stevenson |
| Jensen | Murray, Wis. | Stockman |
| Johnson, Calif. | Nicholson | Sundstrom |
| Johnson, Ill. | Nixon | Taber |
| Johnson, Ind. | Nodar | Talle |
| Jones, Wash. | O'Hara | Tibbott |
| Jonkman | O'Konski | Tollefson |
| Judd | Owens | Towe |
| Kean | Patterson | Twyman |
| Keating | Phillips, Calif. | Vail |
| Keefe | Potter | Van Zandt |
| Kersten, Wis. | Potts | Vorys |
| Kilburn | Poulson | Vursell |
| Knutson | Ramey | Wadsworth |
| Kunkel | Rankin | Weichel |
| Landis | Reed, Ill. | Wigglesworth |
| Latham | Reed, N. Y. | Wilson, Ind. |
| Lea | Rees | Wolcott |
| LeCompte | Reeves | Wolverton |
| LeFevre | Rich | Wood |
| Lemke | Riehlman | Woodruff |
| Lewis, Ky. | Rizley | Youngblood |
| Lewis, Ohio | Robertson | |

NAYS—142

| | | |
|---|---|---|
| Abbitt | Gary | Morton |
| Albert | Gordon | Murdock |
| Allen, La. | Gorski | Murray, Tenn. |
| Andrews, Ala. | Gossett | Norblad |
| Bakewell | Granger | Norton |
| Barden | Grant, Ala. | O'Brien |
| Bates, Ky. | Gregory | O'Toole |
| Beckworth | Hardy | Pace |
| Bland | Harless, Ariz. | Passman |
| Blatnik | Harrison | Patman |
| Bloom | Hart | Peden |
| Boggs, La. | Havenner | Philbin |
| Bonner | Hays | Pickett |
| Brooks | Heffernan | Poage |
| Brown, Ga. | Hobbs | Preston |
| Bryson | Holifield | Price, Fla. |
| Buchanan | Huber | Price, Ill. |
| Buckley | Isacson | Priest |
| Burleson | Jackson, Wash. | Rains |
| Byrne, N. Y. | Jenkins, Ohio | Rayburn |
| Camp | Jones, Ala. | Redden |
| Cannon | Jones, N. C. | Regan |
| Carroll | Karsten, Mo. | Richards |
| Celler | Kelley | Riley |
| Chapman | Kennedy | Rivers |
| Chelf | Keogh | Rogers, Fla. |
| Colmer | Kerr | Rooney |
| Combs | Kilday | Sabath |
| Cooley | King | Sadowski |
| Cooper | Lanham | Sasscer |
| Courtney | Larcade | Smathers |
| Crosser | Lesinski | Smith, Ohio |
| Deane | Lucas | Smith, Va. |
| Delaney | Ludlow | Somers |
| Dingell | Lynch | Spence |
| Doughton | McCormack | Stanley |
| Douglas | McMillan, S. C. | Teague |
| Durham | Madden | Thomas, Tex. |
| Eberharter | Mahon | Thompson |
| Evins | Manasco | Vinson |
| Fallon | Mansfield | Walter |
| Feighan | Marcantonio | Wheeler |
| Flannagan | Meade, Ky. | Whittington |
| Fogarty | Miller, Conn. | Williams |
| Folger | Mills | Wilson, Tex. |
| Foote | Monroney | Worley |
| Forand | Morgan | |
| Garmatz | Morris | |

NOT VOTING—70

| | | |
|---|---|---|
| Abernethy | Bramblett | Coudert |
| Anderson, Calif. | Bulwinkle | Davis, Tenn. |
| Andrews, N. Y. | Butler | Dawson, Ill. |
| Battle | Clark | D'Ewart |
| Bell | Clevenger | Dirksen |
| Boykin | Clippinger | Donohue |

| | | |
|---|---|---|
| Dorn | Kee | Plumley |
| Engle, Calif. | Kefauver | Powell |
| Fernandez | Kirwan | St. George |
| Fisher | Klein | Scoblick |
| Gallagher | Lane | Sheppard |
| Gore | Lichtenwalter | Sikes |
| Griffiths | Lusk | Stigler |
| Harris | Lyle | Stratton |
| Hartley | Meade, Md. | Taylor |
| Hébert | Miller, Calif. | Thomas, N. J. |
| Hedrick | Mitchell | Trimble |
| Hendricks | Morrison | Welch |
| Jarman | Multer | West |
| Jennings | Norrell | Whitaker |
| Johnson, Okla. | Peterson | Whitten |
| Johnson, Tex. | Pfeifer | Winstead |
| Kearney | Phillips, Tenn. | |
| Kearns | Ploeser | |

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Ploeser for, with Mr. Klein against.

Mr. Welch for, with Mr. Whitaker against.

Mr. Thomas of New Jersey for, with Mr. Gore against.

Mr. Hartley for, with Mr. Donohue against.

Mr. Kearns for, with Mr. Pfeifer against.

Mr. Gallagher for, with Mr. Engle of California against.

Mr. Coudert for, with Mr. Miller of California against.

Mr. Lichtenwalter for, with Mr. Abernethy against.

Mr. Anderson of California for, with Mr. Kirwan against.

Mr. D'Ewart for, with Mr. Davis of Tennessee against.

Mr. Jennings for, with Mr. Harris against.

Mr. Plumley for, with Mr. Whitten against.

Mr. Clippinger for, with Mr. Kee against.

Mr. Mitchell for, with Mr. Powell against.

Mrs. St. George for, with Mr. Sikes against.

Mr. Scoblick for, with Mr. Norrell against.

Mr. Stratton for, with Mr. Hedrick against.

Mr. Taylor for, with Mr. Kefauver against.

Mr. Kearney for, with Mr. Dorn against.

Mr. Hébert for, with Mr. Sheppard against.

Mr. Andrews of New York for, with Mr. Winstead against.

Additional general pairs:

Mr. Griffiths with Mr. Rivers.

Mr. Clevenger with Mr. Morrison.

Mr. Bramblett with Mr. Lane.

Mr. Phillips of Tennessee with Mr. Battle.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members of the House may have five legislative days in which to extend their remarks in the RECORD on the legislation just passed, House Joint Resolution 342.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2287) entitled "An act to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes."

### REPORT OF HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE ON AIR-MAIL SUBSIDY

Mr. REES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES. Mr. Speaker, today, on behalf of the Post Office and Civil Service Committee, I filed a report covering the subsidy paid to the air lines out of Post Office Department funds. This subsidy, it is estimated, amounts to between $15,000,000 and $17,000,000 annually.

In fiscal year 1947, expenditures for handling air mail exceeded revenues by $30,342,275. It can be seen that the subsidy paid to the air lines out of postal funds has a direct effect upon the large postal deficit which will this year amount to $375,000,000. The findings of the committee point to the fact that conditions have developed in handling the air-mail subsidy from postal funds similar to those which existed when the merchant marine subsidy was paid by the Post Office Department. As a result of abuses in the merchant marine subsidy, the Merchant Marine Act of 1936 was passed which provided that such subsidies as were given to the merchant marine would be separated from the postal funds and be paid pursuant to specific appropriations. A comparable change in the manner of subsidizing our air lines is needed. I should like to direct the attention of the House and particularly the members of the Appropriations Committee, to the recommendation that such subsidies as are necessary to carry out our air-line policies be made pursuant to direct appropriations and subject to the scrutiny of the Appropriations Committees of Congress. The Post Office Department should no longer be an unlimited source of funds which can be drawn upon at will by the Civil Aeronautics Board to carry out expensive experiments in our air-line pattern.

One of the extravagant policies of the Department which was the basis for the committee arriving at its conclusions is the feeder-line program. A high percentage of mail carried by feeder lines could be carried by trunk lines at a much reduced cost. The committee points out, for example, that Braniff and Pioneer air lines serve the same area. Braniff in 9 months of 1947 received $325,247.52 for carrying 543,978 ton-miles of mail. Pioneer received $752,153.68 for carrying 26,669 ton-miles of mail. In other words, Pioneer received more than twice as much money for carrying one-twentieth as much mail.

In a recent order—May 11, 1948—the Civil Aeronautics Board authorized a lump-sum payment of $1,893,658 to the Southwest Airways which is a feeder line. Nine hundred thirty-six thousand dollars of this amount represented an addition to mail pay already received. This payment is to cover the period December 2, 1946, to March 31, 1948. During that period this line carried 45,031 ton-miles of mail. As a comparison, it is pointed out that a service rate carrier would have transported over 4,200,000 ton-miles for this amount of money.

There is no relationship between the salaries paid officers of air lines and the size of their operation. For example, in a recent year one air line paid $50,000 in officers' salaries and at the same time was operating only two planes. Also at this time, more than 30 percent of this air line's operating revenue was derived from air-mail pay.

Another air line operating only three planes paid its officers, in the same year, over $40,000. This air line was also receiving more than 30 percent of its revenue from air-mail pay.

Under the policy of the Civil Aeronautics Board to grant air-mail pay based on need rather than services performed, the Department has been called upon to pay excessive costs for carrying mail. Factors in these high costs are the high salaries of officers, stock warrants, and options given to officers, together with losses from poor management and overexpansion. In this report, the committee points out that when an industry is subsidized, a closer control of the capital structure is necessary than with an unsubsidized industry, because in the final analysis a portion of these expenditures are from Federal funds.

Recent actions by the Civil Aeronautics Board point toward an even greater diversion of postal funds to make up for the bad guesses of the air lines and the Board. Five million dollars annually has just been granted in increases to the service rate carriers. Four of the five carriers will receive this increase retroactively to January 1, 1948. The other receives it beginning May 19, 1948.

Mr. Speaker, one of the cornerstones of representative government is that Government funds may be spent only pursuant to appropriations. In the present Civil Aeronautics Board set-up we are permitting the spending of funds before approval of appropriations, and are giving our tacit consent to the questioned practice of deficiency appropriations. Also, by failing to separate the subsidy from air-mail pay we are keeping an iron curtain between the people and the amount spent on our aviation policy.

### HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

### LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, it is expected that a rule will be called up tomorrow when we meet at 11 and that general debate on the so-called Mundt bill, H. R. 5852, will be concluded tomorrow. If that is accomplished, it is our plan to adjourn until Monday.

Monday, of course, has been designated as the day for the holding of memorial services for deceased Members. That is all that will be taken up on Monday.

On Tuesday we propose to call both the Private and Consent Calendars, after which we will begin reading the Mundt bill, H. R. 5852, for amendment.

INTERSTATE COMPACT KILLED

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, for the first time in the history of our Nation an interstate compact has been killed.

The Southern Governors Conference entered into a compact for regional education within the area of the participating States, without expense to the National Government. Appropriate resolutions, seeking the consent of Congress, as required by the Constitution of the United States, were duly introduced in both Houses of Congress.

The House of Representatives, by a record vote of 236 to 45, passed House Joint Resolution 334, giving its consent to that compact on May 4, 1948.

The House is to be congratulated.

Today by a vote of 38 to 37, that compact was killed. One hundred and one of 102 compacts have been granted the consent of Congress.

COMMITTEE ON WAYS AND MEANS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the Ways and Means Committee may have permission to sit tomorrow until 12 o'clock noon.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

EXTENSION OF REMARKS

Mr. REEVES asked and was given permission to revise and extend his remarks in the Appendix of the RECORD and include a summary of certain veterans' laws and a statement concerning the DAV.

H. R. 6446

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the bill H. R. 6446, previously referred to the Committee on Public Lands, be rereferred to the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ISACSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech by Rabbi Dr. Jacob Hochman.

Mr. OWENS asked and was given permission to revise and extend his remarks in the RECORD.

CORRECTION OF ENROLLED BILL

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 200.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That in the enrollment of the bill H. R. 3350, an act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

Strike out in lines 5 and 9, page 12 of the engrossed bill, the words "Secretary of War" and insert "Secretary of the Army."

The SPEAKER. The question is on the resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HESELTON asked and was given permisison to extend his remarks in the RECORD and include a magazine article.

Mr. GWINN of New York asked and was given permission to extend his remarks in the RECORD and include a letter.

BERMUDA PARLIAMENTARY CONFERENCE

The SPEAKER laid before the House the following communication:

HOUSE OF ASSEMBLY,
*Bermuda, April 7, 1948.*

The Hon. JOSEPH W. MARTIN, Jr.,
*Member of Congress, Speaker of the House of Representatives, Washington, D. C.*

DEAR MR. SPEAKER MARTIN: As Speaker of the House of Assembly of the Parliament of Bermuda and joint president of the Bermuda banch of the Empire Parliamentary Association, I am writing to you to extend an invitation for four Members of your House of Representatives to visit Bermuda for a period of about 10 days from November 15, next.

During that time the Bermuda branch, in cooperation with the branch of the association in the Parliament of the United Kingdom, and with the British-American parliamentary group, will be entertained in the colony delegations of members of all parties from the Parliaments of the United Kingdom, Canada, Australian Commonwealth, New Zealand, and the Union of South Africa, and possibly also representatives from the Parliaments of India and Pakistan.

The Bermuda branch of the association were delighted to have the privilege of arranging the parliamentary gathering in Bermuda in 1946, when a delegation from both Houses of the Congress took part in an informal conference at Hamilton with representatives of the Parliaments of the British Commonwealth. If this invitation for November next is accepted, it is proposed to provide opportunities during the visit for similar informal conferences at which matters of common interest may be discussed.

The members of the Parliament of Bermuda were interested to hear that it was intended to hold a parliamentary conference in Bahamas in December last, but that for various reasons this conference had to be postponed. It was hoped at that time that the conference might be transferred to Bermuda and suggestions were made to that effect, but unfortunately sufficient time was not available for the transference to be effected. While any delegation from your House will of course be most welcome, it is naturally hoped that those Members who were chosen to go to the Bahamas may be able to attend as the delegates to the conference in November.

I take the opportunity of extending to you personally my most cordial greeting and an expression of deep admiration and respect.

Yours sincerely.

REGINALD CONYERS
*(The Honorable Sir Reginald Conyers, CBE, Speaker, House of Assembly, and Joint President of the Bermuda Branch of the Empire Parliamentary Association).*

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Con. Res. 201) and ask for its immediate consideration.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That the Senate and the House of Representatives hereby accept the invitations tendered by the Speaker of the House of Assembly of Bermuda and joint president of the Bermuda branch of the Empire Parliamentary Association to have four Members of the Senate and four Members of the House of Representatives attend a meeting of the Empire Parliamentary Association to be held in Bermuda beginning November 15, 1948. The President pro tempore of the Senate and the Speaker of the House of Representatives are authorized to appoint the Members of the Senate and the Members of the House of Representatives, respectively, to attend such meeting, and are further authorized to designate the chairmen of the delegations from each of the Houses. The expenses incurred by the members of the delegations appointed for the purpose of attending such meeting, which shall not exceed $5,000 for each of the delegations, shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRESIDENTIAL INAUGURATION

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 48, Eightieth Congress, the Chair appoints as members of the Joint Committee to Make the Necessary Arrangements for the Inauguration of the President-Elect of the United States on the 20th day of January 1949 the following Members on the part of the House: Mr. HALLECK, Mr. ARENDS, Mr. MCCORMACK.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, since September 1947, the number of GI home-loan applications have dropped 43 percent. This does not indicate for a moment that our former servicemen do not want homes. It simply means that it is becoming increasingly difficult to find lending institutions which are willing and able to provide mortgages at the prescribed GI rate of 4 percent.

To aid in solving the housing problem and to meet the situation I have described, the Committee on Veterans' Affairs has reported H. R. 4488, Veterans' Homestead Housing Act, an amendment

to the GI bill, introduced by me and 29 other Members of Congress at the request of the American Legion. Among other things, it would assure our veterans necessary funds for the purchase and construction of homes and provide a secondary market. This latter feature is expected to give more incentive for lending institutions to invest in GI mortgages.

To meet the need for funds for GI loans, the veterans' homestead bill which is now pending on the Union Calendar would make $750,000,000 available annually for 5 years for use by the Home Loan Bank Board to make investments in savings banks, cooperative banks, building and loan associations, and other organizations so as to provide the necessary financing. In distributing these funds preference would be given to those institutions willing to make 100 percent loans on a general individual limitation of $9,000 or not more than $10,000. I believe that these and other provisions will do much toward providing the badly needed homes for our veterans. The bill which was unanimously reported out of the Committee on Veterans' Affairs has many endorsements both by veterans and by Government departments and by businessmen. It is self-liquidating and will insure a reasonably low rate of interest to the veterans. I have asked the Rules Committee for a rule.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANE (at the request of Mr. MCCORMACK), for an indefinite period, on account of illness.

To Mr. FORAND, for the balance of the week, to attend as a member of the Board of Visitors to the Coast Guard Academy.

To Mr. MILLER of Maryland, for 3 days, on account of official business.

### ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3505. An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre spillway, and for other purposes; and

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.).

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2287. An act to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

### ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, May 14, 1948, at 11 o'clock a. m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1551. A letter from the Acting Secretary of the Interior, transmitting a volume containing the acts of the fourth and fifth special sessions of the Sixteenth Legislature of Puerto Rico, June 23 to July 5 and November 24 to 29, 1947; to the Committee on Public Lands.

1552. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $2,434,441,000 for the National Military Establishment (H. Doc. No. 652); to the Committee on Appropriations and ordered to be printed.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHORT: Committee on Armed Services. S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians; with an amendment (Rept. No. 1951). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes; without amendment (Rept. No. 1952). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. H. R. 6441. A bill to create the Board of Postal Rates and Fees in the Post Office Department; with an amendment (Rept. No. 1957). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. Report on air subsidy; without amendment (Rept. No. 1958). Referred to the Committee of the Whole House on the State of the Union.

### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. S. 188. An act for the relief of Dionisio R. Trevino; without amendment (Rept. No. 1953). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. S. 511. An act for the relief of Francisco Gamboa Giocoechea; without amendment (Rept. No. 1954). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason; without amendment (Rept. No. 1955). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. S. 1637. An act for the relief of Leo Hamermann; without amendment (Rept. No. 1956). Referred to the Committee of the Whole House.

### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Public Lands was discharged from the consideration of the bill (H. R. 6446) to grant a certain parcel of land in St. Louis County, Minn., to the University of Minnesota, and the same was referred to the Committee on Merchant Marine and Fisheries.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York:

H. R. 6546. A bill to authorize the President to permit nationals of other nations to receive instruction and training in schools, training establishments, ships, units, and other installations maintained or administered by Department of the Army, the Department of the Navy, the Department of the Air Force, or the United States Coast Guard; to the Committee on Armed Services.

By Mr. MCMAHON:

H. R. 6547. A bill to provide for the mobilization of the scientific resources and knowledge of the United States for the purpose of seeking the causes and cure of heart disease and related blood diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON:

H. R. 6548. A bill to place an import duty on cotton and remove existing cotton import quotas; to the Committee on Ways and Means.

By Mr. O'HARA:

H. R. 6549. A bill to provide retirement pay and other benefits to certain disabled veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion; to the Committee on Veterans' Affairs.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 6550. A bill to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the Service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROOKS:

H. R. 6551. A bill to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold; to the Committee on Armed Services.

By Mr. SHAFER (by request):

H. R. 6552. A bill to amend section 1700 (e) (1) of the Internal Revenue Code, as amended; to the Committee on Ways and Means.

By Mr. BARTLETT:

H. R. 6553. A bill to confer jurisdiction upon the Court of Claims to determine the amounts due to and render judgment upon the claims of the employees of the Alaska Railroad for overtime work performed; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 6554. A bill to protect the United States against un-American and subversive totalitarian activities; to the Committee on Un-American Activities.

By Mr. BUCHANAN:

H. R. 6555. A bill to relax, in certain cases, the standards for the admission of veterans to the bar of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GEARHART:

H. R. 6556. A bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. ROSS:

H. R. 6557. A bill to amend the act approved May 17, 1926, as amended by Public

Law 439, Seventy-eighth Congress, approved September 27, 1944, which defines line of duty and misconduct for pension and compensation purposes; to the Committee on Veterans' Affairs.

By Mr. BARTLETT:

H. J. Res. 401. Joint resolution to continue until December 31, 1953, the authority of the United States Maritime Commission to make provision for certain ocean transportation services to, from, and within Alaska; to the Committee on Merchant Marine and Fisheries.

By Mr. LYNCH:

H. J. Res. 402. Joint resolution to exempt from levy of admissions tax the International Air Exposition and the Golden Anniversary Educational Exposition, being produced by the city of New York through the Mayor's Committee for the Commemoration of the Golden Anniversary of the City of New York; to the Committee on Ways and Means.

By Mr. COMBS:

H. Con. Res. 198. Concurrent resolution to create a joint committee to formulate rules with respect to the powers, duties, and procedures of investigating committees of either House of Congress; to the Committee on Rules.

By Mr. McDOWELL:

H. Con. Res. 199. Concurrent resolution authorizing the printing of additional copies of the report (H. Rept. No. 1920) on the Communist Party of the United States as an advocate of overthrow of government by force and violence; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARROLL:

H. R. 6558. A bill for the relief of Harry B. Landers; to the Committee on the Judiciary.

H. R. 6559. A bill conferring United States citizenship posthumously upon Vaso B. Benderach; to the Committee on the Judiciary.

By Mr. GRANT of Indiana:

H. R. 6560. A bill for the relief of the former shareholders of the Goshen Veneer Co., an Indiana corporation; to the Committee on the Judiciary.

By Mr. SADLAK:

H. R. 6561. A bill for the relief of Stanley John Rybczyk; to the Committee on the Judiciary.

By Mr. HAVENNER:

H. R. 6562. A bill for the relief of James G. Smyth; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 6563. A bill for the relief of Mary Wyshoff; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1913. By Mr. BOGGS of Delaware: Petition of postal employees, their friends and relatives, of the Wilmington post office, Wilmington, Del., containing 181 signatures and urging prompt favorable action by the Congress on the salary-increase bill for postal employees; to the Committee on Post Office and Civil Service.

1914. By Mr. HART: Memorial of the State of New Jersey, urging the Congress of the United States to adopt legislation amending the Bankruptcy Act; to the Committee on the Judiciary.

1915. By Mr. SMITH of Wisconsin: Resolution of members of Shopiere Congregational Church, Shopiere, Wis., in opposition to universal military training and conscription; to the Committee on Armed Services.

1916. By the SPEAKER: Petition of Muhel Nassiff and others, petitioning consideration of their resolution with reference to increasing wages for Federal workers; to the Committee on Post Office and Civil Service.

1917. Also, petition of Mrs. A. Dework and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1918. Also, petition of M. Simon and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1919. Also, petition of Rise Wortman and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1920. Also, petition of Judeth Liebimen and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1921. Also, petition of Edith Wise and others, petitioning consideration of their resolution with reference to defeat of the legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1922. Also, petition of Matilde Monteregro and others, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1923. Also, petition of Ann Dunbar Williams and others, petitioning consideration of their resolution with reference to protesting the Mundt-Nixon bill; to the Committee on Un-American Activities.

1924. Also, petition of Mrs. Albina Bibeau, St. Petersburg, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1925. Also, petition of Bertha Gillman and others, petitioning consideration of their resolution with reference to enactment into law House Joint Resolution 343 which lifts the arms embargo to Palestine Jewry; to the Committee on Foreign Affairs.

1926. Also, petition of American Labor Party—First Assembly, petitioning consideration of their resolution with reference to the defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1927. Also, petition of Emily Ginsburg and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

# SENATE

## FRIDAY, MAY 14, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met in executive session at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father in Heaven, humbly we bow in prayer this day, feeling the deep loss of our Nation and the Senate in the call that has summoned our brother into that life where age shall not weary nor the years condemn.

Knowing in whom he placed his trust, we know that his faith was well founded.

We pray for those who loved him best and will miss him most. May they have the comforting ministry of Him who shall wipe away all tears from their eyes and is able to bind up broken hearts.

So teach us to number our days that we may apply our hearts unto wisdom.

May our sympathies be warm and real, and in our great loss may we learn better how to love one another, through Him who has promised, *Whosoever liveth and believeth in Me shall never die. Because I live, ye shall live also.* Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 13, 1948, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 6500. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes; and

H. J. Res. 342. Joint resolution directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 200. Concurrent resolution authorizing the Clerk of the House to make corrections in the enrollment of H. R. 3350; and

H. Con. Res. 201. Concurrent resolution accepting the invitation to attend the meeting of the Empire Parliamentary Association in Bermuda.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2287. An act to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes;

H. R. 1308. An act for the relief of H. C. Biering;

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.;

H. R. 5669. An act to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport irrigation district, and for other purposes.

### HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 6500. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

H. J. Res. 342. Joint resolution directing all executive departments and agencies of the Federal Government to make available to any and all standing, special, or select committees of the House of Representatives and the Senate information which may be deemed necessary to enable them to properly perform the duties delegated to them by the Congress; to the Committee on Expenditures in the Executive Departments.

CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 201) accepting the invitation to attend the meeting of the Empire Parliamentary Association in Bermuda was referred to the Committee on Foreign Relations.

NOMINATION OF JESS LARSON TO BE WAR ASSETS ADMINISTRATOR

Mr. WHERRY. Mr. President, when the Senate recessed last night it was in executive session. Because of a situation with which we are all familiar, which has arisen since the recess of the Senate yesterday, I now ask unanimous consent that the order for today at 12 o'clock relative to the nomination of Jess Larson, of Oklahoma, to be War Assets Administrator be postponed to the same hour on Tuesday next, May 18, and that its consideration be then proceeded with in executive session under the same terms and conditions.

The PRESIDENT pro tempore. Without objection, the order is made.

LEGISLATIVE SESSION

Mr. WHERRY. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

DEATH OF SENATOR JOHN H. OVERTON

Mr. ELLENDER. Mr. President, I deeply regret to announce the death of my distinguished colleague, Senator JOHN HOLMES OVERTON. He died this morning at 5:50 in Bethesda Naval Hospital.

He was born 72 years ago at Marksville, La., then a small country village located in central Louisiana, only a few miles from the confluence of the Red and Mississippi Rivers, and in the path of Louisiana's worst flood area.

He graduated from Louisiana State University with the degree of bachelor of arts, and from Tulane University Law School with the degree of bachelor of laws.

After a most brilliant career as one of Louisiana's leading lawyers, he decided to enter politics. He was elected on May 12, 1931, as Representative from the Eighth Congressional District of Louisiana to fill the unexpired term of James B. Aswell. On November 8, 1932, he was elected to the United States Senate for the term ending January 3, 1939, and thereafter he was again elected for two additional terms.

From early childhood he personally witnessed the ravages of floods from the overflow of the Red and Mississippi Rivers. It was natural, therefore, that in early life he resolved to devote his talents to flood control. However, it was not until he became a Member of this body that he could do effective work toward that end.

His chief efforts during his 16 years in the Senate were devoted to flood control and rivers and harbors improvements. Against odds which at times seemed unsurmountable Senator OVERTON, by his brilliant presentations on the subject, was responsible for the saving of countless lives and many millions of dollars in property.

It is ironical that he died on the very day the Senate was due to take up the civil functions bill of the Army, which he had sponsored in the Appropriations Committee, and it is significant that his last thoughts were directed toward the preparation of an outline on the subject which he intended to present. Because of his inability to participate personally in the debate on this momentous question, it was only yesterday that he requested me to read his prepared remarks when the bill was called up for action.

I know of no more fitting tribute than to recite to the Senate the last paragraph from the remarks of the great man whom we all mourn. I read:

No, Mr. President, the only objection to this bill is that it fails to meet fully and squarely the issue which faces us. We are the breadbasket of the world. We are the hope of the world. Unless we protect and husband our resources, unless we strengthen ourselves to meet the challenge, then all is lost. I know of no better way that we can meet these great responsibilities than by protecting our industry and agriculture from the ravages of flood and by extending our defenses through improvement to our waterways and harbors. When we fail to meet this responsibility by hiding behind a cloak of economy, we deny our faith in a great America.

These were the last official thoughts of my distinguished friend and colleague. They mean much to the cause for which he was fighting. Thus, even in death shall his wise counsel and advice and influence shape the great work to which he devoted his manifold talents.

Louisiana has lost a distinguished son. The Nation has lost a valiant leader.

May his soul rest in peace.

Mr. President, I was informed a few minutes ago that I would be a member of the committee to accompany the funeral train to Louisiana. I do not know when the Senate will take up H. R. 5524, the civil functions War Department appropriation bill. In the event this bill shall be taken up during my absence, I ask unanimous consent that the statement prepared by my distinguished colleague in connection therewith, which he requested me to read, be read from the desk by the clerk.

The PRESIDENT pro tempore. Without objection, the order is made.

Mr. ELLENDER. Mr. President, at this time I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 235), as follows:

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. JOHN H. OVERTON, late a Senator from the State of Louisiana.

*Resolved*, That a committee of 23 Senators be appointed by the President pro tempore of the Senate to take order for superintending the funeral of the deceased Senator.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. REED. Mr. President, I know that what I have done this morning has violated the rules of the Senate, but I ask that they may be suspended. The bouquet of gladiolus on the desk of our former colleague was on my desk in my office, and as I started to the Senate this morning they seemed so symbolic of the sturdiness and the strength of JOHN OVERTON and his character that I brought them to the Senate to place them on his desk. I am aware, as I have said, that it is contrary to the rules of the Senate, and I ask their suspension and the privilege of doing what I have done.

Mr. LODGE. Mr. President, I have a very strong sense of personal grief in the death of Senator OVERTON. It so happened that although we disagreed on many political questions, we were very good friends. I worked with him here, and when I was in Louisiana during Army maneuvers in 1941 I was a guest in his lovely house, and came to see him as the affectionate family man he was.

If I were to enumerate a few of Senator OVERTON'S traits, I would say that loyalty to his friends, affection for his family, and deep feeling for his country, were fundamental in his being.

He was a man of real brilliance, of very considerable ability. He was an ornament to the Senate.

I extend my profound sympathy to the members of his family, and I hope that they will derive the real strength and comfort to which they are entitled from the pride which must be theirs in all that he was and all that he did for his fellow men.

Mr. RUSSELL. Mr. President, the news of the death of JOHN H. OVERTON overwhelms me with a sense of deep personal loss. The State of Louisiana has indeed lost one of its ablest sons, and the Nation has lost a wise, patriotic public servant.

JOHN OVERTON was a kindly, gracious gentleman, a gentleman of the old school. He was of the type that is fast disappearing, to the great loss of our Nation and our civilization. He respected the rights of all men, and he demanded respect for his rights.

JOHN OVERTON was truly a Jacksonian Democrat, both by instinct and inheritance. No one has ever read any life or biography of Old Hickory without being impressed by the frequency with which the name of Overton occurs among the intimates of that great American. JOHN OVERTON inherited the strength of character and the devotion to principle and conviction which made his forebears great men and placed them in the forefront among the builders of the Nation.

JOHN OVERTON was a gallant fighting man. I never saw him take counsel of his fears nor overawed by odds. I never saw him take an unfair advantage of an opponent, even if that advantage was open to him. He was a

master of forensics but always courteous to his adversaries.

As has been well said, he had the greatest knowledge of the matters involved in flood control and in rivers-and-harbors legislation of any man in the Congress of the United States. He was an advocate of those public works, not in a narrow, local sense, not in the sense of the pork barrel. I have heard him in committee vigorously urge projects which were located in States that were far removed from Louisiana. He had truly a national grasp of that problem. He was a statesman with a national vision.

I am sure that all Senators share the feeling of personal loss that comes with the knowledge we shall not see him here again. I know that the Nation has suffered a great loss in his passing.

Mr. McCLELLAN. Mr. President, I cannot express in feeble words the profound sorrow I feel in the loss of our beloved colleague and eminent statesman from the State of Louisiana.

It has been my privilege since being a Member of the Senate to enjoy a very close association with him and to serve with him on two important committees where we were engaged in developing a program of legislation in which we were vitally interested and which is of much importance to the progress of our section of the Nation. Since he had a keen insight into that character of legislation I immediately found in him an experienced counselor who was able to give effective guidance to my own efforts in this particular program and service to my own people.

I shall not only miss him because of the warm personal friendship that developed between us, but because I know that I have lost the source of able assistance in legislation in which I am so keenly interested.

JOHN H. OVERTON truly, faithfully, and ably represented in the Congress a great State and a great people in accordance with the finest traditions. He was more than a Senator from the State of Louisiana. He was a real servant to all the people of our Nation. He was devoted to the noble ideals of our democracy and to human liberty. He stood firm and steadfast as the Rock of Gibraltar in defense of these ideals and the principles upon which our Government is founded, and fought valiantly against every assault made upon our system of government. He was a champion of true progress, and worked constantly for the development and the improvement of our rivers, our streams, our waterways and the other great natural resources of our Nation.

Not only has the Southwest area profited and progressed by reason of his untiring efforts, his work and leadership in this important field of national legislation, but the entire Nation has greatly benefited thereby.

There are many monuments of river and harbor improvements already erected which stand as a tribute to him and to his memory. These improvements have added immeasurably to the strength and power of the Nation he so dearly loved and in whose service he has given his life.

I express my profound and deepest sympathy, Mr. President, to his family, and I close with this sentiment:

May God give us men, more men in the United States Senate, whose character, courage, quality of service, stature, and capacity can compare with those of our departed colleague.

Mr. EASTLAND. Mr. President, I know of no person whose passing from the Senate could cause a greater feeling of sadness than the passing of the senior Senator from Louisiana.

He was the one character in the Senate of whom the word "beloved" can be used in its truest and highest sense. JOHN OVERTON was revered because of his lofty character, he was admired because of his mental ability; but he was beloved on both sides of the aisle because of his great human qualities.

Humanity and humanness were so pronounced and outstanding in the character of JOHN OVERTON that these qualities perhaps transcended the other elements of his greatness, which was marked by one of the finest judicial and cultured minds of the country. He was a student of the law and the classics. He was perhaps the greatest classical student in the Senate.

Mr. President, JOHN OVERTON was a man of the very highest integrity. Throughout his whole life he was noted for honor, honesty, candor and his firm stand for right and justice. His influence in Louisiana and the Nation was wide and wholesome. He stood for decency in politics and Government.

JOHN OVERTON'S memory was phenomenal. It was a well from which he constantly drew without ever finding the bottom of its richness. In these attributes he was perhaps one of the last remaining symbols of the old South from which he derived his greatest inspiration and whose culture contributed so much to his greatness.

JOHN OVERTON was proud of the South; he was one of its great noblemen, and symbolized its perfection as much as any man that region has ever sent to this body.

Six years ago when I came to the Senate, I was struck by his legal ability, his statesmanship, and great intelligence. He possessed one of the most analytical and one of the keenest minds I have ever seen. Mr. President, it was a privilege to be associated with a man of such great mentality and great integrity. In his passing the Nation has lost one of her great men.

I know that I speak for the entire Senate, my colleagues on both sides of the aisle, when I state that the Senate will not be the same without his presence. An American landmark is gone. As he goes to his reward, let us all say: God bless his memory.

Mr. McKELLAR. Mr. President, the passing of no Senator in the long time I have been a Member of this body has caused me greater grief than the passing of my warm and devoted friend JOHN OVERTON.

I did not know Senator OVERTON before he came to the Senate, but after he came and I learned to know him he was probably as intimate a friend as I ever had in this body.

Mr. President, I think JOHN OVERTON was one of the noblest characters I ever knew in my life. He was one of the most straightforward, upright and honest of men, and one of the most honorable men I ever knew. I never knew him to express a dishonorable thought or do a dishonorable act. He was the soul of honesty; courteous to a degree and most delightful and pleasing to those he came in contact with in this body.

JOHN OVERTON'S life was an open book. His treatment of his brother Senators and his kindness and consideration for all constituted one of the finest traits in his lovable and attractive character. I loved him as a friend.

JOHN OVERTON made a great record here as a legislator. He believed in building up, never in tearing down. He was a member of the old Rivers and Harbors Committee and was devoted to the building up of the rivers and harbors of our country. It was one of his principal activities as a legislator.

He was a member of the Appropriations Committee and took a great part in its activities. As we all know, that is a very busy committee and he was one of the most active men on it. In every transaction and on every question he stood square for the right. He had the esteem and affection of every man on the committee as I remember.

I knew him intimately. I served on the Appropriations Committee during all the years he was a member of that committee. I have tried to think today since I heard the sad news of his passing early this morning of any difference we ever had on that committee or on legislation generally. So far as I can now recall, I do not believe that we ever had a serious difference.

He was a model of patriotism. He loved liberty. He loved humankind and he will live in the memory of all who knew him.

I never knew an abler, a finer, or a more splendid gentleman in all my life. I shall respect and esteem his memory as long as I shall live. I am deeply grieved at his passing.

I want to extend my heartfelt sympathy to his wife and children. The State of Louisiana has lost a great citizen and our common country has lost a great Senator.

Mr. CONNALLY. Mr. President, the Senate has been inexpressibly touched in its deepest feelings by the death of our beloved colleague Senator OVERTON, of Louisiana.

It was my privilege to know him with a fair degree of intimacy since he first became a Member of this body. I was profoundly impressed by his great legal ability and his thorough understanding of the fundamentals of government and democracy. He was a student of the Constitution. His forebears were intimately associated with national affairs in the very formative period of the Republic, and participated in the determination of the many vital issues which touched the life of the Nation.

He was a man of great personal charm and warmth of friendship. He was a man of the highest integrity and unblemished honor. I could say more, Mr.

President, but it would be only adding words to other words.

The State of Louisiana has suffered the loss of one of her greatest sons. The Senate and the Nation have sustained an irreparable loss. Personally I feel a deep and abiding grief that he should have been taken from the circle in which he served with such great distinction and ability.

When I speak of ability, I mean what I say. He was one of the ablest men with whom it has been my pleasure to be associated in the United States Senate. He was a modest man. He was not always pushing his personality into questions; but whenever he directed his attention to a problem before the Senate he gave it an exhaustive treatment and illuminated it by the intelligence of his great mind.

I deeply sympathize with his family. They have, of course, suffered an affliction which no tongue can express. I deeply grieve at his passing. His memory will stand out as a monument, not of marble, not of stone, but an imperishable monument to his integrity, to his lofty concepts of the functions of government, to the great traditions of the Republic, and to his outstanding ability and grasp of the things which are so vital in American life.

I pay my tribute of love and affection to the memory of JOHN H. OVERTON, of Louisiana.

Mr. BARKLEY. Mr. President, I am sure that we all are depressed by a sense of inadequacy, if not futility, when one of our colleagues joins the innumerable caravan in its journey to that mysterious realm from which no traveler has ever returned. Nevertheless, we would not wish that an opportunity go ungrasped, in our feeble way, to express our appreciation of the character and services of one so outstanding as JOHN OVERTON, of Louisiana.

I counted him one of my warmest personal friends. It was a friendship in which I took pride and by reason of which I felt greatly honored. When he first came to the Senate, it fell to my lot to render to him what I thought was a routine service to a new Member of the Senate. I forgot about it, but he never did, and he never allowed me to forget it. Too often we are reminded by others of what they have done for us, whether in public or private life. JOHN OVERTON was always reminding me of something I had done for him. He never allowed an opportunity to pass without expressing his appreciation.

I agree with those who have characterized him as a man of outstanding ability, of unusual legal attainments, and of a literary culture and moral fiber which we might well emulate.

William E. Russell, once Governor of Massachusetts, I think, said that it is not difficult to make a living, but it is infinitely hard to make a life. In the case of JOHN OVERTON, his outstanding ability as a lawyer made the process of making a mere living easy, but in the broader field of private and public life, as a public servant and as a man, JOHN OVERTON made a life in Louisiana, in the Senate, and in the appreciation of the American people. We sometimes describe a man's character as a public servant, his character as an American citizen, his character as a man, as a human being. In all those categories JOHN OVERTON met the test.

I have known since he came here his gracious and charming wife and his beautiful and vivacious daughters—a charming, lovely, typical American family circle. I appreciated them and now appreciate them no less than I appreciate him. My warmest sympathy and deepest affection go out to all of them and to all of his friends as I pay this sincere tribute to his memory, which we shall keep precious in our hearts.

Mr. REED. Mr. President, I wish to pay my tribute to the integrity, the ability, the intelligence, and the earnestness of JOHN OVERTON. The thing that always has impressed me about him has been the intensity of his convictions and his willingness to serve his convictions. As has been said, he has been perhaps the foremost legislator dealing with rivers and harbors and inland waterways in our country. I have had much contact with him upon those questions. I do not share all his philosophy in those directions, but I do pay my tribute to the faithfulness and earnestness and the ability and intelligence with which he carried out his views.

Only recently, Mr. President, Senator OVERTON and I were associated together on the question of dealing legislatively with the matter of daylight saving time. With me, that was a matter of convenience, to be settled as may be. JOHN OVERTON profoundly believed in his view about time and the use of time to the very depths of his soul, and he served that conviction.

I brought to the Senate Chamber this morning the flowers which now are on his desk because I wished them to be symbolic of the vigor and earnestness and sturdy character of JOHN OVERTON. I am glad the Senate has permitted me to place those flowers on his desk.

Mr. ROBERTSON of Virginia. Mr. President, I mourn the untimely passing of one of our most distinguished colleagues. I shall always cherish the memory of the fact that I was privileged to serve in this body with him, even though it was but for a short time, and that I had the opportunity to know him. To see his brilliant mind operate was to admire his native ability. To see his big heart operate was to love him. I shall miss Senator OVERTON, but I agree with the distinguished Senator from Texas who said that his spirit will live on in this body. His example in advocating what was high-minded, what was noble, what was patriotic, will not soon be forgotten.

Next week the mortal remains of Senator OVERTON will be buried in the soil of his native State, but in the words of Pericles, "The whole earth is in the sepulcher of famous men and their story is not graven only on stone above their native earth, but lives on far away without visible symbol, woven into the stuff of other men's lives.

My sympathy goes out to his bereaved beloved ones. My sympathy goes out to a great State that has lost a public servant of whom Louisiana and the whole Nation are proud. But I also have a very deep feeling of personal loss which brings home to me the uncertainties in which all of us live in these hectic days. A few days on the floor of the Senate—active, vigorous, wrestling with great national and international problems—and then we pull about us a cloak and lie down to pleasant dreams.

It will not be necessary for Louisiana to erect a monument to Senator OVERTON. His name is indelibly linked with monuments to the conservation of natural resources erected throughout the Nation with his help.

Careless of monument by the grave, he built it in the world—a monument by which men might be taught to remember, not where he died but where he lived.

Mr. REVERCOMB. Mr. President, word of the loss of Senator OVERTON came to me this morning, and brought to me a very deep feeling of personal sorrow, and it also brought to me a realization of the loss to the Senate and to the country of a very great and outstanding statesman.

Throughout the past several years that I have known him, I have grown to admire him very much for his high ability and for his fine intellect, and, more than that, for that sterling attribute of character which we call fairness. He was gifted with an understanding and with wisdom seldom possessed.

In the past year and a half it has been my privilege to serve on the Public Works Committee of this body, on which Senator OVERTON was the ranking minority member. Often I sought his counsel and advice. His contributions to the work of that committee cannot be measured. The value of his work is beyond measure. His knowledge of the affairs with which that committee dealt added very much to the achievements of the committee and to the guidance of its members.

Today I express my deep sympathy to the members of his family in their bereavement, and to the people of the State of Louisiana, and to the Nation in the loss of a great man, a good man, and a distinguished and able leader in our national life.

His sound, clear advice will long guide his colleagues, and his courageous and wise service will be an inspiration to those who have served with him. Memory of his life will be an enduring monument to his good works.

Mr. MAGNUSON. Mr. President, I have suffered a real personal loss in the death of the distinguished senior Senator from Louisiana. I knew him well. I had the privilege of serving in both branches of the Congress with him. I knew his family well. His great devotion to and love for his family and their devotion to and love for him are almost unexcelled in the experience I have had.

I was privileged to serve with Senator OVERTON on many committees, and from my knowledge of him, I know that words are inadequate to describe his integrity, his character, his great ability, and his outstanding public service.

Though he will be taken to his native soil for burial, I think it will be most difficult to know just where in this country to place a monument to his memory. Such

a monument, Mr. President, would not be out of place anywhere in the United States, because in his public service, in both the House and Senate, he knew not the meaning of the word sectionalism.

Not only has the State of Louisiana lost a great son, not only has this body lost an able, honest Member, but, speaking for the West, speaking for those who would develop our great natural resources in order to make us strong, the whole Nation has lost, in the passing of JOHN OVERTON, one of the ablest and most effective advocates of the development of national resources it has ever known.

I express to the bereaved family and to all others who mourn his loss my deepest sympathy.

Mr. TYDINGS. Mr. President, I am reluctant to attempt to pay tribute and to voice my thoughts concerning JOHN OVERTON. I do not feel that I can fashion in words the impulses of affection, admiration, and high respect which leap to my mind on this occasion. I shall not attempt to dwell upon his accomplishments in this body or upon other aspects of his life. It is rather to the qualities of the man that I should like to address myself in a few words.

I can imagine no contest of life, whether it be physical or mental, in which one could have a sturdier compatriot than JOHN H. OVERTON. If it were physical and you were fighting back to back with him, you could always be certain that nothing would lower his arm except death itself. So it was in the forensics and the polemics that stir these legislative halls.

JOHN OVERTON was a rugged adversary and a rugged advocate. He asked no quarter, he gave none, when his deep convictions were involved in public questions. Yet with it all there was that charm, that sense of fairness, of affection and warmth which made you love him, even while he was contesting, with rare vigor, against the things perchance in which you yourself believed.

Such men are rare. The forest of life from day to day only has a number of the tallest and sturdiest oaks. I have a feeling in this hour of sadness that one of the very tallest of them has fallen before the sweep of time.

I desire to express, though I realize but too well how inadequate that expression may be, my deep sense of personal loss. I shall miss his happy countenance, and I shall think of him for many days to come.

I desire to express my sympathy to his family, for I know that the name of JOHN OVERTON today is in the thoughts not only of his family but of all the people of Louisiana, and, indeed, to a large extent in the sorrowing thoughts of the people of the Nation.

Mr. LUCAS. Mr. President, I confess my utter inability adequately to express in words the deep feeling of personal loss that comes to me through the death of our colleague, JOHN H. OVERTON. Senator OVERTON was not only a close friend of mine in the United States Senate, but he was also a neighbor of mine at the Wardman Park Hotel. For many years our association in the Senate and at Wardman Park had been friendly and intimate. Senator OVERTON was a man with a fine legal mind, which is so indispensable to the handling of the many complexities of governmental problems appearing before us from day to day. He was an unusual legislator, a man with a fine character and a great background for high public service. He truly was a great and good American.

The Senate of the United States obviously will miss his wise counsel and voice. His death is a great loss to his State and to the Nation. I mourn his passing. I send to his family assurances of respect, affection, and sympathy in this, their unusual hour of trouble and bereavement.

Mr. STEWART. Mr. President, I am one of those who were glad to call themselves the friends of Senator JOHN OVERTON, and I believe that he was my friend. I have many times felt the warmth of his friendship, and I have many times felt, when alined with him in a cause he was espousing on this floor, the strength of his friendship and of his character.

The State of Louisiana has lost a great citizen; the Nation, a great statesman. To my mind, Senator OVERTON'S outstanding characteristics were, perhaps, his integrity and his courage. He was a man of keen intellect, a man possessing many fine characteristics, as his record in Congress will attest. But I think his courage perhaps and his integrity were outstanding among all the other finer attributes of character he possessed.

I join with this body, with his friends, and with his family in mourning his loss.

Mr. BRIDGES. Mr. President, in the passing of Senator OVERTON I have lost a friend and the Senate has lost a very distinguished Member. It has been my privilege to know him since he came to the Senate and to serve with him for 12 years on the Appropriations Committee. As a member of that committee I have been in very close touch with him from day to day. He was sincere, earnest, hard-working, and able. The tolerance of his approach to all problems has always impressed me. During the 12 years I served with him as a member of the Appropriations Committee he was always sound in his approach to the very complex problems which the committee was called upon to meet. He was not only fair, but he considered all questions in a nonpartisan manner. He contributed greatly to the nonpartisan spirit which marks the deliberations of the Appropriations Committee. We shall miss him as a Member of the Senate. We shall especially miss him as a member of the Appropriations Committee, to the work of which he contributed greatly.

In this their hour of supreme sorrow I extend to Mrs. Overton and to each member of the Overton family my sincere sympathy, as I express the deep sense of personal loss which I feel as chairman of the Appropriations Committee, and which I know is shared by all members of the committee with whom he was closely associated.

The PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from Louisiana [Mr. ELLENDER].

The resolution was unanimously agreed to.

The PRESIDENT pro tempore. Later in the day the Chair will appoint the committee for which the resolution provides.

The PRESIDENT pro tempore subsequently, under the second resolving clause, appointed the following Senators as the committee to attend the funeral of the deceased Senator:

Mr. ELLENDER, Mr. MCKELLAR, Mr. HAYDEN, Mr. THOMAS of Oklahoma, Mr. TYDINGS, Mr. WHITE, Mr. RUSSELL, Mr. BYRD, Mr. CHAVEZ, Mr. BRIDGES, Mr. REED, Mr. STEWART, Mr. BUTLER, Mr. BUCK, Mr. EASTLAND, Mr. LANGER, Mr. HAWKES, Mr. MCCLELLAN, Mr. REVERCOMB, Mr. JOHNSTON of South Carolina, Mr. ROBERTSON of Virginia, Mr. MCGRATH, and Mr. MALONE.

RECESS TO MONDAY

Mr. ELLENDER. Mr. President, as a further mark of respect to the memory of Senator OVERTON, I move that the Senate take a recess until Monday next at 12 o'clock noon.

The motion was unanimously agreed to; and (at 12 o'clock and 52 minutes p. m.) the Senate took a recess until Monday, May 17, 1948, at 12 o'clock noon.

---

# HOUSE OF REPRESENTATIVES

## FRIDAY, MAY 14, 1948

The House met at 11 o'clock a. m.

Rev. Father Edward A. McDonough, of the Veterans' Administration, Washington, D. C., offered the following prayer:

Almighty and eternal God, we dare to stand in Thy presence this morning conscious of our dependency on Thee. Humbly we thank Thee for the many blessings we have received from Thy bounty, especially for the gift of freedom. Make us always to walk in Thy favor. Make this our country an instrument of Thy peace. Enable us to supplant hatred and to sow love. When we have been injured, let us be quick to grant pardon. Where there is doubt and despair, let us establish faith and hope. To those living in darkness and sadness, let us bring light and joy. Heavenly Father, grant that we may not so much seek to be understood as to understand; not so much desire to be honored as to give honor. For it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying to our own selfish interests that we are born to eternal life.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5933) entitled "An act to permit the temporary free importation of racing shells."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 5, 1948:

H. R. 334. An act for the relief of the legal guardian of James Harold Nesbitt, a minor.

On May 7, 1948:

H. R. 2622. An act to authorize loans for Indians, and for other purposes; and

H. R. 4090. An act to equalize retirement benefits among members of the Nurse Corps of the Army and the Navy, and for other purposes.

On May 10, 1948:

H. R. 550. An act for the relief of Lizzie Reynolds, administratrix of the estate of Grace Reynolds, deceased;

H. R. 4571. An act for the relief of the estate of Carl R. Nall; and

H. R. 6055. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.

On May 11, 1948:

H. R. 1498. An act for the relief of Hempstead Warehouse Corp.;

H. R. 3530. An act for the relief of Jesse L. Purdy; and

H. J. Res. 242. Joint resolution to confirm title in fee simple in Joshua Britton to certain lands in Jefferson County, Ill.

On May 12, 1948:

H. R. 1036. An act to provide for the licensing of marine radiotelegraph operators as ship radio officers, and for other purposes; and

H. R. 3089. An act for the relief of Mississippi Central Railroad Co.

On May 14, 1948:

H. R. 5963. An act to authorize the construction of a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, and for other purposes.

ANNUAL MEMORIAL SERVICES

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BISHOP. Mr. Speaker, as chairman of the Committee on Memorials, I take this time to advise the membership that all necessary arrangements have been made for the annual memorial services to be held next Monday, May 17, in this Chamber. The families of our deceased Members who passed on during the past year have been invited, and many have signified that they will be here. We should make every effort to be here next Monday, just before noon. It is a mark of respect we owe to our deceased colleagues.

The memorial addresses will be delivered by the distinguished gentleman from Illinois [Mr. DIRKSEN] and by the distinguished gentleman from Indiana [Mr. MADDEN]. Solo selections in the sacred tradition will be offered by our distinguished colleagues the gentleman from Pennsylvania [Mr. TIBBOTT] and the gentleman from Tennessee [Mr. PRIEST]. The United States Navy Orchestra will play.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include a newspaper article.

Mr. McCORMACK asked and was granted permission to extend his remarks in the Appendix of the RECORD and include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

PALESTINE

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, it seems certain now that the Jewish state in Palestine will be proclaimed tonight. Accordingly, I think the House should know the posture of events as they stand today. Despite every effort to overturn the partition resolution of the General Assembly of the United Nations, partition remains the expressed judgment of the nations of the world as to what is fair and just in Palestine.

Mr. Speaker, I hope that now statesmanship will replace vindictiveness or resentment. I hope that now pacification may come to the Middle East, through recognition by the nations of the world of what exists—the fact that the Jews have earned their state through the only way it seems that independence can be earned, by blood and sweat and tears—and that they may be permitted to inhabit the territory within the borders of their state, as determined by the United Nations General Assembly, in peace. I believe that now the nations of the world in the United Nations should see that the Jewish state enjoys peace, through protecting it against the aggression of the neighboring Arab states by the means which the United Nations Charter now fully affords.

I trust that the United States will now recognize what exists and will cease its efforts to reverse or betray the fate that has enabled the Jews of Palestine to realize nationhood and will recognize the Jewish state, giving it full international rights, and be among the first to do so.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, along the lines expressed by the gentleman from New York [Mr. JAVITS], I have a few observations to make which I think will briefly express my state of mind on the question of partition of Palestine.

I have felt deeply on this subject for years, back in the days when I was a member of the legislature. I have always felt that the only ultimate solution of this age-old question, going back through the last 2,000 years, was the establishment in Palestine of a free and independent Jewish commonwealth.

As chairman of the Democratic Committee on Platform and Resolutions in the last convention, I think I can point with pride to the fact that I played an important part in including in the platform the position of the Democratic Party which stood for a free and independent Jewish commonwealth in Palestine.

Mr. Speaker, there is a welcome stranger seeking our recognition and admission into the council of the nations of the world. A new nation has been established, located in the Middle East. At this very moment its citizens are fighting behind the barricades. It is the new Jewish state in Palestine, which has been established in the face of tremendous odds. It exists. That fact cannot be denied.

Our country has, time and time again, by congressional resolution, Presidential statement, and through other forms of public expression, supported Jewish aspirations in Palestine and in the ultimate establishment there of "a free and independent commonwealth in which all men, regardless of race or creed or color, shall have equal rights."

We are now faced with a clear-cut situation. Our Government should recognize the new Jewish nation in Palestine. The reasons are numerous why we should do so.

First. Such recognition would be in accordance with our stand on this question and the wishes of the American people.

Second. America, conscious of its own history, has been traditionally friendly and helpful to new states.

Third. This state has been set up by one of the least warlike peoples in the world and one which has suffered most at the hands of the war makers.

Fourth. We will be carrying out the United Nations mandate.

Fifth. The Jewish state will be an arm, a real strong right arm, of democracy in the Middle East; of real democracy, that recognizes and will preserve and defend the rights of man and the dignity of the individual. It will stand for what free people stand everywhere.

Leaving aside matters of ethics, sympathy, and of humanity, it would be wise and proper on the basis of pure and noble political considerations to give, by our recognition, every possible aid to the new Jewish state.

On another plane altogether, I should like to suggest that the sooner this state is strong—both by political recognition and internal establishment—the less likelihood there is for trouble in the Middle East between Jews and Arabs. A

weak Judea will invite aggression. A strong Judea will discourage it. All things pass, and so, too, will pass the chagrin and bitterness of those Arab leaders who have fought so long to reverse what was irreversible. They must realize now that justice is indivisible. I call for the recognition by the United States of the new state of Judea. The Palestinian Jew has been long ripe for independence. They have taken it now. A circle of 2,000 years has been completed. Let the United States, traditional symbol of democracy, and the greatest democracy on earth, extend the warmth and the esteem of her people by recognizing forthwith this new and gallant state.

Speaking my own individual thoughts which are firmly embedded upon my mind, I feel that the only solution of this question of the ages is the carrying out of partition and in the cooperation in every way with the establishment of the Jewish state to the full blooming and fruition of nationhood, and enabling the Jewish Nation in Palestine to thrive with strength and vigor, and in the future that nation, through its representatives to take its place with the representatives of other nations of the world in the solution of world problems that confront not only the United States but the troubled people in other nations.

RECOGNIZE PALESTINE INDEPENDENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, for the first time in 2,000 years the Sabbath candles in Palestine will burn on the soil of a Jewish state.

Tonight an old state is recreated. All hail the State of Israel!

Like the Maccabees of old, the Jews valiantly fought off all foes. They now proudly hoist the blue and white flag of Zion with the Star of David.

While Warren Austin lamented that partition could not be implemented, Haganah took Tiberius. While the United Nations delegates were inundated in a sea of words, Haganah stopped the Arabs at Mieshmar Haimek. While Creech Jones gave us a lot of palaver, Haganah took Safed and Kastel. While Secretary Forrestal defended the overcharge of the Arabian-American Oil Co., Haganah smashed open the road to Jerusalem. While the administration said, "Maybe the remedy is federalization or yet maybe truce, or yet maybe mediation," Haganah stormed into Jaffa.

The Jews have shown their true metal. Their fighting spirit has won universal admiration.

Most unrealistically the administration demanded that the Jewish agency delay any declaration of independence. That demand was promptly and properly rejected. Independence will be declared at 6 p. m. this evening.

What now?

The United States should recognize the new state and acknowledge its "belligerent rights" with consequent shipment of arms and supplies. We had better do so and save our face before Russia and the Slavic countries do, before many pan-American Republics and the British Dominions form a willing procession of recognitionists.

To give American recognition would be within true American tradition. How can the United States of America which jealously has guarded its independence for 175 years deny it to the Jews who have sought it for 2,000 years?

I say to the President in all kindliness: "Take hold of yourself, head off and push back some of your misadvisers, and do what your heart prompts you to do. Recognize and hail the newly created state of Israel."

EXTENSION OF REMARKS

Mr. VURSELL asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an article.

Mr. MILLER of Connecticut asked and was given permission to extend his remarks in the Appendix of the RECORD and include a column appearing in last night's Evening Star by David Lawrence.

Mr. ROSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

CONGRESSIONAL INVESTIGATORY POWER

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MACKINNON. Mr. Speaker, for the future I wish to venture the prediction that if the question ever comes before the Supreme Court it will determine that Congress possesses the right to investigate the official actions and the conduct in office of every Federal official we have power to impeach and that the right to investigate will be held to carry with it the power to compel the production of all written and oral testimony relating to the official actions and the conduct in office of the official in question. Congress is vested by the Constitution with the power of impeachment of all Federal officers, including the President.

I have heard and reread all the reams of argument on this question which the House listened to the last few days and not one single responsible authority, when thoroughly analyzed, denies this proposition. The fact that prior Congresses have not chosen and that subsequent Congresses may not choose to press their full powers because of the amenities of the various situations is not controlling authority against the existence of the power.

PETROLEUM IN THE NEAR EAST

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, last fall the gentleman from New York [Mr. COLE] headed a subcommittee of the Committee on Armed Services which made a trip over the Pacific visiting many of the countries in Asia. I was chairman of a subcommittee of the same Committee on Armed Services that visited several countries in Europe, the Near East, and north Africa.

After our return from Iran and Saudi Arabia we made a full report to the Committee on Armed Services, and at the suggestion of the very able gentleman from Georgia [Mr. VINSON] and the chairman of the Committee on Armed Services the gentleman from New York [Mr. ANDREWS], a special subcommittee was set up to study the petroleum situation from a purely objective point of view, particularly as it affects our national security. We began hearings on the 19th of January. We heard many witnesses over a 3 months' period. There were over 2,500 pages of testimony.

I am sure the Members of the House will be interested in those hearings which will prove a valuable document in your library for reference purposes. A copy of the report has been sent to each Member and I hope you will find time to peruse it.

Mr. Speaker, without objection, I shall place in the Appendix of today's RECORD, several letters that I have addressed to high Government officials who deal with this subject, also correspondence addressed to me with my replies thereto. These letters will give Members some information regarding the most important aspects of this very vital problem. Busy as Members are I trust they will find time to survey our study.

CARE FOR OUR AGED CITIZENS

Now, Mr. Speaker, I wish to address myself to another pressing problem and one that is very near and dear to my heart, namely, whether or not we shall give additional and much needed assistance to the old folk and disabled citizens of our country.

It seems that in these trying times of much confusion and great bewilderment, when we are sending billions of dollars abroad to help people in the foreign corners of this earth, we have either ignorantly or cruelly overlooked a large portion of our own people who need help at home.

Everyone knows that since VE- and VJ-days we have loaned—or, more accurately, given away—more than $22,000,000,000 to many countries in Europe, Asia, and all parts of this world. Employees in private industry have received increases in their wages and salaries and we have rightly and justly increased the wages of employees in our Government, and have voted thousands of income taxpayers relief through tax reduction. Even congressional annuities have been voted. Congress has appropriated billions in subsidies and parity payments. Indeed we have taken care of practically everyone, including ourselves, except the elders of America.

Mr. Speaker, the chances are about 10 to 1 that a person will be on charity at the age of 70 to 75. There are about two and one-half million persons over the

age of 75, and only 264,000 are self-supporting.

There are approximately 9,000,000 persons over the age of 65—90,000 are wealthy, 360,000 are well-to-do, and 450,000 are self-supporting. At present there are more than two and one-quarter million persons over the age of 65 receiving old-age assistance. The cost is more than $83,000,000 per month, or almost $1,000,000,000 per year.

Old-age-assistance payments range from an average of about $17 in Georgia to $65 in Colorado. The national average is about $36 a month.

Everyone knows that with the increased costs of living, old people who need medical care and usually nursing care or domestic assistance simply cannot get by on this paltry sum.

It is unnecessary for me to tell the people in my district that I favored old-age assistance before I ever came to Congress, that I voted for the enactment of the original social-security law, and that for several years I have advocated a minimum pension of $50 a month for each person—married or single—who has reached the age of 60 and is unable to take care of himself. This is the very minimum they should receive at this time, and we perhaps should increase the amount to $60 per month.

Mr. Speaker, the Congress now recognizes that the Government has a responsibility for the general welfare of those citizens who have reached a place where they are no longer required to be active in the fields of industry, business, professions, and labor.

It seems to me that there is just as much reason for us to legislate for the care and support of those who are too old to work as it is for us to legislate to train those who are too young. Social security as it exists today falls far short of meeting the needs of our elder citizens, even to provide the meager necessities of life. It has been pointed out by Members of this House, on both sides of the aisle, time and time again, that this situation is serious. The present allowances in what we term "old-age assistance" provide the elder citizen with scarcely enough to purchase one fair meal per day. For housing, nothing; for clothing, nothing; for medical care, nothing; for heat, light, and the myriad of other incidental expenses, nothing. Remember, Mr. Speaker, I am talking of the appropriations we make for our own elder American citizens. I am talking of those who have given a lifetime of service to this country; those who have given us their very best in peacetime and in war; yes, they have given us largely what we have with which we so abundantly provide for the needy in other lands. Our ability to provide for the nations of Europe, Asia, Africa, and our neighbors in North and South America; all of this ability has largely come through the good efforts of these very senior citizens about whom I am speaking. Moreover, they have given us the fine young American men and women to whom we look to protect our liberties.

What are we doing for the comfort and security of these worthy senior citizens? Nothing for the most of them. Then for the few who have been adjudged helpless we come forward with the paltry sum provided by the Federal Government of about $1 per day on an average, and many of them receive far less than that amount.

If I were talking about the sad plight of displaced persons of Europe, Asia, or Africa, this Congress would respond with great enthusiasm. They would cry large tears and their hearts would melt in holy sympathy. But when I talk of our own helpless fathers and mothers we pass it by as though it were a matter that might be considered in some far-off day, after the needs of every other land are met, and as and if the time comes when we have money to spare that we have no other use for, then we might consider an increase in these meager pittances that we are now paying.

Mr. Speaker, it is time now that this Congress should provide an American pension to take the place of this inadequate, inequitable hodge-podge that we shamefacedly call old-age assistance. It is time to face this issue squarely. Either we admit that our worthy elder citizens have a right to a Federal pension for their declining years or they do not have such a right. If they do have such a right, and I maintain that they do, then they are entitled to a decent American pension. If they are not entitled to that, we should be courageous enough to say so. Then we should do away with this farce that now appears on our books which we advertise as social security, which is neither social nor secure, and cease trying to mislead the people.

I say again that the very fact that we have gone on record, by the enactment of the so-called Social Security Act, is an admission that the Federal Government does have a responsibility in this field. The fact that there is an old-age assistance provision is an admission by the Congress that there should be a provision by the Federal Government for the deserving aged citizens. It is conclusive evidence that our elder citizens are entitled to receive from their Government a decent retirement.

Permit me to say further, that having admitted this responsibility, and having made the gesture that now exists toward this end, in the form of old-age assistance, the case is established, and our duty is crystal clear. We should provide a decent American old-age pension for our unemployed elder citizens.

Now, why are we not doing it? Is there one among us who will rise on this floor and say we are doing it? Is there one who will say that our $1 or less per day in these times is adequate for a decent American to live on? If there is, Mr. Speaker, let him stand up now and be counted. I say there is no defense for this present penurious abortion that we call old-age assistance. It should be replaced at once with a decent American pension worthy of the deserving elder citizens of the greatest Nation on the earth.

Again I pose the question, Why do we not do something about this situation? Is it because we do not have the money? Now, do not make me laugh. A look at our recent experience and history washes away this frail excuse as a mist before a mighty wind. A nation that can finance a war running into hundreds of billions, and one that can during both war and peace, appropriate thousands of millions for the relief and support of people in other lands, can, without a single doubt, provide the money to pay a decent American pension to her own retired elder citizens.

We have a program to provide such a pension, to take the place of old-age assistance and without disturbing the other features of social security now working in this Congress. This pension is reasonable in amount, merely $60 per month, to be paid by the Federal Government. It is honorable in its application. It is an American pension, not an old-age charity. It has been written by Members of this Congress, and it is not being promoted to glorify any individual or organization. It is merely an honest, American, reasonable pension for elder citizens. It is being sponsored by a large number of our colleagues, headed by the gentleman from Indiana [Mr. LANDIS] on the majority side, and by the gentleman from Oklahoma [Mr. MORRIS] on the minority side.

Mr. Speaker, I am proud to associate myself with this very timely and worthy endeavor. I urge every Member to aline himself with us, and let the leadership of the House take due notice and cooperate that this very acute condition can be resolved before this session ends.

Let our great America awake to this solemn duty and arise to meet her obligation to our own fathers and mothers. Let us "honor our fathers and mothers that our life may be long in the land which the Lord our God has given us."

### THE OIL PROBLEM

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, under leave to extend my remarks, I submit for the RECORD several letters I have addressed to prominent Government officials with two letters written by the chairman of our Committee on Armed Services, Mr. Andrews, to Hon. John L. Sullivan, and Hon. John Taber; a letter addressed to me from J. H. Holderman and my reply to him; also a letter addressed to me from R. J. Schmunk with enclosed copy of a letter he addressed to the President of the United States, and my reply to Mr. Schmunk's letter.

Now that the special subcommittee of the Armed Services Committee which has made an exhaustive study of the oil problem as it relates to our national security, the members of our committee do not want to let our report die, but we are eager to get quick and positive action on the recommendations we have made.

The following letters deal with various aspects of this most vital problem:

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

The PRESIDENT,
*The White House,*
*Washington, D. C.*

DEAR MR. PRESIDENT: I am taking the liberty of enclosing a report on the national defense aspects of petroleum, which report

has just been rendered, by unanimous vote, by the Special Subcommittee on Petroleum of the House Committee on Armed Services, of which subcommittee I have had the honor to be chairman.

The enclosed report is as frank, as accurate, as nonpartisan, as unbiased an appraisal as we can make of the national defense situation as affected by the present and long-range petroleum potentialities of this Nation. It is our view, after receiving and studying over 2,500 pages of detailed testimony from industry and Government leaders, that the Nation must move more forthrightly and vigorously in dealing with this serious question of petroleum than it has in the past, if our armed forces and the Nation as a whole are to have adequate supplies for a time of national emergency.

In the report you will find a number of recommendations directed to this very basic, very vital subject affecting our national security. May I invite your attention specifically to these recommendations, and ask, on behalf of the subcommittee, that you seek their implementation as promptly as possible:

1. That the present program attempting the allocation of steel by voluntary means be continued; but if this program gives evidence of failure, if the international situation deteriorates or is not improved, and if within 6 months the armed forces are still without adequate supplies of petroleum to meet an emergency, the voluntary program not be permitted to continue, and at the end of that 6-month period Government controls should be imposed, by recommendation from you to the Congress, to allocate steel to the petroleum industry.

2. That the same procedure be followed, as proposed in (1) above, in respect to rationing of petroleum products.

3. That the National Security Resources Board be directed by you immediately to establish a Commission on Petroleum composed of major and independent oil industry leaders, the consuming public, and appropriate officials representing the Government, to study thoroughly all aspects of the short and and long-range petroleum problem facing the Nation, the Commission being directed to submit to the Congress, with Presidential approval, a legislative proposal designed to establish an integrated inclusive petroleum problem for the Nation to follow consistently in the years ahead.

Within the enclosed report of investigation, Mr. President, there are also numerous recommendations as to what the Commission suggested in (3) above could profitably consider. I earnestly hope that your staff will make these recommendations known to you and the National Security Resources Board, so that we may all be confident of their inclusion in the complete coverage of this tremendously vital subject by the Commission.

We bring these matters to your personal attention at this time, because we are genuinely concerned over what the Nation's petroleum situation is now, and what it is to become, from the standpoint of national defense, in the event the Government fails to move promptly now. We sincerely hope you will find your way clear to support our views and that you will take early steps to meet the problem by implementing the actions indicated above.

Respectfully,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C. May 11, 1948.*

Hon. GEORGE C. MARSHALL,
*Secretary of State, Department of State, Washington, D. C.*

MY DEAR MR. SECRETARY: In the enclosed report of investigation of the Special Committee on Petroleum of this committee you will find certain recommendations which pertain directly to the Department of State, and I do hope that you will find it possible within the near future to let us know of your reactions to these recommendations and of the action, if any, your Department proposes to take to implement them.

Mr. Thorpe, your Assistant Secretary of State for Economic Affairs, together with Mr. Robert Eakins, your petroleum adviser, contributed a great deal to our investigation, and we are deeply grateful to them. It is a matter of great regret to me that you were so encumbered with the great state questions of the day that you were personally unable to appear before us. From my previous contacts with you personally, I know that you would have contributed enormously.

With high personal regard, and with best wishes, I am,

Sincerely,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

Hon. JAMES FORRESTAL,
*Secretary of Defense, Washington, D. C.*

MY DEAR MR. SECRETARY: In the report of our Special Subcommittee on Petroleum, a copy of which I sent to you a few days ago, there are several specific recommendations which relate directly to the National Military Establishment, including items as the establishment of a stock-piling program, the full development of Elk Hills, the creation of additional petroleum reserves, additional storage facilities for the armed forces, a reconsideration of the exporting of steel to Saudi Arabia, the necessity for Government subsidy to support the rocket-fuel industry, and a variety of other items which, in our view, require prompt attention which we feel should be forthcoming from your office.

I wonder if you would be so kind as to let me have your reactions to the recommendations the subcommittee has submitted, together with your comments as to what action, if any, will be forthcoming—and when—to implement them.

Incidentally, you may find of interest the enclosed copy of a letter I have sent to Secretary Sullivan in regard to the development of Elk Hills. Our subcommittee hopes that you will see that funds for this development are sought before the adjournment of this Congress.

With high personal esteem, and again with my very deep and sincere appreciation for the splendid contribution you made to our study of petroleum, I am,

Sincerely,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

Hon. JULIUS A. KRUG,
*Secretary of Interior, Department of Interior, Washington, D. C.*

MY DEAR MR. SECRETARY: Several recommendations in the enclosed report of the Special Subcommittee on Petroleum pertain very directly to the Department of Interior, and I would appreciate greatly your reaction to them, together with your advice as to the action, if any, your Department proposes to take—and when—to implement the recommendations.

I should like to say here that the Department of Interior was most helpful to us in the conduct of this investigation, and I consider it a privilege to say that we are genuinely, deeply grateful for the assistance rendered to us.

Sincerely,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

Hon. CHARLES SAWYER,
*Secretary of Commerce, Department of Commerce, Washington, D. C.*

MY DEAR MR. SECRETARY: I should like to invite your attention to the enclosed report of investigation of the Special Subcommittee on Petroleum of this committee, in which it is recommended that a complete reexamination be given to the advisability of exporting steel to Saudi Arabia.

May I have the benefit of your reaction to the subcommittee's recommendation, together with some evidence as to the action your department contemplates taking in this respect?

You will also note that the committee commented directly on the necessity for providing steel to the petroleum industry by Government controls if necessary. I should welcome your views on this point also, as well as your observations on other recommendations in the report which pertain to your department.

At this time I should like to commend highly the former Assistant Secretary of Commerce, Mr. David K. Bruce, who gave excellent testimony to our subcommittee and contributed a great deal to our deliberations.

With best wishes, I am,

Sincerely,

DEWEY SHORT,
*Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C. May 11, 1948.*

Hon. CHARLES A. WOLVERTON,
*Chairman, Interstate and Foreign Commerce Committee, House of Representatives, Washington, D. C.*

DEAR CHARLIE: I do hope you will find an opportunity to acquaint yourself with the suggestions contained in the enclosed report of my subcommittee which has just finished its study of petroleum in its relation to national defense.

The enclosed report comments on only two items specifically and wholly within the province of your committee and with which you may wish to concern yourself later. They are, first, the establishment by law of the Interstate Oil Compact Commission as a permanent organization, and second, certain suggestions in respect to the establishment of the three 10,000-barrels-a-day synthetic fuel plants with which you have been concerned in recent months.

I attach great weight to your views on this important subject of petroleum and would welcome any suggestions you may have after you read the enclosed report.

Cordially,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

Hon. ALVIN F. WEICHEL,
*Chairman, Merchant Marine and Fisheries Committee, House of Representatives, Washington, D. C.*

DEAR ALVIN: I am taking the liberty of enclosing an additional copy of the report of the Special Subcommittee on Petroleum, of which I have been chairman, for the purpose of inviting your attention specifically to page 6073 of the report, in which the subcommittee recommends early action to augment the tanker fleet of the United States.

Testimony on this subject before our committee in executive session, emphasizing its relationship to national defense, was of so compelling a nature that I am constrained to bring this matter to your personal attention. There is little question that in dealing with this problem, time is of the essence. I do hope that in the interest of national defense, your committee will see

that the House of Representatives moves promptly and vigorously into this field with the least practicable delay.

In saying this I defer, of course, to your great store of information in this very complicated field, and the subcommittee will appreciate any suggestions or recommendations you may wish to offer in respect to this or any other of the recommendations submitted in the enclosed report.

Cordially,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 11, 1948.*

Hon. CHARLES A. PLUMLEY,
*Chairman, Subcommittee on Appropriations for Armed Services, House of Representatives.*

MY DEAR CHARLIE: The enclosed copy of letter from Chairman ANDREWS of the Armed Services Committee to Chairman TABOR of the Appropriations Committee is self-explanatory.

I merely want to call your attention, as an old friend of the Armed Services, to the enclosed report of our special subcommittee which made a rather exhaustive and unbiased study of petroleum as it relates to our national security. I hope you will find time to give it your discriminating perusal and I know that you will assist us always in promoting defense of our country.

Sincerely yours,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

U. S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, D. C., May 11, 1948.*

Hon. JOHN L. SULLIVAN
*Secretary of the Navy,*
*Washington, D. C.*

MY DEAR MR. SECRETARY: I am pleased to forward herewith a copy of the report of the Special Subcommittee on Petroleum of the Armed Services Committee of the House which has recently completed the study of petroleum in relation to national defense.

Your particular attention is invited to page 6061 of this report wherein the naval petroleum reserves are discussed. There you will find that the subcommittee has recommended to the Congress that a complete development of Naval Petroleum Reserve No. 1 be undertaken immediately, and it is urged that you initiate steps to secure the necessary funds to carry out this development program. It is our view that these funds should be made available before the present Congress adjourns.

In anticipation of your action, I have forwarded a copy of the subcommittee's report to the Honorable JOHN TABER, chairman of the House Appropriations Committee, with the request that the Congress appropriate sufficient funds to carry out this program.

Very truly yours,

W. G. ANDREWS, *Chairman.*

---

U. S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, D. C., May 11, 1948.*

Hon. JOHN TABER,
*Chairman, House Appropriations Committee, Washington, D. C.*

DEAR MR. TABER: You will recall my letter to you dated February 19, 1948, wherein I pointed out that the Special Subcommittee on Petroleum of the Armed Services Committee of the House had recommended that sufficient funds be made available to permit the Navy to continue its exploration for oil in Naval Petroleum Reserve No. 4 (Alaska). This request was made prior to the completion of the full program of hearings because of the immediate requirement for this money.

The subcommittee has now completed a rather comprehensive investigation of the general oil situation, which includes Naval Petroleum Reserve No. 1 (Elk Hills), Calif. The subcommittee believes that this reserve constitutes a very valuable source of oil strategically located on the west coast for use in the event of a national emergency. However, the field is not developed to the point where the oil is readily available nor can it be until it is fully developed. Therefore, it is the conclusion of the subcommittee that the Appropriations Committee of the Congress should recommend the appropriation of sufficient funds to carry out this development program.

In this connection, I am enclosing a copy of the subcommittee's report and your particular attention is invited to the penultimate paragraph of page 6061 which relates to this subject.

With very best wishes, I am,

Very truly yours,

W. G. ANDREWS, *Chairman.*

---

HOLDEMAN REALTY,
*San Antonio, Tex., April 9, 1948.*

Hon. DEWEY SHORT,
*House of Representatives,*
*Washington, D. C.*

DEAR MR. SHORT: I just read an article in our morning paper, heading: "Gas ration again bobs up." In this article is the statement, "SHORT declared the situation is so serious in view of the tense international situation the subcommittee may recommend restoration of gasoline rationing." Then you state, "We may be forced to it."

I would like to ask, just what do you mean, "you may be forced to it"? The shortage of crude oil and the shortage of gasoline as propagated by certain interests is nothing less than treasonable, unconstitutional, and a program to keep constitutional Americans out of the oil-producing and refining business in these United States of America.

Of course, these major interests and the politicians associated and working with them can produce oil in some of the foreign countries for less money and even ship it into the United States cheaper than we can produce it here under present conditions, and part of their program is to beat the landowners out of their possibility of royalty income, at least until they, the certain interests, get good and ready to let them participate by holding large acreage tied up for one of the purposes to keep the so-called independent operators from producing and refining and delivering to the public.

There is more oil in the United States, yes, even in just a portion of the States of the United States, than the whole world can use legitimately—what I mean without just burning it up by setting fires to it. All that is needed is to let red-blooded constitutional Americans produce and refine this natural resource, without interference of our constitutional rights, by political and major interests, unconstitutional methods, backed up by decisions of unconstitutional courts.

The main thing you Congressmen are going to need be afraid of in the future is your voting laws that are contrary to the Constitution of the United States and the people's rights.

Some of which are rationing, rent control, building control, prorating of crude oil production, and all other laws trying to and telling the people what they can and cannot do. Labor acts, telling a citizen how many hours he can and cannot work a man or woman, the wage he has to pay, etc. All unconstitutional and you and all other Congressmen know it, if you do not you certainly are not fit to be in the Congress of the United States of America.

The mess of labor laws, laws pretending to control labor unions, etc. There is not one iota of need for any labor laws, neither for regulating labor unions, all that is needed to stop picketing and strikes is to have men at the head of our United States Government who will in part at least fulfill the oath taken when sworn into their office and to perform as an American who believes in and will do his duty as a representative of the people, according to the duty before him as outlined by the Constitution of the United States of America. When a man or woman pickets another's place of business he is overstepping his rights as an American citizen and there is only one place for him or her—locked up where he or she can sit down and picket for the remainder of his or her life, but in a place where it will not prevent some loyal American carrying on as intended and privileged under the terms of the Constitution of the United States.

We, the constitutional Americans, have stood just about all this traitorism we can take and from now on will do our utmost to get rid of all Congressmen who are afraid to do their duty as sworn, or who are just plain traitors, be they Communists or some other kind of nists. Such men as Wallace, Lewis, and hundreds of others are not Americans, and if someone, just an individual, would do just one-tenth what any one of these men has done against our Government and the peoples' rights, well, you know very well what would happen.

You are a Representative from Missouri. Well, I was born in Missouri, a descendant from people who came to this country before it was a United States of America, helped in the building of this country and have no patience with any traitors or with pussyfooting as is being done by many of our men in high office of the United States Government.

If you think the United States is short of petroleum you might do well to inform yourself properly. If you do not know and do not want to find out, then you may be one of the bunch.

Sincerely,

J. H. HOLDEMAN.

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 5, 1948.*

Mr. JAMES H. HOLDEMAN,
*San Antonio, Tex.*

DEAR MR. HOLDEMAN: There is, of course, little point in engaging in an extended argument such as your letter of April 9 could properly provoke. But I cannot withhold this comment:

Even a slight familiarity with my voting record in Congress for the past 16 years, only a brief survey of my many debates on the floor of the House of Representatives, a casual understanding of the views of my congressional district, would make patently absurd any allegation that I am one who has sought controls by the Government over any segment of the American economy.

The fact is, few men in the Government today have moved more consistently than have I in direct opposition to a large Federal Government, expensive bureaucracy, and extensions of Government controls.

So your rather abusive letter to me is sadly misdirected. It is unfortunate that you did not attempt to determine some of these facts before going to such efforts to identify me with attitudes and actions which have been anathema to me for many years.

And, as for facts in respect to the oil situation, it may be helpful to you to know that the Special Subcommittee on Petroleum, of which I have been chairman, has received testimony from over half a hundred oil industry, Government, and armed services leaders on the very subject as to whether there is an oil shortage and what should be done to meet the present oil problem. This testimony was received almost daily throughout January, February, and most of March of this year. It comprises over 2,500 pages of transcript—all of it from men who have spent their adult lives in the oil busi-

ness, men who are determining our military strategy today, men who conduct our foreign relations in oil. They are highly responsible men, men highly placed in the major and independent industries, men fully qualified to know whereof they speak, men who have demonstrated their knowledge of this complex subject.

After an exhaustive study of the testimony and statistics submitted by these men, I and the other 10 members of the Special Subcommittee on Petroleum, who collectively represent over 3,000,000 people from New York to California, have agreed unanimously, regardless of political party, that the Nation cannot safely drift along on this important question. Without entering into the details, I may say that there is absolutely nothing in our record of hearings from the leadership of the oil industry to support your view that we have enough oil here, discovered and undiscovered, to supply the world. On the contrary, the evidence is quite conclusive that this Nation, requiring above all other nations in the world an adequate supply of petroleum to function properly, now faces serious, basic decisions on oil which must be promptly resolved. The question of petroleum facing us today is not, as you say, whether we are able to supply the world. The question is what we must do to insure that our own immediate needs can be met—and more important, but unfortunately rarely considered, how we can insure an adequate supply of oil for our Army, Navy, and Air Force in time of war.

Without further comment, I suggest that you write to the clerk of the House Committee on Armed Services for a copy of these hearings, read them yourself, then reach your own conclusions as to the state of the Nation today in respect to petroleum.

And then you, too, will have the facts. Then you, too, will discover that we are today some two to three million barrels a day short of what we will need in the event of war. Glancing over the views expressed in your letter, I suspect that your lack of acquaintance with such facts, with which our hearings abound, has had something to do with the nature of your comments to me.

Sincerely,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

---

AMERICAN AUTOMOBILE ASSOCIATION,
*Washington, D. C., May 10, 1948.*

Hon. DEWEY SHORT,
*United States House of Representatives, House Office Building, Washington, D. C.*

DEAR MR. SHORT: As chairman of the Subcommittee of the Committee on Armed Services, which reported last week on the petroleum outlook, you and every member of your committee deserve congratulations on a thorough, realistic and workmanlike job.

On March 18, the executive committee of the American Automobile Association adopted a resolution urging that the President appoint a committee to investigate all phases of the petroleum situation and to make recommendations for a national oil policy that will safeguard the vital interests of the Nation.

Now that your committee, after lengthy hearings, has recommended the setting up of a commission, it is to be hoped that speedy action will result. There is enclosed for you herewith copy of a letter sent today to the President of the United States in support of the recommendation of your subcommittee.

The Commission recommended in your report differs somewhat from the type of independent committee we had in mind, but, as stated in our letter to the President, the important thing is to get an all-out study under way now. Your report recognizes that military impacts will undoubtedly affect many elements of the national economy, and we are most happy to note that in this connection provision is made for public representation on the Commission. Most certainly we hope that in setting it up, consideration will be given to the important role of highway transportation, not only in a peacetime economy, but as a major defense asset as well.

Yours very truly,

R. J. SCHMUNK,
*President.*

---

AMERICAN AUTOMOBILE ASSOCIATION,
*Washington, D. C., May 10, 1948.*

The PRESIDENT OF THE UNITED STATES,
*The White House, Washington, D. C.*

MY DEAR MR. PRESIDENT: On March 18, the executive committee of the American Automobile Association adopted a resolution urging that the President appoint a committee to investigate all phases of the petroleum situation and to make recommendations for a national oil policy that will safeguard the vital interests of the Nation.

A copy of this resolution was transmitted to you by telegram and we received a reply from John R. Steelman saying that the proposal was being given sympathetic consideration. We received similar responses from interested departments of the Government, but as yet nothing specifically has been done to activate a committee of the kind we suggested.

Hence, we are greatly interested in the recommendation contained in the report on petroleum, made last week, by a Subcommittee of the Committee on Armed Services of the House of Representatives, headed by Representative DEWEY SHORT, Republican of Missouri. This report was highly pessimistic as to the petroleum outlook, both from a national defense standpoint and from the standpoint of the health of the national economy.

It urged that you direct the National Security Resources Board to set up a commission to investigate and report on the Nation's oil problem and to present to Congress a rounded-out national oil policy. While the commission suggested by the subcommittee would differ somewhat from the type of committee recommended by the AAA, we feel that the important and urgent thing is to get the study underway now, and we therefore heartily endorse the subcommittee's recommendation.

Under the recommendation there would be included on the commission representatives of the public, and in this connection we submit that it is of the utmost importance that highway transportation be represented.

Yours respectfully,

R. J. SCHMUNK,
*President.*

---

U. S. HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 14, 1948.*

Mr. R. J. SCHMUNK,
*President, American Automobile Association, Washington, D. C.*

MY DEAR MR. SCHMUNK: Thank you very much for your kind letter of May 10, 1948.

On behalf of the members of our special subcommittee of the armed services to study petroleum, I wish to express appreciation for the complimentary things you say about our oil report. We are naturally very much pleased with the fine reaction from prominent people and organizations all over the country to the study we have made.

It is gratifying to know that a great organization such as yours, which is well acquainted with this complex and vital problem, is fully aware of the crying need for an over-all study to establish a permanent national oil policy that will safeguard the interests of our Nation.

While your association might differ with our subcommittee on the kind of commission to be set up by the National Security Resources Board to study the oil problem, we certainly agree with you that the important thing is to get the study under way. The imperative need is for quick and positive action, particularly so far as our national security is concerned.

With kind regards, I am

Sincerely yours,

DEWEY SHORT,
*Chairman, Special Subcommittee on Petroleum.*

## EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

### THE LABOR SITUATION IN ST. PAUL, MINN.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, while worrying about Russia, why not do a little on our own account?

#### A LITTLE WORRYING ON OUR OWN ACCOUNT

The railroad strike which, if continued, would have sent many of us hungry to bed, the coal strike which, had it persisted, would have kept many of us shivering from the cold, are over—temporarily. But the daily press tells us that armed goon squads in Detroit are preparing to, by force, as similar squads did in 1937 and since, keep men and women, who must work if they would eat, from their jobs, and, incidentally, if resisted, crack a few heads.

In far-away California, workers in the fields are threatened with violence if they attempt to harvest vegetables to be shipped east to feed us.

In city after city, by force, packing houses which process the farmers' cattle and hogs so that you and I may have meat, lard, and a half dozen byproducts, are keeping those whose services are necessary if the industry is to continue to serve us, from their jobs.

The morning press states that in South St. Paul, Minn., some 200 angry nonstrikers who want to work crowded into the office of Governor Youngdahl and demanded that they be given protection which the police were unable to give. Twenty-one officers endeavoring to open packing-house gates were knocked to the ground by the strikers, and the press reports that previous appeals for protection to Governor Youngdahl, who is one of Stassen's ardent supporters, were unavailing.

Youngdahl is reported to have said that he would not mind pushing a few of the scabs around. That is only rumor. Let us hope it is not true—that the Governor makes that plain.

It might be suggested to Mr. Stassen, who is criticizing the Taft-Hartley Act, that he go home and talk a little to his own Governor about law enforcement and violence, the destruction of property and labor relations generally. No doubt such a talk would be politically embarrassing to Candidate Stassen. It might offend his CIO supporters, but people generally would approve, for they are not in favor of disobedience to civil law.

That country papers are not fooled by Stassen's suaveness, his verbal gymnastics, or his ability to avoid direct, clear

answers to questions, is shown by a typical editorial of May 6 from the Allegan Gazette published in Allegan, Mich., by a son—of whom I have the honor to be the father.

The editorial reads as follows:

STASSEN USED F. D. R.'S TECHNIQUE IN OHIO

For the past few years Senator ROBERT A. TAFT has been the strong man of the Republican Party. While the rest of the potential GOP Presidential candidates were standing around doing their stint in political side shows with dampened fingers in the wind to see which way the winds of political expediency were blowing, Senator TAFT was hard at work on a more stable, better Government.

As a result of his efforts the Taft-Hartley labor law was passed. It was a Republican measure passed by a Republican Congress. Naturally, TAFT made some enemies, mostly among labor leaders who saw the act as a threat to their powers.

Stassen went to Ohio intending to use this feeling against TAFT in the industrial centers in his fight for delegates.

To put it bluntly, Stassen—supposedly a Republican—sought the Democratic and labor vote in his quest for GOP delegates.

He didn't meet with any marked success, but in the opinion of the Gazette it is a sneaking, sniveling way to get delegates. Some call it politics, but it is not party politics—and it just goes to show that a man who fights for his country, his party, and his beliefs, even has a fight on his hands in his home State when a fellow party candidate seeks success by using opposition party votes.

Stassen is using the Grand Old Party exactly as Roosevelt used the Democrats—simply as a vehicle in which he plans a ride to power—and it's "to hell with the party" as far as he's concerned. (L. W. H.)

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to revise and extend the remarks he expects to make later in the day in the Committee of the Whole and include certain extraneous matter and newspaper clippings.

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there obpection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, it is not an accident—it is no mere matter of chance that the people of the State of Georgia are stanch believers in liberty, States rights, and individual freedom.

Founded in 1733 by Lord Oglethorpe, Georgia was 43 years old when she and 12 other British Colonies in the new world proclaimed the United States of America a free nation. Since 1776 when independence was claimed through that famous document, down to this good day, Georgians have regarded liberty as a divine blessing, carrying with it the obligation and responsibility to defend it.

Typical of the Georgian's gratitude to Almighty God and of his love of liberty and independence, are the opening words in an order of Gov. Samuel Elbert appointing three public officials in the year 1785, while the recollections of the struggle for independence were fresh in the minds of the people. This public document began with these words:

The people of the State of Georgia, by the grace of God free, sovereign, and independent.

While we do not begin our public documents with those words today, nevertheless it does not embarrass the people of Georgia today to acknowledge our gratitude to Almighty God for liberty, nor to assert that we are, by His grace, free, sovereign, and independent.

While there are in some sections of our country being developed hotbeds of communism and subversive activities, unmistakable evidences of which we have seen in this Capitol within a matter of hours, Georgia is endeavoring to instill into the youth of her rising generation the lessons of civic responsibility, and the duties and obligations of citizenship, which go hand in hand with freedom and liberty.

It is a matter of pride to me that there are in Washington today nearly 1,000 boys and girls from the Fifth Congressional District of Georgia, who are here to participate in the annual exercises honoring those fine boys and girls all over the United States, who constitute the school safety patrol. I think that this recognition of their work with the police departments of their respective cities is a great inspiration and incentive to good citizenship. Early in life they are being given opportunity to make a contribution to safety and law enforcement, and their acceptance of this opportunity is most gratifying.

I ask the indulgence of the Members of the House today that I may extend to these boys and girls from the Fifth District of Georgia a hearty welcome to the seat of our National Government. They are accompanied on this visit by officials of the city of Atlanta, of Fulton County, of De Kalb County; by Chief Herbert Jenkins and officers of the Atlanta Police force; by Chief Neal Ellis, Sheriff Bud Foster, and officers of the Fulton County Police force; by Sheriff W. L. Broome, of De Kalb; by Fulton County Commissioners Charlie Brown, Tom Camp, and R. L. Doyal; by Mrs. L. H. Axelrod, president of the Atlanta Parent-Teachers Council; by Mrs. Z. V. Peterson and Mrs. Warren H. Bradley. Also accompanying these boys and girls on this trip are Capt. Marion Riley, Fulton County Police force; Sgt. Nich Eason, Fulton County Police force; Assistant Chief Kohler, East Point, Ga.; and Officer Paul Smith and J. L. Carney, of the Atlanta City Police force. This is a fine group of boys and girls, who in just a few more years will take their places of adult responsibility in the ranks of America's good citizens.

Last year only about half this number of our boys and girls came to Washington for these ceremonies. This trip has been made possible this year for nearly twice the number through the contributions of time and money of many public-spirited citizens and groups of our district. One of our public-spirited citizens of Atlanta, Mr. William A. Cetti, turned in a total of $1,655 toward the expenses of this trip, which was contributed by civic-minded, public-spirited citizens and organizations, including the Atlanta Federations of Trades, Painters' Council and Local Unions, Fulton County Employees' Union, Fraternal Order of Eagles, electrical workers' union, iron molders' union, sign painters' union, paperhangers' union, plumbers' and steam fitters' union, Cascade Heights Service Station, elevator constructors' union, fire fighters' local union, carpenters' union, sheet metal workers' union, Williams Printing Co., street railway employees' union, brickmasons' local union, Fulton County local union, ironworkers' local union, machinists' local union, and bakery workers' local union. Individual contributions also were made by public-spirited citizens, and a substantial contribution by the Decatur Order of Elks.

It gives me pleasure to welcome these members of the school safety patrol, and those officials and friends who have accompanied them, without whose presence and care the trip would not have been possible. I express the sincere hope that this visit will be enjoyable to them in the fullest sense of the word, and that they will return in safety, carrying with them a better understanding of the workings of our National Government, and a renewed devotion to her free institutions.

PALESTINE-JEWISH STATE

Mr. ISACSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISACSON. Mr. Speaker, tomorrow, May 15, 1948, is a historic day for the Jewish people of the entire world. Tomorrow after hundreds of years of dispersion, the Jewish people are going home. The Promised Land becomes a reality for the homeless Jews who now line the seaports of the Mediterranean, their faces turned toward the Holy Land. For them it means that they will return to the land of Israel, where for them there will no longer be any homelessness.

I am aghast at the efforts being made even at this late moment by the administration to prevail upon the pioneers in Israel that they do not set up their Jewish state. It is testimony to their courageousness that disregarding all the monstrous pressures that are being put upon them that tomorrow, May 15, that Jewish state will be set up. The Jewish people are not the derelict objects of charity. They are a proud people. They ask that they live in peace and dignity as a nation among nations, and be permitted to take their place in the world as a member of the family of nations. I raise my voice in salute to the new Jewish state—Eretz Yisroel.

I raise my voice in praise of its heroic defenders.

I raise my voice and call out that our own administration recognize this new state and forthwith raise the embargo against supplying it with arms.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CONSENT CALENDAR

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next to call the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PALESTINE JEWISH STATE MUST BE RECOGNIZED BY THE UNITED STATES

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, Americans of all faiths and beliefs must have derived great satisfaction—as I did yesterday—when the Jewish State was proclaimed in Palestine. I felt as if my eyes had witnessed the unfolding of a glorious chapter of Biblical history. Twice before, the Jewish nation had risen and fallen. And now it was born again, almost within our vision.

This latter day miracle could not have been accomplished by a people less loyal to their dreams and convictions than the Jews. A Jewish poet once wrote:

> Give us a stone on which to rest our heads; then we shall dream of home.

Perhaps in this single line, may be found the reason why the Jewish people have struggled so ardently for their promised land. A Jewish homelessness for 19 centuries, multiplied by the almost continuous persecution of Jews during this period, has made the idea of a national home an omnipresent dream in the minds of the Jewish people. Today, that dream is a reality. The Jewish state has been reestablished in the land of Abraham, Isaac, and Jacob.

The United States cannot be indifferent to the great political event which unfolded itself yesterday in the Holy Land. Nurtured in the finest traditions of our own American democracy, the Jews of Palestine have created the only true democratic state in the Middle East. If for no other reason than our ideological kinship with this newest democracy, our Government should extend the hand of friendship to the Jewish state in Palestine which is still in the throes of its birth pains.

But there are other reasons why we should welcome the new Jewish state and accord to it our benevolent recognition. The Jewish national home in Palestine had received the strongest support of the American people ever since its creation in 1917. President Wilson stated in behalf of our Government in 1919:

> I am persuaded that the Allied Nations, with the fullest concurrence of our own Government and people, are agreed that in Palestine shall be laid the foundations of a Jewish commonwealth.

This declaration was followed a few years later by an official recognition of the Jewish National Home in Palestine by the United States in the Anglo-American Convention of 1924. Two congressional resolutions, adopted by both Houses of the Congress, affirmed American sympathies in favor of the ideals of Zion. Statements of support for Jewish aspirations in the Holy Land were issued by every American Chief Executive since President Wilson. Six months ago, the American delegation to the General Assembly of the United Nations led the fight at Lake Success for the establishment of a Jewish state by advocating the adoption of the partition plan for Palestine.

All these facts and events have contributed toward a traditional American policy of interest and friendship for Jewish national aspirations in Palestine. Recent military events in the Holy Land, coupled with yesterday's official proclamation by the Jews of Palestine announcing the existence of the Jewish state, cannot be lightly regarded by a government which now faces world events with a more realistic outlook than ever before. The partition of Palestine was ordained by the United Nations. It is now a fact. The Government of the United States should accept this fact—which it helped bring about—by extending hearty felicitations to the Jews of the world on the occasion of the fulfillment of their dream of Jewish statehood. I feel sure that most of my distinguished colleagues in Congress, as well as the overwhelming majority of the American people will want to join in these sentiments.

I know of no people more deserving of statehood. I know of no people who have made such outstanding contributions to world civilization and to the welfare and progress of every land in which they lived and live, and yet went on dreaming of and fighting for national renaissance in their own historic land.

There was a time when the United States of America could feel rightfully proud of its attitude, policies, and action on behalf of the Jewish people. In years gone by, we opened our own gates to Jewish immigration without any discrimination. But more than that, our Presidents have appeared time and again as the champions of Jewish rights in the world. Wherever Jews were persecuted, they knew that they could look to Washington for protection and sympathy. Wherever anti-Jewish persecution took place, the United States could be counted on to step in and raise its voice in defense of the Jewish people.

During the last few months, the Government—though not the people of this land—seems to have deviated from the path of clear and full-fledged support for the reestablishment of the Jewish state in Palestine. At a time when the Jewish people, massacred by the millions and brutally persecuted in Europe, needed our help most, I am afraid we failed them. Considerations of oil, great power rivalry, and imperialist interests proved to be stronger with our Government than basic humanitarian principles, and commitments and obligations, freely and publicly undertaken by us.

I, for one, have had very great doubts all along with regard to the interpretation of our national interest in the Middle East as adopted by certain circles in the State Department. I could not help feeling that what the United States should have been interested in in the Middle East, as everywhere in the world, was the creation and furtherance of democratic communities, and not the freezing of the present reactionary, feudalistic, and backward set-ups.

When I consider our interests in the Middle East from a long-range viewpoint, I say to myself that, politically, we would want the lands of the Middle East to practice democracy as we do here. Socially and economically, we would want them to develop in a manner which would improve the local conditions of life and open up both the resources and the markets of the region. In other words, however we look at it, American interests, seen from a long-range view, dictate speedy modernization of the Middle East in all spheres of human endeavor.

Now, even people who know very little about that crucially important area of the world know that thus far there is only one vanguard of progress and modernization in the Middle East, and that is a Jewish state in Palestine. In recent weeks, Jewish Palestine has shown that, small as it is in size and population, it possesses not only the greatest industrial, economic, and cultural potential but also the most powerful military potential in the Middle East.

The creation of a Jewish state in Palestine is not only a great historic event which will provide a solution for one of the greatest tragedies in the world but is also a very hopeful development in world politics from the American point of view. Our mistaken policies have already done considerable damage to our prestige and to the prestige and authority of the United Nations. Let us not repeat this mistake. Let us see things straight. And when we see them straight we shall be happy that at long last the Jewish state in Palestine has become a fact. Let us welcome the Jewish state into the family of nations and establish relations of lasting friendship with this vanguard of western civilization in the Middle East. United Nations obligations, moral obligations, and spiritual obligations demand that the Government of the United States recognize the new Jewish state, Israel.

COMMITTEE ON RULES

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight of Monday next to file any rules it may desire to report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and further ask that I may include certain extraneous matter in the remarks I expect to make in the Committee of the Whole today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time in order to announce the program for next week.

It is expected that the rule making in order the anti-Communist bill will be adopted and that general debate will be concluded on the bill today.

On Monday the only order of business will be the memorial services. I take this opportunity to express the hope that as many Members as possible will be present for these services.

I have arranged for the calling of the Consent Calendar on Tuesday; and, of course, the Private Calendar will be called on Tuesday. I understand there is an omnibus bill on the Private Calendar that we may be able to dispose of on that day. Then, if general debate on the anti-Communist bill, H. R. 5852, has been concluded, and I trust that it will be, we will take up the reading of that bill for amendment.

As for the program for the balance of the week, as near as I can determine it now, we have as unfinished business before the House the bill H. R. 3642, the military installations bill. It is also expected that a rule will be granted on House Joint Resolution 161, providing for the World Health Organization. We also hope to take up House Concurrent Resolution 129, having to do with the investigation of the island possessions in the Pacific; House Resolution 591, making in order consideration of the bill S. 1006, amending the Mineral Leasing Act; and H. R. 2588, the postal service bill, pertaining to the operation of Government-owned motor vehicles. In addition, other rules may be called up, possibly including the extension of the Reciprocal Trade Agreements Act.

SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 582 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 5 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Un-American Activities, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Un-American Activities now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH] and yield myself such time as I may require.

Mr. Speaker, this resolution provides consideration of H. R. 5852, a bill to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

If this rule is adopted—and I am sure it will be—it will provide consideration of a bill which is urgently needed to protect the United States and the American people from the threat of slavery under the Russian totalitarian system of government.

Russia has made it plain that nothing will satisfy the lust for power and the greed of her dictator except the complete enslavement of the entire world. The Russian war machine has crushed many of the smaller countries of Europe and imposed the Communist dogma upon them. The armed might of this Nation, which is growing, and which will continue to grow each day, is a warning to Russia that her military tactics will avail her nothing toward establishing communism in the United States. But she is relying on another Communist tactic in her attempt to dominate America—Russia is trying to destroy the foundations of our Federal Republic by boring from within. At present we have defense against this Communist infiltration, but this bill provides us with considerably more.

This bill will make it a crime to conspire or to engage in any activity looking toward the establishment of a totalitarian dictatorship in the United States to be under foreign control. It would deny Government employment to Communists. It would require Communist and Communist-front organizations to register with the Department of Justice. It would compel Communist organizations to label their mail with the word "Communist" and it would require them to describe themselves as Communists in every radio broadcast sponsored by them. In other words, one of the provisions of this bill is similar to the Federal laws which require manufacturers of poisonous substances to label their product "poison."

An organized campaign against this bill has been in progress for the past several months. Members of Congress have been deluged with printed cards and form letters originating in two or three different cities. The cities of which I speak have always been known as the hotbed for subversive activity, and I am not suprised that the opposition to this bill originates there. It is undeniable that some opposition has arisen to this bill. Some of this opposition comes from loyal Americans who are misinformed about the purposes of the bill; but let us inquire into the nature of the greater portion of this opposition. From what quarter and from what kind of people does this opposition come? The most casual knowledge of human nature tells us that it comes from those whose activities would be restricted by the bill. Well, let us see who those people are. Their identity is more or less obvious from a cursory reading of the bill.

The bill makes it a crime for any person to conspire or attempt to set up a totalitarian dictatorship in the United States if such dictatorship would be under foreign control. It is obvious that this bill will be opposed by all those who advocate the overthrow of this Government.

But these opponents of the bill have not even the courage and honesty to come out in the open and say, "I oppose this bill because I am a Communist, and this bill will restrict my activities." Of course, they do not say that. Honest men could be expected to state their opposition to a measure in an honest, forthright manner; but you could not expect such honesty from those whose activities this bill seeks to restrict. My point, in a nutshell, is this: Communists are ashamed to admit they are Communists—like lepers are ashamed to admit they are lepers. Even the Communists recognize communism as a loathsome disease, and they are ashamed of their affliction. That is the reason most of the opponents do not state the true reason for their opposition—they are ashamed of it. As you would expect, the opponents of this bill criticize it as "unconstitutional" fascistic and arbitrary. They rely upon hackneyed generalities in an attempt to influence some loyal Americans against the bill. Our action here today will show whether Congress has been bamboozled by these Communist tactics.

But let us consider some of the generalities that have been offered in opposition to this bill. First, its critics say it is unconstitutional. In answer to that objection, I would like to point out that some of the greatest constitutional lawyers in the country have passed on this bill, and they have held that it is constitutional. Now, these Communists might have advance information on how the Supreme Court will decide on this bill—they may have information about the Court and its members which is not available to me—but I agree with the constitutional lawyers—who are guided by past interpretations of the Constitution—I believe the bill is constitutional.

Now, as for the bill being fascistic. I think we can take that criticism with a grain of salt. Communists label everybody a Fascist who opposes communism.

and I am not surprised they have applied the label to this bill.

Another criticism offered to the bill is that it vests within the Attorney General the arbitrary power to prosecute, try, and judge persons violating the provisions of the bill. When I heard this objection to the bill, I was not only surprised—but also mildly amused. Here are the people who have long advocated the persecution and harassment of businessmen through administrative processes. Here are the people who wanted to continue forever the control measure under which Government bureaus would prosecute, try, convict, and punish businessmen. These people who wanted to see the free enterprise system crushed—and our Nation's businessmen bankrupted—through a systematic persecution under the New Deal—these people say this bill puts too much power of discretion in the Attorney General. To this objection I would say that the New Dealers who built the present administrative guillotine for businessmen should have remembered the fate that befell Dr. Guillotine. He learned that a knife cuts both ways—and now the New Dealers are being taught the same lesson. Their invention of the bureaucratic system is going to be used against the closest allies of the New Deal—the Communists.

Under this rule, the bill may be debated for 5 hours. This is a most generous amount of time in view of the present pressure of other business, but the Rules Committee realized the importance of this bill, and recognized that a good many Members would want to express themselves on it.

The Rules Committee was asked to divide the time equally between those favoring the bill and those opposing it. In harmony with the weight of precedent, and in view of the general sentiments of the Members, the time has been alloted in the usual manner; one-half to the chairman and one-half to the ranking minority member of the Committee on Un-American Activities. However, the Rules Committee has been assured that fair distribution of the time will be made by those in control of it, and those opposed to the bill will be given ample time to express themselves.

Points of order against the bill have been waived to protect it from parliamentary technicalities.

I think a great majority of us are in general agreement with the purposes of this bill, and I am sure we all appreciate the tremendous amount of work the members of the Un-American Activities Committee have put into this bill. They have conscientously devoted themselves to their task, and I think they deserve the gratitude of the American people for the remarkable job they have done.

I doubt that there are more than a handful of Members who will vote against this resolution, and thereby try and prevent consideration of this bill which is so urgently needed to protect the American way of life.

Mr. SABATH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, considering the action of the House yesterday with respect to House Joint Resolution 342 directing all executive departments and agencies of the Federal Government to make available to the committees of the House and Senate information and confidential reports in their files and the vote thereon, I fully realize that anything I might say will not change any votes on the rule or bill now before us for consideration.

Personally, I regret exceedingly that the chairman of the Rules Committee has seen fit to try to besmear the fair name of three large cities. I want to say to him that the people of these three large cities were, and are now, just as patriotic and loyal in the First and Second World Wars as the people residing in the gentleman's district in Illinois. Though the cities may have a large population of citizens of foreign parentage, they have clearly proven their loyalty and patriotism and I feel it is unfair for the gentleman to make such statements.

I also resent the statement that only those who are in favor of overthrowing our form of government will oppose this resolution and regard it also as unfair, unjustified, and unwarranted.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I regret I cannot yield. I have promised time to many Members. I cannot even make the speech I had expected to make because there is not sufficient time. In view of the limited time for debate, therefore, I am obliged to forego much that I wanted to say and will confine myself in giving briefly the underlying reasons as to how and why this resolution and bill comes before the House.

Mr. Speaker, I was in hopes of giving the House an authoritative résumé of the factual history covering the creation of the Committee To Investigate Subversive and Un-American Activities in 1935 and its activities up to the present. At that time it was evident that Hitler's stooges and paid agents, under the leadership of Sylvester Viereck, Pelley, the Nazi Bund, and many others were active in their attempts to create discord in America. The working Nazis and Fascists in our country then were the real danger to our democracy and it was borne out by the report of the investigation made by the gentleman from Massachusetts [Mr. McCORMACK], chairman of the first investigating committee. On his committee's recommendations, Congress adopted two measures to safeguard our interests.

Shortly after the expiration of the life of the McCormack committee—it had been authorized to investigate during the Seventy-fourth Congress—it was ascertained that un-American and subversive, and even seditious, activities were continuing. I advocated the passage of a second resolution to extend the investigation and succeeded in having the Committee on Rules to report it favorably and the gentleman from Texas, Mr. Martin Dies, was appointed chairman of the second committee. He pledged himself to the then Speaker, to me, and to the House that he would fearlessly continue the work begun by the gentleman from Massachusetts [Mr. McCORMACK]. But, unfortunately, instead of investigating the Bund, Nazi, and Fascist activities, his committee devoted itself to investigating labor organizations and various departments. At that time there was no hysteria against communism.

But, as J. Edgar Hoover, Director of the FBI, stated, yes, and as has been stated by the proponent of this bill, the gentleman from South Dakota [Mr. MUNDT], the Nazis and Fascists are just as dangerous to the welfare of our country as are the Communists.

I was fully aware of this and consequently demanded that Mr. Dies' committee begin investigating—as was intended—the activities of the Nazis and Fascists in the United States. This was in 1937, 1938, 1939, and before we were forced into preparing our defense against the fast approaching danger of fascism and nazism in our own country.

Gen. "Wild Bill" Donovan was urged to make an investigation as to the spending of the millions of dollars by Paul Goebbels, Hitler's propaganda agent in the United States, in Mexico, and in Central and South American Republics; and the various organizations that were formed and financed by the Nazis to create fifth column in our country.

The failure of Mr. Dies' committee to devote itself to investigating these manyfold seditious activities on the part of the Hitler hirelings and quislings was the reason I was obliged to point out the failure of the committee to perform its duties as contemplated by the resolution. I have continued to insist that the Fascists and all subversive activities as well as communism should be investigated.

Mr. Speaker, unfortunately, the committee, even after Mr. Dies ceased to be chairman, has followed the same course and, instead of investigating Nazi and Fascist activities, continued to investigate labor unions and Government departments, and overlooked the activities of those who had cooperated with George Sylvester Viereck, the German-American Bund, and other organizations that were spreading subversive propaganda. It was the investigative work of the Federal Bureau of Investigation at that time that was responsible for the indictment of many persons for alleged seditious acts and convictions were later obtained.

Consequently, I still continued to insist that the committee should investigate all un-American activities, not excluding in any way the so-called communistic fronts. To me all who conspire and work to aid our enemies and create discord in our country should be investigated and their activities brought to the attention of the American people. But I repeat, unfortunately, the Committee on Un-American Activities, with the exception of one short hearing as to the Nazi activities, has devoted itself to assailing and attacking thousands of progressive, patriotic, and loyal organizations and citizens. This, it appears to me, is being done to destroy organized labor.

It seems to me that we are following closely the pattern and policies of Hitler, who, with the aid given him by the I. G. Farben cartels and by other industrialists in Germany, brought about the overthrow of Germany. The industrialists who financed Hitler were made to believe and did believe that their interests would be amply safeguarded by a Fascist government, under which they would be

able to destroy the then to them annoying labor organizations. They succeeded with Hitler by making communism the issue and it seems to me that the pattern of that policy is being duplicated in this country.

Mr. Speaker, ever since the end of the war propaganda has been carried on in this country by certain militaristic gentlemen and by a large group of industrialists who seek to blind the American people from the real danger of the Fascist-minded groups in our country. I concede that, after the Pearl Harbor attack, some of the Fascist-Nazi subversive activities ceased. But the activities of the Committee on Un-American Activities continued with full force against the communistic fronts and today they are still continuing in their efforts and have succeeded in creating, with the aid of the brass hats and the Wall Street industrialists, a war hysteria which is costing our country billions upon billions of dollars as well as great anguish and fear to our people. Because of this existing fear and hysteria, we have before us this bill.

It has been my hope and the hope of the American people that, after defeating the Nazis and Japs, peace would be established, and how much better and more humane it would be if we would devote ourselves to aiding the United Nations to attain the peace for which the masses of the people all over the world are seeking and praying. Naturally, the people are opposed to any activities that may bring about a third world war because we are still bringing back the 300,000 young men who gave up their lives fighting for democracy and to bring about freedom and peace to the world.

Six months ago, the Republican leaders, having no issue to present to the people in order to obtain their vote, decided to make communism the issue for the Presidential campaign and have endeavored to insinuate and even charge that the Democratic Party is receiving support from groups you have designated as communistic fronts.

Although I am not completely in accord with some of President Truman's actions, I surely looked with real satisfaction and pleasure when he clearly demonstrated to the country that neither he nor the Democratic Party, in any way, condones or seeks the support of any party that is not wholeheartedly in favor of our democratic form of government. President Truman issued an Executive order urging every department to eliminate anyone connected in any way with any communistic front. This naturally has taken the wind out of the sails of the Republican program. Nevertheless, to offset this action you have decided, in desperation, to utilize the Committee on Un-American Activities to obtain publicity in order to hide the activities of the Fascists and keep alive your original aim to feed the American people with the dangers of communism.

The Republican candidates for President, Mr. TAFT and Mr. Dewey, have gone on record against these activities and against such unfair tactics as proposed in this legislation.

Mr. Speaker, up to this time I have devoted my remarks in briefly giving the history and activities of the three committees of the House that have been engaged since 1935 in investigating alleged subversive activities against our country and I have given my honest opinion of the actions of the three committees and the underlying reasons that have impelled the introduction and consideration of the proposed legislation before us. I wish to assure the membership and the country that I am as much opposed to communism as is any other Member of this body and I am confident that my 42 years' service in this House will prove not only my loyalty but will attest to my continuous efforts in the interest of democracy and our democratic form of government which, as I have frequently stated, excels that of any other government in the world.

Mr. Speaker, I shall now direct my remarks to the pending bill, H. R. 5852, to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

Mr. Speaker, the bill of my esteemed colleague the gentleman from South Dakota [Mr. MUNDT] is not ripe for consideration on the floor of this House. It is proposed major legislation on which no hearings have been held and with implications which neither the public nor this House of Representatives has had adequate opportunity to study and appreciate. It is, in my opinion, a revolutionary bill. It is a bill which, if enacted, will threaten the freedom of speech and assembly of every American citizen. It is a bill which can be used to destroy hundreds of legitimate and useful organizations, and to render impotent the political, social, and economic will of their members and of millions of citizens generally. It is a long step toward fascism in this country.

I have seen thousands of bills come to the floor of this House, and some of them were "lulus," but never have I seen a bill that was more dangerous or more threatening to American democracy.

This bill permits the Attorney General to suppress organizations by requiring them, on the basis of vague standards, to register as Communist organizations. These standards permit the imputing of guilt by association and a blacklisting for the mere holding of views. Suppression of free speech and free assembly by this device violates the first amendment to the Constitution, just as much as a statute which directly prohibits speech or assembly under threat of criminal penalties. The Supreme Court has repeatedly said that free speech cannot be abridged by either direct or indirect means. In Thomas against Collins, the Supreme Court said:

> As a matter of principle, a requirement of registration in order to make a public speech would seem generally incompatible with an exercise of the rights of free speech and free assembly.

Yet this bill comes to us without the public committee hearings which are designed to help shape proposed legislation, to reveal constitutional and policy defects, and to subject it to the test of public reaction.

The Legislative Subcommittee of the Committee on Un-American Activities has held hearings only on the general subject of what action should be taken against communism. It has not held any hearings on this particular bill. Yet there are all kinds of provisions and possibilities in the bill which go far beyond any questions relating to communism. Let me give you just one small example.

Under section 13 of the bill the Attorney General is given certain powers to compel testimony and the production of records by use of subpenas. The Attorney General could, under the very loose standards of the bill, use this subpena power to discover the membership of any and every labor union. Now, here is certainly a great legislative departure. Every Member of this House is aware that labor unions have always insisted, as a matter of self-protection and even of self-preservation, on the right to keep their membership rolls private. Yet here, with a sort of backward, thoughtless sweep of the hand we abolish that right. Has labor been consulted? No. Has the House Committee on Education and Labor been consulted? No. Has the public been informed and given an opportunity to react? No.

Mr. Speaker, this bill is, and I quote from its title, intended "to protect the United States against un-American and subversive activities." There is nothing I am more wary of than offers of protection. Some people would protect us to the point where we are perfectly safe—in jail. Some of the most dangerous threats to our liberties come from persons who would give them lip service.

This bill, Mr. Speaker, proposes something entirely foreign to the American constitutional system. It permits an administrative officer, one who is always a leading figure of one political party—the Attorney General—to outlaw organizations of American citizens. And this is not just a far-fetched possibility. If the Attorney General should employ the criteria which have been used again and again by the very committee which sponsors this bill, he would, like that committee, find that hundreds of liberal groups are subversive.

The Washington Post has very accurately described the power the bill would give the Attorney General. I quote:

> It is an authority to stigmatize whole groups of citizens as disloyal, to inflict on them, without trial, extremely stringent penalties, and effectively to limit their freedom of expression. Under the terms of the bill, an Attorney General might well feel warranted in classifying Henry Wallace's third party as a "Communist political organization" or a "Communist-front organization." Either classification would be tantamount to proscription.

Mr. Speaker, I never thought I would see the day in this country when a man of one party could proscribe a whole competing party.

Despite the brief time that this bill has been available to the public, it has already been denounced as a threat to our way of life by many organizations and societies representing millions of people from all walks of life and from all sections of our country.

I implore the Members of the House, Mr. Speaker, not to subject us to ridicule

by hurrying this half-baked bill through to a vote; not to endanger the liberties of our people not to discredit our congressional processes; not to violate the Bill of Rights. Let us not, after all these years, reproduce the foul spawn of an earlier period of hysteria—the Alien and Sedition Acts enacted as a result of the Jacobin Jefferson movement.

Mr. Speaker, in conclusion, I will merely make this observation: This measure would clearly nullify the fundamental freedoms granted to all persons by the Bill of Rights and would constitute a vast bill of attainder as well. It would deny to all Americans the right of political speech and assemblage. It would subject to fine and imprisonment vast numbers of people for no other reason than disapproval of their views by the Attorney General and would establish a police state with the abhorrent principle of guilt by association in place of a political democracy rooted in America's historic tradition of individual liberty.

Mr. Speaker, I ask unanimous consent that I may extend my remarks and include therein a small number of the many telegrams and letters I have received, not from persons and organizations in the three cities of which the gentlemen spoke disparagingly, but from all over the United States, from outstanding men who love this country, who believe in our form of government, and who have no connection with any subversive activity or organization. I have hundreds of them.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. BUCK. Mr. Speaker, reserving the right to object to the inclusion of these various communications, I wonder if the gentleman will tell us how many communications he expects to put in the RECORD.

Mr. SABATH. As a rule I do not abuse the privilege. I will put in a dozen. I have about 3,000 of them, but I will put in about a dozen.

Mr. WALTER. Mr. Speaker, I reserve the right to object in order to ask the distinguished gentleman if there is anything in this measure that would interfere with the right of workers to fight for wage increases.

Mr. SABATH. Mr. Speaker, I actually believe this measure is aimed at organized labor more than it is the Communists. I think this measure will perhaps drive the Communists underground and will create more Communists, unfortunately, than we have now. This measure, in my opinion, is aimed at organized labor.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, under the permission granted me, I insert a few of the telegrams sent me in opposition to the bill, as follows:

CHICAGO, ILL., *May 11, 1948.*

Hon. ADOLPH J. SABATH,
*House Office Building,*
*Washington, D. C.:*

The Chicago Teachers Union, representing 7,200 public school teachers in Chicago affiliated with the American, Illinois, and Chicago Federations of Labor, respectfully requests that you oppose the Mundt bill. The teachers union believes this bill is un-American and dangerous to the liberties of loyal American citizens.

JOHN M. FEWKES,
*President.*

---

MUSKEGON, MICH., *May 2, 1948.*

Representative ADOLPH J. SABATH,
*House Rules Committee,*
*House Office Building,*
*Washington, D. C.:*

We, the people of greater Muskegon, gathered to commemorate this historic May Day, request defeat of the un-American Mundt bill, H. R. 5852.

JAMES P. CARROLL,
*Chairman, Muskegon May Day Celebration Committee.*

---

DALLAS, TEX., *May 6, 1948.*

Hon. ADOLPH J. SABATH,
*Minority Leader of House Rules Committee, House Office Building:*

Our members appreciate your support against the Un-American Subversive Activities Control Act, H. R. 5852, and trust you will keep this bill from leaving the Rules Committee. Regards.

C. J. MESKE,
*International Representative, ILWU-CIO.*

---

WINNETKA, ILL., *May 13, 1948.*

Hon. ADOLPH SABATH,
*House of Representatives,*
*Washington, D. C.:*

Commend opposition to Mundt-Nixon bill. Strongly oppose this bill on grounds that unless treasonable action as defined in the Constitution is proved against those individuals and organizations involved this bill violates their constitutional rights.

VIRGINIA S. DEANE and RUTH LINNELL.

---

RICHMOND, IND., *May 3, 1948.*

Hon. ADOLPH J. SABATH,
*House Office Building, Washington, D. C.:*

Demand that you testify against Mundt bill. This bill (H. R. 5852) will utterly destroy our Constitution and bill of rights and would establish a police state in America. This bill which is called subversive activities control bill is actually aimed at everyone who believes in democracy. It must be defeated.

VIRGINIA BOND LARKEY.

---

PHILADELPHIA, PA., *April 29, 1948.*

Hon. ADOLPH J. SABATH,
*House Office Building, Washington, D. C.:*

The Mundt bill, H. R. 5852, would make illegal support of almost any type of social reform and thus constitutes a dangerous attack on civil rights. Therefore urge you to deny this bill a rule.

ALEX FREUND,
*Philadelphia Chapter, Civil Rights Congress.*

---

NEW YORK, N. Y., *April 29, 1948.*

Hon. A. J. SABATH,
*House Office Building, Washington, D. C.:*

Speaking for 30,000 members New York State Progressive Citizens of America insist you refuse to report out Mundt bill to House floor. Bill is monstrously unconstitutional. Attempt to stifle free thought. If passed would in effect make advocacy of peace, housing, health education, price controls, a criminal offense. Unless you want home-grown fascism you must speak out against it.

PAUL J. KERN,
*Chairman, New York State Progressive Citizens of America.*

INDEPENDENT PROGRESSIVE PARTY OF CALIFORNIA,
*San Francisco, Calif., May 4, 1948.*

Hon. ADOLPH SABATH,
*House of Representatives,*
*Washington, D. C.:*

(Copy of telegrams sent to Representatives HAVENNER and WELCH.)

We, the members of the San Francisco County council of the Independent Progressive Party, representing 16 clubs, protest the so-called Subversive Control Act of 1948, H. R. 8852.

This bill aimed at Communists in reality strikes at labor progressives everywhere, to nullify freedom of speech and organizations fighting for peace.

We demand that you speak out in the Rules Committee and in the Halls of Congress and vote "No" on the Mundt bill.

FRIEDA SALZMANN,
*County Director.*

Mr. Speaker, I commend to the reading of the membership and to the country an editorial appearing in the Chicago Sun-Times, of May 7, entitled "Controlling Subversives," as follows:

CONTROLLING SUBVERSIVES

The Communists are appropriately outraged by the subversive activities control bill, written by the House Committee on Un-American Activities. Nobody need worry much about that. Since Communists themselves have no regard for civil liberties wherever and whenever they take power, their hyprocritical championship of civil liberties where and when they are out of power should not fool anybody.

In considering this bill, however, Congress must take many things into account. The bill would declare the Communist Party and Communist-front organizations (to be defined by the Attorney General) as a menace to the country. All members of the party, and the officers of the front organizations, would be required to register. If they did not, the party and organizations would be illegal.

One point to be considered is that this approach has seldom proved to be an effective way to deal with communism. Sponsors of the bill argue that they are not outlawing the party, only requiring its members to register. But can you imagine the members of a conspiratorial movement meekly filing their names with the Attorney General? Real conspirators would never comply with the law. They would simply go underground.

As Gov. Thomas E. Dewey said at Portland Monday, in opposing Harold E. Stassen's proposal to outlaw the Communists, Canada, Italy, and even Russia itself found that merely declaring the party illegal or driving it underground didn't dispose of the movement.

There is another consideration far more important, which should weigh heavily with Congress in studying this bill. Regardless of what it might or might not do to the Communists, what would it do to the theory and practice of political freedom?

The American doctrine of civil rights, founded in the Constitution and developed over many years by the Supreme Court, holds that all citizens have the right to free speech and assembly—which implies free political action—so long as they offer no "clear and present danger" of substantive evil to our society and the lawful processes of democratic government.

The subversive activities control bill would make it a crime for any person "to perform or attempt to perform any act with intent to facilitate or aid" in bringing about a totalitarian dictatorship under foreign control.

While specific acts and conspiracies to overthrow our Government should certainly be outlawed—in fact, already are outlawed under other statutes—this language goes

much further. So far as the wording of the bill reveals, it would make even a speech or a vote cast for certain candidates a crime, even though the speech or the vote presented no real danger of overthrowing the Government.

Congress should carefully consider if there is any safe way to hit the subversive citizen without hitting others, too, except through the conspiracy statutes already on the books. If a subversive element is driven underground, the Government must be prepared with agents to hunt it underground. These agents can grow to multitudes, in proportion to the whisperings that suspicious and eavesdropping neighbors may invent about the use to which honest, law-abiding citizens put their basements or attics, their typewriters, automobiles, or ham-radio conversations. History shows that the most outrageous crimes against citizens have come from the agents of governments entrusted with the responsibility of protecting governments from alleged conspirators. It was these outrages upon the homes, papers, and persons of citizens that made mandatory the inclusion of the Bill of Rights in our own Constitution.

Communists and their fellow travelers deserve to be exposed, to be kept in the light of day. But a law which seeks to accomplish this by reviving dangers that would impair our doctrine of civil liberty is too big a price to pay.

We say: Let the Communists and fellow travelers talk, and let America answer them. Let the Communists and fellow travelers vote, and let America vote them down. Punish conspiracies to seize power, outlaw acts of revolution or violence—but don't undermine the freedoms on which our democracy rests.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CHADWICK].

Mr. CHADWICK. Mr. Speaker, I take advantage of this opportunity for an observation which may merit expression. Like so many of you, I am being inundated with communications about this Mundt bill. Many of these I can identify by signatures now familiar to me after 2 years in this House; I notice that these good people turn up at about this stage of each new piece of legislation which is, or can be construed to be, designed to bolster up the national discipline of this country of ours. They are dependably against legislation like that; in fact, they constitute one of the principal reasons why such legislation is necessary.

What concerns me far more are letters from people whom I know to be well-intending and responsible, but who proceed upon the assumption, first, that the information they happen to have about such legislation is both comprehensive and exhaustive; that their current ideas on the subject are by way of being the final authoritative conclusion; and that they are communicating with a Representative who knows nothing about the subject, or if he does, he knows it all wrong.

Just how to answer communications like these latter, I confess floors me. Like so many others among our colleagues, I make an honest effort to reply personally to my constituents; because I think that is part of my duty as a Representative. But how does one respectfully convey, to another free-born American citizen, the idea that he or she had better get his or her own mental house in order before he or she undertakes to dictate a course of conduct for others, particularly sworn public officers, to pursue?

Since I am about to be relieved of the necessity of being on the receiving end of correspondence like this, I am seriously considering making an application to the Rockefeller Foundation, or somebody, for an endowment to organize a national radio college of the air to educate constituents when to write to their Congressmen, and why.

No persons will be permitted to listen to the course who do not admit that they already possess more detailed and accurate information on all subjects of national legislation than do their elected representatives. This is to be no course for mere kibitzers; this one by the terms of its very foundation is for hardened old back-seat drivers who really know their stuff. Nor will we welcome any listeners who seriously question their own infallibility.

And to the group, so carefully selected and so screened, and to no other, we will—Mr. Rockefeller, that is to say, and the executive secretary of the program, which will of course be myself, at a proper annual compensation—propound one question, one starkly simple and simply stark question, which will be phrased as follows: Have you read the act about which you feel the urge to guide the man whom a majority of the people of your district elected as your constitutional representative?

Now, I estimate conservatively that 499 out of every 500 of my selected and blue-ribbon auditors will answer that question with an entirely honest and sincere, "No, but!" Under our rules—the Granick-Chadwick convention—the "but" will be eliminated; the answer will be registered as "no;" and an attractively printed certificate will be issued to the 499, attesting that they have automatically eliminated themselves as congressional correspondents on that subject.

The successful participators will be awarded one complete set of the Encyclopedia Brittanica, a copy of the Agricultural Year Book for 1943–47, a concise statement of the name of their Congressman, correctly spelled, with his correct Washington address, and 13 cents in United States stamps, because their expression of views, whatever they may be, will be worthy of quick and effective transmission to the addressee.

Such addressee, the average Congressman, will be vastly aided by whatever expressions this system produces; because he himself will have been kept too busy answering letters from less well-informed constituents to have had a chance to read the legislation himself. Armed with the wisdom so conveyed, and now fully equipped to discharge his constitutional duty, he will repair to the floor—stimulated by the urgency of the bells, warning that another vote is impending—and take his place in the serried, if not harried, ranks of the Members; keeping a weather eye on the majority, or minority, leader, as the case may be and fortunately is; and when his name is reached, he will answer with a decisive "aye," or perhaps "no," depending on various considerations, including among others his traditional devotion to supporting the committee, contempered with his recollection of what happened to the oleo bill.

Thus the end result will be another vindication of the processes of democracy; the Nation will wage on; the well-informed constituent will finally discover that his Representative took his advice or else he did not; and the foundation will, I hope, see to it that the regular monthly honorarium is duly forthcoming.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, I assure you that we feel no weakness in our cause that requires us to jockey for position in order to obtain the last word in the debate. Irrespective of when we speak on the issue, I know that time and events and the American people will vindicate the position we take on this rule and on this bill.

Mr. Speaker, this bill is the most far-reaching proposal that has ever been before the Congress of the United States. It definitely will change the form of government under which we have lived for over 150 years. Despite the fact the proponents of the bill will seek to make communism the issue, what is really the issue here is the Constitution. What is really involved here is whether or not we intend to preserve our Bill of Rights. The question before the House is whether or not we shall have the courage to defend the democratic traditions of our Nation and the democratic foundations on which our Government is based, despite the hysteria which is mounting every day to the accompaniment of the fast beating of war drums.

As the debate develops, I am absolutely confident that it will be established to the satisfaction of the Members of the House that this bill, beyond any doubt, violates the first amendment to the Constitution. It definitely violates the constitutional prohibition against guilt by association. It definitely is a bill of attainder, not in one respect but in several respects. It is an attempt to change our fundamental laws: that guilt must be established beyond a reasonable doubt to an arbitrary rule that guilt can be established by substantial evidence. It bypasses the age-old guaranty of a trial by jury. In fact, it makes a mockery of the time-honored trial by jury. It does violence to the constitutional guaranty of due process.

It most assuredly substitutes for the doctrine of guilt by judicial determination a doctrine which is alien and repulsive to our democratic system, and that is the doctrine of guilt by legislative determination and by executive decree. It is significant that the doctrine of guilt by legislative determination, against which our Constitution has laid down specific prohibitions, and the doctrine of guilt by executive decree, against which Americans rebelled and established this Republic, is a doctrine and a method adopted by both Mussolini and Hitler in order to seize power and to destroy the last vestiges of democracy in Italy and Germany.

I have before me two books. One deals with Mussolini's laws and the other is a compilation of Hitler's edicts. A comparison of various sections of the bill with Hitler's edicts and Mussolini's laws reveals a most astounding similarity. Fundamentally, the one similarity which has been a lesson to the people of Europe is that fascism always makes the Communists and the constitutional rights of the Communists the first objective of its offensive. That was the lesson of Fascist Italy. That was the lesson of Nazi Germany. Consequently, we must face the issue squarely, and that is that the defense of the constitutional rights of the Communists and of the Communist Party is, in the final analysis, in the light of the history of Fascist advances, the first line of defense of the democratic rights of all the people. History has proved that if the people of Italy and the people of Germany had defended the constitutional rights of the Communists and of the Communist Party there would have been no successful fascism, there would have been no successful nazism, and there would not have been imposed on this world World War II.

Let us go a step further. Not only does this bill make the Communists its first object of attack, but like all other brands of fascism——

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this time. I want to complete my statement. But, like all other brands of fascism, this domestic brand of fascism advances behind an anti-Communist attack and reaches out and destroys the rights of all those who disagree with the views of those who are today seemingly in power. Yes; this bill can be used against a consumers' group; it can be used against a labor union; it can be used against a tenants' group; it can be extended against any group that has incurred the disfavor of those who are today in the saddle and riding hard and roughshod over the life, peace, liberties, and economy of the American people. It can, and it will in all likelihood, be used against independent political movements, particularly the Wallace movement, which is today making the fight for the preservation of peace. This is not the first time that this legislation has been attempted and under similar conditions. It is indeed amazing how history repeats itself. Back in 1798 we had a similar situation. Then, too, a republic had been established by revolution, the Republic of France, and then, too, under the administration of President Adams, the war party became a bipartisan combination, and every effort was being made to plunge these United States into war against a country that had been our ally.

As against that bipartisan war party a new party was being established by Thomas Jefferson. He, too, was called names, and his followers were called names. Jefferson was called a Jacobin. The Jacobin Party, as you well know, was the leading revolutionary party of Republican France. Jefferson's patriotism was also impugned. He was called a Frenchman, a lover of Republican France. Jefferson and his followers were called foreign agents. The followers of Jefferson were subjected to that kind of treatment from the press and from the profit patriots of that period.

In order to make certain that the fight for peace be smashed and to make certain that the political resistance movement, the new party that was being built by Jefferson, could be hamstrung into submission, and that it be intimidated into abandoning its struggle for peace, the bipartisan war party in Congress enacted the alien and sedition laws of 1798. Again, how amazing. Examine those alien and sedition laws, and you find a vast similarity with this bill. Take particularly the sedition law of 1798. There the same foreign-agent technique is used. There you will find language that guilt would arise if the person aided a foreign power hostile to the interests of the United States. Under that broad language, the Jeffersonians who wanted peace with France were dragged into jail, and the new Nation was subjected to a reign of terror. Writs of habeas corpus became of little avail to those who were fighting for peace and democracy. Then, too, it was war against peace, the new political party for peace against the bipartisan war party, and alien and sedition acts against freedom and the Bill of Rights.

Today, with this bill, we have the same situation, an attempt to destroy a new political party that is being established in this country under the leadership of Henry Wallace, and to substitute, above all, fear in the place of freedom, so as to guarantee the success of the bipartisan war policy. I know many will succumb to hysteria and others will give us the usual flag-waving and Red-baiting, but let us look back in retrospect: 1798–1948, 150 years. The men who opposed the alien and sedition acts, Livingston, Madison, and Jefferson—they constitute the bright constellations in the democratic firmament of this Nation; but those who imposed on the American people those tyrannies of which this bill is a monstrous lineal descendant have been cast into oblivion, ignominious oblivion, relegated there as mankind always relegates puny creatures that would destroy mankind's freedom.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, it is here that we find the line which divides the right from the left. It is here where the goat and the sheep separate. There is no basis in law, logic, or in fact for the argument that the Mundt bill violates a right of the citizen. Mr. Speaker, our safety rests upon the preservation of the Union. Communism is our deadly enemy, and against communism the full strength of the Nation must be arraigned. Here in this bill we are only attempting to bring into the open the domestic agents of our foreign foe, which is a function of Government upon which Congress has the right to call. The object is to unmask the traitor who conceals his identity.

Mr. Speaker, there has not at any time been brought to this body a case which, in my opinion, was quite so well prepared as the instant one. The committee studying this question and sponsoring this bill drew upon every source from which it was believed help could be obtained. There was an array of talent that testified before the committee that could not be excelled. Great constitutional lawyers, historians, and others appeared, and, with the exception of the testimony, as I recall, of the well-known Ben Davis, Communist, of the city of New York, all were, generally speaking, in accord.

Mr. Speaker, we are confronted with a deadly foe. There are people in this country who are seeking to destroy our Government, and to them I would say that he who takes advantage of the freedoms guaranteed by the Constitution to undermine and destroy our Government is nothing less than a traitor and a scoundrel. Here in this—our America—there is no room for party or for man who does not carry the flag and march to the music of the Union. The question here raised is an important one, and if Members would examine the record of the testimony taken by the Committee on Un-American Activities, I am confident that they would not only find themselves enthusiastic supporters of the proposal but determined opponents of those who seek to defeat its passage.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman.

Mr. RANKIN. I attempted to interrupt the gentleman from New York [Mr. MARCANTONIO]. If I understood him correctly, he said that if Stalin had been unimpeded or communism had been unchecked in Europe, it would have established freedom throughout Europe. As a matter of fact, it would have closed every Christian church and destroyed every free government in Europe.

Mr. COX. If the agents of Stalin here in America doing his work are not suppressed, he will in the end have completed the job of sovietizing the world.

The SPEAKER. The time of the gentleman from Georgia [Mr. Cox] has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, this bill has been disingenuously worked out. There is much concealment in apparently innocent words. It will destroy the purposes of its authors and sponsors. It is a sort of blunderbuss. It points a blast of buckshot over so vast an area that it can well destroy the civil liberties the proponents ineptly pretend to protect.

The bill involves a congressional ipse dixit or fiat, more like a totalitarian Diktat, whereby anyone believing in communism, sincerely or otherwise, becomes per se an agent of a foreign power, and thus is guilty of the charge of being a conspirator to overthrow the Government.

The proponents anticipated and fear this charge, because they expressly deny it on page 6 of the report wherein they say:

> This legislation does not constitute a fiat.

But that denial will not wash. The framers of the bill are worried about its

constitutionality, and well might they be. They avoid declaring the Communist Party as outlaw and illegal. That they admit would be palpably unconstitutional. Instead, there is used a subterfuge. They try to get a foot in the door by having the Congress by fiat declare all Communists are agents of a foreign power. There is no proof. No benefit is to be given to the accused by trial by jury to determine this. A judgment may be rendered administratively. The Attorney General is judge, jury, and accuser. To be a Communist ipso facto is to be a foreign agent. There are sincere believers in the principles of Marx and Engels. They are not the agents of a foreign power, but the bill conclusively says they are such agents, and there is no gainsaying the congressional conclusion. Congress, in effect, says:

"When I open my mouth, let no dog bark."

We are reminded of the French King, who said:

"L'état, c'est moi."

If the above congressional declaration is not a fiat, I do not know the meaning of the word. Do you for one moment think that what the Congress, at the urgent behest of the Committee on Un-American Activities, cannot do directly the Supreme Court will allow to be done indirectly? Do not flatter yourselves. Yes. I say to the one who propounded the question a moment ago, it is possible if Congress could by fiat declare certain groups the agents of foreign powers, and therefore within the ban of the law, Congress could bring in a bill and say by fiat any group—on good grounds or coffee grounds—is illegal and their operations criminal. If this bill is constitutional, then the Congress could say by fiat that the members of the third party, the followers of Wallace, are following an illegal direction and must be banned as illegal.

Congress could then say by fiat, with equal logic, that all trade-unions are illegal and their operations must be banned. We are indeed treading on dangerous grounds, and I appeal particularly to the lawyers in this distinguished body to be careful and to scrutinize and screen not only the words of this act but their import and repercussions.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Illinois has 3 minutes remaining.

Mr. SABATH. Mr. Speaker, I yield the remainder of my time to the gentleman from Mississippi [Mr. RANKIN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] is recognized for 6 minutes.

Mr. RANKIN. Mr. Speaker, I have never heard such flagrant misrepresentations of a bill since I have been a Member of Congress.

It is amusing to me to hear men who never hit a lick of work with their hands in their lives stand up here and predict what this measure will do to the laboring man.

This bill is one of the greatest protections the laboring people of this country ever saw. Mark my words! The honest, patriotic, American laboring men are going to support it, when they realize what it provides.

I want to show you some of the propaganda that is being sent out against this bill.

Here is one from the Communist Daily Worker:

> Act today! Democracy is at stake.

That is the headline. And then under that headline they go on to attack this bill and the statement is made:

> It is sponsored by the notorious Representative KARL MUNDT.

Now, I have been called notorious many times by this gang, but this is the first time I have known them to take out after the gentleman from South Dakota in those terms. Again, on the other page—I will not read it all, it is not fit to read—it states:

> It will hold over the head of every American the possible loss of his citizenship if his social views anger the FBI and its sinister police chief, J. Edgar Hoover.

I have known Edgar Hoover for more than 20 years. I have never heard him referred to as a sinister police chief before. There is no more patriotic American under this flag than Edgar Hoover, the Chief of the FBI. Remember this is from the Communist Daily Worker.

Now, here is another one. This one is amusing, amazing, and astounding. It takes me over the coals. First it says:

"Do you want to go to jail because you want world unity for peace?"

Intimating that if you want peace this bill will condemn you, which is so nonsensical that I am surprised anybody would fall for that crazy statement.

It predicts such punishment if, "You want a third party?"

Why, this bill does not interfere with your having a third party. The truth is that probably you will have four or five parties before the election is over.

Or it says if "You support the Palestine partition?"

This bill is not interfering with those who want to go to Palestine. I am in favor of every one of them being given a one-way passport if they want it.

Or it says if "You strike for higher wages?"

Not a word in this bill would interfere with the right of workmen to demand an increase in wages.

Or if "You oppose UMT and the draft?"

Why, there is not a word in this bill that refers to the UMT and the draft.

Or if "You protest a Jim Crow army?"

Mr. ISACSON. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman.

Mr. ISACSON. I would like to know exactly what you meant by saying that those who advocate the partition plan should be given a one-way passport to Palestine.

Mr. RANKIN. I said, "If they want to go." I do not yield any further. I will get to the gentleman in a moment.

I said if they want a passport they can get it, so far as I am concerned.

Then it says in blazing headlines: "Does your organization disagree with RANKIN'S idea of Americanism?"

It goes on to say:

> Then it must register as a foreign agent, must turn over its membership list to the FBI, must label itself a Communist-front organization in all publicity, publications, correspondence.

Every Member of the House knows there is not a word of truth in that statement.

It goes on to say:

> Unions refusing to sign Taft-Hartley affidavits would come under this clause.

This bill has no reference whatever to the Taft-Hartley Act.

Mr. WALTER. May I ask the gentleman whether or not that matter he is reading from came from the Daily Worker?

Mr. RANKIN. No. I am going to tell you in a moment where it came from. That is most important. I will get to that in a moment.

The document states:

> Jail sentences are provided for men and women who go on strike, if their union does not measure up to the standards set by J. Edgar Hoover.

Every intelligent Member of the House knows there is nothing of that kind in this bill.

Then it says in screaming headlines:

> Sounds incredible—but its true. These laws are now pending in Congress. The Thomas-Rankin committee has already proposed this legislation under the guise of controlling subversive activities.

And this pamphlet is signed:

> Provisional Committee for Democratic Rights. Cochairmen: LEO ISACSON, VITO MARCANTONIO, ADAM C. POWELL.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, there has been a lot of discussion about a great many things this morning besides H. R. 5852, the legislation on which you are about to be asked to grant a rule. I certainly hope that the roll call on the rule will overwhelmingly demonstrate to the country that the size of the opposition to this legislation to curtail communism is in no sense as great as the noise which has emanated from the Communist camp in opposition to it.

I have been interested in some of the comments made by those opposing this rule and this bill. In the first place there was a brazen effort made here this morning to compare Thomas Jefferson and W. Z. Foster as Americans of the same stamp and type. One of the speakers said that what Foster was trying to do now in having a Communist Party in America was analogous to what Thomas Jefferson was trying to do at one stage of American history.

Mr. Speaker, may I point out that Thomas Jefferson was a great apostle of liberty and freedom. Foster is the leading apostle of communism, tyranny, and sovietism in America. It is like trying to compare an owl with a lizard to compare Thomas Jefferson and W. Z. Foster; one the apostle of freedom and liberty, the other the apostle of tyranny and totalitarianism. While I am not a Democrat, Thomas Jefferson was a great Democrat and I resent any attempt to drag in the dirt of communistic slime a great American name like that of Thomas Jefferson by voicing it in the same sentence through comparing him with present-day American Communists.

Secondly, Mr. Speaker, we have listened today to that age-old Communist libel which is taking place on every Communist radio in Europe today—that those who oppose communism are practicing the tactics of fascism. I wonder if we cannot now explode that myth for once and for all at the very beginning of this debate. Communism came into power, as you and I know, in 1917 in Russia. It then established a totalitarian aggressive form of dictatorship and began infiltrating into the neighboring countries around Russia. Fascism and nazism both grew up originally as offsets and as attempts to resist communism. Those countries took the wrong tactics, and, instead of doing as we propose to do in this legislation, exposing the operation of Communists to public view, they organized Nazi and Fascist groups, trying to protect themselves against the aggressive forms of communism. Then eventually they took on the same techniques and the same practices and the same devices and the same programs as communism, until today communism and nazism and fascism have become indistinguishable one from the other.

The best proof in the world why this legislation is not fascism in concept is because things Fascist in concept are also Communist in practice, and those supporting this legislation support neither communism nor fascism nor nazism. May I say in addition, Mr. Speaker, that this is not only my opinion that these three isms are analogous and indistinguishable. We have the word of J. Edgar Hoover in testimony before the House Committee on Un-American Activities, where he pointed out that today in the world as a whole, nazism, fascism, and communism are part and parcel of the same godless atheistic aggressive totalitarianism. One is black in color, one is red, and one is brown, but all are basically the same and fundamentally connected. You also have the word of the Congressional Library study which made an elaborate analysis with public funds, and published many reports for you, in which it was pointed out that nazism, fascism, and communism are one and the same. We have the word of the House Coordinator on Information, who published a document, which is in all your offices, in which he pointed out 15 or 16 reasons why communism, fascism, and nazism are the same. So, above all, good friends, do not listen to this loud wail from the camps of the Communists, when they allege that in this legislation what we propose is something Fascist in nature, because the only people in America endeavoring to do anything Fascist in concept are our Communists of today who play hotfoot with Communists all over the world and with nazism, fascism, and communism working together to promote their common beliefs and reliance in dictatorial devices and practices.

I urge the adoption of this rule by an overwhelming vote in order to tell America that Americans are still on guard in this Republic, and to let the country know now that this legislation is going to be approved overwhelmingly.

(Mr. SABATH asked and was given permission to extend his remarks and include editorials.)

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. RANKIN and Mr. MARCANTONIO demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 296, nays 40, not voting 95, as follows:

[Roll No. 65]

YEAS—296

| | | |
|---|---|---|
| Albert | Cole, N. Y. | Halleck |
| Allen, Calif. | Colmer | Hand |
| Allen, Ill. | Combs | Hardy |
| Allen, La. | Cooley | Harless, Ariz. |
| Andersen, H. Carl | Cooper | Harness, Ind. |
| Andresen, August H. | Corbett | Harrison |
| Andrews, Ala. | Cotton | Hart |
| Andrews, N. Y. | Courtney | Harvey |
| Angell | Cox | Hays |
| Arends | Cunningham | Herter |
| Arnold | Curtis | Heselton |
| Auchincloss | Dague | Hess |
| Bakewell | Davis, Wis. | Hill |
| Banta | Dawson, Utah | Hinshaw |
| Barden | Deane | Hobbs |
| Barrett | Devitt | Hoeven |
| Bates, Mass. | Dolliver | Hoffman |
| Beall | Domengeaux | Holmes |
| Beckworth | Doughton | Hope |
| Bender | Durham | Horan |
| Bennett, Mich. | Eaton | Hull |
| Bennett, Mo. | Elliott | Jackson, Calif. |
| Bishop | Ellis | Jenison |
| Blackney | Ellsworth | Jenkins, Ohio |
| Bland | Elsaesser | Jensen |
| Boggs, Del. | Elston | Johnson, Calif. |
| Boggs, La. | Engel, Mich. | Johnson, Ill. |
| Bolton | Evins | Johnson, Ind. |
| Bonner | Fallon | Jones, Ala. |
| Bradley | Fellows | Jones, N. C. |
| Brehm | Fenton | Jones, Wash. |
| Brophy | Fernandez | Jonkman |
| Brown, Ga. | Flannagan | Keating |
| Brown, Ohio | Fletcher | Keefe |
| Bryson | Foote | Kerr |
| Buck | Fuller | Kersten, Wis. |
| Buffett | Fulton | Kilburn |
| Burke | Gamble | Kilday |
| Burleson | Garmatz | Kunkel |
| Busbey | Gary | Landis |
| Byrnes, Wis. | Gathings | Larcade |
| Camp | Gearhart | Latham |
| Canfield | Gillette | Lea |
| Cannon | Gillie | LeCompte |
| Carson | Goff | LeFevre |
| Case, N. J. | Goodwin | Lemke |
| Case, S. Dak. | Gossett | Lewis, Ky. |
| Chadwick | Graham | Lewis, Ohio |
| Chapman | Grant, Ala. | Lichtenwalter |
| Chelf | Grant, Ind. | Lodge |
| Chenoweth | Gregory | Love |
| Chiperfield | Gross | Lucas |
| Church | Gwynne, Iowa | McCormack |
| Clason | Hagen | McCulloch |
| Coffin | Hale | McDonough |
| Cole, Kans. | Hall, Edwin Arthur | McDowell |
| Cole, Mo. | Hall, Leonard W. | McGarvey |
| | | McGregor |
| | | McMahon |
| | | McMillan, S. C. |
| | | McMillen, Ill. |
| | | Mack |
| | | MacKinnon |
| | | Mahon |
| | | Maloney |
| | | Manasco |
| | | Mansfield |
| | | Martin, Iowa |
| | | Mason |
| | | Mathews |
| | | Meade, Ky. |
| | | Merrow |
| | | Meyer |
| | | Michener |
| | | Miller, Nebr. |
| | | Mills |
| | | Monroney |
| | | Morris |
| | | Morrison |
| | | Morton |
| | | Muhlenberg |
| | | Mundt |
| | | Murray, Tenn. |
| | | Murray, Wis. |
| | | Nicholson |
| | | Nixon |
| | | Nodar |
| | | Norblad |
| | | O'Hara |
| | | O'Konski |
| | | Owens |
| | | Pace |
| | | Passman |
| | | Patman |
| | | Patterson |
| | | Peden |
| | | Peterson |
| | | Phillips, Calif. |
| | | Pickett |
| | | Poage |
| | | Potter |
| | | Potts |
| | | Poulson |
| | | Preston |
| | | Priest |
| | | Rains |
| | | Ramey |
| | | Rankin |
| | | Rayburn |
| | | Reed, Ill. |
| | | Reed, N. Y. |
| | | Rees |
| | | Reeves |
| | | Regan |
| | | Rich |
| | | Richards |
| | | Riley |
| | | Rivers |
| | | Rizley |
| | | Robertson |
| | | Rockwell |
| | | Rogers, Mass. |
| | | Rohrbough |
| | | Rooney |
| | | Ross |
| | | Russell |
| | | Sadlak |
| | | St. George |
| | | Sanborn |
| | | Sarbacher |
| | | Sasscer |
| | | Schwabe, Mo. |
| | | Schwabe, Okla. |
| | | Scott, Hardie |
| | | Scott, Hugh D., Jr. |
| | | Scrivner |
| | | Seely-Brown |
| | | Shafer |
| | | Short |
| | | Simpson, Ill. |
| | | Smathers |
| | | Smith, Kans. |
| | | Smith, Maine |
| | | Smith, Ohio |
| | | Smith, Va. |
| | | Smith, Wis. |
| | | Snyder |
| | | Spence |
| | | Stanley |
| | | Stefan |
| | | Stevenson |
| | | Stockman |
| | | Stratton |
| | | Sundstrom |
| | | Taber |
| | | Talle |
| | | Teague |
| | | Thomas, Tex. |
| | | Tibbott |
| | | Tollefson |
| | | Towe |
| | | Twyman |
| | | Vail |
| | | Van Zandt |
| | | Vinson |
| | | Vorys |
| | | Vursell |
| | | Wadsworth |
| | | Walter |
| | | Weichel |
| | | Wheeler |
| | | Whittington |
| | | Wigglesworth |
| | | Williams |
| | | Wilson, Ind. |
| | | Wilson, Tex. |
| | | Wolcott |
| | | Wolverton |
| | | Wood |
| | | Woodruff |
| | | Worley |
| | | Youngblood |

NAYS—40

| | | |
|---|---|---|
| Blatnik | Havenner | Lynch |
| Bloom | Hedrick | Madden |
| Buchanan | Heffernan | Marcantonio |
| Carroll | Holifield | Miller, Conn. |
| Celler | Huber | Morgan |
| Crosser | Isacson | Multer |
| Delaney | Javits | O'Brien |
| Dingell | Karsten, Mo. | Pfeifer |
| Douglas | Kean | Price, Ill. |
| Eberharter | Kelley | Sabath |
| Feighan | Keogh | Sadowski |
| Folger | King | Somers |
| Gordon | Klein | |
| Gorski | Lesinski | |

NOT VOTING—95

| | | |
|---|---|---|
| Abbitt | Gallagher | Meade, Md. |
| Abernethy | Gavin | Miller, Calif. |
| Anderson, Calif. | Gore | Miller, Md. |
| Bates, Ky. | Granger | Mitchell |
| Battle | Griffiths | Murdock |
| Bell | Gwinn, N. Y. | Norrell |
| Boykin | Harris | Norton |
| Bramblett | Hartley | O'Toole |
| Brooks | Hébert | Philbin |
| Buckley | Hendricks | Phillips, Tenn. |
| Bulwinkle | Jackson, Wash. | Ploeser |
| Butler | Jarman | Plumley |
| Byrne, N. Y. | Jenkins, Pa. | Powell |
| Clark | Jennings | Price, Fla. |
| Clevenger | Johnson, Okla. | Redden |
| Clippinger | Johnson, Tex. | Riehlman |
| Coudert | Judd | Rogers, Fla. |
| Cravens | Kearney | Scoblick |
| Crawford | Kearns | Sheppard |
| Crow | Kee | Sikes |
| Davis, Ga. | Kefauver | Simpson, Pa. |
| Davis, Tenn. | Kennedy | Stigler |
| Dawson, Ill. | Kirwan | Taylor |
| D'Ewart | Knutson | Thomas, N. J. |
| Dirksen | Lane | Thompson |
| Dondero | Lanham | Trimble |
| Donohue | Ludlow | Welch |
| Dorn | Lusk | West |
| Engle, Calif. | Lyle | Whitaker |
| Fisher | McConnell | Whitten |
| Fogarty | McCowen | Winstead |
| Forand | Macy | |

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Lanham for, with Mr. Buckley against.

Mr. Simpson of Pennsylvania for, with Mr. Dawson of Illinois, against.

Mr. Ploeser for, with Mr. Powell against.

Mr. Thomas of New Jersey for, with Mrs. Norton against.
Mr. Davis of Georgia for, with Mr. Kirwan against.
Mr. Johnson of Oklahoma for, with Mr. Forand against.

General pairs until further notice:

Mr. Gavin with Mr. Lane.
Mr. Macy with Mr. Byrne of New York.
Mr. Miller of Maryland with Mr. Fisher.
Mr. Judd with Mr. Bates of Kentucky.
Mr. Kearns with Mrs. Lusk.
Mr. Coudert with Mr. Whitaker.
Mr. Crawford with Mr. Hébert.
Mr. Dondero with Mr. Harris.
Mr. Jenkins of Pennsylvania with Mr. Redden.
Mr. Jennings with Mr. Bell.
Mr. Riehlman with Mr. Engle of California.
Mr. Taylor with Mr. Miller of California.
Mr. Welch with Mr. Dorn.
Mr. Mitchell with Mr. Lyle.
Mr. Griffiths with Mr. Donohue.
Mr. Crow with Mr. Murdock.
Mr. Bramblett with Mr. Norrell.
Mr. Anderson of California with Mr. Fogarty.
Mr. Butler with Mr. Davis of Tennessee.
Mr. Hartley with Mr. Gore.
Mr. McConnell with Mr. Hendricks.
Mr. D'Ewart with Mr. Jackson of Washington.
Mr. Dirksen with Mr. Granger.
Mr. Clevenger with Mr. Kee.
Mr. Scoblick with Mr. Abernethy.
Mr. Gwinn of New York with Mr. Battle.
Mr. Gallagher with Mr. Kennedy.
Mr. McCowen with Mr. Abbitt.
Mr. Knutson with Mr. Johnson of Texas.
Mr. Kean with Mr. Kefauver.
Mr. Clippinger with Mr. Whitten.
Mr. Phillips of Tennessee with Mr. Trimble.
Mr. Plumley with Mr. Winstead.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CIVIL SERVICE ACT

Mr. REES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4236) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. REES, LOVE, and MURRAY of Tennessee.

IMMIGRATION ACT OF 1917

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3566) to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. FELLOWS, GRAHAM, and GOSSETT.

INTERSTATE COMMERCE ACT

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, insist on the House amendments, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WOLVERTON, HINSHAW, LEONARD W. HALL, LEA, and CHAPMAN.

IMMIGRATION ACT OF 1917

Mr. MICHENER. Mr. Speaker, a few minutes ago the House sent H. R. 3566 to conference. Certain conferees were named by the Speaker. In sending the list to the Speaker, the chairman of the Judiciary Committee made a mistake as to the seniority of members on the subcommittee. He has conferred with the gentleman from Texas [Mr. GOSSETT], one of the conferees named, and with his consent, Mr. Speaker, I ask unanimous consent that he be excused from service and that the gentleman from New York, the ranking minority member of the subcommittee [Mr. CELLER] be named in his stead.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

H. R. 6556

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tomorrow night to file a report on the bill H. R. 6556.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order for a minority report to be filed on the bill H. R. 6556 by midnight tomorrow night.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

HOUR OF MEETING NEXT TUESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns next Monday it adjourn to meet at 11 o'clock on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Washington Times-Herald concerning the one hundredth anniversary of the Washington Monument.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. SADLAK asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include an editorial and an article.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to vacate the permission I received yesterday to extend my remarks in the RECORD and include a magazine article, and ask that I be permitted to extend my remarks and include a speech and a magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL LEGISLATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 654)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Agriculture, and ordered to be printed:

*To the Congress of the United States:*

I wish again to call the attention of the Congress to the need for agricultural legislation. This need arises in large part by reason of the approaching expiration date of some of our wartime statutes. Furthermore, there is need for continued improvement in our permanent legislation designed to maintain a sound and prosperous agriculture.

It is now nearly 3 years after the end of the fighting in the Second World War. Most of the farmers of the United States are in an excellent economic position. Cash farm income last year reached a record high level of more than $30,000,000,000. Farm mortgage debt has dropped 25 percent since 1941. The standard of living of most farmers, which rose steadily in the years before the war, has continued to improve.

This situation is in sharp contrast with what happened after World War I. Eighteen months after the end of fighting in that war farm prices had begun to fall; they dropped 50 percent within 1 year. Soon, farm mortgages were being foreclosed all over the country. The long, agonizing agricultural depression had already begun.

To a certain extent the strong position of American agriculture today is a result of high domestic demand and the very great need abroad for our agricultural products following this war. To a very large extent, however, our farmers can properly attribute their present prosperity to the sound and far-reaching agricultural legislation which was enacted in the years before the war. This legislation was necessarily modified to meet emergency conditions during the war, but it still constitutes a sound legislative base for continuing agricultural prosperity.

As we look ahead, it should not be our purpose to overturn the sound legislative base, in which our farmers have expressed their confidence time and time again, in order to start down some new path. Instead, we should concentrate our

attention on necessary extensions and improvements in the programs we already have.

The fundamental national policy underlying our agricultural legislation has been and should continue to be one of organized, sustained, realistic abundance. A policy of abundance includes some factors that lie outside the field of agriculture. The maintenance of high levels of employment and the maintenance of export outlets are prime essentials. At the same time it should be recognized that continuing abundance is possible only if we maintain a strong agriculture—strong in physical resources and strong in human resources.

To carry out this policy our various agricultural programs have been designed to achieve these principal objectives:

Sound and lasting economic well-being for our farm population, with parity of prices and income in relation to the rewards in other fields of human effort.

An agriculture that will supply all the kinds and quantities of agricultural products needed for domestic consumption, for sufficient carry-over stocks, and for export under present and rising standards of living.

Use of our basic agricultural resources, soil, water and forests, in such manner as will insure their permanent maximum productivity.

Improved levels of nutrition and living for all our people.

Ever-increasing efficiency in production and distribution.

A better living for small farmers, tenant farmers, share croppers, and farm labor.

The nature of the steps we should take at this time in order to continue our progress toward these objectives is clear.

First, the Congress should enact legislation providing on a permanent basis for a system of flexible price supports for agricultural commodities.

A vital part of the legislation under which our present price-support programs are carried on expires December 31, 1948. In my last two messages on the State of the Union I have urged that the Congress extend appropriate price-support legislation.

The Congress has not yet acted, and today farmers do not know what levels of price support or what methods of support will apply to large portions of many crops already planted or to others which must soon be planted. Even less is known about the policy which will apply to next year's crops or to milk and other livestock products for which farmers must plan their output long in advance.

In recent years we have learned the value of price supports as a means to assure the maintenance of farm income in the face of uncertain market conditions, and to adjust production to current market needs without disastrous results to farm prices.

The present price support legislation was directed toward expanding farm production during the war. Its results were nothing less than remarkable. During World War II farm output was increased approximately one third, as compared with an increase of 10 percent in World War I. Since hostilities ceased, output has continued at record levels, which has enabled the United States to give essential aid to the recovery of free nations in many parts of the world.

Now we must look ahead to a farm price support policy geared to our improved farm economy. Many shifts in production will have to be made, and flexible price supports will help us make them in an orderly manner. This will require authority to make prompt adjustments in support levels in line with current and prospective supply and demand conditions. It will also require flexibility in the choice of methods or programs that are designed to be most effective for individual commodities, that avoid waste, and that help bring about needed adjustments in production, distribution, and consumption.

Second, I urge that the Congress give full support to the continuance and expansion of our program of soil conservation.

For many years we were prodigal with our soil. In recent years we have made great progress on the slow process of rebuilding. But we are still far from our objective. Too much of our cropland now in use is being eroded. Much of our pasture and range land is still being overused. Our saw-timber supply is being used half again as fast as it is being replaced. Our streams are muddy, and as a result the useful life term of many of our dams and reservoirs is being shortened by unnecessary deposits of silt. We have not yet conquered the flood menace on most of our rivers.

On all these fronts we have a tremendous responsibility to do more than we are doing to conserve our soil, water, and forest resources. The programs we have instituted in the past decade have represented great steps forward. But I must point out that our past efforts will be wasted if we fail to continue and intensify our programs now and in the future. I urge the Congress to provide in full the funds needed for these programs.

Third. I recommend that the Congress continue and strengthen programs to assure adequate consumption of agricultural products.

Earlier Congresses have provided for an extensive research and marketing program designed to improve the distribution of farm products and develop new uses for them. This is a sound program, and should continue to be strongly supported.

Furthermore, the Government has taken steps to encourage export markets for a number of important commodities. Such actions are being taken, as they should be, in cooperation with other countries. Primary examples of this policy are the various trade agreements which have been made under the terms of the Reciprocal Trade Agreements Act and the international wheat agreement now before the Senate for ratification.

We must continue these measures to assure strong normal markets for agricultural commodities. At the same time the health of our people requires us to consider other methods to move products into consumption. Our present school-lunch program is an example of such a program, which is providing better nutrition for millions of our school children. In addition, I believe that we should start now to develop a practical program to use agricultural surpluses to improve the diets of low-income families, and have it ready on a stand-by basis in case of need. We must never again allow our people to go hungry while agricultural surpluses are going to waste.

Fourth, we need to consider other means for assisting farmers to meet their special problems. For example, we must support and protect farm cooperatives. We must continue to work toward a sound system of crop insurance.

Furthermore, we should assist the improvement of living standards in rural areas. I have recommended measures to provide better health services to farmers and farm communities. I have recommended measures to improve the housing standards of farm families. I have recommended that the Government assist the States to furnish adequate primary and secondary education for all children—and this will have especially beneficial results in rural areas. Rural electrification should go forward as rapidly as feasible, to bring the benefits of electricity to more farms.

All of these measures will aid our farm families to maintain a standard of living befitting their essential position in our society. They will be of special importance to the millions of small farmers whose incomes are below a reasonable standard, even in this time of general agricultural prosperity.

All the measures I have recommended are essential for the future welfare of American agriculture. They should be enacted as promptly as possible.

It must be our firm purpose to maintain an increasingly healthy, productive, and prosperous agriculture in the United States. This is a basic requirement for progressive advancement of the welfare and prosperity of our own Nation. It is also a vital element in our contribution to world recovery and peace.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 14, 1948.*

## SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. HALLECK. Mr. Speaker, after consultation with the members of the Committee on Un-American Activities, I ask unanimous consent that of the 2½ hours to be allocated on this side of the aisle, a total of 45 minutes may be allocated by the gentleman from New York [Mr. MARCANTONIO] with the last 30 minutes of the over-all time reserved to the committee.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WOOD. Mr. Speaker, I ask unanimous consent to yield 45 minutes of the time allotted to me to the gentleman

from New York [Mr. MARCANTONIO] in behalf of the opposition to this measure, reserving the last 20 minutes of the time allotted to me.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MUNDT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5852, with Mr. WADSWORTH in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule and pursuant to the order of the House, the gentleman from South Dakota is recognized for 2½ hours, and the gentleman from Georgia [Mr. WOOD] is recognized for 2½ hours, of which over-all time the gentleman from New York has been allotted 45 minutes by each side, making a total of 90 minutes, with the last 45 minutes of the total time to be reserved to the gentleman from South Dakota [Mr. MUNDT], and the last 25 minutes of the total time of the gentleman from Georgia [Mr. WOOD] to be reserved to himself.

Mr. MUNDT. Mr. Chairman, the gentleman from California [Mr. NIXON] will have charge of the time on this side of the aisle. I respectfully ask the Chairman to recognize the gentleman from California to allocate the time on this side.

Mr. NIXON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, 10 years ago the Special Committee on Un-American Activities was established by the House of Representatives. Over the years it has done many things. It has been the recipient of much praise, and it has been the recipient of much criticism. Two years ago the Committee on Un-American Activities became a permanent standing committee of the House of Representatives. Over the 10 years there have been many distinguished Members of the House of Representatives on both sides of the aisle who have served with great brilliancy and distinction on this committee. But over the years only one Member who was on the original committee is now to be found still on the committee. That Member is its present chairman, the gentleman from New Jersey, Hon. J. PARNELL THOMAS. In the 10 years that Mr. THOMAS has been engaged in this highly important and vital work in these critical times he has probably become the most outstanding expert on political subversive activities in the history of the country. Last January, while he was on duty and at work as a good Congressman on an assignment that took him to Latin America, he became seriously ill aboard ship. Since that time he has been making a very slow recovery. It was Chairman THOMAS' fondest hope to be here today to take part in the debate on the business that is now before the House. Until yesterday he still had hopes to be here, but his doctors forbid him to be present today. Therefore, Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include therein the remarks of Hon. J. PARNELL THOMAS, dictated this morning with reference to this matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The statement was as follows:

REMARKS OF HON. J. PARNELL THOMAS, CHAIRMAN, COMMITTEE ON UN-AMERICAN ACTIVITIES, ON H. R. 5852

Before you today is the first legislative proposal ever to be reported from the House Committee on Un-American Activities.

It is an important proposal. It calls for the enactment of major legislation. And it is submitted to you at this time as the result of a unanimous committee conviction that it is an urgently needed bulwark to our national security.

We have called this legislative proposal a bill to protect the United States against un-American and subversive activities. Actually, it is a Communist Control Act, aimed at coping with the foremost menace to democracy today.

The open manifestations of Communist treachery and aggression in one foreign country after another since World War II should have convinced even the most naive of our citizens by now that the Communist movement is an inherently violent and traitorous conspiracy that respects no geographical boundaries or barriers. The international coordination of the Communist conspiracy, under the central, dominating leadership of the Soviet Union, has also been exposed in almost daily examples from abroad.

The executive branch of our Government has belatedly recognized the seriousness of the Communist aggression. It has admitted that the march of Red fascism is a threat to our own national security. Yet in building up a bulwark against Communist aggression, our Government has concentrated so completely in the field of foreign policy that defenses to the problem as it exists within our own borders have been almost forgotten.

The Communist Party of the United States is nothing more nor less than a fifth-column arm of the Soviet Union. There is not even a grain of logic in building up our defenses to Communist aggression from abroad only to allow thousands of Soviet Union agents to operate at virtually free will and under the protective cloak of secrecy within the United States. Communism, at home as well as abroad, is an evil and destructive force. In the interests of our national security, we need a defense policy aimed at curbing this totalitarian menace wherever it is found.

H. R. 5852 should go a long way toward providing our Nation with a fair yet adequate defense against the Communist fifth column within our borders. The bill was formulated by the Committee on Un-American Activities with great care and serious thought. Reflected in this bill, also, is the valuable experience with Communist operations which the committee has accumulated since 1938, when Congress created the Special Committee To Investigate Un-American Activities. It is a lasting tribute to this body that it had the foresight and the vigilance to establish this committee. For such foresight, 10 years ago, has meant that our Government never has and never will be caught flat-footed by the Communist fifth column.

I was one of the two Republican members of the committee when it was created 10 years ago, and I have served upon it continuously since that time. During those years, I saw it expose one new evidence after another of deceit and fraud and intrigue by the Communist Party of the United States. Although its career has been turbulent, I feel that the work of the committee over the years has had a tremendous influence upon the destiny of our country. It has served as the principal check against subversives here, whether from the extreme left or the extreme right.

Today, when more positive action is required against a Communist fifth column in the United States, the committee is ready to outline the course of action, through the Subversive Activities Control Act of 1948.

I became convinced of the need for eventual legislative measures to combat Communist subversion after World War II. When authority to report legislation to the House was given to the committee in January 1945, we immediately began considering formulas whereby this devious enemy could be reached through legislative means.

Last year, when the Republicans organized the Congress, and I was appointed chairman of the Committee on Un-American Activities, I set up a special subcommittee on legislation which was authorized to make a thorough study as to how best to proceed from a legislative standpoint in combating communism in the United States. The work of that subcommittee was extensive and thorough. It heard over 100 witnesses—outstanding witnesses—our best constitutional lawyers, historians, Government officials, columnists, professors, and other qualified persons who could enlighten the committee on the difficult question of proceeding in a constitutional way, through legislation, to meet the Communist threat.

On April 30, our committee unanimously reported out H. R. 5852. I consider it to be one of the most carefully drawn bills ever to be reported to the House of Representatives. It is not a witch hunter's manifesto. It is a sane and effective approach to a problem which is entirely new in the field of legislation.

Since this bill has been reported, the Communists have launched one of their greatest campaigns. They have brought into play all of their fronts, their dupes, their stooges, and their innocents, in an effort to confuse the people concerning this bill. It is natural that they should, because if this bill is enacted, it will spell the death of the Communist Party of the United States, with headquarters in Moscow. It will spell the end of Stalin's meddling in the internal affairs of the United States.

You will hear various challenges thrown against the bill to the effect that it is unconstitutional, that it violates the basic rights of the individual, that it will create a police state, that it will bring about fascism. That is all a lot of poppycock.

This bill merely asserts the right of a free and democratic people to protect themselves and their Government from destruction.

Mr. NIXON. Mr. Chairman, I yield 15 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, it shall be my purpose to run through the major provisions of the bill for the benefit of the Members of the House and those in the galleries and the country who are interested in the contents of this legislation, so that you can have before you early in the stages of the debate exactly the purposes and provisions of this measure.

As has been stated, this is the first legislative measure to come from the House Committee on Un-American Activities,

in the history of the existence of our committee. It packs into its legislative paragraphs all of the experience, all of the studies which we have been making in our committee for some 10 years.

We have held long hearings on this question, some four or five hundred pages of hearings on the question of how best to work out a piece of legislation which will deal with the activities of Communists in America. Those hearings have been printed and have been made available to all Members of the House. I am sure most of you have read them and studied them, because they have been out for several weeks.

There are those who think we should outlaw the party completely. They pointed out, with some good reason, that the party which has been demonstrated by events up to now to be under the control and domination of a foreign power, has no right to function in the United States. So they suggested that we pass legislation banning it from the ballot, barring it from the mail, making it illegal, outlawing it entirely.

We called as witnesses on that subject some of the best authorities on communism in America, including what we consider the best, J. Edgar Hoover of the FBI. If you will read his testimony, you will see why he, charged as he is with the enforcement of subversive violations in this country, testified against outlawing the Communist Party by legislation. He pointed out numerous reasons which I shall not reiterate today in full, except to mention one or two of them, one of which is that it would tend to drive further underground a movement which is already too far underground in American public life. The second is that in places where the party has been outlawed by definition or name, that outlawing has proved ineffective. Our good friends to the North, the Canadians, tried it twice, and in both instances it failed, and they have repealed the outlaw legislation and are now moving in the direction which we point in H. R. 5852, which is an entirely different procedure and approach to the Communist problem from that of outlawing it or barring it from the mails or eliminating it from the ballots.

This approach is the approach of the policy of disclosure. It is the method recommended by J. Edgar Hoover. It says, in fact, to the Communists of America: "You claim to be a Communist Party. We know you are not a Communist Party because a political party in this country is never under the domination of a foreign power. We know you are under the domination of a foreign power. We know that you work in collusion and cooperation with Communist Parties all over the world; that you are not an indigenous, legitimate, American political organization at all, but you happen to be the American flank of a worldwide Communist conspiracy, taking its orders from Moscow, being directed from Moscow, and carrying out a program which is acceptable and accountable only to Moscow."

We say further, in effect:

"Since you claim to be a political party, we will write the rules of the game making you function as a political party. We will require you to act in the open like a political party; require you to accept the responsibility of a political party; require you to do what political parties have to do in the State of South Dakota and in many of our States, register the names of the people who belong to your party."

If you are a Republican in South Dakota, you are proud to register the fact with the county auditor. If you are a Democrat in South Dakota, you are required to register your name with the county auditor, even though you are not proud of the fact that you belong to a party so frequently in the minority. But, in all events, members of our political parties register their names in the county auditor's office so that people know who they are. If they do not register they have no status in the party. So we say to the Communists in America: "Since you claim to be a political party, stand up and be counted, register your names with the Department of Justice. Let the people know who you are."

That is all. There is nothing unconstitutional about that. It has been done in a great many States. We require the lobbyists to register in Washington, and, at best, the Communist Party is a lobbying institution; at worst, it is a conspiracy against our form of government. But under any definition certainly it is perfectly constitutional to require Communists to register. Then we say that since you claim to be a political party there is no reason why you should not be required to report to the Government where you get your money and how you spend your money, who contributes the funds and who gets the benefits therefrom just as the Republicans and Democrats are required to do under our election laws. Since you claim to be a political party why should you not have that responsibility which we Republicans and Democrats have?

Certainly there is nothing in the Constitution of the United States which says there shall be a certain rule applying to the political activity of any group but the Communists, that Communists shall be exempt because they belong to a party which crushes out all legitimate forms of election machinery, so we will not make the laws applicable to Communists in this country. That would be absurd. But we do say that we will treat them like the Republican Party, we will treat them like the Democratic Party, and if they can prove that they are operating as a political party, they shall have the same rights to propagandize, the same rights to collect contributions, the same rights to go to the polls as any other political party in America.

We also apply the same provisions which we apply to the Republicans and Democrats to the propaganda and the printed material of the Communist Party. We say that no longer can you sneak through the mails disguised by some fancy, high-powered, euphonious name as patriots, when actually you are engaged in the subversive process of burrowing, undermining, disrupting, and corrupting America; you have got to come out in the open. When the Republican National Committee or the Democratic National Committee engages in propaganda or publicity they put the imprint of the party on the pamphlet. We require under the election machinery of this country anybody engaging in campaigns to identify political propaganda as to its source. We say in this bill that all material sent through the mail, all of the programs emanating over the radio sponsored by the Communist Party, or any of the front organizations controlled and financed or dominated by the Communist Party, must be compelled to identify the program or propaganda as to its source. There is nothing unconstitutional in that.

The sad-eyed, the soft-hearted, bewildered, and befuddled folks who still think it is liberal to promote tyranny in America have a hard time finding anything unconstitutional about bringing into the picture the Communist Party and applying to it the same rules of registration and the same rules of identification and the same rules of revelation that are applied to the legitimate political parties.

We cannot combine the Communists in the same kind of language with legitimate and regular political parties, because we are dealing with a conspiratorial subversive element masquerading as a political party. Consequently, it takes special laws to deal with a special problem, and that special problem is the fact that in this free Republic we henceforth propose to permit these subversive organizations to function only if they comply with the rules and regulations set down in this legislation.

It is interesting that the opposition to this legislation has carefully and studiously avoided getting themselves into conflict with the precise provisions of the bill. They cannot find much fault with them, so they raise a lot of straw men everywhere. They say this is an attempt to outlaw anybody who proposes to support the Jewish state; this is an attempt to outlaw the Masonic Lodge or the Catholic Church; this is an attempt to outlaw a labor union. It is not any such thing. The provisions of the bill clearly point out what is included. The only thing this bill outlaws is conspiracy to overthrow the American Government for the purposes of establishing herein a totalitarian regime dominated by a foreign power. That is outlawed by this bill, and if the Communists engage in that kind of conspiracy they and their leaders will be in violation of the law and will be, and should be, subject to a 10-year sentence in the penitentiary and a $10,000 fine.

In other words, it transfers into a peacetime era one of the devices and tactics and techniques which have long been recognized as treasonable in America in time of war, an effort to sell your country down the river, to subjugate it to the rule of a foreign power. Russia? Yes; but any other foreign power as well. It would mean that the German-American Bund and its leaders would have been in violation of this law prior to Pearl Harbor, that the Black Dragon Society of Japan operating in California before Pearl Harbor would have been in violation of law. We of the Committee on Un-American Activities believe that a diligent, alert Department

of Justice will be able to demonstrate in a court of law that some of the leaders of the Communist Party in America are today trying to deliver this country lock, stock, and barrel to the men of the Kremlin, trying to establish here a totalitarian government subject to the control and the domination of Soviet Russia, and if our hunch can be established as a matter of fact in a court of law by legitimate judicial procedures, those men we have in mind will go to jail for 10 years and perhaps pay a fine of $10,000 as well because that kind of conspiracy, that kind of treachery, that kind of treason is made illegal by this bill in time of peace in America. That is the only thing that is outlawed.

The Communists say, "You are trying to outlaw us." When they make that statement, then the Communists confess that our hunch is correct and that they are engaged in that kind of conspiracy. This will give us a chance to demonstrate at long last in a court of law if Communists are or are not engaged in a conspiracy. If they are not, they are not touched. If the shoe does not fit they do not put it on their foot. If it fits, we nail it on with iron cleats so that they cannot get it off. It is the sense of guilt which they have in their own minds that causes the Communists so greatly to fear this legislation.

We of the Committee on Un-American Activities submit that a free country has within the framework of its charter of freedom, its constitution, the power and the authority to protect its freedom in time of peace or war against those who would destroy the foundations of the temple of democracy in America. We go no further than that.

We do say that there are certain privileges which are to be denied to the members of the Communist Party, that its record is so bad, is so blatantly un-American, is so viciously antidemocratic, is so closely identified with other Fascist movements around the world, such as nazism in Germany and fascism in Italy, is so much a part of that whole sorrowful triumvirate, totalitarianism, fascism and nazism and communism, that we do not want any truck with them in positions of trust in the Federal Government. So we say that the privilege, not the right but the privilege, of employment by the Federal Government is denied to members of the Communist Party, just as it is denied to people past the age of 80 years, just as it is denied to certain aliens, just as it is also denied to practitioners of this alien concept. Nothing within the Constitution guarantees any man a job with the Federal Government. That is a privilege. It is a privilege which we deny to members of the Communist Party, just as the President of the United States, acting under the vigorous nudging by Congress, has exercised his rights under the loyalty program to deny the employment of these same radical, un-American people by the Federal Government.

There is also involved the privilege of getting a passport. It is not a right that any of us has to have a passport simply because we are citizens. It is a privilege extended us by the Government. It is a privilege which people are expected not to abuse. You are not supposed to utilize that privilege to tear down the Government which grants you the privilege. So we deny the Communists the privilege of having passports to travel abroad in order to come in contact with the subversive forces of other countries.

In short, Mr. Chairman, while this legislation does not outlaw the Communist Party as an organization or a party it does force them to operate in the open and it outlaws activities on the part of anybody who conspires for the purpose of overthrowing this Government in peace or war in an attempt to establish here a totalitarian regime subservient to and dominated by any foreign government.

Furthermore, it requires Communist-front organizations to register their names, their officers, and their financial statements with the Department of Justice. It compels them, too, to keep in their own files the names and correct addresses of their members so that should public necessity ever require these lists can be obtained by subpena or otherwise in order to disclose the identity of those operating through front organizations to destroy or betray America.

In effect, Mr. Chairman, this legislation requires the Communists of America to cut the umbilical cord which binds them to Mother Russia or to stand trial for treachery to the United States. If they operate as a strictly American organization, they will not be penalized by law; but if they operate as the secret agents of a foreign power in efforts to overthrow this Government and deliver our Republic to bondage to Russia they must face the legal consequences set up under this so-called Mundt bill. Let soft-headed and soft-hearted self-proclaimed liberals cry out against this perfectly constitutional method of defending and protecting our American freedoms if they will. Patriots of every party and of every walk of life will applaud and support this program for protecting and perpetuating the freedoms and liberties which have made America great and which the Communists and their dim-witted dupes would now destroy.

Mr. Chairman, we of the House Committee on Un-American Activities are proud of the great wave of popular support which has developed around H. R. 5852. In conformity with permission granted me in the House, I herewith call attention to the endorsement which the national department of the American Legion has given this legislation. The letter of transmittal and the official resolution of endorsement of the American Legion read as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
*Washington, D. C., May 11, 1948.*

Hon. KARL MUNDT,
*House of Representatives,*
*Washington, D. C.*

DEAR CONGRESSMAN MUNDT: Pursuant to our conversation of even date with your office, I am attaching hereto a copy of the resolution approved by the national executive committee of the American Legion, meeting at Indianapolis, Ind., May 3–5, 1948, giving full endorsement and approval to H. R. 5852.

I thought you would like to have this resolution for your information and guidance.

Sincerely yours,

JOHN THOMAS TAYLOR,
*Director, National Legislative Commission.*

---

RESOLUTION GIVING FULL ENDORSEMENT AND APPROVAL OF H. R. 5852

Whereas the Un-American Activities Committee of the House of Representatives of the Congress of the United States, on April 29, 1948, unanimously reported out H. R. 5852 to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes; and

Whereas in principle this bill conforms to the long-established American Legion policy of combating subversive influences: Therefore be it

*Resolved,* That the American Legion enthusiastically endorses H. R. 5852 and authorizes the immediate mobilization of all the resources, membership, family, and friends of the American Legion to aid in its prompt enactment by the Congress of the United States, and we further urge that the pertinent provisions of H. R. 5852 be published in national American Legion publications as quickly as possible, so that the entire membership may be immediately apprised of the nature of the bill.

In addition, Mr. Chairman, the Veterans of Foreign Wars through their national headquarters have given the Mundt bill their endorsement and they are urging its speedy and strong adoption. I do not have their resolution of endorsement with me here on the floor today, but other members of our committee will place it in the RECORD. With both the American Legion and the VFW supporting H. R. 5852, Mr. Speaker, we are not seriously concerned over the opposition of the Communists, of the wacky Wallace wanderers, and of a few Russian-worshiping Red leaders of leftish CIO unions. Other than that, opposition to this legislation is so conspicuously lacking that opponents have had to resort to flagrant forgery of names and telegrams in order to give even a semblance of respectability to the rabble resisting this bill.

Mr. Chairman, many great American newspapers such as the Milwaukee Journal, the New York Herald Tribune, the Washington Evening Star, the Washington News, and the Washington Times-Herald are supporting this legislation editorially. Such able and respected commentators and analysts as Fulton Lewis, Jr., and Raymond Moley are supporting it. The widely read and well-respected George Sokolsky has written in support of this legislation. As typical of the press of the Middle West, Mr. Chairman, in conclusion of these remarks I wish to call attention to an editorial appearing in a recent issue of the Aberdeen American-News. Let the reds of America resist, if they must, this legislation. The real Americans both in and out of Congress will give it their earnest and sincere support.

MUNDT'S RED-CURB BILL

The Periscope, widely read column in Newsweek, is authority for this information:

"Representative KARL MUNDT, ranking member of the House Un-American Activities

Committee, is literally allergic to red. He says any contact with red-dyed leather or red furniture polish causes him to break out with hives * * *."

The foregoing, of course, is semifacetious. But the work the South Dakota Representative is doing to curb the dangers of communism in America is deadly serious.

The bill Representative MUNDT now has awaiting House action is for the purpose of protecting America against the cheating of foreign-advised Reds who would destroy democracy.

The South Dakotan's bill would—

Isolate American Communist leaders from the rest of the world, particularly from the Soviet Union. Provide stiff penalties for any American Communist leader found guilty of conspiring against the United States.

By a policy of constant exposure, attempt to draw the support of so-called innocents away from the Communist Party and its front organizations.

Require registration of all members of the Communist Party, responsibility for this to rest on party leaders.

Require registration of all Communist-front organizations and the clear labeling of their propaganda as coming from quarters so stigmatized.

Deny Government jobs to members of the Communist Party and penalize Government executives who knowingly employ Communists.

Forbid issuance of passports to any member of the Communist Party.

Discontinue and forbid all tax-exempt status to Communist-front organizations.

Order deportation proceedings against all Communist registrants found to be aliens.

The bill does not, as charged by some of its opponents, outlaw the Communist Party.

It does, on the other hand, in the words of its author, "attempt to strike a body blow at the American cadre of the Soviet-directed Communist conspiracy."

Representative MUNDT, who has studied communism in America for 10 years and who has made on-the-spot inspections of communism in Europe since the war, contends, logically, that while spending billions to combat communism abroad, we to be consistent, must also discourage conspiracy against our Government by Communists in America.

As Raymond Moley wrote in the current issue of Newsweek, "the MUNDT bill is an excellent attempt to deal with a grave problem within constitutional limits."

The support the Red-curbing bill is getting in Congress and from the Nation's press indicates it will be approved. Having it written into law will be an accomplishment of Representative MUNDT's which will add to the security of America.

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the genteman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, today this Nation is in deep conflict between proponents of national security and civil liberties. With this legislation we move into a conclusive phase. This legislation is an attempt to deal with conspiracy. I question very seriously and sincerely whether or not it is possible by legislative means to enact a law against the growth and the development of ideas. What do ideas feed upon? Discontent, dissatisfaction, fear, despair. What are we afraid of? Are we assuming a positive approach to a problem or are we trying to deal with a problem in a negative manner?

Possibly one of the best books that I have read in recent weeks is a book by Monsignor Sheen entitled, "Communism and the Conscience of the West." Standing out in that work is a sentence that strikes me that we cannot approach this problem of communism by merely a negative attitude toward it. I want to make very clear my position in this Congress on the issue of national security. Unlike some members of the Committee on Un-American Activities, I supported the Truman doctrine; I supported the Marshall plan; and I voted for the 70-group Air Force bill. I intend to support some form of draft legislation. My position is crystal clear so far as the national security of this country is concerned.

This legislation, known both as the Subversive Activities Control Act and as the Mundt bill, attempts to meet the problem of dealing with a conspiracy, attempts to meet a problem not of outlawing communism or the Communist Party, though that is a course that is favored by many Americans, including one very prominent Republican candidate for the nomination of the Presidency, and repudiated, in fact, by other candidates for nomination on the Republican ticket. This bill deals with a theory that it is possible by the enactment of legislation to abolish ideas.

It seeks to bring out into the open communism and Communist-front organizations, under official surveillance. It writes into the bill making it a crime to attempt to establish totalitarian dictatorship in the United States.

We have tried to do this thing before in some form or other. We have had the McCormack bill, the Voorhis bill, and the Smith bill. It is a question in my mind as to just how well legislation of this character served its purposes, whether or not it has functioned in the manner the authors of the legislation desired or conceived.

This bill makes it a crime to attempt to establish totalitarian dictatorship. It provides for the registration with the Attorney General of the Communist or Communist-front organizations and their officers and members. Such organizations would be required to make full disclosure of the receipt and the expenditure of funds. Members of registered organizations would be denied passports, thus cutting the threads that bind the international conspiracy together. They would be denied Government employment. It would be illegal for registered organizations or their representatives to use the mails. It does not outlaw the Communist Party.

The greatest objection to this bill, as I see it, and the reason I will not support this legislation, is that it is too sweeping in its definitions, it is too broad and too general in its effort to include Communist-front organizations, that could conceivably be subject to false accusations or could be allied with the idea that they were subversive. It would blend and use the smear technique of propaganda. It would mean notoriety and embarrassment, and a great deal of expense to many innocent people and organizations.

I recognize the fact that voting against legislation of this character puts one on the defensive politically. One must do a lot of explaining to his constituents as to why he would oppose legislation of this type. Weeks ago I was concerned about how the people in my district felt about legislation of this character and I sent out a questionnaire to some 50,000 persons in my congressional area. One of the questions that I asked my constituents was whether or not we should assume a firm attitude toward Russia. I know the sentiment of my congressional district. I knew beforehand, practically, just what kind of reply I would get. It did not surprise me that more than 93 percent of the replies on that question were in the affirmative, but it amazed me that I received back such a large number of replies. Almost 10,000 people replied and in 85 percent of the cases they signed their names and wrote their personal views and versions of that particular question, along with the question of the draft and the question of universal military training.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. The gentleman makes the point that the bill would cause notoriety and expense and various other unpleasant things to many people. That is very obvious. That is the purpose of the bill. We are trying to expose and to cause notoriety for the Communists who are digging into America. There will be no attempt on the part of the committee to deny that.

Mr. BUCHANAN. I do not question the sincerity of the gentleman's motives and I do not question his realism so far as his attitude toward this problem is concerned, but what usually happens and what does happen is that a lot of innocent people are smeared by this technique.

Mr. Chairman, in controversial legislation of this character, there is no doubt that the committee has spent long and arduous hours trying sincerely and constructively to frame a piece of legislation which they believe will do the job. They have consulted many authorities who have expressed their views on civil liberties and who have been exponents of the guardianship of civil liberties. But I am rather reluctant to give blanket approval to legislation of this character for as someone has said that "laws are made to be broken." In the enactment of legislation of this kind, wherein the desire, aim, and objective is to outlaw or to legislate against conspiracies, it will reveal to the world that we have inherent weaknesses in this Nation wherein we are vitally afraid of criticism—constructive criticism—from within. If our efforts were devoted to promoting a stabilized economy wherein we would reach a sense of balance in our domestic, economic, and social structure, then legislation of this kind would have no place in the halls of Congress. America would show to the world that its real strength lies in our ability to produce the abundant life. That our efforts in the Congress are constructive and toward that end rather than enacting legislation of

a questionable character—legislation that is negative—legislation that represents wishful thinking. The history of legislation of this character is that it does not suppress the idea but brings in its consequences something that we do not now conceive.

[From the New York Times Magazine of May 2, 1948]

WHAT IS A COMMUNIST? HOW CAN YOU SPOT HIM? HE WEARS MANY GUISES BUT REVEALS HIMSELF IN HIS ADHERENCE TO THE KREMLIN'S LINE

(By Allan Nevins)

As charges of disloyalty are brought against such prominent Americans as the head of the Bureau of Standards, and as unnaturalized aliens accused of subversive Communist activities are seized for deportations, many thoughtful citizens wonder if the country is entering upon another Red scare. Their memories hark back to the days when a New York mob wrecked the office of the Call, when veterans and "wobblies" clashed in the Northwest and when the *Buford* sailed for Russia with 249 radicals aboard.

We want no recurrence of such events. Yet as we look at the headlines, certain difficult questions are forced upon us. Just what is a dangerous Communist, and how can he be identified? How can precautionary measures be taken without imperiling liberals?

A salient difference between the anti-Red movement after World War I and that taking shape today needs to be pointed out. The principal root of all such movements is fear; fear usually mixed with prejudice, and heightened by hysteria. But the fear that had such baleful results in 1918–21 took a very different shape from whatever apprehensions are cropping out in this country today.

In the earlier period fear sprang chiefly from a sense of national disunity. Americans realized uneasily in 1918 that they had not yet created a closely welded Nation. The war had revealed, indeed, a decided lack of homogeneity. The conflict had therefore been accompanied by a harsh intolerance of dissent. Ex-President Theodore Roosevelt and others had carried on a crusade against "hyphenates"; the Government had condemned Socialists for their opposition to the war, and put Debs in prison. Peace brought an irresistible demand for laws to restrict immigration. It brought, too, a pronounced fear that economic and political radicalism would produce violent internal cleavages in the United States. Nobody worried about an external attack, but millions were apprehensive that the Reds (all bogies are given vague names) would foment class divisions so as to endanger orderly government and the economic structure.

Today few are troubled by ideas of domestic disruption. It is the external rather than internal peril that takes first place in men's apprehensions. National unity, as the Second World War showed, has grown steadily in recent decades. The "hyphenates" almost disappeared between the two conflicts. The New Deal did much to satisfy discontented elements of society. Socialists strongly supported the war effort. Nowadays the groups which wish a really violent new swing to the left are small, and the party which would like to subvert our governmental system can hardly muster a corporal's guard. But, to our dismay and anguish, we are faced with an external threat. We are engaged in a cold war with Russia, we are pouring out billions to sustain western Europe and China against her aggressions, and we are maintaining large armaments to meet possible attack. The threat may be exaggerated, but it exists.

The result is that we fear the Communist and Red, not as possible agents of an internal explosion, as in 1918–20, but rather as agents to aid a foreign attack. We fear the agitator much less and the accomplice much more. This fact gives new form to the question, What is a dangerous Communist? It renders an answer to that question somewhat easier and makes attack on liberalism inexcusable. It is extremely difficult to answer the broad question, What is communism? Communism may refer to a political party which in this country is tiny and despised. It may refer to a set of principles which have had a thousand different exponents from the days of the Essenes to those of the Cominform. It may refer to a general movement which at various times has embraced very diverse sects. It may refer to an anticipated state of society which differs from practical communism of 1948 as light differs from darkness. But there is no such difficulty in answering the question, What is a dangerous Communist? The last 20 years have helped greatly in that matter.

In 1918–20 Russian communism was a new force in the world, and being new, plastic, and largely untested by realities, it had a natural appeal to considerable bodies of aspiring men. Since it had replaced Czarist Russia it might be represented as a liberating force. To be sure, much was heard even then of the crimes and oppressions of the Bolsheviks. They might be excused or palliated, however, as a natural reaction against the old autocracy or as precautionary in character.

For some years after 1918 communism naturally made a strong appeal to young idealists in particular; to youths who believed that the world could be regenerated in happier form. A wide spectrum of radicalism appeared, ranging from the fiery red of convinced revolutionists to the light pink of fuzzy-minded social reformers.

But today the situation is completely different. A believer in Russian communism can take no shelter behind hazy idealism. He is a believer in a police state of the most ruthless character, with a system of secret arrests, dictated convictions, purges, and concentration camps. He believes in a system which has killed, imprisoned, and exiled many millions where czarism killed and jailed thousands. He believes in an imperialist type of aggression which has destroyed the freedom of a dozen nations; converting them, as with the Baltic states, into mere provinces, or into vassal lands where minorities rule by terror. The appeal of Russian communism to the aspiring is gone.

A quarter century ago, in short, the believer in Russian communism and utopian communism might be identical. Any optimistic young reformer might fancy that he embraced Lenin and Sir Thomas More together; he might believe that the communism of Plato and that of Trotsky had much in common. A multitude of people all over the world, including laborers, students, intellectuals, and social workers, did to some extent confound the two faiths.

In our time, however, a clear line can be drawn between the disciple of Russian communism and the disciple of utopian communism. Anyone who admires the iron regime of Stalin has bidden farewell to the dreams of Robert Owen and William Morris, and to the moderate Marxianism of Kautsky and the Fabians. Russian communism is at the opposite pole from all true liberalism.

It is vital in the present situation for us to understand this. And to understand it we must have a clear perception of the great difference between the theories held by the liberal on the one side, and the Communist on the other.

True liberals of all shades of opinion, including orthodox Socialists, agree to the fundamental principle that majority rule shall be loyally accepted so long as it repects the basic rights of minorities. No matter how much the Wilsonian liberal detested Harding's type of reaction, no matter how deeply Norman Thomas' followers abhorred Coolidge's policies, they yielded full obedience to the Government.

The Communist, however, rejects this principle. His party doctrine is Communist rule or general ruin. To him an opposition victory at the polls is simply the signal for conspiracy, sabotage, and secret subversion. As a minority, the Communists give no deference to any majority; they reject all the rules of the democratic game; they concoct plots, infiltrate at all weak points, cripple every machine they can touch, and stand ready at any moment to seize power by force.

The problem of coping with such elements is therefore simplified. We are not concerned with a movement; we are concerned with a militant minority, alien in allegiance. Unceasing vigilance is essential and in certain areas of government activity it is necessary to insist on a security check. We cannot let the armed services, our State Department personnel, or the agencies concerned with atomic energy, be invaded by men who may become secret agents of a foreign power. We have the example of Canada's spy ring to show what may be the penalties of laxity. But precautions regarding these limited sectors of national activity are not difficult to take; the records, associations, and expressed ideas of employees or prospective employees can readily be tested.

It is also true that certain precautions are necessary elsewhere. We have said that the general national unity in this year of 1948 stands at a high level. It must not be forgotten, however, that the Communist is not now greatly concerned with the general national unity of this country. He is seeking for the weak spots. He strives to enter the labor union, the discontented slum area, the groups of impressionable youth. Here he can be combated in two ways: by exposure of his aims and methods, and by the counter-encouragement of true liberalism. It is ironic nowadays to recall that in 1918–20 the groups most fiercely attacked were our Socialists. Today these Socialists, accepting the fundamental democratic premises, are among our stanchest opponents of communism. As we fight the Communists, we need to cherish the liberals of all schools and views.

In short, no real basis exists for such a "Red scare" as appeared just after the first World War; a scare which soon left our country heartily ashamed. Our worries about the internal situation then were greatly exaggerated; today such worries do not exist. The number of really dangerous Communists capable of betraying the United States to benefit the Soviet Union is small; their intelligence is open to question, for they certainly include a large proportion of mere crackpots; while their general influence is slight. Once certain areas of government are thoroughly protected, we may feel safe about the national situation in general. Such bodies as the Thomas Committee on Un-American Activities can be useful if they help guard these areas; they can be utterly pernicious if they follow the Mitchell Palmer Red-hunt tradition.

If we are to have a careful policing of governmental agencies—and it is certain that those offices and departments which deal with national security must be policed—we should at least have the work done with a careful regard to all parts of our Bill of Rights. It is the fundamental charge against the Thomas committee, not that it has acted clumsily, but that it has shown inadequate respect for the basic liberties written into our Constitution. Today even Great Britain, normally so slow to act in such matters, is purging her governmental services of Communists and their tools among the fellow travelers. But it is noteworthy that Britain has set up no body similar to our Committee on Un-American Activities.

If we grasp these facts, it is easier to approach the question, How can we deal with the dangerous Communists without hurting useful radicals and liberals? It is easier to

answer because we can approach it without any sense of panic. One reason why our internal situation is so healthy is that radicals and liberals have been allowed free scope for expressing their opinions; another reason is that from 1929 onward many of their more valuable ideas were adopted and applied.

Repressive activities always defeat their own end. They arouse widespread antagonism, father the extremist doctrines at which they are aimed, and create martyrs and a martyrology—the most powerful agencies of propagandism known to history. We need not worry about the Socialists; they are the fiercest opponents of Soviet ideas. We need not worry about the utopian Communists; they can't but detest the Russian perversion of their ideals. We need not worry about liberals, who are the bulwark of our own system.

The more freedom of opinion and discussion we have, the better, for it will drive home to everyone some truths which still need enforcement. Fifteen years ago Harold J. Laski, declaring that capitalism and communism were running a race for the allegiance of the masses, stated that each had certain tests to meet. Capitalism had to remove the fear of insecurity which haunted the worker's life. It had to abolish competing imperialisms. Above all, it had to cut away the jungle growth of vested interests which impaired its efficiency and its social equity. As for communism, wrote Laski, it had to put an end to the perpetual postponement of consumption for the sake of a future which never arrived. It had to terminate the dominating grip of one party and its small cabal of leaders, introduce truly representative institutions, and permit political freedom.

While Mr. Laski thought that communism had the better prospects, we can now see that in this competitive rivalry the capitalist states have made by far the better showing. In one western democracy after another, and particularly in Britain and the United States, effective measures have been taken to remove the fear of insecurity. The power of the vested interests has been healthfully diminished. Imperialism has been almost completely abolished, and where it exists it has taken on a greatly improved character. Meanwhile, in Russia, the era of consumptional plenty still recedes, while the tyrannical grip of a small oligarchy of rulers has been tightened, not relaxed. In nearly every respect in which it is possible to compare the recent development of capitalistic democracy with that of Russian communism, the advantage lies manifestly with the former. These are facts which free discussion, and only free discussion, can bring forth.

Repression is an indispensable part of the Soviet regime; it is not needed in the United States, and is hostile to every American tradition. Precautions against treason we may well take, and we can always punish individual violations of our statutes; but beyond that no arm of the Government can afford to go. We may well recall the words of Charles E. Hughes at a time when a sweeping attempt to deny radicals their rights simply because they were radical had carried away the New York Assembly: "I count it a most serious mistake to proceed, not against individuals charged with violation of the law, but against masses of our citizens combined for political action, by denying them the only resource of peaceful government; that is, action by the ballot box and through duly elected representatives in legislative bodies." If we restrict the security check to its proper and very narrow areas, and elsewhere guarantee free opinion, free speech, and a free vote, we are safe.

Mr. MUNDT. Mr. Chairman, I take this time to announce the arrangement as to the division of time, because some of the Members were not in the Chamber at the time the arrangement was made. I want it to be clear to those who are seeking time that we have arranged an unusual procedure for allocating time in this debate.

Due to the fact that this resolution has the unanimous support of the House Committee on Un-American Activities, and because there was no demand for time to speak in opposition from the minority party, the Democrats, the gentleman from New York [Mr. MARCANTONIO] said that he and his associates would like time to oppose it. Therefore, we have arranged for people in opposition to the bill to get their time through the gentleman from New York [Mr. MARCANTONIO], who has 90 minutes available for that purpose. He is leading and organizing the opposition. Those who desire time to support the bill can get it either from the gentleman from Georgia [Mr. WOOD] or the gentleman from California [Mr. NIXON]. Those desiring to oppose the bill can get their time from the gentleman from New York [Mr. MARCANTONIO].

Mr. SADOWSKI. How much time would that give the proponents?

Mr. MUNDT. It gives the proponents less time per man under the provisions of the rule than it gives to the opponents.

Mr. SADOWSKI. That is not the question I asked. I said, How much time would that give the proponents?

Mr. MUNDT. I gave you your answer. It gives less time per man to those of us supporting the Mundt bill than it gives to the opponents of the legislation.

Mr. MARCANTONIO. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, I assume that anyone who speaks in opposition to this bill will be more or less characterized as a Communist. In my own district, red is not a very popular color. All I can say is that coming as I do from a parochial school, educated under the liberal tutelage of the Jesuits at Fordham, I do not believe anybody with my background, my name, and my face could be adjudged a Communist.

I shall have to resort to a story that is an actual one, where a member of my political party was a candidate for the assembly in our State. He had a beautiful Irish brogue, which it was concluded would not be particularly good in certain sections of the district. It was suggested that he just appear and not talk too much. So he went before a crowd and he said, "My name is so and so. If you like my face, vote for me. If you don't like my face, don't vote for me."

I am afraid that is what I will have to do after I have finished with my remarks on this bill today.

However, there are other things besides political considerations which we must consider. I am opposed to communism just as strongly as anybody in this House, as you can readily judge, yet I feel that communism is an economic theory and that you just cannot legislate against an economic theory. What we ought to do is not to try to legislate against a result. We ought to try to legislate against the cause that produces the result. If we have Communists in this country—and we have—if we have those who are going along with some communistically controlled organization—which we have—I think we can very largely lay that entire situation to ourselves; and, as I say, the legislation should be directed not against the result but against the cause.

What is the cause? There may be many throughout the country and in my own particular district in the city of New York, where perhaps we have unfortunately more now than we had before of those who are inclined to go along with the communistically dominated groups. The actual cause, in my opinion, has been entirely economic. We have not taken care of those veterans who have come home, who have been married, who must, perforce, because of housing shortage, live with their in-laws instead of establishing their own homes. That is an obligation that I think we, as Members of Congress, are more or less responsible for, and instead of legislating against communism as such, we should legislate in favor of housing that is going to dissipate the thought of joining these communistic organizations.

In addition, we have a situation as far as rent is concerned in New York. We have people today who are contributing to organizations that apparently are not in anywise connected with Communists but fundamentally I know there is a connection. But those people are belonging to and contributing to those organizations for one reason only, that is because they do not have adequate protection, under the laws of our country, against an increase of rents that unscrupulous landlords in New York City and elsewhere are imposing upon tenants who have no other choice than to live in the place where they presently reside.

There is another thing that we should have done. Instead of spending our time today trying to eradicate the result, we should be spending our time upon eradicating the cause, and we still have an opportunity.

The CHAIRMAN. The time of the gentleman from New York [Mr. LYNCH] has expired.

Mr. MARCANTONIO. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. LYNCH. We also have a situation in respect to the increased cost of food and other commodities. I do not know whether price control was the right answer or not. I felt that it was. The majority of this House felt it was not. But because of the unreasonably high prices today, we have housewives who are going out and joining these organizations with the intent, not of becoming Communists, but for the reason that they think—wrongly so, but still they think—that in those organizations is to be found some cure that will bring down the price of the cost of living.

Turning our attention to the bill as it is now before us, I want in particular to call your attention to one paragraph and that is in connection with the Communist-front organizations which appears on page 22 of the bill, and reads that any organization is a Communist-front organization whose "views and policies

are in general adopted and advanced because such views or policies are those of a Communist political organization, a Communist foreign government, or such world Communist movement."

There is not a labor organization in the country that has not advocated certain reforms such as housing, such as legislation attacking prices, but that the Communists have tied themselves onto those reforms suggested by these labor organizations, having no connection with communism; and yet under this bill those organizations or people who belong to the labor organizations would be outlawed.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. NIXON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, may I assure the gentleman from New York [Mr. LYNCH] that I am very sure no Member of this House or any person in the State of New York would consider him a Communist or anything but a good old-fashioned New York Democrat. In some of the things that the gentleman said, however, in opposition to this bill it appears to me that the gentleman's logic is just exactly backward: Laws are made to be broken. If that were so, what is the use of passing laws? What is the use of having a Congress? Why do we pass a law against murder and rape and theft? No Member of Congress should ever rise on this floor and say that laws are made to be broken. Obviously, that is the reason the American Congress is in existence.

Mr. Chairman, I am not going to discuss the merits of this bill, for there are many more able members of the Committee on Un-American Activities than I who will do that; but I want to tell you something about the circumstances surrounding its being on the floor today.

I doubt if there is any Member of the House or the Senate who has not received letters, wires, telegrams, and telephone calls, and everything of the kind, asking, demanding, that they not pass the Mundt bill and threatening them. These messages have come in by the thousands in the last several days.

I warned the House day before yesterday that all hell would break loose here yesterday when some 7,000 Communists, largely from New York City, were going to more or less take over the Capitol.

Mr. LYNCH. Mr. Chairman, will the gentleman yield for a question?

Mr. McDOWELL. I yield.

Mr. LYNCH. I understand the gentleman said that I said that laws were made to be broken. Did the gentleman make such reference?

Mr. McDOWELL. I did; yes.

Mr. LYNCH. I think the gentleman was mistaken. I made no such comment.

Mr. McDOWELL. Then it was the gentleman from Pennsylvania.

Mr. LYNCH. I am not trying to place any blame; I just want to make certain that that statement is not attributed to me.

Mr. McDOWELL. I will apply, then, my remarks to the gentleman from Pennsylvania.

Mr. BUCHANAN. The remark I made was that somebody has said that laws were made to be broken.

Mr. McDOWELL. Well, here is a law not made to be broken, and if it is broken somebody is going to jail. But let me get back to the history of what happened here in the last several days.

In the last 48 hours wires have begun to come into the Capitol here signed by people who have been known as very substantial citizens, both Democrats and Republicans, from both the North and South, the East and the West, telling the Members of the House what was going to happen to them if they voted for the Mundt bill. One of the members of the committee got a wire from one of the most substantial men in his district, a letter, it was not a wire. It was so outrageous and so threatening that night before last he called the gentleman, way out on the west coast, and discovered that that man had not written a letter. that it was a forgery. It was written on his stationery. So working on that we began to look into things. I discovered that a telegram sent by some of the most substantial, honorable, and distinguished members of the faculty of a great northern university, a wire that was sent down here to several Members berating them for their probable vote on this bill, had not been sent by those men at all. They did not know who had sent the wire. We discovered a lady in New York City, a substantial lady whose name is familiar to this body who was supposed to have written to a number of Members of Congress threatening what would happen if they voted for the bill. When the lady was contacted she said she never heard of the letter. As a matter of fact, she said she "hopes the Mundt bill will be passed."

Let me tell the Committee something that happened here 9 years ago. I was a young Member of the House of Representatives at that time. War was approaching in 1940. The American Youth for Democracy was a complete fake, a complete fraud, a front organization for the Communist Party. The American Youth for Democracy organization, in its attempt to keep assistance from going across the water to the embattled nations over there, was doing everything it possibly could to slow down the American war effort. Those of you who were Members at that time will recall that up at the White House around the home of Franklin Delano Roosevelt there was a parade of pickets day after day calling him a tool of Wall Street, a warmonger, and all that sort of thing, and into our Capital City of the Nation poured several trainloads of young people—the American Youth for Democracy. They came to Washington in one of those futile, frustrated treks that they occasionally make down here to attempt to upset a particular course of the American Government. Because I was young, because I was skinny, and did not look like a Congressman, it was suggested by some of the most substantial and able Members of this House that I join these people. I did. I looked like the rest of them, with no collar, no necktie, no coat, and I wandered around the city with them. I went to their meetings up here at Turner's Arena. I walked all over the Hill with them. They were led by a dopey, half-witted preacher who did not know what he was doing. Every few minutes we would kneel on the ground, he would pray, and they would laugh. I would not tell this if there was not in the Chamber at this very moment one of the most distinguished Members of the House, the gentleman from Pennsylvania [Mr. GRAHAM], my neighbor from western Pennsylvania. We finally made our way into the House under the leadership of the American Youth for Democracy late in the afternoon, just about dusk. The guards somehow or other slipped up; they were not here; and I recall somebody had left the door to the Speaker's lobby open. We poured into the Speaker's lobby. They tried to get into this Chamber. The gentleman from Pennsylvania, as is his usual custom when he wants to meditate upon problems that confront him, comes over here and sits and thinks by himself. I recall that somebody grabbed a big blue vase in the lobby and began to rock it. The judge came down the aisle, opened the door, and used considerable Pennsylvania strong language when he ordered us out of there and summoned a guard. But I recall the sentence being said time after time by members of the American Youth for Democracy movement—the Communist Party: "This is where the dirty —— do it."

Mr. Chairman, that is the attitude of the Communist Party. There is nothing they will not do to destroy our country. It was said here awhile ago by the gentleman from New York [Mr. LYNCH] that we should get at these things at the very beginning. That is the thing we are trying to do today. He stated that what we are doing today is getting at the end of things. It is not. It is getting at the Communist Party. We are trying to dig them out.

We have had letters, wires, telegrams, and telephone calls down here that the only way to destroy communism is to make democracy work. Let me suggest to you there was hardly any unemployment in little Finland, one of the most prosperous nations in the world. Democracy was most certainly working in Finland, and Finland is gone. Probably the most prosperous nation in middle Europe was Czechoslovakia, where people worked, where people want to work, where people like to vote, where people like democracy, where they were perfectly content and satisfied with their government. Democracy was working there, but Czechoslovakia is gone.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from South Dakota.

Mr. MUNDT. The gentleman is making a very fine address and I want to congratulate him on it. I want to add a little word to his very fine answer concerning the strained logic of the gentle-

man from New York [Mr. LYNCH], when he said that we should not pass any laws against communism, but simply get at the source of it. If that is a valid argument, then we should not pass any law against kidnapping, and we should not pass any law against murder, but we should get at the source of that. In fact, if that is true, we should not pass any law at all; we should get at the source of all these difficulties. That is certainly a strange and befuddled approach to curtailing communism.

May I say also that the gentleman from Pennsylvania has made some very interesting statements about forgery that is being used in an effort to build up opposition to this bill. Let me give you an illustration I had the other day. I had a letter purporting to be written on the editorial masthead of Newsweek criticizing me for introducing this bill, stating that they were going to South Dakota and oppose me in the campaign for introducing this bill, "That you made a blunder," and so forth, and it was signed "Ann Whitney," one of the alleged editors of Newsweek. And, I naturally thought, well, they had a perfect right to be against this bill if they wanted to. Then one of the Newsweek people came to my office shortly after that, a member of that magazine, by the way, and I threw the letter over to him, and he read it, and he said, "I do not know of any editor by that name. I do not know of anybody by that name on our magazine."

"Well," I said, "there it is on your own letterhead." He said, "Let me take it along with me and check." He did. They took the pay roll of Newsweek, checked everybody on the pay roll either in the editorial department or otherwise by that name, but could not find any. It developed that this is part of the system of conspiracy and forgery that is being used. I beg the gentlemen of the House to check up on these telegrams and letters you are getting. In the 10 years that I have been here this is the first time that forgery has been flagrantly used as a device to attempt to register opposition in Washington, which actually does not exist back in the grass roots. The Newsweek case is an illustration. The gentleman from Pennsylvania had two or three instances that he reported, and he does well to call the attention of the Congress and the country to the fact that they are developing this technique of forgery which is, after all, a Communist device which the Communists well know how to use.

Mr. McDOWELL. I thank the gentleman for his splendid contribution. Forgery is merely one of the tools used: Forgery, murder, torture, everything that the Communist Party has been familiar with for more than 30 years.

Mr. Chairman, in an effort to save the time of the House, I ask unanimous consent to include as part of my remarks six pages of a brief outlining the Communist ideas, a brief that has been very carefully prepared from the files of our committee, containing 10 years of independent research of the Communist Party.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDOWELL. The brief is as follows:

With the establishment of the Communist, totalitarian dictatorship in Russia in 1917 and the announcement of its avowed purpose to destroy democratic governments throughout the world in order to replace them with a world federation of Soviet Republics, the United States finds itself confronted with a new problem in its effort to protect its national security. We find that we can no longer rely merely upon our military arms for our own defense, but must give serious consideration to the problem of interference on a mass scale in our own domestic affairs by those who are directly or indirectly the agents of this Communist, totalitarian dictatorship.

Since the founding of this Nation in 1787, we have not encountered this problem in any serious form until recently. In 1793 Citizen Edmond Genêt arrived in this country for the expressed purpose of instructing this government in its proper conduct toward its then ally, the Republic of France. He actively sought to influence public men and interfere in shaping American policy. At the request of George Washington, he was promptly given his walking papers.

In 1823 the Government of the United States found itself confronted with the possibility that the then powerful government of Czarist Russia would seize California and perhaps Chile and Peru in our own hemisphere and that France might seize Mexico.

The comparatively weak and youthful American Republic under the leadership of President James Monroe responded vigorously to the challenge. On December 2, 1823, he delivered to the Congress of the United States the famous message which has since been known as the Monroe Doctrine. It declared in forthright fashion that the continents of the Western Hemisphere were "henceforth not to be considered as subjects for future colonization by any European powers." Commenting upon any efforts by European power to interfere in our affairs or those of neighboring States, the Doctrine declared "that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

The Communist movement was launched in the United States in September 1919 at the specific initiative of the Communist International, led by the executive heads of the Soviet Government. The launching of the Communist movement in this country was synchronized with Communist-led revolutionary outbreaks in Austria, Hungary, Germany, Lithuania, Latvia, Esthonia, Great Britain, Rumania, and other countries.

On January 21, 1924, Secretary of State Charles Evans Hughes transmitted to a subcommittee of the Senate Committee on Foreign Relations, a statement with supporting data to show "the essential unity of the Bolshevik organization known as the Communist, the so-called Soviet Government, and the Communist International" and secondly "the spiritual and organic connection between this Moscow group and its agent in this country—the American Communist Party and its legal counterpart, the Workers' Party." He characterized this party as "created by and completely subservient to a foreign organization striving to overthrow the existing social and political order of this country."

On May 22, 1930, the House of Representatives adopted House Resolution 220, Seventy-first Congress, second session, authorizing the appointment of a Special Committee to Investigate Communist Activities in the United States. It was made clear at the time that the Department of Justice had neither the power, authority, nor the funds to conduct such investigations. A five-man committee headed by Hon. Hamilton Fish, Jr., of New York, conducted extensive hearings and heard numerous witnesses representing all walks of life. Its final report was issued on January 17, 1931.

In 1933 a movement developed in the United States for the establishment of commercial and diplomatic relations with the Soviet Union. The Soviet Union on its part in return for recognition, pledged itself on November 16, 1933, through a formal letter from Maxim Litvinov, Soviet Ambassador, addressed to President Roosevelt "to respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its territories, or possessions." From our experiences since the signing of this pledge we know that it was not worth the paper it was written upon and that if we are to safeguard our own internal security, it will have to come solely through adequate legislation strictly enforced.

On March 20, 1934, the House of Representatives adopted a resolution (H. R. 198, 73d Cong. 2d sess.) authorizing the appointment of a Special Committee on Un-American Activities to investigate "(1) the extent, character, and objects of Nazi propaganda activities in the United States, (2) the diffusion within the United States of subversive propaganda that is instigated from foreign countries and attacks the principle of the form of government as guaranteed by our Constitution." This committee was headed by Hon. JOHN W. MCCORMACK of Massachusetts, as chairman, and Hon. Samuel Dickstein as vice chairman. In view of the mounting threat from Nazi activities whose inspiration and direction emanated from the German Government of Adolph Hitler, the committee made an exhaustive investigation into such activities, published in its voluminous hearings which lasted until February 1935. As a result of the work of this committee the McCormack bill (H. R. 10094, 76th Cong, 3d sess.) was adopted requiring the registration by the Attorney General of every organization subject to foreign control which engages in political or civilian military activity or whose purpose is the establishment, control, conduct, seizure, or overthrow of a government or subdivision thereof by the use of force, violence, military measures, or threats of any one or more of the foregoing.

On May 26, 1938, the House of Representatives adopted House Resolution 282 (76th Cong., 1st sess.) authorizing the appointment of a Special Committee on Un-American Activities to investigate "(1) the extent, character, and objects of un-American propaganda activities in the United States; (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries" attacking "the principle of the form of government as guaranteed by our Constitution." A seven-man committee was appointed headed by Hon. Martin Dies, of Texas. Under this title the committee operated until January 3, 1945, when the House of Representatives adopted House Resolution 5 (79th Cong. 1st sess.) authorizing the present standing Committee on Un-American Activities. From January 1945 until January 1947 this committee consisting of nine members was headed by Hon. JOHN S. WOOD, of Georgia. From January 1947 to date this committee has been headed by Hon. J. PARNELL THOMAS, of New Jersey.

Under H. R. 5, the Committee on Un-American Activities was authorized not only to investigate (1) the extent, character,

and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries" but also to deal with "all other questions in relation thereto that would aid Congress in any necessary remedial legislation. The accompanying legislative proposals are presented to the Congress of the United States in pursuance of this mandate.

These proposals are not lightly presented. They are the fruit of 28 years of experience which the Nation has had with the Communist Party of the United States, during which time we have certainly learned to evaluate its true character and potentialities. The Special Committee on Un-American Activities and the present standing committee in the course of 10 years have held public and executive hearings with 998 witnesses covering 19,651 pages of testimony embodied in 21 volumes and has issued 48 reports. It has amassed a file including over 1,000,000 names of individuals engaged in pro-Communist activity as well as extensive files of Communist literature and data dealing with Communist organizations. From January 22, 1947, through March 31, 1948, these files were consulted by 2,499 representatives of Government agencies or employees of Members of Congress or congressional committees.

As a result of the findings of the Special Committee on Un-American Activities and flowing directly therefrom, the Congress adopted Public Law 532 (77th Cong., ch. 263, 2d sess.), introduced by Hon. JERRY VOORHIS, of California, a member of this special committee. The bill provided for the registration by organizations engaging in propaganda activities and other activities for or on behalf of foreign governments, foreign political parties, and other foreign principals. While Nazi and Fascist activities were thoroughly dealt with in these hearings and reports, the committee had the foresight to devote major attention to the Communist problem.

With the defeat of the Nazi and Fascist powers legislation dealing with foreign and un-American propaganda from these sources has become manifestly unnecessary.

From June 23, 1941, to August 14, 1945, during the period of our wartime alliance with the Soviet Union, the Communist Party of the United States of America (known for a time as the Communist Political Association) gave some slight evidence of endeavoring to abide within the limits of our understanding with that Government. There were steps in the direction of labor-management cooperation. There were few Communist-led strikes. There was a degree of support for the President of the United States and the Congress by the Communists. As we look back upon this period, we are convinced, however, that there was merely tongue-in-cheek cooperation; that the Communists were taking full advantage of the situation to secure strategic posts for purposes of information, and, in general, to serve the interests of the Soviet Union. In many cases they still hold these points of vantage.

With the close of the war, however, the attitude of the Communist Party of the United States of America was reversed completely in line with a similar reversal by the policy makers of the Soviet Government. Since then there has been a marked upsurge of Communist-led strikes, a complete rupture of labor-management cooperation by Communist-controlled unions, a continuous campaign of vilification against the American Government and its policies in the Communist press and by Communist spokesmen, an increase in Communist espionage activities, serious efforts by the Communist Party to incite civil dissatisfaction and strife among racial groups, veterans and students, scientists and similar activities.

These symptoms by themselves must be judged in relation to other events which directly and indirectly affect us as a nation. They must be judged in connection with the fact that the Soviet Union in its calculated march toward world empire has since 1940 subjugated, either directly or indirectly, a host of countries, including Poland, Yugoslavia, Albania, Bulgaria, Rumania, Hungary, Czechoslovakia, Lithuania, Latvia, Estonia, and parts of China, Korea, Germany, and Austria. We cannot be unmindful of the fact that Communist intrigue in Latin America constitutes a threat to the Panama Canal and other vital defense zones and that this threat has assumed serious proportions in Panama, Costa Rica, Colombia, Cuba, and other countries of the Western Hemisphere. All these factors must be judged against the background of the world-wide campaign of vilification and slander which Soviet and Communist agencies are directing against the United States.

In preparation for the presentation of these proposals we have consulted with perhaps the most outstanding panel of legal talent ever to appear before a congressional committee. Extensive hearings were held which delved exhaustively with every phase of the legal problem of controlling subversive activities.

Also, Mr. Chairman, the charge has been made time after time in my daily bible here, the Daily Worker, that this bill is going to create a police state here in the United States.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from New York.

Mr. MARCANTONIO. The question of identity of people who come out against this bill has been sharply raised, and an attempt has been made to explain away the opposition as forgery and other devices. I wonder how the author of this bill will explain the fact that the President of the United States came out against this bill, and whether he ascribes that to forgery or what?

Mr. McDOWELL. May I ask if the gentleman is speaking at the moment for the President of the United States?

Mr. MARCANTONIO. I am speaking of what I read in the press. The President of the United States was specifically asked how he stood on the Mundt bill, and he gave his answer, and that answer appeared in every newspaper in this country.

Mr. McDOWELL. If I recall reading the morning paper, it said that the President was opposed to the outlawing of the Communist Party. Now, for the first time since Mr. Truman has been President of the United States he and I agree on something, as I take the very same position. But I also recall reading in the morning paper that Mr. Truman was asked his opinion on the Mundt bill, and if I recall reading my paper correctly, he had no comment on the Mundt bill.

Mr. MUNDT. Mr. Chairman, if the gentleman will yield, that is correct, and to elaborate on the answer, may I suggest now to the gentleman from New York, simply because he is leading the opposition on this bill he should get no illusions that he is the permanent leader of the opposition and is speaking for the President of the United States, because the President was not asked that question. The President was asked this specific question, because the AP called me up to read the transcript: How do you stand on the Mundt bill to outlaw communism? The gentleman from New York knows that is a loaded question. The Mundt bill is one thing. A bill to outlaw communism is something quite different. I congratulate the President of the United States on the very sensible and wise answer that he made. He said, as we have said in our committee report and as we have said in our speeches on the bill, that he is opposed to a bill to outlaw communism. So are we. He said that as far as commenting on the specific bill was concerned, he had made it a practice not to comment on bills while they were in passage through Congress. He made no comment aye, yes, or no about the Mundt bill. He did come out against the outlawing of communism, as we have.

Mr. RANKIN. He came out against attempting to outlaw the Communist Party.

Mr. McDOWELL. All this despite the fact that one of the members of the President's Cabinet took advantage of a speech yesterday, which will be discussed later by another member of the committee, to take a rotten, dirty, underhanded, foul blow at a committee of the House of Representatives.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WOOD. Mr. Chairman, I yield five additional minutes to the gentleman from Pennsylvania.

Mr. McDOWELL. I thank the gentleman from Georgia.

Mr. MULTER rose.

Mr. McDOWELL. I yield to the gentleman from New York.

Mr. MULTER. I will straighten it out, if the gentleman does not mind.

I have been an enrolled Democrat for 27 years. I have been elected to this House as a Democrat, refusing the nomination in my district of the American Labor Party. This is quoted, if you please, in the exact language of the President in answer to the question about the Mundt-Nixon bill. After saying that he does not comment upon pending legislation until it comes to his desk, he then said this, and I quote verbatim:

> But a law to outlaw a political party in the United States is entirely contrary to all our principles. I don't think these splinter parties do any harm. If there is a conspiracy to overthrow the Government of the United States, we have laws to control that.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. MUNDT. That is correct, and it is verbatim, but the gentleman did not read the verbatim question. I have read the verbatim question. You take that question, which was in the transcript, and the answer which the gentleman quoted, which was also in the transcript, and you have the whole story. The President was asked a loaded, leading question, which was "How do you stand on the Mundt bill to outlaw communism?"

The Mundt bill does not do that. The gentleman has read the right answer and I have read the right question.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from Georgia.

Mr. COX. The President's Attorney General says that amendments to existing laws are necessary to do the job necessary to be done.

Mr. McDOWELL. The gentleman is correct.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. RANKIN. The President did not say that he was opposed to outlawing the practices of communism, he simply said he was opposed to trying to outlaw the Communist Party. You cannot outlaw a party; it can change its name overnight.

Mr. McDOWELL. I thank the gentleman from Mississippi.

Mr. Chairman, in regard to the police-state angle of this bill, I have prepared here, and very carefully so, just exactly what a police state is, and I ask unanimous consent to include that at this point in my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

The was no objection.

WHAT IS A POLICE STATE?

Mr. McDOWELL. Mr. Chairman, it has long been the practice of the Communists to substitute vituperation and name-calling for logic and facts. Lenin, their chief prophet, was adept at this.

Characteristic of this slander device is the Communist tactic of charging your opponent with the very crimes of which they themselves are guilty. Thus the Soviet Union assails all those who oppose its imperialistic and expansionist policy as warmongering and imperialist. In the same way the Communists and their hangers-on claim that the bill under consideration calls for a police state. Under the circumstances it would be well to define just what we mean by a police state, so that we all know exactly what we are talking about.

Under a police state every man, woman, and child is under the direct or indirect surveillance of the police authorities at all times. The janitor is an agent of the secret police. Your next-door neighbor also. You can never tell whether a member of your own family is not secretly a police spy. Any chance remark you may make either at home or among your associates, the most trivial gripe, is subject to report to the state police and drastic penalty. Police spies are scattered throughout every place of employment and the slightest infraction of shop discipline is considered an act of hostility to the state punishable by the secret police.

You cannot travel from place to place at will. You have to have an internal passport and permission to go from one city to another.

Your activity and conduct is inscribed in a labor book subject to the inspection of a state official. You cannot get a job without it.

The state police are the largest employers of slave labor. In Russia it is estimated that the inhabitants of slave-labor camps run as high as 15,000,000.

A writer, a composer, or a scientist who deviates in the slightest degree from the Communist Party line is pounced upon by the secret police and sent to a concentration camp. The secret police make no distinction in their ruthlessness against all, including members of the church, who are suspected of harboring any critical ideas.

The secret police permit their unhappy victims no trial by jury, no habeas corpus, no right to independent defense counsel, and none of the legal rights which safeguard the individual under democracy.

In other words, under a police state, the secret police is the actual power in the government, terrifying and eliminating all possible opposition and acting as the ruthless arm of an all-powerful dictator.

Certainly the characteristics I have described in no way fit conditions in the United States either with or without the provisions of H. R. 5852. They do, however, describe perfectly conditions under the kind of government which many of those who are opposing this bill advocate. The intent and purpose of this bill is to set up proper safeguards against those who seek to set up a police state in this country. It is our considered purpose that a police state shall not happen here.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman made some statement about this bill outlawing certain practices that are illegal, and referred also to laws covering kidnaping, murder, and other things like that. There is a distinction there, because it is charged that this bill is an attempt to outlaw a line of reasoning, a line of thought, a philosophy of economics, an action to bring a new philosophy into being by legal means.

Mr. McDOWELL. This bill has nothing at all to do with outlawing thought or belief or anything of the kind. This is no thought-control bill. The gentleman is reaching down into the Communist bag of tricks when he attempts to hand to the Committee on Un-American Activities that they are attempting to control thought. I remember when we went to California, when we had those Hollywood people over here, it was charged we were attempting to take over the classics of the Nation, the culture of the Nation. We were accused of attempting to control the thinking and the thought and the ideas of the Nation. It was not true. We went to California to find some members of the Communist Party, a Communist political conspiracy, and we found them; and they are on their way to jail. Every time we haul down some Communist labor leader from some place, the Communists immediately raise the cry, "They are trying to do something to labor." We are not trying to do something to labor at all. We are trying to reach down into labor and pull out the Communists that are there.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. EBERHARTER. The gentleman said that I was reaching down to pull up one of the Communist's tricks. I hope the gentleman did not mean that my thoughts and my actions and whatever action I take is dictated by the Communist group or a Communist-dominated group?

Mr. McDOWELL. The gentleman from Pennsylvania is my neighbor and my good friend and has represented his people in the good old city of Pittsburgh for many years and very ably represented them. Most certainly I have no charge of communism against him or that he is Communist-controlled. But I do say, and I repeat, that you are reaching down into the old Communist bag of tricks to pull up a weapon that does not exist. It is fantasy.

Mr. EBERHARTER. But you will say that you do not think that my thoughts follow their line of reason.

Mr. McDOWELL. Of course I do not.

Mr. WOOD. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I take it that there is little, if any, sentiment embraced by any of the Members of this Congress which is in favor of a Communist-controlled Government in our Nation. Those of us who have observed in recent years the advance of this philosophy amongst nations of the earth, one by one of which have fallen under its domination, have become more and more concerned with its spread in this country. I have no fears about the ultimate fall of this Government of ours from any enemy from without because I believe we have successfully demonstrated our ability to withstand assaults from without. But those of us who have been charged with the responsibility thrust upon the committee sponsoring this bill have become more increasingly concerned throughout recent years and months with the spread of this doctrine in America and its threat of destruction from within. It has been said, and said here today on the floor of the House, that the remedy is not to undertake to reveal in the pitiless light of publicity the activities of those individuals in America who advocate the overthrow of this Government and the substitution of a communistic dictatorship therefor, but rather to get at the cause, and the cause, it is said, is poverty, bad living conditions, and bad working conditions, and perhaps discrimination in many of the economic activities of the American people. The reply to that, Mr. Chairman, as revealed by our investigations, is that in this Nation the Communist doctrine today is spreading more rapidly than in any other nation on earth, and a more determined assault is being leveled against our governmental institutions than that of any other people. And yet our people enjoy the highest standard of living conditions known to mankind anywhere in all the world today or which have ever existed in all the annals of history. Our unemployment is less, our workers and people engaged in agriculture are more prosperous, and our living conditions are at a higher level than that of any other nation now or at any period in recorded history.

Still, we find ourselves bearing the brunt of the greatest assault by the apostles of this totalitarian philosophy than any other nation on earth. Since

I have been connected with this committee I know that its members have been striving earnestly to devise some measure whereby we might be able to shore up our defenses against the constantly increasing spread of this insidious philosophy of government here without, at the same time, doing violence to the framework of our governmental structure.

From many proposals submitted to our consideration we have determined that this legislation offers the greatest measure of security against the further spread of this threat to our free institutions that we are able to find within the limits of fundamental law.

I confess that there were members on the committee who felt that this measure was not strong enough, but we tried as earnestly as we could, with all the resources at our command and the appearance of many of the best constitutional lawyers of the Nation before us, to write a piece of legislation that would not infringe against that great fundamental document that forms the basis of our organic law in America, and at the same time offer some measure of security against the further spread of this cancerous growth upon the body politic of this Nation.

I want at this time to pay tribute to the subcommittee that worked tirelessly for weeks upon weeks to aid the author in perfecting this piece of legislation. I have reference to the very able and conscientious Representative, the gentleman from California [Mr. NIXON], who was chairman of the subcommittee which conducted these hearings which embrace approximately 500 pages of testimony, and his able and conscientious colleagues on the majority side, Messrs. VAIL and MCDOWELL, who gave their invaluable service and tireless efforts, as well as to my colleagues on the minority side, the gentleman from Florida [Mr. PETERSON], and the gentleman from Louisiana [Mr. HÉBERT], all stalwart patriots and great statesmen of this body.

I feel that the American people and this Congress owe a lasting debt of gratitude to those men who shouldered the bulwark of the labor that went into the perfection of this bill, along with its author, with whom they cooperated tirelessly.

Mr. Chairman, at this time I yield such time as he may desire to the distinguished gentleman from Florida [Mr. PETERSON], a member of this subcommittee.

Mr. PETERSON. Mr. Chairman, I ask unanimous consent to refer to certain excerpts and messages and to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PETERSON. Mr. Chairman, this particular bill is the result of long study. It is the result of testimony, the result of the observations of the committee over many investigations as well as that carried on this particular bill.

The committee tried to be careful to protect the constitutional rights of the citizens. At the same time we tried to protect this great Nation of ours, this great system in America which enables the poorest citizen to become President of the United States; which enables them to become mayors of great cities; and to sit in the highest legislative bodies of the land; a system by which a boy in his own home town can grow and prosper and be a leader in his home community; where the small merchant can become a great financier. That is the American system—the system in which we protect the rights and yet allow free enterprise; a system in which we want to protect freedom of speech, freedom of the right of assembly, and as we went along we tried to see that we did not disturb those things. Communism seeks to destroy all this.

There testified before our committee great constitutional lawyers. Among others, there was an eminent attorney from my own State who came in, not because he was from my State but by reason of the fact that he was chairman of a special committee of the American Bar Association, past president of the Florida Bar Association, and chairman of the special committee on the bill of rights of the American Bar Association.

In testifying before our committee, he showed clearly that he was not radical. He stated:

> As to the first, that the full protection of the Constitution must be accorded to the members of any minority group, including Communists, is beyond question, even though such group, in the public opinion, stands adjudged as subversive, even treasonable activity. Because we differ with a Communist is all the more reason we must uphold his right to express himself. This is the very essence of our democratic system.

He also said:

> But the zeal to afford protection to an individual need not blind us to the paramount need of defending our form of government which alone secures to all individuals the freedoms that communism is dedicated to destroy.

Again a man testifying as fairly as that, careful guardian of the liberties of these people, is not radical. I took the liberty of sending to him by air mail a complete copy of the bill, and asked him to give to me as a member of the committee, that I might give to the Congress, his views as to the bill and as to the constitutionality of it.

He answered by saying this:

> I am in favor of the general purposes and objects and requirements of the Mundt bill, H. R. 5852, as amended. It is carefully drawn and in my opinion, constitutional. The Communist threat here is dangerous and should be checked before it becomes greater.

That is the actual opinion of a distinguished constitutional lawyer who heads one of the great committees of the country, Hon. Robert R. Milam, of Jacksonville, Fla.

There has been a lot of misunderstanding about this particular bill. If you could have seen the various suggestions that have been suggested for incorporation in the bill, suggestions which have gone very much further than we did to outlaw the Communist Party or to put in other curtailments, I am sure you will agree that in our attempt to keep the bill fair and constitutional we have worked out a great piece of legislation.

This is good legislation. If you will take time to go carefully into the bill on page 23 you will find there some of the objectives of the bill set forth. Here is what it states:

> SEC. 4. (a) It shall be unlawful for any person—
>
> (1) To attempt in any manner to establish in the United States a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual.

Can anyone find fault with legislation which seeks to curb and to prevent the establishment of a totalitarian dictatorship in this country, subservient to a foreign government? That is just exactly what is set forth. I read further:

> (2) To perform or attempt to perform any act with intent to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship;
>
> (3) Actively to participate in the management, direction, or supervision of any movement to establish in the United States such a totalitarian dictatorship;
>
> (4) Actively to participate in the management, direction, or supervision of any movement to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship;

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield.

Mr. OWENS. I am bothered by a few of these things; for instance, where it reads: "To the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin." Would not that simply be an invitation to the people of the United States to read Marx and Lenin in order to determine what their doctrines might be?

Would it not be better, do you not think, to make one solid statement of all these things, such, for instance, as the statement I have written down here: "Any organization in the United States that is a constituent part of the world Communist movement or to attempt to establish a totalitarian dictatorship as defined in the bill," rather than to put in all those details?

Mr. PETERSON. If they followed the same line all the time the gentleman's statement might have some merit, but from time to time they vary their tactics, they change; and the section to which the gentleman refers is a different section from the one I have read. That, however, is one of the elements which must be considered in the determination. You will notice that when you get to that portion of the bill there are different things and this is only one element that needs to be considered.

Mr. OWENS. What I mean is this, if you are going to give the Attorney General or whoever it is the power of concluding if one of those is violated, are you not giving him a legislative power that belongs here? Are not we the ones who are supposed to set out what is the violation rather than giving him the right to conclude?

Mr. PETERSON. We make the determination here of the things to be con-

sidered and it is subject to court review, as the gentleman will see.

I do not want to take up too much time, but I did want to express to the Committee and to the House the belief that this is a carefully drawn bill. Those who have served with me know that I try to be conservative, fair, and kindly. All my life I have tried to be. I have analyzed this bill very carefully. There are times in which I have not found myself in accord with some of the other committees on which I served or even with the other members on this committee, but I am thoroughly in accord with this bill. This bill is reported unanimously by the committee which studied it and studied it thoroughly and fairly. It is a good bill. I also have a distinguished friend who served in the First World War and in the Second World War also—Gen. Sumpter L. Lowry, of Tampa, a patriotic, earnest American. He wrote to the distinguished gentleman from California [Mr. NIXON] this letter, and I think it should in part be included in the RECORD:

DEAR CONGRESSMAN NIXON: I want to congratulate you on the fine work you are doing to stop the Communist menace in this country. If only the people would realize that this is the most important thing in the United States today, and a matter of life and death to every man, woman, and child in this country.

All the other good things we do will be of no avail unless we check the inroads of communism. * * * I hope very much you will secure an early passage of your anti-Communist bill which the House Un-American Committee has reported to Congress.

If you can be the means of passing this bill through the Congress, you will have the gratitude of the country forever.

Sincerely yours,

SUMPTER L. LOWRY.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New York.

Mr. MULTER. Can the gentleman tell us whether the committee considered what effect, if any, the declaration of principles contained in this bill would have upon those Members of this House who have offered resolutions urging that the United States and all other countries give up the veto power in the United Nations?

Mr. PETERSON. The committee went into detail on every phase that came before it. The root of the whole thing is this: It deals with the establishment of a totalitarian dictatorship, subservient to a foreign government. I pray that no Member of this House would take his orders from a foreign government or hopes to have a totalitarian dictatorship here. We all have the right to offer resolutions. We have considered many phases of this matter. We did not go as far as we could constitutionally had we wanted to do so. We tried to be fair, we tried to protect all rights. We allowed the right to court review. We must protect our great Nation against those who would destroy it. This bill will help.

Mr. Chairman, I hope this bill will pass by a substantial vote.

Mr. KLEIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Chairman, I am appalled by the potentialities of the bill before us today—the bill which is described in its title as intended "to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes."

Every time I have read this bill, and every time I have gone through the accompanying report, I have found new vistas of repression and oppression, of thought-control and of interference with the ordinary and long-accepted right of every American to believe or not to believe, to go where he pleases, talk to whom he chooses, and say what he will.

But my first and most fundamental objection to this bill is that it desecrates the letter and the spirit of the constitution by creating a category of second-class citizens, proscribed and attained for their association and their presumed ideas alone, and visited with special pains and penalties because of those associations and ideas.

I am certain that this bill, if enacted, will be struck down by the courts. It is tragic that this honorable House should so far depart from the noble traditions of George Washington, James Madison, Thomas Jefferson, Andrew Jackson, and Franklin Delano Roosevelt as to even consider it.

Mr. Chairman, there are so many valid objections to this bill that my mind is taxed as to where to begin.

Let me turn back for a moment to the Republican National Party platform of 1944, and beg this House, with its Republican majority, to attempt to justify this measure with the sentiments expressed only 4 years ago.

Under the heading of "Domestic policy" the Republican platform declared:

We shall devote ourselves to reestablishing liberty at home.

Mr. Chairman, this bill proposes to take away the liberty of 140,000,000 American citizens here at home, to prescribe limitations as to their thoughts and acts on pain of losing full citizenship rights, and to lay them open to the persecutions of a police state.

Turning to the heading, "Racial and religious intolerance," the Republican Party solemnly declared:

We unreservedly condemn the injection into American life of appeals to racial or religious prejudice.

Mr. Chairman, whatever may have been the intentions of the committee which framed the Mundt bill, the fact is that any effort by a minority of any kind, whether racial, religious, economic, or political, to remove injustices, or to advocate new measures against discrimination, could be interpreted as a violation of this measure.

I doubt if the members of the committee which reported that bill intended anything so sweeping; but if you will only read the bill, with the conscious desire to recognize such possibilities in it, they are clearly there.

Almost any kind of political repression can be accomplished through the instrumentality of this measure by an Attorney General so minded, so long as the victim has been indiscreet enough to enter into a relation of association.

The most biting commentary I can make on this phase of the bill is taken from the concluding paragraphs of the Republican platform of 1944. Either the noble sentiments of these words were completely false, or the Republican majority of this House, by passing this bill, is deliberately breaking its solemn assurances of 4 years ago.

Listen to these words, and I am quoting from the official text:

The essential question at trial in this Nation is whether men can organize together in a highly industrialized society, succeed, and still be free. That is the essential question at trial throughout the world today.

In this time of confusion and strife, when moral values are being crushed on every side, we pledge ourselves to uphold with all our strength the Bill of Rights, the Constitution, and the law of the land. We so pledge ourselves that the American tradition may stand forever as the beacon light of civilization.

That is the end of my quotation and the concluding two paragraphs of your own party platform.

Yet in this bill, reported by the Republican chairman of a Republican committee, the Constitution and the Bill of Rights are trampled and the American traditions of freedom and liberty are flouted.

What price your platform today?

Is your solemn party pledge so soon forgotten that you will quench that beacon light you so extolled?

Mr. Chairman, a legalistic cataloging of the faults of this bill would quickly empty the floor and lull you to sleep. Mere denunciation without reasoning can only arouse in the bill's proponents equally unreasoning denunciation in turn.

Yet somehow I must convey to you the tragic import of the departure from Amercian traditions embodied in this incredible legislative hodge-podge.

The apostle of American democracy to whom we all pay tribute is Thomas Jefferson.

In his immortal words we find the pattern of freedom in which we all glory. Time after time Jefferson proclaimed his belief in people, in the free play of ideas, and in change.

For 172 years we have successfully maintained our turbulent democracy, with its name calling, its faltering, its splendors, and its dangers, and we have established the greatest industrial power and the highest standards of living and education and of free expression that the world has ever known.

Compared to the Old World with its ancient wrongs, we are a young nation.

Part of our success has been due to the unbounded confidence with which we have faced the future.

Are we now so fearful that we resort to the very antithesis of our democratic ideals to preserve the faint shadow of representative government?

A bill of this kind is invalid on its face. It transgresses constitutional inhibitions and guaranties. It is so vague that no reasonable man of strong feeling could

be sure he is not committing a crime under some of its provisions.

As a matter of fact, it cannot be seriously believed by its most ardent supporters that this bill will become law in the Eightieth Congress. It will die in the Senate, just as the Rees loyalty bill has died there.

The danger lies in its serious offering to this House, the last great citadel of human freedom in the world.

Debates such as this stir up animosities not easily forgotten. Our national prestige suffers in the esteem of the world.

As a lawyer, and as an American proud of the American tradition of freedom, I make these specific objections to the Mundt bill:

First. Its language is so vague as to defy either compliance or enforcement.

Second. Its proposals subvert the principles of democratic representative government more thoroughly than the ills the bill proposes to remedy.

Third. If passed into law it would establish effectively the totalitarian dictatorship it pretends to fend off.

Fourth. It is an unconstitutional bill of attainder and proscription.

Fifth. It makes thoughts and associations a crime of and by themselves, in violation of the Constitution.

Sixth. It attempts to supplant judicial procedure by legislative fiat, a process repugnant to our law and our customs.

Seventh. It places in the hands of one fallible man, the Attorney General, whomever he might be, vast and unguarded powers over our liberties.

Eighth. It constitutes an unconstitutional and flagrant breach of the rights of privacy, speech, and silence.

Ninth. It opens the way to legalization of the blacklists already prepared by the Committee on Un-American Activities in the form of voluminous card files, in which mere liberal attitudes are sufficient to bring down denunciations of Communist sympathies, and makes it possible to stifle all intellectual freedom and, by easy steps, all religious and personal freedom.

Tenth. The proposed amendment to the Nationality Act, which would make it possible to take away a natural-born American's citizenship for violation of the vague and stifling provisions of the act, defies all language in its effrontery. This goes farther than the infamous Alien and Sedition Acts of 1798, is grossly unconstitutional, and desecrates the memory of the national heroes who brought this country into being and preserved it at the peril of their lives and fortunes.

Eleventh. The measure is redundant and unnecessary. Every proper safeguard for our national security can be accomplished under existing law, with perhaps minor amendments to clarify and strengthen the sedition and sabotage statutes. We have come victoriously and safely through two world wars and a world depression without any such law, and we do not need it now.

Twelfth. This bill constitutes, on the one hand, an intolerable invasion of the executive and judicial powers and, on the other, an abdication of the proper legislative powers of the Congress.

Mr. Chairman, it is fruitless to go further. All Members have received a barrage of mail opposing the bill. The opposition has come from all walks of life. You have received analyses from many organizations, some excellent, some mediocre.

What you have not received is a real report from the Committee on Un-American Activities, which conveniently slurs over the far-reaching implications of the measure.

I am particularly dismayed that the committee should not suggest in any line that we can best expose the deceits of communism by making our own democracy work fully and freely.

Even the circumstances under which this bill has come to the floor are undemocratic.

Last February the Subcommittee on Legislation of the Committee on Un-American Activities held public hearings on vague legislative proposals. Only 1,000 copies of the hearings were printed, and if copies of the hearings were sent to me, neither I nor any member of my staff can now recall it. On March 15 a bill was introduced. A few days later a subcommittee report was issued which did come to my office, but which bears only a faint resemblance either to the March 15 version of the bill or to the version now before us.

Then an amended bill was ordered reported, but we could not get copies of the report or of the bill until last Monday, May 3. The bill was given a rule on last Thursday, and I imagine it is probable that the members of the Rules Committee did not read both report and bill. Today we are debating its passage. There have been no public hearings on the bill itself. We have little to go by but our own prejudices and our own conception of law and of right.

I shall cast my vote against this bill, Mr. Chairman, with the hope that enough Members will join me to prove that this House has not forgotten the glorious past.

Mr. MARCANTONIO. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. MULTER].

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Arkansas.

Mr. HAYS. The gentleman asked about the effect of this bill upon a pending resolution being considered by the Foreign Affairs Committee. Now I hope that would not carry the implication that passage of this bill will involve any action that is incompatible with favorable action on those resolutions, because whether one agrees with the bill or not, its purpose is the protection of our own Nation against subversive action from within. If our efforts with reference to the veto question involved anti-Russian rather than strictly peace purposes, there might be some relationship. I hope the gentleman will not feel there is anything inconsistent in the two actions.

Mr. MULTER. I hope there is not, but there is much language in this bill that might easily be construed that way. After all, our veto power will be given up provided Russia, too, gives it up. This business of making the UN work cannot be unilateral, it must be a concerted effort on the part of all nations that are participating in the United Nations organization.

Mr. Chairman, I can think of no Member of this House who can more easily justify his support of this bill than I. In my district are concentrated the largest number of Communists and fellow travelers to be found in a single congressional district in this country. They are vocal and militant. They are malicious and un-American in the most invidious sense of those words. Their attacks upon me, I am advised by competent authority, subject them to indictment and conviction for criminal libel. Incitement of hatred and discord are their principal stock in trade. No one despises them or their tactics more than I. No man has or will fight them harder than I, but only in the American way and in accordance with the American tradition of fair play.

I beg of you let us not besmirch ourselves by stooping to meet foul blows with a violation of our fundamental concepts.

I owe much to this American democracy of ours that gave shelter to and later brought together two immigrant children who became my parents. It was the American way of life that made it possible for this boy of poor parents to rise above poverty, acquire an education, and eventually become a Member of the greatest deliberative body known to the world since the birth of mankind. I want to see this country grow from strength to strength, to be an even better place in which to live for your children and mine, and for those who will come after them. I want it to be the beacon light of freedom to all the world; not just for today, but forever. That is why I ask you, I beg you, please do not traduce the glorious traditions of this country by enacting this bill.

Mr. Chairman, I am enjoying my work here. I love the new friendships I have made on both sides of the aisle in my brief stay here. I want to return next year. I do not want to return if it means compromising my principles against communism and against its supporters, nor will I return if it means compromising my principles of Americanism. You know, by the very simple expedient of enacting this bill into law I can guarantee my reelection, because at one fell swoop it will destroy my political opponents, Republicans as well as Communists. I do not want to pay that price. The proponents of this bill, while attempting to prevent a one-party government, certainly in my district, will accomplish just that. The Communists and their fellow travelers will either go to jail or join the Democratic Party. God forbid that. In the meantime, what will happen to the Republicans? In my district they, too, will be compelled to make the same choice. Let me illustrate. In the list of subversive organizations I found the name of the League of Women Voters. In New York the League of Women Voters is made up in large part of those of wealth, of the Daughters of the American Revolution, and most of them, if you please, are Republicans.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. NIXON. To what list of subversive organizations is the gentleman referring?

Mr. MULTER. The list is one which was released recently by the Attorney General.

Mr. NIXON. The Attorney General of the United States listed the League of Women Voters as a subversive organization?

Mr. MULTER. So I understand.

Mr. NIXON. Then the gentleman's understanding is completely wrong. I think that if the gentleman will check with the Attorney General's list he will find he is wrong. I am quite familiar with it.

In that connection, may I point out to the gentleman that that is just what we are trying to do in this bill. We are trying to get away from that kind of loose listing of subversive organizations. We have laid down strict standards defining subversive organizations, so that we can avoid just what the gentleman has criticized. I hope the gentleman will see fit to support the bill because of that fact.

Mr. MULTER. I have in my files letters from the League of Women Voters in New York City decrying the fact that their organization was listed as a subversive organization, and I know it is not a subversive organization.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. I have in the files in my office another list of subversive organizations, issued by the Communist Party. On that list are the National Association of Manufacturers, the United States Chamber of Commerce, the Chase National Bank, the Pennsylvania Railroad, and various other organizations. So these days one has to be careful as to which subversive list he is looking at.

Mr. MULTER. I am sure, if the gentleman will look at the list issued by the Communist Party of individuals whom they will eventually guillotine if and when they come to power, he will find my name there, too.

Mr. McDOWELL. The gentleman is a good Democrat. I might add that on the list also are the Democratic National Committee and the Republican National Committee.

Mr. MULTER. I have no doubt about that.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Colorado.

Mr. CARROLL. I should like to ask a question of the gentleman from California [Mr. NIXON]. Did I understand correctly that this measure takes away from the Attorney General his right to proscribe under the President's Executive order?

Mr. NIXON. If the gentleman will read the bill carefully, and if he will study the Executive order carefully, he will find that the effect of this measure will be to clear the atmosphere insofar as the listing of subversive organizations is concerned, because the present legislation requires the Attorney General, before he can list any organization as being a Communist-front organization, or require publication of the fact that it is a Communist-front organization, to go through a very careful set of procedures, which are set forth in this bill, subject to court review. It is my contention that, in the event this bill is enacted into law and in the event this procedure is set up, and such would be my hope, this type of procedure would replace the present ex parte proceedings which the Attorney General is following under the loyalty order.

Mr. CARROLL. That is what I wanted to get clarification of. I thank the gentleman very much.

Mr. MULTER. This bill would as effectively put out of our political life those believing in it as those Communists that we all despise so heartily.

Mr. Chairman, it should be unnecessary to remind us that our Declaration of Independence and our Constitution are founded upon the divine right of man to be free, free to think, free to speak, free to act, the freedom circumscribed only by every free man's duty to respect every other man's right to be free. This right is so basic, so universal, that when we wrote the charter of the United Nations we included a covenant guaranteeing free speech throughout the world. At the Geneva Conference just closed a similar recommendation was adopted by a vote that would have been unanimous except for the opposition of Russia and some of her satellite states. Let me call your attention to what they recommend:

> Freedom of information is a fundamental right, not of governments, not alone of information agencies, but of the people.

This is the language they recommend for the covenant:

> Everyone shall have the right to freedom of thought and expression. This right shall include freedom to hold opinions without interference and to seek, receive, and impart information and ideas by any means regardless of frontiers.

Much as I despise Communist doctrine and as hard as I will fight against it, I think you must join with me in the fight for those who want to say what they please, and this bill will stop it. If the day comes when this country is not strong enough to stop that kind of talk, we will be sorry, indeed, for all of us. Even your committee recognized the principle of what I am expounding.

On page 6 of the report, No. 1844, we find this language:

> To make membership in a specifically designated existing organization illegal per se would run the risk of being held unconstitutional on the ground that such an action was legislative fiat.

One principle of construction of law that is too well known to warrant debate at this time, is that you cannot do by indirection that which the law prohibits you from doing directly. You cannot draw a picture in this bill of the Communist Party and by refraining from calling it the Communist Party, proceed to outlaw it. If you want to do that, if you want to stop the preachment in this country of communism, much as we hate it, in my opinion you can do it only if and when you amend the Constitution to so provide. The guarantee of free speech, assembly, and petition in our Constitution allows a man to get up and argue for anything he wants. If he cannot convince the majority then it is our duty to see that the will of the majority prevails.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. McDOWELL. The gentleman will recall that they hung a man in this country once, a man called Major Andre. He was consorting with the enemy, if I recall. The gentleman will also recall that the States of the North sent armies into the South. Treason is something else besides liberty, do not you know.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CARROLL. I am sure the gentleman from New York is familiar with the historical background of the case, that Maj. John Andre was a British soldier in uniform who penetrated the enemy lines. This is another of those very specious and confusing arguments that have been attached to the debate on this bill. There is absolutely nothing to that argument.

Mr. McDOWELL. Does the gentleman from Colorado think that Earl Browder is a good American citizen entitled to enjoy the great freedoms of this country?

Mr. CARROLL. The gentleman has asked me a question and I have answered it.

Mr. MULTER. Would you hang him without a trial by court and jury?

Mr. McDOWELL. I would not hang him, but I would not let him hang my country, either, by his illegal connection with this international political conspiracy.

Mr. CARROLL. Will the gentleman permit me to respond to the question inasmuch as it was directed to me? Browder has nothing to do with your remarks when you comment on Maj. John Andre. I merely want to get you correctly in the RECORD so that you will be historically accurate, because you have not been very accurate so far in the debate on this bill.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. MARCANTONIO. There are two propositions here, first that we are not at war with the Soviet Union and second that we have laws on the books of this country dealing with treason. Therefore the argument made by the gentleman from Pennsylvania is to say the least very specious.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BRADLEY. Directing my question to the gentleman from Colorado [Mr. CARROLL], did I understand him to say that Major Andre was a British soldier in uniform?

Mr. CARROLL. That was the debate and the great discussion when he was sentenced to be hanged, as to whether or not he had come here in uniform. I think as a commander in the Navy, you will recall that he had a topcoat on and

he penetrated the lines. That was the decision and that was why the court sentenced him to be hanged.

Mr. BRADLEY. I thank the gentleman, but I would not consider that a uniform.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. MACKINNON. Does the gentleman from New York wish to give the impression that there is something in this bill which would affect individuals so they could be found guilty without going to court and without getting a trial by jury?

Mr. MULTER. Very definitely so.

Mr. MACKINNON. Will the gentleman kindly point that out in his remaining time?

Mr. MULTER. Read the provision which makes the Attorney General of the United States—and the gentleman who presently holds that office has my highest esteem—the absolute and complete factfinder. The judicial review that is put into this bill is merely a sop to take from those provisions the very bad feature of letting any one man or anyone whom he may appoint be a factfinder with the additional provision that his finding of fact shall be conclusive upon any court that attempts to review it.

Mr. MACKINNON. Where does that send anybody to jail? Does not the right of appeal to a court exist? Will the gentleman answer that question?

Mr. MULTER. The right of appeal given in this bill is utterly valueless because the court cannot review the facts. The only review that can be had is on the question, Did the Attorney General have the right to act? If he had a right to act under this bill, then that is the end of the review.

Mr. MACKINNON. Where does it send anybody to jail in that section to which you referred? Let us be honest about what this bill does and what it does not do.

Mr. MULTER. Does it deprive him of his right of employment?

Mr. MACKINNON. No; it does not. I am merely requesting you to point out the specific section in the bill. There is too much loose talk going on about this measure.

Mr. MULTER. If your side will give me 5 minutes, I will point out not less than 22, by actual count, bad things in this bill. May I have the 5 minutes? Apparently not.

Mr. NIXON. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. MCDOWELL. That will give him time to give at least thirteen.

Mr. MACKINNON. I am merely requesting you to pick out something in the bill that sends a person to jail without a jury trial.

Mr. MCDOWELL. Or hang him.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CASE of New Jersey. I just want to say to the gentleman that many of us have been concerned about this very difficult and delicate problem. Has the gentleman, in his concern, attempted to deal with the committee at all, to handle the problem, or has he just decided to go against the bill and assume that the committee is obdurate and would make no effort to meet his substantial suggestions? My experience has been that the committee has considered everything that I have raised with it. It is going to offer some amendments to cover many of these points, and will consider favorably any objection to the bill.

Mr. MULTER. I have prepared proposed amendments to this bill, and I hoped I would have an opportunity to point them out today, not only amendments that would take the bad things out, but even to put some things in that would make it better and more enforceable. I am against communism and I would like to see it controlled in this country, but not by illegal methods.

Mr. CASE of New Jersey. I congratulate the gentleman and I wish he had taken the trouble to deal with the committee before. I think all these things could have been settled and his suggestions would have been welcomed.

Mr. MULTER. It is my understanding that the original bill introduced contained 14 pages and it came out of the committee with some 27 pages of printed matter, and that much of that part of the bill which is now new was not considered at any public hearings. I would have welcomed the opportunity to voice my views on this bill to the committee.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. MARCANTONIO. The challenge has been made here for us to demonstrate that this bill makes any provision for sending a person to jail without a trial. The answer is contained right here in section 13. The Attorney General finds that an organization is a Communist-front organization. That is a finding. The only remedy left to the aggrieved party is to ask for a review before the Circuit Court of Appeals. That review is limited to what? The court cannot review any question of fact, if it finds that there is substantial evidence to sustain the findings of the Attorney General. Then, where do we go from there? That party must register. If he does not register he comes under the penalty provision of section 15. What defense has he in court when he is indicted for not having registered? The only question you leave to the court is whether or not the Attorney General has decided that he must register. If the defendant is an officer of an organization certified by the Attorney General to be a Communist organization, then he has no defense left and you are thereby making a mockery out of a trial.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. May I continue, please?

Mr. MACKINNON. Just one sentence.

Mr. MULTER. Very well.

Mr. MACKINNON. I suggest the gentleman completely overlooks the fact that in that subsequent proceeding, in which the jury trial would be afforded, you could always raise the question of the jurisdiction of the Attorney General in the first instance. If he made an erroneous decision, jurisdiction is lacking.

Mr. MARCANTONIO. Then, the gentleman is positively in error, because he definitely has not read the bill when he makes that statement. That question is disposed of in the bill under the title of "Judicial Review."

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has again expired.

Mr. MARCANTONIO. Mr. Chairman, I yield the gentleman one additional minute.

Mr. MULTER. Are we now to say that the United Nations covenant guaranteeing freedom of thought and of speech is to be unilateral, a one-way street down which only we can travel? Is not that the Soviet way of life? Can we combat communism by following its irreligious, God-defying path?

Let your minds roam back over the history of our world. Recall the martyrs who died on the rack, at the stake, and on the gallows; recall Him who died on the cross that we might live as brothers.

I humbly and respectfully suggest to the Chaplain of this House: Reverend sir, on the day on which we are called to vote upon this bill, take as the text for your prayer the commandment from the book of Leviticus: "Proclaim liberty throughout all the land." Teach us the divine meaning of liberty; enslavement of none, freedom for all. Teach us that "all the land" means not the East, not the West, not the North, not the South, but all of the earth that God has given to His children as a place in which to live in peace, if only we will it.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. VAIL. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

Mr. VAIL. Mr. Chairman, with your permission I am going to digress for a moment or two from the subject matter before us today and deal with another matter that reflects upon the dignity and the honor and the good repute of this body.

Mr. Chairman, the Washington Times-Herald of today carries a United Press story over the following headline: "Probers stole Condon data Clark charges."

The story reads as follows:

> Attorney General Clark has bluntly accused the House Un-American Activities Committee of "stealing" parts of an FBI loyalty report on Dr. Edward U. Condon, head of the National Bureau of Standards.

This reckless and unfounded statement is typical of our present inept Attorney General. How the Committee on Un-American Activities obtained excerpts of the Hoover letter of May 15, is a matter of public record. House Report 1753, filed with the House on April 19, 1948, by Mr. WOLVERTON, of the Committee on Interstate and Foreign Commerce, to accompany House Resolution 522, states on pages 4 and 5:

> It is appropriate to inform the House as to how the Subcommittee on National Security was able to obtain the partial text of the letter above referred to, and why it was unable to obtain the full text.
>
> On September 6, 1947, the following letter was addressed to an employee of the Depart-

ment of Commerce by the chairman of the Committee on Un-American Activities:

"DEAR MR. ———: In connection with official investigation being conducted by the Committee on Un-American Activities, I would appreciate your furnishing Mr. William A. Wheeler, investigator for this committee, any information you have available on Edward U. Condon, Director of the Bureau of Standards. Your cooperation in this matter will be greatly appreciated.

"J. PARNELL THOMAS,
*"Chairman."*

In response to this request the investigator was permitted to make a brief examination of a file of papers and documents, among which was the letter written by Mr. Hoover, above referred to. The investigator undertook to make a copy of this letter, but before he was able to copy all of it he was requested to discontinue, and acceded to the request. The result was that the subcommittee had available for publication in its report only that part of the letter which the investigator had been able to copy.

The Attorney General's statement at the National Press Club was a deliberate falsehood, uttered to divert attention from the desperate efforts of President Truman and the Attorney General to cover up on the Condon matter. Attorney General Clark knows the full content of the Hoover letter, and I defy him to state publicly that it exonerates Dr. Condon as a security risk.

I personally feel that Attorney General Clark should be subpenaed by this body to appear here before the bar of the House and demand of him any information he has that the Committee on Un-American Activities was guilty of stealing parts of the FBI loyalty report, and unless he can prove this charge, that he should publicly apologize to the House of Representatives.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. VAIL. I am glad to yield to the gentleman from Illinois.

Mr. BUSBEY. Will my colleague from Illinois agree with me when I say that the Attorney General at least should have known all the facts if he did not and that he not only was handling the truth rather carelessly, but he deliberately falsified for the effect it would have on the public, on this committee, and on this bill.

Mr. VAIL. I fully agree with the gentleman.

Mr. Chairman, since its birth, little more than 170 years ago, our country has on many occasions faced grave danger to its national existence—danger that, without exception, was promptly and resolutely faced and conquered by stalwart Americans of the era in which it threatened.

Almost before it outgrew its swaddling clothes the new Nation, dedicated to new and broader principles of liberty and justice, was the target of attack by force of arms—attack that was repulsed and routed by hardy, courageous patriots equipped with flintlock musket and the other primitive weapons of that early day.

Throughout the intervening years each succeeding generation has faced its own problems and fought its own battles, shouldering its responsibilities bravely and contributing its share to the constantly developing strength of the new republic and the security of the American people—building step by step the traditions we cherish and solidifying the heritage of liberty that has established America as the paradise of all the nations of the earth.

With other types of progress, the weapons of war were keeping abreast—the flintlock musket had given way to more accurate and effective small arms while heavy armament had been developed that possessed power to fire a projectile many miles—airplanes were beginning to dot the sky. Inventive genius was at work creating and perfecting death-dealing devices as well as the tools of peace.

We in our own generation have already borne our share of the sacrifices that throughout our history have been periodically required to maintain our national integrity—bitter sacrifices occcasioned by the greed and ambition of tyrannical despots who have sought world domination and destruction of individual liberties. Americans of our generation twice have gallantly risen to that obligation and in World Wars I and II met and ignominously defeated the aggressors in combat.

With the passing of years tremendous expansion had taken place in America. Under the free-enterprise system and the incentive to produce afforded under our constitutional form of government, giant industries had been developed, private and government-directed scientific research had proceeded apace. Inventive mechanical and scientific genius had reached the zenith of possible accomplishment by divining the secret of splitting the atom and perfecting the atomic bomb, the most powerful instrument of destruction ever conceived.

During this period America has forged steadily forward and at the close of the world wars found itself cast in a new role as the most powerful among the nations of the world.

At this stage it would seem that America was secure—that its position was impregnable and insofar as its invulnerability to armed aggression is concerned such an assumption is conceded to be true. However, our assurance of safety lies in our great national resources, our industrial capacity, our modern weapons of war, the intelligence and capacity of our manpower. We have no adequate defense against the new weapon that has been in use against us and is at this very moment gnawing at our vitals. From the days of the flintlock musket America has fought its battles on the field of honor and its defense measures have been predicated upon its past experience. Never before have we participated in what has become known as a cold war. Never before have we been forced to stand by helplessly and watch the insidious propaganda of a secret subversive organization operating underground take effect upon a questionable element of our citizenry. According to reliable sources there are over 100,000 card-carrying Communists in our country, infiltrating our social structure, working in our industrial plants and our communication and transportation systems, strategically located for purposes of sabotage in the event the temperature rises above the cold-war stage—more than Russia contained when the Communists took over that nation of 180,000,000 people. The same sources tell us there are nearly 3,000,000 members of Communist-front organizations in our country.

Look about you for evidence of their activities, learn something about the striking Chicago packing-house workers, the riots, and who leads them. Look at the mob-scene pictures of the Roxy riot. Review the thousands of instances of Communist-directed attempts to create chaos and confusion and you will readily realize that it not only can happen here but it is already well intrenched—smug in its obscurity and freedom from punishment because of the lack of specific legislative coverage.

The Subversive Activities Control Act of 1948 supplies the remedy so sorely needed. The measure does not outlaw the Communist Party nor does it refer to it as such. It is aimed at subversive acts of commission or omission that are clearly described. It permits the Communist Party or any other similar organization to operate, but requires them to register the identity of their membership and to bring their activities to the surface. It provides adequate and proper penalties for violation of any of its provisions. I do not propose to go extensively into the provisions of the bill—you are already well acquainted with them.

I merely want to point out that in the enactment of this measure, the Subversive Activities Control Act, you will have struck a knockout blow at subversive organizations and individuals, and that again we, of this generation, have aided to keep alight in our country the torch of liberty bequeathed to us by our illustrious forebears.

Communistic and other forms of subversive activity thrive only if their movements in preliminary stages are cloaked in secrecy. Their operations, brought to the light of day, would wither and die. That they regard the bill as the death knell to their hope of weakening our country and preparing it for an easy military "kill" by their masters is best evidenced by the hue and cry that has been raised against it, from sources that when checked are found to have their roots sunk deep in actual communism or pink liberalism. It is significant that every sound American organization approves the bill and urges its speedy enactment.

The eyes of all American patriots are upon us as we deliberate this measure. Let us be true to our heritage, and by a resounding majority serve notice upon the tricksters that America fights for its principles fairly and in the open and requires only that its enemies do likewise.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. VAIL. I yield to the gentleman from Illinois.

Mr. OWENS. I was just wondering if the gentleman did not, by his statement made concerning the Attorney General, show a fairly good reason why this bill should not set up our own agency to conduct the investigation rather than putting it in the hands of one who has proved unworthy of the trust reposed in him.

Mr. VAIL. As to that, we have always in the past had a full measure of confidence in our Attorneys General, and I believe that we shall have a full measure of confidence in the Attorney General whom I have every reason to believe will shortly succeed Mr. Clark.

Mr. MARCANTONIO. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, in the past year I have supported the Committee on Un-American Activities, have voted to continue that as a standing committee of the House, and have voted to support the resolutions that committee has reported to the House from time to time. It would be much easier today just to go along and support the recommendations of the Committee on Un-American Activities, to go along with what I am sure will be the overwhelming majority of the House, and pass this bill. Certainly it would be much easier for me to support a bill that has the endorsement and support of the American Legion than it is going to be to take the same position taken by the Communist Party of America.

On the 30th of April I stated on the floor of the House that I agreed wholeheartedly with the thoughts expressed by the junior Senator from Michigan when he wrote the Attorney General pointing out that there were ample laws on our statute books to prosecute those who would overthrow our Government by force or violence, or those who would conspire to overthrow our Government by force or violence. As the junior Senator from Michigan pointed out, the Attorney General now has ample power to bring into court the head of the Communist Party and the members of the executive committee. If this bill were limited only to dealing with the Communist Party as such I might swallow the doubts I have and go along with it. I have read the bill and reread it, and I have studied the report and the hearings, trying to find some justification for supporting the bill, but I have come to the conclusion that there can be no doubt about it, the bill as now written very definitely denies American citizens some of their constitutional rights. I cannot follow the dictates of my conscience and support the bill.

If the Communist Party of America were not supposed to desire the overthrow of this Government by force or violence, and perhaps they do, and I am inclined to think they do, this bill would not be here, because I do not think those that are sponsoring the bill would have brought it here unless the Communist Party was supposed to be desirous of overthrowing the Government by force or violence; in other words, if it were nothing more than a political party.

The Communist Party is recognized in my State as a political party. They have their place on the ballot. If they can get votes enough they can elect the Governor of the State of Connecticut. They can elect a Representative to this House, although I am quite sure that in the mood the House is in he would not be seated; but they could elect him. They could elect every State officer of the State of Connecticut, if they could get enough votes to do it. As a resident of that State, living under the laws of that State, am I going to give to either this Attorney General or some other Attorney General the powers this bill provides shall be given to the Attorney General?

I am not a lawyer. I do not understand all of the involved procedure of review and what can be considered in a review and what cannot be considered in a review. But I do know from reading the language in this bill that the Attorney General is given power to do great damage to many loyal American citizens and that damage will be done long before that citizen ever gets into court if he is successful finally in getting into court. It has been done in the past, unintentionally, to be sure. I recall a fine old citizen of the community in which I live, a doctor of philosophy who was very much interested in social problems. In response to an advertisement which appeared in Harper's Magazine, which has never been listed as a subversive publication, he filled out a coupon and sent a dollar in with it. Some time later it was found that the organization to which he had written for information and literature was on the list of those organizations declared by the Attorney General a few years ago to be subversive. Harm was done to that citizen. It was unintentional, to be sure. Certainly it cost that particular citizen a great many unpleasant and unhappy moments. This bill would go a great deal further in that direction. I think one of the most priceless possessions that we have in this country are the civil rights guaranteed to us in the Bill of Rights.

Mr. Chairman, I want to make it very emphatic that the comments I have made on this bill are directed to the bill as presented to us today and not to the bill as it might be after we have considered the numerous amendments that I understand are to be offered by the Committee on Un-American Activities. The fact that those who sponsor this bill will offer several amendments to it is certainly an indication that the bill as now before us is not good legislation.

The gentleman from Illinois [Mr. VAIL], a member of the committee sponsoring this bill, has just stated on the floor of the House that the present Attorney General was the most inept Attorney General that we have had and that he should be brought before the bar of this House and asked to apologize for the statements he made yesterday in criticism of the Committee on Un-American Activities. In spite of the opinion expressed by the gentleman from Illinois [Mr. VAIL], it is here proposed that we give this same Attorney General and his successors regardless of how inefficient they may be, the great powers delegated by this legislation.

Mr. WOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, this is one of the most momentous issues that has ever come before the Congress of the United States. The far-reaching effect of this measure may mean the life or death of this Republic.

At the beginning of the Seventy-ninth Congress I secured the passage of the rule creating the Committee on Un-American Activities. I repeat what I said a day or two ago—that this committee has done more to protect American institutions and has taken more abuse from the enemies within our gates than any other committee Congress has ever created.

We now come before you with a measure which deserves the support of every loyal American. Before I go further, let me state to you that if you will turn to the Appendix of yesterday's CONGRESSIONAL RECORD you will find the first article in the Appendix is the report of this committee on communism. If you will read that report carefully, you will find that this bill is mild indeed compared with what is justified by the attempts of our enemies to undermine and destroy the Government of the United States. I hope every one of you—I do not advertise moving-picture shows—but I hope every one of you, and every one of your constituents, sees the picture called The Iron Curtain, so that you can see what communism has done to the Christian people of Europe.

The gentleman from New York a while ago went on to talk about men who had been unjustly punished, mentioning the crucifixion of Jesus Christ, the outstanding example of persecution in all the history of mankind.

These Communists that are running riot throughout the world are a part of the same old gang that constituted the fifth column of the crucifixion.

They hounded the Saviour during the days of his ministry, persecuted him to his ignominious death, derided him during the moment of his dying agony, and gambled for his garments at the foot of the cross; and for 1,900 years they have attempted to undermine and destroy, not only Christianity itself, but all the institutions that have been built on the moral precepts of Christianity.

Look what they did in Russia. They not only destroyed the churches but they killed the preachers and the priests. Untold millions of Christian men and women have been murdered, not only in Russia but in the Russian satellite countries.

In 1930, this man William Z. Foster, who is now head of the Communist Party in this country, appeared before the temporary Committee on Un-American Activities. I want to read to you his testimony, just one statement. He said:

> No Communist, no matter how many votes he could secure in a national election, could ever, if he would, become President of the present Government. When a Communist heads the Government of the United States—and that day will come just as sure as the sun rises—the Government will not be a capitalist government, but a Soviet government; and behind this government will stand the Red Army to enforce the dictatorship of the proletariat.

That is the man who is leading the Communist Party in the district of the gentleman from New York [Mr. MULTER] who says he is not going to vote for this bill.

Sometime during the war, or about that time, they put Earl Browder in his place. But, lo and behold, about the time the war closed, the leader of the

Communist Internationale in Paris, a man named Duclos, passed the word to America to remove Browder and put this man Foster back in his place. And his order was carried out. And today this man Foster who made this statement controls a large proportion of that element that takes orders from this Communist Internationale, this atheistic movement, this movement of hatred for free institutions, this movement that calls itself anticapitalist, that not only overthrows the government and destroys the religion, murders the preachers, priests, and Christian people who resist, but takes the land into its own hands, administers it as it pleases, and reduces the people to the most abject slavery.

We had before our committee, Mr. William C. Bullitt, who was Ambassador to Russia in 1933. What a pity the gentleman from New York [Mr. MULTER] could not have heard Mr. Bullitt's statement. The Government took over all the land in Russia. If you owned a home they said to you, "Move into two rooms, we are going to put somebody else in there with you. We are going to assign you so much land to work, and you are going to pay the Government so many bushels of grain as rent. No matter how much you make, here is how much you are going to pay the Government."

In 1933, they made a crop failure in the Ukraine. Those long-nosed commissars from Moscow went down into the Ukraine and took every bushel of it away from those people and starved from three to five million of the best people in Europe to death in their own homes.

In their frantic agony some of them died eating the dead bodies of their own families.

I asked Mr. Bullitt if that was true. He said:

> I am sorry to say to you, Mr. RANKIN, that it is true. I have two photographs of an emaciated man and his wife standing above the carcass of their own child that they had eaten after it had starved to death.

Communism is ruthless, inhuman, atheistic, and imbued with hatred of our civilization.

If you want to turn back to the Dark Ages, then just let that crowd get control of the Government of the United States. Remember, you have more Communists in America per capita today than they had in Russia when they took over that Government, murdered the Czar and his family, and proceeded to wipe out the Christian leaders of that country.

They talk about free speech. This is not free speech they are advocating, it is free conspiracy. They want the freedom to conspire to destroy everything in New York, Pennsylvania, Mississippi, and every other State in the Union.

They talk about its being for the poor. That is one of the biggest pieces of bunk they put out.

Their money is coming from somewhere. I asked Mr. Bullitt if he ever saw a Communist who was not well dressed, well fed, and well financed? And he said he had not. Get the testimony and read it. Somebody is financing this outfit. I dare say they are the best-fed, best-financed, and best-clothed people in the district of the gentleman from New York [Mr. MULTER]. I have never seen a Communist—and unfortunately I have seen one or two in this House—who was not well cared for.

They went over this country, picked out men who were willing to join them, took those men to Moscow and taught them how to carry on a revolution in this country. You have heard a great deal about this man Eisler, the two Eislers. I happened to be on the committee when Gerhart Eisler was brought before it, and he said:

> I refuse to testify; I refuse to be sworn. I am a refugee; I am a refugee from Nazi persecution.

We cited him for contempt.

The next man who came along was a Negro by the name of Nowell; and I will say to you what I said to him before he left the witness stand. I said: "Nowell, this country owes you a debt of gratitude for the information you have given this committee."

He said they not only took Negroes from the North but they went into the South and got them and took them to a Communist school in Moscow where they taught them how to carry on a revolution. I wish you would read his testimony. He said they were taught when the word came down how to destroy the waterworks, blow up the light plants, wreck the streetcars, wreck trains, wreck bridges, burn warehouses, and do whatever else was necessary to carry on this vicarious revolution that these tentacles of the Communist Internationale were preparing for in the district represented by the gentleman from New York [Mr. MULTER] and in every other district where they reside.

I said to him: "Nowell, did you see this man Eisler here this morning?"

He said, "Yes, I saw him."

I said, "Had you ever seen him before?"

"Oh, yes," he said, "he was one of the instructors in that Communist school in Moscow when I was over there, teaching me how to destroy my country."

It became so horrible that this young Negro quit and came home and turned state's evidence; and here was this Eisler parading around claiming that he was a refugee. His brother was out in California and was just as bad as he was, if not worse. He was writing the songs to go into the picture shows to be sung to your children; and his cohorts were making the pictures and writing the scripts to poison the minds of the children of America, to undermine the moral fabric of this Nation, drag it down in wrack and ruin and subordinate it to that loathsome outfit that is unfit to govern anything, anytime, anywhere.

Mr. Chairman, my friend, THOMAS, is not here today. He is temporarily ill. I am speaking of J. PARNELL THOMAS, of New Jersey. But I want to pay him my compliment and say to you that there is not a finer American in the Congress of the United States than J. PARNELL THOMAS. When he summoned these Communists and brought them in here from Hollywood, it was not an accident. I have shown you here the petition signed by untold thousands of people, asking the Congress to do something about communistic activities in Hollywood. The Communist theme was being written into picture shows to be flashed before the eyes of your children.

Mr. BRADLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. BRADLEY. Please do not confuse all of California with Hollywood.

Mr. RANKIN. Oh, no.

Mr. BRADLEY. We have a great many good people out there and may I say also that we have a great deal of affection for the gentleman from New Jersey [Mr. THOMAS], chairman of this committee.

Mr. RANKIN. I know that, and let me say to the gentleman from California that we received petitions from his district, from the Los Angeles district, from practically all over California, asking us to make the investigation that the Committee on Un-American Activities made out there while I was home in a campaign.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WOOD. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. McDONOUGH. Do not confuse all of Hollywood with the element the gentleman has just referred to.

Mr. RANKIN. I am not going to.

Mr. McDONOUGH. Some of the finest American citizens in the United States are in Hollywood, and they are corrupted by the element the gentleman from Mississippi is talking about. We do not like that.

Mr. RANKIN. I know that.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. I can give eloquent approval to the testimony of both gentlemen from California. Not only can we take out most of California, but we can take out most of Hollywood and most of the movie industry, because there are many patriotic American writers, musicians, and movie actors out there who testified against these men who are now on their way to jail.

Mr. RANKIN. Yes; they wanted this situation cleaned up.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. DONDERO. It seems to me that the very elements that have given notice they will destroy this Government by force and violence are entirely responsible for this legislation being before the House today.

Mr. RANKIN. Yes.

Mr. DONDERO. I want to confirm what the gentleman said about Nowell because he said exactly what the gentleman from Mississippi has given to the House.

Mr. RANKIN. Mr. Chairman, this is one of the best-drawn bills that has ever come before the Congress. I am a lawyer. I know my way around fairly well from a parliamentary standpoint. I have read

many bills in this House, I have helped to pass a great many and I have helped to defeat a great many, but this is one of the best measures that I have ever seen.

Suppose we had had a law of this kind in existence 10 years ago, at the time one of the most dangerous organizations that ever touched America was in existence, then at work all over the South, all over the West, all over the Hawaiian Islands, the Black Dragon Society of Japan, that furnished the spies, if you please, to guide the Japanese air force which destroyed our Navy at Pearl Harbor.

This bill is not going to hurt any patriotic American. On the contrary, it is going to do him good. It is going to give him the assurance that our country will be protected from these enemies within our gates.

This is the greatest country the world ever saw. We stand today at the crossroads of civilization. We are the greatest nation mankind has ever known. We have developed the finest system of government, we have developed the finest system of industry, we have developed the finest system of agriculture, we have developed the highest type of citizenship, if you please, of any nation on earth. We are the recipients of a heritage handed down to us by men like Jefferson, Washington, Jackson, and the great men of the past who carved this country out of a vast wilderness and made it the leading nation of the earth. By the passage of this measure we will carry on in that way and thereby we can keep America the leading country of the world.

God grant that we carry on the work those great leaders began.

May we, the recipients of American liberty, that proud heritage of patriotism conceived in the minds of the greatest statesmen the world has ever produced, guarded and protected by the undying loyalty of a noble ancestry, may we forever preserve and defend that liberty in our time and transmit it unimpaired to our posterity, that this grand old Republic may go down to the future with strength in her loins, hope in her soul, and the Miriam song of triumph on her lips.

Mr. McDOWELL. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I am obliged to the Republicans on the committee for allowing me this time to discuss the bill. It is not easy to oppose this bill which is before us today. It has the label "Communist" all over it in words, so as to give it a superficial public appeal and make it even harder to oppose. For I join with the vast majority of the people of my district in abhorrence of any tyranny over man's mind or spirit, Communist or of any other kind. But, we are not here to do easy things. We are sent here by the people as their representatives to do things which are most difficult, and that is why we are called Representatives. As I value the right of the gentleman who preceded me to express himself in the warmest terms on this subject, I am sure he and every other Member of the House will respect my right and that of everyone else who speaks on the bill to express ourselves with just as much conviction without attaching labels to us.

I am opposed to this bill for three specific reasons:

First, because whether it says so in specific words or not it, in effect, and as nearly as is possible in a bill passed by this House, outlaws the Communist Party. There I take my stand with such distinguished Americans as Governor Dewey and Senator TAFT, who have come out against the outlawing of the Communist Party, and in a minute I will read to the House exactly what they have said on that general subject.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from California.

Mr. NIXON. The gentleman does not wish to infer that either Governor Dewey or Senator TAFT have come out against this bill?

Mr. JAVITS. I do not imply it either way. I only say that they have come out against the outlawing of the Communist Party, and I think I can demonstrate that this bill does outlaw the Communist Party.

The second reason for my opposition to this bill is that it makes certain sweeping findings of fact about a movement which condemn individuals without proof of individual guilt, but just because they are members, and if the House can find what it does as facts in this bill, in regard to the Communists, then it could, tomorrow, make the same sweeping findings of fact in regard to any other international movement, whether it is educational or moral or even religious, and could effectively outlaw that movement tomorrow just as it is trying to outlaw the Communist movement today.

My third ground of opposition is that this bill defines a new kind of treason and I do not want the Congress to define a new kind of treason by a majority vote when the only authority for the definition of treason is in article III, section 3, of the Constitution. If the Constitution is to be amended, it is a very thorough and deliberate process, requiring concurrence of the States, as the founding fathers sought it to be and as I and every other citizen and every minority in the United States would want it to be.

Now, to go over these points: I said that this bill outlaws the Communist Party. The provisions of paragraph 3 of section 3 of this bill require a finding that the "Communist political organization," which is affected by the bill, is under the control of a foreign government or foreign governmental or political organization defined as Communist, which has as its objective the establishment of a "Communist totalitarian dictatorship," or it requires the finding that it is one of the principal instrumentalities utilized to attain its objectives by this foreign government or foreign political organization.

Now, paragraphs (3) and (6) of section 2 of the bill state that this very objective of establishing a Communist totalitarian dictatorship is the objective of the foreign government or governmental or political organization referred to. Section 4 of the bill makes it a felony not alone to attempt in any manner to establish in the United States a totalitarian dictatorship under foreign control, but to perform or attempt to perform any act with intent to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship. Hence, any officer or any member actively interested in a Communist political organization as defined in this bill, and with the findings of fact set forth in this bill as to the objectives of such organization, will be in grave jeopardy of standing indictment and trial for felony under section 4 of the act the minute the Communist political organization registers as required by section 8 of the bill. More than that, such a person will lose his citizenship if convicted, and not only lose his citizenship but, if he is a native-born American, even lose his nationality. That is a very grave punishment, a punishment which we generally reserve for treason, and we are here creating a new kind of treason. We say to any Communist political organization, "When you register, your officers and active members are done in, they are practically prima facie guilty of a felony." If they are, do you think they are going to register, or are they going to go underground?

That is exactly why Governor Dewey and Senator TAFT are opposed to the outlawry of the Communist Party, and I will read their statements to that effect. Governor Dewey in a speech reported from Portland, Oreg., on May 3, and I read the news report, said:

> It is thought-control borrowed from the Japanese war leadership.

He is speaking of the outlawry of the Communist Party.

> It is an attempt to beat down ideas with a club. It is surrender of everything we believe in. It is a philosophy which I shall fight to the limit of my strength.

Senator TAFT said, and I quote a news report from Milwaukee on May 8:

> Under our Constitution, we cannot, and should not, make it illegal for an American citizen to think communism or express his opinions, so long as he does not advocate a violent overthrow of the Government.

There are laws on our statute books, the Smith Act, the Voorhis Act, and the McCormack Act, with respect to organizations that advocate the overthrow of the Government by force or violence. You cannot substitute for the enforcement of laws new laws. If we will enforce the laws on the books today we can reach the Communists who ought to be reached, and if strengthening amendments are needed they should be made to these laws. The best proof of the pudding is that the gentleman who preceded me and other gentlemen have referred today to prosecution after prosecution for contempt against people charged with being subversive who have actually gone to jail. The fact is not that subversives are getting away with anything, the fact is that when a determined effort is made to reach those who are guilty of criminal acts they can be reached.

One other point, which I think is very important: Despite the fact that some Members come on the floor here and speak strongly for this bill, there is grave

disquiet in this House among the rank and file of the Members with respect to this bill, and it seems apparent that so far no great interest has been aroused in this measure in the other body. If this bill deals effectively with Communists, I think they in the other body are just as American as we are and would be just as exercised as we are about an effective way to deal with any menace to American liberties. We may be engaged here in a very elaborate but a very footless exercise.

I made reference to a new kind of treason. I think it is very important to speak of that. This bill does find a new kind of treason, because it makes a felony and it makes a loss of citizenship and nationality dependent upon the advocacy of a certain type of idea. That is generally the punishment for treason, those two things I mentioned. Yet here it is premised upon the advocacy of certain types of ideas.

To demonstrate the disquiet this bill has aroused among many whose opposition to communism is as clear as mine, the Liberal Party of New York, which is in part responsible for my being here, and which was organized as an anti-Communist Party, has come out against this bill. I will put its resolution in the RECORD as a part of my remarks.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from New York.

Mr. KEATING. The gentleman referred to existing statutes as being sufficient. I call his attention to the testimony of the Attorney General of the United States at page 27 of the record where he said in answer to a question put by the gentleman from Louisiana [Mr. HÉBERT] that a disclosure statute such as is suggested here would be very helpful to him.

Mr. JAVITS. The gentleman from New York should say also that statutes are often adequate if they are administered with courage and intelligence. What the Attorney General was doing was reflecting his own inability to make these statutes do the job for which the authors of those very statutes expressly designed them.

By leave obtained when the House was in session, there follows the statement of the Liberal Party of New York made on this bill May 6, 1948:

STATEMENT OF THE NATIONAL LEGISLATIVE COMMITTEE OF THE LIBERAL PARTY OF NEW YORK ON THE MUNDT BILL

The Liberal Party, which ever since its inception has conducted a campaign of education and organization designed to restrict Communist influence and defeat Communist objectives, here and abroad, is opposed to the Mundt subversive activities control bill recently approved by the House Committee on Un-American Activities. That measure will not effectively combat Communist influence. It will, instead, expose organizations that are neither Communist nor Communist led and influenced to dangerous restrictions and provide an entering wedge for Government intervention in a field where in the interests of our democratic institutions it ought not enter.

The Mundt bill illustrates the dangers with which a democracy such as ours may be confronted when legislation is proposed to deal with the dissemination of ideas. The proponents of such legislation, even when they are well-intentioned, have an unfounded and grossly exaggerated idea of the competence of legislation in matters such as these. Ideas, however pernicious, cannot be combated by such devices. To the extent that they create the illusion that they accomplish results they lull the people into a false sense of security and delay the adoption of measures by which the Communist conspiracy can best be dealt with.

Such legislation, in order to meet the large variety of forms to which the Communists resort in order to conceal their identity and mislead the public, must necessarily be vague and general. The Mundt bill, in its definitions of "Communist political" and "Communist front" organizations, presents these basic defects. These deficiencies are supposed to be taken care of under provisions which leave the final decision to the discretion of those charged with making the determination whether an organization falls into one or the other of these categories.

We consider such a procedure extremely dangerous. The tests to be employed in making the determination are too indefinite. With the best of intentions the enforcement agency may reach a false conclusion. Moreover, we are not convinced that the intentions will always be of the best. The practice in which some officials, including the legislators who sponsor this legislation, have indulged of labeling as Communists those with whose views they disagree has contributed to much of the strength which the Communist organizations now enjoy. The indiscriminate labeling of Communists has led many people to question the accuracy of charges even when they were directed against people who undoubtedly are Communists. Both the Communists and the Fascists have traditionally resorted to the practice of spreading confusion by labeling everyone who does not agree with them as a Communist or a Fascist.

It is true that the effect of such a charge against an organization deemed to be Communist-front would be no more serious than having it file certain financial records and membership lists. Unlike the case of Communist political organizations the membership roster of front organizations would not have to be filed with the Department of Justice. But in time of hysteria, such as is now beginning to develop, the designation of an organization as a front for the Communists may be fatal to organizations that are not Communist at all but are engaged in seeking reforms which some officials may consider communistic.

There are other provisions in the law which are less dangerous but which can have no real effect on dealing with the Communist menace.

The Liberal Party believes that that menace is sufficiently serious to require measures to counteract it. But instead of counting on legislation as a type of penicillin that will do the job other methods that are in keeping with our traditions and ideals and that can bring better results without corresponding dangers. We recommend the following as some that have not been tried sufficiently and which we believe will be more effective.

1. A campaign of education in which all organizations genuinely interested in preserving our way of life will teach the people the advantages of the democratic system and the political, social, and economic evils of the totalitarian police state which has enslaved the Russian people and now seeks to enslave, as Hitler did, the rest of the world.

2. The elimination of the weaknesses in our democratic system which the Communists, and many who are not Communists, point to as evidence that our professions belie our practices. The denial of civil liberties to minority groups, the poll tax which deprives millions of poor people of the right to vote, the failure of Congress to enact an antilynching bill, and thus give the same protection to life as it has always been ready to give to property, and refusal to enact FEPC legislation are a few of many instances that can be cited of imperfections in our system which feed Communist propaganda and give plausibility to their claims.

3. The improvement of our economic conditions so that millions of people who are now denied an opportunity to share in the benefits of a more prosperous economy will make the underprivileged of our Nation, on whom the Communists count for a revolutionary uprising, less susceptible to Communist propaganda. Communists will be hit more by raising the national wage minimum, as has been proposed, than by all the legislation the Committee on Un-American Activities may devise. There is much more along that line that can be done to combat communism.

4. The abandonment by the two old parties of political deals with Communists would be a step in the right direction.

These are some of the steps that can be taken without prejudice to our ideals and institutions and which will be infinitely more effective than the Mundt bill or legislation of any kind devised to deal with the Communist menace.

As liberals we have a special interest in exposing the Communists and in warning the public of the dangers they present. We know that liberal ideas cannot flourish and progress toward the objectives we seek cannot be achieved if Communist doctrines should receive widespread support. Communism provokes reaction, and either extreme makes orderly progress by democratic means difficult, if not impossible. But this task for which liberals are best fitted cannot be performed if either the Communists or those who would suppress them by totalitarian methods should gain popular support.

In conclusion, we believe that our democracy is strong enough to withstand any vocal attack by Communists and their ilk. Any attempt to overthrow our Government by force, violence, or other unlawful means can well be taken care of by present criminal statutes. This is especially true if all responsible and thinking citizens do their duty in combating and exposing Communists and their false ideas. We agree with the late Justice Holmes, who said in his dissenting opinion in the Schimmer case: "If there is any principle in the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought—not free thought for those who agree with us—but freedom for the thought we hate. If any provisions of the Constitution can be singled out as requiring unqualified attachment, they are the guaranties of the Bill of Rights and especially that of freedom of thought contained in the first amendment."

At the same time we wish again to emphasize with Justice Holmes that our Government and country can well deal with this problem in more vigorous terms in the case of a clear and present danger. There will be time for such action if and when our country is faced with a struggle for survival and self-preservation.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. Chairman, I am very happy to concur in every phase of the argument which has been presented here by the gentleman from New York [Mr. JAVITS]. In my opinion, the points he has raised in debate against the passage of this bill are unanswerable.

I should like to emphasize to my colleagues that this indeed is a very momentous issue. We are all aware of the possible political consequences in this election year as we are called upon to meet the tremendously important issues

involved in this bill. I am also aware of the possible inferences that can be drawn by taking a contrary position on the passage of this bill, but it is my sincere conviction that we must put aside our doubts and fears, meeting the issue in a forthright and courageous manner, irrespective of our private political fortunes. Now is the time to demonstrate our faith in democracy and our faith in the people. It has been said time and again, "that if the people are given the true light they will find their own way." It then becomes our task, insofar as possible, to provide that light. It is significant that the Republican candidates for President, and I refer to Messrs. Dewey and Stassen, have the courage to debate publicly this issue. Senator TAFT has given his views in a forthright manner and only yesterday the President of the United States made his position so clear that there no longer can be any misunderstanding as to his viewpoint.

Do not be alarmed that in all probability some of us again will be on the minority side of this vote. It should be evident to many of you that in the Eightieth Congress the record of the minority some day will serve as a badge of distinction and merit for those who have had the courage to represent the progressive Democratic viewpoint. Need I call to your attention that the record of the majority party is replete with instances in which bills have been sent to the Senate with an overwhelming majority vote only to come to rest and eventually be pigeonholed as a result of the mature deliberation given by that other body. For what my opinion is worth as a member of the bar and as a Representative of the people of Denver, I make the prediction that as and when this measure passes this body, it will never see the light of day in debate on the floor of the Senate or, should that happen, it will not become the law of this land.

Therefore, it should be quite clear that there is no need for alarm and notwithstanding the majority report of the Committee on Un-American Activities and the legislation which comes from that committee in the form of the present bill, there is in truth and in fact no real and serious danger to this great democracy that cannot be met at the present time by existing laws.

In this connection, the President of the United States yesterday publicly stated that he felt the present laws were adequate to control any group which sought to overthrow this Government by force and violence. This also is the viewpoint of the Attorney General who, under Federal law, is also the head of the Department of Justice. I might add that the Attorney General is specifically charged under law with the duty of protecting our internal security. I want to make it perfectly clear that if and when we become engaged in active warfare, the situation will materially change and if and when that time arises you will find me on the side of those seeking to strengthen and bolster existing legislation and, if necessary, voting to enact new laws to protect the internal and external security of this Nation.

Now as to the merits of the bill, I am in complete accord with the gentleman from New York [Mr. JAVITS], who states that no matter by what name or brand this bill is labeled, it is designed to outlaw the Communist political party. No matter how desirable that objective may be, it cannot be achieved under our present Constitution. The proponents of this bill admit that the Constitution forbids the outlawing of any political party. Recognizing that fundamental constitutional principle, the committee which has drafted this bill has sought ways and means to abolish the Communist Party by indirection.

I should like to take this opportunity to pay my respect to the committee for the great amount of work that has been done on this bill. I have read every page of the record, and I know how hard they have worked to come up with a good bill. I realize that it is very easy for people to criticize a piece of legislation and I wish that I could say quite frankly to the committee that I have an amendment or substitute bill which would solve the problem. I have not. I know full well how complicated this subject is and, therefore, any of my remarks are not directed against or made in criticism of the committee's efforts. I merely state that in spite of all of your fine efforts, the present bill is unworkable and unconstitutional, and I think I can prove that in a very few minutes.

The bill begins with a series of legislative findings describing totalitarian dictatorship, the world Communist movement and its methods and concluding with a statement that the world Communist movement is "a clear and present danger to the security of the United States." Then follow definitions of a Communist political organization intended to describe the Communist Party and Communist-front organizations intended to include any organization controlled by the Communist Party or consciously operated to aid or to echo the Communist Party, the world Communist movement, or any Communist government.

The next section creates a new criminal offense, that of establishing, doing any act with intent to establish, or participating in the management or direction of any movement to establish or aid in establishing a totalitarian dictatorship under foreign control in the United States.

I direct your attention specifically to section 4 (a) on page 23 of the bill, in which it is stated among other things—

> It shall be unlawful for any person—
>
> (2) To perform or attempt to perform any act with intent to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship.

Let us assume that the Attorney General made a finding under the registration provisions of this bill and that he were to proscribe certain organizations as Communist organizations or Communist-front organizations. It is my contention that under the provisions of this bill that every member who belongs to such organizations could be prosecuted under this bill either for the violation of the substantive act, or as a result of an unlawful conspiracy. There is no denying that.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield.

Mr. VORYS. I wonder whether the gentleman is correct in what he just said. As I understand it, a Communist organization or a Communist-front organization as defined in the act is not thereby unlawful under the penalty section. Am I right or wrong on that? I thought that there could be a Communist Party, a lawful Communist Party in this country, but that if individuals in it violated the provisions of section 2, that then and only then would their activities be unlawful. Am I right or wrong? I think either the gentleman or I are in error on that.

Mr. CARROLL. It is my understanding of the bill, and I must say to you that I have read it carefully, and have gone over the testimony of all the witnesses very carefully, that under the provisions of this bill every member of a Communist or Communist-front organization is subject to prosecution. I repeat, under subparagraph 2 of section 4, on page 24, "to perform or attempt to perform any act with intent to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship."

Now what is meant by that? What do we mean by "totalitarian dictatorship"? In my opinion, a Communist-front organization and a Communist political party under the terms of this bill and the criteria set up in this bill is such a "totalitarian dictatorship."

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield.

Mr. NIXON. Is it the gentleman's contention that the essence of the Communist Party and of Communist-front organizations in the United States is that they are working for the establishment in the United States of a totalitarian dictatorship under the domination of a foreign power?

Mr. CARROLL. That is what the committee has set forth in this legislation.

Mr. NIXON. Just a minute. Does the gentleman contend that that is the case?

Mr. CARROLL. Assuming for the sake of argument that that is the case, it is my contention that under the provisions of your bill your definition of "totalitarian dictatorship" was designed purposely to include the Communist Party, and that you cannot by legislative flat or legislative criteria set forth standards which may well result in invoking the doctrine of guilt by association or which may have the effect of attempting to control the thoughts of American citizens in political, social, or economic matters. If I were charged with the duty of representing a defendant who ran afoul of this bill, it would be my job in interpreting the bill to try to relate the various sections of the bill one with another. Now this is the real point that I want to make. Under this bill you require both Communist political organizations and Communist-front organizations to register with the Attorney General. If they do not register they are subject to prosecution. If they do register they are in

effect, and it could be so interpreted, involving themselves in a very possible prosecution under section 4 of this bill. In other words, they are being required to admit their guilt. In short, they are being compelled to give evidence against themselves in a matter involving possible criminal prosecution, which clearly is unconstitutional.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield.

Mr. JAVITS. I wish to compliment the gentleman on his statement. Does not the bill say exactly what the gentleman claims for it? On page 21, from line 16 to line 20, the bill says the test of whether an organization is a Communist political organization is that—

It is reasonable to conclude (i) that it is under the control of such foreign government or foreign governmental or political organization, or (ii) that it is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives.

Now, if you will turn to page 16, lines 19 to 25, which state what is meant by a political organization and what is meant by these objectives, it reads as follows:

The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship.

So, if an organization says it is a Communist political organization, it is admitting that it is trying to establish a totalitarian dictatorship, and its officers and active members would be prima facie guilty under section 4.

Mr. CARROLL. If the gentleman will permit me, therefore, to continue the discussion of this point, they are all subject to prosecution under this act. That is why I say it is unconstitutional.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield.

Mr. McDONOUGH. If such an organization did exist in the United States and it was conspiring to set up a totalitarian dictatorship in the United States to overthrow the United States Government, what penalty would you propose in the statute?

Mr. CARROLL. That is the very point I am making to the gentleman. While I do not criticize this committee, because I have read the testimony of the constitutional lawyers and the great leaders, educational and religious, who are seeking a solution of this problem. My answer is that you cannot do something by indirection which you cannot do directly, as in this bill, because it is unconstitutional. You say, What would I do? That is a great problem. I can say to you as a constitutional liberal—and Senator MORSE says a constitutional liberal is he who places human rights above property rights—I want an opportunity to meet the Communists in public debate. I want to sell my ideas in the market place of public opinion. I do not want any law of Congress to put a lot of people in jail with whom I do not happen to agree. That is not the way to meet this problem.

Mr. McDONOUGH. Will the gentleman yield further?

Mr. CARROLL. I have not concluded yet. I say to you, I agree with the gentleman from New York [Mr. LYNCH]. If you really want to fight communism, you cannot do as this body has been doing for the past 2 years. You cannot pass only special privilege legislation neglecting housing, neglecting legislation designed to curb inflation, neglecting legislation which meets the needs of the people. To sell democracy our program must be dynamic, not negative. Communism feeds upon the inequalities and injustices which exist in our system of government. It is our job to remedy these defects in our system, to be constantly on the alert and moving forward always with the purpose of strengthening our democracy.

One thing we must not do is to permit the people of America to be lulled into a sense of false security by the passage of this type of legislation. Can it be said that this legislation will cure the evils from which communism springs? Does anyone here really believe that this legislation will stop the growth and spread of communism? The history of Italy and Germany should provide ample proof that this is not the way to curb communism. Actually if this bill became law, communism would be driven underground. If this bill became law the Attorney General would have to prosecute a great number of people in this Nation who hold political views which are contrary to mine. This type of political prosecution would create a tremendous well of sympathy. Let us suppose that after the prosecution, the law would be declared unconstitutional. You would be making martyrs of the very people whose actions you are trying to curb today, and you might very well give forward impetus to the growth and spread of communism which could be had in in no other way. These are some of my objections to this bill.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. CELLER. Mr. Chairman, I yield one additional minute to the gentleman from Colorado.

Mr. CARROLL. I should like to conclude by saying this: I have read the testimony given in the hearings with extreme care. In my opinion those charged with the execution and enforcement of existing laws are not in favor of this type of legislation. I do not believe that J. Edgar Hoover is in favor of this type of legislation, nor is Attorney General Clark in favor of this type of legislation and I repeat, I purposely called the White House the other day to find out if the President of the United States would issue a statement on this important issue. And why did I call? I felt that if the Republican Presidential candidate could make a forthright declaration on this important subject, certainly the President of the United States, the titular head of the Democratic Party ought to speak on this issue involving the civil and political liberties of the people of America. He has done so in no uncertain terms.

As the people of America begin to understand the full import of this bill, they will rise up in their wrath against any individual or group of individuals who seek to deprive them of our most precious heritage—individual freedom. It is significant that those who cry the loudest about the threat and danger of communism do the least to present a constructive program with which to cut the ground out from under those who advocate communism.

As the President's Committee on Civil Rights has said:

If the people are to govern themselves, their only hope of doing so wisely lies in the collective wisdom derived from fullest possible information, and in the fair presentation of differing opinions.

And let me close my debate with a quotation from the remarks of an outstanding jurist, a true American in every sense of the word, whose vision and leadership cannot but inspire progressive citizens everywhere:

A people indifferent to their civil liberties do not deserve to keep them, and in this revolutionary age may not be expected to keep them long. A people who proclaim their civil libertites but extend them only to preferred groups, start down the path to totalitarianism. (Justice William O. Douglas, Altgeld Centennial, December 30, 1947.)

With profound conviction and deep sincerity, I urge upon the Members of this body to give this legislation that deliberation and mature consideration consistent with the great responsibilities of the high office which you hold as Representatives and in the name of the people of America.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. WOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, it is remarkable to what extent men will go when seeking reasons for support of positions that they take. But before I proceed further, let me suggest to you, my colleagues, that you read the record made by the committee on this bill and get a new appreciation of our brilliant young friend, the gentleman from California [Mr. NIXON] and his collaborators on the bill, and find therein appreciation of the fine work being done by your Committee on Un-American Activities.

Mr. Chairman, the committee has not proposed a full employment of the constitutional powers of this House. I think the committee should have gone further than it did, that it should have proposed outlawing the Communist Party, but in the desire to avoid raising any constitutional question, the committee did not go further than to provide for disclosure.

It has been stated in the debate that the President has expressed opposition to the bill. I do not know what the President said or what provisions of the bill he had in mind when he is alleged to have expressed opposition, but his Attorney General, Mr. Clark, was before the committee and testified at great length,

and some of the suggestions that he made are embodied in the pending measure. Gentlemen have said that existing law is sufficient to accomplish all that is here undertaken, but Attorney General Clark gave expression to a contrary view. He urged the tightening of certain statutes, including the Espionage Act, and said:

I think the Congress can pass disclosure statutes, no question about it, and I think that where a disclosure statute is worded in such a way as not to contravene constitutional provisions, that it would be an effective way to combat the problem.

In response to the question, "Do I understand by that statement that you mean the answer to the problem at the present time, then, is an amendment to the Smith Act, the Voorhis Act, and the Antiespionage Act, in preference to the proposal of Mr. MUNDT?" propounded by the gentleman from Louisiana [Mr. HÉBERT], the Attorney General said:

I wouldn't say it was the answer; no. The answer is that these proposals I suggest would be helpful, and, in addition to that, I would say that the disclosure statute as suggested by Mr. MUNDT—I haven't gone into the details of his bill from the standpoint of constitutionality—but a disclosure statute would likewise be helpful.

Further along in his testimony the Attorney General said:

I take it that your over-all strategy is one of disclosure, and I think that would be very helpful.

Referring to the publicity provisions of the bill, the Attorney General said:

I think, as I said in my statement, it is one of the most potent weapons.

I should like to quote further from the statement of Attorney General Clark, but will not weary you by doing so. Let me take you to the statement of Donald Richberg, who is one of the great lawyers of the country. Mr. Richberg is known to be an outstanding liberal, and it is because some people opposing the pending bill call themselves liberals that I regard his statement to be most important. Mr. Richberg said, among other things:

The survival of our institutions depends upon preserving among the American people liberty, faith in man, and faith in God. Communism seeks to destroy these three pillars of our wisdom.

Later Mr. Richberg said:

Communism scorns a faith in God whereby men are inspired to live and work together under Divine commandments, seeking spiritual as well as material satisfaction. The Communist creed treats men as little better than animals that must be driven to work by hunger and are disciplined only by man-made laws.

Mr. Richberg demonstrates by a wealth of citations and arguments the inherent menace of any secret political organization to be so obvious that legislation eliminating some of the secrecy of such organizations is plainly justified and also clearly within the constitutional powers of the Congress. Gentlemen have said that this bill violates the guaranty of free speech and free press and on this subject Mr. Richberg said:

I don't think the right of free speech or free press or secret ballot is in the slightest degree involved in an inquiry as to the membership of a political organization—I think in the protection of citizenship and the protection of the political life of the country, in the protection of the republican form of government which is guaranteed by the Constitution to every State in the Union, when secret political organizations menace the welfare of the country. I think they can be outlawed to this extent, and that is that they can be required to give up these secrecies which permit them to carry on unlawful projects. Congress could pass an act outlawing the Communist Party.

Mr. Richberg said further:

The Congress, without abridging freedom of speech and press, might, conceivably, pass an act prohibiting the advocacy of the political program of fraud and violence. Of course, all the befuddled liberals, who are helping the Communists to destroy their heritage of freedom, would raise a dust storm about civil liberties. It has never yet been held that the right of free speech is violated by a law forbidding incitements to crime, but perhaps I would be reckless to assert that this judicial rule will remain unchanged.

The opposition to this bill will use the Schneiderman case to bolster up the position they take, and, referring to this case which was decided while the recent war was pending, Mr. Richberg said:

The Schneiderman case came out in 1943 at a time when we were an ally of the Soviet Union, and at a time when, at least militarily, politically, and otherwise, we were cooperating with the Soviet Union, and apparently what you have said there was some indication that the Supreme Court decided to cooperate in that way also.

Other witnesses made similar references to this decision of the Court, some expressing confidence that because of changed conditions the Court would, upon the new presentation of the question, recall its decision in the Schneiderman case.

I should wish that every Member of this body would read and ponder the statement made by Mr. Richberg.

Now, let me take you to the evidence of a very remarkable man, and I refer to none other than Mr. Louis Waldman, of New York, who has been counsel for various labor unions. At the outset of his statement and referring to the question of proof required that the Communist Party advocates change by unlawful means, he discussed briefly the Schneiderman case referred to above in the following language:

The case frequently cited on that point by apologists of the Communist Party who claim that the party does not advocate social change by unlawful means is *U. S.* v. *Schneiderman* (320 U. S. 118). That case holds nothing of the kind.

Schneiderman, an admitted member of the Communist Party and one of its officials, became a citizen by naturalization. At the time of naturalization the Immigration and Naturalization Service apparently interposed no objection. Twelve years after, action was brought to revoke Schneiderman's citizenship on the ground that he obtained his naturalization by fraud and procured his citizenship illegally.

The Supreme Court held that in this proceeding it was really sought to attack a prior judgment of the Court. Moreover, the issue required that the Government prove its case not by a preponderance of evidence, but by evidence which was clear and convincing. Whatever may be said of the reasoning of the Court in coming to the conclusion it did in that case, it certainly was not a holding that the Communist Party did not advocate social change by unlawful means. The dissenting opinions also are quite illuminating, particularly the opinion written by Chief Justice Stone. For affirmative determinations on Communist advocacy of social change by unlawful means, see opinion by Attorney General Biddle in the case of Harry Bridges; also opinion by Hon. Charles Sears in the case of Harry Bridges; *Whitney* v. *California* ((1927) 274 U. S. 357); *Gitlow* v. *New York* (268 U. S. 652). Judge Sears is a distinguished jurist, a former member of the court of appeals, New York.

I regret that I have not the time to quote in extense from the statement of Mr. Richberg, but suffice it to say that he supports the bill as being constitutional and as being necessary. Read his statement and marvel that one person could know so much about this important question. Many of the suggestions made by Mr. Waldman and by Mr. Richberg are incorporated in the bill, as well as are suggestions made by others that testified, and there was an array of great constitutional lawyers, historians, students of government, and others that testified before the committee on this subject. I want to repeat what I have said before, that this is the best-prepared case that has come before this body during my membership, and the bill should be adopted without a dissenting vote.

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the report accompanying this bill states that the alien registration acts, the McCormack and Voorhis Acts, are inadequate "due in part to the skill and deceit which the Communists have used in concealing their foreign ties."

Are the bill's adherents so naive as to think that this same skill and deceit will not be operative to avoid entrapment under the pending bill? This bill will fail of its purpose and next year a still more drastic and still more Draconian bill will be the spawn of proscriptive minds.

Just think of this for one moment. There is not even a statute of limitations in the act. On page 24 we have this significant language:

Any offense punishable under this section may be prosecuted at any time without regard to any statute of limitations.

Ponder this. On page 40 we have penalties that involve fines of upward of $5,000 and imprisonment of upward of 5 years. Then, significantly, on page 40 we have this statement of punishment, lines 16, 17, and 18:

Each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

Thus, if an organization or an individual, say, is in 10 days' default, there could be a penalty of $50,000 and 50 years in jail. If there is a default for 20 days, there could be a penalty of $100,000 and 100 years in jail. To my mind, that is just barbarism, and ill befits reasonable men of a reasonable Congress.

Coercion, restrictions, proscriptions, force cannot destroy or banish an idea

or an ideology. Even bullets cannot. Only a better idea or a better ideology can do that. Repressive bills of this character always defeat their own ends. They arouse widespread hostility and create martyrs, and martyrs are the best propagandists I know. That is why the coercions and the proscriptions in this bill will fail. Bills of this character are not to go unchallenged, although the cards may be stacked against any idea of defeating it. I am proud to be labeled a liberal. As such, I inveigh against this bill. In opposing it, my assignment is difficult. I am trying to swim upstream. The bill will pass overwhelmingly, I admit. We liberals have a difficult time, like Ulysses endeavoring to steer clear of Scylla and Charybdis, the shoals and eddies of communism on the one side and the rocks and reefs of Bourbon reaction on the other. We are scorned by the one and reviled by the other. The reactionaries call us Communists, while the Communists call us Fascists. But despite the name calling, I do not propose to allow the Red hysteria now gripping the Nation to force me off the beam of reason and common sense. I shall not for one moment allow myself the luxury of condemning if not scotching communism by the terms of this bill if I thereby tend to destroy our present Bill of Rights.

Mr. Chairman, this proposed legislation is so loosely drawn in parts that its administration will destroy not only the civil rights of Communists, but of all Americans as well. It blandly provides for the punishment of persons who seek—and see page 23, line 22—"who make an attempt in any manner to organize a dictatorship." The words "who attempt in any manner" are as wide as a barn door. It could encompass many perfectly innocent actions or lack of actions. It could be made to cover not acts alone, but speeches, and writings as well. This would be unlawful under the act: If I were to offer a constitutional amendment to set up a totalitarian state in this Nation, I would run afoul of the language that I have just read to you.

It could be made to mean that the Government could imprison an American who made a gesture, either of speech or by an article or even simply advice that is critical of the administration or existing powers in politics. The words "who attempt in any manner" could be interpreted in any way by any unfriendly judge or hand-picked official. Vague, indefinable terms like that have no place in a criminal statute. They could criminally enmesh a Communist, probably a college freshman or sophomore who mounts a soapbox to call for the election of a Red Congress—an innocent but boring gesture.

In *Winters* v. *New York* (68 Supreme Court, 665), the Court said:

> A statute so vague and undefined in form and, as interpreted, as to permit within the scope of its language the punishment of incidents fairly within the protection of the guarantee of free speech is void on its face.
>
> Where a statute is so vague as to make criminal an innocent act, the conviction cannot be sustained.

*Herndon* v. *Laurie* (301 U. S. 242); *Stromberg* v. *California* (208 U. S. 359).

Under section 10 of this bill, a member of a Communist political organization may go to jail for 2 years, merely for belonging to that organization if it has not registered. Each member is made guilty. The organization's default in failing to register is imputed to each member. Each member thus commits a separate and distinct crime, simply because of the membership.

Justice Jackson, in *Korematsu* v. *United States* (223 U. S. 214), said:

> If any fundamental assumption underlies our system it is that guilt is personal.

You cannot impose guilt by association. I believe it is right that Communist groups, like Republicans and like Democrats, be clearly labeled as to character and source of funds, so that Americans would know where responsibility for statements and actions lie. But it is not right that Americans can lose their citizenship and rights of citizenship because they join the Communist Party, which is recognized as legal; nor is it right that those Americans be jailed for aiding the party, recognized and organized as legal.

The bill will frighten and intimidate all progressive and reform groups. The ordinary citizen will be cowed. Criticism of existing governmental abuses might bring dire punishment. People would fear to join any organization that possesses the status quo, any group that is not stand pat, and ultraconservative.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. WOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I have listened to this debate all day long. One thing strikes me as quite significant and that is that no Member who has opposed this measure has offered any constructive suggestion of his own to solve the problem that we all know is before us. I say that now because that is historically true of many of those Members who have spoken against this measure in their attitude toward previous measures of like character that have come up before this and previous Congresses.

Mr. Chairman, this whole debate here today is reminiscent to me of a similar debate that took place back in the year 1939 when the Alien Registration Act was under debate in this House. I happen to have the honor of being the author of that act. I recall quite distinctly that when that bill was brought to the House I was the subject of voluminous abuse from all over the Nation—just as the Dies committee had been the subject of abuse—from the same groups and the same type of people, and, unfortunately, when the bill came to the floor, from the same ideology of membership in this House that speaks against this bill today.

Now, what happened to that bill? It is called particularly to my mind because two of the gentleman who have spoken today said:

> What is the use of passing this bill? It is going to the Senate and will be put in a pigeonhole.

Well, the same thing took place about the Alien Registration Act. It did go to the Senate. It did get put in a pigeonhole and it stayed there for a year, and this bill may stay there for a year. But did the action of this House do any good? What was the sequel to the action of this House? In 1940, when the prophetic contents of that bill came to realization, Hitler spread out down through the Low Countries of Europe, and when the fifth column showed its ugly head and delivered the peoples of those countries to the dictatorship of Hitler, and when treason was rampant over Europe and over the world, in 10 days the other body took that bill out of the pigeonhole and passed it by a unanimous vote.

The same thing may happen here. We ought to realize some of the facts of life. It is time for my friends over here—and they are my friends, and I give them credit for being just as patriotic and sincere as I claim to be; I have no criticism to make of them except for their ideology—it is time for them to realize some of the facts of life. It is time for them to understand that the Communist Party International is trying to break down the democratic governments of the world. If they do not know it they must be blind, deaf, dumb, and unable to read English or any other language. That is what is going on. Why do you not wake up to it? And if you do not like this bill give us some constructive suggestions. Let us improve the bill.

We have had a great deal of argument about whether this bill was going to compel a man to confess his guilt and was going to make him guilty if he is registered. My goodness alive. Read the Alien Registration Act. It is the law today that anybody who joins any movement to upset this government by force and violence has committed a crime. I see no material difference between the existing law, and the proposal in the bill presently before us.

A good deal has been said about the constitutionality of this legislation. The same thing was said about the old Alien Registration Act when it was up here on the floor. You are destroying freedom of speech. You are doing away with the Constitution. I think we ought to start with the premise that we have a condition confronting us where we know that there are groups throughout the world and groups within our own boundaries which seek to overthrow this Government by force and violence. And when you realize that do not forget that with the Communist countries this Nation is the great pawn, this is the great Nation of wealth and resources they would rather get at than little Finland and Czechoslovakia or some of those other countries. Let us realize the facts of life, as I have said before, and let us realize that the only point of all this movement is our fear and our efforts to protect the existence of this Nation as we know it; and there comes into play

the fundamental law of nature, namely, the right of self-preservation. That is what we seek to do with this legislation. We seek to preserve the safety and the existence of our Government in this country as we have known it and as our fathers have known it before us. Is it unconstitutional to do that?

Is it unconstitutional and a violation of the rights of an American citizen or of an alien to say to him that he shall not advocate the overthrow of this Government by force, he shall not advocate revolution in this country, he shall not undertake to undermine the pinions on which this Government rests? That is the question.

Is it unconstitutional under the Bill of Rights? That is the question these gentlemen have sought to raise here today. I thought they would debate it at some length, I thought they would bring here some authority as I have done from the Supreme Court of the United States to say whether this is an unconstitutional invasion of our Bill of Rights.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at this time.

But no, no; all we have had has been these vague speeches that we are destroying the Constitution and throwing away the Bill of Rights.

What does the Supreme Court of the United States say about it? We have had this question up before, it is not a new one. We have several cases on it, but now I am only going to refer to one case because it is so well in line and shows the pattern of this thing, and that is the case of *Gitlow* v. *New York* (268 U. S. 652, 667).

This Gitlow case is a parallel to the Communist situation. There was a person and an organization advocating anarchy. They did not believe in any government. They did not even believe in the Communist form of government. They were prosecuted, and the case went to the Supreme Court of the United States.

The question was as to whether it was an invasion of their constitutional right of free speech to say that they could not get up on a soapbox out in Madison Square and advocate overthrow of the Government and the substitution of anarchy for democratic government. That was the very issue that was tried in that case, which went to the Supreme Court. Here is what the Supreme Court said about that:

> That a state in the exercise of its police power may punish those who abuse this freedom by utterances inimical to the public welfare, tending to corrupt public morals, incite to crime, or disturb the public peace, is not open to question. Thus it was held by this court in the Fox case that a state may punish publications advocating and encouraging a breach of its criminal laws; and in the Gilbert case that a state may punish utterances teaching or advocating that its citizens should not assist the United States in prosecuting or carrying on war with its public enemies.
>
> And, for yet more imperative reasons, a state may punish utterances endangering the foundations of organized government and threatening its overthrow by unlawful means. These imperil its own existence as a constitutional state. Freedom of speech and press, said Story (supra), does not protect disturbances to the public peace or the attempt to subvert the Government. It does not protect publications or teachings which tend to subvert or imperil the Government or to impede or hinder it in the performance of its governmental duties.

It goes on from there page after page laying down a doctrine that is so obvious that we should not have to discuss it or argue it on the floor of the House today.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I am coming to the gentleman from New York and if he will withhold his question a few minutes he might want to ask me another one.

Now, the gentleman from New York and another gentleman who spoke here today inveighed against this bill because of the substantial-evidence rule and because the court only had to be convinced by substantial evidence in order to sustain the finding of the Attorney General. If you will look at the administrative law bill which we passed here a year ago you will find that this bill follows the provisions of the administrative law bill and that that administrative law bill laid down the rule that in a judicial review of an administrative finding the court could go no further in reviewing the evidence than to determine whether or not the finding of the administrative officer was supported by substantial evidence. It so happens that my good friend over there has been a great advocate of the National Labor Relations Act. You will find in that act that when the Labor Board decides a case and it is appealed to the court, the court cannot go back to determine anything other than to determine if it is supported by substantial evidence.

Why is that substantial-evidence rule written into the administrative act? It has a history. When the National Labor Relations Act was passed it contained the provision that the court could not review the evidence in a case decided by the Board if there was any evidence to sustain it. We might call that the scintilla-of-evidence rule. So it happened that the Board would decide a case even upon the slightest evidence and when it went to the Court of Appeals the court's hands were tied. Finally the courts did get up courage to decide themselves that there must be substantial evidence to support the findings of the Board. So it was written into law and so it is written into the administrative law bill, which this House passed recently.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. MARCANTONIO. I think the gentleman, who is an able lawyer, will admit two propositions: First, that there can be no exceptions made to the first amendment except in cases where advocacy and violence constitutes a clear violation. That has been handed down from time immemorial. Second, what the gentleman is reciting now with respect to substantial evidence is review in civil matters. But, this is the first time that a person's guilt is established on a basis of substantial evidence in a criminal proceeding rather than guilt established beyond a reasonable doubt.

Mr. SMITH of Virginia. Now the gentleman is entirely off base on that assertion. The substantial evidence provision in this bill has nothing in the world to do with the criminal provision in the bill.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Virginia. I would like to finish first.

Mr. MARCANTONIO. I will give the gentleman an additional minute. It is true, the Attorney General finds an organization to be an organization which must register. It is true that the circuit court of appeals cannot disturb the finding where there is substantial evidence. Then the organization does not register. What is the question before the criminal court when the officers of that organization are indicted? First, did the Attorney General decide that this organization must register? Second, did the person register? Those are the only two questions, and for all practical purposes the person's guilt under the penalty provisions of the bill is resolved by the substantial evidence theory and not resolved by the principle of guilt beyond a reasonable doubt as we have established throughout our Anglo-Saxon system of laws all the way back to the Magna Carta.

Mr. SMITH of Virginia. Now the gentleman is entirely wrong again. I hate to have to correct so distinguished a lawyer and colleague as my friend from New York, but here is the situation. Here is what he is talking about. This law says that an organization must register if the Attorney General, after investigation, finds that it comes within the terms of this bill. Now, if the organization thinks the Attorney General is wrong, then the organization appeals to the court, and it gets its trial before the court under the regular provisions pertaining to the administrative law act that pertains to all administrative findings.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. WOOD. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. SMITH of Virginia. Now after that has been done, if the Attorney General has found that it is an organization that must register, and the parties have gone to the Supreme Court, and the Supreme Court has said the Attorney General is right under the substantial evidence rule, then if the parties in violation of the law still refuse to register, that is the crime that has been committed. When they refuse to register, after they have resorted to and gone through the whole processes of the law, and the law of the land says you must register, and they still refuse to register, then it becomes a crime and only then it becomes a crime. So, the question under the criminal law would be not whether they were subversive or were not subversive, but have you complied with the law? Have you registered as

required by the Supreme Court decision when you have litigated the thing to the end of the road, and the Court says you are wrong and you must do so-and-so, and you have refused to do so-and-so? That is the only issue in the criminal case, not the question of whether they are or are not a Communist organization, but whether they have complied with the law as laid down by the court of last resort.

Mr. WOOD. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, I appreciate the gentleman from Georgia [Mr. WOOD] yielding me a moment to say a word about the pending bill, H. R. 5852. Because of the death of the senior Senator from Louisiana, Senator JOHN H. OVERTON, I have not been privileged to hear all of the debate today on this very important bill. As I am to go to Louisiana as a representative of the House of Representatives to attend the funeral of Senator OVERTON, there is a possibility that I may not have an opportunity to vote on the bill when it comes to a vote early next week, and for these reasons I welcome this opportunity to express myself very briefly as to the pending legislation. Of course, in view of the fact that the rule bringing this bill to the floor for action was supported by the House this evening by 296 yeas and 40 nays, it is quite evident that the bill will pass the House by an overwhelming majority, as in my opinion, it should.

Mr. Chairman, in the brief moments allotted to me, I do not have the time to discuss the bill at great length nor to go into the question of constitutionality, but it seems to me that the very type of opposition to this legislation affords one a pretty good reason for supporting it. The offices of every Member of this House have been flooded with denunciations of this bill by the Communist Party itself and by various left-wing groups and organizations. Mr. Chairman, when the Communist Party and these other subversive organizations get so bold as to cry out in unison against any piece of legislation, I would be constrained from that evidence alone to consider the legislation worthy of the consideration of real patriotic Americans. In this bill we have an honest effort upon the part of the Un-American Activities Committee to present a constructive plan to halt the inroads of communism in this country. Every time anything like that is undertaken, we hear loud condemnation upon the part of the Communist Party and its fellow travelers. I think the Un-American Activities Committee deserves the thanks and the appreciation of the House of Representatives for the work which it has done and for its effort through this bill and otherwise to stop the inroads of communism in this country and to protect the American way of life. I am not unmindful of the fact that there are some people in this country who perhaps conscientiously feel that we cannot legislate on this question. But I am not in accord with that view. Communism is a menace of the greatest magnitude to our entire American economy and our way of life. It seeks to destroy property rights and human rights and enslaves mankind. As for me, Mr. Chairman, I refuse to take the negative position that we cannot do anything about it.

Members of this Un-American Activities Committee have given long thought and study to this question and they have worked out this bill and they tell us that they think it will accomplish the desired results and I think it is our duty and our privilege to back them up and pass this bill and by so doing show to the world that we intend to do all that we can within our own borders, also to eradicate the greatest menace that has been visited upon this world. I shall support this legislation and I hope that it passes by such a resounding majority that it will be heard in Moscow. I hope that the Senate takes up the bill immediately thereafter and also gives it favorable action. This, Mr. Chairman, is an American bill, for America, and is designed to protect in this country all that we hold near and dear.

Mr. WOOD. Mr. Chairman, I yield an additional 15 minutes to the gentleman from New York [Mr. MARCANTONIO], I yield 5 minutes now to the gentleman from California [Mr. HOLIFIELD], and then I yield the remainder of the time that has been allotted to me to the gentleman from California [Mr. NIXON].

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and to have printed at the end of my remarks a substitute bill which I intend to offer when the bill is read for amendment next Tuesday.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, the so-called Mundt bill, H. R. 5852, in my opinion, is unconstitutional, and I predict that it will never become a law of our land. It will probably pass through the House by a large majority. I predict that the other body will never pass such a monstrosity. If, perchance, it should become a law—and in these days of hysteria anything is possible—the Supreme Court, in my opinion, will kill it as dead as the alien and sedition laws of 1798.

This bill should be called the Japanese thought-control bill because that is exactly what it is. It is an attempt to control the thoughts and purposes of the minds of men who refuse to conform to the political and economic pattern of the Committee on Un-American Activities' conception of Americanism, or the variable judgment of one man, the Attorney General of the United States.

This bill is a product of the hysteria which follows every war. It is a product of fear in the minds of men who doubt the strength which is inherent in democracy. While professing their faith in freedom, they deny the free play of ideas in the market place.

In this bill we move in a clever and cunning manner away from the overt-act offense outlined in the Constitution; we move away from the definition of treason as contained in article III, section 3, of the Constitution; we desert the definition of conspiracy as distinct from a treasonable act. What is more important, we desert the protection of the constitutional procedures which are designed to strictly limit the type of evidence offered to convict one charged with treason or conspiracy to commit a treasonable act.

This bill sets up new standards of criteria for treason. The necessity to go into our Federal courts and prove by substantive evidence that a crime against our country has been committed or that a conspiracy to commit an overt act has occurred is circumvented. The careful safeguards of our Constitution to protect the accused is ignored.

This bill has many provisions which are dangerous to practically every type of group or organization in our Nation. In an attempt to correct the totalitarian evil, the authors of this bill have used vague and indefinite language. The wordage used has therefore made the purpose of the bill unattainable, the administration of the bill unworkable, and the end result will be abortive as well as dangerous to civil liberties.

I present herewith key words and phrases from the bill which are important in administrative determination of guilt, and correspondingly important in prosecution of groups or individuals under proscription by the Attorney General:

Page 21, line 4: "Any organization," apparently all-embracive.

Page 22, lines 1 and 2: "Having regard to some or all." This language refers to four considerations to determine guilt of a Communist-front organization. How can the word "some" be defined legally? Would it be one, or would it be three of the four considerations used to determine guilt?

Page 22, line 12: "Reasonable to conclude." This phrase is susceptible to as many interpretations as there are differences in judgment by human beings, be they Members of Congress, or an attorney general.

Page 23, line 22: "To attempt in any manner." This language is so general and inclusive in its meaning that it makes the burden of judicial interpretation impossible. The language is so vague and indefinite that the unlimited power of interpretation placed in the Attorney General's hands, would, if unwisely or capriciously used, endanger the liberties of any group of citizens.

Page 24, lines 3 and 4: "Any act with intent to." The words "with intent" places upon the Attorney General the burden of proof of an individual's intent; any lawyer can see the difficulty involved in proving intent.

Page 24, lines 14 and 15: "To conspire to do anything made unlawful by this subsection." My criticism of this sentence is not directed at the phraseology, but at the following point: This sentence broadens the coverage of the crime of conspiracy from its present constitutional meaning to the criteria outlined in section 4. These criteria contain all of the vague and indefinite phraseology which I have criticized. This sentence, therefore, becomes all-embracive, dependent on an individual's judgment—the Attorney General—and therefore is exceedingly dangerous. As a result of

this sentence, the clear and definite legal meaning of conspiracy becomes fuzzy; prosecution on vague charges is therefore inevitable.

Offenses under this same section 4 with its vague and indefinite terminology entail heavy fines, maximum, $10,000; imprisonment, maximum, 10 years; and loss of citizenship, as provided and outlined in the following section 5.

Without comment on the degree of fine and imprisonment, but confining my criticism at this point to the more severe punishment, loss of citizenship, I marvel at the stupidity and viciousness contained in this section. Hysteria has, indeed, warped the judgment of its authors, for they would take away from American citizens their most precious possession, citizenship, not for committing a crime which our Constitution declares punishable by expatriation but for violating vague, indefinite, and ambiguous criteria as outlined in section 4.

We are treading on dangerous ground when we threaten the citizenship of American citizens because they may believe in some, not necessarily all, of the economic ideas of Marx, or because they advocate a few policies which may be advocated by Communist Russia.

Remember that the Tennessee Valley Authority is Government owned and operated on a nonprofit basis and the parallel operation by Russia of the great Dneiperstroy power project is close enough to the criteria of comparison set up in this bill, to convict one of guilt. Remember that an advocate of the public housing section of the Taft-Ellender-Wagner bill is endangered by the loose language of this bill. Remember that an advocate of free lunches paid for by Federal funds, of compulsory health insurance, such as contained in the Dingell-Murray-Wagner bill, is also placed under the "red blanket."

This proves the danger of trying to suppress ideas by law. I heartily support protective legislation against overt acts or conspiracy to commit treasonable acts, but I shall oppose any attempt to suppress, persecute, or legislate loose and dangerous laws which, in my opinion, violate the first amendment of the Constitution of the United States.

Every true American opposes communism or fascism. We intend to combat these totalitarian ideologies in order to preserve the freedoms and liberties found only in a democratic type of government.

But, we intend to fight totalitarianism—Communist or Fascist—in the American constitutional way. We do not wish to fall into the totalitarian method, "the end justifies the means," in our fight against these odious and dangerous ideologies.

It is far more important to maintain the sanctity of the Bill of Rights, than it is to make an apparent temporary gain in this long-range fight. We cannot violate the Constitution without setting a dangerous precedent, a precedent which will inevitably boomerang on every group of citizens.

The Attorney General who is faced with tremendous responsibility under the McCormack Act, the Voorhis Act, and the Smith Act as well as constitutional provisions regarding treason and conspiracy, needs additional legislation. He so testified before the committee. I believe that because of that responsibility and because of the experience of his department including the Federal Bureau of Investigation, that valuable aid in drafting necessary legislation could be obtained from his experts on enforcement.

I have therefore prepared an amendment which I shall offer at the proper time which would direct the Attorney General to submit to the Congress: First, a draft of additional legislation needed to expose all forms of totalitarianism, Communist or Fascist, domestic or foreign; second, a draft of amendments needed to strengthen the McCormack Act, the Voorhis Act, and the Smith Act.

This is the sane, American way to proceed. It is undoubtedly the constitutional way.

The gentleman from Virginia, Judge SMITH, whom I respect highly for his ability and his long service in the House, has asked why some Member who opposes this bill does not offer something constructive. I am offering something constructive when the proper time comes. First, to ask the Attorney General, who knows more about this than anyone else, because he has the burden of trying to prove the guilt of subversive people. He has had more experience. He knows where the loopholes in the Smith Act, the McCormack Act, and the Voorhis Act are. He know where they need strengthening. So I ask him to give us a draft of additional legislation needed to expose all forms of totalitarianism.

The President said in his statement that if it is a matter of conspiracy against the Government, we have adequate laws to take care of that. The Attorney General has said that possibly he needs some more. Now, I say to the Attorney General, just as any committee says to the departments downtown, "What do you need to make your department operate more efficiently?"

Then, when he comes up with the answer as directed. I hope to be able to offer at the proper time the substitute bill. I take in this substitute bill the complete section which defines Communist philosophy and which condemns it, and which describes the world Communist movement, all of which I am in accord with, I take all of that into it, and then I go ahead and say, "strengthen existing laws which have been brought before the people, which have been used and which have been found sufficient in some instances and possibly wanting in other instances."

"If you cannot strengthen existing laws sufficiently, give us a draft of additional legislation." No, it seems to me that is the reasonable way to go about this matter. It is not a way that will endanger the civil liberties of the people of the United States, because following the enactment of that directive from the Congress of the United States, the Attorney General will give us this draft. Then we will consider the draft and debate it and adopt it or defeat it in our wisdom.

I think that we in America stand at a point where we must decide whether we believe in democracy or whether we must resort to repressive measures, such as those used in totalitarian countries. I think we have to show our faith in the democratic processes, and I think one of the ways of showing that faith is not to resort to totalitarian methods to eliminate from our society that which we do not believe in, that which we consider odious, that which we consider bad from every standpoint. I ask the membership of this House, when I am given an opportunity to present this substitute bill, to consider seriously if they want to go along the lines which have proven to be effective constitutionally, or if they want to embark into a field of thought, into a field of censorship of men's ideas, into a field of guilt by association; into the field of blackening the characters of the people without any chance for them to counteract that blackening of their character.

The CHAIRMAN. The time of the gentleman from California has expired.

(The bill referred to by Mr. HOLIFIELD in his remarks follows:)

A bill to protect the United States against un-American and subversive totalitarian activities

SHORT TITLE

*Be it enacted, etc.—*

SECTION 1. This act may be cited as the "Subversive Totalitarian Activities Control Act, 1948."

NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

(1) The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

(2) The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such

Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in any particular country are, (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) corrupting officials of the government and securing the appointment of their agents and sympathizers to officers and positions in the government.

(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such Communist fronts.

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a potential danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

SEC. 3. The Attorney General is hereby authorized and directed to prepare and submit to the Congress—

(1) A detailed report of efforts by the Department of Justice to enforce—

(A) The Federal Corrupt Practices Act, 1925, as amended;

(B) The act of June 8, 1938, entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes";

(C) The Alien Registration Act, 1940; and

(D) The act of October 17, 1940, entitled "An act to require the registration of certain organizations within the United States, and for other purposes."

(2) Specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities looking toward the creation in the United States of a totalitarian system; and

(3) Specific and detailed recommendations with respect to strengthening each of the laws specified in paragraph (1) for the purpose of protecting the United States against the activities of those working toward the establishment of a totalitarian system of Government in the United States.

As used in this section, the term "totalitarian system" shall include any Communist or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision.

Mr. WOOD. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. PASSMAN] such time as he may require.

Mr. PASSMAN. Mr. Chairman, in my opinion H. R. 5852 is good legislation and should be enacted into law at the quickest possible date. This bill is designed to control and ultimately outlaw communism in America. Americanism and communism cannot live together. Communism cannot be permitted to live and thrive in the United States of America, whether it be under the guise of a political party or otherwise. To permit a continuation of Communist activities in America is certainly a dangerous practice on the part of Americans. Events are transpiring every day that should convince us that our form of government and the freedom that we enjoy here in America could very easily be destroyed and no doubt to a great extent will be destroyed unless we unite and chart a course that will stamp out this great menace to our way of life. Certainly we agree that it will require the coordination and wholehearted cooperation of all true Americans if communism is to be checked before it is too late. If we continue to procrastinate, then the overthrow of our democracy by force will be the price that we will have to pay.

Mr. NIXON. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, I have come to the conclusion that this bill deals with just about the most important question in the world. That is taking in a good deal of territory, but here is my reason for that broad statement: In your Foreign Affairs Committee we have been holding hearings on strengthening the United Nations. We have had organizations and individuals representing vast groups of American citizens coming in and pointing out what we all know, the dreadful threat of atomic warfare to civilization, the frailties and failures of the United Nations, the ominous threat of Communist aggression, and the agonized anxiety of our people. As we consider the various suggestions that are advanced we realize this: Suppose we successfully abolish atomic warfare and do nothing else? We then are threatened with mass army warfare with the Soviets and their mass armies are greater than ours, for they are better at conscription than we are. We will have merely gone back to an old-fashioned method of slaughtering each other, and we will surely lose, having eliminated the new-fangled way, atomic warfare, by which we might win. Next we realize this: Suppose by action of the United Nations, or by other international action, we eliminated mass conscription, which is one of the most virulent forms of modern warfare; suppose we eliminated that, what would we still be faced with? Every country in the world would then, having eliminated atomic warfare and heavy arms, and having eliminated small arms, be liable to aggression and infiltration from within at the hands of this world-wide subversive conspiracy called communism, which is so accurately defined in the early sections of the present bill.

So we come down in this bill to one of the most important problems that faces the world at this time. If the Soviets were suddenly to agree to universal disarmament, with inspection and enforcement, and if all the arms for modern warfare were destroyed all over the world, in Russia and outside, the world would still face deadly danger if the present revolutionary, subversive, Communist conspiracy, directed from Moscow continues. How will the free nations of the world solve that problem? What will the United States, the leader of the free world, do about it? Let us make no mistake about it. What we do here will have an effect all over the world.

In my judgment, the bill that the committee has brought in is a very sound attempt to meet that difficult question in the American way.

This bill, however, has been badly misconstrued and misunderstood by many people. I want to read from a letter I received from my district opposing this bill:

> Legislation designed to suppress ideas differing from ours is contrary to the fundamental principles of our Government. Thus, the Mundt bill is in direct contradiction to the basic ideal of our country and weakens our position in our fight against communism. Let us not employ totalitarian methods to fight totalitarianism.

If that were an accurate description of the Mundt bill, I would be against it; but the bill does not suppress differing ideas and does not employ totalitarian methods. On the contrary, it uses democratic methods to strengthen our position in our fight against communism. What the committee has done, in drafting the bill, is to separate the political right to express ideas in the American way from the criminal, subversive international conspiracy, and to permit the one and outlaw the other. The legal obligations which apply to any political party are applied to the Communist Party—registration and identification of members,

identification of campaign material, reports of campaign funds, just as in my State we require the registration and identification of members of the Republican or Democratic Party, signed campaign material, financial reports. We have a Federal Corrupt Practices Act applying to political activities. Most political parties want publicity. The fact that the Communist Party wants secrecy is no reason for releasing it from these standard legal obligations. It is a good reason for requiring special laws to enforce these standard obligations. That is what this bill provides, so that those who wish to believe and to proclaim an ideology which is dictated from abroad may do so with impunity if they comply with the same type of laws that are applicable to all the rest of us. We will combat these foreign ideologies by discussion, debate, by the ballot box, in the American way.

On the other hand, when it comes to the deliberate attempt in any manner to establish a totalitarian dictatorship controlled from abroad, we outlaw that, we prohibit it by fine and imprisonment. So, what we have done, going back to my constituent's letter, is not to have legislation designed to suppress ideas differing from ours but to make it possible for those ideas to be expressed; not to employ totalitarian methods to fight totalitarianism but to employ democratic methods, American methods, requiring, as we do for other citizens, registration according to party affiliation, prohibiting un-American criminal conspiracy, stating what the crime is, and outlawing that sort of crime. In this way we take a most important step to combat totalitarianism in our country.

The Daily Worker for May 12 carries an appeal by the national board of the Communist Party, which says:

> At stake is the legal existence of our party, which the Mundt bill seeks to outlaw.

This is very significant. If the Communist Party in America is what it has claimed to be, it will not be outlawed. If it is, in fact, attempting "to establish in the United States a totalitarian dictatorship under the control of a foreign government, organization, or individual," then those who are in the conspiracy will be subject to fine and imprisonment under section 4 of the Mundt bill. The national board of the Communist Party, who know the facts, know whether the legal existence of their party is at stake or not. If no one can belong to it, under their own rules, without violating section 4, then its existence is at stake, as it should be.

The Mundt bill does not outlaw the Communist Party. It gives the party, however, the choice of outlawing itself, and it may choose to do so.

Let us remember that we are combating a foe who does not fight fairly. In our foreign affairs hearings what we were constantly impressed with was that the Soviets, the Communist Party, is using the present structure of the United Nations to destroy the United Nations. We do not want to permit that same group to use the constitutional structure of America to destroy America.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MARCANTONIO. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, a study of H. R. 5852, known as the Mundt bill, reveals that if this legislation is enacted into law in its present form, our country is making a violent departure from its constitutional protection of free speech, free assembly, and free thought.

It is indeed surprising that a committee of the Congress should seriously propose a measure so fraught with dangers. We already have Federal laws against organizations or individuals who would attempt to overthrow the Government by force or violence. In fact, revolution is illegal almost everywhere.

This legislation would convict any person or group by the Government merely making a charge that the defendants are attempting to overthrow our Government without having to produce proof. This legislation would convict any and all who might innocently join an organization which the Government later could prove was affiliated with the Communist Party. Under the bill, any organization whose activities make it reasonable to conclude that it is under the control of a Communist political organization could be legally labeled as a Communist front. It has become popular with certain politicians to label everybody who does not believe in reactionary policies to be either members of Communist-front organizations or almost on the verge of being Communists. This bill would substitute fear for argument and knowledge and it seeks to destroy communism with legalistic clubs instead of intelligent arguments and persuasion. It also advocates proceeding against people in the mass or groups instead of against an individual, and giving him the American right to present a proper defense.

The Attorney General, under this bill, is given practical dictatorship over political beliefs of any individual or organization that in his mind might be communistic or leaning thereto. The bill is very loosely drawn and could be aptly classed as political legislation. During the debate on the Taft-Hartley bill, certain inferences were made by some of the newspapers and commentators that anybody opposed to that legislation was a communistic fellow traveler or if not, closely adhered thereto. I can imagine certain lawyers in this country, if they were appointed Attorney General of the United States, would use this legislation as a club over numerous organizations and societies far removed from the Communist Party. This legislation could be used as a threat against clubs organized for the purpose of reestablishing price control or the extension of social-security laws, antitrust laws, and so forth. This legislation could also be used as a threat against organizations fighting racial and religious discrimination and makes it highly dangerous for any persons or organizations to support such causes. Legislation which gives power to curb, to any substantial extent, the advocacy of progressive causes is not only unconstitutional, but politically unwise. Communism could be more practically curtailed by extending democracy rather than passing legislation of this kind. The safeguards of our liberty are far more in danger from groups who endeavor to stifle free and independent thought than it is from organizations which are out in the open advocating their theories. Let us not undermine the basic principles of our Constitution by passing ill-advised and dangerous legislation of this kind.

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. ISACSON].

Mr. ISACSON. Mr. Chairman, what words can I say to express my troubled thoughts as I stand here today, a Representative of the people, newly come to this Congress, confronted by a measure which spells disaster for all the traditions of the American people in its every line and paragraph?

It is only a few short months ago since I was elected to Congress. I came here laden with the problems of thousands of people of all races, creeds, and political beliefs; but sharing their expectations and their hopes, that this Congress, meeting in this time of economic unrest and world turbulence would heed the clear call of the peoples of the world for peace and surcease from the burdens resultant from the devastation of the last World War.

It is their hope, and mine, that we here would achieve the continued extension of our democracy and its bounties. I know that it is their hope and prayer that the rich guaranty of American democracy, so fiercely and proudly nailed to our Nation's masthead by the patriot founders of American freedom, may be fulfilled in our time for all our people.

And so, Mr. Chairman, it is with a heavy heart that I contemplate this measure before us.

For this bill is not the legislation of a democracy against something that menaces that democracy. Rather, this is legislation against the founding traditions of America—the traditions of free speech, free thought, free worship, free association, free movement.

This is legislation, not against communism but rather against that prospect which is far more menacing in the eyes of the ruling few, the prospect of full and free democracy in America. I shall attempt to demonstrate these contentions.

The House Un-American Activities Committee in its official report to this body alleges that Communists in this country are agents of a world Communist movement and that they are treasonably intent on using force and violence to establish a totalitarian dictatorship in the United States.

But once having stated these propositions, the committee then proceeds to admit that existing law is sufficient to control the activities of the Communist Party. It properly refers to:

First. The Smith Act which makes it a crime to advocate the overthrow of the

Government of the United States by force and violence.

Second. The McCormack Act which requires registration of agents of foreign principals.

Third. The Voorhis Act which requires registration of organizations which are the agents of foreign governments.

While the committee has some criticism about the alleged failure of the Department of Justice to indulge in vigorous prosecution—a criticism which incidentally has no basis in fact—it does admit that enforcement of existing laws would stultify the growth of any movement that believes in the overthrow of our Government by force and violence.

Why then is this committee not content with advocating more vigorous enforcement?

Why does the committee seek new legislation at this time?

It would seem clear that if existing Federal law adequately restrains those who would overthrow the Government by force and violence—the proposed new legislation must seek to reach persons other than those who would engage in this activity.

Toward whom does this legislation reach? Who are the persons this legislation attempts to brand as subversive?

Examination of the bill discloses that it prohibits, under penalty of high fines, long imprisonment and loss of citizenship, any attempt in any manner to set up a totalitarian dictatorship in this country.

But then it does a remarkable thing. In its preamble and in its supporting verbage, it sets up the doctrine that anybody who joins a Communist political organization or a Communist-front organization or who works with it or some of its members in any organization is in effect helping to set up a totalitarian dictatorship. The Attorney General is given the right to list an organization as Communist.

Thus the bill ceases to be one aimed against actions of a certain kind and becomes a bill aimed against people of a certain kind. It ceases to be a bill directed against the activity of overthrowing the Government, but becomes a bill directed against the people who may be members of an organization which may not agree with some of the policies of the administration.

It is a bill which seeks to identify loyalty to our Government with a passive acquiescence in the status quo and to stamp as subversive any criticism of administration policies. Does that sound like an extreme statement? Well, let us look at the bill again.

The main provision of the bill is its compulsory registration, section 8. This requires organizations which the Attorney General has designated either Communist political organizations or Communist-front organizations to register annually. An organization branded Communist political organization being required to list not only their officers and finances, but also the name of every member.

What are Communist political organizations and Communist-front organizations as conceived by the framers of this bill?

They are defined in section 3. Are identified as a matter of law by the following characteristics:

Communist political organizations:

(a) The extent and nature of its activities, including the expression of views and policies.

But this subdivision (a) constitutes a violation of the first amendment which forbids Congress to pass any law abridging the freedom of speech and press. And under this subdivision, organizations and persons are subjected to the penalty and the harmful effects of registration solely for the exercise of these rights.

(c) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

But under this subdivision (c) an organization which adopts resolutions upholding partition of Palestine or opposing armed intervention in Greece and China is thereby expressing "views and policies" which could be considered the same as those of a foreign government or foreign organization. Thus, the mere exercise of free speech and association subjects individuals and organizations to the penalties of this bill.

(d) The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

But this subdivision (d) would prohibit the study of Marx and Lenin, a study carried on all over the world including the United States by scholars and students would be restricted from this time on, and those who accept "the basic principles" as expounded by these scientists and philosophers will be subject to the registration requirements of this bill. This is not only an obvious violation of the first amendment but book burning on a scale matched only by the Nazi barbarians.

(1) The extent to which it fails to disclose or resists efforts to obtain information as to its membership.

A Communist-front organization may be identified by even broader and looser acts. An organization may be so declared if it is reasonable to conclude, first, that it is under the control of a Communist political organization; or, second, that it is primarily operated for the purpose of giving aid and support to a Communist political organization or movement; or, third, that its views and policies are in general adopted and advanced because such views or policies are those of a Communist political organization.

Thus there is no organization in American life which can be proof against such an administrative finding. Be it a union of workers discussing wage issues or possibly a strike, a tenants' council discussing a rent protest, a political party drawing up a program of opposition to the administration in power, this act menaces their freedom of action, speech, and even existence. Opposition to a policy of segregation in the armed forces, to lynching, to poll taxes, to discrimination in employment, high taxes, any and all people's protests and actions in their own behalf can become illegal under this act.

Let us see how this works out.

The district I represent has many families with low incomes. Often they live in dilapidated, unsanitary houses. Their children go to outmoded and overcrowded schools.

So the husband, Mr. Jones, joins a trade-union which fights to obtain higher wages and better working conditions for him.

The wife joins a tenant organization which defends her against eviction and rent increases.

They both join the local parents' association to help assure a better education for their children.

Then one day the Attorney General lists the trade-union as a "front" organization under section 3, subdivision (4). Namely, that it is operated for the purpose of giving aid and support to a Communist political movement. This is entirely possible. Many strikes in the past have been called political. The finding of the Attorney General need be only a reasonable, not an actual, conclusion.

Or it may be that the union, for example, will be found to be "controlled" by a Communist organization because some of its officers and members are, or are believed to be, Communists. Or because the union's policies are the same as the Communist Party in such respects as, say, opposition to the Taft-Hartley Act, criticism of Wall Street, opposition to aid-to-Greece, or advocacy of price controls or Federal housing, extension of social security and minimum-wage legislation, opposition to the NAM, the poll tax, Jim Crow, the draft, UMT, and so forth.

Farfetched? No.

The CIO has just issued the same condemnation in a letter from Nathan Cowan, its legislative director.

Farfetched? No.

In September 1938 the original un-American committee headed by Representative Martin Dies, Democrat, Texas, heard that the Transport Workers' Union, CIO, was negotiating its first contract with the city-owned New York subways.

The committee issued a statement denouncing the union as un-American, blasting its leaders as Reds, and so forth. The statement was issued by Committee Member Dempsey, Democrat, New Mexico. Dempsey was once a vice president of the New York subway lines when they were owned by a private company. Dempsey left town when a scab-driven subway train killed 92 passengers during a strike in 1926.

In October 1938 the un-American committee heard two witnesses describe the great organizational strikes in the automobile industry in Michigan as un-American. The two witnesses—William Gernaey and Jake Spolansky—were described by the Civil Liberties Committee of the United States Senate as being employer-paid labor spies.

Now let us go back to our Mr. Jones from the Bronx. He has joined a union. He is now deemed a member of an organization which by legislative edict is part of a conspiracy to overthrow the Government and establish totalitarianism.

Under section 8, the organization is required to register and becomes, from

that time on, subject to inspection and interference by the Government. Its finances, its receipts and expenditures, its publications, its radio addresses are all subject to the compulsory interference by Government. It is no longer free to function as an association of freemen. It is in constant danger of criminal action being taken against it. It is permanently held up to suspicion and ostracism.

But even more startling is the fact that when the union registers under section 8, Mr. Jones may be subjected to prosecution under section 4, entitled "Certain Prohibited Acts." Section 4 provides:

*It* shall be unlawful for any person (1) to attempt in any manner to establish in the United States a totalitarian dictatorship. * * * (2) to perform or attempt to perform any act with intent to facilitate * * * a totalitarian dictatorship; (3) actively participate * * * to establish such a totalitarian dictatorship; (4) actively to facilitate or aid in bringing about such a totalitarian dictatorship; (5) to conspire to do anything made unlawful by this subsection.

Mr. Jones, by mere virtue of his union activities, could be found guilty under section 4, punished by imprisonment up to 10 years, and fined up to $10,000. For the organizations which are compelled to register under section 8 are by that action alone, under the provisions of this bill, already branded as organizations which are presumably engaged in doing the very things made unlawful under section 4. Hence, it follows that by the act of registration, organizations and their members automatically subject themselves to prosecution under section 4. Since section 4 prohibits "attempts in any manner," it is clear that the normal activities of these organizations, once they are required to register, become punishable under section 4.

Mrs. Jones might find herself in the same situation as a result of the struggle of her tenants' organization for public housing under section 3, subdivision (4).

Both husband and wife might again be subjected to penalty as a result of the struggle of the parents' association for improved conditions, under the same section.

If Mr. and Mrs. Jones are Negro and belong to an organization which fights to end segregation in the armed forces—they can be penalized.

If they are Puerto Rican and belong to an organization which fights for the liberty and independence of Puerto Rico—they can be penalized.

If they are Jews and fight for the partition of Palestine and the lifting of the embargo—they can be penalized.

If they are members of an independent political movement—like the Wallace movement—they may be penalized.

Is it not clear then what this bill would accomplish? The elimination of attempts to overthrow our Government? Not at all. This bill would achieve the uncritical and unquestioning acceptance of status quo conditions—the policies of the administration, the social relationships, the economic practices. It would prohibit inquiry into bias and bigotry and prejudice and discrimination; or a national health program; or public housing, or into the wisdom or validity of our foreign policy. It abandons evolution. It repudiates the once popular concept of progress. It regards America as a finished product, rigid and unchangeable.

The concept of loyalty as conformity and criticism as subversion is false.

The effort to equate loyalty with conformity is opposed to American traditions because it assumes that there is a fixed and static content to loyalty. But loyalty is neither fixed nor static. It is devotion to the best interests of the commonwealth, and may require opposition to the particular policies which the Government currently pursues.

In the case of *Board of Education* v. *Barnette* (319 U. S. 624, 642), the Supreme Court said:

If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception, they do not now occur to us.

The effort to equate criticism with subversion is opposed to American traditions because those who would impose upon us this new concept are presumptious to believe that they are competent to write the definition. We are reminded of Whitman's defiance of the "never-ending audacity of elected persons." Who are those who would set the standards of loyalty? The John Rankins, the Parnell Thomases, the officials of the DAR and the NAM, the Hearsts and McCormicks.

The effort to freeze America into status quo is pernicious because it distracts attention from activities that are really disloyal and silences criticism inspired by true loyalty. This, I charge, is the underlying significance and real purpose of the bill. It is an attempt by the administrative bipartisan coalition to stifle the mounting criticism of its Wall Street-West Point policies.

Who are those who are really disloyal? Those who inflame racial hatreds, who sow religious and class dissensions, who preach anti-Semiticism and Jim Crow. Those who subvert the Constitution by violating the freedom of the ballot box through un-American poll taxes. Those who make a mockery of majority rule by the use of the filibuster. Those who impair democracy by denying equal educational facilities. Those who frustrate justice by lynch law or by making a farce of jury trials. Those who deny freedom of speech and of the press and of assembly. Those who press for special favors against the interest of the Commonwealth. Those who regard public office as a source of private gain. Those who would exalt the military over the civil. Those who for selfish purposes and private profits stir up national antagonisms and expose the world to the ruin of war. Those who flout the decisions of the United Nations and destroy its effectiveness.

Will this legislation interfere with the activities of these? The answer is "No." What this legislation will do if it is successful, is to silence criticism, stamp out dissent, or drive it underground.

If our democracy is to flourish it must have criticism. If our Government is to function it must have dissent. Only totalitarian governments insist upon conformity, and this bill is itself the first step toward totalitarianism.

Without criticism abuses will go unrebuked; without dissent our dynamic system will become static.

Our independence was the result of revolution; republicanism was something new under the sun; the Federal system was a vast experimental laboratory. Physically Americans were pioneers; in the realm of social and economic institutions, too, their tradition has been one of pioneering. From the beginning, intellectual and spiritual diversity have been as characteristic of America as racial and linguistic diversity.

When the policies pursued by an administration no longer represent the expressed opinion of the American people and no longer meet the social and economic requirements of the American people it is not the people who should conform to the administration, but the administration which should conform to the people.

That is what we mean by government of the people.

Let us keep it inviolate.

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, we will all agree that the mousetrap was a good invention, but the mousetrap will also catch the family cat as well as mice; so when we bait a mousetrap we set it so that it will not catch the family kitty.

Mr. Chairman, the Mundt bill imposes disabilities merely on the basis of organizational affiliation and not on the basis of personal illegal acts. The purpose for the provision is obvious. It is to frighten everybody out of every organization except the Republican Party, the Democratic Party, and the Boy Scouts. Now, I have no objection to membership in the last two organizations. I am a member of the Democratic Party, and as a kid I was a member of one of the first Boy Scout units organized. However, a good many Republicans belong to their organization solely because their grandfather voted for Abraham Lincoln, the only liberal President that the Republicans ever had.

Now, they say this bill is aimed at Communists. What kind of Communists? Just who is a Communist, anyway? President Franklin D. Roosevelt was called a Communist by his political enemies. Some of the old guard, reactionary, Tory Republicans used to refer to us New Deal Congressmen as Communists. Yes; I would not be a bit surprised if you boys from Tennessee and Mississippi, who fought so valiantly for TVA last Tuesday, are regarded by the big Power Trusts as TVA Communists. Those who may wish to nationalize the coal mines or the railroads will be called Communists by those who do not believe in public ownership to any degree.

When we took over the street railway system in Detroit some years ago, Senator James Couzens, a Republican, who was mayor of Detroit at the time, was also called a Communist.

In the eyes of the great power monopolies, there is no greater Communist than JOHN RANKIN, yet we all know that he is not.

In this bill it is proposed to violate the Constitution and to condone such action, because we are doing so to fight communism. I say that if you can scratch the Constitution a little bit, if you can bleed it a little bit, then you can later maim it, dismember it, and amputate from it the rights and guaranties of every citizen of America.

About 25 years ago in Michigan a group of fanatics tried to cripple and outlaw the parochial school system. It took the combined efforts of all the liberals of Michigan to stop them, and we did.

This bill should make every American recoil in horror. It is the beginning of the Hitler doctrine where the Government assumes the right to punish and imprison its citizens for belonging to organizations in disagreement with the ruling authorities. It goes further; it permits the Government to punish without having to supply proof of the guilt of a citizen.

Would Thomas Jefferson, the great defender of personal rights, who himself was called a Jacobin and a radical of the worst type by the smug Tories of Boston, support such a measure? Certainly not. Would Andrew Jackson, Woodrow Wilson, Franklin D. Roosevelt, or Abraham Lincoln support it? Positively not.

For 25 years before the war we witnessed the sinister growth of huge propaganda machines which slowly, but gradually, crushed free expression in the press and on the radio, and eventually destroyed or completely muzzled all democratic leaders. In Japan, Russia, Italy, and Germany the huge propaganda machines controlled the press, radio, public platform, motion pictures, the theater; yes, even music, art, science, and the pulpit.

This was intended to make the parliamentary system incapable of independent action, and the plan succeeded. If free debate of government policies had not been crushed, it is wholly possible that Hitler would not have been able to plunge Germany into a war.

This is a lesson that every one of us must learn and remember.

The beginning of such controls have recently popped out under Republican administration in Lansing, Mich., and now in the Republican Congress in Washington. In Lansing they enacted the Callahan bill; in Washington the Republicans are sponsoring the Carl Mundt bill. This Republican administration and the Committee on Un-American Activities and its big-business backers are treating with contempt the ruling of the United States Supreme Court, which held:

> If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.

And if the Supreme Court decision is not enough, then let us read from the Constitution of the United States:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of its grievances. (First amendment, United States Constitution.)

There is no doubt about it, this bill is designed to stifle the freedom of any individual or organization to express views on public issues.

The definitions of "Communist political" and "Communist front" organizations are couched in language sufficiently broad to bring under the bill's condemnation virtually every organization which supports a liberal view on any controversial public issue.

The Taft-Hartley law is a hot issue in this campaign and Labor contends that it seriously threatens the existence of bona fide labor unions.

This bill has the vigorous support of the Taft-Hartley boys and I believe that one of the main objectives is to black out union labor opposition in the coming campaign by frightening them and gagging them to death. Yes, under this bill any organization whose activities make it "reasonable to conclude that it is under the control of a Communist political organization" could be legally labeled as a Communist front. The chain of guilt by association is there so loosely set up that if there were one or two Communists in an organization the whole membership could be connected right back to the Kremlin.

The words, "any attempt in any manner" is language that the Taft-Hartley boys are betting heavily on. This is truly buckshot legislation. Here we have the Taft-Hartley boys firing at the whole mass of the people. They are not interested in treasonable actions of an individual Communist. They want to penalize opinions and associations, they would deny basic rights to American citizens solely because of their opinions and associations. They would usurp the functions of the courts to determine offenses and punishments. They would bully the citizen out of every constitutional right. Yes, they would drive good citizens from virtually every kind of progressive public activity.

We have recently witnessed the unwarranted discrediting of genuine liberals als who have been earnestly and sincerely seeking reforms in labor, monopolies, and civil rights. This has been accomplished by smear methods, innuendo, distortion, and false propaganda through the press and radio. Now they want the Mundt bill to implement these activities.

That is the way Hitler started and when he finished with the so-called subversives every person in Germany was goose-stepping and heiling Hitler; and the people were led over the precipice into the most devastating and brutal war in history.

In this campaign the Republicans do not want to discuss the issues, the pledges they made 2 years ago. They do not want to mention the disastrous inflation that has seized the country, the exorbitant profits of big business, the neglect of our aged and incapacitated, the miserable housing situation, the phenomenal growth of trusts, monopolies, and cartelists in the last 2 years. The Republicans ripped wide open all the controls and promised the people low prices and a plentiful supply of everything, and instead gave us the "good old days of Harding," where big business and the big banking interests ran hog wild over the people.

So in this election the Republicans propose not to discuss the issues; in fact, they propose to gag and stifle all discussion with the threat of being labeled a Communist. That is the real purpose of the Mundt bill.

Yes, under the Mundt bill, organizations and individuals will be punished, restrained, and regimented solely on the basis of political opinions rather than on the basis of overt acts of disloyalty.

Because of high prices and high profits, the worker is living from week to week. He has spent all of his war savings and inflation has him by the throat.

Organized labor is now making demands for a reasonable adjustment of wages through the process of collective bargaining and through the institutions of free trade-unions. How easy it would be to use the Mundt bill to cripple the activities of the unions and to blacklist its officers and members. Very simple, every worker who goes out on strike for an adjustment of wages is a Communist or a subversive, and that ends it. Seems like someone has been studying the pages of Hitler's prewar activities. It worked in Germany, why not here?

Under the guise of outlawing the Communist Party, this bill would actually destroy the constitutional right that the citizen does now enjoy to advocate peaceful, economic, political, and social changes in our Government. This bill would place an extraordinary amount of power into the hands of the Attorney General over the functioning of any liberal or progressive organization.

Just recently the Department of Justice was holding labor leaders without bail, pending deportation proceedings. This method of harassing and discriminating against labor leaders would be encouraged by this bill. Every member of a labor union knows full well that every time his union asks for a raise, they are attacked as subversives and Reds by the company. Every fight for improved social or labor legislation, and all organizations participating in such a fight could be labeled subversives and Reds under this bill. Even now, most strikes are being termed political strikes. The recent coal strike was also called a political strike. Those who are anxious to smash trade-unions are smacking their lips in anticipation of the passage of the Mundt bill.

We in Michigan know the full meaning of the Mundt bill, which would create a police state in America, and would make out of the Attorney General the chief gaulieter. This Mundt bill had a counterpart in Michigan known as the Callahan bill. It was passed last year by a Republican legislature. In a few days over 115,000 aroused and indignant Michigan citizens signed a referendum petition to repeal the Callahan Act. A Michigan attorney general later declared it to be clearly unconstitutional. The Callahan bill, like the Mundt bill, was intended to intimidate our citizens and

to frighten them into abject servitude. But the people of Michigan were not to be bulldozed and arose in all their might and fury, and the Callahan bill is now a dead duck.

I can assure you that the same fate awaits the Mundt bill if it should be passed. Already I have received thousands of letters and telegrams in protest—far too many to list into the CONGRESSIONAL RECORD. Many of these are from ministers and pastors. But just to show that these protests are not coming from labor organizations alone, I want to include a petition that within 24 hours received the signatures of 73 lawyers, including members of the bench:

We, the undersigned, members of the bar of Michigan, urge you to speak and vote against the so-called Mundt-Nixon bill (H. R. 5852).

We believe this bill to be a product of mounting hysteria in our land. As lawyers, we have a special responsibility to maintain the Bill of Rights and to defend it with all of our resources against invasion from any source. This bill, under the guise of outlawing communism, will require the registration of one's political beliefs, a concept wholly at variance with our Constitution and democratic tradition. It would place in the hands of the Attorney General power to outlaw organizations, which no Government official has ever before possessed by act of the Congress.

The terms used in the act are so vague and indefinite that it could be utilized to repress criticism of our existing institutions and thus subvert the democratic process and place the lid upon man's progress toward a better world. The principle embodied in this bill, of guilt by association, and requiring registration as a condition of the exercise of freedom of speech and assembly, is violative of the Bill of Rights. We believe, as the Supreme Court said in the case of *Board of Education* v. *Barnett:*

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception, they do not now occur to us."

Hon. Patrick H. O'Brien, Joseph J. Beck, M. A. Guest, Hon. Carl M. Weideman, G. Leslie Field, H. W. Love, R. E. Bine, Ernest Goodman, Samuel Weisman, George W. Crockett, Harold Ryan, Sol A. Dann, Alan N. Brown, A. A. Sugar, Harry Anbender, Benjamin L. Safir, Morton A. Eden, Allen J. Davis, Fremont Sweetwine, Louis Tucker, Jack J. Kraizman, Walter M. Nelson, Oscar Freedenberg, A. G. Breene, Carleton H. McIntyre, Daniel P. O'Brien, Samuel W. Barr, Julius J. Stoorman, Harold M. Silverston, Samuel Brezner, Allen Bibb, C. LeBron Simmons, Jerome H. Brooks, Cecil Pearl, Sol Lumberg, Elvin L. Davenport, John Miller, Irving S. Wolfe, Arthur L. Robbins, Anthony Nelson, Helen C. Bryant, Hon. Joseph C. Brown, Philip F. Greco, Jack N. Tucker, Erwin B. Ellmann, Hobart S. Taylor, Jr., Edward A. Simon, Don M. Harlan, Abner A. Tatkin, Patrick S. Nertney, Brooks S. Barron, Nedwin L. Smokler, Morris Lieberman, James Montante, Gerald K. O'Brien, Hon. John Kaminski, Irving I. Boigen, Philip H. Bornstein, Hon. Fred'k Palliaer, Edward A. Simmons, Charles Kaufman, William Kaufman, Donald W. Loria, Max H. Horwood, George D. Kent, Sol J. Schwartz, Isadore A. Berger, Irving B. Ackerman, N. B. Shillman, Nathan J. Kaufman, Samuel Grandon, Milton R. Atlas, Harry Gonte.

The Mundt police state bill did not get that way by accident—it had a model. The model is Hitler's early 1933 decrees through which he gave his Nazi dictatorship legal standing. These decrees are paralleled in some of the minutest details by the Mundt bill and, if it is passed, its sponsors hope to force America to take more steps along the Hitler path.

A product of the House Un-American Committee, the Mundt bill (H. R. 5852) is now up before Congress. The Mundt bill decrees, without proof, that all Communists and Communist sympathizers are conspiring to establish a totalitarian dictatorship and should be subject to $10,000 fine and 10 years in jail. Its passage would place all progressive organizations and individuals under the control of the Attorney General.

A study by the Civil Rights Congress revealed the similarity between the bill and the Hitler decrees.

There is an example: The Mundt bill provides that if any of its provisions are violated, both naturalized and native born citizens, can lose their citizenship. Now look at this law passed by the Nazis in 1933:

Law regarding the revocation of naturalization and the deprivation of German citizenship (Reichsgesetzblatt, I, 480, July 14, 1933):

Section I. Naturalization made in the period from November 9, 1918, to January 30, 1933, may be revoked if the naturalization is deemed undesirable.

Section II. Citizens of the Reich sojourning abroad, may be declared to have forfeited the German citizenship if they have injured the German interests by conduct violating their duty to loyalty against the Reich and the people.

An ordinance to effectuate this measure was passed two weeks later (Reichsgesetzblatt I, 538, July 26, 1933. It provided:

"Conduct violating the duty to loyalty against the Reich and people will be found particularly if a German assists in the hostile propaganda against Germany or if he has tried to insult the prestige or the measures of the national government."

Despite contrary claims, the Mundt bill is intended to outlaw the Communist Party. It gives that power to one man, the Attorney General, without any limits on the exercise of that power. All he has to do is find that the organization is a Communist political organization under the vague standards of the bill, and at a subsequent criminal trial that finding will bind the jury and the court, according to this law. Americans will be imprisoned because one official of Government says so.

But this isn't a bill for one group of persons only. It covers all decent, progressive Americans. Because the Attorney General will be empowered to do the same thing with respect to Communist front organizations.

Now look at the Nazi pattern. On May 26, 1933 (Reichsgesetzblatt, I, 293), the following law was passed:

"Section I: 1. The supreme authorities of the State or the authorities designated by them may confiscate in favor of the State, the property and rights of the Communist Party of Germany and its auxiliary and substitute organizations, as well as the property and rights used or destined for the advancement of Communist endeavors."

And just 6 weeks later, the Nazis passed another law (Reichsgesetzblatt, I, 479, July 14, 1933):

"The provisions of the law regarding the confiscation of Communist property of May 26, 1933 (RGBL, I, 293) are applicable to property and rights of the Social Democratic Party and its auxiliary and substitute organizations, as well as to property and rights used or destined for the advancement of Marxist or other endeavors found by the Reich Minister of the Interior to be hostile to the people and state."

Look at the Mundt bill. It's all in there. The Nazis made no distinction between the Communists, Social Democrats, or any other progressives. The Reich Minister of the Interior (Hitler's attorney general) treated them all alike—because they were all common enemies of the Fascists, no matter how much they differed on issues of the day.

Take the employment of progressives in government. The bill would make it impossible for anybody but a reactionary civil-service employee to enforce such laws as social security, rent control, housing and labor acts. Hitler did the same.

On April 7, 1933, the following law was passed (Reichsgesetzblatt, I, 175, April 7, 1933):

"SEC. 1. Civil servants who have been members of the Communist Party or Communist auxiliary and substitute organizations or who have otherwise been active along Communist lines, are to be discharged from Civil Service.

"2. Civil servants who will hereafter be active along Marxist (Communist or Social Democratic) lines are likewise to be discharged.

"SEC. 4–1. Civil servants who by their previous political conduct do not afford assurance that they will at all times identify themselves without reserve with the National State may be discharged from the service.

"SEC. 15. The provisions regarding civil servants are equally applicable to employees and workers."

These are not mere words. They are reality. Two years after his accession to power Hitler enacted the following law (Reichsgesetzblatt, I, 1146, September 15, 1935):

"SEC. II. A citizen of the Reich is only a citizen of German or kindred blood who proves by his conduct that he is willing and able to serve loyally the German people and the Reich."

"3. A citizen of the Reich is exclusively vested with full political rights in accordance with the laws."

The Mundt bill takes away the citizenship of naturalized and native-born citizens whenever the Attorney General deems them disloyal, but if such power is vested by this law, if such a precedent is set, then the next law will soon determine, as they did in Germany, that only persons of a certain race or a certain creed can remain citizens.

The Mundt bill virtually makes the courts the rubber stamp for every decree of the Attorney General. Is this any different from the practices of the Nazis? It is not. On June 28, 1935, the penal code of Germany was amended (Reichsgesetzblatt, I, 839, June 28, 1935) to read as follows:

"SEC. II. A person is punishable who commits an act which the law declares to be punishable, or which deserves punishment in accordance with the fundamental purpose of a penal law and sound popular feeling."

"SEC. 267a. If it appears at the trial that the accused has committed an act which deserves punishment according to sound popular feeling, but which is not declared punishable by law, then the judge must examine whether the fundamental purpose of a penal law covers the act and whether the analogous application of such penal law is required."

Mr. NIXON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. OWENS].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. OWENS. Mr. Chairman——

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield for a short remark?

Mr. OWENS. I yield briefly.

Mr. NICHOLSON. The gentleman from Michigan talked about the smart Tories in Boston during Jefferson's time. I wish to tell him something about the history of Massachusetts, there were no Tories in Boston in Jefferson's time; all

the Tories left Boston with the redcoats in 1776.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. OWENS. No; I am sorry, my time is limited.

Mr. SADOWSKI. I want to answer the gentleman from Massachusetts.

Mr. OWENS. Not on my time.

Mr. Chairman, I also heard some remarks of the gentleman from Michigan in which he castigated the members of the committee which drafted the Labor-Management Relations Act, commonly known as the Taft-Hartley Act. Let me say with respect to the provisions of the Taft-Hartley Act which required the officers of Communist organizations also to register by filing an affidavit with the Labor Board seemed to have a pretty good effect on the labor movement.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield.

Mr. KEATING. I wish to ask the gentleman from Illinois whether he agrees with the gentleman from Michigan in his conclusion that all of the outstanding labor unions in this country are under the control of foreign governments or foreign governmental or political organizations?

Mr. OWENS. I can hardly be expected to agree with that statement.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield briefly?

Mr. OWENS. I yield.

Mr. MARCANTONIO. But the point the gentleman from Michigan tried to make was that every enemy of labor makes that charge against a labor union when a labor union is engaged in a serious industrial dispute.

Mr. OWENS. Now I will get down to the points I want to make. First, the bill may be said to divide itself into two main parts. The first and most important part seems to be sections 2 and 4. Section 2 sets forth that there is a system of government known as totalitarian dictatorship which exists by means of a single political party, organized on a dictatorial basis, and there is a world Communist movement to establish such a totalitarian dictatorship in all parts of the world.

As I mentioned the other day there are some parts of this bill which I think are good. I despise communism and I do not want to see it grow here in this great country.

After the bill defines "totalitarian dictatorship" and "world communism" it states in section 4 that it shall be unlawful for any person to attempt in any manner to establish such a totalitarian dictatorship, under the subservience of a foreign nation, in this country, and it sets out a penalty for such act. No one can argue with such provision, at least with reason.

The gentleman from California [Mr. HOLIFIELD] stated that there must be an intent to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship, and he criticized "intent." I do not criticize the word "intent." As one who has handled both civil and criminal law for a period of 20 years, I know that a criminal act must be proved beyond a reasonable doubt, and to a moral certainty; it must be shown that the person charged intended to do the act in question; but you do not show intent by what he was thinking; you merely show the acts he committed and the acts show the intent. This is a criminal statute, and, being such, that matter takes care of itself. It is covered in section 4.

The parts I am concerned with I brought to the attention of the committee. I must say that the committee received my remarks very courteously and has indicated that they are going to accept practically all of the amendments which I suggested, and there are about 12 different amendments that are concerned with other sections. There is a provision there with respect to employment in Government of members of Communist political organizations. Another section with respect to issuance of passports to people when it is shown they are members of such an organization.

In the section on employment on which I want clarification as to knowing or believing or having reasonable grounds for knowing or believing that the organization is a Communist political organization. Then it sets out the fact that he cannot be accepted in a job or position and so forth. Of course, that would be wrong if you were to put in all those words "knowing or believing or having reasonable cause for knowing or believing." The word "knowing" is sound, but the balance of the provision, that is, the words "or believing or having reasonable cause for knowing or believing" should be deleted. Otherwise, a person could not hold a position with the Government, and it would be unlawful for an officer or employee of the United States to employ such individual if they only believed that he was a member of a Communist political organization. That would be too drastic and it would be dangerous for everyone in the country.

The same situation exists with reference to passports. It states that it shall be unlawful for any member of the Communist Party knowing or believing or having reasonable cause for knowing or believing that the organization is a Communist political organization, to make application for a passport. Then it states that it shall be unlawful for any officer or employee of the United States to issue a passport to any individual knowing or believing that such individual is a member of a Communist political organization. If that were permitted to stand no one would be issued a passport because such officer or employee could go on the theory that he believed the person in question was a Communist, and therefore he would not issue it. The word "knowing" would cover the situation very well.

There are several other illustrations in here which I will not try to give at this time. There is one in section 10, and we have another in section 11 with respect to the use of the mails. We have the words in here, "Any publication which is intended to be or which it is reasonable to believe is intended to be circulated or disseminated," and so forth. I say the words "which it is reasonable to believe" should go out and I believe they will go out without question.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Does not the fact that the committee is willing to accept 12 amendments indicate there are 12 reasons for a Member opposing the bill as it is presented to us?

Mr. OWENS. Well, it shows that they have been willing to acknowledge there are errors.

Mr. MILLER of Connecticut. We have to pass on the bill as it is presented to us by the committee.

Mr. OWENS. The committee indicated its assent, but did not fully agree to all the amendments. I am making my statement in advance, because what I will do at the finish will depend on how many of these amendments will be accepted.

Another thing about which there has been a great deal of talk is the definition of "Communist political organization" and "Communist-front organization" because the definition of those two constitute a Communist organization. Those two are defined to be Communist organizations a little later on.

There are a great number of other terms. It says:

> The extent and nature of its activities, the extent to which its policies are formulated and carried out to effectuate the policies of a foreign government, the extent to which it supports the principles of Marx and Lenin—

And so forth; then it says:

> It is reasonable to conclude that it is under the control of a foreign government.

I say all of those things should be embodied under one statement because in section 2 it sets forth that such a political organization, that is, a Communist dictatorship, means political organizations which are acknowledged by such communistic dictatorship as being constituent elements of the would-be Communist movement.

I will read the language which I would advocate in defining a Communist organization:

> Means any organization in the United States that is a constituent part of the world Communist movement or the establishment of a totalitarian dictatorship in the United States of America defined in section 2 of this act.

As soon as you do that you bring it right within that definition that is given in section 2. There cannot be any more argument against any one of those things than there is against the provisions of section 4, covering the penalty.

I close by saying with respect to the substantial evidence rule, if you use the word "knowing" which I have advocated, once a person is found to have affiliated himself with a Communist organization, and doing it deliberately after knowing it, if there is proof by substantial evidence of that fact, then later he is charged with having failed to register, knowing he was a member of a Communist organization, there is no doubt about the fact of his having known it, then you have intent and if he is convicted he is sent to prison for 2 years for violation of the act.

What I am going to do with respect to my vote depends upon what the committee does in reference to these amendments because I for one do not want to see the civil liberties of the citizens of this Nation infringed in any way. With the exercise of care, a proper and necessary measure can be passed and enacted into law.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. NIXON. Mr. Chairman, I yield 8 minutes to the gentleman from Wisconsin [Mr. KERSTEN].

Mr. KERSTEN of Wisconsin. Mr. Chairman, all afternoon and all during the debate we have heard Members of the opposition claim that it would be possible to include labor unions within the provisions of this bill. That charge is absolutely ridiculous. The phrase to which they point is that which refers to Communists who are set forth in the bill as being known to disrupt trade and commerce, and that, therefore, a labor dispute, which may in a measure disrupt trade and commerce, would also include labor unions. Now, I want to point out to the gentlemen who make this argument that other provisions of the bill make it necessary to prove much more than the mere disruption of trade and commerce. Section 4 provides that any person who seeks to set-up a totalitarian dictatorship in the United States shall be included within the provisions of this bill, but this dictatorship must also be shown and proved to be under the control and domination of a foreign government or a foreign organization, and that is not possible with any American labor organization. So much for that.

The gentleman from New York [Mr. MARCANTONIO] in opposing this bill has stated that its measures could be used against every independent political movement making peace an issue. This is clearly an erroneous statement, just as erroneous as is the contention that the bill could be applied to labor unions or any other organization other than a subversive one.

Section 3, subsection 4, excludes any political party from within the definition of "Communist-front organization."

The strange paradox of today is that those forces that are most loudly proclaiming peace are the very ones who are working for war. The Communist world conspiracy is constantly putting out propaganda under the label of peace, while it plots universal class conflict, whether it be an insurrection in Prague or in Bogotá.

I should like to call to the attention of the committee, Mr. Chairman, a recent issue of the official organ of information of the Cominform. It is called For a Lasting Peace, for a Peoples' Democracy. This organ is the official thought control for those nations formerly independent and now caught in the Soviet police state net. It is printed in Belgrade. It contains directions for the Governments of Poland, Czechoslovakia, Rumania, Hungary, Yugoslavia, Finland, Bulgaria, and Albania. It also contains directions for the Communist Parties in other parts of the world—Italy, France, India, United States, and so forth. It is central intelligence for the world Communist movement. Its headline is "For a lasting peace," but every article in the sheet is filled with a driving hate and urgency to action against any force in the world that will oppose the Marxist-Leninist line, the new gospel for peace.

This is the peace that the gentleman from New York talks about. The peace that comes when all forces of opposition to the Marxist-Leninist line are finally silenced. The peace that follows the earthquake. The peace that broods on a battlefield strewn with the dead. When the gentleman from New York speaks of peace in these Halls of Congress, it is the echo of another voice that spoke from a balcony in Petrograd in 1917 that shouted out to the people that he, Lenin, had returned to Russia to bring them bread and power and peace.

Mr. Chairman, the preamble of this bill is most important. It sets out clearly in legislative finding the web of the Communist world conspiracy. It throws the searchlight on a plot that seeks to hide from the light.

Section 4 of the bill contains the most powerful provisions. It provides heavy penalties for any person who seeks to set up in this country a totalitarian dictatorship under the control of a foreign government. It cuts the nerves of the international body so that the limb that lies in the United States is separated from the brain that lies in Moscow. The leaders of our country for the past 10 years should have known of the world ambitions of the Bolsheviks. In 1938 Stalin wrote publicly to Ivanov in Russia, quoting the words of Lenin with approval, as follows:

> We live not only in a state but in a system of states, and the existence of the Soviet Republics next to a number of imperialist states for a long time is unthinkable. In the end either the one or the other will have the better of it. Until that end comes, a series of most terrible conflicts between the Soviet Republics and the bourgeois states is inevitable.

The constitution and rules of the Communist International as published by the Workers Library provide:

> The ultimate aim of the Communist International is to replace world capitalist economy by a world system of communism.
>
> The dictatorship of the proletariat presupposes the existence in every country of a compact Communist Party hardened in the struggle, disciplined, centralized.

The Soviet blueprint for world control has not remained a theory. But the strange phenomena of our time is that independent states have fallen, not by invasion from without but by international conspiracy from within. And when these nations have fallen, Communist archangels move in to take charge of the government.

Into Yugoslavia went Tito who had served in the Red Army from 1917 to 1921. Into Czechoslovakia went Gottwald who had been trained in Moscow from 1938 to 1945. Into Poland went Bierut who moved in with the Russian Army. Into Bulgaria went Georgi Dimitrov, general secretary of the Communist International in Russia until 1943 and a Soviet citizen until 1945. Into Rumania went Anna Pauker, a Soviet citizen from 1930 until the end of the late war. And similarly other archangels are waiting to take over power in other countries. Togliatti, a member of the Comintern in Moscow, did not come to Italy until 1944; in France, Thorez, was Moscow trained until 1944.

And thus the world conspiracy extends itself. It must have direction, it must have brains, it must have central control, it is international and it must have world direction, and that direction is in the hands of the new materialist god who blows golden rings from his pipe toward the sun from a window in the Kremlin.

The President is quoted in the morning papers as being against the outlawing of the Communist Party. This bill does not outlaw the Communist Party as an American political party. The Communist Party is not part of the body politic of the United States. It is a secret organization that seeks to gain power and subject our country to foreign direction, not by political methods, not by free elections, nor by open debates or a recognition of the majority rule and the protection of minority rights, but in every instance where it has gained power it has done so by rigged elections or by coup d'etat, secret orders, a suppression of the majority voice and the annihilation of minorities. This bill makes it possible for the Communist Party to become a political party. It cuts off its foreign control and if it is to have a political policy, that policy must be formulated in the United States. The bill brings the Communists from underground where the people can see them. It puts labels on their propaganda so that the people know what it is. Every American political party operates above ground. It is labeled, and what is most important, it is directed and controlled by Americans in America. If the American section of the Communist conspiracy is cut off from foreign control and forced to come above ground, it will wither and die, not by virtue of any provision in this bill but by virtue of the oxygen in the air of free America where tyranny does not thrive.

During the past few days hundreds of individuals have called on the offices of Congressmen with a message of confusion and distortion to oppose the bill. Some of these individuals are undoubtedly sitting in the galleries. But, gentlemen, beyond the opponents in the galleries are the 140,000,000 people in the United States whose liberties we are sworn to protect. If the precious liberties of our people should ever be lost, it will be by conspiracy from within. A limb of the conspiracy that has caused the fall of other countries in the world lies in the United States. This measure is a sword that separates that limb from the brain that lies abroad. This country could fall from an internal attack but it will never fall from an assault from without though all the powers of hell are hurled against it.

Mr. MUNDT. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. MCDOWELL].

Mr. McDOWELL. Mr. Chairman, referring to the suggestion I made a while ago that a lot of the letters coming in here about this bill were phony, here is a letter from the Episcopal League for Social Action, 412 West Grand Boulevard, Detroit, Mich., Tashmoo 5-5010. In the short time we have been in possession of this letter we have checked seven of the long list of names on the left-hand side of the page, and the check reveals 15 full pages of fellow-traveling Communist-front activity. This is an almost perfect example of what is in here opposing the Mundt bill.

Mr. Chairman, the letter to which I have referred and the committee reports on some of those listed as the officers of this organization are as follows:

THE EPISCOPAL LEAGUE
FOR SOCIAL ACTION,
*Detroit, Mich., May 12, 1948.*

The Honorable ANTON J. JOHNSON,
*House Office Building,*
*Washington, D. C.*

MY DEAR MR. JOHNSON: In behalf of the constituency of this Episcopal church organization, I wish to express our complete opposition to the Mundt-Nixon bill (H. R. 5852). We agree with sundry other patriotic and religious groups, that the passage of such an undemocratic measure would strike at the very heart of our historic democratic freedom.

As church people, we can see how such a measure can seriously jeopardize the fundamental right of freedom of the pulpit and you can be assured that church men and women of all denominations will defend that right to the death.

No man can serve two masters. In this day and age, in America, this seems to say that no man can serve God Almighty and the House Committee on Un-American Activities concurrently.

Trusting that you will do all in your power to defeat this bill, I am,

Sincerely yours,
Rev. WM. B. SPOFFORD, Jr.,
*Executive Secretary.*

---

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

MAY 14, 1948.

For: Hon. ANTON J. JOHNSON.

Subject: Episcopal League for Social Action; president, Edward L. Parsons; vice presidents, Walter Russell Bowie, J. Howard Melish, Mrs. Mary Simkhovitch, Vida D. Scudder, Mary Van Kleeck; and, executive secretary, William B. Spofford, Jr.

No reference is found in files, records, or publications of the committee to the Episcopal League for Social Action, but the following record is found on its officers:

EDWARD L. PARSONS

A folder issued by the American Committee To Save Refugees, and its bulletin, Spot News, page 1, shows that Edward L. Parsons was a sponsor of that organization which has been cited as a Communist front by the Special Committee on Un-American Activities (see committee report, March 29, 1944).

Edward L. Parsons was also a sponsor of the American Committee for Protection of Foreign Born, according to an official letterhead of the organization, dated September 11, 1941, and the program of the group's fifth national conference, held in Atlantic City, N. J., March 29-30, 1941. The Daily Worker, October 28, 1940, page 3, listed him as a signer of the Statement for American People, endorsing the campaign for American citizenship and citizenship rights under the sponsorship of the American Committee for Protection of Foreign Born. The Special Committee on Un-American Activities cited this organization as a Communist-dominated front in two committee reports, dated June 25, 1942, and March 29, 1944, respectively.

A letterhead of the National Emergency Conference, dated May 19, 1939, reveals that Edward L. Parsons was a sponsor of the conference which has been cited as a Communist front in Report No. 1311 of the Special Committee on Un-American Activities, issued March 29, 1944.

Edward L. Parsons has been affiliated with the Joint Anti-Fascist Refugee Committee as a national sponsor of the organization's Spanish Refugee Appeal (letterhead, February 26, 1946); as a supporter of the Spanish Refugee Appeal (People's World, November 5, 1947, p. 3); as chairman of the JARFC's reception for Dr. Edward K. Barsky (People's World, March 1, 1948, p. 5); and as a member of the organization's national reception committee for Mme. Irene Joliot-Curie (invitation to dinner, New York City, March 31, 1948).

The Joint Anti-Fascist Refugee Committee was first cited as a Communist-front organization by the Special Committee on Un-American Activities in the March 29, 1944, report of the committee. Dr. Barsky, its chairman, and all members of its executive board have been cited for contempt of Congress, and convicted, because of their refusal to testify to certain questions and to produce records as subpenaed by the Committee on Un-American Activities in 1946. And the JAFRC was included in the list of subversive organizations compiled by Attorney General Clark and released on December 4, 1947, by the United States Civil Service Commission.

The Daily Worker, March 5, 1946, showed Bishop Edward L. Parsons as a sponsor of the Win-the-Peace Conference held in Washington, D. C., April 5-7, 1946. At this conference the National Committee To Win the Peace was formed—an organization termed subversive by Attorney General Clark. (See press release of the United States Civil Service Commission, December 4, 1947.)

Edward L. Parsons has shown his support of Communist causes in the following instances: He signed a statement to the President of the United States defending the Communist Party (Daily Worker, March 5, 1941, p. 2); he issued a statement in support of the U. S. S. R., which was printed in Soviet Russia Today, October 1941, page 30; he was writer of a letter which appeared in Soviet Russia Today, June 1947, page 3; and he was a sponsor of the National Free Browder Congress as shown in the Daily Worker, March 6, 1942, page 1. Soviet Russia Today, was cited as a Communist-front periodical in two reports of the Special Committee on Un-American Activities (June 25, 1942, and March 29, 1944); and the National Free Browder Congress was one of the organizations urging the release from prison of Earl Browder, general secretary of the Communist Party (cited as a Communist front in Report No. 1311, Special Committee on Un-American Activities, March 29, 1944).

In 1937-38 many so-called relief organizations were formed in support of the Spanish Loyalist cause. Of these organizations, cited as Communist fronts in Report No. 1311 of the Special Committee on Un-American Activities, we find Edward L. Parsons affiliated with the following: He was a member of the committee of the medical bureau, American Friends of Spanish Democracy (letterhead, November 18, 1936); and a member of the Committee of the American Friends of Spanish Democracy (letterhead, February 21, 1938). He was a signer of a letter to the President sponsored by American Friends of Spanish Democrcy (Daily Worker, February 16, 1938, p. 2), a letter urging the Catholic Church to influence Franco (issued by the organization and appearing in the Daily Worker, March 22, 1938, p. 2), and of the organizations' petition to lift the arms embargo (Daily Worker, April 8, 1938, p. 4). He was a national sponsor of the Medical Bureau and North American Committee To Aid Spanish Democracy (letterhead July 6, 1938), as well as a sponsor of the Spanish Refugee Relief Campaign (leaflet, Children in Concentration Camps, back cover). The booklet, These Americans Say, page 5, issued by the Coordinating Committee To Lift the Embargo contains a statement by Edward L. Parsons in support of the lifting of the embargo against loyalist Spain.

Edward L. Parsons' name is shown in a leaflet, attached to an undated letterhead of the National Federation for Constitutional Liberties as a signer of a message to the House of Representatives which the organization issued in support of one of its policies. He is also listed in the Daily Worker, March 18, 1945, page 3, as a signer of the federation's statement hailing the War Department's order on commissions for Communists. The National Federation for Constitutional Liberties has been cited as a Communist-front organization by both the Special Committee on Un-American Activities (committee reports of June 25, 1942, and March 29, 1944) and by Attorney General Francis Biddle (CONGRESSIONAL RECORD, September 24, 1942, p. 7446).

His signature also appeared on the list of signers of an open letter to the American people which was sponsared by the National Council of American-Soviet Friendship, according to the account in the New York Times, May 18, 1943, page 17C. The National Council of American-Soviet Friendship has been cited as a Communist front by the Special Committee on Un-American Activities (Report of March 29, 1944) and as a subversive organization by Attorney General Clark (press release of United States Civil Service Commission, December 4, 1947).

DR. W. RUSSELL BOWIE

In a booklet entitled "Six Hundred Prominent Americans," W. Russell Bowie is listed as one of those who signed an open letter of the National Federation for Constitutional Liberties; he signed a news release of the same organization dated December 26, 1941; identified as being associated with the Union Theological Seminary, the Reverend W. Russell Bowie signed an open letter of the National Federation for Constitutional Liberties, denouncing United States Attorney General Biddle's charges against Harry Bridges and the Communist Party (see Daily Worker, July 19, 1942, p. 4; and People's World, July 15, 1942, p. 2). He signed a statement of the organization hailing the War Department's order on commissions for Communists, according to the Daily Worker of March 18, 1945 (p. 2); he was identified as being associated with the Union Theological Seminary, New York City, in this last source.

The National Federation for Constitutional Liberties has been cited in two reports of the Special Committee on Un-American Activities. (Rept. No. 2277 of June 25, 1942, and No. 1311 of March 29, 1944). Former Attorney General Biddle found that it was "part of what Lenin called the solar system of organizations, ostensibly having no connection with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program * * *" (CONGRESSIONAL RECORD, September 24, 1942, p. 7446), it was also included on a list of "subversive" organizations prepared by Attorney General Clark and furnished for use of the Loyalty Review Board. (Released to the press by the United States Civil Service Commission December 5, 1947.)

W. Russell Bowie was listed in a printed program of the Fifth National Conference of the American Committee for Protection of Foreign Born, held in Atlantic City, N. J., March 29-30, 1941, as one of the sponsors of that organization. The American Committee for the Protection of Foreign Born has

been cited by the Special Committee on Un-American Activities in Report 2277 of June 25, 1942, and in Report 1311 of March 29, 1944. In the latter report the organization was cited as "one of the oldest auxiliaries of the Communist Party in the United States" (p. 155).

According to the Communist publication, the Daily Worker of February 23, 1938 (p. 2), W. Russell Bowie signed a letter of the American League for Peace and Democracy, cited in three reports of the Special Committee on Un-American Activities. (Report 1476 of January 3, 1940; Report 2277 of June 25, 1942; Report 1311 of March 29, 1944.) Attorney General Francis Biddle found that the league "* * *" was designed to conceal Communist control, in accordance with the new tactics of the Communist International" having been established in 1937 as successor to the American League Against War and Fascism. (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7455.)

W. Russell Bowie signed a telegram to President Roosevelt and Attorney General Jackson in behalf of the International Fur and Leather Workers Union, defendants, sponsored by the New York Conference for Inalienable Rights, as shown in the Daily Worker of September 17, 1940, page 1. The New York Conference for Inalienable Rights was cited by the Special Committee on Un-American Activities in Report 1311 of March 29, 1944.

In a booklet entitled, "These Americans Say:" (p. 9), W. Russell Bowie is listed as a representative individual who endorsed the Coordinating Committee to Lift the Embargo, cited in Report No. 1311 of the Special Committee on Un-American Activities, dated March 29, 1944.

W. Russell Bowie signed an open letter which was sponsored by the National Emergency Conference for Democratic Rights, as shown in the Daily Worker of May 13, 1940 (pp. 1, 5). The National Emergency Conference for Democratic Rights has been cited in Report No. 1311 of the Special Committee on Un-American Activities.

According to the Daily Worker of July 19, 1942 (p. 4), W. Russell Bowie was one of those who signed the Open Letter on Harry Bridges, cited by the Special Committee on Un-American Activities in Report No. 1311, of March 29, 1944.

Both the September 28, 1937, and October 5, 1937, issues of New Masses, a monthly publication of the Communist Party, list Russell Bowie (with no middle initial shown), as one of the sponsors of the North American Committee to Aid Spanish Democracy. The Special Committee on Un-American Activities, in two separate reports (January 3, 1940, and March 29, 1944), has cited the North American Committee to Aid Spanish Democracy.

The Daily Worker of July 25, 1940 (p. 2, c. 3) revealed that W. Russell Bowie was one of those who signed an open letter of the American Committee for Democracy and Intellectual Freedom. The letter contained a five-point program to aid refugees and was sent to the Hon. Cordell Hull, Secretary of State. The American Committee for Democracy and Intellectual Freedom has been cited in Report No. 1311 of the Special Committee on Un-American Activities, dated March 29, 1944.

MARY K. SIMKHOVITCH

In a pamphlet entitled, "Youngville, U. S. A.," (p. 64), Mary K. Simkhovitch is listed as a member of the National Advisory Board of the American Youth Congress. The Special Committee on Un-American Activities has cited the American Youth Congress in two of its reports—one dated June 25, 1942, and the other dated March 29, 1944. Former Attorney General Francis Biddle cited the Congress as a front organization of the Communist Party (in re Harry Bridges, May 28, 1942, p. 10); he found that the Congress was organized in 1934 and since its inception has been controlled by Communists and manipulated by them to influence the thought of American youth (CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7456). Attorney General Clark included the organization on his list of subversive groups furnished for use of the Loyalty Review Board. (Press release of the U. S. Civil Service Commission, dated December 5, 1947.)

The Special Committee on Un-American Activities cited the Consumers National Federation in Report No. 1311 of March 29, 1944; according to a pamphlet entitled, "The People vs. H. C. L." dated December 1937 (p. 3), Mary K. Simkhovitch is shown as one of the sponsors of the organization.

Mary K. Simkhovich has contributed to the publication, Soviet Russia Today (see March 1942 issue, p. 11), which has been cited as the "mouthpiece of the Communist Party" by the Special Committee on Un-American Activities in its report dated June 25, 1942. It was also cited in the special committee's report of March 29, 1944.

Mary Simkhovitch (with no middle initial shown) is listed as a member of the general committee of the Greater New York Emergency Conference on Inalienable Rights, in a printed program of the conference which was held February 12, 1940. (See fifth paragraph of this memorandum concerning W. Russell Bowie.)

The Daily Worker of January 21, 1938 (p. 2) lists Mary K. Simkhovitch as one of the sponsors, as well as a member of the advisory board of the Decendants of the American Revolution; the Daily Worker of February 13, 1939 (p. 2) lists Mary Kingsbury Simkhovitch as a member of the organization; a pamphlet entitled "Descendants of the American Revolution" (back page), lists Mary Kingsbury Simkhovitch as a member of the advisory board of that organization.

In Report No. 2277 of the Special Committee on Un-American Activities we find that the Decendants of the American Revolution is a Communist-front organization set up as a radical imitation of the Daughters of the American Revolution. "The decendants have uniformly adhered to the line of the Communist Party" (p. 18).

Mary K. Simkhovitch's affiliation with the National Council of American-Soviet Friendship is shown as follows: She signed an open letter to the American people, sponsored by the council, according to the New York Times of May 18, 1943, page 17 C; she signed an open letter to the mayor of Stalingrad, sponsored by the national council, as shown in Soviet Russia Today, June 1943, page 21; she was listed as a sponsor and a member of the committee of women of the National Council of American-Soviet Friendship, according to the Call to a Conference on Women of the U. S. A. and the U. S. S. R. in the Post-War World, November 18, 1944, at the Hotel Commodore, New York City. She signed greetings to the women of the Soviet Union, under the sponsorship of the national council, according to the Daily Worker of March 9, 1948 (p. 5).

In a report of the Special Committee on Un-American Activities dated March 29, 1944, we find that "in recent months the Communist Party's principal front for all things Russian has been known as the National Council of American-Soviet Friendship." The organization was also cited as subversive on a list furnished by Attorney General Clark for use of the Loyalty Review Board and released to the press by the United States Civil Service Commission December 5, 1947. Richard Morford, director of the organization, was cited for contempt on August 2, 1946, by Congress for refusal to testify and produce records. (CONGRESSIONAL RECORD of that date.)

Mary Simkhovitch is shown on a letterhead dated July 6, 1938, as a member of the Social Workers Committee of the Medical Bureau and North American Committee to Aid Spanish Democracy. She is listed as a sponsor of the organization in the May 18, 1937, issue of New Masses, page 25. (See par. 9 concerning W. Russell Bowie in this memorandum.)

Mary K. Simkhovitch is listed as a sponsor of Social Work Today, in the December 1937 issue, page 2; the June-July 1940 issue of the same publication (p. 2) lists her as cooperator-sponsor. The Special Committee on Un-American Activities has cited Social Work Today as a Communist-front publication in its Report No. 1311 of March 29, 1944.

In the booklet, These Americans Say, (p. 10) published by the Coordinating Committee To Lift the Embargo, Mary K. Simkhovitch is listed as a representative individual endorsing the coordinating committee. (See report on W. Russell Bowie for citation on this organization.)

WILLIAM B. SPOFFORD, JR.

In a pamphlet entitled "Seeing Is Believing," dated 1947 (on the back cover) the name of W. B. Spofford, Jr. appears as a member of the Council on African Affairs, Inc., cited by Attorney General Clark as subversive and included on a list furnished for use of the loyalty review board. (Released to the press by the U. S. Civil Service Commission December 5, 1947.)

A mimeograph list issued by the Congress on Civil Rights, held in Detroit, Mich., April 27–28, 1946, shows the name of Rev. William Spofford, Jr., as a member of the resolutions committee. The Daily Worker of February 28, 1947 (p. 2) lists the Reverend William Spofford (with no middle initial shown) as one of those who signed a statement in defense of Gerhart Eisler, under the auspices of the Civil Rights Congress.

The Civil Rights Congress was "founded at a conference held in Detroit on April 27–28, 1946, effectuating the merger of the International Labor Defense and the National Federation for Constitutional Liberties." The foregoing was quoted from a report on the Civil Rights Congress by the Committee on Un-American Activities, dated November 17, 1947, in which the committee concluded that "the Civil Rights Congress is an organization dedicated not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party, that the organization is controlled by individuals who are either members of the Communist Party or openly loyal to it, and that in carrying out its defense aims, the organization has at the same time engaged in a campaign of vilification against the American Government" (p. 19).

The Civil Rights Congress and its affiliated organizations was cited as subversive by Attorney General Clark and included on his list prepared for use of the loyalty review board and released to the press by the United States Civil Service Commission December 5, 1947.

The Worker (the Sunday edition of the Daily Worker for November 9, 1947 (p. 8, c. 3)), revealed that Rev. William Spofford of Middleton, editor of The Witness, was one of those who cooperated with the Communist Party in the civil-rights campaign, by signing a statement sponsored by the American Veterans Committee, the American Civil Liberties Union, the Civil Rights Congress, and others.

On letterheads of March 29, 1939, and September 11, 1939, of the American League for Peace and Democracy, the Reverend William B. Spofford is listed as a member of the executive board of that organization. (See paragraph 4 of this memorandum concerning W. Russell Bowie.)

(NOTE.—Various references appear in the files concerning a William B. Spofford; however, we have only used those whom we can identify as being the Reverend William B. Spofford, Jr., about whom you inquired.)

REV. WILLIAM HOWARD MELISH

The records, files, and publications of the Committee on Un-American Activities reveal the following information concerning the Reverend William Howard Melish:

William Howard Melish was a national sponsor of the Spanish Refugee Appeal of the Joint Anti-Fascist Refugee Committee, according to a letterhead of that organization dated February 26, 1946. The Joint Anti-Fascist Refugee Committee was cited as a Communist front by the Special Committee on Un-American Activities in the report of March 29, 1944. The officers and members of the executive board of this organization were cited by Congress for contempt for refusing to produce records for the Committee on Un-American Activities. All were tried and convicted of the charge on June 27, 1947. (Washington Star, June 28, 1947, pp. 1 and 6, and the Washington Post, June 28, 1948, pp. 1 and 6).

The Daily Worker of March 15, 1947, page 5, reveals that William Howard Melish was one of the signers of a statement in protest of a ban on the Communist Party.

A letterhead of the National Council of American-Soviet Friendship, dated February 8, 1946, lists the name of Rev. William Howard Melish as vice chairman, religious committee, affiliated with the National Council of American-Soviet Friendship, Inc. Richard Morford, the director of the National Council of American-Soviet Friendship, was cited by Congress for contempt on August 2, 1946, for his refusal to produce records and testify before the Committee on Un-American Activities, and the organization itself was cited as a Communist front by the Special Committee on Un-American Activities in the report of March 29, 1944.

William Howard Melish is shown as one of the signers of an open letter sponsored by the National Federation for Constitutional Liberties (p. 26 of a booklet, 600 Prominent Americans). This organization was cited as a Communist front by the Special Committee on Un-American Activities in reports of June 25, 1942, and March 29, 1944. Attorney General Francis Biddle described the organization as: "Part of what Lenin called the solar system of organizations, ostensibly having no connections with the Communist Party, by which Communists attempt to create sympathizers and supporters of their program. * * * The defense of Communist leaders such as Sam Darcy and Robert Wood, party secretaries for Pennsylvania and Oklahoma, have been major efforts of the federation." (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7458.)

Rev. William H. Melish was one of the signers of a statement released by the American Youth for Democracy, which condemned the revocation of the charter of the Queens College Chapter of the organization (Daily Worker of April 22, 1947, p. 4). The Special Committee on Un-American Activities cited this organization as a Communist front in the report of March 29, 1944, and the following is quoted from report 271, April 17, 1947, of the Committee on Un-American Activities: "The committee calls upon the governors or legislatures of the various States as well as the administrative heads of the various colleges and universities to thoroughly expose the Communist connections of the American Youth for Democracy as well as the inimical objectives of the Communist Party in America." (See report 271, April 17, 1947, Committee on Un-American Activities, p. 18.)

Rev. William Howard Melish, Brooklyn, N. Y., has been affiliated with the Civil Rights Congress as one of the signers of a statement sponsored by that organization defending the Communist Party (Washington Post May 20, 1947, p. 13). In a report by the Committee on Un-American Activities on the Civil Rights Congress dated November 17, 1947, it was stated that: "The Civil Rights Congress has received the support of numerous Communist front organizations and has cooperated with such organizations on frequent occasions." In a program listing of the conference of the Civil Rights Congress of New York, W. H. Melish was shown as vice president of the Congress.

William Howard Melish was listed as a member of the board of trustees of the Jefferson School of Social Science (Spring Catalog, April 14, 1947, and the Summer Catalog, July–August 1947, p. 2). The Special Committee on Un-American Activities in Report 1311, March 29, 1944, cited this school as a Communist front. He was also shown as a member of the board of trustees of the Jefferson School of Social Sciences in its catalog (September-December 1947, p. 1). The Worker, southern edition, of October 12, 1947, page 9, lists Mr. Melish as a lecturer at the school.

William Howard Melish was a signer of an open letter to Gov. Thomas E. Dewey on behalf of Morris U. Schappes, a self-admitted Communist, who was convicted of perjury in the State of New York. The letter was sponsored by the Schappes Defense Committee, which was cited as a Communist front by the Special Committee on Un-American Activities in its report of March 29, 1944. This information was obtained from the New York Times of October 9, 1944, page 2.

The name of Dr. William Howard Melish, Church of the Holy Trinity, Brooklyn, N. Y., appears on a letterhead dated September 11, 1941, on a list of committee members and sponsors of the Citizens' Committee for Harry Bridges, cited as a Communist front by the Special Committee on Un-American Activities in Report No. 1311, March 29, 1944. He was also one of the signers of the Open Letter in Defense of Harry Bridges, cited as a Communist front in the same report of the Special Committee on Un-American Activities. (See Daily Worker, July 19, 1942, p. 4.)

William Howard Melish is shown as a contributor to the magazine Soviet Russia Today, according to the July 1946 issue, page 23. In the letterhead, dated September 8, 1947, he was listed as a member of the advisory council of the Soviet Russia Today. This publication was cited as a Communist front and also cited as a mouthpiece of the Communist Party by the Special Committee on Un-American Activities in reports of June 25, 1942, and March 29, 1944.

In the September 26, 1944, issue of New Masses, page 32, William Howard Melish answered a query of the magazine, "What Presidential ticket are you supporting, and why?" Rev. William H. Melish was a contributor to the September 4, 1945, issue of New Masses, page 9; he contributed a book review to the January 28, 1947, issue, page 25; and sponsored a plea for financial support of New Masses, according to a copy of that publication dated April 8, 1947, page 9. New Masses was cited as a Communist periodical by the Special Committee on Un-American Activities and was termed a "Communist publication" by the Committee on Un-American Activities in the report of June 12, 1947, page 10. In addition, Attorney General Francis Biddle has called it a Communist periodical. (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7458.)

According to the Worker, January 9, 1944, page 9, William H. Melish endorsed the Daily Worker, official organ of the Communist Party.

Rev. William Howard Melish wrote a letter on Yugoslavia in the Daily Worker (cited as official organ of the Communist Party) on August 22, 1947, page 8, and the completion of the article in the August 23, 1947 (p. 8), edition.

Rev. William Howard Melish wrote a letter in support of Yugoslavia. (New York Times, Sept. 22, 1947, p. 22.)

Rev. William H. Melish spoke on Yugoslavia before the National Council of American-Soviet Friendship, United Committee of South Slavic Americans. (People's World, Sept. 17, 1947, p. 8.) The National Council of American-Soviet Friendship was cited as a Communist front by the Special Committee on Un-American Activities on March 29, 1944.

In the testimony of Walter S. Steele, delivered before the Committee on Un-American Activities on July 21, 1947, under the heading "In the field of newspapers, magazines, and bulletins the Communists, Red fronts, and fellow travelers are well represented," is found the following: "Reporter, a biweekly publication, is published by the National Council of American-Soviet Friendship, Inc., 114 East Thirty-second Street, New York, N. Y. The editor is William H. Melish" (pp. 33 and 36). (See citation, p. 1.)

The New York Times of April 2, 1948, published an article in which it was stated that "The outside activities of the Reverend William Howard Melish, associate rector of Holy Trinity Episcopal Church, * * * have been condemned by the church's lay governing body in a letter sent to the parishioners March 15 last. * * * Specific objection was voiced to Mr. Melish's chairmanship of the National Council of American-Soviet Friandship and his sponsorship or active support of organizations with similar leanings. * * *" In an article in the April 22, 1948, issue of the same publication, it was reported that "Backed by a congregational referendum, the vestrymen and wardens of Holy Trinity Protestant Episcopal Church * * * issued a statement yesterday repeating their contention that the outside activities of the Reverend William Howard Melish, assistant rector, constituted a threat to the continued progress of the church. The vestrymen's statement was based on a tabulation of replies to a letter sent out on March 15 to 550 church members."

MARY VAN KLEECK

New Masses, January 5, 1937, page 31, shows Mary Van Kleeck as a general committee member of the American Friends of Spanish Democracy, Medical Bureau, one of the so-called Spanish relief organizations cited as a Communist front in Report 1311 of the Special Committee on Un-American Activities, March 29, 1944.

She is a sponsor of the National Council of American-Soviet Friendship, according to a memorandum issued by the council March 18, 1946. This organization has been cited as a Communist front by the Special Committee on Un-American Activities (report of March 29, 1944), and as subversive by Attorney General Clark (press release of the U. S. Civil Service Commission December 4, 1947). Mary Van Kleeck has also been a speaker on two occasions for the National Council of American-Soviet Friendship, at a rally at St. Nicholas Arena November 9, 1947 (Daily Worker, November 3, 1947, p. 5), and at its meeting on Atomic Energy: Opportunity for International Cooperation. (The Worker, June 15, 1947, p. 10.)

In 1935, Mary Van Kleeck signed the call to the National Congress for Unemployment and Social Insurance, according to Unemployment Insurance Review, volume 1, 1935, page 3. This congress was cited as a Communist-front gathering in the March 29, 1944, report of the Special Committee on Un-American Activities. Among the sponsors of this meeting were such well-known Communists as I. Amter, Max Bedacht, Herbert Benjamin, Harry Bridges, Earl Browder, Ben Davis, Jr., William Z. Foster, Ben Gold, and others.

The Daily Worker, March 13, 1934, page 5, revealed that Mary Van Kleeck spoke with Earl Browder, of the Communist Party, at a meeting under the auspices of the New Masses and the John Reed Clubs. New Masses has been cited as a Communist periodical by both the Committee on Un-American Activities and Attorney General Biddle (see Committee Reports of June 25, 1942, and March 29, 1944; and CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7459). The John Reed

Clubs, named after one of the founders of the United States Communist Party, were cited as Communist-front organizations by the Special Committee on Un-American Activities (report of March 29, 1944).

According to the Daily Worker, April 28, 1948, page 4, Mary Van Kleeck signed a petition in defense of the Joint Anti-Fascist Refugee Committee which has been cited as a Communist front by the Special Committee on Un-American Activities (Report of March 29, 1944) and as subversive by Attorney General Clark (press release of the United States Civil Service Commission, Dec. 4, 1947). She also acted as a member of the national reception committee of the Joint Anti-Fascist Refugee Committee at its dinner for Madame Irene Joliot-Curie (see Invitation to Dinner, New York City, March 31, 1948).

Mary Van Kleeck was a speaker at the convention of the United Office and Professional Workers of America, according to the Daily Worker, March 2, 1948, page 3. This is one of the unions in which the Special Committee on Un-American Activities has found Communist leadership entrenched (see Report No. 1311, March 29, 1944, pp. 18–19).

Letterheads of Soviet Russia Today, dated September 8, 1947, and September 30, 1947, show Mary Van Kleeck as a member of the advisory council of this Communist-front periodical (cited in Report 1311 of the Special Committee on Un-American Activities). The August 1947 issue of the magazine contains an article written by her (p. 7).

Mary Van Kleeck sent greetings to the Soviet women under the auspices of the American Council on Soviet Relations, as revealed in the pamphlet Soviet Women to the Women of the World, page 32. This is still another organization cited as a Communist front in Report No. 1311 of the Special Committee on Un-American Activities.

The Communist Party organ, Daily Worker, has quoted Mary Van Vleeck as defending the Soviet Union (July 20, 1935, pp. 1 and 2); and the Communist, monthly organ of the party, contained a favorable review of one of her books, according to an account in the Daily Worker, July 6, 1936, page 5.

An article, contributed by Mary Van Kleeck, appeared in the Communist-front periodical, Woman Today, as reported in the Daily Worker of March 13, 1936, page 5. (Citation of periodical in Report 1311 of the Special Committee on Un-American Activities.) She also spoke at a meeting under the auspices of Woman Today, where Elizabeth Gurley Flynn, the prominent Communist leader, was a speaker (see Daily Worker, May 12, 1937, p. 9).

VIDA D. SCUDDER

Seaman Scudder was listed as a gunner of the Abraham Lincoln Brigade by the Daily Worker of September 8, 1937, page 5. The Abraham Lincoln Brigade was cited as a Communist front by the Special Committee on Un-American Activities, March 29, 1944.

Vida D. Scudder was a signer of a petition sponsored by the American Committee for Democracy and Intellectual Freedom according to a mimeographed sheet attached to a letterhead dated January 17, 1940. The American Committee for Democracy and Intellectual Freedom was cited by the Special Committee on Un-American Activities on June 25, 1942 and on March 29, 1944, as a Communist front organization.

The Daily Worker of November 23, 1939, page 3, listed Vida D. Scudder as a signer of a letter opposing alien registration sponsored by the American Committee for the Protection of the Foreign Born.

A letterhead of the Fourth Annual Conference, Hotel Annapolis, Washington, D. C., March 23, 1940, listed Vida D. Scudder as a sponsor of this conference of the American Committee for Protection of Foreign Born.

A letterhead of the American Committee for Protection of Foreign Born announcing the national conference of the organization listed Professor Vida D. Scudder as a sponsor of that conference which was held in Cleveland, Ohio, October 25 and 26, 1947. The American Committee for the Protection of the Foreign Born was cited as a Communist front organization by the Special Committee on Un-American Activities, June 25, 1942 and March 29, 1944.

A folder of the American Committee to Save Refugees listed Vida D. Scudder as a sponsor of that organization. A bulletin Spot News, page 1, listed Vida D. Scudder as a sponsor of the American Committee to Save Refugees. The American Committee to Save Refugees was cited as a Communist front by the Special Committee on Un-American Activities, March 29, 1944.

Professor Vida D. Scudder sent greetings to the Soviet women according to a list sponsored by the American Council on Soviet Relations which appeared in "Soviet Women to the Women of the World," page 31. The American Council on Soviet Relations was cited as a Communist front organization by the Special Committee on Un-American Activities in Report 1311, March 29, 1944. Attorney General Francis Biddle cited the organization as being a Communist front. (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7459.)

According to the Daily Worker of February 16, 1938, page 2, Vida D. Scudder was a signer of a letter to the President sponsored by the American Friends of Spanish Democracy. The American Friends of Spanish Democracy was cited as a Communist front organization by the Special Committee on Un-American Activities, March 29, 1944.

Vida D. Scudder was an endorser of the conference of the American League Against War and Fascism according to the Daily Worker, March 4, 1937, page 2. The American League Against War and Fascism was cited as a Communist-front organization by the Special Committee on Un-American Activities January 3, 1940, and March 29, 1944. Attorney General Francis Biddle cited this organization as being "a Communist-front organization" in re Harry Bridges, May 28, 1942, page 10. Attorney General Biddle also said that the American League Against War and Fascism was "established in the United States in an effort to create public sentiment on behalf of a foreign policy adapted to the interests of the Soviet Union." (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7454.)

Vida D. Scudder was a signer of a statement on the international situation issued by the American League for Peace and Democracy according to the New Masses, March 15, 1938, page 19. The American League for Peace and Democracy was cited as "a Communist-front" organization by the Special Committee on Un-American Activities, January 3, 1940, June 25, 1942, and March 29, 1944. The American League for Peace and Democracy was established in 1937 as successor to the American League Against War and Fascism. Attorney General Francis Biddle said "the American League for Peace and Democracy * * * was designed to conceal Communist control, in accordance with the new tactics of the Communist International." (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7455.) Attorney General Biddle also said that the American League for Peace and Democracy was "established in the United States in an effort to create public sentiment on behalf of a foreign policy adapted to the interests of the Soviet Union." (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7454.)

Vida D. Scudder was listed as a member of the Citizens' Committee to Free Earl Browder on a letterhead dated February 11, 1942. The Citizens' Committee to Free Earl Browder was cited as "a Communist-front organization" by the Special Committee on Un-American Activities, March 29, 1944, and by Attorney General Francis Biddle as "a Communist organization." (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7458.) Vida Scudder was a signer of a letter to President Roosevelt sponsored by the Citizens' Committee to Free Earl Browder according to the Daily Worker of March 19, 1942, pages 1 and 2.

Vida D. Scudder was a signer of a statement in defense of Gerhart Eisler sponsored by the Civil Rights Congress, according to the Daily Worker of February 28, 1947, page 2.

Vida D. Scudder was a signer of a statement defending the Communist Party sponsored by the Civil Rights Congress according to the Washington Post, May 20, 1947, page 13. In a report on the Civil Rights Congress issued by the Committee on Un-American Activities, September 2, 1947, it was concluded:

"From the facts cited above it should be clear that the Civil Rights Congress is an organization dedicated not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party, that the organization is controlled by individuals who are either members of the Communist Party or openly loyal to it, and that in carrying out its defense aims, the organization has at the same time engaged in a campaign of vilification against the American Government" (p. 19).

Prof. Vida D. Scudder was a sponsor and a member of the Committee of Women of the National Council of American-Soviet Friendship, according to a call to a conference on women of the United States of America and the United Soviet Socialist Republics in the postwar world, November 18, 1944, Hotel Commodore, New York City. The National Council of American-Soviet Friendship was cited as a Communist front by the Special Committee on Un-American Activities, March 29, 1944, and as a subversive organization by Attorney General Clark.

Vida Dutton Scudder was listed as a member of the League of American Writers in the Bulletin of the League of American Writers, page 7. Vida D. Scudder was a signer of a call to the fourth congress, League of American Writers, held June 6–8, 1941, in New York City, according to New Masses, April 22, 1941, page 25. Vida Scudder was listed as a member of the League of American Writers in the Worker of September 22, 1940, page 7. The League of American Writers was cited by the Special Committee on Un-American Activities, January 3, 1940, June 25, 1942, and March 29, 1944, by Attorney General Biddle. (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7457.)

Vida Scudder was a signer of an open letter sponsored by the National Federation for Constitutional Liberties, according to a booklet, 600 Prominent Americans, page 29. Vida D. Scudder was a signer of a message to the House of Representatives sponsored by the National Federation for Constitutional Liberties, according to a leaflet attached to an undated letterhead. Vida D. Scudder was a signer of an appeal on behalf of Darcy—a Communist—which was sponsored by the same organization, according to the Daily Worker of December 19, 1940, page 5. The National Federation for Constitutional Liberties was cited by the Special Committee on Un-American Activities, June 25, 1942, and March 29, 1944. The organization was also cited by Attorney General Francis Biddle. (See CONGRESSIONAL RECORD, Sept. 24, 1942, p. 7458.)

Mr. MARCANTONIO. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. BLATNIK].

Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from New York.

Mr. MARCANTONIO. The statement has been made here about echoing the voice of somebody or other. The statement was made by the gentleman from Wisconsin. I listened to his speech attentively—it does remind me of a certain voice—it reminds me of the voice of the Balillas. The Balillas were the Boy Scout organization of the Fascist Mussolini government.

THE MUNDT BILL

Mr. BLATNIK. Mr. Chairman, in the short time that has elapsed since the Mundt bill was made available to Members of Congress, I have studied it carefully, and I agree wholeheartedly with that minority of my colleagues who have pointed out on this floor that this measure is not aimed at the American Communists alone.

Let me make clear at the outset that I hold no brief for the Communist Party or its program, and if the actions of any members of the Communist Party or of any other group in this country can be shown in a court of law to constitute "a clear and present danger" to our free institutions, I should be the first to insist that decisive action be taken. There are already laws on our statute books for the preservation of the peace and for the punishment of treason.

These laws, written in the framework of the Constitution of the United States, have protected the American system of government for more than 150 years. If a need exists for a tightening-up of these laws, let the need be presented in a straightforward way, and the legislation drawn up along constitutional lines to provide for more effective protective legislation and also give protection to all patrotic Americans, whatever their views on controversial subjects.

The Mundt bill is not the answer. Far from destroying the Communist Party, it would tend to drive it underground into illegal channels, where it would be more difficult to keep track of its activities. But other persons and organizations—labor unions, political groups, associations of minority racial and religious groups—would bear the brunt of this attack on civil liberties.

To make a specific illustration, let us see what could happen to organized labor under the provisions of the Mundt bill.

The Mundt bill gives large corporations and employers at least two powerful weapons with which to fight strikes:

First. The power to arrest strike leaders both in the national and in the local unions and threaten them with fine and imprisonment under section 4.

Second. Power to cause the union to be charged by the Attorney General as a Communist-front or Communist political organization, and to stand trial, not in the courts, but in an administrative hearing without a jury or the legal safeguards of our courts. The Attorney General need not initiate this action himself, since a resolution of either House of Congress would compel him to investigate any union or organization.

The legal basis on which either of these charges would be based would be the similarity of the methods or objections of the person or organization to the methods and objections of the person or organization to the methods and objectives of a vaguely defined world Communist movement. Some of these methods, defined in the Mundt bill, section 2, page 2 of the bill are:

First, disruption of trade and commerce;

Second, inciting of economic, social, and racial strife and conflict;

Third, dissemination of propaganda calculated to undermine established Government and institutions; and

Fourth, corrupting officials of the Government and securing appointment of their agents and sympathizers to offices and positions in the Government.

Labor unions and other groups operating legitimately have been accused for years of just such tactics, and it is easy to see how, in a period of hysteria, legitimate trade-union activities could lead to conviction.

As the CIO has pointed out in a statement by Nathan E. Cowan, CIO legislative director, referring to the Mundt bill, and I quote:

> A labor union, engaged in a strike or other form of legitimate labor action to secure its normal objectives, might be branded, in the heat engendered by the dispute, as having either political objectives or goals consonant with those of some foreign political organization.
>
> Such an administrative determination by an irresponsible occupant of the Office of Attorney General, could lead easily to the branding of the organization as subversive within the meaning of this bill. Such action could easily and quickly lead to the crippling of the union's activities and to the blacklisting of its members and officers.

The officers of the union would have three choices:

First. They could admit the charge, thereby pleading guilty, register with the Attorney General, make their membership lists public, and suffer the excommunication reserved for Communist political organizations.

Second. They could refuse to submit to investigation and to open their books to a hostile Attorney General. They would then be cited for contempt, the union would be listed as a Communist political organization, and all the members would have to drop out or be liable for the penalties of the Mundt bill.

COURTS BYPASSED

Third. They could fight the charges, not in the courts, but under the administrative procedure set up in the Mundt bill. Since the officers, records, and membership lists would be subpenaed by the Attorney General under the rules of this procedure, it would be impossible to conduct a strike once such an investigation was under way.

A hearing before the Attorney General under the Mundt bill would resemble in procedure the familiar hearings before the House Committee on Un-American Activities. Since it would be administrative, there would be no jury, and no requirement of the rules of evidence compulsory in every court. The case would be investigated, prosecuted, and determined by the same person or his representatives, and the rule of guilt beyond a reasonable doubt, a fundamental of Anglo-Saxon jurisprudence, would not apply.

An appeal within 60 days by the organization to the Court of Appeals for the District of Columbia is allowed. Such a review would also be without benefit of a jury, and the organization would not be allowed to introduce additional evidence into the record without court permission.

Long before the 60 days had elapsed for the appeal, the strikers would be effectively beaten. Such is the new due process of law.

My colleagues may accuse me of letting my imagination run wild in presenting this illustration. Let me point out what happened just 3 days ago.

PHILIP MURRAY TARGET

I want to quote here from an editorial entitled, "Speaking of Swashbuckling" which appeared in the early edition of the Washington Daily News, May 12, 1948, in connection with a recent speech by Philip Murray, president of the CIO, before the Amalgamated Clothing Workers convention in Atlantic City:

> CIO president Philip Murray is on patriotic ground, we think, when he issues what is described as a "blunt warning to Communistic elements" that his organization has no room for groups that oppose the European recovery plan.
>
> We've never doubted Mr. Murray's personal dislike for communism. * * *
>
> Among other things, he charged that the free-enterprise system in this country had been replaced by a form of commercial conspiracy, hijacking, and racketeering.

Here Mr. Murray crosses the danger line. The News goes on:

> When Mr. Murray talks about the American system being completely out of balance, he might possibly do well to give a little thought to his own sense of proportion. And, we wonder, does he ever pause to reflect that such recklessly overdrawn swashbuckling against the American system, by the head of a great American labor organization, lends comfort to communism and gives its propagandists just the sort of ammunition they want.

Thus Philip Murray, outstanding and patriotic leader of one of the largest and most respectable labor groups in the Nation, is already singled out as one of the first prospective victims of the Mundt bill. While his patriotism and his dislike of communism are not questioned, he is seen to lend comfort and aid to the Communist movement. For such an accusation, under the loosely worded Mundt bill, Philip Murray would be liable to stand trial, and if convicted, could be fined, imprisoned, and threatened with loss of his American citizenship.

The proponents of this measure say, "Oh, it is impossible for this to happen; organized labor will not be affected at all," as was said in effect a few minutes ago by the gentleman from Wisconsin [Mr. KARSTEN], I say it can happen because it has happened. As the late Al Smith used to say, "Let's look at the record." Let us look at the

record—the record of the House Un-American Activities Committee itself—the committee which is sponsoring this legislation before us.

In 1944, the report of the House Committee on Un-American Activities on CIO-PAC charged that organization with the very activities which that committee declares in its Mundt bill to be illegal.

Here is a side-by-side comparison of the Mundt bill defining Communist political organizations and prescribing penalties for certain prohibited acts, and the committee's own statements on CIO-PAC in its 1944 report:

| How the Mundt Bill Could Be Used Against CIO-PAC | Un-American Activities Committee Report, 1944, on CIO-PAC |
|---|---|
| Section 3. "Definitions"—lists characteristics of Communist organizations, among them: | In other words, the political views and philosophy of the Communist Party and of the CIO Political Action Committee coincide in every detail (p. 5). |
| (1) The extent to which its views and policies are the same as those of such foreign organization or foreign government. | We find that immediately prior to the setting up of the CIO Political Action Committee the leaders of the Communist Party were agitating for the establishment of just such an agency (p. 3). |
| (2) The identity of the persons who are active in its management, direction, or supervision, whether or not holding office. | A majority (21) of the international unions affiliated with the CIO have an entrenched Communist leadership (p. 4). |
| (3) The extent to which it fails to disclose its membership * * * or records other than membership lists. | Sidney Hillman announced * * * that he would refuse to submit the books or records of the CIO Political Action Committee to Mr. Martin Dies for investigation (p. 1). |
| SECTION 4. CERTAIN PROHIBITED ACTS | |
| It shall be unlawful for any person (1) to attempt in any manner to establish in the United States a totalitarian dictatorship * * * (4) to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship. | We believe, however, that these 34 cases, by themselves establish the fact that the CIO Political Action Committee represents in its main outlines a subversive Communist campaign to subvert the Congress of the United States to its totalitarian program (p. 7). |

Here you have a specific example of what the effects of this proposal, should it become law, would be on a labor organization. I ask the gentleman from Wisconsin [Mr. KERSTEN] and the other proponents of this measure who have spoken this afternoon, to deny that were this Mundt bill the law in 1944, that Philip Murray, the late Sidney Hillman, and the CIO-PAC would not have faced every penalty described in the bill.

Nor would Philip Murray be the only victim. The leaders of the American Federation of Labor, the railroad brotherhoods, the American Civil Liberties Union, and many others would be subject to prosecution and penalty.

A member of the Committee on Un-American Activities stated in the hearings of February 1942 that Mr. A. F. Whitney of the Brotherhood of Railroad Trainmen was, and I quote, "tied up with Earl Browder as president of an organization having a Communist front." Had the Mundt bill been a law in the spring of 1946 at the time of the railroad strike, Mr. Whitney's fate is clear.

A "friendly" witness at the committee's hearings last July 1947 charged 40 major unions with being Communist fronts, including steelworkers, AFL hod carriers, rubber workers, and textile workers. On behalf of the committee, the chairman said:

> In my 8 years with the committee I have never seen a more complete and more documented statement on this subject. * * * You are to be congratulated. For all of us, I just want to thank you very much.

Run down the list of unions since charged by the Un-American Activities Committee with being Communist-front, Communist-dominated, or Communist-utilized. They cover the whole range of organized labor in the United States—the A. F. of L., CIO, and railroad brotherhoods—farm-equipment workers, auto workers, packinghouse workers, tobacco workers, electrical workers, transport workers, maritime workers, Hollywood studio workers, die-casters, woodworkers, smelter and mine workers.

Now it becomes plain what the authors of the Mundt bill had in mind when they made facilitating the setting up of a totalitarian dictatorship a crime and when they made similarity of views a test of Communist political organization.

The Taft-Hartley Act is the cornerstone and the Mundt bill the capstone of the proposed policy to break the back of the labor movement.

And what I have shown could happen to organized labor could also happen to many other groups.

Soon it may be considered subversive to oppose universal military training or to support a Jewish state in Palestine or world disarmament. There is no limit to the number of the victims of this measure, and in their names I call upon my colleagues to join me in voting down the Mundt bill, which represents a wholesale repudiation of the Constitution of the United States and its Bill of Rights.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman state that it is possible under the furthest stretch of the imagination that any American labor organization would be guilty of subjecting this country to the domination of a foreign power? Does the gentleman think that it is possible that a labor organization would be guilty of subjecting this country to the domination of a foreign power?

Mr. BLATNIK. I say it is possible to use the provisions within this measure, if it becomes law, to destroy the labor movement of America; and I say here that it is my firm conviction that this measure which we have before us today, the Mundt bill, through its negative course of action, will help us lose rather than help us maintain that which we all want to preserve, a society of free men and women, living together under a democratic, constitutional, free government, under God.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. MARCANTONIO. Let the gentleman from Wisconsin read sections 2, 3, and 8 together and then he will have to agree that this does involve labor organizations.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NIXON. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I am not going to take time, due to the lateness of the hour, to discuss the provisions of the bill. I should like to state that when the bill comes before the House to be read under the 5-minute rule on Tuesday and Wednesday of next week I shall be glad to answer the objections that have been raised today and that may be raised then to the bill.

I do want to say, however, as this debate is concluded that I think that the necessity for this legislation has been clearly established by the very statements made by the opposition to the measure on the floor. Member after Member has expressed the fear that this bill strikes at all progressive organizations, that it would prohibit strikes, smash labor unions, and destroy all liberal groups.

That is exactly the trouble in the country today. There is too much loose talk and confusion on the Communist issue. By passing this bill the Congress of the United States will go on record as to just what is subversive about communism in the United States; not that the economic and social theories of communism are in themselves subversive because they happen to be different from those we believe in but that the Communist movement in the United States is under the control of a foreign Communist dictatorship which seeks to destroy our Government by any means possible.

This legislation, Mr. Chairman, will clear the air; it will allow the country to see what the really subversive aspects of the Communist movement are, and it will once and for all spike many of the loose charges about organizations being Communist fronts because they may happen to advocate some of the same policies which the Communists support. If you will read the definitions carefully and fairly, you will find that no organization is required to register as a Communist organization unless it is established that it is under the control of a foreign Communist government or is controlled by an organization which is under the control of a foreign Communist government. In other words foreign control, directly or indirectly, is the only legitimate basis upon which Communists can or should be classified as subversive and that is exactly what this bill does.

I trust that when the bill comes up for amendment on Tuesday and Wednesday of next week the Members of the House will be able to be on the floor to consider the amendments which may be offered

and the specific provisions of the bill very carefully, and that when the vote is taken there will be an overwhelming majority in favor of this bill. Not because the bill happens to be against communism and this is a political year—I am not going to ask any Member of the House to vote for the bill on that basis—but because there is need for legislation in this country to control Communist activities, because any such legislation which is enacted must be in the best American constitutional tradition and because any legislation which is adopted must be effective in controlling the evil against which it is directed.

I believe that if the Members of the House will measure this bill against those standards they will become convinced that the legislation measures up to those standards. It is only on that basis that I ask the Members of the House to support the legislation.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk will read the bill for amendment.

Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. If any section of this bill is now read, then pursuant to agreement the Committee rises, does that preclude Members from offering amendments to that section when the Committee resumes its deliberations on this bill?

The CHAIRMAN. The general custom, may the Chair say to the gentleman, is to read the first section.

Mr. MARCANTONIO. I realize that. I am inquiring as to amendments.

The CHAIRMAN. Then the Committee rises. Amendments will be in order to the first section.

Mr. MARCANTONIO. To the first section when the Committee resumes its deliberations?

The CHAIRMAN. The gentleman is correct.

The Clerk read as follows:

SHORT TITLE

SECTION 1. This act may be cited as the "Subversive Activities Control Act, 1948."

Mr. NIXON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WADSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. TOLLEFSON asked and was given permission to extend his remarks in the Appendix of the RECORD.

VETERANS' HOMESTEAD BILL

Mr. KERSTEN of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentlewoman from Massachusetts [Mrs. ROGERS] may extend her remarks at this point in the RECORD and include a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the recently reported veterans' homestead bill which is an amendment to the GI bill of rights is an aid to the veteran on the farm as well as the city dweller. I want to particularly stress the fact that veterans living on farms or in farming communities have distinct advantages under my bill.

A farm veteran can belong to a homestead association and have the same rights, benefits, and privileges as a veteran who lives in the city. In addition, special attention is given to him by channeling funds through the Federal land banks; and the Secretary of Agriculture through the Farmers' Home Administration—$100,000,000 per year for 5 years is allocated by the bill to the Secretary of Agriculture to provide farm-loan financing.

Such loans of course apply to both the farm and buildings thereon. Funds for farm loans at so low a rate as 4 percent are limited in many farm communities, and many World War II veterans have been unable to find any lender to make them loans. Full use of the Federal land banks is made under the homestead bill, and veterans on the farms will find it much easier to own and operate their own farms.

Mr. Speaker, I have received the following telegram from the national commander of the American Legion:

WASHINGTON, D. C., *May 13, 1948.*

Hon. EDITH NOURSE ROGERS,
*Chairman, House Veterans' Committee,*
*House of Representatives:*

The American Legion congratulates you on successful report on Veterans' Homestead Act, 1948. I trust we will be as successful in securing its passage.

JAMES F. O'NEIL,
*National Commander,*
*The American Legion.*

EXTENSION OF REMARKS

Mr. OWENS asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. CURTIS (at the request of Mr. SCHWABE of Missouri) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. KENNEDY (at the request of Mr. DEANE) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BUCHANAN asked and was given permission to revise and extend the remarks he made in the Committee of the Whole and include an article entitled "What Is a Communist? How Can You Spot Him?" by Allan Nevins.

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include excerpts.

Mr. MULTER (at the request of Mr. MARCANTONIO) was given permission to extend his remarks in the Appendix of the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HARTLEY (at the request of Mr. AUCHINCLOSS), for 10 days, on account of official business.

THE STRIKE SITUATION

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MACKINNON. Mr. Speaker, I take this time in order to comment upon the statement made earlier in the House by the gentleman from Michigan [Mr. HOFFMAN] with respect to a pending labor dispute in the State of Minnesota. I recognize that it is news when the State of Minnesota has a serious labor disturbance, because in the State of Minnesota we have established an enviable record in this connection. It is not unusual, therefore, to see the gentleman from Michigan take special note of this. We all deplore the fact that violence arises, but I want to assure the gentleman from Michigan that the State of Minnesota will be fully able to deal with the situation. Also, and most important, I want to direct his particular attention to the fact that the State of Minnesota has done an enviable job in connection with labor disputes and a much better job than his own State. In the State of Michigan there were, according to the 1940 census statistics 5,256,000 people, and in the State of Minnesota there were 2,792,000 people. In other words, there are in the State of Michigan not quite twice as many people as there are in the State of Minnesota. But last year Michigan had almost four times as many work stoppages as Minnesota. Michigan had almost eight times as many workers involved in strikes than did the State of Minnesota. They had more than seven times as many man-days lost through idleness, and Michigan's ratio of total strikes in the Nation was seven and four-tenths times the Minnesota percentage ratio.

The comparison between Michigan and Minnesota is also interesting since 1939. Leaving out 1944, which I have been unable to obtain in the short time available, they show that over this period Michigan had, by number, almost 10 times as many work stoppages as Minnesota; over 15 times as many workers involved; almost 14 times as many man-days lost; and Michigan's percentage ratio of total strikes in the Nation was about 10 times larger than the Minnesota percentage ratio.

These facts speak for themselves.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the statistical data from the United States Bureau of Labor Statistics of work stoppages in the State of Minnesota and in the State of Michigan from 1939 through 1947, with the exception of 1944, which I have been unable to obtain.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MACKINNON. The statistical data referred to are as follows:

| | Number | Stoppages (workers involved) | | Man-days idle (all stoppages) | |
|---|---|---|---|---|---|
| | | Number | Percent of total | Number | Percent of total |
| 1939: | | | | | |
| Michigan | 89 | 130,410 | 11.2 | 2,499,115 | 14.1 |
| Minnesota | 26 | 18,742 | 1.6 | 107,033 | .6 |
| 1940: | | | | | |
| Michigan | 73 | 25,773 | 4.5 | 195,297 | 2.9 |
| Minnesota | 25 | 3,223 | .6 | 99,228 | 1.5 |
| 1941: | | | | | |
| Michigan | 252 | 333,571 | 14.2 | 1,897,649 | 8.2 |
| Minnesota | 47 | 7,459 | .3 | 98,880 | .4 |
| 1942: | | | | | |
| Michigan | 261 | 114,723 | 13.7 | 258,623 | 6.2 |
| Minnesota | 26 | 5,879 | .7 | 65,257 | 1.6 |
| 1943: | | | | | |
| Michigan | 413 | 274,531 | 13.9 | 592,270 | 4.4 |
| Minnesota | 13 | 666 | ----- | 5,056 | ----- |
| 1945: | | | | | |
| Michigan | 478 | 528,000 | 15.2 | 6,143,000 | 16.2 |
| Minnesota | 29 | 10,900 | .3 | 246,000 | .6 |
| 1946: | | | | | |
| Michigan | 311 | 248,000 | 5.4 | 10,600,000 | 9.2 |
| Minnesota | 55 | 45,100 | 1.0 | 873,000 | .8 |
| 1947: | | | | | |
| Michigan | 188 | 180,000 | 8.3 | 2,550,000 | 7.4 |
| Minnesota | 50 | 24,000 | 1.1 | 358,000 | 1.0 |
| Totals and averages: | | | | | |
| Michigan | 2,065 | 1,835,008 | [1]10.3 | 24,735,954 | [1]9.2 |
| Minnesota | 271 | 114,969 | .8 | 1,852,654 | .93 |

[1]1943 eliminated because no data for Minnesota.

## ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1308. An act for the relief of H. C. Biering;

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.;

H. R. 5669. An act to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport irrigation district, and for other purposes.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had adopted the following resolution (S. Res. 235):

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. JOHN H. OVERTON, late a Senator from the State of Louisiana.

*Resolved*, That a committee of 23 Senators be appointed by the President pro tempore of the Senate to take order for superintending the funeral of the deceased Senator.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 12 o'clock noon on Monday next.

## THE LATE SENATOR JOHN H. OVERTON

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Speaker, it becomes my sad duty to announce to the House of Representatives the death of the senior Senator from Louisiana the Honorable JOHN H. OVERTON. Senator OVERTON passed away this morning at the Naval Hospital. He was born and reared in the Eighth Congressional District of Louisiana at Marksville, in Avoyelles Parish, and spent his entire life there and at Alexandria, La. He was elected to the House of Representatives on May 12, 1931, to fill an unexpired term and was reelected for the succeeding term. He was elected to the United States Senate on November 8, 1932, and has served in the Senate continuously since.

A member of the Louisiana delegation, our own friend and colleague, Representative OVERTON BROOKS, is a nephew of Senator OVERTON and is not in the House today because he is with Mrs. Overton and the family to comfort and to help them.

Senator OVERTON was an outstanding lawyer in the State of Louisiana and had a long and distinguished legal career. He was a great constitutional lawyer. In addition to being a master of the English language, he was a ready speaker in the French language.

Senator OVERTON, while being a great lawyer, was also active in community and State matters and contributed greatly to public moves for the betterment and welfare of his State and Nation.

Mr. Speaker, after Senator OVERTON came to the Congress of the United States, he gave himself unstintingly and unselfishly to the solution of State, National, and international problems almost to the hour of his death. Louisiana being greatly interestly in the cause of flood control, Senator OVERTON was assigned to the Flood Control Committee of the House when he first entered Congress, and throughout his long career has made a contribution to this great cause not surpassed by any other man in Congress. He had broad knowledge of the subject as it concerned every section of the Nation and he endeavored to bring to all sections of the Nation the greatest measure of protection from floods.

I know also, Mr. Speaker, that Senator OVERTON was greatly interested in our national defense program before, during, and since the last World War and his contribution to the cause of national defense has been outstanding. I do not have the time to detail the many other phases of legislation in which he was greatly interested.

In reflecting upon the life and work of this distinguised son of Louisiana, I am prompted to say here that one of the outstanding characteristics of Senator JOHN H. OVERTON was that he had the courage of his convictions. I have noted that fact throughout the years as I have seen him take positions on great national and international issues in the Senate. He was a man possessed of strong convictions.

Mr. Speaker, today the State of Louisiana mourns the passing of one of her most distinguished sons. Today the State of Louisiana has sustained a great loss. The mantle has fallen from the shoulders of a great citizen and an able Senator whose life and work will live on. We of the Louisiana delegation will miss him. The people will miss him. His fine judgment and his great ability undoubtedly will be missed in the Senate of the United States. Mr. Speaker, I personally feel a great loss in the passing of Senator OVERTON. He was my constituent and friend and I was his friend. I extend to Mrs. Overton and all the family my deep personal sympathy, and I pray that God will bless them and sustain them in this tragic hour.

Mr. Speaker, I now yield to the gentleman from Louisiana [Mr. DOMENGEAUX].

Mr. DOMENGEAUX. Mr. Speaker, I was aware, of course, that Senator OVERTON was a very sick man, but his death early today came as a shock to me. Only yesterday evening I had been at the hospital, where members of his family felt much encouraged over his condition. He appeared to be gaining strength, and I was most hopeful that, despite the handicap of advancing age, he would be able to win this battle just as he had won so many in his long years in public life, working for the best interests of the Nation and of his beloved State of Louisiana. It was not to be.

Senator OVERTON was one of my dearest friends. I admired him greatly, and I appreciated and respected his counsel. He was always cooperative, helpful, and kind. His energy and ability were inspirational, particularly to us younger Members of Congress. Time did not diminish his enthusiasm and his interest in matters pertaining to the welfare of his fellow men. His understanding and his personality drew to him his great circle of friends who loved and respected him.

Senator OVERTON was recognized for his capable leadership, his soundness of judgment, and his ability as a forceful speaker. He possessed the faculty of presenting a subject in a convincing manner, with practical, clear argumentation. He enjoyed a pleasant sense of humor, which he employed on many occasions to the delight of his listeners.

While he had many achievements to his credit, Senator OVERTON was perhaps best known for his outstanding work in behalf of flood control. He was a leader in that field, and the results that he accomplished for Louisiana and the lower Mississippi Valley in that connection are well known. He was thoroughly familiar with all waterway matters. Louisiana, which is so dependent upon flood-control measures for the safety and prosperity of her citizens, can feel most fortunate in having had Senator OVERTON'S services.

In Senator OVERTON'S death the South has lost a valiant champion who was always prepared to defend, in a most vigorous manner, any attacks upon Southern principles and ideas. Frequently his voice was raised in Congress in opposition to those who would destroy States' rights

for which the South stands and upon which the South was founded.

Louisiana had high confidence in Senator OVERTON as is demonstrated by his reelection on two occasions since he was first elected to the Senate in 1932. Prior to 16 years of faithful, devoted attention to his duties in the Senate he had served in the House of Representatives from the Eighth Congressional District of Louisiana.

Senator OVERTON was a member of a number of professional, fraternal, and civic organizations. He was a man who greatly enjoyed his friendships and his associations. He liked to be with other people, to exchange ideas and to feel the public pulse on public matters. He was sympathetic to the needs of others and he was democratic in his views and in his actions. He was a real American.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Speaker, Louisiana has lost one of its most beloved citizens and a brilliant statesman. The Mississippi Valley and the Nation have lost one of its most valued workers and friends.

The Senate of the United States has lost one of its most able and lovable characters.

Mr. Speaker, I have lost one of my dear friends—Senator JOHN H. OVERTON. The ancient Arabs had a saying that "Death is a camel that kneels before every man's tent," and so in the midst of the battle of life comes death, the implacable foe of person, time, or place. Ever walking by our side, it cannot be avoided and none can escape it. Its sway is universal and the hour of its coming is uncertain. In joy or sorrow it finds us out and we must follow at the summons. Even as our departed friend was called, to us shall come perhaps without warning the Grim Messenger who shall dash the cup of life all fraught with love and success from our lips and we shall stand as strangers at the gates of eternity.

What will our earthly life, our lofty hopes, our success or failure matter to us at that time?

How paltry and insignficant our own individuality, and how small will seem the part we played in the drama of the universe?

There we shall stand in the presence of the Everlasting Judge, and human imagination shall not take us a step farther, dare not enter that presence for between us and the soul of departed friends there is a veil which we cannot penetrate, and its secret will not be revealed to us until we, too, pass behind it from the light which is darkness to the full light of perfect knowledge.

Although Senator OVERTON was much older than I, due to our association for many years in public life, and especially in matters having to do with flood-control and rivers and harbors matters, it had been my happy privilege to become a dear and stanch friend of Senator OVERTON, and more because of our disparity in age, I was honored and flattered to have enjoyed the friendship of such a distinguished and lovable man. That friendship of long years' standing was to my advantage since I have been a Member of the House of Representatives, as all of you well know, Senator OVERTON was always solicitous about me and my work in the Congress and was most helpful to me in my work and contributed greatly to my success and accomplishments in behalf of my district and our State.

There is no friend like an old friend
Who has shared our morning days;
No greeting like his welcome,
No homage like his praise.
Fame is the scentless sunflower
With gaudy crown of gold,
But friendship is the breathing rose
With Sweets in every fold.

Mr. Speaker, my words are inadequate to pay tribute to this great statesman that the State of Louisiana was so proud to claim, but I do know that Senator OVERTON experienced great joy and satisfaction resulting from the real friendships that he had formed during his years, and especially the friendships made during his service in the Senate with all of his colleagues.

In this greatest of deliberative bodies, neither invective, sarcasm, nor partisanship can sever the bonds of real friendship.

Senator OVERTON was one of the most highly respected Members of the Senate and had the admiration of his colleagues for his great knowledge and ability, and his integrity and espousal of high principles was an inspiration so necessary in a national legislative body.

Senator OVERTON literally gave his life to the public service. At the end of World War II, due to his health, Senator OVERTON desired to retire from the arduous duties which are incumbent upon a Senator as active as he was, but as the champion of flood control and rivers and harbors development in the Senate, and due to his great experience and accomplishments in the Congress in that field, it was only at the insistence of the great majority of the people of the State of Louisiana and upon the demand of thousands of his friends in the Mississippi Valley that Senator OVERTON reluctantly decided to continue to serve in the Senate. Mr. Speaker, as I stated in my opening remarks, not only the State of Louisiana and the Mississippi Valley, but the entire Nation will suffer in the loss of their friend and defender of flood control and rivers and harbors legislation in the Congress of the United States, and his wise counsel and indomitable spirit will be missed by his colleagues in the carrying on of this most important problem which means so much to our State and Nation.

In this connection, I am reminded of a passage from a poem by Ralph Waldo Emerson, and he must have had a man such as Senator OVERTON in mind when he wrote:

What builds the Nation's pillars high
And its foundations strong?
What makes it mighty to defy
The foes that round it throng?
Not gold, but only men can make
A people great and strong;
Men who, for truth and honor's sake,
Stand fast and suffer long.
Brave men who work while others sleep,
Who dare while others fly;
They build a nation's pillars deep
And lift them to the sky.

I remember the Biblical quotation, "Greater love hath no man than he that layeth down his life for a friend," but I may well say that Senator OVERTON gave his life for his country in building the pillars of flood control and rivers and harbors in his State and the Nation.

Senator OVERTON was a man of high character and honor, and among his many attributes was that of tolerance and kindness that drew to him so many friends and admirers.

Reared in an atmosphere of culture and refinement, possessed of the world's goods as measured in a material sense, he lived a simple life, and he was devoted to his splendid family and his host of personal friends.

Senator OVERTON had a very high conception of the importance, responsibility, dignity, and independence of the position of a Senator of the United States. As I have said, he was personally the most unassuming and unostentatious of men, he jealously guarded the prerogatives of his position as Senator against any encroachment or attempted encroachment by any citizen or by any official whether of high or of low degree. I know of occasions when he administered stinging rebukes to persons who sought to enlist his support for measures or for courses of action on grounds of favor or on any other ground apart from the merits.

Indeed, independence and courage were two of his outstanding virtues. Having made few, if any, promises—except that he would do the best he could for his State and for the Nation as a whole—he was not embarrassed, as are some elected officials, and his independence was not restricted by any improvidently given preelection pledges or assurances. As for moral courage, he had always been plentifully endowed with that virtue.

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Senator OVERTON had a brilliant mind and even at his advanced age his mind was clear as a bell and even recently he reveled in quoting poems and poetry, so I quote a poem written by an anonymous author which, I feel, could well be intended for him:

A good man never dies;
In worthy deeds and prayer,
In helpful hands and honest eyes,
If smiles and tears be there;
Who lives for you and me
Lives for the world he tries to help;
He lives eternally.
A good man never dies.

The good and deeds of Senator OVERTON will never die.

The passing of Senator OVERTON is a distinct loss to Louisiana and the Nation, and is a personal loss to me.

I know that there is nothing that I can say that will assuage the grief of his wife and family, but I sincerely extend my heartfelt sympathy and condolence to them in their great loss and

in this hour of sorrow, with the hope that God may add His blessing to these readings from His holy word.

Death is only an old door,
Set in a garden wall.
On quiet hinges, it gives at dusk
When the thrushes call.
Along the lintel are green leaves,
Beyond, the light lies still.
Very willing and weary feet
Go over that sill.
There is nothing to trouble any heart,
Nothing to hurt at all.
Death is only an old door
In a garden wall.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker, I rise to pay tribute to the passing of one of Louisiana's most able and distinguished officials. His work on flood control and for rivers and harbors will live on for years in our Nation's history.

While in the course of Louisiana's turbulent politics we have differed on some occasions in the past, they arose from political alignments rather than from the heart. I shall always pay tribute to and admire Senator OVERTON'S outstanding accomplishments, for both our beloved State and Nation.

It is with sincere regret that due to previous engagements which I am unable to change, that I will be unable to attend the funeral in Louisiana. To Mrs. Overton, to his daughters, to his many friends go my profound and deepest sympathy.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS of Louisiana. Mr. Speaker, it was approximately 8 years ago when I first came to the House of Representatives. From the moment of my arrival here the office of my senior Senator from Louisiana was open to me, and his counsel, his friendly, almost fatherly advice, was mine for the asking. There soon grew within me a friendship and affection and a love for JOHN H. OVERTON which became stronger and dearer with time. I shall miss him always.

My State has lost a peerless leader. The Nation has lost one of its great statesmen, and I have lost a priceless possession—a friend.

My colleagues have told you of his life and achievements. Those achievements shall long survive him because through him the grave threat of the Mississippi River and its tributaries has been removed from the minds of my fellow citizens.

When JOHN H. OVERTON first came to the House of Representatives, and later to the United States Senate, the development of my State was being retarded and held back in agriculture, in business, and in industry because of recurrent, expensive, devastating floods from the Mississippi River and its tributaries.

While never neglecting the over-all requirements of the office of a United States Senator, he plunged into the problem of flood control and because of his work the great Federal flood and conservation program was brought into being. In this work he was never sectional nor partisan. He gave of his time with equal generosity to the people suffering from devastating floods, whether they occurred in the Mississippi Valley, in the East or in the West, and all of you who live within areas subject to overflowing owe a debt of everlasting gratitude to my senior Senator.

In his last days Senator OVERTON showed the same courage and fortitude and determination which characterized his whole life. He was at his desk in the United States Senate until about 10 days ago. He was rushed to the Bethesda Hospital for an emergency operation, and since Saturday of last week he has lingered at death's door. Time and time again during the past few days he has denied the call of death, but finally early this morning he went to meet our Maker.

To Mrs. Overton, his devoted lady, Mrs. Boggs and I extend our deepest sympathy. To his daughters, three charming, delightful girls, devoted in their love for their father, we extend our love and admiration.

My colleague, Representative OVERTON BROOKS of the Fourth Louisiana District, is not present now because Senator OVERTON was his uncle, and he, of course, is with the family. To my colleague, I also extend my sympathy and profound regret.

Senator OVERTON was forceful in debate, steadfast in his devotion to principles, loyal to his friends, and forgiving to his opponents. He possessed a warm, friendly, cheerful disposition. He was devoted to his family and they to him.

In closing, I extend to the family my gratitude for the help, for the counsel, for the guidance which Senator OVERTON so freely gave to me.

I extend the gratitude and sympathy of the people of the great city of New Orleans and of the Second Congressional District of Louisiana. I pray that our Divine Saviour will grant him peace and everlasting joy.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, our hearts are saddened, as are the hearts of all Louisianians, by the death of our beloved senior Senator JOHN H. OVERTON. We mourn that so great a man as Senator OVERTON has been taken from us, but since it was the will of the Supreme Architect of the universe that this great man be taken away, our greatest consolation is to know that the world is a better and a happier place in which to live because of the Senator having lived in it.

Those of us who have labored with Senator OVERTON and knew him best can praise him most because we recognized his great ability and respected and appreciated his advice and able counsel. The Senator was a brilliant man and his knowledge of our Nation's problems not only endeared him to his fellow Louisianians but to countless Americans throughout our Nation. For many years the Senator championed the cause of adequate drainage and flood control, and his efforts in this field of endeavor have been so great, along with his many other outstanding accomplishments, that he is recognized as one of the Nation's foremost statesmen and leaders.

The Senator was my personal friend, and any measure of success that I have attained as a Member of Congress is in good part due to Senator OVERTON'S willingness to advise me often and wisely on the many problems that have confronted me as a Congressman. On many occasions he told me that the facilities of his office were at my disposal when, in my wisdom, such service would enhance the value of my services to my district, my State, and our Nation.

Mr. Speaker and my colleagues, even though our beloved Senator has been called to the Great Beyond, we will always cherish his memory here and improve our services to mankind by following the many fine examples set by this great servant of the people.

To Mrs. Overton and the family I extend my heartfelt sympathy and pray that God, through his loving kindness, may sustain them and console them in their hour of great bereavement.

Almighty Father, in Thy hands we leave with humble submission the soul of our departed friend and Senator.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, Senator JOHN H. OVERTON was born at Marksville, La., September 17, 1875, and died in the city of Washington May 14, 1948. He received his academic degree at the Louisiana State University and his law degree at Tulane University.

Following his graduation, he located at Alexandria and was engaged in the practice of law until his election to the House of Representatives for an unexpired term on May 12, 1931.

Possessed of unusual native ability, and with a keen mind, he attained high rank in the legal profession. For many years he had a large and lucrative practice.

On November 8, 1932, he was elected to the United States Senate, and was reelected in 1938 and again in 1944.

From the first, Senator OVERTON devoted himself to mastering problems of flood control and rivers and harbors. He was universally regarded as the leading authority on these subjects in the Senate of the United States. While broadly and liberally informed, he concentrated his work in the Senate by familiarity with all public questions and by mastering the paramount public questions and problems of the State of Louisiana under the jurisdiction of the committees of which he was a member.

No State in the Union is more interested in the improvement of rivers and harbors and in the production of sugar than Louisiana. In practice Senator OVERTON early realized what all Members of Congress know, that it is impossible for a Member to master the details of all public questions and public problems. His career was unique because he was the master of the two important problems that engaged the attention both of his State and of his country during his service in the Congress. While interested in the improvement of the natural resources of his own State, he realized that other States had comparable problems and that Federal assistance would not be extended to Louisiana unless com-

parable legislation were enacted for other States. He devoted himself, therefore, to the study of the problems of all the rivers in all the river basins of the country, and to the needs and requirements of the principal harbors of the United States. He recognized that there was need for water in the arid West. He devoted much time to the consideration of the problems of reclamation, for he felt that it was almost as important for cultivation to put water on lands as it was to keep water off of lands. He also knew that Louisiana, for the promotion of the sugar industry, could not obtain protection or assistance at the hands of the Federal Government unless the sugar interests of other States were accorded comparable relief. No man knew more about sugar production and the details of sugar legislation than Senator Overton. I would do injustice to his memory if I left the impression that his efforts were confined to rivers and harbors and to sugar production.

For years he was in charge of the appropriations for the District of Columbia. He became thoroughly acquainted with the problems and with the needs of the District. No Senator ever served the District more acceptably. He insisted that the United States assume the just burden required in the operation of the affairs of the District of Columbia. For years he was known as the champion of the District.

During World War II, as a member of the Committee on Appropriations, he was a supporter of a big Navy and of adequate appropriations for the enlargement of the Navy and its maintenance. New Orleans is the second largest port in the Nation. Senator OVERTON not only insisted upon adequate appropriations for the Navy, but he championed the expansion and the operation of the merchant marine in peace, and especially in World War II. He was therefore not only a master of the improvement of rivers, but of the expansion of the merchant marine in the growth of commerce and in defense of the country.

Senator JOHN H. OVERTON, when he came to Congress, had succeeded in his profession and acquired a good estate. He was independent as he was courageous in the discharge of his official duties. He had the courage of his convictions. With him, the merit rather than the popularity of the proposal was controlling.

Senator OVERTON was possessed of a delightful personality. He had the faculty of cooperation. He was tolerant of the views of others. He was considerate of both sides of all public questions. I know of no member of any committee who was more industrious or patient. He attended all the hearings involving rivers and harbors and flood control during his service in the Senate.

Louisiana and Mississippi are neighboring States. We have many public problems in common. The political leaders of one State are fairly well known, at least by reputation, in the other State. All of the States bordering the Lower Mississippi River have common flood problems. No Senator or Representative of the Mississippi Valley has ever been more effective in promoting flood control and river and harbor improvements than Senator JOHN H. OVERTON. His passing is a distinct loss to the people of Louisiana and a great loss to the country. No Senator or Representative in all the history of Louisiana ever contributed as much to the improvement of rivers and harbors of that State as Senator OVERTON.

Senator OVERTON, while not chairman of the Committee on Commerce, now the Committee on Public Works in the Senate, was the acknowledged leader in flood control. He was in charge of flood control and river and harbor legislation from the day that he entered the Senate. I was a member of the Flood Control Committee when Senator OVERTON came to the House and was assigned to that committee. I came to regard him and esteem him for his ability and for his devotion to the cause of flood control. It fell to my lot to pilot through the House of Representatives all of the general flood-control legislation now on the statute books. He was in charge of the legislation on the floor of the Senate.

Together Senator OVERTON and I have worked for the improvement of the rivers not only of our respective States, but of the entire country. As the years come and go, his services will be more and more appreciated. No one will miss him more than I.

I extend to his gracious wife and his devoted daughters my sincerest sympathy. I count them, as I counted him, among my best friends.

Mississippi joins with Louisiana in mourning the passing of one of the outstanding statesmen of our day. Mississippi gladly joins Louisiana in paying tribute to his memory and to his services to his State and country.

Mr. ALLEN of Louisiana. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Speaker, it was not my privilege to know personally the beloved Senator from Louisiana, but during the first session of this Congress I had the opportunity to read many hearings bearing upon flood control, and as I read those hearings I realized that it was perhaps because of the sincere interest of this great man, to whom we pause at the close of this day to pay honor, that a great flood-control project in North Carolina in which I am vitally interested was initiated. May I say to my colleagues from Louisiana that some years ago it was my pleasure to visit your great State, and I saw there many projects that I am quite sure reached accomplishment through the efforts of this great man. I echo the sentiments expressed by the gentleman from Mississippi. My State of North Carolina, too, shares in your great loss.

Mr. ALLEN of Louisiana. Mr. Speaker, I offer a resolution (H. Res. 596).

The Clerk read as follows:

*Resolved*, That the House has heard with profound sorrow of the death of Hon. JOHN H. OVERTON, a Senator of the United States from the State of Louisiana.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

*Resolved*, That a committee of eight Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee Messrs. ALLEN of Louisiana, BROOKS, HÉBERT, DOMENGEAUX, LARCADE, MORRISON, BOGGS of Louisiana, and PASSMAN.

The Clerk will report the further resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 6 o'clock and 27 minutes p. m.), under its previous order, the House adjourned until Monday, May 17, 1948, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1553. A letter from the Under Secretary of the Interior, Department of the Interior, transmitting one copy each of legislation passed by the Municipal Council of St. Thomas and St. John and the Municipal Council of St. Croix; to the Committee on Public Lands.

1554. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal years 1948 and 1949 and prior fiscal years in the amount of $101,511,535.74 and contract authorizations in the amount of $25,813,000, together with certain proposed provisions and increases in limitations pertaining to existing appropriations (H. Doc. No. 653); to the Committee on Appropriations and ordered to be printed.

1555. A letter from the Acting Secretary of the Navy, transmitting proposed transfer of five picket boats to the Coast Guard Auxiliary Flotilla 22 Foundation by the Navy Department; to the Committee on Armed Services.

1556. A letter from the Assistant Secretary, Department of State, transmitting a proposed bill for the relief of certain officers and employees of the Foreign Service of the United States who, while on the course of their respective duties, suffered losses of personal property by reason of war conditions; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 5475. A bill to aid in preventing shortages of petroleum and petroleum products in the United States by promoting the production of synthetic liquid fuels; with an amendment (Rept. No. 1959). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R. 6564. A bill to credit, in certain cases, military service and training preparatory thereto performed by employees of the postal

service; to the Committee on Post Office and Civil Service.

By Mr. ROSS:

H. R. 6565. A bill to amend the Surplus Property Act of 1944, as amended, to provide preference to certain widows of veterans in the purchase of surplus property; to the Committee on Expenditures in the Executive Departments.

By Mr. BYRNES of Wisconsin:

H. R. 6566. A bill to amend section 101 of the National Security Act of 1947; to the Committee on Expenditures in the Executive Departments.

By Mr. HOFFMAN:

H. R. 6567. A bill to remove subsidy on exported cotton; to the Committee on Agriculture.

By Mr. BLOOM:

H. R. 6568. A bill to authorize the appointment of three additional judges for the United States District Court for the Southern District of New York; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 6569. A bill to amend the Veterans Regulations to provide increased rates of compensation for certain veterans with specific service-incurred disabilities; to the Committee on Veterans' Affairs.

By Mr. WOLCOTT:

H. R. 6570. A bill to provide for the conversion of national banking associations into and their merger or consolidation with State banks, and for other purposes; to the Committee on Banking and Currency.

H. R. 6571. A bill to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947; to the Committee on Banking and Currency.

By Mr. BEALL:

H. R. 6572. A bill to authorize the granting of Federal aid with respect to the construction of toll bridges, highways, and tunnels; to the Committee on Public Works.

By Mr. HOPE:

H. R. 6573. A bill to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended; to the Committee on Agriculture.

By Mr. SCOBLICK:

H. R. 6574. A bill granting income-tax exemptions for certain blood relatives supported by the taxpayer and for certain dependents under the age of 18 years; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 6575. A bill to amend the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 6576. A bill to amend the Railroad Unemployment Insurance Act, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 6577. A bill to establish a Fish and Wildlife Commission as an independent Government agency; to the Committee on Merchant Marine and Fisheries.

By Mr. MACKINNON (by request):

H. R. 6578. A bill to provide for the payment of Federal unemployment taxes into the Federal unemployment account to be available for the administration of unemployment-compensation laws and public employment offices, and to return to the States the excess of such taxes over such administrative expenses, and for other purposes; to the Committee on Ways and Means.

By Mr. ROHRBOUGH:

H. R. 6579. A bill providing for the construction of a Federal building at Mount Hope, W. Va.; to the Committee on Public Works.

By Mr. JONES of Washington:

H. J. Res. 403. Joint resolution to authorize the cancellation and release and satisfaction of an agreement dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. Res. 595. Resolution to direct the Committee on Interstate and Foreign Commerce to recommend a national fuel policy; to the Committee on Rules.

---

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 6580. A bill to authorize Joe Graham Post, No. 119, American Legion, upon certain conditions, to lease the lands conveyed to it by the act of June 15, 1933; to the Committee on Armed Services.

By Mr. JACKSON of Washington:

H. R. 6581. A bill for the relief of Andrew L. Johnson and Charles W. Gunstone; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 6582. A bill for the relief of Hedwig Pospischil; to the Committee on the Judiciary.

By Mr. MUNDT:

H. R. 6583. A bill authorizing the issuance of a patent in fee to John Grey Owl; to the Committee on Public Lands.

By Mr. POAGE:

H. R. 6584. A bill for the relief of Mr. Sam Patterson; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 6585. A bill for the relief of August Michela, infant; to the Committee on the Judiciary.

By Mr. STRATTON:

H. R. 6586. A bill for the relief of Karin Sofia Back; to the Committee on the Judiciary.

---

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1928. By Mr. BLOOM: Petition of members of the Provisional Committee for Democratic Rights, New York City, addressed to Hon. JOSEPH W. MARTIN, Jr., Speaker, and Hon. SAM RAYBURN, minority leader to urge them to exert their influence to defeat the House Un-American Activities Committee's proposed legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1929. By Mr. CASE of South Dakota: Petition of Mrs. Carl Ottman and 21 others, of Hot Springs, S. Dak., urging enactment of a program of universal military training as recommended by the President's Advisory Committee on Universal Training; to the Committee on Armed Services.

1930. By Mr. REED of Illinois: Petition of Leslie J. Funk, Elgin, Ill., consisting of 41 signatures, in support of H. R. 5213; to the Committee on Veterans' Affairs.

1931. By the SPEAKER: Petition of William A. Bloom and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1932. Also, petition of Mrs. Cvinar and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1933. Also, petition of Barabara Minoff and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1934. Also, petition of Iwing Sosonsky and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1935. Also, petition of Allan K. Millman and others, petitioning consideration of their resolution with reference to defeat of the Mundt-Nixon bill, H. R. 5852; to the Committee on Un-American Activities.

1936. Also, petition of Ruth Turoff and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1937. Also, petition of Jack Safer and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1938. Also, petition of S. Schaeffer and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

---

# SENATE

## MONDAY, MAY 17, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O God, at this moment the Senators and the Representatives of the people of this Nation humbly implore Thy help and guidance. Make it a sacred moment, a moment when men are aware of their need of God, a moment when answers come and guidance is given. Often we pray for that which is already ours, neglected and unused. Sometimes we pray for that which can never be ours and sometimes for that which we must do for ourselves.

How many times we never pray at all, and then work ourselves to death to earn something that is ours for the asking.

Help us to understand that faith without works is dead and works without faith can never live. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 14, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 14, 1948, the President had approved and signed the following acts:

S. 1142. An act for the relief of Anna Pechnik;

S. 1620. An act to establish eligibility for burial in national cemeteries, and for other purposes; and

S. 1985. An act to amend the act entitled "Boulder Canyon Project Adjustment Act," approved July 19, 1940.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. JOHN H. OVERTON, late a Senator from the State of Louisiana.

The message announced that the House had insisted upon its amendment to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOLVERTON, Mr. HINSHAW, Mr. LEONARD W. HALL, Mr. LEA, and Mr. CHAPMAN were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3566) to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FELLOWS, Mr. GRAHAM, and Mr. CELLER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4236) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REES, Mr. LOVE, and Mr. MURRAY of Tennessee were appointed managers on the part of the House at the conference.

SEVENTY-GROUP AIR FORCE—CORRECTION

Mr. LODGE. Mr. President, during the debate on the so-called 70-group air force, I referred to what I called the estimate of the Secretary of the Air Force that Russia would go to war as soon as she had the atomic bomb. This statement was based on published reports which I had read and which I then thought fairly justified such an inference.

Later I learned that this was not the Secretary's belief, and, wanting above everything to be absolutely fair and truthful, I sent word to him that I would gladly try my best to give his statement on this matter the same prominence as was given to my original remark. In pursuance of my offer, he wrote me a letter, which I shall now read:

DEPARTMENT OF THE AIR FORCE,
*Washington, May 14, 1948.*

Hon. HENRY CABOT LODGE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR LODGE: It was distressing to read in the CONGRESSIONAL RECORD of May 6 your statement attributing to me an estimate "that Russia will go to war on us as soon as she has the atomic bomb."

No such estimate having been in my mind at any time, I was concerned that I might have misspoken in the course of testimony before some committee of the Congress. A thorough check of all my prepared statements and the committee records fails to produce a record of any such estimate on my part. It has been and continues to be my belief that if we have an adequate and modern air force, its very existence would be the strongest possible deterrent to any attack being made on this country.

The absence of such an air force might constitute an invitation. The report of the estimate which you attribute to me places me in the category of the warmonger. Had I made such an estimate, you would have been correct in criticizing me for going beyond my area of responsibility.

If, in your opinion, the above comments are valid, it would be deeply appreciated if you would undertake to make such correction as is, in your judgment, warranted.

Sincerely,

W. STUART SYMINGTON.

Mr. President, I am glad to accept the statement as it stands and regret my error. I desire always to be completely fair and truthful to all men and particularly to an official for whom I have the respect which I hold for Secretary Symington.

INVESTIGATION OF THE CHARACTER AND LOYALTY OF OFFICIALS OF ATOMIC ENERGY COMMISSION—VETO MESSAGE (S. DOC. NO. 157)

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of the Senate, which was read, as follows:

UNITED STATES SENATE,
OFFICE OF THE SECRETARY,
*May 17, 1948.*

Hon. A. H. VANDENBERG,
*President pro tempore,*
*United States Senate.*

DEAR MR. PRESIDENT: On Saturday, May 15, 1948, during the recess of the Senate, the attached sealed message from the President of the United States addressed to the Senate of the United States was received by me at 2:02 o'clock p. m., which I am herewith delivering to you to be laid before the Senate at its meeting today.

Very sincerely,

CARL A. LOEFFLER,
*Secretary.*

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read:

*To the Senate:*

I return herewith, without my approval, the enrolled bill (S. 1004) entitled "An act to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act."

The bill under consideration would amend section 15 (e) of the Atomic Energy Act of 1946, by adding at the end thereof a provision which would authorize the Senate members of the Joint Committee to direct the Federal Bureau of Investigation to investigate the character, associations, and loyalty of any person appointed by the President under the act, whose appointment requires the advice and consent of the Senate, and would require the Director of the Federal Bureau of Investigation to report to the Senate Committee in writing, setting forth the information developed by such investigation.

Under our form of government, the executive power is vested by the Constitution in the President. Other grants of power are made to the legislative and the judicial branches. As was said by the Supreme Court in the case of *Humphrey's Executor* v. *United States* (295 U. S. 602, 629)—

> The fundamental necessity of maintaining each of the three general departments of government entirely free from the control or coercive influence, direct or indirect, of either of the others has often been stressed and is hardly open to serious question. * * * The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there.

S. 1004 is objectionable in that it would permit an unwarranted encroachment of the legislative upon the executive branch. Five Senators would be authorized to direct the Federal Bureau of Investigation, a bureau of the Department of Justice, to make investigations for them. The complete independence of the executive branch renders it imperative that the Executive have sole authority over the officers whom he appoints. Chief Justice Marshall said in *Marbury* v. *Madison* (1 Cranch 137, 164):

> By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which Executive discretion may be used, still there exists and can exist no power to control that discretion.

Aside from the question of constitutionality, which I am advised is serious, I believe the bill is wholly unnecessary and unwise. It would authorize the Senate members of the joint committee to utilize a bureau of an executive department and direct its head to perform functions for the legislative branch, at the same time that he was performing similar functions as part of the executive branch, with the possibility of confusion and misunderstanding as to which branch controlled.

I fully recognize my obligation in exercising my constitutional duty of appointment to obtain the facts about any person nominated to serve as a member of the Atomic Energy Commission. Every facility of the executive branch, including the Federal Bureau of Investigation, will be used to obtain those facts. I am entitled to have placed before me all relevant information, including material which in the public interest should be maintained on a highly confidential basis.

The measure, furthermore, appears impractical because, as I am advised, investigations conducted by the Federal Bureau of Investigation after the nomination of an individual has been publicly announced are not and cannot be as productive as those which are conducted on

a confidential basis prior to an announcement. Persons are always reluctant to disclose full information about an individual after his nomination has been sent to the Senate. The most reliable information is that which is obtained by the executive branch prior to nomination. This information is frequently of a category which cannot be made public without damage to the national interest. Although I have no desire to keep from Congress information which it should properly have, I must emphasize that the provisions of this bill are completely incompatible with the necessities of the operation of our Government and with the national security.

Accordingly, I cannot give my approval to the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 15, 1948.*

The PRESIDENT pro tempore. The letter from the Secretary of the Senate together with the message from the President of the United States and the bill will be printed and lie on the table.

SPECIAL REPORT ON OPERATIONS AND POLICIES OF INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Banking and Currency:

*To the Congress of the United States:*

In accordance with section 4 (b) (6) of the Bretton Woods Agreements Act, there is transmitted herewith the first special report on the operations and policies of the International Monetary Fund and the International Bank for Reconstruction and Development, covering the first 2 years of operations of these institutions.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 17, 1948.*

LONG-RANGE AGRICULTURAL PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 654)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Agriculture and Forestry.

(For text of President's message, see proceedings of the House of Representatives for Friday, May 14, 1948, on p. 5846.)

LONG-RANGE AGRICULTURAL PROGRAM—REPORT OF A COMMITTEE

Mr. AIKEN. Mr. President, from the Committee on Agriculture and Forestry, I ask unanimous consent to report favorably, with an amendment, the bill (S. 2318) to provide for a coordinated agricultural program, and I submit a report (No. 1295) thereon. It is the so-called long-range agricultural bill.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill placed on the calendar.

Mr. AIKEN. Mr. President, I should like to say that the bill is the result of the authorization and the directive given by this body last July to the Committee on Agriculture and Forestry to make a study of agricultural trends and problems in the United States, and to make such recommendations as would be necessary to carry on a productive and profitable agriculture in the future. The committee has worked intensively for the last 6 months on the bill. We are reporting unanimously a bill which, while it undoubtedly is not perfect, yet carries out largely the objectives which are requested in the President's message, and which were requested by the Senate of the Committee on Agriculture and Forestry.

The bill is the result of several months of intensive work by a subcommittee of the Committee on Agriculture and Forestry, of which I had the privilege of being chairman. The bill was introduced by the seven members of the subcommittee, the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Iowa [Mr. WILSON], the Senator from Minnesota [Mr. THYE], the Senator from Oklahoma [Mr. THOMAS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Illinois [Mr. LUCAS], and myself. I want to say that I never worked with a more cooperative committee than the one whose members I have just named in holding the hearings and in the preparation of the bill. I also want to say that, while the bill was introduced by the members of the subcommittee, as that seemed the logical thing to do, yet the other six members of the Committee on Agriculture and Forestry are entitled to full credit for the assistance which we have had from them and the interest which has been shown by them and the work which has been done by them since the introduction of the bill.

As is well known, hearings were held on the bill and a great many revisions have been made in it. In fact, we are offering a substitute bill. We introduced the first bill as a basis for holding hearings, knowing full well that many changes would be required, but we knew that if we did not introduce a bill we would not secure the testimony in detail which was required to write a better bill. I wish to give full credit to the members of the Committee on Agriculture and Forestry who are not members of the subcommittee. They are the Senator from North Dakota [Mr. YOUNG], the Senator from Missouri [Mr. KEM], the chairman of the committee, the Senator from Kansas [Mr. CAPPER], the Senator from Tennessee [Mr. STEWART], the Senator from North Carolina [Mr. HOEY], and the Senator from Florida [Mr. PEPPER]. They have labored with us diligently and the bill is the result.

I believe the President is right in asking for early enactment of this type of legislation. There is not included in it the so-called food-allotment bill which I introduced myself, and which has been before this body now for the last 3 or 4 years. It was not felt by the committee that we could thoroughly go into this phase of the agricultural program at the present time, and above all else we did not want to jeopardize the enactment of a sound long-range price-support program and the adjustment of some of the agencies which deal with soil conservation at the national level. Therefore, Mr. President, I present the bill with the full unanimous approval of the members of the Committee on Agriculture and Forestry who were present when action was taken on it.

We have not made it a partisan matter. From the very start, and at the time we voted to report the bill, there were four members of each major political party present, and they voted unanimously. At no time has it been necessary to have a roll call within our own committee. Whenever differences of opinion arose we have discussed the matter directly before us and invariably agreed to the will of the majority.

The bill which we are now reporting, although it provides for revision of the parity formula, does not include the cost of hired labor in estimating the parity formula. Several of us thought that it should be included, and still think so. It is entirely possible that it will be included before the bill is enacted into law.

I shall not take any more time now, but I wish to express the hope on behalf of the committee—and I know the entire committee will agree with me—that we may have early action by this body on this bill. It must go to the House and receive consideration there. I understand that that body is waiting for the bill to come over there before taking action. Therefore I hope for early action on this long-range agricultural program. This is the time to act upon it, in my opinion. Carry-overs are low and prices to farmers are generally in good condition; and it seems to us a pretty good time to patch the roof while the sun is shining, and not wait until we get into the depths of a depression or crisis before undertaking to put long-range legislation into effect.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CONTINUATION OF AUTHORIZATION FOR APPOINTMENT OF TWO ADDITIONAL ASSISTANT SECRETARIES OF STATE

A letter from the Under Secretary of State, transmitting a draft of proposed legislation to continue the authorization for the appointment of two additional Assistant Secretaries of State (with an accompanying paper); to the Committee on Foreign Relations.

APPROVAL OF AGREEMENT RELATING TO RESOLUTION OF CONFLICTING CLAIMS TO GERMAN ENEMY ASSETS

A letter from the Under Secretary of State, transmitting a draft of proposed legislation approving an agreement relating to the resolution of conflicting claims to Germany enemy assets and authorizing the President to enter into the agreement or other agreements similar in character with certain countries (with accompanying papers); to the Committee on Foreign Relations.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE

A letter from the Assistant Secretary of State, transmitting a draft of proposed legislation for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions (with accompanying papers); to the Committee on the Judiciary.

LAWS PASSED BY MUNICIPAL COUNCILS OF ST. THOMAS AND ST. JOHN, AND ST. CROIX, V. I.

A letter from the Secretary of the Interior, transmitting, pursuant to law, copies of legislation passed by the Municipal Council of St. Thomas and St. John and the Municipal Council of St. Croix, V. I. (with accompanying papers); to the Committee on Interior and Insular Affairs.

NICK SCALES, JR.

A letter from the Chairman of the Export-Import Bank of Washington, reporting, pursuant to law, the payment of the claim of Nick Scales, Jr., under the Federal Tort Claims Act, 1946; to the Committee on the Judiciary.

WAIVER OF 6 MONTHS' PREVIOUS SERVICE REQUIREMENT FOR CERTAIN SHIP RADIOTELEGRAPH OPERATORS

A letter from the Chairman of the Federal Communications Commission, making a statement and submitting recommendations of that Commission with regard to the present temporary power of the Commission to waive the 6 months' previous-service requirement for ship radiotelegraph operators of certain cargo ships imposed by section 353 (b) of the Communications Act of 1934, as amended (47 U. S. C. 353 (b)); to the Committee on Interstate and Foreign Commerce.

REPORT ON PERSONNEL CEILINGS

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, his report of personnel ceilings for the quarter ended March 31, 1948 (with an accompanying paper); to the Committee on Post Office and Civil Service.

## PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the California Federation of Women's Clubs, Modesto, Calif., favoring the enactment of legislation providing an adequate and balanced military strength; ordered to lie on the table.

A paper in the nature of a petition from Mrs. Reva Cooper Barse, of Buffalo, N. Y., praying for the enactment of legislation providing local Federal jurisdiction over Indian affairs through the United States district courts, and the United States Supreme Court (with accompanying papers); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Lions Clubs of zone 2, district 12 W, of western Tennessee, assembled at Pilot Knob, Tenn., favoring the enactment of legislation providing for the construction of a steam plant at New Johnsonville, Tenn.; to the Committee on Appropriations.

A resolution adopted by the Board of Supervisors of Delaware County, N. Y., protesting against the enactment of legislation providing for the construction of the proposed flood-control dam on the Charlotte River, in Davenport, N. Y.; to the Committee on Public Works.

A paper in the nature of a petition from the General Conference of the African Methodist Episcopal Church in thirty-third quadrennial session at Kansas City, Kans., signed by J. A. Charleston, chairman, and William P. Stevenson, secretary, requesting the Congress to adopt the President's civil-rights program; to the Committee on the Judiciary.

## GOVERNMENT SUPPORT PRICE ON EGGS—PETITION

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a petition signed by Walter Palda, Mrs. James Palda, Alfred Giva, and John Fischer, and sundry other citizens of Wyndmere and Lidgerwood, N. Dak., requesting a Government support price on eggs.

There being no objection, the petition was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, without all the signatures attached, as follows:

We, the undersigned farmers and poultry raisers, demand a Government support price on eggs, as the price today is 33 cents per dozen, current receipts.

WALTER PALDA,
MRS. JAMES PALDA,
ALFRED GIVA,
JOHN FISCHER

(And sundry other citizens of Wyndmere and Lidgerwood, N. Dak.).

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on Post Office and Civil Service:

S. 1861. A bill to amend the act entitled "an act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service; with amendments (Rept. No. 1296); and

S. J. Res. 193. Joint resolution to grant free postage to members of the armed forces while confined for treatment in a military or naval hospital, and to veterans while being furnished hospital treatment or institutional care in institutions operated by or under contract with the Veterans' Administration; with an amendment (Rept. No. 1297).

By Mr. SMITH, from the Committee on Labor and Public Welfare:

S. 2215. A bill to provide for research and control relating to diseases of the heart and circulation; with amendments (Rept. No. 1298).

By Mr. AIKEN, from the Committee on Labor and Public Welfare:

S. 1390. A bill to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor; with an amendment (Rept. No. 1314).

By Mr. BALL, from the Committee on Labor and Public Welfare:

S. 2237. A bill to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act; with an amendment (Rept. No. 1315).

By Mr. TYDINGS, from the Committee on Armed Services:

H. R. 5870. A bill to amend the act of May 16, 1946 (Public Law 383, 79th Cong.), as amended to provide increased allowances for the escorts of repatriated war dead; without amendment (Rept. No. 1303).

By Mr. KILGORE, from the Committee on Armed Services:

S. 2593. A bill to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public highway purposes in certain lands at Pungo, Va.; without amendment (Rept. No. 1301).

By Mr. GURNEY (for Mr. BRIDGES), from the Committee on Armed Services:

S. 2251. A bill to authorize the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States Naval Hospital, United States Naval Training Center, Great Lakes, Ill.; without amendment (Rept. No. 1299).

By Mr. HILL, from the Committee on Armed Services:

S. 2592. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico, in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings; without amendment (Rept. No. 1300).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 1413. A bill to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes; with amendments (Rept. No. 1304);

S. 2496. A bill to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described; with amendments (Rept. No. 1305);

S. 2548. A bill to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950; without amendment (Rept. No. 1306);

H. R. 4201. A bill to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project; without amendment (Rept. No. 1307);

H. R. 4512. A bill to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State College, at Tahlequah, Okla.; without amendment (Rept. No. 1308);

H. R. 4513. A bill to eliminate the requirement of oaths in certain land matters, and for other purposes; without amendment (Rept. No. 1309);

H. R. 4551. A bill to provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes; without amendment (Rept. No. 1310);

H. R. 5155. A bill to authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake & Ohio Canal between Great Falls, Md., and Cumberland, Md., and to report to the Congress upon the advisability and practicability of constructing thereon a parkway, and for other purposes; without amendment (Rept. No. 1311);

H. R. 5244. A bill to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II"; without amendment (Rept. No. 1312); and

H. R. 5839. A bill to authorize the conveyance to States, or political subdivisions, of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes; without amendment (Rept. No. 1313).

By Mr. WILEY, from the Committee on the Judiciary:

S. 83. A bill authorizing the naturalization of Elizabeth Pickering Winn; without amendment (Rept. No. 1316);

S. 158. A bill for the relief of certain Basque aliens; with an amendment (Rept. No. 1337);

S. 660. A bill for the relief of Peter Drozd; with amendments (Rept. No. 1339);

S. 709. A bill for the relief of Carlos Riggenbach; without amendment (Rept. No. 1317);

S. 765. A bill for the relief of Santiago Solabarrieta; with an amendment (Rept. No. 1322);

S. 933. A bill for the relief of Emanuel Carinos; with an amendment (Rept. No. 1338);

S. 1337. A bill for the relief of Hou Chung Chay; with an amendment (Rept. No. 1323);

S. 1364. A bill for the relief of Kihei Matsuo; without amendment (Rept. No. 1318);

S. 1409. A bill for the relief of Markoto Iwamatsu; with an amendment (Rept. No. 1324);

S. 1606. A bill for the relief of Wladyslav Plywacki; without amendment (Rept. No. 1319);

S. 1730. A bill for the relief of Mrs. Anna V. Reyer, Alexander A. Reyer, and Vitaly A. Reyer; without amendment (Rept. No. 1320);

S. 1739. A bill to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Beatrice Schwartz; with an amendment (Rept. No. 1325);

S. 1964. A bill for the relief of Walter Werner Tech; without amendment (Rept. No. 1321);

S. 2059. A bill for the relief of Joyce Violet Angel; with an amendment (Rept. No. 1340);

S. 2349. A bill relating to the issuance of reentry permits to certain aliens; with an amendment (Rept. No. 1326);

H. R. 703. A bill for the relief of Leon Nikolaivich Volkov; with an amendment (Rept. No. 1327);

H. R. 892. A bill for the relief of Michel Ferapontow; without amendment (Rept. No. 1328);

H. R. 926. A bill for the relief of Doda Greenbaum (Brenner); without amendment (Rept. No. 1329);

H. R. 1916. A bill for the relief of Filiberto A. Bonaventura; without amendment (Rept. No. 1330);

H. R. 2218. A bill for the relief of Lawrence Edgar Edwards; without amendment (Rept. No. 1331);

H. R. 2760. A bill for the relief of Thomas Camarda; without amendment (Rept. No. 1332);

H. R. 3358. A bill for the relief of Dr. Timothy C. H. Liang and Dr. Esther Chang Liang; without amendment (Rept. No. 1333);

H. R. 3640. A bill for the relief of Mrs. Charlotte D. Wang, Harvey S. P. Wang, and Arthur Y. P. Wang; without amendment (Rept. No. 1334);

H. R. 4443. A bill for the relief of Jacob Cohen; without amendment (Rept. No. 1335);

H. R. 4484. A bill for the relief of Theodore Loetsch; without amendment (Rept. No. 1336); and

H. R. 5310. A bill to authorize the admission into the United States of persons of races indigenous to Siam, and to make them racially eligible for naturalization; without amendment (Rept. No. 1341).

## ADMINISTRATION OF CENTRAL INTELLIGENCE COMMITTEE—REPORT OF A COMMITTEE

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I ask unanimous consent to report an original bill, to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and I submit a report (No. 1302) thereon.

There being no objection, the report was received and the bill (S. 2688) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was read twice by its title, and ordered to be placed on the calendar.

## EXTENSION OF TERMS OF OFFICE OF PRESENT MEMBERS OF ATOMIC ENERGY COMMISSION—REPORT OF A COMMITTEE

Mr. HICKENLOOPER. Mr. President, from the Joint Committee on Atomic Energy, I ask unanimous consent to report favorably without amendment the bill (S. 2589) to provide for extension of the terms of office of the present members of the Atomic Energy Commission, and I submit a report (No. 1342) thereon.

The PRESIDENT pro tempore. Without objection, the report will be received and printed, and the bill will be placed on the calendar.

Mr. HICKENLOOPER. I now ask unanimous consent that the report may be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The Joint Committee on Atomic Energy, through the Senate members thereof, to whom was referred S. 2589, a bill to extend the time of the expiration date of the terms of the members of the Atomic Energy Commission from August 1, 1948, to June 30, 1950, report the bill back to the Senate with the recommendation that the bill do pass.

The atomic-energy program was developed during World War II as a military project for the production of atomic weapons. They were successfully produced under military direction as a result of the unprecedented coordination of the highest degree of scientific, engineering, and industrial skills ever mobilized.

In the process, startling and revolutionary scientific discoveries were made which suggested unlimited future possibilities for research and development in the field of social and humanitarian benefits. Complete emphasis, however, was placed on the development of a weapon and these other discoveries or possibilities were laid aside, at the time, for future investigation, research, and development in a peaceful atmosphere.

With the end of the war the problem of how to handle atomic energy for the good of mankind became paramount. It was universally agreed that the bomb must be secured, if possible, against international use in war, and this principle became a major consideration in all domestic approaches or suggestions to the problem. It also became a special and intensive problem of the United Nations within which a special Atomic Energy Commission was immediately set up with specific terms of reference directed toward a solution of this problem.

Meanwhile, the Congress commenced immediate studies for the purpose of passing proper legislation for the control and for the advancement and development of the limitless possibilities of this science. A special committee of the Senate and the Military Affairs Committee of the House over a period of months devoted time and held extensive hearings which eventually resulted in the passage of the Atomic Energy Act of 1946, approved by the President on August 1, 1946.

In considering the original legislation, the Congress, and eminent citizens who testified, recognized the pioneering nature of the project; the revolutionary power of the bomb; the perils of unrestricted tampering with the dangerous products of atomic fission and the possibilities of new and unforeseen dislocations in industry and social fields. The fact that there was no historical experience for guidance, when considered with other factors, indicated that any legislation and any program undoubtedly would be subject to future change as a result of mature experience.

In section 1 (A) of the act, it is clearly stated as follows:

"The effect of the use of atomic energy for civilian purposes upon the social, economic, and political structures of today cannot be determined. It is a field in which unknown factors are involved."

The declaration continues:

"Therefore, any legislation will necessarily be subject to revision from time to time. It is reasonable to anticipate, however, that tapping this new source of energy will cause profound changes in our present way of life."

In section 1 (B) (5), the law further states:

"A program of administration which will be consistent with the foregoing policies and with international arrangements made by the United States, and which will enable the Congress to be currently informed so as to take further legislative action as may hereafter be appropriate."

The report from the Senate Special Committee on Atomic Energy, which accompanied S. 1717, states:

"It is recognized that many unforeseeable developments may arise in this field requiring changes in the legislation from time to time."

The Congress recognized that under the provisions of the Atomic Energy Act of 1946, which placed this vast enterprise in the hands of a commission to operate, there was being created the greatest administrative monopoly with the most far-reaching power ever set up in this country; but there was no other course. The authority of this commission is greater than any other commission or bureau either heretofore or presently established in government. It ramifies throughout industry, management, labor, and natural resources. Its authority extends into the international field of atomic energy. Because of the secrecy necessary to preserve the knowledge essential to the production of atomic weapons the operation of this vast setup is clothed with restrictions and mandates for security, and the opportunity for public examination and evaluation of its progress and of the impact of its activities upon our normal peacetime or even potential wartime economy are nonexistent. This situation is unique in administrative policy of our Nation. It places solemn responsibility upon your joint committee.

The Atomic Energy Commission is presently operating on an annual basis of over $600,000,000 in cash and $300,000,000 in contract authorizations. It has unlimited discretion in the types and kinds of goods and raw materials it buys; it has complete control over the extent to which private enterprise may venture in this field; it pre-empts patents; it has full authority over all phases of production and activity in atomic energy; it has, subject to certain responsibilities of periodic direction by the President, complete discretion and control over the production of atomic weapons; it can make foreign contracts and arrangements; it can contract with State and local governments; it operates municipalities, is the landlord, and subsidizes many local services traditionally within the province of private enterprise; it has the duty of extensive participation in the fields of public health; it is authorized to participate and is participating in agricultural and industrial research and development and may give or withhold its aid in its discretion. Its broad powers enable it to establish and maintain countless programs which are not clearly defined. It employs, either directly or through its operating contractors, over 55,000 people, who with their families probably total 200,000; it has discretionary authority over the release or the withholding of information affecting the program.

The Atomic Energy Commission, because of the nature of its duties and the extent of its power, can exercise decisive control over the destiny of our Nation and the lives of our people.

The Congress, under the Atomic Energy Act, and in consideration of the inherent dangers and problems involved, deemed these broad powers essential for the protection of the public and in order to prevent, if possible, the devastating use of atomic weapons in war. In addition, these powers have been deemed initially essential in order that we may make the greatest progress and maintain our preeminence in the advancement of the science of atomic energy. Your commit-

tee refers to these powers, therefore, to illustrate the magnitude of the social and economic area within which atomic energy operates and to emphasize that its growth and integration into the American system of individual free enterprise must be carefully measured and that hasty decisions as to a permanent administrative pattern are unwarranted and unwise.

Because of the unprecedented monopolistic control of atomic energy set up in the Government through the Commission, the Congress, in section 15 of the act, created the Joint Committee on Atomic Energy composed of nine Members of each House. This committee has a responsibility to "make continuing studies of the activities of the Atomic Energy Commission and of problems relating to the development, use, and control of atomic energy."

This section further provides that—

"The Commission shall keep the joint committee fully and currently informed with respect to the Commission's activities."

It was intended that by setting up such a joint committee, necessary secrecy of the project could be preserved, but at the same time a responsible body of Congress would be constantly kept informed so that it would be able, from time to time, to make such recommendations for legislation affecting the policy and operation of the atomic-energy program, and to make such reports as might be indicated in the public interest.

Although the law went into effect on August 1, 1946, the President did not appoint the members of the Commission until October 28, 1946, and the General Manager was not appointed until December 30, 1946. The transfer of the affairs of the Manhattan District (which was the wartime agency in charge of this project) to the Commission occurred on January 1, 1947. The nominations were sent to the Senate by the President on January 20, 1947, and thereafter beginning on January 27, a substantial portion of the time of the Commissioners and the General Manager was devoted to hearings on the question of the confirmation of their nominations until their confirmation on the 9th of April 1947. The first terms of the Commissioners were fixed by law for expiration 2 years after August 1, 1946, which was the effective date of the act.

In fixing the term of office for the first Commissioners at 2 years after the effective date of the act, it was the purpose of the Congress to provide at least a 2-year period for examination and observation of the program. The legislative intent to provide an initial 2-year term was predicated upon the sound reasoning that in an undertaking of this magnitude a minimum of 2 years would be necessary before any valid evaluation of the administrative policies could be made. These terms all expire on August 1, 1948. Since the Commission was not confirmed until the 9th day of April 1947 and from a practical standpoint has had uninterrupted and unquestioned security in the performance of its duties only since that time, it is obvious that there has been but 1 year for the reliable formulation of programs and for the observation and study instead of the 2-year period wisely contemplated by the law.

The transition from the military operation to eventual full control by the Atomic Energy Commission was accompanied by many dislocations and uncertainties. Following the confirmation of the Commissioners, they and the joint committee undertook the coordination of their respective duties; on the one hand, the Commission went forward with plans for the development of their administrative policies under the act and, on the other, the joint committee began to inform itself and receive information as to the entire situation and the proposals for future development.

As noted before, the necessary activities of the Commission ramify throughout the general economy and the national policy of our Nation. It is a pioneering venture of a new, vast, and startling nature; there was no history or experience of a similar peacetime operation upon which the Commission or the joint committee could rely. In this year that has passed some programs have been set up and many policies considered, some of which have been adopted; many have remained under consideration without determination; others have been rejected. There has been some reorientation of attitude in connection with the setting up and expansion of these policies and programs. Not only have problems of personnel, science, industry, and labor been confronted, but many questions involving the interpretation of the act and the powers and responsibilities of the Commission have arisen.

Many of the key members of the Commission's staff have been employed in recent months in connection with the establishment of new policies and new administrative approaches. Many of the Commission's policies are in the process of formulation. Many of the plans of the Commission are on the drafting table. These are conditions to be reasonably expected. Fairness to the Commission dictates that additional time be allowed for the Commission to develop more definitely its administrative policies in order to justify conclusion as to the final direction of this program.

The Commission has just announced the recent test of an atomic weapon which is the culmination of researches and plans begun 3 to 4 years ago. The results of such progressive developments cannot now be adequately or properly evaluated as to their long-range effect upon the national needs.

In the field of patents, while the law sets up a framework for establishing a program for patent acquisition and compensation, no such program has as yet been finally established in this field hitherto sacred to the individual.

Recent events have shown that labor-management disputes in vital installations have threatened continuity of operation. In one instance a settlement was had 2 hours after the so-called dead line for a walk-out. At the time of filing this report, this same installation is again in the throes of a labor dispute and is presently operating as a result of injunction proceedings instituted under the Taft-Hartley Act. The effective period of that injunction is rapidly running out. The joint committee is determined that labor-management policies be reliably established so that continuity of operation can be assured in these vital plants. The joint committee has held hearings on this subject, but no satisfactory formula was presented or developed. The joint committee has asked the Atomic Energy Commission to provide it with its plans for the accomplishment of this purpose. The joint committee is aware that the Atomic Energy Commission is also vitally interested in the accomplishment of this purpose, but the Commission has not as yet developed its specific proposals for the reliable solution of this problem.

The Commission recently has begun to put into effect a changing theory of sectional operation of the program which is in the nature of decentralization. This method of operation may have much to recommend it but only experience can demonstrate whether or not it is a progressive move.

While many advisory groups have been set up by law and by the Commission, to give it advice and suggestions as to the development of pertinent phases of the atomic energy program, it is to be noted that the joint committee has received few reports of these advisory groups and, therefore, is in no position to reliably gage either the extent of these recommendations or the degree to which such recommendations have been accepted and put into effect or held in abeyance, or rejected, by the Commission.

In a number of areas the joint committee has requested, from the Commission and other vital coordinating agencies, information, conclusions, and recommendations which will aid in evaluating the national program and its operation. Information has not as yet been furnished to the joint committee enabling it to fully comprehend or determine long-range goals of production and operation policies of the Commission. This reference is not made by way of criticism but merely to indicate that the composite circumstances involved in our public affairs and within our economy create a certain indefiniteness that needs time and the unfolding of events before long-range policies can be fully justified.

It is to be noted that the Military Liaison Committee, the vital link between the defense establishments and the Atomic Energy Commission, has undergone a reorganization within very recent weeks. What the beneficial results of this action may be cannot be presently evaluated.

Due to the nature of the Commission's operation, its budgetary and accounting problems are ramified and very extensive. The accounting situation has been more complicated because of the fact that under previous wartime operation of this project necessitating complete secrecy, utmost speed, etc., standardized accounting procedures were not in effect; therefore, historic detailed costs are not fully available. A satisfactory system has not yet been set up. This fact is recognized by the Appropriations Committees of the Congress as well as by the Commission itself in its most recent report of February 2, 1948.

It is to be noted that, in addition to strict scientific and production activities of the Commission, it is involved, under existing policies, in the operation of cities and towns within the project. The problems of such operations are under serious consideration, both by the Commission and by the joint committee. Complicated problems of jurisdiction, of administrative authority, of voting rights, including prerogatives attendant upon residence, town management, court jurisdiction, heavy subsidies, schooling, public utilities, and other problems, demand careful and more mature experience and examination before any final policies with respect thereto can be adopted by the Congress or by the Commission.

A vital section of the efficient and progressive advancement of atomic science is the reactor program. Recently a basic change in the operation of this program has been decided upon and certain preliminary steps to effectuate this change have been undertaken. The operation of this proposed program will be and must be continuously under the most careful observation for a substantial period of time. Only experience can evaluate this move.

The importance of establishing satisfactory and adequate personnel programs in the operation of this project is evident. The necessity for security cannot be disputed. Policies for assuring the personnel security of the project under conditions of fairness to individuals but at the same time protecting inviolate the rights of the public and the integrity of this national venture, have been and still are in a state of study and trial. The Commission has been searching for a final formula and the joint committee has been concerned with the necessity that a reliable formula be established.

The unsettled international situation has a direct effect upon the pattern of our atomic energy program. Had a satisfactory system of international control been established certain provisions of the Atomic Energy Act, in due time, would have automatically become void and many vital powers of the Commission would have been transferred to an international agency. It is now conceded, however, after nearly 2 years of exhaustive effort in the United Nations, that satisfactory

universal agreement for reliable international control of atomic energy is presently impossible. Only time and maturing events will enable us to determine the permanent direction of our administrative policies in this field.

It is important to emphasize that these matters which have been referred to are conditions which suggest the formative nature of our atomic energy program and by no means indicate a lack of progress. Further, they must not be interpreted as a criticism of the Commission or as evidence that the joint committee lacks confidence in the present Commission. Since the confirmation of the Commissioners on April 9, 1947, very definite progress has been made in our atomic energy program. This fact is encouraging but would in no way justify any hasty conclusions based upon insufficient knowledge as to the advisability of any particular permanent administrative pattern in this gigantic but infant national venture.

On January 30, 1948, your joint committee filed a unanimous report to each House of the Congress and, clearly recognizing the present inadequacy of the cumulative information and the definite need for continued examination before a final conclusion of any kind could be drawn about the long-range administration of this program, stated:

"As a legislative committee, it does not feel that it should at this time draw any final conclusions respecting the operation of this program or the administrative policies in effect. Sufficient time has not elapsed to warrant conclusions of this kind. This is not to be construed either as an attitude of hostility or an attitude of approval, but on the contrary expresses an attitude on the part of the committee to objectively evaluate the various phases of the program as a result of more mature opportunity."

The passage of this bill will immediately give assurance of uninterrupted continuity in office for 2 years and 2 months following the date of this report during which the present Commission can continue without disruption or without the necessity of reappointment. Any programs and policies now under way can be observed and brought into substantial operation; it will give approximately 2 years more for the over-all evaluation of the atomic energy program and its theory of operation. It will insure continuity and confidence and it will give assurance of continuity of operation and program upon which all employees, contractors, and consultants, may rely.

The joint committee strongly emphasizes to the Congress that in the performance of its duty it has conducted, and intends to conduct, its business relating to atomic energy and to the Atomic Energy Commission on a totally nonpolitical basis. The joint committee unequivocally declares its determination to support the best and most progressive atomic-energy program which can be developed to maintain our preeminence in this field. The committee has been guided, at all times, by one paramount principle and that is to maintain a course of conduct which will best serve to build confidence in, acceptance of, and support for a sound and vigorous atomic-energy program. This is essential for the safety of the United States and for the peace of the world. It is in furtherance of this principle that your committee considered this legislation.

Your committee therefore recommends that the bill do pass.

## SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM—HOWARD HUGHES INVESTIGATION—MINORITY VIEWS (PT. 3A OF REPT. NO. 440)

Mr. HATCH. Mr. President, under a previous order of the Senate, Members of the minority of the Special Committee To Investigate the National Defense Program were granted until the 15th of May to file their views on the report concerning the Howard Hughes investigation. Due to the unfortunate circumstances which prevailed on Friday, I did not ask unanimous consent that the time be extended until today, as I intended, and the time has now actually expired. However, at this time I ask unanimous consent, on behalf of the Senator from Florida [Mr. PEPPER], the Senator from Rhode Island [Mr. McGRATH], the Senator from Maryland [Mr. O'CONOR], and myself, to file minority views.

The PRESIDENT pro tempore. Without objection, the minority views will be received and printed.

## AIRCRAFT INVESTIGATION—MAJORITY VIEWS (PT. 3B OF REPT. NO. 440)

Mr. FERGUSON. Mr. President, from the Special Committee To Investigate the National Defense Program, I ask unanimous consent to file a report on the aircraft investigation containing the majority views. I should like to file it at the same time the Senator from New Mexico [Mr. HATCH] files the minority views.

The PRESIDING OFFICER. Without objection, the report will be received and printed.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 14, 1948, he presented to the President of the United States the enrolled bill (S. 2287) to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. TAFT, from the Committee on Labor and Public Welfare:

Henry R. O'Brien, and several other candidates for appointment in the Regular Corps of the Public Health Service;

John L. Lewis, Jr., and sundry other candidates for appointment in the Regular Corps of the Public Health Service;

Edward J. Driscoll, and sundry other candidates for appointment in the Regular Corps of the Public Health Service;

Sylvia Ginsberg, and sundry other candidates for appointment in the Regular Corps of the Public Health Service; and

Fonda L. Dickson, to be dietitian (equivalent to the Army rank of major) in the Regular Corps of the Public Health Service.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, or ordered to be placed on the calendar, as follows:

(Mr. CORDON introduced Senate bill 2675, to amend the Organic Act of Puerto Rico, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

By Mr. BALL:

S. 2676. A bill to authorize the Secretary of the Interior to convey a certain parcel of land in St. Louis County, Minn., to the University of Minnesota; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 2677. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, with respect to clerks in air mail field railway post offices; to the Committee on Post Office and Civil Service.

S. 2678. A bill granting exemption from income tax in the case of retirement pensions and annuities of governmental employees; to the Committee on Finance.

S. 2679. A bill to confer jurisdiction upon the Court of Claims to determine the amounts due to and render judgment upon the claims of the employees of the Alaska Railroad for overtime work performed; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 2680. A bill to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communication intelligence activities of the United States; to the Committee on Armed Services

By Mr. TAYLOR:

S. 2681. A bill for the relief of Charles Jeszua Kratka; to the Committee on the Judiciary.

(Mr. TAYLOR also introduced Senate bill 2682, to prohibit the segregation of persons in the public schools of the District of Columbia on account of race, color, creed, national origin, or ancestry, which was referred to the Committee on the District of Columbia, and appears under a separate heading.)

By Mr. ECTON:

S. 2683. A bill declaring certain Crow Indians to be competent members of the Crow Tribe; and

S. 2684. A bill to authorize and direct the Secretary of the Interior to issue to Frederick Knows Gun a patent in fee to certain lands; to the Committee on Interior and Insular Affairs.

By Mr. WILEY (for Mr. McCARRAN):

S. 2685. A bill for the relief of the city of Reno, Nev.; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2686. A bill to establish the Navajo-Hopi Indian Administration, to provide for the rehabilitation of the Navajo and Hopi Indian Tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHAVEZ:

S. 2687. A bill for the relief of Elizabeth and Lawrence Wong; to the Committee on the Judiciary.

(Mr. SALTONSTALL, from the Committee on Armed Services, reported an original bill (S. 2688) to provide for the administration of the Central Intelligence Agency, established pursuant to sec. 102, National Security Act of 1947, and for other purposes, which was ordered to be placed on the calendar, and appears under a separate heading.)

By Mr. BYRD:

S. 2689. A bill for the relief of Rozalia Venczel; to the Committee on the Judiciary.

By Mr. BRICKER:

S. 2690. A bill to assist States in collecting sales and use taxes on cigarettes; to the Committee on Finance.

By Mr. CONNALLY:

S. 2691. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent border area, without exchange of funds or reim-

bursement; to the Committee on Foreign Relations.

By Mr. CAIN (for himself and Mr. MAGNUSON):

S. J. Res. 216. Joint resolution to authorize the cancellation and release and satisfaction of an agreement dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board, acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on Interstate and Foreign Commerce.

## PRESERVATION OF AMERICAN CITIZENSHIP FOR CERTAIN PUERTO RICANS

Mr. CORDON. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill for the purpose of saving for certain citizens of Puerto Rico who find it necessary to leave Puerto Rico and be in foreign lands for a period of more than 5 years the citizenship which was conferred upon them by this Government in 1917.

In connection therewith I request that a brief statement which I have prepared relating to this subject be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

There being no objection, the bill (S. 2675) to amend the Organic Act of Puerto Rico, introduced by Mr. CORDON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement submitted by Mr. CORDON was ordered to be printed in the RECORD, as follows:

Mr. President, I am introducing for consideration by the Senate a bill which would prevent certain American citizens in Puerto Rico from losing their citizenship. Under section 404 (c) of the Nationality Act of 1940, a person who has become a national by naturalization loses his nationality by residing continuously for 5 years in any foreign state, with certain exceptions.

As you know, Mr. President, the United States acquired Puerto Rico as a result of the Spanish-American War. In 1900 the Congress gave the island a temporary civil government. This was under the terms of the Foraker Act.

Thus, all inhabitants who were Spanish subjects on April 11, 1899, and who continued to reside in Puerto Rico were declared to be citizens of Puerto Rico unless they elected to preserve their allegiance to the Spanish Crown. Under the Organic Act given to Puerto Rico in 1917, these people were declared citizens of the United States.

So we see that all Puerto Rico American citizens who were Spanish subjects on April 11, 1899, acquired citizenship in 1917 by process of collective naturalization. These people are naturalized American citizens within the concepts of the law.

I find it difficult to believe that when Congress enacted the Nationality Act of 1940, it intended to take away the citizenship, which it was so generous in giving, from Puerto Ricans affected by the law—those who found it necessary to reside in a foreign country for five continuous years.

We know, Mr. President, that Puerto Rico's vast population is splashing over the sides of the tiny island. By and large, Puerto Rico is poor in opportunity. Many in the island—mostly of the middle class—have found that because of their bilingual skills, Spanish and English, there are attractive employment and business opportunities within countries in Latin America.

The Nationality Act of 1940 requires that Puerto Ricans who gained citizenship by the process of collective naturalization, which I have described, must return to American soil once within each 5-year period if they are to remain full-fledged Americans within the meaning of the law. These people are Americans, and they wish to remain so, and they do return from foreign lands so as to preserve their status, but oftentimes at great hardship, financially and otherwise. It seems unrealistic and arbitrary, Mr. President, that they be required to do so.

The Eightieth Congress has been generous to Puerto Rico. It has given them the first measure of greater self-government since 1917. It gave them the first change in the Organic Act. New Deal controlled Congresses, with all of their liberal claims, failed to take a single step toward granting more liberal home rule for Puerto Rico.

In November, Puerto Rico for the first time will elect a governor. This was made possible by an act of this Congress during its first session. The senior Senator from Nebraska has pending before this body a bill which would permit the Puerto Rico Legislature to fix the salaries of public officials in the island.

We are giving these people greater responsibility at home. In 1917 we made them citizens of the United States. If they are to be citizens at all, let us make them full citizens.

## PROHIBITION OF SEGREGATION IN DISTRICT PUBLIC SCHOOLS

Mr. TAYLOR. Mr. President, I believe racial segregation to be a part of the trappings of one of the most viciously un-American activities being practiced in America today, the denial of full civil rights to a large segment of our population. I ask unanimous consent to introduce for appropriate reference a bill, a companion measure to House bill 4688, introduced by Representative ARTHUR G. KLEIN, of New York, which would direct the District of Columbia Board of Education to permit no segregation of persons in the public schools of the District of Columbia because of race, color, creed, national origin, or ancestry.

Mr. President, the recent action of Dr. William Jansen, New York superintendent of schools, in canceling a trip to Washington by 51 outstanding New York school boys, has pointed out the problem anew. Those boys had been selected because they were outstanding in safety patrol work. Four of their number were Negroes. Superintendent Jansen found that, if he took his boys to the Nation's Capital, they would be subjected to segregation.

They could not eat in the same public restaurants. They could not be put up at the same hotels. He apparently decided that it would not be an inspiring demonstration in American democracy, and so the trip was canceled.

Dr. Jansen's decision was the only one possible for any official who believes that the Constitution and American principles mean what they say.

I should like to make it possible for Americans to hold their heads high and act like Americans at least in their Nation's Capital. Further I should like to make this possible throughout our great land, but surely we must start in the show place of the United States—at the very seat of our Government.

There being no objection, the bill (S. 2682) to prohibit the segregation of persons in the public schools of the District of Columbia on account of race, color, creed, national origin, or ancestry, introduced by Mr. TAYLOR, was received, read twice by its title, and referred to the Committee on the District of Columbia.

## EXTENSION OF AUTHORITY FOR INVESTIGATION OF IMMIGRATION SYSTEM

Mr. REVERCOMB submitted the following resolution (S. Res. 236), which was referred to the Committee on the Judiciary:

*Resolved*, That the authority of the Committee on the Judiciary, or any duly authorized subcommittee thereof, under Senate Resolution 137, of the Eightieth Congress, agreed to July 26, 1947 (providing for a full and complete investigation of our entire immigration system), is hereby continued until March 1, 1949, and the limit of expenditures under such resolution is hereby increased by $50,000.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS—AMENDMENT

Mr. MAGNUSON submitted an amendment intended to be proposed by him to the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 7, line 18, to strike out "$195,084,400" and insert "$198,384,400."

## AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT—AMENDMENTS

Mr. MOORE submitted amendments intended to be proposed by him to the bill (H. R. 4071) to amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended, which were ordered to lie on the table and to be printed.

## CONTRACT SETTLEMENT ACT OF 1944—AMENDMENT

Mr. ECTON (for himself and Mr. FULBRIGHT) submitted an amendment in the nature of a substitute intended to be proposed by them to the bill (H. R. 5040) to amend the Contract Settlement Act of 1944, to provide that claims under section 17 must be filed within 6 months to be allowable, to stop further accrual of such claims, and for other purposes, which was referred to the Committee on the Judiciary, and ordered to be printed.

## PROTECTION OF LIFE AND PROPERTY, ETC., IN MIDDLE RIO GRANDE VALLEY, N. MEX.—AMENDMENT

Mr. HATCH (for himself and Mr. CHAVEZ) submitted an amendment in the nature of a substitute intended to be proposed by them, jointly, to the bill (S. 2571) to authorize the protection of life and property, water conservation, and the comprehensive reclamation of land in the Middle Rio Grande Valley in New Mexico, by flood control, irrigation, sediment detention, drainage, and other activities; to provide for the financial rehabilitation of the Middle Rio Grande Conservancy District, and for other purposes which was referred to the Committee on Public Works, and ordered to be printed.

## CHANGE OF REFERENCE

On motion by Mr. GURNEY, and by unanimous consent the Committee on Armed Services was discharged from the

further consideration of the bill (S. 2433) to except the Panama Railroad Company from the Federal Tort Claims Act, and it was referred to the Committee on the Judiciary.

LEAVES OF ABSENCE

Mr. MAYBANK asked and obtained consent to be absent from the Senate for the remainder of the week.

Mr. BARKLEY, by request, asked and obtained consent that Mr. O'DANIEL be excused from attendance on the Senate for approximately 10 days.

MEETINGS OF COMMITTEES DURING SENATE SESSION

Mr. WHERRY asked and obtained consent for a subcommittee of the Committee on Public Works to sit and hold hearings during the session of the Senate today.

He also asked and obtained consent for the Committee on Finance, considering the oleomargarine tax repeal, to sit and hold hearings during the session of the Senate today.

Mr. BREWSTER asked and obtained consent for a subcommittee of the committee on Interstate and Foreign Commerce to hold a meeting during the session of the Senate this afternoon.

Mr. SALTONSTALL asked and obtained consent for a subcommittee of the Committee on Armed Services to hold hearings during the session of the Senate this afternoon.

FREE JUDGES AND FREE PEOPLES—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Free Judges and Free Peoples," delivered by him before the Ohio State Bar Association, at Toledo, Ohio, May 14, 1948, which appears in the Appendix.]

PALESTINE—ADDRESS BY SENATOR BREWSTER

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an address delivered by him on the subject of Palestine, at St. Louis, Mo., on May 16, 1948, which appears in the Appendix.]

OIL, GUNS, AND HONOR—ADDRESS BY SENATOR CHAVEZ

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address entitled "Oil, Guns, and Honor," delivered by him to the Fighters for a Free Palestine, Madison Square Garden, New York City, May 13, 1948, which appears in the Appendix.]

SALUTE TO THE JEWISH STATE—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by him at the Salute to the Jewish State by the American Committee of Jewish Writers, Artists, and Scientists, at the Polo Grounds, New York, May 15, 1948, which appears in the Appendix.]

UTAH REFLECTED IN HER SONS—ADDRESS BY SENATOR ELBERT D. THOMAS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "Utah Reflected in Her Sons," broadcast by him over the facilities of Station KSL, Salt Lake City, Utah, May 11, 1948, which appears in the Appendix.]

EQUAL OPPORTUNITY IN EDUCATION—ADDRESS BY MRS. EUGENE MEYER

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "Equal Opportunity in Education," delivered by Mrs. Eugene Meyer, of the Washington Post, at the Conference on Human Rights: Civil and Cultural, at Howard University, Washington, D. C., May 13, 1948, which appears in the Appendix.]

PAY INCREASE FOR FEDERAL EMPLOYEES — EDITORIAL FROM FORT WORTH STAR-TELEGRAM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Justified Pay Raise," published in the Fort Worth Star-Telegram of April 13, 1948, which appears in the Appendix.]

UNITED STATES LANDHOLDINGS—EDITORIAL FROM THE FORT WORTH STAR-TELEGRAM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "United States Landholdings," published in the Fort Worth Star-Telegram of April 13, 1948, which appears in the Appendix.]

THE NATIONAL DEFENSE—ADDRESS BY HENRY A. WALLACE

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a radio address on the national defense delivered by Hon. Henry A. Wallace, March 19, 1948, which appears in the Appendix.]

EDITORIAL TRIBUTE TO SECRETARY OF AGRICULTURE CLINTON P. ANDERSON

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial tribute to Secretary of Agriculture Clinton P. Anderson, from the Washington Post of May 14, 1948, which appears in the Appendix.]

THE PRESIDENT'S "OFF RECORD" REMARKS TO NEWSPAPER EDITORS AND PUBLISHERS

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an article by V. Y. Dallman, editor of the Illinois State Register, of Springfield, Ill., commenting on a recent address delivered by the President at a dinner of newspaper publishers and editors, which appears in the Appendix.]

RECOGNITION OF THE STATE OF ISRAEL—EDITORIAL FROM NEW YORK HERALD TRIBUNE

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an editorial on the recognition of the State of Israel, from the New York Herald Tribune of Sunday, May 16, 1948; which appears in the Appendix.]

CIVIL-SERVICE APPOINTMENTS OF HANDICAPPED PERSONS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4236) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LANGER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. LANGER, Mr. BUCK, and Mr. CHAVEZ conferees on the part of the Senate.

RULES FOR PREVENTION OF COLLISIONS ON CERTAIN INLAND WATERS, ETC.—CORRECTIONS IN ENROLLMENT OF BILL

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 200, which was read, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That in the enrollment of the bill H. R. 3350, an act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes, the Clerk of the House is authorized and directed to make the following corrections:

Strike out in lines 5 and 9, page 12, of the engrossed bill, the words "Secretary of War" and insert "Secretary of the Army."

Mr. WHERRY. I move that the Senate concur in the concurrent resolution.

The motion was agreed to.

STATEHOOD FOR HAWAII

Mr. KNOWLAND. Mr. President, at the earliest possible opportunity I intend to renew my motion to recall from the Committee on Interior and Insular Affairs the bill relating to statehood for Hawaii. In the meantime I hope Members of the Senate will familiarize themselves with this situation as fully as possible.

Toward this end I ask unanimous consent to have printed in the RECORD an editorial from the Evening Star of Friday, May 14, entitled "While Hawaii Waits"; also an article entitled "Time Fast Running Out for Hawaiian Statehood," written by Secretary of the Interior J. A. Krug, and published in the Washington Star of May 16, 1948; also an editorial entitled "Investigating Hawaii," published in this morning's Washington Post.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of May 14, 1948]

WHILE HAWAII WAITS

Senator KNOWLAND'S resolution to discharge the Senate Public Lands Committee from further consideration of the Hawaiian statehood bill should be approved. There is no legitimate reason for keeping that bill bottled up another year in committee, while another delightful junket to the islands is arranged. The people of Hawaii have met every test for statehood. They are overwhelmingly in favor of it. They have been investigated, as to their fitness, inside and out. The House has passed the bill. The two political parties have favored statehood under conditions which have been met. It is probable that if the bill reached the Senate floor Hawaii would become a State now.

That is the principle at stake in the Knowland resolution. Every fair-minded citizen will concede the wisdom of the power over legislation which is vested in congressional committees. It is only when a committee's use of this power raises serious questions of justice and right that it is ever questioned. And on those rare occasions when it is, the record and the facts should decide the issue.

A House investigating committee visited the islands in 1935, was favorably impressed, but recommended another investigation of the statehood issue by a joint committee. A joint committee visited the islands 2 years later, was favorably inclined but recommended a plebiscite so the people themselves could make a decision. The 1940 plebiscite favored

statehood by 2 to 1. The war delayed further progress, but a House subcommittee, visiting the islands in 1946, unanimously recommended immediate statehood. The bill was kept in the House committee another year, but the House approved it last spring.

Senator CORDON, of Oregon, visited the islands for the Senate Public Lands Committee, heard the testimony of more than 200 witnesses, and last March made a report recommending immediate statehood. In April the committee decided to get the views of people living in continental United States. The testimony it received was overwhelmingly favorable. But it has decided to defer the bill's report. What for? While members of the committee make another journey to the islands this summer.

There are arguments against statehood. They are not particularly convincing, but they deserve to be heard. The place for them now is on the Senate floor, not the cloakrooms. If the bill is to be defeated after debate, that is one thing. But it is highly unjust to the people of Hawaii and prejudicial to our own interests as a Nation to keep delaying a test that should come now, especially when the delay is based on the pretense that the committee is looking for some information that it does not now possess.

The Knowland resolution deserves approval because in simple justice the question of Hawaiian statehood should come before the Senate now.

---

[From the Washington Sunday Star of May 16, 1948]

TIME FAST RUNNING OUT FOR HAWAIIAN STATEHOOD—SECRETARY KRUG WONDERS IF, LIKE BANQUO'S GHOST, THE FORTY-NINTH STATE QUESTION WILL PLAGUE NATIONAL CONSCIENCE

(By J. A. Krug, Secretary of the Interior)

(The Department of the Interior has administrative supervision over the Territorial possessions of the United States. Secretary Krug favors statehood not only for Hawaii but also for Alaska.)

Is the plea of Hawaiian statehood, like Banquo's ghost, to return again and again to plague a troubled national conscience? In a world filled with constant attack against the institutions of democratic government, can we afford to turn down this plea and leave the integrity of our Territorial policy open to doubt and challenge?

The answers to these questions now rest solely with the United States Senate—and unless the Senate acts promptly and favorably upon a measure already passed by the House of Representatives, statehood will be denied to a long-patient people for at least two more years, and our Government will be doing more than any alien subversive force to undermine our prestige in the islands.

Up to now, the whole of the Senate has had no opportunity for action on the admission of Hawaii into the Union as the forty-ninth State. The bill for statehood (known as H. Res. 49) has been languishing in the Committee on Interior and Insular Affairs. This committee by a vote of 7 to 5, finally tabled the bill after several previous delays. The reason given for the committee's action: The need for further on-the-scene investigation.

Surely, the long record shows conclusively that there is no further need to investigate the fitness of the Hawaiian people for statehood. Since 1935, five congressional committees have inquired into every conceivable facet of the statehood question. In 1938, a joint committee found the Hawaiian people qualified for admission, but postponed action in view of the rising crisis in the Pacific. The committee, however, recommended the holding of a plebiscite which, in 1940, resulted in a 2-to-1 vote for statehood. In these exhaustive congressional inquiries, more than 550 witnesses filled more than 3,000 pages of testimony—so overwhelmingly supporting admission that the committees of 1946 and 1947 unanimously recommended legislation granting immediate statehood.

HOUSE ACTED PROMPTLY

On January 3, 1947, the opening day of the Eightieth Congress, the Hawaiian Delegate, JOSEPH R. FARRINGTON, introduced the pending resolution, authorizing immediate admission of Hawaii and action came swiftly in the House of Representatives. Within 4 days, the House committee opened its inquiry. On March 22, it unanimously recommended immediate passage of H. R. 49, and on June 30 the House approved the legislation, 197 to 133.

On the Senate side, it was originally anticipated that the full Committee on Territories and Insular Affairs would visit the islands some time during November or December for an on-the-spot investigation, but these plans were canceled with the call for the special session of the Eightieth Congress to consider the emergency legislation (1) for aid to European recovery, and (2) for control of the mounting inflation crisis at home.

Consequently, Chairman CORDON, of the Senate subcommittee, was directed to make his own investigation in behalf of the full committee, in which he was most capably assisted by Judge Carl E. Wimberly, of the Circuit Court of the Second Judicial District of the State of Oregon.

On March 15 Senator CORDON reported exhaustively and eloquently in behalf of statehood, urging immediate approval by the full committee of the Senate, of H. R. 49. However, the full committee felt it best to order an additional subcommittee hearing in Washington to offer opportunity for any last-minute opinion that might wish to present itself from the mainland of the United States.

NO OPPONENTS SHOWED

On April 15 this hearing was held in Washington, and no appearance was entered by any opponent of Hawaiian statehood. On the same date the Gallup poll, in its third national survey on the subject, reported that the American people favored admission of Hawaii to the Union as the forty-ninth State by more than 4 to 1. The tally showed: For statehood, 66 percent; against, 15 percent; no opinion, 19 percent.

Certainly on the record up to this point, there was no apparent reason for further delay. But if Hawaiian hopes were high, they were dashed when, on April 19 and again on May 4, the full committee held closed sessions without any action, and finally, on May 7, when it voted against recommending statehood at this time, announcing that it wanted time to make another on-the-spot investigation.

One of the ardent champions of statehood, Senator KNOWLAND (Republican, of California), at once introduced a motion to force the bill out of the committee, and upon the success of this motion, and subsequent favorable action by the Senate, rests the hopes of statehood in this session. I am well aware of the crushing pressure of other legislative business. But I also know that national security rests upon moral as well as economic and military strength, and I join the many Americans who feel that the good faith of the Government will be compromised by further delay.

Often in the past, the political and economic justifications for Hawaiian statehood have failed to receive their proper attention—understandably so because of the predominant interest in the strategic military value of the islands and in their attraction as the paradise of the Pacific.

In view of their underlying importance in fixing our national mind upon the unforgettable objective of statehood, I believe that some of the basic findings of the recent congressional inquiries, as they concern the political and economic justifications for statehood, can profitably be summarized here.

The political-social background. The inquiries show that the Hawaiian people not only have evidenced great enthusiasm for complete self-government, but also have demonstrated more than sufficient competence in handling their own affairs within the limited means given them. The record shows that about 40 percent of the eligible voting population registers and goes to the polls in local elections, as against United States average of 42 percent—a comparison highly favorable to the Hawaiian people, considering that they cannot vote for President or Governor, and that all of their judges and magistrates, as well as numerous other officials at the local level, are not elected but appointed.

RACIAL ARGUMENT

Because of the diverse origins of the present population of Hawaii, one of the shopworn arguments against statehood has been the fear that racial groups in the islands would vote strictly along racial lines. By racial groups, those advancing this argument usually mean only the citizens of Japanese birth or descent, and an accompanying fear has been that the Japanese would constantly strive to create racial discord and thereby prepare a fertile field for subversive activities.

Established electoral practices in the islands have shown that bloc voting by racial groups has presented no problem whatsoever. There is no justifiable reason to fear that it would present any future obstacle to the achievement of a government free from inordinate racial pressures. Moreover, it is now conceded by military intelligence agencies of our Government, that not one single act of espionage or sabotage was committed by any resident of the islands of Japanese birth or descent, either before or after Pearl Harbor.

Another often-expressed argument has to do with the fear that communism was making sufficient gains in the islands as to affect their economic and political well-being. Indeed, I am informed that this was a prevalent fear among the opponents of statehood in the Committee on Interior and Insular Affairs. But here again, Senator CORDON'S report serves to reassure any doubtful and laggard soul. It shows quite clearly that the allegations of Communist activities and the threats of communism, are no different in Hawaii than they are in the United States.

FISCAL RECORD GOOD

The economic background. The fiscal policies of the islands and the general economic condition, now and for years past, completely demonstrate a fitness for statehood. There is need to quote only a few typical statistics: Hawaii pays more in Federal taxes than 14 States of the Union and the percentage of individuals filing income-tax returns exceeds that in 26 States. The assessed value of real estate in the islands is greater than that of any State at the time of admission into the Union, with the exception of Oklahoma. Commerce between Hawaii and continental United States, from 1935 to 1940, was exceeded only by the trade between the United States and the largest of foreign nations. Obviously, economically, as well as politically, Hawaii has earned its long overdue dividend of statehood.

Fourteen times since 1900—when the Congress passed the Hawaiian Organic Act creating a Territorial government in the traditional American pattern, directly implying eventual statehood after meeting the fair requirements of a tutelage in self-government—the Hawaiian Legislature, elected by the people of the islands, has requested Congress to redeem its pledge and admit Hawaii into the Union. The historical way of evolution from Territory to statehood has been followed faithfully since the inception of this Government. As we built the Nation

and the Thirteen Colonies westward to the Pacific, we kept faith with those who pushed back the frontiers, settled the land and built the cities, established and made permanent the institutions of free government. Let us keep faith now with those who have established and made permanent our free way of life far out in the Pacific.

As the whole record shows, Hawaii statehood has not been a partisan issue, and as the member of a Democratic President's Cabinet, specifically charged with the Federal Government's relations with Hawaii, I readily and wholeheartedly offer as my own argument these last two paragraphs from Senator CORDON's excellent report to the Senate:

"Hawaii has met the requirements for statehood. It is the chairman's opinion that the Territory has served a satisfactory pupillage in the limited self-government permitted by the organic act. It is able and ready to accept the social, political, and economic responsibilities of State government as well as the advantages.

"As a State, it could more effectively manage its own affairs and contribute to the welfare of the Nation. As a Nation, the United States, by granting statehood to Hawaii at this juncture in history, could demonstrate to the world that it means what it says and practices what it urges when advocating true democracy for all peoples."

To this, I would like to add just one final thought. Liberation has become a much misused word—but the United States demonstrated that liberation of the Philippines meant not only that, but also actual, working independence. That's what the people of the Philippines, by demonstrable action, wanted. The Hawaiian people, by demonstrable action, have long wanted statehood. If we are to give it to them this year—and we owe it to them—time is fast running out.

---

[From the Washington Post of May 17, 1948]

INVESTIGATING HAWAII

What hope remains for Hawaiian statehood legislation in this session of Congress is embodied in the Knowland resolution scheduled to be brought up this week on the Senate floor. Senator KNOWLAND proposes to discharge the Committee on Interior and Insular Affairs from further consideration of the statehood enabling bill and place it before the Senate as a whole. This cannot be considered a slight to the committee, for it had 10 months in which to act after the House passed the companion bill last summer. Members of the committee had a chance to conduct an on-the-spot study this winter if they had wished; the one member who did go to Hawaii as a subcommittee, Senator CORDON, returned with a warm endorsement of statehood now.

Senators should take a lively interest in the resolution if for no other reason than that the pledge of statehood was contained in the 1944 platforms of both major political parties. The 7 to 5 decision of the committee to delay action in favor of another investigation amounts to a negation of that pledge and, if allowed to stand, would make futile the good work of the House. Moreover, the close vote by which the committee turned down the statehood bill emphasizes the desirability of bringing the matter to the attention of the entire Senate.

As compelling a statement as we have seen of the justification for Hawaiian statehood now comes from Gov. Ernest Gruening, of Alaska, himself the executive of a disfranchised Territory:

"Hawaii is the finest example under the flag of the welding of alien peoples of diverse racial strain into Americans. America is above all else an idea. * * * I do not know how we can better manifest our faith in that idea and aid in its spread than by admitting to statehood a community of Americans who have more than met every test and who are peculiarly and strikingly the embodiment of that idea."

What Governor Gruening says applies with particular relevance to the suggestion of another investigation, this time on the subject of communism in the islands. Hawaii already has been surfeited with investigations. There is no reason to believe that communism is any more prevalent in Hawaii than anywhere else in the American Union; indeed, conditions in Hawaii are such as to discourage its growth. This much, however, is certain: further delay in granting residents of Hawaii the rights promised them on annexation 50 years ago would give the Communists an excellent sounding board. For what purpose does territoryship exist if not to prepare such communities for full-fledged membership in the Union?

## COUNTING OF ELECTORAL VOTE

Mr. LODGE. Mr. President, in the Herald News of Fall River, Mass., there appeared recently an editorial entitled "Every Vote Would Count," which describes the purposes of Senate Joint Resolution 200, which is the constitutional amendment to count the electoral vote in proportion to the popular vote in electing a President and Vice President of the United States. This measure has been favorably reported by the Senate Judiciary Committee, and unanimously by the House Judiciary Committee. I ask unanimous consent that this editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"EVERY VOTE WOULD COUNT"

This time it looks as if Congress would get around to action which will change the method of electing a President. Every 4 years, when the complicated procedure leading up to the vote of the Electoral College has been followed, criticism of the system has been general. Voters protested that they had no direct voice in the choice, and that minorities of the citizens were entirely disregarded. But in a short time after the elections, the protest has died out, and nothing has been done to change the situation.

Now a proposal has been advanced by Senator HENRY CABOT LODGE, JR., of Massachusetts which has gained the approval of the Senate Judiciary Committee and has inspired a similar measure for the House committee. It would make possible the crediting of the votes of all parties in determining which candidate had the strongest support throughout the Nation. For example, if one candidate had won two-thirds of the popular vote in a State, two-thirds of the number of electors for that State would be counted for him, while one-third of the number would be divided among the other candidates, according to the relative vote each had secured. At present, the candidate who had two-thirds of the vote would be given the full number of the State's electors, and the one-third of the vote would not be represented.

Present action by Congress, if it should accept such a proposal, would be a recommendation for an amendment to the Constitution, which would have to win the support of three-fourths of the States.

## NOMINATION OF JESS LARSON TO BE WAR ASSETS ADMINISTRATOR

Mr. THOMAS of Oklahoma. Mr. President, in connection with the consideration of the nomination of Jess Larson to be War Assets Administrator I ask unanimous consent to have printed as a part of my remarks a biographical sketch of the nominee.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

BIOGRAPHICAL SKETCH OF JESS LARSON

Born June 22, 1904, Mill Creek, Indian Territory.

Educated public schools, Missouri, Military Academy, Mexico, Mo., and University of Oklahoma. Completed 3 years arts and sciences and 1 year law at University of Oklahoma, 1926.

Assumed active management of family business consisting of ranching, dairying, and creamery enterprises in southwestern Oklahoma with headquarters at Chickasha, Okla. Continued until May 1929 when father's health was restored and he again assumed active control of business.

Elected mayor of Chickasha, Okla., and served from June 1929 to June 1933. Continued study of law in offices of Barefoot & Carmichael at Chickasha, Okla., during period in which he was serving as mayor.

Elected president of Oklahoma Municipal League, 1931 and 1932.

From 1933 until January 1, 1935, again assumed the management of family business as indicated above.

Admitted to Oklahoma State bar in January 1935.

Appointed secretary to the commissioners of the land office of the State of Oklahoma in February 1935.

In this capacity, actively managed and supervised all of the operations of the land department of the State of Oklahoma, consisting of approximately $200,000,000 in assets divided between land, oil holdings, farm mortgages, State, municipal, and Government bonds. Refinanced approximately $35,000,000 in farm mortgages between 1935 and 1939, resulting in a reduction in delinquencies of mortgages held by the State from approximately 95 percent delinquent down to 21 percent delinquent. Organized and supervised sale of foreclosed and original grant land held by the State to the extent of approximately 300,000 acres ranging in size from 40 acres to 3,000 acres.

From January 1, 1939, to September 16, 1940, engaged in the private practice of law in Oklahoma City, representing contractors and dealers in municipal securities. Also advised and assisted E. W. Marland, former Governor of the State of Oklahoma and president of the Marland Oil Co., in the liquidation of oil holdings and real estate.

Inducted into the Federal service with the Oklahoma National Guard, Forty-fifth Infantry Division, on September 16, 1940, and promoted from rank of major to lieutenant colonel.

Served as executive officer to Gen. Raymond S. McLain, division Artillery commander, until January 1942.

In January 1942 assumed command of One Hundred and Sixtieth Field Artillery Battalion, Forty-fifth Infantry Division, and went overseas with this unit in May 1943.

Landed in north Africa and participated in landings on Sicily in July 1943.

Landed with the unit at Salerno on September 8, 1943. Wounded in combat at the crossing of the Volturno River in Italy in November 1943.

Evacuated to United States and assigned as instructor in the Field Artillery school at Fort Sill, Okla., in January 1944. Later advanced to head of department of tactics of the Field Artillery school.

Promoted to colonel in October 1944.

Ordered to duty with the Chief of Staff, War Department, Washington, D. C., July 7, 1945.

Assigned to committee created by section V of the National Defense Act to reorganize the National Guard and the Organized Reserve Corps.

Participated in such reorganization until July 1946; then transferred to duty with War

Assets Administration and assigned as assistant general counsel.

Assistant general counsel, War Assets Administration, from July 1946 to December 1946, at which time was appointed general counsel, War Assets Administration.

Served as general counsel from that date until November 13, 1947, when President made appointment as Associate Administrator, War Assets Administration.

Was separated from active duty with the Department of the Army on the same date that he was sworn in as Associate Administrator, War Assets Administration.

Became acting Administrator, War Assets Administration, upon the effective date of Maj. Gen. Robert M. Littlejohn's resignation, November 28, 1947.

Appointed Administrator, War Assets Administration, by Presidential order, December 20, 1947.

Mr. THOMAS of Oklahoma. Mr. President, I also ask permission to have printed as a part of my remarks a list containing a few of the many surplus war properties which have been approved recently for either sale or lease by the War Assets Administration. This list embraces only projects which have been approved for disposition during the past few months. The total value of such projects is approximately $75,000,000.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PARTIAL LIST OF WAR SURPLUS PROPERTIES APPROVED FOR SALE OR LEASE BY JESS LARSON, WAR ASSETS ADMINISTRATOR

Sale of Jayhawk Ordnance Works, Galena, Kans., to Spencer Chemical Co., Kansas City, Mo., for $11,000,000. Approved May 12, 1948.

Sale of Malleable Iron Casting Plant located at Ashtabula, Ohio, to Lake City Malleable, Inc., for $1,600,000. Approved April 5, 1948.

Sale of Basic Magnesium Plant, Henderson, Nev., to the State of Nevada, for $24,000,000. approved April 1, 1948.

Sale of two marine turbine manufacturing plants to the Navy for $9,023,561. Approved March 31, 1948.

Sale of iron ore concentration facilities at Iron Mountain, Mo., to the Ozark Ore Co. for $340,000. Approved March 17, 1948.

Sale of Ozark Ordnance Works located at El Dorado, Ark., to the Lion Oil Co. for $10,500,000. Approved March 3, 1948.

Sale of surplus oil terminal at Jacksonville, Fla., to Navy Department for $268,664. Approved February 27, 1948.

Sale of drop hammer steel forging facilities at Harvey, Ill., to the Wyman-Gordon Co. for $2,671,025.11. Approved February 27, 1948.

Sale of surplus iron and steel foundry at Watervliet, N. Y., to Adirondack Foundries & Steel, Inc., for $257,000. Approved February 27, 1948.

Sale of Texas City, Tex., aviation gasoline plant to Republic Oil Refining Co. for $2,300,000. Approved February 24, 1948.

Sale of surplus United States Navy storehouse at New Windsor, N. Y., to Reconstruction Finance Corporation for $175,000. Approved February 16, 1948.

Sales of surplus blast furnace, located at Ironton, Utah, to Kaiser-Frazer Corp. for $1,150,000. Approved February 5, 1948.

Sale of dolomite quarry at Wingdale, N. Y., to the D. H. Litter Co., Inc., of New York, for $275,000. Approved January 23, 1948.

Sale of aircraft plant at Bristol, Pa., to the Minnesota Mining & Manufacturing Co., of St. Paul, Minn., for $861,000, approved January 14, 1948.

Sale of partially completed electric furnace steel plant at Newport, Ky., to the International Detrola Corp., Detroit, Mich., for $1,350,000. Approved January 16, 1948.

Sale of Ozark Chemical Defense Corp., of Tulsa, Okla., to the Ozark-Mahoning Co., for $670,000. Approved January 16, 1948.

Sale of brick factory building located at Trenton, N. J., to the Daunt Corp., Brooklyn, N. Y., for $200,000. Approved January 14, 1948.

Sale of surplus unit of Douglas Aircraft Co., Inc., located at Long Beach, Calif., to county of Los Angeles, for $162,500. Approved January 9, 1948.

Sale of Kollmorgan Optical Corp., plant, located at Brooklyn, N. Y., to the New York State Institute of Applied Arts and Sciences, for $135,000. Approved January 9, 1948.

Sale of carbon-black plant at Seagraves, Tex., to the Columbian Carbon Co. for $1,420,000. Approved January 6, 1948.

Sale of milling plant located at Fredericksburg, Mo., to the St. Louis Smelting & Refining Co. for $210,000. Approved January 5, 1948.

Sale of feed recovery facilities located at Trenton, Mich., to the Trenton Chemical Co. for $75,000. Approved January 5, 1948.

Sale of fruit dehydrating plant located at Visalia, Calif., to John C. Kazanjian, of Visalia, for $22,000. Approved December 19, 1947.

Sale of a portion of the surplus Wright Aeronautical Corp. plant located at Lockland, Ohio, to the Electric Auto-Lite Co., Toledo, Ohio, for $8,400,000. Approved December 18,1947.

Ten-year lease of the Government-owned blast furnace and byproduct plant in Gadsden, Ala., to the Republic Steel Corp., Cleveland, Ohio, at a minimum guaranteed rental of $15,000 monthly for the first 3 months and $20,000 monthly, thereafter, during the life of the lease. Approved January 9, 1948.

Lease of portions of surplus magnesium plant at Spokane, Wash., to the Chromium Mining & Smelting Co. of Chicago for 5 years, with annual rentals of 2 to 6 percent, on plant valuation of $9,999,170 with such rental percentage graduated upward during the 5-year lease period. Approved February 26, 1948.

## REPUBLIC OF ISRAEL

Mr. BARKLEY. Mr. President, before we enter upon a discussion of the unfinished business, which is the civil-functions appropriation bill, I wish to make a brief comment upon an international occurrence of great importance not only to the people involved but, I believe, to the world. I refer to the creation and the present existence of the Republic of Israel, recognized first by the Government of the United States, which I think was an appropriate priority in regard to the recognition of this new member of the family of nations.

All of us are familiar with the tragic story involving the history of Palestine and the Jewish people. We are familiar with the historical conquest of that little country and of that great people, including the Roman Empire's overrunning of Palestine and the final dispersal of the Jewish people. During all these centuries, no matter where the Jew has found his home, he has in his heart held closely the ambition and the desire that ultimately there might be created in Palestine a free nation to which the Jews might resort—not all of them, of course, because no one is optimistic enough to feel that even a majority of the Jews of the world will ever live in this new republic; but it has been the historical ambition of the Jewish people that the seat of their ancient existence, their birthplace, from which they were expelled by brutal force, should ultimately become a free nation.

It is unnecessary to recount the efforts which have been made in that direction, the sacrifices and the tragedies which have followed the Jewish people from the time of their dispersal until this hour. It is unnecessary to recount the heartaches which have accompanied the efforts to establish a free, independent nation in Palestine. It is unnecessary to recount any of the mistakes which may have been made either by the Jewish people or by their friends, in or out of public office, in the effort to establish a free nation in Palestine.

When the United Nations was created, I think it was the sentiment of a vast majority of those who were familiar with the subject and the situation that the United Nations should act in such a way and render such a decision as to create a new nation which might itself become a member of the United Nations and be heard in its own defense on any proposal or any condition in which it might be concerned. Personally, I had hoped that all of Palestine might become a free nation, to be occupied and inhabited by the people of every race and every religion who might desire to remain there or to go to this new nation as a home.

The United Nations, through its proper commission, recommended the partition of Palestine, giving the Jews a certain portion of it, which was to be allotted to them for the establishment of a free, independent nation. They accepted that decision of the United Nations. I am sure that all of us had hoped that the decision of the United Nations would be recognized by all interests involved—the Arab and the Jew and non-Arab and non-Jew—who not only are concerned with the reestablishment of a home in Palestine for the Jew, but who are dedicated to the proposition that self-determination by any people is a worthy ambition for their consummation.

Unfortunately, this decision has not been accepted with the degree of cooperation and tolerance which we had a right to expect; and this is a rather strange situation, in a sense, because the amount of land involved is so infinitesimal, when compared to the total area of the world or when compared to the area of the territory occupied by the Arabs, which is so large in proportion to the area of the land involved in Palestine that it seems rather difficult to understand, certainly from any territorial viewpoint, why the Arabs oppose the creation of this small nation along the Mediterranean, to which the Jewish people may repair for citizenship and cooperation and development.

It seems to me that the creation of this nation, even under the difficulties and turmoil with which it is now surrounded, is a vindication of the United Nations. I feel confident that the recognition of this new nation by the Government of the United States is likewise a vindication of the decision of the United Nations in the partitioning of Palestine between the Jews and the Arabs.

Notwithstanding present difficulties, I sincerely hope that through the interposition of the United Nations, there

may be brought about peace in the Middle East between the Jew and the Arab, that there may be a strengthening of the new nation which has just started out upon its tempestuous career; that all the world will recognize the justice of the decision of the United Nations and the justice of our recognition of this new nation in the Middle East, and that ultimately, without further bloodshed or further fanaticism or further appeal to prejudice of any sort, this new nation among the nations of the world may find a place at the council table of the United Nations, that it may find welcome among all the other nations of the world, and that in a very short time the other nations of the world will acknowledge and recognize the creation and existence and the right to creation and existence of the new Republic of Israel.

Mr. President, I read the proclamation setting up the new government for the Republic of Israel. It seems to me so fair, so tolerant, and so broad-minded, recognizing the right of all peoples within the territory, regardless of race, creed, or ancestry, to enjoy liberty and freedom under the flag of the new Republic, that I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, the proclamation creating the new Republic of Israel, in order that we may embalm in the RECORD of our proceedings this historic document.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

The land of Israel was the birthplace of the Jewish people.

Here their spiritual, religious, and national identity was formed. Here they achieved independence and created a culture of national and universal significance. Here they wrote and gave the Bible to the world.

Exiled from Palestine, the Jewish people remained faithful to it in all the countries of their dispersion, never ceasing to pray and hope for their return and restoration of their national freedom.

Impelled by this historic association, Jews strove throughout the centuries to go back to the land of their fathers and regain statehood. In recent decades they returned in their masses. They reclaimed a wilderness, revived their language, built cities and villages, and established a vigorous and ever-growing community, with its own economic and cultural life. They sought peace, yet were ever prepared to defend themselves. They brought blessings of progress to all inhabitants of the country.

In the year 1897 the First Zionist Congress, inspired by Theodore Herzl's vision of a Jewish state, proclaimed the right of the Jewish people to a national revival in their own country.

This right was acknowledged by the Balfour Declaration of November 2, 1917, and reaffirmed by the mandate of the League of Nations, which gave explicit international recognition to the historic connection of the Jewish people with Palestine and their right to reconstitute their national home.

The Nazi holocaust which engulfed millions of Jews in Europe proved anew the urgency of the reestablishment of the Jewish state, which would solve the problem of Jewish homelessness by opening the gates to all Jews and lifting the Jewish people to equality in the family of nations.

Survivors of the European catastrophe, as well as Jews from other lands, claiming their right to a life of dignity, freedom, and labor, and undeterred by hazards, hardships, and obstacles, have tried unceasingly to enter Palestine.

In the Second World War, the Jewish people in Palestine made a full contribution in the struggle of freedom-loving nations against the Nazi evil. The sacrifices of their soldiers and efforts of their workers gained them title to rank with the people who founded the United Nations. On November 29, 1947, the General Assembly of the United Nations adopted a resolution for reestablishment of an independent Jewish state in Palestine and called upon inhabitants of the country to take such steps as may be necessary on their part to put the plan into effect.

This recognition by the United Nations of the right of the Jewish people to establish their independent state may not be revoked. It is, moreover, the self-evident right of the Jewish people to be a nation, as all other nations, in its own sovereign state.

Accordingly we, the members of the National Council, representing the Jewish people in Palestine and the Zionist movement of the world met together in solemn assembly by virtue of the natural and historic right of Jewish people and of resolution of the General Assembly of the United Nations:

Hereby proclaim the establishment of the Jewish state in Palestine, to be called Israel.

We hereby declare that as from the termination of the mandate at midnight this night of the 14th to 15th of May 1948 and until the setting up of duly elected bodies of the state in accordance with a constitution to be drawn up by a constituent assembly not later than the 1st day of October 1948, the present National Council shall act as the Provisional State Council and its executive organ, the National Administration, shall constitute the Provisional Government of the State of Israel.

The state of Israel will promote the development of the country for the benefit of all its inhabitants; will be based on precepts of liberty, justice, and peace taught by the Hebrew prophets; will uphold the full social and political equality of all its citizens without distinction of race, creed, or sex; will guarantee full freedom of conscience, worship, education, and culture; will safeguard the sanctity and inviolability of shrines and holy places of all religions; and will dedicate itself to the principles of the Charter of the United Nations.

The state of Israel will be ready to cooperate with the organs and representatives of the United Nations in the implementations of the resolution of November 29, 1947, and will take steps to bring about an economic union over the whole of Palestine.

We appeal to the United Nations to assist the Jewish people in the building of its state and admit Israel into the family of nations.

In the midst of wanton aggression we call upon the Arab inhabitants of the state of Israel to return to the ways of peace and play their part in the development of the state, with full and equal citizenship and due representation in all its bodies and institutions, provisional or permanent.

We offer peace and amity to all neighboring states and their peoples, and invite them to cooperate with the independent Jewish nation for the common good of all. The state of Israel is ready to contribute its full share to the peaceful progress and reconstitution of the Middle East.

Our call goes out to the Jewish people all over the world to rally to our side in the task of immigration and development and to stand by us in the great struggle for the fulfillment of the dream of generations—the redemption of Israel.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a statement on the same subject issued on Saturday last by the distinguished President pro tempore, the Senator from Michigan [Mr. VANDENBERG].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The prompt recognition of the provisional government as the de facto authority in the new state of Israel is the logical and proper step following the termination of the British mandate. It takes account of the reality that no other authority can fill what otherwise would be a cruel and dangerous vacuum in this area of Palestine. It responds to a basic decision of the United Nations taken at our instance. It is positive action after many months of critical and unhappy indecision. If the present course of the United States is followed by other governments, I am unable to believe that the parties in controversy cannot be successfully summoned to the bar of the United Nations in behalf of an urgent truce. The restoration of law and order and an environment of peace is indispensable to the best evolution for all concerned.

Mr. O'CONOR. Mr. President, I desire to associate myself with the Senator from Kentucky [Mr. BARKLEY] in the views expressed concerning the recognition by the United States of the state of Israel.

The state of Israel is now a reality. This significant development, after years of constant effort and suspense, should mark a turning point in the struggle of an oppressed people for just recognition of their rights and of their claims.

But more remains to be done than formal recognition of the existence of the state of Israel. Having taken the lead in according this recognition, the United States should pursue every effort consistent with our position among the family of nations to assist in the consummation of plans for the fulfillment of the destiny of the new state.

Last February 11 I addressed the United States Senate on the question of Palestine and at that time urged that the arms embargo—then and now—in effect against the Jewish inhabitants of that unfortunate country was indefensible and should be lifted promptly.

Historic events have transpired since that time. Tragic events that have brought bloodshed and death to the sacred places where once the Prince of Peace taught his lessons of good will to all. The termination of the British mandate over Palestine, and withdrawal of the troops which have maintained whatever peace there was throughout that area in recent months, have paved the way for establishment by the Jewish people of the homeland for which millions throughout the world have prayed.

Today that homeland, Israel, stands as an accomplished fact. Our own country, which in November took the lead toward bringing about the recommendation for partition by the General Assembly, now again has been the first to recognize the new state of Israel. But, the United States, after giving its sanction to partition, denied the Jewish people of Palestine access to the armaments and munitions without which they could hardly be expected to defend themselves against the aggression which everyone knew would follow any attempts to set up a separate Jewish state. So today, with that separate state estab-

lished, and in the face of all-out attacks from the air as well as by ground forces, our Nation strangely, and contradictorily, still denies the Jewish armed forces access to weapons and other military supplies. Yet these are available to their enemies from sources within the United Nations.

Let us be consistent. Our international policy should be in accord with realities. We cannot continue to welcome the new Jewish state with one hand, while with the other we hold her off from obtaining the means of defense which alone will permit her to win through this critical period of her existence. Israel deserves an opportunity to prove her ability to stand among the nations of the world as a free and sovereign state.

Let us, also, cooperate to the utmost in having Israel admitted as a member of the United Nations. In this way we will give further evidence of our readiness and willingness to aid a sovereign people in its announced plan to achieve lasting peace with the freedom-loving nations of the world.

Mr. BREWSTER. Mr. President, I should like to associate myself with the remarks of the Senator from Kentucky [Mr. BARKLEY] in expressing the profound gratification of many of those who have appreciated the significance of the developments in the Middle East, in the prompt action by our Government in being the first to recognize this new state. It is born under auspices that no other state in the history of mankind has ever enjoyed, as a result of the considered conclusion of the United Nations, representing far more than two-thirds of the opinion of mankind, practically all the nations of the world outside those with large Moslem populations, in pronouncing partition as the solution of the Palestinian problem, and defining the boundaries of the state which has come into being, associated with our Government.

There were delays and variations in policy which have very greatly injured apparently our prestige in the United Nations, but at the same time expressing I think what is the strong support of many Americans for the action of our Government.

In this connection I was privileged to read the discussions yesterday in connection with the recognition of Russia, by the distinguished chairman of the Senate Committee on Foreign Relations, and the care and attention which was given to that problem at that time. I trust that there will be further clarification of the considerations which have led to this recognition, which, in my judgment, is amply justified, and also of the implications of the recommendation in the assigning of representatives to the new state that shall be selected with due regard for the very delicate problems presented. Moreover, I trust there will be an immediate lifting of the embargo upon the shipment of arms, in order that this new state may be able now to defend itself against the obvious acts of aggression which have been notified by the Government of Egypt to the Security Council of the United Nations.

I think it is anomalous and somewhat regrettable that the Government of Egypt, which was unable to raise a hand in defense of its own independence, or in association with the Allies during the late World War, should now find it expedient to use its armed forces for the invasion of Palestine, as it is said in their statement, "in order to subdue terroristic bands." The methods adopted for the subduing of terroristic bands, consisting apparently of the bombing from the air of the open city of Tel Aviv, are very curious methods to adopt, and I trust that the Security Council of the United Nations, under the agreements and under the Charter will see fit very promptly to take cognizance of actions of this character, and to take appropriate measures to see that such action by members of the United Nations shall not be permitted further to destroy the prestige of the United Nations, which has already suffered very greatly as a result of the somewhat tortuous course pursued in dealing with the Palestinian problem, which has so long challenged the statesmanship of all the world.

I am grateful for what has been done, and I trust it means that now, in the language of the distinguished chairman of the Committee on Foreign Relations, the other nations of the world may see fit to follow the present policy of the United States, without deviation, and, by that method, restore somewhat the prestige of the United Nations as an instrument of preserving peace, and also contribute to the stability of this new state that has been born, which, in my judgment, may once again send to all the world a message of peace and good will, if the plain mandates of the United Nations and the Charter are now applied to this very delicate problem.

Mr. IVES. Mr. President, I rise to join other Senators in hailing the establishment of the new state in Palestine, the state of Israel. Its establishment has a tremendous world-wide significance and is likely to have a world-wide impact, the effect of which is hard to comprehend at the present time. I very thoroughly agree with the well-chosen remarks which have been expressed by those who have preceded me.

As I view this event from an over-all standpoint, it provides the United States and the other nations of the world with a great challenge. Upon the outcome of our ability and the world's ability, as expressed through the United Nations, to meet this challenge may depend ultimate peace for mankind. It is not my purpose unduly to express satisfaction in what appears to be a reversal of the policy of our national administration, although I do take such satisfaction; and I am very glad to note that the realities of conditions as they exist finally have been recognized. This seems to me to be a time to consider what we as a nation should do now where Palestine and the United Nations are concerned.

Mr. President, I said this situation constitutes a distinct challenge. It is a challenge to us now that our Government has reversed itself and made a decision, to pursue that decision, and to abide by it regardless of obstacles or consequences. It is a challenge to us to fulfill our own obligations where the United Nations is concerned and to see to it that, insofar as we have a responsibility to the United Nations, that responsibility shall be met in full. And it is a challenge to the United Nations to see that its machinery is made to function as effectively as possible to meet crises of this particular kind.

Much has to be done by the United Nations, much has to be done by ourselves, to insure that, out of the effort which is now being undertaken in Palestine, partition and a permanent state will be finally realized in perpetuity. Several of the steps yet to be taken by us have been mentioned, namely, the lifting of the arms embargo, the giving of as full recognition as we can give to the new state of Israel, and the realistic expression of the full sympathy which is ours toward a people struggling to be free and independent, a people who, like ourselves, have great democratic concepts imbedded deeply in their philosophy of life. They deserve our sympathy just as far as we can extend it; they deserve our moral support just as far as we can give such support; and they deserve every other appropriate kind of support which we can provide to help bring out of the present crisis the assurance that the state which has now become a reality shall live in perpetuity.

I join the rejoicing at the present time; but in the midst of rejoicing and in the midst of the satisfaction which we can take as the result of an eventuality which has followed seeming failure on our part and on the part of the United Nations to act effectively in the past, much remains to be done, and much is involved which should give us pause in contemplation of consequences which may ensue and of mighty problems which lie ahead. The struggle in Palestine is not finished; the outcome still hangs in the balance. We cannot anticipate with certainty at the present time what the ultimate results will be. We can hope; we can have faith; and we do have hope and faith. But unless the new state has the moral support of ourselves and of the United Nations in such a manner that the United Nations, through the instrumentality of the Security Council and the other available United Nations' machinery, may take appropriate and effective action; unless we are determined to see that the problem is met squarely and that the result is to be, as it should be, the complete and ultimately successful establishment of the state of Israel in Palestine, may not be realized.

Therefore, Mr. President, in closing, I repeat that it remains for us as a Nation to accept this new challenge, with which we are now faced; to stand steadfast on the decision to recognize the State of Israel; to exercise the moral influence which should be ours; and, through its exercise, to obtain through the instrumentality of the United Nations, the results and the ultimate success for which we hope and pray and which should be obtained.

Mr. MAGNUSON. Mr. President, I want to associate myself with the remarks of the distinguished Senator from Kentucky [Mr. BARKLEY]. I was pleased to hear the Senator from Maine [Mr. BREWSTER] add his remarks to those of

the Senator from Kentucky. The matter of the recognition of Palestine comes with a great deal of satisfaction to me and, I know, to the Senator from Maine. I think we were the first advocates of that move. As the Senator from New York [Mr. IVES] has said, there is much more to be done. I hope that now that we have made the decision we will stick to it and see that it is carried out.

Mr. LUCAS. Mr. President, on last Saturday, following the recognition of the new Jewish state by the United States, the Senator from Illinois issued a statement to the press. I now ask unanimous consent that the statement issued at that time be incorporated in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The dramatic announcement by President Truman of the recognition by the United States of the new Jewish state of Israel will strike a responsive chord in the hearts of freemen all over the world.

By the President's bold and statesmanlike act, the new Jewish state starts life under the most favorable auspices. The greatest nation in the world has given its sanction to the creation of the newest nation.

The recognition of Israel is doubly gratifying to me because throughout my public career I have struggled side by side with all men of good will in America who have worked to create a homeland for the Jews in Palestine.

The American people, remembering that their own aspiration for freedom was achieved only through force of arms, have a deep sympathy for those who now carry the banner of Israel on high.

Good morals require us to lend our material help to free nations menaced by aggression. Now that the new Jewish state has achieved recognition, and the British mandate has ended, the time has come to remove the embargo on the shipment of arms to that country.

The caliber of the men who now constitute the leaders of Israel guarantees a just and wise administration of that nation. I am satisfied that their actions in the troubled months which lie ahead will amply justify the confidence placed in them by the President of the United States and the American people.

## DEATH OF FATHER FLANAGAN

Mr. WHERRY. Mr. President, it is with profound sadness that I rise at this time to call attention to the Senate of the death on Saturday of Msgr. Edward J. Flanagan.

Father Flanagan was one of Nebraska's best loved citizens. He was likewise one of its most famous residents, being known the world over as the founder and developer of Boys Town.

His untimely death came in the line of duty. He died in an American military hospital in Berlin while traveling abroad to help the United States Army in the development of youth facilities in occupied areas. It was his second major trip overseas in such a capacity. A similar visit had been made by him last year in Japan and the Far East.

No word I express here today could compare with the living monument which will perpetuate the name of Father Flanagan. Boys Town, which he founded in 1917 on $90 and a burning conviction that there is no such thing as a bad boy, has grown and flourished. I doubt if there is another institution like it. Today it is one of the unique institutions of its kind in the world. It has become a vast enterprise, and in very recent years several million dollars have gone into the expansion and improvement of both the physical plant and the service to homeless youth which represent the modern Boys Town, a separate incorporated community.

The 5,000 boys who have been renewed in their belief in mankind and prepared for life during the 32 years of Father Flanagan's endeavors among them will be an ever-spreading leaven in the life of our Nation. The total benefits can never be computed.

Through his remarkable capacity, backed by his faith in God and in the soundness of the American boy, Father Flanagan overcame many obstacles in the development of his idea.

Boys Town now covers a thriving 160-acre area, on which are dormitories, business offices, grade and high schools, and other buildings. Not only are the boys cared for in a material way, but under Father Flanagan's wise policy they are trained for citizenship. They govern themselves, through a mayor and six commissioners elected every 6 months among themselves.

In Boys Town democracy rules supreme. There is no difference in treatment because of race, religion, or color. The boys are taught standard school subjects, to prepare them for successful careers. Many of them have gone to college.

As evidence of the esteem in which Father Flanagan and his achievements were held in Nebraska, he served for 10 years as president of the Omaha Welfare Board, and was accorded many honors by the citizenry, including that of Omaha's "first citizen" award by Post No. 1 of the American Legion in Omaha and the humanitarian award of the Variety Clubs of America.

In these times, when juvenile delinquency has attained such proportions throughout the world, it is fitting indeed that we pay tribute to and acclaim to all our people the achievements of Father Flanagan. Truly the world is a better world for his having lived in it. The procedures he developed in the handling of boys will be employed by others to the benefit of all youth fortunate enough to come under their beneficent influence.

All of this occurred because in the heart of this priest was a desire to help his fellow man. But Father Flanagan had more than the desire to act; he had the unique gift of leadership, and the ability to transmit his enthusiasm into the hearts of others.

Father Flanagan now has concluded his part in the task of establishing and developing Boys Town, but Father Flanagan's spirit will live as long as the hearts of men respond with compassion and generosity to prolong and expand the program for orphaned youth to which Father Flanagan gave his life.

He was a living example of the true American spirit in the highest and best form.

Mr. BUTLER. Mr. President, I wish to join with my esteemed colleague the junior Senator from Nebraska [Mr. WHERRY] in the very splendid statement he has made with reference to our mutual friend, the late Father Flanagan.

It was my privilege to know Father Flanagan very intimately for the past 30 years. He started his work for boys, as my colleague has just said, in 1917. I became a resident of Omaha during 1918, and immediately learned of the fine work Father Flanagan was doing, and became personally acquainted with him. I was a member of many civic boards in the city of Omaha with Father Flanagan, so I know intimately of the devout interest he took in the kind of work to which he devoted his life. I endorse everything my colleague has said with reference to this great man. My State, yes, and the Nation, have lost one of their great men. The work he has done will remain always as a monument to his memory.

Mr. LANGER. Mr. President, I wish to associate myself with the Senators from Nebraska in the fine tribute they have paid Father Flanagan. During the time I was Governor of my State he came to North Dakota and visited what we called at that time the State Industrial School, to which delinquent children were sent. Father Flanagan spent over a week interviewing the boys then in the school, and asking the authorities of our State to send certain of the boys to Boys Town, in Nebraska. Later Father Flanagan appeared before various congressional committees, and in my opinion made a fine contribution in behalf of finding a solution of the problem of juvenile delinquency.

The death of Father Flanagan comes as a very great loss not only to the State of Nebraska, but to the entire Nation.

Mr. GURNEY. Mr. President, South Dakota is a neighbor of Nebraska, and as one of the representatives in the Senate of the citizens of my State, I join with my colleagues from Nebraska and North Dakota who have so eloquently expressed the thoughts of the people in our area regarding the good work done by Father Flanagan. All those residing in that area know about his devotion to the task of lifting boys to a higher level of life, and we feel that in Boys Town there is a living memorial to the work Father Flanagan has done. It furnishes a goal which many other communities could well seek to reach, for we know of the great work he has done for the young citizens, not only of our area but of the whole United States.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

Mr. GURNEY obtained the floor.

Mr. WHERRY. Will the Senator yield so that I may suggest the absence of a quorum?

Mr. GURNEY. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Millikin |
| Ball | Hatch | Moore |
| Barkley | Hawkes | Morse |
| Brewster | Hayden | O'Conor |
| Bricker | Hickenlooper | Pepper |
| Brooks | Hill | Reed |
| Buck | Hoey | Revercomb |
| Butler | Holland | Robertson, Va. |
| Byrd | Ives | Saltonstall |
| Cain | Jenner | Smith |
| Capper | Johnson, Colo. | Sparkman |
| Chavez | Johnston, S. C. | Stennis |
| Connally | Kem | Taft |
| Cooper | Kilgore | Taylor |
| Cordon | Knowland | Thomas, Okla. |
| Donnell | Langer | Thomas, Utah |
| Downey | Lodge | Tydings |
| Dworshak | Lucas | Vandenberg |
| Eastland | McFarland | Watkins |
| Ecton | McKellar | Wherry |
| Ferguson | McMahon | Wiley |
| Fulbright | Magnuson | Williams |
| George | Martin | Wilson |
| Green | Maybank | Young |

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate on public business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Wyoming [Mr. ROBERTSON] are absent on official business.

The Senator from Nevada [Mr. MALONE] is absent on official business attending the funeral of the Honorable John H. Overton.

The Senator from Minnesota [Mr. THYE] is absent by leave of the Senate.

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Georgia [Mr. RUSSELL], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Rhode Island [Mr. MCGRATH] are members of the committee on the part of the Senate attending the funeral of the late Senator John H. Overton, of Louisiana, and are therefore necessarily absent.

The Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from Montana [Mr. MURRAY] and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present.

Mr. GURNEY. Mr. President, we have now before us the civil-functions bill for the Department of the Army. It is quite evident that we cannot conclude the subject this afternoon, for the reason that we are awaiting the return of Senators attending the funeral in Louisiana of our late colleague and great friend, Senator OVERTON. They will not return until tomorrow. Nevertheless, this afternoon I wish to make the opening remarks on the bill. It is a very important measure. In view of the size of the appropriation, $708,000,000, it must receive serious consideration.

I invite the attention of Senators present in the Chamber at the moment to the book in which the hearings are printed. It contains 1,430 pages, with the index. The committee held hearings for longer than 2 weeks. The bill was reported to the Senate from the Committee on Appropriations by vote of 16 to 3.

In presenting House bill 5524, the so-called civil-functions appropriations bill, to the Senate, I should like to take a few minutes to explain briefly what the bill contains and to outline the reasons why the Senate Appropriations Committee by an overwhelming majority has recommended its passage.

The civil functions of the Army Department are varied in nature and are administered by several branches of the Army. The Corps of Engineers carries on river and harbor and flood-control work; the Quartermaster Corps has responsibility for burial of the war dead and maintains the United States Soldiers' Home; the Signal Corps operates and maintains our Alaskan communications system; and the Army Department, through General Mehaffey, maintains and operates the Panama Canal. All these are considered civil functions of the Army Department, and this bill provides the funds with which these functions are carried out.

The Budget Bureau requested that Congress appropriate $737,804,300 for Army Department civil functions for the fiscal year ending June 30, 1949. The House reduced this request to $606,558,766 and the Senate committee has raised the House figure to $708,586,666. The bill in its present form is below the budget request to the extent of $29,217,634. For comparison, the present bill appropriates $206,462,754 more than was appropriated for the current fiscal year.

Since the river and harbor and flood-control work carried on by the Corps of Engineers represents by far the largest percentage of the total expenditures for civil functions, it is that portion of the appropriation bill with which I want to deal in some detail.

River-and-harbor and flood-control projects come before the Appropriations Committees after they have been authorized by the Public Works Committees of Congress. Prior to such authorizations studies must have been requested by Congress. The projects in the bill now before you have been conceived and brought along thus far as a result of prior congressional action. These projects have survived a rigorous screening process. In the first place, there must be reason for the authorization for the initial study, and subsequent to such authorization these projects must run the gantlet of engineering consideration, feasibility and economics, local support, interagency concurrence, State approval, and favorable congressional action. After such projects are authorized, they are added to the backlog of projects which the Chief of Engineers has before him when he makes out his budget requests for a fiscal year.

The Corps of Engineers is a decentralized organization, with skilled engineers on the ground where the projects are located. In making up his annual budget, the Chief of Engineers calls for recommendations from his field officers. These recommendations are scrutinized carefully by the Chief of Engineers in his own office, and each project is put through, anew, the test of economic justification, to be sure that the rising benefits have more than kept pace with the rising costs. The optimum engineering construction rate is decided upon; and finally, subsequent to all these analyses, the projects are presented to the Bureau of the Budget. In his presentation of his budget to the Bureau of the Budget, the Chief of Engineers again runs the gantlet of economic necessity, possible postponement, immediate need, and so forth. The projects included in the bill now before the Senate are those which have successfully completed this administrative obstacle course.

Navigation projects are in the nondeferrable category because they actually serve one of the vital transportation needs of this country. It is interesting to note that during the last years of the recent war, great impetus was given to the construction and utilization of large and deep-draft tankers and freighters to provide more expeditious and economical transportation of foreign and coastwise cargoes. Likewise, similar progress was made in the development of large river towboats and cargo barges for similar transportation of cargoes on the rivers.

For example, before the war, the typical tanker had a draft when fully loaded of 27 feet, while our present-day fleet of T–2 tankers draws over 30 feet when loaded to capacity of 140,000 barrels—which is half again as great a load as prewar tankers carried. Bigger ships need deeper channels.

The American-flag fleet has grown from 12,000,000 deadweight tons in 1939 to 41,000,000 tons in 1947. Similarly, river tows have increased tremendously in size. While before the war the value of commodities carried in one river tow rarely exceeded $200,000, today million-dollar tows are common. Larger barges and bigger tows demand better loc! facilities.

All the while these tremendous advances were being made in the various types of cargo-carrying vessels, the development of navigation projects to keep pace therewith was halted by the war. Furthermore, even the maintenance of existing facilities was drastically curtailed throughout the war years. We finally took cognizance of the lag in waterway improvements, and passed the 1945 and 1946 River and Harbor Authorization Acts. Having done that, it would be foolhardy and inconsistent to fail to appropriate the implementing funds.

It is significant to note that the 1938 appropriation act, before the war, for the improvement of river and harbor projects amounted to $91,000,000. The amount the Senate committee recommends for that purpose during the fiscal year 1949

is $113,000,000—or only slightly more than we appropriated 10 years ago when domestic, foreign, and coastwise water traffic was much less than it is today. In 1938 the Engineering News-Record index for construction stood at 235. Today it stands at 440; construction costs have nearly doubled. That means that in order to accomplish the same volume of work that was done 10 years ago, we should appropriate about $180,000,000. Actually we are proposing the appropriation of only $113,000,000.

The committee believes that reasonable progress should be made toward meeting the widespread public demand for the accomplishment of work on the backlog of improved water transportation facilities that play such an important part in our present-day economy.

For many days the subcommittee had before it literally hundreds of individuals and groups representing communities large and small, spread over the entire country; 1,430 pages of hearings were taken. For the most part, they represented logical and convincing justifications for their needs. The total value of the river and harbor improvements which were recommended to our subcommittee over and above those included in the House version of the bill is $105,000,000. The subcommittee carefully scrutinized and analyzed every item presented to it; and of that $105,000,000 we added only $38,000,000 to the House version of the bill, making a total of $113,000,000 for river and harbor construction.

This civil functions appropriation bill has been characterized by some persons as a stupendous pork barrel. In a sense, I agree. I believe it is a pork barrel which will put pork chops and bacon and roast pork on millions of dinner tables all over the United States. I am in favor of that. I am in favor of any program that will help to increase our production of food and other agricultural products. There are a number of ways to stimulate agriculture temporarily and to obtain large production records for a few years, but all stop-gap measures inevitably cause serious depletion of and permanent injury to our land resources. The only way to be sure that our present efforts to help feed the world do not invite the ghost of hunger at home is for us to move rapidly toward the greatest possible conservation and preservation of our land and toward a higher permanent level of agriculture.

The projects in this bill, and particularly the flood control program contained in it, aid agriculture directly in four significant and distinct ways.

The first is the direct prevention of loss of crops and livestock which comes about when swirling flood waters engulf and destroy hundreds of thousands of acres of growing crops and pastures. Not only has the cost which has gone into such crops in the way of seed and planting and cultivation been lost forever, but the food values and industrial raw materials represented by them are lost, and employment opportunities inherent in the growing crops are wiped out forever. The disruptions caused by these losses as they spread throughout our economy are staggering to the imagination, and are fully understood only by specialized agricultural economists. However, many of us know from our own experience and observation, as well as from the vivid comments of our friends and neighbors who have been flooded out, that the economic loss and suffering to farmers are very real.

Flood control also makes it possible to grow crops where the hazard of overflow is otherwise so great that farmers are unable to risk the losses from flooding. There are hundreds of thousands, and probably millions, of acres of rich river bottomlands which now are unused and are wasting away as brush lands or are put only to a relatively unproductive type of use, simply because they are endangered by annual or more frequent inundation. Proper flood control removes this hazard from these fertile lands, and will make it possible to add these areas to our resources of rich, crop-producing lands. Here, again, the influence of greater agricultural prosperity on our entire economy and national life is extremely widespread and important. Thousands of prosperous farming communities throughout our entire Nation are convincing testimony that a sound and expanding agriculture is the backbone of our democracy.

In addition to lands subject to frequent flooding, our great country has many millions of acres of fertile land which is totally useless because it lacks adequate drainage. Our flood-control program includes many projects for the improvement of stream channels and major drainage courses in order to provide means for rainwater and snow melt to more rapidly find their way to the larger streams and eventually to the oceans. As these projects are built, it becomes feasible for drainage districts and individuals to provide the lateral drains and ditches for drying up the swampy areas and, in turn, this makes it possible to bring these lands into production.

The civil-works program also includes a number of multiple-purpose reservoir projects which include important irrigation features. In the western part of the country, practically the entire agricultural economy depends on irrigation and the only way to expand agriculture is through better conservation and use of the limited water supply which nature provides. Merely as examples of the projects in this bill which will benefit agriculture through irrigation, I cite the Folsom, Pine Flat, and Isabella Reservoirs in California and the McNary Reservoir in Oregon and Washington.

Destiny has forced upon the United States the mantle of leadership for freedom-loving peoples throughout the world. As a Nation, we have recognized our obligation in this respect and the Congress recently passed the Economic Cooperation Act which is designed to to help stabilize the economies of friendly foreign nations. To get a balanced perspective on what we are doing for foreign countries as compared to what we propose to do in this civil-functions bill for our own economy, I think some comparisons might be helpful.

As you know, Mr. President, the bill we are currently considering came out of committee with a thumping 16 to 3 majority. The three Senators who opposed this bill in committee and who have filed a minority report are recommending that the amount in the bill be scaled down $200,000,000. In that connection I think it is significant to note that under ECA it is contemplated that during the first 12 months we will spend for coal production equipment in foreign countries the sum of $49,100,000; for petroleum production equipment we will spend $42,400,000; for steel manufacturing equipment, $28,300,000; for electrical equipment, $43,300,000; and for freight cars, $53,000,000.

So, Mr. President, we are going to spend $216,100,000 to help develop the natural and industrial resources of foreign countries and yet there are those who contend that we should cut this bill down by about an equal amount. This call to aid foreign countries, in my opinion, makes it mandatory now that we proceed apace, not only for the protection of our own priceless natural resources, but quickly push this program which will make it possible for us to continue to expand our ability to produce in order also to meet these foreign demands.

I believe in the purposes of the Economic Cooperation Act, and I cast my vote for the program enthusiastically. However, to think that we can be permanently helpful to foreign countries, not to say anything of ourselves, if we neglect to protect our own resources is sheer madness, and Mr. President, this is a bill to protect our resources, as a few facts and figures will prove beyond the shadow of a doubt, in my opinion.

The total estimated reduction in damages to date from the operation of completed, and partially completed, flood-control projects amounts to approximately $4,500,000,000. Four billion five hundred million dollars has been saved so far by projects heretofore completed. Of this amount, $4,000,000,000 is credited to flood prevention in the lower Mississippi Valley since the initiation of that project. The remaining benefits creditable to flood-control projects cover a much shorter period since the general flood-control program was placed in operation subsequent to the 1936 Flood Control Act and only very few projects were placed in operation during war years.

It is estimated that the projects in the appropriation bill as passed by the House will, when completed, provide annual benefits estimated at $205,710,000 of which $141,230,000 are flood-control benefits and $40,950,000 power benefits; the remaining $23,530,000 represent other benefits.

It is estimated that the projects in the appropriation bill as reported by the Senate committee will, when completed, provide annual benefits estimated at $218,760,000, of which $149,530,000 are flood-control benefits; $42,670,000 are power benefits; and the remaining $26,560,000 are other benefits, although in the Senate bill many projects will be completed much sooner, and, therefore, benefits will come earlier.

As an example of benefits obtained by the reduction of flood damages, the following information is given concerning the operation of projects in the Ohio

River Basin during the April 1948 flood. The total reductions in estimated damages credited to the operation of flood-control reservoirs in the Ohio River Basin during the April 1948 flood have been estimated at $31,900,000, of which $30,960,000 was obtained along the main stem of the Ohio River from Pittsburgh to Maysville, Ky., and reductions in damages in the amount of $940,000 accrued on tributary basins.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. YOUNG. The Senator is speaking of appropriations and of benefits to the Nation as a whole. I wonder if he has any figures showing what percentage of the appropriations will be repaid by the various political subdivisions where the projects are constructed. I believe practically every project carries a repayment feature. Is that correct?

Mr. GURNEY. Irrigation projects fall in that category.

Mr. YOUNG. I know that many of the Army projects do, too, under the pending bill.

Mr. GURNEY. That is correct.

Mr. YOUNG. Does the Senator have any idea as to what percentage of repayment there is on the average projects under the jurisdiction of the Army engineers?

Mr. GURNEY. As the Senator knows, the irrigation projects generally come under the Bureau of Reclamation. The percentage of repayment on Corps of Engineers projects, whether flood-control or rivers and harbors, is generally small as compared with projects under the Bureau of Reclamation.

Mr. YOUNG. But there is rather a large repayment provision made in connection with their projects.

Mr. GURNEY. Similarly, proceeding with the story of the Ohio River project units, local protection works in the Ohio River Basin prevented damage estimated at $15,875,000, of which $14,815,000 accrued to urban areas along the main stem of the Ohio River, $320,000 to urban areas on tributary basins, and $740,000 to rural areas along tributary basins. The total reduction in damages in the Ohio River Basin, the one basin during the current flood attributed to the operation of completed, or partially completed, flood-control projects, therefore, total $47,775,000.

I desire to comment briefly on the hydroelectric power-generating feature of some of the projects included in this bill. At the present time, Mr. President, the entire country, with a few exceptions, is operating on a reserve power generating capacity which is dangerously low and which a few years ago would have been considered foolhardy. By interconnections and other interim arrangements it has been possible to keep our power supply intact without compulsory curtailment of use except in critical situations, such as the recent California drought.

We are now engaged in revitalizing our national preparedness program, and one of the basic parts of such a program must be the construction of hydroelectric power projects such as are included in this bill. Everyone knows the vital part which our great power pools from hydroelectric power projects played in aluminum production and aircraft manufacture during the recent war. Less spectacular, but nonetheless important, is the part which the electric power industry, supplemented by hydroelectric power projects, performed in the war effort throughout the entire country. Should another emergency arise, we shall need more electric power than ever before. But we shall not have it unless we start now to tap the power potentialities of the streams of our own United States, as contemplated by this bill.

Mr. President, those who are opposing this bill are basing their opposition on a plea for economy. I can see no economy in an angry river gone berserk, sweeping away forever millions of dollars' worth of property. I can see no economy in an unproductive swamp or an arid plain. I can see no economy in a half-developed navigation system. I can see no economy in a still-born power-development program. In short, Mr. President, I can see no economy in failing rapidly to develop and protect our natural resources.

The large majority of the Senate Committee on Appropriations considers this bill as an investment that will bring dividends far and above the sacrifice necessary to make the appropriation now. Dividends will come in the form of decreased suffering by flooded-out families and industries, increased returns in the form of agricultural production, increased numbers of farm homes, increased use of hydroelectric power that will obviate the use of irreplaceable petroleum needed now for generating electricity by Diesel engines, which, all together, are necessary in the defense of the United States and will go a long way toward increasing our defense potential.

Speaking for 16 of 19 members of the Senate Appropriations Committee, I heartily recommend that House bill 5524 be passed in the form recommended by the committee.

Mr. MAGNUSON. Mr. President, I send to the desk an amendment to the pending bill.

The PRESIDING OFFICER (Mr. COOPER in the chair). The amendment will be received and will lie on the table.

Mr. REED. Mr. President, the chairman of the Committee on Appropriations [Mr. BRIDGES], the Senator from Michigan [Mr. FERGUSON], and I send to the desk and ask to have stated a motion to recommit the bill, with instructions.

The PRESIDING OFFICER. The clerk will read the motion for the information of the Senate.

The Chief Clerk read as follows:

I move that the bill (H. R. 5524, the Civil Functions Appropriation bill) be recommitted to the Committee on Appropriations with the following instructions, namely:

(a) The aggregate items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included.

(b) That the Army engineers be instructed to apply the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that their selections and recommendations be based on—

1. Urgency;
2. Long-range importance;
3. Projects which can be completed with reasonable appropriations; and
4. Projects where the State or municipality bears a portion of the expense.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit, with instructions, offered by the junior Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON].

Mr. FERGUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Millikin |
| Ball | Hatch | Moore |
| Barkley | Hawkes | Morse |
| Brewster | Hayden | O'Conor |
| Bricker | Hickenlooper | Pepper |
| Brooks | Hill | Reed |
| Buck | Hoey | Revercomb |
| Butler | Holland | Robertson, Va. |
| Byrd | Ives | Saltonstall |
| Cain | Jenner | Smith |
| Capper | Johnson, Colo. | Sparkman |
| Chavez | Johnston, S. C. | Stennis |
| Connally | Kem | Taft |
| Cooper | Kilgore | Taylor |
| Cordon | Knowland | Thomas, Okla. |
| Donnell | Langer | Thomas, Utah |
| Downey | Lodge | Tydings |
| Dworshak | Lucas | Vandenberg |
| Eastland | McFarland | Watkins |
| Ecton | McKellar | Wherry |
| Ferguson | McMahon | Wiley |
| Fulbright | Magnuson | Williams |
| George | Martin | Wilson |
| Green | Maybank | Young |

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the junior Senator from Kansas [Mr. REED], on behalf of himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit H. R. 5524 with instructions.

Mr. REED. Mr. President, with a sane and rational administration the minority of the Appropriations Committee who filed the minority views have no difference of opinion. Concerning the overlapping, the waste, the extravagance in four or five of these programs we do have a serious difference of opinion.

The three members who have been mentioned filed minority views, which have been printed. We have compiled additional views of the minority, which I shall not take the time of the Senate now to read, but I ask that the additional views of the minority be printed in the RECORD at this point in my remarks.

There being no objection, the additional views were ordered to be printed in the RECORD, as follows:

ADDITIONAL VIEWS OF THE MINORITY ON THE ARMY CIVIL FUNCTIONS APPROPRIATIONS BILL FOR 1949

I. INTRODUCTION

You are being asked today to pass on H. R. 5524, the Army civil functions appropriation bill for 1949. This bill, as it now stands, envisions the largest appropriations for public-works projects ever contained in such a measure. It would require total appropriations of $708,586,666, which is $102,027,900 higher than the House recommendation of $606,558,766 and only $29,217,634 lower than the budget estimate of $737,804,300.

As reported by the Senate committee, this bill is $206,462,754 higher than the appropriation for these projects last year, and is $400,772,131 higher than the $307,814,535 appropriated for the bill in the prewar peak year of 1940.

As you know, this measure has not received the unanimous support of the Senate Appropriations Committee. The chairman of the committee, the Senator from New Hampshire, the junior Senator from Michigan, and the junior Senator from Kansas raised emphatic protests to reporting the bill as it now stands, believing as we did that such an unwarranted spending authority at this time for these purposes would be not only uneconomical but extremely unwise.

You have before you the minority report on this subject. Of course, we could have maintained a silence on the presentation of the bill, but we deemed it only fair to apprise you of the dangerous consequences should this bill be passed in its present form.

Only 3 months ago the Congress of the United States went on record as supporting a recommended $2,000,000,000 reduction in the President's budget estimates for the coming fiscal year over and above an additional $800,000,000 reduction in contemplated supplementals for the current fiscal year. At the time of adoption this was admitted to be a conservative reduction based on a balanced appraisal of our need for economy and the necessity for large-scale domestic and international commitments. Accordingly, the joint committee on the legislative budget concluded that the $2,000,000,000 reduction in 1949 appropriation requests was not only possible of accomplishment, but was necessary to the continued success of our economy.

II. ACTION ON THE LEGISLATIVE BUDGET TO DATE

Let us look for a moment at what has occurred since. It was recognized that practically 75 percent of the President's budget embraced such items as the interest on the public debt, appropriations for the Military Establishment, and for veterans' benefits. Consequently, from the remaining 25 percent, or approximately $8,200,000,000, must come the vast bulk of the cuts which will total the $2,000,000,000 estimated appropriations reduction. The bills reported in some House or Senate action embrace a total budget estimate of about $7,000,000,000. To date the latest action on these bills in either the House or the Senate indicates a total appropriation of $6,600,000,000. This means that so far we have a gross possible reduction in the budget estimates of about $400,000,000. If we are to continue at the present rate for the remaining items in the original budget estimate which are susceptible to substantial reduction, then the Congress will have accomplished an over-all reduction in appropriations of only about $500,000,000. In other words, we will not only have failed to accomplish the promised reduction, but we will have gone on record as violating the very spirit of our pledge.

III. TAX REDUCTION IMPERILED

Let us not lose sight of the fact that this body by a vote of 77 to 10 enacted a tax-reduction bill of $4,800,000,000. This action was premised, in part, upon a reduction of spending in accordance with the legislative budget target. Take heed, gentlemen, that you are not now unwittingly committing yourselves to restoration of higher taxes as you vote to restore excessive appropriations contained in the pending bill.

IV. PUBLIC WORKS SHOULD BE LIMITED

It was recognized from the very outset that this particular bill was one which provided more flexibility, more possibility of reductions from the budget estimates than perhaps any other measure which will be presented to the Congress this year. We took cognizance of this in the report of the Joint Committee on the Legislative Budget when we told the people of our country that "large-scale expansion and acceleration of public-works projects shall be limited to such projects as are deemed urgently necessary to the public interest." We also realized that every dollar spent unnecessarily at this present time was an additional puff to the inflationary balloon which economists have labeled our most formidable domestic foe at the present time.

Almost daily we are faced with new demands for additional appropriations. Only the other day we passed the supplemental bill for national defense which totaled $3,224,000,000. A short time ago we passed an authorization for the European recovery program measure involving other billions. Both of these bills were passed in recognition of the grave international situation. The argument has been raised that if we can afford to appropriate such large sums for international aid, then surely the American people are entitled to such appropriations of funds as are contained in this public-works bill. The fallacy in such an argument is readily discernible. It is an argument that insists all appropriations are inherently alike; that we merely appropriate money and that we do not appropriate for differing purposes.

We understand that certain of these flood-control projects, among others, are necessary for the protection of the lives and livelihood of American citizens. We have no intention nor desire to deprive the American people of such of these projects as may be demonstrably of vital necessity. The Corps of Engineers would have us believe that all of the measures contained in this bill are of utmost importance at this present time. On the face of it, this is an absurdity.

We of the minority of the committee have outlined our recommendations to the Senate in a frank minority report. This includes a recommendation that the present bill be reduced by not less than $200,000,000 and that the Army engineers be instructed to apply the remaining sums to the projects based particularly on urgency and long-range importance. Following are some of the reasons why we believe that this particular measure should be recommitted with appropriate instructions to the Senate Appropriations Committee for its resubmittal.

V. COMPARISONS WITH PREWAR APPROPRIATIONS

Our economic studies show that the prewar peak of rivers, harbors, and flood-control spending was reached in the 1940 fiscal year. In that year the Engineers obligated approximately $265,000,000. This included some lingering expenditures under the "make work" relief programs initiated during the thirties.

This bill, as reported by the majority of the Appropriations Committee, would allow for the spending of $634,000,000 for the same purposes as we spent $265,000,000 just 9 years ago. In short, it is proposed that we spend almost $2,400 in 1949 for every $1,000 spent in 1940, the peak prewar year. It is patently obvious that 1949 represents a tremendous period of prosperity as compared with the dying days of WPAism which existed in 1940.

VI. MINORITY RECOMMENDATION NO DANGER TO EXISTING SYSTEM

The proposal of the minority to cut $200,000,000 from this bill would in no way endanger funds for adequate maintenance and operation. Appropriations for maintenance and operation of our rivers, harbors, and canals will be more than ample to cover all deferred maintenance costs and meet increased costs of labor and materials. On the lower Mississippi the bill, as offered by the Appropriations Committee, provides $14,000,000 for maintenance. This is the amount requested by the Engineers and the minority does not propose to reduce it.

Figures prepared by the Army engineers show that maintenance and operation costs of rivers and harbors averaged about $45,000,000 per year in the prewar period. In the postwar period, costs were about $50,000,000 in 1946 and 1947. The House appropriation provides for $73,000,000 and the Senate bill provides for $79,000,000.

Let us repeat: It is not contemplated that allowances for maintaining and operating the present system of river, harbor, and flood-control works will be affected by the minority proposal to recommit this measure.

VII. CONSTRUCTION COSTS ACCOUNT FOR GROWTH

The big expansion in the budget of the Army engineers comes in the amounts set up for new construction. In 1940 construction expenditures on rivers, harbors, and flood control in the United States amounted to slightly over $200,000,000 yearly. The bill before us carries funds for almost $530,000,000 in construction or over two and one-half times the amount spent in the prewar years.

It is the contention of the minority that construction funds can be reduced by $200,000,000 without in any way jeopardizing the national security or the national welfare. In fact, to allow this bill to pass in its present form would seriously weaken our efforts to remain strong financially.

The minority proposes to reduce construction appropriations for 1949 to a level of approximately $330,000,000. This is a most reasonable proposal. It remains almost $18,000,000 more than was appropriated for construction in the current year and $130,000,000 more than the level of 1940.

SELECTION OF PROJECTS

The majority report accompanying Senate Concurrent Resolution 42 providing for the 1949 legislative budget stated, "Large-scale expansion and acceleration of public-works projects should be limited to such projects as are deemed urgently necessary to the public interest." The minority opposing the record-breaking level of construction appropriations in this bill has called attention to the importance of this principle. It is our firm conviction that the wisdom of this principle should be crystal clear to all. This bill contains an abundance of ill-considered and wholly unnecessary projects. Let us cite a few examples.

The bill contains an appropriation of $2,128,000 for construction of a ship canal between San Francisco and Sacramento, Calif. The project, when completed, will cost the Federal Government over $13,000,000 and local sources will provide additional large sums. But less than 100 miles south of Sacramento lies a ship canal to Stockton on the San Joaquin River. The Senate hearings on this bill contain testimony that present traffic tonnages hardly justify the existence of the Stockton port, to say nothing of justification for another and duplicate facility at Sacramento.

It is estimated that the proposed Tennessee-Tombigbee waterway will cost the Federal Government over a hundred and thirty-six million. This bill contains the first construction appropriation for this purpose, in the amount of $1,500,000. It is a new appropriation. It is not an essential appropriation at this time. The project is a direct duplication of the Mississippi River development, paralleling the Mississippi River on the east. It cannot be completed for many years; the engineers' program sets up appropriations running as high as $26,000,000 per year and even at that level the project will not be finished by 1954.

A $96,000,000 improvement project is proposed for an important river system in Georgia and Florida. The entire project includes a series of locks and dams and power development as well as navigation improvement. The President, himself, only recommended an appropriation of $5,067,000 for 1949 construction on this project. The House reduced this to $2,000,000, but the Senate Appropriations Committee has now provided for $6,000,000—almost one million

more than the inflationary appropriation level recommended by the President.

Over 40 percent of the total appropriation for construction in the bill will go to a few large multiple-purpose projects in which generation of power is a major element. The bulk of these projects are in the initial stages of construction. The funds are being spent for construction of access roads, preparation of sites, construction of housing facilities for employees, removal of undergrowth in reservoir areas.

It has been argued that the critical shortages of electric power facing this country today and forecast for the future make it essential that these projects be completed at the earliest possible moment. Those who offer this argument, however, fail to point out that power will not come from these projects until 1953 or 1954 at the earliest and then only in a small trickle.

Large hydroelectric projects cannot be constructed quickly. If we need electric power for national defense purposes in the near future, we must seek other ways of securing that power. We are in danger of deluding ourselves as to our available power for national defense purposes if we rely upon completion of the hydroelectric projects contained in this bill for that purpose.

HEAVY FUTURE COSTS INEVITABLE

We are confronted with the prospect of appropriations to the Corps of Engineers in the amount of at least $1,000,000,000 per year. The program is one which is only just getting started.

In a special analysis of the construction program prepared by the Corps of Engineers, it was shown that one-quarter of the projects for which appropriations are now being made are only in the planning stage. Of the projects under construction 41 percent of the construction funds are being applied to projects which are less than 20 percent complete. Only 20 percent of the construction funds in this bill are being applied to projects which are over 80 percent complete. In other words, we are spending twice as much on new projects as we are spending to complete projects.

The Enginers' 6-year program for river, harbor, and flood-control construction is itself a warning of heavy future costs.

The total estimated cost of all current rivers, harbors, and flood-control projects, excluding the lower Mississippi and the Sacramento, is set at $7,500,000,000. Of this amount we have appropriated not quite one-third—$2,400,000,000 to date. This bill carries about $475,000,000 of new construction for these purposes. However, under the Engineers' program, by 1952 construction allocations will mount to $844,000,000 per year.

In all probability appropriations requested of future sessions of Congress will total over $1,000,000,000 per year when we include costs of maintenance, operation, construction, and maintenance on the lower Mississippi, and construction and maintenance costs on projects to be authorized in future years.

CONCLUDING COMMENTS

The economic facts are all against making these expenditures during the fiscal year 1949. In the light of the circumstances surrounding this measure, the minority proposes the only sensible step in the legislative process that can be taken: Send the bill back to committee with instructions that it be cut down to proper size and require the Army engineers to approach the problem realistically and tell us which projects are really needed for the economic and social well-being of this Nation.

Mr. REED. Mr. President, the chairman of the subcommittee, the Senator from South Dakota [Mr. GURNEY], spoke at great length upon the care which had been exercised in the making up of the bill. He made a very fine presentation. The only trouble is that most of it was not so. Let me give the Senate a concrete illustration. The Senate increased the House figures $102,000,000. The House had made a cut of about $106,000,000, as I recall, under the budget figures, and with a straight face the Army engineers came before the committee—I heard them—and claimed that every item in that $106,000,000 was of equal importance; that they could make no distinctions and that this work had to go forward as a whole. Let me read from the minority views to show what we thought of their attitude, and our position, we believe, is justified by the record:

It is astonishing to us that the Army engineers requested complete restoration of every dollar of the House cuts. Good and bad, important and inconsequential, large and small, the Army engineers submitted their requests to the committee—and offered their justifications with a straight face.

It is incredible that any group of professional men, particularly engineers, would fail to distinguish between the various classes of projects and disregard the relative importance of both the individual project value and the completion-time element. Some of these projects will require years to be completed. Others ought not to be undertaken at all. Yet the Army engineers put them all in the same category.

That is the feeling, Mr. President, of the minority, as expressed in the minority views.

I received a very interesting lettter from a ranking engineer official of one of the most important railroads in the United States, and I shall read a paragraph from that letter as follows:

I am in complete agreement with the minority report signed by Senator BRIDGES, Senator FERGUSON, and yourself, and can endorse the comment at the bottom of page 4 under the heading "The astonishing attitude of the Army engineers"—

The writer proceeds—

notwitl standing the fact that I am not astonished at all. May I suggest that under present conditions an appropriation of a fixed amount of money might well be made, with the instruction that this money be used on projects deemed to be the most important both as to rivers and harbors and flood control, particularly the latter, which is intended to safeguard life and property, based on the order of importance as stated at the end of the minority report.

Mr. President, we do not want to stop this program. When I say "we" I mean the minority. We do want a safe program, a rational program, a reasonable program which has regard for the ability of the American citizen to pay taxes, and not to waste his money. We set forth a formula at the end of our minority views, and suggested that the bill be recommitted to the Appropriations Committee and that the committee be instructed to reduce the total amount by $200,000,000, which, Mr. President, will still leave a sum equal to that being used during the current fiscal year, and which is the largest amount of money that has ever been devoted to any similar purposes in any 1 year. Then we made the suggestion—and I call the Senate's attention to this language:

That the Army engineers be instructed to apply the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that their selections and recommendations—

These are the instructions we propose to give the Army engineers—

and that their selections and recommendations to be based on—

1. Urgency;
2. Long-range importance;
3. Projects which can be completed with reasonable appropriations; and
4. Projects where the State or municipality bears a portion of the expense.

Mr. President, it is our best judgment that, with money in the sum of $25,000,000 in excess of the $415,000,000 present appropriation, which would be available even with a reduction of $200,000,000, every urgent program or project, every project where the city or State participates, every project that can be completed by a reasonable appropriation, can be taken care of no matter where it is located, and still leave enough money to carry on in a reasonable way the program as a whole. That is our position. We think it is supported overwhelmingly by the judgment of the country.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. REED. May I inquire of the Senator from Florida whether he wants to talk about the pending bill?

Mr. PEPPER. Yes, indeed. I am going to ask the Senator a question, if I may.

Mr. REED. I shall be delighted to have the Senator ask me a question.

Mr. PEPPER. Is the pending motion made only on behalf of the three members of the committee signing the minority views?

Mr. REED. That is correct.

Mr. PEPPER. There are in all 21 members of the Appropriations Committee. Does that mean that the other 18 members of the committee concur in the majority recommendation?

Mr. REED. I think there were 19 Senators who voted. Sixteen voted to report the bill as it was, or as it is, and the three Senators whose names are signed to the minority views dissented, and filed minority views.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. REED. Yes.

Mr. PEPPER. I notice from the minority recommendations on page 5 of the minority views that the motion is that the aggregate of items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included, and that the Army engineers be instructed to observe certain standards. The minority is not making any recommendations, is it, as to what projects should be deleted or what items should be reduced?

Mr. REED. The Senator is correct.

Mr. PEPPER. The minority proposes, does it not, that that function shall be delegated to the Army engineers.

Mr. REED. I have almost entirely lost confidence in the integrity and intelligence of the Corps of Army Engineers. Still they are the agency through which we must carry on this work. The members of the minority who filed their views are not making any suggestions either

with respect to rivers and harbors or flood-control work, in connection with a single project.

Mr. PEPPER. I am exceedingly sorry to hear the Senator make the statement he has just made about the Army engineers. I hope that upon reflection he will find it possible to soften his statement, because I have observed, in the almost 12 years I have been a Member of the Senate, that no agency of the Government of the United States is more generally esteemed, more highly respected, or which enjoys more fully the confidence of the Congress and the country, than does the Engineer Corps of the United States Army.

Mr. REED. Of course I do not agree with that assumption by the Senator from Florida.

Let me come to the question of the amount of money involved, and what should have been involved.

On January 14 of this year President Truman said:

> I have urged consumers to restrict their purchases of scarce products. The Federal Government is deferring many public works projects and following procurement policies designed to minimize the effect on price increases.

In February of this year the Joint Legislative Budget Committee of the two Houses filed a report which was unanimously adopted by the Senate, and on a yea-and-nay vote in the House by an overwhelming majority. That report recommended the reduction of the President's Budget by $2,000,000,000, and gave as the reason for such reduction that it was "the highest peacetime budget that has ever been submitted for congressional consideration." The committee also stated:

> For the same reason, large-scale expansion and acceleration of public works projects should be limited to such projects as are deemed urgently necessary to the public interest.

That report was signed by the Senator from South Dakota [Mr. GURNEY], who made the report for the Senator from New Hampshire [Mr. BRIDGES]. It was signed by the Senator from New Hampshire. It was signed by the Senator from Nebraska [Mr. BUTLER]. It was signed by the Senator from Ohio [Mr. TAFT]. It was signed by the Senator from Illinois [Mr. BROOKS], as well as by several distinguished minority members; namely, the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Tennessee [Mr. MCKELLAR].

That promise was a promise of the majority party. We have a majority in this Chamber, as well as in the House. The joint committee was composed of the chairmen and the ranking members of the Committee on Finance of the Senate, the Ways and Means Committee of the House, and of the Appropriations Committees of the two Houses. It pledged the people of this country, on the faith of the majority party, at least, that we would reduce appropriations by $2,000,000,000. That action was supported by the statement of the President.

Last Friday there was published the report of the Joint Congressional Economic Committee on the price situation, based upon a prolonged study by the regional subcommittee. This is what the report had to say about public works:

> Public works should be deferred wherever possible, unless they contribute to the output of food or other scarce goods.

Mr. President, we can go further than that. Every economist in the country, whether he be an extreme left-winger, or an extreme right-wing conservative, would say that at this period in our economic history, with prices greatly inflated, with labor scarce, and materials high, with every effect which might make for a run-away inflation, we should not pass a bill of this character, which is the most wasteful, most extravagant, and most unnecessary bill I have encountered in my service in the Senate. It flies in the face not only of the promises of the Republican Party, but of all sound economics. That is what we are dealing with. It is not a light matter. The Senators who signed the report with me are not penurious. We try to approach these questions in a broad way. But this bill offends every sense of public intelligence and sound economics.

Was the Republican Party in earnest when it made the promise to the people back in February, signed by the leaders of both Houses, or was that merely a smoke-screen to deceive or mislead the people of the country? At the rate we are going, instead of reducing appropriations by $2,000,000,000 under the President's budget, we shall reduce appropriations by less than $400,000,000. The professional staff of the Appropriations Committee, under my direction, have checked the reductions which have been made up to this time, and have calculated what further can be done. As late as this morning, when a final check was made, none of us could see any reasonable chance that the reduction in the President's budget will be as much as $400,000,000—certainly not materially greater than $400,000,000—instead of $2,000,000,000. I am sorry that my good friends of the minority are not present today. They have gone on a sad mission, to attend the funeral of the late Senator Overton, of Louisiana. That will defer the vote, by agreement, until they return. I shall make a few further observations, and then yield the floor.

I am sorry the Senator from Florida [Mr. PEPPER] is not present in the Chamber at the moment. I have checked a great many reports of the Army engineers, and detected their utter absurdity when they undertake to justify expenditures by making a report of benefits which they claim will result from the various projects. I have never seen one of such reports that could be accepted at its face value.

I have talked with Senators of longer service than my own. What I have said applies to the Army engineers and their recommendations, under pressure, for the past 15 years to spend more and more money. I asked one veteran Senator of excellent judgment, "Were the Army engineers always like this?" This was after a yea-and-nay vote in the Senate had defeated one of the fantastic proposals which they had endorsed and urged. That Senator said to me, "No; they were not always like this. There was a time when one could take an Army engineers' report at face value and almost without criticism; but that has changed. For the last 15 years they have been under pressure to spend money, and they have gradually come over to a policy of finding all the ways they can to spend money in the name of river-and-harbor or flood-control or other projects." Mr. President, that observation is in line with my own observations.

For example, the Tennessee-Tombigbee project, which is as fantastic a transportation proposition as anyone ever conceived of, has been kicked out of congressional committees and has been defeated in the House of Representatives and in the Senate, and yet Colonel Feringa, who appeared before the committee and whose testimony is reported in the volume of committee hearings, had the nerve to endorse it. The Army engineers also recommend the Beaver-Mahoning Canal, a project which the Senate defeated by a vote of 50 to 15, as I recall. The Army engineers also approve the Florida ship canal. I am not sure whether they have approved the Passamaquody project. But certainly they have approved practically all the other such projects. Of course, they might be pardoned for doing so, because as a result of all the projects they have undertaken a considerable amount of money has been spent, and that has occurred during a time when the spending of money, regardless of consequences, has been a policy, and has been regarded as a virtue. I shall return to that subject later.

Mr. President, I am prepared to yield the floor.

Mr. WHERRY. Mr. President, before the Senator yields the floor, will he yield to me for a question?

Mr. REED. Certainly.

Mr. WHERRY. In order that some of us may better understand what the minority of the committee are attempting to do in this connection—and I should like to say that no one has a higher regard than I have for the ability of the junior Senator from Kansas and the research he has made—I should like to ask one or two questions. I happen to serve on the same committee with the Senator, and I deeply appreciate at all times his judgment, and I am fully aware of the fact that he is very careful with statistics. So I realize that we should look searchingly into the minority views.

For that reason I should like to ask the distinguished Senator about a statement on page 5 of the minority views, where the minority conclude their recommendations by stating:

> (a) The aggregate of items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included.

I should like to ask the distinguished Senator—if this question fits in with the debate at this point; otherwise I shall wait—why they arrived at that figure. Does it represent the sum total of appro-

priations for projects which the Senator feels should not be developed this year, or could the projects which already are under way be continued on, let us say, the same basis as that of last year, if the proposed $200,000,000 reductions were made? Will the Senator give us as much information about the facts of that matter as he can, so as to indicate why the $200,000,000 reduction should be made?

Mr. REED. I am happy to accommodate my good friend the Senator from Nebraska. If he will turn to page 3 of the minority views, he will find there a table giving the amounts of money that have been expended on rivers and harbors and flood-control projects from the year 1939 to the year 1948, inclusive.

Mr. WHERRY. Yes.

Mr. REED. That figure varies, as we see by referring to the table or chart, because it covers all expenditures, including, as the Senator from South Dakota has described, cemeterial expenses and various other expenses which are included under the expenses for the civil functions of the War Department, but do not relate to rivers and harbors or flood control. The minority members undertake to deal with those two factors, which are the largest and most important.

On page 3 of the minority views the Senator from Nebraska will observe that the largest amount of money given for those purposes in any 1 year is the amount given for the current fiscal year, which is $415,928,525. The comparable figure in the majority report on the bill is $640,253,200.

So I say to the Senator from Nebraska that we of the minority conclude that if the Congress now appropriates for this purpose an amount equal to the amount made available during the present year, when this work has been going forward faster than ever before, and at a rate as high as the economy of the country will stand, that will be sufficient, and therefore we shall be able to make the recommended reduction of $200,000,000.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. REED. Certainly.

Mr. WHERRY. I should like to ask one more question on this point. I understand what the Senator has just said in answer to the question I asked, but he has not fully answered my question.

I wish to know this: If we deduct $200,000,000 from the proposed appropriations, will that permit the continuation of all the projects which have been started during the past fiscal year; or will the $200,000,000 reduction, if it is made, mean that some of the projects already started will have to fold up? Can the Senator answer my question from that point of view? I am interested in separating the new projects from the old ones. I understand that provision for 59 new projects has been written into this bill. But aside from the point of view of the national economy, inflationary trends, and so forth, I should like to know what impact would be caused on the projects already started if the Senate were to take favorable action on the proposed $200,000,000 reduction.

Mr. REED. I am glad to give the Senator that information. For the present fiscal year, $415,928,525 is available for flood control and for rivers and harbors. If we deduct $200,000,000 from the figure the Senate committee has approved, which is $640,253,200, that will leave approximately $44,000,000, which is $25,000,000 more than is being used on the projects now under construction.

Mr. WHERRY. Would the Senator say that would leave ample funds for continuing the work on all the projects which now are under construction, so that the reduction would not interfere with the continuation of projects which already have been authorized, and for which contracts have been let, and on which construction has been started?

Mr. REED. That would depend. I do not wish to make a categorical answer of "Yes" to the question, because I do not trust the intelligence of the Army engineers. If the program suggested by us were intelligently administered and if the Army engineers were careful in their selection of projects, then my answer would be, "Yes." But let me call attention to the fact that the figure just given was for 59 new projects which have been added to the proposed program. My understanding is that 42 new projects were added to the program, and provision for them was written into this bill, although they were not included in the President's budget. Of those 42, 14 were added in the House and 28 were added in the Senate committee. That shows how carelessly this bill was drawn, Mr. President. I repeat that there are 42 new projects not included in the President's budget.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. CONNALLY. Did I correctly understand the Senator from Kansas to say a little while ago that he had no confidence in the intelligence——

Mr. REED. Or the integrity.

Mr. CONNALLY. No confidence in the intelligence or integrity of the Army engineers?

Mr. REED. Yes.

Mr. CONNALLY. Yet do I further correctly understand the Senator to propose, by this motion, that the Congress turn over to the Army engineers the expenditure of $538,735,550, without any check thereon by the Congress at all?

Mr. REED. I would not. But, Mr. President, I would not leave as much money as the Senator suggests.

Mr. CONNALLY. I took off $200,000,000.

Mr. REED. Very well, $536,000,000.

Mr. CONNALLY. Five hundred and thirty-eight million dollars. The appropriation is for an agency of the Government. I may say I do not agree with the Senator's estimate of the Army engineers. It is an agency of the Government in whose integrity and intelligence the Senator has no confidence, and yet he is willing to turn over to that agency discretion to spend $538,000,000 a year. He is not willing to trust the Senate and the House with the expenditure of that fund.

Mr. REED. All the projects they could possibly include, or that are in the program now, have been passed on by Congress in a rather general way, so the assumption by the Senator from Texas that there is no congressional control would be entirely erroneous.

Mr. CONNALLY. I do not want to belabor the Senator.

Mr. REED. The Senator from Kansas does not mind.

Mr. CONNALLY. But by his amendment the Senator would turn the whole thing over to the Army engineers.

Mr. REED. That is where it is now, largely.

Mr. CONNALLY. Well, largely; but it is not there, under the pending bill. I am simply amazed to hear the Senator stand on the floor of the Senate and make the admission that he wants to turn over $538,000,000 to be expended in the discretion of an agency in which he has no confidence as to its integrity or intelligence. What confidence has the Senator then in the Army engineers?

Mr. REED. The instructions given under the motion to recommit, if agreed to, would constitute an order to consider certain factors in the order of their importance. It is the first time any instruction of the kind has ever been given. Last year in the Senate we held up a similar bill, for a second look by the Army engineers, but without any instruction, without any formula for setting a valuation upon the different ways of doing the work or the different factors that should be considered. That is partially the basis of my judgment of the Army engineers. The sum total of their second look was precisely nothing.

Mr. CONNALLY. Let me say one further word, and then I am through. If the Senator, though, has no confidence in their integrity, why does he want to vest them with all this authority?

Mr. REED. I do not propose to give them any additional authority. I am putting certain limitations upon them, as to the basis on which the money shall be spent.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. REED. I yield to the Senator from Oregon.

Mr. CORDON. As one member of the Committee on Appropriations, and of the Civil Functions Subcommittee, I confess I do not understand what approach the subcommittee is directed to make to this problem, should the Senator's motion to recommit prevail? First, the motion is to recommit with instructions to reduce the amount $200,000,000. There is no amount set except as a ceiling. The committee would have no instruction as to what amount to report. I assume the committee is expected to reach some over-all amount by applying the yardstick which is mentioned in the motion, which is that the Army engineers be instructed to apply the remaining sums to the projects which they deem to be most important, both as to improvements in rivers and harbors and as to flood control, the other selections and recommendations to be based on (1) urgency, (2) long-range importance, (3) projects which can be completed with reasonable

appropriations, and (4) projects in which the State or municipality bears a portion of the expense. Is it the thought of the sponsors of the motion that if the bill be recommitted the subcommittee shall themselves first reach an over-all figure at least $200,000,000 less than the present bill, and, having reached that figure, shall arbitrarily call in the Army engineers and say, "This is the money. Now, apply this sum to the projects which you deem most important," and so forth? Is that the thought of the sponsors of the motion?

Mr. REED. I think that is substantially a fair statement.

Mr. CORDON. Assuming then that the bill is recommitted and the subcommittee has reached this arbitrary figure, that it has called in the Army engineers and said, "You determine how to apply this money," and assuming that the Army engineers bring back their judgment on that, what then is the committee to do? Is it to substitute the judgment of the Army engineers for the judgment of the subcommittee without more ado—merely take it and say, "That is it"?

Mr. REED. No.

Mr. CORDON. What is it to do?

Mr. REED. It is to exercise its very best judgment based on the information before it. The Senator from Oregon knows that the Army engineers have sat with the subcommittee and with the full committee all through the sessions.

Mr. CORDON. Certainly.

Mr. REED. They were present when we marked up the bill and when we were getting ready to report it. They are accustomed to being questioned, they are accustomed to offering advice and making suggestions. The Senator from Oregon is very well aware that there is nothing new or novel about it. The only thing that could be considered new or novel about it is that finally we have come to the place where there is a definite formula offered and where for the first time such a formula, by which the selection of projects should be based, is made available.

Mr. CORDON. If the Senator from Kansas will yield further, the Senator from Oregon is confused about it, frankly. What do the sponsors expect the subcommittee to do? Here are four yardsticks—urgency, long-range importance, projects which can be completed with reasonable appropriations, which I assume means within 1 year, and projects in which the local government participates. Is the subcommittee to apply those several yardsticks one after the other in some order? Just what does the Senator expect the subcommittee to do?

Mr. REED. Recommendations will be requested. The subcommittee may sit 2 weeks, as we sat 2 weeks drafting the report. I expect to be on the subcommittee. The Senator from Oregon and the Senator from New Hampshire will also be on it. We do not anticipate any great difficulty in arriving at a very much more sane and rational conclusion than that which is included in the pending bill.

Mr. CORDON. Am I right, then, in concluding it is the Senator's view—and, I assume, that of his cosponsors—that the present bill is simply $200,000,000 too high?

Mr. REED. That is correct.

Mr. CORDON. The Senator would reduce it $200,000,000 and start all over anew to work it out, in order to comply with the Senator's view?

Mr. REED. That is what we would have to do; yes.

Mr. CORDON. Has the Senator in mind, for instance, any single projects in all this vast group that he would point out as being projects to be cut out or reduced, or anything else?

Mr. REED. That may be an assumption of the Senator from Oregon, but it is not a correct statement.

Mr. CORDON. The Senator from Oregon asked it as a question, rather than as an assumption.

Mr. REED. No recommendations are made in the report. That does not mean that the committee has no idea of what should be done with a smaller amount of money.

Mr. CORDON. Does the Senator from Kansas expect during the debate to make any specific recommendations beyond those contained in the motion?

Mr. REED. He does not. I hope neither the Senator from Nebraska nor the Senator from Texas [Mr. CONNALLY] will waste any sympathy. We shall do the best we can.

Mr. WHERRY. Mr. President, will the Senator yield for one more question?

Mr. REED. I yield.

Mr. WHERRY. Following up the question which I asked regarding the $200,000,000, I now understand how the distinguished Senator arrives at the $200,000,000. The motion is that the bill be recommitted, and if the $200,000,000 reduction is approved then there is a further recommendation that the Army engineers be instructed to apply the remaining sums to the projects which they deem to be the most important in connection with river and harbor improvements, and so forth. I cannot help asking the question once more. There must be a different approach, for this reason, that some projects have already been authorized. I do not wish to favor any motion which would send back to the committee this bill with instructions to the Army engineers to set aside any project which may have been authorized and which has already been started. I can conceive that there are certain projects which have not been started; I can conceive of projects upon which not a dollar has been spent; but arbitrarily to take $200,000,000 and give the Army engineers further instructions that they are to prorate the balance of the money, which would include appropriating for authorized projects already started, and possibly projects not yet started, does not appeal to me as being proper. It seems to me we are undoing what has been done on a program already started or already contracted for. Am I correct?

Mr. REED. The Senator is not correct.

Mr. WHERRY. Would the Senator care to try to eliminate the confusion from my mind?

Mr. REED. In the first place, I ask the Senator from Nebraska this question: Where do we get the projects which finally come before the committee? They are all passed on by the Army engineers and included in their reports. The Bureau of the Budget decides upon the amount of money——

Mr. CORDON. Mr. President, will the Senator yield?

Mr. REED. Not at this time. I am endeavoring to describe the process for the benefit of the Senator from Nebraska.

The next step is in the Bureau of the Budget. It takes the projects recommended by the Army engineers and makes up the budget. The budget then comes to the Congress, and Congress takes the third and last look at it. All projects must have the sanction of the Army engineers before they go to the Bureau of the Budget, and in most cases before they are considered by Congress they must have the saction of the Budget. But there were 42 exceptions.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. REED. I should like to finish answering the question of the Senator from Nebraska before I yield. The Senator has a legitimate worry, if he has anything. I am trying to assure him that it is not anything. When I have finished I shall be happy to yield to the Senator from California.

We have $415,000,000 this fiscal year, if we take the amount suggested by the minority, which public sentiment in the United States overwhelmingly has approved. We have so many projects under construction. Certainly if all we desired to do were to carry on the projects now under way with $415,000,000, we could do it with $440,000,000.

Mr. WHERRY. That is the very point I wanted to bring to the attention of the Senator. Let us consider the Harlan County Dam in Nebraska——

Mr. REED. Yes. I helped to get more money for that project last year than would have been obtained otherwise.

Mr. WHERRY. Now we are mutually agreed. If the sum of $200,000,000 were deducted from the $738,000,000, would the Harlan County Dam project still remain intact, or would there be some question about what would happen in the final analysis?

Mr. REED. The recommendations made by the Army engineers under the smaller sum would have to be approved by Congress.

Mr. WHERRY. If it were taken off we could argue about it; but it is already there. That is the reason I asked the distinguished Senator what the impact would be if the money were deducted, project by project, up to $200,000,000.

Mr. REED. More money would be made available for the fiscal year 1949 than is available for the current fiscal year. If that is what has worried the Senator, there would be $200,000,000 more than there is at this time. I did not intend to say that every single project included in the present program is an urgent or a reasonable one. There are too many projects for any man who tries to be careful in his statements to state the cost. But, Mr. President, the Army engineers will submit a report to the committee, if the motion be agreed

to, and then the committee and the Senate must approve the projects.

I now yield to the Senator from California.

Mr. KNOWLAND. Mr. President, I want to make two or three comments, and then, later, on my own time, more fully discuss the remarks of the Senator from Kansas. When he outlined the procedure which was followed, I assume he started out with the reports of the Army engineers. Of course, none of the projects are acted on by the Army engineers until they have first been authorized by the Congress of the United States. At least the Congress has some responsibility in having authorized the projects. Then the project passes through a general series of hearings of one kind or another, which the able Senator has mentioned. But, frankly, I join with the able Senator from Texas [Mr. CONNALLY] in expressing great wonderment as to how my colleague from Kansas can, with a straight face, tell the Senate of the United States that the matter should be put into the hands of the Army engineers when, at the same time, he publicly says that he has no confidence in either their intelligence or their integrity. Certainly if I felt that way about them I could not feel that it was consistent in the slightest degree to say we should then accept their recommendations in connection with the expenditure of $500,000,000. I merely want to say for the record at this time, if the Senator will permit me, that I do not join with him in his views regarding the Army engineers. On the contrary, I have found them to be a hard-working, conscientious, and able group of public servants, without parallel, I think, in the Federal Government.

Mr. REED. I am glad the Senator from California interrupted me. I have a telegram from his State which I should like to read, because it illustrates precisely an important point which is involved in the whole subject. The telegram reached me a day or two ago. It is from Stockton, Calif., dated May 13, 1948, and is addressed to me. It reads as follows:

> We congratulate you on your minority report on the civil functions Army appropriations bill and assure you of our whole-hearted concurrence therein. Permit us to point out a flagrant example of an appropriation with heavy political support but very little merit.
>
> The Sacramento rivers and harbors project is recommended for an added appropriation of $2,128,000 by the Senate Committee on Appropriations. This project was approved in 1946. Nothing has been heretofore appropriated for it. It has only a cost benefit ratio of 1 to 1.1 on 1940 estimates. The area is already adequately served by seven operating ports. This all-Federal money project would compete with and reduce the revenue of existing ports jointly constructed by community and Federal money.
>
> We have a special interest in our opposition because we are one of those ports which our citizens paid one-half of the cost of. We are still operating at a deficit and would be pushed further in the red if the Government spent its money now to build another port where the field is not yet large enough for the ports now operating. When the time comes that available freight will justify the proposed new project we will withdraw our opposition and urge construction but that time is still in the future.
>
> STOCKTON PORT DISTRICT,
> By MARTEL D. WILSON,
> *Chairman, Port Commission.*

The point I wish to make—and I am glad the Senator from California interrupted me—is that I think Calvin Coolidge is quoted as saying that the Federal Government should never make an expenditure in any community from which the community benefited unless the community contributed a share of the expense of the cost. Though I cannot vouch for his having made the remark, it is one of the soundest statements on the subject I could think of. If we made every community bear a part of the cost of these projects from which they profit and benefit, then we would have some kind of a yardstick by which appropriations of money would be limited.

What impressed me when this telegram came was that it cited a case, if I interpreted the Senator from California correctly, where six or seven of the cities have constructed ports half the cost of which they paid. Now we come to one the entire cost of which is to be carried by the Federal Government.

Mr. KNOWLAND and Mr. GURNEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield; and if so, to whom?

Mr. REED. I yield first to the Senator from California.

Mr. KNOWLAND. What the Senator has stated is simply not the fact, if I may say so to the able Senator. The fact of the matter is that both the local government and the State of California are making contributions on this particular project, so when the Senator picks out that one particular example he selects one which does not sustain his argument.

Mr. REED. All I know is what the telegram says.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. GURNEY. If I may interrupt at this point, in a general way, all projects for rivers and harbors and flood control are operated by the Corps of Engineers under general rules, first, that lands and rights-of-way must be provided without cost to the United States, as well as terminal facilities and spoil areas. Second, the United States must be held free from all damages resulting from the construction. Third, cash contributions are required if the benefits are local rather than national. Those are the rules governing river and harbor construction work.

As to flood control, lands and rights-of-way must be made available without cost to the United States. Second, the costs of highway bridges, and road relocations, are borne by local interests. Third, the projects must be maintained and operated by local interests. Fourth, the United States must be held free from damages.

So far as the project at Sacramento is concerned, full information was given the subcommittee at some length as to the State and local contribution on the Sacramento project, and the Senator can find the information very quickly by referring to the hearings.

Mr. KNOWLAND. If the Senator from Kansas will permit me at that point merely to correct the record, he will find on page 234 of the hearings that the city of Sacramento has provided for a bond issue of some $3,750,000, and the State of California has contributed another $750,000. So his example, I reiterate, was not a very good one.

Mr. REED. I again say that I rely wholly on the telegram. I said in the first instance that I had no knowledge of the circumstances myself.

Mr. LUCAS. Mr. President, will the Senator from Kansas yield?

Mr. REED. I yield.

Mr. LUCAS. How did the committee arrive at the figure of $200,000,000?

Mr. REED. The minority?

Mr. LUCAS. Yes.

Mr. REED. Probably from the fact that the money presently available for expenditure this year is $415,000,000, and we are getting along pretty well, making more progress than we ever made before in any one year.

Now the House of Representatives comes along and pushes the figure up about $100,000,000, and the Senate committee comes along and pushes it up another $100,000,000. So if we cut off $200,000,000, we will still have $25,000,000 more than we have available this year.

Mr. LUCAS. Can the Senator tell me on what theory the House raised the appropriation $100,000,000?

Mr. REED. I cannot.

Mr. LUCAS. Can the Senator tell me on what theory the Senate committee raised it?

Mr. REED. The Senate committee raised it because it wanted to.

Mr. LUCAS. Surely there must have been some evidence presented.

Mr. REED. I have not said a thing on the floor of the Senate I did not say in the committee, except that I have said it in a louder voice and at greater length. I told the committee I would oppose the appropriation. The Senator from Michigan [Mr. FERGUSON] told the committee the same thing, as did the Senator from New Hampshire [Mr. BRIDGES].

Mr. LUCAS. It is more or less an arbitrary cut, is it not?

Mr. REED. I do not think it is arbitrary. When we have a program—as we have—and are carrying it out reasonably well—as we are—with $415,000,000, and are in a period of inflation, with high labor costs, scarcity of materials, and all the factors that go to make inflation, when we should not spend money for things of the kind proposed, the committee reports a bill of the most outrageous nature ever presented. It is contrary to the budget submitted by the President, contrary to what our own legislative budget committee recommended when it pledged the majority to cut the appropriations $2,000,000,000, contrary to the expressed views of the Economic Council, and contrary to all common sense.

Mr. LUCAS. I wish to say to the Senator from Kansas that I am inclined to be very sympathetic toward what the

minority of the committee is doing in the way of trying to save $200,000,000, because we have heard economy preached over and over in the Senate and in the House. My good friends on the other side of the aisle have been telling the country what they were going to do in the way of saving money.

Mr. REED. Six or eight of them signed a report to that effect.

Mr. LUCAS. I think that is true. But I do not like to cast a vote on a proposal to make an arbitrary cut of $200,000,000 unless there is some basis for it, some facts to support it, and something which would acquaint the Senate and the country with the real reason for it. In other words, if a project should be eliminated, it seems to me we should have a few facts along that line.

Mr. REED. I think the Senator from Illinois would agree with the Senator from Kansas that if the minority, which has very strong convictions on the subject, undertook to designate the particular projects to be eliminated, they would lose their case before they could possibly present it to the Senate.

Mr. LUCAS. They will probably lose it if they do not.

Mr. REED. We have gone at the task in the only way I know how to undertake it. All these projects must first come from the Army engineers; secondly, they must go to the Budget; third, they come to the Congress and are considered in the committee of the House, then in the committee of the Senate.

We are taking the finished product of the Senate committee, which is $225,000,000 in excess of the money being spent on this program for the current fiscal year, and the minority of the committee, so far as I can speak for the Senator from Michigan and the Senator from New Hampshire, said, "We are getting on pretty well this year, and are making all the progress we could hope to make in view of all the conditions and real dangers confronting the country; therefore, we will submit minority views and give our very best judgment as a basis on which to work, which would provide a figure $25,000,000 in excess of what is available this year."

Mr. GURNEY. Mr. President, will the Senator yield so I may ask him a question?

Mr. REED. I yield.

Mr. GURNEY. The Senator realizes, as of course we all do after looking at the chart on the easel before us, that since the war years we have increased the Army civil functions appropriations quite rapidly, jumping from $100,000,000 in 1945 to $350,000,000 in 1946, and $506,000,000 for the current fiscal year.

Mr. REED. That is inclusive of all expenses.

Mr. GURNEY. Yes. The Senator realizes that we have increased the amount during several years prior to this year, and that means in part the providing of money to begin numerous projects. I want to ask the Senator if he has considered that when we start a project it always begins in a small way; and, in order efficiently to carry on the work, appropriations for each individual project must be made in larger amounts for each succeeding annual requirement, in order to obtain the construction and operation efficiency that is needful; that it requires a larger amount in the second year than it does in the first, and requires a larger amount in the third year than it does in the second. The Senator understands that necessary increase, I am sure. The reason for it is because the heavy machinery is brought in and set up during the first few years, and then after the machinery is in operation it is necessary to proceed rapidly in order to keep the cost of moving, let us say, a yard of dirt down to a reasonable figure in order to save money. Therefore does the Senator not think that in starting these projects the Congress should make appropriations to keep going the schedule of operation for each year, and in order to proceed with the schedule on these larger projects did not Congress last year, and the year before, authorize the construction and say that it would make the appropriations in optimum amounts.

Mr. REED. It did. The Senate committee this year proposes a superoptimum amount.

Mr. GURNEY. No, I wish to say to the Senator that the new projects put in the bill are not nearly so large as the Senator may have indicated in his address to the Senate this afternoon. The total new projects, for instance, that were put in the bill by the House and by the full Senate committee do not total anywhere near $200,000,000.

Mr. REED. I did not say the new projects totaled $200,000,000.

Mr. GURNEY. No. They total only about $32,000,000, I may advise the Senator.

Mr. REED. Let me say to the Senator from South Dakota, of whom I am very fond—we work in close cooperation; we sit together in the Senate—that I do not have any question but that the problem can be worked out without any considerable amount of trouble if the Army engineers will deal intelligently with it, and if the Senate committee will make an earnest effort to cut the amount back to what would be a reasonable, indeed, what would be a liberal sum, in the light of the circumstances which face the country.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. YOUNG. This morning I called the Army engineers and asked them about the problem that would be theirs if appropriations were cut back as is suggested and if the job of apportioning the cuts among the many worth-while projects involved were turned over to them. They told me that, in their opinion, there is not a single questionable item contained in the whole appropriation bill, every one of the items having been authorized by the Congress and carefully studied by the engineers. They hoped that the problem would not be sent back to them, for them to make the decision as to which project should be cut and which should not be cut.

May I ask the Senator from Kansas how, in his opinion, a cut can be made, for example, in the appropriation for a project in North Dakota? In our State we have the largest earth-filled dam in the world under construction. While it will produce about three times as much electricity as is now being produced in North Dakota, at the present time its primary purpose is flood control for the Mississippi and Missouri River Valleys. I think the Senator will recall that last year about $500,000,000 damages resulted from floods on the Missouri River alone, according to reliable estimates. The appropriation for the project to which I refer, the Garrison Dam, is $28,900,000. In the opinion of the Army engineers, in order to provide for the cheapest possible construction, they should have about $30,000,000 to carry on work on this one important project this year. How, in the name of economy, can money be saved by disrupting the whole construction program where a contract has already been let, and a large force of workers is on hand at the present time? Would the money be taken away from this project, the necessity for which has been amply demonstrated repeatedly and which is now under construction?

Then again two small appropriations are made for projects in North Dakota with respect to which there are local contributions. If the necessary appropriations were made, the two projects could be finished this year. Those projects include repayment features. It seems to me that, in the interest of economy, appropriations should be made so that the two projects can be completed. I should like to have the opinion of the Senator from Kansas respecting where a cut should be made in those proposed appropriations?

Mr. REED. Mr. President, I lost my confidence in the Army engineers because of their statements made in the hearings. The Chief of Army Engineers made a statement in reply to the Senator from Michigan as well as to the Senator from Kansas which made me lose confidence in him. The Senator from Michigan [Mr. FERGUSON] asked General Wheeler:

> Do you consider that these are really essential items under that philosophy?

General Wheeler replied:

> I so consider them.

The Senator from Michigan then asked:

> That applies to all projects included in your plans for which you are asking funds to be restored?

General Wheeler, Chief of Army Engineers, said:

> Yes.

No man in so important a position, charged with the responsibility of spending the taxpayers' money, is entitled to any confidence from anyone when he takes a position of that kind.

Mr. YOUNG. Mr. President, will the Senator again yield?

Mr. REED. I yield.

Mr. YOUNG. Perhaps their actions right now would not meet with the approval of the Senator from Kansas, but I do believe the Army engineers made a remarkable record during the last war.

By way of further information, I asked the Army engineers this morning the question: At the present rate of appropriations how long would it take to complete the Pick-Sloan plan for devel-

opment of the Missouri Valley at the rate possible under this bill providing $738,000,000 for all civil functions of the Corps of Engineers? I was told it would take another 9.6 years to complete it, if appropriations were made annually at the rate set up in this bill.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. TAFT. I may suggest that every economist whom I know, whether he be left wing or right wing, is in favor of cutting down on public works when private construction is active, and the moment private construction lets up, then to go ahead with the public works. They are all agreed as to what the effect would be on the general economy and inflation if there were piled on top of a full private economy construction program a tremendous expenditure of public money. From an over-all economic standpoint there can be no justification for increasing public works when there is a general boom in private construction. And if we are going to take a national viewpoint we ought to cut down public programs now. When there is a general boom in private construction, if public works are dropped for a time it will make no difference, so far as I can see, to the general ultimate welfare of the country. This is the time to cut down on public works. I venture to say that if that policy should be pursued over the next 10 years, and if we should increase public construction correspondingly in times of depression, or lack of private activity, we would get through just as soon with the Pick-Sloan plan and all other plans as we would by trying to force them now, which would result in a general increase in all costs, a general increase in the price of every kind of material for which there is competition, a competition for labor and materials which would seriously embarrass the country and might bring about a condition where we could no longer proceed with any public works.

Mr. REED. Mr. President, I yield the floor.

Mr. FERGUSON obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator yield to me for the purpose of addressing an inquiry to the Senator from Ohio?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. I should like to inquire of the distinguished Senator from Ohio as to how far he carries his theory which is, if I understood him correctly, that there should be in effect a suspension of public works during a period of high industrial activity, to be resumed when other activities, private activities, slough off? Does the distinguished Senator from Ohio carry that view to the extent that he believes there should be a suspension of public works and of reclamation projects?

Mr. TAFT. No, obviously that is impossible. It is a question of degree. It is a question of letting up on public works when there is a boom, and going ahead with public works when there is a depression. That is not my theory. That is the theory of every economist and every person who has ever dealt with the subject of public works as a method of generally trying to bring about some kind of a balance in the economy. Of course, we do not cut out public works. There are some things that are essential to be done this year and next year. Of course, there is a program to be carried out, but the program should not be constantly increased. This year the President's program alone has increased all public works from $2,000,000,000 in the current fiscal year to $2,800,000,000 for the fiscal year 1949. I say that instead of increasing the $2,000,000,000, it should be decreased.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. I wish to point out to the able Senator from Ohio what I am sure he knows, that in a great many of the States, particularly in the great western area of the country, there is a serious shortage of power. There is a marked shortage of irrigated lands for farming purposes. The shortage of power has actually resulted in closing down factories which, in turn, has decreased the productivity of the Nation. I think the able Senator from Ohio would be the first to admit that one of the ways of defeating inflation is to increase the productivity of the country.

Mr. TAFT. I quite agree with the Senator that the so-called public works projects which ought to have priority are those which increase the production of the people of the United States in various degrees. There is no question about that; and that is probably a good justification for going ahead with some such works in times of general private prosperity. But I do not believe we can find many works in the civil functions program which have anything to do with increasing the productivity of the country. Take the whole question of flood control. Important as it is, nevertheless we have waited a great many years, and another year or two would make no vital difference in the production of the country.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. GURNEY. I do not know that the Senator from Ohio was in the Chamber when I made a statement as to the savings which were made in the Ohio River Valley during the current flood season, because of money previously expended for flood protection works in that valley. The savings total $47,775,000 for the current flood period, in the April flood of 1948.

The point I wished to bring to the attention of the Senator from Ohio was the fact that in other areas of the country which have not had the benefit of appropriations for flood control works in prior years, the people must still live under conditions of recurring annual floods, and some which come more often.

That was the picture which was presented to the subcommittee and the full Committee on Appropriations time and time again in 1,430 pages. Representatives from many areas of the country said, "We have the same problem which appears in the Ohio River Valley, where this year almost $50,000,000 was saved in flood damage, and we would like to have the same opportunity in our valley."

Mr. TAFT. May I say——

Mr. GURNEY. I have not yielded. I am making an observation.

Mr. TAFT. I thought the Senator asked me a question.

Mr. GURNEY. No. I asked the Senator from Michigan to yield to me for an observation.

Mr. TAFT. I thought the Senator asked me a question.

Mr. GURNEY. Continuing my observation with respect to the statements which were made to the subcommittee, we find that flood damage is recurrent in many basins—in the Missouri River, the Mississippi, the Arkansas, and the Red River. A similar condition prevails in California. That is why the full Committee on Appropriations recommended this bill by a vote of 16 to 3. We feel that by spending this money we can make annual savings in every river valley in the country which will be comparable to the fine savings which are now being realized annually in the Ohio River Basin.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TAFT. I wholly deny the guess estimates as to what would have happened in the way of flood damage if there had not been flood walls. It is utterly impossible to make reliable estimates in that field. We have had floods for 160 years. Whether we do certain work this year or next year is not a vital question; but whether we exceed the budget by $2,000,000,000 or $3,000,000,000 this year is a vital question.

The program which I would follow in connection with public works would accomplish all the flood-control work—and perhaps more—in the next 5 or 6 years that would be accomplished under the program of the committee. But to say that the program is absolutely essential and must be done now instead of 1 year later or 2 years later is an utter misconception of the importance of these projects.

We have had many such projects in the Ohio River. There are others that we want. There are many Ohio items in this program. I am perfectly willing to take a chance with the committee. Some of them will be eliminated. I think it is to the national interest that some of the works in this bill in all States should be eliminated and postponed. Of course, each one is a good thing in itself. Each program we are undertaking is a good thing in itself. Appropriations of $13,000,000,000 for the Army, and of $7,000,000,000 for foreign relief are essential programs. The only point is that we cannot do it all at once, and hope that this country can go on with any reasonable stability. We cannot accomplish these things all at once without increasing the prices of everything the people of the country must buy. We cannot add $7,000,000,000 worth of houses in a year to all the other programs and still hope that finally we shall be able to prevent inflation.

The difficulty with the situation is that we are trying to do more than even this country can do. Wherever we can cut down in every phase of this activity we ought to make reductions. I was in favor of reducing the foreign-relief program. I am in favor of reducing this program. I am in favor of holding the Army and Navy down as much as we can hold them down.

As an over-all proposition, if we want a sound fiscal policy in this country, if we want to avoid inflation, and if we are to balance the budget, we must say, "Yes; each one of these programs is a great thing in itself, but it must be fitted into the whole national picture." The field of public works is one place where expenditures can be cut down. It is a most unpopular thing to do, politically, perhaps the most unwise thing that could be done; and, yet, it is absolutely the soundest and the only proper approach for anyone who has an over-all interest in the fiscal welfare of the United States and its people.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from Michigan the same question I asked the distinguished Senator from Kansas.

The argument that it is unwise at this time to increase our appropriations for public works is certainly debatable. I think I have been on the short end of that argument all year, and I think my record is consistent. I have tried to economize; but it seems that every time appropriations for rivers and harbors are under consideration, that is the very time that we should start to economize.

We can pass bills for public housing and bills to increase Federal aid to education; we can pass European relief legislation, and that is all right. That is needed. I do not know whether it is true or not. I tried to find out. Not more than an hour ago I asked Mr. Dewey, the head of the staff of the so-called watch-dog committee, how much money was to be appropriated under ERP for the very purposes for which we are appropriating money here—not that I want in any way to sabotage ERP, because that legislation has been passed; but unless the figures have been corrected, it is my understanding that the figure is in the neighborhood of $300,000,000. That is all right. We did not have an opportunity to discuss a single project to be undertaken in Europe. We simply passed the bill. That is all right. We can approve appropriations of $9,333,000,000; but when it comes to passing an appropriation in which I am vitally interested, and which involves the production of food, we must do something else.

I think we could debate that question all day and all week and not get anywhere, because there is a great deal of hypocrisy involved in defending the position many Senators have taken on the question of inflation, considering the appropriations for which they have voted. Let us be frank. What I want to do is to get back to the realities.

If Senators are serious about recommitting the bill, the motion requires that $200,000,000 be lopped off this appropriation. I wish to pay my respects to the minority Members, and especially to the Senator from Kansas [Mr. REED]. I know that he is very sincere.

I should like to ask the Senator from Michigan a question. How is the $200,000,000 arrived at? It seems to me futile to say merely that we are going to take $200,000,000 off the appropriation. The argument is made that it is proposed to appropriate approximately the same amount of money this year as was appropriated last year. Costs have increased considerably since last year. How do we know that projects which have been approved and authorized, and are now under construction, will be continued? That is a very simple question. I think it behooves the minority to itemize, project by project, the $200,000,000 which they feel can safely be taken from this appropriation. The argument about the engineers and the budget, and who says this or that, is one thing; but to recommit the bill in accordance with the motion, which would permit the engineers to say what projects should be continued, is an entirely different thing.

Congress has already authorized these projects and has made appropriations for their construction. I think the only practical way to proceed is as follows: If the minority members of the committee are sincere in wishing to have $200,000,000 cut off from this appropriation, then it is not enough simply to say, "Let us make the appropriation this year equal the appropriation of last year," because I should like to know what the costs last year were, as compared with the costs this year. I think the projects should be itemized, project by project, up to an amount which will represent a reduction in the neighborhood of $200,000,000, so that those of us who wish to economize may vote intelligently on what reductions should be made, rather than simply take a lump-sum figure out of the air.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. TAFT. I wish to state to the Senator that if he had the responsibility for arriving at an over-all budget figure, he would have to consider all the proposed programs before the Government, and he would have to say, finally, "We can only afford $500,000,000 for flood-control works," or something of that sort. In effect, that is what we are trying to do. We are trying to make an intelligent approach to this matter.

In the case of the European recovery program, I proposed to the Congress that we make a reduction of $300,000,000. Those who opposed that proposal asked, "How do you arrive at that figure?" Of course, Mr. President, we arrive at such figures arbitrarily, on the basis of our views as to what the country can afford.

Taxes have been reduced. The estimate of governmental receipts is between $44,000,000,000 and $47,000,000,000, and the estimate of expenditures is between $37,000,000,000 and $39,000,000,000. According to the budget figures, it is estimated that the excess of receipts will amount to approximately $4,500,000,000. According to the legislative budget, approximately half that amount, or not less than $2,600,000,000, must be applied to the public debt. So, Mr. President, sooner or later the Government will have to come to the point of saying, "We can spend only so much this year on public works, in view of the fact that in addition to all other expenditures, we must make expenditures on the European recovery program and in the battle against the spread of communism." It seems to me that someone must consider the over-all picture. So I think it is perfectly foolish to inquire, "How do you arrive at this particular figure or that particular figure?"

The figure presented is an over-all estimate as to how we can keep our expenditures within the amount of money we have to spend.

Mr. WHERRY. Mr. President, will the Senator yield for an observation?

Mr. FERGUSON. I yield.

Mr. WHERRY. With much of what the Senator from Ohio has said, I agree; but with some of it I totally disagree. I do not see that the European recovery program appropriations are at all in the same category with the appropriations under the Flood Control Act. The European recovery program is an entirely new program, and only estimates can be made regarding its cost. I assume that at the time when that program was formulated and presented to the Congress, those in charge of preparing it did not even know what would be spent on it.

But the Senator from Michigan knows that these projects for flood control and rivers and harbors have been carefully considered, item by item, first by the subcommittee and later by the full committee, and they have determined what they think the expenditures should be. I think it behooves the minority members of the committee to state—and to justify—project by project, the items it thinks do not need to be built this year. When that is done, I think we can reasonably and intelligently vote on this issue. But until that is done, merely to say, "We are going to cut off $200,000,000 in the interest of the national economy," to my mind, is being penny-wise and pound-foolish, because under such a procedure it might be necessary to terminate projects which actually had been begun, and such action would result in great losses under contracts which already had been let, and in connection with which work had been started; and it might be that such losses would be greater than the amount of the proposed savings.

I submit to the Senator from Ohio that these appropriations are quite different from appropriations for a new program on which only estimates can be made. In this case, we are dealing with a program which has been appropriated for year after year, so that the amounts of past expenditures are known and can be used in connection with drawing up a program for the future.

Although I wish to do everything within my power to keep the Federal

Government's expenditures within a budget which can be sustained by our country—in fact, if there is any Senator who has been criticized, it has been the junior Senator from Nebraska, because he has tried to make the Government economize—yet here is a matter which must be approached from a practical point of view. However, that is not done. The question of economy is not to be considered in connection with this matter any more than it is in connection with the European recovery program; but if we wish to reduce these appropriations $200,000,000, each and every item that is to be dropped from the program should be considered, and the dropping of it should be justified, just as every item which is placed in the program in the first place is justified before the committee. I submit that is the only practical way to approach a vote on the question of making a reduction of $200,000,000 in these appropriations and then letting the Army engineers say for what projects the money remaining should be spent.

Mr. REED. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. REED. Before the Senator from Nebraska takes his seat, I wish to point out that the statement represents as wide a departure from common sense and sound legislative procedure as I have ever heard.

Mr. WHERRY. Does the Senator refer to my statement?

Mr. REED. Yes. It represents as wide a departure from common sense and sound legislative practice as I have ever heard.

When Congress is making appropriations under a new program, of course the appropriations must be more or less arbitrary, based upon estimates. But for continuing programs, for which appropriations are made year after year, the common procedure is to say, "How much was used for this purpose last year, and how much will be needed this year, and how much will be needed next year?"

What the Senator from Nebraska has been talking about and criticizing is the commonest legislative practice there is.

Mr. WHERRY. Mr. President, I think that statement should have an answer. Not only am I amazed, but I am somewhat bewildered by the remarks made by my good friend, the distinguished Senator from Kansas. The reason I am is that in view of all the experience the Senator from Kansas has had I think it is utterly futile for him to suggest that the Appropriations Committee should attack this problem backward, for that is exactly what is now proposed. The Senator from Kansas knows that if he is not in favor of the Tombigbee project, which is included in the program now presented to us, even though that project has not yet been begun, there is some sense in asking that that project be eliminated from the program if Senators are opposed to it.

But I submit to the Senate there never has been anything further from sound practice or common sense than a proposal simply to lop off $200,000,000 without any justification, but merely by way of taking that figure out of thin air, and then saying to the Army engineers, "You are to spend the remainder of the money as you think best, without regard to what Congress has done in the past."

Mr. FERGUSON. Mr. President, is this my speech? I thought I had the floor.

Mr. WHERRY. Mr. President, I am sorry to have interrupted the Senator. I hope that in his speech he will answer that question, because the answer to it is not to be found by a consideration of the question of the national economy. Of course the question of the national economy is ever before us; but in arriving at the answer to the question, the practical thing to ask is, "How is the proposed $200,000,000 reduction arrived at, and how do those who propose that reduction justify the elimination of the projects which will have to be eliminated if such a reduction is made?" Believe me, Mr. President, although some may say it is not good common sense to ask such a question, nevertheless the projects which have been authorized and are being constructed today are the ones which I wish to see continued, and I shall vote to see that they are continued. Once projects have been authorized and construction has begun, they should be continued, and the money of the Government should be used for that purpose, in preference to using the Government's money for the purpose of starting new projects, with the result that projects already begun would be brought to a standstill, thus causing a loss which probably would exceed the proposed $200,000,000 saving.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BARKLEY. I do not want to take the Senator's time, and I probably should say this in my own time, but I should like to comment in a word or two on the suggestion of the Senator from Ohio, who quotes divers and sundry economists who favor suspending all public works, or most public works, until there is a depression and widespread unemployment.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TAFT. Not "most public works." I said, to let up on the program, to treat it gently.

Mr. BARKLEY. I refer to the general proposition the Senator laid down, based on the opinions of economists. I have great respect for economists, but I do not necessarily follow their theory in everything. The theory contemplates that public works are to be undertaken as a means of furnishing work to people who are out of work. That is not involved in flood-control appropriations. We are not undertaking to inaugurate flood control in order to give people work. We grant that people are at work in this country. But floods occur regardless of depressions and prosperity. Floods may be just as damaging and just as harmful in the height of employment and the very height of prosperity as they are in days of depression.

In the meantime the damages we seek to prevent are recurring every year. The figures on the chart show that in 10 years, even with the appropriation now contained in the bill, we shall have appropriated $3,626,000,000, an average of $362,000,000 a year. That average includes the great slump in appropriations in 1944, 1945, and other years, when they were at the minimum. In the case of a Nation-wide flood-control program authorized by the Congress of the United States, which stated that the Congress accepted it as a national obligation, certainly an average of $362,000,000 a year over a period of 10 years is not an excessive expenditure in order to protect life and property in this country.

Floods are just as devastating and just as harmful in one year as in another, regardless of whether we are in a state of prosperity or in a depression. So I do not accept the theory that we ought now to cut down the appropriation because everybody is at work and we are in a prosperous season. That may be a good time to expend the money, because when depressions come the Treasury will likewise feel the impact of unemployment and lack of prosperity in reduced revenues and income. So I did not want the moment to pass without expressing my disagreement with the over-all theory of the Senator from Ohio, which may be good in some particulars and with respect to some expenditures, but which I do not think is applicable to flood control.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. I do not want to take the time of the Senator because later I may make remarks upon the subject before the Senate, but I should like to point out, following the remarks of the able Senator from Kentucky, that the $3,626,000,000 spent in 10 years, making an average of $362,000,000 a year for flood control, not only covers flood control but also covers improvements to rivers and harbors. It is the over-all picture, as I see it, for all appropriations, covering not only the flood control that has been spoken of, but the great improvement of waterways and harbors, which are so necessary to the maintenance of the Nation's commerce.

Mr. BARKLEY. I am glad to accept the correction made by the Senator from West Virginia. While I did refer to flood-control matters, because floods create great damage every year, the amount to which I refer does include all river and harbor improvements as well as flood-control appropriations.

Mr. REVERCOMB. Mr. President, will the Senator from Michigan further yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. I am apprised that not only does the figure on the chart cover flood control for the 10 years, and the improvement of rivers and harbors, but it also covers maintenance of the Panama Canal, as well as the Quartermaster's Department of the Army, in a large part of its work.

Mr. GURNEY. Mr. President, if I may add, it covers 11 years, not 10.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TAFT. Can the Senator tell me the estimated cost of all authorized river and harbor and flood-control projects now?

Mr. FERGUSON. Yes. The flood-control unappropriated monetary authorization is $1,443,000,000.

Mr. TAFT. No; I meant the authorization of total cost of all the projects which have been authorized now for flood control and improvement of rivers and harbors.

Mr. FERGUSON. It is in excess of $7,500,000,000 in round figures.

Mr. TAFT. Mr. President, what I wanted to suggest is that whether the $7,500,000,000 is spent all in equal parts over all the program, or whether it is spent, as I suggest, by letting up in times of prosperity and increasing in times of depression, we shall get through with that $7,500,000,000 just as soon, as I see it.

Mr. FERGUSON. The figures on the chart indicate clearly that in cases of national emergency, for instance, the appropriations were slowed down. We figure the same thing is true now. Many things have happened since the budget was made up last fall by the engineers and by the Bureau of the Budget.

Mr. TAFT. Mr. President, I only want to suggest that I am just as much for flood control as is the Senator from Kentucky. He and I live in the Ohio Valley, and I do not want him to think I am not just as strong for that program as anyone else. I only want to point out that a program of $7,500,000,000 is not going to be completed for quite a long time, probably 10 years. Additional authorizations will come along. I do not know what the whole cost will be. I suggest that in the long run the interests of the country will be better served by following the general program of less expenditures for public works in busy times, and more, consideraly more, in times of depression.

Mr. BARKLEY and Mr. GURNEY addressed the Chair.

Mr. FERGUSON. I yield first to the Senator from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. I wanted to say that the figure I used a moment ago as an average, $362,000,000, was based on a 10-year period. Looking at the chart again, I see it is 11 years. The average for the 11 years is only $330,000,000, which is less than the appropriation for either 1948, 1947, 1946, or 1943. The $330,000,000 average for 11 years is certainly not an outrageous expenditure on an obligation that Congress overwhelmingly owes to the American people.

Mr. FERGUSON. I now yield to the Senator from North Dakota [Mr. GURNEY].

Mr. GURNEY. A few minutes ago, the question was asked as to the total amount of projects authorized by Congress, for which the engineers have furnished estimates of cost. I would say that, should we appropriate the amount of money provided in the bill, recommended by the majority of the Appropriations Committee, on flood control, there will still be unappropriated-for projects in the amount of $1,083,516,575.

That refers to flood control generally. Flood control on the Mississippi River and its tributaries amounts to $393,576,-319. Rivers and harbors improvements amount to $1,775,082,600. Putting them all together, paying out the money recommended in the bill, there is a total for authorized projects, rivers and harbors, flood control, and flood control on the Mississippi River, of $3,252,175,494, which is very much less than the $700,-000,000 which has been mentioned.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GURNEY. Certainly.

Mr. TAFT. What about the Pick-Sloan plan? That alone will require $3,500,000,000. It may not be authorized, but it has been spoken of by the Senator from North Dakota and has been generally approved as a plan.

Mr. GURNEY. These figures include all the money for the Army engineers for all the projects on the main stem of the river. They include all the large dams. The $3,500,000,000 figure includes a number of dams to be built by the Bureau of Reclamation away up on the tributaries, there being more than 100 projects. They have not yet been studied or surveyed. It amounts to an estimate of what the Bureau of Reclamation will require. These other figures include all the dams to be constructed by the Army engineers on the Missouri River.

Mr. TAFT. Has the Senator included the flood-control plans suggested by the Senator from Florida [Mr. PEPPER]? I think they amount to half a billion dollars.

Mr. PEPPER. Oh, no.

Mr. GURNEY. The Senator asked with reference to the authorized projects.

Mr. FERGUSON. This is only the remainder of all those which are authorized.

Mr. PEPPER. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, in regard to what was said by the able Senator, the principle of concentrating on public works in periods of unemployment is obviously a sound principle, but only with respect to those public works which can be properly postponed until some such contingency as unemployment may occur. But the Senator from Ohio [Mr. TAFT] mentioned the flood-control authorization. In those cases I dare say an investigation will disclose that there will be an immeasurably greater loss sustained by not spending the money than by spending it to control floods and prevent their recurrence.

The total authorization requested for the complete program in Florida is approximately $208,000,000. An official source determined that the State of Florida had losses in one season last year amounting to $59,000,000. The Governor of the State estimates $100,000,000 in 1 year. That does not embrace the total loss sustained by the people. So, postponing flood control at some place must increase the damage to the citizenry from something which they are powerless to prevent but which Congress, by wise expenditures, can prevent when the program is carried out.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. YOUNG. With regard to the total estimated cost of $972,113,000, I should like to say that in 1 year alone there was a loss in the valley of $500,000,000. In my own State the loss will amount to more than $35,000,000.

Mr. FERGUSON. Mr. President, the Senator from Nebraska [Mr. WHERRY] asked a question, but he is temporarily absent from the floor, and I shall not attempt to answer it at this time.

I wish to speak briefly on behalf of the motion to recommit the Army Civil Functions appropriations bill to the Committee on Appropriations.

The failures of this bill to take into account the best interests of the national economy and the fiscal condition of the United States have been discussed in the minority views on the bill and in previous remarks on the motion to recommit.

Let me say with the other signatories of the minority views that I have been astonished by the indiscriminate manner in which the Army engineers have made their requests for restoration of every dollar of House cuts in this appropriation. Let me say further that I have been astonished by the manner in which the committee majority has acceded to those requests.

It is evident that the majority has been influenced by the long parade of witnesses who have come before them. I must say that I have been astonished as well by that parade and disturbed by its course. More than 300 witnesses appeared or were represented before the committee, exclusive of the War Department engineers and Members of Congress. I can recall only one who appeared to protest what is cynically but universally known as this great "pork barrel" bill.

I think the RECORD should show that V. G. Kemp appeared and testified. His testimony will be found at page 1020 of the hearings.

There undoubtedly were other opposition witnesses, but I recall this one because of the apologetic manner in which he made his presentation, as though apologies were necessary in an appearance on behalf of governmental economy.

The minority views call particular attention to the increase in the Senate bill over the House appropriation, amounting to $102,000,000. They call attention also to a significant table showing the financial history of civil-works appropriations, a history of ever-mounting expenditures.

I should like to comment on one aspect of these appropriations, and of the present bill in particular, which was touched

upon by the junior Senator from Kansas [Mr. REED]. In so doing, I would take as my text the old fable of the camel's nose. It is a fable which I am sure is familiar to each Member of the Senate, although its moral may be sometimes forgotten.

There are included in this bill 63 new projects; that is, items for which there has previously been no appropriation for construction. It is true that the appropriation for these items is only $41,451,300. But let me call attention to the fact that the construction undertaking contemplated within that figure implies a commitment to complete works which have an estimated cost of $756,326,400. In other words, we actually are appropriating here only approximately one-twentieth of what will be the ultimate charge to the Government.

To be sure, Mr. President, there will be involved no legal commitment to complete those projects. But in candor we must recognize that once a project is undertaken there is scant room or even economy to turn back at a midpoint of construction, unless it is to be abandoned and stand as a monument to indiscretion.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. FERGUSON. I shall be glad to yield.

Mr. CORDON. I want to say that I am in entire agreement with the Senator from Michigan in his last statement. If there is one thing upon which the Congress should have its mind fixed, it is that if it makes an appropriation for any expenditure on these projects it should have in mind that it must make the ultimate expenditure. Otherwise it would amount to utter waste. I absolutely agree that several projects will require the amounts of money which the Senator has suggested. I differ from the Senator, however, with respect to those projects with reference to which commitments are not now being made. Such commitments were made when Congress authorized the projects.

If the Senator will indulge me for a moment further, I think it would be wise for Congress to review the whole program of flood control, river and harbor improvements, and reclamation; but that review should be a considered review, and the policy, once adopted, a considered policy. Until we do that, it seems to me we are shooting in the dark, unless we take the findings of a committee which has spent uncounted hours and weeks in an attempt to provide annual appropriations for the projects which, according to the evidence, seem to be the ones which should have attention now.

Mr. FERGUSON. Mr. President, the extent of existing civil-works plans, as pointed out by the junior Senator from Kansas, bears reemphasis. They amount to something over $5,000,000,000. With the inclusion of the new projects contemplated in this bill as it lies before the Senate, annual appropriations in the future can certainly be expected to exceed a billion dollars.

Mr. President, these are matters which are not readily apparent, but I am greatly concerned about these hidden commitments which our Government has undertaken.

I have recently had occasion to take issue with the Bureau of the Budget on the manner in which the budget document as a whole is prepared. I do not feel that it presents with sufficient clarity the real obligations for future expenditure on the part of the Government.

But I must confess that the responsibility, however much a revised budget document might assist by calling attention to our outstanding obligations, lies with the Congress. It is we who have been lax in failing to heed the fact that an obligation does not necessarily expire with an appropriation. There are many other obligations, as through authorizations, deferred expenditures, and tacit commitments. They are staggering in their cumulative impact. They demand that we pause and examine every appropriation measure for its future implications.

I have just said that I have recently had occasion to take issue with the Budget Bureau in a different, although related, matter. The Bureau is a favorite target for all of us who would be considered economy-minded. This Congress is on record as believing its current budget report to be inflated. But I want to call attention to what this bill does with those budget recommendations for civil-works construction, as they were submitted by the President.

On the whole, the bill reduces the budget estimates for rivers and harbors and flood control general expenses by $22,915,800. But it includes construction appropriations on 42 different items which were not included in the President's budget. They amount to $29,983,300. Those projects, incidentally, will have an ultimate cost of $439,754,000, if they are completed.

The point I wish to make, Mr. President, is that merely by observing the budget recommendations, as far as those 42 projects are concerned, it would have been possible to reduce the budget figure by $52,899,100, or almost 10 percent.

Mr. President, I am not protesting the wisdom or value of civil-works projects generally, or expenditures for any necessary Federal projects, for that matter. The test is one of necessity, and in this case engineering and economic necessity.

I am protesting in this manner, however, the steady and ever-mounting reliance upon the Federal Government for expenditures.

We think this appropriation is one which, by its nature, is particularly capable of reduction. To avoid any impression that we are registering a mere hollow and hackneyed appeal for economy, we have set up what we believe to be a proper and reasonable goal—$200,000,000 less than the figures presently included.

We have recommended a specific formula by which the Army engineers may, in exercise of discretion and conscientious judgment, present us with a program corresponding to that goal.

We ask that the flood-control and rivers-and-harbors projects be classified and given priority ratings, which would be based on urgency, long-range importance, completion with reasonable appropriations, and local sharing of expense.

We believe these to be entirely reasonable recommendations which do not jeopardize any demonstrable needs of the Nation.

The amounts involved may appear insignificant in comparison with other fiscal undertakings of this Congress. They may seem unworthy of the attention we have sought to focus upon them.

There is involved in this particular area, however, a significant challenge to this body's sense of responsibility in the future course of Government spending policy. There is involved a test of the Members' courage to meet that responsibility head-on, with conviction and foresight.

The Nation's economic and social welfare demand there be no evasion on the issue this appropriation presents. The results of this test will be read not alone by interested constituents of this day, but by future generations, who will bear the burden or enjoy the wisdom of the policy that will be laid down here.

Mr. President, the junior Senator from Nebraska is in the Chamber at the present time, and I desire to answer his questions, because from the questions which were asked and the remarks made I take it that each Senator feels the responsibility to say to his constituents, if he votes to send the bill back to the committee, "I voted to send it back, and I realized that would mean taking dollars out of the appropriation from projects assigned to our State."

Mr. President, the question is a fair one. It is a political question.

The Army engineers have been mentioned in the debate; we have heard them praised, heard the statement that in wartime they did a great job. I remember one war project looked into by the War Investigating Committee. It was the Canol project, involving the expenditure of $146,000,000. What was it for? No one has been able to find out yet. It has been a total loss to the United States Government.

I have seen the work of the engineers in Central America. In fact, I traveled by mule, airplane, jeep, or automobile, and in some places on foot, over the whole highway that was built there. I saw that these engineers, while the Nation was fighting a great war and the taxpayers were giving of their money to prosecute it, were building roads parallel with those constructed by the highway departments.

Oh, yes; we are aware of many things the engineers have done, but what I want them to do in this case is to say, within a budget, that certain projects are the most urgent and important, and can be completed for the benefit of the American people with the least possible expenditure of money.

Why did the Congress in 1946 pass a Reorganization Act and include a provision for a legislative budget? I think I

know why that was inserted. It was because we felt that the time had come in the United States when we could not trust the executive branch of the Government on the question of budgets. It was spending too much money; it was taking the substance of the people of America; and so the Congress said, "The elected representatives of the people in both Houses should at the beginning of each year declare what they think the over-all total budget should be." They said that the budget this year should be reduced $2,000,000,000.

Where do we get the figure $200,000,000? We believed that was a commitment to the people of the United States, and that if we took from the $738,735,550 the sum of $200,000,000, we would have left about $25,000,000 more than the appropriation for last year. Then we should be able to get along with a little more than we had last year and complete the job we had undertaken.

Permit me to read from page 1396 of the hearings, as follows:

ANALYSIS OF RIVERS AND HARBORS AND FLOOD CONTROL CONSTRUCTION PROJECTS

Attached are the tables on river, harbor, and flood-control construction projects in the civil functions bill which Senator BRIDGES requested and which have been studied. (Attached are two recapitulation tables—tables A and B.)

The tables indicate that a large part of the 1949 construction funds approved by the House are applied to projects which are in the initial stages of construction.

This is illustrated by the following table:

| | Percent of total 1949 allotment | |
|---|---|---|
| | River and harbor projects | Flood-control projects |
| Status of projects receiving 1949 construction funds as of June 30, 1948: | | |
| Less than 10 percent complete | 32.1 | 15.6 |
| 10 to 19.9 percent complete | 1.2 | 24.4 |
| 20 to 29.9 percent complete | 7.4 | 13.6 |
| 30 to 39.9 percent complete | | 16.5 |
| 40 to 49.9 percent complete | 4.2 | 7.4 |
| 50 to 59.9 percent complete | 15.6 | 11.6 |
| 60 to 69.9 percent complete | 11.9 | 3.4 |
| 70 to 79.9 percent complete | 13.9 | 4.3 |
| 80 to 89.9 percent complete | 6.5 | .9 |
| 90 to 99.9 percent complete | 7.2 | 2.3 |
| Total | 100.0 | 100.0 |

Analysis also shows that projects in the initial stages are granted a larger proportion of funds, relative to their total cost, than projects nearing completion. This is a measure of the speed-up occurring in the program.

Also attached is table C, a summary for the years 1939 through 1949 (estimated) of appropriations and expenditures for civil functions.

Following that appears table A, "Recapitulation of flood control, general, projects by degree of completion," which I ask to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE A.—*Recapitulation of flood control, general, projects by degree of completion*

| | Total estimated Federal cost | Allotments to date, June 30, 1948 | House approved | Balance to complete |
|---|---|---|---|---|
| Projects under planning appropriation only | $601, 845, 400 | $6, 644, 100 | $3, 000, 000 | $592, 807, 300 |
| Projects less than 10 percent completed | 669, 308, 300 | 31, 979, 300 | 47, 642, 400 | 589, 686, 600 |
| Projects between 10 and 19.9 percent completed | 503, 955, 300 | 72, 822, 600 | 74, 901, 300 | 356, 231, 400 |
| Projects between 20 and 29.9 percent completed | 238, 348, 700 | 54, 834, 200 | 41, 600, 000 | 141, 914, 500 |
| Projects between 30 and 39.9 percent completed | 543, 431, 300 | 180, 901, 200 | 50, 453, 600 | 311, 945, 500 |
| Projects between 40 and 49.9 percent completed | 86, 274, 000 | 36, 963, 400 | 22, 668, 200 | 26, 642, 400 |
| Projects between 50 and 59.9 percent completed | 133, 025, 400 | 74, 883, 200 | 35, 353, 700 | 22, 788, 500 |
| Projects between 60 and 69.9 percent completed | 33, 368, 400 | 21, 631, 400 | 10, 388, 800 | 1, 348, 200 |
| Projects between 70 and 79.9 percent completed | 75, 361, 800 | 58, 056, 700 | 13, 102, 900 | 4, 202, 200 |
| Projects between 80 and 89.9 percent completed | 21, 968, 500 | 18, 765, 700 | 2, 871, 800 | 331, 000 |
| Projects between 90 and 99.9 percent completed | 279, 882, 300 | 264, 751, 900 | 7, 254, 300 | 7, 876, 100 |
| Total under construction | 2, 584, 924, 000 | 815, 589, 600 | 306, 237, 000 | 1, 462, 966, 400 |
| Total planning and under construction | 3, 186, 769, 400 | 822, 233, 700 | 309, 237, 000 | 2, 055, 773, 700 |

Mr. FERGUSON. Mr. President, we who are Members of the Appropriations Committee know what happened last year respecting reclamation. We realize last year we appropriated more for reclamation than had ever been appropriated before. Last year Congress was generous. But we found that the Department of the Interior notified their men to speed up, prior to January 1, 1949, the spending of the money Congress had provided. Then we discovered that we had to appropriate in a deficiency measure about $30,000,000 more. We understand what goes on.

The Senator from Nebraska [Mr. WHERRY] is now on his feet, so apparently he is of the opinion that I have not answered his question. It is impossible to stand here and tell the Senate that if $200,000,000 is taken from the appropriation, one of the Senator's dams in Nebraska will lose so many thousands or so many millions of dollars. But we do say that if there is in the Senator's State a project which is urgent which is demanded, which can be completed within a reasonable time, that project should have the consideration of the Army engineers and the Appropriations Committee, and if the project is one which comes within the category we have laid down it should not be cut one cent.

On the other hand, if there is a project in the Senator's State which has just been begun, or which does not come within the category we have laid down, if it is all pork and all in the barrel, then the Senator can expect that such a project will be cut down by the rule, by the policy we are trying to enunciate, and then he will find that the citizens of his State will lose so much pork out of their own back yard. I think that is a fair way to state the situation.

Mr. President, we should be willing to sit down again with the Army engineers and discuss the situation. I assume that when the engineers received the budget figures the President said to them, "Here are the number of dollars you can have. Apply some rule to the projects before you. Find what are the necessary projects, and what their order of priority is, whether one, two, three, or four, or further on down the line."

The Congress should act in the same way. We should say, "Here are $738,335,550 less $200,000,000. We want you, the Engineers, to restudy the situation and come to the Appropriations Committee with priorities respecting projects. Tell us what you think is the most urgent project. If one of the projects before you is such as the Canol project which was undertaken during the war, or a project such as building a parallel road in Central America, put that project at the foot of the list." Then when we give consideration to the whole subject we will see what should be done respecting each project, and if we find that a project in which the Senator from Nebraska is interested, or a project in which the Senator from Michigan is interested is similar in its nature to the Canol project it ought to be placed at the bottom of the list. On the other hand, if there is a project in the Senator's State of Nebraska, for instance, which is a No. 1 priority project, appropriation should be made for it.

Mr. President, we are not against making appropriations for flood control or for rivers and harbors. But we are now facing a situation of urgency such as that which we faced last fall when Congress was called into session. At that time there was talk of a Marshall plan, of an ERP. The budget for that plan was made up prior to the time Congress assembled. Since then we have found need existing for making other appropriations. We have found it necessary to make appropriation for a 70-group air force. We have found that other large expenditures must be made. We have found it necessary to provide appropriations for Greece, for China, and for other countries throughout the world. So now I hear Senators say on the floor and in the cloakrooms, "Oh, if we give so much to Europe, if we make appropriations for other countries of the world, we cannot deny the dollars asked of us from the people back home." But, just so surely as we are here today, if we adopt such a policy, and do not take a stand for economy when it is needed, then the old saying, "It is the last straw that breaks the camel's back," will come true so far as our country is concerned. We have made appropriations because we believed them to be necessary. We have believed that certain priorities existed for which we should make appropriations.

Mr. President, I ask the Senate today to reexamine the pending bill. Let us be fair with the people. Let us not place on them "the last straw which breaks the camel's back." If America should faint, if America should falter, if America should become unable to maintain a stable economy we know what the result will be.

In the present instance it is proposed to save $200,000,000. Many other millions of dollars can be saved by Congress. We are reviewing the subject of ERP.

It may be that in ERP we can find places where some millions of dollars can be saved the taxpayers. Let us review the situation in the light of what we said in February of the present year, that, as conscientious legislators, we would reduce the budget $2,000,000,000. So far as Michigan is concerned, I will accept whatever reduction will apply to her, whatever it may be, in order that we may have a stronger America.

Mr. CORDON. Mr. President——

The PRESIDING OFFICER (Mr. STENNIS in the chair). Does the Senator from Michigan yield to the Senator from Oregon?

Mr. FERGUSON. I yield.

Mr. CORDON. The Senator from Michigan mentioned a few minutes ago in his statement that there should come out of the appropriation bill that which I believe he said is pure pork.

Mr. FERGUSON. Yes.

Mr. CORDON. The Senator has been quoted in the newspapers as referring to the bill as a "pork-barrel bill." Will the Senator from Michigan oblige the Senator from Oregon with his definition of pork?

Mr. FERGUSON. Yes; I shall be glad to.

From the early history of the country, certain appropriations in Congress—the present as well as in previous Congresses—have had a political significance. In election years, and, yes, even in other years, a political significance attaches to them. If a State is asking for something and the chambers of commerce and the labor unions apply political pressure, Senators from the State feel the appropriation should be made.

Some questions have been asked today to this effect: "How does it affect the Senator's State? How does it affect my State?" For example, with respect to the Soo, $500,000 for a generator plant was eliminated from the appropriation. It would have been a very pleasant thing to have been able to go back to Michigan and say, "I was able to get every appropriation asked for." That would sound well in my home State. But the people should say, "What about the over-all situation of America? If you got everything we wanted, did every other State get everything the people of that State wanted?"

I am surprised that the Senator from Oregon asks me for a definition of "pork barrel."

Mr. CORDON. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. CORDON. Will the Senator, before he closes his discussion, identify the pork in this bill?

Mr. FERGUSON. I am not going to say that $100,000, for example, in connection with one of the projects in the Senator's State is pork. But I conscientiously believe we can take $200,000,000 from this appropriation and still have a great deal of fat left. A hog is probably the fattest animal there is. We can take that much fat out of the pork and still have a program with a great deal of money in it during this election year.

Mr. CORDON. Will there be any pork?

Mr. FERGUSON. Yes; there will be some pork. We cannot squeeze all the fat out of the pork.

Mr. CORDON. Has the Senator any idea what amount of appropriation we could make if we eliminated all the pork?

Mr. FERGUSON. I am saying that we ought to take $200,000,000 out.

Mr. CORDON. The Senator says that that would still leave some pork.

Mr. FERGUSON. It would still leave some pork. We cannot eliminate it all.

Mr. CORDON. If the Senator will further indulge the Senator from Oregon, the committee tried to work out this program item by item, on a sound basis. I agree with the Senator from Michigan that discretion must be used. I can see how honest men can disagree as to what the amounts should be. I do not agree with the Senator that the figures represented by these projects fall within his definition of "pork." I do not know of a single river and harbor or flood-control project which has not been presented to another committee than the Appropriations Committee, prior to its coming to the Appropriations Committee, and at a time when we could not squeeze an ounce of fat off the hog, because that committee was not making the appropriation. Having passed the scrutiny of that committee, it was authorized, with a full description of the costs and the benefits. Then the various items went before the Bureau of the Budget for consideration, prior to the time they came to the Appropriations Committees. They went first to the Appropriations Committee of the House, and then to the Senate Committee on Appropriations, where they were subjected to further scrutiny.

Mr. BARKLEY. Mr. President——

Mr. FERGUSON. I should like to answer the question of the Senator from Oregon.

Mr. BARKLEY. Perhaps the Senator can answer my question, too. I should like to make an observation along the same line.

Mr. FERGUSON. I yield.

Mr. BARKLEY. It is easy to declaim against pork-barrel legislation, especially legislation which we ourselves oppose, and desire to condemn with some odious reference. The term "pork barrel" has had an odious connotation in the legislative history of the country, because it applied to appropriations with respect to which there was logrolling and backscratching. One Member of the House or Senate would say to other Members, "Vote for my project and I will vote for yours." But I think no one can claim that such an indictment can be leveled against this legislation. There has been no collusion among Senators, and I am sure the same statement can be made with respect to Members of the House. There has been no logrolling or backscratching. These projects were presented to the committee by engineers and by citizens of the communities involved. Occasionally they were accompanied by their Senator. That was true in my case, and it was true of my colleague, the junior Senator from Kentucky [Mr. COOPER]. We went before the committees, and the engineers and others were examined on the merits of the proposals, disconnected from any other proposals, and wholly disconnected from any proposal by another Senator. So I do not think it is fair to designate this bill, or any part of it, as a "pork barrel" bill.

Mr. FERGUSON. I am sure the Senator would concede, whether there was back-scratching or not, that there certainly were some itchy backs.

Mr. BARKLEY. I do not know about that; but if any of them were scratched, in the sense I am talking about, I do not know whose they were.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WHERRY. Can the Senator answer my question for the RECORD? I am still searching for light.

Mr. FERGUSON. The Senator is searching for an answer as to how many dollars would be taken from the appropriation for a certain dam.

Mr. WHERRY. No; that is not the question. If the Senator intimates for one moment that I am interested in any "pork barrel" proposals, I shall produce the record.

Mr. FERGUSON. No; I am not intimating such a thing.

Mr. WHERRY. How does the Senator justify the reduction of $200,000,000? I am asking this question seriously.

Mr. FERGUSON. I thought I answered that question.

Mr. WHERRY. The Senator certainly has not. Neither has the Senator from Kansas [Mr. REED]. What I want to know is this: If we take $200,000,000 from the $738,000,000, will there be any projects which have been authorized which will be out of funds and unable to continue to operate during the current year? I asked the Senator from Kansas the same question, and he launched into a great oration about how the engineers would do this, and the committee would do that. So he has not answered the question. I am asking the Senator from Michigan the same question. If we can eliminate waste in government, it is all right to select a figure of $2,000,000 or $200,000,000. Certainly my record shows that I am in favor of economy. I do not believe that the Senator from Michigan has won any more blue ribbons than I have in that field. I am willing to compare my record with his on the votes of last fall. I can produce the record if the Senator wishes. If there is "pork" in this bill, then there is "pork" in some of the other things for which we voted.

But I am asking a very practical question. How are we going to take $200,000,000 from the $738,000,000 without justifying it project by project, and determining which projects shall be eliminated? Where would that leave the construction program which has already been started, and which we financed last year to the extent of $415,000,000, I believe? Until those questions can be answered, I say that this approach is entirely impracticable.

Mr. FERGUSON. Let me answer the Senator's question.

Mr. WHERRY. I hope the Senator can answer it. I have tried all afternoon to get an answer.

Mr. FERGUSON. On page 136 of the hearings the Senator from Michigan was asking some questions.

Colonel FERINGA. The total authorization, not the total plan, for flood control, general, Senator Ferguson, is $2,294,045,000. The total appropriation to date is $1,005,272,825, leaving a backlog of authorization not appropriated for of $1,288,772,175.

That is for flood control, general. To that should be added flood control, Mississippi.

Senator FERGUSON. How much is Mississippi?

Colonel FERINGA. For flood control, Mississippi, the total estimated Federal cost is $1,026,609,500, of which $579,533,181 has been appropriated to date.

Mr. WHERRY. Mr. President, does the Senator think that answers my question?

Mr. FERGUSON. No; but I ask the Senator to wait until I finish giving the answer. Projects involving a great amount of money have been authorized. The engineers said that a certain amount of money will be needed this year and will be used this year, and they recommended all these figures.

Mr. WHERRY. Yes.

Mr. FERGUSON. We are simply asking them to cut down the total by $200,000,000, and to tell us what projects should be completed and how much money should be appropriated for each one of them.

Mr. WHERRY. That does not answer the question. I supposed I had made myself clear.

Mr. FERGUSON. The Senator did not, so far as I am concerned, if what I have stated does not answer his question.

Mr. WHERRY. I understand what the long-range program is. I know what the President recommended. I know what the Army engineers have advised, and so does the committee which has studied this matter. The members of the committee understand all that, I am sure.

But the Senator from Michigan has joined in a motion which has been made by the minority of the committee, and that motion is that this measure be sent back to the committee and that the Army engineers be authorized to reduce the program by $200,000,000, and to prorate the remaining amount which they think should be used for the development of the rest of the program, and to outline the remaining items on a priority basis.

Mr. FERGUSON. That is correct.

Mr. WHERRY. I say that motion comes to us backward, and I say that the proposed $200,000,000 reduction was simply taken out of the air, and has not been justified. If this is pork-barrel legislation, the Senator should do what the Senator from Oregon has suggested, namely, point out what parts of it represent "pork barrel" legislation, so that we can eliminate those parts.

In other words, I feel that the minority of the committee, which has taken on its shoulders the burden of maintaining the position that $200,000,000 can be eliminated from these appropriations, should justify that proposal. I think we have a right to know what projects the minority members think should be eliminated.

So I am asking them to point out what items and what projects can be eliminated, up to $200,000,000 of reduction. That is the way I think we should proceed, and I think that should be done.

The Senator has said that some new projects could be begun this year because more money is available. But when I asked him what projects which had not been begun last year should be begun this year, he could not answer. I do not think the Senator can answer the question unless he shows, as a result of a detailed study, how up to $200,000,000 can be eliminated from these appropriations as a result of eliminating one project here and another project there.

Mr. FERGUSON. Mr. President, the trouble is that the Senator from Nebraska wants the motion to be stated in the following way: Here are so many projects; here is where so many thousands of dollars can be eliminated from the appropriation for each project; and when we get through, we will have reduced the total by $200,000,000.

Mr. WHERRY. No.

Mr. FERGUSON. That is what the Senator from Nebraska is proposing.

Mr. WHERRY. No, Mr. President. If the Senator will further yield, let me state that he is misinterpreting my remarks. I do not say he is doing so willfully, but certainly he is misinterpreting them.

The motion which has been submitted by the minority members of the committee provides that $200,000,000 be eliminated from the total appropriations for these purposes, and that the bill be sent back to the committee, and that the Army engineers be permitted to say what projects should be constructed this year, and be permitted to list them on a priority basis.

It is my contention that we should have more information than we now have. Of course, it is all right for the minority members of the committee to talk about a proposed reduction of $200,000,000, if they believe in their own minds that $200,000,000 can be eliminated from the program. But I am seeking light on this subject. Unless we know where the remaining appropriations will be used in connection with this program, I think we have a right to ask the Senator and the other minority members of the committee to submit to us a list of the projects which they believe do not need to be constructed this year. In other words, there are many projects which have not yet been commenced.

Mr. FERGUSON. There are 62 of them.

Mr. WHERRY. Very well. Perhaps the Senator from Michigan feels that they do not need to be started now. Let me point out that the Senator from Michigan does not need to apply my suggestion only to Nebraska.

Mr. FERGUSON. I understand that.

Mr. WHERRY. There are many projects on the Missouri River that are just as important as the projects in Nebraska, no doubt. But I should like to know where we shall find ourselves if the proposed $200,000,000 reduction is made.

Mr. FERGUSON. The figures show that after the reduction we shall have as much to spend this year as we did last year, and $25,000,000 more.

Mr. WHERRY. But will the Senator guarantee that if the proposed reduction is made, the projects which already have begun will be continued or completed? Of course, costs have increased, and there are many other aspects of this matter which might cause the program this year to be entirely different from the program of last year or the program of next year, I do not believe the Senator can guarantee that if the proposed reduction of $200,000,000 is made, all the projects now under way will be continued on a sound basis.

Mr. FERGUSON. Of course not.

Mr. WHERRY. So I think the committee should say, "We believe this project is wasteful and we believe that project is unnecessary," and so forth; and it should list the projects which in its opinion can properly be eliminated, with the result that the total amount saved will be $200,000,000. When that is done, if the bill is recommitted, we shall have constructively shown what should necessarily be done. Otherwise, the $200,000,000 figure is merely taken out of thin air, and represents just so much talk about the economy of the country. Of course all of us are in favor of preserving and safeguarding the economy of the country, but such talk does not prove constructively what can be done in the way of making reductions in appropriations without causing great waste as a result of stoppages. It seems to me that the program we approve should at least provide for a continuation on the basis of the program of last year. Until I receive such information, I, for one, cannot vote intelligently on the question of making the proposed $200,000,000 reduction.

Mr. REED. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. REED. It is possible that the suggestion of the minority members of the committee can be amplified a little before we give up as hopeless the Senator from Nebraska. Here is my suggestion: That the Army engineers be instructed to state the remaining projects which they deem to be the most important, both in the category of rivers and harbors and the category of flood control. Of course, if we had stopped there, we would have conferred on the Army engineers the authority to which the Senator has referred. However, we did not stop there, although the Senator from Nebraska seems to assume that we did. But we also said that the Army engineers should make their selection and should present their recommendations. Those recommendations are to be made to the committee, and, of course, the committee will scrutinize the recommendations and will report on them to the Senate.

Mr. WHERRY. There is nothing in the minority views to that effect.

Mr. REED. I am perfectly willing to change the motion, so far as that is concerned, and I am sure the Senator from Michigan [Mr. FERGUSON] and the Senator from New Hampshire [Mr. BRIDGES]

also will be willing to do so. The minority members of the committee did not have in mind that the action of the Army engineers in making their selections and recommendations would be final. The only way to proceed in this matter, Mr. President, is to have the only body through which we can work—the Army engineers—make its selections and recommendations after we instruct them what they are to consider. That is all the authority we have given them. We have not given them a particle more authority than they now have or than they have been exercising through the years. This is the only way we can properly proceed.

So before I give up my good friend the Senator from Nebraska as hopeless, I hope he will listen to what I have stated in the way of a suggestion.

Perhaps we are at fault for not writing more definitely into our suggestion a statement that the selections and recommendations of the Army engineers will be only selections and recommendations, and that, of course, the final action will be taken by the Congress.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. REED. I do not have the floor.

Mr. AIKEN. I thought the Senator from Michigan yielded the floor.

Mr. FERGUSON. Yes; I yield the floor.

Mr. AIKEN. I am sure the Senator from Kansas can answer my question.

I note in the report three appropriation items for planning reservoirs in Vermont. One item is for $35,000, one is for $10,000, and one is for $15,000. Those items are for increases, the totals being $75,000 for the Ball Mountain Reservoir, $35,000 for the North Hartland Reservoir, and $40,000 for the Townshend Reservoir.

Does the Senator recall who requested those appropriations?

Mr. REED. I do not.

Mr. AIKEN. Did anyone from the State of Vermont appear and request those appropriations?

Mr. REED. I may say to the Senator from Vermont and to the Senate that early in the hearings before the subcommittee on the appropriations for the civil functions of the War Department, I declared, relative to the general policy on the basis of which this bill would be reported, that I was not going to make a nuisance of myself in the subcommittee by quarreling over these items, but that in view of the way the subcommittee was starting out, the result would be a completely indefensible bill, and I said that I would not attempt to defend such a bill on the floor of the Senate. I said I would not be responsible for any part of it, and that if that kind of bill came from the committee, I would oppose it on the floor; and therefore I did not follow the rest of the items as closely as I might have done.

Mr. AIKEN. The Senator does not recall anyone from Vermont who appeared, asking for the three reservoirs, does he?

Mr. REED. I am sorry, I cannot answer that.

Mr. AIKEN. I am not aware that any such request was made by the government of my State, or even by individuals from the State.

Mr. REED. Perhaps the Senator from South Dakota could furnish the answer, if he were here. I cannot.

The PRESIDING OFFICER. Does the Senator from Kansas yield the floor?

Mr. REED. I am very happy to yield.

Mr. SMITH. Mr. President, on page 2 of the minority views, I find certain language, and I want to ask a question in regard to it. It says:

> The action of the committee majority is totally inconsistent with the will of Congress as overwhelmingly expressed in the resolution finally adopted on February 27, 1948, establishing the legislative budget for the fiscal year 1949. This resolution set an expenditure ceiling of $37,200,000,000 which would be accomplished by requiring a reduction of $2,000,000,000 in new 1949 appropriations proposed in the President's budget. Inherent in the recommendation of the Joint Committee on the Legislative Budget for such an appropriations reduction was a determination that public works should be curtailed during this period of high prosperity and that only those projects which were essential should be constructed during the forthcoming fiscal year.

Then, among the points that were finally recommended by the joint committee, I find, on page 3, the following:

> (5) For the same reason, large-scale expansion and acceleration of public works projects should be limited to such projects as are deemed urgently necessary to the public interest.

I want to ask the Senator, as a member of the Appropriations Committee, whether every one of the projects making up the $738,000,000 total was considered urgently necessary to the public interest.

Mr. REED. Not by the Senator from Kansas. But they must have been considered urgently necessary by the committee, at least by Senators signing the report, if they gave any weight whatever to the recommendation of the Joint Committee on the Legislative Budget; which I doubt.

Let me say to my fellow Republicans on this side of the aisle that the only thing which will keep the Republican Party from being defeated in the fall elections, as a result of this bill and the failure of the Republican Party to observe the commitment it gave the country through its budget committee, signed by the Senator from Colorado [Mr. MILLIKIN], the Senator from Ohio [Mr. TAFT], the Senator from Nebraska [Mr. BUTLER], the Senator from New Hampshire [Mr. BRIDGES], and two other Republicans, the Senator from Illinois [Mr. BROOKS] and the Senator from South Dakota [Mr. GURNEY], together with the House Members, is that the President of the United States is making a poorer record in that respect than the Republican Party is making in the Senate.

Mr. AIKEN. Mr. President, may I ask a question?

Mr. SMITH. I should like to ask just one more question.

Mr. AIKEN. I have one more question.

Mr. SMITH. Following up my point, there is, on page 3, a table entitled "Annual Appropriations, Civil Functions, Department of the Army," the figures covering the years 1939 to 1949. The table indicates, as brought out in the discussion and as shown by the chart which is before us, an estimate for 1949 of $738,735,550. Even if we deduct the $200,000,000, as suggested by the minority, we would still have a figure substantially above the next highest figure I find in the 10-year period, namely, the figure of $506,355,012 in 1948. We would have $538,000,000 which is the highest figure on record, even deducting $200,000,000. What I am asking it, Has the committee considered the word "urgent" in applying figures this year to all the projects? It is difficult for me to understand how we can, even deducting the $200,000,000, have a figure higher than any previous figure, and why, also, everything is so urgent that it must be done this year.

Let me merely say that from my own State of New Jersey I made a request for the consideration of a certain project. I am perfectly willing, as coming from that State, to take a chance that my project would be considered by the Army and probably would be taken care of, because it has to do with the Port of New York, certain channels, and things of that sort. But I know that my State would much prefer to have us take an attitude of over-all economy at this critical time rather than insist that these things be done in my own State. I think I would speak for many others, if we all could get together on that basis. That is my reason for making the suggestion.

Mr. REED. I may say to the Senator from New Jersey that within the last 2 weeks I have been overwhelmed with letters and telegrams from different States. Naturally, all the telegrams and letters I receive on the subject approve the views of the minority of the Appropriations Committe. But I want to say again to my fellow Republicans, the only thing that would save the Republican Party from a disastrous and overwhelming defeat in the fall election, on this bill alone, would be that the President of the United States has confronted us with great competition in advocating large expenditures. I have never seen a political party, including my own, so completely disregard a promise made to the country within 3 months after it was made. I at least was in good faith, Mr. President, when I voted to approve the legislative budget commitment to the country, to reduce the appropriations $2,000,000,000, or at least to make the best effort we could. I am a member of the Appropriations Committee, and as such, a member of the Joint Committee on the Legislative Budget. But senior members of the majority party, from the Senate, the House, and the Finance Committee, as well as from the Committee on Ways and Means, signed that report. They are all honorable men. I do not think they were trying to deceive the country, but I think in this bill we have completely disregarded the pledge that we made. It is to me a shame and a disgrace.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. REED. I yield to the Senator from Vermont.

The PRESIDING OFFICER. If the Senator will yield to the Chair a moment, the Chair did not know the Senator from Michigan was yielding the floor. According to the schedule previously arranged, the Senator from North Dakota was to be recognized following the Senator from Michigan.

Mr. REED. I am glad to yield.

Mr. YOUNG obtained the floor.

Mr. AIKEN. Mr. President, will the Senator from North Dakota yield a moment, so that I may ask one more question of the Senator from Kansas?

Mr. YOUNG. I yield.

Mr. AIKEN. Assuming the Army engineers were given the authority, are they adequately staffed to carry on a $700,000,000 project this year?

Mr. REED. I cannot answer that. They are, generally speaking, adequately staffed. The Corps of Engineers may call upon engineers employed in civil life, when necessary.

Mr. YOUNG. Mr. President, I am opposing the motion made by the Senator from Kansas to recommit, for three major reasons. First, I do not believe our Nation can longer afford the tremendous yearly damage caused by floods to cities, roads, and bridges, the loss of soil fertility due to soil erosion, or the damage to agriculture in general. Second, I am opposed to it because I believe it is unreasonable to ask the Army engineers to apply arbitrarily an appropriation cut of $200,000,000 among the many worth while, well-justified projects provided for in this bill, which I believe 47 of the 48 Governors of the United States have requested. Third, I do not believe the appropriation of $738,000,000 for this essential work will go any further, with today's inflated currency, than did appropriations for similar work made previous to the war.

Mr. President, these appropriations are for different purposes in various areas in the United States. In one area a project may involve harbors; in another area, water storage with irrigation benefits; in another area, navigation; in another area, the prevention of damage to cities; in another, the development of electric-power output with the tremendous benefits this will have in the industrial development of an area, important in our national defense and in the bringing of electricity to thousands of farm homes through REA.

Benefits to be derived from the development of the Missouri River Valley alone, to cite but one area which will gain immeasurably from funds to be invested under this bill, will total an estimated $65,000,000 annually after the work is completed. There will be $30,000,000 in direct annual benefits on the average; $9,000,000 due to conservation of water, including pollution abatement; $9,000,000 due to navigation; $17,000,000 due to the development of electric power.

In the Midwest, the "bread basket" of the United States, there is another problem. It will be recalled that only a few years ago there was a serious drought, the most serious one in the history of the United States. All we are requesting now is that we may store some of the flood-waters in order to irrigate land in the future and so stabilize our agricultural economy in the Midwest. There have been serious flood damages there. Last year the estimated damage, including such intangible but vitally important wealth as topsoil, in the Missouri Valley alone was $500,000,000. Property destruction amounted to more than $150,000,000. In my small State the Missouri River caused damage estimated at $500,000 in that one year alone. Total damage in 1 year alone was estimated at $25,000,000. In one instance, in the Red River Valley, there was $10,000,000 damage to roads and bridges. The Federal Government is now rebuilding many of them on a 100-percent Federal matching basis. The flood-control projects which this bill will help build will help halt this annual waste of wealth by curbing these floods. In the long run, they will mean a tremendous direct saving to the Federal Treasury, and an even greater saving in national wealth and resources. To reduce the work will be to delay and reduce the benefits.

It has been stated that the fortunes of the Republican Party depend on whether these appropriations are made. I should like to read a letter from the vice president and general manager of one of the greatest industries in the entire Midwest. He requested that I withhold the name of the person to whom the letter is addressed, but said that I could read the letter. The writer of the letter is the vice president and general manager of the Deere & Webber Co., manufacturers of farm machinery. The letter is as follows:

> We have your letter of the 19th in connection with appropriations for the Army's civil functions, viz, river, harbor, and flood-control work.
>
> Like every other businessman and taxpayer, I am in favor of doing everything we can to minimize waste, but I am afraid that I am not in a position to agree with you without knowing a good deal more about what the appropriations are for.
>
> Millions of dollars of damage is done each year by floods and our topsoil is being rapidly dissipated by damaging floods. One of the most essential jobs that we have to do, unless we are going to be penny-wise and pound-foolish is to carry out the Missouri River development program of dams and flood control and do everything we can to put a stop to the damage and waste that is taking place every spring all through the Missouri River Valley.
>
> A good many of us have a real stake in the Northwest—

Mr. President, I believe the person who wrote this letter represents a firm which pays more than $10,000,000 a year in income taxes.

The letter continues as follows:

> and the one thing that we ought to work for is completion of this program under the direction of the Bureau of Land Reclamation and the Army engineers.
>
> I have personally taken the time to visit some of these projects, such as the Garrison Dam, and I am strongly in favor of the appropriations necessary to carry on this program at a reasonable rate. We cannot do it by the process of fits and jerks and it should be a job calling for steady progressive completion of this work.
>
> I am going to write to the Senate Appropriations Committee, but unfortunately I do not think my letters are going to support the position which you are taking because I do not think that in this case it is a tenable one.
>
> Furthermore, I do not think that you can label a program that is already years behind insofar as the conservation of our land resources is concerned, a "pork barrel" project.

Mr. President, I reiterate that this letter comes from the largest industrialist in the entire Midwest.

At this point in my remarks I ask unanimous consent to have inserted in the RECORD an editorial from the Fargo Forum, Fargo, N. Dak., dated May 9, 1948. The headline is "Floods along Sheyenne may soon be stopped." I would not at this late hour detain the Senate by reading it, but I think the editorial better points out the benefits derived by a State from a water project than I could otherwise tell it.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FLOODS ALONG SHEYENNE MAY SOON BE STOPPED

Plans that are now on paper or in the process of construction should put an end to any future flood conditions similar to those now existing along the Sheyenne River.

The Sheyenne flood is not a dramatic or exciting proposition, such as the huge Mississippi River floods, which sometimes take hundreds of lives and do millions of dollars worth of damage in big cities.

The Sheyenne flood is just a lot of water moving slowly across open countryside, on the face of it inconveniencing just a few farmers and travelers.

That, at least, is what it would look like to a disinterested observer. But those flood waters will probably cost several individual farmers along the Sheyenne upwards of $20,000 to $30,000 each. That sounds like a lot of money, but look at a couple of examples:

One farmer along the Sheyenne plans to put his section of land into wheat. His prospective yield—before the flood—is conservatively 20 bushels to the acre, or 12,800 bushels. And at $2 a bushel that's $25,600. Along comes a flood on May 9, washes out a field already seeded; the field won't dry out in time to reseed it to wheat, so it will have to be summer-fallowed or put into some short-season and not very profitable crop such as millet. There goes most of the farmer's $25,600 riding the crest of the Sheyenne flood.

His neighbor planted 100 acres to flax. At a yield of 10 bushels to the acre he could look for a return of $6,000 at the Government support price of $6 a bushel—only to see that, too, washed down river with the flood.

That innocent looking Sheyenne flood is certainly an expensive proposition to these individuals. And no one likes to see his neighbors take that kind of a beating.

So the thing to do is to put the plans that are on paper into reality. One part of the Sheyenne flood-control project is in the construction stage, the Baldhill Dam above Valley City. Inability to get steel has delayed expected completion from next year until 1950. But after one more spring the Sheyenne flood threat will be greatly reduced.

The other part of the cure—the part that should completely eliminate flood possibilities—is just started on a tough road through Congress. It is the proposal of the Army engineers to give a face-lifting treatment to the Sheyenne River channel from Horace to the mouth, 42 river miles away. The engineers propose to clear the banks and the channel of trees and other obstructions to flow; in some places to eliminate big horseshoe bends by cutting a new channel across the narrow end of the horseshoe and thereby speed up the flow.

The proposal has been approved by the engineer's board of review in Washington. Now it goes to Congress for authorization and a Federal appropriation of $600,000. The farmers along the river would have to put up $100,000 of their own to secure rights-of-way, relocate roads and bridges. The farmers along the Sheyenne have already given the engineers assurances that they would go along with the local participation funds after the Federal appropriations are secured.

It's too bad plans can't be transferred from paper to reality more quickly and cheaply, but this year's flood may speed congressional action to end the Sheyenne flood menace.

Mr. YOUNG. Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks two telegrams in connection with the same subject.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CAVALIER, N. DAK., *April 27, 1948.*

MILTON YOUNG,
*United States Senator:*

Pembina County now experiencing one of worst floods in history. Estimate at least one-half million dollars damage to roads and bridges; total disaster cannot be estimated. Need quick action by Congress for financial aid, also priorities for materials to make roads passable. Large part of county still under water; request immediate action and support.

PEMBINA COUNTY COMMISSIONERS,
By NORVAL W. HODGSON,
*County Auditor.*

---

GRAND FORKS, N. DAK., *April 26, 1948.*

MILTON R. YOUNG,
*United States Senator,*
*Washington, D. C.:*

At a joint meeting of the boards of county commissioners of Grand Forks County, Traill County, Walsh County, Pembina County, and Cavalier County, held on the 26th day of April, 1948, the following resolution was adopted:

"United States Senator MILTON R. YOUNG.

"United States Senator WILLIAM LANGER.

"United States Representative WILLIAM LEMKE.

"United States Representative CHARLES ROBERTSON.

"Whereas it is understood that the President of the United States has declared the North Dakota side of the Red River Valley an emergency disaster district;

"Whereas tremendous damage has been done to State, county, and township roads, bridges, and culverts therein, involving the need of vast expenditures therein;

"Now, therefore, we request an emergency appropriation from Congress of $25,000,000, or as much thereof as is necessary, at once for assistance to State, counties, and townships herein."

W. E. BLOCK,
*Chairman, Grand Fork County.*
T. A. MEAGER,
*Chairman, Walsh County.*
MANDLEY O. JOHNSON,
*Chairman, Trail County.*
A. F. HALL,
*Chairman, Pembina County.*
ANDY JOHNSON,
*Chairman, Cavalier County.*
JAMES P. KENNEDY,
*North Dakota State Highway Department, Grand Forks Division.*

## PROCEDURE IN SUSPENSION OF DEPORTATION UNDER IMMIGRATION ACT

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3566) to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. REVERCOMB. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WILEY, Mr. REVERCOMB, and Mr. EASTLAND conferees on the part of the Senate.

## STATEHOOD FOR HAWAII

Mr. BUTLER. Mr. President, I wish to insert in the RECORD two letters which I have received, among scores of others, relative to Hawaiian statehood. I shall take only a few minutes at this time to say again that the vote taken the other day by the Committee on Interior and Insular Affairs was not a vote against statehood for Hawaii, because I am firmly convinced that a majority of the committee is in favor of statehood for Hawaii, whenever the committee has an opportunity to check into certain movements that seem to be of more than usual interest at this time. Moreover I wish it distinctly understood that the action taken by the committee was not for the purpose of giving the members of the committee an opportunity to make an additional trip to Hawaii. The answer may be obtained even without having the committee make a trip to Hawaii, if the committee members are satisfied with what is developed. If possible, we shall try to have the committee's report in such shape that if the Congress is called for a continuing session later on, it will be possible for action on this question to be taken at that time.

Mr. President, I ask unanimous consent at this time to insert in the body of the RECORD and as a part of my remarks, several letters reflecting the opinion, apparently, of a substantial body of the more thoughtful citizens of Hawaii, showing the grave danger there would be in granting statehood to Hawaii at this time.

The first is from a prominent attorney there. He calls particular attention to the fact that a grant of statehood is final and irrevocable. If we do grant statehood now, we cannot change our minds and repeal or amend the bill later on.

The second letter is from a very prominent Democratic leader in the Territory. He has asked me to keep his name confidential for fear of political reprisals, but I assure you, Mr. President, he is well-known and highly regarded and has been honored by his party in the past with selection as a candidate for at least one important political office. I am sure he speaks from the heart and in all sincerity. As a good Democrat, he was probably deeply concerned with the results of the recent Democratic Territorial convention when the ILWU, Harry Bridges' Hawaiian subsidiary, took over control of his party in the Territory.

Mr. President, I present these two letters for insertion in the body of the RECORD immediately following my remarks, together with an article appearing in the May issue of Plain Talk, entitled "Red Wedge in Hawaii."

The PRESIDING OFFICER (Mr. COOPER in the chair). Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, will the Senator yield for one question?

Mr. FERGUSON. I yield.

Mr. KNOWLAND. I should like to ask the distinguished Senator, who is chairman of the Committee on Interior and Insular Affairs, if he will not agree with me that, barring another session of the Congress of the United States, the only way Hawaii can get statehood at this session of the Congress is by withdrawing the bill from the Committee on Interior and Insular Affairs, since the committee has determined not to let it out at this session of the Congress? As a practical matter, the bill was passed by the House of Representatives last year, and it has been in the Senator's committee since last July. My question is: If we do not pass it at this session of the Congress, barring a special session, the whole legislative process will be dead and we must start all over again?

Mr. BUTLER. Mr. President, I may say to the distinguished Senator from California that I have no way of knowing what action the Senate of the United States would take upon the statehood bill if it were on the floor today. I cannot answer that.

The PRESIDING OFFICER. Without objection, the matters presented by the Senator from Nebraska will be printed in the RECORD.

The matters referred to are as follows:

HONOLULU, HAWAII, *May 10, 1948.*

Senator HUGH BUTLER,
*Washington, D. C.*

DEAR SENATOR BUTLER: The members of your committee who refused to report out the statehood bill are deserving of the ineffable thanks of this community. A great burden has been lifted from the minds and shoulders of those of us who want to retain Hawaii in its present status.

It must have been a long and trying experience that you gentlemen had to endure.

Should a committee come down here to investigate statehood, may I suggest that certain people be permitted to tell their opinions privately, as one who has not lived here could have little idea of the effect that opposition to statehood would produce on those who have the courage to come out and speak the truth. There are so many different branches of the human race here that it is impossible to explain opposition without incurring the enmity of many people here. At the outbreak of the war the Roberts committee was here. Prominent citizens were asked to testify to that committee and were assured that their statements were confidential and would not be revealed under any circumstances. Soon after the committee's report the testimony was furnished to the Star-Bulletin, which is Farrington's paper, and they printed certain statements made by prominent people verbatim. A great deal of it was not complimentary to the Japanese and resulted in producing hatred for those individuals who had been betrayed into testifying by the assurance that it would be a secret document.

The Japanese are the largest racial unit here and can elect and defeat any person they choose. As I said to you in a former letter, they are a splendid people, but very touchy on any question that would involve their race and their standing in the community publicly. I have been told by certain Japanese that it is the intention of those people to put the white man where they think he belongs.

If our President is good enough to appoint our Supreme Court, certainly any man we elect to that position is competent to appoint our judges and our governor.

There is not a Senator or a Representative in either House of Congress who would vote for statehood for Hawaii if the true situation were known to them.

My thanks goes to you.

Confidentially yours.

---

HONOLULU, T. H., *March 10, 1948.*

Re statehood for Hawaii.

Hon. HUGH BUTLER,
*United States Senator, Nebraska,*
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SIR: Your last letter concerning the statehood for Hawaii bill was received by me some time ago. Since that time much has transpired.

As you know, Senator CORDON, chairman of the subcommittee, came to Hawaii, but as yet has not made public his report and recommendations.

I met Senator CORDON while he was here and followed his activities very closely. He seemed very sincere in his endeavors, but the fact still remains that he was wined, dined, and hula-danced by the statehood group which is functioning on a $200,000 lobby appropriation to put the pending bill through Congress at this session. During his entire stay here, he was seldom if ever out of their clutches.

There are hundreds of people in the Territory who are opposed to statehood, but because of fear of reprisals, both political and economic, they must remain inarticulate. These people are looking to you as chairman of the committee to hold the fort. They are of the opinion that you, as chairman of the committee, should come to the Territory and, without any fanfare, banquets, dances, dinners, or parties, see and explore the situation as it is.

As chairman of the committee, we urge that you exert your senatorial prerogative in this respect, and under no circumstances yield to the pressure group which would have this bill rushed through the Senate without you having first visited the Territory to see for yourself and gain first-hand knowledge of the situation.

There are many, many angles to be considered when statehood for Hawaii is under discussion. An over-all and important factor to be remembered is, that any action granting statehood to Hawaii will be final and irrevocable. The statehood bill is not like other legislation of the Congress which might be repealed at a subsequent session. Once statehood is granted, regardless of whatever harm may flow therefrom, it can never be remedied. It is a most serious matter affecting the lives of many people in the Territory and of equal importance, affecting the lives of millions of people on the mainland. No one favoring statehood for Hawaii has called to the attention of the Congress any particular benefit statehood would bring to the 48 States now in the Union. The attitude of the proponents of statehood has been a most selfish one with little, if any, regard to the rights of minorities.

I am enclosing two important pamphlets which every Senator on your committee should have, and I am hoping to place one of each in the hands of every Member of the United States Senate.

You will find upon reading these that there is ample justification for postponing future consideration of the statehood bill until matters therein discussed have been clarified.

I sincerely trust that under no consideration will you yield to the suggestion of allowing this bill to come to a vote, until you, as chairman of the committee, have visited Hawaii and seen for yourself, so that you may know of your own knowledge the situation which exists here.

It is very likely that I may be in Washington sometime in April or May, and if I am, I shall certainly call upon you to discuss this pending legislation and will present a written brief to you against statehood at the present time for Hawaii.

Sincerely yours.

---

[From Plain Talk magazine for May 1948]

RED WEDGE IN HAWAII

(By Victor Lasky)

Red fleet submarines operating off American bases in the Pacific have led to speculation as to whether there will be another Pearl Harbor—with the invading dive bombers or fifth column "torpedoes" this time being supplied by Soviet Russia. Hawaii, hub of this Nation's defenses and crossroads of the air in the vast Pacific area, which now includes the supersecret atomic test base in the Eniwetok atoll, has once again assumed a key role in United States military strategy.

This is why Soviet spies have taken such a keen interest in Hawaii. With Eniwetok carefully guarded, and the atomic doings there completely unpublicized, Russian agents rely on Honolulu—rest area for atomic personnel—as a source of information. An unguarded slip of the lip by an Eniwetok-based soldier or sailor in a downtown gin-mill may give the Soviet intelligence all it wants to know. Honolulu also serves as the center of the Communist courier system in the Pacific, as it lies midway between the United States and Red China. Chinese Reds constantly filter through, and so do American Communists.

As matters stand today, Russian agents could cripple Hawaii in a matter of days. All that it would take to deal a paralyzing blow to the Paradise of the Pacific—as the travel folders call it—is a strike of certain key workers along the water front. It has been estimated that a walk-out of 50 truck drivers and a few hundred longshoremen would do it. And the Communist Party controls the bulk of unionized workers in the Territory, through Harry Bridges' International Longshoremen's and Warehousemen's Union (ILWU), a catch-all outfit taking in everyone from cooks to plantation workers and now boasting some 30,000 members.

With Hawaii paralyzed, the Nation's first line of defense strung through the Pacific in a series of former Japanese-mandated islands could be cut off from food and equipment for long periods. And another war could start—as did the last—with the enemy scoring heavily. These facts are known to Territorial officials. Gov. Ingram M. Stainback has turned them over to Washington. But the situation, fraught with peril for all Americans, has been obscured for the general public which still likes to think of Hawaii in terms of a year-round vacation land.

The islands have been anything but a vacation-land to the Soviet high command. For nearly a quarter of a century Moscow has displayed an unwavering interest in Hawaii's defenses and polyglot population. Today Hawaii bristles with military establishments and naval bases destined to play an important role in the event of another war. At the same time—much to Moscow's satisfaction—the islands are seething with labor agitation. Behind the unrest are the activities of the tightly-knit Communist battalions and of Harry Bridges, a key figure in the Kremlin's Pacific plans.

Harry Bridges will show his hand on or after June 15. It is on that day that the ILWU contracts with the west coast shipping magnates run out. And Bridges, whose heart belongs to Stalin, has made it clear he is not interested in an early settlement. Bridges has other plans, which he has broadcast in his bylined column in the Dispatcher, ILWU publication. They are to sabotage all efforts of the nations participating in the recovery program for Europe and China as a means of combating communism.

"During the coming months," Bridges wrote recently, "our longshoremen are going to be faced with more demands from workers overseas asking that we refuse to load arms and materials aboard American and foreign vessels that are destined to be used against workers in other countries to smash their strikes and struggles against reactionary employers, landlords, and governments."

This is the man who controls the union which controls Hawaii. For Hawaiians another west coast shipping strike would mean starvation, unless Bridges permits food shipments to the islands. Since the islands no longer grow their own food, they rely on the mainland for supplies. Bridges learned this during the 1946 shipping strike. And significantly, the Hawaiian ILWU has purchased large quantities of foodstuffs so that its own members can eat—while others starve—in the event of a strike.

MECCA FOR SOVIETEERS

Hawaii has long been a mecca for assorted Russian agents, who did not come for a vacation. Moscow first sought to gain a foothold in the Military Establishment as far back as 1925. Two American soldiers stationed at Schofield Barracks were court-martialed on charges of having organized a cell of the Young Communist League (which today is called the American Youth for Democracy, a main prop of the Henry A. Wallace movement). Pvt. Paul Crouch was sentenced to 40 years, a term later cut to 3 years, at Alcatraz military prison. The 26-year term of Corp. Walter Trumbull was later cut to 1 year. Ten other soldiers, who had been induced to join the YCL, were dishonorably discharged and returned home.

Testimony presented by Army Intelligence officers showed that Crouch and Trumbull had been in contact with Comintern headquarters in Moscow. Both later turned up as minor Communist functionaries in the States. Crouch presently is a party organizer in the South. Another Communist who had been stationed at Schofield Barracks was George Pershing. Pershing, who claims to be a second cousin of Gen. John J. Pershing, was court-martialed and imprisoned in 1924 for 2 years on charges of robbery, grand larceny, and housebreaking. The facts behind the charges were never made public. But Pershing later insisted that all he did was to set fire to a disorderly house in Honolulu. In 1940 he turned up as the American Labor Party candidate for Congress from Westchester County, N. Y.

In the 1920's a revolutionary seaman, Richard Krebs (Jan Valtin), was dispatched to the islands by Albert Walter, a German in charge of Comintern maritime activities. "It was easy for me to see that the existence of a Communist stronghold in the port of Honolulu would be a big step toward covering the whole Pacific Ocean with a network of Communist contacts," Valtin wrote later in Out of the Night. Following his explorations, the pace of Communist propaganda in Hawaii was stepped up greatly. The propaganda line, dictated in Moscow, stressed racial issues in a territory where many races have managed to get along fairly well together.

One leading Soviet agent to visit Honolulu was Nicholas Dozenberg, one of the founders of the American Communist Party and the first business manager of the Daily Worker. The Latvian-born Dozenberg disappeared from Communist circles some 20 years ago and, as it turned out later, was impressed into Soviet Military Intelligence. As the representative of an American photography concern, Dozenberg roamed Europe and the Orient. On one occasion he even traveled in King Carol's private plane to photograph Budapest's defense fortifications from the air. He showed up in the Philip-

pines, as the representative of Bell & Howell, in 1938, and more than once bobbed up in Hawaii.

The man chiefly responsible, however, for the promotion of the Communist cause in Hawaii is the indefatigable Jack Hall, who directed the local ILWU organizing campaign. Hall, who later became a member of the Honolulu Police Commission, is a leader of district 13 of the Communist Party, Hawaiian section.

Although the American Federation of Labor has functioned on the islands for nearly 30 years, it has never got very far, except for unionizing carpenters, printers, and other select crafts. It took the Communist Party a decade before it was able to enroll some 30,000 Hawaiian workers into the all-embracing ILWU. Workers in more than 150 industries and occupations were signed up. Hall himself is under 99-year suspension from the Sailors Union of the Pacific, an A. F. of L. affiliate headed by the anti-Communist, Harry Lundeberg, for conspiring to bring it into the Communist fold.

THE PHONY PATRIOTS

Army Intelligence, through the twenties and thirties, was not too concerned with Communist activities. There was a bigger problem involved in Japanese espionage, since more than 30 percent of the Hawaiian populace was of Japanese origin. As it turned out, the Japanese proved to be overwhelmingly loyal to the United States. There were no acts of sabotage committed on the islands during the war.

Prior to Hitler's invasion of Russia in June 1941, the bulk of defeatist, antiwar propaganda stemmed from the Communists in district 13. They used the black-outs to distribute leaflets assailing American preparedness and President Roosevelt as a warmonger. When the lights were switched on following one black-out, leaflets were discovered reading: "Stop this blackout of liberties, peace, democracy. Black-out the warmongers. This time the Yanks are not coming."

Some idea of what American authorities may face in another war can be gathered from a study of this period. The Communists promoted strikes along the water front, anything to deter aid to the Allies. A 10-month-long strike of longshoremen was staged at Kauai. When ships bearing munitions were detoured to Port Allen, Jack Hall insisted that the longshoremen there strike despite the fact that they had a contract.

"We took a real beating," later wrote Ichiro Izuka, former president of local 1-35, ILWU, who was expelled from the Communist Party. "We lost nearly a year's wages, and our families suffered. This is the first time I seriously doubted the Communist plan for helping the laboring men of Hawaii." But that did not faze the comrades. They had succeeded in aiding the Nazis, as directed by Moscow.

It was about this time that the authorities began to investigate Communist activities. Arrests of Communists followed. Izuka himself was picked up and put in solitary confinement for a week. But the authorities learned little from the disciplined comrades—and then came June 22, 1941, the attack on the Soviet Union, and the comrades changed their tune. Now everything was directed toward winning the war. Harry Bridges became a 100-percent patriot in the pages of The Dispatcher. Gone were such sentiments as, "It's just an imperialist war, anyhow," which Bridges had been insisting. And the Daily Worker declared: "Anything that interferes with production of needed war supplies—whether as a result of strikes or of delays by the employers—can only help Hitler and weaken the defense of the United States."

The Hawaiian comrades also became superpatriotic. They organized the Honolulu Labor Canteen, out-USOing the USO, but with another object in view. Their aim was to infiltrate and propagandize the multitudes of servicemen streaming through the islands on their way to the Pacific fighting fronts. For many GIs the canteen was a welcome haven from the downtown honky-tonks. There were always interesting magazines, including New Masses, around. And there was an adequate supply of females—in girl-short Honolulu—who seemed to know a lot about world affairs. The canteen also ran what were tagged "coke-confabs" at which interesting topics, such as Russia and labor, were discussed from the party-line view. This "patriotic" venture paid off with the GI demobilization demonstrations.

During the war the comrades also concentrated on a project known as Community Discussion Groups. A similar strategy was used in Canada to ensnare professional workers and intellectuals in behalf of Soviet atomic espionage under the guise of discussions. The groups were directed by Dr. John Reinecke, a former instructor at the University of Hawaii, and a Communist. They attracted teachers, several school principals, welfare workers, and some scientific personnel from Pearl Harbor and other defense establishments. Most of these people did not know what was behind the interesting discussions. A few who showed "promise" learned later when they were asked to join the Communist Party.

"WHY OCCUPY HAWAII?"

Somewhere in the extensive files of the Kremlin there is a report on how Jack Hall and his Honolulu comrades scored heavily in favor of Soviet Russia as soon as Moscow had begun to prepare for world war III. The report gives the low-down on the so-called GI demonstrations for speedy demobilization which began in late 1945. After Hall got through with demonstrations, they had succeeded in effectively crippling America's armed forces.

These demonstrations also showed, for those who would see, the real trend of Soviet foreign policy shortly after VJ-day. Slogans raised at the demonstrations, once they were under Communist control, ranged from "Why occupy Hawaii?" to "Get our troops out of China."

The boys from the Ozarks and the Bronx, of course, did not know they were being used by Communist conspirators. Their "beefs" were based on justified resentments against "chicken" details, spit-and-polish discipline, and the realization that it would take some time before they could get home. These spontaneous seeds were nurtured in the ILWU's Honolulu labor canteen, whose guiding spirit was Jack Hall. There Communists in uniform, meeting with local conspirators, received the directives from New York headquarters, which converted the legitimate protests into attacks on the State Department and American foreign policy. New York headquarters at the time was being advised by the mysterious Gerhart Eisler, Kremlin agent in the United States.

The Daily Worker, making no secret of Communist policy, blared at the time, "Bring the boys home." A typical headline in the Worker read "Soldiers kept in Caribbean area to help United Fruit Co.'s profits." A typical story read: "Behind GI protests all over the world at delays in home shipments was a growing political suspicion that a shift in United States foreign policy had taken place somewhere along the line." This now-familiar technique of crying "Thief! Thief!" was almost totally ignored by American observers in those blissful days still laden with the good-will aroma of Potsdam.

From the Honolulu canteen the party line spread to the demonstrations in the downtown district. There a T-4, David Livingston, declared: "We are here because there seems to be a foreign policy developing which requires one hell of a big army. It's about time we said, 'Yes, let's occupy enemy countries, but not friendly countries.'" The crowd was not informed, however, that Livingston was a Communist and a leader of American Youth for Democracy. Livingston was subsequently arrested, warned, and released. Currently he is business agent of the Communist-led local 65, Wholesale and Warehouse Workers (CIO), in New York. Before the Nazi attack on Russia, local 65 branded the war as an imperialist venture, and fought against lend-lease and preparedness measures, but after Russia was invaded, the local changed its position overnight.

Starting from Honolulu, the political line caught on in GI demostrations in China, Paris, Rome, and Frankfurt. Their global proportions admittedly embarrassed our State Department in its relations with the Soviets on the eve of the first major postwar diplomatic clash at the London Conference. Letters and resolutions—which followed a single pattern belying the claim of their being spontaneous reactions of typical GIs—flowed from the demonstrations to newspapers and Congressmen back home. Then, the politicians, too, demanded speedy demobilization. And while the comrades stirred up the GIs, whose only consideration was to get back home, Moscow kept details of its own demobilization a deep Red secret.

Jack Hall came out in the open, following the arrest in Honolulu of four members of the Marine Corps for participating in the demonstrations. Hall announced that the CIO would stage a 24-hour waterfront stoppage in protest. The stoppage never came off, but it indicated clearly to Army Intelligence who was behind the demobilization crisis.

FISHING IN LABOR WATERS

The party was now reactivated for industrial work and the comrades went to town with the ILWU organizational drive. The labor canteen gave birth to the Hawaii Association for Civic Unity, a front group consisting of liberals who did not suspect its Communist sponsorship. The issue of statehood for Hawaii was made a party-line affair, with the comrades insisting that the Big Five companies, which largely dominate the industrial and agricultural life of the islands, opposed statehood. The argument against the Big Five was picked up by the ILWU which produced a glossy pamphlet extolling the virtues of statehood. As a result, the cause of statehood is suffering.

The rise of the Communist-powered ILWU in the islands proved a blow to the Big Five. Using every type of propaganda, including racist (designed to convince the Japanese-Americans their lot was an unhappy one under American rule), ILWU organizers—well financed by the San Francisco home office—found the pickings easy. During the war the Army had forbidden labor organizing. Workers were frozen to their jobs. Wages were controlled. Prices were going up. And Japanese-American soldiers, returning home, began to assert their rights as Americans. They refused menial jobs. They wanted a better standard of living. And on the sugar and pineapple plantations the workers were restless, resentful. Resentments spilled over following VJ-day, when the lid on labor organizing was off, and the Communists were quick to seize upon the justified grievances of the laborers and exploit these for their own ends.

By the thousands workers in various industries joined the ILWU, shepherded by Jack Hall. Despite his record, Hall was made a police commissioner by Governor Stainback, a progressive-minded official who believed in giving to labor representation in all important Territorial agencies. For Hall not only represented the most powerful labor group in the islands, but he was the spokesman for the Political Action Committee, which last year upset Hawaiian political life by helping elect 15 Democrats to the lower house of the legislature.

Governor Stainback dismissed Hall as a police commissioner when the ILWU leader

assailed a judge who had ruled against the union during the sugar plantation strike. Governor Stainback insisted that while the judge may have been wrong, Hall should have appealed the ruling rather than intemperately create contempt for the courts which he, as a commissioner, had sworn to uphold.

ENTER COMMISSAR BRIDGES

The organizers for the A. F. of L. did not wake up to the situation until it was too late. Harry Bridges, sporting a flower-patterned aloha shirt, visited the islands to view the work of his henchmen. The disastrous 79-day sugar strike of 1946, coupled with the west-coast shipping strike, made Bridges realize he was kingpin. He learned that he had the power to stop Hawaiians from eating if he wanted to—and one day he may want to. That day, some observers fear, may not be far off.

Although the Supreme Court of the United States has ruled that Bridges is not a member of the Communist Party, his former wife, Agnes, has testified that he is. Last year he was caught leaving an apartment at 340 West Fifty-sixth Street, New York, at which a top-flight Communist parley had been held. William Z. Foster, national chairman of the party, and other Communist leaders, had attended. The parley took place during a maritime strike. Bridges is reputed to be a great favorite in Kremlin circles. His strategy in the 1934 San Francisco general strike has been taught as a model for future action in Moscow's Lenin school.

Last year Chu Hsueh Fan, president of the pro-Communist Chinese Association of Labor, visited the Honolulu offices of the ILWU on his way back from a meeting of the Kremlin-directed World Federation of Trade Unions in Prague. The meeting was also significant in view of the belief that Harry Bridges has organized illegal armament traffic between the United States and Red China ports, by way of Honolulu.

It is no secret that well-trained agitators have come out by the hundreds from the Pan-Pacific University in Vladivostok and a Communist school at 121 Haight Street, San Francisco. At Vladivostok, Japanese, Filipinos, Portuguese, and Spanish half-castes have been schooled for special missions throughout the Pacific with Hawaii as the main objective for their Stalinist tactics.

Bridges has never been known to deviate from the Communist line, whether it be a false patriotism or a militant defeatism. Currently he is belligerent. He wasn't so when Russia was in the war. He was opposed to strikes then. Neither is he belligerent about loading Soviet ships during strikes. Frank P. Foisie, president of the Waterfront Employers Association has reported:

"The Soviet Consul in San Francisco called me one day and asked the association to permit work on a Soviet ship that was in port during a longshoremen's strike. He said that the ILWU already had agreed to let its men load this ship and he wanted the employers to give them the same permission. I told him, 'Hell, no.' "

The Bridges followers have also been active among the Hawaiian tuna fishermen. Local 150 of the ILWU is a small group consisting of 150 fishermen, but it plays an important role insofar as they can get around to areas where others would ordinarily be viewed with suspicion. The Japanese also used fishermen for their espionage prior to Pearl Harbor. High Japanese naval officers, posing as fishermen, photographed naval installations from every angle. Their work paid off on December 7, 1941.

Currently Harry Bridges, and the Communists, are attempting to organize an independent Hawaiian Islands Federation of Labor, which would include independent and A. F. of L. unions.

Bridges has his tentacles reaching throughout the Pacific and the Caribbean. He has organized sugar workers in Cuba, longshoremen in Panama. His agents are now in Alaska where there is a minute labor movement. Labor sources report that Germain Bulcke, an ILWU second vice president, was sent there to organize some 250 longshoremen. Bulcke's expenses were $1,000 a month, an inordinate sum considering the number of longshoremen. But it is a small figure compared to the importance of having a Communist machine in America's nearest approach to Russia. A fifth column in Alaska would paralyze that Territory more readily in the event of war. Also operating in Alaska is Jeff Kiber, secretary-treasurer of the CIO Fishing and Allied Workers Union. Kiber is making inroads in the Alaskan fishing fleet.

There are those who take a whistling-in-the-dark attitude toward Bridges' threat to Hawaii, believing that in the event of war Hawaiian labor would be loyal to the United States. This is true, but a small group of disciplined fanatics, operating from within a labor organization, could throw out of gear the islands' defense machinery when the zero hour comes. What happened at Bogota may very well be a portent of the next Pearl Harbor.

## RECESS

Mr. WHERRY. Mr. President, it is nearly 5 o'clock. Apparently the Senate has concluded its work for the day. I now move that the Senate recess until tomorrow at noon.

The motion was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 18, 1948, at 12 o'clock noon.

## NOMINATIONS

Executive nominations received by the Senate May 17 (legislative day of May 10), 1948:

DIPLOMATIC AND FOREIGN SERVICE

Henry F. Grady, of California, now Ambassador Extraordinary and Plenipotentiary to India and Envoy Extraordinary and Minister Plenipotentiary to Nepal, to serve concurrently and without additional compensation as the representative of the United States of America in the Economic Commission for Asia and the Far East established by the Economic and Social Council of the United Nations March 28, 1947.

Ralph H. Ackerman, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

UNITED STATES DISTRICT JUDGE

Samuel Hamilton Kaufman, of New York, to be United States district judge for the southern district of New York, vice Hon. John Bright, deceased.

UNITED STATES ATTORNEY

Claude P. Stephens, of Kentucky, to be United States attorney for the eastern district of Kentucky. (Mr. Stephens is now serving in this office under an appointment which expired March 31, 1948.)

COLLECTORS OF CUSTOMS

A. Miles Pratt, of New Orleans, La., to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La. (Reappointment.)

Paul R. Leake, of Woodland, Calif., to be collector of customs for customs collection district No. 28, with headquarters at San Francisco, Calif. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

William L. Alison, Minter, Ala., in place of B. L. Youngblood, retired.

ALASKA

Clarence S. Hollingsworth, College, Alaska, in place of C. E. Bunnell, retired.

CALIFORNIA

William H. Lambert, Eureka, Calif., in place of N. A. MacMillan, resigned.

William Howard O'Brien, Hollister, Calif., in place of E. F. O'Donnell, deceased.

Howard T. Mitchell, Kenwood, Calif., in place of N. S. Wilson, resigned.

Blanche I. Dunn, Los Alamitos, Calif., in place of L. R. Cloud, transferred.

Margaret S. Cooper, McKittrick, Calif., in place of M. O. Quandt, resigned.

COLORADO

Dean S. Hainey, Ridgway, Colo., in place of G. C. Huffnagle, resigned.

CONNECTICUT

Frank J. Barboni, North Haven, Conn., in place of C. W. Thompson, resigned.

FLORIDA

Loyd C. Olive, Bartow, Fla., in place of T. W. Gary, deceased.

Alice S. Given, Windermere, Fla., in place of E. S. Maddock, retired.

ILLINOIS

Harry A. Osman, Cypress, Ill., in place of M. E. Osman, resigned.

Lester A. Binder, Hinckley, Ill., in place of H. J. Price, transferred.

INDIANA

Frank C. Kettring, South Bend, Ind., in place of B. J. McCaffery, resigned.

IOWA

James W. Klaus, Earlville, Iowa, in place of G. E. Faust, transferred.

KANSAS

Ralph W. Smullins, Burr Oak, Kans., in place of E. J. Callahan, resigned.

Charles G. Persinger, Canton, Kans, in place of Ralph Ganson, resigned.

Leslie A. Leochner, Ludell, Kans., in place of A. W. Howland, transferred.

Patrick J. Jolly, Scammon, Kans., in place of D. P. McCormick, resigned.

KENTUCKY

Ernest C. Runyon, Belfry, Ky., in place of K. S. Keesee, removed.

MARYLAND

Ruby C. Williams, Prince Frederick, Md., in place of L. M. King, retired.

MICHIGAN

John E. Dooley, Linden, Mich., in place of J. E. Hogan, resigned.

William P. Kerekes, Lowell, Mich., in place of F. J. Hosley, resigned.

Lovatus A. Butler, Milan, Mich., in place of W. R. Mason, resigned.

Robert M. Engemann, Rothbury, Mich., in place of Christina Meyers, deceased.

Max P. Frederick, Sandusky, Mich., in place of Horace Parrish, resigned.

Henry A. Gready, Walled Lake, Mich., in place of W. J. Wheeler, resigned.

Frank M. Fortelka, Wellston, Mich., in place of Mae Dust, resigned.

MINNESOTA

Edward J. Bach, Lismore, Minn., in place of A. M. Ebert, declined.

Elias B. Scofield, Newport, Minn., in place of Jeannette Schilling, resigned.

MISSISSIPPI

Josephine R. Brown, Bolton, Miss., in place of I. A. Lacey, resigned.

Nola W. Long, Whitfield, Miss., in place of M. S. Farish, resigned.

MISSOURI

Paul R. Viles, Pineville, Mo., in place of L. D. Smith, resigned.

NEW JERSEY

William J. Pricolo, Emerson, N. J., in place of F. E. Schmidt, deceased.

NEW MEXICO

Donna A. Klepper, Jal, N. Mex., in place of H. A. Childers, resigned.

NORTH CAROLINA

Claude A. Dry, Misenheimer, N. C., in place of M. C. Peeler, resigned.

OHIO

Edsel F. Rowland, Williamsfield, Ohio, in place of L. W. Spellman, deceased.

OKLAHOMA

William E. Powers, McCurtain, Okla., in place of Mike Craig, transferred.

OREGON

Ivan A. Blagg, Grass Valley, Oreg., in place of J. M. Hogue, resigned.

Opal F. Maphet, Murphy, Oreg., in place of Connie Hanner, resigned.

PENNSYLVANIA

J. Albert Vail, Chester Springs, Pa., in place of K. H. Vail, deceased.

Malcolm A. Young, Monroeton, Pa., in place of E. J. Roof, resigned.

Frank W. Thomas, Skytop, Pa., in place of Thornton Raney, resigned.

SOUTH CAROLINA

Harry G. Cushman, Conway, S. C., in place of M. G. Andersen, resigned.

TEXAS

Arlie Farrington, Alba, Tex., in place of J. C. McKenzie, resigned.

Guy Miller Mann, Malone, Tex., in place of A. H. Worley, retired.

VIRGINIA

George H. Sonafrank, Nokesville, Va., in place of D. E. Earhart, deceased.

WEST VIRGINIA

Northa Morrison, Mallory, W. Va., in place of W. H. Baker, resigned.

Vincent A. Johnson, Man, W Va., in place of Dewey Ellis, removed.

WISCONSIN

Henry W. Seiler, Baileys Harbor, Wis., in place of E. R. Hanson, removed.

James W. Johnson, Chaseburg, Wis., in place of Sam Johnson, deceased.

IN THE REGULAR ARMY AND THE REGULAR AIR FORCE

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 8, 1948, for appointment as second lieutenants in the Regular Army and Regular Air Force of the United States, under the provisions of section 506, Officer-Personnel Act of 1947. Date of rank to be determined by the Secretary of the Army and the Secretary of the Air Force:

REGULAR ARMY

Howard Edward Adams
Harry Thomas Adkins, Jr.
Albert Feleciano Alfonso
Reuben Livingston Anderson, Jr.
Louis Leland Anthis
David Wesley Armstrong
Joel David Aron
Neil Rice Ayer
William Reid Bandeen
James William Barnett, Jr.
Hayden Julian Bayer
Walter Beinke
Daniel Randall Beirne
John Bellinger Bellinger, Jr.
Sidney Bryan Berry, Jr.
Edward Hiltner Bertram, Jr.
Eugene Stanton Bierer
James Arthur Blakeslee
Raymond Urban Bloom
Charles Arthur Borg, Jr.
Keith Alden Boss
Thomas Willard Bowen
Walker Syer Bradshaw
Joseph Key Bratton
John William Brennan
Harry Augustine Buckley, Jr.
William Claiborne Buckner
William Curoe Burns
William Edmund Byers
William Burns Caldwell
Edward Francis Callanan
Francis Paul Cancelliere
Jack Lee Capps
Leslie Dillon Carter, Jr.
Donald Albert Cerow
Lewis Chandler
John Howell Chitty, Jr.
Lake George Churchill, Jr.
Joseph Phillip Cimo
Thomas Ryan Clark
Carter Weldon Clarke, Jr.
Sam Grady Cockerham
Roger Frankland Conover
William Loch Cook II
Richmond James Cooper
Thomas Bledsoe Cormack
Charles Lanham Crouch
Robert Hamilton Cushing
Philip Stevens Day, Jr.
Donald Edward Deehan
James Webster Dingeman
John Joseph Doody
Joseph Pembroke Dorsey
Mercer McConnico Doty
Lee Thomas Doyle
Raymond Cameron Drury, Jr.
John Spier Egbert
Duane Lee Emerson
Wallace Owens Enderle
Robert Richard Finnegan
Eugene Calvin Fleming, Jr.
Ashby Minor Foote, Jr.
Eugene Priest Forrester
Charles Nelson French, Jr.
James Clyde Fry, Jr.
Pierce Horatio Gaver, Jr.
Lowell Burke Genebach, Jr.
Robert Elwood Graf
Stephen Murray Griffith
James Burnus Hall
Robert Francis Hallahan
John Duncan Hamilton
Richard Stanley Harsh
George William Hartnell
Louis William Haskell, Jr.
Jay Allan Hatch
Thomas William Hazard, Jr.
Jess Byrd Hendricks, Jr.
Joseph Shindler Herbets
Hugh French Thomason Hoffman, Jr.
Sam Cromwell Holliday
James Frank Hooker, Jr.
Charles Samuel Horn
Lawrence Vinton Hoyt
Wallace Henley Hubbard
John Bell Hughes, Jr.
Douglas Theodore Huie
Rufus Johnston Hyman
Benedict Ralph Jacobellis
James Lloyd Jones
J. Wesley Jones, Jr.
Louis Raymond Jones
Rees Jones
Thomas Tytherleigh Jones
William Mason Kaula
John Patrick Kean
Jesse Tompkins Kelsey
Joseph Mortimer Kiernan, Jr.
Robert Lee Kirwan
Edward Thomas Klett, Jr.
Oscar Frederick Kochtitzky, Jr.
Harvey Robinson Livesay, Jr.
Norman Bertram Lovejoy
James Edgar Macklin, Jr.
David Saltonstall Mallett
John Calvin Maple
Walter Frank Marcinies
Robert Wiley Marshall
Frank Lee McClaflin
Don Stuart McClelland
James Gordon McCay
John Joachim McCuen
John Winn McEnery
Charles Frederick McGee
Donald Charles McGraw
Houston Moore McMurray
David William McNeely
Garland Ray McSpadden
Gerald William Medsger
Walter Edwin Meinzen
Joseph Henry Meyer
Jack Rowland Miller
John McKenna Milton
Edwin Blakely Nelson
John Martin Nelson
Kenneth William Olson
John Luke Osteen, Jr.
Alfred Arthur Pabst
Donald Flint Packard
William Ashbrook Patch
Edwin Dennis Patterson
Ralph Winston Pearson
Harrison Perry
Hugh Wiston Perry
Robert James Petersen
Walter William Plummer, Jr.
Kenneth Irving Preisman
Saul Martin Resnick
James Warren Richardson, Jr.
Claron Atherton Robertson, Jr.
Lem Frank Robinson, Jr.
Norman Leander Robinson, Jr.
Tenney Kutz Ross
Edwin A. Rudd
James Cornelius Ruddell, Jr.
Kenneth Edward Ruddy
William Thomas Ryan
Arnold Melville Sargeant, Jr.
William Francis Schless
Walter Burns Schlotterbeck
Carl Walter Schmidt
Willard Warren Scott, Jr.
Merle Gardner Sheffield
Charles Harwood Shook
William Alvin Shuster II
Harwell Fitzhugh Smith, Jr.
Donn Albert Starry
Harry John Sternburg
Charles Henry Sunder
George Alvis Swearengen
Edward Parry Sykes, Jr.
J. Robert Taylor
William Gwyn Thomas, Jr.
Frederick Edwin Tibbetts III
William Harrison Travis
James Gates Tuthill
Thomas Burdick Tyree
Elmer Cornelius Vreeland, Jr.
John Baker Wadsworth, Jr.
John Garnett Waggener
Fred Emerson Wagoner, Jr.
James Frederick Walk
Lyle Edward Walter
Robert Marion Ward
Thomas Allen Ware, Jr.
Richard Lauren Warren
John Elliott Watkins
Kenneth Eugene Webber, Jr.
Richard Glenn Weber
Edward Ansel White
Ennis Clement Whitehead, Jr.
Robert Allison Whitfield
Arthur Langley Whitley
Philip McIlvaine Whitney, Jr.
William Wallace Whitson
Glenn Castle Wilhide, Jr.
Walworth Forman Williams
Andrew Benedict Witko

REGULAR AIR FORCE

James Rodgers Allen
Andrew Broadus Anderson, Jr.
Carl Andrew Anderson
Russell Conwell Ball, Jr.
Kenneth Hawthorne Barber
Arthur deRohan Barondes
Carey Bishop Barrineau
Raymond Oscar Barton, Jr.
Richard Parks Berry
Waldo Emmerson Bertoni
Harry Moody Bettis, Jr.
Arnold Webb Braswell
Jay Richard Brill
John Joseph Buckley, Jr.
Theodore Bruce Buechler
William Claude Burrows
Blaine Raymond Butler, Jr.
Fred Isaac Chanatry

Charles Eads Coons
John Francis Creed
William J. Crosby
Richard Dickson Cudahy
Robert Carroll Davis
Daniel De Foe
Walter Albert della Chiesa
John Francis Dent, Jr.
Sims Gerald Dildy
Benjamin Joseph Di Loreto
William Pinkerton Dougherty
Benjamin Wynn Eakins
George Martin Edwards, Jr.
John Arnold Edwards
Clarence Couch Elebash
David Draper Garrison
Patteson Gilliam
Harold Sherwood Gillogly
Joseph Eugene Gorrell
Warren Reed Graves
William Comstock Hayden
Wilho Richard Heikkinen
Joseph William Huey
Samuel Fuqua Hurt
Floyd Allan Johnston
Jay Silverman Josephs
John Kastris, Jr.
Donal Denis Kavanagh
Alfred Henry Kerth, Jr.
Donald Charles Kipfer
Edward Anderton Kritzer
George Adelbert La Pointe
George Newton Leitner
Vincent Paul Lewando
Louis LoConte, Jr.
W. Grim Locke
Denman Murray Long
William Henry Lynch
William Meredith Lyon
Gaylord MacCartney
William James Madden
Nasor John Mansour, Jr.
Robert Couth Mathis
William Thornton McGinness
Francis William McInerney, Jr.
James Clifford McManaway, Jr.
Richard Lee Miner
Otis Corcoran Moore
Rhonel Earl Morgan
William Donald Mounger
James Allen Muehlenweg
Morton Claire Mumma III
William Charles Ocker
William Thomas O'Connell, Jr.
Robert Edwin Pater
Jack Francis Peppers
Thomas Albert Phillips, Jr.
John Charles Pickering
Robert Murray Pomeroy
Jacob Bernard Pompan
Philip Steven Porter
Alton Harold Quanbeck
Donald Hood Reynolds
Evan William Rosencrans
George Warren Rutter
James Gage Sandman
Rodman Saville
Louis Wellington Schalk
Irving Bernard Schoenberg
Edward Leigh Scott
Richard James Seguin
Ivan Morange Selig
James Cole Shively, Jr.
Richard Ingram Skinner
Charles Peter Skouras, Jr.
William Young Smith
Arthur Snyder, Jr.
Richard Neil Stein
Henry Barthold Stelling, Jr.
Donald Brunhoff Swenholt
Michael Joseph Tashjian
Stanley Edward Thevenet
George Selby Thomas
Robert Armes Van Arsdall
James Alward Van Fleet, Jr.
Walton Vernon Waller
Paul Elwood Weaver
Samuel White, Jr.
Francis Marion Williams
Odell Wynne Williamson, Jr.
John Kesson Withers
Charles Anderson Wurster
Stewart Young

IN THE NAVY

The following-named midshipmen (Naval Academy) to be second lieutenants in the Marine Corps from the 4th day of June 1948:

| | |
|---|---|
| Hugh D. Adair, Jr. | Ben A. Moore, Jr. |
| Richard T. F. Ambrogi | Richard C. Morrow |
| George T. Balzer | Merrill L. Norton |
| Robert R. Carson | Keith O'Keefe |
| Leamon R. Cooke | Orlo C. Paciulli, Jr. |
| Robert R. Dickey III | John M. Perkins |
| Lucius V. diLorenzo | Robert D. Reem |
| Edward F. Duncan | Jack W. Robbins |
| Richard N. Hall 2d | Edwin M. Rudzis |
| Henry C. Hamilton, Jr. | Roy K. Russell |
| | Richard D. Schneider |
| Dean B. Hansen | Robert N. Smith |
| Lee R. Howard | James W. Strother |
| Charles J. Kelly | Robert G. Tobin, Jr. |
| Floyd M. McCurdy, Jr. | |

The following-named (civilian college graduates) to be ensigns in the Supply Corps of the Navy:

| | |
|---|---|
| Roger C. Bliss | William J. McMordie |
| Leonard E. Brock | James R. Martin |
| Robert T. Broili | Roy D. Monnie |
| Ramon L. Burke | Dean O. Powell |
| LeRoy T. Carter | Ben R. Schmidt |
| Homer Fults | Robert G. Whitman |
| Andrew Khourie | Fred I. Woodworth, Jr. |

Joseph G. Power (civilian college graduate) to be a lieutenant (junior grade) in the Chaplain Corps of the Navy.

The following-named (civilian college graduates) to be ensigns in the Civil Engineer Corps of the Navy:

| | |
|---|---|
| Herbert L. Baker | Howard D. Graessle II |
| Philip S. Birnbaum, Jr. | Wayne C. Hall, Jr. |
| Charles Bultzo | Jerry D. Harshman |
| John L. Dixon | Theodore R. Howell |
| Albert H. Gallaher | Jack H. McDonald |

The following-named to be ensigns in the Nurse Corps of the Navy:

| | |
|---|---|
| Frances J. Bombriant | Virginia R. Mussen |
| Ruth L. Brenner | Cecile R. Normandin |
| Eleanor M. Budinsky | Mary E. H. O'Brien |
| Frances S. Czegely | Kathleen J. O'Kane |
| Helen Daroska | Jean B. Pieczarka |
| Barbara Ellis | Marie L. Rios |
| Norma J. Geho | Dorothy L. Rowe |
| Ruth L. Grass | Margaret Russell |
| Julie E. Kell | Sara A. Sims |
| Helen A. Kenyon | Edith A. Smith |
| Elise M. Lovely | Mary R. Thames |
| Elizabeth M. McLaughlin | Evelyn M. Vejvoda |
| | Gloria J. Vesper |

IN THE MARINE CORPS

The below-named midshipmen to be second lieutenants in the Marine Corps:

| | |
|---|---|
| Lewis H. Cameron | John E. Rudder |
| Elisha G. Cloud | Nicholas M. Trapnell, Jr. |
| William G. Crocker | |
| Loren T. Erickson | William F. Trisler |
| Mack R. McClure | James R. Young |
| Sherman L. Prosser | |

The below-named citizens to be second lieutenants in the Marine Corps:

Simon I. Degulis, a citizen of New York.

Joseph P. B. Franklin, a citizen of New Jersey.

James R. Gallman, Jr., a citizen of Texas.

Philip J. Garm, a citizen of Pennsylvania.

Jack E. Harlan, a citizen of California.

James E. Harrell, a citizen of Texas.

Francis R. Hittinger, Jr., a citizen of Virginia.

Floyd G. Hudson, a citizen of Virginia.

Arthur R. Mansfield, Jr., a citizen of the District of Columbia.

Edwin A. Pollock, Jr., a citizen of Virginia.

Jack L. Selk, a citizen of California.

# HOUSE OF REPRESENTATIVES

## MONDAY, MAY 17, 1948

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, may the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our Strength and our Redeemer. Through Jesus Christ our Lord. Amen.

By unanimous consent, the reading of the Journal of Friday, May 14, 1948, was dispensed with.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ALLEN of California, from May 17 to May 21, 1948.

RECESS

The SPEAKER. Pursuant to House Resolution 502, the Chair declares the House to be in recess for the purpose of holding memorial services as arranged by the Committee on Memorials.

Accordingly the House stood in recess, to meet at the call of the Speaker.

MEMORIAL SERVICE PROGRAM

May 17, 1948

Prelude, sacred selections (11:30 to 12)---- United States Navy Orchestra
Presiding officer---------- The Speaker
Hon. JOSEPH W. MARTIN, JR.
Invocation---------- The Chaplain
Dr. James Shera Montgomery
Solo: Lead, Kindly Light (Dykes)--------
Hon. J. PERCY PRIEST, Representative from the State of Tennessee
At the piano---- Musician John Wigent
Scripture reading and prayer-- The Chaplain
Roll of deceased Members-------- The Clerk of the House of Representatives
Devotional silence.
Address-- Hon. EVERETT DIRKSEN, Representative from the State of Illinois
Solo: Going Down the Valley (Fillmore)---
Hon. HARVE TIBBOTT, Representative from the State of Pennsylvania
At the piano---- Musician John Wigent
Address---- Hon. RAY J. MADDEN, Representative from the State of Indiana
Taps---------- Musician Frank Scimonelli
Benediction---------- The Chaplain

MEMORIAL SERVICES

The SPEAKER presided.

INVOCATION

The CHAPLAIN. *Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hast formed the earth and the world, even from everlasting to everlasting, Thou art God. For a thousand years in Thy sight are but as yesterday when it is past, and as a watch in the night. So teach us to number our days, that we may apply our hearts unto wisdom. And let the beauty of the Lord our God be upon us.* Amen.

ANNOUNCEMENT

Mr. BISHOP. Mr. Speaker, we have again been saddened since the printing of the program for the memorial exercises today by the passing of our distinguished colleague in the other Chamber, the Honorable JOHN OVERTON, of Lou-

isiana. As you know, the flags are still at half-mast in his memory.

In deference to the wishes of the members of his family, the paying of tribute to him is being deferred until this occasion a year hence, when it is hoped they can be with us.

VOCAL SOLO

Hon. J. PERCY PRIEST, accompanied by Musician John Wigent, sang Lead, Kindly Light.

SCRIPTURE READING AND PRAYER

The CHAPLAIN:

Oh, yet we trust that somehow good
Will be the final goal of ill,
To pangs of nature, sins of will,
Defects of doubt, and taints of blood;

That nothing walks with aimless feet;
That not one life shall be destroy'd,
Or cast as rubbish to the void,
When God hath made the pile complete;

That not a worm is cloven in vain;
That not a moth with vain desire
Is shrivell'd in a fruitless fire,
Or but subserves another's gain.

Behold, we know not anything;
I can but trust that good shall fall
At last—far off—at last, to all,
And every winter change to spring.

So runs my dream: but what am I?
An infant crying in the night:
An infant crying for the light:
And with no language but a cry.

I falter where I firmly trod,
And, falling with my weight of cares
Upon the great world's altar-stairs
That slope thro' darkness up to God,

I stretch lame hands of faith, and grope,
And gather dust and chaff, and call
To what I feel is Lord of all,
And faintly trust the larger hope.

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still waters.

He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff, they comfort me.

Thou preparest a table before me in the presence of mine enemies: Thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord forever.

Let not your heart be troubled: ye believe in God, believe also in Me.

In my Father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you.

And if I go and prepare a place for you, I will come again, and receive you unto Myself; that where I am, there ye may be also.

Consider the lilies of the field, how they grow; they toil not, neither do they spin:

And yet I say unto you, that even Solomon in all his glory was not arrayed like one of these.

Wherefore, if God so clothe the grass of the field, which today is, and tomorrow is cast into the oven, shall He not much more clothe you, O ye of little faith?

Eternal God, our Father, Thou who art ever present to guide and to comfort, increase the faith and hopes which we feel in the temples of our souls. By these tokens grant that at the last we may merit the "Well done, good and faithful servant." We thank Thee for the voice that comes across the centuries to the hearts of all in sorrow: "Be of good cheer." Be Thou the bread of life for our hunger and the water of life for our thirst. Thy servants whom we remember today rest from their labors, and their works do follow them. The souls of the righteous are in the hands of God. In the sight of the unwise they seemed to die, but they are at peace. Vouchsafe unto us the peace and rest which flow from Thy holy presence. Through Jesus Christ our Lord. Amen.

*Our Father which art in heaven, hallowed be Thy name.*

*Thy kingdom come. Thy will be done, in earth as it is in heaven.*

*Give us this day our daily bread.*

*And forgive us our debts, as we forgive our debtors.*

*And lead us not into temptation, but deliver us from evil: for Thine is the kingdom, and the power, and the glory, forever.*

Amen.

Mr. BISHOP. Mr. Speaker, at this time I should like to read a fitting memorial entitled "The Other Unknown Soldier" by Stanley Kimmel.

THE OTHER UNKNOWN SOLDIER

(By Stanley Kimmel)

Move over, Buddy—
Yeah, it's me, the other unknown soldier.
You didn't think I'd get here, did you?
But I made it.
Yeah, it took a long time,
But I made it.
Say, Buddy, how is it out here,
Out here in Arlington?
Yeah, I been here before,
But not like this.
I was a kid,
My folks brought me to see you.
It was summer,
June, I think;
There was trees and flowers,
And a clear sky—
Just like today, Buddy.
We'd come to Washington,
From a small town out West,
To see the sights;
My folks never travel'd much,
Too poor—
Guess it was the only trip
They ever took.
But me! I'm like you, Buddy,
I been places! Seen things!
I was at Kasserine Pass, Sicily, Anzio, Cassino,
Then Normandy beach head, the Battle of the Hedgerows, and St. Lo,
Yeah, and the Battle of the Bulge, and the Ardennes.
I was at Owen Stanley Mountains, too,
Then Buna, Attu, the Solomons, and Saipan,
Yeah, and Iwo Jima, Okinawa, Leyte, Luzon—
Sure—I'll skip it—
Didn't mean to disturb you,
Talkin' like this.

* * * * *

Listen! Them's footsteps, ain't they?
Some other folks bringin' their kid to see us.
Hope we never have to make room for him.
Sure—I'll skip it—
Didn't mean to disturb you—
Ain't crowdin' you, am I, Buddy?

ROLL OF DECEASED MEMBERS

Mr. Alney E. Chaffee, reading clerk of the House of Representatives, read the following roll:

SENATOR

THEODORE GILMORE BILBO, a Senator from the State of Mississippi: Born October 13, 1877; teacher; farmer; lawyer; attended Peabody College at Nashville, Tenn., Vanderbilt University, and the University of Michigan; member of the State senate, 1908–12; Lieutenant Governor, 1912–16; Governor, 1916–20 and 1928–32; elected to the United States Senate in 1934, 1940, and 1946; died August 21, 1947.

REPRESENTATIVES

FRED BRADLEY, Eleventh Congressional District of Michigan: Born April 12, 1898; lawyer, businessman, legislator; elected to the Sixty-sixth and four succeeding Congresses; died May 24, 1947.

JOSEPH JEFFERSON MANSFIELD, Ninth Congressional District of Texas: Born February 9, 1861; farmer, lawyer, editor; organized and served as second lieutenant, first lieutenant, and captain in the National Guard of Texas, 1886; prosecuting attorney, mayor, Eagle Lake, Tex., 1888–89; prosecuting attorney, Colorado County, 1892–96; ex officio county superintendent of schools, 1896–1900; judge, Colorado County, 1896–1916; elected to the Sixty-fifth and 15 succeeding Congresses; died July 12, 1947.

CHARLES L. GIFFORD, Ninth Congressional District of Massachusetts: Born March 15, 1871; teacher, realtor, agriculturalist; member State house of representatives, 1912–13; State senator, 1914–19; elected to the Seventieth and 10 succeeding Congresses; died August 23, 1947.

RAYMOND SMILEY SPRINGER, Tenth Congressional District of Indiana: Born April 26, 1882; lawyer, judge; attended Earlham College, Richmond, Ind., and Butler University; graduated from the Indiana Law School in 1904; attorney Fayette County, 1908–14; judge of the thirty-seventh judicial circuit of Indiana, 1916–22; captain of infantry in First World War, 1918; lieutenant colonel, Officers Reserve Corps; elected to the Seventy-sixth and four succeeding Congresses; died August 28, 1947.

PATRICK HENRY DREWRY, Fourth Congressional District of Virginia: Born May 24, 1875; lawyer, banker; attended McCabe's University School, Randolph-Macon College, and the University of Virginia; member of the State senate, 1912–20; delegate to the Democratic State conventions, 1912, 1916, 1920, and 1924; delegate to the Democratic National Convention, 1916; chairman of the Economy and Efficiency Commission of Virginia, 1916–18; chairman of the State advisory board, 1919; member of the Democratic National Congressional Committee, 1923–47, and chairman, 1935–47; ranking member, Committee on Naval Affairs and ranking minority member, Committee on Armed Services; elected to the Sixty-sixth and 14 succeeding Congresses; died December 21, 1947.

JOHN MARSHALL ROBSION, Ninth Congressional District of Kentucky: Born January 2, 1875; teacher, lawyer, banker; attended National Northern University, Ada, Ohio, and Holbrook College, Knoxville, Tenn.; graduated from the National Normal University, Lebanon, Ohio, and Centre College, Danville, Ky.; delegate to the Republican National Convention at Chicago, 1916; elected to the Sixty-sixth and five succeeding Congresses; Member of the United States Senate, under

appointment, from January 9, 1930, to November 30, 1930; again elected to the Seventy-fourth and six succeeding Congresses; died February 17, 1948.

ORVILLE ZIMMERMAN, Tenth Congressional District of Missouri: Born December 31, 1880; lawyer; attended Mayfield-Smith Academy at Marble Hill; graduated from State College at Cape Girardeau, 1904, and from the University of Missouri, 1911; served in the United States Army as a private during the First World War; member board of regents, State College, Cape Girardeau, Mo., since 1933; elected to the Seventy-fourth and five succeeding Congresses; died April 7, 1948.

Mrs. NORTON, a Representative from the State of New Jersey, standing in front of the Speaker's rostrum, and aided by Edward H. Funston III, a page of the House of Representatives, placed a memorial rose in a vase as the name of each deceased Member was read by the Clerk.

DEVOTIONAL SILENCE

There followed a period of devotional silence, during which the Members stood.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

ADDRESS OF HON. EVERETT M. DIRKSEN

Mr. DIRKSEN. Mr. Speaker, this is very peculiarly our own day. It is our day for personal communion with those who but a short while before were with us in the confraternity of public service.

This is the day on which we pay gracious testimony and loving tribute to those who are now gathered in the democracy of death and who were with us a short while ago. If they could come into the doors of the Chamber this day with what warmth and affection we would greet them.

There would be Senator BILBO and FRED BRADLEY, Judge MANSFIELD and CHARLIE GIFFORD, RAY SPRINGER and PAT DREWRY, Uncle JOHN ROBSION and ORV ZIMMERMAN, whom we more affectionately called ZIM. Somehow there is a strange selectivity in the democracy of transition for no two of those who have departed from us come from the same State. If I were to characterize each by a single word I would say of Senator BILBO that he was a man of deep and abiding conviction; of JOHN OVERTON I would say that in his great heart was a rich and complete devotion; of FRED BRADLEY I would say there was determination and moral robustness; of Judge MANSFIELD I would say that there was about him a spiritual grace which radiated like a strange and lifting aura in all the years that I knew him; of CHARLIE GIFFORD I would say that in his capacious heart was a love so great that it matched the waves of the Atlantic which beat upon the shores of his native Cape Cod. In the heart and in the manner of RAY SPRINGER was meekness and humility that shone as an iridescent light. PAT DREWRY was a living exemplification of Browning's fascinating lines devoted to sweetness and light. Of ORV ZIMMERMAN it could be said that in his heart was an exuberant hope for this country and his fellow men which was lustrous like June sunshine. Of Uncle JOHN ROBSION, I could always detect a fundamental faith as rugged and redoubtable as the hills of his native Kentucky.

And so in this intensely personal communion today we shall live with them intimately again and take thought and inspiration from their divine personalities that will continue to linger long in this Chamber.

While the spirit of remembrance and the mood of memory is upon us, I think today of a very simple and entrancing story in the Scripture. It is the story of an obscure and nameless woman who brought an alabaster box of precious ointment with which to annoint the Master. To me it is so simple, so compelling, and so appropriate for this occasion.

I am sure you will remember that the Man of Galilee was going to go to the home of Simon the leper in the village of Bethany for a visit and for a meal. How strange that seems to us. Who among us would think of going to the house of a leper to dine and to visit? But Jesus did so and, as I said, Simon the leper lived in Bethany.

It was my privilege to visit the village of Bethany in 1945. What a memorable and historic place it really is. You will recall that Lazarus lived there together with his sisters Mary and Martha. It was on the roadway which leads from Bethany that Martha encountered the Master and from a heavy heart and a disconcert of spirit complained of the fact that Mary had not made the household ready for the coming of the Galilean. And after He had listened patiently to her He said so humbly, "But one thing is needful." And that, of course, was the need of the spirit. It was in this selfsame village then of Bethany where Simon lived, and while he and the Master were at meat, as the Scripture records, there came this unbidden guest. It was a woman. The only characterization we have of her is that she was a sinner. We know little else about her.

Was she tall and stately or was she, perhaps, short statured and robust? We do not know, for the Gospels are silent on this. Did she wear fashionable raiment or was she dressed in ordinary clothing? This we do not know. Did she have dark, lustrous hair and black snapping eyes? Or did she have golden hair which caught the sunshine of the desert? Did she have blue sparkling eyes like those colorful little flowers that grow in profusion on the road from Jerusalem to Jericho? Was her voice harsh or was it soft and melodious? All this we do not know. The record says she was a sinner.

And how simply she came to where the Master was visiting with the leper. There were no press conferences, no press releases, no society column, no eloquent speeches. The record simply says that she came.

How simple it all is. It is so much like the approach in the story of the Good Samaritan who found a man wounded and groaning by the roadside and when the Good Samaritan heard his cry of distress the Scripture says "He came where he was." It was so simple and so forthright. The coming of the nameless woman to the Master was equally simple.

She brought with her an alabaster box of precious ointment. She stood behind the Man of Galilee, who was doubtless sitting or kneeling at His repast. It was the posture of humility. She washed His feet with her tears. She dried them with her tresses and then from the alabaster box she took the precious ointment of spikenard and annointed Him. I presume we would call it perfume.

There was no conversation. There was no record. There were no remarks to be examined. We have only the record of this simple and humble ministration.

The disciples were there. The Book says they were indignant. I can well imagine that scene. I can particularly imagine Peter, who must have been there, frowning. He was such a sturdy and forthright soul and so practical. The anointing of the Master with precious perfume offended the practical sense of the disciples. Quickly they translated it into an equation of their own. This ointment might well bring 300 pence and the money could be used for alms and for charity.

That argument has such a familiar ring today. How often have Members of this body been chided, especially during wartime, for going abroad to inspect the progresses of our arms and to observe conditions the better to discharge their responsibilities. How often we were confronted with the argument that the gasoline and the expenses involved might have been put to better and more useful purpose. It was the very kind of an argument that the disciples used long ago as they saw the ministrations of this humble woman.

The Master must have listened earnestly to the argument and to the conversation and then, with simplicity and logic which is like majesty itself, He suddenly said, "Why trouble ye this woman. She hath wrought a good work upon me."

How simple, how compelling, how persuasive that was. He simply said, "She hath wrought a good work upon me." A little later He then said the things that have such rich appeal on this memorial occasion. Very simply did He say that what she had done would be told as a memorial unto her wherever the gospel might be preached.

How simple and compelling is this story because it is the unadorned story of a kindly deed, a very humble service; and there is the promise that it would be a memorial and would reecho down the corridors of time until the end of earth as a memorial to an obscure unnamed woman.

As I think of our departed colleagues today who are gathered in the endless land of dreamless sleep, they, too, brought to their task here an alabaster box of precious ointment consisting of their talent, their love, their affection and devotion, and their abiding desire to serve their people, their colleagues, and their country.

They brought with them the perfume of humble service and these are the services that will live to adorn and to enshrine their memories.

The speeches which we make so quickly, die upon the vesper breeze. The votes on which we and they are recorded will soon be forgotten. It is the human, the humane and kindly little services which are unherald, unsung, and unacclaimed which will be so long remembered on the tablets of the mind and the heart.

There is an amazing immortality about a kindly service, a good deed, a humble ministration. In all parts of the land there will be people who will long remember them for these little things which may seem unimportant to us in the hurly-burly of a controversial atmosphere.

How many veterans they must have helped not only in the recent conflict but in World War I in securing expeditious hospitalization. For this there are no headlines. How many refugees in the old countries and the kinfolks of those refugees in this country they must have helped in securing visas that they might be lifted from the tyrannies of the Old World. For this there is no acclaim. How many aged and indigent persons back home they must have helped and to whom they provided comfort in endeavoring to secure more adequate pensions and assistance. The song of unuttered joy for this will be written on gracious human hearts. How many snarls they must have untangled where folks back home were having difficulty with railroad retirement pensions and social-security benefits. How many fathers and mothers they must have helped in finding the last resting place of some son enshrined in glory on some far-off battlefield. How many fathers and mothers, wives and sweethearts they must have aided in locating kin somewhere abroad in this huge world. How many businessmen they must have helped in finding their way through the labyrinth of a bewildering government. All these and a thousand more are the humble services which marked each day of their service in this body. And because these were the human and humane things they appeal to the heart and will be long remembered. The letters which they have written over the years by the hundreds to bring comfort and reassurance to humble people back home will be passed from hand to hand long after they had departed. These will bring strange luster to the countenance of people as they show these letters and say, "I got a letter from my Congressman." Yes, these are the things that will live long and be enshrined upon the pulsing tablets of love and memory.

Let us go back for a moment to what the Master said to the disciples when they showed their indignation of the ministrations of this unnamed woman sinner. He said simply "She hath wrought a good work upon Me." It was objective. It was somebody to somebody. It is the important thing in this compelling story. It is the mark of real service.

Their services were so intensely objective because they were rendered to people, to us, to country, to humble folks who looked upon them as their liaison agents with the Government.

As I think of this quality of objectivity a number of favorite examples come to mind.

One of my favorite characters, who was rather contemporary because he passed on only 30 years ago, was Maj. Gen. William Crawford Gorgas of the United States Army. He was one of that little group who back in the days when the construction of the Panama Canal was in progress was persuaded that the Canal could not be built unless yellow fever and malaria were first conquered. So insistent was he in his viewpoint that it offended the construction superintendent on the Canal and he insisted on the dismissal of Gorgas. The letter of dismissal was already on the desk of the President of the United States but wiser counsels prevailed and it was never consummated. William Crawford Gorgas continued to serve until the malarial-bearing mosquito and yellow fever had been conquered. How little we hear about it. How little acclaim he really received, and yet it was this humble service which had so much to do with the completion of a Federal project for the linking of two great oceans.

The services of General Gorgas did not stop here. He served the people of Peru and other South American countries in conquering plagues and increasing longevity. Even as age was coming upon him he went to The Rand in far-off Africa to subdue the influenza germ. It is no wonder that when he died in London in 1919 a vast concourse of people lined the streets on the occasion of the memorial parade in his honor and when the riderless white horse went by they bowed in reverence and respect to the memory of a truly noble man whose nobility consisted of humble service for the welfare of all mankind.

Some years ago I saw a six-line squib in one of the Washington newspapers announcing the death of Dr. Joseph Goldberger. Perhaps it meant little to many people, but it meant a great deal to me, because I had followed the career of this seemingly obscure man, who was a member of the staff of the United States Public Health Service. It was he who was assigned to explore and find the remedy for that dreaded disease known as pellagra, which had invaded the Southland and not only had taken a great toll of life but enervated and devitalized thousands of people so that they could not carry on their normal pursuits. It was to this problem that Dr. Joseph Goldberger addressed himself. The record of his service is thrilling and dramatic even though it appears so commonplace. He visited hospitals and asylums, orphanages and prison schools, and groups in his relentless pursuit of this awful disease. He imperiled his own life freely and willingly in order to find the cause.

The record shows him in a pullman car at Spartanburg, S. C., consuming capsules made from the offal of persons in the last stages of pellagra. He made capsules of the scales which came from their gaunt and haggard bodies to test the effect upon himself. At long last he found the cause. It was a vitamin deficiency, and from this a remedy was soon prescribed. There were no headlines for Joseph Goldberger, no gilded books were written about him. There were no demonstrations to acclaim him. His was the humble service of the commonplace, but gratitude for that service will ring down the vistas of time and come as a song of joy from the hearts of the afflicted. He received but six lines in the current press when the soul took flight.

I think also of the humble service rendered by a New Hampshire soldier during the Civil War whose name is unknown to me. Evidently he must have enjoyed a furlough and when he returned to the hills of his native New Hampshire he had time to fashion his own tombstone, possibly because of a premonition of death. On one side of that stone were carved the essential vital statistics and on the other side this self-written epitaph, "This side of my tombstone I dedicate to freedom and union. May they survive and endure forever." Here was a man rendering humble service to this country in an hour of crisis and it will be remembered into the eternity.

Yes; there was objectivity about their service here and it so well illustrates that simple but compelling sentiment which the Master uttered when He said, "She hath wrought a good work upon Me.

They have wrought a good work upon us, upon their kinsmen and their constituency, upon their country and the world. They have wrought a good work and it will be remembered.

The intimate and personal character of this memorial service today is possible because it is the remembrance of the living to those who are now gone. It would fail in its purpose if it did not quicken our spirits. It must enrich us and do something for our own perspective, our behavior, and our viewpoint. What then shall we draw from it all as we stand on the very shadow of their lingering spirits and enjoy the communion of memorial fellowship with them?

Is it not possible that we too—all of us—have come here with our alabaster box of precious ointment consisting of the talents with which we have been endowed, the love which we bear for our fellowmen, the interest which we have in world welfare and the devotion which we entertain for this our blessed country to be used for the enhancement and progress of our country and the restoration of peace of mind and tranquillity of soul to a restive and tumultuous world.

This perfume of talent we can use if we will to soften the asperities and the severities of life, to modify the hates with which we are often confronted and to so soften our own conduct that it will be as a great spiritual wave and moral force for the Nation and for the world. As we use it lavishly and diligently we cannot help but spill the precious and fragrant perfume of our own talents upon our colleagues and upon everyone with whom we come in contact.

Suppose that for a single month we made a diligent effort to make certain

that in our disagreement we would never be captious; that in our differences on principle we would never show petulance; that in resolutely following our own abiding convictions on matters of fundamental policy they would never be tainted by acrimony. Suppose we made a diligent effort to exemplify the humility and meekness and forbearance which marked their service, what a great moral force it would become in softening the dissidences of life and clarifying fundamental viewpoints. All this would redound so richly to the welfare of the world and of our own country.

When all is said and done, my friends, the problems, the questions, and the challenges with which we are confronted from day to day and year to year can scarcely be met by the lawbook and the statute book. So little of what we might formally inscribe upon the legislative parchments will actually meet the challenges of this turbulent era because the problems come from the spirit and the crisis is essentially moral.

You will agree that on so many hands one finds defeatism, but can we reduce anything to the common denominator of words and language that will meet it. How shall we best solve the group antagonisms which are, after all, a matter of heart and soul? How shall we best meet the moral fatigue which one finds in many places and which is the pardonable and inevitable result of a conflict which tugged at the whole human fabric of the world? How shall we meet the frustrations which are also one of the bitter inheritances of conflict? The prophet Haggai in the Old Testament summed it up in a single phrase when he wrote on the parchments of the Scripture long ago, "Ye looked for much, and, lo, it came to little." It is the best definition of the frustrated spirit I have ever encountered in the literature of mankind.

But frustration and defeatism and moral fatigue and social cleavages and group antagonisms must all be met if we are to achieve that unity of purpose and action so indispensable to the progress of our country and of the world.

I humbly doubt that the answer—the real answer—can be found in legislative words. We must reach into the citadel of the spirit to find the solutions and we have access to the citadel only in proportion as the heart and the soul finds solid moral ground. In proportion as we can bring this approach to our problems we shall again find sweetness and serenity in our national life which will carry us to levels never attained before in any time or generation. This we can find in our sweet and personal communion with their happy memories today. Let me add one more thing to this simple testimony of remembrance. In the Old Testament is the story of Ezekiel released from captivity who was commanded by the Lord to look upon the Valley of Dried Bones. From an anxious heart he asked the Lord whether they could live again. He was bidden to command, and soon with a great clattering roar these bones assembled into skeletons. He asked whether they could be clothed with flesh and was bidden to command and, lo, they were clothed with flesh. He asked whether they could live again and was told to command the four winds to breathe into this great lifeless host the very breath of life, and, behold, it stood there as a living army.

One of the old versions, as I remember, then carries this simple admonition from the Lord. To Ezekiel He said that those in the Valley of Dried Bones were like an ancient people and that they were lost and dead and without hope. Then he said He would make them a people once more.

He did not say that He would make them two people or a divided people or a cloven people or a turbulent people. He said he would make them a people united in spirit and in effort.

As I survey the contemporary scene, is there anything so important as a restoration of common purpose, of domestic tranquillity, and of happy labor in the cause of an ideal which we call the American dream?

And so, my friends, in this blessed communion with our own let me say in the language of Peter, let us strive for this great goal for which mankind yearns "until we find the day star rising in our hearts." That is the day star of hope and promise for a new glory and a new greatness for ourselves and for the whole world. And so in sweet remembrance we lay upon their divine lingering personalities the memorial laurel of the living to the dead.

SOLO

Hon. HARVE TIBBOTT, accompanied by Musician John Wigent, sang Going Down the Valley.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Hon. RAY J. MADDEN, a Representative from the State of Indiana, delivered the following address:

ADDRESS BY HON. RAY J. MADDEN

Mr. MADDEN. Mr. Speaker, during the last year divine providence visited the Congress and called seven of our Members to their final home. Today we raise our thoughts in reverent memory to those who were selected and answered the call of their Maker. They have given the last full measure of their devotion that we may continue to enjoy the blessings of liberty and peace. They served their country in this Chamber and they have carried on the good fight for justice under law in our beloved land.

It is natural that in such an hour as this when we commemorate our departed fellow Members, that we look upon the work which they were doing when interrupted by the angel of death. The result of their labors is a precious heritage handed on to us. The work of making a nation's laws is a supremely heavy responsibility that taxes human resources and strength to the fullest. Our absent colleagues understood this well. Were it not so, some of them would still be with us today. The arduous and devastating burdens of congressional war work cost an unprecedented toll of our Members during this most critical period in our Nation's history. These Members were war casualties the same as were the boys in uniform who fell on the battlefield, in the air, and on the seas. But they were willing to make the sacrifice of their time and strength because they understood the sacred import of their legislative work.

To forge the legislation of a people is in a sense a participation in the divine plan of the Almighty, who rules both men and nations. Just laws are fashioned by men, duly elected by their people, but those laws have their source and power in God and we legislators are but His instruments. Great then must be our sense of duty to the Omnipotent Lawgiver and close must be our cooperation with Him in making laws that are in perfect agreement with the norm of right reason and of moral equity and justice. Today we feel confident that the Supreme Legislator has written a blessed finis to the work of those whom we honor at these exercises. During their years of service in this House they cooperated well with Him in legislating for the best interests of His children, the citizens of this Republic.

There is no test of a man's ability in any department of public life more severe than service in the National House of Representatives; there is no place where so little deference is paid to reputation previously acquired, or to eminence won outside; no place where so little consideration is shown for the feelings or the failures of beginners. What a man gains in this Chamber he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy, and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule, and where no pretense can deceive and no glamour can mislead. Here the real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed. On this day of retrospect and reflection, we can say that our absent brothers stood this test with grandeur. They survived criticism and nobly carried the rewards of success and praise. They took to heart the eternal truths of liberty, obeyed them as the commands of Providence, and accepted the human race as the judge of their fidelity.

Ordinarily we think of Benjamin Franklin as basking in the constant admiration of his countrymen. The fact is that he withstood enough vituperation to reduce many a modern legislator to quivering panic. It was charged that he not only approved the Stamp Act, but framed it; there was talk of setting fire to his house. He saw his oldest friends turn against him; he was scorned in England and distrusted at home—until, just as suddenly he was acclaimed a hero. In 1772 Franklin wrote a letter to his old friend Joseph Galloway, with whom he had shared a resounding political defeat a few years before.

The letter read:

We must not in the course of public life expect immediate approbation and immediate grateful acknowledgement of our services. But let us persevere through abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people, even of those at present the most prejudiced against us.

Just as the soldier in the line of fire draws inspiration and courage from the love of country burning fiercely in the breasts of his fallen comrades, so do we feel a firmer conviction to carry on without fear or favor as we ponder on the patriotic devotion of those whose memories we revere here today. They indeed have taught us the lesson of true patriotism. Because of their example, we see in love of country a great virtue which is annexed to justice itself. Patriotism is a sincere love and reverence for our country based on a real sense of justice; it is the return of a debt for all that our country has done for us; for all that we have received from it—our citizenship, our freedom, our education, our opportunities, both spiritual and temporal. For all this we owe more than a deep and heartfelt gratitude; we owe our country our love, reverence, obedience, our loyalty, and, if necessary, our life itself. This is the meaning of true patriotism. This is the sacred significance of our flag which today waves silently over the graves of our departed colleagues of this honorable assembly.

There is another and even more profound significance in our meeting here today on this solemn occasion. We lay aside for a time the manifold tasks and labors which go into the making of our Nation's laws. There is a pause in the daily debate and in the interchange of views which at times express different and contrary opinions and convictions. We temporarily halt appropriation of the sums that we deem necessary to produce the greatest possible benefit for our people and for the peoples of other countries who stand in dire need and danger of losing both life and liberty.

In many parts of the world the freedom of the individual has been set back by centuries. There the idea survives that the individual is the creature of the state—that he exists for the state—that he has no rights except what the state gives him and can take away. America has been a living revolt against that pagan idea ever since freedom's greatest document was written and guaranteed that "All men are endowed by their Creator with certain unalienable rights and that among these rights are life, liberty, and the pursuit of happiness."

Today we join together in reconsecrating our lives and our abilities to that noble work for which Congress has been dedicated by the founding fathers since the beginning of this Republic. They were men of faith, men who felt a deep sense of responsibility to the God of nations and of peoples. They were men whose relations toward God were not unlike those of children toward their father—love tempered with awe, and obedience joined with a healthy fear of merited punishment. Convictions such as these have been expressed in this Chamber countless times since the infancy of our country. The pages of the CONGRESSIONAL RECORD are replete with sane and sober reflections on the absolute necessity of unswerving loyalty to the divine law which guides all men in general and legislators in particular. Under this moral law our Nation has grown great and has prospered. Today we rededicate ourselves to those same sacred convictions, to that same eternal moral law. We do so, well aware that without this faith in God and in His unchangeable moral law, all our efforts here are vain and purposeless.

Without this faith upon what would we hope?

Without this faith our very presence here at this solemn memorial service would be meaningless.

Without this faith why should we labor and sacrifice for others?

Without this faith the brotherhood of man would be reduced to a soft and sentimental altruism.

Without this faith we might logically revert to the level of the unthinking brute creation and let selfishness and fear and blood and rapine be our only law.

Without this faith we would let force and suspicion and hate determine our relations with our fellow men.

Such is the inevitable effect of a philosophy of life without faith in God. Such godlessness would indeed have been anathema to our founding fathers and to the men who since 1789 have sat in the House of Representatives.

In a short time we shall again take up the work of yesterday. Let not the new resolve which this memorial hour affords pass away. They who have left us during the past year have already received their reward from the hands of a just and merciful Judge, before whom each of us will one day stand. We know that He has dealt with them in accord with His great mercy. "Blessed are ye who do the will of My Father." Blessed—happy shall you be. A heaped-up happiness of unending duration. That is the true immortality. That is the true end of man. Every other kind of immortality is but a mockery.

Monuments will decay, buildings will disappear, portraits fade, and words written and spoken are soon forgotten or lost in dusty tomes. But the deeds of men do live after them—not for a few passing years but for all eternity because they are written imperishably in the Book of Life held in the hands of the Angel of God. True immortality of men is unending life with their Creator. May the immortal souls of our fellow Congressmen whom we memorialize today, enjoy forever the reward of blissful rest and peace.

TAPS

Musician Frank Scimonelli sounded taps.

BENEDICTION

The Chaplain pronounced the following benediction:

Now unto Him who is able to keep you from falling and represent you faultless before the presence of His glory with great joy, unto the only wise God, our Saviour, the glory and majesty both now and forever. Amen.

AFTER RECESS

At the conclusion of the recess, at 1 o'clock and 7 minutes p. m., the Speaker called the House to order.

ADJOURNMENT

The SPEAKER. Pursuant to the provisions of House Resolution 502, as a further mark of respect to the memory of the deceased Members, the Chair declares the House adjourned until tomorrow at 11 o'clock a. m.

Thereupon (at 1 o'clock and 8 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Tuesday, May 18, 1948, at 11 o'clock a. m.

---

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1557. A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of a proposed bill to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Interstate and Foreign Commerce.

1558. A letter from the Chairman, Federal Communications Commission, transmitting a recommendation for amendment of section 353 (b) of the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

1559. A letter from the Director, Bureau of the Budget, transmitting a report of personnel ceilings for the quarter ending March 31, 1948; to the Committee on Post Office and Civil Service.

1560. A letter from the Chairman, Export-Import Bank of Washington, transmitting a report of a claim paid by the bank in the case of Nick Scales, Jr.; to the Committee on the Judiciary.

---

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of ILLINOIS: Committee on Rules. House Resolution 350. Resolution to authorize and direct the Committee on the Judiciary to conduct an investigation of the action of the Department of State with respect to the claim of George B. Soto against the Government of Guatemala; without amendment (Rept. No. 1960). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 597. Resolution providing for consideration of H. R. 6096, a bill to provide for making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Mo., and Omaha, Nebr., for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes; without amendment (Rept. No. 1961). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 598. Resolution providing for consideration of S. 2256, an act relating to the meat-inspection service of the Department of Agriculture; without amendment (Rept. No. 1962). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 599. Resolution providing for consideration of H. R. 6208, a bill to provide for the collection and publication of statistical information by the Bureau of the Census; without amendment (Rept. No. 1963). Referred to the House Calendar.

Mr. DONDERO: Committee on Public Works. S. 2288. An act to amend the Lanham Act so as to permit the sale of certain permanent war housing thereunder to veterans at a purchase price not in excess of the cost of construction; without amendment (Rept. No. 1964). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 3907. A bill to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance; without amendment (Rept. No. 1965). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 6127. A bill to authorize the allocation of funds to Grant County, Ind., for payment of one-half the cost of a certain bridge across the Mississinewa River in Grant County, Ind., and for other purposes; with amendments (Rept. No. 1966). Referred to the Committee of the Whole House on the State of the Union.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 6587. A bill to promote effectual utilization of the fishery resources of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MANSFIELD:

H. R. 6588. A bill to authorize payments to public-school district or districts serving the Hungry Horse Dam, Mont., area; to the Committee on Public Lands.

By Mrs. ROGERS of Massachusetts:

H. R. 6589. A bill to authorize the interment in adjoining graves in national cemeteries of certain parents and their children; to the Committee on Public Lands.

By Mr. BENNETT of Missouri:

H. J. Res. 404. Joint resolution authorizing the erection in the District of Columbia of a statue of Simon Bolivar; to the Committee on House Administration.

By Mr. CHIPERFIELD:

H. Con. Res. 202. Concurrent resolution to express the sense of the Congress with respect to the methods by which international security and world peace may be attained through the United Nations; to the Committee on Foreign Affairs.

By Mr. WOLVERTON:

H. Res. 600. Resolution to provide for the expenses of carrying out House Resolution 595; to the Committee on House Administration.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Georgia:

H. R. 6590. A bill for the relief of Isom Puckett; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6591. A bill for the relief of Zdzislaw Seidl and Mrs. Margit Seidl; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1939. By Mr. WELCH: Resolution No. 7444, passed by the Board of Supervisors of the City and County of San Francisco, urging Hon. Jesse M. Donaldson, Postmaster General of the United States, to give consideration to the issuance of a special postage stamp sometime during the California centennial of 1948, 1949, and 1950 appropriately to commemorate the 21 missions of California; to the Committee on Post Office and Civil Service.

1940. Also, Resolution No. 7445, passed by the Board of Supervisors of the City and County of San Francisco, urging the Senate of the United States to take early and favorable action with respect to H. R. 49 to the end that the Territory of Hawaii may be admitted to the Union as the forty-ninth State; to the Committee on Public Lands.

1941. Also, Resolution No. 7424, passed by the Board of Supervisors of the City and County of San Francisco, giving full endorsement to, and memorializing the Congress of the United States to give early passage to H. R. 5004; to the Committee on the Judiciary.

1942. By the SPEAKER: Petition of the African Methodist Episcopal Church, petitioning consideration of their resolution with reference to endorsement of the President's civil-rights program; to the Committee on the Judiciary.

1943. Also, petition of Edmund C. Fletcher, petitioning consideration of his resolution with reference to impeachment of the Honorable Sterling Hutcheson, judge of the District Court of the United States for the Eastern District of Virginia, for gross misbehavior in office; to the Committee on the Judiciary.

1944. Also, petition of Milton Grunberg and others, petitioning consideration of their resolution with reference to defeat of the Mundt-Nixon bill; to the Committee on Un-American Activities.

1945. Also, petition of Maurice Goldberg and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1946. Also, petition of A. S. Dannenauny and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1947. Also, petition of F. Hollander and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1948. Also, petition of Olga Blattman and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1949. Also, petition of J. Gayron and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1950. Also, petition of Rose Ridman and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1951. By Mr. EATON: Joint resolution of Mr. Hess, New Jersey State legislator, memorializing the Congress of the United States to adopt legislation which will retain unto the States control over service, operations, and rates of any railroad which has been reorganized under the Bankruptcy Act; to the Committee on the Judiciary.

---

# SENATE

## TUESDAY, MAY 18, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met, in executive session, at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord, in the midst of great activity today we ask Thee to remind us often of Thine invisible presence, that out of confused issues may come simplicity of plan; out of fear may come confidence; out of hurry may come the willingness to wait; out of frustration, rest and power.

This we ask in Thine own name. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 17, 1948, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3219) to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1878. An act to amend the immigration laws to deny admission to the United States of persons who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States;

H. R. 3510. An act to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska; and

H. R. 5193. An act to amend the Nationality Act of 1940.

### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 3350) relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes, and it was signed by the President pro tempore.

### NOMINATION OF JESS LARSON TO BE WAR ASSETS ADMINISTRATOR

The PRESIDENT pro tempore. The parliamentary situation is as follows: Under the order of Thursday, May 13, 1948, as modified on May 14, the nomination of Jess Larson, of Oklahoma, to be War Assets Administrator is before the Senate in executive session, and the question is on agreeing to the motion of the Senator from Maryland [Mr. TYDINGS] to recommit the nomination to the Committee on Expenditures in the Executive Departments.

Under the order, a vote will be taken on the motion of the Senator from Maryland at 1 o'clock today, and the intervening time is to be equally divided between the proponents and opponents of the motion, and controlled, respectively, by the Senator from Maryland [Mr.

TYDINGS] and the Senator from North Carolina [Mr. HOEY].

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. If the absence of a quorum is now suggested and the roll is called, the time would be divided equally between the proponents and opponents of the motion, would it not?

The PRESIDENT pro tempore. The Senator is correct, provided the Senator from North Carolina agrees.

Mr. HOEY. That is satisfactory.

Mr. TYDINGS obtained the floor.

Mr. WHERRY. Will the Senator from Maryland yield that I may suggest the absence of a quorum?

Mr. TYDINGS. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Moore |
| Ball | Hawkes | Morse |
| Barkley | Hayden | O'Conor |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Brooks | Hoey | Revercomb |
| Buck | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Jenner | Saltonstall |
| Cain | Johnson, Colo. | Smith |
| Capehart | Johnston, S. C. | Sparkman |
| Capper | Kem | Stennis |
| Chavez | Kilgore | Taft |
| Connally | Knowland | Thomas, Okla. |
| Cooper | Langer | Thomas, Utah |
| Cordon | Lodge | Thye |
| Donnell | Lucas | Tobey |
| Downey | McClellan | Tydings |
| Dworshak | McFarland | Vandenberg |
| Eastland | McGrath | Wherry |
| Ecton | McKellar | White |
| Ferguson | McMahon | Wiley |
| Fulbright | Magnuson | Williams |
| George | Malone | Wilson |
| Green | Martin | Young |
| Gurney | Millikin | |

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate on public business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Wyoming [Mr. ROBERTSON] are absent on official business.

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. ELLENDER] is a member of the committee on the part of the Senate having been appointed to attend the funeral of the late Senator John H. Overton, of Louisiana, and is therefore necessarily absent.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. TYDINGS. Mr. President, I yield myself 10 minutes.

The PRESIDENT pro tempore. The Senator from Maryland is recognized for 10 minutes.

Mr. TYDINGS. Mr. President, for the benefit of those who would like to get additional light on the question before the Senate, I will continue the statement of the case I made on Thursday last.

There was a plant in Salt Lake City known as the Kalunite plant. The Government determined to sell that plant, and sent out invitations for bids. Not only did the Government send out invitations for bids, but it advertised in the daily newspapers of Utah asking those who had not received invitations to bid if they desired to do so, and to disseminate the information so that the widest possible field of bidders could be reached.

The following provision was inserted in the invitation sent to every bidder:

In the event that no acceptable bid is received, at the discretion of this administration either a new cut-off date will be set—

Which means that new bids would be asked for—

or negotiations will continue with only the highest bidder.

So every bidder was put on notice, first, that all the bids would be rejected and new bids would be asked for if no acceptable bid were received, or, as an alternative, that negotiations would be carried on with only the highest bidder.

Three bids were received. The highest was submitted by the American Potash & Chemical Corp., which bid $752,000. The second bid was by Columbia Metals Corp., which bid $635,000. The last bid was by J. R. Simplot Co., which bid $625,000.

The bids were not rejected. New bids were not asked for. Negotiations were not carried on with the highest bidder; but the lowest bidder, the J. R. Simplot Co., was awarded the contract at the price bid by the highest bidder, the American Potash & Chemical Corp. So that if the American Potash & Chemical Corp., which was the highest bidder, were eliminated because it was a big concern and because the Government wanted to favor small plants, then that would leave the Columbia Metals Corp. as the highest bidder, and it would have been entitled to the award. But instead of that it was taken out of the picture, and the award was given to the Simplot Co.

What was the basis for the throwing out of the American Potash & Chemical Corp.? The Administrator wrote to the Commerce Department, as he is required to do under certain conditions in the sale of war assets property, and he said:

Is there any reason why any one of these concerns should not be awarded this property?

The Commerce Department wrote back—this is but a part of their letter, but is an exact quotation from the full letter which I have here—and told the Administrator as follows:

In answer to your interrogatory we advise as follows:

The American Potash Corp. and the Simplot Corp. propose to convert to the production of phosphatic fertilizers, whereas the Columbia Metals Corp. proposes to convert * * * to the production of nitrogenous fertilizer (ammonium sulfate).

We have been informed by * * * Department of Agriculture, the Department of Commerce—

And others, I might say, which I need not mention—

that there exists today an acute shortage of nitrogenous fertilizers—

Which was the commodity which Columbia Metals was going to make.

It is reported—

The letter continues—

that phosphatic and potassic fertilizers are virtually in balance with respect to supply and demand.

Only one * * * plant (Columbia Metals Corp.) proposes to manufacture ammonium sulphate, a nitrogenous fertilizer.

Therefore the Commerce Department advised the Administrator to award the plant to Columbia Metals Corp. and to throw out American Potash & Chemical Corp. because they said that was big business and the law required small business to be preferred. But instead of following the report sent him by the Commerce Department in pursuance to the law governing this matter, the Administrator awarded the plant to the Simplot Co., the lowest bidder, instead of to the Columbia Metals Corp.

When the Administrator came before the committee—I have had to learn about this as I went along—he left the committee and he left me under the impression that he had satisfied the Columbia Metals Corp. by letting them have a plant in Salem, Oreg., and I assumed from his testimony that a deal had been made. I asked him the other day, since the hearings were held, whether or not that was true, and now I learn that the Columbia Metals Corp. had not been awarded the Salem, Oreg., plant. True, they are operating it, but they have not yet completed negotiations for its ownership, whereas we were under the impression that the Columbia concern was going to get the Salem plant, and as a result Mr. Larson felt that he could award the Salt Lake City plant to the J. R. Simplot Co. I have the letter in my hand. I shall not read it.

Mr. WHERRY. What is the date of it?

Mr. TYDINGS. It is not dated, as a matter of fact, but it came to my office on the 18th of May, and I assume was written either on the 18th or the 17th or the 16th. At any rate, Mr. Larson says that he is still negotiating with the Columbia Metals Corp. for the acquisition of the Salem, Oreg., plant. They have not yet gotten title to it, and have not agreed on terms, but they are operating it under an interim agreement until they can arrive at some understanding, which has not been arrived at as yet. So Columbia Metals Corp. has not gotten the

Salem, Oreg., plant definitely, although it is expected they will eventually get it, but we were under the impression that they had been given it so as to get them to drop out of the situation.

Mr. President, that is no way to conduct a business. If the Columbia Metals Corp. was the highest bidder, the Administrator had no right to play one against the other and move them around like checkers on a board. Mr. Larson should have awarded the Utah plant to that corporation. First of all he should have awarded it to the American Potash and Chemical Corp., in my opinion, because he said that he would negotiate only with the highest bidder, and he sold the plant anyway for what was the bid of the American Potash & Chemical Corp. He did not say "If you are a big concern you cannot get the plant." He only said, "If you are the highest bidder you will get it, if your bid is satisfactory to me, and if it is not satisfactory I will reject all bids and ask for new bids, or I will negotiate only with the highest bidder."

I am not asking the Senate to reject Mr. Larson's nomination; I am asking that his nomination be recommitted to the committee, where a full investigation of the transaction can be had. I think I have shown sufficient already to prove pretty conclusively that it is a thing which should be investigated. It has been a matter that has been played with fast and loose all the way through, and I am satisfied, in the light of what I now know, plus what I knew at the time I originally appeared before the committee, that a good case can be made out to call into question the fitness of Mr. Larson to administer this great enterprise.

I reserve the remainder of my time.

The PRESIDENT pro tempore. The Senator from North Carolina [Mr. HOEY] is recognized.

Mr. HOEY. Mr. President, in connection with this entire proposition I think it is advisable to state a few facts which led up to the bidding on the occasion in question. The motion of the Senator from Maryland is to recommit the nomination to committee. I do not see any purpose to be served by that. Both a subcommittee and the full committee have conducted hearings, and we heard the Senator from Maryland [Mr. TYDINGS] for 2 days, along with the other Members of the Senate who wished to testify, and other witnesses. All sides have been heard, and all have had an opportunity to say any and everything which they wished to say in connection with this bid or with the confirmation of Mr. Larson's nomination.

Mr. President, in order to obtain a clear understanding of this matter I think it should be borne in mind that the Kalunite plant at Salt Lake City had been offered by the War Assets Administration for 2 years practically, and bidders had submitted bids on several different occasions. The bids were not satisfactory. The War Assets Administration had had this plant appraised in the usual method, and the appraisal was $611,000. On the first bidding the highest bid was about $150,000, and others ranged downward in different amounts.

The second time the bids were increased considerably, and the third time there was a still larger increase. The bidding now under consideration represents the final bidding.

Now it is complained by the distinguished Senator from Maryland that in sending out the bid the language was used, as quoted by him, that either the bid of the highest bidder would be accepted or that there would be another offering. He quoted the language shown on the chart before us. It is true that language was contained in the invitation advertisement for bids, and was sent to the different bidders. But it is also true that in the same notice the right was reserved by the War Assets Administration to reject any or all bids. So that the language used in this instance, while it is different from that used in a great many invitations to submit bids, still contained a provision reserving the right of the War Assets Administrator to reject any or all bids.

I think it should be said in this connection that Mr. Larson was not the Administrator at the time invitations for bids were sent out, and, of course, he had nothing to do with prescribing this language. I am not suggesting that as lessening his obligation or authority to comply with the language, but I am saying that even with the language which the invitations contained, it likewise contained a provision that the War Assets Administrator might reject any or all bids.

Invitations were sent out and three bids were received, as indicated by the chart. The three bids came from three different concerns, namely, the American Potash & Chemical Corp., which bid $752,000; the Columbia Metals Corp., which bid $635,000; and J. R. Simplot Co., which bid $625,000.

In order to have a little clearer understanding, I think it would be enlightening to state that in all the bidding which had taken place theretofore the last two named companies had been bidding each time, but the first-named company, the American Potash & Chemical Corp., had never theretofore submitted a bid. Three bidders had been contesting for the property for some time, and the American Potash & Chemical Corp. had never previously submitted a bid. Before that time bids were submitted by the Sterling Co., the Columbia Metals Corp., and J. R. Simplot Co.

On this occasion the American Potash & Chemical Corp., which had not been sent any invitation to bid because it had theretofore shown no interest, did submit a bid. Notices were sent only to the three companies which had bid on previous occasions, but a bid of $752,000 was submitted by the American Potash & Chemical Corp.

What did the Administrator do? He did just what the law required him to do. He communicated with the Commerce Department because, under the law enacted by the Congress, the Commerce Department was to advise the Administrator with reference to bids, in the interest of seeing that as many plants as possible came into the hands of small business. Therefore, under the law, he was required to communicate with the Department. He did so and he received advice from the Commerce Department in which it stated that the last two named bidders—that is, the Columbia Metals Corp. and the Simplot Co.—qualified; in other words, that they were eligible. However, the Department held that the first-named bidder—the American Potash & Chemical Corp.—was not eligible by reason of the fact that it was big business and could not qualify as a small-business concern.

Incidentally, the American Potash & Chemical Corp. has a capitalization of $21,000,000; the Columbia Metals Corp. of approximately $800,000; and the J. R. Simplot Co. of approximately $2,000,000.

After the bids were received and due consideration had been given, and after receiving the notice from the Commerce Department advising that the American Potash & Chemical Corp. was not eligible, what did the War Assets Administrator do? He did just about what one would expect him to do under the circumstances. He wrote a letter to each of the bidders notifying them about the conditions, and he used language in that letter to the effect that he was rejecting all bids. He then took the matter up with the two bidders who met the qualifications, namely, the Columbia Metals Corp. and J. R. Simplot Co. When he took the question up with them and discussed it, Mr. Gallagher, the representative of Columbia Metals Corp., stated that he was not ready to say whether or not he could raise his bid. In addition, there was discussion with reference to whether or not he could make the necessary financial arrangements.

There was another question involved. The Columbia Metals Corp. was also a bidder for the plant located at Salem, Oreg. The Administrator questioned whether or not this company would be able to deal financially with respect to both plants, and handle them adequately.

In connection with the Salem plant, the distinguished Senator from Maryland stated that that plant had not yet been awarded. That is true; but the Columbia Metals Corp. operated the Salem plant during the war, and since the war it has been operating it under lease. It is the only company that has ever submitted a bid for the purchase of the Salem, Oreg., plant. No other company manifested any interest in it. It submitted a bid, and I believe that a deal will be consummated with that company for the sale of the Salem plant. At any rate, that project was under negotiation.

After the Administrator had learned that it could not be determined from the Columbia Metals Corp. that it was willing to raise its bid to $752,000, the amount of the highest bid, and after he had decided that probably it would not be able to make financial arrangements, in the light of the fact that it was also negotiating with respect to the Salem, Oreg., plant, and would probably buy it, he decided to confer with the other bidder, the Simplot Co. When he conferred with Mr. Simplot, Mr. Simplot agreed to raise his bid to the amount of the highest bid, $752,000. That was $141,000 above the valuation which the board of the War Assets Administration

had placed upon the property, and the Government would receive that figure.

I do not know upon what basis the nomination could either be sent back to the committee for reconsideration, or rejected. What is there to indicate that the subject has not been given full, thorough, and satisfactory consideration?

When this subject was under consideration last Thursday, a question was raised as to whether or not Columbia Metals Corp. had had a fair deal. The next morning after the discussion in the Senate last Thursday, I received an unsolicited telegram from the Columbia Metals Corp. Inasmuch as I had made a statement in connection with the explanation of the contract, the telegram was addressed to me. It reads as follows:

SEATTLE, WASH., *May 13, 1948.*

The Honorable CLYDE R. HOEY,
*United States Senator,*
*Senate Office Building,*
*Washington, D. C.:*

Information has reached us that we are reported to be dissatisfied with the award of the Kalunite plant at Salt Lake City. We were surprised and puzzled by the decision at the time but upon our own further analysis our company concluded that the Administrator had made a wise and fair decision and in the best interests of all parties concerned, including the Government. We therefore have no complaint or protest to offer.

J. O. GALLAGHER,
*President, Columbia Metals Corp.*

It has been stated that it was recommended that the Utah plant be sold to the Columbia Metals Corp. because it proposed to manufacture a very scarce fertilizer commodity, sodium phosphate. It is true that that product is in scarce supply; but all fertilizers are in scarce supply. The Simplot Co. proposes to manufacture a very high grade fertilizer denominated as "12/48," meaning 12 percent nitrogen and 48 percent phosphate. That product is in scarce supply, especially throughout the area in which this plant would operate.

Mr. President, I have reviewed this subject very hastily, merely touching some of the points. There are other Senators who are familiar with the subject. I do not wish to consume too much time. At this time I yield 5 minutes to the distinguished senior Senator from Oregon [Mr. CORDON].

Mr. CORDON. Mr. President, I shall support the action of the committee recommending confirmation of the nomination of Mr. Larson to be War Assets Administrator.

I have gone into this subject rather thoroughly since listening to the distinguished Senator from Maryland [Mr. TYDINGS] last week. I had some information about it prior to the time Mr. Larson's name was submitted by the President.

One of the plants involved is located in the State of Oregon. I was interested in endeavoring to secure for the Western area of the United States as large and continuous a supply of fertilizer as it was possible to secure.

The plant at Salem, Oreg., while not constructed originally for the purpose of making ammonium sulphate, but rather for making alumina from clay, was so constructed that a part of the original operation was that of the manufacture of ammonium sulphate. Consequently, after the plant had served its purpose during the war, we secured its operation thereafter for the purpose of manufacturing ammonium sulphate. When the Kalunite plant, which was also an experimental alumina-from-clay plant, became surplus, those who operated the plant in Salem were interested in securing the plant in Salt Lake City also for the purpose of manufacturing ammonium sulphate for fertilizer. Again, that was my interest. I wrote to General Littlejohn, the War Assets Administrator, who preceded Mr. Larson, when the first returns from the invitations to bid came in, and the bids were very low, suggesting that those operating the plant in Salem had indicated that they would bid the fair value of the plant at Salt Lake City if it were readvertised. It was readvertised. The group operating the plant in Salem, Oreg., bid some $35,000 above the fair value of the plant, as found by the War Assets Administration.

I was interested only in securing for those businesses that were able to engage in manufacturing fertilizer an opportunity to continue such manufacture.

After the bids were opened in 1947, my office received notice that a hearing would be had on the whole subject. I was not interested in that hearing. The readvertising had taken place. Two bids had been secured. I did write to the War Assets Administrator, calling attention to the fact that the high bidder, the American Potash & Chemical Co., was alleged by the Alien Property Custodian, who had had some half million shares of the stock of that company for sale in 1945, to be the only manufacturer of potash on the west coast and to have a substantial monopoly of the market. I called that matter to the attention of the Administrator, and also called his attention to the fact that among some 20 provisions of the Surplus Property Act governing the disposal of plants there appeared the following:

(b) To give maximum aid in the reestablishment of a peacetime economy of free, independent, private enterprise, the development of the maximum of independent operators in trade, industry, and agriculture, and to stimulate full employment.

(d) To discourage monopolistic practices and to strengthen and preserve the competitive position of small-business concerns in an economy of free enterprise.

(p) To foster the development of new independent enterprise.

I suggested to the Administrator that in awarding a contract for the sale of this property to one of the competing bidders, those matters should be taken into consideration, as they were a part of the congressional policy.

Thereafter I took no part in the matter. The decision was made and I did not even know what it was, until months afterwards. I had received a telegram, like that which came to the Senator from North Carolina, from Mr. Gallagher, who was manager of the Salem plant of the Columbia Metals Co., suggesting that he has no quarrel with the decision which has been made. Of course, that is beside the point.

I wish to say with reference to the status of the Salem plant—and I call this to the attention of the Senator from Maryland, because it may be additional information which he does not have—that it may be that the negotiations have not been consummated solely because, again, the senior Senator from Oregon has called to the attention of the Administrator the fact that that plant is susceptible of further use in the case of another war emergency, and that, if possible, any disposal arrangement which is made of it should contain a provision requiring that it be continued to be used for the manufacture of ammonium sulfate.

Mr. TYDINGS. Mr. President, will the Senator from Oregon yield?

The PRESIDENT pro tempore. The time of the Senator from Oregon has expired.

Mr. TYDINGS. Then I yield myself half a minute of the time on my side of the case, although I shall take only 10 seconds. I should like to say that I have a letter from the Administrator, and the reason the deal has not been consummated is not the reason the Senator has stated. It is due to the fact that there has been a failure to agree as to the price at which the property is to be transferred. I have here a letter from the Administrator to bear me out in that statement.

Mr. HOEY. I yield 5 minutes to the Senator from Arkansas [Mr. MCCLELLAN].

The PRESIDENT pro tempore. The Senator from Arkansas is recognized for 5 minutes.

Mr. MCCLELLAN. Mr. President, I have no special interest in this matter. I did not know Mr. Larson until after he became associated with the War Assets Administration. I have had some contact with him since. For some time he was general counsel for that agency. When I compare the quality of administration which that agency is now receiving with the quality of the administration it previously had, the comparison recommends Mr. Larson very highly to me, because this agency has been a difficult one to administer. In my opinion he is doing a good job of it, and I think he should be confirmed.

Since this issue was raised in debate last week, I took home with me the transcript of all the testimony adduced at the hearings the committee held. I have read the testimony through carefully. I was present at the committee hearings, and I listened carefully to the testimony as it was adduced there.

I cannot find that anything wrong was done in this transaction. I cannot even find a suspicion that anything was shady or that anything was prearranged or that any sort of negotiations were carried on in any way that was not open and aboveboard.

Had there not been in the invitation to bid the statement that in the event all bids were rejected or no acceptable bid was received, negotiations would be carried on with the highest bidder or another cut-off date would be set, there would not be any controversy here today. Mr. Larson did not place that

statement in the notice to bid. It did not come under his jurisdiction. He was not Administrator or Acting Administrator when that notice was sent out. But bear in mind that the American Potash & Chemical Corp., which became the highest bidder, did not receive one of the invitations to bid. It was not invited to bid. It had never before manifested any interest in bidding on that plant.

Mr. TYDINGS. Mr. President, if the Senator will yield to me briefly, let me say that I know he is not familiar with the fact that the War Assets Administration ran advertisements in the newspapers asking prospective bidders to bid. What the Senator meant to say, I am sure, is that the War Assets Administration did not send the American Potash & Chemical Corp. an invitation to bid.

Mr. McCLELLAN. That is true.

Mr. TYDINGS. In other words, the War Assets Administration did not send it a special invitation to bid.

Mr. McCLELLAN. That is true, because the War Assets Administration did not know of this company's particular interest in the plant.

But after the American Potash & Chemical Co. became the high bidder, it was determined by the Department of Commerce that if that company could not meet the requirements of the act as an eligible bidder on this plant, then, it being an ineligible bidder, the War Assets Administration, regardless of what was in the notice or invitation to bid, no longer owed the American Potash & Chemical Co. any obligation whatsoever; and in the notice to bid it had reserved the right to reject all bids. What it did was simply, when the American Potash & Chemical Co. was held to be ineligible, it undertook to carry on negotiations with the next highest bidder and also with the lowest bidder, because there entered into the situation a consideration of the need for a particular kind of fertilizer in that area. One of the remaining two bidders was going to make one kind of fertilizer and the other company was going to make another kind. Another consideration which entered into the matter was whether the Columbia Metals Corp. could finance this transaction, in addition to the plant at Salem, Oreg., in which it was interested, and which it had under lease and had been operating.

The PRESIDENT pro tempore. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, may I have a further moment?

Mr. HOEY. Certainly.

Mr. McCLELLAN. I simply wish to make this point: There was the Administrator knowing of the urgent need for this product. There was the Government with a plant which it had been trying to sell and dispose of for 2 years. Four previous invitations for bids had been issued, and the Government had carried on private negotiations unsuccessfully in an attempt to dispose of the plant. Under those circumstances, Mr. Larson—even if we term what he did a mistake of judgment, which I do not—kept the negotiations open and aboveboard with the two bidders, and finally disposed of the plant—and I think rightfully so—to the Simplot Co.

Mr. President, I call attention to the fact that this nomination has been pending in the Senate for 5 months. Are we to delay it longer? Certainly I think every opportunity has been afforded to everyone who might question the transaction or who might oppose the confirmation of Mr. Larson's nomination to submit the evidence that would warrant the Senate in refusal of confirmation. That has not been done. I believe, in justice to Mr. Larson and in justice to ourselves, no further delay should be granted, and that the Senate should act favorably on the nomination.

Mr. LUCAS and Mr. ROBERTSON of Virginia addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. ROBERTSON of Virginia. I desire only 3 minutes.

Mr. HOEY. I have already agreed to yield to the Senator from Vermont [Mr. AIKEN], after which I shall be glad to yield to other Senators. I yield 3 minutes to the Senator from Vermont.

The PRESIDENT pro tempore. The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, I wish only to say that when Mr. Larson took over as Administrator of the War Assets Administration last December or November, it was in very bad condition. Under his leadership it has been restored to the point where it is doing a very good work. Mr. Larson has done so much better work than anyone else who has had charge of the War Assets Administration, that it is truly remarkable. If he has committed errors of judgment, he has been no more than human in that respect. But in the matter which has been brought up as an argument for not confirming his nomination the committee is not satisfied that he committed even an error of judgment, which is the most that could be charged against him. I think, indeed, I know, that he has been instrumental in discouraging the sale of certain United States property which should have been retained, which had previously been declared surplus.

I do not believe that his nomination should be recommitted to the committee. I can see no good coming from such action being taken at this time. If we should not have Mr. Larson as War Assets Administrator the chances are 100 to 1 we would have somebody far less capable than he. I believe that when the committee unanimously voted to approve his nomination, it took the right course.

Mr. HOEY. Mr. President, I now yield 2 minutes to the Senator from Illinois.

The PRESIDENT pro tempore. The Senator from Illinois is recognized for 2 minutes.

Mr. LUCAS. Mr. President not only does the report filed by the committee unanimously favoring confirmation of the nomination of Jess Larson for this important position have much weight with me in casting my vote, but also the fact that I have had some experience with Mr. Larson since he became Administrator of the War Assets Administration. Coming from a large State such as Illinois, there are many problems presented by my constituents which make it incumbent upon me to endeavor to make sure that they will have a respectful hearing upon the questions in which they are interested. I want to say for Mr. Larson that during all the time the War Assets Administration has been in existence I have had constant contact with those in charge, and Mr. Larson far surpasses any other individual who has been serving in that capacity for courtesy, kindness, efficiency, and high public service. He has demonstrated all those qualities to the Senator from Illinois.

The PRESIDENT pro tempore. The time of the Senator from Illinois has expired.

The time of the Senator from North Carolina is completely exhausted.

Mr. TYDINGS. I yield 3 minutes to the Senator from North Carolina.

Mr. HOEY. Mr. President, the Senator from Maryland has yielded me 3 minutes, which I yield to the Senator from Florida.

The PRESIDENT pro tempore. The Senator from Florida is recognized for 3 minutes.

Mr. PEPPER. Mr. President, I am glad to add my testimony to the faithful, competent, and skilled service in the public interest which has been rendered by Mr. Larson during the time he has been head of the War Assets Administration.

Mr. President, in the performance of my duties as Senator from Florida, I have had to take matters to him for consideration. I have never known him to be inattentive to their importance or to fail to see to it that they got an impartial, full, and fair hearing. I have never seen him interested in anything other than the best protection and preservation of the public interest. He has justified, in my opinion, the confidence of the United States Senate and its continued support in the performance of his public service.

Mr. TYDINGS. Mr. President, I shall try to summarize without going into detail what is involved in the question before the Senate. First of all, I am not questioning Mr. Larson's boyhood, or his early manhood, or whether he goes to church on Sunday, or smokes. I am questioning whether or not by a piece of concrete evidence now before the Senate there is not a prima facie case made out warranting further investigation—and that is all I am asking for, additional investigation—to determine whether or not on the basis of facts which are not in dispute Mr. Larson should be entrusted with this high office of great responsibility.

It has been said that when invitations to bid were put out, Mr. Larson was not the Administrator. That is true. But when the bids came in, it was Mr. Larson's duty to determine whether or not the bids tendered fitted with the invitation to bid. So he had to know what limitations were put on each and every bidder before he could intelligently award the bid. That is just common sense.

It is said that the American Potash & Chemical Corp. were not among the

original bidders. What has that to do with it? They were invited to bid through newspaper advertisements asking anyone interested to submit a bid, on the terms embodied in the invitation; and they did. There is nothing illegal about it. And praise on high, if it had not been for the American Potash & Chemical Corp.'s bid the Government would have lost $150,000, because their bid had to be met. With that preliminary, let us see what is involved.

The invitations went out. What did they say? They notified every prospective bidder when he read it to determine, first, whether he would consider bidding or not and that—

> In the event that no acceptable bid is received, at the discretion of this Administration either a new cut-off date will be set, or negotiations will continue with only the highest bidder.

A man calculates. He says, "Let me see whether I want to bid on those terms or not. They will either throw out all the bids, or I may be the highest bidder, and if I am, they will not negotiate with anybody else except me. All right, John, get such and such an engineering firm to survey this plant to see what it will take to reconvert it. Do this and do that. Incur expense." Finally, when all that is done and the money is paid out for the survey, the concern makes its bid in accordance with the terms of the invitation to bid.

The bids are opened. The American Potash & Chemical Corp. has complied with every single solitary restriction thrown around the bidder. They are roughly $125,000 higher than the other two bidders. They are high. "Now," Mr. Larson says, "I know that I said I would only negotiate with the highest bidder, but I am going to send down to the Commerce Department, for, under the law, that is what I have to do if I want to do it." He did not have to do it. It says he may. But he did it. That is how the start was made to get rid of one bidder.

What did the Commerce Department write? They wrote back to Mr. Larson a long letter recommending, not that the Simplot Co. be awarded the property; they recommended specifically by name that the Columbia Metals Corp. be given the property. But they did not get it. Why did they want the Columbia Metals Corp. to get it? Senators, it is as plain as the nose on a man's face. This is why: They said the American Potash & Chemical Corp. and the Simplot Corp. proposed to convert to the production of phosphatic fertilizer. Those two concerns would make phosphatic fertilizer, whereas the Columbia Metals Corp. proposed to convert to the production of nitrogenous fertilizer. Continuing, the letter says:

> We have been informed by the Department of Agriculture, by the Department of Commerce, and by two committees of the Congress that there is existing today an acute shortage of nitrogenous fertilizer.

That is the fertilizer which the Columbia Metals Corp. proposed to make. Then the letter goes on to say that there is no shortage of potassic and phosphatic fertilizer, that they are in reasonable supply. The Commerce Department then says that there is only one plant, the Columbia Metals Corp., which proposes to manufacture a fertilizer which is badly needed, and as that company was the next highest bidder they advocated that the property be awarded to the Columbia Metals Corp.

Did that company receive it? The Columbia Metals Corp. had already bid more than had the Simplot Co. It had already bid more than the appraised value of the property. Here is the report of the Department of Commerce saying that, under the law, the property should be given to the Columbia Metals Corp. What happened? They called in the president of Columbia Metals Corp. and said, "Will you pay as much as the American Potash Co. bid?" The president of the Columbia Metals Corp. said, "I cannot tell you. I shall have to go back and consult my board of directors. I am only the president. I have not been authorized by the company to go any higher than this figure." They said to him, "That is all right. Do not go back. You do not have to go back. We will try to make up to you for the loss of this plant by letting you get another plant in Salem, Oreg."

That left the field clear for the lowest bidder to get a plant. No wonder Mr. Gallagher sent a telegram to my good friend from North Carolina [Mr. HOEY]. He has not received the Salem, Oreg., plant yet. He is still negotiating for it. The telegram was not very enthusiastic. He is still "over the barrel." He dare not complain, or he will lose both plants.

Senators, this is one of the seamiest propositions ever to come before this body. Are we to say that the Government can tell its citizens the conditions on which bids will be received, and then, when a citizen, according to law, makes a bid the Government can award a contract on some other basis? What good is the Government's word? It is not worth the paper upon which it is written. We shall demoralize all business dealings with the Government if this practice should be condoned. What is the use of saying that the Commerce Department shall determine who is small business and who shall receive an award, if, after the Administrator submits the question to the Department, he rejects their word?

I have quotations which I have already put into the RECORD. I have given the facts of the matter. I could give the Senate a great deal more "filler." I have had to investigate the matter as I have gone along on it. When the debate was opened a few days ago it was assumed that the Columbia Metals Corp. had already received the plant in Salem, Oreg., in lieu of the plant in Utah. I put the question to the Administrator and find that they have not received the plant. That transaction was to be made last December. It is now approximately the middle of May, and they have not yet received the plant. No wonder their telegram comes to the Senator from Oregon [Mr. CORDON] and to the Senator from North Carolina [Mr. HOEY] that they are not complaining. They dare not complain, or they will not get either plant.

The best witness in this case is the Senator from Utah [Mr. WATKINS]. He rose and backed up the position the Senator from Maryland stated. He said, "By giving this plant to Simplot you have given a monopoly to one concern manufacturing a certain kind of fertilizer." He is correct about that. The Simplot Co. is already making phosphatic fertilizer at a plant in Pocatello, Idaho. The Salt Lake City plant will be making the same general character of fertilizer and in the whole intermountain area there will not be a large competitor. The business is all placed in the hands of one man, for the Simplot Co. is a one-man corporation. It was so testified before the committee. Who is Mr. Simplot? He is a man who had 25 or 30 million dollars worth of war contracts at Pocatello, Idaho, and according to his testimony alone his fortune during the war increased from approximately a half-million dollars to well up toward $2,000,000. He already has one Government plant. Now he is about to get another one.

I do not like the looks of it. I did not have full time to devote to the question, but I submit that I have made out a strong case for a further investigation. Even if there were no further investigation, how good is the word of the Government, forsooth, if its citizens are to be invited to bid for the sale or acquisition of a plant, and they do it in good faith and spend their money to get data on which to bid, and then someone representing the Government says to them, "Oh, that does not count"? When a bid is submitted to the Department of Commerce, as is required under the law to be done, and that Department says, "Give it to this company," the answer is "No, I do not want to do what you tell me to do. I will give it to the lowest bidder."

This is the Government of the United States of America, not a second-hand store with three balls on it. This is a great Government whose unwritten word ought to be as good as that of any statement printed in a Government bond. In the instant case its word has not been worth a continental cent. It has violated all its commitments. It has not followed the recommendations of its sister departments as required by the law. Contrary to its word, it has given the property to the lowest bidder at the highest bidder's figure, overlooking the intermediate bidder who was to manufacture the article the country needed. The award has been given to a concern making something which is not in comparably short supply.

No one has questioned the basic facts in the case. I submit that the sensible thing for the Senate to do is to recommit the nomination to the committee headed by the Senator from Vermont [Mr. AIKEN] and that a further investigation be made to determine whether or not Mr. Larson is a fit man to administer a domain involving many millions of dollars.

I yield the remainder of my time, Mr. President, and ask for a vote.

The PRESIDENT pro tempore. Without objection, the Senate will proceed to vote.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. I believe the unanimous-consent request was to vote exactly at 1 o'clock.

The PRESIDENT pro tempore. The Senator is correct. The Chair just stated that without objection the Senate would proceed to vote. Is there objection to proceeding to vote at this time, or shall the Senate hold its breath for a minute?

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Moore |
| Ball | Hawkes | Morse |
| Barkley | Hayden | O'Conor |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Brooks | Hoey | Revercomb |
| Buck | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Jenner | Saltonstall |
| Cain | Johnson, Colo. | Smith |
| Capehart | Johnston, S. C. | Sparkman |
| Capper | Kem | Stennis |
| Chavez | Kilgore | Taft |
| Connally | Knowland | Thomas, Okla. |
| Cooper | Langer | Thomas, Utah |
| Cordon | Lodge | Thye |
| Donnell | Lucas | Tobey |
| Downey | McClellan | Tydings |
| Dworshak | McFarland | Vandenberg |
| Eastland | McGrath | Wherry |
| Ecton | McKellar | White |
| Ferguson | McMahon | Wiley |
| Fulbright | Magnuson | Williams |
| George | Malone | Wilson |
| Green | Martin | Young |
| Gurney | Millikin | |

The PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

There is before the Senate the nomination of Jess Larson to be War Assets Administrator. The pending question is on agreeing to the motion of the Senator from Maryland [Mr. TYDINGS] that the nomination be recommitted to the Committee on the Judiciary. [Putting the question.] The "noes" appear to have it.

Mr. TYDINGS. I ask for a division.

On a division, the motion was rejected.

The PRESIDENT pro tempore. The question now is, Will the Senate advise and consent to the nomination of Jess Larson, of Oklahoma, to be War Assets Administrator?

The nomination was confirmed.

### EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. The clerk will proceed to state the other nominations on the Executive Calendar.

### WAR ASSETS ADMINISTRATION

The Chief Clerk read the nomination of Rear Adm. Paul L. Mather, United States Navy, retired, to be Associate War Assets Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### GOVERNOR OF THE PANAMA CANAL

The Chief Clerk read the nomination of Brig. Gen. Francis K. Newcomer, United States Army, to be Governor of the Panama Canal.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### THE ARMY

The Chief Clerk read the nomination of Brig. Gen. John Stewart Bragdon to be Assistant to the Chief of Engineers.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Maj. Gen. Louis Aleck Craig to be Inspector General.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk proceeded to read sundry other nominations in the Army.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

### THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

### THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

### PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc, and, without objection, the President will be notified immediately of all confirmations of today.

Mr. THOMAS of Oklahoma. Mr. President, I ask that the President be notified immediately of the confirmation of Jess Larson.

The PRESIDENT pro tempore. The Senate has taken that action in respect to all confirmations of today.

### LEGISLATIVE SESSION

The Senate resumed the consideration of legislative business.

### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

#### AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

A letter from the Acting Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended (with an accompanying paper); to the Committee of Interstate and Foreign Commerce.

#### DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. LANGER and Mr. CHAVEZ members of the committee on the part of the Senate.

### BANK FOR COOPERATIVES

MR. CAPPER. Mr. President, in connection with Senate bill 2543, for the retirement of Government capital in Federal and regional banks for cooperatives, which is before the Committee on Agriculture and Forestry, I send to the desk and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution in support of this proposal which has recently been approved by four important farmers' organizations in Kansas.

There being no objection, the resolution was received, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

#### BANK FOR COOPERATIVES

The Bank for Cooperatives has been of inestimable value to the farmers' cooperative associations of the State since its advent with the Farm Credit Administration in 1934. It has been a dependable source of credit and assisted materially in developing sound cooperative business enterprise. It has been eminently fair to competitive lending agencies while at the same time rendering this service to the cooperatives.

We feel that the Government has been fully justified in furnishing a part of the capital for the bank, but believe that the time has come when the ownership of these banks should be gradually shifted to the farmers' cooperatives. We, therefore, heartily approve the measure sponsored by the national farm organizations and cooperative associations providing for the orderly retirement of Government capital of the banks for cooperatives in a manner that will not adversely affect their ability to serve the cooperative associations.

Therefore, be it resolved, that the Farmer Cooperatives of Kansas in annual meeting assembled do endorse the purposes and principles of H. R. bill No. 6301 and Senate bill No. 2543, as recommended by the committees of the House and Senate, which provide for orderly retirement of Government capital of the banks for cooperatives.

Be it further resolved that we urge our Senators and Representatives in Congress to vigorously support and further the enactment of this legislation at the earliest possible date during this session of Congress and be it finally provided that copies of this resolution be sent to all Senators and Representatives from Kansas.

KANSAS STATE GRANGE.
RAY TEAGARDEN.
KANSAS FARMERS UNION.
E. T. FORTUNE.
KANSAS FARM BUREAU.
H. A. PRAEGER.
H. E. WITHAM.
KANSAS COOPERATIVE COUNCIL.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 2664. A bill to authorize the Indian Claims Commission to hear and determine

certain claims of the Indians of California; with an amendment (Rept. No. 1343).

By Mr. WILEY, from the Committee on the Judiciary:

S. 424. A bill for the relief of certain persons who suffered losses as the result of flood waters in the vicinity of the Nebraska Ordnance Plant at Mead, Saunders County, Nebr.; with amendments (Rept. No. 1345);

S. 873. A bill for the relief of Warren H. McKenney; with an amendment (Rept. No. 1346);

S. 1303. A bill for the relief of Lydia A. Thompson; without amendment (Rept. No. 1348);

S. 1476. A bill to require the designation by the senior circuit judge of another judge to sit in the place of any judge against whom an affidavit of personal bias and prejudice has been filed; with an amendment (Rept. No. 1347);

H. R. 350. A bill for the relief of Caffey Robertson-Smith, Inc.; without amendment (Rept. No. 1349);

H. R. 669. A bill to provide a method of paying all unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy; with amendments (Rept. No. 1355);

H. R. 1508. A bill for the relief of Mrs. Lula Wilson Nevers; with an amendment (Rept. No. 1356);

H. R. 2131. A bill for the relief of Fred E. Gross; with an amendment (Rept. No. 1357);

H. R. 2384. A bill for the relief of Colbert H. Cannon; without amendment (Rept. No. 1350);

H. R. 3526. A bill for the relief of Mrs. Margaret K. Cahn; without amendment (Rept. No. 1351);

H. R. 3644. A bill for the relief of James M. Dingwall, Jr., Aileen Reynolds; Bert Woolslayer; and Mrs. Maisie Purser Davis; without amendment (Rept. No. 1352);

H. R. 4377. A bill for the relief of the Consolidated Steel Corp. of Los Angeles, Calif.; without amendment (Rept. No. 1353); and

H. R. 4379. A bill for the relief of the Harbor Boat Building Co., the Wilmington Welding & Boiler Works; and B & R Machine Works, of Los Angeles, Calif.; without amendment (Rept. No. 1354).

By Mr. MORSE, from the Committee on Labor and Public Welfare:

S. 1035. A bill to provide for the acquisition of the hospital at Camp White, Medford, Oreg., for use as a domiciliary facility by the Veterans' Administration; with amendments (Rept. No. 1344).

## INDUSTRIAL MOBILIZATION FOR WAR—MINORITY VIEWS AND SUPPLEMENTAL REPORT BY SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM (REPT NO. 440, PT. 4–A)

Mr. PEPPER. Mr. President, recently the majority of the Special Committee To Investigate the National Defense Program filed a report on industrial mobilization for war. I was not in complete accord with the report of the majority, and asked leave to prepare a report expressing my own separate views.

I was not in any sense of the word denied an opportunity for the expression of my separate views, and I consented to the filing of the majority report with the understanding that if I cared to submit a report expressing more adequately my own individual views, I might have an opportunity to do so at a later time. I have prepared such a statement, and I now ask unanimous consent that my individual views on this subject may be received by the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Florida?

Mr. BREWSTER. Mr. President, I do not intend to object. I welcome the presentation of the views of the Senator from Florida. However, I merely ask that the majority of the committee—in this instance 9 out of the 10 members—may have an opportunity to file supplemental comment on the minority views of the Senator from Florida, if it should be deemed advisable. I ask that the time be extended for 2 weeks. Under the circumstances, I think it would be advisable to extend the time.

Mr. PEPPER. Mr. President, I have no objection. I think that is a perfectly proper request.

The PRESIDENT pro tempore. Is the Senator from Maine adding his request as a part of the request of the Senator from Florida?

Mr. BREWSTER. I think probably the quickest way would be to have the Senator from Florida incorporate my suggestion in his request.

Mr. PEPPER. Mr. President, I am glad to do so.

The PRESIDENT pro tempore. Without objection, the request submitted by the Senator from Florida, supplemented by the suggestion of the Senator from Maine, is granted.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. LANGER introduced Senate bill 2692, to terminate the retirement system of the Office of the Comptroller of the Currency, and to transfer that retirement fund to the civil-service retirement and disability fund, which was referred to the Committee on Post Office and Civil Service, and appears under a separate heading.)

(Mr. MARTIN introduced Senate bill 2693, to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. REVERCOMB:

S. 2694. A bill to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; to the Committee on Public Works.

By Mr. EASTLAND (for himself and Mr. STENNIS):

S. 2695. A bill to authorize Federal participation in shore protection works; to the Committee on Public Works.

(Mr. WHITE (by request) introduced Senate bill 2696, to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities, which was referred to the Committee on Interstate and Foreign Commerce, and appears under a separate heading.)

By Mr. CAPEHART (for himself and Mr. JENNER):

S. 2697. A bill to authorize the allocation of funds to Grant County, Ind., for payment of one-half the cost of a certain bridge across the Mississinewa River in Grant County, Ind., and for other purposes; to the Committee on Public Works.

By Mr. HATCH.

S. 2698. A bill to authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution; to the Committee on Armed Services.

By Mr. LUCAS:

S. 2699. A bill authorizing the naturalization of Olga Lengyel; to the Committee on the Judiciary.

(Mr. FERGUSON introduced Senate Joint Resolution 217, requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

## RETIREMENT SYSTEM OF OFFICE OF COMPTROLLER OF CURRENCY

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to terminate the retirement system of the Office of the Comptroller of the Currency, and to transfer that retirement fund to the Civil Service Retirement and Disability Fund.

I may say that this bill if passed would discontinue the retirement system in effect for approximately 1,000 employees of the Comptroller of the Currency, and give them only the benefits of the Civil Service retirement system. When Congress passed the retirement bill there were 17 different retirement systems. Ninety-eight and five-tenths percent were under one measure. This bill is an attempt on the part of the Post Office and Civil Service Committee to have all retirement provisions embodied in one law.

There being no objection, the bill (S. 2692) to terminate the Retirement System of the Office of the Comptroller of the Currency, and to transfer that retirement fund to the Civil Service Retirement and Disability Fund, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

## SUSPENSION OF IMPORT DUTIES ON SCRAP IRON, ETC.

Mr. MARTIN. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to continue until June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap.

This measure proposes to extend for another year the act of March 13, 1942 (Public Law 497, 77th Cong.), which provided for the suspension of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap during the national emergency.

The emergency with respect to shortages of iron, steel, and nonferrous scrap is as great today as it was during war years. The national reservoir of scrap was drained by war production. The normal turn-over of iron and steel items of scrap has declined sharply due to lack of replacements. One hundred twenty-four million tons of steel were shipped overseas during the war. Much of this has been irretrievably lost in combat or through disposal abroad of surplus military equipment. Some of it is still possible of recovery in the form of obsolete equipment and rubble scrap.

To understand the importance of scrap, we must know its part in steel production. One half of the metallics used by steel mills and foundries to make new iron and steel products is scrap. Production of steel today, while at almost the wartime peak, is not sufficient to meet vastly increased demands. But to maintain production at today's level requires 53,000,000 tons of scrap per year. Half of this scrap may be generated within the steel mills themselves in shavings and cuttings; the other half must be secured from the junk piles, and the scrap metals which can be recovered from all parts of the world.

The Steel Subcommittee of the Senate Small Business Committee, of which I am chairman, reported these facts to the Senate in its interim report on Steel Supply and Distribution, in January 1947. To further the recommendations made by the Steel Subcommittee for scrap recovery, I introduced Senate bill 2109 on February 2, 1948, to provide for the release of surplus military and industrial equipment from Government and military installations both here and abroad. This measure is still in committee, having been transferred from Banking and Currency to the Committee on Expenditures in the Executive Departments.

It is my feeling that it is urgent to consider and give prompt action to measures that will increase the sources of scrap and encourage the movement of scrap into this country.

The bill which I introduce today will continue an incentive to collections of scrap through commercial channels, by the suspension of tariff duties.

It is a companion bill to one which was introduced in the House of Representatives by Representative ROBERT A. GRANT, of Indiana, on April 14, reported favorably to the House by the Ways and Means Committee on May 11, and now is on the Union Calendar. I trust that the Senate will take equally prompt action.

There being no objection, the bill (S. 2693) to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap, introduced by Mr. MARTIN, was received, read twice by its title, and referred to the Committee on Finance.

## AMENDMENT OF MERCHANT MARINE ACT, 1936

Mr. WHITE. Mr. President, by request, I ask unanimous consent to introduce for appropriate reference a bill to amend the Merchant Marine Act of 1936. In that connection, I request that a section-by-section analysis of the bill may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the section-by-section analysis of the bill will be printed in the RECORD.

There being no objection, the bill (S. 2696) to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities, introduced by Mr. WHITE (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The section-by-section analysis of the bill was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF SENATE BILL TO AMEND THE MERCHANT MARINE ACT, 1936, AS AMENDED

Section 1: The amendment to section 501 (a) of the Merchant Marine Act, 1936, broadens the present basis for extending construction-differential subsidies, by removing the limitation that vessels constructed with such aid must be intended for use in conjunction with an "essential" route and subsidized operation. The amendment removes this requirement and sets up certain general requirements under which the United States shipping industry as a whole would be eligible for aid in the construction of new vessels and thus would be able to acquire such vessels at world market prices therefor. Specific language is inserted in the amendment to insure that any vessels so constructed would not be subject to operating restrictions associated with subsidized operation. (However, no change is made concerning certain other restrictions placed on vessels so constructed—such as the requirement for documentation under the United States flag, special requisition provisions in case of national emergency, etc.)

Section 2: This amendment to section 501 (c) of the Merchant Marine Act, 1936, runs parallel to the amendment of section 1 and makes the same application in the case of subsidies in connection with reconstruction or reconditioning of old vessels.

Section 3: The amendment to section 504 is a similar amendment which removes the reference to the Commission's control over the operation of the subsidized vessel as presently applied in the case of subsidized operations. The existing requirements for documentation, etc., are retained.

Section 4: Section 506, which is repealed hereby, relates to certain special cases where vessels constructed under subsidy under the present law can with certain limitations operate in the domestic trade while on round-the-world voyages, etc. With the broadened application of section 1, these limitations are meaningless and therefore repealed in entirety.

Section 5: Sections 5 through 11 of the bill are a series of amendments designed to broaden the application of the construction reserve funds of the unsubsidized operators and to remove certain discriminations. Section 5 itself makes two minor amendments in line with an amendment in a following section which would permit the use of section 511 funds for certain specified purposes in addition to the presently authorized uses.

Section 6: This section is an amendment to subsection (c) of section 511, which would permit certain earnings and receipts to be deposited in a construction reserve fund and if so deposited they would receive, in effect, a tax deferment. This is an effort to equalize in part the disparity of tax treatment that now exists between subsidized and nonsubsidized operators, as noted in the recent report of the President's Committee on the Merchant Marine. The privilege is limited to earnings from vessels documented under the United States laws. Because of the accounting and segregation problems involved in the treatment of earnings, the general requirement for deposit within 60 days of receipt is modified to permit deposit of earnings for any given fiscal year up to the time of filing Federal income-tax returns for that year.

Section 7: The amendments to section 511 (d) are clerical amendments required by the amendment of section 6 above. The earnings or receipts not recognized for tax purposes result, by the amendments of this section, in a reduced depreciation base on any vessel or other facility acquired from a construction reserve fund. This situation (which is the present law, but applying only to gains not recognized under subsection (c) of sec. 511) is the reason why the apparent tax exemption is, in reality, only a tax deferment.

Section 8: This section involves similar clerical amendments to section 511 (e), relating to the order of deposits and withdrawals.

Section 9: This section makes several major changes in section 511 (g), relating to the conditions under which tax benefits can be had, the purposes for which the funds may be used, and the time in which withdrawals must be made. In general, the time for withdrawal is extended to 3 years instead of the present 2-year period. The purposes for which the funds can be used are extended to include the liquidation of outstanding indebtedness on vessels, capital expenditures in the reconditioning or reconstructing of vessels, and acquisition of terminal or other facilities directly connected with shipping operations, including the capital stock of companies owning United States-flag vessels. Such acquisitions, however, would require prior approval of the Commission before sums in the fund could be expended for such purposes. Other clerical amendments in numbering within the subsection are also involved.

Section 10: With the proviso proposed to be added to section 511 (h) a general extension would be granted for 3 years for all funds on deposit on September 30, 1948. This is an effort to bridge what is hoped to be a temporary period of uncertainty in the postwar shipping situation, especially insofar as it relates to domestic shipping.

Section 11: This section contains clerical amendments to make deposits in the form of earnings or receipts subject to taxation if withdrawn for purposes other than those permissible under the terms of section 511, or if not used within the prescribed period for such purposes.

Section 12: This section proposes to add a new section to title V of the Merchant Marine Act, 1936, as amended, which would permit owners of vessels of not less than 2,000 gross tons, documented under the laws of the United States, and operated without the aid of an operating-differential subsidy, to amortize the cost of such vessel in such manner as he deems appropriate and, for the purpose of Federal income and excess-profits taxes, entitle the owner in each taxable year, beginning after December 31, 1947, to a deduction of the portion of the cost so amortized in such taxable year. The purposes of this amendment are: To afford to unsubsidized American owners financial privileges similar to those available to subsidized owners under section 607 of the Merchant Marine Act of 1936; to narrow the existing disparity as between unsubsidized owners of vessels of American registry and those of foreign registry with respect to depreciation, and to encourage the investment of private capital in the American merchant marine, thus providing an incentive for a continuing replacement of modern new vessels.

## PRINTING OF PRAYERS BY CHAPLAIN OF SENATE DURING EIGHTIETH CONGRESS

Mr. WHERRY submitted the following resolution (S. Res. 237), which was re-

ferred to the Committee on Rules and Administration:

*Resolved,* That 2,500 copies of the prayers offered by the Reverend Peter Marshall, Chaplain of the Senate, at the opening of the daily sessions of the Senate during the Eightieth Congress, be printed and bound for the use of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949—AMENDMENT

Mr. MAGNUSON submitted an amendment intended to be proposed by him to the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 59, to strike out lines 19 through 21, including the word "repayment" in line 22 and substitute therefor the words "be made in conformity with the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932, as amended (title 12, U. S. C. 1148)."

APPROPRIATIONS FOR GOVERNMENT CORPORATIONS AND INDEPENDENT EXECUTIVE AGENCIES, 1949—AMENDMENT

Mr. McKELLAR submitted amendments intended to be proposed by him to the bill (H. R. 6481) making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes, which were referred to the Committee on Appropriations, and ordered to be printed, as follows:

On page 2, line 9, strike out the figures "$27,389,061" and insert in lieu thereof "$31,389,061."

On page 2, line 13, strike out the figures "$21,689,000" and insert in lieu thereof "$25,689,000."

On page 2, line 14, after the word "dams", insert "one at Johnsonville, Tenn., and."

NOTICE OF HEARING ON NOMINATION OF SAMUEL HAMILTON KAUFMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

Mr. WILEY. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Wednesday, May 26, 1948, at 10 a. m., in the Senate Judiciary Committee room, room 424, Senate Office Building, upon the nomination of Samuel Hamilton Kaufman, of New York, to be United States district judge for the southern district of New York, vice Hon. John Bright, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from North Dakota [Mr. LANGER], chairman; the Senator from West Virginia [Mr. REVERCOMB]; and the Senator from Mississippi [Mr. EASTLAND].

SENATOR THOMAS OF UTAH ON CIVIL RIGHTS—EDITORIAL FROM THE ATLANTA JOURNAL

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an editorial relative to a speech delivered by Senator THOMAS of Utah in connection with the debate on the southern regional education compact, published in the Atlanta Journal of May 16, 1948, which appears in the Appendix.]

ADDRESS BY CRAWFORD H. GREENEWALT BEFORE THE UNITED STATES CHAMBER OF COMMERCE

[Mr. BUCK asked and obtained leave to have printed in the RECORD an address delivered by Crawford H. Greenewalt, president of the E. I. du Pont de Nemours & Co., at the annual dinner of the Chamber of Commerce of the United States in Washington, D. C., April 21, 1948, which appears in the Appendix.]

THOMAS ALVA EDISON—ADDRESS BY GEORGE E. STRINGFELLOW

[Mr. HAWKES asked and obtained leave to have printed in the RECORD an address entitled "Thomas Alva Edison—A Symbol of Free Enterprise," delivered by George E. Stringfellow, before the Rotary Club of Birmingham, Ala., April 7, 1948, which appears in the Appendix.]

THE CIVIL-RIGHTS ISSUE—ARTICLE BY DAVID LAWRENCE

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an article entitled "Both Parties Declared Inconsistent in Stand on 'Civil Rights' Issue," written by David Lawrence and published in the Washington Evening Star of May 18, 1948, which appears in the Appendix.]

CLARIFICATION IN PALESTINE—ARTICLE BY WALTER LIPPMANN

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an article entitled "Clarification in Palestine," by Walter Lippmann, published in the Washington Post of May 18, 1948, which appears in the Appendix.]

CORRECTION BY THEODORE W. SCHULTZ OF ARTICLE BY GEORGE WELLER

[Mr. BROOKS asked and obtained leave to have printed in the RECORD two letters from Prof. Theodore W. Schultz, head of the Department of Economics of the University of Chicago, correcting an article by George Weller, which appear in the Appendix.]

TREATMENT OF JAPANESE-AMERICANS—EDITORIAL FROM THE DES MOINES REGISTER

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an editorial entitled "Proper Way to Right a Wartime Wrong," published in the Des Moines (Iowa) Register, May 14, 1948, which appears in the Appendix.]

COUNTING OF ELECTORAL VOTES—EDITORIAL FROM THE PORTLAND (MAINE) PRESS-HERALD

Mr. LODGE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an editorial entitled "Electoral College," from the Press-Herald of Portland, Maine, which gives a very lucid description of Senate Joint Resolution 200, which was reported favorably by the Committee on the Judiciary, and which seeks to change the Constitution so that the electoral votes for President shall be counted in proportion to the popular vote.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ELECTORAL COLLEGE

The approaching Presidential elections give point to the proposal made by Senator LODGE to alter our electoral-college system through constitutional amendment. The Senator's bill, reported out almost unanimously by the Judiciary Committees of both Senate and House, would end the unit rule under which the entire number of electors in each State go to the candidate of the winning party even if he wins by a single vote. Instead, the several candidates would receive electoral votes proportionally to the popular votes received in each State.

A familiar illustration, used before by the Press Herald in advocating passage of the Lodge bill and its submission to the States as an amendment to the Constitution, is the result in Ohio in the 1944 election. President Roosevelt received 1,570,763 votes; Governor Dewey, 1,582,293 votes—a difference of 11,530 votes. That was virtually a tie; but the Republican candidate received all 25 of the Ohio votes in the electoral college. Under the Lodge plan, the Republican candidate would have received, probably, 13 of the electoral college votes, and the Democratic candidate, 12.

How far this proposal will get in this present Congress with its crowded calendar and eagerness to adjourn before the political conventions is problematical. There is no immediate call for speed; a constitutional amendment must be ratified by 36 States before it can become law; and ratification not seldom is notoriously slow; obviously a change, if approved, could not become effective before 1952.

But the Lodge proposal seems to be so sound that it ought to have easy passage through the Congress and the State legislatures. Had it been in effect 4 years ago, there certainly would have been important changes in the standing of the major-party candidates.

Under the present system, Roosevelt received in the electoral college 432 votes and Dewey 99, a plurality of 333. If one were to approximate what that vote would have been under the Lodge system, he clearly would find that the Roosevelt plurality would have been cut down. If one were to take the 9 States with the greatest number of electors—California, Illinois, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin—and to apply the proportional principle, Roosevelt might be shown to have led not by a count of 196 to 27, but to have lost them by a vote of 119 to 104, or thereabouts. Figuring another way, using for comparison the total popular vote throughout the country—for Roosevelt, 25,602,505; for Dewey, 22,006,278—one might find that Roosevelt was actually entitled, under the Lodge plan, to but 282 electoral votes and Dewey to 249—a striking difference from the 432 to 99 votes actually announced.

Presumably, under the new proposal, Roosevelt still would have won the election; anyone who wishes might find a useful exercise in arithmetic in running down the proportional strength of the candidates in all 48 States; but it is apparent from the figures already presented that the present plan is less accurate in measuring a candidate's actual strength; that under it, a candidate, though the choice of the people, conceivably could lose an election. At any rate, Mr. Lodge's proposal seems to come closer to the democratic principle and deserves submission to the States as a constitutional amendment.

SUPPLY OF SCARCE MEDICINES AND LABORATORY FACILITIES—EDITORIAL FROM THE NEW YORK POST

Mr. LODGE. Mr. President, I ask to have printed in the body of the RECORD, an editorial entitled "Night Cries," from the New York Post, which relates to the critical situation which exists in so many

American families because of the expensive nature of vitally important drugs necessary in taking care of people when they are sick. The editorial discusses a problem which I have sought to reach by a bill which is now pending in the Committee on Labor and Public Welfare, and I ask unanimous consent, therefore, that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NIGHT CRIES

A sudden cry in the night, the lights go on, the child is rigid with pain, screaming for help. Then parents think of the rare drugs—streptomycin, sulfadiazole, and penicillin. The drugs with the tongue-twisting names which could spell out hope for their child's life. The drugs whose very mention is a benediction in most American households.

But the mercy of these drugs is often stamped with a price. And the healing of insulin, liver extract, mercury diuretics, endocrine products, vitamin preparations, typhoid vaccine, X-ray and iron lungs, in many cases must be bought.

Health in America is still governed by the dollar sign. Our rich have modern medical privileges and our poor, too often, have only a prayer.

There is a reason, and not a very pretty one, why adequate medical treatment is too frequently classed as a luxury in America, to be enjoyed only by the special class of Americans who can afford similar treats like sending their children to an expensive college.

The reason is two words, innocent enough, but shouted with increasing suspicion by backward Congressmen every time legislation is proposed which would ease the American family medical load.

The words are "socialized medicine" and the opponents of any Federal medical aid string them together glibly, counting on Americans to react unthinkingly against the phrase because it suggests some foreign way of doing things.

In the best of all possible democracies, the term would not be considered suspect, but redundant. In a nation of self-governed people, an essential need like medical care should belong to the people precisely to the extent that private sources fall down on the job.

An illustration of how flagrantly the bug-a-boo of socialized medicine is flaunted, when it does not even remotely apply, can be found in senatorial opposition to a bill recently introduced in the Labor Committee by Senator HENRY CABOT LODGE JR., Republican, of Massachusetts.

LODGE has apparently been appalled by the numbers of gravely ill Americans who are left to die simply because their money has run out and they can no longer purchase the medical supplies and treatment which would stave off collapse.

Under his bill, the Federal Government and the States would match sums, amounting to the trifling total of $70,000,000 a year, to see to it that scarce medicines and laboratory facilities would be supplied to all persons in the United States needing them, regardless of ability to pay.

The bill is a moderate statement of the minimum of service our democratic Government should be expected to supply. But your pressure will probably be needed to convince our Senators that it should receive prompt passage on the Senate floor.

Yet at this stage, Government funds obviously cannot be left to wage the battle against disease alone. Your own dollars should stand ready to fill the gaps in medical research, education, and service until the convictions of our legislators catch up with the needs of the people.

By now you have learned from your newspapers, radios, and billboards that every 3 minutes someone dies of cancer.

Someone dies because we haven't cracked the secret of why cells suddenly go mad and multiply with deadly confusion, crowding out life. Someone dies because you harbor the cancer of indifference and haven't made your contribution to conquer the killer through experiment and study.

It would take you less than 3 minutes to write out a check to the New York Cancer Committee, 535 Fifth Avenue, New York City 17.

Use the time to advantage now by helping to prevent the 3 minutes from beating out a tragedy in more American lives.

## VETO OF BILL REQUIRING REPORTS ON NOMINEES TO ATOMIC ENERGY COMMISSION

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD two editorials dealing with the President's veto of Senate bill 1004, which relates to a requirement for reports from the FBI on nominees to the Atomic Energy Commission. One of the editorials, entitled "Mr. Truman's Veto," was published in the Washington Post of this morning. The other, entitled "They Should Work Together," is published in the Washington Evening Star of today. I urge all Senators to read the editorials.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post of May 18, 1948]

MR. TRUMAN'S VETO

In pursuit of his generally sound doctrine that the President should be master in his own house, Mr. Truman has vetoed the bill authorizing the Senate members of the Joint Committee on Atomic Energy to require reports from the FBI on nominees to the Atomic Energy Commission, who can hold office only with the advice and consent of the Senate. The President's chief complaint is that five Senators would be permitted, under the bill, to direct the FBI to make a report. That, he fears, would be an unwarranted encroachment upon the executive branch. "The complete independence of the executive branch," he wrote in his veto message, "renders it imperative that the Executive have sole authority over the officers whom he appoints."

If the bill has any constitutional weakness, it probably lies in the fact that it enables five Senators to direct the FBI to act in this particular instead of imposing that duty directly upon the FBI by command of Congress. Certainly there can be no doubt that Congress can require an executive agency to make an investigation and report its findings to Congress. The Atomic Energy Act, for example, instructs the AEC to keep the joint committee "fully and currently informed" as to its activities. To be sure, the President ought to have "sole authority" over officials in the executive branch so far as the performance of their duties is concerned, but the function of prescribing what their duties are belongs to Congress.

This is a problem which obviously requires cooperation between the President and Congress. Mr. Truman emphasizes his great responsibility in making nominations to the AEC and pledges himself to use every facility of the executive branch in uncovering facts about the appointees. He seems to forget that the Senate has an equally grave responsibility, also imposed upon it by the Constitution, to act intelligently in confirming such nominations. We do not think it is unreasonable for Congress to provide that, in meeting this obligation, the Members of the Senate chiefly concerned should be able to draw upon the fact-finding facilities of the FBI. It is not a question of demanding FBI reports that are made to the President, but only of making separate reports for the benefit of the Senators who will have to recommend approval or rejection of the nominees.

It is well to remember, in dealing with questions of this sort, that, while we have a separation of executive and legislative powers, we have one Government and not two. An arbitrary attitude on the part of either Congress or the President can upset the normal cooperative relationship which alone enables the American system to function satisfactorily. Congress has attempted various encroachments upon the Executive, and it may be that the President feels it necessary to strike back in a narrow spirit to sustain his position. We cannot help thinking, however, that in this instance he pushes his argument too far.

---

[From the Washington Evening Star of May 18, 1948]

THEY SHOULD WORK TOGETHER

The President's veto of the bill authorizing Senate Members of the Joint Atomic Energy Committee to use the services of the FBI to investigate presidential appointees to the Atomic Energy Commission rested on two main premises.

Mr. Truman's first point was that a law empowering a congressional group to direct the FBI, an executive agency, to investigate the members and general manager of the AEC would be an unconstitutional intrusion by the legislative upon the executive branch of the Government. If the President was persuaded of that, it was his duty to veto the bill, for the principle at stake is important. The remedy, if Congress is sufficiently convinced to the contrary, is to pass the bill over the veto and leave the determination of the constitutional question to the courts.

The other premise was that the objective of the bill was "unnecessary and unwise." This is a conclusion which is open to serious challenge.

The Star has no doubt concerning the loyalty of the present officials of the AEC who would have been affected by this vetoed bill. Nor is there any reason to doubt that President Truman, using the facilities of the FBI, would be careful to check throughly into the background of any one whom he might select for any of these important posts. But this does not meet the point which has been raised by Senator KNOWLAND. It is conceivable that some day another President will be in the White House—another President whose judgment in the matter of such appointments would be open to grave doubt. And it is possible that such a President might name men to the AEC who ought not to be confirmed without the most thorough check of their records.

In that eventuality the Senate would be in a difficult position. For under the law it is required to concur in the selection of members of the AEC, and it ought not to concur unless fully satisfied as to their fitness. The responsibility involved in this is no light matter, since the AEC has been given great powers and the security of the country is in the hands of its top officials. This being the case, it is not possible to agree with the President that the effort to enble the Senate to satisfy itself as to the loyalty of AEC offi-

cials, prior to voting for their confirmation, is unnecessary and unwise.

This does not dispose of the constitutional questions, of course, and it may be that the courts will agree with Mr. Truman. If so, that ends the matter. But if the courts should share the opinion of Congress on the legal issue, then, in the long view, they would seem to be more prospect of gain than loss in the Knowland proposal. It is too bad that the President and the Senate could not have worked this matter out satisfactorily between themselves, but since that was not done the only alternative is to attempt to pass the bill over his veto and let the courts determine the constitutional issue.

### EXCHANGE BETWEEN HENRY A. WALLACE AND JOSEPH STALIN

Mr. McMAHON. Mr. President, I cannot refrain from making one or two observations, which will take me only 2 or 3 minutes, upon the subject of Mr. Henry Wallace's exchange of notes with Mr. Stalin. I shall not trespass upon the time of the Senator from Missouri to go into the matter fully, but I think it is important that someone rise on the Senate floor as quickly as possible to point out that what Mr. Wallace has proposed is an implementation of the Russian foreign policy. I think that conclusion can be documented in very great detail.

Mr. President, the first point that is made by Mr. Wallace, and repeated by Mr. Stalin, occurs in these words:

A general reduction of armaments and the prohibition of atomic weapons.

Note the order, Mr. President. A year ago last October, when it became evident that the acid test of Russia's intentions was being had in her action and reaction to our atomic energy proposal and when she became embarrassed at the acceptance by all nations of the earth of the righteousness and justice of the proposals which we made on this subject, at a meeting of the General Assembly of the United Nations in New York she started to talk about a reduction of armaments in general. Of course that is what she would like to do. She knows that the last disarmament conference went on for about 17 years and ended in nothing. The last thing in the world she wants to do is to come to grips with the proposals which we have made for atomic disarmament, and if there cannot be atomic disarmament, there will be no disarmament.

Mr. President, it strikes me as indeed strange that on the very day when negotiations were closed in New York on this subject in a confession of failure, Mr. Wallace exchanged a note with Mr. Stalin in which he said, in effect—"Let's bring about atomic disarmament."

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. McMAHON. I shall yield to the Senator from Maine in a moment. I can tell them how they can be successful in this field. They can be successful in this field if they send Gromyko back to New York and let him make a motion to reopen the negotiations, and let Russia accept that which every other nation has accepted which has been a party to the study of this whole terrible question. If they will do that, it will do more to establish confidence than anything else that can be done on the face of the earth, and we will start to get somewhere in making a permanent peace for which I know the vast majority of men everywhere yearn with the deepest and strongest emotions of their hearts.

I now yield to the Senator from Maine.

Mr. BREWSTER. Mr. President, I am profoundly interested, as is everyone, in the comments of the Senator from Connecticut. The Senator opened his remarks with the statement concerning the exchange of notes between Mr. Wallace and Mr. Stalin. If that characterization is correct, I submit there is ample law to cover the situation in the prohibition upon private citizens indulging in the discussion of our foreign affairs with any foreign potentate. I hope the Senator can substantiate the case. It is a matter of increasing interest. The mere utterance of the views of a private citizen might not come within the characterization. I mention this because in my judgment we must come to grips with the realities of this thing.

Senators who were privileged last night to listen to the discussion for 1 hour of some of the associated problems, between two very eminent gentlemen, will recognize that there are curious ideological problems involved.

Mr. McMAHON. I thank the Senator, but I will say that I am interested today in the substance and not in the form this whole controversy has taken. I am not unmindful of the fact that the Senator from Maine may have a point in what he has said, but I do not wish to devote myself to that today. I do, however, desire to make clear beyond peradventure of a doubt that the acid test of Russia's intention has just been had in the United Nations in New York, and we can go back there and renew discussions at any time Russia will give any evidence that she wants to listen to reason respecting that prime purpose.

Mr. BREWSTER. Am I to understand that the Senator from Connecticut contends that Mr. Wallace could not express publicly his opinions in this matter? That, it seems to me, must also be kept in mind, however much we may disagree with him.

Mr. McMAHON. Mr. President, I say to the Senator from Maine that I assume he is inferring that Mr. Wallace has violated the Logan Act.

Mr. BREWSTER. I said that if the Senator from Connecticut could substantiate his statement that there has been an exchange of notes between Mr. Wallace and Mr. Stalin, there is ample law to cover that situation.

Mr. McMAHON. And I say to the Senator from Maine that at the moment I am not interested in that phase of the matter.

Mr. BREWSTER. I think the question is one which will continually recur, and I think the more quickly we get it clarified the better. This is not to indicate any sympathy whatever with either the tactics or the proposals which have been followed in the current case.

### STATEHOOD FOR HAWAII

Mr. BUTLER. Mr. President, in connection with the discussion of the granting of statehood to Hawaii, a great many statements have appeared in the press and elsewhere which seek to give the impression that Hawaii has waited longer than other areas or regions before securing statehood. To clarify this point, I have had prepared a table showing the waiting period for other regions. This table shows, I believe, that the waiting period for Hawaii has not been unduly long as yet, particularly in view of the unusual circumstances involved in granting statehood for the first time to a noncontiguous territory.

I present a table showing the lapse in time between the date of acquisition of the areas which later came to be organized in the form of States, and the dates on which statehood was achieved in each case. This table shows clearly that a great number of the States waited much longer than 50 years, the period Hawaii has waited to date. In the case of Oklahoma it required more than 100 years. It actually required 104 years. With reference to my own State of Nebraska, we were a part of the United States for 64 years before becoming a State.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*List of States showing period elapsing between acquisition of the region and final achievement of statehood*

| | Date area acquired | Admission as State | Years between acquisition of Territory and statehood |
|---|---|---|---|
| Oklahoma | 1803 | 1907 | 104 |
| Wyoming | 1803 | 1890 | 87 |
| Montana | 1803 | 1889 | 86 |
| North Dakota | 1803 | 1889 | 86 |
| South Dakota | 1803 | 1889 | 86 |
| Alaska | 1867 | (?) | [1]81 |
| Minnesota | 1783 | 1858 | 75 |
| Colorado | 1803 | 1876 | 73 |
| New Mexico | 1845 | 1912 | 67 |
| Wisconsin | 1783 | 1848 | 65 |
| Arizona | 1848 | 1912 | 64 |
| Nebraska | 1803 | 1867 | 64 |
| Kansas | 1803 | 1861 | 58 |
| Michigan | 1783 | 1837 | 54 |
| Hawaii | 1898 | (?) | [1]50 |
| Utah | 1848 | 1896 | 48 |
| Idaho | 1846 | 1890 | 44 |
| Washington | 1846 | 1889 | 43 |
| Iowa | 1803 | 1846 | 43 |
| Alabama | 1783 | 1819 | 36 |
| Illinois | 1783 | 1818 | 35 |
| Mississippi | 1783 | 1817 | 34 |
| Indiana | 1783 | 1816 | 33 |
| Arkansas | 1803 | 1836 | 33 |
| Florida | 1819 | 1845 | 26 |
| Ohio | 1783 | 1803 | 20 |
| Missouri | 1803 | 1821 | 18 |
| Nevada | 1848 | 1864 | 16 |
| Oregon | 1846 | 1859 | 13 |
| Tennessee | 1783 | 1796 | 13 |
| Louisiana | 1803 | 1812 | 9 |

[1] At least.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the remarks of the Senator from Nebraska there appear a list of the States which have been admitted to the Union, showing the length of time they existed as organized Territories. I think the Senate will find the list of great interest. It shows that 29 of the States have been organized Territories. Hawaii has been in that category for longer than 27 of the organized Territories. Only 2 organized Territories were required to be such for a longer period of time.

The facts also show that Hawaii has a larger population than any other organized Territory admitted to the Union as a State, with one exception, namely the Territory of Oklahoma, at the time it was admitted to statehood.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

| Territory | Date of organic act | Date admitted as State | Years waited | Population at date of organic act | Population at date admitted as State |
|---|---|---|---|---|---|
| New Mexico | 1850 | 1912 | 62 | 61,547 | 327,000 |
| Arizona | 1863 | 1912 | 49 | 9,658 | 204,354 |
| Hawaii | 1900 | ------- | 48 | 154,001 | 502,122 |
| Utah | 1850 | 1896 | 46 | 11,383 | 276,749 |
| Washington | 1853 | 1889 | 36 | 11,198 | 357,232 |
| Michigan | 1805 | 1837 | 32 | 4,762 | 212,267 |
| North Dakota | 1861 | 1889 | 28 | 2,977 | 109,983 |
| South Dakota | 1861 | 1889 | 28 | | 348,600 |
| Idaho | 1863 | 1890 | 27 | ------- | 88,548 |
| Montana | 1864 | 1889 | 25 | 20,595 | 142,924 |
| Florida | 1822 | 1845 | 23 | ------- | 87,445 |
| Wyoming | 1868 | 1890 | 22 | 9,118 | 62,555 |
| Mississippi | 1798 | 1817 | 19 | 8,850 | 75,448 |
| Arkansas | 1819 | 1836 | 17 | 14,255 | 97,574 |
| Oklahoma | 1890 | 1907 | 17 | 61,864 | 1,657,155 |
| Indiana | 1800 | 1816 | 16 | 5,641 | 147,178 |
| Missouri | 1805 | 1821 | 16 | 20,845 | 66,586 |
| Ohio | 1787 | 1803 | 16 | ------- | 45,365 |
| Colorado | 1861 | 1876 | 15 | 34,277 | 194,327 |
| Nebraska | 1854 | 1867 | 13 | 28,841 | 122,993 |
| Wisconsin | 1836 | 1848 | 12 | 30,945 | 305,391 |
| Oregon | 1848 | 1859 | 11 | 13,294 | 52,465 |
| Illinois | 1809 | 1818 | 9 | 12,282 | 55,211 |
| Minnesota | 1849 | 1858 | 9 | 6,077 | 172,023 |
| Iowa | 1838 | 1846 | 8 | 43,112 | 192,214 |
| Louisiana | 1804 | 1812 | 8 | 76,556 | 76,556 |
| Kansas | 1854 | 1861 | 7 | ------- | 107,206 |
| Tennessee | 1790 | 1796 | 6 | 35,691 | 105,602 |
| Nevada | 1861 | 1864 | 3 | 6,857 | 6,857 |
| Alabama | 1817 | 1819 | 2 | ------- | 127,901 |

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The PRESIDENT pro tempore. The unfinished business is House bill 5524, the civil functions War Department appropriation bill, and the pending question is on agreeing to the motion of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the bill to the Committee on Appropriations with certain instructions.

Mr. MAGNUSON. Mr. President, the senior Senator from Pennsylvania [Mr. MYERS] is necessarily absent on public business. He has asked me to announce to the Senate that he opposes the pending motion to recommit the civil functions appropriation bill and has requested me to ask unanimous consent that a statement of the reasons for his position be printed in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY UNITED STATES SENATOR FRANCIS J. MYERS, OF PENNSYLVANIA, IN OPPOSITION TO MOTION TO RECOMMIT H. R. 5524 (ARMY CIVIL FUNCTIONS APPROPRIATIONS BILL) WITH INSTRUCTIONS TO REDUCE FUNDS FOR FLOOD CONTROL AND RIVERS AND HARBORS WORK BY AT LEAST $200,000,000, MAY 18, 1948

The motion to recommit is based on a theory that the same amount of money appropriated last year (for the current fiscal year) for flood control and rivers and harbors work would be sufficient to carry on an effective program during the coming fiscal year beginning July 1. This reasoning sounds logical enough when the discussion is maintained on a level of hundreds of millions of dollars, but breaks down completely when the individual projects which go to make up the aggregate of funds in this bill are analyzed as they should be—individually.

It must be remembered that since the end of the war, we have been trying to catch up the threads of flood control and navigation projects delayed or interrupted by the war. Thus, the original appropriations following the end of the war were comparatively small, because comparatively few projects were in the going stage or close enough to that stage to get under way promptly.

It is only natural that the total amount in the bill each year has been steadily increasing. Nearly all of the projects in the first postwar appropriation bill were large projects and have been coming back for funds each year in order to keep them going toward completion. One of the best examples of these is the huge Conemaugh Reservoir for the protection of Pittsburgh and the Ohio Valley. It will still be some years before that project is completed. It will be eligible for funds—and will deserve funds—each year until completed.

It would be folly—almost criminal folly—to delay the completion of this project by as much as a single day just for the purpose of making any one year's flood-control appropriation that much smaller. This project alone can save its entire cost in the damages it would prevent in a single important flood.

The same is true of nearly all of the projects of which I have personal knowledge which are included in this bill. Pinching pennies now in order to delay inevitable expenditures would be the height of false economy, for each Pennsylvania project in this bill will be built regardless and the question is only whether we will speed their completion or delay them for a year or two or more, meanwhile being denied the protection they could provide.

As I said, the first postwar appropriations were comparatively small and have been steadily increasing in amount because additional new projects have been put into the "going" stage while most of the earlier projects are still obtaining funds. These newer projects are now far enough advanced so that cut-backs in their funds would cause serious and substantial delay.

I cannot support such a short-sighted policy. I do not see how this Senate, if it were to adopt such a policy, could possibly explain it to the satisfaction of the people of Sunbury, Punxsutawney, Williamsport, Pittsburgh, Johnsonburg, Ridgway, St. Mary's, Latrobe, Johnstown, Allentown, Bethlehem, Turtle Creek, McKeesport, McKees Rocks, Honesdale and Hawley, Tyrone, and other communities included in the flood-control funds in this bill, communities which have all felt the cold fury of rampaging floodwaters rolling into their streets and homes.

And as for the rivers and harbors appropriation, I am sure the businessmen of Philadelphia and Pittsburgh who make extensive use of our shipping and harbor facilities would be most amazed to find that these facilities cannot be maintained in proper functioning condition because the Congress wants to save money.

The savings in such a case would be illusory indeed.

It is obvious that even the inadequate appropriations voted by the House in this bill could not be provided if the Senate were to carry through on this motion. The House bill was substantially below budget estimates on such projects in Pennsylvania, for instance, as Punxsutawney, Williamsport, East Branch Clarion Reservoir, and many others. It left out completely the Delaware River improvement project at Philadelphia, and curtailed drastically the maintenance funds for Erie Harbor, the Ohio Valley locks and dams, and for similar activities. If the Senate were now to cut the bill not merely back to the House amount—a difference of $100,000,000—but back to an amount of $100,000,000 less than even the House provided, all of the increases voted in specific projects by the Senate committee would be wiped out and, in addition, deep cuts would have to be made into amounts already voted by the House for these and for other projects which the House did not cut.

The minority report starts off by condemning in the most critical manner the judgment and integrity of the Army engineers, whom I consider among the most able and outstanding of all Government employees, but thereupon ends up by proposing that the judgment of the engineers—these same much-criticized engineers—should be allowed to determine how the remaining money shall be spent, once the over-all cut of $200,000,000 is made by the committee.

I think the final recommendation of the minority report completely disputes the original position of those who signed the report—that the engineers cannot be trusted to use good judgment.

I have received demands from the Pennsylvania Chamber of Commerce that I support this recommit motion providing for the cut of $200,000,000. I am puzzled. The chambers of commerce and the businessmen in the communities affected by this bill urge me to oppose the cut.

Does the State chamber of commerce speak for Williamsport, for York, for Punxsutawney, for Pittsburgh, for Latrobe, for Sunbury, for any of these towns—for the businessmen in these towns who have big stakes in the achievement of early flood protection for those towns?

I don't think so. I think it speaks for itself.

And, Mr. President, in this instance the facts speak for themselves. They speak a clear thought: that flood control and rivers-and-harbors work designed to protect investments and protect lives and increase safety are worthy functions of Government and must not be jeopardized by the penny-pinching of ultra-economizers. We cannot economize our people in Pennsylvania into disaster from floods, and I cannot support any legislative move to delay for 1 year, 2 years, or however long, projects now long overdue and projects which, had the war not intervened, would now be operating.

Mr. KEM. Mr. President, we in the State of Missouri have an abiding and continued interest in the control of the waters of our rivers. Some of the most fertile land in our State has been won from the Mississippi and the Missouri. Our largest city is located near the confluence of those two rivers. Our second largest city stands at the junction of the Missouri and the Kaw. Many of our finest cities and towns and much of our best farming land is subject to recurrent threats from high water. Under these circumstances there is no State in the Union, perhaps, to which flood control means more or is of more vital importance than the State of Missouri.

Notwithstanding these facts, Mr. President, and the vital interest of our people in the subject matter of this bill, I shall vote to recommit the pending bill. I shall do so because I believe that in the long run it is to the advantage of the people of our State and of the United States that I do so. I believe that the great majority of the people of our State who understand the facts would want me to do so.

I have always favored wise and well-considered appropriations for flood control and for the protection of property. I shall do what I can to see that such appropriations are made. I believe that the minority report is entirely justified in its assertion that—

the total amount recommended by the committee is inimical to the interest of the national economy and an unwarranted and unnecessary drain on the Treasury of the United States at a time when the American people are pledged to expensive foreign commitments and national-defense preparedness measures.

The pending bill includes many new projects not for the immediate protection of property and flood control. The bill should be reviewed under instructions of the Senate to eliminate projects not now essential and required by immediate necessity.

The Eightieth Congress is under serious criticism. We are told that while we have tinkered with the budget we have made no statesmanlike full-scale effort to reduce it to proper and reasonable proportions.

We are told that we have "made no realistic genuinely American approach to the problem of inflation and restoring the value of the dollar," but instead, we have "rubber-stamped administration proposals which mean more inflation."

I suppose that there is no Senator who does not receive by every mail evidence that the American people are watching our performance. I want to read into the RECORD one of the many letters which I have received. It comes from a distinguished Federal judge, Hon. John Paul, United States district judge for the Western District of Virginia. I think I should say that I do not enjoy the honor of Judge Paul's personal acquaintance. However, I do have his permission to use his letter, which seems to me to be quite significant. The letter reads as follows:

UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF VIRGINIA,
*Harrisonburg, Va., April 30, 1948.*

Hon. JAMES P. KEM,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR KEM: I have just been reading with interest in the CONGRESSIONAL RECORD of Monday, April 26, the proceedings in the Senate on consideration of H. R. 5607, making appropriations for the judiciary, among other things.

I notice that during the consideration of this bill you inquired of Senator BALL why it was that appropriation bills which came from the House always seemed to have the amounts increased in the Senate. I think that your inquiry was very pertinent and that Senator BALL's answer to it was by no means satisfying. The very same question has often occurred to me, and particularly with reference to the appropriations for the judiciary.

For example, I notice that in the course of the proceedings to which I refer the Senate adopted an amendment providing $468,000 for court criers and messengers, an appropriation which the House, quite properly, refused to make. This appropriation for court criers, who act in many instances merely as the personal servants of the judges, is a completely unjustified waste of public money which I have always opposed.

Again, at the last session of Congress, the House undertook to eliminate the cost of a number of entirely useless clerks' offices in a number of places where courts are prescribed but where there is no justification for maintaining open office at all times. I think that most of the judges in the country were in favor of the elimination of these useless offices. However, when the appropriation bill got to the Senate, the appropriations were restored.

I speak of these two instances because they happen to be in a branch of the Government with which I am familiar. You may wonder that a judge should be interested in a reduction of appropriations for the judiciary, but my interest as a taxpayer is sufficient to make me opposed to any wasteful and useless expenditures which I see. I have never been able to understand just why it is that after the House has given careful consideration to these matters and refused to make appropriations, the Senate should habitually restore them. It inclines one to the belief that it is only in the House that there is any interest in governmental economy and that the Senate is entirely indifferent to it.

I trust that you will pardon the liberty I have taken in writing this letter, but I did want you to know that there is at least one judge who is in agreement with you in your attitude toward this appropriation bill.

Very truly yours,

JOHN PAUL,
*District Judge.*

Mounting inflation is a source of deepening concern to every American who loves his country. A realistic program is urgently needed to restrain inflation. Authorities agree that the first approach must be to reduce Government spending, now six times the prewar rate, excluding interest on the national debt.

I believe that there is still an opportunity for the Eightieth Congress, by swift positive action, to retrieve much of the ground which our inaction in this respect has cost us. We can still build up a record for national leadership in the time that remains.

The American people repudiated in 1946 the spending theories of the Truman administration. I believe the Eightieth Congress has a mandate from the people to restrain this spending, to cut the budget back to fair and reasonable proportions. The present bill offers an opportunity for the Senate to go on record that it means from now on to attack thoughtfully and courageously the far-reaching threat of inflation which carries with it so much for the welfare and happiness of all our people.

The PRESIDING OFFICER (Mr. ECTON in the chair). The question is on agreeing to the motion of the Senator from Kansas [Mr. REED] for himself and other Senators.

Mr. REVERCOMB. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Cordon | Hill |
| Ball | Donnell | Hoey |
| Barkley | Downey | Holland |
| Brewster | Dworshak | Ives |
| Bricker | Eastland | Jenner |
| Brooks | Ecton | Johnson, Colo. |
| Buck | Ferguson | Johnston, S. C. |
| Butler | Fulbright | Kem |
| Byrd | George | Kilgore |
| Cain | Green | Knowland |
| Capehart | Gurney | Langer |
| Capper | Hatch | Lodge |
| Chavez | Hawkes | Lucas |
| Connally | Hayden | McClellan |
| Cooper | Hickenlooper | McFarland |
| McGrath | Reed | Thye |
| McKellar | Revercomb | Tobey |
| McMahon | Robertson, Va. | Tydings |
| Magnuson | Russell | Vandenberg |
| Malone | Saltonstall | Wherry |
| Martin | Smith | White |
| Millikin | Sparkman | Wiley |
| Moore | Stennis | Williams |
| Morse | Taft | Wilson |
| O'Conor | Thomas, Okla. | Young |
| Pepper | Thomas, Utah | |

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. TAFT. Mr. President, I intend to support the motion made by the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], the distinguished chairman and two members of the Appropriations Committee, to recommit the bill with the instruction that $200,000,000 be eliminated from the $735,000,000 program. I support the motion because I feel that today the country is in such condition that all expenditures should be reduced if in any way they can be reduced. I feel, in particular, that this is a time in which a general program of public works should at least not be increased, but that, in fact, it should probably be reduced.

I pointed out yesterday that the budget contains an increase in public works expenditures from $2,000,000,000 in the current year to $2,800,000,000 in the next year. I think it is unfortunate from the general standpoint of inflation and from the general standpoint of the budget that there should be any such increase at this time. Cutting off $200,000,000 from the appropriations will still leave the sum in excess of the amount used in the current year for rivers, harbors, and flood control. I believe, in general, we should not go beyond the appropriations for the current year in the construction of public works.

This does not in any way indicate any disapproval of the general program of flood control. I believe very strongly that we should proceed with the long-range plan to improve our rivers to their utmost capacity and to use all our rivers and all the power we can obtain from them. But that is a job which will take 25 or 30 years. It will involve many billions of dollars. In a general way I feel that we should go lightly when we have an inflationary condition, when we have such tremendous private activities, so many other expensive Government programs, and that we should make our plans and have the projects ready to proceed whenever private activity falls off and we are threatened with a depression.

There is no question that we are in the midst of an inflationary condition. It is not as bad as it was. It has gradually tended to stabilize. Yet every expert feels that we still face a serious danger that prices will increase, wages will increase, and we shall have a further spiral which will decrease the value of savings and cause serious hardship to the lower-income groups and persons who live on fixed incomes. In my opinion our whole policy should be directed toward avoiding that result.

Some persons say we can go ahead and impose controls. My opinion is that

controls simply postpone the evil day. In the first place, they will not be effective, they will not really prevent the result which must flow from such enormous spending programs as we are now endorsing. They will simply retard increase in production and the ultimate solution of the problem.

The difficulty, as I see it, is that we are trying to do too many things at one time, until we have reached a point where we are beyond the capacity of the Government to do all the things we are trying to do. By trying to do them all, we are creating a condition in which prices must increase and wages must increase, until gradually a situation may be brought about resulting finally in complete depression. We are at the present time still trying to catch up on consumers' goods with the expenditure of money saved during the war. There has been a tremendous production of semidurable consumers' goods, to say nothing of the great increase in the use of consumption goods, so that today people are living better than they have ever lived in the history of the United States.

A far-reaching program is involved in trying to catch up with the housing deficiency created by the war. Last year I think we spent very close to $7,000,000,000 on housing. Of course, there was private construction, with some Government expenditure, and yet it involved money which went into the market and built up a huge demand for materials of all sorts, with which we compete the moment we increase public works on the part of the Nation itself.

In order to battle communism throughout the world, so that eventually we may have peace and prosperity, we have embarked upon an extensive program of foreign aid, far beyond anything that anyone in this country has ever seen in time of peace. Apparently we shall spend approximately $7,300,000,000 on foreign aid during the next 12 months.

We are also faced with a military threat. We spent this year $10,500,000,000 on the Army, Navy, and Air Force, and the chances are that we will spend at least $2,500,000,000 more than that in the next fiscal year, or a total of $13,000,000,000. That is a program which we consider necessary for the safety of the country. But if we have to undertake that kind of military expenditures we must cut down somewhat on civilian expenditures.

We have a large veterans' program to take care of the education of veterans—a program of which I thoroughly approve—but which is entirely nonproductive. We are spending $3,000,000,000 maintaining men in educational institutions who produce nothing, who add to the demands for consumers' goods, but who do not participate in creating a supply of such goods.

We have an additional general program with which the whole world, outside of Europe, is trying to keep up, making tremendous demands on exports from this country, in addition to those covered by the European-aid program.

All these programs are good things in themselves. The civil-works program is a good thing in itself. The difficulty is not that there is any objection to any one of the programs—each one has the highest reasons behind it—but when we try to do all we create an inflationary condition which may actually bring more harm than the combination of the programs can bring good. It seems to me we have only one choice. We cannot abolish any of these programs, but we can try to hold them down to the very minimum. We can try to take something off all of the programs, so that when we get through we shall have relieved to a considerable extent the inflationary condition.

Mr. President, I read from the Economic Report of the President, which states the general condition regarding inflation. The President says:

> The question has been raised as to whether we have inflationary pressure because of large exports, because of the very low rate of business investment—

Another program which I have not mentioned is the expenditure for machinery and plant which is going on at such a rapid rate—

> because of the large amount of residential and commercial construction, or because of the high level of consumer spending. The answer is that we have inflationary pressure because the sum total of these combined factors exerted too great a demand on available supplies. No one factor can be singled out as the principal cause.
>
> The inflationary impact of spending was strong in all fields—capital expenditure, exports, and consumption. The high level of domestic business investment and construction aided in unfolding a total demand which increased prices, individual incomes, business profits, and Government receipts. The supply of consumer goods was limited by the large amount of resources devoted to capital goods and exports. Consumer demand, swelled by wage increases, by high farm earnings, by the use of consumer credit, and by the cashing of terminal-leave bonds, was in excess of the supply at the current prices.

So we had last year a dangerous increase in all prices. The report says further:

> The stubborn and intractable fact about an economy already operating at peak levels is that output cannot be expanded except by slow degrees.
>
> Nor are the immediate consequences of inflation as favorable as superficially appears. Some people are gaining at the expense of others. The heavy weight of higher costs of living bears down upon the millions of families who are unable to keep up with advancing prices. Economic relations degenerate into a hectic struggle to catch up or keep ahead. No firm basis can be established for orderly and stable progress.

We had before our committee Mr. Marriner Eccles, who certainly is in favor of spending in times of depression, and has such a record. He said:

> In restraining inflationary pressures under present and prospective conditions, monetary and credit policies must be combined with fiscal and other government policies. The public should be given every possible assurance that the Government will protect the purchasing power of the dollar so that the public would be more willing to defer the satisfaction of wants, particularly for houses and durable goods.
>
> Wherever possible, Government expenditures that will add to the pressures on the labor and capital goods markets should be deferred, and State and local governments should be requested likewise to defer nonessential expenditures of this type.

I might add the last word of the President's Council of Economic Advisers, given in a memorandum published on April 9, in which they said, with relation to the additional expenditures for military purposes:

> Every citizen must recognize that further diversions of productive effort to military uses inevitably involve some sacrifice of civilian types of consumption. It is our particular application of the old alternative of guns or butter.
>
> Our people had—and we believe quite properly—looked forward to a postwar period in which larger numbers of people would achieve higher standards of living than had ever been realized before. Those hopes are not nullified by the defense program. But they must be in some measure postponed or for the present revised downward.

So, we have the advice of the President's economic advisers, and of the chairman of the Federal Reserve Board.

I now read from the report which will be filed shortly, probably, by the Joint Committee on the Economic Report:

> The substance of our conclusion is that the inflationary condition is due to our attempt to accomplish more than is possible at our present capacity for production. Just as England has been criticized for proceeding too rapidly with her housing program instead of devoting more time to production for export, so our people and our Government, both executive and legislative, may well be criticized for trying to carry on at the same time so many huge programs as those represented in our expansion of business transactions, our expansion of residential housing, our support of veterans' education and rehabilitation, our Government public works program, our huge Military Establishment, and our economic support of free peoples throughout the entire world. Liberal credit policies on the part of private and public agencies alike and the maintenance of low interest rates have encouraged the expansion of these programs. We do not intend to criticize these programs or question their desirability. We merely point out that the attempt to carry them all on at once with very little restraint in the field of consumer spending and liberal credit policies is the basic reason for inflation, which otherwise could hardly coincide with a large Government surplus.

So, Mr. President, in the case of public works in particular, it seems to me that we can reasonably ask that we defer some of these works, which have been deferred now for 160 years, and which can certainly be deferred another year without any very dangerous consequences to the country. There are some things which cannot be deferred, but I do not think there is anything which cannot be somewhat cut down, and that is all we are asking in the motion filed by the distinguished Senator from Kansas.

I believe very strongly that if we shall continue to insist on all-out development of every one of the programs I have mentioned, we will face another period of inflation in prices, which will mean probably further increases in wages, and a general inflationary condition throughout the United States, which will injure many people, which will produce hardship and suffering among many families, and which may ultimately lead to a serious depression.

Mr. President, with special reference to the budget which we face this year, and the effect of the appropriations

which we are asked to make, not only in this field, but in many other fields, so far as I can judge at the present time, the best advice is that after the tax cut which was made by Congress, there will be receipts to the Government in the next 12 months of $42,500,000,000.

It is, of course, more difficult to estimate what the expenses will be, but I have had prepared a table which I think gives a fair idea of about where we are today. It assumes that national defense, for which $11,000,000,000 was asked, will cost $13,100,000,000. It may cost more. International expenses have been increased from $7,000,000,000 to $7,300,000,000. Veterans' benefits have been increased from $6,100,000,000 to $6,300,000,000, and the interest on the national debt is $5,300,000,000. Refund of taxes is estimated now at about $2,500,000,000. The reduction in all other expenditures is estimated at from about $8,300,000,000 to $7,800,000,000, or about $500,000,000. That is not a very large decrease, but it is as much of a decrease as we can see any evidence of, so far as all present appropriations have proceeded.

Mr. President, that would mean a total expenditure of $40,600,000,000, and would leave a balance of $1,900,000,000. This Congress has said that we should apply at least $2,600,000,000 to the public debt, and on the basis of the present outlook, and a fairly conservative estimate of military expenditures—we do not know how much of the money is to be spent in the next 12 months—we have already trenched upon the $2,600,000,000 which should be set aside to reduce the national debt.

In addition to that, in all probability we face an increase in the salaries of Federal workers generally and of postal workers, which may easily total four or five hundred million dollars. Some of the bills provide even more than that.

It seems to me that if we are really to succeed in balancing the budget, $40,000,000,000 is an outside figure for expenditure the coming year. I do not think the taxpayers should bear a greater burden than $42,500,000,000. Their burden is already great. Government expenditures already take more than 25 percent of the national income, which means people have to work more than 1 day in 4 for the Government, and only 3 days for themselves. The burden has been somewhat relieved by the inflation which has taken off the taxpayer the burden of the increase and really passed it on to the consumer in higher prices, but when that stops the burden will be so heavy as to discourage any further investment or increase in production. I think it is a burden beyond anything we should stand. In order to meet our promises, I believe very strongly we should confine the expenditures of the Government to not more than $40,000,000,000, which would leave $2,500,000,000 to apply on the public debt.

With special reference to the public works program, I call the attention of the Senate to the President's budget, page 1283, and ask that there be incorporated at this point in the RECORD table No. 5, giving the Federal civil public works expenditures by functions and subfunctions.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 5.—*Federal civil public works expenditures, by function and subfunction*

[Fiscal years. In millions]

| Function | Actual, 1947 | Estimate, 1948 | Estimate, 1949 |
|---|---|---|---|
| Veterans' services and benefits: | | | |
| Veterans' hospitals, other services, and administrative costs | $54 | $179 | $418 |
| International affairs and finance: | | | |
| Foreign relations | 2 | 2 | 2 |
| Social welfare, health and security: | | | |
| Work relief and direct relief | 2 | 6 | 9 |
| Promotion of public health | 1 | 21 | 74 |
| Crime control and correction | 1 | 1 | 1 |
| Total, social welfare, health, and security | 4 | 28 | 84 |
| Housing and community facilities: | | | |
| Public housing programs | 376 | 74 | 19 |
| Provision of community facilities | 46 | 50 | 58 |
| Total, housing and community facilities | 423 | 124 | 77 |
| Education and general research: | | | |
| Educational aid to special groups | (1) | 1 | 5 |
| Agriculture and agricultural resources: | | | |
| Loans and investments to aid agriculture | 194 | 302 | 322 |
| Conservation and development of agricultural land and water resources | 5 | 8 | 10 |
| Total, agriculture and agricultural resources | 199 | 310 | 332 |
| Natural resources not primarily agricultural: | | | |
| Conservation and development of land and water resources | 324 | 551 | 781 |
| Conservation and development of mineral resources | 6 | 10 | 10 |
| Conservation and development of fish and wildlife | (1) | 1 | (1) |
| Recreational use of resources | 5 | 10 | 15 |
| Development and control of atomic energy | 51 | 174 | 326 |
| Total, natural resources | 387 | 746 | 1,132 |
| Transportation and communication: | | | |
| Provision of navigation aids and facilities | 100 | 147 | 183 |
| Provision of highways | 238 | 433 | 514 |
| Promotion of aviation, including provision of airways and airports | 40 | 51 | 84 |
| Postal service | ------- | ------- | 1 |
| Other services to transportation | ------- | 6 | 15 |
| Total, transportation | 378 | 638 | 797 |
| General government | 10 | 8 | 13 |
| Total, civil public works, gross | 1,457 | 2,035 | 2,859 |
| Adjustment to net expenditures for corporations | 35 | 34 | 34 |
| Total, civil public works, net | 1,422 | 2,002 | 2,825 |

[1] Less than $500,000.

Note. Figures do not necessarily add because of rounding.

Mr. TAFT. Mr. President, this table shows that in the year 1947 the Government actually spent on civil public works $1,422,000,000; that in the fiscal year 1948 it is expected the Government will spend $2,002,000,000; that the estimate for 1949 contained in the budget, apart from any increase Congress may make, is $2,825,000,000, or an increase of $823,000,000 over the expenditures for the current year.

Mr. President, I believe very strongly that under present conditions there should be no increase in public works; that it is something which can be put off. As I said yesterday, I do not think there is an economist, a left-wing economist, or a right-wing economist, or any other kind of economist, who does not accept the general theory that we should let up on public works in time of boom, in time when private activity is rampant, and that we should save those expenditures and pile them up when a depression is threatened. That theory is accepted by everyone I know of. It was accepted by the last Republican President. Mr. Hoover was very strong for the theory of using public works as a balance to private activity. It was accepted by President Roosevelt. It has been accepted by President Truman. It is accepted I think by all parties as a matter of principle. I believe we should abide by that general principle.

Some persons have said, "You were in favor of a Government pay increase, and also in favor of Federal aid to education." In the first place those expenditures are small compared to what we are doing in these other fields. In the second place it seems to me that we have a prior obligation to Federal employees to see that their salaries are increased at least as much over prewar as their cost of living. I believe that is a prior obligation to undertaking any public works. It seems to me that we have an obligation in that case to a million or more men and women to see that they receive a reasonably decent living.

The same thing is true in the field of education. If a million children perhaps, who are not receiving any education to speak of today, continue without education, it will be lost and gone to them forever. I believe again that where we have that kind of a current obligation it should come ahead of public works. I believe that in a budget of the size of our country's budget such increases are reasonable increases. I do not believe that being in favor of increases in salaries and aid to education in any way militates against the position of economy respecting every program. After all, it is a question of weighing the importance of different public expenditures, but all of it, it seems to me, must be included finally in a $40,000,000,000 expenditure budget, and if we are to come within it it is necessary to have to shave every single appropriation bill that comes along.

Therefore, Mr. President, I think it is unfortunate that we have to make this decision now when we do not have the final report of the Bureau of the Budget as to where we are finally going to land in the way of governmental expenditures, but we do have to proceed step by step. I believe we will be far safer, I believe we will adopt sound principles, I believe we will keep our promises, if we vote to recommit the bill to the committee and reduce by $200,000,000 the civil public works appropriation measure.

Mr. KNOWLAND. Mr. President, I wish to speak briefly on the bill, and I speak as a member of the Senate Committee on Appropriations. The Senator from Ohio today has made, as he usually does, a very able argument, and certainly there is ample room for an honest difference of opinion as to what policy we should perform in this regard.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. KNOWLAND. I yield.

Mr. TAFT. I meant to say that it is not my desire or intention by what I have said to reflect in any way on the action of the committee. The committee has a particular job to perform, just as a particular job must be performed respecting each program that comes before us. I am rather trying to suggest an over-all policy for Congress. I have the highest respect for the committee. I know the difficulty the committee has had in picking out particular projects and rejecting others, and I do not want what I have said to be in any way considered as a reflection on the details of the bill or on the action of the Committee on Appropriations.

Mr. KNOWLAND. Mr. President, I merely wish to point out a few of the problems that faced the Committee on Appropriations, and also a few basic policies of national import which I think should be of interest to the Senate of the United States.

In the first place, as we all understand, but perhaps some of the public does not, there is not a single item in the bill which has not first run the gantlet of a congressional authorization. Over a period of years after consideration by the proper Senate committee and the proper House committee Congress has passed authorization bills. Our authorizations are far ahead of our appropriations. As a matter of fact, if the Senate should diligently try to for the next 10 years we could probably not catch up with the authorizations which are ahead of us.

Mr. President, in addition to that there is a further matter which should be kept in mind. After a bill has been authorized, it is the duty of the Army engineers to give careful scrutiny to the various projects throughout the country, of both a flood-control and a rivers and harbors character, and then to make recommendations to the President's Director of the Budget. The engineers have to deal with this problem day in and day out. They see the living examples of what happens to an area which is subject to floods. They see industry destroyed; they see people made homeless; they see livestock and land destroyed. Their job is to help to fight the floods on the firing line, if I may use that expression.

Mr. President, I regretted, I think more than any other Member of this body, to hear the Senator from Kansas [Mr. REED] say yesterday that he had lost confidence in the intelligence and the integrity of the Army engineers, but I am sure that on reflection he will find it may have been something which was said only in the heat of debate, because I do not know a single agency of the Federal Government which over a long period of years has given more faithful service to the public and the Nation than has the Corps of Army Engineers. I know of no agency of the Federal Government which has been more free from any partisan charge than has the Corps of Army Engineers. I know of no agency in the Government of the United States which has more conscientiously tried to reach proper decisions in regard to the vast program with which it is confronted.

The Senator from Kansas and some of the other opponents of the pending bill have questioned the emergency nature of some of the projects contained in it. I would certainly be the last individual to stand on the floor of the Senate of the United States and say that of the vast number of projects included there are not some which could be classed as having a higher priority than others, but I do say to the Senate that when a little community on the Mississippi River or on one of the other great river systems of our Nation is faced with having its homes destroyed, its livestock killed, perhaps its families lost, to that community it is the greatest kind of emergency. It is as great an emergency as one facing us in international affairs. Who are we to sit in the Senate of the United States and say that when a community of 500 people or 1,000 people is apt to be wiped off the face of the map, that is not the greatest emergency which such a group of Americans have ever been called upon to face?

I want to say to the able Senator from Ohio, who I know is very conscientious in all these matters which he discusses, that as I have gone around the country, into the valley of the Tennessee, into Kentucky, into other States of the Union, I have made a point of familiarizing myself insofar as I could with their various problems and inspecting their flood-control projects. I was in the city of Louisville not long ago. It is a great distance from my own State of California, but in company with the junior Senator from Kentucky [Mr. COOPER] and Army engineers I went over their flood-control project. I saw the vast industrial capacity in that community which was in danger of flooding. I saw where the floodwaters at various times in the history of Louisville had destroyed property and caused great loss to the economic well-being of that area. I select that merely as one of innumerable examples. The committee in this instance has endeavored to plug the dike before there are additional vast losses in that section of the country.

To pick up my story, the Army engineers use their best estimates as to what, in their opinion, will be the most productive and most economical rate of construction on these projects throughout the Nation, and they send their recommendations to the Director of the Budget. What were those recommendations? The Army engineers stated that in their judgment, in the interest of protecting the soil, the industry, and the economy of the Nation, $874,441,600 should be spent during the next fiscal year.

The next process is that the Director of the Budget, representing the President of the United States, and having a serious responsibility in the matter of the expenditure of funds, scrutinizes and screens the various recommendations of the Army engineers. What was the recommendation after such screening? It was recommended that the Army engineers' figure of $874,441,600 be reduced to $737,804,300. That is the second process.

What happens next? The recommendations go to the House of Representatives, which holds a long series of hearings. Members of the House committee exercise their judgment and discretion. The House committee finally reported the bill with a figure of $606,558,766. The bill went from the House committee to the floor of the House, and was considered by the House of Representatives. After some minor changes, the bill was passed and sent to this body. Under our procedure, it went to the Committee on Appropriations.

Mr. President, I have served in a State legislative body, and I have been a Member of this body for a little more than 3 years. I have never known a harder working committee than the Committee on Appropriations of the United States Senate. It worked long hours, for days on end, hearing the various witnesses—not only Members of Congress, but everyday citizens from the various communities, including farmers, businessmen, mayors, boards of supervisors, and others who have a vital interest in the entire program.

After the hearings were closed the evidence was examined. The committee worked long hours, far into the night, and finally prepared its report. Contrary to some of the implied charges, I wish to say that I have never known a committee whose work was so completely free from any suggestion of logrolling as is the work of the Senate Committee on Appropriations. I can say without fear of contradiction that every project in this bill received as careful, honest, and thoughtful consideration as possible, whether the State was represented on the committee or not. I think I can say without fear of contradiction that if anything, the members of the committee lean over backward in order to make sure that no charge of the nature which I have described could ever be made or implied on the floor of the Senate.

After going through this process, the committee recommended a figure of $737,804,300. This is under the estimates by $29,217,634.

If the United States Senate sees fit to sustain its Committee on Appropriations, that does not end the matter because, as we all know, the bill must go to a conference between the Senate and the House. Whether some persons recognize it or not, we do have a two-house Congress; and, consequently, when the bill reaches conference there will be a process of give and take as between the views of the two Houses of Congress. So while the Senate's figure is almost $30,000,000 under the budget estimate, which was approximately $100,000,000 under the estimate of the Army engineers, the practical aspect of the situation is that when the bill is finally enacted into law the figures will be somewhere between the Senate figure and the House figure.

The able Senator from Ohio [Mr. TAFT] has stated that since we have gone along for 160 years, we can wait another 3, 4, 10, or 50 years if need be. He also mentioned the question of national defense. I submit that national defense does not depend alone upon armies, navies, or air forces. The economic well-

being of the people is also an important factor. I fully recognize the fact that, of course, we wish to operate with a balanced budget. In my judgment we shall operate with a balanced budget if the action of the full committee is approved.

I have just had taken from the United Press ticker in the anteroom some late figures from the Treasury Department, showing Government expenses and receipts for the current fiscal year through May 14, as compared with a year ago. The comparison is as follows:

*Government expenses and receipts for the current fiscal year through May 14 compared with a year ago*

| | This year | Last year |
|---|---|---|
| Expenses | $30,793,833,867.87 | $34,920,861,258.27 |
| Receipts | 38,512,038,259.94 | 36,216,477,945.14 |
| Surplus | 7,718,204,392.07 | 1,295,616,686.87 |
| Cash balance | 5,027,898,903.72 | 4,139,385,449.16 |
| Public debt | 252,201,407,876.30 | 257,728,056,540.85 |
| Gold reserve | 23,235,360,449.03 | 20,878,077,860.83 |

The able Senator from Ohio has made some comment with regard to the question of payment on the national debt. I believe that no Member of this body has had more interest in the gradual reduction of the Federal debt than has the junior Senator from California. It was my amendment a year ago which was placed in the then pending resolution, and which made it a part of the policy that each year we should reduce the debt by at least two and a half billion dollars. I invite the attention of Members of the Senate to the fact that according to the official Treasury figures which I have just read, this year we have already reduced the public debt by five and one-half billion dollars, which in effect, is more than a 2-year reduction at the rate of two and a half billion dollars a year.

Furthermore, Mr. President, in order to get a proper perspective, I think we should have some additional figures in mind. From 1802 through 1948 the total expenditures for rivers and harbors amounted to $3,370,000,000. That was for 146 years of our domestic economy, in building our great harbors, developing our great river systems, and our systems of canals for the commerce and economy of the Nation. In passing, Mr. President, I merely mention the fact that that is less, by some $400,000,000, than the amount of the British loan.

It is true, of course, that the other day the Senator from Kansas listed the expenditures for rivers and harbors and flood-control works by years, over a period of 11 years. The chart he presented at that time shows that for 11 years we have expended for those two items $2,975,510,688, and that figure includes the appropriation which is now under debate. As a matter of fact, Mr. President, just to give some comparisons so that we may keep a proper perspective, let me point out that for the 11-year period those total appropriations are $774,490,000 less than the British loan. Let us consider the situation under the European recovery plan, a plan of tremendous consequence to the general stability of the world. The Senate has approved the ERP for an authorization, for the year, of approximately $5,300,000,000, although the appropriations themselves have not yet been made. For 11 years we have expended, or we propose to expend, I repeat, on the flood-control and public-works projects of this country, including works on rivers and harbors, $2,975,510,000.

Now let us consider some other figures. One of the important reasons why the Congress has had to increase appropriations for the armed services has found it necessary and desirable to lend a hand for the rehabilitation of Europe is the threat of aggression from the nation which has endeavored to gather smaller countries behind the Iron Curtain. During the fiscal year 1946, the United States allowed in credits and grants to the nations which are behind the Iron Curtain, not in front of it, $853,000,000, and $733,000,000 for the fiscal year 1947. Both those amounts are larger than the amount we propose for public-works expenditures in the 48 States and the Territories of the United States.

The Senator from Ohio mentioned the fact that with limited supplies of building materials available and, to a certain extent, with a limited supply of labor available, a vast public-works program would tend to compete for materials and labor with the efforts to provide the needed homes and housing facilities in the United States. I agree that there is considerable merit in the Senator's contention. However, I wish to point out that it is not true that all these projects by any means take away from the limited supplies of materials, because in the flood-control work, both on the rivers and in connection with the building of dams, a great many such projects largely involve the moving of earth. Of course, other materials are used; but not all by any means, of the dams or other types of construction requires steel and concrete. It is true that they do require some labor; but, again, the type of work that is done in these vast public-construction programs and the type of equipment that is used for them are not generally of the type that can be used for the building of homes.

I do not disagree with my able colleague, the Senator from Ohio, when he says that we should carefully scrutinize public-works programs. Insofar as they are monumental in character and insofar as they mean the building of post offices or other public buildings or similar construction, I think the Senate and the House of Representatives should very carefully scrutinize those types of public works, and should, except in cases of the direst necessity, hold them over until a period of time when there is not so much demand for private construction. But I wish to call to the attention of the Senate the fact that to a large degree this public-works program is one of a constructive nature, one which will add to the economic well-being and the economic wealth of the Nation.

Certainly at a time when our farmers are being called upon to supply more food to help feed a hungry world, it is only common-sense prudence that insofar as possible we should try to keep down soil erosion. At a time when industry is asked to produce to the maximum extent, not only to meet our own defense requirements and increased domestic demands but also to help rehabilitate the war-torn world, we should do everything possible to prevent the disastrous floods which can shut down industry in a great many areas. Certainly, in a period of time when it is difficult to catch up with the great housing needs of the country, we should do everything possible to prevent the flooding of homes and the destruction of homes by flood. I think that is only common sense.

Moreover, Mr. President—and, again, I do not wish to speak in a narrow sense, but I make these points because I know more about the problem in my own State of California, so perhaps the Senate will pardon me for making a few remarks concerning it—I wish to point out that in our State of California just a few short weeks ago we had a very serious shortage of electric power. Because of the lack of rainfall and the lack of snowfall in the high Sierras, our State had to go through an emergency brown-out which became, in effect, a black-out period. I can cite example after example of large industrial plants in the State of California which had to go on a part-time basis and still others which would have had to be closed if the situation had not been alleviated temporarily, at least. All those plants were contributing to the productive life of the Nation and were supplying goods which are in short supply. To that extent, the keeping open of plants of that character, by means of an adequate supply of power, actually contributes to the lessening of inflationary dangers, because, although we may talk as we will, the one cure for the inflationary pressures which come from an expanded demand and a limited supply of goods is an increase in the productivity of the Nation. In this bill there are provisions for starting or continuing—not only in the State of California, but also in other States of the Union—the construction of power projects which will supply much-needed power not only for rural electrification but also for the industrial life of the Nation.

Mr. President, in addition to the projects contemplated by the bill being a major contributing factor to the economic well being of the Nation and to the national defense in the respects I have indicated, I want to call attention to one other factor. We have had reports from the Secretary of the Interior and from national defense authorities that the visible supply of oil in this country is not as great as we need. Under those circumstances the industry has been asked by the Government to attempt to develop undeveloped resources. I call attention to the fact, Mr. President, that we can save literally millions upon millions of barrels of oil for the defense needs of the Nation by the adequate and rapid development of hydroelectric power. In that way we shall save fuel

and we shall contribute to the economic life of the Nation.

Mr. President, at this time I ask to have printed in the RECORD as a part of my remarks a table showing the various income and excess-profits taxes of corporations, and the personal income taxes in the various States of the Union paid into the Federal Treasury. I insert the table, for the general information of the Senate and the country, to show that by the development of the various States of the Union and the promotion of their well-being through public works projects, and other things, we are actually adding to the wealth of the Nation and to the ability to support the Federal Government.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Statement of internal revenue collections during the calendar year 1947*

| District and State | Corporation income taxes, 1947 | | | Individual income taxes, 1947 | | |
|---|---|---|---|---|---|---|
| | Normal and surtaxes | Excess-profits taxes | Total | Normal and surtaxes | Withheld on salaries and wages | Total |
| Alabama | $57,499,408.36 | $7,043,012.33 | $64,542,420.69 | $80,774,477.99 | $70,612,211.16 | $151,386,689.15 |
| Arizona | 10,131,667.48 | 709,140.11 | 10,846,807.59 | 33,357,731.27 | 22,489,009.89 | 55,846,741.16 |
| Arkansas | 23,342,979.96 | 1,611,120.72 | 24,954,100.68 | 50,143,340.17 | 22,768,549.19 | 72,911,889.36 |
| First California | 242,074,404.40 | 31,184,793.59 | 273,259,197.99 | 445,849,990.23 | 426,753,602.14 | 872,603,592.37 |
| Sixth California | 178,065,512.64 | 36,276,361.34 | 214,341,873.98 | 579,816,955.66 | 456,552,970.46 | 1,036,369,926.12 |
| (State of California) | 420,139,917.04 | 67,461,154.93 | 487,601,071.97 | 1,025,666,945.89 | 883,306,572.60 | 1,908,973,518.49 |
| Colorado | 49,675,658.35 | 3,808,475.07 | 53,484,133.42 | 86,361,276.55 | 65,843,979.32 | 152,205,255.87 |
| Connecticut | 111,055,001.08 | 3,244,858.58 | 114,299,859.66 | 185,095,477.51 | 206,305,524.53 | 391,401,002.04 |
| Delaware | 165,597,417.29 | 6,653,294.19 | 172,250,711.48 | 56,951,930.72 | 58,860,258.83 | 115,812,189.55 |
| Florida | 64,425,315.17 | 6,879,601.42 | 71,304,916.59 | 167,197,972.35 | 89,322,086.91 | 256,520,059.26 |
| Georgia | 95,632,189.16 | 12,476,234.67 | 108,108,423.83 | 122,892,663.23 | 100,712,738.78 | 223,605,402.01 |
| Hawaii | 17,006,564.89 | 4,532,939.19 | 21,539,504.08 | 34,500,566.04 | 38,886,992.16 | 73,387,558.20 |
| Idaho | 11,999,111.18 | 371,259.94 | 12,370,371.12 | 29,404,668.04 | 19,601,769.00 | 49,006,437.04 |
| First Illinois | 762,760,699.16 | 72,927,052.43 | 835,687,751.59 | 576,137,841.62 | 910,426,784.88 | 1,486,564,626.50 |
| Eighth Illinois | 69,180,347.48 | 7,832,333.10 | 77,012,680.58 | 143,175,318.03 | 92,569,026.46 | 235,744,344.49 |
| (State of Illinois) | 831,941,046.64 | 80,759,385.53 | 912,700,432.17 | 719,313,159.65 | 1,002,995,811.34 | 1,722,308,970.99 |
| Indiana | 129,701,375.91 | 16,446,530.44 | 146,147,906.35 | 215,422,981.11 | 185,253,324.24 | 400,676,305.35 |
| Iowa | 63,151,003.24 | 5,307,165.90 | 68,458,169.14 | 157,268,584.34 | 82,190,829.24 | 239,459,413.58 |
| Kansas | 62,378,603.82 | 4,382,894.09 | 66,761,497.91 | 112,662,769.35 | 63,939,933.40 | 176,602,702.75 |
| Kentucky | 76,410,526.18 | 3,430,122.97 | 79,840,649.15 | 91,117,163.78 | 70,403,442.40 | 161,520,606.18 |
| Louisiana | 79,974,573.66 | 7,177,301.39 | 87,151,875.05 | 99,136,938.83 | 71,521,176.28 | 170,658,115.11 |
| Maine | 32,982,618.44 | 2,885,049.38 | 35,867,667.82 | 35,725,696.07 | 33,769,793.65 | 69,495,489.72 |
| Maryland (including District of Columbia) | 124,164,605.12 | 11,381,147.13 | 135,545,753.25 | 239,451,967.70 | 425,753,405.23 | 665,205,372.93 |
| Massachusetts | 285,376,751.90 | 34,770,588.06 | 320,147,339.96 | 364,261,348.00 | 413,396,216.00 | 777,657,564.00 |
| Michigan | 327,431,245.98 | 24,854,993.22 | 352,286,239.20 | 344,240,434.20 | 608,624,570.46 | 952,865,004.66 |
| Minnesota | 149,726,081.24 | 16,744,076.73 | 166,470,157.97 | 158,017,273.97 | 175,354,693.83 | 333,371,967.80 |
| Mississippi | 20,309,114.98 | 2,345,481.83 | 22,654,596.81 | 41,778,206.46 | 21,552,614.58 | 63,330,821.04 |
| First Missouri | 178,483,180.33 | 19,544,724.36 | 198,027,904.69 | 134,853,153.46 | 185,527,779.55 | 320,380,933.01 |
| Sixth Missouri | 86,723,966.34 | 8,373,608.31 | 95,097,574.65 | 87,475,917.51 | 84,111,275.58 | 171,587,193.09 |
| (State of Missouri) | 265,207,146.67 | 27,918,332.67 | 293,125,479.34 | 222,329,070.97 | 269,639,055.13 | 491,968,126.10 |
| Montana | 12,349,437.76 | 362,356.15 | 12,711,793.91 | 32,518,590.02 | 17,717,240.07 | 50,235,830.09 |
| Nebraska | 45,162,828.20 | 1,835,749.47 | 46,998,577.67 | 88,460,764.82 | 63,390,406.02 | 151,851,170.84 |
| Nevada | 5,691,376.33 | 132,077.81 | 5,823,454.14 | 18,972,945.44 | 10,944,055.63 | 29,917,001.07 |
| New Hampshire | 20,153,636.03 | 2,299,327.29 | 22,452,963.32 | 22,956,042.32 | 27,763,589.96 | 50,719,632.28 |
| First New Jersey | 48,765,028.99 | 5,745,171.56 | 54,510,200.55 | 69,636,250.88 | 66,442,949.44 | 136,079,200.32 |
| Fifth New Jersey | 231,400,383.19 | 19,179,608.21 | 250,579,991.40 | 239,052,583.82 | 287,579,446.64 | 526,632,030.46 |
| (State of New Jersey) | 280,165,412.18 | 24,924,779.77 | 305,090,191.95 | 308,688,834.70 | 354,022,396.08 | 662,711,230.78 |
| New Mexico | 4,949,243.61 | 291,792.40 | 5,241,036.01 | 24,419,053.66 | 13,292,426.55 | 37,711,480.21 |
| First New York | 118,742,555.91 | 18,956,685.25 | 137,699,241.16 | 277,300,963.11 | 218,966,578.72 | 496,267,541.83 |
| Second New York | 764,749,147.27 | 43,064,820.13 | 807,813,967.40 | 436,687,878.53 | 639,556,446.98 | 1,076,244,325.51 |
| Third New York | 903,574,492.00 | 186,317,437.20 | 1,089,891,929.20 | 488,350,947.52 | 947,551,596.95 | 1,435,902,544.47 |
| Fourteenth New York | 73,167,054.95 | 4,770,571.46 | 77,937,626.41 | 153,548,925.17 | 194,638,690.23 | 348,187,615.40 |
| Twenty-first New York | 62,345,913.05 | 4,756,395.89 | 67,102,308.94 | 55,722,564.78 | 85,511,398.30 | 141,233,963.08 |
| Twenty-eighth New York | 119,407,331.64 | 14,819,342.52 | 134,226,674.16 | 112,424,109.35 | 159,427,307.91 | 271,851,417.26 |
| (State of New York) | 2,041,986,494.82 | 272,685,252.45 | 2,314,671,747.27 | 1,524,035,388.46 | 2,245,652,019.09 | 3,769,687,407.55 |
| North Carolina | 165,184,998.31 | 13,006,146.50 | 178,191,144.81 | 121,945,151.61 | 104,446,550.28 | 226,391,701.89 |
| North Dakota | 5,437,559.46 | 205,954.42 | 5,643,513.88 | 31,664,317.30 | 10,051,880.85 | 41,716,198.15 |
| First Ohio | 151,230,809.48 | 13,958,765.43 | 165,189,574.91 | 130,614,783.18 | 157,063,347.51 | 287,678,130.69 |
| Tenth Ohio | 76,462,122.65 | 2,717,175.39 | 79,179,298.04 | 66,879,284.46 | 85,593,918.86 | 152,473,203.32 |
| Eleventh Ohio | 47,667,409.09 | 5,077,761.91 | 52,745,171.00 | 58,923,893.93 | 67,683,507.89 | 126,607,401.82 |
| Eighteenth Ohio | 340,668,045.21 | 33,294,582.68 | 373,962,627.89 | 207,289,416.04 | 389,536,785.79 | 596,826,201.83 |
| (State of Ohio) | 616,028,386.43 | 55,048,285.41 | 671,076,671.84 | 463,707,377.61 | 699,877,560.05 | 1,163,584,937.66 |
| Oklahoma | 66,985,083.18 | 3,270,075.35 | 70,255,158.53 | 80,349,097.47 | 74,484,107.40 | 154,833,204.87 |
| Oregon | 48,589,487.35 | 5,520,304.51 | 54,109,791.86 | 111,459,748.09 | 90,967,150.75 | 202,426,898.84 |
| First Pennsylvania | 241,351,414.50 | 65,691,938.39 | 307,043,352.89 | 365,776,767.07 | 454,147,190.39 | 819,923,957.46 |
| Twelfth Pennsylvania | 54,014,509.16 | 2,945,581.13 | 56,960,090.29 | 51,715,079.71 | 92,694,534.34 | 144,409,614.05 |
| Twenty-third Pennsylvania | 198,506,988.90 | 11,524,866.35 | 210,031,855.25 | 200,169,199.65 | 329,307,001.03 | 529,476,200.68 |
| (State of Pennsylvania) | 493,872,912.56 | 80,162,385.87 | 574,035,298.43 | 617,661,046.43 | 876,148,725.76 | 1,493,809,772.19 |
| Rhode Island | 69,660,547.65 | 5,907,037.89 | 75,567,585.54 | 56,846,852.90 | 63,754,932.91 | 120,601,785.81 |
| South Carolina | 68,147,656.48 | 7,648,427.91 | 75,796,084.39 | 46,887,447.91 | 41,492,455.47 | 88,379,903.38 |
| South Dakota | 6,052,778.65 | 436,339.98 | 6,489,118.63 | 30,910,690.51 | 11,038,461.44 | 41,949,151.95 |
| Tennessee | 84,920,069.55 | 5,832,809.92 | 90,752,879.47 | 113,821,646.01 | 88,571,002.06 | 202,392,648.07 |
| First Texas | 136,159,950.71 | 7,860,089.10 | 144,020,039.81 | 216,105,620.83 | 138,463,904.97 | 354,569,525.80 |
| Second Texas | 96,545,716.42 | 7,586,448.46 | 104,132,164.88 | 199,680,696.40 | 119,443,772.71 | 319,124,469.11 |
| (State of Texas) | 232,705,667.13 | 15,446,537.56 | 248,152,204.69 | 415,786,317.23 | 257,907,677.68 | 673,693,994.91 |
| Utah | 16,852,384.32 | 911,955.18 | 17,764,339.50 | 23,051,640.60 | 27,471,354.32 | 50,522,994.92 |
| Vermont | 8,767,264.59 | 575,574.48 | 9,342,839.07 | 13,808,085.34 | 13,902,782.15 | 27,710,867.49 |
| Virginia | 105,809,904.94 | 8,011,895.34 | 113,821,800.28 | 112,697,473.25 | 116,640,293.27 | 229,337,766.52 |
| Washington | 85,572,827.94 | 12,649,056.17 | 98,221,884.11 | 161,940,442.56 | 167,618,486.95 | 329,558,929.51 |
| West Virginia | 50,928,397.46 | 2,671,804.47 | 53,600,201.93 | 53,001,005.08 | 62,684,944.28 | 115,685,949.36 |
| Wisconsin | 162,616,576.59 | 18,476,254.78 | 181,092,831.37 | 161,130,776.07 | 202,953,005.30 | 364,083,781.37 |
| Wyoming | 4,126,314.69 | 92,395.82 | 4,218,710.51 | 16,921,202.38 | 8,561,234.02 | 25,482,436.40 |
| Total | 8,177,977,170.95 | 891,598,737.39 | 9,069,575,908.34 | 9,326,714,581.96 | 10,654,459,296.49 | 19,981,173,878.45 |

*Statement of internal revenue collections during the calendar year 1947*—Continued

| District and State | Total, all income taxes | | Miscellaneous internal revenue | Employment taxes | Grand total, all sources | |
|---|---|---|---|---|---|---|
| | 1946 | 1947 | 1947 | 1947 | 1946 | 1947 |
| Alabama | $197,905,884.46 | $215,929,109.84 | $19,824,120.58 | $19,799,298.11 | $232,010,468.70 | $255,552,528.53 |
| Arizona | 61,404,381.06 | 66,687,548.75 | 7,439,189.64 | 3,893,995.07 | 71,703,703.25 | 78,020,733.46 |
| Arkansas | 83,392,410.25 | 97,865,990.04 | 10,629,153.30 | 6,039,365.85 | 100,036,677.41 | 114,534,509.19 |
| First California | 1,167,290,783.17 | 1,145,862,790.36 | 272,428,651.87 | 84,945,472.94 | 1,545,133,117.40 | 1,503,236,915.17 |
| Sixth California | 1,312,155,386.41 | 1,250,711,800.10 | 223,098,063.75 | 72,410,431.37 | 1,626,916,946.34 | 1,546,220,295.22 |
| (State of California) | 2,479,446,169.58 | 2,396,574,590.46 | 495,526,715.62 | 157,355,904.31 | 3,172,050,063.74 | 3,049,457,210.39 |
| Colorado | 191,305,450.06 | 205,689,389.29 | 48,306,235.45 | 14,730,409.59 | 252,116,384.16 | 268,726,034.33 |
| Connecticut | 532,060,085.92 | 505,700,861.70 | 89,602,829.57 | 41,518,204.94 | 643,568,524.15 | 636,821,896.21 |
| Delaware | 319,159,494.56 | 288,062,901.03 | 10,834,888.80 | 10,910,894.28 | 338,304,345.43 | 309,808,684.11 |
| Florida | 323,624,392.92 | 327,824,975.85 | 62,812,021.72 | 18,770,880.73 | 397,198,563.71 | 409,407,878.30 |
| Georgia | 323,312,039.84 | 331,713,825.84 | 63,987,703.15 | 24,553,315.67 | 407,819,840.00 | 420,254,844.66 |
| Hawaii | 106,771,190.38 | 94,927,062.28 | 10,733,956.52 | 4,412,720.27 | 123,984,656.01 | 110,073,739.07 |
| Idaho | 49,854,079.76 | 61,376,808.16 | 5,940,423.22 | 3,797,277.22 | 59,055,541.63 | 71,114,508.60 |
| First Illinois | 2,256,126,893.90 | 2,322,252,378.09 | 405,522,666.36 | 210,480,250.72 | 2,819,922,821.31 | 2,938,255,295.17 |
| Eighth Illinois | 275,717,364.45 | 312,757,025.07 | 275,959,390.10 | 17,026,872.86 | 535,209,996.77 | 605,743,288.03 |
| (State of Illinois) | 2,531,844,258.35 | 2,635,009,403.16 | 681,482,056.46 | 227,507,123.58 | 3,355,132,818.08 | ,543,998,583.20 |
| Indiana | 516,678,043.02 | 546,824,211.70 | 365,398,761.70 | 34,092,075.25 | 898,529,860.55 | $946,315,048.65 |
| Iowa | 256,514,045.56 | 307,917,582.72 | 39,411,035.65 | 16,111,039.21 | 325,334,267.84 | 363,439,657.58 |
| Kansas | 282,393,010.63 | 243,364,200.66 | 85,542,885.24 | 25,765,326.79 | 363,529,932.00 | 354,672,412.69 |
| Kentucky | 241,039,960.99 | 241,361,255.33 | 484,434,841.91 | 23,916,209.16 | 724,998,599.08 | 749,712,306.40 |
| Louisiana | 246,047,243.05 | 257,809,990.16 | 70,281,671.49 | 15,754,213.41 | 324,159,546.96 | 343,845,875.06 |
| Maine | 110,084,395.49 | 105,363,157.54 | 9,761,767.31 | 8,754,336.83 | 127,857,664.58 | 123,879,261.68 |
| Maryland (including District of Columbia) | 855,101,440.80 | 800,751,126.18 | 264,415,904.83 | 66,413,901.20 | 1,201,375,107.33 | 1,131,580,932.21 |
| Massachusetts | 1,098,258,039.82 | 1,097,804,903.96 | 172,791,049.33 | 75,070,703.44 | 1,353,660,028.85 | 1,345,666,656.73 |
| Michigan | 1,305,302,652.90 | 1,305,151,243.86 | 508,005,553.04 | 112,749,449.72 | 1,705,135,577.69 | 1,925,906,246.62 |
| Minnesota | 446,927,486.47 | 499,842,125.77 | 100,810,471.92 | 50,461,452.62 | 571,292,919.91 | 651,114,050.31 |
| Mississippi | 79,412,258.45 | 85,985,417.85 | 9,369,481.19 | 5,938,124.12 | 94,114,219.47 | 101,293,023.16 |
| First Missouri | 584,996,871.80 | 518,408,837.70 | 144,248,153.20 | 54,656,174.31 | 761,199,517.95 | 717,313,165.21 |
| Sixth Missouri | 246,506,983.97 | 266,684,767.74 | 39,642,607.05 | 17,310,605.29 | 302,256,490.59 | 323,637,980.08 |
| (State of Missouri) | 831,503,855.77 | 785,093,605.44 | 183,890,760.25 | 71,966,779.60 | 1,063,456,008.54 | 1,040,951,145.29 |
| Montana | 51,148,720.96 | 62,947,624.00 | 8,270,548.42 | 2,956,303.88 | 60,269,286.66 | 74,174,476.30 |
| Nebraska | 188,827,986.48 | 198,849,748.51 | 80,574,121.89 | 24,639,538.28 | 288,486,946.89 | 304,063,408.68 |
| Nevada | 33,334,468.75 | 35,740,455.21 | 5,344,115.63 | 1,562,984.43 | 41,431,615.57 | 42,647,555.27 |
| New Hampshire | 62,354,428.82 | 73,172,595.60 | 7,394,532.40 | 5,320,641.63 | 75,357,084.81 | 85,887,769.63 |
| First New Jersey | 191,425,858.19 | 190,589,400.87 | 56,794,907.73 | 11,449,133.42 | 231,128,127.34 | 258,833,442.02 |
| Fifth New Jersey | 741,101,521.67 | 777,212,021.86 | 176,756,213.87 | 49,870,122.42 | 957,211,012.60 | 1,003,838,358.15 |
| (State of New Jersey) | 932,527,379.86 | 967,801,422.73 | 233,551,121.60 | 61,319,255.84 | 1,188,339,139.94 | 1,262,671,800.17 |
| New Mexico | 37,476,398.46 | 42,952,516.22 | 4,915,390.94 | 2,411,072.44 | 46,405,076.53 | 50,278,979.60 |
| First New York | 649,936,845.15 | 633,966,782.99 | 123,035,113.32 | 37,362,632.12 | 807,689,084.32 | 794,364,528.43 |
| Second New York | 1,993,860,606.54 | 1,884,058,292.91 | 365,716,771.67 | 99,846,276.98 | 2,436,754,839.30 | 2,349,621,341.56 |
| Third New York | 2,533,290,596.80 | 2,525,794,473.67 | 464,335,501.92 | 202,150,842.29 | 3,112,361,347.19 | 3,192,280,817.88 |
| Fourteenth New York | 508,912,770.68 | 426,125,241.81 | 89,279,177.02 | 34,711,436.79 | 623,923,184.36 | 550,115,855.62 |
| Twenty-first New York | 185,955,580.62 | 208,336,272.02 | 35,150,366.75 | 15,438,386.43 | 229,348,719.46 | 258,925,025.20 |
| Twenty-eighth New York | 416,528,634.94 | 406,078,091.42 | 89,206,171.48 | 27,539,314.01 | 520,308,794.82 | 522,823,576.91 |
| (State of New York) | 6,288,485,034.73 | 6,084,359,154.82 | 1,166,723,102.16 | 417,048,888.62 | 7,730,385,969.45 | 7,668,131,145.60 |
| North Carolina | 348,105,865.59 | 404,582,846.70 | 791,937,384.14 | 32,095,782.78 | 1,136,101,740.96 | 1,228,616,013.62 |
| North Dakota | 40,885,889.45 | 47,359,712.03 | 3,461,099.51 | 1,668,519.43 | 45,653,088.69 | 52,489,330.97 |
| First Ohio | 424,465,121.14 | 452,867,705.60 | 185,490,308.37 | 27,210,767.68 | 629,858,779.30 | 665,568,781.65 |
| Tenth Ohio | 247,621,692.19 | 231,652,501.36 | 42,388,647.98 | 16,416,365.74 | 298,290,650.52 | 290,457,515.08 |
| Eleventh Ohio | 163,035,367.98 | 179,352,572.82 | 23,361,512.96 | 11,959,915.74 | 193,364,077.13 | 214,674,001.52 |
| Eighteenth Ohio | 991,373,222.10 | 970,788,829.72 | 246,774,795.37 | 91,078,179.58 | 1,290,437,698.52 | 1,308,641,804.67 |
| (State of Ohio) | 1,826,495,403.41 | 1,834,661,609.50 | 498,015,264.68 | 146,665,228.74 | 2,411,951,205.47 | 2,479,342,102.92 |
| Oklahoma | 198,559,464.62 | 225,088,363.40 | 77,077,941.28 | 14,900,320.96 | 282,088,182.81 | 317,066,625.64 |
| Oregon | 227,720,439.61 | 256,536,690.70 | 21,342,836.60 | 16,550,710.94 | 263,348,931.86 | 294,430,238.24 |
| First Pennsylvania | 1,131,615,785.31 | 1,126,967,310.35 | 361,418,555.32 | 129,858,276.10 | 1,728,176,548.34 | 1,618,244,141.77 |
| Twelfth Pennsylvania | 199,360,081.64 | 201,369,704.34 | 33,348,798.71 | 22,277,245.75 | 252,428,758.33 | 256,995,748.80 |
| Twenty-third Pennsylvania | 737,864,419.05 | 739,508,055.93 | 254,758,812.44 | 72,645,437.83 | 1,049,597,016.07 | 1,066,912,306.20 |
| (State of Pennsylvania) | 2,068,840,286.00 | 2,067,845,070.62 | 649,526,166.47 | 224,780,959.68 | 3,030,202,322.74 | 2,942,152,196.77 |
| Rhode Island | 177,307,770.61 | 196,169,371.35 | 20,405,691.92 | 11,266,282.35 | 207,635,588.80 | 227,841,345.62 |
| South Carolina | 151,513,621.71 | 164,175,987.77 | 10,910,874.45 | 10,305,381.15 | 170,513,356.03 | 185,392,243.37 |
| South Dakota | 39,010,331.15 | 48,438,270.58 | 5,835,593.90 | 1,937,692.29 | 44,868,976.20 | 56,211,556.77 |
| Tennessee | 264,626,063.05 | 293,145,527.54 | 34,449,401.23 | 22,026,577.06 | 316,515,542.14 | 349,621,505.83 |
| First Texas | 457,729,322.98 | 498,589,565.61 | 72,094,749.93 | 35,204,335.12 | 558,929,240.57 | 605,888,650.66 |
| Second Texas | 396,415,045.90 | 423,256,633.99 | 69,809,580.73 | 31,585,888.90 | 489,831,220.13 | 524,652,103.62 |
| (State of Texas) | 854,144,368.88 | 921,846,199.60 | 141,904,330.66 | 66,790,224.02 | 1,048,760,460.70 | 1,130,540,754.28 |
| Utah | 64,461,254.46 | 68,287,334.42 | 13,111,986.50 | 5,220,867.17 | 80,956,386.49 | 86,620,188.09 |
| Vermont | 34,330,003.97 | 37,053,706.56 | 4,448,806.57 | 3,685,859.66 | 43,899,551.36 | 45,188,372.79 |
| Virginia | 347,302,963.07 | 343,159,566.80 | 344,602,789.71 | 35,597,511.73 | 731,502,097.74 | 723,359,868.24 |
| Washington | 423,702,890.28 | 427,780,813.62 | 51,530,572.02 | 24,379,518.66 | 499,503,306.67 | 503,690,904.30 |
| West Virginia | 158,297,202.99 | 169,286,151.29 | 19,621,934.31 | 14,088,581.04 | 189,078,549.16 | 202,996,666.64 |
| Wisconsin | 616,449,576.09 | 545,176,612.74 | 144,573,471.13 | 36,521,457.20 | 770,361,120.04 | 726,271,541.07 |
| Wyoming | 24,919,335.24 | 29,701,146.91 | 3,849,978.08 | 1,459,964.36 | 30,017,014.06 | 35,011,089.35 |
| Total | 28,930,169,418.33 | 29,050,749,786.79 | 8,144,612,534.09 | 2,225,483,125.31 | 38,640,057,860.84 | 39,420,845,446.19 |

NOTE.—Tax receipts are reported by internal revenue collection districts, but such figures are not entirely indicative of the Federal tax burden of the respective States since the taxes may be eventually borne by persons in other States. Collection districts are all contained within State boundaries, except that the Maryland district includes the District of Columbia, and the Washington district includes the Territory of Alaska. Separate figures for Alaska and the District of Columbia are only reported to the Bureau at the close of the fiscal year. Internal revenue receipts deposited by postmasters from the sale of documentary stamps and by customs collectors from the excise tax on imported liquors are included in the miscellaneous internal revenue figure above.

Mr. KNOWLAND. The able Senator from Ohio also mentioned the fact that there were other appropriations, and in order to avert any criticism for his own stand on the question of public education and other things, he made certain mention of that. I supported the able Senator from Ohio both in the case of the housing legislation and education legislation, for the simple reason, Mr. President, that I believe the greatest wealth the Nation has is in its men and women and in its children who are coming along and who will have to carry the burdens of Government. In considering national

defense, Mr. President, I think we have to take all these things into consideration—the human resources and the natural resources of the Nation.

I do not look upon the expenditures covered by the pending bill as the Senator from Kansas apparently did, as merely pork-barrel appropriations. It is easy to make that kind of charge, but we requested him—at least one of my colleagues, I believe, the Senator from Oregon requested him—yesterday to give a bill of particulars and to outline the particular projects he considers to be pork in this bill. I defy him to name any such projects in the bill as reported to the Senate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Florida.

Mr. PEPPER. To the contrary, is there any project in the bill that does not have the approval of the Corps of Engineers?

Mr. KNOWLAND. There is no project in the bill, that I can recall—and I think I am not making a mistake—that has not had the approval of the Army engineers. There are few, if any—there are a few—that have not run the gantlet of the Bureau of the Budget. On top of that I believe each and every one of them has run the gantlet of prior congressional approval in an authorization bill.

Mr. PEPPER. Is it the practice or is it one of the standards of the Army engineers that they do not approve projects and report them to the Congress, unless there is economic justification for the projects; that is to say, unless the benefits to be derived will exceed expenditures made in the completion of the projects?

Mr. KNOWLAND. The able Senator from Florida is correct.

Mr. REVERCOMB. Mr. President, will the Senator yield at this point?

Mr. KNOWLAND. I yield to the Senator from West Virginia.

Mr. REVERCOMB. It has been brought out in the colloquy very clearly that the Army engineers have approved each of these projects. As a matter of fact, each one of them contained in the bill has had prior congressional authorization, has it not?

Mr. KNOWLAND. The Senator is correct.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I have been listening to the remarks of the junior Senator from California and I have been greatly impressed. The hydroelectric and flood-control projects he mentions are really developing new frontiers in this era of power. I commend the Senator for his able remarks. I regret that I must leave to attend a committee session and shall therefore be unable to listen to the remainder of the Senator's statement.

Mr. KNOWLAND. I thank the Senator from Minnesota.

Mr. President, I have already detained the Senate longer than I had intended, but I felt that some statements had been made on the floor which, in fairness to the Army engineers, and in fairness to the Committee on Appropriations and the subcommittee, led by the very able Senator from South Dakota [Mr. GURNEY] should be clarified before a vote is had on the motion of the Senator from Kansas.

I wish to read into the record at this point, Mr. President, a copy of a resolution adopted by the Western Governors' Conference, held in the city of Sacramento, the capital of California, on April 23, 1948. It is as follows:

RESOLUTION ADOPTED BY THE WESTERN GOVERNORS' CONFERENCE, SACRAMENTO, CALIF., APRIL 23, 1948

Whereas a serious shortage of power seriously threatens the continued industrial and agricultural expansion of the Western States; and

Whereas fuel resources must be carefully conserved; and

Whereas western hydroelectric, reclamation, flood control, and other multiple-purpose projects must be expanded and developed in a systematic and comprehensive way to meet production requirements, conserve fuels, and to protect the economy of the West; and

Whereas soil conservation is vital to the economic well-being of the Western States: Therefore be it

*Resolved*, That the Western Governors' Conference urge upon Congress the enactment of appropriations in amounts sufficient to facilitate systematic, prompt, and comprehensive development of western projects for purposes of the development of hydroelectric power, reclamation, flood control, soil conservation, and other purposes; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the House and Senate Appropriations Committees, and the congressional delegations from the Western States.

I might add for the information of the Senate that the Governors attending the conference approving the resolution were Governors Ford, of Montana; Robins, of Idaho; Maw, of Utah; Hall, of Oregon; Pittman, of Nevada; and Warren, of California.

I merely wish to say in conclusion, Mr. President, that I cannot pretend to speak for any other section of the country. I have tried, in my service in the Senate, not to be sectional in any degree. I have supported the development of the great Tennessee Valley area under the TVA. I supported the flood-control projects in the Mississippi Valley because I believed they were necessary for the economic development of that region. I supported the able Senator from Wisconsin [Mr. WILEY] in his move to develop the great St. Lawrence seaway project, which was considered by the Senate not long ago and which one of the minority members of the Senate Appropriations Committee was urging the Senate of the United States to adopt. I have done these things, Mr. President, because I felt the projects were capital expenditures in the development of a greatly expanding American economy which would bring an ever-increasing standard of living to the American people. I feel that, regardless of what other sections of the country may do, the eyes of the West are on the Senate of the United States.

## RECORD OF SECOND SESSION OF THE EIGHTIETH CONGRESS—ARTICLE FROM THE WASHINGTON DAILY NEWS

Mr. TYDINGS. Mr. President, will the Senator yield temporarily to permit me to make an insertion in the RECORD, to come at the end of his remarks?

Mr. KNOWLAND. I yield.

Mr. TYDINGS. Mr. President, I ask unanimous consent that there be printed in the RECORD at the conclusion of the remarks of the Senator from California an article from the Washington Daily News dealing with the record of the Congress in the present session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article was ordered to be printed in the RECORD, as follows:

Here's how the record of the Eightieth Congress, second session, will look when it's completed a month from now:

Stalin was responsible for most of what was done: European recovery program, 70-group Air Force, other increased arms spending, limited draft, Mundt bill (if it passes).

On the domestic front, the record is practically blank except for tax reduction.

House Republican leaders will continue to sit on Taft-Ellender-Wagner housing and Federal-aid-for-education bills.

Last year we told you, Republican leaders were telling committee chairmen to keep bills bottled up during first session, pass ones that would be popular with voters just before election. But they're keeping them bottled up this year, too. Instead of broadening social security they've reduced its scope.

Minimum wage, about which there was much talk, has not been raised, won't be. It's still 40 cents.

There'll be no civil-rights legislation. Republicans will make noise about antilynching in the closing days, rely on southern filibuster to kill it. That's now standard procedure.

Reciprocal Trade Act will be extended for 1 year only, but with crippling amendments. Modified rent control has been extended; farm price support will be. Republicans are anxious to make as few enemies as possible; hope jokers in reciprocal trade won't be detected. And they're putting off fight on appointments to Atomic Energy Commission.

There's been no national health legislation. Republicans hope everyone forgets their inflation controls of special session. They aren't working. They'll study better controls, they say.

Congress isn't even coming close to saving $2,000,000,000 it planned to trim from budget. It's just passed deficiency appropriation to make up for savings last year on tax refunds which were quarter of billion bigger than the $800,000,000 Republicans boasted of saving.

Closing days may see Congress overriding Truman vetoes to give to States vast oil reserves in sea, exempt railroads from antitrust laws.

Fate of margarine tax repeal bill is in doubt. If TAFT goes to bat it has a chance.

## DESIGNATION OF MAY 30 AS DAY FOR NATION-WIDE PEACE PRAYERS

Mr. WHERRY obtained the floor.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from Michigan.

Mr. FERGUSON. Mr. President, on Sunday, May 16, Carl M. Saunders, editor of the Jackson City Patriot, Jackson, Mich., published an editorial in that newspaper entitled "Suppose All America Prayed for Peace." The editorial struck me so forcibly that I ask that it be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUPPOSE ALL AMERICA PRAYED FOR PEACE

The United States is generally classified as a Christian nation.

If that means anything at all, it means that the vast majority of our people accept the basic tenets of the Christian faith. Beyond that there is a large minority of Americans who worship in the Hebrew faith. Both Christian and Hebrew believe in God as the maker of heaven and earth.

Yet as a nation we seem utterly unaware of God or of his place in the making of history.

As individuals many Americans worship. Many pray to God daily or more often.

Why, then, should not America pray as a nation in a time when as a Nation we are in dire need of help and guidance?

We do have 1 day in the year supposedly dedicated to thanksgiving, when we as a people are expected to offer thanks to the Supreme Being for the blessings showered upon us.

But we have no day or hour or minute when as a people we turn to prayer.

If we are a Christian nation, isn't a national moment of prayer a logical natural course?

Differences in creed or systems of worship or dogma need not enter into this discussion if as a people we believe that there is a God who shapes the course of our lives.

It should be possible for Protestants, Catholics, Jews, and others to join in a common appeal to a common God.

The world is troubled today. America is deeply troubled. The threat of war hangs over all of us, yet we want peace. We are not a warlike people. We cherish the lives of those young people who become sacrifices in war. We are ready to be tolerant of all nations which do not menace us, regardless of divergent ideologies.

So far as this newspaper is concerned, it believes that the preparation for defense of our country is wise and is not in contravention of basic religious beliefs. We appreciate, of course, that some good people disagree with us. They do not believe a fire department is needed to protect us from war's flames even though conflagration threatens.

But first things should come first.

And the first defense against disaster should be prayer. The first appeal for peace should be to the Omnipotent Master of the universe.

We as mortals do not know what are His plans for us and for the world.

We know only that, as the poet has said:

"God moves in a mysterious way His wonders to perform."

But a troubled Christian nation should turn to prayer. Its people should lift their voices as from a single throat in supplication to the Divine Architect of our destinies, remembering always "Thy will be done."

Through the medium of newspapers and the radio we have great opportunities for mass supplication. We as a Nation can duplicate the mass prayers of the early Christians who gathered, a small handful, to present their appeals.

Suppose that Congress were to set aside a day and an hour and a minute as the time to pray for peace.

Suppose that by request from Congress all newspapers on that day were to publish the appeal for prayer at the set time and were to print the proposed words for prayer.

Suppose that every radio station at the same moment broadcast the prayer for peace.

Suppose that millions of Americans turned their radios high at that same moment.

The voices of prayer would echo and reecho from the White Mountains of Maine to the Black Mountains of California, from the warm currents of the Gulf Stream to the cold fogs of the Bering Sea.

All America asking for guidance, appealing for peace, pleading that our leaders be made wise and blessed.

We are not thinking that a 150,000,000-person pressure group can force God to create a peace disregarding His own great purpose. We would not want to be interpreted as anticipating that merely for all of us to rub the lamp of prayer will produce some white magic peace out of the heavenly mists. But we are suggesting that when 150,000,000 people by common consent turn their minds and hearts to the Spirit which created this world rather than leaning wholly upon the materialism of man's own strength, then something is bound to happen to those people—something which conceivably will make easier the accomplishment of God's purpose. Not knowing what that purpose is, whether in His great scheme of things we are to have peace or war, to survive or pass into the limbo of broken nations—not knowing, we still will have the inner warmth and cleanliness which is brought by prayer.

Inevitably would not such a moment of consecration raise us up? Would it not in a measure at least lend authenticity in a moment of travail to our proud claim to being a Christian nation?

We suggest that the President or Congress, or both, set a day and a moment for a national Prayer for Peace. Perhaps the early evening of May 30 would be a most fitting time. We suggest that in proclaiming such a period of supplication, all mediums of information—newspapers, radio, etc.—be asked to join.

"And pray unto the Lord for it; for in the peace thereof shall ye have peace" (Jeremiah, 29: 7).

Mr. FERGUSON. Mr. President, there are two ways to arm for defense, one materially, the other spiritually. The Government itself can arm only materially, but the people, who compose the Government, must arm spiritually if we are to defend America.

Today when the great nations of the world are concentrating on arming the people of their countries with weapons of war in the hope of preserving the peace, it is vital that we think constructively and objectively.

With the emphasis on billions of dollars, on worldly goods, on material resources, and armament, can we pause for a moment and feel the futility of such emphasis? Each nation is intent upon the most devastating and deadly weapons of destruction before others can outproduce them. Where can it lead but to the end of civilization?

The Bible has warned us that faith without works is dead. Have we lost the faith and clung to the works of destruction only? Can we not seriously, with honesty of purpose, try a new approach, for us, but one old as the ages? The approach of faith. Faith in each other as human beings, faith in God to preserve the human beings He created, the faith that moves mountains of distrust and enmity, of hatred and horror, the faith that believes in prayer.

With sublime belief in that faith, we should petition the President to declare a period of prayer for peace, and with a Nation united in that prayer, other nations could join in the beginning of a new world.

Mr. President, I therefore ask unanimous consent to introduce a joint resolution requesting the President to issue a proclamation designating Memorial Day, May 30, 1948, as a day for Nation-wide prayer for peace. The joint resolution reads as follows:

Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for Nation-wide prayer for peace

*Resolved, etc.*, That the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Memorial Day, 1948, by praying, each in accordance with his religious faith, for permanent peace; designating a period during such day in which all the people of the United States may unite in prayer for a permanent peace, and calling upon all the people of the United States to unite in prayer at such time; and calling upon the newspapers, radio stations, and all other mediums of the Nation, to join in observing such day and such period of prayer.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 217) requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. WHERRY. I shall be glad to yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, the statement of the distinguished Senator from Michigan does himself honor and honors this august body. I think I have on another occasion called attention to the fact that last summer, as I returned to this country on the *Queen Elizabeth*, I was introduced to Mr. Vishinsky, who is the leader of the Russian delegation to the United Nations. I was introduced by Mr. McNeil, the head of the British delegation. The *Queen Elizabeth* was sailing along at a good clip, the wind was blowing, the crowd was pretty jolly. I took Vishinsky by the hand and held on to his hand, looked him directly in the eye and said, "Mr. Vishinsky, every night I pray that Britain, Russia, America, and all the other nations of the earth may have a sincere desire for peace and may be adequate to consummate that desire by some international organization."

Vishinsky, through his interpreter, said, "I do not pray."

That is why I say the resolution and the remarks of the distinguished Senator from Michigan do honor to himself and to this august body.

Mr. President, at this time I ask that there be inserted in the RECORD an article published in March 1941 by Alexis Carrel, the great physicist and scientist, on the meaning of prayer. I think it is the most significant article that has ever been penned by a human being. I inserted it in the RECORD on March 17, 1941, on another occasion when we as a people found ourselves in deep water.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Reader's Digest of March 1941]

PRAYER IS POWER

(By Alexis Carrel, M. D.)

Prayer is not only worship; it is also an invisible emanation of man's worshipping spirit—the most powerful form of energy that one can generate. The influence of

prayer on the human mind and body is as demonstrable as that of secreting glands. Its results can be measured in terms of increased physical buoyancy, greater intellectual vigor, moral stamina, and a deeper understanding of the realities underlying human relationships.

If you make a habit of sincere prayer, your life will be very noticeably and profoundly altered. Prayer stamps with its indelible mark our actions and demeanor. A tranquillity of bearing, a facial and bodily repose are observed in those whose inner lives are thus enriched. Within the depths of consciousness a flame kindles. And man sees himself. He discovers his selfishness, his silly pride, his fears, his greeds, his blunders. He develops a sense of moral obligation, intellectual humility. Thus begins a journey of the soul toward the realm of grace.

Prayer is a force as real as terrestrial gravity. As a physician I have seen men, after all other therapy had failed, lifted out of disease and melancholy by the serene effort of prayer. It is the only power in the world that seems to overcome the so-called laws of nature; the occasions on which prayer has dramatically done this have been termed miracles. But a constant, quieter miracle takes place hourly in the hearts of men and women who have discovered that prayer supplies them with a steady flow of sustaining power in their daily lives.

Too many people regard prayer as a formalized routine of words, a refuge for weaklings, or a childish petition for material things. We sadly undervalue prayer when we conceive it in these terms, just as we should underestimate rain by describing it as something that fills the bird bath in our garden. Properly understood, prayer is a mature activity indispensable to the fullest development of personality—the ultimate integration of man's highest faculties. Only in prayer do we achieve that complete and harmonious assembly of body, mind, and spirit which gives the frail human reed its unshakable strength.

The words, "Ask and it shall be given to you," have been verified by the experience of humanity. True, prayer may not restore the dead child to life or bring relief from physical pain. But prayer, like radium, is a source of luminous, self-generating energy.

How does prayer fortify us with so much dynamic power? To answer this question (admittedly outside the jurisdiction of science) I must point out that all prayers have one thing in common. The triumphant hosannas of a great oratorio, or the humble supplication of an Iroquois hunter begging for luck in the chase, demonstrate the same truth: That human beings seek to augment their finite energy by addressing themselves to the infinite source of all energy. When we pray we link ourselves with the inexhaustible motive power that spins the universe. We ask that a part of this power be apportioned to our needs. Even in asking, our human deficiencies are filled and we arise strengthened and repaired.

But we must never summon God merely for the gratification of our whims. We derive most power from prayer when we use it not as a petition but as a supplication that we may become more like Him. Prayer should be regarded as practice of the presence of God. An old peasant was seated alone in the last pew of the village church. "What are you waiting for?" he was asked; and he answered, "I am looking at Him and He is looking at me." Man prays not only that God should remember him, but also that he should remember God.

How can prayer be defined? Prayer is the effort of man to reach God, to commune with an invisible being, creator of all things, supreme wisdom, truth, beauty, and strength, father, and redeemer of each man. This goal of prayer always remains hidden to intelligence. For both language and thought fail when we attempt to describe God.

We do know, however, that whenever we address God in fervent prayer we change both soul and body for the better. It could not happen that any man or woman could pray for a single moment without some good result. "No man ever prayed," said Emerson, "without learning something."

One can pray everywhere. In the streets, the subway, the office, the shop, the school, as well as in the solitude of one's own room or among the crowd in a church. There is no prescribed posture, time, or place.

"Think of God more often than you breathe," said Epictetus the Stoic. In order really to mold personality, prayer must become a habit. It is meaningless to pray in the morning and to live like a barbarian the remainder of the day. True prayer is a way of life; the truest life is literally a way of prayer.

The best prayers are like the improvisations of gifted lovers, always about the same thing yet never twice the same. We cannot all be as creative in prayer as St. Theresa or Bernard of Clairvaux, both of whom poured their adoration into words of mystical beauty. Fortunately, we do not need their eloquence; our slightest impulse to prayer is recognized by God. Even if we are pitifully dumb, or if our tongues are overlaid with vanity or deceit, our meager syllables of praise are acceptable to Him, and He showers us with strengthening manifestations of His love.

Today as never before prayer is a binding necessity in the lives of men and nations. The lack of emphasis on the religious sense has brought the world to the edge of destruction. Our deepest source of power and perfection has been left miserably undeveloped. Prayer, the basic exercise of the spirit, must be actively practiced in our private lives. The neglected soul of man must be made strong enough to assert itself once more. For if the power of prayer is again released and used in the lives of common men and women; if the spirit declares its aims clearly and boldly, there is yet hope that our prayers for a better world will be answered.

Mr. WILEY. Mr. President, I also ask that there be inserted in the RECORD the definitions of prayer as given by sincere thinkers throughout the centuries. They will be found at page 9050 of the CONGRESSIONAL RECORD under date of November 21, 1942, starting with Montgomery, who said:

> Prayer is the soul's sincere desire,
> Uttered or unexpressed;
> The motion of a hidden fire
> That trembles in the breast.

There being no objection, the definitions were ordered to be printed in the RECORD, as follows:

There comes to mind a prayer of Robert Louis Stevenson which has become dear to the hearts of all who read the English language:

"We thank Thee for this place in which we dwell; for the love that unites us; for the peace accorded us this day; for the hope with which we expect the morrow; for the health, the work, the food, and the bright skies that make our lives delightful; for our friends in all parts of the earth, and our friendly helpers in this foreign isle. Give us courage and gaiety and the quiet mind. Spare to us our friends, soften to us our enemies. Bless us, if it may be, in all our innocent endeavors. If it may not, give us the strength to encounter that which is to come, that we be brave in peril, constant in tribulation, temperate in wrath, and in all changes of fortune, and down to the gates of death, loyal, and loving one to another."

Mr. President, I ask that there be printed in the RECORD a prayer which I like—the Optimist's Prayer, by William J. Robinson.

There being no objection, the prayer was ordered to be printed in the RECORD, as follows:

"O Unseen Power that rules and controls the destinies of the children of earth: Teach me the symphony of life so that my nature may be in tune with Thine. Reveal to me the joy of being loving, self-sacrificing, and charitable. Teach me to know and play life's game with courage, fortitude, and confidence. Endow me with wisdom to guard my tongue and temper, and learn with patience the art of ruling my own life for its highest good, with due regard for the privacy, rights, and limitations of other lives. Help me to strive for the highest legitimate reward of merit, ambition, and opportunity in my activities, ever ready to extend a kindly helping hand to those who need encouragement and succor in the struggle. Enable me to give a smile instead of a frown, a cheerful, kindly word instead of harshness and bitterness. Make me sympathetic in sorrow, realizing that there are hidden woes in every life, no matter how exalted or lowly. If in life's battle I am wounded or tottering, pour into my wounds the balm of hope and imbue me with courage undaunted to arise and continue the strife. Keep me humble in every relation of life, not unduly egotistical nor liable to the serious sin of self-depreciation. In success keep me meek. In sorrow, may my soul be uplifted by the thought that if there were no shadow there would be no sunshine, and that everything in life must have its antithesis. Grant that I may be a true, loyal friend, a genial companion with the broad honest charity born of an intimate knowledge of my own shortcomings. If I win, crown me with the laurels fitting to be worn by a victor, and, if I fall, may it be with my face to the foe, fighting manfully, and, falling, fling to the host behind—play up, play up, and play the game."

Mr. WILEY. Mr. President, as we reckon time, human life is but a short voyage; and, with Hubbard, we can say:

"Teach me to know and observe the rules of the game. Let me never lack due sense of humor; preserve me from growing stogy and unimaginative; deliver me from atrophy of the emotions. I desire to radiate health, cheerfulness, calm, courage, and good will; to live without hate, jealousy, envy, fear. I wish others to live their lives, too, up to their highest, fullest, and best. To that end I pray that I may never meddle, interfere, dictate, give advice that is not wanted, or assist when my services are not needed. If I can help people, I will do it by giving them a chance to help themselves; and if I can uplift or inspire, let it be by example, inference, and suggestion rather than by injunction and dictation. I desire to be radiant."

Mr. President, it was my privilege to read the President's recent Thanksgiving message. The first sentence of the President's proclamation, "It is a good thing to give thanks unto the Lord," arrests my attention. Did we ever ask ourselves, "Why is it a good thing to give thanks unto the Lord?" What is the effect upon us and upon others who hear us? The answer must be that the expression of gratitude is a form of worship by which man renews himself by drawing closer to his Maker. Plutarch said:

"The worship most acceptable to God comes from a thankful and a cheerful heart."

The sentence quoted by the President comes from the ninety-second Psalm. All through the scripture we find the admonition to give thanks, to rejoice in all ways. The one hundred and eighteenth Psalm states the rule thus:

"O give thanks unto the Lord; for He is good: for His mercy endureth forever."

When we give thanks, we engage in the process of rejoicing. Thus the Psalmist says:

"Let Mount Zion rejoice, let the daughters of Judah be glad." (Forty-eighth Psalm.)

"Offer unto God thanksgiving." (Fiftieth Psalm.)

"O sing unto the Lord a new song: for He hath done marvelous things." (Ninety-eighth Psalm.)

"O give thanks unto the Lord; call upon His name." (One hundred and fifth Psalm.)

That thought carries over in the New Testament. In the first chapter of the Book of Colossians we find:

"Giving thanks unto the Father, which hath made us meet to be partakers of the inheritance of the saints in light."

In the third chapter of the Book of Colossians we find:

"Let the peace of God rule your hearts, * * * and be ye thankful."

In the First Book of Thessalonians, chapter 5, we are told:

"In everything give thanks: for this is the will of God in Christ Jesus concerning you."

The Great Teacher, the Wayshower, said, "Father, I thank Thee that Thou hast heard me. And I knew that Thou hearest me always." He taught that "God is a Spirit," and that "in Him we live, and move, and have our being." God certainly dwells in a thankful heart—in the mind that is filled with gratitude.

WHY WE ARE GRATEFUL

Mr. President, today (November 21, 1942) in the midst of the greatest cataclysmic event of all time, let us inventory a few of our blessings. What have we to be thankful for? We could pile the answer as high as the highest cloud, and still we would not be able to enumerate all our blessings.

Here are a few of them:

A free land, where free people live, exercising the great freedoms; valiant brothers in the service who are going forth to battle to preserve those freedoms; loyal citizens on the home front who give their brothers and husbands to the war effort and who sacrifice and serve in the factories, on the farms, in Government, and in business in order that victory may be assured; the daily lessons which teach us to leave the perilous ways and bring us in harmony with the laws of God; the opportunity to serve God and country and humanity and to banish discouragement and defeatism; growth in understanding the problems which come to all; the privilege of overcoming human limitations and striving toward perfection; joy of living, the beauty of nature, and human friendship.

To feel grateful, to be grateful, is a human obligation—a rule for freedom from human limitations. The spirit of gratitude provides a tonic for the mind and soul of man.

I conclude in the words of the Psalmist:

"It is a good thing to give thanks unto the Lord, and to sing praises unto Thy name, O Most High: to show forth Thy loving kindness in the morning, and Thy faithfulness every night. * * * For Thou, Lord, has made me glad through Thy word: I will triumph in the work of Thy hands."

Mr. President, I believe it would be very appropriate for the President of the United States to follow the suggestion made in the editorial printed in the Milwaukee Sentinel, and to proclaim that the anniversary of Pearl Harbor and the 2 days preceding it be observed in prayer. I ask unanimous consent that the editorial appearing in the Milwaukee Sentinel be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"DAYS OF PRAYER—PROPER OBSERVANCE OF PEARL HARBOR ANNIVERSARY

"The United States will have been at war 1 year on December 7, the first anniversary of the dawn attack on Pearl Harbor by the Japanese—an attack made in such circumstances that it will 'stand in infamy,' as President Roosevelt said.

"We have suggested that this anniversary be observed in prayer, and that the 2 days preceding it—being the Sabbath days of the great religious faiths to which many millions of our people adhere—be designated as national days of prayer.

"It is a proper suggestion.

"The religious leaders of the Nation have given it their approval, and are making full arrangements for it.

"The religious people of the United States—and there is no people on earth more conscious of the value of religion or more sincere in their faith—welcome the opportunity to do in unison what they are already doing individually in their hearts.

"The American people are not strangers to prayer.

"They believe in prayer, in its power and its wisdom and its goodness.

"They believe in religion, and especially believe in respect for and tolerance of all religions.

"They belong to their respective churches, and support them and understand the great good derived from them and recognize the great services rendered by them.

"They are sustained by their religious faith, and seek guidance and strength from it, and find courage and wisdom in it.

"The American people have not waited for a special day in this war as a suitable occasion for prayer.

"On the day Pearl Harbor was attacked, many of them repaired to their churches and temples and familiar places of worship to affirm their faith.

"Many of them bowed their heads where they were when the shocking news came, and silently and humbly and reverently prayed.

"The American family has ever since been a place for prayer and the expression of faith.

"Parents and loved ones have sent young men away with prayer.

"They have steeled themselves against long silences and doubt and fear with prayer.

"For the growing number to whom bereavement has come, an unfailing source of solace and comfort has been found in prayer.

"It will be a wonderful thing for all of the American people to join in their prayers, to have national days of prayer—and to seek together what they instinctively and devotedly seek by themselves.

"It will be good for them, and characteristic of them, and true to the ideals and examples of the founding fathers of this free land which we now defend.

"No manner of observing the anniversary of Pearl Harbor could be more appropriate, more ennobling, more truly American than a prayerful observance.

"Let us indeed observe December 5 and 6—the Sabbaths of our faiths—as national days of prayer.

"We will pray for victory, of course.

"But let us also pray for wise and inspired conduct of the war.

"Let us pray for an awareness, by Government as well as by the people, of our dire peril in the Pacific as well as in the Atlantic.

"Pearl Harbor is still threatened.

"The Philippines are still lost.

"Aleutian Islands outposts still remain in the hands of the Japanese and menace the American mainland.

"Our prayers should surely be for victory, but for understanding of our greatest dangers in addition.

"Let us finally pray for an awareness and understanding of the true meaning of faith, which has never been better defined than by Abraham Lincoln in these words:

" 'I know that the Lord is always on the side of the right.

" 'My constant anxiety and prayer is that I and this Nation may be on the Lord's side.'

"The American cause in this war is right, it is just and it is morally and spiritually good, and we may confidently and devoutly conduct our prayers in this knowledge."

---

[From the Christian Science Monitor]

FIGHTING MEN AS MEN OF PRAYER

*To the Christian Science Monitor:*

"Don't worry about me, Mom. God has always watched over me, and now in war I know that He will protect and guard me."

Millions of homes throughout America—as well as in Britain and the Dominions—are treasuring messages like this from soldiers in camps, on the front lines in most parts of the world, and from sailors on the seven seas.

American soldiers and Navy men on board ship are asking radio stations to broadcast hymns. The men's preference is voted on each week, and the favorite hymn is played and sung every Sunday evening on the Hour of Charm, Navy men afloat and ashore are listening to these hymns such as one I heard recently, God Be With You Till We Meet Again, followed by assurances to "mom and dad" that Navy chaplains are diligently ministering to the religious needs of the men in the service.

Army generals, from Washington to Pershing, have prayed. Not only have our American admirals (like Farragut) been praying men, but those in the forecastle. Nearly everyone remembers how, the month after Pearl Harbor, three naval aviation enlisted men were forced down in the south Pacific with nothing except a rubber life raft and a new-born belief that God's strength would sustain them if they asked Him for help. They drifted and prayed for 34 days. Their prayers were answered.

If the men in the crews of old naval ships followed their leaders, we can be sure that Admiral Farragut's men prayed as he did the night before the battle in Mobile Bay. He expressed himself to his wife in much the same words as men now are writing to "mom."

"It has pleased God to protect me thus far. I have been nothing more than an instrument in the hands of God, well supported by my officers and men. I am going into Mobile Bay if God is my leader as I hope He is and in Him I place my trust."

Farragut's well-worn prayer book which he kept with him during all his naval campaigns has been preserved and is now in the chapel of the Naval Academy, Annapolis.

One of the Navy's heroes at the battle of Santiago in 1898 was Capt. Jack Philip, commanding the *Texas*, who said after the battle, "Don't cheer, boys. Those poor fellows are dying." Captain Philip's naval chaplain said: "His Christian belief influenced all his actions but did not affect adversely his virile efficiency. I remember him for his dependence on God. After the battle he called the crew aft and said: "All who wish may join me in thanks to Almighty God." All hands took off their caps and knelt in prayer.

But prayer and divine service on board ship were never allowed to interfere with naval duty as Captain Philip saw it. He peremptorily called off a Sunday evening service when his ship was endangered by rebels in Rio Janeiro.

Finally Captain Philip's religious convictions had a practical every day application for all the men of the Navy. He directed some of his ambition to the creation of the first Young Men's Christian Association.

Like Farragut, Nelson uttered his prayers on the eve of battle. Thus, as Trafalgar's fighting was about to begin, Nelson on his knees on the deck of the *Victory* prayed:

"May the great God whom I worship grant to my country a glorious victory and may no misconduct in anyone tarnish it, and may humanity after victory be predominant. I commit my life to Him who made me, and may His blessings alight on my endeavors for serving my country faithfully. To Him I resign myself and the just cause which is entrusted to me to defend."

After that Nelson composed the greatest naval signal ever hoisted in war or peace: "England expects every man to do his duty."

Gen. Robert E. Lee, who bore the hopes of the Confederacy, was always absorbed in his religious beliefs. When his armies failed him once in 1863, he wrote his wife: "The Ruler of the Universe willed otherwise." Again in 1863: "As soldiers we have sinned against Almighty God; we have relied too much on our own armies. God is our only refuge and our strength. God is the giver of victory.

God's will ought to be our aim. I am contented that His designs should be accepted."

No general in history prayed so fervently and so often as Stonewall Jackson. "On Him I rely," said Jackson, "we are sustained by Divine Providence. The text of one's life is: 'God's will be done.'"

Jackson prayed while in camp and when under fire for divine help to do his duty.

Jackson saw the "visible finger of God," he said, in every incident of life.

LOUIS J. GULLIVER,
*Commander, United States Navy, Retired, Annapolis, Md.*

Mr. WILEY. Mr. President, I believe that more things are accomplished by right prayer than by any other force known to man. When I make that statement, it is bolstered by a scientist, Dr. Carrel, who says that prayer is more significant than is gravity.

In this article which I have taken from the Reader's Digest, it is said:

> Prayer is a force as real as terrestrial gravity. As a physician, I have seen men, after all other therapy had failed, lifted out of disease and melancholy by the serene effort of prayer. * * *
>
> Properly understood, prayer is a mature activity indispensable to the fullest development of personality—the ultimate integration of man's highest faculties. * * * Prayer, like radium, is a source of luminous, self-generating energy.

I repeat for the third time, the distinguished Senator from Michigan, in this political body, does himself honor and does the Senate honor by introducing this joint resolution and asking for action on it.

## LEGISLATIVE PROGRAM

Mr. WHERRY. Mr. President, what I am about to announce, of course, depends upon the approval of the Senate. It is the intention at present that the Senate shall proceed to debate the pending question for a full session this afternoon, if necessary, in order to get a vote on the pending motion today if possible.

Mr. BARKLEY. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield to the Senator from Kentucky.

Mr. BARKLEY. I wish to associate myself with the Senator in expressing the hope that we can get a vote on the motion now pending. The motion will probably determine what is to happen in regard to the bill, and in view of our crowded calendar, I hope we may be able to conclude the debate and get a vote this afternoon.

Mr. WHERRY. I thank the minority leader for this expression, which I think represents the desire of the Members of the Senate. So we will work toward that goal in the remaining time left this afternoon.

If the motion shall prevail, as the distinguished minority leader has said, it will mean the end of the consideration of the civil-functions appropriation bill for a while at least. If it shall not prevail, it is the intention to continue with the bill until it shall be disposed of.

Following action on the motion and the bill, it is the intention to bring up the displaced-persons bill, and it is the hope that we may conclude its consideration, if possible, by Friday of this week at least, if not before. If it shall run until Friday, it is the intention then to adjourn until the following Monday, so that there may be a morning hour, and at a later date there will be a unanimous-consent request for a call of the Legislative Calendar for the consideration of measures to which there is objection and for the disposition of a motion or two on the calendar at that time, if possible.

Inasmuch as the distinguished Senator from Michigan has introduced a joint resolution and mentioned the date of May 30, I suggest to the Senate that the intention is now, if it shall meet with approval of the Senate, for the Senate to recess or adjourn on May 28 until the following Tuesday morning, in view of the fact that Monday, May 31, will be a holiday.

Mr. BARKLEY. If the Senator will yield, the 30th of May, which is Decoration Day, will fall on Sunday, so the holiday will occur on Monday, and it will be the purpose to adjourn from Friday to Tuesday.

Mr. WHERRY. The Senator is correct, and I thank him once again for his remarks. When the recess is taken, I repeat, it will be from Friday night until the following Tuesday noon. Of course, that depends upon the approval of the Senate; but those are the plans, and I trust they will meet with the approval of the Members of the Senate.

I once again admonish those who are about to speak on the bill now pending that it is very much desired that a vote be had on the motion to recommit tonight, and then that the Senate may proceed with the bill itself, in the event it shall not be recommitted; but if it shall be recommitted, the intention will be to take up the displaced-persons measure and proceed with that.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5224) making appropriation for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

Mr. WHERRY. Mr. President, my understanding is that there is a unanimous request made by the distinguished Senator from Louisiana [Mr. ELLENDER] that a speech on civil functions be read, which speech was prepared by the late Senator Overton, of Louisiana. I think it is proper and fitting at this time to ask that that speech be read under the unanimous-consent rule, and I make that request.

The PRESIDING OFFICER. Without objection, the clerk will read.

Mr. RUSSELL. Mr. President, in view of the very unusual circumstances, I feel that there should be a quorum present. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senator answered to their names:

| | | |
|---|---|---|
| Aiken | Cain | Dworshak |
| Ball | Capehart | Eastland |
| Barkley | Capper | Ecton |
| Brewster | Chavez | Ferguson |
| Bricker | Connally | Fulbright |
| Brooks | Cooper | George |
| Buck | Cordon | Green |
| Butler | Donnell | Gurney |
| Byrd | Downey | Hatch |
| Hawkes | McFarland | Smith |
| Hayden | McGrath | Sparkman |
| Hickenlooper | McKellar | Stennis |
| Hill | McMahon | Taft |
| Hoey | Magnuson | Thomas, Okla. |
| Holland | Malone | Thomas, Utah |
| Ives | Martin | Thye |
| Jenner | Millikin | Tobey |
| Johnson, Colo. | Moore | Tydings |
| Johnston, S. C. | Morse | Vandenberg |
| Kem | O'Conor | Wherry |
| Kilgore | Pepper | White |
| Knowland | Reed | Wiley |
| Langer | Revercomb | Williams |
| Lodge | Robertson, Va. | Wilson |
| Lucas | Russell | Young |
| McClellan | Saltonstall | |

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

Under the order of the Senate, the clerk will read the speech on the pending bill which had been prepared by the late Senator Overton, of Louisiana.

The Chief Clerk read as follows:

STATEMENT OF SENATOR OVERTON ON H. R. 5524

Mr. President, it is incredible to me that there would be presented to the Senate of the United States a report so fraught with inaccuracies, so calculably misleading, and so obviously distorted as the minority report which accompanies the Army civil functions appropriation bill for fiscal year 1949. It is so inconsistent with the facts in the case that, although its erroneousness would ordinarily call for its being ignored, I feel that it must not be allowed to stand unchallenged.

In the first instance, the report is an indictment of your Appropriations Committee, for the charge is made repeatedly—although the Army engineers are made the defendant—that care was thrown out the window when the allotments were made and that discretion was exercised only by those who would now have us believe that their sole interest in this matter is the protection of the Nation's economy.

In my years in this body, I have never seen a committee which approached its task with a more open mind, which conducted its hearings as patiently and which engaged in its deliberations with more sincerity than did the subcommittee which prepared this legislation. There is not a project appropriated for which was not carefully studied and screened and balanced against the whole. Until far into the night, this committee labored and at times sweated blood in its endeavor to provide the funds for the orderly, systematic conservation and protection of our great natural resources covered by this bill. It was a great committee, one of which I am proud to have been a member and one which has discharged its duty as faithfully as any committee which ever sat in this body. To charge or even infer that it abdicated its authority and judgment to any executive agency or anyone else is simply to play loose with fact. Such an inference is without foundation and should be branded as the distortion that it is.

Early in the minority report, those who signed it betrayed their tragic ignorance of what is involved. I quote the fifth paragraph of this illuminating document:

"Many of the projects included in this appropriations measure were authorized in extremely broad language, the effect of which was to turn over the responsibility for selecting the projects to the Army Corps of Engineers which has a vested interest in continuing and expanding its level of activities and personnel."

With all charity, I say that the person who wrote that statement simply did not know what he was talking about. It just is not the fact. There is not a line of existing flood-control law on the statute books of this country that I have not participated in the writing of, and I challenge any man to stand on this floor and cite to me one in-

stance in which "the responsibility for selecting the projects" has been given to the Army engineers. The people and Congress provide for these authorizations and no one else. If everything this Congress authorized was given the attention and study which flood control and navigation projects are given, our troubles would be far less than they are.

Of course, I was particularly intrigued with the fact that my Republican colleagues recommend in their minority report the reestablishment of that prime example of New Deal agencies, the National Resources Planning Board. They do not mention it by name, but their recommendation for integration of public works construction so exactly duplicates the mouthings of that late, unlamented board that no other construction can be placed upon the recommendation.

I am sure that others have called attention to the erroneous figures set forth in the tabulation purporting to show the appropriations over a 10-year period and which, in column 2, charges to the Corps of Engineers more than $650,000,000, which was not appropriated to the Corps of Engineers, but are sums which have been provided for the Panama Canal, for military cemeteries, the Soldiers' Home, and other items which are cared for in the bill. I also note in these figures that the minority rather carefully avoided differentiating between construction funds and maintenance funds, the latter constituting a rather large portion of the whole. Of course, maintenance costs are entirely beside the point in the over-all question under discussion, as they are fixed charges that must be met.

I was particularly interested in the subsection of the report entitled "The Astonishing Attitude of the Army Engineers." My intrigue was brought on by the fact that I cannot understand what is so astonishing about the Army engineers being consistent in their recommendations to the committee. The only thing astonishing about it was that they refused to request additional amounts over and above the amounts which had been allowed by the budget and which previously had been recommended to the budget by the Chief of Engineers. The budget had trimmed quite substantially the original recommendations of the Army engineers, in many instances exercising extremely poor judgment in so doing. I know of no group of men anywhere who are more capable of sound advice in engineering matters than the Army engineers. My only astonishment is in their conservativeness, because many times I feel that they refuse to recommend projects and appropriations which are fully justified, but which will not meet the rigid tests of engineering practicability and economic justification to which they are subjected by this splendid body of men who have so faithfully served us in peace and in war.

But my particular interest in this subsection is in the statement therein that some of these projects should not be provided for because "they will require years to be completed." That is not the sort of philosophy which has made America great. Such thinking did not build the Panama Canal. Such philosophy would have made impossible the construction of a transcontinental railroad. If such a course had been pursued throughout our history, our people would today be confined to a small section of the eastern seaboard, using wagons and oxen for transportation, and enjoying all the comforts provided by a log cabin, a tallow candle, and impassable roads. Refusing to undertake a task because it is going to take a long time is not the American way. America is the greatest nation in the world today, because it has historically pushed ahead against all obstacles, because it has fought back against the elements, against time, against foreign onslaughts, against domestic difficulties, and against every impediment that has been placed in the path of progress.

Now the minority would have you believe that the money which this country has spent for flood control and navigation improvements, and which we now propose to spend, is money which is, to use the words of the report, "frittered away." Let us look at that picture and see whether that money has been frittered away.

In 1936 Congress determined that the Federal Government should undertake the preliminary investigation, planning and actual construction of a Nation-wide flood-control program. Appropriate legislation was passed by Congress to establish policies and procedures for the execution of this work. Although only 12 years have elapsed since the passage of initial flood-control legislation, it is appropriate at this time to look at the record of the completed flood control projects to determine whether or not money spent on these public works has been a good investment for the United States.

To date 56 reservoirs and 172 local flood-protection projects have been placed in operation. Some of these projects have been in operation for as long as 10 years, while others had their first test during this year's spring flood. Each and every project has functioned as planned. There is not a single instance where a project constructed under the Federal flood-control program has failed to function properly. Many of these projects have not yet been in operation long enough to determine a conclusive service record. However, the established record to date is quite impressive. The 33 oldest flood-control projects have now been in service an average of 6.2 years. The direct benefits from these projects already amount to 77 percent of their entire construction cost. At this rate these projects will have paid their entire cost within 8 years. During the past month the entire Ohio River Valley has experienced a near-record flood. Severe damages were suffered at many places. However, the upstream reservoirs and local protection works already in operation in that basin prevented a major disaster. The estimated direct benefits in damages prevented during this one flood alone amounted to more than $47,000,000.

Severe flood damage occurs year after year throughout the Nation which cannot be long endured. Water resources are wasted. Vital topsoil is lost forever. Lives are lost, communications, and normal peaceful activities are interrupted. However serious these damages are, they are not capable of accurate monetary evaluation and are therefore referred to as intangible or indirect damages. Direct damage, that is, the loss of food, homes, factories, manufactured goods and equipment, bridges, railroads and highways, and all the physical equipment of modern life require immediate replacement in kind. This represents a serious drain on our available manpower and supplies. These losses are direct and tangible to our people. They also represent a monetary loss to the United States Treasury inasmuch as losses from flood damages not covered by insurance are deductible for tax purposes. The direct damages can be accurately evaluated from engineering studies and each year the Corps of Engineers reexamines each project as to revised costs and benefits. The benefit-cost ratio for those projects in the 1949 budget are shown on pages 510–513 of the House hearing for H. R. 5524. The 177 flood-control projects listed have a total estimated cost of $2,472,428,000 of which $826,207,000, or 33 percent have already been appropriated. Upon completion the annual benefits for these 177 projects will total $198,432,275. The benefits from these projects will therefore equal their entire cost in just 12½ years. Most of the projects will be rendering an increasingly important service to this country for many years to come. Stated another way, these projects will return their entire cost plus interest at 3 percent over an assumed 50-year life, pay their operation and maintenance costs and still return an additional 78 cents dividend for each dollar invested. It is important that this country obtain these immediate and direct benefits as soon as practicable. The intangible or indirect benefits will at the same time assist the future growth and insure the well-being of the Nation.

Probably the most outstanding investment which the Federal Government has made in a flood-control project is that on the lower Mississippi. This project, which includes portions of seven States extending from Cairo, Ill., to the Gulf of Mexico, has had appropriated for it slightly in excess of $500,000,000 since it was begun in 1929. Already, even though it is not complete, the direct benefits from the completed works are well in excess of $4,000,000,000. At the very moment, were it not for this project, a substantial portion of the lower Mississippi Valley would be under water and undergoing severe damage, perhaps in some instances resulting in a complete crop loss for this year.

I think it would be interesting to cite a few individual projects over the country to illustrate the great return which has been made to the Nation on these appropriations. For instance, the project at West Springfield, Mass., had been in service slightly more than 9 years up to October 1947, and had cost a total of $1,510,000, but the benefits from this project already were more than four times the cost, or a total of $6,300,000. The project at Hartford, Conn., in operation about the same length of time, had yielded $17,248,000 in benefits, against a total cost of only $10,280,000. Of nine projects located in New England, the average length of service is 8.2 years, the average cost per project has been $2,698,000, and the average benefits have been $3,213,000 per project, which means that on the average the benefits have exceeded the project costs in 6.9 years. There is a project at Augusta, Ga., which has been in service for 6½ years, and which cost $3,760,000. The benefits to last October had totaled $6,400,000 or nearly double the project cost. There is a project known as the Columbia Drainage District in Illinois which has been in service for 6 years and which cost $2,060,000, and benefits thus far received amount to $2,395,000. The project at Huntington, W. Va., in service less than 2 years, and which cost $7,000,000, had in that brief period yielded benefits of $6,900,000. At Tell City, Ind., there is a project which has been in service 5.7 years, and which cost $900,000, but which has yielded a return of $1,400,000 already. The Gill Township levee in Indiana has been in service 4.1 years and cost $580,000, yet already has yielded benefits of $740,000, which is well in excess of the total cost. I have a tabulation showing all of the oldest projects in the country, which total 33. They have been in service an average of 6.2 years and cost a total of $78,368,000. Already, however, we have received benefits of $61,222,000, from these projects, and at that rate, they will have completely returned their cost in 8 years. These figures were furnished me by the Chief of Engineers, who emphasized that the tabulation includes in the benefits only the physical destruction prevented and does not take into consideration the indirect damages suffered by business and individuals and makes no account of the saving of human lives and the prevention of disease and suffering which are the heavy toll which floods extract from us.

Now, let us turn briefly to the river-and-harbor picture. In 1946 our foreign and coastwise traffic reached an all-time record total of 263,000,000 tons. Great Lakes traffic has increased from 48,000,000,000 ton-miles in 1934 to 96,000,000,0000 ton-miles in 1946. Inland waterway traffic has increased from 9,000,000,000 ton-miles, to 28,000,000,000 ton-miles during this same period. Traffic handled at the Port of New Orleans, a typical

large ocean port, has increased from 14,000,000 tons in 1936, to 21,000,000 tons in 1946.

The Corps of Engineers' estimates of benefits that would accrue from river and harbor projects have been consistently conservative. The actual tonnage developed after completion of projects has generally exceeded the tonnage originally anticipated and used as basis of justification at the time of authorization. For example, justification for improvement of one section of the Gulf Intracoastal Waterway was based on an estimated annual movement of 4,600,000 tons. The annual tonnage through that section has actually reached 15,268,000 tons. Similarly, the estimated annual tonnage justifying improvement of Cape Cod Canal was 7,000,000 compared with a total of 18,851,000 tons that has actually moved through this canal in 1 year.

No, Mr. President, the only objection to this bill is that it fails to meet fully and squarely the issue which faces us. We are the bread basket of the world. We are the hope of the world. Unless we protect and husband our resources, unless we strengthen ourselves to meet the challenge, then all is lost. I know of no better way that we can meet these great responsibilities than by protecting our industry and agriculture from the ravages of flood and by extending our defenses through improvement to our waterways and harbors. When we fail to meet this responsibility by hiding behind a cloak of economy, we deny our faith in a great America.

Mr. EASTLAND. Mr. President, the Senator from Louisiana [Mr. ELLENDER] is absent because of the death of his distinguished colleague. At his request, I wish to read the speech of the Senator from Louisiana on the pending motion. It is as follows:

I wish to give my unqualified support to H. R. 5524 as reported out by the Appropriations Committee, and to urge its adoption by the Senate. Additionally, I wish to endorse in full the intellectual and forthright remarks of my late colleague, Senator OVERTON, which remarks have been presented in absentia and read by the Clerk of the Senate.

Generally speaking, in the past I have followed the lead of my colleague in matters affecting flood control and rivers and harbors improvements. Of my own knowledge, however, as a result of careful study of the problems involved, I am familiar with the proposed legislation and its importance to the welfare of the country.

Before discussing this measure insofar as it affects my own State, let me say that my observations of the last 12 years lead me to the conclusion that there is nothing in the actions and recommendations of the Corps of Engineers which could possibly indicate that they are in any way motivated, in their conclusions and recommendations, by anything but their desire to perform their duty in the fearless and efficient manner which for so many years has characterized their activities.

Knowing that the engineers possess the professional capacity to properly appraise the dangers which face us as a result of the rampages of nature, of course I am inclined to follow, and I think all of us should be guided by their recommendations and professional analysis of our requirements rather than the general economic conclusions reached by laymen who, without rhyme or reason, would tinker with the safety of the lands and lives of citizens of the United States.

I have, of course, carefully examined the proposed legislation with respect to the State of Louisiana, which, containing the lower end and mouths of the Mississippi River, has the greatest flood-control problem in the United States. My State is subject to flood by the excess waters draining from all or a part of 31 States, comprising an area that is 41 percent of the United States.

Let me briefly describe for you what is the scope and status of the flood-control project for the Mississippi River and tributaries. It comprises:

(a) The protection of the great basins of the lower alluvial valley from headwater floods of the Mississippi River.

(b) The protection of certain areas from inundation by backwaters of the Mississippi River.

(c) The protection of the St. Francis and Yazoo Basins from floods of the St. Francis and Yazoo River systems and the protection of certain areas of the north banks of lower White River and lower Arkansas River.

(d) The improvement of numerous interior streams for the dual purposes of flood control and improved drainage.

(e) The stabilization of the banks and channel of the Mississippi River.

(f) Channel improvement for open river navigation and the improvement of certain harbors.

Protection against headwater floods of the Mississippi River is accomplished by building levees which, in general, extend from high ground at the heads of the several basins into which the valley naturally divides to the major tributaries which normally form their lower boundaries. To cite an example, the territory subject to overflow in Arkansas and Louisiana between the Arkansas River and Red River is known as the Tensas Basin. It is protected by a levee which starts at high ground on the Arkansas River at Pine Bluff and extends without a break for 381 miles to Point Breeze, La., near the mouth of the Red River. Its average height is 25 feet and its width at ground level about 250 feet. In the authorized project there are 1,705 miles of main-line levee and an equal mileage of smaller embankment on tributaries and in floodways and backwater areas.

I agree that the amount of $67,500,000 recommended by the Senate committee is the minimum amount that would permit the construction, efficiency, and progress required to complete the project at minimum cost to the Government and in a reasonable length of time. The Budget estimate of $70,000,000 for construction and maintenance cannot be reduced by $10,000,000, as provided by the House, without seriously curtailing operations essential to optimum construction and maintenance of the integrity of the substantial works so far completed. There are still many miles of substandard levees which must be brought to project grade and section; there are miles of caving banks where new revetments must be placed or old revetments repaired; there are partially completed floodways where premature operation would cause widespread damages; and there are authorized, but incompleted, works in minor tributary basins that have suffered annually from floods that could have been prevented if funds had been available to complete the authorized works.

May I add at this point that in the matter of navigation improvements Louisiana is traversed from north to south by the greatest inland waterway in the world, the Mississippi River; and from east to west by the Gulf Intercoastal Waterway on which traffic has far exceeded the conservative estimates of the Corps of Engineers made at the time this waterway was authorized. In New Orleans the State has one of the Nation's greatest seaports and at Baton Rouge, the head of sea-going navigation there is located the largest oil refinery in the world.

I should like the RECORD to show the justification for the various rivers and harbors projects within Louisiana, as follows:

The 1946 River and Harbor Act adopted a modification of the project for Calcasieu River and Pass to provide for deepening the existing jetty and approach channel in the Gulf of Mexico from 32 to 37 feet and deepening the channel from the inner end of the jetty channel to Lake Charles from 30 to 35 feet, together with a 35-foot channel around Clooney Island. Funds provided in the 1948 appropriation are being applied to deepening the Clooney Island channel and inauguration of deepening the main 35-foot channel southerly from Lake Charles, while the approved budget estimate was to be applied to completion of the 35-foot main channel. A reduction in the 1949 estimate will therefore postpone completion of the 35-foot channel until a later year. Completion of the 35-foot channel will permit use of deeper-draft tankers for oil shipments with resultant savings in transportation costs. Commerce during 1946 amounted to 10,052,000 tons.

Waterway from Empire, La., to the Gulf of Mexico: The 1946 River and Harbor Act adopted a project providing for the construction of a channel 9 feet deep, 80 feet wide, extending southerly from the State-owned Doullut Canal at Empire by natural channels and land cuts to and through Pelican Island to the Gulf of Mexico with initial jetty construction to 6-foot contour and later to the 9-foot contour, if found necessary. Funds provided in the 1948 appropriation are being applied to the dredging of the channel to the Gulf of Mexico, while the $638,000 provided in the approved Budget estimate was to have been applied to the construction of jetties to the 6-foot contour in the Gulf of Mexico and dredging the channel between these structures. This waterway when completed will be of considerable value in the operation of existing oil fields and the development of new oil fields in the tributary area. However, that portion of the waterway now being provided cannot be used until the channel into the Gulf is completed.

Intracoastal Waterway, Apalachee Bay, Fla., to the Mexican border: Construction of a main waterway 12 feet deep, 125 to 150 feet wide, authorized in 1942, has been completed. The 1945 and 1946 River and Harbor Act provided for alternate connection, 12 feet deep, with the Mississippi River in the vicinity of Algiers, La.; Plaquemine-Morgan City alternate route, 12 feet deep; salt water guard lock 231 miles west of Harvey lock and about 8 miles east of the Calcasieu River, and an 8-foot canal between the main waterway and Franklin, La. Funds available are being applied to excavation, foundations, and floors for the Algiers and the salt water guard locks. The Franklin Canal is being completed with advanced funds. The 1949 budget estimate included $2,920,700 for continuation of work on the Algiers lock, for drainage structures, and bridge construction, and $450,000 for the salt water guard lock. The reduction in the amount allowed for 1949 will result in postponement of construction of the railroad bridge and reduce construction work on drainage facilities that must be provided prior to excavation of the navigation canal. The reduced amount available for construction of drainage structures will result in a delay of approximately 1 year. Delay in initiating the construction of the railroad crossing will likewise result in prolonging the project. Commerce on the Intracoastal Waterway, New Orleans District, during 1946, was 11,215,000 tons west of the Mississippi. The capacity of the existing route is overtaxed by this volume of traffic and it is important that the alternate route be completed as soon as practicable.

Overton-Red River waterway, Louisiana and Arkansas: Red River rises in New Mexico and flows easterly and southeasterly for 1,300 miles, entering the Mississippi River through Old River near Phillipston, La. The project provides for a 9- by 100-foot channel from the Mississippi River through Old River and Red River, approximately 31 miles, thence by a lateral canal across the Mississippi-Red River backwater area along the right bank to Shreveport, La., for 175 miles through nine locks, each 55 by 650 feet. The waterway will

serve a trade area bounded by the watershed of the Red River in Louisiana, which contains the commercial region tributary to Shreveport in northeastern Texas, southeastern Oklahoma, and southwestern Arkansas. Principal industries within the area are petroleum, lumber, glass, fertilizer, grain, sand and gravel, chemicals, boxes, and clothing. Agricultural commodities include cotton, corn, hay, oats, wheat, peanuts, and garden vegetables. About 1,100,000 tons of commerce will develop on this waterway at an estimated annual saving of $4,000,000 in transportation costs. In addition, it is estimated that incidental drainage benefits of about $350,000 annually would result from construction of the lateral canal. Further benefits will consist of greater operating economies for tows now using the lower Red River en route to or from ports on the Ouachita River. The ratio of benefits to costs is 1.28:1. The amount that could be profitably expended during 1949 would be applied to preparation of plans and specifications and initiation of construction of the lateral canal.

Pearl River, Miss. and La.: The 1935 River and Harbor Act adopted a project providing for the improvement of the Pearl River to provide a channel 7 feet deep from Lake Borgne to Bogalusa, La., a distance of about 60 miles, by dredging, snagging, cut-offs, and lock construction. Dredging of the waterway to project dimensions in the lower 20-mile reach has been completed, and available funds are being applied to completion of lock No. 1 and inauguration of construction of lock No. 2, under a continuing contract. The budget estimate of $3,509,500 was intended for completion of lock No. 2, the construction of the remaining third lock, and Bague Chitto and Pools Bluff Sills. The amount allowed by the House is insufficient to complete lock No. 2, by an amount of about $200,000, and will result in suspension of work under that contract. The effective utilization of the Pearl River project is predicated on the total completion of the project, and very little benefit can be derived from that portion of the project already constructed and to be constructed under the House allowance for 1949. Since local interests provided the funds for acquisition of rights-of-way, payment for damages and construction of terminal facilities, through a bond issue in 1938, and since all work on the project was suspended during the war, it is believed that completion should not be further delayed.

With reference to the general flood-control projects in Louisiana, I should like to describe and give the status and justification for the following:

Aloha-Rigolette area, Louisiana: The project consists of enlargement of existing levees from mile 151 to mile 141 and extension of those levees to the hills on the left bank of Bayou Rigolette at mile 124 with two floodgates at bayou crossings; construction of a diversion ditch from Bayou Darrow to Saline Bayou and clearing and snagging Saline Bayou from the end of the diversion ditch to Bayou Rigolette; clearing and snagging Bayou Rigolette from mile 21.5 to its mouth and closing the head of Bayou Darrow. The project when completed will protect approximately 46,000 acres of alluvial plain in the Aloha-Rigolette area. Construction of the project is under way and will be about 34 percent complete by June 30, 1948. The amount of $500,000 allowed by the House will permit continuation of construction of the levee between miles 135 and 124. It will not permit completion of the levees from mile 151 to mile 135 and construction of the floodgate structure on Bayou Rigolette. Full protection for the area will not be provided until the levees and floodgate structure are completed. Completion of the project will be delayed if the amount of $549,600 is not restored for prosecution of the project and the Aloha-Rigolette area will remain subject to damaging floods for a period of at least one additional year.

Bayou Bodcau, Red Chute, and Loggy Bayou, Louisiana: This project, in conjunction with the Bayou Bodcau Reservoir now under construction, will greatly reduce flood damage in the flood plain between the dam site and the limit of the Red River backwater. Headwater stages in Loggy Bayou will be reduced and a more rapid removal of backwater when Red River recedes will result. The average annual benefits are estimated at $24,000.

Bayou Teche and Vermilion, La.: The project consists of a channel excavation for 21 miles in Bayou Teche, excavation of a navigable channel from Vermilion Bay to Intracoastal Waterway, excavation of a 100-foot channel in Vermilion River from the Intracoastal Waterway to Lafayette, La., and excavation of a nonnavigable flood channel from Lafayette to the junction of Bayous Bourfeau and Fusilier. The project is under construction and the navigable channel from the Intracoastal Waterway to Vermilion Bay and portions of the navigable channel from the Intracoastal Waterway to Lafayette and the flood channel above Lafayette have been completed. Clearing and snagging on Vermilion River and Bay Fusilier Channel enlargement on Bayou Teche and reconstruction of the Woodlawn Bridge over Vermilion River are in progress and will be substantially completed by the end of fiscal year 1948. The project as a whole will be about 73 percent complete on June 30, 1948. The amount of $200,000 allowed by the House will permit completion of bridge alterations on the Vermilion River and continued channel excavation on the Vermilion River below Abbeville. It will not permit completion of channel enlargement on the Vermilion River below Abbeville and initiation and completion of channel work above Ruth Canal as contemplated by the construction schedule for this project. Early completion of the project is essential for protection of the basin from constantly recurring flood damages to the crops, livestock, improvements, and roads during floods which occur almost yearly and more serious damages resulting from major floods like those of 1913, 1940, and 1947. Completion of the project will be delayed beyond fiscal year 1949 if the amount of $400,000 is not restored for prosecution of the work resulting in the delay of at least 1 year and realization of flood-control benefits and probable increased costs for the project as a whole due to the necessity for entering into contracts involving less yardage than can be economically handled by dredging contractors.

Mermentau River, La.: The project consists of channel enlargement of the lower Mermentau River below Grand Lake and construction of a gated control structure at Catfish Point; channel enlargement of the North Prong of Schooner Bayou; and channel enlargement and realinement of the existing navigation project from Vermilion Bay to White Lake and from White Lake to Grand Lake. Construction of the channel enlargement of the Mermentau River below Grand Lake is under way and construction of the control structure at Catfish Point will be initiated in fiscal year 1948. The project as a whole will be 18 percent complete by June 30, 1948. The amount of $1,000,000 allowed by the House will permit completion of the Mermentau River control structure at Catfish Point. It will not permit completion of the enlargement of the Mermentau River and initiation and completion of the White Lake-Vermilion Bay control structure at Schooner Bayou lock as contemplated in the construction schedule for this project. Completion of the project will be delayed if the amount of $1,500,000 is not restored for prosecution of the work resulting in a delay in realization of benefits from the project consisting of flood control and salinity control for large areas of rice lands and low prairie croplands in the Mermentau River area.

Pineville, La.: The project, when completed, will protect property at Pineville, La., valued at approximately $745,000, and approximately 700 acres of agricultural land from Red River floods. It is believed urgent to complete the project during the fiscal year 1949 in order to realize the maximum benefits and to alleviate the possible danger of flooding from incompleted works. The estimate of average annual benefits is $14,000.

Red River below Denison Dam: This project is an integral part of the comprehensive plan for the protection of the valley of Red River. Pending completion of the reservoir system the levees will provide protection against floods equivalent to that of 1945 and prevent an annual flood loss of about $2,000,000. The operation of the reservoirs will provide additional freeboard and safety to the levees. The systematic construction of bank-stabilization works will obviate the necessity of levee set-backs at locations where they would require costly relocation of railroads, highways, and other utilities. It will save from destruction valuable lands and improvements which would otherwise be lost on account of bank caving.

Shreveport, La.: The project consists of revetments and dikes constructed at locations where caving banks endanger the controlling levees and highly developed urban property in the vicinity of Shreveport, Bossier City, and their suburbs. Construction of the project has been initiated and during fiscal year 1948 will be advanced from 18 to 60 percent completion. The amount of $1,000,000 allowed by the House will permit construction of stabilization works in Douglass Island Bend and at miles 311 to 312 on the right bank of the river. It will not permit completion of works in Honore Bend on the left bank during fiscal year 1949. Completion of the project will be delayed if the amount of $475,000 is not restored for prosecution of the project and bank caving will continue along unprotected portions of the river front for at least an additional year with possible damage to water-front structures and property.

Jonesville, La.: This project provides for the construction of earth levees and concrete flood wall encircling the town of Jonesville, La., to provide protection against floodwaters of the Ouachita, Red, and Mississippi Rivers. This town is located on the right bank of Black River in Catahoula Parish, La., 56 miles above its mouth at the junction of the Ouachita and Little Rivers. A drainage structure and pumping plant for disposal of interior drainage would be provided. No work has been done on this project. Funds are needed in the fiscal year 1949 for preparation of construction plans and specifications and for completion of construction of the project. The allocation of $368,000 will be applied for construction of the levees, concrete flood walls, drainage structures, and pumping plant. The town of Jonesville, La., with a 1940 population of 2,080, is located in the vast backwater area of Red River, which is subject to annual overflow by backwaters of the Red and Mississippi Rivers. In 1945 an emergency levee was constructed at a cost of $30,000 to the Federal Government and $15,000 to local interests to provide interim protection during the flood of that year. This levee is deficient in grade and section and its alinement does not encompass a large area. The proposed works will provide complete flood protection to public and private property, utilities, equipment, and fixtures, and eliminate the cost of evacuation of inhabitants, moving mercantile stocks and household goods during flood periods. The protected town of Jonesville would become a safe haven of refuge for the rural population of a large agricultural

area in the unprotected backwater region. The average annual benefits are estimated at $27,000.

Lake Pontchartrain, La.: The project provides for the reconstruction and enlargement of the existing protective levee along the Lake Pontchartrain shore in Jefferson Parish, La., and the return protection levees along the Orleans and St. Charles Parish. The total work consists of 10 miles of lake-shore levee and 7½ miles of return levee. Construction has not been initiated. Funds are needed in fiscal year 1949 for initiation of construction. The allocation of $900,000 of Federal funds, together with funds provided by local interests, will be used to prepare plans and specifications for the work and enlarging the low sections of the existing embankment as the first stage of construction. In view of the large amount of damage done during the hurricane of September 1947 a review report covering this project is now being prepared. This report gives consideration to the provision of a higher degree of flood protection than is contemplated under the existing project. The portion considered in the review report has an estimated Federal cost of about $4,500,000 and the cost to local interest of $1,400,000. Any work performed at this time on the existing project will not be wasted as the modified project will follow the same alinement as the existing project. Records show that destructive tides occurred along the Gulf of Mexico coast east of the Mississippi River in 1901 and 1915 and were repeated in the hurricane of 1947. Records of dangers to property along the lake front in Jefferson Parish during the early storms are not available because of the lack of development in that area and residential development has progressed at a rapid rate by extending lakeward and into reclaimed marshlands. During the hurricane of September 19, 1947, excessive tide and storm wave action caused many serious breaks in the lake-shore embankment allowing free passage of lake waters into the lower areas behind the levee. During that hurricane the crown elevation of weakened sections of the embankment were reduced and a total length of 4,200 feet crevassed. Floodwaters in residential sections as far as 2⅛ miles from the lake were flooded with actual depths ranging up to 8 feet. Of the total 50-square-mile area of Jefferson Parish between Lake Pontchartrain and the Mississippi River, with an assessed value of $21,000,000, approximately 39 square miles were inundated. The 3 pumping stations which normally removed the interior drainage were flooded and out of operation as was the parish incinerator and sewage-disposal plant, creating a serious health hazard to about 25,000 people. An international airport was closed, urban bus lines interrupted, public schools made untenable, stock of many small mercantile establishments damaged by the water, and many dairy and poultry farm stock destroyed. About 2,000 homes were damaged, 800 families were evacuated, and home furnishings, automobiles, and personal effects damaged or destroyed. The average annual benefits are estimated in excess of $500,000.

As I stated to the committee when I appeared before it, I deemed this project very urgent in that in the last 6 months the people living on the south shore of the lake at a place known as Metairie have been overflooded twice. During September most of the inhabitants living in that area suffered tremendously because of the flood. Many lost their meager savings and several lost their lives. In that area there are over 36,000 people, and I am informed that there were from two to three thousand residents of that section who were compelled to move out and live for from 1 to 2 months with neighbors. My distinguished colleague the Senator from South Dakota [Mr. GURNEY] was in that vicinity right after the flood of last fall. There was a similar flood shortly after he left. This project is vital to the interests of the city of New Orleans and its suburban areas. The South's largest city is entitled to the protection which this project affords.

It is natural that I should examine this appropriation bill with particular reference to my own State and refer to the work I have briefly outlined. However, from a Nation-wide standpoint I want also to add my voice to that of the able Senator from South Dakota who conducted the painstaking and impartial hearings on this bill and who has made an eloquent presentation of the matter to the Senate.

In short, when we consider the manner in which the work contemplated becomes authorized; the remarkable record of sound engineering and impartial recommendations established by the executive agency under whose jurisdiction the Congress has placed this work; the urgent, yes desperate, need for these improvements in our own country, not some foreign country, and the great secondary benefit that such improvements will have in helping this Nation to fulfill the foreign commitments it has already made, I am amazed, even astounded, at the ill-advised and unsubstantiated charges that some Senators have made regarding the measure before the Senate.

It has not been many years since this Congress, tired and disgusted with superplanners who wasted public funds and infinite time in planning the plans to plan natural resource development, rose almost in unity and legislated the Natural Resources Planning Board out of existence. The primary objection was that nothing tangible was being accomplished. Now some Senators find themselves in the uncomfortable position of attacking a program because something very real and tangible is being accomplished. These works for which appropriations are now being asked are not boondoggling—neither are they hastily prepared visionary schemes.

There is not a single project for which funds are asked that has not traveled through a most rigorous engineering and economic examination, not only once but again and again as pointed out by the Senator from South Dakota. This procedure is prescribed by laws adopted by the Congress and is meticulously prosecuted by the Corps of Engineers. Repeated hearings are held before local people, before authorization committees of both the House and Senate, before Appropriation Committees of both the House and Senate, and before the Bureau of the Budget. Comments are secured from governors and State agencies—coordination with interested Federal agencies is carried out. Under these circumstances it is difficult for me to understand why any Senator would attack this whole program simply because there is a greater need for these improvements in some States than in others.

On my second point, namely the excellent record of sound engineering and impartial recommendations established by the Corps of Engineers under whose jurisdiction this work is placed, I need say little by way of enlargement. In fact there is little that I or any other Senator can say that will add to or subtract from the superior record that has been established over a period of 150 years.

On the third point concerning the need for and benefit of this work to our own country a great deal can be said. Let me mention just one or two highlights. Aside from the human suffering and economic loss to established industry occasioned by floods I call attention to the fact that there are hundreds of thousands of acres in the humid agricultural regions of these United States that are uninhabitable and unproductive because of flood hazards and poor drainage. Logically in a step-by-step manner these lands are being brought into production by the very projects we have before us now. We can make no greater contribution to the welfare of this Nation and to our effort to fulfill our foreign commitments than to proceed with this work at the maximum practical rate. Does the Senate realize that not a single completed Federal flood-control project has failed to perform its desired function in flood? Is it realized that conservative impartial estimates of the benefits of completed projects indicate on an over-all basis that these projects will afford savings that equal their original cost in from 6 to 10 years? In the Alluvial Valley of the lower Mississippi River the project with which I am most familiar has prevented damages estimated at nearly $5,000,000,000 since the last direct overflow in 1927. The Federal expenditure on the plan that has afforded these great benefits has been about $600,000,000 over that 20-year period. In other words, eight times the cost of the work to date has already been saved. The story in the Ohio River Basin is much the same. And the story in the other major river basins will be the same if we get on with our work.

In the case of navigation our prewar tonnages have increased from 50 to 100 percent. Single cargoes are bigger and required depths are greater. Do we want to continue to progress or do we want to turn the clock back? When we are contemplating the expenditure of billions of dollars overseas to rehabilitate foreign nations do we want to hamper the logical development of our own country—I think not. Furthermore, I challenge anyone to prove that there is any other way under the sun that we can spend the amount asked for in this bill to greater advantage toward accomplishing the foreign commitments already made or contemplated. In the long run I am confident that increasing our agricultural production and industrial capacity at home by expenditures for flood control and navigation improvements will pay greater dividends toward fulfilling our foreign program than any equivalent expenditures as a dole to foreign nations.

Before closing I want to say just a word or two about the size of this program in dollars and cents. There has been considerable said by some Senators in comparing this program with the dollar-and-cent size of prewar programs. Is there a single Senator in this Chamber who finds that he can buy a steak, a pound of butter, a suit of clothes, or an automobile for the same price he paid before the war? The answer, of course, is "No" and needless to add no Senator is receiving the same pay he did before the war. The same story applies to the work we have under consideration. In fact the over-all construction price index shows that it took $1.83 in late 1947 to accomplish what $1 would accomplish in 1940. Costs are still rising. Add to this fact the well-known situation that much of this internal improvement work was rightly curtailed during the war and that the people back home are now clamoring for the improvements they have patiently waited for, and you must conclude as I do that double the prewar program in dollars and cents is not an unreasonable increase.

Yes, Mr. President, I wish to be on record as giving my unqualified support to H. R. 5524 as reported out by the Senate Appropriations Committee and to urge its adoption. I should, of course, have preferred an even more elaborate appropriation for the outlined projects, but although construction of some projects will be delayed, the amount recommended by the Senate Appropriations Committee represents a substantial improvement over the bill as passed by the House. To do any less than is presently being recommended would indeed be folly.

Mr. President, at the request of the Senator from Louisiana [Mr. ELLENDER] I have read the speech which he would have delivered had it been possible for him to be in the Chamber today.

REPORT OF JOINT COMMITTEE ON THE ECONOMIC REPORT (REPT. NO. 1358)

Mr. TAFT. Mr. President, from the Joint Committee on the Economic Report, I ask unanimous consent to submit a report dealing with the 1948 economic report of the President. This report consists of the committee findings, a summary of the President's report, and a long analysis of the President's report by the staff of the Joint Committee. It also includes a dissenting minority report signed by the Senator from Wyoming [Mr. O'MAHONEY] and others. Attached are various exhibits.

I request that the report be printed.

The PRESIDENT pro tempore. Without objection, the report will be received and printed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917;

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1365. An act for the relief of Lowe Way Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason;

S. 1483. An act for the relief of Guy Cheng;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1637. An act for the relief of Leo Hamermann;

S. 1651. An act to amend the General Bridge Act of 1946;

S. 1874. An act authorizing the head of the department or agency using the public domain for national defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national defense purposes;

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams;

S. 2077. An act to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.; and

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

PROPOSED ORDER FOR RECESS

Mr. WHERRY. Mr. President, I ask unanimous consent that when the Senate takes a recess at the close of the session today, it recess until Thursday next at noon.

Mr. KNOWLAND. Mr. President, I object.

Mr. WHERRY subsequently said: Mr. President, I believe I misspoke with respect to the day to which I asked unanimous consent to recess. It is tomorrow, Wednesday next, at noon. I renew my unanimous-consent request.

Mr. KNOWLAND. Mr. President, I renew the objection.

DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5224) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the bill with certain instructions.

Mr. MORSE. Mr. President, I rise to oppose the minority report on House bill 5524, and in opposition to the motion to recommit the majority report.

I was very much interested in the speech made earlier this afternoon by my good friend the distinguished senior Senator from Ohio [Mr. TAFT]. I respect his views on this question, as on all other matters. In this instance, however, I find myself in disagreement with him, particularly as to some of the premises which the Senator from Ohio laid down in his speech.

Toward the end of his speech he raised what I think is the vital question for us to consider in determining the position we should take on this particular bill. I think I quote the Senator from Ohio correctly when I say that he said in effect that the question before us is one of weighing the importance of different public expenditures.

On that point I am in agreement with the Senator from Ohio because I think the question before us is a question of weighing the importance of different public expenditures. However, in answering that question, I have come to a position diametrically opposed to that taken by the Senator from Ohio, because I think the projects which are covered by this particular bill are of such vital importance to the security and the economic welfare of our Nation that this bill should be passed, and the motion based upon the minority views should be rejected.

Earlier in his speech the distinguished Senator from Ohio referred several times to these projects as public works projects. He pointed out again the theory which he has so ably defended not only in the Senate but elsewhere in the country in months past; namely, that in times of boom we should, in effect, put public works on the shelf, to take them down in times of slackened employment, slackened business, and approaching depression.

I would make two points in presenting my point of view in contrast with the point of view of the Senator from Ohio on that particular matter. I do not deny that these are public works by definition, in the sense that we are using public funds for the building of these projects, such as great power projects and river and flood-control development and harbor-development projects. Nevertheless, I wish to point out that they are also in a very real economic sense private works, in that I think they are essential to the advancement of the best interests of our private-property economy. They are essential in order to develop to the maximum extent possible, in the shortest period of time, an expanding economy in the United States. The distinguished Senator from Ohio talks in terms of a balanced budget and in terms of a $40,000,000,000 budget, which is now ours. He stresses the importance of paying $2,500,000,000 on the national debt. I agree with the Senator from Ohio that we should be thinking and acting in terms of a balanced budget, but I do not agree with him that at the present time in our Government we are dealing with a scientific, businesslike budget. The budget we have is not a sound business budget. No corporation or large business would think of building a budget on the same accounting basis which we use in building our Federal budget.

On other occasions I have mentioned this point on the floor of the Senate; I think budget reform is inherent in the argument that is before us now. I wish to repeat that I think we should talk in terms of a balanced budget only in the sense that we talk in terms of a budget which has taken out of it, and set over to one side, separate and distinct from an expenditures budget, insofar as administrative costs of Government are concerned, all capital investments and all money that goes into self-liquidating projects.

What we have at the present time in the form of a Federal budget, Mr. President, is really a hodgepodge budget in which we include so-called expenditures for the administration of Government itself and also include the money that is paid out for capital investments. Thus, we include in the budget as expense money which is necessary for the building of great projects that are necessary in order to expand our economy, but which after all are, for the most part, self-liquidating projects. I say it is error to speak in terms of a balanced budget, so far as the Federal budget is concerned, as long as we follow such accounting principles. I support the principle of a balanced budget but I say that we should separate from that budget these vital, self-liquidating, capital investments. We should not be including them, it seems to me, in a so-called balanced Federal budget.

This point of these projects being self-liquidating always raises a question of fact on this subject, Mr. President. The question of whether most of these major projects, particularly the projects for flood control, reclamation, and the projects for power development, will, in due course of time, in fact be self-liquidating. In taking my position on issues in the Senate of the United States, I always seek to find the answer to the question, "What are the facts?" On the basis of such research as I have been

able to make to date, since I have been in the Senate studying this particular problem, and on the basis of all the data that have been made available to me from the various Government departments and agencies concerned with these projects, I am of the opinion that the fact is that, in the main, these major projects will in the course of years be self-liquidating. If I am correct in that finding of fact—and it is the only finding I can make on the basis of the data which have been supplied to me by the departments that have jurisdiction and control and supervision over these projects—then, Mr. President, I am not going to join in any view presented by any Member of the Senate that we should consider these projects within the concept of a balanced budget. I think they must be considered aside from and independent of a budget which goes to the question of administrative costs for the operation of the Government itself. We ought to look upon these projects, then, as Federal projects in the sense that they will return into the United States Treasury, in the form of new tax dollars flowing from the wealth which these projects will produce over the years, much more money than we shall ever invest in their original cost.

I think that statement marks as clearly as I can mark, at least, one line of difference which exists between the proponents of this bill and those who are in favor of the minority views and the motion to recommit. I think it should be kept perfectly clear in this debate that the proponents of these projects believe in a balanced budget but we do not think it is fair or right to include capital investments of a self-liquidating type in the Federal budget when it comes to applying the tests of a balanced budget. These costs are really loans to the people and their return to the Treasury is assured. I do not think that those of us who are in favor of going ahead now with the development of these wealth-creating projects should let anyone put us in such a position that it might appear that we are not in favor of a balanced budget as far as operating administrative costs of government are concerned.

There is another point which I wish to make, and I think it has a very direct bearing on the very able speech made by the Senator from Ohio. The point is that I am greatly concerned about the representations which are being made to the Members of Congress, these days, and the facts which are being presented before various committees in support of those representations as to the world crisis. Today we happen to be living in a world situation which can properly be characterized, it seems to me, as a world situation of tension. I think that is an understatement. I do not wish to overstate the situation, Mr. President; but having sat as a member of the Armed Services Committee for weeks in public hearings and in executive sessions, and having either listened to or read all the evidence and representations presented to that committee in connection with a great piece of major legislation which still is awaiting action by the Senate—namely, military manpower legislation—I know that I make no overstatement when I say that today world conditions are such that they can be correctly described as creating a state of world tension. I think it is only fair and proper to go beyond that statement, and say that it is my honest judgment that although war is not inevitable and although it is my judgment that we can avoid war if all of us keep our heads, yet there is the ever-present danger that some international accident or incident might place us in a very serious war emergency. Because I do not think such a danger can be denied by anyone who goes through the records of the Senate Armed Services Committee and the hearings held before that committee on the international problems we on the committee have been considering as we have considered military manpower legislation, I say, Mr. President, that I cannot sit in the Senate of the United States and not do all within my power to keep my country prepared to enforce the peace. We owe the obligation to our country to do that not only from the standpoint of manpower, not only from the standpoint of air power, not only from the standpoint of naval power, but also from the standpoint of economic power. In fact, I think the greatest defense weapon we have is to be found in the economic power of the United States. It is to be found in our private-property economy. It is to be found in our capitalistic system. It is to be found in a sound industrial mobilization program. Such a program does not endanger our private-property economy. Rather it gives to that economy its greatest assurance of perpetuation.

What is the relation of that observation to the pending bill? A very important relationship, Mr. President, because I think the bill pending before the Senate of the United States is of great interest and great concern and vital importance to the business interests of America. I think it is through such legislation as this that we have our greatest hopes of expanding our economy to the point so that we shall be in a position to meet the financial obligations of our Government. We must meet this huge debt of, in round figures, $255,000,000,000. May I say, incidentally, Mr. President, we should meet it by a payment of at least twice $2,500,000,000 a year. I want to repeat in a sentence or two the observations I made in the tax debate. I want to say that I do not now, any more than when the tax debate was on, share the view of the leadership of my party that $2,500,000,000 is all we ought to pay on the national debt during this year of tremendous economic boom. I want to repeat that I think the Republican Party in the Senate of the United States should have stood for a payment on the national debt of at least $5,000,000,000. Why do I say that? Because that is what the carrying charge on the debt is. If, in a year of a great boom, apparently the year of the greatest boom in our history, we cannot pay a sum on the national debt at least equal to the carrying charge, then I think we are failing the people of our country in living up to the responsibility which is ours to keep the value of the American dollar as stable and as secure as possible. Mr. President, you are not going to keep the dollar stable, are not going to protect the value of the dollar, unless you retire the debt at a more rapid rate than $2,500,000,000 a year. I am satisfied, Mr. President, that the issue of paying our debt once taken to the American people and thoroughly understood by them, will result in an overwhelming verdict on the part of a great majority of the American people that we made a mistake in not adopting a budget that would pay more than $2,500,000,000 on the debt. We could have done it if the Senate had been willing to adopt the tax program of the Committee for Economic Development which tax program I offered in a series of amendments.

As I go about the country, Mr. President, the American people, as I find them, want the debt retired at a more rapid rate than $2,500,000,000 a year.

Can it be argued that, if that is my position toward retirement of the debt, then I ought to support a reduction in the appropriations for the particular projects covered in the pending bill? I think not, Mr. President. I do not think that would be a logical reply to me. Why do I say that? Because I am convinced that these projects are needed if we are going to develop the wealth in this country which must be developed in order to give us the economy out of which we can obtain the new tax dollars necessary to retire the debt at a more rapid rate.

We are dealing here, as I see the picture, Mr. President, with a great American economic frontier. The potentialities of the projects, as far as creating new wealth in this country is concerned, I do not think have been grasped yet by the imagination of a majority of my colleagues in the Senate. I do not think the Members of the Senate fully appreciate the importance of the development of these projects to a great and ever expanding American economy.

I want to direct my attention and the attention of the Senate in the course of these remarks to the economic potentialities of some of these projects, and to their relationship to national security. Mr. President, I do not think there is any logic in voting to meet our national security problems from the standpoint of manpower unless we back up that vote by an industrial support which that manpower is going to need if an international accident or incident thrusts us into an international conflict. That is why I share the objectives of the Senator from Georgia when in the Armed Services Committee he proposes an industrial mobilization amendment to the manpower bill. Mr. President, you cannot approach this matter of national security just from the manpower angle alone. We must recognize that war is now a total operation involving all segments of our economy and all segments of our people. Also we must recognize that preparation for defense must be looked upon as a national problem which necessarily involves our total economy. Total defense as total war places responsibilities and obligations upon our total economy.

I sat in the Armed Services Committee this morning. I listened to testimony and argument in regard to the importance of saving for defense purposes some of the great war plants of this country. Some 32 out of a total of some

160 under consideration cost in round figures $735,000,000. They would cost twice that amount if we found ourselves in an international conflict and had to replace them quickly. Their replacement cost as of today would double their original cost. I took the position in the committee this morning, and I shall take it on the floor when the bill gets here, that it is of vital importance in protecting our boys who we are going to draft into the services, that we mobilize those plants for defense by keeping them in the control of the Federal Government rather than permitting them to be salvaged or junked. The testimony before our committee shows that few of them will be used for commercial purposes, but most of them will be junked if we do not save them. Rather than permit them to be salvaged and junked, and then in case of emergency proceed to replace them at great increases in cost, I think they should be mobilized for defense now.

Mr. President, as long as we find ourselves in the position of living in a world characterized by international tension, then we must look at all legislation such as the legislation pending before us from the standpoint of its relationship to national defense. I want to say that in my opinion not to appropriate the money for the projects covered by H. R. 5524 would be contrary to the best interest of national defense. I want to say that it would be inconsistent to proceed to spend great sums of money for building up the ground Army and the Air Corps and a naval force, unless we are willing also on the level of economic production to spend money to build these projects covered in this bill so that we can build the war materials necessary to protect the lives of our boys in the event an international incident should occur which would take them to war.

I was also interested in the observation which my good friend from Ohio made when he pointed out again today, as he has many times in the past, that in effect the American people are working for the Government some 3 days out of every 10.

I shall not dwell on the point at any length this afternoon because I covered it during the tax debate. I simply deny the soundness of his premise, for this reason: We must look at Federal expenditures for services rendered the American people from the standpoint of their interest in and needs for those services. When we do that, save and except in those instances where there is unnecessary waste I think it is up to the budget-cutting proponents to show that the elimination of any given service is not a penny-wise, pound-foolish budget cut. The instances of wasteful governmental expenditures are only a drop in the bucket compared with the total services rendered to the American people by their Government. I do not know of any dollars which the American people spend from which they receive greater value for their individual interest and welfare than from the tax dollars they spend for Government service. I repeat, that I do not accept the argument that when American taxpayers pay money for a health program, an educational program, police protection, for roads, for reclamation, for power development, for national security, they are working for the Government. They are working for themselves just as much as when they go to their daily occupations.

We have entered that era in our history, Mr. President, where a great many services must be performed by the Government in the sense that they must have Government financing and Government backing. Roads are a good example. Our Federal Treasury has recovered from expenditures for highways, Mr. President, many times the dollars we have invested in them. When we spend money in the interests of national security we are not working for the Government; we are working for ourselves and American children yet to be born throughout future generations.

It becomes a matter of degree as to how fast we shall move forward with improved services needed by all of our people. I am willing to admit that premise. But on the basis of that premise and on the basis of the test as to whether the particular projects covered by this bill are projects which should be considered at this time, my answer is that most certainly we should proceed with them immediately. It is my honest opinion that time is of the essence. These projects should not be put on the shelf, either from the standpoint of national security or from the standpoint of the economic welfare of the country. As to the latter, we must expand our economy in order to get out of the economic mess in which we find ourselves, and these projects will help along that course of action. They will create new wealth, new industry, more jobs, and increased tax revenues.

Referring to the minority report itself, I want to point out that it seems to me one of the fundamental misconceptions of that report is that it lacks consistency. On page 2 it is stated:

> If we must violate our pledge for curtailed governmental spending, certainly it should be for the purpose of strengthening our national defenses against the threats of the totalitarian powers. Above all, it should not be used to chew up the very materials which, should they be needed, are so vital to our national security.

On page 4 the minority report states:

> A few hydroelectric power projects account for over 40 percent of 1949 construction allotments.

Mr. President, during most of the remaining part of my remarks I shall lay particular emphasis upon the relationship between those hydroelectric power developments and national security. I shall seek to prove the proposition that these power projects are of vital concern to national defense and to our power as a people to protect ourselves in case we find ourselves thrust into a war. Therefore I want to point out as my major premise that I take the position that the power projects and other projects involved in this bill will not "chew up" vital materials needed for national security. I take the position that without these projects we cannot, in the new type of war which will be fought, if we have a third world war, manufacture in the quantities necessary the materials vital for the prosecution of that war. We learned that lesson in the last war. Where would we be today and where would we have been during World War II had we not had Bonneville, Grand Coulee, Hoover Dam, and the great dams of the TVA? What would have happened to our atomic-energy program? We would not have been able to complete that program which was so vital to winning the war. The fact remains that our success in carrying forward the atomic-energy program was determined largely by the existence of those dams.

Mr. President, I have listened to the witnesses appearing before the Armed Services Committee over the weeks and I have heard their testimony regarding the strategic problems we may have, if we find ourselves in a third world war. I say to the American people here and now that it is in our self-interest that we proceed to develop to the maximum extent possible, in the shortest period of time, the power resources of the country.

What is my record for consistency on that? I want to direct this remark to the Senator from Wisconsin [Mr. WILEY], with whom I had a cloakroom conversation earlier this afternoon. I voted for the St. Lawrence waterway project, not only because I thought it important to develop the transportation facilities involved in that project but because, as a member of the Armed Services Committee, I recognized the importance of using that project also to develop to the maximum extent possible the hydroelectric resources of America. If we do not do so, we will be as short-sighted as many people were during the 1920's and 1930's when they did not prepare the country for the defense of its security. We paid in the long run an exceedingly high price for the lack of preparedness. I do not propose to make the mistake which many Members of Congress made during the 1920's and 1930's by failing to keep up our national defenses. So I say that I shall vote for the development of the hydroelectric power resources of America whether they be in Florida, Texas, Mississippi, Georgia, Michigan, Wisconsin, Ohio, or any other State. I am satisfied that from the standpoint of national security every dollar we spend, and as soon as possible, in the development of the hydroelectric power resources of America will be money just as well spent and, in my judgment, better spent, for the security of the Nation than spending it now for battleships or airplanes or manpower needs. I think the development of our power resources are more important, Mr. President, than any other defense need we have. Important as other needs of defense are, I think the development of the hydroelectric resources of the country is the most important national-defense development for which we could appropriate money. I propose to defend that premise in this speech, Mr. President.

Referring to the two statements in the minority report to which I have referred, which appear on page 2 and page 4, I

would say that those two observations are in total conflict and fail to recognize the critical material situation facing this Nation. It is not a question of "chewing up materials," but the more important requirement of producing those critical materials needed to protect us against an atom-bomb war. Measured in terms of power, this Nation is immediately short about 1,000,000 kilowatts of high-class hydro power capacity which is necessary to make a start in providing adequate defense. Steam or other types of power cannot be used on account of cost and other production characteristics and problems. Without light metals, chemicals, or ferroalloys—which are nothing more than frozen low-cost hydro kilowatts—the talk about strengthening our national defense has little real meaning, as used in the report of the minority. I repeat, Mr. President, the light metals essential to the new type of warfare in which we will be thrust if we go into another war constitute nothing else than frozen low-cost hydro kilowatts. Right now we are a million short.

The demand for additional kilowatts, both for national defense and for our economy, is a tremendous demand. Yet there is talk about putting these projects on the shelf until we get into a depression. There is talk to the effect that such was the position taken by President Hoover on this issue. Such talk does not recommend itself to me, because I am inclined to believe that had we gone along and developed these projects to a greater degree than we did in the 1920's, we would have had a fighting chance, at least, of preventing the tremendous depression in 1929. We found ourselves late in the twenties with a honeycombed financial structure and a restricting economy instead of an expanding one. As a result we were thrown headlong into a depression.

The moment this economy of ours starts to restrict, then watch out for the danger signs of a recession or depression. To beat it before it starts, to prevent it before the spark is lighted, I say we should constantly keep ahead of a depression by ever expanding the economy. The possibilities for expansion as we make scientific advancements is almost unlimited. These projects are vital to an expanding economy. I say to those in the East that the tremendous values which eastern manufacture is going to make out of the development of the hydroelectric resources of this country have not yet been fully appreciated by most people in the East with whom I have talked. The significance of these projects to the economic development of all sections of America has not penetrated as yet the imagination and vision of many men in Congress.

My faith in this capitalistic system of ours, I submit, is greater than that of many people in the country who talk in terms of pessimism. People who talk in terms of not being willing now to spend dollars which will repay themselves many fold in the Treasury of the United States by way of the new wealth flowing from the expanding economy these projects would create show an unconscious lack of confidence in our capitalistic system.

The lack of critical materials, largely electroprocessed materials, will have a much greater effect on our industrial economy than is recognized. It often has been stated that the automotive industry of Michigan would not have had its beginning if it had not been for the electroprocessed basic materials developed by low cost Niagara hydro power. The older conventional fuel-furnace produced metals cannot be used where high strength, light weight, and high speed are the basic requirements. Our new processing methods require great electric energy for the development of those metals. A cross section of our industry is now dependent on electroprocessed materials and this situation will increase year by year as we dig out our metal reserves.

Naturally, one who is not a member of the subcommittee handling this bill is not qualified to discuss all the details governing the inferences in this report. However, it does appear to one who has investigated this Nation's resource condition that some of the observations or inferences in this minority report can do a great violence to a properly expanded Air Force and the all out defense against the atom bomb. Our electro-processed metal situation is now being seriously jeopardized by a lack of the requisite power supplies.

Bearing on this point, Mr. R. S. Reynolds, who pioneered the expansion of light metals in this country as a defense requisite long before Pearl Harbor, said in an interview in the Richmond Times-Dispatch of April 19, 1948, as follows:

If the international situation continues to deteriorate the existing aluminum capacity will be wholly insufficient for the most critical wartime demands.

The United States Government no longer has a stock pile of aluminum. Its stock pile of bauxite would not be sufficient to meet increased emergency demands for more than 3 or 4 weeks.

At the close of the war our Nation had a stock pile of 400,000,000 pounds. Today there is not a pound of aluminum available from this source. The increased demand for this vital material has caused the consumption of the Nation's stock pile. Without this stock pile the Nation even now faces a military shortage. It will be impossible to replace the vanished stock pile with current production in view of the unprecedented demand for aluminum for vital uses.

The current production of aluminum in the United States is at the rate of approximately 643,999 tons per annum. This would be increased quickly by 255,000 tons if economical electric power were provided to operate the idle plants including those about to be dismantled.

Unless we build up superiority in this vital metal it will be futile to spend millions on atomic weapons and new airplane designs. The modern war machine is useless without an adequate aluminum supply. Our present armament program will fail completely unless the aluminum production is brought quickly to the absolute maximum volume.

POWER AND RESOURCES

Mr. President, I now wish to say a few words about power and power resources.

It is a well-known fact that for the past 7 years this Nation has been the storehouse for the world. The effect of such a supply contribution on its resource base, however, has not been so generally understood or appraised. What is needed to repair the foundations of our resource base has not, in my opinion, been given the requisite over-all attention, although certain parts of the problem have been given great attention by the Congress.

I now intend to discuss the erosion and repair of this base so that the resource contributions of the Pacific Northwest can be made just as effective in times of peace as they were during the periods of war stress.

I wish to repeat, Mr. President, that although I draw most of my data and evidence from Pacific Northwest problems, the problems are identical with or similar to hydroelectric problems elsewhere in our country. I use the Pacific Northwest hydroelectric problem only as an illustration of our need to proceed throughout the country from coast to coast, from north to south, in the development of hydroelectric resources wherever they exist in the entire Nation. We can absorb them all. Our economy is such a sound one and its potentialities for expansion are so great, that we run no danger of overdeveloping electric power resources in this country.

Many centuries of experience have shown that nations which permitted the resource base erosion to continue have fast become secondary nations, and in later periods decadent nations. China, unfortunately, is a modern example of what can happen to a country that permits such erosion to continue.

To protect the future position of this Nation, we must have the essential facts and then exercise foresight in the application of corrective measures.

RESOURCES

Naturally the question arises, "What is included in our resource base?" Broadly, the following major classification is offered for purposes of this discussion, although it is recognized that many further subdivisions are needed for an extended discussion, which is outside the scope of this presentation. The Pacific Northwest is rich in certain types of resources and it is my purpose to point out how these can be used for the greatest national benefit.

Such a broad classification as I have adopted includes:

First. Light metals, such as aluminum and magnesium.

Second. Chemicals and fertilizers.

Third. Energy resources.

Fourth. Strategic metals, such as iron, copper, nickel, zinc, tin, and lead; also the metal combinations used in producing mechanical bearings, which includes the metals I have previously mentioned, and, in addition, antimony. In the list of strategic metals there should be included all of the above which permit electrolytic refining.

Fifth. Strategic nonmetals, like glass and rubber.

Sixth. Forestry productions—plastics and like synthetic materials—and, of course, agricultural products.

In fact, Mr. President, we simply cannot escape the basic relationship between agricultural production and national defense and an expanding economy, too. In fact I think it is the common denominator in this whole field of building a structure for adequate national defense and an expanding economy.

In presenting this classification I have not completely followed the sequence of needs, but have adopted such a schedule as would bring the major needs together, for the purposes of a more logical presentation of the contributions that can be made by the Pacific Northwest.

THE PREWAR SITUATION

It is now well known that in 1939 this Nation was not prepared to fight a modern war because of the lack of up-to-date electrometallurgical and electrochemical industrial plant capacity. This condition resulted from adherence to the old Maginot Line theory that the strategy of succeeding wars—if they came—would duplicate the experience of World War I, in spite of the fact that this Nation entered World War I with no advance plan for industrial mobilization. As a result, industrial chaos was rapidly approaching when the armistice of 1918 was suddenly reached. It was only the shortness of our active participation in World War I that prevented a break-down in the Nation's supply of strategic materials.

Mr. President, Germany was not aware of our rapidly diminishing supply of strategic materials in this country in 1918. Our production capacity had not been developed to the point that we were in a safe position as far as producing, as rapidly as we would have needed them had that war continued, the strategical materials needed by our men fighting that war. We were not in a safe position on the home front in 1918. Our home front production resources were not in the position of strength that they should have been in order to carry through the line of supply which we needed to maintain in order to back up our Army in Europe had the Germans not been defeated in 1918.

This situation was fully recognized when Congress passed the National Defense Act of 1920. We were still shocked with fright, Mr. President, in 1920, because of the close shave we had, so far as a serious short supply of strategical materials was concerned, at the time of the armistice in 1918. In the Defense Act of 1920, Congress set up the machinery for emergency industrial mobilization, and the procurement of strategic materials which we had failed to procure during the period preceding World War I. Under the administration of this act the War Department was charged with this responsibility. Initially that department sought the advice of the national mining and commercial associations and thereby started a debate which continued almost up to the start of War II, without developing a quick and effective modern industrial plan. Seemingly we had forgotten the technological progress made in the interim, especially in the field of aeronautics. We then made no effort to break away from the older conventional processes of producing metals, and apparently closed our eyes to the developments of Germany between 1933 and 1939.

In going over the CONGRESSIONAL RECORD from 1936 to 1941, I have found it illuminating to see the vision exercised by members of the Northwest delegation in both Houses of Congress, when they urged on strategical grounds the rapid expansion of the Bonneville and Grand Coulee generating plants in order to prepare this Nation for what was coming. Early in 1940 the Congressional delegation called on the newly created National Defense Advisory Committee and suggested the immediate use of the congressionally authorized power facilities at Bonneville and Grand Coulee for the production of light metals. At that time this Nation's light metal production capacity was only about one-third of the capability under the control of Germany. Nothing was done by the Defense people until after Pearl Harbor—18 months later—and after Pearl Harbor the development progress was extremely slow for the succeeding 9 months.

WAR PRODUCTION DEVELOPMENTS IN THE PACIFIC NORTHWEST

After long delays, the war agencies were forced to come to the conclusion that the large quantities of light and extra-strong metals required by a rapidly expanding air program could only be produced by expanding and utilizing electrical facilities. The power capacity was then available in the Northwest for such large quantity production, and at the lowest obtainable cost. When the metal program was finally established by the war agencies, the development of such industries in the Pacific Northwest rapidly followed. At this point, to be entirely accurate, it should be stated that the Aluminum Co. of America on its own initiative started their large aluminum ingot reduction plant at Vancouver as early as the fall of 1939.

I want to pay my sincere compliments and tribute to the foresight of the Aluminum Company of America because I believe that they, too, foresaw the international situation which was about to crash down upon us, and the importance of our taking the necessary preliminary steps to lay a base for the manufacture of needed light metals for an effective air power role.

As a result of this strategic program, the Nation saw the establishment of the following electrometal and electrochemical industries in the States of Oregon and Washington: Five ingot aluminum plants of large proportions; one extremely large aluminum rolling mill; one experimental alumina clay plant; three ferro-alloys plants producing high-strength iron metals; one extremely large ferro-silicon process magnesium plant; three calcium carbide chemical plants; one chlorine and chlorate chemical plant; one electrolytical manganese pilot plant; and the now well known plutonium—atomic bomb—at Hanford, Wash.

In addition to these basic electrolytic plants, electro-satellite plants were also established, such as the shipyards built on electric welding, expansion of the Bremerton Navy Yard for Pearl Harbor and other Pacific repairs, and the expansion of the Boeing aircraft plant at Seattle. These plants were placed in operation and consumed power at a rate of many million kilowatt-hours per year, but nevertheless the region was hard pressed to meet power demands. This situation has continued to date.

Here is an economic fact, Mr. President, which I would have my colleagues in the Senate never lose sight of in the debate. Although the completion of some power dams was speeded up in order to meet the needs of wartime industries now with those wartime industries gone, there is still a tremendous shortage of power in the Pacific Northwest to meet civilian needs. It gives one some idea, Mr. President, of how rapidly our economy is expanding and will expand if we give that economy the electric power it needs for expansion. Now we have not only public power groups, but all of the private power groups of the Pacific Northwest taking joint action in pleading with the Congress of the United States, through the Tacoma agreement of last year, and through the new Tacoma agreement of this year, for the completion of the projects listed in this bill in the shortest period of time. Why do they take that position, Mr. President? In order to meet civilian needs. They are not asking for them for wartime emergency needs. The private utilities and the public power groups are pointing out to the Congress, in formal statements jointly signed, that these projects must be developed to meet the power needs for the civilian economy, because there is a great shortage of electric power in that great Pacific Northwest area of the country.

Although before World War II we followed a "too little, too late" policy in most matters of defense, the Nation saw the development of some needed power projects. The program was not as extensive as it should have been but it proved to be a vital help in winning the war.

As a result of this late start, the other pressing war needs, the lack of quickly developed power potentials in this country, and the antagonism to the use of Federal power, we found this Nation subsidizing the Shipshaw development in Canada in order to secure additional aluminum to meet the call for more and more aircraft. The subsidy given to the Shipshaw Canadian plant has produced a highly competitive power and metal combination in Canada, which because of subsidy has resulted in over-all power costs between one-third and one-half of the pay-out costs of the Columbia River power. The Shipshaw enterprise was projected at a time when identical results could have been obtained in the Pacific Northwest by accelerating the generator schedules of the two Columbia River plants.

In this connection it is interesting to present a comparative table of national

and regional aluminum production expressed in short tons:

| Year | Total United States production | Production in Pacific Northwest | Northwest production in percent of national production |
|---|---|---|---|
| | *Tons* | *Tons* | |
| 1939 | 163,565 | | 0 |
| 1940 | 206,280 | 5,000 | 2.6 |
| 1941 | 309,067 | 67,000 | 21.8 |
| 1942 | 521,106 | 148,000 | 28.4 |
| 1943 | 920,179 | 252,000 | 27.3 |
| 1944 | 776,446 | 281,000 | 36.4 |
| 1946 | [1] 418,000 | 128,000 | 30.5 |
| 1947 | [1] 700,000 | 290,000 | 40.1 |

[1] Estimated.

Source: National figures from U. S. Bureau of Mines, and Northwest figures calculated from power-consumption figures.

From 1925 to 1937 ingot aluminum production in the United States required a supply of power ranging from one billion to two and one-half billion kilowatt hours per year. The maximum aluminum production shown in the tabulated material presented above means an annual national power consumption around 20,000,000,000 kilowatt-hours during the peak war period, or a tenfold increase from prewar levels. From 1939 to the peak of the war period, the total power used in all types of manufacture in the United States increased from 72,000,000,000 to 148,000,000,000 kilowatt hours per year, or practically a twofold increase. During the same period the needs of all types of electric process industries in the United States increased from about 9,500,000,000 to 37,500,000,000 kilowatt hours, or a fourfold production increase.

These cited increases show the rapidly growing importance of electric materials to our economy.

The increase in the development of electric materials shows the relationship between the production of those materials and our economic welfare. But we cannot produce them in the amounts which our expanding economy needs without the development of more electric power resources. I am not going to let anyone get off the hook of that dilemma in this debate. We cannot develop the electrical materials needed either for our civilian production or for national defense without developing to the maximum extent possible the electric power resources of the country. I do not propose to put the needs of an expanding economy on the shelf until we toboggan into a depression. Now is the time to look forward. Now is the time to take advantage of a backward look at our mistakes of the 1920's and 1930's and proceed forward with an expanding economy on the basis of the lessons taught by those earlier mistakes.

We cannot get away from the economic fact that the economy of our day, both from the civilian standpoint and from the standpoint of national defense, is largely dependent upon the maximum production of electrically processed materials. That is the sort of age in which we live. That constitutes one of the great dividends which we are now collecting from education in scientific research over a period of 150 years. It is a part of the pay-back to the people of the United States from scientific research. We should not try to hold it back with any argument that we should put on the shelf until a depression hits us the great power projects necessary to produce the electrical processed materials which are essential to an ever-expanding economy.

I know that I am repeating. I intend to repeat this argument over and over again, because it sets forth a simple economic fact that we must get through the heads of the American people. Once they understand it, I think they will change the course and trend of thinking within my party on economic issues. Once the people understand this issue I think my party will become a great progressive party in the field of economic development. There is a constant relationship between economics and progressive political thinking. I cannot stress that point too much, either.

Metals and chemicals produced by the older direct-fired-furnace methods, because of adulterations acquired by direct contact with the fuel beds, do not have the lightness and strength necessary for aeronautical construction. At least, that is what the scientific experts say. I am going to take their judgment, because that is what we educated them in science research to give to us.

The light-metal information I have put together shows that the postwar aluminum production has not dropped, as was so freely predicted around VJ-day. The short supply of steel products has resulted in many aluminum substitutes, and with such substitutes the commercial advantages of aluminum have become apparent. Therefore, we find present aluminum production over three times the prewar level. Magnesium has rightly been called the metal of the future because of a more favorably pronounced weight-strength ratio than exists in any other known metal.

Magnesium is also an electric metal similar to aluminum, and mountain ranges of the basic magnesium material exist in the Pacific Northwest. In fact, we are satisfied that the supply is almost unlimited, in terms of foreseeable use in the future.

STRATEGIC METALS

The supply of hematite iron are in the Lake Superior region is being depleted at a rapid rate. This ore is the foundation of our steel industry. Nearly 90 percent of our presently usable iron ores come from the Lake Superior region. The only other State with any appreciable deposits of such ore is Alabama. When the present deposits are worked out in the next decade we must then develop the lower grades and more complex ores. Such ores require electric furnace treatment, as is the present practice in Sweden. We are also running into the same depletion situation with respect to copper, zinc, lead, tungsten, chrome, bauxite, manganese, antimony, and mercury. However, the opportunities for further development in this country for tin, nickel, manganese, chrome, antimony, tungsten, and mercury are not favorable, according to present explorations. Consequently these materials must fall in the stock-pile classification.

ENERGY BASE

The energy—or power—requirements of an industrial nation are perhaps the most important part of the industrial and agricultural structure. Nationally for some time to come we are well fixed as to coal, but in the field of petroleum and petroleum products this Nation is beginning to scrape the bottom. As is well known, this liquid fuel is the most important from the standpoint of security and defense.

According to the American Petroleum Institute, this Nation's estimated proven petroleum reserves are now of the order of 22,000,000,000 barrels. In 1947 the estimated rate of equivalent crude oil consumption was around 2,000,000,000 barrels annually, which is a figure higher than the total world consumption 10 years ago. Our own prewar consumption was around 800,000,000 barrels. In this same period our per capita annual consumption of oil products increased from around 370 gallons to about 610 gallons, or an increase in this shore period of 65 percent. Last year, for the first time, the energy produced from oil and gas exceeded the energy produced from coal products. This unbalanced liquid fuel situation results from the increases in all kinds of mechanical production and from shifts to oil-burning equipment, like the recent trend of railroads to the use of Diesel-drive locomotives in the place of steam locomotives. According to recent press accounts, seven-eighths of all late locomotive purchases by American railroads have been confined to Diesel locomotives.

The census of farm equipment manufacturers also shows that between 1936 and 1947 the production of farm equipment, in terms of dollars, has increased threefold, and in the same interval farm tractor production has increased at a rate higher than threefold. These same statistics further show that 90 percent of this total farm equipment went to American farms, and that the bulk of the farm tractors were equipped with Diesel drives, and the balance with gasoline engines. Such examples indicate how oil consumption is increasing.

From the defense and security standpoint, the depletion of our oil reserves is an extremely serious matter. As is well known, our Navy rides on oil, and so does the modern mobile Army, and more important still in this atomic age are the high-grade fuel oil requirements of our Air Force. I am told that one of the causes of the German defeat in Russia was the inability of their army and air force transportation to operate on synthetic fuels, lubricants, and tires in extremely cold temperatures.

What is the answer to this important problem? There is no single answer, so far as I can see. Rather, I think there are several avenues of approach, all of which should be used. These are: (1) The adoption of multiple conservation measures, one of which is the use for automobile driving of regular gasoline, rather than such special brands as ethyl gas. The experts in this field feel that this substitution will save around 3 to 5 percent of the total consumption. Other conservation measures are possible, such

as increasing well-output efficiency, refining efficiency, and reducing many kinds of fuel losses. The second approach is accelerating activity in the development of synthetic liquid fuels and lubricants under the 1944 Synthetic Fuel Act. A third avenue is the development and utilization of firm energy substitutes.

In the field of energy substitutes, the Columbia River can make a very substantial contribution, as can every other river in the country on which hydroelectric-power resources can be developed. I wish to have us think of the rivers, Mr. President, in terms of oil conservation. That is the point I am trying to get across at this stage of my remarks. I am using the Columbia River as my exhibit A, to show how its maximum use will result in a great deal of oil conservation. A kilowatt-year of power such as used in the Pacific Northwest is equivalent, in round figures, to 15.5 barrels of oil. On this basis, the Bonneville generating plant is saving 9,300,000 barrels of oil a year. The Grand Coulee plant, when all generating units are installed, will save 31,000,000 barrels of oil annually; and the McNary plant, when completed, about 15,500,000 barrels.

That shows the direct relationship, Mr. President, between the maximum development of our power resources and the conservation of our natural resources, including the conservation of our precious short supply of oil. If all the potential hydro power of the Columbia were developed, the equivalent oil saving a year would be about 235,000,000 barrels, which is approximately one-third of the Nation's prewar fuel oil consumption. This one point alone justifies proceeding with the construction of such projects as NcNary Dam as rapidly as the construction material situation permits. It is therefore a matter of serious regret to see the House reduction of the McNary Dam budget item from $30,000,000 to $20,000,000 for the next fiscal year, and the elimination of blueprint funds for the Foster Creek project. I am pleased and proud over the fact that the Senate committee is seeking to restore part of that reduction. Nevertheless, I think the cut made by the House indicates a lack of understanding of the relationship between these great projects and the conservation of our natural resources and the maximum development of our economy. The oil and other defense contributions that McNary Dam can make should be thoroughly explored. Although the equivalent oil contribution which a plant such as the McNary Dam plant can make is important, there are other very important defense and security considerations connected with hydro projects like the McNary Dam project.

It is perhaps a little premature to make an early prediction as to the full possibilities of atomic energy. However, we do know from the experience of the Northwest atomic plant that certain quantities of power are required to manufacture the metal plutonium, which by chain reaction can release vast quantities of power. From limited experience to date, the indications are that the cost of harnessing atomic power for electric generation will be around four times the cost of such high-grade power as can be produced on the Columbia River. There is no place on this continent where the base for atomic energy can be produced as cheaply as on the Columbia River. As we expand the development of atomic energy, we naturally shall want to expand the low-cost power source needed for atomic-material reduction.

Mr. WHERRY. Mr. President, inasmuch as the Senator has paused for a moment, let me say that I am wondering how much longer he feels he will take in completing his speech.

Mr. MORSE. I am now on page 10 of my formal remarks. I have 22 pages in all, but as the Senator knows, my extemporaneous remarks always make up the greater part of my Senate speeches. I think I shall conclude in 30 minutes.

Mr. WHERRY. I simply wondered whether the Senator would mind concluding his speech tomorrow, if we take a recess now.

Mr. MORSE. I would like to accommodate the Senator; but I am interested in the continuity of this speech. It is going to be reprinted for future reference in my State and, I hope, elsewhere. Also, I should like to have it in one issue of the CONGRESSIONAL RECORD, so that my colleagues can read it more easily.

Mr. WHERRY. That is perfectly agreeable to me. I shall be glad to remain here until the Senator concludes his speech. I merely thought that if the Senator would like to have us attempt to take a recess until tomorrow he could resume at that time.

Mr. KNOWLAND. Mr. President, does the same offer go for the Senator from Oregon in case the Senate adjourns tonight? [Laughter.]

Mr. WHERRY. Mr. President, I take just one ditch at a time. If the Senator from Oregon wishes to have the Senate continue in session now, I think we had better wait and see just what time it is when the Senate either adjourns or takes a recess until tomorrow.

Mr. MORSE. I want to say to my good friend from Nebraska if he will permit this good-natured humor to get into the debate——

Mr. WHERRY. I appreciate the Senator's kind remarks, and I thank him for yielding.

Mr. MORSE. I am highly complimented to see as many people here as there are. Seldom does almost a third of the Senate listen to any speech by any Senator. I am flattered. I usually, on this subject, have not nearly so large an attendance as I have today. Although I appreciate what the Senator from Nebraska said, I want him to know that I will not object to his leaving, because I know he will read the RECORD.

Mr. WHERRY. That is right.

Mr. MORSE. I shall take no offense if he leaves.

Mr. WHERRY. I shall remain.

Mr. MORSE. Mr. President, there is still another defense and security item. Our military air forces are becoming more and more important. The light and strong metals required for airship construction are nothing more than frozen kilowatts. Therefore, as a Nation we cannot allow the foundation of this protection to drift into foreign lands by not keeping low-cost hydro-power production in step with an adequate airship construction program.

Airship design trends are now in the direction of supersonic speeds and jet propulsion. To accomplish such designs requires wind-tunnel experimentation under a duplication of stratospheric conditions. To accomplish such experimentation requires huge quantities of power. The only place in this country where these additional amounts of power can be cheaply secured is on the Columbia River. From the defense standpoint alone, which I have briefly outlined, the accelerated construction of McNary Dam and like projects is fully justified. The commercial justification for such projects is just as strong as the security justification.

Now, Mr. President, I cannot disclose certain knowledge which I possess in regard to the relationship between supersonic experimentations and the development of hydroelectric power plants. All I want to say to my colleagues in the Senate is that the amount of electric power required for such experimentation and for the defenses that will grow out of such experimentation is so tremendous that it startles the imagination. The Pacific Northwest is one of the most strategic spots in America for the development of supersonic research. The great power resources in that area should be used for defense experimentation, but the Congress of the United States cannot justify installing experimentation in that area if it drains dry the electric power resources for the civilian economy of the Pacific Northwest. If Government goes ahead with supersonic development in the Pacific Northwest we shall welcome it. We nevertheless need to recognize that the quantity of power required for supersonic research is so great that we would not have sufficient power available for our civilian economy unless we proceed to build the power projects called for by the committee's report.

That is why I stressed as strongly as I did earlier in my arguments, Mr. President, the relationship between the report of the majority of the committee in this instance and our civilian economy and our national security. In fact, I want to compliment the majority of the committee for their foresightedness, for their understanding, for their recognition of the relationship between the development of these projects and our national security and our need for an expanding economy. It is not without significance that the chairman of the particular subcommittee making this report, the Senator from South Dakota [Mr. GURNEY], is also chairman of the Armed Services Committee of the Senate. He knows the facts. He recognizes the importance of these projects to a sound national defense program. He has available to him through our work in executive sessions of the Armed Services Committee information and data and evidence not available to many Members of the Congress.

I just cannot stress too much, Mr. President, the relationship between his

report in support of these projects and a sound national defense program. As I said earlier I think the issues raised by this bill have more importance than even legislation on manpower, important as manpower legislation is. Large numbers of men in armies, Mr. President, cannot possibly make this Nation secure, if we cannot produce the materials necessary to back up those men in uniform. These projects are necessary for the manufacture of that defense material as well as material necessary for a sound civilian economy.

PAY-OUT

The Columbia River multipurpose power projects have from the start been "sold" to Congress on the basis of reimbursability. Actual performance to date shows that these projects, under the existing laws, are more than making a full return on the Federal power investment. The Bonneville Act of 1937 requires such a return to the Treasury and a rate level to insure this return. This act, similar to the Boulder Canyon Project Act, requires a rate review every 5 years in order to protect the Federal Government on return, so that such projects will not become a burden on the taxpayer. This rate review insurance provision is included in all power sales contracts.

The Columbia River multipurpose projects are among the very few defense projects that are fully paying their way without becoming a burden on the taxpayer. The books of the Bonneville Administration, the Bonneville Dam project—Army engineers' operation—and the Columbia Basin reclamation project of the Bureau of Reclamation have been completely audited by outside independent commercial auditors of national reputation. From the certification of these nationally known auditors I am convinced that no better set of books can be found in the Government. The last audit shows that in the past 7 years these projects have deposited in the Federal Treasury over $105,000,000 of gross revenues. Included in this $105,000,000 total is a surplus of $23,000,000 over all items of cost such as interest, amortization, replacement, operating and maintenance costs.

In addition to meeting all power costs, power revenues from these projects will contribute about $324,000,000 toward subsidizing such Columbia Basin project reclamation costs which will not be assumed by irrigation and the irrigators. This contribution to reclamation development exceeds the proportionate annual amount paid by private power companies in taxes. If this subsidy was not provided out of power revenues, such reclamation projects would become a burden on the taxpayer or the reclamation features would not be constructed at all. Since the Oregon rate payer receives no direct benefit from this rate contribution it rightly can be considered as a high level tax equivalent. I am raising no objections to this procedure, but am merely showing that the present power rate is meeting all existing elements of cost.

I just cannot emphasize too strongly, Mr. President, what I have said in years gone by here on the floor of the Senate. You cannot get away from the economic fact, from the mathematical fact that these projects are self-liquidating.

In an attempt to build a background for nonjustifiable rate increases, a large amount of theoretical misinformation has been put out. Such misinformation does not check with the audited statements. To set out the facts in a simplified condensed form I have had the output statistics of the two plants combined with the audited figures and reduced to a series of simple tabulations which should demonstrate accurate facts on performance of the Columbia River projects. Such a series of tables are given at this point, so that material will be available for those who wish to pursue the subject on a sound basis.

I believe, Mr. President, in letting the facts speak for themselves, and the facts are that these projects are returning their cost to the Government in self-liquidating dollars. Therefore I ask that there be printed at this point in my remarks certain tables which I have prepared in connection with this self-liquidating issue.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

*Generation and sales statistics, calendar year 1947, Bonneville Power Administration*

| | Calendar year 1947 | Increase over 1946 | Increase over peak war year 1944 |
|---|---|---|---|
| Kilowatt-hour sales millions | 9,232 | +44.6 | +2.7 |
| Revenue, sales of energy | $22,082,100 | +37.2 | −1.2 |
| Revenue per kilowatt-hour, mills | 2.39 | −5.2 | −4.0 |
| Bonneville and Grand Coulee: | | | |
| Generation for BPA kilowatt-hours | 9,794,668,800 | +43.4 | +2.1 |
| Maximum demand kilowatts | 1,477,000 | +11.2 | +5.5 |

*Electric energy account, calendar years 1947 and 1944, Bonneville Power Administration*

| | 1947 (preliminary) | 1944, highest war year |
|---|---|---|
| Energy received, kilowatt-hours (in millions): | | |
| Energy generated for BPA: | | |
| Bonneville | 4,059 | 3,576 |
| Grand Coulee | 5,736 | 6,014 |
| Total | 9,795 | 9,590 |
| Other energy receipts [1] | 286 | 165 |
| Total received | 10,081 | 9,755 |
| Energy delivered, kilowatt-hours (in millions): | | |
| Sales | 9,232 | 8,985 |
| Other energy deliveries [2] | 206 | 126 |
| Total delivered | 9,438 | 9,111 |
| Energy losses, kilowatt-hours (in millions) | 643 | 644 |
| Percent of total energy received | 6.4 | 6.6 |
| Maximum demand on Bonneville and Grand Coulee plants, kilowatts | 1,477,000 | 1,400,000 |
| Load factor, percent total generated for BPA | 75.7 | 78.0 |

[1] Includes energy purchases, energy received from BPA storage in reservoirs of other utilities, energy received for transfers, and uncontrolled or unauthorized energy receipts.

[2] Includes deliveries to storage in reservoirs of other utilities, energy delivered for transfer, and energy used by the Administration.

*Sales of electric energy by classes of customer, calendar year 1947, Bonneville Power Administration*

| Class of customer | Number of customers as of Dec. 31, 1947 | 1947 sales: Kilowatt-hours | 1947 sales: Revenue | Mills per kilowatt-hour |
|---|---|---|---|---|
| | | Thous. | | |
| Publicly owned utilities: | | | | |
| Municipalities | 14 | 405.4 | $1,056,700 | 2.61 |
| Public utility districts | 15 | 584.5 | 1,648,500 | 2.82 |
| Cooperatives | 23 | 129.6 | 438,300 | 3.38 |
| Other | 2 | 8.5 | 27,800 | 3.27 |
| Total | 54 | 1,128.0 | 3,171,300 | 2.81 |
| Privately owned utilities | 6 | 2,734.4 | 6,805,500 | 2.49 |
| Military establishments | 6 | 30.9 | 177,500 | 5.74 |
| Industries | 17 | 5,338.3 | 11,927,800 | 2.23 |
| Total sales | 83 | 9,231.6 | 22,082,100 | 2.39 |

*Sales of electric energy by calendar years 1938–47, Bonneville Power Administration*

| Year | Energy (millions of kilowatt-hours) | Revenue | Mills per kilowatt-hour |
|---|---|---|---|
| July 1938-40 | 508.8 | $1,086,000 | 2.13 |
| 1941 | 1,616.4 | 3,515,000 | 2.17 |
| 1942 | 3,882.8 | 8,878,000 | 2.29 |
| 1943 | 6,921.8 | 16,347,000 | 2.36 |
| 1944 | 8,984.5 | 22,354,000 | 2.49 |
| 1945 | 7,436.2 | 22,626,000 | 3.04 |
| 1946 | 6,385.4 | 16,090,000 | 2.52 |
| 1947 | 9,231.6 | 22,082,000 | 2.39 |
| Total to date | 44,967.5 | 112,978,000 | 2.51 |

Mr. MORSE. Our mass-production industries long ago demonstrated that large volume sales at low unit prices produce greater net revenues than lower volume sales at higher prices. This axiomatic principle runs throughout the revenue figures I have just presented covering the wholesale power outputs of the Bonneville Administration.

This relationship is even more pronounced in the field of retail power sales. My home city of Eugene, under the lowest retail electric rates in the country, has fully paid off the full cost of its electric properties and has set up a sizable surplus. Recently we have had other similar examples throughout Oregon amongst rural cooperatives and municipalities. As an example of this business principle I will cite the experience of the little city of Monmouth.

In 1940 the city of Monmouth constructed its own electric distribution system and power was purchased from the Bonneville Administration. On December 5, 1940, publicly owned power was first used in Monmouth. To construct the power-distribution system a bond issue of $40,000 was issued. Just recently this municipality celebrated the fact that the last bond of this and other issues had been retired. After 1 year's operation the city of Monmouth made its first rate reduction. This was followed later by another reduction which placed the Monmouth retail rates on a parity with the low rate structure which exists in Eugene and Tacoma.

In 1941, after the first year's operation, the electric revenues of the city of Monmouth totaled in round numbers $15,900.

At the end of the fiscal year 1947 this revenue had increased to nearly $41,000, which represents practically a threefold increase in 6 years. It was through this increase in revenue resulting from low rates that the city of Monmouth was able to pay off its entire indebtedness.

I have analyzed similar relationships in the costs of a number of Oregon rural electric activities. I found that the same rapid growth existed in every case that I analyzed.

I made that analysis in connection with another speech I shall deliver at a later date in regard to the whole rural electrification program. I want to say that the power developments are paying out and there can be no denial of the fact on the basis of the figures.

Monmouth is not what can be called an industrial community. It is a farm-marketing center, and the electric income is derived largely from residential sales rather than from commercial or industrial sales. The Monmouth experience represents the normal, natural increase in electric consumption which is typical in the Northwest.

Let me say, Mr. President, that we had all better recognize that the people of the Northwest will find it very difficult to understand any political program which seeks to put on the shelf the development of electric-power projects which they know are vital to their future prosperity. They know these projects are sound, because they have had such experience as the Monmouth experience, which can be multiplied by scores of examples in the Pacific Northwest. They know the relationship between the development of power projects and the economic welfare of the Pacific Northwest.

I am making no sectional argument when I apply this point to the Pacific Northwest, because I repeat that I shall support the same principle in any area of the country, North or South, East or West. I am convinced that the development of our electric-power resources to the maximum extent possible is essential to the prosperity of our country. I am convinced that we can make no sound political argument, economic argument, or national defense argument in support of putting such developments on the shelf until a depression hits us. The people are entitled to better treatment than that, Mr. President, and I think they will demand it, once they come to understand the basic facts involved in this debate.

The agricultural and forestry interests of the Pacific Northwest made outstanding contributions during the war. These contributions were proportionately greater than in World War I in spite of reduced manpower per acre, resulting from the large manpower requirements of the armed services in the last war. With less manpower per unit, a greater unit production was secured through mechanization. This high production rate has been continued since VJ-day and can be materially increased if more electric power were available. The agricultural production rate can be increased east of the Cascades by 200 to 500 percent, depending on the type of crops, through power-pumped supplemental irrigation. To accomplish this result, under competitive markets and long transportation hauls, power costs must be kept low, while still maintaining a full pay-out. This is easily possible through coordination of all power transmission and distribution facilities, thereby keeping the over-all investment low, as such investment costs are the largest factor in the level of resale rates.

The last large virgin stand of timber in the United States is located in southwestern Oregon.

In fact, my home town of Eugene is now recognized as the lumber capital of the world, though the lumber industry is ever moving southward as we deplete the existing ripe timber.

With diminishing yields in other sections, the southwestern Oregon lumber operations have recently been increased at extremely high rates, and I think, dangerously high rates, from the standpoint of sound forest conservation. That is why I am constantly raising my voice in support of a scientific, sustained-yield program in the field of forestry and lumber production. Lumber operations are highly essential to the veterans' and other housing programs. Formerly timber wastes were used in the mills as fuel, but this type of power production has practically ceased as the amount of slab waste has been reduced by the development of hydraulic debarking machines, and what waste does exist is now more valuable for synthetic products like plastics, rayon, alcohol, and other similar materials and chemicals. With the reduction of timber waste and the high value of the remaining products lumber mills must now depend on electric power. The power situation in southwestern Oregon is so highly critical that unless additional capacity is quickly provided in this area the housing program will consequently be seriously restricted.

To protect the national and regional economy, all of these elements must be considered together and not on an individual basis. If this is not done, an unbalanced development will result. It must be realized that to support one agricultural worker there must be at least four direct and indirect industrial workers, and at least 1½ service workers gainfully employed to consume the agricultural products of one farm worker. It is therefore apparent that the development of reclamation projects must be kept in step with industrial expansion.

POWER LOADS

There is no disagreement in the Northwest as to estimates of power loads that must be met within the next 8 years. All the public and private distribution agencies in the region have reached an agreement on this point, and it is now not necessary to rely entirely on any estimates of the Federal agencies alone. This load agreement was adopted in a meeting at Tacoma, Wash., on January 6, 1948, in which the eight large public and private agencies in the region participated.

This Tacoma agreement is a matter of public record. The one of January 6, 1948, is the second of the two Tacoma agreements, the first having been entered into in 1947. Both of them represent a unity of opinion on the part of the public power groups and the private utilities as to the need of the development of the projects encompassed in the report I am discussing, insofar as the Pacific Northwest is concerned.

In the last 8 years the kilowatt-hour annual consumption per residential consumer in the Pacific Northwest has increased from 1,225 to 3,200 kilowatt-hours, compared with the United States national increase in this same period from 960 to 1,400 kilowatt-hours.

Mr. President, comparison of those two sets of figures is rich in meaning as to what is happening to the standard of living of the farmers and the city dwellers of the Pacific Northwest. Give them the necessary electric power and we will come much closer to giving them full attainment of that "pursuit of happiness" about which our founding fathers wrote in the Declaration of Independence.

The relationship between available electric power and an increasing standard of living for all our people is a very direct relationship. That is why I want to see its increased production spread throughout the entire country by the development of the power resources in every section of our land. I do not know of one single item, if I had to pick one item, more important to the development of a higher standard of living and a greater happiness on the part of our people—to the extent happiness can be attained through a high standard of living—than the development of electric power. The development of an expanding economy, which will give us a maximum standard of living, can best be brought about by speeding up the completion of such projects as are covered by this bill.

Thus, referring to these figures, I would say that in the same period the commercial and retail power consumption in the Northwest has jumped from 8,100 to 14,800 kilowatt-hours per average consumer, compared with a national figure of 4,100 to 7,200. Therefore, the unit consumption in the Northwest is at least double—and in some cases, much greater than—the national unit increase, and is increasing at a much faster rate than the national figure. In addition to the unit consumption, the population increase, which makes new consumers, has been 4.35 times the national average. The proportionate population increase in Oregon and California has been the greatest in the country in the last 7 years, with the State of Washington closely following.

In fact, it is California first, Oregon second, Washington third, over all the other States of the Union. People are finally finding God's country out there, and we are experiencing a great influx of new citizens. We welcome them, but we are going to need the economic facilities of these proposed projects so that they can help us expand the economy of the Northwest, and thereby the economy of the entire country.

This population increase has been maintained ever since VJ-day. We were told that as soon as the war was over the many thousands of war workers who moved out to the Pacific Northwest and

to California for war work would return to other sections of the country, but they did not. The population increase has continued since VJ-day at a rate similar to its increase preceding VJ-day.

These factors, when projected for the next 8 years, show an annual regional demand increase ranging from 214,000 to over 300,000 kilowatts per year, with an average for the entire period approaching 250,000 kilowatts per year. There has been no time since 1938 that new generation has not been loaded beyond rated capacity as rapidly as the generators have been brought into production. The load estimates definitely show that this condition will be more pronounced in the future than in the past.

BUDGET ESTIMATES

From an analysis of the submitted 1949 budget it is apparent that sufficient funds were not included to maintain the requisite power schedules for defense, resource base correction, and commercial operation. Yet we have the proposal pending before the Senate to reduce them even further, when just the opposite action is the action which should be taken if we are to meet the power demands of the Pacific Northwest. I say this not in a spirit of criticism, but rather to call attention to the fact that these budget items, when they reach this side of the Capitol, should not be treated as routine budget items.

Provision has been made in the budget for 15 generating units at the Grand Coulee plant. Eight units are now installed in this plant. The provision for expansion to 15 units evidently resulted from the Senate floor action on Reclamation's supplemental estimate during the closing days of the last emergency session. At the present time all power facilities in the Northwest are loaded to capacity, with no reserves existing. This is a critical situation, and I am mentioning it to point out the fact that if there are schedule delays in the other plants, compensation will have to be made by adding three generators at Grand Coulee, to be installed in the three remaining vacant flumes at that plant.

To keep the McNary plant schedules in step with power demands will require about a $40,000,000 appropriation for the next fiscal year. The submitted McNary budget was $30,000,000, and the difference between $40,000,000 and $30,000,000 represents a year's delay in that plant's schedule. One year's delay in completing McNary cannot be justified because the $10,000,000 postponed in spending during that year would more than be repaid in the first year of McNary's operation.

Why do I speak of a penny-wise and pound-foolish proposal? Because it is just as clear as the nose on one's face that that is exactly what it is. This whole proposal to prevent the appropriation necessary to complete these power projects is a penny-wise and pound-foolish proposal. It is a false economy. It in fact involves tremendous waste. It does not make economic sense. When we stop to think that the first year of operation, after completion, would more than return to the United States Treasury the $10,000,000 expenditure which would be postponed under this budget proposal it becomes perfectly clear, it seems to me, that those who say that now is not the time to make the expenditure are taking a very unsound position from the standpoint of economy. They know that eventually the expenditure will have to be made, and so it is very apropos, it seems to me, to apply the old saying, "If eventually, why not now?" Now is the time to do it in the interest of economy, in the interest of returning to the Treasury at the earliest possible time the cost of these self-liquidating projects.

The recent House action on the War Department's civil functions bill resulted in a cut from $30,000,000 to $20,000,000. Also in the same bill the budget item of $580,000 covering the Foster Creek blueprints was eliminated. The Foster Creek project is also a defense development of the highest order. The same situation applies to the Willamette River flood-control projects and power adjuncts, and also the Snake River projects.

We are told we cannot have $580,000, Mr. President, to proceed with the blueprint preparation of Foster Creek, in spite of the fact that there cannot be produced either before the Appropriations Committee or the Armed Services Committee of the Senate a single high military authority in the United States Government but who will testify that Foster Creek is one of the essential links in a chain for national security development in the case of an atomic war. We cannot build it after such a war starts. In that event it will do no good, unless it is ready to proceed to supply the power for the manufacture of atomic weapons and materials essential to that type of war.

We need it also for civilian production. I am satisfied that we need it if we are ever going to meet the debt obligations of the Government, because only out of taxes made possible by such wealth-producing projects can the necessary revenue be derived.

The combined transmission mileage running out of the two existing Columbia River generating plants amounted to 3,021 circuit miles as of January 31, 1947. To move the scheduled power to the Grand Coulee plant will require the following transmission mileages on the dates shown:

| Date: | *Total circuit miles* |
|---|---|
| June 30, 1949 | 3,360 |
| Dec. 31, 1949 | 3,785 |
| Dec. 31, 1950 | 4,227 |
| Dec. 31, 1951 | 4,584 |

For this same period the present substation capacity amounts to 2,359,883 kilowatts. This substation capacity must be increased 93 percent to match the approved generating capacity schedule.

Unless the transmission facilities are kept in step with the generation schedules, revenues will be lost in the amount of $2,100,000 per generator unit per year, and the loads in the shortage areas will not be met.

Anyone who can add figures, Mr. President, can multiply $2,100,000 per generator per year and demonstrate to his own satisfaction how economically wasteful and unsound a postponement of the construction of these plants for the installation of these generators actually is. My 12-year-old daughter would not make the mathematical miscalculations which the opponents of these projects are making. Their figures simply do not add up to anything but a result showing false economy.

RATE EFFECT

Unfortunately, as I have pointed out earlier in these remarks, a large amount of misinformation has been put out relative to proposed elevation of the $17.50 per kilowatt year Columbia River wholesale power rate. Evidently these proposals were brought forward on the theory that the Columbia Basin was drawing industry away from other sections of the country. There is no justification for such a thesis, as the industrial facts speak for themselves. All of the industry established in the Northwest during the past 8 years has been new industry, based entirely on the availability of resources. If this industry were not located in the Northwest it would be located outside of the United States. Again, such proposals cannot be justified on the grounds of insufficiency of revenues. The revenue facts that I have presented are sufficient to form a true appraisal.

If power and resource developments are curtailed in the Northwest we must look for the following effects:

First. A continued depletion of our national resource base through the lack of production of critical chemical and metallurgical products.

Second. The creation of a brake on all industry in other sections, as the basic Northwest materials now go to many sections of the country for fabrication.

Third. A movement of this type of American industry to foreign lands. Scandinavia, South America, and Canada are particularly attractive for this type of industry.

Mr. President, from the standpoint of the prosperity and economic welfare of the American people, I do not like the idea of having large American business concerns establishing branch concerns in Scandinavia, in Canada, and in South America, where they can obtain cheap power by the development of hydroelectric resources there, simply because the Congress of the United States is so short-sighted and so devoted to a penny-wise and pound-foolish policy that it is not willing to proceed now to develop these electric power resources in our own country.

There now exists about 11,500,000 kilowatts of high-class, undeveloped hydro power in Canada, about half being in the eastern section and the balance in British Columbia, which is across the line from the Pacific Northwest. The South American potential hydro powers are all of large proportions and can be developed at a very low cost.

If we allow any such eventuality to mature we will be working against the best interests of this country from the standpoint of defense, national position, and maximum employment for all of our own workers.

In these remarks I have, in the limited time available, pointed out the fundamentals of our national-resource problem. We cannot afford to allow soil erosion and resource depletion to continue without tragic effects on our national position, our national security, and our national economy. Therefore the repair plans for these foundations should be quickly developed, closely examined, and then executed.

Mr. President, I close with the same premise with which I started. I am willing in this debate, and on this issue, as I am in every debate, on every issue, to let the facts speak for themselves. The facts do not support the policy inherent in the recommendation of the minority views. The facts, from the standpoint of national security, from the standpoint of developing our expanding economy, and from the standpoint of giving the American people the most vital material they need for increasing their standard of living, namely, electric power, support my argument that we should proceed now to construct these projects as quickly as possible, and should appropriate the necessary funds with which to do it.

I am willing to accept the issue raised by the Senator from Ohio [Mr. TAFT]. The issue involves the question of weighing the importance of different public expenditures. On that issue I say that the importance of these projects is so great and so vital from the standpoint of our security, our economy, and the welfare of our people, that they call for a "must" vote in the Senate of the United States on the part of those who seek to promote the general welfare of all our people. They call for a rejection of the theory that these projects should be put on the shelf until we are faced with the danger of a depression. They call for a renewed faith and confidence in the vitality and expanding potentialities of our capitalistic economy. They call for economic, social, and political foresight. They call for a rejection of the minority report on this bill and for a vote against the motion to recommit the recommendations of the majority report.

The Republican Party in the Senate cannot justify holding back the earliest possible completion of these much-needed power, flood-control, reclamation, and river and harbor developments.

Mr. President, I ask to have printed in the body of the RECORD following my remarks a letter from Mr. George H. Palmer, president and publisher of Marine News, under date of April 30, 1948.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARINE NEWS,
*New York, N. Y., April 30, 1948.*

The Honorable WAYNE MORSE,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR: We have read the minority report on the civil function, Department of the Army, appropriation bill, which was reported to the Senate on April 23. We were surprised at the severe criticism of the Army engineers contained in this minority report, particularly the statement that:

"Good and bad, important and inconsequential, large and small, the Army engineers submitted their requests to the committee, and offered their justifications with a straight face."

We believe that this criticism is unfair and unwarranted.

As you know, all river and harbor projects are thoroughly examined by the Corps of Engineers both as to the actual physical construction and as to their economic soundness. No project is approved by the engineers the benefits of which will not in their opinion provide or maintenance, amortization, and interest on the original cost. When a project has been approved it is recommended to the Public Works Committee of the House of Representatives, who, after hearings have been held by a subcommittee, either include the project in an authorization bill or disapprove it. It seems to us that no project which has gone through this procedure can be either "bad" or "inconsequential."

The minority report also infers that the Army engineers have failed to distinguish between the various classes of projects and have disregarded the importance of the projects and the completion-time element. We believe, on the contrary, that the engineers always make a careful study of the relative importance of projects before they make their request for funds to the Director of the Budget.

The United States Army engineers are probably the finest body of engineers to be found anywhere in the world. Their ability and integrity is unquestioned. Many members of the corps made splendid records as commanding officers in high places during the recent world war. Because of the war river and harbor improvement during the past several years has not kept abreast of other development. We believe that the funds recommended for river and harbor improvement by the Senate Appropriations Committee are necessary and justified.

Very truly yours,

GEORGE H. PALMER,
*President and Publisher.*

## LEGISLATIVE PROGRAM—HAWAIIAN STATEHOOD BILL

Mr. WHERRY. Mr. President, twice this afternoon I attempted to obtain unanimous consent that when the Senate concludes its work today it recess until tomorrow at noon. Both times objection was made by the distinguished Senator from California [Mr. KNOWLAND]. I did not know what he had in mind, and he did not know what I had in mind, but I think we now each understand what the other intended.

At any rate, there seems to be a question as to just when the motion which the Senator from California has made to discharge the committee from further consideration of the Hawaiian statehood bill should be taken up. During the able address of the Senator from Oregon negotiations have been in progress, and I think a compromise has been reached. The Senator had been assured by the acting majority leader that a motion would be made to adjourn on Friday, so that the question might be taken up in the morning hour on Monday.

The Senator from California feels very strongly about the bill, and believes that every day means something in its behalf. He is of the opinion that it ought to be brought up sooner. I believe I state the situation correctly. The Senator has agreed that a morning hour will be had by adjournment at the conclusion of consideration of the civil functions appropriations bill. Is that correct?

Mr. KNOWLAND. Mr. President, reserving the right to object, so that I may make a brief statement, I think the Senator from Nebraska, the acting majority leader, has correctly stated the situation.

If I may state a little background, the junior Senator from California felt that he had a definite understanding that there would be a morning hour last Monday. I appreciate the fact that although I had that assurance from the able Senator from Nebraska, he ran into some problems of his own because of the press of legislative business.

With time running out, and with the general understanding that an adjournment about the 19th of June will be attempted, every day counts in the matter of statehood for Hawaii. For that reason I was not willing to agree to postpone for another week the start of the debate on the question of statehood for Hawaii. Therefore I withheld my consent from the unanimous consent request that when the Senate concludes its business today it take a recess, because the only way we can have a morning hour is by adjournment. It had been my intention to raise the question of a quorum. If no quorum were available of course the only thing the Senate could do would be to adjourn tonight.

However, I wish to be cooperative with the leadership, as I have always tried to do during the time I have been a Member of the Senate.

With the understanding, which has been joined in by other Senators, that at the conclusion of action on the civil functions appropriations bill the Senate will take an adjournment rather than a recess, and with the further understanding that we shall proceed diligently with the civil-functions bill and not continue to lay it aside for something else, I will withdraw my objection so that the Senator from Nebraska may make his motion or submit his request.

Mr. REVERCOMB. Mr. President, in order that we may clearly understand the question of procedure, do I correctly understand that as soon as the civil functions appropriations bill has been disposed of an adjournment will thereupon immediately be taken, regardless of the day or the time?

Mr. KNOWLAND. I have no objection to running through until the end of the day, if it is finished tomorrow, or running through until tomorrow night. However, it is the understanding that at the conclusion of consideration of the civil-functions bill and such other miscellaneous matters as may be taken up, there is to be an adjournment of the Senate, which will give us a morning hour, in order that my motion may be presented to the Senate. That will take only 2 hours out of the day in any event.

Mr. TAFT. Mr. President, I have only one suggestion to make to Senators involved in this dispute, and that is that I do not see anything to be gained by a 2-hour discussion. What will happen is that the motion will be brought up and debated until 2 o'clock, and then it will automatically go on the calendar. I cannot see why we cannot agree by unanimous consent to place it on the calendar. Then the Senator can move to bring it

up at any time if he can obtain the floor for that purpose.

Mr. KNOWLAND. That is what I am afraid of.

Mr. TAFT. But even if the Senator succeeds, his motion will be debated for 2 hours, and at 2 o'clock it will automatically go on the calendar. I am suggesting that the Senator can achieve that result by unanimous consent, without the necessity for 2 hours of debate. That is my only suggestion.

Mr. WHERRY. Mr. President, let me say to the distinguished Senator from Ohio that that proposal has been made and thoroughly discussed with the junior Senator from California. Now I shall let the junior Senator from California speak for himself.

Mr. KNOWLAND. Mr. President, in view of the suggestion made by the Senator from Ohio, and in order to clarify the record, I think it should be made perfectly plain why I do not approve of that procedure.

The first great difficulty which the statehood for Hawaii bill has encountered is that, frankly, it is bottled up, by a vote of 7 to 5, in a committee which has no desire to let it out.

The second point is that I believe that, if the attention of the public can be focused upon this subject, there will be sufficient support in the country, and I believe there will be sufficient support in the United States Senate, if the question can be brought to a vote, to get the bill out of committee.

I am hopeful that the proponents of statehood will not take more than approximately half of the 2-hour period, and that the opponents will then state on the floor of the Senate their objections to the proposal and to statehood for Hawaii. One of the great difficulties which the prospective forty-ninth State faces is that it is being whispered against. Charges are being made which I do not think can be sustained.

Those who oppose statehood for Hawaii have a perfectly legitimate right to their position, because everyone has a right to take whatever position he wishes on the question. But I want the arguments to be made on the floor of the Sente rather than in anonymous letters or in statements which I do not think can be sustained, and which are highly detrimental to the people of Hawaii.

Mr. TAFT. Mr. President, it seems to me that the Senator can have that debate at any time on any bill. If he wishes to take the time, I do not object. I am anxious to have the question settled as quickly as possible. So far as I am concerned, I am in favor of the bill. I doubt whether I would be in favor of taking it away from a committee of the Senate.

I am interested in saving the 2 hours of debate. We are pressed for time. If we are to get away from here by the 19th of June, we shall have to speed up action beyond anything we have done up to date. We have for consideration the civil-functions bill, the displaced-persons bill, the Army bill, the long-term agricultural program, and many additional appropriation bills. We must move very rapidly. In fact, it seems to me that we ought to begin very shortly to meet at 11 o'clock and sit through regularly until 6, or even begin night sessions, and ask committees more or less to suspend operations on additional bills. We shall have practically everything of importance on the calendar within a short time, and I should like to save all the time possible. Any Member of the Senate who insists on having time in which to present his arguments will get such time; there is no way to prevent a Senator from having that opportunity.

So if the Senator insists on proceeding as he has indicated, it is perfectly proper for him to do so and to have that time, and he can have it. But we shall have the same debate over again when the motion to take the bill from the committee comes up, I am sure.

Mr. BARKLEY. Mr. President, if the Senator from Nebraska will yield to me, I should like to offer a suggestion. The question which will be before the Senate will be a motion to discharge the committee from the further consideration of the bill. A vote on the motion to discharge the committee from the further consideration does not necessarily indicate how any Senator will vote on the bill itself when it is before the Senate. I would have to be very strongly persuaded that a committee had been negligent in the performance of its duty before I would vote to take a bill from it. I would wish to listen to all the arguments on that subject; but certainly my vote on the motion to discharge the committee from further consideration would be no indication of how I would vote on the bill when it was before the Senate.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. KNOWLAND. I merely wish to say that when we are dealing with the bill as a practical matter—and that is what the bill relative to Hawaiian statehood is—it should be pointed out that the bill passed the House last year, and the Senate committee has had it since that time. There have been five congressional investigations of this matter. Hawaii has been a Territory for 40 years and has been under the American flag for 50 years. If Hawaii is to succeed in having the Congress pass at this session or during the Eightieth Congress the bill looking toward statehood for Hawaii, in my judgment, the only way that Hawaii can have any possibility of obtaining statehood is by having the bill withdrawn from further consideration by the committee, because the bill is bottled up in the committee by a vote of 7 to 5, and in the committee there is a very clear intention not to release the bill.

I realize that some Senators are very loath to vote to discharge a committee from the further consideration of a bill. I am sure that in my 7 years in the California Legislature and in my 3 years in this body I have been very reluctant to vote to withdraw a bill from a committee. But I say that the only way by which Hawaii will have a practical chance to be admitted as the forty-ninth State—which is what the President of the United States and the Secretary of the Interior have recommended, and what the five congressional committees which have studied the question have rendered favorable reports on—is by having the Senate cast a favorable vote on my motion.

Once the bill is before the Senate and on the floor, the Senate—which is the body which will have to pass on this question—will be given an opportunity to consider it. When it is on the floor of the Senate, of course, each Senator should look into all the arguments pro and con, and finally should make up his mind whether he wishes to vote in favor of statehood for Hawaii.

But if a Senator votes against the motion to have the committee discharged from the further consideration of the bill and to have the bill brought up on the floor of the Senate, such a vote will be against statehood for Hawaii.

Mr. BARKLEY. Of course, I would wish to hear from the committee before making up my mind as to how I would vote.

Mr. WHERRY. Mr. President, I should like to ask the Senator from California this question: If in the negotiations tomorrow the committee would agree to have the bill placed on the calendar, would that satisfy the Senator from California, in respect to his motion and his intention to have a morning hour?

Mr. KNOWLAND. Yes; I would be very happy to have that done.

Mr. TAFT. Mr. President, the committee certainly would not agree to do that. The committee might agree to have the motion put on the calendar—but not the bill.

Mr. WHERRY. I did not mean that the committee might agree to have the bill placed on the calendar. I meant the committee might agree to have the motion placed on the calendar.

Mr. KNOWLAND. No, that would not be satisfactory, for the reason I have already stated. There is no question that under the very loose rules of the Senate, those of us on this floor—and there are many of us—who favor statehood for Hawaii could take time during the discussion of any bill which was being considered by the Senate to discuss for a very long period of time the question of Hawaiian statehood. But we do not wish to do that. I merely wish to have the proponents have a reasonable length of time to present their views and then have the opponents have a reasonable length of time to present their views.

Mr. WHERRY. Mr. President, inadvertently I used the word "bill" instead of the word "motion"; but I wanted the Senator from California to state for the RECORD the reasons why he would not wish to have the motion placed on the calendar, even if the committee would agree to have that done.

Mr. BREWSTER. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. BREWSTER. I am a little puzzled by the tactics of the Senator from California. As I understand, he hopes to obtain 2 hours for the discussion of this matter, 1 hour to be used by the proponents and the other hour to be used by the opposition, during which time the

bill or the objections to it would be discussed. But what assurance does the Senator have that the opposition would discuss the bill, rather than the best way of making New England clam chowder, or some other subject?

Mr. KNOWLAND. Of course, we have no assurance as to that.

Mr. BREWSTER. How is the Senator going to get the reluctant dragons to discuss it?

Mr. KNOWLAND. But assuming that they have valid reasons or objections against statehood for Hawaii, and assuming that we are trying in every reasonable way possible to bring this issue to a head—which is our intention—we have this course in mind.

Mr. WHERRY. Mr. President, I may say that I have seen the time in the Senate when Senators discussed the question of approving the Journal, rather than the motion or other matter before the Senate. Anything may happen here.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MORSE. Reserving the right to object, I should like to make sure that I understand the unanimous-consent request.

Mr. WHERRY. There is no such request.

Mr. MORSE. Then I should like to ask a question. Suppose the suggestion that the Senate adjourn were adopted, and suppose the Senate debated the civil functions appropriations bill through to the end of Thursday afternoon, let us say. Would that mean that the Senate would then take an adjournment until Monday, with no session on Friday?

Mr. WHERRY. No. The Senator has made quite plain that there is no objection to continuing the session on Thursday until a reasonable hour, but that at the conclusion of the session on Thursday a motion to adjourn would be made, so that there would be a morning hour on Friday, instead of on Monday.

Is not that the course which is agreeable to the Senator from California?

Mr. KNOWLAND. Absolutely.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. GURNEY. I think we are getting our days mixed up. I believe this is Tuesday.

Mr. WHERRY. Of course.

Mr. GURNEY. It is my understanding, speaking only relative to the civil functions appropriations bill—because I wish to be sure that it is the order of business on Wednesday, and also the order of business on Thursday—in case action on the bill is not finished on Wednesday——

Mr. WHERRY. Mr. President, for the RECORD let me say that regardless of what days have been mentioned, I think I can assure the chairman of the subcommittee, once again, that it is the intention to conclude action on the civil functions appropriations bill before anything else displaces it, whether it be on Tuesday, Wednesday, Thursday, or Friday.

Mr. GURNEY. I thank the Senator.

Mr. WHERRY. So that the RECORD may be further clarified let me state that it now is the intention of the acting majority leader at the conclusion of the Senate session on the day when action on the civil functions appropriations bill is completed, whether that be Tuesday, Wednesday, Thursday, or Friday, to move an adjournment, so that there will be a morning hour the day following, when the Senator from California can take up in the morning hour his motion to discharge the committee from the further consideration of the Hawaiian statehood bill.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WHERRY. First, I should like to ask whether that is the clear understanding of all Senators involved.

Mr. SALTONSTALL. Now will the Senator yield to me?

Mr. WHERRY. Yes.

Mr. SALTONSTALL. Will the Senator add one more sentence? Is it the intention of the acting majority leader to have the Senate take up the displaced-persons bill after the civil functions appropriations bill is disposed of, if there is an opportunity to do that later in the afternoon of the day when the civil functions appropriations bill is disposed of, and then to follow the displaced-persons bill with the selective-service bill?

Mr. WHERRY. The intention, as I have announced it several times on the floor of the Senate, is to have the Senate conclude action on the civil functions appropriations bill first. After that is done, it is the intention to have the displaced-persons bill made the unfinished business. After action on that bill is concluded, it is the intention to have the national security bill come up. I may add that after the displaced-persons bill and after the national security bill are disposed of, I think it would be in order to have the Senate take up a conference report, or it might be that the Senate would even desire to take up an appropriation bill. That decision will be up to the Senate itself.

But the unfinished business will be the proposed legislation which has been spoken of, and it will be taken up in the order stated.

Mr. BROOKS. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. BROOKS. I simply wish to observe that the agricultural appropriation bill has been reported by the full committee.

Mr. WHERRY. That is correct.

Mr. BROOKS. And it is awaiting an opportunity for consideration by the Senate. I believe that at the first opportunity we should move for its consideration, so that it can be acted on and go to conference, and be in conference while other matters are being discussed in the Senate.

Mr. WHERRY. That is correct. I think the point is well taken, and I think it would be good procedure to do as the Senator has suggested, because no time would be lost if we were to proceed in that way. But I think the Senate should clearly understand what the unfinished business is to be.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. AIKEN. I may say that what the Senator from Illinois has just said with regard to the agricultural appropriation bill might also be said with regard to the long-range agricultural program bill.

Mr. WHERRY. Yes.

Mr. AIKEN. If it appears that the Members of the Senate are reconciled in their views on that bill, so that in a very short time the bill might be passed, and then might go to the House of Representatives, which is waiting for it, I would hope that would be done. However, if it appears that several days will be required for the consideration of that bill in the Senate, I would not ask that it have preference over the armed services bill.

Mr. WHERRY. Mr. President, let me restate, as has been announced previously, that the proposed legislation immediately before the Senate and in prospect will be the legislation previously mentioned: First, the civil-functions bill; second, the displaced-persons bill; and third, the national security bill.

Mr. President, I made another announcement this afternoon. It will be found in the RECORD, but it might be of interest to Senators who did not hear the announcement for me to say that it is intended, if it meets with the approval of the Senate, when the session is concluded on Friday, May 28, to recess or adjourn, whichever motion is made, until the following Tuesday, the reason being that Memorial Day comes on Sunday. It will be followed by a legal holiday on Monday, May 31, which we desire to observe. The Senate will therefore recess or adjourn from Friday May 28, until Tuesday noon, June 1.

### RECESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. WHERRY. Mr. President, it appearing that the Senate has concluded its work for today, I move that a recess be taken until tomorrow, Wednesday, at noon.

The motion was agreed to; and (at 6 o'clock and 43 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 19, 1948, at 12 o'clock noon.

---

### NOMINATIONS

Executive nominations received by the Senate May 18 (legislative day of May 10), 1948:

#### POSTMASTERS

The following-named persons to be postmasters:

#### DISTRICT OF COLUMBIA

Roy M. North, Washington, D. C., in place of V. C. Burke, transferred.

#### INDIANA

Omer D. Hendricks, Hartford City, Ind., in place of Jack Dolan, resigned.

#### IOWA

George W. Kunzman, Douds, Iowa, in place of M. R. Doud, resigned.

William R. Wilson, Hampton, Iowa, in place of R. A. Fox, resigned.

Mary C. Burns, Neola, Iowa, in place of Grace Ryan, resigned.

William J. Newcomb, Williamsburg, Iowa, in place of W. J. Cash, removed.

LOUISIANA

Bernard Buras, Buras, La., in place of J. C. Ballay, retired.

MARYLAND

William Paul Graham, Mardela Springs, Md., in place of C. E. Hopkins, retired.

MASSACHUSETTS

Daniel G. Dowd, North Amherst, Mass., in place of Daniel Ottinger, retired.

MICHIGAN

Carl W. Pulkkila, Ewen, Mich., in place of J. A. Campbell, resigned.

NEVADA

Renee C. Gibson, Beatty, Nev., in place of C. E. Merkel, resigned.

Edward L. Gregory, Goldfield, Nev., in place of N. W. Wills, removed.

NEW HAMPSHIRE

James H. O'Connell, Fremont, N. H., in place of M. A. Willey, retired.

NEW JERSEY

John F. Leahy, Sea Girt, N. J., in place of J. S. Devlin, deceased.

Julius B. Scott, Somerdale, N. J., in place of P. F. Whelan, Jr., transferred.

Carl L. Roof, Stillwater, N. J., in place of C. M. Garris, retired.

NEW MEXICO

Calixto Garcia, Central, N. Mex., in place of J. A. Walsh, resigned.

NEW YORK

Sister M. Leontine, Stella Niagara, N. Y. Office became Presidential July 1, 1947.

PUERTO RICO

Georgina M. Lamas, Roosevelt, P. R. Office became Presidential July 1, 1946.

TEXAS

Albert N. Pike, Iredell, Tex., in place of C. R. Conley, resigned.

Timmie A. George, Louise, Tex., in place of W. H. Bruns, deceased.

VERMONT

Katherine L. Moore, Cavendish, Vt., in place of A. C. Gibson, deceased.

VIRGINIA

Harry W. Easterly, Lebanon, Va., in place of H. H. Dickenson, removed.

---

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 18 (legislative day of May 10), 1948:

WAR ASSETS ADMINISTRATION

Jess Larson, to be War Assets Administrator.

Rear Adm. Paul L. Mather, United States Navy, retired, to be Associate War Assets Administrator.

GOVERNOR OF THE PANAMA CANAL

Brig. Gen. Francis K. Newcomer, United States Army, to be Governor of the Panama Canal.

IN THE ARMY

APPOINTMENTS IN THE ARMY OF THE UNITED STATES

Brig. Gen. John Steward Bragdon, Army of the United States, to be assistant to the Chief of Engineers, United States Army, for a period of 4 years, effective on date of appointment, and for appointment to the grade of brigadier general in the Regular Army of the United States.

Maj. Gen. Louis Aleck Craig to be the Inspector General, United States Army, for a period of 4 years, effective on date of appointment.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

*To be lieutenant colonel*

Ernest A. Brav, MC [redacted].

*To be major*

Karl A. Youngstrom, MC, [redacted].

*To be captains*

Rollin C. Avenell, DC, [redacted].
Henry C. Dorris, MC, [redacted].
Walter J. Grant, MC, [redacted].
Franklin G. Hoffman, MC, [redacted].
James B. Joyce, DC, [redacted].
William W. Senn, DC, [redacted].
James L. Schricker, Jr., MC, [redacted].
Fletcher W. Streck, MC, [redacted].
Leo S. Szakalun, MC, [redacted].
Richard S. Waldman, DC, [redacted].

*To be first lieutenants*

Cecil A. Baer, Jr., DC, [redacted].
Clifford A. Baldwin, Jr., MC, [redacted].
Peter R. Brady, MC, [redacted].
Kenneth M. Carroll, MC, [redacted].
Robert L. Christensen, MC, [redacted].
Robert E. Crompton, MC, [redacted].
Paul A. Ervin, Jr., MC, [redacted].
Samuel C. Gallup, MC, [redacted].
Martin B. Giffen, MC, [redacted].
James L. Hansen, MC, [redacted].
Frederick G. Harris, MC, [redacted].
Payne S. Harris, MC, [redacted].
James N. Harten, MC, [redacted].
Thomas B. Hauschild, MC, [redacted].
Frank Hladky, Jr., MC, [redacted].
Robert L. Johnson, MC, [redacted].
Robert L. Koenig, MC, [redacted].
James E. Lancaster, DC, [redacted].
Arthur E. Levy, MC, [redacted].
Robert C. MacDuffee, MC, [redacted].
Stephen G. May, MC, [redacted].
William H. Meroney III, MC, [redacted].
Harry J. Misch, MC, [redacted].
Francis D. O'Brien, MC, [redacted].
Ralph H. Potter, Jr., MC, [redacted].
Robert K. Quinnell, MC, [redacted].
Donald H. Robinson, MC, [redacted].
Ernest A. Sarao, MC, [redacted].
Palmer H. Warren, MC, [redacted].
Ralph D. Wright, MC, [redacted].
Thomas C. Wright, MC, [redacted].
Paul C. Yessler, MC, [redacted]

*To be second lieutenants*

| | |
|---|---|
| Karl H. Borcheller | Clinton A. Drury, Jr. |
| Albert N. Abelson | Eugene M. Dutchak |
| Eugene K. Andreasen | Charles W. Edwards |
| John F. Archer | Earl E. Emerson, Jr. |
| Edward J. Arlinghaus | Irving Feldman |
| Thomas Y. Awalt | Robert J. Fiscella |
| Guy A. Baber, Jr. | Thomas C. Fischer |
| Andrew W. Baird | Harley B. Fisk, Jr. |
| George M. Barrack, Jr. | James R. Flannery |
| Sam L. Barth | Joe A. Font |
| Rutland D. Beard, Jr. | Edward F. Foster |
| Donald J. Beckwith | Reinhart C. Gauerke |
| Richard A. Benefield | Owen J. Giblin |
| Robert B. Bernstorf | Warren A. Gilbert, Jr. |
| George W. Bickerstaff | John P. Gilman |
| George H. Bickley | George W. Gordon |
| Colon R. Britt, Jr. | Douglas M. Graham |
| William E. Brockmeier | Edward Greer |
| Joseph W. Brouillette, Jr. | Sidney C. Guthrie |
| | M. B. Guyton |
| Bobby C. Bush | Spencer V. Halgren |
| Thomas E. Cantrell | Elton F. Hammond, Jr. |
| Marco J. Caraccia | Albert H. Hanger |
| Robert E. Carlson | Clifton S. Harris, Jr. |
| Murray L. Carroll | Walter R. Harrison, Jr. |
| Esper K. Chandler | Thomas J. Heller |
| William W. Chandler | Benjamin C. Hilliard |
| John W. Chism | Charles B. Hinson |
| Byron R. Clark | William R. Huff |
| William P. Clay | Harold Hutcherson |
| Ray W. Coffey | Clarence H. Jackson |
| Samuel N. Cohen | James A. Jeffers |
| Charles C. Collins | William F. Jester |
| William I. Compton | Charles M. Johnson |
| James Corey | Ivor R. Jones |
| George L. Cross | Edward S. Karon |
| Harrison P. Crowell | Roy D. Kaylor |
| Victor R. Cullens | Oliver T. Kelly |
| William J. Cummings | Clayton A. Kemp |
| Charles T. deLorimier | Ernest L. Kerley |
| Albert P. Dempsey, Jr. | John H. Klein, Jr. |
| Joseph Knight | James B. Reed |
| Irvin S. Kramer | Rolfe Robertson |
| Donald K. Kuehl | William B. Roth |
| George S. Kukuchek | James J. Rubash |
| John E. Lambert | Louis G. Sandkaut |
| Robert D. Lambourne | Tommy F. Satterfield |
| Delbert E. Lane | Henry A. Schenk |
| Arthur L. Laughry | Robert C. Schindling |
| Francis Lebaron | Robert G. Schmitt |
| Henry H. Lentz | Paul E. Schwab |
| Francis E. Lougee | Robert D. Sheppard, Jr. |
| Jose H. Lowry | |
| Benjamin E. Lumpkin, Jr. | Thomas P. Shiely |
| | Cyril Sidun |
| John R. Manning | Orvis H. Skolos |
| James S. Martin | Forest J. Smith, Jr. |
| William R. Massey | Melvin Smith |
| Wesley J. Matson | John E. Steinke |
| William D. McLean | Lorenzo E. Stephenson |
| Homer C. McNamara, Jr. | John W. Stevenson |
| | Julian R. Story |
| Donald C. Mead, Jr. | Robert P. Story |
| James O. Melton | Donald L. Synolds |
| Robert W. Merchant | Hunter G. Taft |
| Carl J. Merck | Jerrol E. Taylor |
| Francis Meredith, Jr. | Mack Taylor, Jr. |
| Malachi M. Mills | William M. Taylor |
| Guy E. Mitchell, Jr. | Richard H. Timmins |
| Robert D. Monical | George R. Truex, Jr. |
| Victor O. Morris | Blaine E. Twitchell |
| John E. Mulhern | Jack C. Utley |
| Harry F. Mumma | Clifton F. Vincent |
| Robert A. Munford | Louis H. Wagner |
| Paul E. Myers | John E. Walden II |
| Norman J. Newman | Andrew J. Waldrop |
| John M. Nolan | Joseph L. Walker, Jr. |
| Edward H. O'Donnell | Paul A. Watkins |
| Carlo J. Ortenzi | Robert W. Webb |
| Robert L. Patterson | James S. Weeks |
| Trevor J. Perry | John M. Welch |
| Galen W. Pike | Hal D. White |
| Harvey D. Piper | Charles Wiersch |
| Martin L. Pitts, Jr. | Robert T. Wilkerson |
| David D. Powell | Theodore C. Williams, Jr. |
| Leonard L. Preston | |
| Robert M. Quinlan | Charles L. Worley, Jr. |
| William R. Ramsey | Charles S. Wylie |
| John M. Reardon | Walter E. Yerkes |

APPOINTMENTS IN THE REGULAR AIR FORCE OF THE UNITED STATES

*To be second lieutenants in the Regular Air Force of the United States*

| | |
|---|---|
| Avan T. Adams | Robert L. Lieberman |
| Robert L. Adams | John H. Lomax |
| Carl W. Ballard | Howard B. Long, Jr. |
| Melvin R. Bandle | Frank C. Longwell |
| Lester Banks | Owen L. Lovan |
| Herbert B. Barentine | Brice E. Lytle |
| Arnold G. Barker, Jr. | Edward A. Malone, Jr. |
| Harold L. Bellairs | Robert E. McGee |
| Donal D. Bloodgood | John A. Middleton III |
| John H. Bost | Clay H. Miller, Jr. |
| Manuel Bracete, Jr. | Robert B. Monier |
| Ray B. Bressler, Jr. | Earl M. Monroe |
| Paul L. Briand, Jr. | William W. Mullally |
| Pat D. Brinson | James W. Newberry |
| Charles Buhman, Jr. | Alan H. Noyes |
| Richard W. Burkholder | William H. O'Bryan, Jr. |
| Warren F. Chrisman | |
| George H. Christena | Robert H. Papy, Jr. |
| William N. Cornett | Michael N. Parker |
| George A. Crane, Jr. | Virgil F. Perkins, Jr. |
| Benjamin B. Davis | Lennox I. Petree |
| Victor M. Davis, Jr. | Laverne W. Poland |
| William E. Donlon, Jr. | Donald A. Preble |
| Lawrence A. Doyle | Charles A. Rodenberger |
| Rudolph W. Ebacher | |
| Shirley J. Eby | Wesley K. Sasaki |
| William H. Field | Robert A. Schlapper |
| Harrell D. Foitik | Bennett E. Smith |
| Richard Foster | James A. Snell |
| Carl R. Frear, Jr. | Marlowe B. Sorge |
| Joseph E. Hammond | Maynard D. Stewart |
| Raymon W. Harlow | Francis R. Stokes |
| Robert L. Harrison | Stanley L. Sturgill |
| Gerald L. Hendryx, Jr. | Phillip R. Tatnall |
| William A. Hofacker | Jacques K. Tetrick |
| Clarence T. Jane | John C. Thompson |
| Robert P. Keller | William J. Thorpe |
| Ulysses S. Knotts, Jr. | Richard R. Tibbetts |

William A. Toombs, Jr.
James S. Tucker
Paul J. Vlcan
Joe E. Webb
Frank R. Williams
Harry L. Wytock
Joe E. Zollinger

PROMOTIONS IN THE UNITED STATES AIR FORCE

(NOTE.—Those officers whose names are preceded by the symbol (×) are subject to examination required by law. All others have been examined and found qualified for promotion.)

*To be first lieutenants, with rank from May 1, 1948*

John Edward Lineberger, AO50377.
Rudolph Junior Schweizer, AO56527.

*To be first lieutenant, with rank from May 2, 1948*

William Claude Weldon, Jr., AO56528.

*To be first lieutenants, with rank from May 3, 1948*

M. L. Buchanan, AO56530.
×Clayton Darrell Mode, AO38456.
Bryan Roscoe Jolley, AO56529.

*To be first lieutenants, with rank from May 4, 1948*

Walter Brooks Badger, AO56533.
Frank Mann, Jr., AO50378.

*To be first lieutenant, with rank from May 7, 1948*

Floyd Harrison Trogdon, AO50381.

*To be first lieutenant, with rank from May 8, 1948*

John William Trezise, AO50382.

*To be first lieutenant, with rank from May 9, 1948*

Clarence James Douglas, Jr., AO56534.

*To be first lieutenant, with rank from May 10, 1948*

Jewel Neal Craft, AO56536.

*To be first lieutenants, with rank from May 11, 1948*

Walter Scott Crum, AO50383.
John Malcolm Netterblad, AO50384.

*To be first lieutenant, with rank from May 12, 1948*

Joseph Michael Kristoff, AO56538.

*To be first lieutenants, with rank from May 13, 1948*

James Fred Gruben, AO50387.
John Joseph Burgmeier, AO50388.
Harold Wendell Petree, AO56539.

*To be first lieutenant, with rank from May 14, 1948*

John Boyd Flaig, AO50390.

*To be first lieutenant, with rank from May 16, 1948*

Donald Eugene Dano, AO50391.

*To be first lieutenants, with rank from May 17, 1948*

Ellis Leroy Fisher, AO38461.
Robert Allen Novotny, AO56541.

*To be first lieutenants, with rank from May 18, 1948*

LeRoy Perry Hansen, AO41333.
Russell Lamar Lewis, AO56542.
William Everett Davis, Jr., AO41332.
William Daniel Johnston, Jr., AO50393.
Frederick Warburton Joy, Jr., AO50394.

*To be first lieutenant, with rank from May 19, 1948*

Philip James Crossman, AO56544.

*To be first lieutenant, with rank from May 20, 1948*

Andrew Raymond Reeves, Jr., AO38462.

*To be first lieutenants, with rank from May 21, 1948*

Robert Charles Tomlinson, AO38464.
Nils Nelson, AO56545.

*To be first lieutenants, with rank from May 23, 1948*

Robert Dale Miller, AO38465.
Spencer Crosby Savage, AO56546.
×Francis Harold Potter, AO38466.
×Cullen Bryant Morgan, AO38467.
×Alma Lord Potter, AO50399.
×Jerry William Tom, AO38468.
Benjamin Wilder Coolidge, AO56547.
Hoyt Cecil Bethell, AO56548.
×James Russell Lowell, AO38469.

*To be first lieutenants, with rank from May 23, 1948*

Smith Lorenzo Von Fossen, AO56552.
Marlin Clyde Howard, AO56549.
Martin Luther Stutts, AO38470.
Kenneth Omar Wofford, AO56550.
Charles Herbert Proctor, AO56553.
Robert Marion Denny, AO56555.
William Orville Lighty, AO56556.
Robert Wendell Dodson, AO56551.

*To be first lieutenant, with rank from May 24, 1948*

Vernon Alfred Lindvig, AO56557.

*To be first lieutenant, with rank from May 25, 1948*

Keith Gordon Robison, AO56558.

*To be first lieutenant, with rank from May 26, 1948*

Donald Raymond Butterfield, AO56559.

*To be first lieutenants, with rank from May 30, 1948*

Lyle Albin Wykert, AO50404.
Douglas James Nelson, AO50405.

*To be first lieutenants, with rank from May 31, 1948*

Hewitt Eldridge Lovelace, Jr., AO50406.
James Stuart Schofield, AO56561.

IN THE NAVY

*To be a rear admiral, for temporary and permanent appointment in the Civil Engineer Corps*

Capt. William M. Angas

*To be a rear admiral, for temporary appointment in the Civil Engineer Corps*

Capt. Andrew G. Bisset

*To be lieutenant commanders, for permanent appointment in the Supply Corps*

Wendell C. Thompson
Harold D. Werner

*To be lieutenants, for permanent appointment in the Supply Corps*

Ian M. Laird
Lewis L. Poynter

*To be lieutenant (junior grade), for permanent appointment in the Supply Corps*

William C. Williams

*To be ensigns, for permanent appointment in the Supply Corps*

Daniel J. Clements, Jr.
David (N) Dooling

*To be ensign, for permanent appointment in the Civil Engineer Corps*

Fritz H. Hediger

*To be ensigns with rank from June 4, 1948*

Paul F. Abel
William Abromitis, Jr.
Richard C. Adams
Augustine A. Albanese
Thomas E. Alexander
Benjamin G. Allen
Hoyt E. Allen
Robert C. Allen
Walter L. Alt
Gordon A. Anderson
Roy C. Anderson
William S. Mac L. Arnold
Edward M. Axtell, Jr.
William R. Ayers
Robert P. Barber
William H. Barnes III
Russell Bartmes, Jr.
William H. Barton, Jr.
William R. Bartow
Jack Baruch
George M. Bates
Richard W. Bates
Joseph R. Bavie
David A. Beadling
Richard L. Beatty
Jerry T. Becker
Donald R. Behrens
Harry E. Beiflower, Jr.
Gegory McC. Bell, Jr.
Herbert P. Benton III
Levon Berberian, Jr.
Floyd E. Bergeaux
Robert E. Berggren
Benjamin W. Bevis
Oral J. Bilderback
Patrick P. Billingsley
Walter T. Blakney
Floyd H. Blizard
Richard V. Bodmer
Louis J. Boland
Philip H. Bolger
Eugene S. Bowers
Franklin L. Bowersox
Claiborne S. Bradley
Charles R. Braley, Jr.
Ralph W. Brown, Jr.
James S. Brunson
Paul G. Bryant
Douglas G. Buchanan
Beaumont M. Buck
Robert G. Buechler
Norwood W. Bullington, Jr.
Ronald S. Burton
James E. Callahan, Jr.
James H. H. Carrington
Charles C. Carter, Jr.
Ernest C. Castle
Nicholas A. Castruccio
John D. Caylor
William D. Chandler 3d
Edwin Mac M. Chapline
Roger A. Chapman
Thomas P. Cheesman
Robert S. Chew, Jr.
Matthew A. Chiara
Michael L. Childress
William T. Chipman, Jr.
Robert G. Claitor
Wyndham S. Clark, Jr.
Richard J. Clas
John D. Clithero
Richard A. Cochran
James N. Comerford
Jack H. Conable
Robert C. Conolly II
Albert E. Conord
Charles P. Coulter
Jack Cowden
Howard S. Crosby
James S. Crosby, Jr.
John R. Crumpton, Jr.
Thomas W. Cuddy
Daniel W. Cullivan
Bradley L. Daley
Bennie V. Damberg
James E. Davenport, Jr.
John M. Davis
John DeGoede
Daniel T. Deibler
Leonard V. Delling
Dean D. DeWitt
George W. Dittmann
William D. Dittmar
Claude E. Dorris
Laurens Dorsey
Benjamin S. Dowd, Jr.
Norman L. Duncan
Robert D. Duncan
Richard T. Duncan, Jr
James W. Dupree, Jr.
William F. Easterlin, Jr.
Rex C. Eaton, Jr.
Dewey A. Ellis, Jr.
Gordon R. Engel
Leland F. Estes
John Evasovich
John L. Everngam, Jr.
Emil M. Eyler
William R. Fisher, Jr.
Edward B. Fleming
John A. Fletcher II
Francis C. Fogarty
Donald D. Foulds
Andrew L. Frahler
Ian N. Fraser
Edward Frothingham, Jr.
Wallace S. Gabriel
Stanton B. Garner
Herbert K. Gates, Jr.
Sidney W. Gaylord, Jr.
George E. Goodwin
Hugh H. Goodwin, Jr.
Ralph T. Goodwin, Jr.
Raymond I. Gornik
Jack L. Gracey
Morris R. Grady
Warren C. Graham, Jr.
Frederick H. Gralow
Ernest J. Gray
Harold Gurman
Donald B. Hall
Norman L. Halladay
Albert B. Hallman
David R. Hamlin
Robert W. Hanby, Jr.
Kevin Hanlon
Harley S. Harris, Jr.
Wade H. Harris
David L. Hartshorn
Charles E. Hathaway
Douglas B. Hatmaker
Stanley R. Hawe
Edward B. Hebden II
Leonard M. Hendrix
Albert G. Henry, Jr.
John D. Herlihy, Jr.
Lawrence C. Hernandez, Jr.
Charles W. Hines
William R. Hintz
Richard B. Hodson
Hugh S. Holder
Tennyson J. Hull III
Harvey R. Humphrey
Robert D. Huntington, Jr.
David A. Hurt, Jr.
Karl H. Huss, Jr.
William G. Ikard II
James M. Ivey, Jr.
Frederick D. Jackson, Jr.
John W. James
Alan L. Jansen
Leonard A. Jay, Jr.
John L. Jensen, Jr.
Francis C. Johnson
Henry B. Johnson
William E. Johnston
Harry L. Jones
William A. Kanakanui, Jr.
Jack C. Kays
William H. Keen
Kenneth Kelty
Robert E. Kenyon
Harry N. Key, Jr.
Thomas F. Kilduff, Jr.
Robert E. King
Burton H. Kleinman
Herbert S. Kline
John W. Klinefelter
Edward L. Korb
Seymour L. Kunin
Frederick R. Lafferty, Jr.
Arthur Landis, Jr.
Charles M. Lane
Charles H. Langton
William J. Laubendorfer
Jason P. Law
Paul D. Lawler
Hugh O. Lea
Robert L. Lee, Jr.
William W. Lee, Jr.
Edgar S. Levy, Jr.
William W. Lewis, Jr.
Aubrey L. Loeffler
Hubert B. Loheed
John R. Lowdenslager
Robert B. Lyle
Arthur L. Markel
Marvin D. Marsh
George W. Marshall
Paul V. Martenson
Thomas E. Matia
Frank E. Matthews
Elmer A. McCallum, Jr.
William L. McClure
John K. McConeghy, Jr.
John W. McCord

Milton C. McFarland
Robert S. McGihon
Andrew McIntyre
Donald A. McIver
Russell R. McKechnie
Marvin "M" McKinley, Jr.
Edward F. McLaughlin, Jr.
John R. McMahon, Jr.
Robert H. Meenan
Robert E. Melhorn
James I. Mellencamp
Murray Menkes
Charles Mertz 3d
Edward W. Meyers
Howard B. Moore
James R. Moore, Jr.
Roderick B. Moore
Sumner K. Moore
William V. Moore
Donald R. Morris
Eugene C. Moss
Peter R. Moureau
Leonard W. Mulbry
James E. Myrick
Robert R. Neely, Jr.
Frederick L. Nelson
Richard E. Nicholson
Eugene J. Noblet
Dan R. Nolen
Robert P. Nottingham
Thomas H. Nugent, Jr.
John L. Oberrieder
Mark J. O'Friel
Robert W. O'Reilly
Frank W. Orr, Jr.
Edward J. Ortlieb
Gerald L. Palmer, Jr.
Benjamin H. Pester
John D. Peterson
James E. Peterson, Jr.
William C. Pierson
Ray C. Pittman
Alonzo M. Poteet, Jr.
Delton B. Pruner
Robert O. Pyle, Jr.
Paul L. Quinn
Charles E. Ransom, Jr.
Hugh B. Rardin
Walter L. Rees
Harvey E. Rennacker
Earl F. Resch
Edwin C. Rice
Ward P. Riggins, Jr.
Guy W. Riggs
Knight M. Robbins
Harold L. Robiner
Rufo W. Robinson
Edward B. Rogers, Jr.
Joseph P. Rogers, Jr.
William A. Rogers, Jr.
Donald S. Ross
Ernest H. Ross, Jr.
Terry A. Ross
Andrew T. Roulston
Richard B. Rubenstein
John A. Russell
William F. Sallada
William G. Sawyer
Albert R. Schofield, Jr.
Robert A. Schultz
Robert E. Schwoeffermann
Richard U. Scott
Robert H. Searle
Ruell A. Searson
Henry T. Settle, Jr.
Charles A. Sheehan
Peter N. Sherrill
Jack N. Sherwood
Albert F. Shimmel
Richard E. Shimshak
Jack R. Silvey
William N. Small
Harold F. Smith, Jr.
Robert C. Smith, Jr.
Nicholas W. Smusyn
Thomas C. Spalding
Wilburn A. Speer, Jr.
Richard H. Sprince
Richard J. Springe
Edward F. Stacy
Thomas E. Stanley
Don R. Stephens
Charles G. Strahley
Hart R. Stringfellow, Jr.
Richard Struyk
Robert T. Styer
George H. Sullivan, Jr.
Edward P. Supancic
Francis J. Suttill, Jr.
Joseph P. Tagliente
Robert McE. Tatum
Boone C. Taylor
Karl R. Thiele
Albert J. Thompson
David R. Thornhill
Frank S. Tiernan
Herbert N. Townsend
Kenneth M. Treadwell
Howard A. True
John C. Tsiknas
Robert W. Van Kirk, Jr.
Carlos C. Villarreal
John E. Vinsel
Quentin W. Wagenfield
Robert E. Wainright
Daniel P. Walchko
James F. Ward II
William Wegner
Elbert N. Wells
James K. Welsh, Jr.
Richard O. Wheeler
John F. White, Jr.
Joseph P. White
Warren P. White
Charles A. Whitmore, Jr.
Gilbert Wilkes III
Stanwix M. Williams
Joseph A. Wilson
Thomas B. Wilson, Jr.
Thomas Woods II
David L. Wright
George S. Wright
Robert E. Wurlitzer
Ellis M. Zacharias, Jr.
Jack P. Zimmerman

*To be ensigns in the Supply Corps from June 4, 1948*

Edmund S. Armstrong
William H. Borchert
William G. Brendle
John W. Bruner
Donald H. Corson, Jr.
James A. Cox
William F. Doddy
Kenneth W. Dunwody, Jr.
William H. Evans, Jr.
John P. Gaffigan
Robert L. Ghormley, Jr.
Lewis E. Gleason
Richard I. Henderson
Dudley Holstein
Howard N. Kay
William N. Langone
Charles L. Lewis
Harold B. Lipschutz
Edward A. McManus
Kennedy Niland
James H. Smeds
David M. Smith
Edgar N. Smith
Morris M. Smith
Charles L. Suit III
Robert C. Vance
Kenneth B. Webster
Marvin A. Weir

*To be ensigns in the Civil Engineer Corps from June 4, 1948*

Robert G. Carroll
James C. Day, Jr.
Sydney W. Dunn, Jr.
Richard M. Fluss
George L. Hoffman
Charles B. Hogan
Robert S. Lee, Jr.
George A. Leighton, Jr.
Henry Remsen
Colonel J. Shook, Jr.

IN THE MARINE CORPS

APPOINTMENTS

William T. Clement to temporary grade of major general.

Louis E. Woods to permanent grade of major general.

William L. McKittrick to permanent grade of brigadier general.

Manuel F. Castro to second lieutenant.

Harry B. Liversedge to temporary grade of brigadier general.

*To be permanent commissioned warrant officers to rank with but after second lieutenants*

Philip J. Costello
Harry E. Detwiler
Hubert H. Dunlap
Roy L. Green
Roy E. Hagerdon
Edgar C. Hughes
John G. Johnson
John W. Mace
Clarence B. McKinstry
Edwin C. Reppenhagen
Percy W. Robbins
Charles Seiler
Reuben S. Stoner

IN THE NAVY

*To be ensigns from June 1948*

Robert W. Corey
Robert J. Cutler
Raymond R. Demrick
James H. Foxgrover
Robert J. Harlow
Romeo D. Hinkston
Leslie C. Hofto
Frederick W. Holler, Jr.
James P. Kilgariff
Justus A. Mueller
Franklin C. Paschal, Jr.
Clyde A. Reaves, Jr.
Harlan C. Snyder
Thomas C. Trafzer

*To be ensign in the Supply Corps of the Navy from the 4th day of June 1948*

Philip A. Amidon

*To be ensigns in the Civil Engineer Corps of the Navy from June 4, 1948*

Ray W. Foreaker, Jr.
Charles W. Gulick, Jr.
Nicholas F. Troug

*To be ensign in the Civil Engineer Corps, in lieu of ensign in the Civil Engineer Corps as previously nominated, to correct spelling of name*

Francis W. Day

*To be ensigns in the Nurse Corps of the Navy*

Betty J. Alexander
Virginia M. Cardillo
Josephine A. Franks
Lois W. Gass
Mary E. Hagan
Lois C. McCuller
Charlotte R. Pierce
Gloria V. Rapp
Dorothy M. Riotte
Anita J. Smith
Mary F. Sullivan
Bernice Szostak

*To be commander in the Medical Corps of the Navy*

Greydon G. Boyd

*To be lieutenant commander in the Medical Corps of the Navy*

Donald G. MacKinnon

*To be lieutenant in the Medical Corps of the Navy*

Arvin T. Henderson

*To be lieutenants (junior grade) in the Medical Corps of the Navy*

Kenneth S. Axelsen
John J. Carroll
Donald E. Lloyd
Wallace S. Sekul
Ernest F. Wallner, Jr.
James H. Watts, Jr.
John H. Young

*To be commanders in the Dental Corps of the Navy*

James R. Justice
Niels H. Martin

*To be lieutenant commander in the Dental Corps of the Navy*

Norman D. Hines

*To be lieutenants in the Dental Corps of the Navy*

Wallace S. Andrews
Hewitt J. Beauvais, Jr.
Joseph J. Bonello
George E. Dudley
Martin R. Hamilton

*To be lieutenants (junior grade) in the Dental Corps of the Navy*

Anthony P. Giammusso
Walter J. Krumbeck
James A. Mitchell
Daniel M. Roach

PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

*To be senior surgeons (equivalent to the Army rank of lieutenant colonel), effective date of acceptance*

Henry R. O'Brien
A. William Reggio

*To be dental surgeon (equivalent to the Army rank of major), effective date of acceptance*

Arthur G. Malucky

*To be senior assistant surgeons (equivalent to the Army rank of captain), effective date of acceptance*

John L. Lewis, Jr.
Ralph Alperin
William Weingarten
Holman R. Wherritt
Stanley H. Moulton
Edgar A. Swartz
Alvin L. Cain
William W. Richards
Walter J. Lear
John P. Risley
Vaso L. Purlia
Milo O. Blade

*To be assistant surgeons (equivalent to the Army rank of first lieutenant), effective date of acceptance*

Paul Fremont-Smith
David L. Rodgers
Robert M. Paine
Laurence Finberg
Carlyle F. Stout
John P. Utz
Charles O. Metzmaker
Arthur D. Fisher
David H. Solomon
Norman G. Hepper
James V. Woodworth
Leonard J. Ganser
Charles M. Gillikin
Daniel M. Enerson
Arthur S. Keats
Wendell L. Pierce
Robert F. Wettingfeld
Sidney Shindell
Raymond W. Herrmann
William H. Baker
Harry R. H. Nicholas III
Sol Altschul
Keith H. Frankhauser
Edward B. Lehmann
Ralph S. Paffenbarger, Jr.
John W. Cashman
Robert A. Sammons
Alan F. Thometz
Lewis W. Moore
Delmo A. Paris

*To be senior assistant dental surgeons (equivalent to the Army rank of captain), effective date of acceptance*

Edward J. Driscoll
Charles J. Gillooly

*To be assistant dental surgeons (equivalent to the Army rank of first lieutenant), effective date of acceptance*

William J. Braye
Edmond G. Vanden Bosche
Frank W. Nelson
Robert W. Anderson
Tyler C. Folsom, Jr.

*To be dietitian (equivalent to the Army rank of major), effective date of acceptance*

Fonda L. Dickson

*To be senior assistant nurse officers (equivalent to the Army rank of captain), effective date of acceptance*

Sylvia Ginsberg
Anne M. Leffingwell
M. Dolores Howley
K. Barbara Dormin
Helen N. Buzan

*To be assistant nurse officers (equivalent to the Army rank of first lieutenant), effective date of acceptance*

Patricia B. Geiser
Frances Moskowitz
Helen M. Ely
M. Elizabeth Leeds
Enid L. Taylor
Mary A. French
Dorothy G. Young
Mary M. Bouser
Ruth D. Buckley
Phyllis B. Kyte
Mary Jean Yardley
Katherine L. Broyles
Beatrice E. Nichols
Loretta D. Banks

*To be junior assistant nurse officer (equivalent to the Army rank of second lieutenant), effective date of acceptance*

Norma Russell

# HOUSE OF REPRESENTATIVES

TUESDAY, MAY 18, 1948

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, for days of health, for nights of quiet rest, for the bounty of Thy goodness, and for all Thy blessings bestowed for our need, we give Thee thanks. We praise Thee for our country, our schools, our homes, and for all the opportunities which make us grow into self-reliant manhood.

For all who do not share these blessings, we ask Thy merciful goodness to abide with them; give to those who suffer that peace which nothing can outweary, because their minds are stayed on Thee. Pray for the peace of Jerusalem: they shall prosper that love Thee. Peace be within Thy walls and prosperity within Thy palaces. In the name of Him who gave His life for all mankind. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 14, 1948:

H. R. 1353. An act for the relief of Edward W. Bigger; and

H. R. 5262. An act to authorize the sale of individual Indian lands acquired under the act of June 18, 1934, and under the act of June 26, 1936.

On May 17, 1948:

H. R. 345. An act for the relief of Ollie McNeill and Ester B. McNeill;

H. R. 1953. An act for the relief of John F. Reeves; and

H. R. 3189. An act for the relief of Joe Parry, a minor.

On May 18, 1948:

H. R. 1189. An act to establish the methods of advancement for post-office employees (rural carriers) in the field service;

H. R. 1562. An act to increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States;

H. R. 4129. An act for the relief of Jerline Floyd Givens, and the legal guardian of William Earl Searight, a minor; and

H. R. 5035. An act to authorize the attendance of the United States Marine Band at the Eighty-second National Encampment of the Grand Army of the Republic to be held in Grand Rapids, Mich., September 26 to 30, 1948.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 200. Concurrent resolution authorizing the Clerk of the House to make corrections in the enrollment of H. R. 3350.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3566) entitled "An act to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. REVERCOMB, and Mr. EASTLAND to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 4236) entitled "An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. BUCK, and Mr. CHAVEZ to be the conferees on the part of the Senate.

## EXTENSION OF REMARKS

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. SCHWABE of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an article entitled "Doctor, My Statistics Feel Funny." I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $159.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD in three instances, in each to include a radio address by Jack Beall entitled "Communism."

Mr. TWYMAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include two editorials.

Mr. HORAN asked and was given permission to extend his remarks in the RECORD and include a newspaper account of the McMillin case.

Mr. COLE of Kansas asked and was given permission to extend his remarks in the RECORD and include a speech he made to the convention of the First District Young Republicans.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include a résumé of South Dakota veterans' laws, two editorials on an Iwo Jima hero, and a table prepared by the Legislative Reference Service on the cost of the foreign-aid program.

## SPECIAL ORDER GRANTED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

## LEAVE OF ABSENCE

Mr. HAND. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New Jersey [Mr. TOWE] be excused from attendance of the House all of this week on account of death in his family.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

## PROPOSAL TO SQUANDER OUR FATS AND OILS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, we are indebted to our colleagues on the Select Committee on Foreign Aid for the very illuminating study of European trade patterns prepared with the assistance of the United States Tariff Commission and other organizations.

I found some mighty interesting figures on page 3. There we find some of the fats and oils estimates of the Bevin committee's Paris report. This committee estimated that Norway would need to import 99,000,000 pounds of fats and oils. The Tariff Commission studied this situation and came up with a report that Norway would have no need to import fats and oils. In fact, the Commission found that Norway should have an exportable surplus of 280,000,000 pounds.

For the small agricultural country of Denmark, with a population of only a little over 4,000,000 persons, the Paris Conference reported an import requirement of 440,000,000 pounds of fats and oils, or more than 100 pounds per person. When the Tariff Commission analyzed the fat and oil situation of Denmark, it found this dairy raising country should have a surplus of 100,000,000 pounds of fats and oils.

It is probably only human nature to ask for more than you need. Just think how much profit there would be in disposing of millions of pounds of unneeded fats and oils. I cannot help but wonder if all the requirements are not similarly padded. We can only hope that the Appropriations Committee will scrutinize these figures carefully.

There are not many items with higher prices today than the fats and oils which every family needs to keep clean and properly fed. We owe it to our constituents to see that no supplies are shipped abroad unless they are absolutely needed for the relief or recovery of the recipients, and, by recovery, I do not mean the shipment of goods which can be reexported for unearned income. There must be no squandering of our resources if we are to keep our prices within reasonable bounds.

EXTENSION OF REMARKS

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and include an article appearing in Nation's Business, May 1948.

Mr. MUHLENBERG asked and was given permission to extend his remarks in the RECORD and include the text of a bill, H. R. 6525, which he introduced.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article appearing in the New York Sunday Herald Tribune.

Mr. HUGH D. SCOTT, JR. asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an article appearing in the Philadelphia Inquirer and in the other an article on crime prevention by Nochem S. Winnet.

Mr. OWENS asked and was given permission to extend his remarks in the RECORD and include excerpts appearing in the Chicago Tribune May 17.

DEWEY AND STASSEN DEBATE

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, last evening you may have had the opportunity to listen to the two young giants who are aspiring to the Presidency of the United States. If so, you would have observed that the one who had the affirmative of the issue, That the Communist Party should be outlawed," did not state how that could be successfully accomplished under our Constitution, but limited his remarks to an approval of that portion of the so-called Mundt bill which would prohibit the establishment in this country of a totalitarian dictatorship under the control of a foreign nation by any person or group of persons. He very properly stated that the other portions of the bill with reference to restrictions upon individual actions should be modified. His opponent, who had the negative of the issue, then very cleverly brought forth that the Mundt bill did not attempt to outlaw the Communist Party, and while he intimated that the present laws would accomplish the main objective sought by the passage of that bill, he did not disclose his position thereon in any way. It is unfortunate that neither aspirant possesses the frankness and candor that has been exhibited by Members of Congress who are known to desire occupancy in the well-known house at 1600 Pennsylvania Avenue. It surely appears that active participation and leadership in Congress constitutes the best proving ground for the test of the knowledge, capability, and trustworthiness of one who would occupy that exalted position.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, some members have questioned whether individual home units can be constructed under the recently reported veterans' homestead bill, which is an amendment to the Servicemen's Readjustment Act of 1944. The answer is emphatically yes. Not only can they be constructed by the individual associations, but I believe they will be constructed at a price much below that of current offerings.

It will work something like this: The veteran—urban or rural—will ask his association to build a house for him; the house will be built according to his plans and specifications; the association will carry the necessary charges and arrange for the construction loan, and all the other necessary expenses until the house is completed. Thus, the house will be built according to the desires of the individual veteran; he will have the saving resulting from group building, and will not have to borrow money for a construction loan. I submit these are very real advantages and savings for the individual veteran purchaser.

When he has accepted the house, the veteran then must obtain his financing the same as any other veteran who wishes to participate under the GI bill of rights—under present law the interest rate cannot exceed 4 percent for such financing and by purchasing through an association the loan could be amortized over a 32-year period. This feature is one of the strongest parts of the veterans' homestead housing bill.

EXTENSION OF REMARKS

Mr. VURSELL asked and was given permission to extend his remarks in the RECORD.

Mr. DEANE asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper statements.

Mr. COOPER asked and was given permission to extend his remarks in the RECORD in two instances on the Reciprocal Trade Agreements Act, and in one to include an article entitled "The Trade Agreement Act Must Be Renewed," by Hon. W. Averell Harriman, Secretary of Commerce, from the Democratic Digest of April 1948, and in the other to include a copy of a letter dated May 4, 1948, addressed to the chairman of the Committee on Ways and Means by Mr. Gerard Swope, chairman, Citizens Committee for Reciprocal World Trade, enclosing a statement by Hon. Cordell Hull in support of the renewal of the Reciprocal Trade Agreements Act.

STATE OF ISRAEL

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, Americans were as amazed as was the rest of the world when President Truman turned another political somersault and recognized the abortive state of Israel. On the front page of the New York Times of Sunday, a British Foreign Office spokesman is quoted as saying:

> There is no need to hurry * * * there is no election in this country until 1950.

Even foreigners know that our President has delivered another body blow to United Nations and has probably jeopardized the peace of the world, primarily to secure the votes of some 3,000,000 Jews in the city of New York. We have made fools of ourselves again. Does anybody know what our foreign policy is? Can any nation trust in our sincerity? Are we to continue to play Dr. Jekyll and Mr. Hyde in foreign affairs? Have we become morally and spiritually bankrupt? A nation can recover from Pearl Harbors, terrible as they may be. A nation cannot recover from a complete loss of honor and integrity. We are surrendering to communism in one-half of the world while pretending to fight it in the other half.

Unless America awakens at once, her best sons will soon be spilling their innocent blood in the sands of the un-Holy Land. Americans should cry out against the political prostitution that is bringing us upon such evil days.

FOOD-CONSERVATION PROGRAM

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I desire to call to the attention of the Members to a phase of the food-conservation program of the Department of Agriculture. This program is a simple approach to encourage voluntary measures on the part of consumers which will conserve food and, at the same time, stabilize or help reduce the cost of living. I want to emphasize that so far the plan is merely an experimental test, and is in response to a statute enacted last year in which the Department was called upon to encourage voluntary measures which will increase our utilization of food.

I am proud of the fact that the Department has selected Pennsylvania for this test, and the selection of York and Lancaster is a compliment to those communities. One reason for this was the fact that the people living there have an established reputation for their ability to carefully manage food, and also a reputation of sturdy, practical, Americanism, and thrift.

As of now 1,500 retail food stores are cooperating, and after the first week's trial, the local chairman of the communities had this to say, among other things:

> It gives us great satisfaction to report the apparent success of this test. This is most gratifying to the men in the food supply business.

Further quoting from these chairmen:

> It also helps farmers by providing a more stable market for their produce. Our farmers in York and Lancaster can be assisted

directly by finding a bigger market for their produce, especially those in plentiful supply.

If the Dutch farmers of Pennsylvania, the consumers, known to be frugal and economical in their food consumption, and the conservative retail food stores businessmen all approve of the plan after further continuing tests, it can then be expanded to other communities throughout the country which desire it.

The Congress was wise to pass the act. The Agriculture Department is to be commended for adopting a test program, and Pennsylvania and the Lancaster and York areas are to be congratulated on being selected for this wholesome attack on the shortage of food supplies. I might add that the Department estimates that a family's food budget can be cut by at least 10 percent, and perhaps as much as 30 percent on meat costs alone.

EXTENSION OF REMARKS

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD.

PRESIDENT TRUMAN RECOGNIZES ISRAEL

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. KLEIN. Mr. Speaker, I take the floor at this time to commend and congratulate the President of the United States on his great, honorable, and statesmanlike deed in recognizing the new Jewish state of Israel. I think he has gained the gratitude of a majority of the people in this country, regardless of race, religion, or creed because he is recognizing a state which is a true democracy and which eventually will be developed into one of the really great democracies in that part of the world, where democracy is all too rare. I would like as well to congratulate the new President of Israel, Dr. Chaim Weizmann, and Mr. David Ben-Gurion, Moshe Shertok, and all those other men and women who through the years, with blood, sweat, and tears, brought about the realization of a Jewish state—which the Jews of the world have been awaiting for over 2,000 years. We hope the new Jewish state will grow and prosper, just as America did from its birth in 1776, and will eventually become one of the great democracies, just as our beloved country has grown to become the greatest democracy in the world.

Mr. Speaker, without in any way detracting from the nobility of the President's prompt action and without depreciating the gratitude we feel, I must point out that there remains much to be done before this new nation, struggling for stability in a hostile world, can stand alone.

Before anything else, the defenseless Jews in Israel must have weapons of defense.

The one-sided arms embargo to the Middle East, which I am convinced was imposed by State and National Defense Department officials opposed to the President's policies, must be lifted. It has operated to keep the Jews without weapons, while the Arabs are armed by the British.

The new state will need funds with which to operate, and the simplest and best way is to obtain loans and credits from the United States.

I hope that Members of the House will lend to this project every possible support. Such credits will be safe and sound investments from every point of view—social, economic, political, and financial.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection?

Mr. CELLER. Mr. Speaker, President Truman's recognition of the new Republic of Israel could hardly be called a body blow to the United Nations as was charged by the gentleman from Texas [Mr. GOSSETT]. On the contrary, that statesmanlike decision gave flesh and blood and sinew to the body of the United Nations decision, that historic decision of November 29 last, which declared for the partition of Palestine. Israel's cup of happiness was overflowing on Saturday when the declaration of independence was sounded by the voice of Premier David Ben-Gurion from Tel-Aviv, and rejoicing reached fever pitch with the announcement of the President that the new de facto state had been recognized. That action of the President was quite consistent with American tradition. How could we, who have so zealously guarded and protected our independence for over 150 years, deny that independence to the Jews who sought it for 2,000 years? Indeed, the decision of the President was as refreshing as a cool breeze in the heat of summer, and his recognition will be followed by the recognition of many more nations. There will indeed be a queue of nations gladly bestowing recognition of the new state composed of a brave people. I hope the President will follow up his recognition with the according to Israel of belligerent rights to the end that the arms embargo be lifted, so that these valiant people will be given the wherewithal to defend themselves against unlawful marauders and guerillas from neighboring Arab states.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. DAVIS of Tennessee asked and was given permission to extend his remarks in the RECORD and include a speech he delivered at Memphis, Tenn.

PRESIDENT TRUMAN RECOGNIZES ISRAEL

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I too, want to add my congratulations and words of commendation to the President of the United States for his prompt and speedy recognition of the new democratic state in the Middle East, Israel. This recognition has been bought by the blood of patriotic men who have served in the wastes of North Africa in World War II fighting the Nazis under Rommel. It was bought by the blood of Jewish volunteers who fought on the side of the allies against the Turks in World War I. The Jewish people of Palestine were the allies of the democracies, both in World War I and World War II, and in the recognition of Israel, we have fulfilled the pledge which was given in the League of Nations mandate that the Jews should have a national home eventually in Palestine. I confidently believe that we have fulfilled the promise contained in holy writ and a sacred prophecy has come true, that again Palestine would be given to the Jews, and that they would have a land of their own. We can look forward to cooperation from the new state of Israel in the fight against communism, because anyone who knows anything about Zionism knows that it is a religious movement. It is a movement of people who believe in the God of Abraham, Isaac, and Jacob. It is not atheistic. It is a movement which believes also in political democracy. Therefore, we will have their cooperation in any possible war of the future.

The SPEAKER. The time of the gentleman from California [Mr. HOLIFIELD] has expired.

EXTENSION OF REMARKS

Mr. GROSS asked and was granted permission to extend his remarks in the RECORD and include an article from the Pennsylvania Farmer entitled, "Cure for Communism," by J. A. Boak.

Mr. POULSON asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. HAND asked and was granted permission to extend his remarks in the RECORD and include an article on labor unions.

Mr. JONES of Washington asked and was granted permission to extend his remarks in the RECORD and include a letter from a constituent from the city of Seattle supporting the Mundt bill.

Mr. DAVIS of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include a letter from Milton H. Button, director of the Department of Agriculture of the State of Wisconsin, addressed to Senator MILLIKIN, chairman of the Senate Finance Committee.

SAVING FOOD

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GROSS]?

There was no objection.

Mr. GROSS. Mr. Speaker, referring to the remarks of the gentleman from Pennsylvania [Mr. EBERHARTER] concerning the food-saving plan now in progress in York and Lancaster Counties, Pa., the Department told me last week that every farmer's stall in the markets would have one of their placards on display in the Saturday markets. I went into the

markets and did not find a single one there. The people ought to know that the Department has five or six men up there in the district, and will keep them there for 2 weeks, to make a report on the progress of their food-saving program, and that the report was written before they ever started the program. If I write a report it will be quite different from one already written down in the Department.

In the chain stores where the cards appeared, urging the people to make the best buys, they are featuring such things as California products, citrus fruit, and so on.

They do not mention Pennsylvania apples, which are home grown and priced off the market. They are not doing a thing to help agriculture or to help the housewives. They are featuring certain commodities in large supply not at reduced prices. Some of the commodities are cheap because they are the cheap kind. They are simply trying to unload a lot of surpluses which have been created by subsidies paid to certain farmers. And the same price supports continue which mean greater production next year for the taxpayers to pay for. The whole thing is phony and it ought to be exposed. One of my local newspapers has asked the Associated Press to get them the story from this end. He was given the story, which was a statement of fact, but when it appeared in his paper it was greatly distorted. They were unethical enough to change the Associated Press story before printing it. The Department agents, now vacationing in York and Lancaster, should be doing productive labor.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. GROSS] has expired.

COMMUNISM

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, I would like to call to the attention of the membership a letter which I have inserted in the Appendix from Mr. Milton H. Button, director of the Department of Agriculture of the State of Wisconsin, which I think the Members will find interesting and educational.

In the remainder of my 1 minute I would like to bring to you a poem which appeared in one of the newspapers in my district. An amateur poet wrote it, I am sure, but it is interesting.

HI, JOE

Oh, the Commies are a funny lot
And capable of every stunt.
But if you want to get them hot
Just mention that guy, MUNDT.

One enviable trick they have is this—
They double talk from both the corners
Of their mouths, while in between they hiss;
Simultaneously being revilers and mourners.

Our Constitution they agree,
Is old, out dated, mythical.
They scorn it to a high degree
In terms that seem unethical.

But when the going's getting tough—
What is their cry? It's quite conventional.
Yes, when MUNDT or others make it rough,
The Commies yell, "Unconstitutional!"

—*Allay Tea.*

The SPEAKER. The time of the gentleman from Wisconsin [Mr. DAVIS] has expired.

EXTENSION OF REMARKS

Mr. HILL asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an address by Dr. Warren H. Leonard, of Denver, Colo., on agricultural problems in the administration of the Marshall plan in Europe.

AIR POWER

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Speaker, it was highly gratifying to me when the Congress recognized in its recent actions the overwhelming necessity for this country to have a powerful air force. The momentuous decision in passing the 70-group air forces bill marks a major milestone of progress in building a modern bulwark of defense for this country.

Air power is our first line of defense—and our last. There can be no substitute to being powerful defensively in the air. In the present necessity, there can be no middle ground and no compromise. We cannot gamble with the security of this Nation. To do so, is to flirt with disaster.

In passing this important measure, Congress has translated the determination of this country to remain secure from attack into forceful action to assure that protection.

This so-called peace that we are trying to enjoy after 4 years of war is a timid and precarious peace. It is an unhealthy peace. We cannot say that we have moved away from the lighted keg—or that the fuse to the dynamite has been snuffed out.

Even with the usual secrecy that surrounds any nation's preparations for military action, we have already been appraised of some of the steps which others are taking in a purely militaristic way. We can assume that there is much more going on about which we do not have specific information.

We know that we are not the only nation who is attempting to build the atom bomb, and we can only hope that their industry along that line is not being blessed with a great degree of progress. When the war ended, the people of this country were ready to forge its swords into plowshares and believed that other nations held similar hopes of lasting peace. Toward that end, we allowed our powerful air force to be virtually scuttled, so that there is little left to reflect its past glory, and what is left is almost obsolete. In Russia, because its course was clearly and unmistakably one of aggression, and in larger and larger doses, air power was not allowed to disintegrate. Indeed, it seems to have been increased. In other military fields we have been told that Russia is continuing to build a strong war machine.

As we go about our daily jobs we should never forget that this great Nation has enemies. These enemies would not hesitate to bring death to millions in this country.

We can prevent this by one means, and one means only. The prevention is national preparedness. Our national defenses, both for our military forces and for our civilians, must be so strong that no nation on earth would dare point a hostile finger. A strong air force is a major step in that direction.

We cannot build an air force overnight. It takes years to put a plane in the air. Despite the thrilling spectacle of the mighty planes our Air Force put into the skies during the war, we did not have a single craft that was not started before we got into the conflict. It can readily be seen how urgent is the necessity to act immediately in order to feel safe 5 years from now.

Congress has acted with forethought in voting out the bill to set up a 70-group air force. We have been told that a force of that size is too big for our needs. But only 4,200 planes will be built under this measure. When I think of the warning that has been given to us by President Truman's Air Policy Commission, I am inclined to think we are being too economical even with 70 groups. The Commission, I am sure you will recall, warned some time ago that this country would be in serious danger of an atomic attack after December 31, 1952, less than 5 years away. That Commission has also warned that this country will need a starter atom defense air force of more than 20,000 planes of the most modern type.

Under such a prospect, how can this country fail to provide an air arm of at least reasonable strength. It has been said that this 70-group air force would be the cheapest insurance that this country can buy. I agree 100 percent and fervently hope that this Nation will continue to stay awake to the dangers that exist in the world and will face them squarely and with determination to keep ourselves strong while we pray for peace. We cannot afford complacency.

THE LIBRARY OF CONGRESS AND RUSSIAN PUBLICATIONS

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I have long been critical of the Library of Congress, and my criticism has been based upon the fact that they do not render proper service to Members of Congress, but they do enormous numbers of other things that should not be done. My criticism has resulted from my own careful review of their works.

They have just started, in April of 1948, a new publication entitled "Monthly List of Russian Accessions." I have that

document here before me listing about 400 different volumes that they have taken on. That will be very convenient for the Commies to examine. Is not that nice? When the Congress is trying to meet its responsibilities to maintain the United States and has under consideration a bill like the Mundt bill to keep them in line, keep them from doing damage, to have that creature of the Congress cutting this kind of caper.

Frankly, I am unable to read it, because I do not understand Russian, but I am calling it to the attention of the House in the hope that some of our numerous Russian scholars here on the floor will give it a quick reading and advise me as to whether or not they consider it of value to the membership.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I shall not take the full minute.

In the light of the remarks that have just been made by the chairman of the Committee on Appropriations, may I make the suggestion to him that his committee recommend to the House the appropriation of a reasonable amount of money to provide for the burning of the books. That would be in consonance both with the Mundt bill and with the remarks made by the chairman of the Committee on Appropriations.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, I can understand the confusion of the gentleman from New York [Mr. TABER], which he manifests over the Russian language pamphlets issued by the Library of Congress. There are many other reasons why he should be confused.

Having read Candidate TAFT'S speech night before last advocating the sending of an armed force to Palestine, which seemed to have the ring of Onward Christian Soldiers; having read the exchange of interviews between Henry Wallace and Joe Stalin on international affairs; and having witnessed the mental somersaults which the President turned overnight in recognizing Palestine, I too became confused.

That confusion was intensified last night as I listened to the oratorical dogfall between Gov. Thomas E. Dewey, of New York, and ex-Gov. Harold Stassen, of Minnesota. When debate wound up you could not tell Dewey's moustache from Stassen's eyebrows.

Having gone through all that I can appreciate the confusion of my distinguished friend from New York [Mr. TABER].

Of course, this Russian language document issued by the Library of Congress adds to that confusion.

It all reminds me of the words of a very able colored preacher down at home, who went off to a regional church meeting and came back with some long words in his vocabulary. One was "status quo." He got up and told the congregation that he was glad to find everything in "status quo." It disturbed the congregation to hear him using such language, and after the service one of the brethern took him aside and asked him: "Pahson, what does this here thing status quo mean?"

"Well," said the preacher, "that is the kind of language we educated preachers use. What it really means is, you is in a helluvafix."

I just want to say to the gentleman from New York [Mr. TABER] that with these communistic documents published in Russia and coming out of the Library of Congress, together with what has happened in the last 48 hours, all adds up to the fact that we are getting into a "helluvafix."

## ISRAEL

Mr. ISACSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISACSON. Mr. Speaker, last Friday night I stood on the lawn of the Jewish Agency in Washington. And, as the hands of time crept beyond the hour of 6, heralding the new day of May 15 in Israel, a proud new flag fluttered forth from the gleaming white building. It was the flag of Israel, the blue and the white and the Mogen Dovid.

And as the brave new flag furled out into the breeze proclaiming the new Jewish state, joyously we burst into the Hatikvah. The Jewish state, dream of twenty centuries, was a reality.

A few moments later came the second fateful news: The new state of Israel had been recognized by our Government.

Now the celebration really began; there was dancing and singing and everywhere could be heard the word "Mazeltov, Mazeltov."

Yes, Mazeltov.

Mazeltov to the heroic defenders of the Yishov whose courage and gallantry and sacrifice defy even now the combined armies of Transjordan and Egypt and Syria and all the other Arab nations which would infest Israel like a devastating pestilence.

Mazeltov to the thousands of Jews interned as displaced persons in concentration camps in Europe, the skeletal remnants of our proud people who survived the crematoria and lime pits of the Nazi terror.

Mazeltov to the delegates of the United Nations, the delegates of Poland and Norway and Guatemala and the Soviet Union who never for a single moment wavered in their steadfast support of the partition plan which created the basis for the Jewish state.

Mazeltov to you, the people of America, Jew and Christian, white and black. For it was you by your united and determined outcry against the infamy of betrayal who forced our country to honor its pledged word. It was you who defeated the treacherous, traitorous, and treasonable forces who would have sold our national honor as well as world peace for a few barrels of Arab oil.

Mazeltov for all, yes. But me must keep on fighting. This is no time to relax our vigilance.

For myself I shall continue my fight until the American embargo against the shipment of arms to Israel is lifted, until the Security Council notifies the Arab League that it will not tolerate any invasion of Israel, until the whole truth of what is happening in Palestine is made known.

To that end, it is generally known that I have received my passport to go to Palestine. The British did not grant me a visa. I am applying for that visa to the new provisional government of Israel.

I salute the new Jewish state.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, the President's recognition of the provisional government of Palestine as the de facto government on May 14 represents not only a major contribution to the cause of Hebrew freedom and national self-determination, but is a most encouraging forward step toward world peace. I am firmly convinced that this step is in complete accordance with America's traditional foreign policy, and with the ideals of the United Nations, and I take this opportunity to commend the President and to declare my full support of this decision. I am confident that this decisive, positive action taken by President Truman has the support of the overwhelming majority of the American people, as well as the millions of people the world over, who today pray and hope for peace.

However, the Jewish people's struggle for national independence is not over. The Arab armies of Egypt, Transjordan, Syria, and Iraq are attacking, and the new state of Israel is today fighting for its life. Artillery shells and bombs are falling in the city of Jerusalem, and the army of Israel is fighting in defense of the Holy Land on many fronts. Positive steps by the United States and the United Nations to implement the establishment of the new state are now in order.

In my opinion, the next logical steps needed to guarantee the continued existence of Israel should be:

First. The United States should immediately exchange diplomatic representatives with Israel, and urge all nations which have extended recognition to do the same;

Second. The United States should lift the arms embargo against Israel to permit the new state to purchase arms for the purpose of equipping its army to check Arab aggression;

Third. The United States should grant financial assistance and credit to Israel

for the purchase of arms, and for the economic reconstruction and development of that country; and

Fourth. The United States representatives to the Security Council of the United Nations should exert all possible influence to obtain a UN decision to halt Arab attacks. The Security Council should declare the aggressive warfare of the Arab states to be a breach of the peace and a threat to world peace. If necessary, UN sanctions should be applied, even to the extent of using force to expel Arab armies from the soil of Israel.

It is my hope that actions along these lines may soon be forthcoming. Such steps would be the logical sequence of United States recognition of Israel, and our new policy on Palestine. Such steps are necessary to enable the long-suffering Jewish people to long-last realize their goal of national independence.

MR. PRESIDENT, MANY, MANY THANKS

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, on May 16, in the city of New York, we celebrated I-Am-An-American Day. In connection with that celebration the Reverend William C. Kernan had this to say:

> In the face of so much Communist propaganda designed to make us disparage all things American, we need, on this "I-Am-An-American Day," the encouragement which arises from realizing how mightily America has wrought for human freedom in the past, how bravely and effectively America fights for freedom in this living present.

Mr. Speaker, in consonance with those remarks, I take this time to congratulate our President for his speedy action in recognizing a new democracy in the Middle East, the Republic of Israel, which I am sure will go far toward spreading democracy through that part of the world and will also be a credit to the democracies of the world.

Similarly, I cannot let this moment go by without extolling the courage of our President in promptly after recognizing the new state, instructing our delegation to the United Nations to urge upon the UN immediate action looking toward the restoration of peace in the Middle East.

I am confident that our President will follow these two courageous steps with a third, to wit, the lifting of the embargo on arms to the Republic of Israel, so that it may aid the UN in restoring peace.

Mr. President, on behalf of one-half million people living in my congressional district—many, many thanks.

EXTENSION OF REMARKS

Mr. MULTER asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include extraneous matter.

Mr. SMATHERS asked and was given permission to extend his remarks in the Appendix of the RECORD and include a poem.

Mr. HEFFERNAN (at the request of Mr. CELLER) was given permission to extend his remarks in the RECORD.

INTERNATIONAL INDUSTRIAL EXPOSITION

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 384 and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.*, That all articles which shall be imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., an international exposition, to be held at Atlantic City, N. J., from June 26 to September 11, 1948, inclusive, by the International Industrial Exposition, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Industrial Exposition, Inc., a corporation, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by the International Industrial Exposition, Inc., a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C. 1940 edition, title 19, sec. 1524).

The House joint resolution was agreed to.

A motion to reconsider was laid on the table.

TEMPORARY FREE IMPORTATION OF LEAD

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6489) to provide for the temporary free importation of lead.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the import duties imposed under paragraphs 391 and 392 of title I of the Tariff Act of 1930, as amended, on lead-bearing ores, flue dust, and mattes of all kinds, lead bullion or base bullion, lead in pigs and bars, lead dross, reclaimed lead, scrap lead, antimonial lead, and antimonial scrap lead shall not apply with respect to imports entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this act and ending with the close of June 30, 1949.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MACKINNON asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include an address he delivered recently in Boston.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD.

PUBLIC SAFETY

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1878) to amend the immigration laws to deny admission to the United States of persons who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 7, strike out "persons" and insert "aliens."

Amend the title so as to read as follows: "An act to amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONALITY ACT OF 1940

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5193) to amend the Nationality Act of 1940, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 6 and 7, strike out "is serving or."

Page 1, line 9, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 2, line 8, strike out "are serving or."

Page 3, strike out lines 6, 7, and 8.

Page 3, strike out lines 9 to 12, inclusive.

Page 3, line 13, strike out "(6)" and insert "(4)."

Page 3, line 20, strike out "(7)" and insert "(5)."

Page 4, line 2, strike out "(5)" and insert "(4)."

Page 4, line 6, strike out "is serving or."

Page 4, line 8, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 4, line 9, strike out "(8)" and insert "(6)."

Page 4, line 15, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 4, line 17, strike out "(9)" and insert "(7)."

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FEDERAL WORKS AGENCY

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3219) to authorize the Federal Works Administrator or official of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him may appoint uniformed guards of said Agency as special policemen without additional compensation for duty in connection with the policing of public buildings and other areas under the jurisdiction of the Federal Works Agency. Such special policemen shall have the same powers as sheriffs and constables upon such Federal property to enforce the laws enacted for the protection of persons and property, and to prevent breaches of the peace, to suppress affrays or unlawful assemblies, and to enforce any rules and regulations made and promulgated by the Administrator or such duly authorized officials of the Federal Works Agency for the property under their jurisdiction: *Provided*, That the jurisdiction and policing powers of such special policemen shall not extend to the service of civil process and shall be restricted to Federal property over which the United States has acquired exclusive or concurrent criminal jurisdiction.

"SEC. 2. The Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are hereby authorized to make all needful rules and regulations for the Government of the Federal property under their charge and control, and to annex to such rules and regulations such reasonable penalties, within the limits prescribed in section 4 of this act, as will insure their enforcement: *Provided*, That such rules and regulations shall be posted and kept posted in a conspicuous place on such Federal property.

"SEC. 3. Upon the application of the head of any department or agency of the United States having property of the United States under its administration and control and over which the United States has acquired exclusive or concurrent criminal jurisdiction, the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are authorized to detail any such special policemen for the protection of such property and if he deems it desirable, to extend to such property the applicability of any such regulations and to enforce the same as herein set forth; and the Federal Works Administrator or official of the Federal Works Agency duly authorized by him, whenever it is deemed economical and in the public interest, may utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, the facilities and services of such State or local law-enforcement agencies.

"SEC. 4. Whoever shall violate any rule or regulation promulgated pursuant to section 2 of this act shall be fined not more than $50 or imprisoned not more than 30 days, or both."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PUBLIC AIRPORT IN ALASKA

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3510) to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "operate", insert "improve."

Page 1, line 6, after "Alaska", insert "a public airport."

Page 1, lines 6 and 7, strike out "such place as he may deem most appropriate" and insert "or near Anchorage and."

Page 1, line 7, after "airport", insert "at or near Fairbanks."

Page 2, line 9, after "maintenance", insert "improvement."

Page 2, line 10, strike out all after "said" down to and including "acres" in line 12 and insert "airports."

Page 2, line 20, strike out "airport" and insert "airports."

Page 2, after line 20, insert:

"The Administrator is authorized to construct any public highways or bridges from the cities of Anchorage and Fairbanks to whatever airport locations may be selected. Upon completion said highways and bridges shall be transferred to the Territory of Alaska without charge and thereafter be maintained by the Territory."

Page 2, line 22, after "maintenance", insert "improvement."

Page 2, line 23, strike out "airport" and insert "airports."

Page 3, line 9, strike out "airport" and insert "airports."

Page 3, line 10, strike out "airport" and insert "airports."

Page 3, line 13, strike out "airport" and insert "airports."

Page 3, line 14, strike out "airport" and insert "airports."

Page 4, line 5, after "maintenance", insert "improvement."

Page 4, line 6, strike out "airport" and insert "airports."

Page 4, line 18, strike out "$8,000,000" and insert "$13,000,000."

Page 4, line 22, after "maintenance", insert "improvement."

Page 5, line 1, strike out "airport" and insert "airports."

Amend the title so as to read: "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BRETTON WOODS AGREEMENTS ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 656)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

In accordance with section 4 (b) (6) of the Bretton Woods Agreements Act, there is transmitted herewith the first special report on the operations and policies of the International Monetary Fund and the International Bank for Reconstruction and Development, covering the first 2 years of operations of these institutions.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 17, 1948.*

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AIR MAIL

The Clerk called the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service, to be delivered by Government-owned motor vehicles.

Mr. CUNNINGHAM. Mr. Speaker, I understand that a rule has been granted on this bill. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 2286) to amend the Nationality Act of 1940.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PURCHASE OF AUTOMOBILES BY CERTAIN DISABLED VETERANS

The Clerk called the bill (H. R. 4007) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDING SECTION 332 (A) OF THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 5886) to amend section 332 (a) of the Nationality Act of 1940.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ARKANSAS-MISSISSIPPI BRIDGE COMMISSION

The Clerk called the bill (H. R. 3915) to increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first sentence of the second paragraph of section 7 of the act entitled "An Act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939 (53 Stat. 747), as amended, is amended to read as follows:

"The present Commission of 6 members shall remain intact and, in addition thereto, the Secretary of Agriculture shall appoint 12 members, 6 of whom shall be residents and citizens of the State of Mississippi, and 6 residents and citizens of the State of Arkansas."

SEC. 2. The times for commencing and completing the construction of such bridge are hereby further extended 1 and 3 years, respectively, from the date of the enactment of this act.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike out all of section 1 and insert in lieu thereof the following:

"That the second paragraph of section 7 of the act entitled 'An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes', approved May 17, 1939 (53 Stat. 747), as amended, is hereby amended to provide that 'Federal Works Administrator' shall be substituted for 'Secretary of Agriculture' wherever the latter term appears in said paragraph and that the membership of the Commission created by section 7 of said act shall be increased to 18 by the appointment of 12 additional members, 6 of said additional members to be residents and citizens of the State of Mississippi, and the other 6 to be residents and citizens of the State of Arkansas."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORIGINAL JURISDICTION OF DISTRICT COURTS OF THE UNITED STATES IN CERTAIN CASES

The Clerk called the bill (H. R. 127) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes.

Mr. MALONEY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

There was no objection.

EXPERIMENT STATION IN APPALACHIAN REGION

The Clerk called the bill (H. R. 5153) to provide for the establishment and operation of an experiment station in the Appalachian region for research on the production, refining, transportation, and use of petroleum and natural gas.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, on May 3 this bill was passed over on the calendar without prejudice. I understand the doubts of the gentleman who asked that it be passed over have now been satisfied by an amendment drawn by the author of the bill, the gentleman from Ohio [Mr. GRIFFITHS], and I shall offer that amendment at the proper time.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain an experiment station in the Appalachian region to conduct researches and investigations on the production, refining, transportation, and use of petroleum and natural gas. Such station shall be planned as a center for information and assistance in matters pertaining to conserving resources for national defense; to the more efficient production, processing and refining, and utilization of petroleum and natural gas in the Appalachian region; and other matters relating to problems of the petroleum and natural-gas industries.

SEC. 2. For the purposes of this act the Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe. The Secretary, acting through the United States Bureau of Mines, may receive and accept money and property, real or personal, or interests therein, and services, as a gift, bequest, or contribution. Any money so received shall be deposited in the Treasury of the United States in a special fund or funds for disbursement by the Bureau of Mines, and shall remain available for the purposes for which received and accepted until expended.

SEC. 3. In order to carry out the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) $1,000,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the station if the land is not donated; and (b) $500,000 annually for the maintenance and operation of the experiment station, including personal services, supplies, equipment, and expenses of travel and subsistence.

Mr. CUNNINGHAM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM: On page 1, strike out the entire section 1, beginning on line 1, and substitute the following:

*"Be it enacted, etc.*, That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain an experiment station in the Appalachian region to conduct researches and investigations on the production, refining, transportation, and use of petroleum and natural gas produced in such region. Such station shall be planned as a center for information and assistance in matters pertaining to conserving petroleum, natural gas, or their products for national defense, to aid the more efficient production, processing and refining, and utilization of petroleum and natural gas, and other matters relating to problems of the petroleum and natural-gas industries in the Appalachian region."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLORADO RIVER DEVELOPMENT FUND

The Clerk called the bill (H. R. 5901) to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of

the States of the Colorado River Basin in addition to appropriation for said purposes from the Colorado River Development Fund.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 2 (d) of the Boulder Canyon Project Adjustment Act (U. S. C., 1940 edition, title 43, sec. 618a (d)) is hereby amended to read as follows:

"(d) Transfer, subject to the provisions of section 3 hereof, from the Colorado River Dam Fund to a special fund in the Treasury, hereby established and designated the 'Colorado River Development Fund', of the sum of $500,000 for the year of operation ending May 31, 1938, and the like sum of $500,000 for each year of operation thereafter, until and including the year of operation ending May 31, 1987. The transfer of the said sum of $500,000 for each year of operation shall be made on or before July 31 next following the close of the year of operation for which it is made: *Provided*, That any such transfer for any year of operation which shall have ended at the time this section 2 (d) shall become effective shall be made, without interest, from revenues received in the Colorado River Dam Fund, as expeditiously as administration of this act will permit, and without readvances from the general funds of the Treasury. Receipts of the Colorado River Development Fund for the years of operation ending in 1938, 1939, and 1940 (or in the event of reduced receipts during any of said years, due to adjustments under section 3 hereof, then the first receipts of said fund up to $1,500,000), are authorized to be appropriated only for the continuation and extension, under the direction of the Secretary, of studies and investigations by the Bureau of Reclamation for the formulation of a comprehensive plan for the utilization of waters of the Colorado River system for irrigation, electrical power, and other purposes, in the States of the upper division and the States of the lower division, including studies of quantity and quality of water and all other relevant factors. The next such receipts up to and including the receipts for the year of operation ending in 1955 are authorized to be appropriated only for the investigation and construction of projects for such utilization in and equitably distributed among the four States of the upper division: *Provided, however*, That in view of distributions heretofore made, and in order to expedite the development and utilization of water projects within all of the States of the upper division, the distribution of such funds for use in the fiscal years 1949 to 1955, inclusive, shall be on a basis which is as nearly equal as practicable. Such receipts for the years of operation ending in 1956 to 1987, inclusive, are authorized to be appropriated for the investigation and construction of projects for such utilization in and equitably distributed among the States of the upper division and the States of the lower division. The terms 'Colorado River system', 'States of the upper division', and 'States of the lower division' as so used shall have the respective meanings defined in the Colorado River compact mentioned in the project act. Such projects shall be only such as are found by the Secretary to be physically feasible, economically justified, and consistent with such formulation of a comprehensive plan. Nothing in this act shall be construed so as to prevent the authorization and construction of any such projects prior to the completion of said plan of comprehensive development; nor shall this act be construed as affecting the right of any State to proceed independently of this act or its provisions with the investigation or construction of any project or projects. Transfers under this section 2 (d) shall be deemed contractual obligations of the United States, subject to the provisions of section 8 of this act."

SEC. 2. The availability of appropriations from the Colorado River development fund for the investigation and construction of projects in any of the States of the Colorado River Basin shall not be held to forbid the expenditure of other funds for those purposes in any of those States where such funds are otherwise available therefor.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### COMPENSATING SWITZERLAND FOR WORLD WAR II DAMAGES

The Clerk called the bill (S. 1605) to provide for the payment of a sum not to exceed $12,000,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by the United States armed forces in violation of neutral rights, and authorizing appropriations therefor.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

### AMENDING RECLAMATION PROJECT ACT OF 1939

The Clerk called the bill (H. R. 3194) to amend the Reclamation Project Act of 1939.

Mr. POULSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection?

### LANGLADE COUNTY, WIS.

The Clerk called the bill (H. R. 6113) to transfer certain land in Langlade County, Wis., to the United States Forest Service.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That upon the written consent of the majority of directors, Wisconsin Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby directed to convey, grant, transfer, and quitclaim forthwith to the United States, for subsequent administration as a part of the Nicolet National Forest and subject to the rules and regulations applicable to national-forest lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee, under an agreement of transfer dated May 16, 1937, with the Wisconsin Rural Rehabilitation Corporation, and situated in the county of Langlade, State of Wisconsin, together with the improvements thereon and the rights and the appurtenances thereunto belonging or appertaining: Township 33 north, range 9 east, fourth principal meridian, section 16, northwest quarter, north half northeast quarter, southwest quarter northeast quarter, and north half south half; section 17, northeast quarter; section 22, east half northwest quarter.

SEC. 2. The Chief of the Forest Service is hereby directed to utilize, insofar as practicable, the property transferred pursuant to this act as an experimental and demonstration forest. Such use is found to be in the general interest of rural rehabilitation.

SEC. 3. Any such transfer shall not be deemed to impose any liability upon the Secretary of Agriculture with respect to his obligation under such agreement to transfer of May 16, 1937.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### AMENDING TITLE I OF BANKHEAD-JONES FARM TENANT ACT

The Clerk called the bill (H. R. 6114) to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the following sections of title I of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

SEC. 1. Amend subsection (b) (2) of section 3 to read:

"(2) provide for the payment of interest on the unpaid balance of the loan at the rate of 4 percent per annum;".

SEC. 2. Amend subsection (c) (4) of section 12 to read:

"(4) the mortgage instruments shall comply with section 3 (b), except that the base rate of interest shall be 3 percent per annum;".

SEC. 3. Amend subsection (e) (1) of section 12 to read:

"The Secretary shall collect from the mortgagor for mortgage insurance an annual charge at the rate of 1 percent of the outstanding principal obligation of the mortgage; the initial charge shall be collected simultaneously with the insurance of the mortgage and shall cover the period from the date of loan closing to the date of the first installment payable on the loan; the next and each succeeding charge shall be computed on the outstanding principal obligation remaining unpaid after the due date of each installment payable on the loan, and shall be payable on or before the next succeeding due date of an installment of principal and interest. If the principal obligation of the mortgage is paid in full in less than 5 years after the time when the mortgage was entered into, the Secretary may require payment by the mortgagor of the entire annual charge computed for the year then current, and an additional charge equal to the annual charge for such year. The Secretary may modify existing contracts so as to require future payments thereunder in accordance with the provisions of this section."

SEC. 4. Amend subsection (f) of section 12 by striking out subsections (2) and (3), and inserting in lieu thereof the following new subsections (2), (3), and (4).

"(2) If the mortgagor has failed to pay to the Secretary the full amount of any installment on or before the due date thereof, the Secretary shall pay promptly the unpaid amount of such installment of principal and interest to the mortgagee, less the amount of any previous prepayments except payments from proceeds from the voluntary or involuntary sale of any part of the mortgaged property or from royalties from leases under which the value of the security is depreciated.

"(3) If the mortgagor fails to pay any amounts due for taxes, special assessments, water rates, and other amounts which may become liens prior to the mortgage, and any

amounts due for property insurance premiums, such amounts may be paid by the Secretary, either before or after assignment of the insured mortgage to the Secretary for the account of the mortgagor as provided in paragraph (4) below.

"(4) Payments by the Secretary under paragraphs (2) and (3) shall be advanced out of the funds for the account of the mortgagor. Such advances shall be repaid to the fund out of the first available collections received from the mortgagor. Such advances shall bear interest at the rate fixed in the insured mortgage payable out of any subsequent collections, and, until repaid, the advance and interest thereon shall be added to subsequent installments."

SEC. 5. Amend section 12 by adding at the end thereof the following new subsection (j).

"(j) The Secretary is authorized to enter into agreements from time to time with the holder of a mortgage heretofore or hereafter insured under this title that any holder thereof, at the holder's option, shall be entitled, upon assignment of such mortgage to the Secretary within 1 year after the expiration of a period fixed by such agreement, to have the mortgage purchased by the Secretary even though the mortgage is not then in default, provided the initial fixed period shall be not less than 5 years from the date of the insured mortgage. Such assignment shall be accomplished in the same manner and the value of such mortgage shall be determined on the same basis as provided by section 13 for mortgages in default. The Secretary may purchase any such mortgage with moneys in the fund and may sell it at its value likewise determined in accordance with section 13 at the time he sells it, and reinsure it, if necessary, or he may retain it for the account of the fund until the indebtedness is discharged through refinancing by the mortgagor, by foreclosure, or otherwise. The value of all such mortgages retained for the fund as herein provided shall not be included in computing the aggregate amount of mortgage obligations that may be insured in any one fiscal year, as provided in section 12 (b). If there should not be sufficient cash in the fund to enable the Secretary to make payments to purchase mortgages as provided in this subsection, in order to obtain funds to make such payments notes may be issued and purchased in the same manner as provided in section 13."

SEC. 6. Amend subsection (a) of section 14 by adding at the end thereof the following sentence: "Expenses and fees incident to foreclosure may be advanced out of the fund for the account of the mortgagor."

SEC. 7. Amend subsection (b) of section 14 to read:

"(b) Amounts realized under section 51 on account of property which was subject to an insured mortgage shall be deposited in the fund. Amounts payable by the Secretary under section 50 with respect to such property, and any necessary costs and expenditures for the operation, preservation, and protection of such property, shall be paid out of the fund."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### AMENDING VETERANS' PREFERENCE ACT OF 1944

The Clerk called the bill (H. R. 5508) to amend the Veterans' Preference Act of 1944 to extend the benefits of such Act to certain mothers of veterans.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That (a) clause (5) of section 2 of the Veterans' Preference Act of 1944, as amended, is amended by striking out "and were widows at the time of the death or disability of their ex-serviceman son or ex-servicewoman daughter."

(b) Clause (6) of section 2 of such Act, as amended, is amended by striking out "(B) the mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother", and inserting in lieu thereof "and (B) the mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter.".

With the following committee amendment:

On page 1 strike out beginning with line 7 through line 14 and insert the following:

"(b) Clause (6) of section 2 of such Act, as amended, is amended by striking out '(B) The mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother,' and inserting in lieu thereof '(B) The mother was divorced or separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) the mother has not remarried.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### AMENDING SECTION 32 (a) (2) OF THE TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 5960) to amend section 32 (a) (2) of the Trading With the Enemy Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BECKWORTH. Mr. Speaker, I object.

### AMENDING THE TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 6116) to amend the Trading With the Enemy Act.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended to read as follows:

"SEC. 33. No return may be made pursuant to section 9 or 32 unless notice of claim has been filed: (a) in the case of any property or interest acquired by the United States prior to December 18, 1941, by August 9, 1948; or (b) in the case of any property or interest acquired by the United States on or after December 18, 1941, by July 31, 1949, or 2 years from the vesting of the property or interest in respect of which the claim is made, whichever is later. No suit pursuant to section 9 may be instituted after August 9, 1948, or after the expiration of 2 years from the date of the seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which relief is sought, whichever is later, but in computing such 2 years there shall be excluded any period during which there was pending a suit or claim for return pursuant to section 9 or 32 (a) hereof."

With the following committee amendment:

On page 2, line 8, after the comma insert "whichever is later."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### INLAND WATERWAYS CORP.

The Clerk called the bill (H. R. 5318) to provide for the continuation of the transportation services of the Inland Waterways Corp., for the disposition of its property and other interests, and for other purposes.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

### POSTAL SERVICE

The Clerk called the bill (H. R. 4964) to preserve seniority rights of 10-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That (a) any letter carrier or clerk in the postal service entitled as a preference eligible to 10 points under the Veterans' Preference Act of 1944, as amended, in addition to his earned rating who, on or after the date of enactment of this act, transfers from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, shall not incur loss of seniority by reason of such transfer if, within 30 days after such transfer, he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

(b) Any such letter carrier or clerk who, prior to the date of enactment of this act, has transferred from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, and has incurred loss of seniority by reason of such transfer, shall be restored the seniority to which he would have been entitled if such transfer had not occurred if he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

With the following committee amendment:

On page 2, after line 15, add the following:

"(c) No regular employee shall be reduced to substitute status to accord the benefits of this act to another employee."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### PROMOTING MINING OF POTASH ON PUBLIC DOMAIN

The Clerk called the bill (S. 1050) to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1947, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and dis-

position of potassium," approved October 2, 1917.

Mr. CHENOWETH. Mr. Speaker, I believe a rule has been granted on this bill, and it is now on the calendar. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMPENSATING HOLDERS OF GRAZING PERMITS

The Clerk called the bill (S. 1874) authorizing the head of the department or agency using the public domain for national-defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national-defense purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act of July 9, 1942 (56 Stat. 654, 43 U. S. C., sec 315p), is amended by inserting the words "or national defense" between the word "war" and the word "purposes" wherever the latter two words appear in that act.

SEC. 2. This amendment is to take effect as of July 25, 1947.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEL NORTE COUNTY, CALIF.

The Clerk called the bill (H. R. 4874) authorizing the Secretary of the Interior to issue patent to the county of Del Norte, State of California, to Pelican Rock in Crescent City Harbor, Del Norte County, Calif.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized to issue patent to the county of Del Norte, State of California, to Pelican Rock, containing about 1 acre, located northerly from Whaler Island in Crescent City Harbor, Del Norte County, Calif., for the purposes of a public wharf or for such other purposes as it may be of use in the construction, maintenance, and operation of Crescent City Harbor, Del Norte County, Calif.

SEC. 2. That the Secretary of the Interior is hereby directed to take such action as may be necessary to carry out the purposes of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That all the right, title, and interest of the United States in and to the island known as Pelican Rock, containing an estimated area of about 1 acre, and situated in the Pacific Ocean in the northern portion of section 33, township 16 north, range 1 west, Humboldt meridian, California, approximately a quarter of a mile north of Whaler Island, shown to be located in latitude 41 degrees 44 minutes 40 seconds north, and longitude 124 degrees 11 minutes 10 seconds west, on United States Coast and Geodetic Survey Chart entitled 'St. George Reef and Crescent City, Calif.,' is hereby conveyed to the County of Del Norte, State of California, for the purpose of a public wharf or for such other purposes as it may be of use in the construction, maintenance, and operation of Crescent City Harbor."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to transfer Pelican Rock in Crescent City Harbor, Del Norte County, Calif., to that county."

A motion to reconsider was laid on the table.

PUBLIC-LAND LAWS IN OKLAHOMA

The Clerk called the bill (H. R. 5071) to extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the public-land laws of the United States be, and the same are hereby, extended to the public lands in that part of the Red River between the medial line and the south bank of the river, in Oklahoma, between the ninety-eighth meridian and the east boundary of the territory established as Greer County by the act of May 4, 1896 (29 Stat. 113): *Provided*, That such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry, and other disposal by the Secretary of the Interior according to law.

SEC. 2. The Secretary of the Interior is hereby authorized to recognize equitable claims to such lands based on settlement made prior to January 1, 1934, and all homestead entries of such lands, the allowance of which was erroneous because the lands were not subject to entry, and all suspended entries and applications to make final proof, are hereby validated if otherwise regular.

SEC. 3. Patents on nonmineral entries, selections, or locations of such lands shall contain a reservation to the United States of all minerals therein, together with the right to prospect for, mine, and remove the same under applicable laws relating to such minerals: *Provided*, That the proceeds accruing to the United States from leases of the oil and gas deposits in such lands shall continue to be disposed of as provided by existing law.

SEC. 4. Except as to existing valid rights, the act of March 4, 1923 (42 Stat. 1448) is hereby repealed.

With the following committee amendments:

On page 2, line 5, insert "and directed."

Page 2, line 10, after the word "regular", insert "as of the date of the regular application."

Page 2, line 12, strike out all of section 3, and page 2, line 20, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURPLUS GOVERNMENT LANDS IN THE STATES OF GEORGIA AND TENNESSEE

The Clerk called the bill (H. R. 5936) to provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That, effective upon publication of notice, as hereinafter provided, there shall be added to the Chickamauga and Chattanooga National Military Park, a strip of land, comprising not more than 100 acres, lying generally north of the present south line of Fort Oglethorpe and westward from the southeast corner thereof. The exact boundaries of the area added to the park shall be agreed upon by the Administrator, War Assets Administration, and the Director of the National Park Service.

When the boundaries of the aforesaid area have been agreed upon, the War Assets Administration shall furnish to the National Park Service a legal description of the lands to be added to the park, together with a map showing the boundaries and the acreage of the area.

Upon the receipt by the National Park Service of such legal description and map of the area, public notice that such lands are to become a part of the Chickamauga and Chattanooga National Military Park, effective on the date of publication of such notice, shall be given in the Federal Register.

The bill was ordered to be engrossed and read a third time, was read the third time, and pased, and a motion to reconsider was laid on the table.

FORT VANCOUVER NATIONAL MONUMENT

The Clerk called the bill (H. R. 5957) to provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Co. stockade, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That, for the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, to be known as the "Fort Vancouver National Monument," the Administrator of the War Assets Administration and the Secretary of the Army are authorized to transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property, real or personal, under their jurisdiction, including the site of the old Hudson's Bay Co. stockade in the State of Washington, as they shall find to be surplus to the needs of their respective agencies, such properties to be selected, with their approval, by the Secretary of the Interior for inclusion within the national monument.

SEC. 2. The total area of the national monument as established or as enlarged by transfers pursuant to this act shall not exceed 125 acres. Establishment of the monument shall be effective, upon publication in the Federal Register of notice of such establishment, following the transfer to the Secretary of the Interior of administrative jurisdiction over such lands as the Secretary of the Interior shall deem to be sufficient for purposes of establishing the national monument. Additional lands may be added to the monument in accordance with the procedure prescribed in section 1 hereof, governing surplus properties, or by donation, subject to the maximum acreage limitation prescribed by this act, upon publication of notice thereof in the Federal Register.

SEC. 3. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," as amended.

With the following committee amendment:

Page 2, line 10, strike out "125" and insert "90."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LANDS FOR GRAZING AND RELATED PURPOSES

The Clerk called the bill (H. R. 6073) to provide for the acquisition of lands for grazing and related purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That paragraph (a) of section 8 of the act of June 28, 1934 (48 Stat. 1269, 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C., sec. 315g), is hereby amended to read as follows: "That where such action will promote the purposes of a district or facilitate the administration of the public lands, the Secretary is authorized to accept on behalf of the United States any lands within or without the exterior boundaries of a grazing district as a gift."

SEC. 2. The last sentence of section 9 of the act of June 28, 1934 (48 Stat. 1269, 1273), is hereby amended by substituting for the words "the district" the following: "lands within or without the exterior boundaries of a grazing district."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF LEASES OF CERTAIN LAND IN THE TERRITORY OF HAWAII

The Clerk called the bill (H. R. 6229) to authorize the extension of leases of certain land in the Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That where a lessee of water-front lands in the Territory of Hawaii under lease on April 1, 1946, has spent substantial sums in repairing or replacing improvements on such lands damaged or destroyed by the tidal wave of that date, then notwithstanding any provision of the Organic Act of Hawaii (31 Stat. 141), as amended, or of the laws of the Territory of Hawaii, the Commissioner of Public Lands of the Territory of Hawaii, at the request of the lessee, in his discretion may extend the term of the lease at the original rental: *Provided*, That no lease is extended beyond March 31, 1967.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINERAL LEASING ACT

The Clerk called the bill (H. R. 6302) to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the second proviso of section 27 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended (U. S. C., 1946 ed., title 30, sec. 184), is hereby amended by striking out "within 2 years after the passage of this act" and inserting in lieu thereof "on or before August 8, 1950."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACT OF PURCHASE OF CERTAIN LANDS AND MINERAL DEPOSITS FROM CHOCTAW AND CHICKASAW NATIONS OF INDIANS

The Clerk called the next business, House Joint Resolution 363, providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. KEAN. Mr. Speaker, the amount involved is too great for the Consent Calendar, and therefore I object.

Mr. ALBERT. Mr. Speaker, will the gentleman reserve the right to object?

Mr. KEAN. I reserve the right.

Mr. ALBERT. This particular legislation is approval of a contract pursuant to a previous authorization granted in 1944. I just wondered whether the same objection would obtain under those circumstances.

Mr. KEAN. It would. I object.

AMENDING SECTION 303 (E) OF THE INTERSTATE COMMERCE ACT

The Clerk called the bill (H. R. 6078) to amend section 303 (e) of the Interstate Commerce Act, as amended.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That subsection (e) of section 303 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(e) (1) Notwithstanding any provision of this part the Commission may, by order, from time to time, upon application, or upon its own initiative without application, exempt from the requirements of this part the transportation of passengers between points in the United States by way of a foreign port or ports, upon a finding that application of such requirements thereto is not necessary to carry out the national transportation policy declared in this act.

"(2) It is hereby declared to be the policy of Congress to exclude from the provisions of this part, in addition to the transportation otherwise excluded under this section, transportation by contract carriers by water which, by reason of the inherent nature of the commodities transported, their requirement of special equipment or their shipment in bulk, is not actually and substantially competitive with transportation by any common carrier subject to this part or part I or part II. Upon application of a carrier, made in such manner and form as the Commission may by regulations prescribe, the Commission shall, subject to such reasonable conditions and limitations as the Commission may prescribe, by order exempt from the provisions of this part such of the transportation engaged in by such carrier as it finds necessary to carry out the policy above declared. A carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended) making such application prior to January 1, 1941, shall be exempt from the provisions of this part until a final determination has been made upon such application if such carrier or a predecessor in interest was in bona fide operation as a contract carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period prior to or including such date, for operations of the character in question) except, in either event, for interruptions of service over which such carrier or its predecessor in interest had no control."

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

GETTYSBURG NATIONAL CEMETERY

The Clerk called the bill (H. R. 4688) to enlarge the Gettysburg National Cemetery.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by purchase, condemnation, or otherwise, the following-described land in the Borough of Gettysburg, Adams County, Pa.:

Beginning at a point at the corner of South Washington Street (also known as Taneytown Road) and the United States Government National Cemetery; thence along said street north 1½ degrees west 356 feet to a point; thence north 57 degrees east 321 feet to a point at the corner of lands of Paul H. Ketterman; thence north 57 degrees west 179⅞ feet to a point at corner of lands of Paul H. Ketterman on Steinwehr Avenue; thence along Steinwehr Avenue north 33 degrees east 179⅞ feet to a point at corner of lands of Thomas J. Winebrenner and Son; thence south 35 degrees east 236⅞ feet to a point at corner of lands of Emma Noel estate; thence north 59 degrees east 137 feet to a point at corner of lands of Emma Noel estate and lands of Harry Koch; thence south 30 degrees east 129⅞ feet to a point; thence north 57 degrees east 200 feet to a point on Baltimore Street; thence south 30 degrees east along Baltimore Street 50 feet to a point at corner of lands of Margaret E. Kissinger; thence south 57 degrees west 312 feet to a point; thence south 30 degrees east 120⅞ feet to a point along the north side of United States Government National Cemetery; thence along same south 57 degrees west 616 feet to a point, the place of beginning. Containing 5 acres and 4 perches, more or less.

SEC. 2. The land acquired pursuant to the first section of this act shall constitute a part of the Gettysburg National Cemetery and shall be reserved for the burial of World War I and World War II veterans and such other persons as may be entitled to interment in national cemeteries.

SEC. 3. There is authorized to be appropriated not to exceed the sum of $10,000 to carry out the purposes of this act.

With the following committee amendment:

On page 2, line 25, strike out the words "beginning. Containing" and insert "beginning, containing."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE THE COAST GUARD TO ESTABLISH AND MAINTAIN AIDS TO NAVIGATION

The Clerk called the bill (S. 1853) to authorize the Coast Guard to establish, maintain, and operate aids to navigation.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in order to guide navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate within the United States, its Territories and possessions, and

beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and elsewhere—

(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate department within the National Military Establishment; and

(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States as determined by the Administrator of Civil Aeronautics.

The Coast Guard in establishing, maintaining, or operating any aids to air navigation herein provided shall solicit the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage. Before locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this act shall be deemed to limit the authority granted by the provisions of section 77 of the act of January 12, 1895 (28 Stat. 621), or by section 5 (f) of the Air Commerce Act of 1926 (49 U. S. C. 175), or by title III of Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451 and the following).

With the following committee amendment:

Strike out all after the enacting clause and insert: "That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

"(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

"(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

"(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States.

"SEC. 2. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established on the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## AUTHORIZING THE COAST GUARD TO OPERATE AND MAINTAIN OCEAN STATIONS

The Clerk called the bill (S. 2122) to authorize the Coast Guard to operate and maintain ocean stations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, the cost of this bill is too great for the Consent Calendar. Therefore, I object.

## INTERNATIONAL AIR-TRANSPORTATION SYSTEM

The Clerk called the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.—*

SHORT TITLE

SECTION 1. This act may be cited as the "International Aviation Facilities Act."

DEFINITIONS

SEC. 2. For the purposes of this act:

(1) The term "Air Coordinating Committee" means the committee established by Executive Order No. 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or equivalent powers whether created by Executive order or legislative enactment.

(2) The term "airport property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies.

(3) The term "airway property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airways, communications, and meteorological facilities.

(4) The term "foreign territory" means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

SEC. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the objectives of the International Civil Aviation Organization, the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, whenever funds therefor have been specifically appropriated by the Congress, to acquire, establish, and construct airport property and airway property in foreign territory, and to conduct related services.

TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

SEC. 4. Subject to the concurrence of the Secretary of State, the Administrator and the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States, funds from any foreign government or from any international organization as payment for any facilities supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this act or of the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 6. With the unanimous approval of the Air Coordinating Committee, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this act, to the foreign government involved or to any international organization. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to make such transfer upon such terms and conditions as he deems proper, including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE REPUBLIC OF PANAMA

SEC. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communications, and air traffic control facilities and service in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this act.

(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this act.

TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISHMENT TO THE ADMINISTRATOR OR THE WEATHER BUREAU

SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefor, airport property and airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this act shall be considered as property transferred pursuant to this section.

AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improvement, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, reengineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed 20 years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make just and reasonable charges for aeronautical services (including fees for use of navigational aids, communication services, landing facilities, and similar services); and (6) to acquire, by purchase or otherwise, real or personal property, or interests therein, which he may consider necessary for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdicton of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 or to imprisonment not exceeding 6 months, or to both such fine and imprisonment.

(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized and directed, in carrying out the provisions of this act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF WILDLIFE-REFUGE LANDS

The Clerk called the bill (H. R. 6030) to authorize the exchange of wildlife-refuge lands within the State of Washington.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is authorized, in his discretion, at any time within 10 years from the date of the approval of this act, to accept from the State of Washington on behalf of the United States title to any lands in the State of Washington which he deems chiefly valuable for wildlife refuge purposes, and which are equivalent in value to the lands of the United States within the Skagit National Wildlife Refuge, and in exchange therefor to convey by deed on behalf of the United States to the State of Washington the said lands of the United States in the Skagit National Wildlife Refuge.

SEC. 2. Any lands acquired by the Secretary of the Interior under the terms of this act, if located within or adjacent to an existing wildlife refuge or reservation, immediately shall become a part of such refuge or reservation and shall be administered under the laws and regulations applicable thereto, and, if not so located, may be administered as a migratory-waterfowl management area, refuge, reservation, or breeding ground in accordance with the provisions of the act of August 14, 1946 (60 Stat. 1080), and acts supplementary thereto.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMISSIONED OFFICERS OF THE COAST AND GEODETIC SURVEY

The Clerk called the bill (H. R. 6204) to extend to commissioned officers of the Coast and Geodetic Survey the provisions of the Armed Forces Leave Act of 1946.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act of August 9, 1946 (60 Stat. 963), as now or hereafter amended, relating to the granting of annual leave and compensation for leave accumulated in excess of 60 days on August 31, 1946, shall apply to commissioned officers of the Coast and Geodetic Survey to the same extent and with the same relative conditions as are provided therein for commissioned officers of the armed forces: *Provided*, That the term "Secretary" as used in such act shall mean, in the case of commissioned officers of the Coast and Geodetic Survey, the Secretary of Commerce: *And provided further*, That in any case in which a commissioned officer of the Coast and Geodetic Survey on active duty on September 1, 1946, excepting officers on terminal leave on that date, had to his credit on August 31, 1946, accumulated or accrued leave aggregating in excess of 60 days, such leave in excess of 60 days not subsequently taken shall be settled and compensated for in cash on the basis of the rate of pay and allowances applicable to such officer on August 31, 1946, if application is made therefor to the Secretary of Commerce within 1 year after the date of approval of this act.

SEC. 2. Funds appropriated by the act of August 8, 1946 (Public Law 663, 79th Cong.), to enable the President to carry out the provisions of the Armed Forces Leave Act of 1946, are hereby made available for carrying out the provisions of this act and may be allotted to the Department of Commerce by transfer to and merger with appropriations thereof or otherwise, in such amounts as may be determined by the Director of the Budget.

SEC. 3. The provisions of this act shall be effective from August 9, 1946.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGES IN TIME OF HOLDING COURT IN CERTAIN DIVISIONS IN THE EASTERN AND WESTERN DISTRICTS OF SOUTH CAROLINA

The Clerk called the bill (H. R. 5106) to provide for changes in the time of holding court in certain divisions in the eastern and western districts of South Carolina.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 105 of the Judicial Code, as amended (U. S. C., 1940 ed., title 28, sec. 186), is hereby amended to read as follows:

"SEC. 105. The State of South Carolina is divided into two districts to be known as the eastern and western districts of South Carolina.

"The western district shall include the territory embraced on the 1st day of July 1910 in the counties of Abbeville, Anderson, Cherokee, Chester, Edgefield, Fairfield, Greenville, Greenwood, Lancaster, Laurens, Newberry, Oconee, Pickens, Saluda, Spartanburg, Union, and York.

"The western district of South Carolina is divided into five divisions, to be known as the Anderson, Greenville, Greenwood, Rock Hill, and Spartanburg divisions. The Anderson division shall include the territory embraced in the counties of Anderson, Oconee, and Pickens. The Greenville division shall include the territory embraced in the counties of Greenville and Laurens. The Greenwood division shall include the territory embraced in the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda. The Rock Hill division shall include the territory embraced in the counties of Chester, Fairfield, Lancaster, and York. The Spartanburg division shall include the territory embraced in the counties of Cherokee, Spartanburg, and Union. The terms of the district court for the Anderson division shall be held at Anderson, for the Greenville division at Greenville, for the Greenwood division at Greenwood, for the Rock Hill division at Rock Hill, and for the Spartanburg division at Spartanburg. Terms of the district court for the western district shall be held at Anderson on the second Monday in May and the third Monday in November; at Spartanburg on the first Monday in April and the first Monday in October; at Greenwood on the third Monday in May and the first Monday in December; at Rock Hill on the second Monday in March and the fourth Monday in September; and at Greenville on the third Monday in February and the fourth Monday in October.

"The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Aiken, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Kershaw, Lee, Lexington, Marion, Marlboro, Orangeburg, Richland, Sumter, and Williamsburg.

"The eastern district of South Carolina is divided into five divisions, to be known as the Aiken, Charleston, Columbia, Florence, and Orangeburg divisions. The Aiken division shall include the territory embraced in the counties of Aiken, Allendale, Barnwell, and Hampton. The Charleston division shall include the territory embraced in the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper. The Columbia division shall include the territory embraced in the counties of Kershaw, Lee, Lexington, Richland, and Sumter. The Florence division shall include the territory embraced in the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg. The Orangeburg division shall include the territory embraced in the counties of Calhoun, Bamberg, and Orangeburg. The terms of the district court for the Aiken division shall be held at Aiken, for the Charleston division at Charleston, for the Columbia division at Columbia, for the Florence division at Florence, and for the Orangeburg division at Orangeburg.

"Terms of the district court for the eastern district shall be held at Aiken on the fourth Monday in March and the third Monday in September; at Charleston on the third Monday in January, the second Monday in May, and the second Monday in October; at Columbia on the third Monday in February, the third Monday in June, and the fourth Monday in October; at Florence on the fourth Monday in April and the first Monday in December; and at Orangeburg on the second Monday in April and the third Monday in November: *Provided*, That facilities for holding court at Orangeburg are furnished free of expense to the United States. The office of the clerk of the district court for the western district shall be at Greenville and the office of the clerk of the district court for the eastern district shall be at Charleston.

"All criminal cases shall be tried in the division in which the offense was committed, unless upon proper showing the venue would be changed by the judge from one division to another, and this change be made only upon affidavits and motion made in open court after 4 days' notice to the adverse party."

With the following committee amendments:

Page 1, line 10, strike out "1910" and insert in lieu thereof "1947."

Page 2, line 2, insert "McCormack", after the name "Laurens."

Page 3, line 8, strike out "1910" and insert in lieu thereof "1947."

Page 3, line 9, insert "Allendale", after the name "Aiken."

Page 3, line 11, insert "Jasper", at the end of the line.

The committee amendments were agreed to.

Mr. BRYSON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRYSON:

On page 3, line 1, strike out the word "second" and insert in lieu thereof the word "third."

On page 3, line 4, strike out the word "third" and insert in lieu thereof the word "second."

On page 4, line 15, strike out the word "third" and insert in lieu thereof the word "first."

The SPEAKER. The gentleman from South Carolina is recognized for 5 minutes.

Mr. BRYSON. Mr. Speaker——

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. BRYSON. I yield.

Mr. KEAN. I may say to the gentleman from South Carolina that it is a little unusual to have an amendment offered after we have let a bill go through. Usually the Members will come to the objectors and tell them that they are going to offer such-and-such an amendment so the objectors can decide whether they want to let the bill come up by unanimous consent.

Mr. BRYSON. Mr. Speaker, I may say to the gentleman from New Jersey that I spoke to two Members of his committee. I am sorry I did not speak to him.

Mr. KEAN. All right.

Mr. BRYSON. I may say to the gentleman that we have three Federal judges in our State, one of them known as a floating judge. There are two Federal districts. This is just a rearrangement of the time of holding court in the different districts. It involves no additional cost whatever.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF CERTAIN LANDS WITHIN CHOPAWAMSIC PARK

The Clerk called the bill (H. R. 6246) to authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized to transfer to the Secretary of the Navy control and jurisdiction over those parcels of land within the Chopawamsic Park, known hereafter as the Prince William Forest Park, a part of the park system of the National Capital and its environs by act of Congress of August 13, 1940 (54 Stat. 785), comprising approximately 5,000 acres, lying south of the Joplin Road and contiguous to the marine base at Quantico, Va., with the exception of approximately 4 acres at the intersection of roads 626 and 620, which land contains the fire tower, upon assurance that the Secretary of the Navy will guarantee the potability and the undamaged source of water of the South Branch of Quantico Creek to the lands lying east of route 619, now or hereafter acquired for the Chopawamsic Park: *Provided, however*, That the transfer of jurisdiction herein authorized shall not be effectuated until funds have been made available by the Congress for the acquisition of the lands referred to in section 3 of this act.

SEC. 2. That all of the lands that were formerly acquired by the War Department and that are now surplus to the needs of the Department of the Army within and adjacent to the Chopawamsic Park, comprising approximately 1,138$\frac{62}{100}$ acres, are hereby added to and made a part of that park, and shall be subject to all the laws, rules, and regulations applicable thereto.

SEC. 3. That the Secretary of the Interior and the Secretary of the Navy be, and they are hereby, authorized to acquire on behalf of the United States, by donation or purchase, lands adjoining or contiguous to the Chopawamsic Park, in the State of Virgnia, as may be necessary for the proper rounding out of the boundaries of that park, but not exceeding 1,500 acres. The title to real property acquired pursuant this this act shall be satisfactory to the Attorney General of the United States. All property acquired by the United States pursuant to this act shall become a part of the Chopawamsic Park upon acceptance of title thereto, and shall be subject to all laws, rules, and regulations applicable thereto.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of section 3 of this act.

With the following committee amendments:

Page 3, line 11, strike out the word "are" and insert in lieu thereof the word "is"; strike out the word "such" and insert in lieu thereof the word "not."

Page 3, line 12, strike out the words "sums as may be necessary" and insert in lieu thereof the words "to exceed the sum of $10,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILEAGE ALLOWANCE FOR UNITED STATES MARSHALS

The Clerk called the bill (S. 692) to authorize a mileage allowance of 7 cents per mile for United States marshals and their deputies for travel on official business.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

TITLE 3 OF UNITED STATES CODE

The Clerk called the bill (H. R. 6412) to codify and enact into law title 3 of the United States Code, entitled "The President."

There being no objection the Clerk read the bill, as follows:

*Be it enacted, etc.*, That title 3 of the United States Code, entitled "The President," is codified and enacted into positive law and may be cited as "3 U. S. C., § —," as follows:

TITLE 3—THE PRESIDENT


| | Sec. |
|---|---|
| 1. Presidential elections and vacancies | 1 |
| 2. Office and compensation of President | 101 |
| 3. Protection of the President; the White House Police | 201 |


CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES


Sec.
1. Time of appointing electors.
2. Failure to make choice on prescribed day.
3. Number of electors.
4. Vacancies in electoral college.
5. Determination of controversy as to appointment of electors.
6. Credentials of electors; transmission to Secretary of State and to Congress; public inspection.
7. Meeting and vote of electors.
8. Manner of voting.
9. Certificates of votes for President and Vice President.
10. Sealing and endorsing certificates.
11. Disposition of certificates.
12. Failure of certificates of electors to reach President of Senate or Secretary of State; demand on State for certificate.
13. Same; demand on district judge for certificate.
14. Forfeiture for messenger's neglect of duty.
15. Counting electoral votes in Congress.
16. Same; seats for officers and Members of two Houses in joint meeting.
17. Same; limit of debate in each House.
18. Same; parliamentary procedure at joint meeting.
19. Vacancy in Offices of both President and Vice President; officers eligible to act.
20. Resignation or refusal of office.


CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

TIME OF APPOINTING ELECTORS

§ 1. The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice President.

FAILURE TO MAKE CHOICE ON PRESCRIBED DAY

§ 2. Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.

NUMBER OF ELECTORS

§ 3. The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

VACANCIES IN ELECTORAL COLLEGE

§ 4. Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

DETERMINATION OF CONTROVERSY AS TO APPOINTMENT OF ELECTORS

§ 5. If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least 6 days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least 6 days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

CREDENTIALS OF ELECTORS; TRANSMISSION TO SECRETARY OF STATE AND TO CONGRESS; PUBLIC INSPECTION

§ 6. It shall be the duty of the executives of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Secretary of State of the United States a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 7 of this title to meet, six duplicate-originals of the same certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Secretary of State of the United States a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Secretary of State shall be preserved by him for 1 year and shall be a part of the public records of his office and shall be open to public inspection; and the Secretary of State of the United States at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the State Department.

MEETING AND VOTE OF ELECTORS

§ 7. The electors of President and Vice President of each State shall meet and give their votes on the first Monday after the second Wednesday in December next following their appointment at such place in each State as the legislature of such State shall direct.

MANNER OF VOTING

§ 8. The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

CERTIFICATES OF VOTES FOR PRESIDENT AND VICE PRESIDENT

§ 9. The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

SEALING AND ENDORSING CERTIFICATES

§ 10. The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice President, are contained therein.

DISPOSITION OF CERTIFICATES

§ 11. The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First. They shall forthwith forward by registered mail one of the same to the President of the Senate at the seat of government.

Second. Two of the same shall be delivered to the secretary of state of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by him for 1 year and shall be a part of the public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of such certificates and lists to the Secretary of State at the seat of government, one of which shall be held subject to the order of the President of the Senate. The other shall be preserved by the Secretary of State for 1 year and shall be a part of the public records of his office and shall be open to public inspection.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled.

FAILURE OF CERTIFICATES OF ELECTORS TO REACH PRESIDENT OF SENATE OR SECRETARY OF STATE; DEMAND ON STATE FOR CERTIFICATE

§ 12. When no certificate of vote and list mentioned in sections 9 and 11 of this title from any State shall have been received by the President of the Senate or by the Secretary of State by the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall request, by the most expeditious method available, the secretary of state of the State to send up the certificate and list lodged with him by the electors of such State; and it shall be his duty upon receipt of such request immediately to transmit same by registered mail to the President of the Senate at the seat of government.

SAME; DEMAND ON DISTRICT JUDGE FOR CERTIFICATE

§ 13. When no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall send a special messenger to the district judge

in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that list by the hand of such messenger to the seat of government.

FORFEITURE FOR MESSENGER'S NEGLECT OF DUTY

§ 14. Every person who, having been appointed, pursuant to section 13 of this title, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of $1,000.

COUNTING ELECTORAL VOTES IN CONGRESS

§ 15. Congress shall be in session on the 6th day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SAME; SEATS FOR OFFICERS AND MEMBERS OF TWO HOUSES IN JOINT MEETING

§ 16. At such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

SAME; LIMIT OF DEBATE IN EACH HOUSE

§ 17. When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question 5 minutes, and not more than once; but after such debate shall have lasted 2 hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SAME; PARLIAMENTARY PROCEDURE AT JOINT MEETING

§ 18. While the two Houses shall be in meeting as provided in this subchapter, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

VACANCY IN OFFICES OF BOTH PRESIDENT AND VICE PRESIDENT; OFFICERS ELIGIBLE TO ACT

§ 19. (a) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

(b) If, at the time when under subsection (a) of this section a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

(c) An individual acting as President under subsection (a) or subsection (b) of this section shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

(d) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Postmaster General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) of this subsection shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

(e) Subsections (a), (b), and (d) of this section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this section, his compensation shall be at the rate then provided by law in the case of the President.

RESIGNATION OR REFUSAL OF OFFICE

§ 20. The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

Sec.
101. Commencement of term of office.
102. Salary.
103. Traveling expenses.
104. Salary of the Vice President.
105. Secretary to President; compensation.
106. Administrative assistants.
107. Detail of employees of executive departments to office of President.
108. Accommodations for vehicles.
109. Public property in and belonging to Executive Mansion.
110. Furniture for White House.
111. Office of Government Reports in the Executive Office of the President; annual appropriation; salary of Director.

COMMENCEMENT OF TERM OF OFFICE

§ 101. The term of 4 years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

SALARY

§ 102. The President shall receive in full for his services during the term for which he shall have been elected the sum of $75,000 a year, to be paid monthly, and shall be entitled to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion.

TRAVELING EXPENSES

§ 103. There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding $40,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

SALARY OF THE VICE PRESIDENT

§ 104. The Vice President shall receive in full for his services during the term for which he shall have been elected the sum of $20,000 a year, to be paid monthly.

SECRETARY TO THE PRESIDENT; COMPENSATION

§ 105. The compensation for the position of Secretary to the President shall be at the rate of $10,000 per annum.

ADMINISTRATIVE ASSISTANTS

§ 106. The President is authorized to appoint not to exceed six administrative assistants and to fix the compensation of each at the rate of not more than $10,000 per annum. Each such administrative assistant shall perform such duties as the President may prescribe.

DETAIL OF EMPLOYEES OF EXECUTIVE DEPARTMENTS TO OFFICE OF PRESIDENT

§ 107. Employees of the executive departments and independent establishments of the executive branch of the Government may be detailed from time to time to the White House Office for temporary assistance.

ACCOMMODATIONS FOR VEHICLES

§ 108. The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department.

PUBLIC PROPERTY IN AND BELONGING TO EXECUTIVE MANSION

§ 109. The steward, housekeeper, or such other employee of the Executive Mansion as the President may designate, shall, under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein, and shall, before entering upon the duties of the office, give bond for the faithful discharge thereof, said bond to be in the sum of $10,000, and to be approved by the Director of the National Park Service. A complete inventory, in proper books, shall be made annually in the month of June, under the direction of the Director of the National Park Service, of all the public property in and belonging to the Executive Mansion, showing when purchased, its cost, condition, and final dispostiion. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the office of the Director of the National Park Service, which shall furnish a copy thereof to the steward, housekeeper, or other employees responsible for the property.

FURNITURE FOR WHITE HOUSE

§ 110. All furniture purchased for the use of the President's House shall be, as far as practicable, of domestic manufacture. With a view to conserving in the White House the best specimens of the early American furniture and furnishings, and for the purpose of maintaining the interior of the White House in keeping with its original design, the Director of the National Park Service is authorized and directed, with the approval of the President, to accept donations of furniture and furnishings for use in the White House, all such articles thus donated to become the property of the United States and to be accounted for as such. The said Director of the National Park Service is further authorized and directed, with the approval of the President, to appoint a temporary committee composed of one representative of the American Federation of Arts, one representative of the National Commission of Fine Arts, one representative of the National Academy of Design, one member of the American Institute of Architects, and five members representing the public at large; the said committee to have full power to select and pass on the articles in question and to recommend the same for acceptance.

OFFICE OF GOVERNMENT REPORTS IN THE EXECUTIVE OFFICE OF THE PRESIDENT; ANNUAL APPROPRIATION; SALARY OF DIRECTOR

§ 111. There is authorized to be appropriated annually to the Office of Government Reports in the Executive Office of the President a sum not exceeding $1,500,000 in order to (a) provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information; (b) assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions; (c) collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public; and (d) keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies: *Provided*, That, in the expenditure of such funds, section 5 of title 41 shall not be construed to apply to any purchase or service where the aggregate amount involved does not exceed $50: *Provided further*, That the President may fix the salary of the Director of the Office of Government Reports at a rate of not more than $10,000 per annum.

CHAPTER 3—PROTECTION OF THE PRESIDENT; THE WHITE HOUSE POLICE

Sec.
201. Protection of President and family authorized.
202. White House police; establishment, control, and supervision; privileges, powers, and duties.
203. Personnel; appointment; vacancies.
204. Grades, salaries, and transfers of appointees.
205. Appointment in accordance with civil-service laws.
206. Privileges of civil-service appointees.
207. Participation in police and firemen's relief fund.
208. Refunds to members appointed from United States Park Police force.
209. Appropriation to carry out provisions.

PROTECTION OF PRESIDENT AND FAMILY AUTHORIZED

§ 201. The protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States is authorized.

WHITE HOUSE POLICE; ESTABLISHMENT, CONTROL, AND SUPERVISION; PRIVILEGES, POWERS, AND DUTIES

§ 202. There is hereby created and established for the protection of the Executive Mansion and grounds in the District of Columbia a permanent police force, to be known as the "White House Police." Such force shall be under the control and direct supervision of the Chief of the Secret Service Division. The members of such force shall possess privileges and powers and perform duties similar to those of the members of the Metropolitan Police of the District of Columbia, and such additional privileges and duties as the Chief of the Secret Service Division may prescribe.

PERSONNEL, APPOINTMENT, AND VACANCIES

§ 203. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding 110 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner.

(b) Any vacancy in the Metropolitan Police force or in the United States Park Police force caused by appointments to the White House Police force shall be filled in the manner provided by law.

GRADES, SALARIES, AND TRANSFERS OF APPOINTEES

§ 204. (a) No person shall be appointed a member of the White House Police force at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the White House Police force shall receive a salary at the rate provided for the corresponding grade in the Metropolitan Police force, and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the White House Police force appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the

organization of which he was a member at the time of such appointment.

APPOINTMENT IN ACCORDANCE WITH CIVIL-SERVICE LAWS

§ 205. In addition to appointment from members of the Metropolitan Police force and the United States Park Police force, as provided in section 203 (a) of this title, members of the White House Police force may be appointed, and vacancies in such force filled, in accordance with the provisions of the civil-service laws and the regulations issued pursuant thereto.

PRIVILEGES OF CIVIL-SERVICE APPOINTEES

§ 206. Members appointed pursuant to section 205 of this title shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

PARTICIPATION IN POLICE AND FIREMEN'S RELIEF FUND

§ 207. (a) A member of the United States Park Police force appointed to the White House Police force shall be included within the provisions of section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, as amended, upon payment into the policemen and firemen's relief fund, District of Columbia, of an amount equal to 1½ percent of the total basic salary received by him since September 1, 1916, as a member of such United States Park Police force and as a watchman of the United States in any public square or reservation of the District of Columbia.

(b) For the purposes of retirement under such act, service with the United States Park Police force and service as a watchman of the United States in any public square or reservation of the District of Columbia shall be deemed service with the White House Police force.

(c) Any member of the Metropolitan Police force appointed to the White House Police force shall continue to be subject to the provisions of section 12 of such act, and appointment of such member to the White House Police force or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such act.

REFUNDS TO MEMBERS APPOINTED FROM UNITED STATES PARK POLICE FORCE

§ 208. A member of the United States Park Police force appointed to the White House Police force shall be paid a refund as provided for in section 724 of title 5, and upon transfer to the United States Park Police force he shall be paid a refund from the policemen and firemen's relief fund of all money paid by him as salary deductions into such fund, and he shall be reinstated and included within the provisions of sections 691, 693, 698, 707, 709–715, 716–719, 720–725, 727–729, and 730 of title 5 upon payment to the Secretary of the Treasury of an amount equal to the amount refunded to him, at the time of such appointment, under the provisions of section 724 of title 5, plus an amount equal to 2½ percent of the total basic salary received by him during the period of his service as a member of the White House Police force. For the purposes of retirement under sections 691, 693, 698, 707, 709–715, 716–719, 720–725, 727–729, and 730 of title 5, service with the White House Police force shall be deemed service with the United States Park Police force.

APPROPRIATION TO CARRY OUT PROVISIONS

§ 209. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202–204, 207, and 208 of this title.

SEC. 2. The provisions of title 3, "The President," set out in section 1 of this act, shall be construed as a continuation of existing law and no loss of rights, interruption of jurisdiction, nor prejudice to matters pending on the effective date of this act shall result from its enactment.

SEC. 3. The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

| Revised Statutes | U. S. Code | |
|---|---|---|
| | Title | Section |
| Section: | | |
| 131 [1] | 3 | 1. |
| 132 | 3 | 2. |
| 133 | 3 | 3. |
| 134 | 3 | 4. |
| 137 | 3 | 8. |
| 138 | 3 | 9, note. |
| 139 | 3 | 10. |
| 140 | 3 | 11, not.. |
| 141 | 3 | 13, note. |
| 143 | 3 | 14, note. |
| 144 | 3 | 15, note. |
| 145 | 3 | 16. |
| 151 | 3 | 23. |
| 152 | 3 | 41. |
| 153 | 3 | 42. |
| 154 | 3 | 44. |
| 1829 | 3 | 49. |
| 1832 [2] | 3 | 50, note. |
| 1833 [3] | 3 | 51, note. |

| Date | Statutes at Large | | Volume | Page | U. S. Code | |
|---|---|---|---|---|---|---|
| | Chapter | Section | | | Title | Section |
| 1887—Feb. 3 | 90 | 1, 2, 3, 4, 5, 6, 7. | 24 | 373-375 | 3 | 5 note, 6 7 note 17-20. |
| 1888—Oct. 19 | 1216 | 1, 2 | 25 | 613 | 3 | 11 note, 12 note, 13 note. |
| 1906—June 23 | 3523 | | 34 | 454 | 3 | 43. |
| 1907—Feb. 26 | 1635 | 4 [4] | 34 | 993 | 3 | 44. |
| 1909—Mar. 4 | 297 | 1 | 35 | [5] 859 | 3 | 42. |
| 1910—June 25 | 384 | 9 | 36 | 773 | 3 | 48. |
| 1911—Mar. 4 | 285 | 1 | 36 | [6] 1404 | 3 | 47. |
| 1913—June 23 | 3 | 1 | 38 | [7] 23 | 3 | 53. |
| 1922—June 12 | 218 | | 42 | [8] 636 | 3 | 46. |
| Sept. 14 | 308 | 1, 2, 3, 4, 5, 6, 7. | 42 | 841-843 | 3 | 61-65, 66 note, 67. |
| 1923—Feb. 13 | 72 | | 42 | [9] 1227 | 3 | 46. |
| 1924—June 7 | 292 | 1 | 43 | [8] 521 | 3 | 46. |
| 1925—Feb. 28 | 377 | 1, 2 | 43 | 1091 | 3 | 49. |
| 1925—Mar. 3 | 468 | 1 | 43 | [9] 1198, 1199 | 3 | 46. |
| Mar. 4 | 549 | 4 | 43 | [10] 1301 | 3 | 44. |
| 1926—Apr. 22 | 171 | 1 | 44 | [11] 305 | 3 | 45. |
| Apr. 22 | 171 | 1 | 44 | [8] 305 | 3 | 46. |
| 1927—Feb. 11 | 104 | 1 | 44 | [8] 1069 | 3 | 46. |
| 1928—May 16 | 580 | 1 | 45 | [8] 573 | 3 | 46. |
| May 29 | 859 | 1, 2, 3, 4, 5, 6. | 45 | 945-947 | 3 | 5a, 7a, 9a, 11a, 11b, 11c. |
| 1929—Feb. 20 | 270 | 1 | 45 | [8] 1230 | 3 | 46. |
| 1930—Apr. 19 | 201 | 1 | 46 | [8] 229 | 3 | 46. |
| May 14 | 277 | 1, 2, 3, 4. | 46 | 328, 329 | 3 | 61-63, 67. |
| 1931—Feb. 23 | 281 | 1 | 46 | [8] 1355 | 3 | 46. |
| 1932—June 30 | 330 | 1 | 47 | [8] 452 | 3 | 46. |
| 1933—June 16 | 101 | 1 | 48 | [8] 284 | 3 | 46. |
| 1934—Mar. 28 | 102 | 1 | 48 | [8] 509 | 3 | 46. |
| June 5 | 390 | 1, 6, 7 | 48 | 879 | 3 | 5a, 11b, 11c, 17, 41. |
| 1935—Feb. 2 | 3 | 1 | 49 | [8] 6 | 3 | 46. |
| May 28 | 154 | | 49 | 304 | 3 | 62. |
| 1936—Mar. 19 | 156 | 1 | 49 | [8] 1168 | 3 | 46. |
| 1937—June 28 | 396 | 1 | 50 | [8] 330 | 3 | 46. |
| 1938—May 23 | 259 | 1 | 52 | [8] 411 | 3 | 46. |
| 1939—Mar. 16 | 11 | 1 | 53 | [8] 524 | 3 | 46. |
| Apr. 3 | 36 | 301 | 53 | 565 | 3 | 45a. |
| 1940—Apr. 8 | 107 | 1 | 54 | [12] 112 | 3 | 46. |
| Apr. 22 | 133 | | 54 | 156 | 3 | 62. |
| 1941—Apr. 5 | 40 | 1 | 55 | [12] 93 | 3 | 46. |
| 1942—June 27 | 450 | 1 | 56 | [12] 392 | 3 | 46. |
| Oct. 9 | 582 | 1, 2 | 56 | 778 | 3 | 62a, 62b. |
| 1943—June 26 | 145 | 101 | 57 | [12] 169 | 3 | 46. |
| 1944—June 27 | 286 | 101 | 58 | [12] 361 | 3 | 46. |
| 1945—May 3 | 106 | 101 | 59 | [12] 106 | 3 | 46. |
| 1946—Mar. 28 | 113 | 101 | 60 | [13] 61 | 3 | 46. |
| Aug. 2 | 744 | 17 (c) | 60 | 811 | 3 | 43. |
| Aug. 2 | 753 | 601 (a). [14] | 60 | 850 | 3 | 44. |
| 1947—June 9 | 102 | | 61 | 132 | 3 | 62. |
| July 18 | 264 | 1 (a-f) | 61 | 380, 381 | 3 | 24. |
| July 26 | 343 | 311 | 61 | 509 | 3 | 24. |
| July 30 | 359 | 101 | 61 | [12] 585 | 3 | 46. |

Footnotes at end of table.

[1] All provisions not heretofore affected or modified by act Jan. 19, 1886, ch. 4, sec. 3, 24 Stat. 2.

[2] Only the words, "the President's House," appearing in this section.

[3] Only the word, "Extension" following the words, "Architect of the Capitol;" and the words, "and the President's House," appearing in this section.

[4] Only the words, "the Vice President of the United States", appearing in this section.

[5] Only the words, "and after the 3d of March, 1909, the compensation of the President of the United States shall be $75,000 per annum", in the eighth full paragraph appearing on this page.

[6] Only the following paragraph appearing on this page: "The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department."

[7] Only the words, "which protection is hereafter authorized," in the first paragraph appearing on this page.

[8] Only the proviso in the first paragraph under the heading, "Office of the President", appearing on this page.

[9] Only the proviso in the first paragraph under the heading, "Office of the President", on page 1198, said proviso commencing on page 1198, and ending on page 1199.

[10] Only the quoted words, "the Vice President of the United States,", appearing in the provisions amending act Feb. 26, 1907, ch. 1635, sec. 4, 34 Stat. 993.

[11] Only the following words: "and on and after July 1, 1926, the compensation for such position shall be at the rate of $10,000 per annum", in the first paragraph under the heading, "Office of the President", appearing on this page.

[12] Only the proviso in the first paragraph under the heading, "The White House Office", appearing on this page.

[13] Only the second proviso in the paragraph under the heading, "The White House Office", said proviso appearing on this page.

[14] Only the words, "and the Vice President of the United States", appearing in subsection (a) of section 601.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REED of Illinois. Mr. Speaker, the bill H. R. 6412, to codify and enact into law title 3 of the United States Code, entitled "The President," has been favorably reported to the House by unanimous vote of the Committee on the Judiciary, as part of a comprehensive plan to enact the entire 50 titles of the code as legal evidence of the law. I wish to emphasize that this bill is not intended to make any substantive changes in existing law. As in the case of the bills enacting titles 1, 4, 6, 9, and 17, all of which have become law during this Congress, the sections of the present title of the code which are still in force and effect are reenacted without change. These provisions are derived from numerous sections of the Revised Statutes and Statutes at Large,

as amended. This bill repeals, without prejudice to existing rights or obligations, the many separate enactments which are incorporated in the proposed title thereby making it entirely unnecessary to have recourse to scores of volumes of the Statutes at Large and the Revised Statutes to determine the present status of the law.

As you know, title 3 of the United States Code in its existing form is only prima facie evidence of the law—the only legal evidence being in the Revised Statutes and the Statutes at Large. When this bill is enacted title 3 will be legal evidence and there will then be only one primary source of the laws on the subject. The title will thereafter be amended directly whenever amendment is desirable or necessary, and greater certainty and clarity will prevail—to say nothing of the convenience in finding the law in one place instead of scores of places.

The committee amendments to the bill are intended to eliminate provisions which are now obsolete and which should not be reenacted.

REASONS FOR THE AMENDMENTS

Section 111, relating to the Office of Government Reports, was based upon the act of June 9, 1941, authorizing an annual appropriation for the Office of Government Reports. This Office was consolidated with the Office of War Information which was subsequently abolished by Executive Order 9608. Thereafter, Executive Order 9809 of December 12, 1946, reestablished the Office of Government Reports, but no appropriation was made for such office in the Independent Offices Appropriation Act of 1948, and the conference committee on that bill recommended that the office be liquidated. The amendment therefore would eliminate this section from the proposed title 3 of the United States Code as obsolete.

The amendment which strikes out subsection (a) of section 207 is intended to restate the law as it exists today. Subsection (a) is obsolete in view of section 5 of the act of July 1, 1930, which provides that there should be deducted for the benefit of the policemen and firemen's relief fund 3½ percent of the monthly pay of each member of the United States Park Police and White House police force. It is understood that all the present White House policemen who were recruited from the Park Police force are, in fact, subject to this provision.

The amendment to subsection (b) of section 207 is in the nature of a clarifying amendment and to restate the law as it exists today by eliminating the provisions relating to watchmen of the United States in public squares of the District of Columbia, inasmuch as such designation was changed by section 3 of the act of December 5, 1919.

The amendment eliminating section 208 from the bill is intended to restate title 3 by eliminating obsolete provisions. It is believed that section 5 of the act of September 14, 1922, has been superseded and made obsolete by subsequent legislation which removed United States park police from the coverage of the civil-service retirement law and made them subject to section 12 of the act of September 1, 1916, as amended. See, in this connection, sections 7 and 8 of the act of May 27, 1924—Forty-third United States Statutes, page 176—and section 5 of the act of July 1, 1930—Forty-sixth United States Statutes, page 840.

Mr. Speaker, I urge favorable action by the House on this bill.

The Clerk read the committee amendments, as follows:

Page 16, strike out the last two lines of the chapter analysis reading:

"111. Office of Government Reports in the Executive Office of the President; annual appropriation; salary of Director."

Strike out section 111 commencing on page 20, line 8, and ending on page 21, line 8.

Page 21, strike out the line in the chapter analysis reading:

"208. Refunds to members appointed from United States Park Police force.

Strike out "209" in the next line and insert in lieu thereof "208."

Page 24, strike out lines 9 through 21; and on line 22, strike out "(b)" and insert in lieu thereof "§ 207. (a)" and strike out the words "such act" and insert in lieu thereof: "Section 12 of the act entitled 'An act making appropriations to provide for the expense of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,' approved September 1, 1916, as amended."

Line 23, strike out the words "and service as a watchman of the United States in any public square or reservation of the District of Columbia."

Page 25, line 4, strike out "(c)" and insert in lieu thereof "(b)."

Strike out section 208 appearing on pages 25 and 26, and renumber section 209 to read "208."

Page 28, in the tabulation of Statutes at Large to be repealed, strike out the seventh line reading "June 9 * * * 189 * * * 55 247, 248 3 54."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOCTAW COAL & RAILWAY CO.

The Clerk called the bill (H. R. 5891) to repeal an act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company," and all acts amendatory thereof and supplemental thereto.

There being no objection, the Clerk read the bill, as follows:

Whereas Choctaw, Oklahoma & Gulf Railroad Co., a corporation created under and by virtue of the act approved August 24, 1894, having become insolvent, and title to all of its railways and other properties, and ownership of all of its shares of capital stock, having passed to and become vested in Chicago, Rock Island and Pacific Railroad Co., a corporation of the State of Delaware, and all of its indebtedness discharged, by virtue of and pursuant to consummation order and final decree entered by the District Court of the United States for the Northern District of Illinois, Eastern Division, on December 30, 1947: Therefore

*Be it enacted, etc.*, That the act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that company" (28 Stat. L. 502), and all acts amendatory thereof and supplementary thereto, be, and the same are hereby, repealed; and all the rights, powers, immunities, privileges, and franchises, which have been heretofore granted to or conferred upon Choctaw, Oklahoma & Gulf Railroad Co. by any act or acts of Congress shall be, and the same are, terminated.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAY READJUSTMENT ACT OF 1942

The Clerk called the bill (S. 657) to amend the Pay Readjustment Act of 1942, as amended, so as to authorize crediting of service as a cadet, midshipman, or aviation cadet for pay purposes, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

TRANSPORTATION FOR CERTAIN GOVERNMENT PERSONNEL

The Clerk called the bill (S. 1525) to provide for furnishing transportation for certain Government and other personnel, and for other purposes.

There being no objection the Clerk read the bill, as follows:

*Be it enacted, etc.*, That whenever the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall determine that the effective conduct of the affairs of his department requires assured and adequate transportation facilities to and from their places of employment for personnel attached to or employed by such department including, during any period of war, personnel attached to or employed by private plants engaged in the manufacture of material for such departments, he is hereby authorized in the absence of adequate private or other facilities to provide such transportation, by motor vehicle or water carrier, subject, however, to the following provisions and conditions:

1. The equipment required to provide such transportation facilities may be either purchased, leased, or chartered for operation by the Department of the Army, the Department of the Navy, or the Department of the Air Force, and when so obtained may be maintained and operated either by enlisted personnel, civil employees of the Department of the Army, the Department of the Navy, or the Department of the Air Force or by private personnel under contract with such departments. Equipment so obtained may also be leased or chartered to private or public carriers for operation under such terms and conditions as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, shall determine necessary and advisable under the existing circumstances: *Provided*, That any equipment purchased, leased, or operated by authority of this act shall have a seating capacity of 12 or more passengers.

2. That in each case where transportation facilities are provided hereunder, reasonable rates of fare for the service furnished shall be established and charged under such regulations as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall prescribe; the receipts from such fares, and the proceeds from the leasing or chartering of any equipment as provided in the foregoing paragraph, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

3. The facilities and service authorized hereunder shall be utilized only for the transportation of personnel heretofore enumerated and for the purpose heretofore stated, under such rules and regulations as may be prescribed by authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force: *Provided, however,* That where the equipment and facilities herein provided for are pooled under lease or charter agreements, the reciprocal use of Government-owned and private-owned equipment shall be deemed to be within the intent of this paragraph.

4. The authority herein granted the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall be exercised in each case only after a determination by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, as the case may be, that existing private and other facilities are not and cannot be rendered adequate by other means, that reasonable effort has been made to induce operators of private facilities to provide the necessary service, and that its exercise will result in the most efficient method of supplying transportation to the personnel concerned and a proper utilization of transportation facilities.

SEC. 2. It shall be the duty of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, to file with the Congress, within sixty days after the end of the fiscal year a summarized report of the exercise of the authority herein granted, which report shall include (1) location, nature, and size of the activity for which transportation facilities were provided; (2) type, amount, and original cost of equipment furnished; (3) outline of lease or charter for rented or reciprocally used equipment with total costs for period of use or operation; (4) citation of authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force under which exercised; and (5) for each activity for which transportation facilities were provided, the maximum number of motor vehicles or water carriers used, the total miles operated, the total revenue from fares or proceeds from the leasing or chartering of equipment, the operating and maintenance expense, depreciation, gross cost, and net cost.

SEC. 3. The act entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942 (56 Stat. 1024), as amended by subsections (a) and (b) of section 1 of the act of April 9, 1946 (60 Stat. 86), is hereby repealed.

With the following committee amendment:

Page 1, line 9, after the word "war", insert "or national emergency declared by the Congress or the President."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### EXCHANGING CERTAIN PROPERTY WITH THE CITY OF KEARNEY, NEBR.

The Clerk called the bill (H. R. 5181) to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill (S. 2077) for the House bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Army is hereby authorized to convey approximately seventeen acres of land and improvements thereon owned by the United States in Buffalo County, Nebr., lying in the south half southeast quarter section 27, township 9 north, range 15 west of the sixth principal meridian, and the Government-owned improvements located on land leased from the city of Kearney, Nebr., in said section 27 constructed by the Army for an automotive equipment repair shop, to the city of Kearney, Nebr., in exchange for approximately four hundred and forty-two and seventy-four one-hundredths acres of land in Buffalo County, Nebr., described as a tract of land situated in section 27, township 9 north, range 15 west, more particularly described as follows: Beginning at the northeast corner of section 27; thence south along the east section line two thousand eight hundred and thirty-five feet, more or less; thence in a westerly direction one thousand six hundred and seventy-five feet, more or less; thence in a southwesterly direction one thousand two hundred and eighty-five feet, more or less; thence south parallel to the east line of section 27 eight hundred and seventy-five feet, more or less; thence west and parallel to the south line of section 27 two thousand five hundred and seventy feet, more or less; thence north along the west line of section 27 four thousand four hundred and sixty feet, more or less, to the northwest corner of section 27; thence east five thousand two hundred and eighty feet, more or less, along the north line of section 27 to place of beginning, which is to be conveyed to the United States by the city of Kearney, Nebr., as a part of the Kearney Army Air Field, Nebr.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 5181) was laid on the table.

A motion to reconsider was laid on the table.

### AMENDING PARAGRAPH 1007 OF THE TARIFF ACT OF 1930

The Clerk called the bill (H. R. 5608) to amend paragraph 1007 of the Tariff Act of 1930.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Wisconsin. Mr. Speaker, reserving the right to object, I would like to know what this bill does.

Mr. GOODWIN. Mr. Speaker, this bill is intended to correct an inequity in the present tariff on linen fire hose. It affects five manufacturers in this country, one in my own district, two in New York City, one in California, and one in New Jersey. It will enable these domestic producers to compete with imports on a more reasonable basis.

The Tariff Commission tells us that it is the usual tariff practice to impose a higher rate of duty on a finished product than on the commodity which principally goes into its manufacture. At the present time there is no such differential as to linen fire hose.

The ad valorem equivalent of the tariff on the finished product today is about 30 percent. The tariff on the principal raw material component, plied yarn is 30 percent ad valorem.

I believe it is considered good tariff practice to have a differential of from 10 percent to 15 percent ad valorem in favor of the finished product to take care of the substantially higher cost of domestic manufacture.

This bill will provide a differential of about 10 percent ad valorem. This product, linen fire hose, is used largely by conservation and forestry divisions of government, both Federal, and State, for fire-fighting. It is also used in apartment houses, hotels, hospitals, department stores, and public buildings. It is the type of unlined fire hose used extensively by transportation companies as well as the Army, Navy, and Maritime Commission.

While the industry affected by this bill is not a large one, it is important for the national security.

Mr. MURRAY of Wisconsin. The rate will be 40 percent ad valorem if this bill is passed?

Mr. GOODWIN. Forty percent ad valorem.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

### FREE IMPORTATION OF EVERGREEN TREES

The Clerk called the bill (H. R. 5612) to provide for the free importation of evergreen Christmas trees.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Wisconsin. Mr. Speaker, I object.

### FREE IMPORTATION OF SALT BRINE

The Clerk called the bill (H. R. 5641) to provide for the free importation of salt brine.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That paragraph 1766 of the Tariff Act of 1930 is amended by inserting before the period at the end thereof a semicolon and the following: "salt brine containing not less than 15 percent nor more than 28 percent of sodium chloride."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### EAST BAY MUNICIPAL UTILITY DISTRICT, ALAMEDA, CALIF.

The Clerk called the bill (H. R. 5642) to authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill, S. 2233, for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized to grant and convey to the East Bay Municipal Utility District, an agency of the State of California, without cost to the said utility district, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, operation, renewal, replacement, and repair of a waterpipe line or lines within a strip of land 10 feet wide extending a distance of 739.91 feet along the eastern boundary of lands comprising a part of the United States naval air station, Alameda, Calif., contiguous to Webster Street, metes and bounds description of which is on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 5642) was laid on the table.

A motion to reconsider was laid on the table.

PERMITTING CERTAIN RELATIVES TO RECEIVE BENEFITS OF ARMED FORCES LEAVE BONDS OF DECEASED VETERANS

The Clerk called the bill (H. R. 5758) to amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters, and nieces and nephews, of deceased members and former members of the armed forces.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That sections 2 and 6 of the Armed Forces Leave Act of 1946, as amended, are hereby amended as follows:

(a) Section 2. At the end thereof add a new paragraph as follows:

"(h) The terms 'brother' and 'sister' include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption."

(b) Section 6. In paragraph (2) of subsection (a) delete "to such holder's surviving spouse and children, if any, in equal shares; and if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any", and insert in lieu thereof the following:

"(i) to such holder's surviving spouse and children, if any, in equal shares;

"(ii) if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any;

"(iii) if such holder leaves no surviving spouse, child, or parent, then in equal shares to such holder's surviving brothers and sisters, if any; and

"(iv) if such holder leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such holder's deceased brothers and sisters."

(c) Section 6. In subsection (b) delete "To such member's or former member's surviving spouse and children, if any, in equal shares; and if such member or former member leaves no surviving spouse or child or children, then in equal shares to his surviving parents, if any", and insert in lieu thereof the following:

"(i) to such member's or former member's surviving spouse and children, if any, in equal shares;

"(ii) if such member or former member leaves no surviving spouse or child or children, then in equal shares to such member's or former member's surviving parents, if any;

"(iii) if such member or former member leaves no surviving spouse, child, or parent, then in equal shares to such member's or former member's surviving brothers and sisters, if any; and

"(iv) if such member or former member leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such member's or former member's deceased brothers and sisters."

SEC. 2. A sum equal to the amount of any bond or check heretofore covered into the general fund of the Treasury, for lack of survivors pursuant to section 6, paragraph (2), of subsection (a), of the Armed Forces Leave Act, shall be payable, upon request, to any survivor entitled thereto under the provisions of said section 6, paragraph (2) of subsection (a), as amended by this act.

SEC. 3. The provisions of this act shall be effective from August 9, 1946.

With the following committee amendment:

Page 3, line 24, after the colon insert the following: "*Provided*, That in any case where payment under the provisions of section 6, paragraph 2 of subsection (a) has been refused to a person not a survivor, as defined by the Armed Forces Leave Act of 1946 as heretofore in force, and the bond has not been retired or the proceeds of the check been paid into the general fund, payment shall be made upon application by those persons now entitled to payment under the provisions of section 6, paragraph 2 of subsection (a) as amended by this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUE SUSPENSION OF IMPORT DUTIES ON SCRAP METAL

The Clerk called the bill (H. R. 6242) to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the act of March 13, 1942, entitled "An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap," as amended (Public Law 497, 77th Cong.; 56 Stat. 171; Public Law 384, 80th Cong.), is hereby amended by striking out "June 30, 1948" and inserting in lieu thereof "June 30, 1949."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PARAGRAPH 813 OF THE TARIFF ACT OF 1930

The Clerk called the bill (H. R. 5965) to amend paragraph 813 of the Tariff Act of 1930.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That paragraph 813 of schedule 8 of the Tariff Act of 1930 is amended to read as follows:

"PAR. 813. Notwithstanding any other provision of this act, the duties imposed on beverages in this schedule which are subject also to internal revenue taxes shall be imposed only on the quantities subject to such taxes."

SEC. 2. The amendment made by the first section of this act shall be effective as to such merchandise entered, or withdrawn from warehouse, for consumption on and after the thirtieth day after the date of the enactment of this act and shall apply to entries and withdrawals before that date which have not become final by operation of law.

With the following committee amendment:

Page 1, strike out all of section 2 and insert:

"SEC. 2. This amendment shall be effective as to all such merchandise entered, or withdrawn from warehouse, for consumption on or after the day following the date of the enactment of this act and shall apply also to any such merchandise entered or withdrawn before that day with respect to which the liquidation of the entry or withdrawal, the exaction, or the decision as to dutiable quantity has not become final by reason of section 514, Tariff Act of 1930."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SECTION 24 OF THE FEDERAL POWER ACT

The Clerk called the bill (S. 1305) to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 24 of the Federal Power Act, as amended, is amended by inserting before the period at the end of the first proviso thereof a colon and the following new proviso: "*Provided further*, That before any lands applied for, or heretofore or hereafter reserved, or classified as power sites, are declared open to location, entry, or selection by the Secretary of the Interior, notice of intention to make such declaration shall be given to the Governor of the State within which such lands are located, and such State shall have 90 days from the date of such notice within which to file, under any statute or regulation applicable thereto, an application for the reservation to the State, or any political subdivision thereof, of any lands required as a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, and a copy of such application shall be filed with the Federal Power Commission; and any location, entry, or selection of such lands, or subsequent patent thereof, shall be subject to any rights granted the State pursuant to such application."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF JURISDICTION OVER PROBATIONERS

The Clerk called the bill (H. R. 2766) to amend section 2 of an act, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 2 of an act, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725), is hereby amended to read as follows:

"SEC. 2. When directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

"Whenever during the period of his probation, a probationer heretofore or hereafter placed on probation, goes from the district in which he is being supervised to another district, jurisdiction over him may be transferred, in the discretion of the court, from the court for the district from which he goes to the court for the other district, with the concurrence of the latter court. Thereupon the court for the district to which jurisdiction is transferred shall have all power with respect to the probationer that was previously possessed by the court for the district from which the transfer is made. This process under the same conditions may be repeated whenever during the period of his probation the probationer goes from the district in which he is being supervised to another district.

"At any time within the probation period the probation officer may for cause arrest the probationer wherever found, without a warrant, or the court for the district in which the probationer is being supervised may issue a warrant for his arrest. Such warrant may be executed by either the probation officer or the United States marshal of either the district in which the probationer is being supervised or of any district in which the probationer shall be found. If the probationer shall be so arrested in a district other than that in which he is being supervised, he shall be returned to the district out of which such warrant shall have been issued, unless jurisdiction over him is transferred as above provided to the district in which he is found, and in that case he shall be detained pending further proceedings in such district. As speedily as possible after arrest the probationer shall be taken before the court for the district having jurisdiction over him. At any time after the probation period, but within the maximum period of probation permitted by section 1 of this act, the court for the district in which the defendant was last being supervised, may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence. If there was no previous sentence, the court upon the revocation of probation may impose any sentence which might originally have been imposed. If there was a previous sentence, the court may confirm it or set it aside and impose a new sentence not longer than the previous sentence."

Mr. REEVES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REEVES: Page 2, line 14, after the word "made", change the period to a comma and add the following: "except that the period of probation shall not be changed without the consent of the sentencing court."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTEND MATURITY DATE OF CERTAIN BRIDGE BONDS

The Clerk called the bill (H. R. 3402) to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first sentence of section 5 (e) of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States," approved March 4, 1933, is amended by striking out "20 years" and inserting in lieu thereof "30 years."

With the following committee amendments:

Page 1, line 3, after the comma, insert: "as it relates to the bridge across the Missouri River at Rulo, Nebr."

Page 2, line 1, after the word "years", insert a semicolon and the following: "and the second sentence of section 5 (e) of said act is amended by striking out the language 'or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.'"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER ARMY VESSEL "HYGIENE" TO ALASKA

The Clerk called the bill (H. R. 3883) to authorize and direct the Secretary of War to transfer to the Territory of Alaska the title to the Army vessel *Hygiene*.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.* That the Secretary of War is hereby authorized and directed to transfer to the Territory of Alaska the title of the United States to a certain Army vessel, known as the *Hygiene*, listed in the records of the War Department as Army vessel *FS–35*, and which the War Department has heretofore made available on a temporary basis for use by the Alaska Territorial Health Service. The transfer of said vessel shall be without charge to the Territory of Alaska.

With the following committee amendments:

Page 1, line 3, strike out "War" and insert "the Army."

Page 1, line 6 strike out "War and after the word "Department" insert "of the Army."

Page 1, line 7, strike out "War" and after the word "Department" insert "of the Army."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel *Hygiene*."

A motion to reconsider was laid on the table.

DELEGATION OF CERTAIN POWERS TO SECRETARY OF THE NAVY

The Clerk called the bill (H. R. 4032) to amend certain provision of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill relative to the delegation of authority to the Secretary of the Navy. I understand that the Armed Services Committee has been holding hearings on the Executive order that permits the retired admirals and others to have three or four assistants for life. Does this bill go to the heart of that matter, or is this another approach to it? I am hesitant about giving the Secretary of the Navy or the President some additional powers that might add three or four more assistants for those people who are retired from military service. I would like to have an explanation of the bill before I permit it to be considered.

Hearing no explanation, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 4114) to amend the Public Health Service Act to permit certain expenditures, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 301 (d) of the Public Health Service Act, as amended (42 U. S. C. 241 (d)), is amended by changing the semicolon at the end thereof to a comma and adding: "and include in the grants for any such project grants of penicillin and other antibiotic compounds for use in such project;".

SEC. 2. (a) Paragraph (a) of section 321 of such act (42 U. S. C. 248 (a)) is amended to read as follows:

"(a) Control, manage, and operate all institutions, hospitals, and stations of the Service, including minor repairs and maintenance and provide for the care, treatment, and hospitalization of patients, including the furnishing of prosthetic and orthopedic devices, and tobacco; and from time to time, with the approval of the President, select suitable sites for and establish such additional institutions, hospitals, and stations in the States and possessions of the United States as in his judgment are necessary to enable the Service to discharge its functions and duties;".

(b) Subsection (d) of such section (42 U. S. C. 248 (d)) is amended by striking out

the period at the end of such subsection and inserting the following in lieu thereof: ", and for the payment of expenses of preparing and transporting the remains of, or the payment of reasonable burial expenses for, any patient dying in a hospital or station."

SEC. 3. Subsection (e) of section 322 of such act 42 U. S. C. 249 (e)) is amended by inserting after the phrase "Persons entitled to care and treatment under subsection (a) of this section" the words "and persons whose care and treatment is authorized by subsection (c)."

SEC. 4. Section 331 of such act (42 U. S. C. 255) is amended by adding at the end thereof the following new sentence: "Such funds shall also be available, subject to regulations, for transportation of recovered indigent leper patients to their homes within the continental United States, including subsistence allowance while traveling."

SEC. 5. Subsection (b) of section 344 of such act (42 U. S. C. 260 (b)) is amended by adding at the end thereof the following new sentence: "Appropriations available for the care and treatment of addicts admitted to a hospital of the Service under this section shall be available, subject to regulations, for paying the cost of transportation to any place within the continental United States, including subsistence allowance while traveling, for any such addict who is discharged as cured."

SEC. 6. Section 504 of such act (42 U. S. C. 222) is amended by adding at the end thereof the following new sentence: "Funds available for the operation of such hospitals, institutions, and stations of the Service shall also be available for expenditure to meet court costs and other expenses incident to proceedings for the commitment, to St. Elizabeths Hospital or to any hospital, institution, or station of the Service, of any mentally incompetent person entitled to treatment by the Service."

SEC. 7. Section 509 of such act (42 U. S. C. 227) is amended to read as follows:

"SEC. 509. Appropriations for carrying out the purposes of this act shall be available for expenditure for personal services and rent at the seat of Government; books of reference, periodicals, and exhibits; printing and binding; transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at stations determined by the Surgeon General to be isolated stations; expenses incurred in pursuing, identifying, and returning prisoners who escape from any hospital, institution, or station of the Service or from the custody of any officer or employee of the Service, including rewards for the capture of such prisoners; furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the Surgeon General for use by employees in the performance of their official duties; reimbursing officers and employees, subject to regulations of the Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such officers or employees are engaged in the performance of their official duties; and maintenance of buildings of the National Institute of Health."

With the following committee amendments:

Page 2, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following:

"(b) Such section is further amended by strking out the word 'and' at the end of paragraph (c), by striking out the period at the end of paragraph (d) and inserting in lieu thereof '; and,' and by inserting after paragraph (d) the following new paragraph:

"'(e) Provide, to the extent the Surgeon General determines that other public or private funds are not available therefor, for the payment of expenses of repairing and transporting the remains of, or the payment of reasonable burial expenses for, any patient dying in a hospital or station'."

Page 3, line 21, strike out "such" and insert "indigent."

Page 4, line 3, after "expenses", insert "of the Service."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF GENERAL BRIDGE ACT OF 1946

The Clerk called the bill (H. R. 4190) to amend the General Bridge Act of 1946.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1651) be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the General Bridge Act of 1946 be, and the same is hereby, amended by striking out section 506 thereof and by inserting in lieu of said section a new section to be designated as section 506 and to read as follows:

"SEC. 506. If tolls are charged for the use of an interstate bridge constructed or taken over or acquired by a State or States or by any municipality or other political subdivision or public agency thereof, under the provisions of this title, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of completing or acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4190) was laid on the table.

ALLOTMENTS TO STATES FOR CONSTRUCTION OF HOSPITALS

The Clerk called the bill (H. R. 4816) to amend section 624 of the Public Health Service Act so as to provide a minimum allotment of $250,000 to each State for the construction of hospitals.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

DISPOSAL OF SURPLUS SAND AT FORT STORY, VA.

The Clerk called the bill (H. R. 5283) to provide for the disposal of surplus sand at Fort Story, Va.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That notwithstanding any other provision of law, the Secretary of the Army is hereby authorized and empowered to dispose of surplus sand on Government-owned lands at Fort Story, Va., by sale, upon such terms and conditions as are deemed advisable by him.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFENSE HOMES CORPORATION

The Clerk called the bill (H. R. 5509) to authorize Defense Homes Corporation to convey to Howard University certain lands in the District of Columbia, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Speaker, may I ask the committee having charge of the bill with regard to the progress they are making on a bill to take care of the school and buildings for the Booker T. Washington group. I understand this bill was substituted for one to transfer this property to the Booker T. Washington Memorial. Is any work being done now to take care of that organization?

Mr. DONDERO. I will yield to the gentleman from Ohio [Mr. MCGREGOR] to speak for the committee on that matter.

Mr. MCGREGOR. As the gentleman knows, two bills were introduced, one by the gentleman from Nebraska [Mr. MILLER] to transfer Carver and Slowe Halls to the Booker T. Washington Birthplace Memorial, and one by the gentleman from Massachusetts [Mr. MCCORMACK] to transfer the ownership of the property to Howard University. These two buildings were constructed a number of years ago for one specific purpose, to provide housing for the colored workers of the District of Columbia.

We went into this matter very carefully because we felt we wanted to do everything we possibly could for the Booker T. Washington Memorial, as we recognized the splendid work they are doing, but we also recognized that Howard University is, after all, what might be considered a Federal institution, and we are providing money for its upkeep. After careful examination we felt that the Booker T. Washington Birthplace Memorial would find it practically impossible to recondition Slowe and Carver Halls for their particular use. We have met with representatives of the District government. We thought we had it ironed out, as the gentleman from Nebraska knows. However, since that time we have found that the parking units are going right through that area. We now have another meeting scheduled with them, which we hope will be within the next 10 days or 2 weeks, so that we will have facilities to give some aid to the Booker T. Washington Memorial.

The reason we are seeking to pass this bill today is that the Defense Homes Corporation ceases to exist on June 30, which means that time is of the essence, and it is necessary that some kind of legislation be passed so that the Defense Homes Corporation will know what to do with Carver and Slowe Halls. I feel we are making progress on the gentleman's request to give some aid to the Booker T. Washington Memorial, because we all recognize the splendid work they are doing.

Mr. MILLER of Nebraska. As the gentleman knows, the Booker T. Washington group is doing a splendid work and taking care of some 95 percent of the colored people who are not able to go to universities. I realize there are going to be some problems that will have to be worked out between the Defense Homes Corporation and the Commissioners of the city of Washington. I would think it would be a fine thing if this bill could be passed over without prejudice, in order to bring those two bills along together, because you may have to compromise some differences between the District Commissioners and the Defense Homes Corporation. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MOUNT VERNON MEMORIAL HIGHWAY

The Clerk called the bill (H. R. 5842) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent that this bill be recommitted to the Committee on Public Works for further consideration and hearings.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REENTRY PERMITS TO CERTAIN ALIENS

The Clerk called the bill (H. R. 5922) relating to the issuance of reentry permits to certain aliens.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That subsection (b) of section 10 of the act of May 26, 1924 (43 Stat. 158; U. S. C., title 8, sec. 210 (b)), is amended to read as follows:

"(b) If the Commissioner of Immigration and Naturalization finds (1) that the alien has been legally admitted to the United States, or (2) that the alien has been legally admitted to the United States between July 1, 1924, and July 5, 1932, both dates inclusive, under clause (6) of section 3, and has continually resided in the United States since such entry, and that the application is made in good fath, he shall, with the approval of the Attorney General, issue the permit, specifying therein the length of time, not exceeding 1 year, during which it shall be valid. The permit shall be in such form as shall be by regulations prescribed and shall have permanently attached thereto the photograph of the alien to whom issued, together with such other matter as may be deemed necessary for the complete identification of the alien."

With the following committee amendment:

Strike out all after the enacting clause and substitute therefor the following:

"That section 10 of the Immigration Act of May 26, 1924 (43 Stat. 158–159; 8 U. S. C. 210 (a)–210 (f)), is hereby amended by adding a new subsection, to be known as subsection (g), and to read as follows:

"'(g) An alien lawfully admitted to the United States, pursuant to clause 6, section 3 of this act, between July 1, 1924, and July 5, 1932, both dates inclusive, who since entry has maintained the status required of him at the time of his admission and who desires to visit abroad and return to the United States to resume the status existing at time of his departure for such visit, may apply to the Commissioner of Immigration and Naturalization for a Treaty Merchants Return Permit which may be issued by the Commissioner, with the approval of the Attorney General, if he finds that the applicant is entitled thereto. Such a permit shall, in the possession of the persons to whom issued, be accepted in lieu of any visa otherwise required from nonimmigrants under this act or section 30 of the Alien Registration Act of 1940 (54 Stat. 673; 8 U. S. C. 451). Each permit shall be valid for a period therein designated not exceeding 1 year, but may be extended for good cause shown to the satisfaction of the Commissioner of Immigration and Naturalization for a period or periods not exceeding 6 months each. For the issuance of any such permit or any extension thereof there shall be paid to the Commissioner of Immigration and Naturalization a fee of $3 which shall be covered into the Treasury as miscellaneous receipts. The necessary forms and other requirements to effect the purposes of this subsection shall be prescribed by regulations of the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Subsection (e) shall be applicable to this subsection.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING PROVISIONS OF TITLE VI OF THE PUBLIC HEALTH SERVICE ACT TO THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 5889) to extend the provisions of title VI of the Public Health Service Act to the Virgin Islands.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

NATIONAL ARCHIVES

The Clerk called the bill (H. R. 6293) to amend the act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PHILLIPS of California. Mr. Speaker, reserving the right to object, this bill covers a matter in which the Committee on Appropriations has some concern. Until the Commitee on Appropriations can investigate, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDING TITLE VI OF THE PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 6339) to amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That subsection (d) of section 623 of the Public Health Service Act, as amended, is amended to read:

"(d) If any State, prior to July 1, 1948, has not enacted legislation providing that compliance with minimum standards of maintenance and operation shall be required prior to that date (or, at the option of the State, required within such time after enactment of the legislation as the Surgeon General finds reasonable) in the case of hospitals which shall have received Federal aid under this title, such State shall not be entitled to any further allotments under section 624 until such time as such State has enacted such legislation. Upon enactment of such legislation after July 1, 1948, the prohibition in this subsection against further allotments to such State under this part shall no longer be effective and such State shall, subject to the other requirements of this part, be entitled to allotments under section 624 for the fiscal year in which such legislation is enacted and for the preceding fiscal year."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. ELIZABETHS HOSPITAL

The Clerk called the bill (H. R. 6289) to provide for the voluntary admission and treatment of mental patients at St. Elizabeths Hospital.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That (a) the Superintendent of St. Elizabeths Hospital may receive therein as a boarder and patient any adult person who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and who makes written application therefor and who is determined by the Superintendent to be mentally competent to make such application; and any person, under the age of 21 years, who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and whose parent, legal guardian, or other legal representative makes written application on behalf of such minor: *Provided*, That no such person shall be received as a boarder and patient in St. Elizabeths Hospital under authority of this act unless the certification provided for in subsection (b) of this section shall have been made with respect to him: *Provided further*, That no person shall be permitted to remain in such hospital as boarder and patient after the need for his treatment at a mental hospital has ceased: *And provided further*, That no person shall be permitted to remain in such hospital as a boarder and patient after the Superintendent of St. Elizabeths Hospital or his authorized representative has been notified that the certification provided for in subsection (b) has been revoked.

(b) Upon request therefor by the Superintendent of St. Elizabeths Hospital, the

Board of Public Welfare, if it finds that any person with respect to whom the application described in subsection (a) has been made was a resident of and domiciled within the District of Columbia for 1 year next preceding the time of such application, shall certify to the Superintendent that it will reimburse St. Elizabeths Hospital the cost of caring for such person as provided in section 3 of this act; except that if the Board finds that such person, or any other person legally responsible for his care, is able to pay all or any part of the cost of such care, the Board shall not be required to make a certification unless it has, pursuant to section 3, made an agreement satisfactory to it for payment to the District of Columbia of the cost of such care or such part of such cost.

SEC. 2. Any person received at St. Elizabeths Hospital for mental care and treatment under section 1 of this act shall not be detained there more than 3 days after having given written notice to the Superintendent thereof requesting his release, or, in the case of any such person who is under the age of 21 years, more than 3 days after he or his parent, legal guardian, or other legal representative gives such notice: *Provided*, That (a) if within such 3-day period there shall be filed in the District Court of the United States for the District of Columbia a petition with respect to such person, as provided by the act entitled "An Act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939, or (b) if an authorized representative of the Board of Public Welfare, upon receipt of a notice signed by the Superintendent of St. Elizabeths Hospital or his authorized representative stating that in his opinion said person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, shall within such 3-day period file a verified petition for a writ de lunatico inquirendo, or for an order of commitment, accompanied by the aforesaid notice, in the said District Court, alleging upon information and belief that such person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, such person shall be detained by the Superintendent of St. Elizabeths Hospital until a final judgment is entered by the court upon any such petition and any petition filed in accordance with clause (b) of this proviso, accompanied by the aforesaid notice, shall forthwith be referred by the court to the Commission on Mental Health, which said petition and notice shall be sufficient to initiate proceedings before said Commission. Pending the hearing upon the petition, such person need not be sent to Gallinger Hospital for observation and treatment, but shall be detained in St. Elizabeths Hospital for observation and treatment.

SEC. 3. The cost of board, medical care, and treatment furnished under this act shall be a charge upon the District of Columbia and shall be paid by the District of Columbia to St. Elizabeths Hospital. The District of Columbia is authorized to make such agreement as it deems necessary with any patient seeking board, medical care, and treatment under this act, or any other person or persons legally responsible therefor, for payment to the District of Columbia of the cost of such board, medical care, and treatment, or for the payment of a part of such cost; and is further authorized to take appropriate steps by legal action or otherwise to enforce such agreement or, in the absence of an agreement, to recover such cost of board, medical care, and treatment, or any part thereof, from the patient or from any person or persons legally liable therefor. The District of Columbia shall not be charged with the cost of board, medical care, and treatment furnished for any boarder and patient with respect to whom the certification required under section 1 of this act shall have been revoked by the Board of Public Welfare, and the said Board is authorized to order revocation of any such certification: (a) When any person fails to make any payment under any agreement entered into under this act for the cost of board, medical care, and treatment; or (b) when, after a boarder and patient has been admitted to such hospital under a certification, without any agreement having been entered into for his care and treatment, the said Board determines, upon evidence satisfactory to it, that such boarder and patient is able, or other persons legally liable for his care are financially able, to bear all or part of such cost; or (c) when such certification has been made erroneously: *Provided*, That revocation of such certification shall not take effect until a copy of the order of revocation shall have been served upon the Superintendent of St. Elizabeths Hospital or his authorized representative.

SEC. 4. The Superintendent of St. Elizabeths Hospital, with the approval of the Federal Security Administrator, is authorized to prescribe such regulations as he shall deem necessary to carry out the provisions of this act relating to the hospital.

SEC. 5. The Commissioners of the District of Columbia are authorized to prescribe such regulations as they shall deem necessary to carry out the provisions of this act relating to the Board of Public Welfare and the District of Columbia.

SEC. 6 This act shall become effective 60 days after enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### CANADIAN FISHING VESSELS AT ALASKAN PORTS

The Clerk called the bill (H. R. 6110) to permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That notwithstanding the provisions of section 4311 of the Revised Statutes (46 U. S. C. 251), Canadian fishing vessels engaged in the North Pacific halibut fishery only shall be permitted to land their catches of halibut and sable fish (black cod) in ports of entry in Alaska, upon compliance with applicable customs laws, during any period prior to January 1, 1950, in which the Secretary of State finds and so notifies the Secretary of the Treasury that United States fishing vessels engaged in the North Pacific halibut fishery only are granted comparable privileges in ports of British Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### DONATING SURPLUS PROPERTY FOR EDUCATIONAL PURPOSES BY ARMED SERVICES

The Clerk called the bill (H. R. 5882) to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Army, Secretary of the Navy, and Secretary of the Air Force are hereby authorized in their discretion to donate for educational purposes in the States, Territories, and possessions without cost, except for costs of packing, transportation, and delivery, such facilities, equipment, materials, books, and other supplies as may be obsolete or no longer needed by the Army, Navy, or Air Force and which the United States Commissioner of Education, Federal Security Agency, may consider usable for educational purposes.

SEC. 2. All property which the Secretary of the Army, Secretary of the Navy, or Secretary of the Air Force may so donate, shall be allocated on the basis of needs and utilization of the United States Commissioner of Education for transfer by the owning agency directly to schools, colleges, or universities or to State departments of education, for distribution by the State to tax-supported schools, colleges, and universities and other nonprofit schools, colleges, and universities which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code; except in any State where another agency is designated by State law for such purposes such transfer shall be made to said agency for such distribution within the State.

With the following committee amendments:

Page 1, line 10, after the word "which", insert the words "any such Secretary or."

Page 2, line 5, after the word "donate", insert a comma followed by the words "except that donated in accordance with section 3 hereof."

Page 2, line 6, strike out the word "of" before the word "the" and insert in lieu thereof the word "by."

Page 2, add the following new section to the bill:

"SEC. 3. The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force may donate such of the property specified in section 1 hereof as they consider usable for educational purposes to those educational activities that are of special interest to the armed services, such as maritime academies or military, naval, air force, or coast guard preparatory schools."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### AMENDING STANDARD TIME ACT OF MARCH 19, 1918

The Clerk called the bill (H. R. 6318) to amend Section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 3 of the act entitled "An act to save daylight and to provide standard time for the United States", approved March 19, 1918, as amended (U. S. C., 1940 ed., title 15, sec. 264), which provides for placing a certain portion of the State of Idaho in the third time zone is hereby amended by adding the following: "*Provided*, That the Union Pacific Railroad Co. may use Pocatello as the point at which it changes from mountain time to Pacific time and vice versa, and may conduct all its operations on its main and branch lines west of Pocatello on Pacific time."

SEC. 2. This act shall take effect at 2 o'clock antemeridian of the second Monday following the date of its enactment.

With the following committee amendment:

Page 1, line 8, strike out "adding" and insert "striking out the period at the end thereof and inserting a colon and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STUDY OF CLAMS

The Clerk called the bill (S. 1979) authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.*, That the Fish and Wildlife Service of the Department of the Interior is hereby authorized and directed to undertake, in cooperation with appropriate State and interstate agencies in accordance with the provisions of the act of August 14, 1946 (60 Stat. 1080), comprehensive studies of the softshell clam, Mya arenaria, and the hard-shell clam, Venus mercenaria, with particular respect to the biology, propagation, and methods of cultivation of such clams. Such Service shall from time to time recommend appropriate measures for (1) arresting depletion in existing productive beds; (2) restoring to production beds formerly productive but now barren or unusable; (3) developing new areas which may be found suitable; (4) improving methods and techniques of digging, transplanting, and handling; and (5) otherwise increasing production and improving the quality of such clams for the benefit of both producers and consumers.

SEC. 2. There is hereby authorized to be appropriated, for the 5-year period beginning July 1, 1948, out of any money in the Treasury not otherwise appropriated, the sum of $250,000 to carry out the studies of the soft-shell clam and the sum of $250,000 to carry out the studies of the hard-shell clam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTION FROM ESTATE TAX OF NATIONAL SERVICE LIFE INSURANCE

The Clerk called the bill (H. R. 6275) to exempt from estate tax national service life insurance and United States Government life insurance in certain cases.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 811 of the Internal Revenue Code (relating to determination of gross estate) is amended by adding at the end thereof a new subsection to read as follows:

"(m) Government life insurance: In determining the value of the gross estate of a decedent dying after December 6, 1941, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations, there shall not be included amounts receivable by the executor or any other beneficiary as national service life insurance or United States Government life insurance under policies upon the life of the decedent."

SEC. 2. Refunds: If the refund of any overpayment resulting from the application of the amendment made by section 1 of this act is prevented on the date of the enactment of this act, or within 1 year from such date, by the operation of any law or rule of law (other than section 3761 of the Internal Revenue Code, relating to compromises), such refund may, nevertheless, be made if claim therefor is filed within 1 year from the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COURSES OF INSTRUCTION AT UNITED STATES NAVAL ACADEMY AND UNITED STATES MILITARY ACADEMY

The Clerk called the bill (S. 1723) to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first and second sentences of the act of July 14, 1941 (Public Law 168, 77th Cong., 1st sess; 55 Stat. 589), is amended by inserting in the first sentence after the phrase "(other than the United)" the words "and Canada" and by inserting in the second sentence after the words "of such Republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

"That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than three persons from any of such Republics and Canada shall receive instruction under authority of this act at the same time."

SEC. 2. The first and second sentences of section 1 of the act of June 26, 1946 (Public Law 447, 79th Cong., 2d sess.; 60 Stat. 311), is amended by inserting in the first sentence after the phrase "(other than the United States)" the words "and Canada" and by inserting in the second sentence after the words "of such republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

"That the Secretary of War is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Military Academy at West Point, N. Y. Not more than three persons from any one of such republics and Canada shall receive instruction under authority of this act at the same time."

With the following committee amendment:

On page 2, line 20, strike out "War" and insert "the Army."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Clerk called the bill (S. 1571) to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the eighth paragraph following the caption "Pay, miscellaneous" in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes," approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 241), as amended, is hereby amended to read as follows:

"NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

"(a) There is hereby established a National Advisory Committee for Aeronautics (hereinafter referred to as the 'Committee') to be composed of not more than 17 members appointed by the President. Members shall serve as such without compensation, and shall include two representatives of the Department of the Air Force; two representatives of the Department of the Navy, from the office in charge of naval aeronautics; two representatives of the Civil Aeronautics Authority; one representative of the Smithsonian Institution; one representative of the United States Weather Bureau; one representative of the National Bureau of Standards; the chairman of the Research and Development Board of the National Military Establishment; and not more than seven other members selected from persons acquainted with the needs of aeronautical science, either civil or military, or skilled in aeronautical engineering or its allied sciences. Unless otherwise provided by law, each member not representing a Government department or agency shall be appointed for a term of 5 years from the date of the expiration of the term of the member whom he succeeds, except that any member appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed for the unexpired term of the member whom he succeeds.

"(b) Under such rules and regulations as shall be formulated by the committee, with the approval of the President for the conduct of its work, it shall be the duty of the committee (1) to supervise and direct the scientific study of the problems of flight with a view to their practical solution, (2) to determine the problems which should be experimentally attacked, and to discuss their solution and their application to practical questions, and (3) to direct and conduct research and experiment in aeronautics in the Langley Aeronautical Laboratory, the Ames Aeronautical Laboratory, the Flight Propulsion Research Laboratory, and in such other laboratory or laboratories as may, in whole or in part, be placed under the direction of the committee.

"(c) An annual report to the Congress shall be submitted by the committee through the President, including an itemized statement of expenditures."

SEC. 2. Each member of the National Advisory Committee for Aeronautics not representing a Government department or agency who may be appointed initially to fill any vacancy created by the increase in the membership of the committee authorized by the amendment made by the first section of this act shall serve under such appointment for a term expiring December 1, 1950.

SEC. 3. The following parts of acts are hereby repealed:

(a) That portion of the ninth paragraph following the caption "Pay, miscellaneous," in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes," approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 243), which reads as follows: ": *Provided*, That an annual report to the Congress shall be submitted through the President, including an itemized statement of expenditures."

(b) That portion of the paragraph following the caption "National Advisory Committee for Aeronautics," in the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918 (40 Stat. 650; U. S. C., title 49, sec. 242), which reads as follows: ": *Provided*, That the Secretary of War is authorized and directed to furnish office space to the National Advisory

Committee for Aeronautics in governmental buildings occupied by the Signal Corps."

(c) That portion of the first paragraph following the caption "National Advisory Committee for Aeronautics," in the act entitled "An act making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes," approved April 22, 1926 (44 Stat. 314; U. S. C., title 49, sec. 244), which reads as follows: ", hereafter to be known as the Langley Memorial Aeronautical Laboratory."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the bills eligible for call on the Consent Calendar.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 540 (H. R. 5886), to amend section 332 (a) of the Nationality Act of 1940.

The gentleman from New York [Mr. MARCANTONIO] objected. He now advises me he has studied the bill further and has no objection to the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first paragraph of section 332 (a) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1154; 8 U. S. C. 732), is hereby amended to read as follows:

"SEC. 332. (a) An applicant for naturalization shall, not less than two nor more than 7 years after such declaration of intention has been made, make and file in the office of the clerk of a naturalization court, in duplicate, a sworn petition in writing, signed by the applicant in the applicant's own handwriting if physically able to write, and duly verified by witnesses, which petition shall contain substantially the following averments by such applicant."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## AMENDING CERTAIN PROVISIONS OF LAW RELATING TO NAVAL SERVICE

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that the House return to Calendar No. 611, H. R. 4032, to amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

Mr. ELSTON. Mr. Speaker, the gentleman from Nebraska [Mr. MILLER] asked that this bill go over without prejudice. I understand he is now satisfied.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, when I objected a few moments ago, I asked for an explanation of the bill, but it was not forthcoming. Since then there has been an explanation of the bill. The question that I had raised relative to retired admirals and generals having personnel assigned to them I understand is being worked out in the Armed Services Committee. I will await with a great deal of interest their report and what they have been able to accomplish.

This bill does not go to that provision of the Executive which assigns military personnel to retired generals or admirals.

I ask that my original objection be removed.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the following acts or parts of acts are hereby amended by striking out the word "President," wherever it appears, and substituting in lieu thereof the words "Secretary of the Navy":

(a) Section 1443, Revised Statutes (34 U. S. C. 381);

(b) Section 1453, Revised Statutes (34 U. S. C. 417);

(c) Section 1454, Revised Statutes (34 U. S. C. 418);

(d) The last sentence of the second proviso of the second paragraph under the heading "Pay of the Navy" of the act of May 13, 1908, as it appears on page 128, volume 35, of the Statutes at Large (34 U. S. C. 383).

SEC. 2. Section 2 of the act of March 4, 1925 (43 Stat. 1270; 34 U. S. C. 1017), is hereby amended by changing the final period to a colon and adding the following: *"Provided further*, That all authority hereby vested in the President shall hereafter be exercised by the Secretary of the Navy with respect to commissioned officers, warrant officers, and enlisted personnel of the Navy and Marine Corps."

SEC. 3. Subsection (a) of section 8 of the act of June 23, 1938 (52 Stat. 946), as amended by the act of October 14, 1940 (54 Stat. 1174; 34 U. S. C. 294 (a)), is hereby further amended by striking out the following: ", as directed by the President."

With the following committee amendment:

On page 2, line 13, strike out lines 13, 14, 15, 16, and 17.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## DISPOSITION OF THE RENTALS AND ROYALTIES FROM LEASES ISSUED OR RENEWED

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to return to Calendar No. 555, providing for the consideration of S. 1050 to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 6 of the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, is amended by adding at the end thereof the following new sentence:

"All money received from royalties and rentals from any lease issued or renewed under the provisions of the act entitled 'An act to authorize exploration for and disposition of potassium,' approved October 2, 1917, shall be paid into, reserved, and appropriated as follows: 52½ percent to the Reclamation Fund, 10 percent to the Treasury of the United States as miscellaneous receipts, and 37½ percent shall be paid by the Secretary of the Treasury, after the expiration of each fiscal year, to the State within the boundaries of which the leased lands or deposits are or were located, such money to be used by such State or subdivision thereof for the construction and maintenance of public roads or for the support of schools or other public educational institutions, as the legislature of the State may direct."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## EXTENSION OF REMARKS

Mr. PHILLIPS of California asked and was granted permission to extend his remarks in the Appendix of the RECORD and to include an editorial on the Colorado River.

Mr. McDONOUGH asked and was granted permission to extend his remarks in the RECORD in two instances and to include a statement in each one and a resolution in one instance.

## NEW STATE OF ISRAEL

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I wish to take this opportunity to publicly thank the President of the United States, Harry S. Truman, for his decisive and immediate action in recognition of the new State of Israel.

It marks an abrupt reversal of previous policy, but it was a logical and necessary answer to the circumstances at the dramatic moment it was made. Thus, in the end and after many fumblings and back-steppings, it marked the middle chapter of the story, our Government has returned to the same premises which motivated its strong support of the resolution for partition which was approved by the General Assembly of the United Nations last November 29. Partition is now a reality.

My sincere hopes are now for the adoption of House Joint Resolution No. 362, which I introduced on March 31, 1948, to provide for the exportation of arms, munitions, and implements of war from the United States to Palestine. Certainly they are entitled to the wherewithal with which to defend themselves. The die is cast; there is no turning back now. We must recognize the present realities and meet them as they arise.

EXTENSION OF REMARKS

Mr. HOLIFIELD asked and was granted permission to extend his remarks in the RECORD and attach thereto a list of veteran's bills passed by the Eightieth Congress.

Mr. SADOWSKI asked and was granted permission to extend his remarks in the RECORD and include a statement by the mayor of Detroit on the housing situation.

Mr. JOHNSON of California and Mr. DINGELL asked and were given permission to extend their remarks in the Appendix of the RECORD.

Mr. TRIMBLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. HARRIS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial entitled "Would Make Segregation Constitutional."

Mr. CHADWICK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address delivered by the gentlenman from Pennsylvania [Mr. MCCONNELL] at exercises held yesterday at the University of Pennsylvania.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the calendar.

GEORGE HAMPTON

The Clerk called the bill (H. R. 3984) for the relief of George Hampton.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SYLVIA M. MISETICH

The Clerk called the bill (H. R. 744) for the relief of Sylvia M. Misetich.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sylvia M. Misetich, of Portland, Oreg., the sum of $7,500, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of infection from a vaccination for smallpox administered to her pursuant to orders of her supervisor at the Portland subport of embarkation, Portland, Oreg., on January 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$7,500" and insert in lieu thereof "$5,000."

Mr. DOLLIVER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER to the committee amendment: Page 1, line 6, strike out "$5,000" and insert in lieu thereof "$4,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM NALLY

The Clerk called the bill (H. R. 4566) for the relief of William Nally.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Administrator of Veterans' Affairs is authorized and directed to pay to William Nally, New York City, the proceeds of National Service Life Insurance Policy No. 10,171,649 issued to Ferdinand Ley, late private, Company A, Three Hundred and Nineteenth Medical Detachment, United States Army, who was killed in action in Luxemburg, on February 21, 1945. Although the said William Nally was designated by the insured as beneficiary of such policy, his claim for payment thereunder was disallowed by the Veterans' Administration on the ground that he did not stand in loco parentis to the insured within the meaning of the National Service Life Insurance Act of 1940, as amended, because such relationship did not have its inception during the minority of the insured.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LANDS IN SHOSHONE RECLAMATION PROJECT, WYOMING

The Clerk called the bill (S. 1771) authorizing the Secretary of the Interior to convey certain lands in Powell Townsite, Wyo., Shoshone reclamation project, Wyoming, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. POTTS. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

JAMES P. LOVE

The Clerk called the bill (H. R. 5151) authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to James P. Love, a patent in fee to the following-described land, to wit: Lot 10, section 26, township 16 north, range 1 west, Choctaw meridian, Holmes County, Miss., containing 72½ acres more or less; *Provided, however*, That the issuance of such patent shall operate only as a conveyance of all the right, title, and interest of the United States in and to the land described herein, but shall not affect any valid adverse rights of third parties should any such rights exist.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERS OF CERTAIN PUBLIC LANDS IN COUNTY OF KAUAI, T. H., FOR SCHOOL PURPOSES

The Clerk called the bill (H. R. 6252) to authorize the issuance of a land patent to certain public lands, situated in the county of Kauai, T. H., for school purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Commissioner of Public Lands of the Territory of Hawaii with the consent of the Governor of said Territory of Hawaii be authorized to issue a land patent to the Roman Catholic bishop of Honolulu, a corporation sole, covering the following described lands: Lots 118, 119, 120, and 122, Kekaha House lots, Waimea, county of Kauai, T. H.; said lands to be used for school purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRY A. LIGHT

The Clerk called the bill (H. R. 4587) for the relief of Mrs. Harry A. Light (formerly Mrs. Elsie Purvey).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Mrs. Harry A. Light (formerly Mrs. Elsie Purvey), the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOWE WAY YUEN AND DANG CHEE

The Clerk called the bill (S. 1365) for the relief of Lowe Way Yuen and Dang Chee.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of the immigration and naturalization laws Lowe Way Yuen and Dang Chee (also known as Ellen Ding), who were admitted into the United States on October 12, 1939, for a temporary stay and who are the mother and sister, respectively, of Hon W. Dang, a citizen and honorably discharged veteran of the armed forces of the United States, shall be deemed to have been lawfully admitted into the United States for permanent residence as of October 12, 1939.

SEC. 2. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the first available Chinese immigration quota.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUY CHENG

The Clerk called the bill (S. 1483) for the relief of Guy Cheng.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of the immigration and naturalization laws, Guy Cheng, of Charlotte, Vt., shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of his last entry into the United States, upon payment of the required visa fee and head tax. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available immigration quota for nationals of China.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUDRUN M. ERICSSON

The Clerk called the bill (S. 1729) for the relief of Gudrun M. Ericsson.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EASEMENT OVER CERTAIN LANDS ADJACENT TO THE FORT MYERS AIRFIELD (FLA.)

The Clerk called the bill (H. R. 5836) to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted*, That the Secretary of the Army, or his duly authorized representative, be, and is hereby authorized and empowered under such terms as he may deem advisable, to quitclaim to the Inter-County Telephone & Telegraph Co., its successors and assigns, all of the right, title, and interest of the United States of America in and to a certain perpetual right-of-way and easement acquired by the United States in four and forty-two one-hundredths acres of land, more or less, for the location, construction, operation, maintenance, and patrol of a telephone line and telephone facilities, and for the construction and maintenance of a road necessary for the patrol of the telephone line and facilities, in, over, and across lands in the vicinity of the Fort Myers Army Airfield, Florida.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATRICIA SCHWARTZ AND BESSIE SCHWARTZ

The Clerk called the bill (H. R. 5716) to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is authorized and directed to discontinue any exclusion proceedings and to cancel the outstanding warrants of deportation issued in the cases of Patricia Schwartz and Bessie Schwartz. From and after the date of enactment of this act, the aforementioned aliens shall not again be subject to exclusion by reason of the same facts upon which such exclusion proceedings were commenced or such orders of deportation have issued.

SEC. 2. In the administration of the immigration laws, the aforesaid aliens shall be considered as having been lawfully admitted for permanent residence as of May 9, 1947, the date of their arrival into the United States, upon the payment of the required head taxes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEX BAIL

The Clerk called the bill (H. R. 6220) for the relief of Alex Bail.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is authorized and directed to cancel forthwith any outstanding warrant of arrest, order of deportation, warrant of deportation, and bond in the case of Alex Bail, and is directed not to issue any further warrants or orders in the case of the alien based upon such alien's membership in the Communist Party prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIONISIO R. TREVINO

The Clerk called the bill (S. 188) for the relief of Dionisio R. Trevino.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is directed to cancel forthwith any warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of Dionisio R. Trevino, and is directed not to issue any such further warrants or orders in the case of such alien insofar as any such further warrants or orders are based upon the same grounds as the warrants or orders required by this act to be canceled. For the purposes of the immigration and naturalization laws, the said Dionisio R. Trevino, who arrived at Brooklyn, N. Y., on or about April 25, 1934, as a seaman on the steamship *Mave Mar*, which he deserted on or about April 25, 1934, shall, upon the payment of the required head tax, be held and considered to have been lawfully admitted to the United States for permanent residence at such place and on such date. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Spanish quota of the first year that such quota becomes available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCISCO GAMBOA GIOCOECHEA

The Clerk called the bill (S. 511) for the relief of Francisco Gamboa Giocoechea.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is authorized and directed to cancel the outstanding warrant and order of deportation, and bond, if any, issued pursuant to sections 13 and 14, of the Immigration Act of May 24, 1924 (U. S. C., title 8, secs. 213 and 214, in the case of Francisco Gamboa Giocoechea of Cascade, Idaho, any provision of existing law to the contrary notwithstanding. From and after the date of enactment of this act, the said Francisco Gamboa Giocoechea shall not again be subject to deportation by reason of the same facts upon which such warrant and order have issued.

SEC. 2. In the administration of the immigration and naturalization laws, Francisco Gamboa Giocoechea, of Cascade, Idaho, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 6, 1927, upon the payment by him of the visa fee of $10 and the head tax of $8. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available Spanish immigration quota.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERFECTO M. BIASON AND JOAN BIASON

The Clerk called the bill (S. 1451) for the relief of Perfecto M. Biason and Joan Biason.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of the immigration and naturalization laws, Perfecto M. Biason and his daughter, Joan Biason, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of their last entry into the United States, upon payment of the required visa fee and head tax. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the Philippine quota of the first year that openings are available in such quota.

SEC. 2. Notwithstanding any other provision of law, the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding warrant of arrest, order of deportation, and bond, which may have been issued, in the case of Perfecto M. Biason and Joan Biason.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEO HAMERMANN

The Clerk called the bill (S. 1637) for the relief of Leo Hamermann.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of the Immigration and Naturalization laws the Attorney General is hereby authorized and directed to record the lawful admission for permanent residence of Leo Hamermann. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OMNIBUS PRIVATE CLAIMS BILL

The SPEAKER. The Clerk will call the first omnibus bill on the Private Calendar.

FIRST OMNIBUS CLAIMS BILL, EIGHTIETH CONGRESS

The Clerk called the bill (H. R. 5055) for the relief of sundry claimants, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,*

Title I—(H. R. 354. For the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.) By Mr. DAVIS of Tennessee

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Dixie Margarine Co., a corporation organized and existing under the laws of the State of Tennessee, the sum of $87,412, in full satisfaction of its claim against the United States for refund of capital illegally exacted by the Commissioner of Internal Revenue, under the guise of taxes and licenses, for the period from March 1923 to November 28, 1925, the statutory period for refund of said illegally collected moneys having expired prior to the date of a decision of the United States Supreme Court that said moneys had been illegally collected as taxes on the product manufactured, and it also having been held by both the United States Court of Claims and the Sixth Circuit Court of Appeals that relief must be from the Congress and not from the courts:

With the following committee amendment:

Page 2, line 10, after the word "courts", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. POTTS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POTTS. Mr. Speaker, is this the proper time in discussion of the bill when a motion should be offered to strike out this title?

The SPEAKER. The gentleman is correct. First we will dispose of the committee amendement.

The question is on the committee amendment.

The committee amendment was agreed to.

Mr. POTTS. Mr. Speaker, I offer an amendment to strike out the title.

The Clerk read as follows:

Mr. POTTS moves to strike out title I of the bill.

Mr. POTTS. Mr. Speaker, this is a simple case, but I think it is important because what we do on this particular title is going to set a precedent for many of the other titles that we are going to consider today, and which will involve many hundreds of thousands of dollars, so that I think we ought to give this particular title a little consideration.

In and of itself, after the committee amendment is adopted, this title will allot some seventy-odd thousand dollars to a taxpayer. The facts of the case are not difficult and they are not hard to understand. This particular title provides for the repayment to a taxpayer of the sum of $70,000 and, as I tried to point out, the same principle is involved in a number of the other titles in this bill so that actually many hundreds of thousands of dollars are going to be disposed of on what you decide here today on this one title.

The facts of the case are very simple. An oleomargarine manufacturer paid some taxes away back in 1932, and he thought that he was right in paying those taxes. After a while he got a different opinion. He brought suit in the court to collect those taxes and he lost out all the way on this proposition on the principle that the statute of limitation had run against his claim. Now, there is not a lawyer in the House who will not tell you that the statute of limitation, as it applies in the law to claims between individuals, or as to crimes, is a very laudible provision of law. The statute of limitations has for its effect the settling of claims that have been in existence for a long time. These people decided that they did not want to do anything about it, and everything was all right until it got to the point where they decided, for extraneous reasons, or any reason at all after a long period of time, that they wanted to prosecute.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. POTTS. I yield to the gentleman from Tennessee.

Mr. COOPER. I appreciate the gentleman's kindness in yielding. This case arises from the city of Memphis, not in the district which I have the honor to represent. But, my recollection is that this company was required to pay these taxes, and later the Supreme Court held that the tax was invalid and did not apply, and then the statute of limitations had run, and they were unable to recover in a suit to get their money back because the statute of limitations had run, although the court had held that they did not owe the money. It looks to me like a matter of merit.

Mr. POTTS. It is not quite as simple as that. Cases have been tried where similar taxes had been ruled invalid, but not in this particular case. This case came up after those other cases were disposed of and after the statute had run here, and the particular case was decided by the court on the statute of limitations alone.

Mr. COOPER. Mr. Speaker, if the gentleman will yield, it is my recollection and understanding that only by reason of the application of the statute of limitations were those people deprived of the money that the court said they were entitled to.

Mr. POTTS. No. The court never ruled on the merits of this case.

Mr. COOPER. And the fact that they were not able to get their money back caused this company to go broke.

Mr. POTTS. That is not quite so, because that particular point was not litigated in this case. The court merely said that the statute of limitations had run. We all know that in some cases the Government has benefited by the statute of limitations, and in other cases it has lost. It equalizes itself out, and the same applies to individuals.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. POTTS. I yield to the gentleman from Iowa.

Mr. DOLLIVER. Is it not true that in this case and in other similar cases the claimant was derelict in bringing his suit in order to recover the tax which was wrongfully paid?

Mr. POTTS. He was happy about paying the tax until he found out that somebody else decided that perhaps a refund could be obtained.

Mr. DOLLIVER. He is trying to gain from the Congress what he could not gain from the courts.

Mr. POTTS. That is exactly it.

Mr. DAVIS of Tennessee. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, the bill seeks the refund of $87,412 which the United States Supreme Court has said in a test case the Commissioner of Internal Revenue collected arbitrarily, capriciously, and without warrant and was an exaction in the guise of a tax. The Government has disputed tax claims against the Dixie Margarine Co. in the sum of $16,775.60. It has been agreed these should be offset, leaving a net amount sought hereby of $70,636.40.

After the test case above referred to, the Commission voluntarily refunded to the Dixie Margarine Co. in 1932 the sum of $241,819.64, but refused to refund the $87,412 paid in the period of time which was more than 4 years prior to the refund.

Suit was instituted in the Court of Claims, and that court in 1935 held:

The facts show that the plaintiff has paid, beyond the statutory period for refunds, amounts it should not have paid but this court has no jurisdiction to entertain a suit for the recovery of these amounts. Any relief to which the plaintiff may be entitled must come from the Congress.

In 1939 a bill was introduced, being H. R. 7426, Seventy-sixth Congress, First Session, and S. 2917. The Committee on Claims refused to hold hearings on matters which the President had a policy of vetoing and then the war came along. Suit was filed by the Dixie Margarine Co. against the deputy collector of internal revenue in the District Court, and sought equitable relief even though the legal remedy was barred by the statute of limitations. In 1943 the Sixth Circuit Court of Appeals held that the courts were bound by the limitation and said "as pointed out in the decision of the Court of Claims, relief must be had from the Congress and not from the courts." In the intervening years bills similar to the 1939 bill were introduced in this Congress but were never brought out for debate. The bill introduced in the Seventy-ninth Congress was approved by the Committee on Claims but was never enacted into law.

Thus, it clearly appears that this company has not slept upon its rights but it has been striving in the courts and in Congress to get that which belongs to it.

The present bill when introduced was referred to the Committee on the Judiciary and by it to a subcommittee. This was done because of the reorganization of Congress abolishing the Committee on Claims but this claim is not one of those

contemplated by the reorganization since it far antedates that action by this body.

The Supreme Court of the United States, the Court of Claims, and the Sixth Circuit Court of Appeals have all held that this money should be refunded to the Dixie Margarine Co.; the courts have held that it was an illegal exaction in the guise of a tax and that the Commissioner of Internal Revenue in exacting the money was arbitrary, capricious, and oppressive. The Court of Claims and the court of appeals have both held that they would order a return of the money but for the fact that the Congress of the United States raised a bar of 4 years beyond which the taxpayer cannot go, and both of said courts have invited the Dixie Margarine Co. to come to Congress for relief. The courts are powerless to grant relief. Congress raised the bar of the 4-year limitation on the right to recover this money.

In this connection it should be noted that the 4-year bar applies to taxes and the courts have held this claim to be in the nature of a claim for taxes. There is a very definite distinction. The Supreme Court has held that the money collected from the Dixie Margarine Co. was not taxes but was "an exaction in the guise of a tax." Congress raised the bar to the remedy which now prevents the enforcement of the right belonging to the Dixie Margarine Co. as it has been construed by the courts, and Congress has the legal power to remove this bar to the enforcement of the right. Aside from the legal power to do so, on every tenet and precept of equity and fair dealing this Congress owes the duty to the taxpayer to right the wrong done by an official of the United States Government in regard to his illegal acts under a law passed by this Congress. It is the legal and equitable correct function of Congress to grant the relief sought.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. POTTS].

The question was taken; and on a division (demanded by Mr. POTTS) there were—ayes 23, noes 41.

Mr. MURRAY of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 127, nays 221, not voting 83, as follows:

[Roll No. 66]

YEAS—127

| | | |
|---|---|---|
| Allen, Ill. | Brehm | Dawson, Utah |
| Andersen, H. Carl | Brophy | Dolliver |
| Andresen, August H. | Buck | Dondero |
| Arends | Buffett | Ellis |
| Arnold | Burke | Elston |
| Barrett | Busbey | Engel, Mich. |
| Bates, Mass. | Butler | Foote |
| Bender | Case, S. Dak. | Fuller |
| Bennett, Mich. | Chiperfield | Gamble |
| Bennett, Mo. | Church | Gearhart |
| Bishop | Clason | Gillette |
| Blackney | Clevenger | Goff |
| Bradley | Cole, N. Y. | Goodwin |
| | Cotton | Grant, Ind. |
| | Davis, Wis. | Griffiths |
| Gross | Lemke | Robertson |
| Gwinn, N. Y. | Lodge | Rogers, Mass. |
| Hagen | Love | Ross |
| Hall, Edwin Arthur | McCowen | Russell |
| Halleck | McCulloch | St. George |
| Hand | McDonough | Schwabe, Mo. |
| Harness, Ind. | McDowell | Schwabe, Okla. |
| Harvey | McMahon | Scrivner |
| Herter | McMillen, Ill. | Seely-Brown |
| Hill | Mack | Simpson, Ill. |
| Hoeven | Macy | Smith, Kans. |
| Holmes | Martin, Iowa | Smith, Ohio |
| Horan | Mason | Smith, Wis. |
| Hull | Miller, Md. | Snyder |
| Jackson, Calif. | Miller, Nebr. | Stefan |
| Jenison | Murray, Wis. | Stevenson |
| Jenkins, Ohio | Nixon | Sundstrom |
| Jensen | Nodar | Taber |
| Johnson, Ill. | Norblad | Talle |
| Johnson, Ind. | O'Konski | Taylor |
| Jones, Wash. | Phillips, Calif. | Twyman |
| Jonkman | Plumley | Vail |
| Kean | Potter | Vorys |
| Kersten, Wis. | Potts | Weichel |
| Kilburn | Poulson | Wigglesworth |
| Kunkel | Reed, N. Y. | Wolcott |
| Landis | Rees | Woodruff |
| LeCompte | Richlman | |

NAYS—221

| | | |
|---|---|---|
| Abernethy | Gathings | Morton |
| Albert | Gavin | Muhlenberg |
| Allen, La. | Gordon | Multer |
| Andrews, Ala. | Gore | Murdock |
| Andrews, N. Y. | Gorski | Murray, Tenn. |
| Angell | Gossett | Nicholson |
| Auchincloss | Graham | Norton |
| Bakewell | Grant, Ala. | O'Brien |
| Banta | Gregory | Owens |
| Barden | Gwynne, Iowa | Pace |
| Bates, Ky. | Hale | Patman |
| Battle | Hall | Peden |
| Beckworth | Leonard W. | Peterson |
| Bland | Hardy | Philbin |
| Blatnik | Harless, Ariz. | Phillips, Tenn. |
| Boggs, Del. | Harris | Pickett |
| Bolton | Harrison | Poage |
| Bonner | Havenner | Powell |
| Brown, Ga. | Hays | Preston |
| Brown, Ohio | Hedrick | Price, Fla. |
| Bryson | Heselton | Price, Ill. |
| Buchanan | Hess | Priest |
| Buckley | Hinshaw | Rains |
| Burleson | Hobbs | Ramey |
| Byrnes, Wis. | Holifield | Rankin |
| Camp | Hope | Rayburn |
| Canfield | Huber | Redden |
| Cannon | Isacson | Reed, Ill. |
| Carson | Javits | Reeves |
| Case, N. J. | Jenkins, Pa. | Regan |
| Celler | Jennings | Richards |
| Chadwick | Johnson, Calif. | Rivers |
| Chelf | Jones, Ala. | Rizley |
| Chenoweth | Jones, N. C. | Rockwell |
| Cole, Kans. | Judd | Rogers, Fla. |
| Cole, Mo. | Karsten, Mo. | Rohrbough |
| Colmer | Keating | Rooney |
| Combs | Kee | Sadowski |
| Cooley | Kelley | Sanborn |
| Cooper | Kerr | Sarbacher |
| Corbett | Kilday | Sasscer |
| Courtney | Klein | Scott, Hardie |
| Cox | Lanham | Scott, Hugh D., Jr. |
| Cravens | Larcade | Shafer |
| Crawford | Lea | Sikes |
| Crosser | LeFevre | Smathers |
| Crow | Lesinski | Smith, Va. |
| Cunningham | Lewis, Ky. | Somers |
| Curtis | Lewis, Ohio | Spence |
| Dague | Lucas | Stanley |
| Davis, Ga. | Lusk | Stratton |
| Davis, Tenn. | Lyle | Teague |
| Deane | Lynch | Thomas, Tex. |
| Delaney | McConnell | Tibbott |
| Devitt | McCormack | Tollefson |
| Dingell | McGarvey | Trimble |
| Domengeaux | McGregor | Van Zandt |
| Donohue | MacKinnon | Vinson |
| Douglas | Madden | Vursell |
| Durham | Mahon | Wadsworth |
| Eaton | Maloney | Welch |
| Eberharter | Manasco | Wheeler |
| Elliott | Mansfield | Whitten |
| Ellsworth | Marcantonio | Whittington |
| Elsaesser | Mathews | Williams |
| Evins | Meade, Ky. | Wilson, Ind. |
| Fallon | Meade, Md. | Wilson, Tex. |
| Feighan | Merrow | Winstead |
| Fenton | Meyer | Wolverton |
| Fernandez | Michener | Wood |
| Flannagan | Miller, Conn. | Worley |
| Fogarty | Mills | Youngblood |
| Forand | Morgan | |
| Garmatz | Morris | |
| Gary | Morrison | |

NOT VOTING—83

| | | |
|---|---|---|
| Abbitt | Fulton | Miller, Calif. |
| Allen, Calif. | Gallagher | Mitchell |
| Anderson, Calif. | Gillie | Monroney |
| Beall | Granger | Mundt |
| Bell | Hart | Norrell |
| Bloom | Hartley | O'Hara |
| Boggs, La. | Hébert | O'Toole |
| Boykin | Heffernan | Passman |
| Bramblett | Hendricks | Patterson |
| Brooks | Hoffman | Pfeifer |
| Bulwinkle | Jackson, Wash. | Ploeser |
| Byrne, N. Y. | Jarman | Riley |
| Carroll | Johnson, Okla. | Sabath |
| Chapman | Johnson, Tex. | Sadlak |
| Clark | Kearney | Scoblick |
| Clippinger | Kearns | Sheppard |
| Coffin | Keefe | Short |
| Coudert | Kefauver | Simpson, Pa. |
| Dawson, Ill. | Kennedy | Smith, Maine |
| D'Ewart | Keogh | Stigler |
| Dirksen | King | Stockman |
| Dorn | Kirwan | Thomas, N. J. |
| Doughton | Knutson | Thompson |
| Engle, Calif. | Lane | Towe |
| Fellows | Latham | Walter |
| Fisher | Lichtenwalter | West |
| Fletcher | Ludlow | Whitaker |
| Folger | McMillan, S. C. | |

So the amendment was rejected.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Towe with Mr. Bell.

Mr. Simpson of Pennsylvania with Mr. Jackson of Washington.

Mr. Lichtenwalter with Mr. Hébert.

Mrs. Smith of Maine with Mr. Folger.

Mr. D'Ewart with Mr. Hart.

Mr. Bramblett with Mr. Passman.

Mr. Kearns with Mr. Carroll.

Mr. Mundt with Mr. Boggs of Louisiana.

Mr. Mitchell with Mr. Kennedy.

Mr. Short with Mr. Kefauver.

Mr. Patterson with Mr. Walter.

Mr. Hoffman with Mr. Riley.

Mr. Ploeser with Mr. Dorn.

Mr. Latham with Mr. Chapman.

Mr. Kearney with Mr. King.

Mr. Knutson with Mr. Engel of California.

The result of the vote was announced as above recorded.

The doors were opened.

The Clerk read as follows:

Title II—(H. R. 385. For the relief of Reginald Mitchell.) By Mr. HINSHAW

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Reginald Mitchell, of North Hollywood, Calif., the sum of $106.85, in full satisfaction of his claim against the United States for compensation for property damage sustained by him, as a result of an accident which occurred when a United States Army vehicle collided with another automobile and pushed it into the rear of the automobile which he was driving, at the intersection of East Seventh Street and Maple Street, in Los Angeles, Calif., on November 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Title III—(H. R. 813. For the relief of J. Don Alexander.) By Mr. CHENOWETH

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Don Alexander, of Colorado Springs, Colo., the sum of $16,720.41, in full settlement of all claims against the United States by the said J. Don Alexander on account of an erroneous payment of

income tax for the year 1929 in the above amount covering the capital net gain from the sale of 9,000 shares of stock in the Alexander Industries, Inc., which stock was later, in the case of Alexander against Theleman in the United States circuit court of appeals (69 F. (2d), p. 610), held to be the property of the corporation and not of the said J. Don Alexander: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. DOLLIVER moves to strike out all of title III.

Mr. DOLLIVER. Mr. Speaker, in view of the vote that has just been taken by roll call, perhaps anything I shall say now is utterly futile. But I for one am not going to stand by and see the statute of limitations eliminated by the House of Representatives by a roll call vote without the House knowing what it is doing. You have just voted $87,000, less about $16,000 to a bankrupt margarine corporation in the State of Tennessee.

Now, this bill is to repay $16,000 to an individual in the State of Colorado.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. No, I do not yield. You will have your time.

It seems to me that we ought to know where we are going in ignoring and flouting the statute of limitations which we ourselves have put upon the statute books of this country. The result will be, we are going to be swamped with a flood of this kind of legislation.

Now, about the facts in this case: The bill provides for the payment of over $16,000 to the claimant as a tax on net gain on 9,000 shares of stock which the claimant is supposed to have owned and claimed that he did own at the time the tax was paid. It was subsequently determined that he did not own the stock at all when the transaction was made, and it was found, and correctly so, that therefore, as an original matter, no tax was due. However, before he got around to claiming the tax refund or perhaps before he could claim the tax refund, the statute of limitations had expired and he was barred from refund of those taxes. Now he is here asking the Congress to appropriate this money to refund that tax to him.

The Treasury Department opposes the bill because it says it grants special relief in the case of taxes erroneously collected, the refund of which is not claimed in the time and in the manner required by law, and thus constitutes a discrimination against other taxpayers similarly situated, and would create a bad precedent which might encourage other taxpayers to seek relief in the same manner.

Now, it is your responsibility to vote up or down this amendment. If you wish to refund this tax to this individual, that is your responsibility. As far as I am concerned, I propose to vote for the amendment, to see to it that we abide by some rational method of refunding taxes.

As I said a moment ago, in view of the vote just taken for the margarine company in Tennessee, it may be that you will vote to give the gentleman from Colorado Springs the money as well. It looks as though first we look after the Democrats and then the Republicans.

Mr. MATHEWS. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. MATHEWS. Is it a fact that the taxpayers could not or just did not bring his suit in time?

Mr. DOLLIVER. As I understand it, he did not.

Mr. MATHEWS. Then, why is this bill here?

Mr. DOLLIVER. That is what I would like to know.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. CHENOWETH. Mr. Speaker, I rise in opposition to the amendment.

I am sure the gentleman from Iowa [Mr. DOLLIVER] wants to be entirely fair in this matter. He referred to the claimant in this matter as being a bankrupt individual. I hasten to correct that impression. Mr. J. Don Alexander is a highly respected and substantial citizen of Colorado Springs. He is president of one of the largest industries in that area.

In this case the issue is very simple. The United States Government has erroneously collected from Mr. Alexander the sum of $16,720.41 on an income-tax payment. The only defense for retaining this money is that Mr. Alexander failed to make application for a refund in time. The House Judiciary Committee found that Mr. Alexander was entitled to a refund of this money, which is the amount of income taxes Mr. Alexander paid to the United States Government as a capital gains tax on certain stock which he thought he owned, but which the court later decided belonged to the corporation.

The stock involved was in the Alexander Industries, Inc., a Colorado corporation, with its principal office and place of business in Colorado Springs. In the year 1929 a sale of 9,000 shares of stock in this corporation was made. The sale price was $135,257. The Government found that the cost of these shares to Alexander was .1637 cents per share, and after deducting the $1,493.76 was the original cost arrived at a capital net gain of $133,763.24, on which Mr. Alexander paid a tax of $16,720.41.

This corporation became involved in bankruptcy proceedings and Mr. Alexander filed a claim for the amount due him arising through a loan of the proceeds of the sale of his stock. The referee in bankruptcy refused to allow this claim, and ruled that there was no indebtedness, in that the stock sold was unissued stock of the corporation. The trial court approved the findings of the referee and the case was appealed to the circuit court of appeals, This court found in the case of *Alexander* v. *Theleman* (69 F. (2d) p. 610), that this stock, upon which Mr. Alexander had paid personal income tax, was not his personal stock, but had been loaned to him by the company, and that he was to have been repaid in stock. This case was decided on March 26, 1934, and a petition for rehearing denied on April 30, 1934. Mr. Alexander attempted to take the case to the Supreme Court of the United States, but a petition for writ of certiorari was denied on October 8, 1934.

Prior to this decision of the circuit court of appeals, Mr. Alexander had assumed that the determination of his 1929 income tax had been correct, and that for income-tax purposes he had realized a capital net gain from the sale of this stock. The court held that Mr. Alexander was to have received shares of stock from the corporation in exchange for the 9,000 shares which he sold. Consequently, there was no gain or loss in the transaction and the tax was erroneously assessed and paid. As a result of this decision Mr. Alexander had neither his stock nor the money. He is now seeking to obtain a refund of $16,720.41, which is the amount he paid by mistake.

This explains why Mr. Alexander did not make application for a refund in time to comply with the statute of limitations. His case was not finally determined until 1934, which was a couple of years after the 2-year statutory period. Had the court found in his favor he would have owed the tax in question.

In other words, the United States Government, through the Collector of Internal Revenue, does not deny that the Government erroneously collected this money. They admit that Mr. Alexander did not owe the Government this tax. However, they say Mr. Alexander did not make claim for a refund within the 2-year period as provided by the statute of limitations, and therefore contend they have no authority whatever to make this refund. I fully agree with the position taken by the Collector of Internal Revenue that under the existing statute they are not authorized to pay this money back to Mr. Alexander. The only recourse he has is to appeal to the Congress of the United States through the bill that is before us. It is conceded that the money would have been returned to him had he filed his application in time to comply with the statute. He did file his claim as soon as he learned that the court had decided the stock did not belong to him, and that he had paid these taxes by mistake.

Mr. Speaker, I realize that we must have statutes of limitation, but I also feel that equity should be done in these cases. I submit that the United States Government has no right to withhold this money from Mr. Alexander, which was paid in good faith, but by mistake, as admitted by all.

This case was not decided in the circuit court of appeals until 1934. This tax was paid for the year 1929. Up to the time the final decision was rendered in the circuit court of appeals this taxpayer thought he was the owner of the stock, and on that assumption he paid

the capital gains tax on the same. Finally the circuit court of appeals held that he did not own the stock, but that it belonged to the corporation. As a result he paid a capital gains tax on stock that he did not own.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. CHENOWETH. I yield.

Mr. JENNINGS. So this taxpayer had no ground upon which to base a claim for relief until the statute of limitations had run.

Mr. CHENOWETH. That is correct.

Mr. JENNINGS. And is it not a principle of law that if a man is discharged in bankruptcy and relieved from the payment of a debt, that if he subsequently promises to pay the debt, a moral obligation will sustain a suit upon that barred claim? In other words, I am getting to the equities of the thing. If a man has a moral obligation to pay a debt, even though its payment may be barred by the statute of limitation, or even though he may be discharged in bankruptcy, his moral obligation will sustain his new promise to pay, and you can make him pay it.

Mr. CHENOWETH. I appreciate the observations of the distinguished gentleman from Tennessee. I may say that I had the pleasure and honor of serving with him for a period of 6 years on the Committee on Claims. I consider him one of the best-informed Members of the House on private claims and the theory of such legislation.

Mr. JENNINGS. If the gentleman will permit another statement, an honest man's debt is never barred by the statute of limitations, is it?

Mr. CHENOWETH. I agree with the gentleman. I submit that the United States Government owes Mr. Alexander this money and that it should be paid to him. I hope the amendment will be rejected, so that this bill may pass.

The SPEAKER. The time of the gentleman from Colorado has expired.

The question is on the motion of the gentleman from Iowa to strike out title III.

The question was taken; and on a division (demanded by Mr. DOLLIVER) there were—ayes 24, noes 76.

So the motion to strike out title III was rejected.

The Clerk read as follows:

Title IV—(H. R. 2696. For the relief of Otto Kraus, receiver of the Neafie & Levy Ship and Engine Building Co.) By Mr. HUGH D. SCOTT, JR.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Otto Kraus, receiver of the Neafie & Levy Ship and Engine Building Co., the sum of $103,821.56, in full settlement of all claims against the United States for the difference between the actual cost of the construction of three torpedo-boat destroyers and the amount paid by the United States under the contract entered into for the building of said boats, as found by the Court of Claims on January 8, 1940, and reported in Senate Document No. 161, Seventy-sixth Congress, third session: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. DOLLIVER. Mr. Speaker, I offer a motion to strike out this title.

The Clerk read as follows:

Mr. DOLLIVER moves to strike out all of title IV.

Mr. DOLLIVER. Mr. Speaker, I am glad that this is not a refund-tax case, because I know how the membership is going to vote on that. This is something else, and entirely different.

Mr. Speaker, this is a claim that originated during the Spanish-American War in 1898 and is the claim of a receiver of the Neafie & Levy Ship & Engine Building Co. for loss alleged to have been sustained on three contracts entered into on October 1, 1898, for the construction of three torpedo-boat destroyers.

A Senate resolution in 1910 referred this matter to the Court of Claims. According to the memorandum I have, finally, in 1940, the Court of Claims handed down a decision that the company suffered this loss through no fault of its own.

In reporting this bill the Committee on the Judiciary emphasizes that some other companies had reimbursement. Well, again, I can only refer to my own sense of responsibility in reference to this kind of a claim. It is 50 years old. Whoever had charge of it certainly has slept on his rights. If there was a claim in 1898 it certainly should have been settled by 1908. Now, 50 years later, they come to this Congress and ask for $103,000-plus which arose out of this transaction of over 50 years ago. There is not a court I know of but what would call that kind of a claim stale and outlawed and would not consider it.

Accordingly, it seems quite unreasonable to me to believe that the Congress ought to pay $103,821.56 of the taxpayers' money to a receiver of a bankrupt corporation for a loss alleged to have been sustained in 1898.

Mr. POTTS. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from New York.

Mr. POTTS. Is this not another case where the funds are being paid to a bankrupt estate and that the taxpayer himself is not interested, but, rather, those who will get the funds for the bankrupt estate?

Mr. DOLLIVER. The gentleman is entirely correct.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Does the gentleman from Iowa believe that the statute of limitations runs while a case is pending in court?

Mr. DOLLIVER. No.

Mr. COLE of Missouri. I understood the gentleman to say that the case was in court from 1910 to 1940.

Mr. DOLLIVER. The decision was rendered in 1940, and it was referred to the Court of Claims in 1910.

Mr. COLE of Missouri. The gentleman does not contend that the claimant was lax in pursuing this claim while it was pending in the courts, does he?

Mr. DOLLIVER. Yes; I would say that he was lax in pursuing his claim when he had a claim in court 30 years.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Pennsylvania.

Mr. HUGH D. SCOTT, JR. Will not the gentleman agree that it is a fact that this money will be paid to the receiver for the benefit of subcontractors and materialmen whose rights to the money are not denied? They performed the work and are entitled to the money, but it has been held up in the courts for 30 years.

Mr. DOLLIVER. I have no information on that score. I do not know what becomes of the money. I only know where it is coming from. If you vote for the amendment to strike out this title, you are going to save the taxpayers $103,000. If you vote against it, why you are going to take $103,000 out of the taxpayers' pockets which we, on the objectors committee, have tried to save for the taxpayers, and pay it to the receiver of a bankrupt corporation.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I rise in opposition to the motion and I ask unanimous consent that I may yield my time to the gentleman from Missouri [Mr. REEVES], a member of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REEVES. Mr. Speaker, I am entirely in sympathy with the purpose of the gentleman from Iowa to save money for the taxpayers. But I hardly think that most Members of this House are so intent on doing so that they would consciously reject a meritorious claim against the United States.

Rejection of this claim by passage of the pending motion to strike out title IV would result in a substantial and unconscionable injustice. The Claims Subcommittee of the Judiciary Committee, on which I am privileged to serve, conducted a hearing on the matter and gave thorough consideration to the merits of the case.

The claim is for actual "out of pocket" cash losses incurred by the Neafie & Levy Co. in the construction of three torpedo-boat destroyers for the Navy Department. These vessels were the first torpedo-boat destroyers designed and constructed by the United States Government and were experimental in a large measure. The losses and increased costs to the company were due to, first, delay in obtaining the deliveries of steel, resulting in wage and price increases; second, substantial changes by the Navy in the designs and displacement of the vessels; and, third, the unprecedented and unpredictable number of trial runs required by the Navy.

As the committee's report shows, several shipbuilding companies entered into contracts with the Navy Department at the same time for the construction of vessels of the same type, and all the companies

suffered losses similar to those of this claimant. All the companies, including the Neafie & Levy Co., appealed at once to the Navy Department for settlement, but the Navy referred them to Congress for relief. The Congress finally, in 1910, referred all of the claims to the Court of Claims, not for judgments, but to make findings of fact in each case and report the same back to the Congress.

In the Neafie & Levy case, the court delayed its decision for 30 years and in 1940 reported to the Congress that the actual losses of the company, exclusive of any item of profit, were $103,821.56 and that such losses had been occasioned by the changes required by the Navy Department and other causes which neither the company nor the Navy Department could have anticipated at the time of making the contract. The court further found that compensation to which plaintiff might be entitled rests entirely in the discretion of the Congress.

The other two companies which suffered similar losses in the construction of torpedo-boat destroyers under the same Navy program were reimbursed for their losses by private acts of Congress, after the Court of Claims reported such losses to Congress.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I ask the gentleman if my recollection is correct, that the facts involved in this bill are the same as were involved in the Lawley bill that I introduced, which passed this House and passed the other body and became a law in 1936?

Mr. REEVES. They are exactly the same.

Mr. McCORMACK. One other company, as I remember, the Fall River Co., was also involved, and that bill went through in 1926, or thereabouts.

Mr. REEVES. That is exactly correct.

Mr. McCORMACK. I introduced a bill in behalf of one of them, and after a complete investigation I was satisfied as to the equities. It seems to me that this bill is based upon the same set of facts, and it ought to receive the same justice by this House as was given in connection with the other two companies.

Mr. REEVES. In 1926 the Fore River Ship & Engine Building Co. was reimbursed $106,521.12 for losses in building two torpedo-boat destroyers.

In 1936 the George Lawley & Son Corp. was reimbursed $92,781 for losses in building two torpedo-boat destroyers.

The pending claim of Neafie & Levy, which was not reported to the Congress by the Court of Claims until March 11, 1940, is for $103,821.56 for losses in building three torpedo-boat destroyers.

Enactment of the present bill, therefore, will accord to this claimant the same equitable treatment as has been granted to the other two companies. It will also conform to the fairly well-defined policy of the Congress to reimburse Government contractors who have performed work and furnished materials, of which the Government has received the use and benefit, but who nevertheless, due to conditions beyond their control and which could not have been anticipated, have suffered losses in the performance of their contracts.

It is conceded that the claim is not a legal claim in a juridical sense. If it were, claimant could have secured a judgment in the Court of Claims and would not now be before the Congress asking for relief.

The Navy Department decided it was not possible under the law to make adjustments in any of these three cases, even though the Department conceded that such adjustments should be made. There was no recourse, therefore, except for the companies to come to Congress for relief. It is because these were not legal claims that Congress referred them to the Court of Claims for investigation and directed the court not to render judgment but to find the facts and determine the amount of the losses and report the same to the Congress. The Court of Claims had no power to render judgments for the claimants, but could only report the facts and find the amounts of the losses, and this title of the omnibus bill is based directly on its findings.

The objection that the company and its receiver are guilty of laches is entirely unfounded, because, as already stated, claim was promptly filed with the Navy Department. The fact is that while all these claims were referred by the Congress to the Court of Claims in 1910, the court did not report back its findings to Congress in this case until 1940. In other words, the court disposed of the other claims first, and as they were consecutively reported to Congress they were paid. Since the findings of the Court of Claims were filed in 1940, this claimant has been altogether diligent in its efforts to secure relief from the Congress.

The objection of laches was made against the Fore River and Lawley claims at the times they were before the House. This body considered these objections unfounded and with the concurrence of the other body authorized payment of those claims.

To state the case very simply, the three contractors were all in precisely the same position. Two of them have been fully compensated for their losses, and it is my conviction that the House has an obligation to insure that the third sole remaining contractor shall be equally treated and fairly compensated. The Government has received the use and benefit of these vessels, and this claimant should be paid in full just as the other companies have been paid. No interest is included in the amount of the proposed award.

I therefore urge that the motion to strike title IV from the bill be defeated.

Mr. REDDEN. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from North Carolina.

Mr. REDDEN. May I ask the gentleman what caused all the delay? I have not heard any explanation of that.

Mr. REEVES. Congress held up the matter from 1900 to 1910. It was not quite sure how to handle it. Bills were introduced in successive Congresses during that period. Then it was referred to the Court of Claims for findings, and the Court of Claims delayed its findings for 30 years. It came up in 1940 with findings which support in every respect the facts which are set up in this bill and the award which is proposed to be made. There is obvious equity in the claim, and there has been no laches.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Iowa.

Mr. DOLLIVER. May I ask the gentleman if he thinks the House is justified in making another mistake, having made two mistakes on the same set of facts?

Mr. REEVES. I think it is the gentleman from Iowa who has made the mistake. There is no doubt about the merit of the bill and the House will make no mistake by voting down his amendment.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Pennsylvania.

Mr. HUGH D. SCOTT, JR. Does not the gentleman think the equities in this case are on the part of the receiver, when he remembers that the taxpayers of this country had the benefit of the use of those two destroyers throughout two wars, the Spanish-American War and the First World War, and the subcontractors and the material men still have not been paid?

Mr. REEVES. The gentleman is eminently correct.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa [Mr. DOLLIVER].

The question was taken; and on a division (demanded by Mr. DOLLIVER) there were—ayes 30, noes 66.

So the amendment was rejected.

The Clerk read as follows:

Title V—(H. R. 1296. For the relief of Cohen, Goldman & Co., Inc.) By Mr. Coudert

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cohen, Goldman & Co., Inc., out of any money in the Treasury not otherwise appropriated, the sum of $19,030.20, in full settlement of all claims against the Government growing out of contracts Nos. 1325, 1645, 2299, 3220, and 4519N, and contracts supplementary thereto, for the manufacture during 1917 and 1918 of overcoats and uniforms for the United States Army.

With the following committee amendment:

Page 5, line 22, after "Army" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The SPEAKER. The question is on the passage of the omnibus bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a speech.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include an address delivered by Hon. JOHN C. BUTLER.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include some newspaper articles.

### SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 5852, with Mr. WADSWORTH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on last Friday, general debate having been concluded, the first section was read for amendment.

### THE MUNDT BILL IS A WEAPON OF NATIONAL DEFENSE

Mr. DONDERO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, about 10 years ago, the House of Representatives established the Committee on Un-American Activities, first as a special committee and—since 1945—as a permanent committee.

Its purpose is to inquire into and investigate the activities and machinations of subversive elements in the United States. It is the only agency of our Government to which a Member of Congress can turn for information regarding individuals and groups whose loyalty to our Nation is questioned.

This is in no way to be construed as a reflection upon the Federal Bureau of Investigation or its work in this field. It is one of the most efficient agencies of its kind in the world; but, under the law creating the FBI, it is not at liberty to divulge all information and is subject to the Department of Justice, under which it operates.

The Committee on Un-American Activities has done most excellent work, and every loyal American owes it a debt of gratitude. It has been the target for much abuse, criticism, and persecution. The strongest reason for its continued existence is the enemies it has made.

Every Communist or other enemy of our country wants this committee destroyed.

The membership of the Committee on Un-American Activities is composed of outstanding, loyal Americans. They and their predecessors are men who do not flinch from subtle and cruel slander. They are steadfast in their duty to their country. I pay deserved tribute to each and every member of the committee for the service they have rendered the cause of freedom throughout the world and especially here at home.

After a decade of painstaking effort and diligence, the committee has presented to the House a bill, H. R. 5852, to protect our freedom and way of life. No right-thinking, sane American can shut his eyes any longer to the danger of communism within our gates.

What is communism? "It is an evil and malignant way of life," says J. Edgar Hoover, Director of the FBI. It is based on brute force, fear and terror. Communists have infiltrated every activity of American life. They are traitors to our country and wolves in sheep's clothing.

Nearly 20 years ago Russia gave notice, and I quote:

> The world-wide nature of our program is not mere talk but an all-embracing and blood-soaked reality. Our ultimate aim is world-wide communism.

When a neighbor gives you notice that he intends to destroy you, your home and family, your religious belief, and your Government, and do it with force and bloodshed, you are an exception if you do not take measures to resist that threat, even unto death. You have no choice.

The bill before us is one of those measures. It ought to have the enthusiastic support of every Member of Congress. The Communist opposition to it is the best argument for it.

The Committee on Un-American Activities has found that the Communist movement in the United States is foreign-controlled and that its activities are carried on by secret and conspiratorial methods. They claim that they are a political party; we know they are not. Political parties in the United States are not controlled by foreign governments.

We have a right under our Constitution to protect ourselves. The Communists say this bill would nullify the Bill of Rights. What is the Bill of Rights? It is freedom of speech, freedom of the press, freedom of assembly, and freedom of religion. They propose to destroy every one of such freedoms. They propose to destroy our Constitution; yet they vociferously oppose this legislation on the ground that we are destroying such freedoms. Such nonsense would be humorous if it were not so tragic. They know, and we all know, that the freedoms guaranteed under our Bill of Rights do not exist under the atheistic creed of communism.

On April 3, 1947, I introduced a bill, H. R. 2948, the purpose of which is to safeguard the sovereignty and welfare of the people of the United States. It contains a provision requiring any agency, political or otherwise, whose origin is directly or indirectly of foreign inspiration and whose object is the overthrow of the Government of the United States, to register with the Secretary of State. I am gratified that the Committee on Un-American Activities has embodied that principle in the pending measure known as the Mundt bill.

I said at the beginning that Communists and other subversive elements had infiltrated into every activity of America. Not even the churches and schools have been immune from their attack. The Federal Government here in Washington has been especially fertile soil for planting their seed. Their presence in key positions and influential posts has been particularly galling to loyal citizens everywhere. Members of Congress have protested with some effect.

For a number of years, I have exerted every effort to turn the spotlight on these termites and remove them from the Government. My efforts have been rewarded with some success.

The extent to which Communists and Communist sympathizers got into the very heart of our Nation is evidenced by the fact that they were able not only to obtain secret and highly confidential information from the records of our Government in time of war but were able to actually steal the records and transport them to a distant city.

The story of the Russian spy ring as it operated in Canada during the war and at a time when Canada was the friend and ally of Russia is undisputed evidence of the treachery of the Moscow Government. It demonstrates the ruthlessness of godless and unprincipled communism.

So clever are some of these agents of the Kremlin that they have been able to hoodwink and deceive loyalty boards and the Civil Service Commission into giving them a clean bill of health for employment within our Government. I can give cases and names.

A recent case is that of George Shaw Wheeler, whose record I exposed in a speech before the House of Representatives last July. As a result of my efforts, this man was compelled to resign from his position with our American military government in Germany. Where is he now? He was received with open arms and a warm welcome by the Communist-dominated government of Czechoslovakia and made an instructor in the technical high school in Prague, in that country.

The world is dividing into two camps: freedom versus communism; Christian civilization versus paganism; righteousness and justice versus force and violence.

That "eternal vigilance is the price of liberty" may be a trite saying; but, not since the founding of our Republic, has liberty been so seriously threatened as it is today. Its light has been going out all over the world. Here in our land alone does the lamp of freedom still shine as a beacon light of hope to a distressed and saddened world.

Communism is the greatest menace and the worst threat to Christian civilization the world has ever seen. It has, thus far, blocked all efforts to world peace. Its purpose is to enslave the earth.

I shall vote for the Mundt bill as a weapon of national defense and that we Americans may continue to sing, "My country 'tis of thee, sweet land of liberty."

The Clerk read as follows:

#### NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

(1) The system of government known as totalitarian dictatorship is characterized by

the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

(2) The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) corrupting officials of the government and securing the appointment of their agents and sympathizers to offices and positions in the government.

(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as "Communist fronts," which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such "Communist fronts."

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

(10) In pursuance of communism's stated objectives the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

Mr. KLEIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, Mayor William O'Dwyer, a liberal Democrat and one of the greatest mayors the city of New York has ever had, recently issued a statement in opposition to this bill, for which he was criticized by the Catholic War Veterans, of which he is a member. I would like at this time to read to the House Mayor O'Dwyer's reply to that criticism. It is dated May 15, 1948, and reads as follows:

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
*May 15, 1948.*

Mr. ANTHONY H. FORBES,
*New York Athletic Club,*
*New York City.*

MY DEAR SIR: Although your telegram criticizing my stand on the Subversive Control Act of 1948, H. R. 5852, assumes to speak on behalf of all the Catholic war veterans, I cannot believe that they would want to deny me the right to my opinion on a matter of public legislation, even when such opinion does not coincide with their views. However, I am glad to explain my opposition to the Mundt bill. In doing so, I prefer to reason rather than dispute with you.

To begin with, in approaching this bill, I do so as a citizen deeply interested in our American democracy, particularly at this time, when the democratic way of life is challenged as never before. Viewing it in that light, I am firmly convinced that the bill is destructive of our fundamental right to discuss and criticize, freely, and openly, all political questions and all political institutions—a right that is so clearly interwoven with our other liberties that without it despotism or anarchy must result.

Our Supreme Court has expressed that right in these words: "* * * if there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess, by word or act, their faith therein."

We already have laws that punish treason and other criminal acts against the security or safety of the Government; laws against individual acts or conspiracies to overthrow the Government; and laws that require the registration of agents of foreign governments and of foreign principals. But this bill provides a dangerous short-cut to thought control and police-state regulation. It empowers a Government officer to interpret and censor people's thoughts and opinions and permits him to determine the subversiveness or disloyalty of any political, civic, or religious organization. Its terms are so broad, and yet so vague, as to subject innocent citizens to possible loss of citizenship and other heavy penalties, not for reason of any act on their part but for being members of an organization suspected of entertaining dangerous thoughts. It would thus establish the undemocratic and dangerous principal of guilt by mere association, without proof of actual guilt, and without the safeguard of a jury trial.

This is precisely the pattern of legislation set by the Nazis and police-state governments for accomplishing the destruction of the rights of the people.

The bill is dangerous and its dangers go far beyond its declared design of curbing communism. I am opposed to communism and to police-state regulation, but I am just as strongly opposed to adopting their methods. And that is precisely what the bill does.

The more I analyze the bill the clearer it becomes that, far from protecting, it will go a long way toward destroying the American way of life.

It is well for us to recall what Governor Smith said in 1923, when he signed the bill repealing the Lusk laws, similar in their provisions, but less drastic than the Mundt bill:

"I am satisfied that they should not remain upon the statute books of this State because they are repugnant to the fundamentals of American democracy. Under the laws repealed, teachers, in order to exercise their honorable calling, were, in effect, compelled to hold opinions as to governmental matters deemed by a State officer consistent with loyalty. * * * Freedom of opinion and freedom of speech were by those laws unduly shackled. * * * In signing these bills, I firmly believe that I am vindicating the principle that, within the limits of the penal law, every citizen may speak and teach what he believes."

On another occasion, a bill to bar from civil service persons accused of advocating the overthrow of Government by force and violence, came before Governor Lehman. He vetoed it and cautioned against that kind of legislation, saying:

"Were we of this great liberal State to approve this bill today, we might readily find tomorrow that we had opened floodgates of oppressive legislation in the Nation against religious, social, labor, and other minority groups."

These are some—by no means all—of the reasons why I am unalterably opposed to this bill and to this type of legislation.

A special word to my fellow war veterans of the Catholic faith: We are but a part of the millions of war veterans who merged themselves in the total struggle to preserve our American liberties. We, of all people, must remember the lessons taught us by incitement against minority groups. As Catholics, we must not forget the sufferings inflicted by the Know-Nothing Party, the Ku Klux

Klan. Nor can we forget the insidious anti-Catholic agitation directed against Al Smith in his presidential campaign. It is not impossible to imagine a situation where a Ku Klux administrator, in some local community that is hostile to a Catholic minority, might declare a Catholic organization subversive, disloyal, or subservient to a foreign domination. This may seem improbable, but the proposed bill opens the door, and opens it wide, to just such fantastic possibilities.

As a Catholic, as a war veteran, and as a citizen residing in the world's largest city, in which 8,000,000 people, of all races, colors, creeds, and shades of opinion, live in peace and harmony, in the spirit of American democracy, I am impelled to oppose the provisions and principles of the Mundt bill.

Truly yours,

WILLIAM O'DWYER,
*Mayor.*

This is a sober and intelligent analysis of the bill, devoid of the hysteria which unfortunately is so prevalent today. It should go a long way toward convincing those Members who sincerely desire to know what this bill is all about.

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, of all men to make such a speech, the last one should be the gentleman from New York [Mr. KLEIN], who has just addressed the House.

Every time you mention the word "Jew" in this Chamber some of them whine to high Heaven. Yet he comes in here with a bill which is not only an insult to every white person in the District of Columbia but its passage would result in great injury to the Negroes of the District, it is an attempt to stir up race trouble here, by forcing Negroes into every white school in Washington.

That bill which was introduced by the gentleman from New York [Mr. KLEIN] on May 10, is entitled "A bill to prohibit the segregation of persons in the public schools of the District of Columbia on account of race, color, creed, national origin or ancestry.

The people of the District of Columbia have put up with that sort of agitation for a long time. Nowhere in the world, I dare say, have the two races got along better together than they have in the District of Columbia under the circumstances. Yet here is a man who whines every time you mention the word "Jew," his own race, who comes in here and attempts to create race friction in the District of Columbia, by forcing Negroes into the white schools.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. For what purpose?

Mr. KLEIN. For a question.

Mr. RANKIN. Yes, I yield.

Mr. KLEIN. What does the gentleman mean when he says I whine around here?

Mr. RANKIN. Every time the word "Jew" is mentioned some of you get up here and whine. Yet you come in here with this sort of a bill to stir up race trouble in the District of Columbia.

Every intelligent man knows it would bring about confusion, disturbance, race riots and probably mob violence.

The last man on earth who ought to be here talking pushing this kind of legislation is the gentleman from New York [Mr. KLEIN].

Mr. Chairman, I yield back the balance of my time.

Mr. MORRIS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the foundation and the basis for this bill is that communism presents a clear and present danger to the security of the United States. I am satisfied beyond all peradventure of doubt that communism presents no such thing.

The record is that upon a check of the first 1,000,000 employees of the United States by the FBI it was discovered that there was one hundredth of 1 percent whose loyalty is questioned. Communism is not on the march. Communism is waning and has been for a long time, notwithstanding all of the propaganda we hear. We know what happened in Italy, we know that communism took an awful beating there. As reported in the press on April 26 this year the German Reds took a beating in the United States zone in voting the day before. Communism is on the wane there. Then on May 4 of this year the press reported 19 industrialists came over here from France and they unanimously reported that communism is on the wane in France and especially in labor organizations. Only a few days ago, on May 14, the Attorney General of the United States is reported in the press to have said that the Communist movement is on the wane in the United States and particularly in labor circles.

Yes; communism is on the wane and has been for a long time. I made that statement in substance in the debate on the Greek-Turkey aid matter, and some of you laughed at me. But, it was and is true. Communism is not on the march; it is on the wane. With all of this propaganda that we get—and you can scarcely pick up a paper but what you read several fear articles every day—and all that is said on the floor of the House and on the radio, about how dangerous to us communism is, no wonder the people are in jitters about it. No wonder we have all this hysteria. But, it is not so; it is not so that the danger is as great as pictured. Communism is not a good form of government and it will never take hold in the United States. Now, do not misunderstand me; I have said that communism is not on the march, that it is on the wane. Liberalism is on the march and it will ever be on the march, because the people are marching forward to a better order of the day; they are marching forward ever striving for greater liberties and a greater degree of justice, to better economic conditions; and liberalism will be forever on the march. Your good party over here, the Republican Party, is more liberal than it was in yesteryear. The good old Democratic Party is also more liberal than it was in days agone. Good old Jeffersonian democracy is on the march, and it will ever be. But, communism is not. You say it presents a clear and present danger, and I say it does not. The facts are against that argument. We are living in a state of hysteria superinduced by all of this scare talk and, my friends, it is causing us to do unseemly things. I repeat again, lest I be misunderstood, that there is not a man that lives or breathes that is more opposed to communism than I am; he could not be. I could never be a Communist and could never have anything in common with the Communists. But, this is not the way to defeat communism. This is a good way to defeat Americanism. This is a good way to destroy our own liberties in this country, and I say if we keep on with these measures we are not going to be whipped by communism but we are going to whip ourselves. We are going to destroy our own liberties in this country if we are not careful, my friends.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BRYSON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the Communists in the United States call themselves a political party. In fact, they are no such thing. The Communist Party is not a political party in the American sense. The Communist Party is by self-admission a world-wide revolutionary conspiracy. Here in America we have merely one section of the Communist International, taking all its orders from Moscow.

It is completely illogical that a person can be a good Communist and remain a loyal American. For here is what communism stands for:

Hatred of God and all forms of religion.

Destruction of private property and inheritance.

Promotion of class hatred and violence.

Revolutionary propaganda to stir up Communist activities in foreign countries, in order to cause strikes, revolts, riots, sabotage, and industrial unrest.

Destruction of all forms of representative or democratic government, including civil liberties, such as freedom of speech, press, assembly, and trial by jury.

The promotion of class or civil war by force, violence, and bloodshed, and through world revolution to achieve the ultimate objective of a Russia-centered world dictatorship.

Communism as it is now propagandized in America is an un-America system that would destroy the fundamental freedoms upon which our Republic rests. Communists would destroy the very civil liberties they are now screaming about. The Communist Party and its satellite organizations constitute a literal enemy within our gates, and its members are quislings owing allegiance to the Soviet Union rather than to America.

On the basis of these undeniable facts, the only logical objection to the Mundt bill is that it does not go far enough. The Mundt bill is but a mild defense against the menace of communism. But it is a good beginning. Prompt legislative action is desperately needed to emasculate Communists in this country, economically and politically, by every means open to us within the framework of the American constitutional system. It is already later than we think. The security of our Nation demands that all Communists within our borders be rendered politically and economically impotent. Just as we have laws against criminal banditry, so we need effective legislation against the most dangerous gang of in-

ternational pirates ever organized. Just as we have laws requiring the labeling of poisonous chemicals for human consumption, so we need laws labeling poisonous ideas for what they are.

It is altogether possible that outlawing the Communist Party would achieve no practical purpose. It is a puerile argument, however, to say that such legislation would drive the Communists underground. The overwhelming majority of Communists are already underground. What we need is legislation that will bring them out of their hiding places, tear away their assorted masks, drag them out into the open, put the spotlight on every last one of them, to see who they are, where they are working, and what they are trying to do. The last thing that a Communist wants is public knowledge of his perfidy. The Communist Party is today the only party that persists in working in secrecy. The Mundt bill is designed merely to put the Communist Party on the same level as all legitimate American political parties. That is why there is so much wailing and gnashing of teeth among the Communists as they bring to bear all their underhanded pressure tactics to defeat the Mundt bill. The Communists know that as soon as they are brought out into the open they are doomed. They know that party members can never endure the public condemnation they will meet when they are known by name and threatened always by heavy fines and imprisonment if they choose to work in secrecy.

It is unnecessary to discuss in detail the manner in which these enemies within our gates are attempting to accomplish their nefarious objectives. They openly admit the use of any and all means, legal or illegal, or a combination of both, to bring about revolution. The efforts in this country are not confined to mere expression, or academic discussion. It is not a simple matter of freedom of speech and assembly. Overt efforts are being made in every conceivable way to create dissatisfaction and discontent, to capitalize on it wherever it exists, in order to produce emotional results that will aid them in furthering their cause. They employ the "boring-from-within" policy, a policy that Jefferson warned against when he stated that the greatest threat to American liberty would be from forces within rather than outside forces. The Communists employ the Trojan horse technique in labor, fraternal, and other organizations, in order to obtain a position of influence therein, or to obtain recognition so as to influence the policies of such organizations. They employ also the united-front policy, where they join with other organizations in the agitation or furtherance of some program. They are not interested in the program, except as a means of using the persons in their cause. They join with others, not because they believe in what others fight for, but to use the strength of other organizations for their own advantage. To them, anything in which they engage is simply a means to the end they seek—the overthrow of government, not through the Constitution, but by force and violence.

The other night while rereading Chief Justice Marshall's Life of George Washington, I came upon these words of admonition:

> Let me conjure you, in the name of our common country, as you value your own honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretences, to overturn the liberties of our country, and who wickedly attempts to open the floodgates of civil discord, and deluge our rising empire in blood.

The entire Communist program is disgusting and repulsive to all who believe in the things that America stands for. It is to our eternal shame that we have coddled and pampered these termites as long as we have. The legislation in question may very well be too little, too late. We must not believe that the Mundt bill is the final answer to the Communist problem. But it is a necessary beginning. We owe it to all innocent and loyal Americans to protect them from becoming unwitting dupes of the Communist Party and its multiple fronts. We may debate the wisdom of outlawing the Communist Party, but certainly there can be no debate over the question of exposing its members. Members of this House have no hesitancy in making their party affiliations known, why should the Communist?

The Mundt bill does not kill the Communist serpent, but it does draw its poisonous fangs. We owe at least this much to our people in the name of American liberty. We cannot wait until the Communist menace results in actual revolution. In the words of Justice Sanford:

> If a State were compelled to wait until the apprehended danger became certain, then its right to protect itself would come into being simultaneously with the overthrow of the government, when there would be neither prosecuting officers nor courts for the enforcement of the law. (*Gitlow* v. *New York* (vol. 268 U. S. Reports, p. 667).)

The time to act is now. As we watch the onward sweep of communism in Europe and the Far East, and as we observe the devious doings of the Communists in America in their slavish subservience to Moscow, we cannot show too much haste in enacting legislation of this nature. The Mundt bill is practical, effective, and—if anything—altogether too soft. We must pass it now, and trust the common sense of the American people to do the rest.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, the necessity for the Mundt bill is not apparent, and its value is doubtful. When two prominent Republican Presidential candidates cannot agree upon the interpretation of the bill—whether or not it outlaws communism—it is not clearly drawn. We have too much legislation written that way.

It is difficult to understand why this bill was introduced at all. We have plenty of laws to take care of sedition and treason. We have also on the books requirements for registration of subversive groups. Under the crime of treason, sedition is clearly defined, and it is a wonder to me, if the Communists are as bad as the Un-American Activities Committee maintains, that these agents advocating overthrow of our Government by force have not been prosecuted. Why have they not been brought to the courts, convicted and sentenced? If there is any flaw in the laws providing punishment for these people, the Un-American Activities Committee should see to it that the correction is made so that these traitors and seditionists are dealt with properly. Why attempt halfway measures? Why fool the American people into believing that something is being done to correct a dangerous situation, if it is a dangerous situation, when the proposed legislation will not cure it?

If the Mundt bill is enacted into law, it will be seen how far-reaching it is. Innocent people may be subject to persecution. It seems to me that under it a person expressing an opinion contrary to the accepted beliefs of the majority could be branded as revolutionary or subversive. As one of the Presidential candidates said, "Let us prosecute the act, not the idea." It is better that one guilty man escape than one innocent person be condemned. We have seemed to have lost that view lately in much of the legislation coming before us.

I have repeatedly said that I have no time for communism or for persons who would advocate the overthrow of this Government by revolutionary methods, but I cannot acquiesce in this legislation that would injure innocent people, and that would be its effect rather than the purpose its authors intended. It occurs to me that in our search for Communists we are drifting pretty far toward totalitarianism. That may be a common argument, but the approach to totalitarianism is so insidious that the American people may not realize it. All of the efforts being made to circumscribe the thoughts and actions of the decent American citizen are ample evidence of that trend. We have gone far along a dangerous road when we attempt to pass a measure of this kind.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, within the last half hour we have heard some remarks on the floor here which should give us cause for pause. The gentleman from New York [Mr. KLEIN] made a few remarks in which he read a letter written by the eminent mayor of the greatest city in the world, a very democratic speech, showing that the mayor was a lover of liberty and believed in constitutional principles. Just a few minutes thereafter the gentleman from Mississippi [Mr. RANKIN] made some remarks with respect to a measure which had previously been introduced by the gentleman from New York [Mr. KLEIN]. In those remarks the gentleman from Mississippi, in effect, accused the gentleman from New York of promoting racial strife and race riots and matters of that type.

Mr. Chairman, I want to call your attention to the fact that this measure practically makes it a crime for anybody whom the Attorney General can reasonably conclude belongs to an organization which takes a course of action which would incite economic, social, or racial, strife or conflict.

If the gentleman from New York [Mr. KLEIN] belonged to an organization at which speeches are made such as he has made in the past, or belonged to an organization that believes in nonsegregation of the white and the black, the Attorney General could find that that organization is a Communist-front organization. The members of that organization who are officers must needs be registered, and their names put on a blacklist. Under certain circumstances everybody that pays dues in that organization would have their names listed. It would contribute to the building up of a blacklist amounting to millions and millions of persons.

Mr. Chairman, it is all right to be against communism, but are we going to destroy the liberties of the American people by being afraid that communism is on the march? As the gentleman from Oklahoma very reasonably said, I think to the satisfaction of everybody, we know that communism is on the wane; we also know that democracy is on the march throughout the world; we in this country and in this Congress should not waste the time of the House of Representatives, practically two legislative days, in debating and passing a measure which all of us know almost as a matter of certainty will never become the law of this land. The other body will devote no time to ideas such as are proposed in the Mundt bill.

We spent over $200,000 in a year to promote the activities of the Committee on Un-American Activities. Next year I assume the committee will come in and ask for $300,000, and then in order to justify that expenditure will make wild accusations, which they will not be able to prove, against the finest characters in America. The following year perhaps they will ask for half a million dollars, and come in with some other phony measure which will not do any good for the freedom-loving people of this country, and which is violative of the Constitution of the United States, under the bugaboo of suppressing communism. They are even beginning to accuse Members who oppose this bill of using communistic tactics. Every curtain that they can throw around the real meaning of the prohibitions contained in this bill, and every statement that is made in support of this measure, can by any thoughtful person be found to be unreasonable and without substance in fact.

I think all the legislation that should be passed by this Congress within the next 4 weeks, up to June 20, should be given consideration, instead of wasting time and stirring up hate and prejudice in this country. That is what this bill does. I do not know a single person in my congressional district that espouses communism, but I have in my district many organizations that believe in the FEPC, that believe in veterans' housing, that believe in upholding freedom of speech and that right to express your opinion. I do not want those organizations labeled as Communist-front organizations, by the reasonable conclusion of one individual, some future attorney general, who may be swayed by prejudice, hysteria, or even personal or public political considerations.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I wish to compliment the Committee on Un-American Activities for the fine work that it has done in the past and to encourage it to continue its good work—I also wish to compliment the distinguished gentleman from California [Mr. NIXON] for the splendid manner in which he has conducted the debate on this important subject.

Mr. Chairman, I have been raising my voice on this floor against Communists for more than 20 years. I shall vote for this bill, commonly known as the Mundt bill. It may not be what many Members might want, but it is a gigantic step in the right direction. Communism is a direct antithesis to Americanism. Likewise, it is a direct opposite to Christianity. Its purpose is to undermine America, and, consequently, we should not fail to condemn it at every opportunity. I hope we will reflect the sentiment of our people who are almost unanimously opposed to communism in all its ramifications. I may be compelled to be away tomorrow when the final vote on this bill comes up for vote. I have been called away on important public business relating to the experiments seeking to make oil and gas from coal and shale, and I may miss this vote, but I shall pair my vote if I can do so.

Mr. MILLER of Connecticut. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. MILLER of Connecticut moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause of the bill H. R. 5852 be stricken out.

Mr. MILLER of Connecticut. Mr. Chairman, I offer this motion in all sincerity as the best way to postpone a decision on the questions raised in the Mundt bill. I feel very strongly that this bill needs further hearings and further study by the committee.

First we were presented with the original Mundt bill. We now have a substitute for the Mundt bill. During general debate the distinguished gentleman from Illinois [Mr. OWENS] stated that the committee had indicated to him that they would accept possibly a dozen amendments that he proposes to offer to the bill, and I have heard it stated that the committee has numerous amendments that it intends to offer. All of which supports the position of those who oppose the bill as presented to us today. Undoubtedly many of these amendments will relate to the court review provision. I confess that I do not consider myself competent to hear an amendment read at the desk and then debated for 5 or possible 10 minutes, then be able to determine whether that amendment removes the objections that have been raised to the bill. For that reason, I think the Committee should take all of the suggestions which have been brought out during general debate, objections that have been raised by Members of the House, as well as others, and give the bill further consideration.

Last evening I listened to the debate from Oregon on this question: Should the Communist Party be outlawed? We find two distinguished leaders of our country diametrically opposed to each other as to what the Mundt bill would do. One says that the Mundt bill outlaws the Communist Party. The other participant in the debate says that it does not do any such thing. He says that insofar as it provides for registration it is a good bill, but he intimated very plainly that in his opinion the balance of the bill was of doubtful constitutionality. Here we have the opinion of two able men who have studied the problem, and who undoubtedly have studied the bill. They have come to such diametrically opposed conclusions. Mr. Stassen says very definitely it will outlaw the party, and the committee report says it will not. I am sure of one thing. The bill will not drive the dangerous Communists under ground. This bill provides that after going through the procedure of having the Attorney General make a finding that the Communist Party of America is a Communist political organization, that each member of that party must register with the Attorney General. I assume some officer of the organization will be charged with registering their members. But what is going to constitute membership in the Communist Party of America? Will it be the paying of dues? If so, perhaps they will not have to collect any dues because they may be amply financed from Moscow and will not need any dues from American Communists. Will it be the attending of a Communist meeting or several Communist meetings? If a member goes to a Communist meeting in the city of Hartford in a public hall and expresses on the floor in that meeting his approval of certain matters that might be under discussion, will he be a Communist or will he have to attend six meetings of the Communist Party before he will be listed as a member of the Communist Party and have his name filed with the Attorney General?

I am not disturbed by the fellow who is interested or dissatisfied with things as they are and thinks that he would like to look at something else and read some Communist literature or who attends a Communist meeting. That sort of individual will be something else tomorrow. The man who is dangerous is the man who wants to conspire with others to overthrow this Government by force and violence. After this bill becomes law that man is not going to be enrolled anywhere as a member of the Communist Party. He will go underground and to that extent will be much more dangerous than he would be if he openly belonged to the Communist Party, incidentally, an organization, as I said on Friday, that is legally recognized in my own State of Connecticut as a political party, and is a party which under our law could elect a governor or President of the United

States if they could get enough votes to do it.

So, Mr. Chairman, I close with this thought, and offer in all sincerity the suggestion that the bill should go back to the committee for further study.

Mr. Chairman, I want to add one further thought. I asked a distinguished Member of the House over the week end, a Member who is an attorney, whether he thought the bill was unconstitutional. He said, "The bill is as unconstitutional as the hot place, but I am going to vote for it anyway because I want to drive the teeth down the throats of the damned Communists." Now you cannot legislate in that frame of mind.

If the committee would agree to support the motion I have offered to strike out the enacting clause, take the bill back to committee and in committee consider the various suggestions that were made during general debate last Friday, I believe they could bring a bill into the next session of Congress that would deal with the Communist problem without taking away from loyal Americans certain constitutional rights.

When such able criminal lawyers and such able prosecutors as the Senator from Michigan [Mr. FERGUSON] and the Governor of New York, Thomas E. Dewey, state unequivocally that the laws now on our statute books are adequate to punish those who would overthrow our Government by force and violence, I for one am willing to accept their opinions.

The Attorney General could proceed at once to try a case under any one of the several statutes cited by Governor Dewey, and if in the trying of the case it developed that additional laws are necessary Congress could immediately provide the remedy.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. RANKIN. The gentleman states that this will drive the Communists underground. Does not the gentleman know that they already are underground and are working overtime?

Mr. MILLER of Connecticut. The dangerous Communist is underground, and under this bill he will stay underground.

Mr. RANKIN. They are underground and they are working in every department of the Government.

Mr. MILLER of Connecticut. This bill will never bring them out in the open.

Mr. NIXON. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I want by way of introduction to say that I have the greatest respect for the gentleman from Connecticut and for his sincerity in offering this motion. I believe the gentleman after considering the measure has come to the conclusion that the motion should be offered. I believe that the House after careful consideration of this bill during the course of its reading today and tomorrow will come to the conclusion that the fears which the gentleman has expressed as a result of his study to date are for the most part completely unfounded.

This measure strikes, as it should, only at the subversive activities of Communists in the United States and not at communism as an idea, as the gentleman has indicated he thinks it might.

I believe we should vote down the motion and consider the bill on its merits. I am confident that the House will overwhelmingly approve the bill after it has given it such consideration.

The CHAIRMAN. The question recurs on the motion offered by the gentleman from Connecticut [Mr. MILLER].

The motion was rejected.

Mr. CASE of New Jersey. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of New Jersey:

On page 16, line 25, strike out the comma and insert in lieu thereof a period.

Page 17, strike out lines 1 to 8, both inclusive.

Mr. CASE of New Jersey. Mr. Chairman, before speaking to the amendment, I want, as I did briefly during general debate, to pay my compliments to the committee, particularly to the subcommittee and its able chairman, the gentleman from California [Mr. NIXON] for the job they have done on this bill. The problem is not only difficult, but it also touches the very heart of our fundamental institutions. The problem is to find some way, without destroying our institutions, to prevent them from being destroyed by this movement, which without any question has that for its purpose.

The question is whether our system is strong enough and flexible enough to prevent its destruction by the use of the very freedoms which it alone provides. I believe it is. In its attempt to work out a measure that will accomplish this result, the committee, in my opinion, has done a great job. I for one intend to support the bill and support the committee in the work that it has done.

The particular amendment which I have offered would strike out lines 1 through 8 on page 17. Those lines appear not in the enacting clauses of the bill but in the section dealing with findings. The section dealing with findings sets forth in concise, clear, and accurate language the nature of the movement that we are endeavoring to deal with. In general, it is a fine statement. But, in this particular, it seems to me the language which I would strike out is unnecessary and somewhat weakens the findings themselves. It specifies certain methods which are commonly used by the Communist movement in carrying its objectives in various countries.

The trouble is, first, that by specifying certain methods you create an implication that there are not others, and these are only a few of the methods which the Communist movement uses.

A greater danger, it seems to me, is that there might be some possibility that in the interpretation of the enacting clauses of the bill these particular methods used by the Communists in furthering their ends might possibly be held, in themselves, to be illegal, though employed by persons with quite innocent intent. That is not the intent of the committee, I know, and it is not the intent of the House. We do not want in any way by this bill to prevent anyone from advocating any good cause, or to make him fearful that his advocacy of it would lead him into a violation of this law. By omitting this language we would strengthen the finding section and would eliminate any possibility of the danger that some people have been concerned about.

I hope the committee will accept this amendment.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield.

Mr. NIXON. I have had occasion, as the gentleman knows, to have submitted this amendment to a majority of the members of the committee. They have approved the amendment for the very good reasons that the gentleman has indicated. I would like to say, as the gentleman has pointed out, this amendment does not weaken the findings. In effect, I believe, it strengthens the findings, because the findings and the necessity of the legislation as they are presently written are written so they apply generally and this brings in specific application of particular acts which I do not think are not consistent with the findings. I believe the amendment is in the nature of a perfecting amendment which will improve the findings and will strengthen the bill and will accomplish the aims which the gentleman so well points out. For that reason, speaking for myself and for a majority of the members of the committee, we will not oppose the amendment as presented by the gentleman from New Jersey.

Mr. CASE of New Jersey. I thank the gentleman and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. SEELY-BROWN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask my distinguished colleague from California [Mr. NIXON] certain questions which are being propounded to me by many sincere and thoughtful constituents of mine who are disturbed over certain of the implications of this particular legislation. I shall ask the three questions and then hope that I shall be able to get an answer in the time which is allotted me. The first question is this:

Is this legislation aimed at destroying the third party?

I ask this question because some of my friends feel that if the Attorney General determines that the third party is a Communist political organization, then every one of the possibly millions of persons who are or may become members of that party will be liable to criminal prosecution.

The second question is: Does the gentleman see any possibility that the effect of this legislation, if it becomes law, may be to drive the Communists underground or to have them change their tactics once more in order to avoid being ensnared by existing law or proposed new laws?

The third question is: Many of my friends have questioned me as to the constitutionality of this legislation on

the ground that it establishes guilt by association.

I would appreciate it if the gentleman could take the time to answer these three questions.

Mr. NIXON. I appreciate the action of the gentleman from Connecticut in presenting these three questions because I realize they are of concern to him as a result of the concern of some of his constituents. I realize also that they are of general interest to other Members of the House.

Answering the first question: Is this legislation aimed at destroying the third party? The answer is emphatically, "No." The charge has been made falsely that under this legislation the third party could be classified as a Communist front organization. All you have to do is to read the bill and you will find that the third party is expressly excluded from the definition of Communist front organizations. We wrote that definition with that in mind. The definition states that a Communist front must be an organization other than an organization having the usual characteristics of a political party.

The question is also raised by the gentleman as to whether there is a possibility that the definition of a Communist political organization might refer to the third party. I will say in answer to that inquiry that the definition of a Communist organization as it is written—and if you will read carefully you will come to this conclusion—applies only to the Communist Party of the United States as it operates today and as it may operate in the future, provided it does not cut its foreign ties. It could not conceivably apply to the third party as the third party is now operating. And in this connection may I say, as far as the third party is concerned and as far as this piece of legislation being directed to the third party is concerned, that probably one of the best things that could happen to the third party or any other so-called liberal organization would be to have this legislation passed so we could spotlight the Communists and drive them into the open so that such organizations could get rid of them and do an honest job in the American fashion.

The last point raised by the gentleman is whether, if this legislation be passed, it may drive the Communists underground. In this connection the contention has been made that if this legislation is passed the Communists have threatened to disobey the law and refuse to comply with its provisions.

My answer is that the Communist Party, for the most part, at the present time, is already underground. So you are begging the question at the very beginning to indicate this will drive them underground. The only question is whether you are going to drive them further underground.

If the Congress of the United States sees an evil, I do not think it should refuse to enact legislation combating that evil merely because a certain organization or a certain group of individuals threatens to disobey the law if it goes on the books. That is one of the good reasons for enacting the law.

The third inquiry is whether or not this legislation might be unconstitutional on the ground it might involve guilt by association. In the minute I have left I cannot adequately discuss the question of the constitutionality of this legislation. I may say, however, that the committee gave this matter very thorough consideration. This bill is legislation in a new field. We have attempted to meet this problem in a constitutional manner, in a sane, moderate fashion.

The gentleman from New York [Mr. KEATING] is going to ask for time in the course of this debate to discuss the constitutional questions, and I trust all Members of the House will listen carefully to his discussion because he has a keen understanding of the problem. He is one of the able members of the Committee on the Judiciary, and he is thoroughly convinced that the measure is constitutional.

I believe that answers all of the questions of the gentleman.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to deal at this time with the first question the gentleman asks. It is significant that the gentleman from California in answering changed the question. The gentleman answered the question as though it were put in the following language: "Does this bill apply to the third party?" That is not the question that the gentleman from Connecticut asked.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from California.

Mr. NIXON. I would like to read the question: "Is this legislation aimed at destroying the third party?"

Mr. MARCANTONIO. The question asked was, "Can the Attorney General use this legislation against the third party?" Am I correct in that?

Mr. SEELY-BROWN. I will repeat the question. It is a question that has been asked me by many of my constituents. The question that I asked follows: "Is this legislation aimed at destroying the third party?"

Then I went on to say that I asked this question because some of my friends feel that if the Attorney General determines that the third party is a Communist political organization then possibly millions of persons who are or may become members of that party will be liable to criminal prosecution.

Mr. MARCANTONIO. So that realistically the first part of the gentleman's question is embodied in the latter part. That is the power that this bill confers on the Attorney General and whether he can utilize that power against, specifically, the Wallace third party movement.

Let us deal with that a minute. The only way to answer that question is to look at the definitions in section 3, page 19. We must bear in mind, first of all, the charges that are made against the Wallace third-party movement. It has been repeated time and time and time again by its enemies that the Wallace third-party movement is in the interest of the Soviet Union, that its foreign policy is in accord with that of the Soviet Union. That is the charge that the enemies are making. Assuming that the Attorney General takes that charge and then he applies the loose test, which is one of the dangers of this bill; that is, the broad looseness of the language.

It says, first of all, page 19:

The term "Communist political organization" means any organizations in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations.

What are the considerations? They are as broad as the world.

(A) The extent and nature of its activities, including the expression of views and policies.

Incidentally, think of that in connection with the first amendment to the Constitution.

(B) The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Any one of these can be used as the test. Here is another test, and under this test you can take in everybody that advocates any form of public ownership, even the gentleman from Mississippi, who advocates public power.

(D) The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

And public power is a socialist enterprise expounded by Marx and Lenin and Rankin, so that I do not have to continue to read.

It is quite obvious that when an Attorney General, in a period of war hysteria, repeating what the Attorney General did in 1798 in a like period of hysteria, using the Alien and Sedition Act, which also contains practically the same language of this bill—and I have it here; I would like to read that particular section of the Sedition Act of 1798 which the American public found so repugnant that they repealed not only the Alien and Sedition Act but they also repealed the political party that put it in existence.

The Sedition Act of 1798 read in part as follows: "or to aid, encourage or abet any hostile designs of any foreign nation against the United States, and so forth."

Under this loose language the followers of Jefferson, who was establishing a new party based on a foreign policy of peace with Republican France, were thrown

into jail. So too, under the loose language of this bill Wallace's followers can be jailed because of their advocacy of peace with the Soviet Union.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close. We are discussing matters that have not been read, and there will be plenty of opportunity to speak under the 5-minute rule.

Mr. MARCANTONIO. Mr. Chairman, that motion is not debatable.

The CHAIRMAN. The question is on the motion offered by the gentleman from Mississippi.

Mr. MARCANTONIO. You try to close off debate and I will ask for the reading of the engrossed copy of the bill and you will not vote on it today, then.

Mr. RANKIN. We can vote on it tomorrow.

Mr. OWENS. Mr. Chairman, I have an amendment.

Mr. RANKIN. I will withhold it if the gentleman has an amendment. But, I do not care to sit here and hear them discuss parts of the bill that have not been read.

Mr. OWENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS:

Page 15, line 5, after the word "dictatorial" strike out the words "rather than a democratic."

Page 15, line 12, after the word "in" strike out the words "the destruction of free democratic institutions."

Page 15, line 16, after the letter "a" strike out the words "democratic or."

Mr. OWENS. Mr. Chairman, when I spoke in debate the other day I mentioned that I thought this particular section 2 and section 4 were the strong parts of this bill because in section 2, it described a dictatorial form of government under the control of a foreign nation, describing a world Communist movement, and then set forth in section 4, the fact that anyone who would attempt to establish such a type of government in this Nation would be subject to a penalty of 10 years in jail and a $10,000 fine. It is my thought, in view of the seriousness of that section, that there should be some change, and one very good change was suggested by the gentleman from New Jersey, and the portion that I am changing is merely perfecting this part so that there will be no misunderstanding whatsoever as to what it means.

For instance, subparagraph (1) reads:

The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis.

The words "rather than a democratic basis" add nothing to the sentence but confusion, because the balance of the paragraph is quite sufficient without the words which I recommend be stricken.

Before I finish my statement about that part, I shall read from paragraph 2, where it states:

The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power.

We leave out the words "the destruction of free democratic institutions," and we have, "The establishment of a totalitarian dictatorship in any country results in the ruthless suppression of all opposition to the party in power."

Then it goes on to say:

The complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government.

By leaving out the words "democratic or" we do not change it one bit; in fact, we improve it, because the words "which are characteristic of a representative form of government" are sufficient.

Section 4, article IV, of the Constitution guarantees to every State a republican form of government, which is a representative form of government. In making this statement I do not mean anything from a political standpoint. What I am pointing out is that the democratic form of government means one where every person has a voice in that which is taking place—where they can move as a body. It is social equality as compared with snobbery. Therefore, we do not have an absolute democracy here because the States give the persons the right to participate in the vote, with certain limitations, and it is the perfect right of the States to do that. Therefore, it is not the system that is pointed out in here. By the use of the words "representative form of government" and by the use of the words "dictatorship" and "the ruthless suppression of all opposition," we accomplish everything we desire to accomplish without adding those words which might cause a great deal of confusion when that section is later being interpreted by a court.

I spoke with the gentleman from California [Mr. NIXON] about this the other day and he indicated that they would be willing to accept the changes. I have not heard him say so today, but I think that it would help perfect this section very much. Therefore, I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. OWENS].

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, last Friday I spoke upon the floor of the House and I made the charges against this bill that it had key words and phrases which were vague and indefinite as to legal interpretation and as to administrative determination. I gave a list of these vague and indefinite phrases and words, which may be found on page 5873 of the May 14 issue of the RECORD. The vague and indefinite language in the bill will confuse and distract any attorney general who tries to enforce it. He must, of necessity use his own judgment as to "reasonable conclusions," as to "degree of similarity" between an inspected organization and some Communist or Communist-front organization. In other words, we will force upon the Attorney General the use of judgment rather than the compliance or interpretation of clear and well-defined offenses. We substitute the variable judgment of one man for legal phraseology, which has been given substance and prestige through Supreme Court determination. One of the basic principles of law is that a crime shall be defined in language which is so clear that a common man may understand it, and thereby know when he is complying with the law or when he is in danger of violating the law. The Supreme Court has said in Connelly against The General Construction Co.:

That the terms of a penal statute creating a new offense must be sufficiently explicit to inform those who are subject to it what conduct on their part will render them liable to its penalties.

I charge that this bill does not comply with the Supreme Court requirement of clear and definite language when describing offenses against society.

Mr. Chairman, I am sure that many of the Members of the House listened to the debate last night between Governor Dewey, of New York, and ex-Governor Stassen, of Minnesota, both Republican Presidential aspirants. Last night's debate was a demonstration for all the people of America as to the understanding and interpretation of the Mundt bill. Governor Stassen, who seeks to outlaw the Communist Party, and who is very frank and honest in his advocacy of this method of controlling communism, claims that the Mundt bill will outlaw the Communist Party. On the other hand, Governor Dewey, who believes that if you outlaw the Communist Party you will drive it underground and thereby cause it to propagate in secret, conspiratorial manner much faster than if it remains above ground where it is exposed to the pitiless glare of publicity and constant criticism, came out with the very strong statement that the Mundt bill does not outlaw the Communist Party. In my opinion, this was the most important development of the 1-hour debate, which was listened to by millions of American people. Here we have two of our most prominent American citizens, men with legal training, men with governmental administrative experience, men of keen minds and strong intellect, and yet they take a directly opposite position on the interpretation of the Mundt bill. In my opinion, this proves the statement, which I shall continue to make, that the terminology of the Mundt bill is so vague and indefinite that it will open the door to countless interpretations on the part of either congressional committees or upon the part of the enforcement official, the Attorney General of the United States.

Last night's radio debate was a demonstration which the whole American people heard last night. Two men who have been governors of States and who think of themselves as Presidential timber, could not agree upon whether the Mundt

bill outlawed the party or not. Regardless of the facts involved, I am sure of the division that exists in their minds if they are honest, and I do not doubt they are honest.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. JUDD. I think there can be no dispute on this point: The Mundt bill does not outlaw the Communist Party by name, and that is where Governor Dewey placed his emphasis. But it does outlaw the party in fact because it outlaws the kind of activities in which it is engaged. That is where Governor Stassen placed his emphasis. It does not outlaw the Communist Party in name, but, if passed, will outlaw the Communist Party in fact, because it declares illegal and therefore outlaws the sort of activities in which that party is engaged. There was no confusion, I think, except for the public, even as a jury may sometimes be confused by skillful placing of emphasis.

Mr. HOLIFIELD. Mr. Chairman, I am glad to hear the gentleman's explanation of Mr. Stassen's and Mr. Dewey's stands, but I listened to the explanation of the gentlemen themselves last night, and it does not coincide with the gentleman's remarks. The fact remains that there is confusion and misunderstanding between two of the prominent Republican aspirants for the Presidency on what the Mundt bill does. If it does what the gentleman from Minnesota says, in other words, outlaws the Communist Party by indirection, then it is clearly unconstitutional because the Constitution of the United States, or rather some interpr.tations of the Constitution of the United States, says that you cannot do by indirection what you cannot do directly.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to have the RECORD state clearly that I did not even suggest that this is an attempt to outlaw the Communist Party by indirection. Very properly this bill does not mention any organization by name. It would, I suppose, be class legislation to outlaw a particular organization or group by name. What it outlaws or declares illegal is a certain type of behavior.

The Communist Party itself has announced by its own declarations through many years and by its demonstrations that it carries on or intends at the right moment to carry on that kind of behavior. Therefore, while it does not outlaw the Communist Party by name, the passage of this bill will make illegal the sort of activities which are the essential part of its work and thereby will in effect properly outlaw the Communist Party.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. RANKIN. As a matter of fact, what it does outlaw is a criminal conspiracy against the Government of the United States and against American institutions.

Mr. JUDD. Yes, Governor Dewey in his argument very shrewdly and skillfully quoted Congressman MUNDT and the committee report, for example, as saying that the bill does not outlaw the Communist Party—and it does not outlaw it by name; but it does make illegal and therefore outlaws the activities in which it is engaged, which are designed to overthrow the Government of the United States of America and install one here that will be subservient to the Soviet Union.

Mr. RANKIN. And the conspiracy is directed by a foreign power or a foreign influence?

Mr. JUDD. The language specifically makes illegal such activities.

Mr. RANKIN. That is right.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HOLIFIELD. If that conspiracy does exist, as has been asserted by both gentlemen who have spoken, why do you not go into the courts of the United States under the conspiracy statutes and prove, as a matter of fact rather than as a legislative finding, that such conspiracy exists?

Mr. JUDD. I think the gentleman knows, as was pointed out last night, that there is no statute whereby you can so deal with an organization functioning in the guise of a political party—and the Communists are not as dumb as the German-American Bund was, which called itself bund instead of party and therefore could be so indicted and convicted. They call themselves a political party and are therefore able to claim all the legitimate rights and privileges of a political party; but the activities of that so-called political party here, as in every other country where it operates or has operated, are directed toward the overthrow of the governments that exist, and to destroy the people's freedoms.

Mr. HOLIFIELD. The gentleman has not answered my question, because I asked him if there was not a treasonable act or a conspiratorial act under the Constitution that he could prove it in court. The gentleman admits he is setting up different criteria here for conspiracy, because he is contending that the conspiracy provisions of the Constitution do not apply.

Mr. JUDD. While I am no lawyer, I think the ordinary conspiracy provisions are not adequate for such a case, because these folks are shrewd and clever enough to evade conspiratorial actions, and keep you at the point where you cannot move against them, until they actually blow up the Capitol; until they have actually committed the deed. But we know on the basis of their teachings, their "scriptures," and their secret orders and all sorts of actions already taken in other countries exactly what they are trying to do. It is nothing short of insanity to wait until they do blow up the Capitol before you move to end a situation which allows them to grow to such power with perfect legality and every appearance of propriety.

Mr. HOLIFIELD. I am not quarreling with the gentleman's philosophy at all, but I am objecting to the way you approach the answer to the problem. I am just as anxious to get rid of communism as is the gentleman from Minnesota, but I want to do it in a constitutional way.

Mr. JUDD. I appreciate the gentleman's position. It was the gentleman from Mississippi [Mr. RANKIN], who brought up the question of conspiracy. If it could have been handled under the conspiracy laws, then why was that not done long ago? I am willing to stand by the carefully worked out language of the bill which describes exactly what kind of activities we are declaring illegal because they threaten the very existence of the United States of America.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. MARCANTONIO. I think what the gentleman overlooks is this, that up to this time our entire judicial process has been based on the proposition of judicial determination of guilt. Here we are substituting for that judicial determination, legislative determination of guilt. That is a tremendous distinction to which I think the gentleman from Minnesota should give adequate thought.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. JUDD. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. I should like to say in answer to the gentleman that the reason why we must, in some degree, change that procedure in such a case is because nation after nation has gone down through trusting judicial procedure in individual incidents rather than legislative determination in advance of what are improper and illegal practices. In each of those countries where Communists could get into the cabinet by political means they took over the ministry of the interior, where they could control the police. Then they took over the ministry of justice whereafter they could easily get decisions which declared guilty those they were against and declared innocent those they were in favor of.

Mr. MARCANTONIO. Then the gentleman should amend the Constitution.

Mr. JUDD. They pose as a bona fide political party and pretend to operate as such until they get into power using the Constitution to destroy the Constitution. That is an intolerable situation. It involves the inherent right of self-defense. As Justice Oliver Wendell Holmes once said, "the right to free speech does not include the right to cry 'Fire' in a crowded theater." To grant them liberties which we know they intend to use to destroy the people's liberties is indefensible.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mrs. NORTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am heartily in favor of what I think is the objective of this bill, to rid America of atheistic communism. I am against the method employed to reach that objective. It is far too dangerous. In our attempt to stamp out communism, we should stop, look, and listen before we adopt something which could be equally dangerous to the protection of our citizens. I do not be-

lieve that there is a Member here who really knows how far-reaching this bill is. I believe it is particularly dangerous to the workers of America. No person can read this bill and not realize that it is directed at labor. Not satisfied with the Taft-Hartley law, the enemies of labor would go a step further and, under the guise of anticommunism, attempt to wreak vengeance on all organized labor.

The great labor organizations of this country are not Communist-controlled. They are alert to the menace of communism and can be depended on to get rid of any communistic influence, whenever it is found within their ranks. They do not need this legislation.

I have very great faith in our democratic form of Government, and I believe my faith is shared by a great majority of our people, but, unfortunately, we spend very little time expressing our faith. We take it for granted that everybody should know we believe in democracy; but do they? Why do we not spend as much time praising our Government as we do denouncing communism? And why do we not do something about what causes the spread of communism? We know that communism flourishes in poverty, in suffering, in bad housing conditions, in hunger, in want. Destroy the cause, and communism will die.

Labor knows, and we should know, that the only time communism will gain strength in America will be when men have not the means to buy food and other necessities to which they are entitled. Let us be realistic about this. Force down the price of food, even if it is necessary to control prices. Report the housing bill which has been locked in committee, while decent men cannot find even a modest home for their families. Report the 75-cent minimum wage bill, the extension of social security, remove ever-present fear from our old people, and there won't be any necessity for controlling communism.

I have given a great deal of thought to this bill, and have discussed it with many of my colleagues. There seems to be some confusion about the Catholic viewpoint on this legislation. The Catholic Church, as we all know, is and has been the greatest force in the world against communism, but that does not mean that the Catholic Church endorses a bill of this kind. However, in order to get the viewpoint of an outstanding leader of Catholic philosophy, I wrote to the Most Reverend Francis J. Haas, bishop of Grand Rapids, Mich., and a former dean of the School of Social Science of the Catholic University of America, for his opinion of this bill, and this morning I received this wire from him, which I shall read:

GRAND RAPIDS, MICH., *May 15, 1948.*

MRS. MARY T. NORTON,
*House of Representatives,*
*Thirteenth District, New Jersey,*
*Washington, D. C.:*

In my judgment, H. R. 5852 is potentially destructive of the moral and civil rights of all Americans. As one who believes in the widest measure of individual freedom consistent with the public interest, I beg to register my emphatic opposition to this bill.

Moreover, the bill contradicts itself. While it professes to combat totalitarian dictatorship, it gives the Federal Government such arbitrary powers over personal freedom as to make the Government, in effect, a totalitarian dictatorship. It is hard to see how anyone who really believes in private enterprise—unless perhaps he is talking with his tongue in his cheek—can risk giving Government such wide discrimination over individual conduct as does this bill.

Communism is an evil to be removed, but it would be folly to destroy ourselves in removing it. The slower but surer methods of reason and Christian regard for others, rather than a bill such as H. R. 5852, are the instruments best suited to the task of stamping out communism.

MOST REV. FRANCIS J. HAAS,
*Bishop of Grand Rapids.*

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to propound a question or two to the chairman of the subcommittee in charge of this bill. On page 19, under "Definitions" we read:

The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of following considerations.

Then under subdivision (D) we read further:

The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

Does that embrace the principles which Marx expounded in his philosophy?

Mr. NIXON. First, let me say that I urge that the entire definition be read carefully, having full consideration for all the elements involved. You will find that the requirements are that it be reasonable to conclude that the organization is under the control of such foreign government or foreign governmental or political organization. Only insofar as the support or advocacy of the principles and tactics of communism as expounded by Marx and Lenin bear upon the conclusion of foreign control do those principles and tactics have any bearing upon whether an organization can be classed as a Communist political organization.

In other words, if you will refer again to the definition you will find that the term "Communist political organization" means any organization in the United States with respect to which, having regard to some or all of the following considerations, it is reasonable to conclude that it is under the control of such foreign government or Communist political organization. In that connection the statement that has been made previously today to the effect that only one of these considerations would be enough to find an organization to be a Communist political organization, and mere coincidence of views between a political organization and the Soviet Union would classify it a Communist political organization, is not borne out at all by the definition because it is essential not simply that one of these elements appear but that sufficient elements appear to justify finding that the organization is under the control of a foreign government or a foreign governmental or political organization.

Mr. SMITH of Ohio. Now let us see where we are. Do the principles which Marx embodied in his manifesto conflict with the American system of government?

Mr. NIXON. The gentleman's question, I must say first of all, does not relate to the definition. I may say that, as far as the economic system which Marx advocated is concerned, that economic system would be inconsistent with the American system of government as we know it. But I wish to emphasize again that for the purposes of this definition the principles and tactics of Marx and Lenin would have bearing only insofar as adherence to those principles bore upon the conclusion that a political organization in the United States is under the control of a foreign government.

Mr. SMITH of Ohio. That is not what this law says. It says "some or all of the following considerations." It does not say they have to be under foreign control.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Let me see if we cannot proceed methodically and get an answer to this question. Does this embrace the things which Marx advocated in his Communist manifesto?

Mr. NIXON. The answer is the same as I gave the gentleman before.

Mr. SMITH of Ohio. I see I cannot get an answer. Now, the Communist manifesto embodies progressive taxation. The United States adopted progressive taxation in 1913 by amending the Constitution and later making it effective by law. I would like to know how you are going to exclude the Democratic Party and the Republican Party from being classified as a Communist political organization under section 3 of this bill.

Mr. NIXON. Would the gentleman like to have me answer that question now?

Mr. SMITH of Ohio. Yes, I would like to have an answer.

Mr. NIXON. I am glad the gentleman put it exactly that way, because he has put his finger on the nub of the entire problem. Under this definition it is not enough to advocate the theories and principles of Marx and Lenin which relate, for instance, to progressive taxation or public housing or socialized medicine. It is not enough to do that, because this definition is not aimed at, and a reading of the definition will show clearly that it does not strike at, the ideology of communism as such, insofar as it is a domestic ideology without foreign government control. I realize that the gentleman is very sincere in propounding the question, but I must emphasize again that these standards in the definition of a Communist political organization can be taken into account only as they bear upon the conclusion that the organization is under the control of a foreign government or foreign political organization. Only for that purpose can those definitions be taken into account. There

would be no question that the mere fact that an organization advocated progressive taxation, for example, would have no bearing whatever upon the finding that it was under the control of a foreign political or governmental organization.

Mr. SMITH of Ohio. This provision does not include the part which the gentleman mentioned, that it must be under a foreign power. It says specifically: Having regard to some or all of the political considerations.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from New York.

Mr. MARCANTONIO. Furthermore, in connection with the argument the gentleman is making, under this definition they set forth certain standards that are enumerated, beginning with section (A) on page 19 to (J) on page 21, and then they put in these words, "It is reasonable to conclude," "the Attorney General, if he finds that it is reasonable to conclude as a result of finding any one of these standards enumerated," "if he finds that it is reasonable to conclude as a result of any one of the standards enumerated that this party is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives," and under that broad language, Doctor, you can take in even the physicians association, if the Attorney General wants to make that charge against them.

Mr. SMITH of Ohio. In conclusion, Mr. Chairman, may I say that I am confused on several points in this bill. I am wondering whether the authors of this measure thought through all of its provisions and implications.

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think somebody ought to protest the views expressed by the Catholic bishop quoted by the gentlewoman from New Jersey. I, of course, do not know the bishop, but I believe I know that the views expressed by him are not the views of the Catholic Church. It is inconceivable that a great religious order, headed by one of the great world figures—I think one of the three greatest of all the Popes—that has wrought so nobly in behalf of the preservation of freedom on this earth and that has contributed so much to stopping the spread of communism, would approve the views expressed by this divine.

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there are two or three subjects to which I want to refer.

A while ago the gentleman from New York [Mr. MARCANTONIO] mentioned me in connection with Karl Marx because I have supported the development of the water power of this Nation and the extension of rural electrification. Karl Marx was dead and buried long before Edison developed the use of electricity. Therefore, I am sure he could not have had the TVA in mind when he issued his manifesto.

I also want to reply to some of the other statements that have been made here. I call your attention to the fact that before Germany attacked Russia the Communists in this country were plotting the overthrow of this Government, and the Black Dragon Society of Japan was operating throughout certain sections of the country and lining up against this country every individual they could induce to join them.

The Black Dragon Society was rampant in the islands of Hawaii. They furnished the spies to direct the Japanese in attacking Pearl Harbor. They ran their cars against the tails of our planes and wrecked them so that the aviators could not leave the ground at a moment when our brave men were dying by the thousands.

That is the kind of element this bill is directed at. It would not have any more effect on Henry Wallace's party than that debate between Stassen and Dewey last night will have on the coming election. It absolutely has nothing to do with the American Labor Party, but it is directed at this foreign conspiracy.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Kentucky.

Mr. CHELF. Any first-grader knows that the Republican Party would be the last party in the world to sponsor a bill that would outlaw the third party and the Wallaceites, because they know that the third party would take more skin off the backs of the Democrats than it would from them in the November election. They would be the last ones to do that. So all of this fear over the so-called third party being outlawed is unfounded.

Mr. RANKIN. The Democrats will be next to the last, because we know that the Wallaceites are hurting the Republican Party, if you want to get down on the low level of politics.

But that is not what is involved here. Let me call your attention to the fact that during the war Earl Browder was head of the Communist Party. He conceived the idea that since Russia was in the war of cooperating with the United States. When the war was over, Duclos, the head of the Communist International in Paris, sent a letter over here removing Earl Browder as head of the Communist Party in this country and put William Z. Foster in his place.

That is the kind of foreign direction that is being carried on by our enemies, not only of America and American institutions but of every Christian church in the world.

They would destroy or close every church on earth, especially every Christian church, and they would wreck free governments throughout the world. That is what they are trying to do in this country.

Mrs. DOUGLAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, "Congress cannot do by indirection what it is expressly forbidden to do by the Constitution"—Dewey.

"The Mundt bill attempts indirectly to outlaw the Communist Party. Congress cannot do this under the Constitution"—Stassen.

"Congress cannot outlaw any political party under the Constitution as now written. Existing law is adequate to fine, indict, and punish actual subversion, conspiracy, and treason as defined by the Constitution"—Dewey.

The Mundt bill sets up new standards for treason.

The main body of the bill would substitute administrative decision for court decision.

The Mundt bill gives the Attorney General the power to stigmatize individuals and organizations without trial for what he thinks they think.

The Mundt bill gives the Attorney General power to declare guilt by association which is antagonistic to all our thinking.

We all know that the quintessence of Americanism is the right to boo the umpire.

The bill has been written to protect us and our way of life against the inroads of an ideology which is abhorrent but the bill is so loosely drawn that it could be interpreted and administered to rob us of the very rights it sets out to protect. It is a bill which threatens the freedom of speech and assembly of all those who would raise their voices in criticism or dissent.

Moreover, the bill will not succeed in its expressed purpose of curbing and stamping out Communism in America. On the contrary, it will make martyrs and heroes out of Communist leaders. For every Communist jailed a hundred will be bred to support him.

We must fight communism in the American way.

We must fight it openly, freely, democratically, at the grass roots.

You cannot jail an idea or hit an idea over the head with a club. Thoughts cannot be circumscribed. And it is dangerous business when the Government decides to prescribe what is safe or not safe for people to think.

Who is to decide? Congress and the Attorney General?

Do we now propose to attempt to invade the mind of the individual citizen?

The argument runs like this: "Extraordinary circumstances warrant extraordinary measures."

It is an old argument. I heard it effectively used in Germany. Its sequel contends: "People cannot govern themselves wisely. They need a leader—a superior being—to think for them and to tell them what they should and should not do."

Are we now, in the fear and hysteria that has been whipped up over communism, to appropriate methods which we despise?

In a democracy the people believe in themselves. They trust their own ability to think through their problems. In a democracy the people hold the power of government. In a vital democracy they will not be stampeded into yielding this power for any reason.

In all forms of totalitarian government the state holds the power. And, unless the people abide by the decisions of the state, they go to jail, or are liquidated.

This is the essential difference between democracy and communism.

The Mundt bill says over and over, I hate communism—I hate communism. I fail to find a balancing declaration in favor of democracy. It is not enough to hate and reject. We must love and be-

lieve. We will not lick communism by merely hating it but by our faith in democracy—in its resilience and its strength. We prove our faith by our daily works.

This bill is a long step toward the very state controls from which it seeks to protect us. The authors of the bill were undoubtedly sincere and earnest in their desire to curb communism in America, but, I repeat, hating alone is not enough.

I remember when I was a little girl our old family doctor said to me, in answer to an expression of hate on my part: "Be careful or your hate will take you over, my child."

Have we talked about Communists so much that we have begun to imitate them?

If we are to combat communism successfully we must believe in democracy enough to live up to its high principles. This often means sacrifice and self-discipline, and a real sense of responsibility to our fellow man with a high regard for his rights at all times, even if we despise what he stands for and what he says.

The Committee on Un-American Activities finds that there is a clear and present danger from Communist activities in this country. I do not believe that our Government is in danger of being taken over by 60,000 American members of the Communist Party. Does anyone in this House seriously believe that we are in such imminent danger?

I do believe that we are in clear and present danger of going broke unless this Congress acts to check inflation which has swallowed up the savings of the American people.

I do believe that this Congress is itself in clear and present danger of spreading communism by failure to act realistically to protect the incomes, the jobs, and the family life of the American people.

The Mundt bill is no substitute for long overdue housing legislation and for desperately needed price controls.

If the chairman of the Banking and Currency Committee would bring to the floor of this House the housing bill which is now locked up in his committee he would make a real contribution to the strengthening of democracy. A house to live in is a better defense against communism than any attempt to rule by terror, such as is contained in this bill.

A liberal program for America is the only logical and realistic weapon in the fight against communism. I am fearful that the Mundt bill would destroy all those truly American liberal forces in this country which provide the most effective bulwark against communism.

In this critical struggle of ideologies which is taking place throughout the world today there is great danger of losing our heads and relying upon destructive and negative tactics which would defeat the very purposes and destroy the very principles which liberals espouse. The Mundt bill is certainly not the answer. It gives weapons to those whom it would defeat.

Clearly and unequivocally the solution to the Communist problem lies in the development of economic and social and political policies which will provide prosperity and peace and freedom to America and the world.

Mr. VURSELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Chairman, for the past 6 years I have supported every effort in an attempt to help hold back the spread of the dangerous and godless ideology of communism throughout this Nation. I rise today in support of H. R. 5852 because I believe it will help to retard the spread of communism and its enactment may enable the Government to stop the growth of communism by making it possible to convict and send to the penitentiary for a term of 10 years leaders of the Communist Party in this country who are, in fact, agents of the Kremlin conspiring to destroy our Government at behest and directions from Moscow.

For 10 years now the House of Representatives, through a standing committee, starting with the Dies committee and continuing up to the present time as an arm of this House, has been investigating and uncovering the Communists in this country whose purpose is to overthrow the Government. This committee, with the support of the Members of this House, has done everything within its power to retard the progress of communism in an effort to protect freedom and representative government here in America. We have met with considerable success. We have at last awakened the American people to the danger of communism.

Mr. Chairman, the great majority of the American people realizing the danger of communism to our form of government want us to step up the fight to destroy this red menace. They would like to have the Communist Party outlawed and barred as a political party from the election ballot. There are those who are opposed to such action in the belief that it is better to keep the known Communists and their activities out in the open rather than to drive them underground. Furthermore, it is difficult under our Constitution to pass such legislation as the facts disclose after a study of the entire problem by committees of Congress.

This bill, H. R. 5852, which we have before us now is thought to be the best approach that can be made to this problem at the present time. It is recommended by J. Edgar Hoover, head of the FBI, who no doubt, is the best authority in America on how to best handle the Communist menace.

The bill provides that all Communists in the United States be compelled to register their names and addresses with the Department of Justice. Those who are members of the Communist Party should be compelled to register so that the Government will know who they are, that the people whom they seek to influence may know they are members of the Communist Party, and that, in fact, being members of the Communist Party here in the United States they are acting under the direction of the Russian Government with its headquarters in Moscow. All other political parties in the United States owe no allegiance to a foreign country. Their activities and efforts are in what they believe to be in the interests of our own country. Republicans, Democrats, and Socialists all register before they vote. They are proud of the principles of their party. Why should we not compel all Communists to register so we can know who and where they are?

The bill further provides that literature sent out by the Communist Party must bear the name of the party. This is to prevent Communists from propagandizing through the mail under organization names like Youth for Democracy, the Abraham Lincoln League, and various other misleading names of organizations which appear to be thoroughly American, yet are used only as a front for the propagation of communistic ideas in the hope of influencing the people in that direction.

Mr. Chairman, this bill outlaws any conspiracy to overthrow the American form of government for the purpose of establishing herein a totalitarian regime dominated by a foreign power. If this bill finally becomes law, Communist leaders who engage in that kind of conspiracy will be subject to a 10-year sentence in the penitentiary and a $10,000 fine.

This would apply to the German-American Bund, or any organization seeking to overthrow this Government and establish a totalitarian form of government here in America. This is exactly what the Communist Party has been seeking to do. It classifies the Communist leaders, in fact, in the category of treasonable action to this Government.

If this law is passed by the Congress and signed by the President, for the first time it will put our Government in a position to cope with the brazen Communist leaders who for the past number of years have delighted in trying to organize the people into a party which would destroy private enterprise, the freedom and liberty of the people, and subordinate this Government to the control of the parent communism of Russia.

The bill would prohibit any member of the Communist Party from holding a position of trust in the Federal Government, and that is as it should be. No man or woman is entitled to hold a position and draw a salary from the very Government it seeks to undermine and overthrow.

Furthermore, it requires Communist-fronted organizations to register the names of the organizations, their officers, and their financial statements with the Department of Justice. It compels them to keep in their own files the names and correct addresses of their members.

If the Communist Party in America operates as a strictly American organization, its members will not be penalized by law; but if they operate as a secret agent of a foreign power, they must suffer the consequences set up in this bill.

While this legislation does not outlaw the Communist Party as an organization, it does force them to operate in the open and it makes unlawful activities on the part of anybody who conspires for the purpose of overthrowing this Government or in an attempt to establish

here a totalitarian regime subservient to any foreign government.

Mr. HESELTON. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Chairman, I know there are many of my colleagues on this floor today who, like myself, hate communism and all it stands for but who are seriously concerned as to the results this bill may bring about.

I have studied the bill carefully since it has been available. I have read the hearings and the committee report thoroughly. I have refreshed my memory as to the principles and the court decisions so far as constitutional law is concerned. I have examined the brief and the cases cited which was prepared in the Federal Law Section of the Legislative Reference Service. I make no pretense of being a constitutional lawyer, but I have found portions of this bill which, in my honest judgment, unless they are eliminated or radically amended, will be found unconstitutional by the Supreme Court, should it become law.

I do not have the time at this point to discuss all the phases of the bill which I think raise a question of constitutionality, but I would like to address myself briefly to one portion of the bill which I think, not only in terms of its constitutionality but in terms of its possible wisdom, is most important for us to consider carefully before we vote on this legislation. I refer to section 3, insofar as it attempts to set up a control over what are termed Communist-front organizations. Certainly, the committee itself has well recognized the distinction between the Communist Party and the Communist political organization, and all that they seek to accomplish in this country, and these other voluntary organizations of good American citizens who might be brought within the scope of the legislation under the definition of Communist-front organizations.

Because I was concerned, I took the liberty of getting in touch with some of the best constitutional lawyers in this country, people in whom I am sure you would have complete confidence.

Up to this moment each has advised me of their opinion that certain parts of the bill before us are unconstitutional.

I want to present to you portions of one of the replies I received. I do not have express permission to disclose the name of the person who has written to me, but I do guarantee to you that you would recognize him as one of the outstanding constitutional lawyers of this country. I wish very much that we might have the benefit of the opinions and recommendations of the many able constitutional authorities after their study of this specific bill, but since we are not to have those opinions and recommendations, it occurred to me that I might raise this question in the hope that the gentleman from New York [Mr. KEATING] who kindly consented to look at this letter, might be willing to discuss it in the course of his remarks.

This gentleman writes to me:

> It is my impression that the definition of a "Communist-front organization" in section 3 (4) is by itself too indefinite to be an acceptable basis for a criminal prosecution.
>
> Under the Thornhill case, I think it is, acts which may constitutionally be made criminal under a sufficiently narrow, definite statutory statement may still be immune from punishment under a statute couched in such broad and vague terms that it includes within its net acts constitutionally immune from punishment. A statute may not so combine the good and the bad as to serve in terrorem to deter people from indulging in conduct in which they have a constitutional right to engage. Such an intermingling is not cured by any separability clause.
>
> This brings us to the question whether this vice in the statutory definition, considered a part from other provisions, can be regarded as cured by the provisions with respect to registration. If no duty to register were imposed until after there had been a determination by the Attorney General under section 13, subject to the judicial review provided in section 14, it might be urged with some force that the fault of the indefiniteness in the statutory loose language would be condoned by the ultimate judicial determination that the organization comes within the statute. There would, however, remain the issue of whether the statute itself is sufficiently specific for the guidance of the Attorney General and the courts.
>
> Of course, party members and fellow travelers will try to horn in on all possible organizations striving to improve the lot of the poor and the oppressed and other organizations of persons dissatisfied with things as they are and urging change; but this should by no means determine the character of the organization thus invaded.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HESELTON. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. And finally with reference to another feature of the proposed legislation he writes:

> I am by no means certain that no duty to register is imposed until the Attorney General takes the initiative and an order by him is affirmed by the court. It looks as though section 8 imposes the duty to register, etc., on organizations defined or ill-defined in section 3 (4) and that section 15 penalizes failure so to do by any organization later found in criminal proceeding to be such a one as is contemplated or adumbrated in section 3 (4). This, if correct, would in my judgment clearly render the nonspecification of Communist-front organizations void for indefiniteness. Penalizing of nonaction differs from penalizing conduct. This provision smacks of compulsory confession by men who think that they are not guilty.

Those are the clear warnings I think we should all consider in arriving at the conclusion we must individually make on this legislation after it has been amended. I believe that some of the amendments already offered and adopted have distinctly improved the bill. It remains to be seen whether the other objections that have been forcibly expressed by competent constitutional authorities can be overcome. I have tried to devise a means of doing that but I have reached the conclusion again and again that the only method would be by striking out section 3 (4) and (5) and the portions of section 8 dealing with this subject. I understand others are working on the problem. Perhaps an alternative, eliminating any unconstitutional matter can be presented.

In any event, I hope that those who believe these particular provisions to be constitutional will give us the benefit of their reasoning. Before many hours each of us will be required to form our individual judgment to the best of our ability in the discharge of our grave responsibility to uphold and defend the Constitution. We are not confronted frequently with the problem of constitutionality. But, in this instance, the committee has raised and discussed it and, whatever opinion may be held, I think everyone will admit that it is involved and must be decided.

Mr. HAND. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is because I do so intensely hate communism and any form of totalitarianism that I am concerned about the present bill, and concerned about some of the thoughts which have been advanced here today. For example, one of our colleagues, in speaking of the bill, said this bill does not prevent the advocacy of anything which is good. But I call to your attention a fact that we must all agree on, and that is the glory and the strength of our institutions in America is the protection of those who wish to advocate something which the majority thinks is bad. Americans have a constitutional right to be in the minority, and to advocate things which the majority does not approve. And who is to determine what is good and what is bad?

A gentleman said in discussing this bill that too many countries have fallen by the wayside because they have trusted in the judicial processes. It seems to me if we have come to the point where we are going to stop trusting the judicial processes, we are losing everything which we are trying by this bill to defend.

If liberty is to mean anything, if freedom of speech is to mean anything, it means freedom to disagree with the majority; the freedom of our opponents to speak for those things which you and I may think are evil.

I call attention to the fact that in this House the gentleman from New York [Mr. MARCANTONIO], with whose philosophy very few of us agree, who is in a minority of 2 out of 435 Representatives, is, nevertheless, accorded every privilege. The glory, and strength of this House is that every right that any man in this House has, is freely and generously accorded to the gentleman from New York even though the rest of us violently disagree with what he says.

I hope we do not destroy what we are trying in this bill to defend. Incidentally, I think the committee has been very careful with this bill. It might have gone very much further than it did. But the bill still leaves many of us in

grave doubt and I trust further amendments may be adopted by the committee which will resolve some of those doubts in the course of this debate.

Let us all, throughout this debate, remember and keep remembering the deathless, immortal statement of that great Frenchman, Voltaire, who said in effect: "I disagree with everything you have to say but I will fight to the death for your right to say it."

Mr. Chairman, that is liberty; that is freedom; that is Americanism.

Mr. CELLER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I congratulate the last gentleman who has addressed us, as I do numerous others of the Members on the Republican side of the aisle who refuse to be swept off their feet, as it were, because of the mass Red hysteria that seems to be besetting the Nation. I listened intently to the debate last night over the radio between two distinguished citizens of the United States, one of them having served as governor of a great State and one still governor of a great State, and I could not help but come to the conclusion that these men, reasonable creatures indeed, men of rare intelligence, could not even understand what the terms of this current bill were. One gentleman said that the bill outlawed the Communist Party; the other gentleman said that the bill does not outlaw the Communist Party. If two important contenders for the Republican Presidential nomination cannot agree as to the bill's terms there must be something drastically wrong with it. This bill struck consternation, confusion, and conflict in the minds not only of Governors Stassen and Dewey, but of the American people. Surely if they could not agree as to what the terms meant, what can you expect from us poor mortals in this House? Certainly we cannot agree as to what the terms mean either. The words may seem quite innocent, and as you read section 3, pages 19, 20, and following, you might get the impression that those words are effective and constitutional; but the application of those words can be mightily dangerous and unconstitutional and the repercussions most severe and Draconian. Examine them carefully, and you will see how fraught with evil they may be in their application. The organization under attack need have one or more of the criteria mentioned in section 3. One of the criteria is as follows, and this is found on lines 22 and 23 on page 19:

(A) The extent and nature of its activities, including the expression of views and policies.

Then turning over to page 20:

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Now, you may have a group of well-intentioned, well-meaning men and women who might call themselves the adherents to the doctrines expounded by Emerson, Thoreau, and Hawthorne. Those revered gentlemen believed in economic communes. Or you might have a group of well-intentioned, well-meaning men and women who believe in the nationalization of our basic industries, and they might call themselves the American sympathizers of the British Labor Party. Mind you, they are thoroughgoing Americans. Yet, under these dangerous criteria, those innocent men and women might be charged with a violation of this act. The latter group might run afoul of this bill since their views are those expounded by a foreign government, the British Labor government.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman expresses doubt as to the provisions of this bill, or some of them. Do I understand from the gentleman's statement that he is against the attempt to do anything with this matter at this time?

Mr. CELLER. I am perfectly agreeable to do something that might contain or that might scotch communism, if you can do it, but it is mighty difficult, if not impossible, to do sans a constitutional amendment.

Mr. HALLECK. I recognize that, and the gentleman is a good lawyer, and an able Member of this House, and I trust that he will not do as some who agree with the objectives, who say that something needs to be done but then resolutely oppose every attempt to do anything. I would appreciate it if the gentleman's position would be such that he would apply his great talents to our assistance in the enactment of effective and decent constitutional legislation.

Mr. CELLER. I will say to the gentleman that what he seeks to do just cannot be done without changing our basic constitutional fabric. It is not in the cards, because legislation of this character and stamp seeks to lay the entire Nation over a Procrustean bed of conformity—a conformity that unfortunately would be dictated in the narrow minds, the proscriptive minds, of the members of the Un-American Activities Committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Such conformity is contrary to the tenets of our Bill of Rights which provides for free speech and free expression of opinion, the erection of political parties, and so forth. This type of legislation, or any attempt that the gentleman has in mind, would be equivalent to setting up an iron curtain against ideas and the free current thereof, an iron curtain that would hamper if not prevent the formation and operation of political parties. Russia has iron curtains. You do not want iron curtains. We inveigh against Russia because it has erected an iron curtain, and we do not want that in a democracy.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield.

Mr. HALLECK. I can only conclude from the gentleman's response that he is against any effort to try to deal with this problem here at this time.

Mr. CELLER. Oh, no. The only way that you can deal with this problem adequately and properly, and the only way you can get an antidote against the virus of communism, aside from a constitutional amendment, is not by repression or coercion or punishment of this character, but by better health, and housing, and higher standards of living; no slums, no rat-infested rookeries, either in Tobacco Road or in congested areas; no second-class citizens, no harsh and violent discrimination on religious or racial grounds in employment, in education, or in economic opportunity; no poll taxes, no lynchings, no inflationary prices for food, shelter, and clothing; no fear of the havoc of war. That is how to remove the causes of discontent. That is how to destroy communism. It may be a slow process, but it is a sure process. This type of legislation makes for martyrs and makes the victims of the bill heroes. You dramatize the importance of Communists far beyond what they are entitled to, and you make subjects of the law's cruelty and the ideology that they enhance far too attractive; attractive to the youth, unfortunately, of this land. If you go into the campuses of the Nation you find so many young ladies and young men who are adherents to neocommunism. These youths are attracted to communism and neocommunism because the Un-American Activities Committee places a halo in effect around Communists and fellow travelers.

This bill's proponents argue that they do not wish to deny Communists and fellow travelers and members of front organizations political freedom. All they do they say is punish them by denying the exercise of their political freedom. They are to be deprived of passports, threatened with loss of citizenship, forced to suffer contumely and humiliation by being blacklisted, endangered in their attempts at earning a living.

These threats of sanctions will not lessen communism. Communists and their sympathizers will simply do covertly what they dare not do overtly. They presently act in semisecrecy. They will scatter themselves and seek the shadows.

To the members of the Un-American Activities Committee their silhouettes outlined in semidarkness will seem more menacing. More and more panic will possess these members.

In certain benighted lands one is made guilty by association. Such guilt is foreign to us.

The bill says willy-nilly, communism is directed by the Kremlin. That's that. There is no gainsaying it. Therefore, those individuals who knowingly and willfully participate in the Communist movement must be punished.

Some Communist leaders may take orders from Moscow. I cannot say. But many do not. Many followers of the Red Party have no liaison with Moscow. They may be sincere believers in the ideology of communism, with no connection with Communist leaders. Yet they are in the movement. The bill would by just such slight association penalize

thousands. There are many Utopian Communists—theoretical Communists, who detect the Russian perversion of their ideals. Yet they run afoul of this bill.

I loathe communism as much as any Member in this House, but I lack the fear complexes that seem to possess some of the Members.

As far as I can recall, Communists never polled more than 50,000 votes. If that number were doubled or tripled what would that mean in a Nation of 144 million? Do we so lack faith in our democratic institutions that we fear the presence of a comparatively few Communists could destroy that democracy? I have far greater faith in our democracy than do the proponents of this bill.

Go through the vast reams of testimony. I have yet to find a single overt act that threatened the destruction of our Government.

Overshadowing all these arguments, however, is the danger that the Un-American Activities Committee and the proponents of this bill would force our citizens to think and act as they want and dictate.

The Supreme Court has stated in the case of the *Board of Education* v. *Barnette* (319 U. S. 624, 642):

> If there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception they do not now occur to us.

Cast your eye backward along the pages of our history and you will see that most of our men whom we deemed great refused to conform to the status quo. To men like those who now constitute the Un-American Activities Committee, Jefferson, Emerson, Thoreau, Jackson, Cleveland, and F. D. Roosevelt would have been rebels if not un-American. They were constantly protesting against that which was deemed orthodox. By these words, I do not mean I support communism. I fight for liberalism and the right to criticize and examine, a right which this bill infringes.

Finally, the Attorney General, by this bill, can set the time and place of a hearing to determine whether there is guilt by endeavor or association. There is no trial in the real sense of the word. The hearing, being administrative, is without jury, the ordinary rules of evidence do not apply. The investigation, prosecution, and judgment are all combined in the office of the Attorney General. There is no rule of establishing guilt beyond a reasonable doubt as is the case in all criminal procedure. The Attorney General's findings can be appealed to the court of appeals for the District of Columbia, but that review is on the record made before the Attorney General. The findings of fact in the record are conclusive if supported by substantial evidence. In weighing the evidence the court must give great weight to the conclusions and inferences of the Attorney General. The presumption of guilt prevails in the appelate court once the Attorney General determines it is so.

There is no trial on the merits in a court before a jury. This is drastic and novel procedure, especially when one considers that penalties are $10,000 fine, imprisonment for 10 years, or both.

Finally the bill is as sadly mistaken as the infamous Alien and Sedition Acts of 1798. Mr. Justice Holmes denounced the underlying purpose of those acts—as he would express abhorrence at the pending bill were he alive today—in his classic opinion in the Abrams case, as follows:

> Persecution for the expression of opinions seems to me perfectly logical. If you have no doubt of your premises or your power and want a certain result with all your heart you naturally express your wishes in law and sweep away all opposition. To allow opposition by speech seems to indicate * * * that you doubt either your power or your premises.
>
> But when men have realized that time has upset many fighting faiths, they may come to believe * * * that the ultimate good desired is better reached by free trade in ideas, * * * the power of the thought to get itself accepted in the competition of the market. * * * That, at any rate, is the theory of our Constitution.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened with a great deal of interest to the debate on the floor of the House regarding this bill. I listened last night to the debate that has been referred to here so many times today. I have leaned favorably toward this bill, but I always like to analyze legislation further and listen to this very able House thrash it around a little before I make a final decision.

However, I have received today numerous telegrams from my district from certain labor leaders. I believe they have helped me make up my mind on this bill. I have here a telegram signed by Albert J. Eberhard, president of Local 813, UE-CIO, in Evansville, Ind. He states:

> I am instructed by the Local, 813, UE-CIO, to register its protest against Mundt bill, H. R. 5852, and to demand you to take action to stop its passage. Purportedly against totalitarianism, this bill would give to one man power to break strikes. Deny freedom of speech, press, assembly, and religious worship, and to jail any person with whom he disagreed. Such Fascist legislation has no place in a democracy.

Mr. Chairman, I know this fellow, Albert J. Eberhard. He was rammed down the throats of the members of local 813 by Bill Sentner, of St. Louis, who is an avowed Communist. He was rammed down to follow his boy Charlie Wright. They are both "pinkos" from way back. Mr. Eberhard has the guts to tell me in a telegram "I am instructed by the membership," but I will give you 8 to 5 that not 5 percent of the membership instructed him to do anything; 95 percent want him to get out or sign the anti-Communist waiver that is provided for in the Taft-Hartley Act so that they, the good American members of this union, will have proper representation before the National Labor Relations Board. The leadership have not signed it because they are Communists; 99 percent of the members of local 813 in Evansville, Ind., are good, honest, patriotic, God-fearing citizens who have had this man shoved down their throats. He should resign for the good of Local 813, UE-CIO.

I am glad Mr. Eberhard has helped me make up my mind. My answer to him is that he can go to hell. I am going to vote for this bill.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, some entirely sincere people, as well as large numbers from insincere and improper motives, contend that we should not try to deal with the Communist menace in this country by legislation because of the grave constitutional issues involved. Admittedly, it is not easy to frame a measure which will have meaning and be effective and still not violate constitutional guaranties. I share emphatically the view that we must not adopt totalitarian methods of those that condemn to gain a short cut to even a laudable objective. I am also, however, completely convinced that the Constitution of the United States does not prohibit us from passing a law to protect our Nation against those who would use the liberties guaranteed by our Constitution to destroy it.

It is not enough for the opponents of this measure to cry in generalities, "It is unconstitutional—it violates the Bill of Rights." They must point to the precise provisions of the Constitution which they claim to be violated by its terms. If pinned down—a position which is always particularly distasteful to those who prefer loudness to logic—the proponents of legislative inaction on this subject, so far as I am aware, refer solely to the first and fifth amendments to the Constitution as a basis for argument against the passage of this bill. Let us examine these claims separately.

First, it is contended freedom of speech and of the press guaranteed by the first amendment is restricted by this measure.

No doubt, its effect will be to curtail both, insofar as, by words or writings, attempt is made to establish in this country a totalitarian dictatorship subject to the domination of a foreign power. It is, however, well recognized in a long line of decisions that freedom of speech and of the press does not mean unbridled license to preach or publish any doctrine or contention, no matter how vicious, harmful, or subversive. These freedoms can and frequently have been held properly to be curtailed where there is "a clear and present danger" which the Government seeks to meet.

Thus, Mr. Justice Holmes said in Schenck against United States:

> We admit that in many places and in ordinary times the defendants in saying all that was said in the circular would have been within their constitutional rights. But the character of every act depends upon the circumstances in which it is done. The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic. The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.

In *Okamoto* v. *U. S.* ((C. C. A. 10, 1945) 152 F. 905) a decision by the Circuit Court of Appeals sitting in the city from which hails the gentleman from

New York [Mr. MARCANTONIO], who spearheads the opposition to this measure, the court had this to say:

> Freedom of speech, freedom of the press, and freedom of assembly guaranteed by the first amendment are fundamental rights. But, though fundamental, they are not in their nature absolute. These rights are not unbridled license to speak, publish, or assemble without any responsibility whatever. Their exercise is subject to reasonable restriction required in order to protect the Government from destruction or serious injury. The delicate and difficult question usually presented is whether speech, press, and assembly are of such nature as would produce, or are calculated to produce, a clear, present, and imminent danger of a substantive evil which Congress has the constitutional power to prevent.

There is no doubt in my mind that the measure before us sets out the facts and circumstances indicating the seriousness and immediacy of the danger sought to be repelled.

Abundant evidence has been produced to support the findings in this bill. One need go no farther than to read the testimony of Hon. J. Edgar Hoover, which appears at pages 35, 36, and 43 of the House hearings on H. R. 1884 and H. R. 2122, Eightieth Congress, first session, 1947, to realize the extent to which our country faces a "clear and present danger."

This widely respected and admired public servant testified, out of the abundance of his experience and breadth of his knowledge, that the Communist Party in the United States is dedicated to force and violence, if necessary, for the overthrow of the United States Government; that the party maintains as a fundamental principle support of Soviet Russia, as is daily evidenced by the mouthings of its adherents; and that the "Communist Party of the United States is a fifth column if there ever was one" and is "far better organized than were the Nazis in occupied countries prior to their capitulation."

This is no time for complacency. This is no time to minimize the danger which faces our Nation and everything we hold most dear. It was only a short time ago that our neighbor on the north, the Dominion of Canada went through an experience, happily without too serious consequences, which should serve as a lesson to us that a danger does exist, that we must remain on the alert.

Even more recently we have witnessed on the European continent one country after another engulfed not by force of arms but through the subversive tactics of a tiny minority operating under the direction of a shrewd, ruthless, totalitarian dictatorship probably unequaled in resourcefulness and unprincipled cunning in all recorded history.

In my study of this problem I asked the Coordinator of Information of the House of Representatives to inform me regarding the number of actual Communist Party members in the various European countries and the percentage which they bore to the total population. These figures are extremely revealing. In Italy, for instance, where the recent elections reveal that nearly one-third of the people voted for a totalitarian regime, the actual Communist Party members are said to be 2,000,000 or about 4 percent of the population. In Poland, where the lights of freedom have been extinguished, only 2 percent are said to be actual members of the party. In Rumania, 3 percent; in Hungary, 7 percent; in Yugoslavia, 11 percent; in Czechoslovakia, 11 percent; in Bulgaria, 12 percent; and in the Soviet Union it is only 3 percent or 6,000,000 souls.

In the face of the overwhelming testimony presented in public hearings and in the light of the experience of other countries which have at times scoffed at the seriousness of the communistic threat, only to wake up too late, the existence of a "clear and present danger," amply sufficient to sustain this legislation, appears to me to be established beyond reasonable opposition.

Prof. Zachariah Chaffee, Jr., of Harvard Law School, a well-known liberal, recognizes in his Free Speech in the United States, 1941, at page 31, that despite the first amendment, there are purposes of government, such as order and protection against aggression, which must be balanced against the right of unlimited discussion interfering with these functions.

As was said in *United Public Workers v. Mitchell* ((1947) 330 U. S. 75–95):

> The essential rights of the first amendment in some instances are subject to the elemental need for order without which the guaranties of civil rights to others would be a mockery.

The argument that a bill such as this invades the private or personal rights of anyone is well answered by the statement of the Court in *U. S. v. Josephson*—a name well known in this body—((C. C. A. 2d) (1947), 165 Fed. (2d) 82, certiorari denied (1948) 16 L. W. 3253), where it was said:

> If * * * propaganda takes the form of, for example, advocacy of the overthrow of the Government by violence, it is rightfully called "Un-American" and a sensible regard for the self-preservation of the Nation may well require its investigation, with a view to the enactment of whatever remedial legislation may be needed or to the amendment thereof. One need only recall the activities of the so-called fifth columns in various countries both before and during the late war to realize that the United States should be alert to discover and deal with the seeds of revolution within itself. And if there be any doubts on the score of the power and duty of the Government and Congress to do so, they may be resolved when it is remembered that one of the very purposes of the Constitution itself was to protect the country against danger from within as well as from without. See The Federalist, Nos. II–X. Surely, matters which potentially affect the very survival of our Government are by no means the purely personal concern of anyone.

It is also contended that this measure does violence to the fifth amendment, providing that no one shall be deprived of his liberty without due process of law. It is well settled that a criminal statute, such as the one before us can in part be properly described, must define the offense with such definiteness that it is not necessary to indulge in speculation to determine whether the acts committed by an accused constitute the crime under prosecution. Otherwise the statute is subject to successful constitutional challenge under the fifth amendment.

Offenses in this bill to which criminal penalties attach fall into two general categories. First are the directly prohibited acts set forth in section 4, all having to do with attempting or participating or conspiring to establish in the United States a totalitarian dictatorship, the direction and control of which is under the domination of a foreign government, organization, or individual. I have heard no objection to this section on the ground that it did not clearly state the acts which would constitute the offense.

Then there are other penal provisions relating to failure to register, application for passport, or application for Federal employment, which fall in a separate category. The Communist political organization, its officers and members must register as to the "Communist-front organization," only registration of the organization itself and its officers is required. The members are not subject to the provisions of this law. In each case, viz.: The employment provision—section 6—the passport provision—section 7—and the registration provision—section 10—a necessary element of the illegal action is that one, in order to run afoul of the law, must be a member of a Communist political organization, not a front, "knowing or believing or having reasonable grounds for knowing or believing that the organization is a Communist political organization."

I am reliably informed that the committee will offer an amendment to all three of these sections to strike out the words "or believing, or having reasonable grounds for knowing or believing," the effect of which will be to provide that conviction can only follow if one becomes or remains a member of a Communist political organization with actual knowledge that it is such. This amendment will, in my judgment, greatly improve these sections and provide beyond peradventure of a doubt that no injustice may result to an innocent party.

It is then contended, however, that the definition of a Communist political organization contained in subsection (3) of section 3, beginning at page 19 of the bill, is not sufficiently definite to permit one to know whether or not a particular political organization is or is not Communist in character. Much has been made of the fact that various political parties might fall within one or more of the provisions lettered (A) to (J) inclusive, appearing on pages 19 to 21. Although, so far as I know, no single one of those considerations applies to any party in this country except the one which calls itself the Communist Party, it is important to note that all of these paragraphs are but introductory to the single test, the ultimate determination: Is the conclusion reasonable that the organization is under the control or domination of a foreign government or foreign political organization?

Here again this legislation has been immeasurably improved by the willingness of the committee to accept an amendment to strike out on page 21 the

alternative provision which would permit a determination that a political organization was Communist to be based upon a finding that it was one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives. This might be subject to abuse in that it is conceivable, although admittedly unlikely, that a political body might be a pawn in the hands of the world Communist movement without its actual knowledge or consent. By the elimination of this second ultimate test, however, the issue is clarified and there should be no difficulty by reason of indefiniteness in proving whether the organization is "under the control of a foreign government." When the smoke and fog are cleared away that is the sole question.

It is here that communism as a political, economic, and social theory parts company with communism as a part of a worldwide conspiracy to subject this country to the domination of a foreign power. It is only the latter inhibited by this law.

The proposed statute is not open to the challenge that it uses indefinite terms such as the word "gang," criticized in one decision, about the meaning of which a person is required to speculate. The meaning of the phrase "Communist political organization" is here defined with clarity and, I believe, accuracy.

Since the fourteenth amendment to the Constitution prohibits a State not only from depriving a person of life, liberty, or property without due process of law, but also denying to any person the equal protection of the laws, it has been held that a denial of the equal protection of the laws by a Federal statute would be inhibited by the fifth amendment. In other words, although not expressly prohibited, it is to be considered implied. Therefore, the contention has been advanced that requirement of registration and the filing of annual reports by Communist organizations does violence to the due-process clause contained in the fifth amendment in that it is such an unreasonable discrimination as is condemned by the equal-protection doctrine.

This same argument was raised against the New York statute which required the Ku Klux Klan to register in that State. A prosecution was brought against one who remained a member of that group, knowing that it had failed to comply with the registration requirements. The registration provisions of the measure before us follow closely the language of those set forth in the Supreme Court opinion in the Ku Klux Klan case known at *Bryant* v. *Zimmerman* (278 U. S. 60). Just as the Communists argue here that they should not be singled out for discriminatory treatment any more than the Democrats, the Republicans, or the Wallaceites, so in this case the defendant argued that the statute discriminated against the acts of the Ku Klux Klan when it should equally apply to labor unions, the Masonic fraternity, the Odd Fellows, the Grand Army of the Republic, and the Knights of Columbus. The Court, however, had little difficulty in reaching the conclusion that the classification was justified by radical differences between the Ku Klux Klan on the one hand and the other classes of associations on the other hand. No greater difficulty will be encountered in distinguishing between that party, on the one hand, which seeks to serve a foreign master and those others which, however they may differ among themselves, yield their allegiance solely to the United States of America.

One case advanced by the opponents of this measure is *Thomas* v. *Collins* ((1944) 323 U. S. 516). It is true that the Supreme Court said in this case with respect to a speech by a union organizer, that one who is "required to register as a condition of his right to make a public speech to enlist support for a lawful order" is deprived of his rights under the first amendment. The Court, however, expressly based its decision on the premise that "lawful public assemblies, involving no element of grave and immediate danger which an existing state is entitled to protect, are not instruments of harm which require previous identification of the speakers."

In other words, the very basis of the decision was the absence of a "clear and present danger." In this case the Court referred to Bryant against Zimmerman, distinguished it, but did not overrule it or question its authority as a sound expression of the Court's present view of the law on this subject.

Perhaps a word should be added regarding section 5 relating to loss of United States citizenship. Citizenship is a political status which may be defined and its privileges limited by Congress. A person has the right to expatriate himself voluntarily. Likewise Congress has the power to say what acts shall expatriate a citizen. Citizenship acquired either by birth or naturalization may be lost by expatriation.

In *McKenzie* v. *Hare* ((1915), 239 U. S. 299), the argument was made that Congress could not by legislation provide that certain acts by a natural born citizen amounted to expatriation, in this case marriage to a foreigner. The Supreme Court denied this contention, pointing out that the United States as a sovereign may impose conditions for the maintenance of citizenship and provide that certain situations voluntarily entered into, with notice of the consequences, may deprive one of such citizenship.

In conclusion, therefore, although I recognize the constitutional as well as the practical difficulties which have been encountered by the framers of this legislation, I feel confident that it is the most sensible and rational approach as yet suggested to deal with an extremely serious problem which affects the liberty and security of every man, woman, and child in the country.

Great care, I know, has been taken by the chairman of this subcommittee, the gentleman from California [Mr. NIXON] and by his advisers, in the drafting of this legislation, to insure that no constitutional guaranty of any citizen is infringed. In my opinion success has been achieved in keeping within the four walls of the Constitution. In my judgment this legislation will be still further improved by the amendments which, I understand, are acceptable to the committee. When perfected, the bill should meet every constitutional test.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COUDERT. I have listened to the gentleman's exposition of the cases with some interest. I would like to ask the gentleman if he agrees that by virtue of the provisions of section 4 it would become a criminal act if any one of us at a public meeting, or with two people before us, should propose a constitutional amendment, and to publish that fact in the press—an amendment for the purpose of carrying out the prohibition contained in section 4 of the act.

Mr. KEATING. The proposal of a constitutional amendment would not be an act, in my judgment, which is prohibited by this section.

Mr. COUDERT. Will the gentleman yield further?

Mr. KEATING. I yield briefly.

Mr. COUDERT. In the first paragraph of section 4 the prohibition is against "in any manner." "Any manner" includes legitimate, constitutional methods of operation. So that a constitutional amendment is an "in any manner" act. So that the bill would prohibit any citizen from proposing, if he were then fool enough to do so, the establishment of a totalitarian dictatorship by constitutional amendment, with the reporters in the room, aboveboard and frankly. Does the gentleman agree?

Mr. KEATING. I will say to the gentleman that I have not given thought to that precise question. If there is a remote possibility that this section might be construed in the way suggested, which I doubt, perhaps it should be clarified by an appropriate amendment. It strikes me that if anyone sought to bring about the establishment of a totalitarian dictatorship here under the domination and control of a foreign government through the medium of an amendment to the Constitution, he would surely not be prosecuted criminally, but committed to a mental institution.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: On page 19, line 1, after the article "a" strike out the words "clear and present" and insert the word "potential."

Mr. HOLIFIELD. Mr. Chairman, as the gentleman has just spoken on the clear and present danger provision and had ten additional minutes, I ask unanimous consent to proceed for three additional minutes over the 5 on the same subject.

Mr. NIXON. Reserving the right to object, Mr. Chairman, and I shall not object to the request of the gentleman from California, but due to the fact that we are not making very fast progress on the bill I will have to object to future requests for additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from

California that he may proceed for three additional minutes?

There was no objection.

The CHAIRMAN. The gentleman from California is recognized for 8 minutes.

Mr. HOLIFIELD. Mr. Chairman——

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield briefly at this point?

Mr. HOLIFIELD. I yield very briefly, but that is all.

Mr. MARCANTONIO. Yes. I just wanted to reply to the observation of the gentleman from New York [Mr. KEATING] by saying that the clear and present danger must be a judicial determination. Here they make it a legislative determination, which is prohibited by the Constitution.

Mr. HOLIFIELD. I thank the gentleman. I intend to talk at length on that subject and I hope the gentleman from New York [Mr. KEATING] will listen.

Mr. Chairman, I have three main objections to this bill.

First. The authors of this bill are attempting to get around the Bill of Rights, and do by indirection that which they recognize by their report, they could not do by direction. They have been forced to use the type of language which has been designated upon previous occasions by the Supreme Court as "vague and indefinite." In numerous places in this bill this vague and indefinite language opens the door to fuzzy and dangerous interpretation. It places the questionable judgment of a man above the clear and specific meaning of tested legal language.

Second. This bill purports to control Communist and Communist-front organizations. The language used in this bill to set up the standards by which the Attorney General makes his determination regarding the status of many economic, political, and religious groups in our Nation, is so vague and indefinite that it is not only unworkable, but actually dangerous. The Attorney General is given unparalleled power, heretofore reserved to the courts and the judiciary, to proscribe and prosecute suspected groups, organizations, and individuals. A vicious or even a stupid Attorney General could do tremendous violence to our civil, economic, and political liberties. The language of this bill is so broad and general in its scope that it throws a "Red blanket" over thousands of organizations and millions of citizens who hate communism, but who believe in working for certain social, economic, and political reforms through constitutional American methods.

The third objection I have to this bill is that I firmly believe that it is unconstitutional. The bill rests basically on the conclusion of its authors that there is a clear and present danger—that is, that the Communists are about to overthrow the United States by force and violence. Now, unless the sponsors of this bill can prove this clear and present danger, as defined by Justice Holmes in his Supreme Court decision, the whole foundation or reason for the bill is destroyed. I say that the committee has failed to prove that the Communist Party of the United States, or of any Communist-front organization in the United States, presents a clear and present danger, which attempts to overthrow our Government by force and violence. They have made a legislative finding to that effect, but I deny the validity of that finding. The minimum proof which any board of the land would accept would have to demonstrate at least these two points: First, that the American Communist Party is so strong numerically and politically that they would be effective in a military sense; second, that they are conspiring to overthrow the Government by force and violence, and this would necessarily mean that evidence would have to be produced showing military organization, caches of arms, and revolutionary plans for a military coup. No proof has been produced to prove the existence of such factors or danger. I therefore deny that the committee has established adequate grounds to prove in any court in the United States that there is a clear and present danger to our institutions.

Statistically speaking, there are less than 100,000 Communists in our population of over 145,000,000. That is a ratio of 1 Communist to every 1,450 persons. They are without military arms or equipment and it is ridiculous to see this Congress cowering in fear before such a fact. If our pioneer forefathers faced the dangers of the new land against the hordes of Indians and the hazards of the wilderness, I believe that 1,450 loyal Americans can handle 1 Communist.

I say again, there is no clear and present danger.

The committee has not brought forward proof to show that there has been one abortive attempt to use force and violence in the United States to overthrow the Government. And if such force and violence were attempted by any part, or all, of these 100,000 Communists I want to bring to your attention the fact that we are strong enough in the United States to take care of any such attempted military coup. We have several hundred thousand Regulars in our armed forces available. We have fifteen or twenty million ex-GI's. We have the greatest civilian police force in the world. And we have several million more loyal Americans with shotguns and deer rifles in their closets, and I have confidence that we could take care of any potential Communist coup in the United States. No, there is no clear and present danger, regardless of the hysteria of the members of the Committee on Un-American Activities. We are fighting an ideological war. We are fighting a war of ideas. We are fighting communism on the political and economic plane. And that is where we should keep the fight. To fight it on the political plane you have to make democracy work. You have to take care of political inequalities in our democracy for all American citizens to preserve the privileges and rights which they are given inherently in our Constitution. To fight communism on the economic plane you have to correct the economic maladjustments of our society. You have to see that the people are fed and clothed and housed adequately. You have to eliminate monopoly control of great economic sections of our Nation. You have to make free enterprise work in the sense that a small-business man shall not be ground into bankruptcy under the heel of monopolistic and great financial power.

If we fight communism on the political and economic plane, we correct the maladjustments of our society. We need have no fear of the growth of communism, but if we fail to correct these maladjustments by adopting totalitarian police-state methods by allowing continued growth of monopoly, the continued elimination of the small-business man, then we will be in danger from within. And the ranks of communism will swell by millions of American citizens who will be with them because of their economic desperation, because of hunger and sickness, and because of no place to live.

Economic chaos will bring on unemployment, hunger, and desperation. These are the fertile grounds in which communism will grow. If we lose our political democracy through fear and failure to protect the Bill of Rights, then we lay the foundation for dictatorship, and it may be of the Communist left, or it may be of the Communist right. In either case, it is the totalitarian dictatorship which we hope to preserve our Nation from.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HALLECK. I have listened to the gentleman's statement with much interest and I have concluded he does not think there is any necessity for enacting any anti-Communist legislation at this time. Is that the gentleman's position?

Mr. HOLIFIELD. No. I have an amendment on the desk which I expect to offer that will attack this problem in what I think is a constitutional way and at the proper time when section 3 is read I expect to offer the amendment.

The amendment, very briefly, seeks to do this: It asks the Attorney General to prepare a report to the Congress on the 27 laws which we already have on the books and the need for an amendment of those laws and for any additional legislation, if it is needed, and also to give us a draft of such legislation. If the Attorney General will do that, of course, it will then be up to the wisdom of the Congress as to whether to accept his draft or not. I say that the Attorney General has a better idea of what is needed because of the responsibility of enforcing laws against subversives than possibly the bill before us.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PETERSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to issue this challenge to the majority leader, to submit the pending bill to the Attorney General and let us have his opinion on the constitutionality of this bill. He can get that opinion much faster than those of us on the minority can. He is majority leader.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from Indiana.

Mr. HALLECK. May I say that as a Member of Congress I have always held it to be my responsibility to determine for myself as best I could the constitutionality of measures coming before us. I am doing that on this measure, and I have followed that practice all along. There may be disagreement among us about what is constitutional and what is not constitutional, but I know we are dealing here with a problem that needs to be met and, as far as I am concerned, I am going to meet it as best I can on my own responsibility.

Mr. MARCANTONIO. Even though it violates the Constitution.

Mr. HALLECK. I did not say anything of the sort. No one has been more consistently devoted to the Constitution than I. I disagreed with the statement we had one time asking the Congress to enact legislation without regard to doubt as to its constitutionality however reasonable.

Mr. PETERSON. Mr. Chairman and gentlemen of the committee, the question was raised by the gentleman from California who just preceded me with reference to a showing of a clear and present danger to the security of the United States, and referred particularly to the statement made with reference to that danger. I want to first call attention to the fact, to answer in part the gentleman from New York [Mr. MARCANTONIO], that the committee had before it the Attorney General of the United States, and questioned him with reference to the weakness of a good many of our laws, and the number of existing laws. In addition to that it was testified clearly before the committee by the Director of the Bureau of Investigation that the active Communists in this country today were a larger percentage than it was in Russia at the time the Communists took over the Government of Russia. Today there are in this country thousands of active, well-trained and schooled men. They know their places at the time when the orders come to take part, to seize strategic positions, to infiltrate into strategic organizations, and place themselves in strategic places. So, it is not a question of numbers alone. Witness after witness more or less reiterated those particular facts .

The membership of this House has for a long period of time asked the members of the committee this question: Why do you not bring out legislation to meet this situation? That was at the particular time when we were investigating it. It was hard sledding. It is not easy to serve on this committee. This committee has had many problems facing it, but each time it has come before the House with a request the House held up the hands of this committee, because it recognized it has a hard job to do and is trying to do a patriotic duty. But, they said: Why do you not bring out legislation? The committee, in its desire to bring out fair, constitutional legislation, has taken time and has considered the testimony of many people who have appeared before it. In general debate the other day I quoted a telegram received from the chairman of the Bill of Rights Committee of the American Bar Association, an attorney eminent in his own right, who is highly respected in this Nation I had submitted to him the entire draft as we had finally reported it out. I asked him point blank his advice with reference to it, and you will find it incorporated in the general debate. I extended it at that time in my remarks. He said that there was need for his legislation; that this legislation was carefully drawn, and in his opinion it was constitutional.

There is no effort to try and abridge freedom of speech. The question was asked a few minutes ago with reference to the proposal of a constitutional amendment. When you make an analysis of the definitions under this bill you will find each time it is tied into the dictatorship of a foreign government; the establishment of a totalitarian form of government and then subservient to a foreign government. That is part and parcel the sum of the various definitions as set forth.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. BUSBEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, first of all I want to pay tribute to the Committee on Un-American Activities for the splendid job it has done over a long period of years. I wish to pay special tribute to the subcommittee that handled this bill, the gentleman from Illinois [Mr. VAIL], the gentleman from Pennsylvania [Mr. MCDOWELL], the gentleman from Florida [Mr. PETERSON], the gentleman from Louisiana [Mr. HÉBERT], and particularly the chairman of the subcommittee, the gentleman from California [Mr. NIXON], who, in my opinion, and I know many Members of this House concur in it, from the record he is making in his first term in this body, is one of the most outstanding men that has been sent to the House of Representatives.

The bill carries the name of one of our colleagues the gentleman from South Dakota [Mr. MUNDT]. Those of us who have been rather close to this committee know that he has been a very valuable member, but we also know that the gentleman from California [Mr. NIXON] has carried a large part of the load on this particular bill.

We have heard a great deal of discussion today regarding constitutionality. Ever since there has been a House of Representatives hardly a week has passed but that some bill has been brought to the floor of the House and we have heard Members argue against its constitutionality. That is nothing new. The opponents of any bill always argue about its constitutionality.

Fortunately, or unfortunately, I do not happen to be a lawyer, but I do not think it is in the wisdom of anyone in this House or even the Attorney General to set himself up as the final authority on the constitutionality of any bill. We have a Supreme Court to determine the constitutionality. After this bill is passed, if there is someone who thinks there are some provisions that are unconstitutional, no doubt the matter will be taken to the Supreme Court. If the Court declares any of the provisions unconstitutional, then it is up to the Congress of the United States to rewrite those provisions in line with the decision of the Supreme Court.

Just out of curiosity I analyzed the vote against the appropriation bill which was before the House not so long ago for the Committee on Un-American Activities. I also analyzed the vote against the Condon resolution, I also analyzed the vote against the rule that brought this bill to the floor of the House. There were not more than 40 votes cast against any of the three measures. I have every confidence that this bill will pass the House by an overwhelming vote, and I doubt if there will be more than 40 to 50 votes against its final passage.

I have been flooded with telegrams and communications from various organizations in opposition to this bill, and when we go back into the House I shall ask unanimous consent to make these telegrams a part of the record at this point. However, they are all of about the same tenor, and I do not hesitate to say for the benefit of my colleague from Indiana [Mr. MITCHELL], who spoke about the telegram he received from some of the CIO in his district, that in nearly every instance the telegrams are from the CIO.

Mr. Chairman, the people of our country are overwhelmingly demanding that the Congress of the United States do something about the spreading menace of communism. The Mundt bill is certainly a step in this direction. It is a bill that every true, patriotic American should be willing to support wholeheartedly. It is high time that we stand up and not be afraid to be counted on the side of Americanism.

In order that the people will know who is in opposition to this bill, and for posterity, I am inserting the following telegrams and letters which I have received:

CHICAGO, ILL., *May 12, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington D.C.:*

The omnibus bill H. R. 5852 represents real threat to American democracy. Urge you to fight its enactment in any form.

ANDY ANDRASKA,
*B. A. Locals 55D and 68E USWA-CIO.*

---

CHICAGO, ILL., *May 6, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington D. C.:*

On behalf of 2,800 members of local 1154, many of whom are your constitutents, we urge you to vote against and fight against the so-called subversive-activities act. This legislation would destroy the basic rights of all Americans.

JOHN KELLIHER,
*President, Executive Board, Local 1154, UE-CIO.*

---

CHICAGO, ILL., *May 7, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington D. C.:*

United Office and Professional Workers of America, Local 24, representing thousands of Chicago white-collar and professional workers alarmed at Fascist repressive legislation called Mundt Subversive Activities Control Act being considered by Congress this week. This bill will destroy our American way of life by following the Nazi pattern. We love America. We refuse to have our democratically elected Congressmen make our beloved

country a police state and destroy civil rights. Do not help blot the fair traditions of our American heritage. We appeal to you to oppose in every way possible the passage of this vicious un-American bill. Confirm.

HARRIET PIPER,
*President, Local 24, UOPWA.*

---

CHICAGO, ILL., *May 11, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington D. C.:*

Members of our organization, many residing in your district, fully realize Mundt un-American bill designed to turn our beloved country into a Nazilike state. Confident you have same understanding. Strongly urge you fight against this diabolical legislation. By your deeds you shall be judged.

JOHN T. BERNARD,
*Director, Chicago UE Political Action Committee.*

---

NATIONAL MARITIME UNION OF AMERICA,
*New York, N. Y., May 14, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.*

DEAR CONGRESSMAN BUSBEY: We urgently request that you vote against the Mundt-Nixon bill (H. R. 5852), described as the Subversive Activities Control Act, 1948.

The membership of the National Maritime Union is strongly opposed to this bill, both because it seriously threatens the existence of bona fide labor unions and because it sweeps aside civil rights guaranteed to every American by the Constitution.

We have always believed that the House Un-American Activities Committee, which is sponsoring this bill, is in itself unconstitutional.

We are sure that you will agree that the Mundt-Nixon bill contains serious dangers to the American system. We urge that you cast your vote against the bill.

We would appreciate an answer to this letter.

Yours very truly,

SAM MOONBLATT,
*Chairman, Committe Against Mundt-Nixon Bill.*

---

RESOLUTION ON THE SUBVERSIVE ACTIVITIES ACT

Whereas the Un-American Committee has prepared a blueprint to end democracy in our country and substitute for it a Fascist-style police state. This conspiracy against our traditional liberties and constitutional rights is known as the Subversives Activities Control Act of 1948;

Whereas under the guise of fighting so-called subversives, the police-state act is really aimed at smashing the labor unions, the Wallace movement, and any progressive movement that fights for the workers, the people, and for the rights of minorities, especially the Negro and Jewish peoples; and

Whereas the police-state act is designed to silence the voices of all progressives so that the Wall Street program of union busting and war can be pushed without opposition; and

Whereas this is an amplification of the Taft-Hartley "slave" Labor Act to deliver the final smashing blow to destroy organized labor: Now, therefore, be it

*Resolved,* That this quarterly membership meeting of Amalgamated Local 453, UAW-CIO, goes on record as condemning the police-state bill as a threat to our democratic rights and trade-unions; and be it further

*Resolved,* That the executive board and joint council are instructed to carry out an all-out campaign for the defeat of this vicious bill; and be it finally

*Resolved,* That copies of this resolution be sent to the National CIO; the International Union UAW-CIO; regional office, UAW-CIO; Senators SCOTT LUCAS and WAYLAND BROOKS; and to the Congressmen from the Chicago area.

Passed this 25th day of April 1948.

AMALGAMATED LOCAL 453, UAW-CIO.

---

CHICAGO, ILL., *May 11, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

The Chicago Teachers' Union, representing 7,200 public-school teachers in Chicago, affiliated with the American Illinois and Chicago Federations of Labor, respectfully, requests that you oppose the Mundt bill. The teachers' union believes this bill is un-American and dangerous to the liberties of loyal American citizens.

JOHN M. FEWKES,
*President.*

---

CHICAGO, ILL., *May 11, 1948.*

Congressman FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

On behalf of the membership of Local 107, UFEMWA, CIO, we demand your unqualified opposition to the Subversive Activities Control Act 1948, when same appears for House action. This legislative monstrosity would by its discretionary powers make the Attorney General more powerful than the Congress of the United States.

EXECUTIVE BOARD OF LOCAL 107.

---

CHICAGO, ILL., *May 11, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Urge you to vote against Mundt bill, H. R. 5852. Measure is dangerous and unconstitutional. It will not serve its stated purpose against communism. Bill a dangerous threat against basic civil liberties of Americans.

MICHAEL MANN,
*Secretary, Chicago Industrial Union Council, CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Mundt bill, H. R. 5852, is most reactionary union-busting piece of proposed legislation ever to appear before Halls of Congress. I urge you to fight this bill in all forms as real threat to civil liberties.

T. A. GRIMM,
*Legislative Director, USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Provisions of Mundt bill, H. R. 5852, contain all that is necessary to bring fascism to America. Represents threat to American labor movement, civil liberties, democracy. Urge you to fight this bill with all your power.

JULIUS CRANE,
*Executive Director, USWA-CIO.*

---

SMASH MUNDT-NIXON POLICE-STATE BILL

(Statement by the resident board of the American Slav Congress)

The resident board of the National Committee of the American Slav Congress, meeting in New York May 7, 1948, condemns the Mundt-Nixon Subversive Activities Control Act of 1948 (H. R. 5852) as a monstrous attempt on the part of the House Committee on Un-American Activities to destroy the basic constitutional rights and liberties of the American people and introduce police-state methods, thus going a long way toward establishing in these United States exactly what this bill ostensibly aims to prevent, namely, a totalitarian dictatorship.

We agree with Henry Wallace that this bill is a legislative device by which "we are being plunged on the road to fascism," behind the smoke screen of the Red menace, and that this is a measure "which would, in effect, make any advocate of peaceful understanding in the world an international conspirator."

In this sense, the Mundt-Nixon bill holds a special danger for all Slavic Americans who dare express their admiration for the rapid industrial, political, and cultural advancement of the peoples of their native lands in eastern Europe.

Following the familiar Nazi pattern of exposing and destroying communism and communistic-front organizations, the bill states, without supplying any proof, that there exists a world-wide Communist conspiracy, directed by a foreign totalitarian power, which aims to destroy free American institutions and establish a totalitarian dictatorship in the United States under the domination of a foreign power. The authors of this bill propose to destroy this imaginary conspiracy by the enactment of a law that provides 10 years' imprisonment and $10,000 fine for anyone who in any way helps or abates this conspiracy.

Any Slavic American or Slavic American organization that criticizes the American foreign policy, advocates friendship with Slavic countries, opposes ERP, condemns the United States position on Palestine, or protests against the enactment of the draft and UMT could, under this law, be charged with facilitating the establishment of a dictatorship by weakening our country through the dissemination of propaganda calculated to undermine its institutions.

Every individual and organization that protests against armament appropriations and advocates better social security, Federal housing and price control would be open to a similar charge.

Every trade-union leader who calls a strike for the betterment of working conditions and higher wages could be charged with "facilitating or aiding in bringing about the establishment of a totalitarian dictatorship." Every official of that union could be charged with active participation in the management of a "movement to facilitate or aid in bringing about the establishment of such a dictatorship."

Every individual or organization which fights against racial discrimination, refuses to obey segregation laws and ordinances, calls or participates in mass meetings or other forms of activity to put pressure on the Congress to enact the FEPC, antilynch and anti-poll-tax laws, would be open to the charge of aiding in bringing about the establishment of a totalitarian dictatorship by inciting social and racial strife.

In brief, this bill would set up the machinery for a full-blown police state, American style. It is directed primarily against the Wallace movement and confirms Wallace's statement that the main menace to our freedom comes not from abroad but from "home-grown fascism."

The Mundt bill sweeps away the Bill of Rights and substitutes the police state. It is not sufficient to call this proposed law unconstitutional. It is more than that. The bill, if passed, will replace our democratic institutions with a state where freedom to think or to speak freely will be completely lost.

If this measure becomes law, constitutional democracy will disappear. Instead, a horde of FBI men will be prying into your homes, your meeting places, your organizations in order to determine whether you are a member of a "Communist political organization" or a "Communist-front organization." And the language of the bill is so broad, so vast in purpose, that it encompasses everybody who has any desire to better himself or his family in any manner or make this world a better place to live in.

This bill, if enacted into law, would make a mockery of the democratic traditions of our country and would bring shame upon the name of America before all freedom-loving peoples of the world.

The New York Post was absolutely right when it wrote editorially that "no decent citizen could come near it—the bill—without protecting his nose with a clothespin."

Even Gov. Thomas E. Dewey, of New York, certainly no "fellow traveler" has declared that: "This bill is thought control borrowed from the Japanese war leadership and is an attempt to beat down ideas with a club. It is a surrender of everything we believe in."

Justice William C. Douglas stated at the Altgeld centennial on December 30, 1947: "A people indifferent to their civil liberties do not deserve to keep them, and in this revolutionary age may not be expected to keep them long. A people who proclaim their civil liberties, but extend them only to preferred groups, start down the path to totalitarianism."

It goes without saying that the defeat of this bill should be the major task of every Slavic-American organization, of every American of Slav descent, as well as of all other Americans who believe in democracy.

We, therefore, call upon our State and city committees, affiliated organizations, and upon the millions of progressive Slavic Americans to immediately wire or write their Congressmen and Senators urging them to vote down this un-American vill.

LEO KRZYCKI,
*President.*
ZLATKO BALOKOVIC,
*Chairman, Resident Board.*
GEORGE PIRINSKY,
*Executive Secretary.*

---

NATIONAL LAWYERS GUILD,
*Chicago, Ill., May 11, 1948.*

The Chicago Chapter of the National Lawyers Guild issued a statement today condemning the Mundt-Nixon antisubversive bill on the ground that it violates every fundamental precept of American constitutional law.

In issuing the statement, George L. Siegel, president of the chapter, said: "The purpose of this bill is to regiment American social and political thinking."

The Chicago Chapter of the National Lawyers Guild represents lawyers of many different political opinions but who are one in their devotion to the Constitution and in their desire to retain unimpaired the freedoms safeguarded by the Bill of Rights. Consciousness of this obligation impels the Chicago Guild to speak out firmly against the invasions of fundamental constitutional liberties which the bill authorizes.

We believe the bill, in the breadth of its scope and in the vagueness of its terminology, to be violative of due process requirements. We believe that the bill, by its registration and so-called "exposure" provisions, imposes prior restraints on freedom of political thought, expression, and action contrary to the first amendment. We believe further that the first amendment is violated by the criminal penalties against peaceful speech and action and by the ban on freedom of association. We believe that the bill, by leveling its sights and imposing its sanctions on a specifically designated section of American citizenry, recreates what was anathema to the framers of the Constitution and what was specifically outlawed by that document—the Bill of Attainder.

The Chicago Guild believes with the United States Supreme Court and with most Americans that freedom of thought and action is of the essence of democracy, that when such freedom is denied any individual or group in our country, democracy is maimed and imperiled. The Mundt-Nixon bill, if passed, will pave the way for the suppression of independent thinking and the imposition of a hateful system of thought-control. Coerced orthodoxy cannot fail but to lead, as the Supreme Court has stated, to the "unanimity of the grave."

The executive board of the Chicago Chapter of the National Lawyers Guild has given careful consideration to the Mundt-Nixon Subversive Activities Control Act of 1948, recently reported out favorably by the House Committee on Un-American Activities.

The executive board is firmly persuaded that the bill is inimical to the spirit and letter of the Bill of Rights and represents an alarming intrusion upon the freedom of political thought and action which is so deeply rooted in the American way of life.

The bill alleges that there is a world Communist movement controlled by a foreign country, that there are Communist political organizations and Communist-front organizations in many countries which do the bidding of that country and that the "recent successes of Communist methods in other countries" present a "clear and present danger" to the security of the United States and require legislation to ward off that danger.

The bill attempts to safeguard the security of America by a requirement that all Communist political and front organizations—as such terms are broadly but nonetheless vaguely defined—register with the Attorney General of the United States and file annual registration statements which are to be kept open for public inspection. Communist political organizations must register the names of their officers and members and give a detailed accounting of the sources and uses of their funds. Front organizations are subject to the same requirements except that they need not register the names of their members. The Attorney General is given broad powers to investigate and determine whether any group is a Communist political or front organization, and if he finds affirmatively, to require the organization to register. The Attorney General's findings, "if supported by substantial evidence," are made conclusive on the courts in case judicial review is sought.

The bill creates a whole new series of crimes, many of them based on a concept hitherto unknown to the American system of law. The bill makes it a criminal offense:

1. "To attempt in any manner" to establish in the United States a "totalitarian dictatorship," a phrase left undefined in the bill.

2. For a member of a Communist political organization, if he knows or has reason to believe that the organization is of such character, to seek or accept employment under the United States unless he first reveals his membership in the organization; or, whether or not he reveals his membership, to continue to hold any nonelective employment under the United States;

3. For a member of a Communist political organization, if he knows or has reason to believe that the organization is of such character, to apply for a passport or to make use of one previously issued to him;

4. To become or remain a member of a Communist political organization if the organization fails to register as required;

5 For a Communist political or front organization to disseminate matter through the mails or over the radio unless the publication or broadcast is identified as coming from a Communist organization.

The penalties provided by the bill are severe including fines up to $10,000 or imprisonment up to 10 years, or both, and a minimum penalty of 2 years imprisonment and/or $5,000 fine for violation of certain sections.

The Chicago chapter of the National Lawyers Guild represents lawyers of many different political opinions but who are one in their devotion to the Constitution and in their desire to retain unimpaired the freedoms safeguarded by the Bill of Rights. Consciousness of this obligation impels the Chicago Guild to speak out firmly against the invasions of fundamental constitutional liberties which the bill authorizes.

We believe the bill, in the breadth of its scope and in the vagueness of its terminology, to be violative of due process requirements. We believe that the bill, by its registration and so-called exposure provisions, imposes prior restraints on freedom of political thought, expression, and action contrary to the first amendment. We believe further that the first amendment is violated by the criminal penalties against peaceful speech and action and by the ban on freedom of association. We believe that the bill, by leveling its sights and imposing its sanctions on a specifically designated section of American citizenry, recreates what was anathema to the framers of the Constitution and what was specifically outlawed by that document—the bill of attainder.

Finally, we believe that the bill is unconstitutional in making acts criminal solely because they are performed by adherents of a particular political faith or by members of a particular organization. Basic to American law is the concept that the criminality of an act depends on the nature of the act, not on the political orientation of the one who commits it; that the commission of the proscribed act constitutes the offense, without regard to whether the offender be rich or poor, Republican or Democrat or Communist. The bill violates these fundamental principles. Application for or use of a passport is lawful for everyone except members of a defined political group and is made unlawful for the latter solely because of their political faith. The seeking of Federal employment without revelation of political belief, lawful to everyone else, is unlawful to members of that group for the same reason. The Bill of Rights protects all citizens, including those who entertain minority political beliefs.

The Chicago Guild believes, with the United States Supreme Court and with most Americans, that freedom of thought and action is of the essence of democracy, that when such freedom is denied any individual or group in our country democracy is maimed and imperiled. The Mundt-Nixon bill, if passed, will pave the way for the suppression of independent thinking and the imposition of a hateful system of thought control. Coerced orthodoxy cannot fail but to lead, as the Supreme Court has stated to the "unanimity of the grave."

The secretary is directed to send copies of this statement to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, members of the Illinois delegation in the Congress, and representatives of the Chicago press.

---

LOCAL 1154, UNITED ELECTRICAL, RADIO, AND MACHINE WORKERS OF AMERICA,
*Chicago, Ill., May 10, 1948.*

Representative FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.*

DEAR SIR: The enclosed resolution was passed unanimously at a membership meeting of local 1154 UE. This local represents 2,800 workers in the Stewart-Warner plant, many of whom are your constituents.

Very truly yours,
JOHN S. KELLIHER,
*President.*

---

RESOLUTION ON MUNDT BILL PASSED BY LOCAL 1154, UERMWA-CIO

The House Un-American Activities Committee, under the pretext of only combating communism, throughout its 10-year history has consistently badgered the progressive forces of the United States. Its smear-and-run program has cost a great number of Americans their means of livelihood. Because of its actions, it has been condemned by the CIO and the UE in convention.

This form of attack on leaders of trade-unions and any liberal-minded Americans has now been developed to the legislative stage where the Un-American Activities Committee plans to have passed a bill, the Subversive Activities Control Act, which would restrict Americans in their political and economic thinking to the narrow terms acceptable to the Un-American Activities Committee, thereby destroying the sinews of democracy in America.

Using the Communist issue as a front, the Un-American Activities Committee calls for the virtual outlawing of trade-unions through the clause providing imprisonment of any American "who conspires to disrupt the trade, commerce, or Government of the United States with the intent to further the objectives of the world Communist movement."

The bill calls for the Communist Party or any "front" organization to register the names and addresses of every member and list their sources of funds and expenditures. All publications and envelopes sent through the mails would have to be marked "disseminated by ——— ———, a Communist-front organization." Any organization that differs in its political or social views from this Un-American Activities Committee has been and will continue to be labeled a "front" group.

Because this bill will definitely tear into shreds our Bill of Rights, will end the cherished American rights of freedom of speech, thought, and assembly, we members of local 1154 UE-CIO here assembled in regular meeting therefore:

*Resolve*, That our Congressmen work against and vote against this Subversive Activities Control Act of 1948 to see that it is defeated; and be it further

*Resolved*, That our Congressmen work for the passage of the Sabath resolution that calls for the abolition of the notorious House Un-American Activities Committee.

---

CHICAGO, ILL., *May 12, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

On behalf of over 7,000 workers employed in 31 Chicago machine shops who are represented by UE-CIO, Local 1114, we, the undersigned officers of the local, wish to make clear to you, our Representatives, that we are unalterably opposed to the un-American Mundt bill, H. R. 5852, which seeks to impose upon the American people a Hitlerite Fascist dictatorship. This bill violates the first, fifth, thirteenth, and fourteenth amendments to the United States Constitution, under the pretext of fighting against a so-called world Communist conspiracy. Just as Hitler and Mussolini used the big lie to first enslave the German and Italian people and then attempted to conquer and enslave the world, the Mundt bill would first outlaw the Communist Party and every trade union and progressive organization and individual in America which fought for higher wages, better working conditions, social security, housing, civil rights, democracy, and peace. If you wanted these things and the Communists wanted the same things, you and your organization would be called subversive and subject to fines and imprisonment. We call upon you to do everything within your power to defeat this despicable police-state bill.

Pasko Soso, President; William Conway, First Vice President; Austin Sullivan, Second Vice President; Louis Abbate, Third Vice President; James Butler, Recording Secretary; Charles Jeske, Financial Secretary; Edward Dailey, Treasurer; Louis Torre, Business Manager; Fred Anderson, Trustee; Clarence Coleman, Trustee; Paul Dublinski, Trustee; Richard Keith, Trustee; James Small, Trustee; Thomas Skinner, Sergeant-at-Arms.

CHICAGO, ILL., *May 12, 1948.*

Hon FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

On the part of 5,500 Chicago shoe workers I implore you to do all in your power to defeat the omnibus bill H. R. 5852. This bill is first step in curbing civil liberties, crushing trade unions, and is opening wedge toward totalitarianism in America.

GENE BARILE,
*Secretary Joint Council No. 25, USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Mundt bill H. R. 5852 is a definite threat to the American labor movement, civil liberties, and American democratic ideals. Urge you to fight this Fascist bill.

CLELL TADE,
*B. A. Locals 51B and 52C USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Most serious threat to civil liberties, trade unions, and democracy is contained in Mundt bill H. R. 5852. Urge you and your colleagues to fight and defeat this bill.

TIM MANALE,
*B. A. Local 49A, USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

The Mundt bill E. R. 5852 is first step toward fascism in America. Urge you to do all in your power to defeat this bill.

JAMES BRINGLE,
*B. A. Locals 48 and 80, USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Hon. FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

Local 194, Food, Tobacco and Agricultural Workers, CIO, representing 4,500 members and their families in the city of Chicago urges most strongly that you vote against the Mundt-Nixon subversive activities control bill. This bill would repeal the freedoms of speech, thought, and press guaranteed by the Bill of Rights in the United States Constitution and establish a police state here in America.

JOHN GALLAGHER,
*President,*
VERONICA KRYZAN,
*Secretary-Treasurer,*
*Local 194, FTA, CIO.*

---

NEW YORK, N. Y., *May 3, 1948.*

Hon. FRED E. BUSBEY,
*Washington, D. C.:*

National Council of National Maritime Union in behalf of 90,000 members condemns Mundt bill, H. R. 5852, subversive activities control bill, as attack on constitutional rights of American people and attempt to smash trade unions. Urge you oppose this police thought-control measure.

FERDINAND C. SMITH,
*National Secretary.*

---

NEW YORK, N. Y., *May 11, 1948.*

Congressman BUSBEY,
*House Office Building,*
*Washington, D. C.:*

The Transport Workers Union of America, CIO, vigorously opposes the Mundt-Nixon bill, H. R. 5852, as an infamous piece of pro-Fascist legislation designed to enslave the American labor movement. We urge you to vote against it and use your influence to see that it is defeated.

MICHAEL J. QUILL,
*International President,*
DOUGLAS L. MCMAHON,
*International Secretary-Treasurer.*

CHICAGO, ILL., *May 12, 1948.*

FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

The Mundt bill, H. R. 5852, must be defeated as this bill represents real threat to civil liberties, progressive thinking, and American democracy. Urge you to fight against its enactment.

JACK SPIEGEL,
*B. A. Locals 69 and 81, USWA-CIO.*

---

CHICAGO, ILL., *May 12, 1948.*

Representative FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.:*

We urge you to vote against the Mundt bill because it threatens a political freedom of all Americans and we urge you to work for the passage of the Sabath resolution which would abolish the Un-American Activities Committee.

THE NINETEENTH WARD CLUB OF THE PROGRESSIVE PARTY OF COOK COUNTY.

---

AMERICAN CIVIL LIBERTIES UNION,
*New York City, May 3, 1948.*

DEAR MR. CONGRESSMAN: May we express our opposition to H. R. 5852 reported by the Un-American Activities Committee, a bill to control Communist activities.

We have no sympathy or associations with communism, but we are opposed to any such restrictions as are fixed in this bill.

Democracy is not to be defended by adopting antidemocratic methods. Mere opinions and associations should not be penalized. The bill does not only that, but denies basic rights to American citizens solely because of their opinions and associations.

In our judgment the bill is clearly unconstitutional. It is in fact a bill of attainder, usurping the function of the courts to determine offenses and punishments.

It is furthermore unwise public policy, for it would have the inevitable effect of driving the Communist movement underground where it would be much more difficult to combat.

May we earnestly urge your adverse vote against so unprecedented a proposal in clear conflict with our constitutional guaranties.

Sincerely yours.

ARTHUR GARFIELD HAYS,
*General Counsel.*

---

THE AMERICAN VETERANS COMMITTEE,
*Chicago, Ill., May 5, 1948.*

Representative FRED E. BUSBEY,
*House Office Building,*
*Washington, D. C.*

DEAR SIR: Enclosed is a copy of a resolution on the Subversive Activities Control Act, 1948, passed by the Chicago Area Council, American Veterans Committee, at its regular meeting Friday, April 30, 1948.

Very truly yours,

SEYMOUR L. GALE,
*Chairman, Chicago Area Council,*
*American Veterans Committee.*

---

CHICAGO AREA COUNCIL,
AMERICANS VETERANS COMMITTEE,
*Chicago, Ill.*

Whereas on the 28th day of April 1948, the House Un-American Activities Committee reported out a so-called get-tough-with-Communists bill; and

Whereas the constitutional basis for the suppression proposed therein must be that the individuals and organizations named are engaged in seditious or treasonable acts; and

Whereas the measures proposed will constitute certain individuals and groups as unlawful not upon the basis of traditional American judicial methods, but rather by legislative determination; and

Whereas outlawing groups and individuals for professing political beliefs is repugnant

to the democratic principles of this country and probably violates the constitutional guaranty of the citizens of the United States; and

Whereas if the groups and individuals sought to be suppressed are actually engaging in seditious or treasonable acts, it is the duty of our Government to bring the lawbreakers to trial so they can be punished for their misdeeds in accordance with established judicial procedure; and

Whereas we see in the legislation proposed the establishment by Congress of an evil that can be as great as that which it seeks to destroy, legislation that will undermine the traditional and time-proved safeguards of the civil liberties of our fellow citizens, substituting the totalitarian pattern of destroying all thought contrary to the majority view of the country's political leaders;

Now, therefore, we the members of the Chicago Area Council of the American Veterans Committee, an organization of over 4,000 veterans residing in the Chicago area, who have just fought a war for the purpose of safeguarding the democratic principles which this legislation serves to destroy and who have consistently forthrightly and militantly rejected Communist doctrine and leadership, call upon the Members of Congress to oppose and defeat with all the vigor that they possess, this un-American proposal.

---

THE STUDENT ASSEMBLY,
*The University of Chicago.*

RESOLUTION ON H. R. 5852

Whereas there has been introduced in Congress H. R. 5852, a bill to combat Un-American activities by requiring the registration of Communist front organizations and for other purposes;

Whereas this bill required registration of, and prohibits Federal employment of and issuance of passports to, members of organizations very loosely defined and administratively determined as Communist front;

Whereas there exist at the University of Chicago, a Communist club and other organizations which the Attorney General would, without any doubt, require to register their membership;

Whereas such requirements do, in the present political atmosphere constitute an effort at intimidation and place these organizations at a legal disadvantage;

Whereas all student organizations which do not engage in unlawful pursuits have an unequivocal right to carry on their activities and propagate their views unhampered by such intimation: Therefore be it

*Resolved,* That the University of Chicago student assembly, on behalf of the student body, strongly protest the initiation of such legislation and oppose its enactment, and that the public relations committee is hereby authorized to give this resolution adequate publicity and that telegrams be sent to Congress tonight.

LOIS E. JACOBS, *President.*

Adopted May 5, 1948.

---

COMMITTEE OF ONE THOUSAND
TO ABOLISH THE HOUSE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
*New York, N. Y., May 5, 1948.*

DEAR CONGRESSMAN BUSBEY: We are enclosing a statement released to the press and signed by 167 noted individuals, all sponsors of the Committee of One Thousand, urging the defeat of the Subversive Activities Control Act of 1948, and the abolition of the House Committee on Un-American Activities.

We are eager for your comments on this legislation and we look forward to your reply.

Sincerely yours,

PAUL ZIPORKIS.

COMMITTEE OF ONE THOUSAND,
*New York, N. Y., April 23, 1948.*

STATEMENT ON PROPOSED SUBVERSIVE ACTIVITIES CONTROL ACT OF 1948

We review with critical concern and apprehension the proposals for a Subversive Activities Control Act of 1948, to be recommended to Congress by the House Committee on Un-American Activities, because of this committee's history of almost complete disregard of the liberties which this legislation purports to defend.

The committee has been in existence for about 10 years. Its record was succinctly summarized on January 20, 1947, by the board of directors of the American Civil Liberties Union—an organization which the Dies committee itself publicly absolved of any Communist taint. Referring to the present committee and its predecessors, the board said:

"The principal effect of the committees' probes has been the unwarranted discrediting of genuine liberals who have been earnestly and sincerely seeking needed reforms, particularly in the field of labor, monopolies, and race relations. This has been accomplished by smear methods, innuendo, distortion, and other propagandistic devices reminiscent of Fascist techniques. Nothing in recent years has been as un-American as the conduct of the hearings of the Congressional Committee on Un-Americanism."

That Congress is to be asked by a committee whose conduct has been so described to safeguard the American way of life deserves serious thought.

The committee has announced that it will propose legislation which purports to do the following:

1. Make illegal the knowing and willful advocacy of the overthrow of the Government of the United States by any means for the purpose of subverting the interest of the United States to that of a foreign Communist power.

2. Require the registration of Communist-front organizations as proposed in the Mundt bill (H. R. 5852).

3. Deny Government employment to Communists.

4. Deny passports to Communist Party members.

The committee suggests additional legislation to—

1. Increase the penalty for contempt of Congress from 1 to 5 years, and from $1,000 to $5,000 fine.

2. Strengthen the espionage laws.

3. Require aliens to register annually.

We cannot be unmindful of the fact that for 10 years the House Committee on Un-American Activities not only has attacked Communists, but has stamped subversive all those whose opinions it found unpalatable. It has exhibited an unwillingness, as Prof. Walter Gellhorn said, "to tolerate those whose estimates of current problems do not match its own."

That this bill is primarily a request by the committee for legislative sanction to accelerate its drive to squeeze all opinion and activity into the channels of conformity is obvious from the following definitions contained in the Mundt bill and approved for incorporation:

"SEC. 3. * * * (2) the term 'Communist Party' means the political party now known as the Communist Party of the United States of America, regardless of any change hereafter made in such name; and such term includes, irrespective of its name, any organization carrying out the policies of, or engaged in the same character of activities as, the Communist Party of the United States as it now exists and operates;

"(3) the term 'Communist-front organization' means—

"(A) the Communist Party; or

"(B) any organization which engages in any activity intended, or which it is reasonable to believe is intended, to further the objective of

"(i) bringing about replacement of the existing form of government of the United States with a Communist form of government, or

"(ii) bringing about replacement of free private enterprise in the United States with a Communist economic system, or

"(iii) bringing about acceptance, in the United States, of Communist ideology; or

"(C) any organization which is under the control or influence of the Communist Party."

We are aware of no legislative act that does greater violence to the principles which have guided our country to greatness—the encouragement of criticism and the toleration of disssent. If this bill is enacted, persons and organizations espousing such current controversial causes as the partition of Palestine, the repeal of the Taft-Hartley law, civilian control of atomic energy, antilynch laws, and national health insurance may be subject, if not to criminal action, to abusive investigation and disparaging publicity. They become open to the charge of engaging in the same character of activities as the Communist Party of the United States, or being under its control or influence. "America," Prof. Henry Steele Commager said, "was born of revolt, flourished on dissent, became great through experimentation."

We condemn what seems to us to be an effort to utilize the unsettled state of international affairs and political discord both at home and abroad to impose upon Americans modern alien and sedition acts, the wisdom of which our history has long since disproved. On the basis of the record of the Committee on Un-American Activities, we believe we are justified in discounting this body's estimate of the dangers that face our country. We do not believe we can be charged with ingratitude for refusing their offer to protect our liberties. Instead we propose to Congress the alternative to a government by terror—the defeat of the Supversive Activities Control Act of 1948 and the abolition of the House Committee on Un-American Activities. By so doing we reaffirm our confidence in the strength and virtue of the Constitution of the United States and our faith in the American people.

Complete list of signers of the statement follows:

Rev. B. S. Abernethy, Rev. Dr. Charles B. Ackley, Prof. Comfort A. Adams, Rev. Frank D. Adams, Dr. James Luther Adams, Dr. James W. Alexander, Milton Avery, Rev. Lee H. Ball, Dr. Ruth Benedict, William R. Benet, Rev. Walter L. Bennett, Edward Biberman, George Biddle, Dr. A. F. Blakeslee, Rabbi Herbert I. Bloom, Ernst P. Boas, M. D., Prof. Campbell Bonner, Prof. Edwin G. Boring, Mrs. W. Russell Bowie, Van Wyck Brooks, Rev. J. George Butler, Henry Seidel Canby, Rev. Dr. J. Henry Carpenter.

Robert Carse, Ruthven S. Chalmers, Rev. Thaddeus Clapp, Robert M. Coates, Rev. Albert Buckner Coe, Charles H. Colvin, Aaron Copland, Dr. George W. Corner, John O. Crane, Charles P. Curtis, Jr., Prof. George Dahl, John Dewey, Prof. J. Frank Dobie, Olin Downes, W. E. B. DuBois, Rev. Hubert N. Dukes, Rev. Charles E. Dunn, Leslie C. Dunn, Philip Dunne, Rev. J. Edwin Elder, Aymar Embury II, Dr. Thomas I. Emerson, William Emerson, Rev. Thomas D. Ewing, Prof. John K. Fairbank, Rev. Ralph M. Felix.

Don Freeman, Prof. Joseph F. Fletcher, Rev. Stephen H. Fritchman, Dean Christian Gauss, Rev. William H. Geron, J. W. Gitt, John C. Granbery, Prof. Walter Gropius, Ernest A. Grunsfeld, Jr., Rev. Armand Guerrero, Rev. Wm. D. Hammond, Prof. Georgia Harkness, Prof, Marion Hathway, Rev. Paul Silas Heath, Zoltan Hecht, Rev. Chester E. Hodgson, Prof. Leicester B. Holland, Dr. Bryn J. Hovde, M. A. DeWolfe Howe, Rev. Fleming James, Sr., Rev. John Paul Jones, Rev. Albert W. Kauffman, Rev. Allen Keedy.

Dean Hayward Keniston, Robert P. Knight, M. D., Dr. I. M. Koethoff, Rev. Virgin A. Kraft, Alfred Kreymborg, William F. Kruse, Stella M. Landis, Dr. Andrew C. Lawson, Rabbi Morris S. Lazaron, Philip E. Lilienthal, Prof. Ralph Linton, Rev. Herman F. Lion, Oliver S. Loud, Rev. Virgil E. Lowder, Prof. Robert H. Lowie, Elizabeth McCausland.

Carey McWilliams, Curtis D. MacDougall, Dr. Percy MacKaye, Charles A. Madison, Rev. H. P. Marley, Daniel Gregory Mason, Gregory Mason, Prof. Kirtley F. Mather, Rev. Robert Mayhew, Dr. S. A. Mitchell, Dr. Wesley C. Mitchell, Prof. Arthur B. Moehlman, Prof. M. F. Ashley Montagu, Marianne C. Moore, Dr. P. Morrison.

Lewis Mumford, Prof. Robert Hastings Nichols, Rev. Justin Wroe Nixon, Rev. Edward W. Ohrenstein, Frederick Law Olmsted, Rev. George L. Paine, Rev. Clay E. Palmer, Prof. Edwin Panofsky, Rev. Don Ivan Patch, Prof. Ernest M. Patterson, Will Payne, Rev. Leslie T. Pennington, Prof. Melba Phillips, Rosa Pringle, Rev. Karl Quimby, Prof. Walter Rautenstrauch, Anton Refregier, Anne Revere, Oscar K. Rice, Rev. Frank Ricker, Rev. B. C. Robeson, Prof. Margaret Schlauch, Arthur Schnabel, Rev. Walter A. Scholten, Rev. Robert W. Searle.

Mrs. Mary Kingsbury Simkhovitch, The Rev. Dewees F. Singley, John Sloan, The Rev. Robert D. Smith, Rev. William B. Spofford, Jr., O. M. W. Sprague, Vilhjalmur Stefansson, Dr. Arthur G. Steinberg, Philip Stevenson, Rev. Howard L. Stimmel, Rex Stout, Prof. Richard M. Sutton, Prof. J. S. P. Tatlock, Prof. C. F. Taylor, Prof. Lloyd W. Taylor, Rev. L. F. Thornton, Jr., Rev. W. G. Towart, Louis Untermeyer, Willard Uphaus.

Mark Van Doren, Willard Van Dyke, Prof. Oswald Veblen, Dr. Maurice B. Visscher, J. Raymond Walsh, Prof. Eda Lou Walton, Max Weber, Rev. W. A. Werth, Prof. F. W. Weymouth, Rev. Hugh V. White, Rev. Frank S. C. Wicks, Prof. Henry N. Wieman, Prof. Eugene P. Wigner, Rev. David Rhys Williams, Rev. Lynn A. Wood, Prof. Quincy Wright, Bishop R. R. Wright, Jr., Prof. Sewall Wright, Rev. James D. Wyker, Dr. Robert M. Yerkes, Leane Zugsmith.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 35 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, during the course of the day we have heard the motives of one gentleman impugned because of his religion, and the motives of a gentlewoman impugned in presenting the views of an eminent cleric. I am not speaking for my co-religionists today. I will speak for those American citizens who live in my district, most of whom believe in their Bible, and when I say Bible, I mean both the Old and New Testaments. Two challenges have been thrown today to those who oppose this measure. One challenge asked that we point to specific provisions of the Constitution which may be violated by enactment of this legislation. There have been ample citation of decisions of the Supreme Court of the United States on the subject. For those who want to read, I suggest they read article I, section 9; article III, section 2, and the first and sixth amendments of the Constitution. The second challenge that has been hurled at those who oppose this measure has been in the nature of an inquiry: What do you want to do about this matter? What do you want to do by way of amendments? My answer to those inquiries is that we move to recommit the bill to the committee with instructions to hold public hearings on the new matter in this bill, some 17 or 18 pages of printed matter, on which there were no public hearings. At such hearings we can then come in and be heard to urge our respective amendments, instead of trying to prepare a bill of this kind of so important a nature on the floor of the House.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. McDOWELL. The gentleman told the House, I believe, on Friday that he had more Communists in his district than in any other congressional district?

Mr. MULTER. That is the fact.

Mr. McDOWELL. Would you want those Communists or any of their representatives to come here and tell the Committee on Un-American Activities how to write this bill?

Mr. MULTER. I am afraid you cannot help yourself as to that. Unless you repeal the first amendment of the Constitution, you would have to hear them. Much as I dislike what they say, and much as I think they would try to impede your work, we could nevertheless handle them and do a good job at your public hearings.

Mr. McDOWELL. May I tell the gentleman then that I believe we invited five of them down at various times. Four refused to come. One or two are on their way to jail because of their refusal to come. Another one came and spent 25 minutes insulting the committee. The Committee on Un-American Activities is in a difficult position and there are some things we do not want to take again.

Mr. MULTER. May I suggest then that you invite the respectable Members of the House to such a hearing so that you can sit down with us, the Members who are serious about this, and hear what we have to say, and permit us to urge proper amendments to this bill.

Mr. McDOWELL. May I suggest to the gentleman from New York that that is what we are doing here today. We are having a hearing on the bill today to do something about subversive activities in the United States.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. EBERHARTER. The committee is not accepting any suggestions made by those in opposition to the bill. They wrote the bill and brought it in here, and now suggestions are being made, and they fight every amendment. So the argument of the gentleman from Pennsylvania [Mr. McDOWELL] falls. This is not a hearing.

Mr. McDOWELL. Two amendments have been accepted by the committee.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. Yes, I yield.

Mr. MARCANTONIO. I think that we should also at this time nail the statement in the report which gives the impression that the Attorney General and others testified in favor of this particular legislation. I say that the hearings do not bear that out, and I say that the Attorney General himself will not support the contention.

Mr. MULTER. So far as I know, this is the first piece of legislation suggested by the Committee on Un-American Activities and its predecessor, both of which have been laboring for a period of about 10 years. There is no need for haste in enacting this bill. All of the arguments thus far very plainly indicate that there is no clear and present danger to the security of the United States that requires the immediate enactment of this bill. Any bill as far-reaching as this, obviously going contrary to American traditions of justice, should receive much more careful and thorough consideration than can be obtained by attempting to offer amendments under the 5-minute rule. Few, if any, amendments that must be offered to this bill can be explained within the 5 minutes allowed to the Member offering the amendment.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

The gentleman from Pennsylvania [Mr. BUCHANAN] is recognized for 4½ minutes.

Mr. BUCHANAN. Mr. Chairman, the gentleman from California [Mr. HOLIFIELD] has offered an amendment to strike out the words "clear and present danger" and substitute the word "potential."

A war enforces an uneasy national unity, but when it is over, a lot of people are disposed to work off the grudges built up in wartime and say to themselves, "Now that we have licked the enemy outside, let us finish off those so-and-so's next door." The question of national unity, the question of a clear and present danger brings to my mind a recurrence of what followed after World War I. In 1918 and 1921 there were charges of disloyalty; deportations; the wrecking of the New York office of the Call; and "veterans" and "wobblies" clashing in the Northwest. Those were all episodes of the period following that war, in which the great Red scare was on.

Now, as we want no reoccurrence of those events today. Let us examine the differences between the two periods. The principal root of all movements is fear. Fear is usually mixed with prejudice, and heightened by hysteria. I want to point out, and I believe I can support my contention with observations of leading historians and sociologists, that national unity today, to a greater degree, is far better than it was during World War I and following World War I. If you will recall, then Debs was imprisoned and the Socialists were under suspicion, but today we find the leader of the Socialists, Norman Thomas, probably the best known outspoken exponent of opposition to communism and Communists. In this early period, of course, fear sprang chiefly from the evidences of disunity; signs of national disunity. Today, few

are troubled by ideas of domestic disruption. It is external rather than internal peril that takes first place in men's apprehensions. National unity, as the second World War shows, has grown steadily in recent years. Today, it is an external threat more so than an internal threat. A believer in Russian communism today cannot take shelter behind the Constitution. He is a believer in a police state of the most ruthless character, a system of secret arrests, a system of dictated convictions, of purges, and concentration camps. He believes in a system which has killed, imprisoned, or exiled many millions, whereas czarism has killed and jailed thousands.

Bear in mind one fundamental fact that majority rule will only be loyally accepted so long as it respects the basic rights of minorities.

Let us clarify the broad, sweeping assertions and loose statements in this proposed legislation. It is confusing at best.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The gentleman from Pennsylvania [Mr. CHADWICK] is recognized.

Mr. CHADWICK. Mr. Chairman, I am particularly anxious to speak on this amendment, because it so sufficiently points to a question which has plagued me in respect to this bill, not merely since it was introduced by the gentleman from South Dakota [Mr. MUNDT] but many months and even years before that. I have given very serious consideration to the threat of communism as we find it abroad and at home, and I had reached the conclusion as long ago as October 1946—that we would finally find that we could not by legislative measures, short of a constitutional amendment, find any relief or remedy against this conspiratorial plague which is working upon our political and economic system like a cancer.

I approached this bill therefore, the hard way, with the preconceived notion that it was impractical to accomplish this purpose in any other way than by a constitutional amendment.

As a matter of fact I found time to appear before this committee while they were considering this very act and made a brief statement, in which I included a reference to the fact that I had reached such a conclusion, and had actually prepared such a constitutional amendment a long time ago. The only reason I have not presented it in this House is because I did not propose to be the first American to admit that any threat, internal or external, could so drive home the iron into our soul of the admission that our American system, with its very fundamental basis of free speech, would have to surrender part of its genius in order to meet such an attack.

But when I examined this bill, originally prepared by the gentleman from South Dakota, and now perfected by this committee, most ably and most conscientiously and most carefully, I reached the conclusion that they had found a touchstone that might solve the problem which presented itself to me.

As I read this bill, its basic concept is the prohibition of certain activities in America which might well be legal if they were indigenous, if they were merely American radicalism in the American fashion, but which are so polluted by the influence and control of outside agencies that it becomes possible for the Congress in the first instance, and the courts in the second instance, to say that this is a matter which is within the reach of legislative remedy. Having reached that conclusion, I am satisfied in my own mind, my own conscience, that I can support this bill.

Let me point out, however, in connection with this present amendment, which the gentleman from California makes persuasive by his argument about the fewness of our Communist foes in America, that I think we erred earlier this afternoon when the committee decided to exclude a portion of the bill (from line 1 to line 8 on page 17); because I believe those words are essential, or at least very desirable to the understanding of the purpose of this bill. With your permission I am going to read those words, as a refutation of the argument of the proponent of this amendment so that we can count the number of card-bearing Communists and then relax:

> And among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce; (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established Government institutions, and (D) corrupting officials of the Government and securing the appointment of their agents and sympathizers to offices and positions in the Government.

The havoc that a well-disciplined band of trained revolutionaries, and their fellow-travelers, can actually accomplish, if left to their own devices, is incalculable. We have much to fear.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. CHADWICK. I yield to the gentleman from Illinois.

Mr. OWENS. I see what the gentleman means, but the amendment was offered in order to strengthen the section.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MORRIS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I just do not believe that we should compliment the communistic movement by saying that it is a clear and present danger to the United States. Do we not by such statement bring weakness upon ourselves? Do we not thus say that in America we are so weak that a handful of people can destroy us? To my mind that is a psychology brought about by hysteria, and nothing else.

I brought to your attention a few moments ago from the daily press statements showing beyond the purview of doubt that communism is on the wane in Germany, in the American occupation zone, also, that it is on the wane in Italy and in France, and I told you of a statement by the Attorney General of the United States that it is on the wane in America. It is on the way out.

Now, I regard the majority leader very highly, but let me say to him that communism has already been stopped here in the good old United States of America. It is stopped in its tracks and it will get weaker if we do not pull a lot of bonehead plays and ruin our own American institutions. It will continue to be stopped; it has been stopped by the common sense of the American people. That is what stops it and that is what will keep it stopped.

You could let every one of them get up and make a speech every day, give them police protection, let no one bother them, assist them upon the platform, and thus help them make their speeches, and it would still never make America Communist. That is, as long as we keep our way American. But if we continue with these witch-hunt bills, such as I believe this one is, we might help bring it about in this country, not intentionally, of course. Your purpose is good. You have worked hard, and I admire you for that. I do not impugn your motives. They are good; the same as mine. I know my motives are good. They may be wrong but I know my motives are good intentioned. I love my country as you do. I do not want to see its liberties attacked.

Mr. Chairman, this bill is in my judgment unconstitutional. It is a bill of attainder. It attacks the right of freedom of speech and the right of freedom of the press, it attacks the right of the people to publicly assemble and petition their Government for a redress of grievances. There are many ways in which it is unconstitutional, I believe.

I call attention to the fact that I enlisted in the First World War when I was a kid. At that time the papers most every day were filled with statements that the Germans were committing atrocities of all kinds; they claimed they were cutting the arms off Belgian children, that they were crucifying Canadian soldiers, and that they were taking English soldiers who were killed and boiling their bodies and making soap out of them. There were affidavits in the papers to that effect. Go back and read those atrocity stories. All of those stories were there. My mind was inflamed as a kid, because I believed those stories. Most everybody else believed them. The Congress of the day evidently believed them. But they turned out to be untrue.

When I came back from that war I read a number of books on propaganda. I am telling you we are right now in the midst of one of the greatest propaganda campaigns that ever occurred in this great Nation of ours. They are scaring us to death. Russia is not so strong as to be able to do us any harm, but some people believe she is. Do you believe a little handful of radicals is going to overthrow the great United States? It is not true. It cannot be done. If there is any danger at all, it is not clear and present.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The Chair recognizes the gentleman from New York [Mr. ISACSON].

Mr. ISACSON. First, Mr. Chairman, I cannot let the shocking tirade in support of racial segregation, as well as the

derogatory remarks about the fight of the Jewish people for a national homeland, pass unchallenged. Those statements constitute a slander on the Negro people as well as on the Jewish people.

I know that these opinions expressed by the gentleman from Mississippi [Mr. RANKIN] are not the opinions held by the majority of American people.

The American people abhor bias and bigotry and prejudice and discrimination and are anxious to enact legislation which will root out these evils from the dark places where they fester like spores and toadstools in the rot and decay of incipient fascism.

Second, I would like to read at this time a resolution which has been entrusted to me by the Jewish War Veterans of Bronx County. It reads:

Whereas the Jewish War Veterans of the United States are dedicated to the preservation of democracy; and

Whereas we believe the best defense of democracy is to defend the civil liberties of all groups; and

Whereas the Mundt bill under the guise of combating subversive elements is actually a long step in the direction of fascism and an unprecedented violation of freedom of speech; and

Whereas the bill would deny to American citizens solely because of their beliefs and associations, rights guaranteed to all by the Constitution: Therefore be it

*Resolved*, That the Jewish War Veterans of Bronx County at annual convention duly assembled oppose the passage of the Mundt bill and pledge to do all in our power to preserve civil liberties in America.

Third, to those who have expressed some scorn regarding the charge I have made that the Mundt bill is unconstitutional, I refer you to last night's debate between Mr. Dewey and Mr. Stassen as reported in the Herald Tribune this morning.

Mr. Dewey, after citing the 27 pieces of legislation which deal with all efforts to overthrow the Government by force and violence, indicated that he thought such existing legislation was sufficient.

Mr. Dewey said: "I have some doubts about its [the Mundt bill] constitutionality. It supplements the present legislation in a very small way."

Mr. Stassen, who is in favor of outlawing the Communist Party entirely, said that this legislation goes even further than he would go.

One last thing: The question has been raised as to the relevancy of this legislation as far as the Wallace third-party movement is concerned. I refer you again to section 3, subparagraph (C), which makes the test of a subversive organization:

The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Under this subdivision, if a political party opposes the right of partition of Palestine, or opposes the armed intervention in Greece or China, it is expressing views and policies which may be considered the same as those of a foreign government or foreign organization and opposed to the foreign policies of our administration.

I ask the gentleman from California [Mr NIXON] whether under this subdivision (C) and applying this test, the Mundt bill might not be used to falsely brand the Wallace party as subversive?

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I think one of the reasons this bill is before Congress is that several democracies in Europe have been taken over by the Soviet Government. It seems to me the United States should not become fearful that it will be taken over by the Soviet Government or its philosophies because some of the small countries over there have been taken over, if we would just take into consideration the fact that conditions in the countries that were taken over by the Soviet ideology were altogether different. I will admit there is some dissatisfaction in this country with social and economic conditions, and that there is a desire for a higher standard of living, but if you will just think of the conditions of the nations in Europe that are now under the control of the Soviet Union you will realize that those conditions have lasted for perhaps centuries, where the people have had no hope whatever of ever attaining a higher standard of living or even having any land reforms or ever being recognized on an equal social basis, or ever having any opportunity really to act as free men and women. It is in that kind of an area that socialism and communism gain a foothold. The ground here is not ripe for that. We have no reason to fear that the ideology of communism will take root here or flourish. Neither have we any reason to fear military might on the part of the Soviet Government. So I think those that are shuddering are unnecessarily afraid.

Mr. Chairman, it seems to me this bill is also tearing away at a fundamental institution of this country. It is taking away from the courts, from the judiciary of this country, the right to find a person guilty or not guilty. In this bill you allow one single individual, the Attorney General of the United States, to come to a reasonable conclusion. It does not have to be based on substantial evidence, all the bill states is a reasonable conclusion, so that you have a determination by an individual. That is contrary to our fundamental institutions and that is one of the first things that dictators in Europe did when they commenced to take hold of the countries there, dictators like Hitler and Mussolini, and that was the first thing they did in Russia. You have the right of appeal here. Tell me, do you have the right of trial by jury? There is nothing in this bill, as far as I have been able to see, which gives an accused organization or an accused individual the right of trial by 12 of his peers. So, in my judgment, that is an attack on or an undermining of the fundamental liberties and freedoms guaranteed by the Constitution of the United States.

Mr. Chairman, I think this bill is a step toward dictatorship, because some of the guaranties we have been so thankful for since the adoption of the Constitution of the United States, the right of trial by jury, the determination in the first instance of guilt or innocence by a grand jury, and by a court later, are taken away from us. For that reason, Mr. Chairman, unless the bill is radically amended, and because my honest belief is that this bill is completely repugnant to the principles that our founding fathers embodied in the Bill of Rights and the Constitution of the United States, I shall vote against the measure.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I will not condescend to even reply to the remarks of the Member from New York [Mr. ISACSON] in referring to my opposition to this communistic bill, which was introduced here by the Member from New York [Mr. KLEIN] and which the Communists continue to push in order to stir up race trouble, not only in Washington, but throughout the country, and especially throughout the Southern States.

We had this same opposition, virtually per man, and almost per woman, in this House when the Committee on Un-American Activities had its investigators chasing these Communist spies at Oak Ridge. If it had not been that one of them turned state's evidence after they got back to Canada, they would have had the secrets of the atomic bomb in the hands of the very power to which the opposition to this bill gives so much encouragement.

Mr. Chairman, I want every Member to go down and see this picture called The Iron Curtain and see what sacrifices that man made in order to save America from being blown to atoms by the enemies that are attempting in every possible way to destroy this country.

Why, they talk about Mr. Stassen and Mr. Dewey. They have said on the floor that Mr. Stassen and Mr. Dewey both said they favored outlawing the Communist Party. Neither one of them said that. I listened to both of them carefully and they both supported this bill. Every loyal American who believes in the form of government that our forefathers established with their blood and sacrifice will agree to this bill and support it when the time comes for the final vote on its passage.

Mr. Chairman, the gentleman from Pennsylvania [Mr. EBERHARTER] intimates that this measure would take away the right of trial by jury. Every loyal American knows there is not a scintilla of fact to support that utterance. Trial by jury remains. The freedom of speech remains. Freedom of the press remains. Freedom of assembly remains. But we do not propose to exempt the freedom of conspiracy. That is what we are driving at. We do not propose to allow freedom of conspiracy to destroy this country.

I have just pointed out the fact that one of the very elements that was busy destroying this Government was the Black Dragon Society of Japan. They ran their trucks up against the tails of our airplanes at Pearl Harbor and destroyed them at the very moment when our boys were dying by the thousands as a result of Japanese treachery. At that time every Communist in America was opposing the United States, because at

that time Russia had not yet entered the war on our side.

No, Mr. Chairman, this committee has gone through a great deal. I have taken all the slander from this group that I am going to take. I have just had about enough of it. But I can tell you now that the American people are behind this committee. It has taken abuse and vilification of this element that secretly in their hearts want to destroy American institutions and set up a communistic dictatorship. Mr. Bullitt said in answer to my question before the committee when he was testifying under oath that he never saw a Communist who was not well fed, well dressed, and well financed. Now they talk about poverty. No, it is a fifth column of well-dressed, well-fed, shrewd, keen, well-financed individuals who steal throughout the world wrecking nations, just as they wrecked Poland and Czechoslovakia and Yugoslavia and just as they are trying to wreck the United States. But they are going to find that they have a different people to deal with here, and they might as well understand it now.

We are going to win this fight and save America for Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The amendment was rejected.

The Clerk read as follows:

DEFINITION

SEC. 3. For the purposes of this act—

(1) The term "person" means an individual or an organization.

(2) The term "organization" means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on, or advancement of views on, any subject or subjects.

(3) The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations:

(A) The extent and nature of its activities, including the expression of views and policies.

(B) The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

(D) The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

(E) The extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization.

(F) The extent to which it sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement.

(G) The extent to which it reports to such foreign government or foreign organization or to its representatives.

(H) the extent to which its members or leaders are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives,

(I) the extent to which (i) it fails to disclose, or resists efforts to obtain information as to, its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its meetings are secret; and (v) it otherwise operates on a secret basis,

(J) the extent to which its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization,

it is reasonable to conclude (i) that it is under the control of such foreign government or foreign governmental or political organization, or (ii) that it is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives.

(4) The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than an organization having substantially all the ordinary and usual characteristics of a political party) with respect to which, having regard to some or all of the following considerations:

(A) the identity of the persons who are active in its management, direction, or supervision, whether or not holding office therein,

(B) the sources from which an important part of its support, financial or otherwise, is derived,

(C) the use made by it of its funds, resources, or personnel, and

(D) the position taken or advanced by it from time to time on matters of policy,

it is reasonable to conclude (i) that it is under the control of a Communist political organization, or (ii) that it is primarily operated for the purpose of giving aid and support to a Communist political organization, a Communist foreign government, or the world Communist movement referred to in section 2, or (iii) that its views and policies are in general adopted and advanced because such views or policies are those of a Communist political organization, a Communist foreign government, or such world Communist movement.

(5) The term "Communist organization" means a Communist political organization or a Communist-front organization.

(6) The term "publication" means any circular, newspaper, periodical, pamphlet, book, letter, postcard, leaflet, or other publication.

(7) The term "United States," when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(8) The term "interstate or foreign commerce" means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone) or within the District of Columbia.

(9) The term "final order of the Attorney General" means an order issued by the Attorney General under section 13 of this act, which has become final as provided in section 14 of this act, requiring an organization to register under section 8 of this act as a Communist political organization or a Communist-front organization.

Mr. McDOWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the hour is getting late and I do not expect to take the full 5 minutes. There is a matter that I want to get into the RECORD, however. Unlike most of us who have taken part in the debate today, I have been doing a little work on the side.

The Washington Post is a great American institution, a great American newspaper. I ought to know because I have been writing newspapers for over 30 years myself. I am a great admirer of the Washington Post, although I doubt seriously if the Washington Post is a very great admirer of me, as they blame me for what they are accusing the Committee on Un-American Activities of, that is, having evil associations.

This morning, in a six-column full-page advertisement, is a perfect example of the new line of Communist-front organizations in the United States. The Mundt bill is beginning to work even before the bill has been adopted by the Congress and signed by the President. All of the arguments that have been given here today by those starry-eyed liberals who are constantly opposing all things brought here by the Committee on Un-American Activities, all the arguments are here in about four or five hundred words, and they are signed by 97 prominent people in and around Washington, D. C. Some of these people, I am told, have close connections with the United States Government. A check of the very thorough files of the Committee on Un-American Activities shows that of 97 persons who have signed this article saying that the Mundt bill was a police-state bill, and all that sort of thing, they found from 1 to 20 Communist-front organization memberships, and got a total of 153 affiliations of Communist-front memberships. This is the argument that you are getting here today against the Mundt bill. The Mundt bill was not put together by one Member walking up and offering this and somebody else offering that. The Mundt bill, as the members of the Committee on Un-American Activities and many other Members of the House on both sides of the aisle who have great judicial learning, know, has been hundreds and hundreds of hours in the making in the last 4 months.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. HALLECK. Does the gentleman have any information as to how many of the signers belong to one or more of these Communist-front organizations to which the gentleman referred?

Mr. McDOWELL. Mr. Chairman, answering the gentleman from Indiana, I may state that 47 are shown in the committee records as having been affiliated with from 1 to 20 Communist-front organizations. All in all, in these 97 names there are a total of 153 memberships in some Communist-front organization.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. BUSBEY. Is it a correct statement to say that in general those who are in opposition to the Mundt bill are consistently in opposition to the wonderful work that the Committee on Un-American Activities is doing, and that they would oppose the bill in any form reported by the committee?

Mr. McDOWELL. It is a little annoying to be a member of the Committee on Un-American Activities and work as hard as at least one member has worked, and I am sure that applies to the other eight members also, to see Members rise on this floor and oppose with all sorts of constitutional arguments everything that we bring in here and then have them go back to their districts—New York, Chicago, or some other place—and spend hours and hours and hours making speeches on how they want to abolish the Committee on Un-American Activities.

Mr. McMAHON. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. McMAHON. Are the arguments used in the advertisement the gentleman has read any different than the arguments we have heard on the floor?

Mr. McDOWELL. Not one whit, only they are better written.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I had not intended to take time at this late hour because we have agreed to rise at about 5 o'clock, but I cannot help pointing out that the last speech we heard demonstrates conclusively what this is all about.

It has been the contention of the opponents of this bill that it is aimed at suppressing opposition to the views held by those who are allegedly in the majority. Here you have an advertisement placed in the Washington Post. This activity is a legitimate, time-honored, lawful, constitutional activity. It is as old as the Republic itself, in fact, pamphleteering antedates the establishment of the Republic. "Common Sense" of Tom Paine is the ancestor of the activity in which these American citizens engaged.

What did these American citizens do? They sought to draw the attention of their fellow Americans to some serious, sincere objections that they hold against this Mundt bill. How are those objections met? Has the gentleman from Pennsylvania given a single argument meeting a single argument advanced in this advertisement? Have we heard a reason advanced to meet a reason asserted? Oh, no; it is the same old technique which the Mundt bill expresses, the technique of fear, a crude attempt to threaten and intimidate Americans who dare voice dissent with the views of this committee. What does the spokesman of the committee do? He has said here that so many of the signers of the advertisements are members of Communist front organizations, so many of them are Communist-connected. The same wild statements and wild charges. What difference does it make even if the signers of this article were Communists? It is your duty as a Member of Congress, the sacred duty that you owe to the American people, to meet these arguments and answer them on the basis of merit and not on the basis of attempted slander, not to inculcate fear in the hearts of those who attempt to dissent with the views of this committee.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this time.

That is what this is all about, the right of Americans to disagree, disagree with a policy with which more and more Americans are disagreeing. It is the concept of absolute rule by monopoly capital which this committee has been seeking to force on the American people. It seeks to impose on an unwilling people by the method of smearing, and now by the threat of imprisonment of men and women who disagree with that concept of a monopoly capital rule that will lead only to war and depression. This is the technique of thought control. You had an example of it when the gentleman from Pennsylvania stood up here and did not answer a single argument, did not meet a single argument advanced in this advertisement, but simply pointed out that 53 of the signers, or whatever number he said, are members of a Communist-front organization. There it is. It is thought control through smear yesterday, thought control through smear today, and thought control through imprisonment and bypassing the Constitution tomorrow. That is the issue before the Congress of the United States.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Illinois.

Mr. BUSBEY. As I understood the real meaning of the gentleman from Pennsylvania [Mr. McDOWELL], he was just simply trying to throw the spotlight on some of these people who were trying to bring out all this bug-a-boo against the Mundt bill, and these people did not like the spotlight. If they had the courage of their convictions they would join the Communist Party and take out a card.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. NIXON. Mr. Chairman, I object.

Mr. MARCANTONIO. If we are going to get into that kind of business, it is O. K. with me.

Mr. HALLECK. Mr. Chairman, reserving the right to object, it was suggested by the gentleman from California that in the interest of expedition he expected to object to any request for additional time beyond 5 minutes. That rule has been followed all afternoon.

Mr. MARCANTONIO. May I say to the distinguished majority leader that in distributing time in opposition we were so limited in time that I did not take a minute in general debate. Furthermore, the opposition has not been attempting to filibuster. Every speech we have made has been made on the issues and it has been in the process of normal debate. If you are going to start cutting off Members, we will be forced to resort to every parliamentary procedure possible.

Mr. HALLECK. Mr. Chairman, I ask for the regular order. The gentleman has had his 1 minute in the meantime.

Mr. MARCANTONIO. No. It has not been granted.

Mr. HALLECK. I am not objecting to it except in the interest of orderly procedure. The gentleman has been here a long time and he knows that this arrangement is frequently made and I suspect that the gentleman does not find himself in disagreement with the suggestion made by the gentleman from California earlier in the afternoon to expedite consideration of the measure.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for one-half minute to answer the gentleman from Illinois.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for 1 additional minute in view of the fact he apparently did not understand the agreement we had earlier in the afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, the gentleman from Illinois has repeated the same display of attempts at thought control that the gentleman from Pennsylvania just gave us. He said that what the gentleman from Pennsylvania attempted to do was to throw the spotlight—throw the spotlight of attempted smear. Again the gentleman from Pennsylvania and the gentleman from Illinois as well, has not answered or attempted to answer the arguments advanced in the indictment. They have attempted to inculcate fear in the hearts of the signers by smear today and by imprisonment tomorrow if this Mundt bill is adopted. You are substituting fear for freedom in America.

Mr. BUSBEY. I have heard that Communist line many times.

Mr. MARCANTONIO. But it is not the Fascist line from the gentleman from Illinois.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: Page 21, line 16, strike out "(i)"; and in lines 18 to 20, inclusive, strike out the comma and the words "or (ii) that it is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives."

Mr. NIXON. Mr. Chairman, the purpose of this amendment, I think, is quite apparent, simply from the reading of it.

The committee is offering the amendment and is supporting it unanimously because we think that it strengthens the definition of "Communist political organization," which is, perhaps, the key definition in the bill. We propose to do this by placing the conclusion which must be reached by the Attorney General, and by the court which reviews the proceedings of the Attorney General, squarely upon the matter of control by

a foreign government or foreign governmental or political organization. As to the section which the amendment seeks to strike out, the one providing in effect that it is enough to establish that an organization is one of the principal instrumentalities utilized by the world Comunist movement in carrying out its objectives, it has been suggested that it might conceivably cover an organization which unknowingly was under the control of a foreign government and unknowingly was taking part in a world Communist movement. That was not the intention of the section as it was written. It was the intention of the committee in including this section to place the entire matter of whether or not an organization will be found to be a Communist political organization squarely upon the fact of foreign control by a foreign totalitarian dictatorship or a foreign totalitarian political organization. That is the purpose of the amendment. I think that the Members will agree that it strengthens the definition considerably.

In the remaining time that I have I should like to answer a few of the objections that have been raised by some of the opponents to this measure in the debate this afternoon. The question has been often asked as to whether or not the committee had any hearings on this legislation. The rather technical point has been made by some of the opponents of the legislation that no hearings were held upon a bill designated by this particular number. All you have to do, if you want to find out what hearings were held on this legislation, is to look at a copy of the transcript of the hearings which were held on two bills before the subcommittee on legislation of the Committee on Un-American Activities, one requiring registration of the Communist Party and Communist-front organizations, and the other a bill which would, in effect, outlaw the Communist Party. Those hearings were extensive. Those hearings were complete, and some of the best legal experts in the country appeared before the committee and raised objections to both measures on constitutional grounds and on policy grounds, and on the basis of those objections amendments were made and a new bill introduced which, in effect, is the one we are going to act upon in this House.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Michigan.

Mr. DONDERO. Is it not also a fact that the Attorney General of the United States appeared before the gentleman's committee as a witness?

Mr. NIXON. As the gentleman has well pointed out, the Attorney General of the United States appeared before us, and if you read the transcript of the hearings you will see that on several occasions in his testimony he stated that existing legislation was inadequate for him to handle the menace of communism in the United States today.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. I am sure the gentleman does not want to convey the impression that at any time the Attorney General of the United States has supported this legislation.

Mr. NIXON. I am glad the gentleman asked that question, because the Attorney General of the United States, when he came before the committee, was specifically asked, if he did not like the legislation before the committee, to present his own legislation. He did not do so, but he did do this, as the gentleman from Georgia [Mr. COX] pointed out in the debate on Friday. He did state that a registration statute applicable to such Communist organizations would be of assistance to him in meeting the danger. That is one of the principal effects of this measure, as we see it.

The point that I wish to drive home is this: The Attorney General and the other witnesses, all of whom had varying ideas as to what kind of legislation should be offered, all, with the exception of the representative of the Communist Party and one other witness, said that legislation was necessary to meet the clear and present danger of communism in the United States. On the basis of those opinions, the committee acted. We certainly did not think that the Congress, in the face of the Attorney General's own statement that he did not have, as the chief law-enforcement agent of this country, the legislative power to control this menace, should sit idly by and do nothing. That is why this legislation is before this House today.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we on this side have no objection to the amendment offered by the distinguished gentleman from California [Mr. NIXON] but I want to answer some of the statements that were made here about this article that appeared as an advertisement in the Washington Post.

The statements as a rule are utterly false. It says the Mundt bill proposed by this committee will "gag freedom of speech" and "institute thought control."

Everybody knows there is not a word of truth in that statement.

It also says that efforts to change our Government by peaceful, constitutional means may become tantamount to treason. Every intelligent man in the House knows there is not a word of truth in that statement. The Constitution provides how it shall be changed, and as long as they pursue constitutional means this bill will not disturb them.

It goes on with a great tirade of attacks on the Committee on Un-American Activities.

The gentleman from New York [Mr. MULTER] said we ought to invite his constituents who are Communists to come before the committee.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. NIXON. The statement has been made here that we should have had representatives of the Communist Party before the committee. I want to tell the members of this committee and this House that if they will read the hearings of this committee they will find that Mr. Benjamin Davis, a member of the executive council of the Communist Party, appeared before the committee in behalf of William Z. Foster, at the invitation of the committee; that the committee sat there during a period of 30 minutes while Mr. Benjamin Davis went down the line on the legislative proposals before us, on the President of the United States, the Attorney General of the United States, and virtually every institution we have in the United States today, and he made a vindictive attack on all of our institutions and on the legislation before us. May I point out to the gentleman that we heard those objections with complete courtesy. This shows that the Communist Party did have its opportunity to be heard.

Mr. RANKIN. If everybody in America could have heard that Negro Communist, Ben Davis, from New York, utter his tirades before the committee, there would be less opposition to this bill than there is today.

We summonsed some Communists here, and as a rule they refused to take the oath. We brought the Eislers before the committee. One of them said, "I am a refugee from persecution. I refuse to be sworn." The next man we put on the stand was a Negro who had been a Communist and had been to Russia. They had taught him to carry on revolutions, how to blow up bridges and waterworks and put out light plants, burn warehouses, and so forth. It had become so bad that this Negro had come back and turned state's evidence. He made one of the best witnesses I have ever heard. We asked him if he had seen that man Eisler. He said, "Yes, he was one of the instructors in that Communist school in Moscow when I was over there."

We brought a gang of them in here from Hollywood, and what did they do? I was not here but the gentleman from New Jersey [Mr. THOMAS] was, and perhaps the gentleman from California was here. They proceeded to attempt to insult the committee in every possible way and refused to be sworn. They were afraid to put themselves in the grip of the courts of the country, under oath.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. The gentleman will recall that they called Robert Stripling, well known to this House as a patriotic American, "Mr. Quisling."

Mr. RANKIN. Yes. I want to say this about Bob Stripling. I am glad the gentleman mentioned it. He was with the Dies committee back in the old days when it was a special committee. He has been with this committee for the last year or two. There is no finer American in this country than Bob Stripling. There is no man in this country who has done more to expose these enemies of our country within our gates than Mr. Stripling has.

We have heard of these constant attacks on the Committee on Un-American Activities by certain Members. Now

they get up here and accuse us of smearing that bunch who signed this advertisement in the Washington Post. I wish you could examine that entire aggregation under oath. I wish they could be taken before any court in Washington, or in America, and put under oath and have their backgrounds investigated and see how many of them have their hands behind them taking money from somebody representing a foreign power dedicated to the destruction of this Government.

Mr. NIXON. Mr. Chairman, in view of the lateness of the hour, I ask unanimous consent that debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. NIXON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WADSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, had come to no resolution thereon.

REGINALD MITCHELL

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 315) for the relief of Reginald Mitchell.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Reginald Mitchell, of North Hollywood, Calif., the sum of $106.85, in full satisfaction of his claim against the United States for compensation for property damage sustained by him, as a result of an accident which occurred when a United States Army vehicle collided with another automobile and pushed it into the rear of the automobile which he was driving, at the intersection of East Seventh Street and Maple Street, in Los Angeles, Calif., on November 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HINSHAW. Mr. Speaker, this bill was passed last May 22 in the other body. It is identical to title 2, H. R. 385, of the omnibus bill, H. R. 5055, which was passed earlier today.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that the proceedings whereby a similar House bill (H. R. 385) for the relief of Reginald Mitchell, which was title 2 of the omnibus bill, H. R. 5055, was passed be vacated and the bill H. R. 385 be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. BUSBEY asked and was given permission to revise and extend his remarks in the RECORD and include several telegrams and letters.

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include a circular of misrepresentation on the Mundt-Nixon bill.

Mr. JENISON asked and was granted permission to extend his remarks in the RECORD and include an address delivered by Hon. JOSEPH W. MARTIN at the dedication of a plaque to the late Hon. Joseph Gurney Cannon.

Mr. HAND asked and was granted permission to extend his remarks in the RECORD and include an editorial on the subject of Palestine.

Mr. KEATING asked and was granted permission to extend his remarks made in Committee of the Whole and include certain quotations from court decisions.

Mr. SMITH of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. KING (at the request of Mr. LEA) was granted permission to extend his remarks in the RECORD and include an editorial from the Los Angeles News.

Mr. DONOHUE asked and was granted permission to extend his remarks in the RECORD and include a letter.

Mr. BUCHANAN asked and was granted permission to extend his remarks in the RECORD in two instances; in one to include a resolution from the Veterans' Committee and in the other a paid advertisement appearing in today's Washington Post.

Mr. KERSTEN of Wisconsin asked and was granted permission to extend his remarks in the Appendix of the RECORD in two instances and include two articles.

Mr. WEICHEL (at the request of Mr. HALLECK) was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. STEFAN (at the request of Mr. HALLECK) was granted permission to extend his remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JACKSON of Washington (at the request of Mr. MANSFIELD), for an indefinite period, on account of illness in the family.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. Under special order heretofore granted, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

PROSTHETIC APPLIANCES

Mrs. ROGERS of Massachusetts. Mr. Speaker, Mr. Hamilton Faron of the Associated Press, sent to Germany, and I understand other countries, the following release:

WASHINGTON, May.—A squad of men marched sturdily into a committee room of the United States Congress.

They stripped off their army shirts. They pulled off their trousers.

They stood at attention in bathing trunks and shirts.

Then most of the group sat down naturally on narrow chairs, completely at ease.

Others walked to the front of the room, stood before members of the committee.

There they performed numerous "stunts."

They picked up ice-cream cones, marshmallows, sandwiches, paper cones, water glasses, papers, heavy weights attached to greased handles.

They climbed stairs. They climbed on top of tables and jumped to the floor.

The committee members watched with deepest interest.

Why? What's so remarkable about all this?

All of the men had lost one or more arms or legs.

They went before the committee—headed by Representative EDITH NOURSE ROGERS, Massachusetts Republican—to demonstrate the progress made by American engineers in making artificial arms, legs and hands.

That work has been moving along swiftly since the end of World War II.

And additional impetus is being given daily to the program as more men and women learn of the efficiency of devices now being made.

What interest does this have outside the United States?

A lot—to the scores of thousands of men, women and children victims of the war throughout the world. They are those who walk on crutches, hobble along with old-fashioned stiff artificial legs; tuck an empty sleeve in a pocket, spend their lives in wheel carts or chairs.

For the results of the giant research program are not going to be held for the benefit only of the Army and Navy veterans of the United States.

No, indeed. The improved devices are to be made available to all persons.

Pending legislation to authorize spending $1,000,000 a year for the research, provides for this in these words:

"The Administrator of Veterans' Affairs is authorized to make available the results of his investigations to private or public institutions or agencies and to individuals in order that the unique investigative materials and research data in the possession of the Government may result in improved prosthetic appliances for all disabled persons."

The bill already has been passed by the House of Representatives.

It now is awaiting action by the Senate before going to the White House for approval by President Truman.

Phillip Rogers, clerk of the Senate committee which handles such legislation, asked whether it will be passed by the Senate, replied flatly: "I have no doubt about it."

About the new types of legs, arms, and hands. One demonstrated to the committee, resembles in all respects a natural hand.

Its thumb and fingers move in response to movements of the wearer's shoulder muscles.

It can pick up glasses, papers, cups, perform most of the functions of a natural hand and exert a squeezing pressure of 25 pounds.

Let the demonstrator tell about it: "I wait on trade and see quite a few people. The hand is preferable (to the customary hook device) because I can still do so many things with it and it is natural looking."

Another device—a leg—has natural movements when walking. The knee and ankle flex, there are no signs of a limp.

William R. Smith, who demonstrated the hand, and Herbert E. Kramer, who wears the leg, like all others in the group consider themselves guinea pigs for prosthetic research.

They and the others all have full-time jobs supporting themselves. But once each year they take time off from their jobs and travel in a body to demonstrate the new appliances.

They were joined this year by one German war veteran. He is Hans Schuffenhauer of Bermsgrun 9, Sachsen, western zone, Germany. Hans lost both his arms in World War II. He came to the United States to help work on the improved appliances. He's wearing the latest type arms now and plans to return to Germany soon.

And, as for recent statements by Soviet scientists that they have developed an artificial arm that can perform even such an intricate job as operating a machine gun:

"Bunk, just bunk," said one of the group. "We've heard lots of claims from over there but that's fantastic right now. But keep our program going over a period of five more years, let us say, and then you really will see miracles."

Mr. Speaker, let me say again that these men who came here had full-time jobs, although they are not earning very much they are giving not only of their time but paying their own expenses. This is a very remarkable contribution not only to our own amputees but to the disabled of the world, and to science. Most of them gave exhibitions last year and great strides have been made in their prosthetic appliances and in their use in a year's time.

Mr. Speaker, there is a bill before the House, a bill already passed by the Senate, that provides automobiles for amputees. The cost is small. The House Committee on Veterans' Affairs has reported out a bill; it has been on the calendar for nearly a year. When you see these men, no Member of Congress would wait a day before passing such legislation. Those who have leg amputations have been given an automobile but not the arm amputees; that is discrimination.

Mr. Speaker, the time is getting short before the adjournment of Congress. We have numerous bills for the disabled before the Committee on Rules. They should be passed. There are widows and orphans living on a pittance. The gentleman from New Jersey, Judge MATHEWS, introduced a bill providing for a small increase for them. The Committee on Veterans' Affairs passed it unanimously weeks ago. Today when the widows go shopping in the grocery stores—if you watch them you see—they cannot afford to buy what their children actually need to be properly nourished. At a time when Congress is spending hours and hours and hours of debate to rid the country of Communists—which they should, at a time when they are spending hours and hours and hours of debate on relief for foreign countries, and sending billions of dollars of food and supplies to foreign countries, it is imperative they take care of their own—the disabled and the widows and orphans of our war veterans should come first not last—in our legislative program. In war, we voted day after day, money for all kinds of supplies for our soldiers. Do we feed and equip them only to fight for us—and forget many of their needs when the battle is won. That cannot and must not be.

Rules for bills have been asked for greatly needed veterans' legislation by our Committee on Veterans' Affairs—not to grant them is cruel.

## ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes; and

H. R. 5933. An act to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

## BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 15, 1948, present to the President, for his approval bills of the House of the following titles:

H. R. 1308. An act for the relief of H. C. Biering;

H. R. 3505. An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre spillway, and for other purposes;

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.;

H. R. 5669. An act to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport Irrigation District, and for other purposes.

## ADJOURNMENT

Mr. SMITH of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, May 19, 1948, at 10 o'clock a. m.).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1561. A letter from the Acting Secretary of the Interior, transmitting a detailed report showing credit operations through June 30, 1947; to the Committee on Public Lands.

1562. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. H. R. 5433. A bill to transfer jurisdiction over certain school buildings in Vanport, Oreg., to the Federal Works Administrator and to authorize an appropriation to rebuild a school building in Vanport, Oreg., which was destroyed by fire; with amendments (Rept. No. 1967). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee on Ways and Means. House Joint Resolution 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1968). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Armed Services. S. 1470. An act to amend the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract diseases while engaged in military training, and for other purposes," approved June 15, 1936, as amended, and for other purposes; without amendment (Rept. No. 1969). Referred to the Committee of the Whole House on the State of the Union.

Mr. CURTIS: Committee on Ways and Means. H. R. 3825. A bill to amend section 2402 (a) of the Internal Revenue Code, as amended, and to repeal section 2402 (b) of the Internal Revenue Code, as amended; without amendment (Rept. No. 1970). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Armed Services. H. R. 5983. A bill to amend section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps; without amendment (Rept. No. 1971). Referred to the Committee of the Whole House on the State of the Union.

Mr. EATON: Committee on Foreign Affairs. House Joint Resolution 297. Joint resolution to increase the sum authorized to be appropriated for the presentation to Eire of a statue of Commodore John Barry; without amendment (Rept. No. 1972). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of New York: Joint Committee on Atomic Energy. H. R. 6402. A bill to provide for extension of the terms of office of the present members of the Atomic Energy Commission; without amendment (Rept. No. 1973). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 5611. A bill to provide for the appointment of one additional district judge for the eastern district of Pennsylvania; with an amendment (Rept. No. 1974). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. H. R. 5964. A bill to grant time to employees in the executive branch of the Government to participate, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned to the United States for burial; with amendments (Rept. No. 1975). Referred to the Committee of the Whole House on the State of the Union.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 6592. A bill to authorize Federal participation in shore-protection works; to the Committee on Public Works.

By Mr. HEDRICK:

H. R. 6593. A bill to provide for the establishment and operation of an experiment station in the Sixth Congressional District of West Virginia, or some other suitable location in the State of West Virginia, for research on the production, refining, transportation, and use of petroleum and natural gas from coal; to the Committee on Public Lands.

By Mr. MICHENER (by request):

H. R. 6594. A bill authorizing the extension of functions and duties of Federal Prison Industries, Inc., to military disciplinary barracks; to the Committee on the Judiciary.

By Mr. WORLEY:

H. R. 6595. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Canadian River reclamation project in the Texas Panhandle; to the Committee on Public Lands.

By Mr. RAINS:

H. R. 6596. A bill granting pensions to veterans of World War I and their widows and dependent children equivalent to the pensions granted to veterans of the war with Spain and their widows and dependent children; to the Committee on Veterans' Affairs.

By Mr. KELLEY:

H. R. 6597. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of elementary and secondary schools, and in reducing the inequalities of educational opportunities through elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of Nebraska:

H. R. 6598. A bill to amend section 2 of the act entitled "An act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939; to the Committee on the District of Columbia.

By Mr. BARTLETT:

H. R. 6599. A bill to provide that veterans may obtain copies of public records in the Territory of Alaska, without the payment of any fees, for use in presenting claims to the Veterans' Administration; to the Committee on Public Lands.

By Mr. KERSTEN of Wisconsin:

H. R. 6600. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of elementary and secondary schools, and in reducing the inequalities of educational opportunities through elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. FERNANDEZ:

H. R. 6601. A bill to authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution; to the Committee on Armed Services.

By Mr. HAGEN:

H. R. 6602. A bill authorizing the construction of flood-control work on the Red River of the North, Minn. and N. Dak.; to the Committee on Public Works.

By Mr. BENDER:

H. R. 6603. A bill to authorize grants to enable local school agencies overburdened with war-incurred or defense-incurred school enrollments to increase school facilities; to the Committee on Public Works.

By Mr. DINGELL:

H. J. Res. 405. Joint resolution to clarify the application of the existing excise tax imposed on certain fans under section 2406 (a) (3) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. MICHENER:

H. J. Res. 406. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace; to the Committee on the Judiciary.

### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the President of the Chilean House of Representatives, memorializing the President and the Congress of the United States relative to commemorating Pan American Day; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 6604. A bill for the relief of Dimple Benoit; to the Committee on the Judiciary.

By Mr. COMBS:

H. R. 6605. A bill for the relief of W. B. Terry; to the Committee on the Judiciary.

H. R. 6606. A bill for the relief of William T. Orton; to the Committee on the Judiciary.

By Mr. CORBETT:

H. R. 6607. A bill for the relief of Clifford N. MacLloyd; to the Committee on the Judiciary.

By Mr. DOLLIVER:

H. R. 6608. A bill for the relief of Dr. Jacob Ornstein; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 6609. A bill for the relief of Jacob F. Hutt; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 6610. A bill for the relief of Albert Burns, of Covington, La.; to the Committee on the Judiciary.

H. R. 6611. A bill for the relief of Maj. Jewell J. Frey, O340983, Monroe, La.; to the Committee on the Judiciary.

By Mr. PRICE of Florida:

H. R. 6612. A bill for the relief of Raymond B. Murphy; to the Committee on the Judiciary.

By Mr. HARDIE SCOTT:

H. R. 6613. A bill for the relief of Paul Dacut or Pawlo Dacsuk; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 6614. A bill for the relief of Carl Piowaty and W. J. Piowaty; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 6615. A bill for the relief of Mrs. Helene Pelzmann, of Salzburg, Austria; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1952. By Mr. ELSTON: Petition of A. H. McClelland and 34 other residents of Cincinnati and vicinity, urging passage of H. R. 6397, a bill to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

1953. By Mr. GRAHAM: Petition of missionary group 4 of the First Baptist Church of Ellwood City, Pa., urging the defeat of universal military training; to the Committee on Armed Services.

1954. By Mr. LECOMPTE: Petition of sundry citizens of Lucas, Iowa, in the interest of H. R. 5875 and H. R. 5993 and in opposition to H. R. 5711; to the Committee on Interstate and Foreign Commerce.

1955. By Mr. SMITH of Wisconsin: Petition of members of William Graham Post, No. 173, American Legion, Whitewater, Wis., urging support of legislation establishing a system of universal military training; to the Committee on Armed Services.

1956. By the SPEAKER: Petition of Mrs. Donald Hess, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1957. Also, petition of Mrs. Mattie Yeomans, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1958. Also, petition of the Board of Supervisors of the County of Delaware, State of New York, petitioning consideration of their resolution with reference to opposition to the construction of the proposed flood-control dam on the Charlotte River in the town of Davenport, N. Y.; to the Committee on Public Works.

1959. Also, petition of Cyril Weinstein and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1960. Also, petition of Dorthy Goldberg and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1961. Also, petition of Kathern R. Johnson and others, petitioning consideration of their resolution with reference to the endorsement of H. R. 2953, a bill to insure equitable and fair administration of Federal aid to education; to the Committee on Education and Labor.

# SENATE

## WEDNESDAY, MAY 19, 1948

*(Legislative day of Monday, May 10, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

Dr. Joshua Loth Liebman, rabbi, Temple Israel, Boston, Mass., offered the following prayer:

O God, Father of all men, we thank Thee for this great Senate of democracy in this hallowed America. Cause us to understand that laws are given that men shall live by them and not die by them. Inspire these lawgivers to make America an ever more beautiful gem of earth where cooperation shall be the dream and equal justice the dynamic goal—America thus the example to all the world.

Cause us to realize that now all nations, from the oldest unto the newest, Israel, dwell today on the same street of atomic destiny, and therefore we must live and work together so that our children's children shall have a planet to inherit.

God, enable these architects of law to build the wider mansion of human welfare—Thy kingdom on earth where all Thy children shall live together "for the blessing of all and the hurt of none, for the joy of all and the woe of none." Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., May 19, 1948.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. WILLIAM F. KNOWLAND, a Senator from the State of California, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
*President pro tempore.*

Mr. KNOWLAND thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 18, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 315) for the relief of Reginald Mitchell.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment in which it requested the concurrence of the Senate:

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians; and

S. 1853. An act to authorize the Coast Guard to establish, maintain, and operate aids to navigation.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 354. An act for the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.;

H. R. 744. An act for the relief of Sylvia M. Misetich;

H. R. 813. An act for the relief of J. Don Alexander;

H. R. 1296. An act for the relief of Cohen, Goldman & Co., Inc.;

H. R. 2696. An act for the relief of Otto Kraus, receiver of the Neafie & Levy Ship & Engine Building Co.;

H. R. 2766. An act to amend section 2 of an act entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725);

H. R. 3402. An act to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.;

H. R. 3883. An act to authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel *Hygiene;*

H. R. 3915. An act to increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes;

H. R. 4032. An act to amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States;

H. R. 4114. An act to amend the Public Health Service Act to permit certain expenditures, and for other purposes;

H. R. 4566. An act for the relief of William Nally;

H. R. 4587. An act for the relief of Mrs. Harry A. Light (formerly Mrs. Elsie Purvey);

H. R. 4688. An act to enlarge the Gettysburg National Cemetery;

H. R. 4874. An act to transfer Pelican Rock in Crescent City Harbor, Del Norte County, Calif., to that county;

H. R. 4964. An act to preserve seniority rights of 10-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier;

H. R. 5071. An act to extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma;

H. R. 5106. An act to provide for changes in the time of holding court in certain divisions in the eastern and western districts of South Carolina;

H. R. 5151. An act authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi;

H. R. 5153. An act to provide for the establishment and operation of an experiment station in the Appalachian region for research on the production, refining, transportation, and use of petroleum and natural gas;

H. R. 5283. An act to provide for the disposal of surplus sand at Fort Story, Va.;

H. R. 5508. An act to amend the Veterans' Preference Act of 1944 to extend the benefits of such act to certain mothers of veterans;

H. R. 5641. An act to provide for the free importation of salt brine;

H. R. 5716. An act to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz;

H. R. 5758. An act to amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters and nieces and nephews of deceased members and former members of the armed forces;

H. R. 5836. An act to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.;

H. R. 5882. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes;

H. R. 5886. An act to amend section 332 (a) of the Nationality Act of 1940;

H. R. 5891. An act to repeal an act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company," and all acts amendatory thereof and supplemental thereto;

H. R. 5901. An act to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River development fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River development fund;

H. R. 5922. An act relating to the issuance of reentry permits to certain aliens;

H. R. 5936. An act to provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes;

H. R. 5957. An act to provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Co. stockade, and for other purposes;

H. R. 5965. An act to amend paragraph 813 of the Tariff Act of 1930;

H. R. 6030. An act to authorize the exchange of wildlife refuge lands within the State of Washington;

H. R. 6073. An act to provide for the acquisition of lands for grazing and related purposes;

H. R. 6078. An act to amend section 303 (e) of the Interstate Commerce Act, as amended;

H. R. 6110. An act to permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes;

H. R. 6113. An act to transfer certain land in Langlade County, Wis., to the United States Forest Service;

H. R. 6114. An act to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes;

H. R. 6116. An act to amend the Trading With the Enemy Act;

H. R. 6204. An act to extend to commissioned officers of the Coast and Geodetic Survey the provisions of the Armed Forces Leave Act of 1946;

H. R. 6220. An act for the relief of Alex Bail;

H. R. 6229. An act to authorize the extension of leases of certain land in the Territory of Hawaii;

H. R. 6242. An act to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap;

H. R. 6246. An act to authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes;

H. R. 6252. An act to authorize the issuance of a land patent to certain public lands, situated in the county of Kauai, Territory of Hawaii, for school purposes;

H. R. 6275. An act to exempt from estate tax national service life insurance and United States Government life insurance in certain cases;

H. R. 6289. An act to provide for the voluntary admission and treatment of mental patients at St. Elizabeths Hospital;

H. R. 6302. An act to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950;

H. R. 6318. An act to amend section 3 of the Standard Time Act of March 19, 1918,

as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone;

H. R. 6339. An act to amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title;

H. R. 6407. An act to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes;

H. R. 6412. An act to codify and enact into law title 3 of the United States Code, entitled "The President";

H. R. 6489. An act to provide for the temporary free importation of lead; and

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5933) to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad, and it was signed by the Acting President pro tempore.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, GOVERNMENT PRINTING OFFICE (S. DOC. NO. 158)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative branch, Government Printing Office, amounting to $191,900, fiscal year 1949, in the form of an amendment to the budget for that fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT SHOWING CREDIT OPERATIONS OF INDIANS AND INDIAN ORGANIZATIONS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a detailed report showing credit operations of Indians and Indian organizations through June 30, 1947, under authority of the acts of June 18, 1934 (48 Stat. 986), and June 26, 1936 (49 Stat. 1967) (with accompanying papers); to the Committee on Interior and Insular Affairs.

TRANSFER BY NAVY DEPARTMENT OF NAVAL PICKET BOATS TO COAST GUARD AUXILIARY FLOTILLA 22 FOUNDATION, ESSINGTON, PA.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Coast Guard Auxiliary Flotilla 22 Foundation, a nonprofit organization, of Essington, Pa., had requested the Navy Department to transfer five picket boats for use by that organization in training flotilla personnel in seamanship, boat handling, and related subjects; to the Committee on Armed Services.

PETITIONS

Petitions, etc., were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore:

The petition of J. B. Sullivan, of New York, praying for the enactment of House bill 5852, the so-called Mundt bill, to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes; to the Committee on the Judiciary.

A letter in the nature of a petition from Leslie G. Alt, of Alton, Ill., praying for the enactment of legislation providing written notifications of election to President-elect and Vice President-elect; to the Committee on Rules and Administration.

PROHIBITION AGAINST LIQUOR ADVERTISING—PETITION

Mr. BALDWIN. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD without the signatures attached, a petition signed by about 300 citizens of the State of Connecticut, urging the passage of Senate bill 265, a bill to prohibit the transportation of alcoholic beverage advertising in interstate commerce.

There being no objection, the petition was received, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, without the signatures attached, as follows:

*To Our Senators and Representatives in Congress:*

We respectfully request that you use your influence and vote for the passage of S. 265, a bill to prohibit the transportation of alcoholic beverage advertising in interstate commerce and the broadcasting of alcoholic beverage advertising over the radio. The most pernicious effect of this advertising is the constant invitation and enticement to drink. The American people spent $8,770,000,000 for alcoholic beverages in 1946 as compared with $3,700,000,000 in 1942. During the same period there was a corresponding increase each year in crime. There is every reason why this expenditure should not be increased, but decreased.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

H. R. 5173. A bill to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands; without amendment (Rept. No. 1359).

By Mr. WILEY, from the Committee on the Judiciary:

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace; without amendment (Rept. No. 1360).

INCREASE OF LIMIT OF EXPENDITURES BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report, without amendment, Senate Resolution 233, further increasing the limit of expenditures by the Committee on Rules and Administration in the performance of certain duties, submitted by the junior Senator from Indiana [Mr. JENNER] on May 11, 1948, and I request its immediate consideration.

There being no objection, the resolution was considered and agreed to, as follows:

*Resolved*, That the limit of expenditures authorized under Senate Resolution 54, Eightieth Congress, agreed to January 17, 1947 (authorizing the expenditure of funds and the employment of assistants by the Committee on Rules and Administration, or any duly authorized subcommittee thereof, in carrying out the duties imposed upon it by subsection (o) (1) (D) of rule XXV of the Standing Rules of the Senate), as increased by Senate Resolution 114, Eightieth Congress, agreed to May 21, 1947, and Senate Resolution 142, Eightieth Congress, agreed to July 23, 1947, is hereby further increased by $100,000.

PREPARATION AND PRINTING OF SENATE RULES AND MANUAL

Mr. BROOKS. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report an original resolution providing for the preparation and printing of the Senate Rules and Manual for the Eighty-first Congress, and I request its immediate consideration.

There being no objection, the resolution (S. Res. 238) was considered and agreed to, as follows:

*Resolved*, That the Committee on Rules and Administration be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the Eighty-first Congress, and that 1,500 additional copies shall be printed and bound, of which 1,000 copies shall be for the Senate, 200 copies for the use of the Committee on Rules and Administration, and the remaining 300 copies shall be bound in full morocco and tagged as to contents and delivered as may be directed by the committee.

INTERNATIONAL PEACE AND SECURITY THROUGH THE UNITED NATIONS (REPT. NO. 1361)

Mr. VANDENBERG. Mr. President, from the Committee on Foreign Relations I ask unanimous consent to report an original resolution dealing with collective security and the United Nations. The resolution was adopted this morning by the committee after several weeks' labor on it. It is reported by a vote of 13 to 0.

I request that the resolution go to the calendar, that it be printed in full at this point in the RECORD, and that the committee may be permitted to file its report later.

The ACTING PRESIDENT pro tempore. Without objection, the various requests of the Senator from Michigan are granted.

The resolution (S. Res. 239) is as follows:

Whereas peace with justice and the defense of human rights and fundamental freedoms require international cooperation through more effective use of the United Nations: Therefore be it

*Resolved*, That the Senate reaffirm the policy of the United States to achieve international peace and security through the United Nations, so that armed force shall not be used except in the common interest, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

(1) Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help

and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

(6) If necessary, after adequate effort toward strengthening the United Nations, review of the Charter at an appropriate time by a general conference called under article 109 or by the General Assembly.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN:

S. 2700. A bill to provide for the sale of a part of War Housing Project Ark-3048, 9 to the estate of C. C. Stuckey; to the Committee on Banking and Currency.

By Mr. HATCH:

S. 2701. A bill for the relief of William Henry Tickner; to the Committee on the Judiciary.

By Mr. RUSSELL:

S. 2702. A bill to provide an appropriation for the reconstruction and repair of bridges on county roads in the flood damaged areas of the State of Georgia; to the Committee on Public Works.

By Mr. JOHNSON of Colorado (for Mr. McCARTHY and himself):

S. 2703. A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; to the Committee on Interstate and Foreign Commerce.

By Mr. REED:

S. 2704. A bill to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Oklahoma:

S. 2705. A bill to reimburse the James & Phelps Construction Co.; to the Committee on the Judiciary.

By Mr. CAIN:

S. 2706. A bill to authorize the Federal Works Administrator to lease for commercial purposes certain space in the building located at 811 Vermont Avenue NW., Washington, D. C., commonly known as the Lafayette Building; to the Committee on Public works.

By Mr. MAGNUSON:

S. J. Res. 218. Joint resolution to continue until December 31, 1949, the authority of the United States Maritime Commission to make provision for certain ocean transportation services to, from, and within Alaska; to the Committee on Interstate and Foreign Commerce.

By Mr. CAIN:

S. J. Res. 219. Joint resolution to continue until December 31, 1949, the authority of the United States Maritime Commission to make provision for certain ocean transportation services to, from, and within Alaska; to the Committee on Interstate and Foreign Commerce.

## ESTABLISHMENT OF JOINT COMMITTEE ON OLYMPIC NATIONAL PARK

Mr. CAIN submitted the following concurrent resolution (S. Con. Res. 55), which was referred to the Committee on Interior and Insular Affairs:

Whereas there is a need to conserve the scenic and the natural and historical objects and the wildlife within areas known as national parks, monuments, and reservations, and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations, and a need for the preservation for public enjoyment of the Nation's greatest natural spectacles make it imperative that they be reserved for posterity; and

Whereas the inclusion of areas within national parks, monuments, and reservations are necessary to carry out the aforementioned objectives even though the inclusion of such lands within such areas may cause hardships on the communities, industries, and individuals dependent on such areas for their economic development; and

Whereas an unlimited extension of this otherwise sound policy leads to an improper balance between the preservation aims of the Park Service of the Department of the Interior and the needs for a sound program for the conservation of natural resources; and

Whereas our natural resources have been depleted by the demands of World War II and will for some years to come be overtaxed by the unfilled needs of our domestic economy, the requirements of national defense, and the European recovery program; and

Whereas there is a need for the highest degree of utilization of our natural resources under a sound conservation plan which will foster sustained production rather than nonproductive holding of our natural resources in order to satisfy the social and economic needs of our people, to strengthen the Nation against the ravages of discontent, to combat inflation, to fulfill our commitments for the European recovery program, and to prepare for any eventualities that may arise due to world unrest; and

Whereas the Congress by act of June 29, 1938 (52 Stat. 1241), creating the Olympic National Park, determined that in light of the domestic needs existing at that time that the Olympic National Park area could be extended to include a total area not exceeding 898,292 acres, but because of the demands caused by World War II and the needs of our domestic economy circumstances have so changed as to necessitate the review by the Congress of the acreage contained in the Olympic National Park; and

Whereas there are lands included within the Olympic National Park which are submarginal recreational areas and not suitable for park purposes; and

Whereas the national interest, as well as the communities of the Olympic Peninsula and particularly the Grays Harbor area and Port Angeles, require the sustained production and conservation through utilization and renewal of the forest resources of the Olympic Peninsula in order to provide an annual long-range supply of timber, such as will result from the operations of a sustained-yield program, for the production of products of the forest necessary for the national defense and the National Housing program; and

Whereas a sound forest conservation program requires the transfer from the Park Service of the Department of the Interior to the Forest Service of the Department of Agriculture of those areas which are not particularly suitable for recreational or park purposes but would be highly beneficial in the maintenance and furtherance of a sound sustained-yield program by the Forest Service of the Department of Agriculture under the provisions of the act of Congress of March 29, 1944 (58 Stat. 132); and

Whereas certain lands within the park can be transferred to the Forest Service without impairing the program established for the purpose of conserving the scenery and the natural and historical objects and the wildlife within said park: Therefore be it.

*Resolved by the Senate (the House of Representatives concurring)*, That there is hereby established a joint congressional committee to be known as the Joint Committee on the Olympic National Park (hereinafter referred to as the committee), and to be composed of (a) three Members of the Senate, one of whom shall be a member of the Committee on Agriculture and Forestry, one of whom shall be a member of the Committee on Public Lands, and one of whom shall be a member of the Committee on Small Business, to be appointed by the President pro tempore of the Senate, and (b) three Members of the House of Representatives, one of whom shall be a member of the Committee on Agriculture, one of whom shall be a member of the Committee on Public Lands, and one of whom shall be a member of the Committee on Small Business, to be appointed by the Speaker of the House of Representatives. A vacancy in the membership of the committee shall not affect the powers of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection. The committee shall select a chairman and a vice chairman from among its members.

SEC. 2. The committee, acting as a whole or by subcommittee, shall conduct a thorough study and investigation as to the lands included within the Olympic National Park, including but not limited to—

(a) the extent to which such lands are adaptable for park purposes;

(b) the extent, if any, to which such lands are not necessary to effectuate the program of the National Park Service;

(c) the extent, if any, to which such lands as found unnecessary for park service can be transferred to the Secretary of Agriculture for administration by the Forest Service for operation in connection with sustained yield programs proposed by the Forest Service for that particular area;

(d) the establishment of a permanent boundary line for the Olympic National Park and a need for the establishment of highways, trails, and other accommodations both within the area under the control of the Park Service and the area under the control of the Forest Service in order to provide the greatest utilization of the two areas for the enjoyment of the American people and for sound and economic forest management; and

(e) such other problems and subjects relating to the Federal control and management of park lands and forest lands within the Olympic Peninsula as the committee deems appropriate.

SEC. 3. The committee shall report to the Senate and the House of Representatives not later than December 30, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable.

SEC. 4. The committee is authorized to call on the Director of the Park Service, Department of Interior, and Chief, Forest Service, Department of Agriculture, to make available to the committee such technical services, information, and facilities as the committee shall require and may request the governments of the several States, representatives of business, industry, finance, and labor, and such other persons, agencies, organizations, and instrumentalities as it deems appropriate to attend its hearings, to give and present information, advice, and recommendations.

SEC. 5. The committee, or any subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned

periods of the Eightieth Congress; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to have such printing and binding done; and to make such expenditures, as it deems advisable. The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per 100 words. Subpenas shall be issued under the signature of the chairman or vice chairman of the committee and shall be served by any person designated by them.

SEC. 6. The expenses of carrying out the provisions of this resolution, incurred by the Joint Committee on the Olympic National Park, acting as a whole or by subcommittee, not to exceed $25,000, including expenditures for the employment of experts, assistants, and other employees, and all expenses necessary for travel and subsistence incurred by Members and employees while engaged in the activities of the committee thereof, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives on vouchers signed by the chairman or vice chairman of the committee. Disbursements shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of the disbursements so made.

## PROPOSED WITHHOLDING DECISION IN CLEAR CHANNEL CASE BY FEDERAL COMMUNICATIONS COMMISSION

Mr. JOHNSON of Colorado submitted the following resolution (S. Res. 240), which was referred to the Committee on Interstate and Foreign Commerce:

*Resolved*, That it is the sense of the Senate of the United States that the Federal Communications Commission should not adopt or promulgate any decision in the so-called clear channel case (Docket No. 6741) until such time as a new North American Regional Broadcasting agreement has been agreed to and ratified by the Senate: *Provided*, This shall not prevent or affect any decision the Commission may promulgate in the KOB case.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS—AMENDMENT

Mr. MORSE submitted an amendment intended to be proposed by him to the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 7, line 25, in lieu of the amount proposed to be inserted by the committee amendment insert "$208,084,400," of which $40,000,000 shall be for the McNary lock and dam, Columbia River, Oreg. and Wash.

## HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 354. An act for the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.;

H. R. 744. An act for the relief of Sylvia M. Misetich;

H. R. 813. An act for the relief of J. Don Alexander;

H. R. 1296. An act for the relief of Cohen, Goldman & Co., Inc.;

H. R. 2696. An act for the relief of Otto Kraus, receiver of the Neafie & Levie Ship & Engine Building Co.;

H. R. 2766. An act to amend section 2 of an act entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725);

H. R. 4566. An act for the relief of William Nally;

H. R. 4587. An act for the relief of Mrs. Harry A. Light (formerly Mrs. Elsie Purvey);

H. R. 5106. An act to provide for changes in the time of holding court in certain divisions in the eastern and western districts of South Carolina;

H. R. 5886. An act to amend section 332 (a) of the Nationality Act of 1940;

H. R. 5891. An act to repeal an act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company," and all acts amendatory thereof and supplemental thereto;

H. R. 6116. An act to amend the Trading With the Enemy Act;

H. R. 6220. An act for the relief of Alex Bail; and

H. R. 6412. An act to codify and enact into law title 3 of the United States Code entitled "The President"; to the Committee on the Judiciary.

H. R. 3402. An act to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.; and

H. R. 3915. An act to increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes; to the Committee on Public Works.

H. R. 3883. An act to authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel *Hygiene;*

H. R. 4032. An act to amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States;

H. R. 5283. An act to provide for the disposal of surplus sand at Fort Story, Va.;

H. R. 5758. An act to amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters and nieces and nephews of deceased members and former members of the armed forces;

H. R. 5836. An act to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.; and

H. R. 5882. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes; to the Committee on Armed Services.

H. R. 4114. An act to amend the Public Health Service Act to permit certain expenditures, and for other purposes;

H. R. 6289. An act to provide for the voluntary admission and treatment of mental patients at St. Elizabeths Hospital; and

H. R. 6339. An act to amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title; to the Committee on Labor and Public Welfare.

H.R. 4688. An act to enlarge the Gettysburg National Cemetery;

H. R. 4874. An act to transfer Pelican Rock in Crescent City Harbor, Del Norte County, Calif., to that county;

H. R. 5071. An act to extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma;

H. R. 5151. An act authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi;

H. R. 5153. An act to provide for the establishment and operation of an experiment station in the Appalachian region for research on the production, refining, transportation, and use of petroleum and natural gas;

H. R. 5936. An act to provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes;

H. R. 5957. An act to provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Company stockade, and for other purposes;

H. R. 6073. An act to provide for the acquisition of lands for grazing and related purposes;

H. R. 6229. An act to authorize the extension of leases of certain land in the Territory of Hawaii;

H. R. 6246. An act to authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes; and

H. R. 6252. An act to authorize the issuance of a land patent to certain public lands situated in the county of Kauai, Territory of Hawaii, for school purposes; to the Committee on Interior and Insular Affairs.

H. R. 4964. An act to preserve seniority rights of 10-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier; and

H. R. 5508. An act to amend the Veterans' Preference Act of 1944 to extend the benefits of such act to certain mothers of veterans; to the Committeee on Post Office and Civil Service.

H. R. 5641. An act to provide for the free importation of salt brine;

H. R. 5965. An act to amend paragraph 813 of the Tariff Act of 1930;

H. R. 6242. An act to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap;

H. R. 6275. An act to exempt from estate tax national service life insurance and United States Government life insurance in certain cases;

H. R. 6489. An act to provide for the temporary free importation of lead; and

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

H. R. 5716. An act to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz;

H. R. 5901. An act to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River development fund for use in the fiscal years 1949 to 1955, inclusive,

on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River development fund;

H. R. 5922. An act relating to the issuance of reentry permits to certain aliens;

H. R. 6302. An act to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950; and

H. R. 6318. An act to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone; ordered to be placed on the calendar.

H. R. 6030. An act to authorize the exchange of wildlife refuge lands within the State of Washington;

H. R. 6078. An act to amend section 303 (e) of the Interstate Commerce Act, as amended;

H. R. 6110. An act to permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes; and

H. R. 6204. An act to extend to commissioned officers of the Coast and Geodetic Survey the provisions of the Armed Forces Leave Act of 1946; to the Committee on Interstate and Foreign Commerce.

H. R. 6113. An act to transfer certain land in Langlade County, Wis., to the United States Forest Service; and

H. R. 6114. An act to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes; to the Committee on Agriculture and Forestry.

## THE REPUBLIC OF ISRAEL

[Mr. GREEN asked and obtained leave to have printed in the RECORD a message from Mrs. Eleanor Roosevelt and an address by former Gov. Herbert H. Lehman, of New York, at the "Salute to Israel" meeting in Madison Square Garden, May 16, 1948, which appear in the Appendix.]

## THE REPUBLIC OF ISRAEL—ADDRESS BY BRIG. GEN. JULIUS KLEIN

[Mr. COOKS asked and obtained leave to have printed in the RECORD an address delivered by Brig. Gen. Julius Klein, national commander of the Jewish War Veterans of the United States, at the Salute to Israel meeting in Madison Square Garden, New York, May 16, 1948, which appears in the Appendix.]

## PRICE SUBSIDIES FOR MARGINAL MINES—ARTICLE BY HOWARD O. GRAY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article on the subject of price subsidies for marginal mines written by Howard O. Gray, mining editor of the Joplin Globe and News Herald, which appears in the Appendix.]

## MEETINGS OF COMMITTEES DURING SENATE SESSION

Mr. LODGE asked and obtained consent for the Committee on Foreign Relations to sit during the session of the Senate today.

Mr. WHERRY asked and obtained consent for a subcommittee of the Committee on Small Business to sit and hold hearings during the session of the Senate today.

He also asked and obtained consent for the Judiciary Committee to sit in executive session during the session of the Senate this afternoon.

Mr. DONNELL asked and obtained consent for a Subcommittee of the Committee on the Judiciary, engaged in hearing evidence with respect to the nomination of Roy W. Harper, to hold a meeting during the session of the Senate this afternoon.

## LEAVE OF ABSENCE

Mr. McGRATH asked and obtained leave to be absent from the Senate tomorrow, Thursday, May 20, 1948, on official business.

## TRIBUTE TO THE LATE REPRESENTATIVE CHARLES L. GIFFORD BY SENATOR SALTONSTALL

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a memorial address in eulogy of Representative CHARLES L. GIFFORD, of Massachusetts, who died August 23, 1947. He represented a district of the Commonwealth of Massachusetts for a great many years in the House of Representatives.

There being no objection, the address was ordered to be printed in the RECORD as follows:

EULOGY OF REPRESENTATIVE CHARLES L. GIFFORD BY SENATOR LEVERETT SALTONSTALL

Mr. President, my long friendship with CHARLES L. GIFFORD—a keen and courageous legislator who faithfully served his Massachusetts friends in Congress for 26 years—is an experience I shall always cherish. I came to appreciate his warmth of heart and his personal convictions as we worked together on problems common to both of us, first when I was in the Governor's office in Massachusetts and later in Congress. He was frank, honest and a tremendous worker. I know of no person who was more conscientious in his duties or a more stanch supporter of his party's principles. He was an able, forceful speaker, but always with a sense of humor. Those of us who know his Cape Cod section of Massachusetts appreciate that CHARLIE GIFFORD had the same steadfastness and constructive outlook which marked those who settled the Bay State generations ago and who made such important contributions to the progress of our country.

I do not think he ever fully recovered from two personal blows. First was the destruction of his lifelong collection of memorable papers and records when the hurricane of 1938 churned his friendly Cape Cod waters into a seething tidal wave sweeping all in its path. Later he was struck by a streetcar in Washington which physically weakened him. Yet neither blow could diminish his ever-ready wit, his infectious smile and love for his fellow man. All of us in Massachusetts shall miss him. We are proud of the record he leaves behind him as a statesman who always thought first of his country and his people at home and lastly of himself.

## MAJ. RAOUL LUFBERY

Mr. BALDWIN. Mr. President, 30 years ago today over the Toul sector of the Western Front one of the greatest heroes in the history of American aviation gave his life for his country in World War I. I am sure that almost every Member of this body knows of the deeds of Maj. Raoul Lufbery.

We in Connecticut are proud to number Major Lufbery among our distinguished citizens of the past. He was born in Wallingford, near New Haven, and left there at the age of 17. Shortly afterward he joined the United States Army, and served 2 years in the Philippines, where he became known as an expert marksman.

Upon leaving the service, Lufbery set out to tour the world. In China he met the famous French flyer, Marc Pourpe, and joined him as a mechanic. In 1914, when war broke out, Pourpe and Lufbery were in Paris. By enlisting in the French Foreign Legion, Lufbery, although an American citizen, was allowed to accompany his former employer to the front when he entered the service.

After the gallant French pilot was lost in battle, Lufbery joined the French Air Service, and later transferred to the famed Lafayette Escadrille, where he gained fame as one of the war's outstanding combat flyers.

Upon the entry of the United States into the war, Lufbery was commissioned a major in the Air Force. He was assigned as an instructor of newly-arrived American pilots, but continued to fly in active combat sorties. During his war career, Lufbery was credited with 18 victories, and he received decorations from most of the Allied countries.

In these times, Mr. President, when we hear so much of the importance of air power to our national security, it seems particularly fitting that we should recall and honor the deeds of such a pioneer of aviation as the man I have spoken of here. I am sure that the citizens of Connecticut and of the Nation will remember and deeply appreciate the deeds of Raoul Lufbery, who laid down his life for his country 30 years ago today.

## AMERICAN-RUSSIAN DIFFERENCES

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a telegram which I have received from Mr. W. C. Fraser, a prominent attorney of Omaha, Nebr., and one of the leading citizens of the State. I am sure the contents of the telegram will be of interest to the Members of the Senate.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

OMAHA, NEBR., *May 18, 1948.*

Hon. HUGH A. BUTLER,
*Senate Office Building,*
*Washington, D. C.:*

If an idea is good it becomes rather immaterial who originated it. Many American hearts leaped with joy a few days ago when the morning papers announced that Russia, through Molotov, had stated they were ready to sit down and discuss any differences with us. We were thunderstruck when the evening papers stated that Washington was not interested because, perchance, Molotov had misinterpreted Bedell Smith's letter; that we had not requested a conference. What of it? The matter is of such tremendous import that neither party can stand on ceremony. Henry Wallace that evening made some suggestions worthy of serious consideration. Our Government should welcome every opportunity to come to agreement with Russia. We need not sacrifice principles and if the talks lead to no solution, we are no worse off.

W. C. FRASER.

## TRANSPORTATION FOR CERTAIN GOVERNMENT AND OTHER PERSONNEL

The ACTING PRESIDENT pro tempore laid before the Senate the amend-

ment of the House of Representatives to the bill from the Senate (S. 1525) to provide for furnishing transportation for certain Government and other personnel, and for other purposes, which was, on page 1, line 9, after "war", to insert "or national emergency declared by the Congress or the President."

Mr. GURNEY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

## COURSE OF INSTRUCTION AT THE NAVAL ACADEMY

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1723) to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians, which was, on page 2, line 20, to strike out "War" and insert "the Army."

Mr. GURNEY. Mr. President, the House amendment is of a technical nature. It changes the name of the War Department to the Department of the Army. I therefore move that the Senate concur in the amendment of the House.

The motion was agreed to.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the pending bill to the Committee on Appropriations with certain instructions.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Morse |
| Baldwin | Hatch | O'Conor |
| Ball | Hawkes | Pepper |
| Barkley | Hayden | Reed |
| Brewster | Hickenlooper | Revercomb |
| Bricker | Hill | Robertson, Va. |
| Bridges | Hoey | Russell |
| Brooks | Holland | Saltonstall |
| Butler | Ives | Smith |
| Byrd | Jenner | Sparkman |
| Cain | Johnson, Colo. | Stennis |
| Capehart | Kem | Taft |
| Capper | Kilgore | Thomas, Okla. |
| Chavez | Knowland | Thomas, Utah |
| Connally | Langer | Thye |
| Cooper | Lodge | Tobey |
| Cordon | Lucas | Tydings |
| Donnell | McClellan | Vandenberg |
| Downey | McFarland | Wherry |
| Dworshak | McGrath | White |
| Eastland | McKellar | Wiley |
| Ecton | McMahon | Williams |
| Ferguson | Magnuson | Wilson |
| Fulbright | Malone | Young |
| George | Millikin | |
| Green | Moore | |

Mr. WHERRY. I announce that the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Wyoming [Mr. ROBERTSON] are absent on official business.

The Senator from Pennsylvania [Mr. MARTIN] is absent on official state business.

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. ELLENDER] is a member of the committee on the part of the Senate having been appointed to attend the funeral of the late Senator John H. Overton, of Louisiana, and is therefore necessarily absent.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The ACTING PRESIDENT pro tempore. Seventy-six Senators having answered to their names, a quorum is present.

Mr. REVERCOMB obtained the floor.

Mr. REED. Mr. President——

Mr. REVERCOMB. Mr. President, I desire to go forward with my statement, which will not be long, but I have agreed to yield to the Senator from Kansas for the purpose of making an amendment to the motion which is now before the Senate. I now yield to the Senator from Kansas for that purpose.

Mr. REED. Mr. President, the language used in drafting the motion before the Senate left the impression with some Senators that it was intended to give the Army engineers more authority in the final disposition of the various projects than we meant to give them. The makers of the motion had no such intention. So I send to the desk an amended motion and ask that it be substituted for the motion now before the Senate. It is the same thing stated more clearly and in better language.

The ACTING PRESIDENT pro tempore. The amended motion will be read for the information of the Senate.

The Chief Clerk read as follows:

I move that the bill (H. R. 5524, the civil functions appropriation bill) be recommitted to the Committee on Appropriations with the following instruction, namely:

(a) The aggregate items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included.

(b) That the Committee on Appropriations be directed to request the Corps of Engineers, Department of the Army, to reexamine the projects contained in this bill with the view of making recommendations to the Appropriations Committee for the application of the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that selections and recommendations be based on—

1. Urgency;
2. Long-range importance;
3. Projects which can be completed with reasonable appropriations; and
4. Projects where the State or municipality bears a portion of the expense.

The ACTING PRESIDENT pro tempore. The Senator from Kansas has the right to modify his motion. In order that the parliamentary situation may be clear, the Chair will state the question before the Senate.

The question is on agreeing to the motion, as modified, of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the pending bill to the Committee on Appropriations with certain instructions.

Mr. REVERCOMB. Mr. President, the motion as modified—and the same was true of the original motion, which has been discussed for several days—would, if adopted, return the bill to the Appropriations Committee with directions that it undo the work which was the result of many days of hearings and deliberation before that committee.

I realize that the sole effect of this motion is to reduce during the coming fiscal year expenditures for public works. I fully realize the great popular appeal which is made by a cry to reduce the expenditures of Government. I recognize the scundness of such a position when the request is founded in wisdom. But I say to my colleagues that the reduction which is asked is not founded in wisdom. It is not a course which should be followed.

We have heard a great deal of discussion about flood control. A large part of this appropriation deals with flood control. I do not minimize for a moment the great importance of flood control to the internal strength of the country and the progress of the Nation. It saves the land which produces the food we need. It protects the cities and the great manufacturing centers. More than that, it protects life, because not a year passes in the sections of our country where the floods strike that we do not read of the tragic results of floods in the loss of the lives of our citizens.

But, Mr. President, more than flood control is involved in this matter. Let me point out that one of the most important features of this bill is its provision for the continued improvement of our waterways, the great channels of commerce, which more and more each year are being developed for the progress of commerce in the Nation, and more and more are being needed within the United States. We in the United States are somewhat behind more ancient Europe with respect to the development of our water courses. Only last fall it was my privilege as a Member of the Senate to be in Germany and Austria. I went upon the Rhine River, and traveled for miles upon it. That river is canalized from

its mouth all the way back into Switzerland. Its embankments are built up, and it is the great artery of commerce through that area of Europe. Likewise, the Danube has been, not only for generations, but for centuries, an improved water course carrying the freight and traffic of commerce throughout the middle part of Europe. But we in the United States are somewhat behind in the development of our waterways. We are just in the midst of their development. When Senators talk about building up the military strength of the Nation and when we are appealed to, as we are today, to build up the arms of the Nation, inasmuch as we know that our great productive power behind that strength of defense is equally as important as any armament we may provide, I say to you, Mr. President, that the improvement of our waterways and of our harbors along the coasts is just as necessary to the progress and strength of the country as is any government undertaking which may be made.

It seems to me that it is very strange for some Members of the Senate who in this very session have voted to pour into Europe billions of dollars of American funds, with hundreds of millions of them to be used for public improvements in Europe, subsequently to rise on this floor and denounce the appropriation of lesser sums of money, I may say, for the internal improvement and strengthening of our own country. That point has already been raised, but I do not believe that up to this time any figures in regard to it have been pointed out. Between September 1945 and June 1947, we supplied aid totalling $1,000,000,000 to foreign countries for agricultural, industrial, and other facilities and commodities and equipment. We gave out of the United States Treasury and out of the pockets of the citizens of the United States $1,000,000,000 to improve the internal strength of other lands. How, then, can any man raise his voice to object to the use in the United States, for our own people, of their own money in a lesser amount?

Mr. WHERRY. Mr. President, will the Senator yield at this point for an observation?

The ACTING PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. REVERCOMB. I yield.

Mr. WHERRY. The Senator from West Virginia is making a very forceful argument on the pending appropriation bill, on the ground that if the United States makes large appropriations for projects in Europe which are similar to the very ones in the United States which now are in question, then why should we deny similar appropriations for use here at home?

Of course the Senator knows that the appropriations for use in Europe go for projects which have not even been considered or authorized, whereas the projects in our own country which now are under consideration by the Senate have been carefully considered and authorized. This point came up only yesterday. I should like the Senator to call attention to the fact that the program which has been submitted by the CEEC, which has to do with the relief and the economy of 16 foreign countries, involves total estimated appropriations for the development of power and the building of dams, flood-control projects, and so forth in those 16 countries in the amount of $5,000,000,000. That is their program. They have asked the United States of America to contribute, as its part of that program, $300,000,000, and an itemized statement has been submitted. Of course, that is for the first appropriation. What the next one will be, I do not know.

Mr. REVERCOMB. Mr. President, let me interrupt the Senator from Nebraska to say, directly in line with the point raised, that the figures which have been given me upon this subject show that a total of $2,200,000,000 is included in the plan for Europe, as set up at the present time. Further, they show that $500,000,000 will be set aside for hydroelectric and other electrical and power equipment, $479,000,000 for railroad cars and other equipment, $220,000,000 for coal-production equipment, $600,000,000 for petroleum-production equipment, and $400,000,000 for steel-manufacturing equipment, to be supplied to Europe out of money taken from the Treasury of the United States; and yet we find that Senators who voted in favor of that program are now complaining about the expenditure of approximately $700,000,000 for internal improvements in the United States. I cannot reconcile such an attitude; I cannot understand the position of legislators who vote for the expenditure abroad of such vast sums of money coming from the Treasury of the United States, and then complain about the proposed expenditure of a lesser amount of money for the strengthening of our own country.

Mr. WHERRY. Mr. President, inasmuch as the Senator from West Virginia has revealed the additional figures, I am quite satisfied that he is speaking from the same report that I have. So it is unnecessary for me to go further with the figures, although I was going to ask that they be inserted in the RECORD at this point. However, that is unnecessary.

I thank the Senator for calling attention to the huge expenditures which have been made abroad and will continue to be made abroad over a period of 4 years, for projects over which we have no control. Although we have no control over them and we have not investigated their worthiness, yet now it is proposed that $200,000,000 be sliced off the appropriations for projects in the United States which have been justified, and that proposal is made on the ground that we wish to economize. Mr. President, the time for us to economize will be when we have before us the proposed blank-check appropriation for such projects abroad. The appropriation requested for that purpose this year will be $300,000,000, and in my opinion the requested appropriations for such purposes will run into many hundreds of millions of dollars in the next 4 years—for a program over which we have no control whatsoever.

Mr. REVERCOMB. Mr. President, I thank the Senator from Nebraska for his observations, which are entirely in line with my own thinking on this subject. I am glad the Senator from Nebraska has made these points.

The motion as now amended instructs the committee, if this bill is recommitted, to call in the Army engineers for recommendations in regard to what should be done and what improvements should be stopped or put aside. Mr. President, that is a strange motion, and that position is a strange one to take, in view of the fact that an attack has been made upon the Corps of Army Engineers. I wish to say that I have never heard in this body an attack made upon anyone that I felt was more unwarranted or unsound. The Corps of Army Engineers has for years served with great distinction in time of war and in time of peace. There has been committed to the Corps of Engineers, ever since we began our internal improvements and public works, the duty of making the engineering preparations to ascertain whether such projects were needed, and to report to us, and, if we approved the projects, to follow up with their construction.

Within the last two sessions of the Congress, because of my position as a member and as chairman of the Committee on Public Works, I have frequently had occasion to become familiar with the work of the Army engineers and to know what they are doing.

I want to say that in my opinion there is no agency of the Government that performs its work with greater efficiency than the Army engineers. I cannot sit quietly by and hear the attack made upon that corps when I know full well the great services they have rendered. Let me say they are but an agency of the Government. We are the ones who decide what shall be done. We call upon the engineers for advice and recommendations. We do not always accept them, but if there is any charge to be made of the questionableness of projects selected it should not be directed at the Corps of Engineers; that charge must be directed at the Appropriations Committee, to which it is in fact directed in the attack made by the motion now pending before the Senate.

Let me further say that every project included within the appropriation bill has before this time had the full sanction not only of a committee of the Senate but of the Senate itself. Each project has been authorized as necessary. In what manner were they authorized? They were authorized after very full and complete hearings. I know personally how full and complete those hearings are. I have seen the reports of the engineers searched scathingly and examined closely to see whether or not a project was justified. We have heard the representatives of State governments, private engineers, and citizens testify upon whether or not a given project was needed and justified. That was the first step taken. The Congress has heretofore authorized every project contained within the pending appropriation measure. But we do not stop with that. The Appropriations Committee conducts its own hearings. It then proceeds to select the projects it believes to be necessary in order that we may move forward in the construction of public works which are in-

dispensable to the strengthening of the country.

Let me say further with respect to the attack now made upon the Corps of Engineers which I feel is so unwarranted, the impression would seem to be created that the engineers want to take every project and build it. I say to you, Mr. President, that I know of one very definite series of projects which they turned down as wholly unjustified, and so reported. I refer to the series of dams attempted to be placed upon the James River. The report of the Army engineers came back, with the signature of the then Secretary of War, saying that the dams could not be justified and therefore should not be built. The Army engineers are using fairness and acting in accordance with their judgment. Not one project is ever authorized unless it can be affirmatively shown that the cost of construction will be less than the benefits to be derived. The project must be justified from a monetary standpoint.

The great harbors on our coasts must be maintained, and they should be improved. A large part of the appropriation contained in the pending bill is for the improvement of rivers and harbors. Another part of the public undertaking covered by the bill has to do with expenditures on the Panama Canal, the great water course linking the Atlantic and the Pacific, permitting commerce to move so much faster and more effectively between the west coast and the east coast of the United States. The Canal must be maintained. It should be improved and perfected so as to make it the most modern water course between any two oceans in the world.

Then, Mr. President, by the pending measure, the Quartermaster Corps is given money in a rather large amount for the purchase and maintenance of burial grounds for those who gave up their lives in the late World War. I say to you, Mr. President, there is no item in the bill that can be taken from it.

If the motion were to be adopted and the bill recommitted, I do not know, as I stand here today, whether there would be taken from it appropriations for the improvement of rivers and harbors and commerce. I do not see how that could be done. I do not know whether there would be taken from it appropriations for flood control projects, which are needed to protect the productive centers of the country, the fertility of the land, and the lives of people threatened when sudden floods come upon them. I do not see how the amount to be appropriated for the Panama Canal could be reduced. Certainly, in my opinion, not one item of the appropriation for the Quartermaster's Department of the Army should be reduced.

If the appropriations are reduced in anything like the amount suggested by the motion, some of the projects will be stopped in the very midst of construction. I had occasion to inquire into the effect of one such reduction. As I recall, it was in respect to the great Conemaugh Dam construction in Pennsylvania. The question in connection with it was how much money should be advanced to carry on that construction. We found that if a sufficient sum were not appropriated to carry it through the year and until the next appropriation date, the loss through idly standing by would be so very great there could be no question about the wisdom of appropriating sufficient money to carry the project through to completion.

This subject has been fully discussed, Mr. President. Oh, I can understand the attacks made with the idea of reducing governmental expenditures and saving money. That is a worthy objective, but it is desirable only when it is wise. There is no wisdom in withholding the appropriation of money which would give a return in greater value than the amount expended.

There was a chart before the Senate when the debate began. I am sorry it is not still before us. It was prepared by proponents of the motion. The chart showed very clearly that during the course of 11 years the average spent on internal improvements, on public works, rivers and harbors, flood control, and on the Panama Canal, had been approximately $330,000,000 a year. No amount of money should be spent unless there is a return to the Government; but when it has been proved, after hearings which were held day after day by the committee, that there will be a profitable return to the Government, and that the improvements are needed, it is no part of wisdom to seek to strike out any one of the projects sought to be provided for.

Mr. President, due to the extended discussion which has taken place regarding both sides of the subject, feeling that there is no great need for further discussion, and believing that every phase of the question has been fully considered, I oppose the motion because I know that the bill which has been brought forth and which is sought to be destroyed by its return to the Appropriations Committee has been the result of careful, earnest, sincere work. The bill contains no pork and no log rolling. I know that to be so, because I served on the committee and no such propositions were made. The projects were placed in the bill after full hearings and because the members of the committee believed that they were essential and were needed by the country. It is with little force that it can be asked that the bill be recommitted to the committee after the arduous and careful work which the committee has done. Therefore, Mr. President, I shall oppose and vote against the motion to recommit the bill to the Committee on Appropriations.

Mr. McCLELLAN. Mr. President, I had hoped there would not be any serious opposition to this bill. The continuing of public works of the character provided for in the bill is so important to the welfare of the country that I can hardly reconcile serious opposition to the program.

I want to associate myself with some of the remarks of the able Senator from West Virginia [Mr. REVERCOMB] who has just concluded speaking, with reference to our spending billions of dollars abroad in trying to help foreign countries recover, to build up their strength to a point where they cannot only be self-sustaining but can offer some resistance to totalitarianism aggression, and then when it comes to considering our own internal strength and the necessity for carrying on a program which will not only enrich this Nation in its peacetime economy but many of the projects are essential to the increasing of our military power and strength in time of war, opposition is encountered. I think we would be in dereliction of our duty if we should fail to carry on each year a substantial program of internal improvements, particularly with reference to projects related to the development of our great potential water resources.

I also agree with other Senators who have made reference to the rather strange motion that has been made to recommit the pending bill.

I read from the minority views, the second paragraph on page 2:

> Many of the projects included in this appropriations measure were authorized in extremely broad language, the effect of which was to turn over the responsibility—

And this is the statement on which I wish to place special emphasis—

> the effect of which was to turn over the responsibility for selecting the projects to the Army Corps of Engineers—

Then the minority views proceed not only to criticize the committee for having turned over that responsibility but criticizes the Army engineers by saying—

> which has a vested interest in continuing and expanding its level of activities and personnel. There is also evidence that the methods used to determine the economic justification of many of the projects now under way or about to be started were faulty and incomplete.

The principal source of determining the economic justification for the projects is the technical information developed and submitted to the committee and to the Congress by the Corps of Engineers. Then, Mr. President, notwithstanding the criticism of the committee for placing what the minority says is the responsibility for selection of the projects chiefly in the Corps of Engineers, notwithstanding the condemnation of the committee, which is unjustified, in order to remedy the evils of the bill, according to the minority, this motion is submitted, which, if adopted, would return the bill to the committee with instructions, that the aggregate items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included, and would direct the Army engineers be instructed to do certain things—the same Corps of Engineers which is criticized by the minority views for wanting to expand its own activities, for having rather loosely submitted a program without thoroughly examining many of the projects, and for using faulty methods in determining the economic value of the projects included in the bill. The motion proposes that the committee again turn over to the Army engineers the responsibility for selecting the projects to be retained and to be constructed out of the appropriations made.

I read subparagraph (b) of the motion:

> That the Army engineers be instructed to apply the remaining sums to the projects which they deem—

Not which the committee deems, not which this legislative body deems—abdicating that authority, power, and

responsibility—but which the Corps of Engineers—

deem to be most important both as to rivers and harbors and flood control, and that their selections and recommendations be based on (1) urgency, (2) long-range importance, (3) the projects which can be completed within reasonable appropriations, and (4) projects where the State or municipality bears a portion of the expense.

The very thing which the committee is condemned and criticized for in the early part of the minority views is now being followed far more extensively by the motion which the minority asks the Senate to adopt.

Mr. REED. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am very happy to yield.

Mr. REED. I should like to advise the Senator from Arkansas that the language of the original motion was modified by a substitute motion which was offered this morning. I am very happy to hand it to the Senator from Arkansas.

Mr. McCLELLAN. Was this motion substituted after the Senator's attention was called to this inconsistency in the minority views?

Mr. REED. The Senator from Kansas stated this morning that there was perhaps some misunderstanding on the part of some Senators, as developed in the debate, and that misunderstanding we attempted to clear up by the substitution of language which I think is clear, and not now subject to any misconstruction.

Mr. McCLELLAN. I thank the Senator for calling my attention to the alteration. I was not on the floor when the substitute motion was offered this morning, but that very action clearly emphasizes the lack of thorough understanding on the part of the minority who have challenged the soundness of the majority action of the committee. That is the kind of assault which is being made against this most important measure. I have not had time to read the substitute motion, but I see it contains the same proposal, to reduce the total appropriation by $200,000,000. Apparently the only change has been made in subparagraph (b). I notice the conditions to be taken into consideration, 1, 2, 3, and 4, are the same as in the original motion.

Subparagraph (b) apparently is where the change occurs, and I shall read subparagraph (b) of the substitute motion:

That the Committee on Appropriations be directed to request the Corps of Engineers, Department of the Army, to reexamine the projects contained in this bill with the view of making recommendations to the Appropriations Committee for the application of the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that selections and recommendations be based on—

Mr. President, the minority still goes right back to the Corps of Engineers, which it has criticized, and calls on them to revise the whole bill with respect to the projects which should be constructed.

I maintain that the responsibility for finally selecting the projects rests with the Congress of the United States, primarily with the Committee on Appropriations, which has the initial responsibility for making recommendations to this body. I do not see a great deal of improvement in the substitute motion over the original motion.

If this motion shall be adopted, it will simply mean that we will have no substantial program during the next year. It would take considerable time for the Army engineers to go through the process of eliminating and making their recommendations to the committee. It would be most difficult to select one particular project or another on the basis laid down in the motion, the four conditions which the engineers would be required to consider. By the time the Army engineers could—if they could—fairly and equitably, on a basis of sound economy, make the selections and recommendations to the committee with respect to each project in the bill, as to which ones should be eliminated and which ones retained, and by the time we could get action on the bill again, Congress would be ready to adjourn.

Therefore, Mr. President, the motion is not only a delaying action, but it has the potentialities of being a death blow to this important internal development program which should be carried on if America's strength is to be increased, and if we are to consider our own welfare as we contemplate the possibilities of emergencies in the future.

Mr. President, I call attention to another phase of the minority views. The minority set forth on page 3 the amount of appropriations which have been made since and including 1939, and the estimated amount for 1948 and the estimated amount for 1949. I call attention to the total amount of appropriations made for all purposes which are covered in the pending bill in the years 1944 and 1945, only $111,000,000 in 1944, and $116,000,000 in 1945, hardly amounts in excess of what was actually needed for the proper maintenance of projects which were already constructed.

We all know that during the war years this program and these developments had to be deferred. Would it be wise while we are spending billions of dollars for the recovery and strengthening of other countries to neglect these improvements and this development of our own resources, improvements and development which not only contribute to our strength in time of national emergency, but which contribute to enhance the wealth of the Nation, to strengthen our economy, and promote the prosperity and general welfare of the people in time of peace?

Mr. President, some of the projects which are covered by the bill are in my own State. I know the value of those projects. I know the urgent necessity for their construction. While complaint has been made about the increase on the part of the Senate Committee on Appropriations over the amount in the bill as it passed the House, I observe in the report that in the flood-control projects in my own State of Arkansas, some 15 in number, an increase of only $25,000 was made. Certainly, that is no sum for anyone to quibble about.

I am not speaking on the bill solely from the standpoint of my own State, but though I may not know all the factors involved in the different projects in other States, I do know that by way of comparison there are projects which are just as urgent in other States and in other valleys as there are in my own State and the valleys of my State.

Mr. President, under the item of rivers and harbors there is one increase for the Arkansas River, Ark. and Okla., of $500,000. But that does not represent a total increase over the amount in the bill as it passed the House, because $200,000 of that is the result of increasing the amount of appropriation in the flood-control portions of the bill, and also of taking $75,000 from flood-control appropriations, in the bill as it passed the House, and credited to the State of Oklahoma. So as for my State there is an increase of only about $200,000 in the entire bill.

It is not those increases about which I am so concerned. I am concerned, Mr. President, respecting the whole program. We had to defer many important projects during the war period because our manpower, material, and resources were needed in the mobilization of our strength to win the war. But now in time of peace, when we are looking to the development of our Nation and making it stronger economically in order that we may have a better way of living, and also be stronger militarily, so that we may be prepared to meet any assault or challenge that may come to our sovereignty, it will be national folly if we do not adopt and pursue a substantial long-range program to bring our economic and productive strength up to that capacity to which we can build it.

The development of our water resources makes a great contribution to that strength. A number of the projects in my State have hydroelectric power. There was a time in my State when the power companies were very much opposed to the improvement of our waterways and the development of hydroelectric power because they then thought they could foresee, so lacking was their vision of the future, a surplus of Federal power competing with them, and therefore they were apprehensive about their own welfare. But, Mr. President, today in the entire Southwest, which includes my State, there is a tremendous shortage of power, and the power companies have changed their position, and are now pleading with the Congress to pass appropriations to get these projects constructed.

Mr. President, a large section of our Nation consists of the area in which I am directly interested. It has great potentialities. In building up that section and developing it of course the local interests and citizenry will benefit. But the Nation is made up of sections, of States, of varying resources located in different areas, and so as we develop one section or area and make it productive, as we enhance the wealth of the State of Arkansas, or the State of Mississippi, or the State of Oregon, we increase the wealth of the Nation. As we increase the productive capacity we build our national strength to enable us to face any contingency that might arise. In considering these projects I do not consider them from the standpoint merely of my

State or my section, but I try to think in terms of the national welfare.

I have only called attention to the fact that there are no substantial increases in the Senate bill over the House bill for projects in Arkansas, to emphasize that with me the issue is not a sectional one. That is not my interest. Wherever and whenever we can establish the economic justification for the construction of these projects we should construct them, and thus, Mr. President, we will continue to build America stronger, and she will always be strong if we have the vision, the intellect and the courage to carry out sound policies, such as the one we are considering. America can and will then always be preeminent among the powers of the earth, both economically and militarily. Let us defeat the motion and pass the bill.

ADMISSION INTO UNITED STATES OF CERTAIN EUROPEAN DISPLACED PERSONS

Mr. LUCAS. Mr. President, there is pending on the calendar Senate bill 2242, which seeks to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence and for other purposes.

Everyone knows of the widespread interest in this exceedingly important measure. Recently I commented on the floor of the Senate on the lack of information available to Senators concerning the problem of European displaced persons.

In my search for factual information, I caused the record to be examined to determine exactly what the President had said upon this all-important question. I found that as far back as December 22, 1945, he urged that all countries of the world make their contribution toward solving this problem. The President continued to remind the Congress from time to time of the necessity of passing emergency legislation to make an exception of these displaced persons and refugees, so that a substantial portion of them may enter this country as immigrants. He spoke of the traditions of our Nation. He urged upon Congress that our country take the lead in setting the standard for all the world, so that other countries would then undertake their share of this task to solve this great human problem.

Subsequently, leading organizations of the United States lined up stanchly in support of his program. Among these, to mention only a few, were the leading religious organizations of practically every faith with large membership in this country; the American Legion and other veterans' organizations, organized labor of all groups, the United States Chamber of Commerce, women's groups, and social service and other leading American groups with very large memberships. Organized America is for this great humanitarian program.

Because of the inadequacy of information available before the Senate Judiciary Committee upon this question, and with the full realization of the President's deep interest in solving this tragic human problem, I thought it proper to call on him to discuss various problems pending in Congress relative to this subject. He did not wish to comment on specific language in any of the pending bills. But he authorized me to state his own views on certain questions of principle that are involved in some of the pending bills.

The President deeply deplores the provisions of a bill reported out of committee which discriminates against displaced persons and refugees from many countries and areas. Mr. President, the bill discriminates against refugees from the western two-thirds of Poland. The bill also discriminates against displaced persons and refugees from all of Yugoslavia. The same bill discriminates against refugees from all of Czechoslovakia. The bill discriminates against refugees from Hungary, Finland, and similar areas. The President emphasized the fact that our own citizenship has long included great numbers of immigrants from those countries, and their descendants. He emphasized their outstanding contribution to our national achievements. The President asks why any congressional committee should now see anything wrong in those racial strains which have helped to make our Nation so great.

The President also spoke to me of other provisions in the bill which produce racial discriminations.

The President is unswervingly opposed to any legislation which discriminates in this way against any of the great racial strains in our population—whether the discrimination is for reasons of race, nationality, or religion.

The President also deplores the fact that in one bill reported out of committee an attempt is made to change the emergency-relief nature of his proposal and of the proposals of the great religious, labor, business, veterans, and other organizations of this country. They all feel, as he does, that the problem of displaced persons and refugees must be dealt with as an emergency, outside the quotas established under the regular immigration laws. If there be any need to justify the humanitarian proposal he has made, and which so many American organizations are supporting, that justification can be found in one simple fact—during the war, when immigrants could not get into this country, almost a million immigrants could have come here but for the war. The stream of immigration was almost completely dried up for 5 years. Now to admit, as an emergency measure, over the next few years, several hundred thousand displaced persons and refugees, will provide for the immigration of only a portion of the total number which could have come in during war years and were unable to come here.

Despite these facts, one of the pending bills reported out of committee seeks to prevent further immigration under the regular immigration law, to the extent of a large portion of the immigration which would come in under this emergency bill. As a result, after this emergency problem is solved, all persons of certain racial and national stocks, which in the past have contributed to some of the very best in our population, would be denied for many decades to come the privilege of immigrating into our country. In some cases, this bar would be in existence for 150 years.

The President said to me that it is unfortunate that, after many of the greatest organizations in the United States have put their strength solidly behind a great humanitarian program, any bill should be reported out of committee which, in effect, disregards that program and substitutes something entirely different. Mr. President, instead of a humanitarian program true to the highest traditions of our Nation, a bill is reported out of committee which would place a mortgage on the future and on generations of unborn children, some of whom might seek to come to this country as immigrants. Such a bill would deprive us of the opportunity to practice the humanitarian principles of our Nation. The bill requires unborn children of future generations abroad to become humanitarians at their own expense, so that the refugees from World War II may now be given a haven and a fresh opportunity to live their lives.

The President still strongly advocates what the many organizations who support his program have urged. He opposes all compromises which undermine that program and run counter to our Nation's basic principles.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MAGNUSON. I am sure the Senator in aware of the fact that during the hearings on the so-called displaced-persons bills in committee there was some very violent disagreement among members of the committee. Many of us feel exactly as does the Senator from Illinois.

Mr. LUCAS. I am very happy that the Senator from Washington has called my attention to that fact. What he says is preeminently correct. I know that there was disagreement in the Committee on the Judiciary. The Senator from Washington is one of the more able members of that committee, and I am very happy that he agrees with the position which the President of the United States takes, and the position which the Senator from Illinois takes upon this important question.

NATIONAL CIVIL SERVICE REPORTER AWARD OF MERIT TO SENATOR LANGER

Mr. O'CONOR. Mr. President, as a member of the Senate Committee on Post Office and Civil Service I was highly gratified to note that a distinct honor has been conferred upon the chairman of our committee, the senior Senator from North Dakota [Mr. LANGER] in being presented with the National Civil Service Reporter Award of Merit.

The award was made to the Senator of North Dakota because of his earnest and devoted attention to the interests and welfare of civil-service employees.

All of us who have observed the unremiting efforts of the chairman of the Senate Committee on Post Office and Civil Service realize that the primary objective of the Senator from North Dakota is to secure every proper consideration for civil-service employees in order that they may be induced to make a career of their service, as a result of which the Government and its people will be

the beneficiaries through efficient rendition of public service.

I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, the statement made by Capt. Oliver Bohld, editor of the Civil Service Reporter, in making the presentation of the national award to the Senator from North Dakota.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Captain BOHLD. The statesman whom I am now going to introduce needs no introduction to us. A lawyer by profession, a former attorney general of North Dakota, then twice Governor of that State—for what he has done for the Federal employees he will ever be remembered. His fame has been spread throughout the Nation. Everyone in the Federal service knows of Senator WILLIAM LANGER.

Chairman LANGER has been the sponsor of some 60-odd bills and resolutions during the Eightieth Congress. These resolutions have ranged from compensation and retirement, tax exemption, to unemployment, severence pay, mail routes, sick and annual leave legislation, and a long list of other proposals, a number of which already have become the law of the land.

Perhaps the most monumental piece of legislation to come out of Congress for Government employees in the last quarter of a century is Public Law 426, known as the Langer-Chavez-Stevenson retirement bill, and which has brought within the purview of the Retirement Act new thousands of names, including those of widows and dependent minor children, whose outlook would have remained bleak, indeed, without benefit of the Senator's bill. This legislation will place into circulation new money in the hands of persons most in need of the purchasing power it carries. Judging by the mail, telegrams, and telephone calls which have been received by the committee chairman, nothing could have filled the need of the retirement law quite so well as the new liberalized legislation.

More recently, the subject of salary legislation has taken the center of the stage for discussion, and here again Chairman LANGER has blazed the trail in his unique approach by exhausting the subject through conclusive hearings which amounted to 600 printed pages of testimony, exhibits, and other related data. While others discussed the desirability of salary legislation, the chairman proceeded to the point of introducing his legislation and promptly followed through with the taking of testimony not only on the need of it but of the dire necessity.

No other committee on the Hill has demonstrated a greater amount of activity than has the Post Office and Civil Service Committee, whose attention has been given to the welfare of Government personnel ranging from star route and rural carriers, city carriers, postal clerks, mail handlers, railway mail clerks, the well-being of 42,000 postmasters, the affairs of the Bureau of the Census, and of the National Archives, to over 1,700,000 civilian employees throughout the Government service.

In addition, there are veterans' preference matters and the consideration of the viewpoints of those who would continue veterans' preference in its present form and of others who desire to see modifications. In further consideration, the committee's attention has been given to adjustment of postal rates with particular emphasis on the desirability of eliminating the present $350,000,000 deficit, the inauguration of air parcel post, and to a wide range of other subjects which come within the ordinary purview of the committee.

We meet here tonight to voice our admiration of a man whose constant energies are directed in behalf of those who stand in the greatest need of his zealous and boundless efforts. Frankly, I do not know how the man has the strength to accomplish all the work that he has done and is doing, and Senator LANGER, it gives me sincere pleasure to present to you the National Civil Service Award of Merit of the Civil Service Reporter, as the outstanding Government official who has done most for civil service and for civil-service employees in the year 1947.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5224) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion, as modified, of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the pending bill to the Committee on Appropriations with certain instructions.

Mr. STENNIS. Mr. President, in response to the motion to return H. R. 5524, the Army civil functions bill, to the committee with instructions for a $200,000,000 general reduction, I should like to call the attention of the Senate to some items that have been before the committee but which have not been mentioned in this debate.

In the Mississippi Delta alone this season, during late winter and early spring, repeated and continued rains came in areas where there was no way, or totally inadequate ways existed, of controlling the water, and 680,000 acres of productive land, 245,000 acres of which was then in cultivation, was overflowed for more than 60 days. The oats and cover crops on these 245,000 acres were lost, and the total general damage for this season alone has been reliably estimated at more than $3,000,000. Those floods do not occur there every year, but they occur many years, over and over again.

If the dams under construction above this area had been completed, and if the authorized projects within this area had been completed, no part of this damage would have occurred.

The area where these floods occurred this season, and where special damage was sustained—and I think this was the only area in the lower Mississippi Valley that actually had floods this season—is not included in the pending bill, and no specific allocations are made to care for the situation in this particular area, which includes the Sunflower, the Yazoo, and other interior streams of the Mississippi Delta. The proof was fully presented, but the requests were denied by the committee.

I mention this, not by way of criticism of the committee, nor by way of complaint to the Senate, but to show conclusively, as I see it, that instead of the committee ignoring the need for economy as charged by the proponent of this motion, they have brought out a carefully considered bill and in their efforts to hold the figures down to a relatively conservative amount they have rejected requests for funds for meritorious and urgent needs for the flooded area I have described.

When we look into the details of their work there is further conclusive evidence of the committee's effort to hold down the figures. I refer to the larger area designated as the Mississippi River and tributaries, which includes all the area from Cairo, Ill., southward to the mouth of the River. This includes, of course, the area I have described as the interior streams of the Mississippi Delta, where this specific damage occurred. The committee held the total amount for the Mississippi River south of Cairo, Ill., to $67,500,000, which is $2,500,000 less than the Budget recommendation for that area. This is true in spite of the fact that this area has been waiting for attention during the war years with relatively small amounts expended therein.

I have referred to only two items, because I am most familiar with them. My knowledge of the committee's economy in these two matters makes me confident any Senator who will study the contents of this legislation in relation to what was omitted will arrive at the conclusion that conservatism has prevailed.

I had been so impressed with the overwhelming facts conclusively showing a great need for immediate flood-control work in the Mississippi Delta for protection for the area on these interior overflow streams that I seriously considered offering an amendment for an increase so that the entire Senate might know and have a chance to pass on the facts. I believed, along with my colleague from Mississippi [Mr. EASTLAND], that a modest increase was justified and that the Senate would have been impressed with the merits of the case. However, my colleague and I decided with reluctance, but with great deference, to defer to the judgment and plan of the committee.

Now the Senate is faced with the effort to strike $200,000,000 from the bill, not on the basis of the merits of the items, but by a so-called formula of urgency and long-range importance to be applied to items unknown to the Members of the Senate when we are casting our vote.

I respectfully submit that this motion should be rejected, and that the items of this bill should be allowed to stand and should be required to stand on their own merits before the Senate. If they lack merit, let them fall by the wayside and be rejected as they should.

Continuing my remarks as to the specific items of flood control for the lower Mississippi Valley, let me say that not the slightest suggestion has been made by anyone here that any part of the sum fixed by the committee is not needed. No attack is made on the soundness of the committee's recommendations as to this item. On the other hand, it has been abundantly shown, and I submit conclusively shown, that this entire item is not only of long-range importance, and entirely sound, but is of the greatest urgency, and what is more, it is long delayed.

We have found it necessary to vote great sums of money for many causes, where our expected return or protection is little more than a most uncertain hope. This bill by contrast presents a program for the creative and the constructive things we build to serve us in creating wealth and goods and food and services. There is a definite, a known, and a certain return. It is a definite investment in dollars and cents, and in creative products, with a known, tangible, and actual return. It builds and protects the soil, which is the sustainer of all life.

Mr. President, as I have gradually gained a concept of the national and international picture since coming to the Senate six short months ago, one of the great hopes, one of the beacon lights that shines forth in the semidarkness of uncertainty, is the fact that we have apparently realized, in time, that we must conserve our natural resources, that we must conserve, preserve, and rebuild our land. I say apparently we have realized that in time, and therefore our Nation will be saved the fate of China and other hapless nations who carelessly and recklessly wasted their lands and resources centuries ago.

This bill is definitely a part, and a necessary part, of our great conservation and building and rebuilding program for our land. We shall never go wrong in making such improvements, so long as they are properly administered.

Therefore, I respectfully submit, Mr. President, that each Member of the Senate, can, and should, support these most reasonable conclusions of the committee as to these items, and most assuredly so until the Senate is given some definite light or proof as to the unsound nature of the committee's recommendations. I take great pride in supporting this most constructive and, I think, most conservative and sound legislation.

Mr. BYRD. Mr. President, I desire to comment on the proposal to recommit the so-called Army civil functions appropriation bill to reduce items for civilian public works projects by $200,000,000, as recommended by a substantial minority of the committee which considered the bill, including the distinguished chairman of the Appropriations Committee [Mr. BRIDGES].

This appropriation bill passed the House in the amount of $606,558,766. It was increased in the Senate Committee by $102,027,900, making the total of the bill as reported $737,804,300, including supplemental appropriations. It exceeds the appropriation for 1948 by $206,462,754. It is the largest appropriation for such purposes in our history. It is nearly four times as much as the appropriation for similar purposes in 1939, and $206,462,754 more than the 1948 appropriation.

Included in this bill are appropriations affecting my own State of Virginia. I recognize and agree that many of the projects in this bill are meritorious and would be of benefit to the various communities of the country; but, in my judgment, the bill has been padded to such an extent by desirable but nonessential projects which we are not now in a position to undertake that it should go back to the committee for revision. Moreover, there is urgent reason now to postpone projects which require critical materials, increase the shortage of labor, and result in further inflation.

The time has come when the Members of Congress must recognize that we must vote to preserve the solvency of the United States Government, and that Senators and Representatives should not be influenced to vote for what the chairman of the Appropriations Committee terms a "pork barrel" measure merely because there may be projects for their respective States.

If this bill is returned to the committee for a reduction of something less than 30 percent, I believe the cuts should be applied to projects that cannot be regarded as necessary at this time when our vast military and foreign expenditures compel the utmost retrenchment here at home.

It is well at this time to point out the fact that since the conclusion of World War II, efforts for economy have been most meager in actual results. Prior to World War II, our Government was operated on a budget of from $8,000,000,000 to $9,000,000,000 as a maximum expenditure for any one year. After the end of hostilities, the President submitted to Congress a peacetime budget of $37,500,000,000, with the statement that not $1 of this budget could be reduced without affecting adversely the public interest.

It now appears certain, Mr. President—and I hope the Senate will mark this point carefully—that we are rapidly approaching, as I shall show, an annual Federal budget of not less than $50,000,000,000, and perhaps more. In other words, we shall soon spend in one peacetime budget more than the total cost of World War I.

The Republicans have done a lot of talking about economy but have accomplished relatively little. The Democrats, in the high command, have not even done any talking. I do not mean by this that individual Members of Congress, especially the chairmen of the Appropriations Committees of the Senate and House, have not made a real and determined effort to reduce public spending, but the actual net reductions have been relatively small. It is not an overstatement when I say that the economy program has been a definite failure.

I want to pay my tribute to my distinguished friend from Kansas [Mr. REED], the chairman of the subcommittee and the distinguished chairman of the Senate Appropriations Committee, the Senator from New Hampshire [Mr. BRIDGES], and to the chairman of the House Appropriations Committee [Mr. TABER], for their efforts, in which I have taken a deep interest, to bring about some economy in the financial affairs of the Government. It will be recalled, however, that a year ago the House adopted a resolution to reduce the budget submitted by the President by $6,000,000,000. The Senate adopted a reduction of $4,500,000,000. The issue was never settled in conference, but certainly the taxpayers had a right to expect a reduction within the limits of these two amounts. The facts are, however, that with supplemental appropriations which have since been enacted, the reduction in the 1948 spending, as compared with the President's budget, in terms of what may be regarded as actual retrenchment, will be approximately between $500,000,000, and $1,000,000,000, or about 10 percent of the promised economy.

It is too early yet to determine the actual retrenchment for this year, but the distinguished Senator from Kansas, if I understood him correctly, has stated that not more than $400,000,000 in economy has yet been effected, and the pending bill increases the House appropriations by $102,027,900. This is in the face of the fact that the Republican majority, by resolution, promised a reduction of $2,500,000,000.

Mr. REED. Mr. President, will the Senator yield?

Mr. BYRD. I yield to the Senator from Kansas.

Mr. REED. Mr. President, I have in my hand a pencil table based on the latest information available, prepared by the professional staff of the Committee on Appropriations, which supports what the Senator from Virginia has said. The sums, of course, change as the bills pass through certain stages, but, according to the latest available figures, we have reduced appropriations $338,104,059. That is on appropriations representing about two-thirds or three-fourths of the total appropriations to be made; so that it is fair to calculate that the reductions in appropriations will not exceed $400,000,000, as stated by the Senator from Virginia. I want to say to the Senator from Virginia that I am trying to shame my Republican colleagues into carrying out the economy they promised, which promise was made less than 3 months ago.

Mr. BYRD. Mr. President, I think it is extremely creditable for the Senator from Kansas, as a Republican, to call attention to the dereliction of the Republican majority, which control both branches of the Congress. Let me say, if they have some deserters on their side in the cause of economy, if they really make an effort, I think there will be a few Democrats on this side who will vote with them. So there is no excuse, so far as I can see, for the Republican majority not to carry out the pledge to reduce expenditures which they have made to the people of the country. As I have said, they promised a reduction of $2,500,000,000, and the Senator from Kansas, who is a member of the Appropriations Committee and chairman of one of the most important subcommittees, has now admitted that the reduction will not possibly exceed $400,000,000.

Economy does not mean transfers of appropriations or reductions in appropriations which will have to be made later. I trust that the Republican majority at this session will not attempt again to reduce such items as tax refunds, as they did last year, and then claim it is a bona fide retrenchment. The facts are that it was necessary to enact a supplemental appropriation in order to provide funds for the fictitious reduction in

the tax refund item made by the Congress last year, and for which credit was claimed by the Republican majority as an actual retrenchment.

I have been nonpartisan in my efforts for economy. I am willing to vote with either the Democrats or the Republicans whenever a real, genuine effort is made for proper retrenchment in expenditures. I want to say, however, that the Republican Party has had substantial majorities in both the House and Senate for a year and a half, and if the leadership and membership of that party desire retrenchment it can be accomplished. When this real effort is made I think the majority party will find they will receive a sufficient number of votes on the Democratic side to make up for any losses on the Republican side.

Take the case of Federal employees, one of the most outstanding opportunities for retrenchment. The Republicans, in campaigns and on the floor of the Senate, have repeatedly denounced the bureaucracy here at Washington. I recall that when the Republicans came into power, time and time again pledges were made by their leaders that their first effort would be to reduce the overwhelming bureaucracy that has been built up here. Indeed, up to date, little, if anything, has been done to reduce the number of Federal employees on the regular rolls. The year before the war we had less than 1,000,000 employees. We now have more than 2,000,000 employees, and the Federal employees are increasing now at the rate of 500 a day. Every 24 hours we are adding 500 new Federal employees to the payroll for the taxpayers to pay. In fact, it is anticipated that even a larger daily increase will occur from now on. This increase could not have been possible unless the Republican Party voted in favor of appropriations to increase the bureaucracy at Washington, and this in the face of the unqualified statements that Republicans have made from time to time that the number of Federal employees would be substantially reduced.

It is true, of course, that from the peak of the war there has been a reduction of employees, but an investigation will disclose that the reduction has occurred mainly in those employees engaged in industrial work incident to the war, and that the clerical employees attached to the regular departments of Government have been increased since the beginning of World War II. Mark that, Mr. President—they have been increased. I shall report to the Senate on this subject in the near future. The cost of the Federal pay roll is now more than $6,000,000,000, and it so happens that this sum is nearly twice the total cost of the Federal Government when I came to the Senate on March 4, 1933.

I warn the Senate that we are rapidly approaching a real crisis in our Federal expenditures. We have undertaken obligations that could readily destroy our free-enterprise system. I, for one, do not believe that this great representative democracy can preserve its private-enterprise system, which is its foundation stone and a fundamental of our freedom. It is also the foundation of our progress. It is the foundation stone for the great glories our Republic has achieved. I do not believe we can maintain that private-enterprise system and collect annually in Federal taxes $50,000,000,000, and then, added to that, $13,000,000,000 or more for local and State expenditures, making a total of approximately $65,000,000,000, or more than 30 percent of the present combined personal incomes of all Americans.

The most sacred responsibility of every representative of the people is to keep America sound and solid. Neither our own people nor those who seek our aid should ever forget that the might of America lies in our strength here at home—our fiscal solvency, our productive capacity under the free-enterprise system and our ability to finance our obligations without crushing taxation. Our financial stability is far more urgent for our own security and for freedom in the world than any program of public works at home or international subsidies abroad that would severely strain our economy. Financial instability in the United States would serve the enemies of democracy far more than any weapon that could be devised. By the same token, our financial soundness is the only hope of those who seek our help. Without it there would be no bulwark against communism and freedom could not survive here or elsewhere. If the fiscal stability of America weakens, the whole civilized world will follow.

After consultation with the expert officials of the Government I have carefully prepared a statement of Government expenditures, which I shall insert in the RECORD. I believe it is a conservative estimate of expenditures which may be expected for fiscal years 1949, 1950, and 1951. I make the confident prediction that unless drastic economy is enacted these estimates which I shall now give will be substantially exceeded by the actual expenditures.

As I have said, Mr. President, these estimates of expenditures for fiscal 1949, fiscal 1950, and fiscal 1951, have been gone over by me with the experts, and they are within 5 to 10 percent of the lowest estimates to date. I have added in certain instances an amount which aggregated approximately 5 percent, because, as a member of the Armed Services Committee, I had knowledge of some military expenses, which I believed should be included.

First, Mr. President, let us consider the interest on the public debt. Heretofore, that interest has been costing us $5,000,000,000. It is now estimated, by reason of the fact that a part of it is coming due, that in 1949 the interest will be $5,300,000,000; in 1950, $5,300,000,000; in 1951, $5,400,000,000.

Let us now consider refunds due largely to overpayments in withheld taxes and tax reductions, which were originally estimated by the President in 1949 at $2,000,000,000. The figure is now revised to $2,800,000,000 for the year 1949, by reason of the passage of the new tax bill; in 1950, at $1,700,000,000; in 1951, $1,600,000,000.

Veterans' pensions, adjustment aids, hospitalization, and so forth: The estimated amount for 1949 is $5,000,000,000; in 1950, $5,000,000,000; and in 1951, $5,000,000,000. That does not include the cost of the personnel employed in the Veterans' Bureau.

Federal expenditures for civilian retirement funds, and so forth, are estimated at $1,000,000,000 for each of the years 1949, 1950, and 1951.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield to the Senator from Georgia.

Mr. RUSSELL. I understood the Senator to say that direct contributions from the Federal Treasury to the retirement fund for Federal employees will amount to $1,000,000,000 each year—1949, 1950, and 1951. Is that correct?

Mr. BYRD. Yes.

Mr. RUSSELL. I had not understood it was so large a sum.

Mr. BYRD. There are items in the budget for 1949 totaling $1,000,000,000. It does not include, let me say, certain increases which have since been made.

Mr. RUSSELL. It does not include the increases contained in the legislation sponsored by the distinguished Senator from Ohio [Mr. TAFT]. Is that correct?

Mr. BYRD. The note I have in connection with it says, "Federal contributions to civilian retirement funds were originally estimated by the President for 1949 at $1,000,000,000, and although contributions to classified employee retirement were increased by legislation enacted this year, the increase does not affect the rounded total, and the $1,000,000,000 estimate is expected to remain constant during 1949, 1950, and 1951."

Mr. RUSSELL. Then we have an obligation of $1,000,000,000 or more each year which is almost as constant as the interest on the public debt. It goes into the total over-all budget of thirty-seven and a half billion dollars. Is that correct?

Mr. BYRD. The Senator is entirely correct.

As to direct Federal public works, the estimate for 1949 is $2,000,000,000; for 1950, $2,250,000,000; for 1951, $2,500,000,000. Grants-in-aid to the States as established in present legislation, for 1949, is $2,100,000,000; for 1950, $2,100,000,000; and the same in 1951.

We now come to additional domestic civilian costs, which include the costs of the legislative and judicial branches, agricultural payments, merchant marine and business subsidies, corporate losses, postal deficits, and so forth. They are estimated at one and a half billion dollars in 1949, $1,600,000,000 in 1950, and $1,600,000,000 in 1951.

The figures I have given are exclusive of pay-roll expenditures. The pay-roll expenditures for all of the items I have mentioned are included in the item of $3,600,000,000 for each year.

The foreign commitments, Mr. President, for ERP, occupied areas, Greek-Turkish aid, China aid and other aid, and participation in international organizations, total $7,000,000,000 for 1949. This estimate has been revised upward to $7,250,000,000. So the estimate for foreign aid in 1949 is $7,250,000,000; in 1950, $7,800,000,000; in 1951, $7,800,000,000.

We now come to national defense. The original 1949 recommendation of the President was $11,000,000,000. It is now

revised to $13,200,000,000; for 1950, $17,200,000,000; for 1951, $19,000,000,000.

I now come to the totals, Mr. President. In the current year Federal Government is spending $39,650,000,000. For the fiscal year beginning the first of next July the expenditures will be $43,800,000,000; for 1950 the amount will be $47,550,000,000, and for 1951 the estimated expenditures will be $49,600,000,000.

I want to make it clear that those figures do not include universal military training. If that be adopted in its full measure, as recommended by the President, it will cost $3,000,000,000 additional. The figures do not include certain other things which have been recommended. They do not include an increase in the pay of Federal employees regarding which bills are now pending. They do not include the suggestion which has been made that we send lease-lend material to the 16 nations under the European recovery program.

So I say, Mr. President, that I think these figures are conservative. In fact, they are ultraconservative. The Government is facing, within a period of 2 years, a budget expenditure of $50,000,000,000. I repeat, that the figures presented are within 5 percent of the lowest estimates. These figures as I have said, do not contemplate increases in compensation of Federal employees, bills for which are now pending. They do not contemplate increases in any new projects for rivers and harbors, flood control, such as have been put in this bill, and so forth. They do not contemplate any additional expenditures abroad in excess of those already authorized, such as the such as the recent proposals to send lend-lease military aid to European nations. These figures do not contemplate the full program of compulsory military training, and, if adopted, such a program will add $3,000,000,000 to the figures I have given. They do not contemplate any additional expenditures under this new farm program.

Now, Mr. President, on the income side, for fiscal year 1949 the Treasury estimates an income of $40,000,000,000, under the new tax bill. The chief of staff of the Joint Committee on Internal Revenue taxation estimates revenue for fiscal year 1949 of $42,600,000,000. There is a difference of $2,600,000,000 between the Treasury and the experts attached to Congress. But by either of these estithese estimates there will be a deficit between cash Federal expenditures and cash income for the fiscal year beginning July 1, 1948. In other words, if these figures are correct—and I submit that it can hardly be denied that they are correct for the next fiscal year—there will be an actual deficit in the year starting July 1, 1948, as between cash income and cash outgo.

For fiscal year 1950, which begins on July 1, 1949, the deficit may be between $7,000,000,000 and $8,000,000,000, while for fiscal year 1951, the deficit may approximate $10,000,000,000.

This will mean an increase in taxes which will shake the private enterprise system to its very foundations. I think all will agree that we cannot begin another period of deficit financing in time of peace without destroying the confidence of the American people in the ability of the Government to finance its obligations. We must never forget that a few points of loss in the value of Government bonds will bankrupt most of the financial institutions of the country. It is imperative, in view of our indebtedness of $252,000,000,000, whatever the impact may be on our economic system, that we pay as we go, and collect sufficient funds to meet our disbursements, and, at the same time, if possible, make reductions in the public indebtedness.

We should not blindly make commitments which will establish a level of Federal expenditure which it will be impossible for this country to finance without weakening our entire economic system. Let me here repeat a statement of grave warning given by the Board of Governors of the Federal Reserve System before the Joint Committee on the Economic Report on April 13, 1948:

OVER-ALL POLICY ALTERNATIVES

On the basis of present trends we believe that the country sooner or later has to choose between three broad alternatives: First, we can continue on the present course of providing essential foreign aid and carrying out a military program on a scale of as yet undetermined size and cost, while at the same time we have no effective check on the free play of economic forces. This is the certain road, if followed long enough, to a ruinous inflation.

That is the road we are following, which the Board of Governors of the Federal Reserve System says is a certain road to ruinous inflation.

Secondly, the country could be subjected to a full harness of direct economic controls—for example, allocation, rationing, price and wage controls, as well as taxation at higher levels.

We may well ask for how many years must we maintain enormous and probably expanding military expenditures. The question is how long, to what end, and at what consequence to our economy. Do we have the inexhaustible supplies of manpower and resources to support indefinitely, with no end point in sight, programs of the magnitude which we now are shouldering or contemplating? We cannot go on year after year bearing these crushing costs without jeopardizing what we are seeking to save. If we were confident of the early establishment of peace we could tolerate a tightly controlled economy. We believe that the time element is the very essence of this grave problem.

Now I wish to read another warning, taken from the American Banking Association's magazine, April 1948, written by Joseph Stagg Lawrence, entitled, "Cost Markets and National Defense": This is what Mr. Lawrence says:

Unfortunately the financial needs of business cannot be provided entirely out of earnings, depreciation charges, bank loans, and bond flotations. There is a limit on the former imposed by retainable earnings and on the latter by the equity in business. It is not possible or prudent to finance total outside requirements by bank loans and senior securities. The wise corporate applicant for added capital will seek to buffer his position with risk capital. In most respects this kind of capital is the most important since it provides the margin that determines the availability and terms of the senior capital.

This kind of money comes largely from the earnings in the upper brackets. It is here that politics bedevils the kind of economic statesmanship necessary to protect the vigor of the goose that lays the golden eggs. The fact that high and multiple taxation has practically prevented the accumulation in recent years of the kind of savings which are invested in new common stocks.

Mr. President, we face another danger. The Federal tax revenue I have given is based upon a $200,000,000,000 national income, which we enjoy at present—the aggregate of the personal incomes of all Americans. If this national income should be reduced to $180,000,000,000, which is more than it was in 1946, a year of high prosperity, the tax revenue would be approximately $36,000,000,000 instead of $40,000,000,000. In other words, we would lose $4,000,000,000 in tax revenue. If it dropped to $160,000,000,000, which is about what it was in 1943, the revenue would be $32,000,000,000 instead of $40,000,000,000, and if it dropped to $150,000,000,000, the revenue would be $30,000,000,000 instead of $40,000,000,000.

No one can safely predict what the so-called national income will be in the years immediately ahead, but, if it declines, we face the danger of a loss in Federal revenue.

My estimates at this time indicating the necessity of a $7,000,000,000 or $8,000,000,000 tax increase in the fiscal year beginning July 1, 1949, with $10,000,000,000 for the fiscal year beginning July 1, 1950, is based upon a continuation of the present inflated national income. As I have said, even a slight recession in the present national income will require larger tax increases than the figures I have given.

Mr. President, let us now for a moment see where new taxes can come from. Suppose we have to raise taxes, either eight or ten billion dollars; where can they be raised?

We have heard the suggestion of a Federal sales tax. The tax base for a retail sales tax is $70,000,000,000. That is what the experts claim is the total aggregate of the retail sales of the country. A 3-percent sales tax would bring into the Treasury only $2,100,000,000, and this tax, if imposed, would have to be pyramided upon excise taxes, which are actually sales taxes that are now being imposed by the Federal Government on a large number of articles.

Furthermore, many States and localities have imposed retail sales taxes. A Federal manufacturers' sales tax would be imposed on a basis of $54,000,000,000, so that even a 10 percent manufacturers' sales tax, which in my opinion is unthinkable and which would be extremely burdensome, would bring in about $5,000,000,000.

Now, Mr. President, mark this: If the Federal Government confiscated every dollar of income above $100,000 to any one person, if Congress passed a law that no citizen should earn in 1 year more than $100,000, the net tax revenue resulting therefrom to the Federal Treasury would be only $600,000,000. The reenactment of the excess-profits tax on

corporations would not be sufficient to make up the deficit, and reimposition of such taxes would be a fatal blow to incentive capital necessary to expand and develop the future needs of industry.

It is my belief that the collection of taxes necessary to finance a Federal budget of approximately $50,000,000,000 would involve the imposition of Federal controls as great, or at least as nearly as great, as those now being imposed in Great Britain. England is now operating a peacetime economy with more drastic controls of its business and citizenship than was ever imposed during the many wars in which that nation has been involved. I am told that at this time not less than 25,000 rules and regulations have been imposed by the bureaucracy of England in the attempt to control the private business economy of the country and the private lives of the people. The free-enterprise system of America cannot survive under a combination of excessive and burdensome taxes and Federal control of the operations of the business economy of the country.

I voted for the tax-reduction bill with a full consciousness that unless the expenditures of Government could be curbed, it would be necessary to raise taxes within a period of 1 or 2 years. I would do so again under the same conditions. My main purpose in voting for tax reduction was to establish an equality as between the citizens of the different States. It was unfair, in my judgment, of the 48 States enjoying special benefits of the community-property exemptions.

When this bill was before the Congress no one could anticipate that appropriations would increase so rapidly. In fiscal 1948, ending July 1, 1948, the total expenditures were estimated at $37,950,000,000. The original budget request from the President, submitted in January for fiscal 1949 was $39,650,000,000, but now 4 months later the budget requests have been increased to $43,500,000,000, approximately $4,000,000,000. Four billion dollars, Mr. President, have been added to the budget within a period of 4 months. And again, let me emphasize, these figures do not include other expenses which are certain to occur.

As proof of the fact that the estimates I have made of national defense expenditures, which are as follows: Fiscal 1949, $13,200,000,000; fiscal 1950, $17,200,000,000; and fiscal 1951, $19,000,000,000, are conservative. I cite an article written by Hanson W. Baldwin, one of the ablest students of military preparedness and cost, published in the New York Times of Sunday, May 2, 1948, in which he states that the annual defense budget, as now projected, means an expenditure of at least $21,700,000,000 annually—two and a half billion dollars more than my estimate—while Beardsley Ruml foresees defense budgets of at least $30,000,000,000 annually within a few years.

It is therefore, I repeat, my confident prediction that, unless there is something done to stop this orgy of public spending and to endeavor to spend what we must spend in a more efficient and businesslike manner, we will spend for fiscal 1949, $43,800,000,000; for fiscal 1950, $47,550,000,000; and for fiscal 1951, $49,300,000,000.

I believe these figures are conservative, and it is easily possible that these estimates may be exceeded by from $2,000,000,000 to $5,000,000,000.

Let me repeat that these figures do not come out of my imagination; they do not come out of my head; they have been carefully prepared from the appropriation bills and the recommendations to Congress, and within a limit of from 5 to 10 percent it is agreed by the responsible officials of the Government that these figures are correct. I submit that we know not what the additional expenditures may be in future years. These figures in my judgment are not only conservative but represent a low level. They present, however, a very alarming picture to any man who thinks that this country should pay as it goes, and who believes in the preservation of the free enterprise system.

The article from the New York Times of Sunday, May 2, 1948, by Hanson W. Baldwin, is as follows:

> Cost is—and must be—a major element in our defense calculations. Congress so far has blithely dismissed it. A great tax reduction bill has just been passed. Yet bills Congress is now considering will increase the cost of the Army alone more than $8,200,000,000 annually in 1952.
>
> The 70-group air force will cost at least $7,500,000,000 by the same year; the expanded Navy will add at least $6,000,000,000—probably much more—to these figures.
>
> There is thus clearly projected an annual defense budget of at least $21,700,000,000 without including costs for atomic energy and other related military expenditures. Beardsley Ruml foresees defense budgets of $30,000,000,000 annually within a few years.
>
> What are the implications to our national economy of such budgets? Are we to become a bankrupt state in our efforts to provide security. Too little noted was one passage in the testimony of Secretary of Defense Forrestal: "You cannot get a big military program unless you cease the making of motor cars, washing machines, and refrigerators."

On the income side, I repeat, we cannot expect, under present taxation, a greater income than from $40,000,000,000 to $42,000,000,000, unless we go into a spiral of inflation which in itself would mean ultimate disaster.

I call attention again to the danger of even a slight recession in national income, which would at once be reflected in the present estimated income of from $40,000,000,000 to $42,000,000,000.

At the risk of repetition, I say again that even a 10-percent decline in national income, which will give us an income comparable with 1946, will mean a loss in revenue of approximately $7,000,000,000 annually.

When the European recovery program was before the Senate, I voted against it because I did not believe America could maintain its private enterprise economy and establish a strong military defense, and, at the same time, give economic aid to 16 European nations. I call attention to the fact that the foreign expenditures for fiscal 1950 and fiscal 1951 will aggregate $7,800,000,000, and this is approximately the anticipated deficits. That is to say, that we could arm ourselves and still maintain approximately a balanced budget except for the fact that we have undertaken foreign commitments to this extent.

I must confess my amazement when I read on May 11 a dispatch from Paris, as follows:

> If the United States and the Soviet Union reached a comprehensive understanding, it would mean a revision of the entire European recovery program and the voting of new credits or a new distribution to include the countries of eastern Europe, W. Averell Harriman declared today.

So, in the foreign field we are now confronted with two new areas for expenditures, one a proposal that has been discussed in official circles but has not yet been presented to the Congress—to arm and send lend-lease material to the 16 nations included in the European recovery program, the cost of which will, of course, be enormous, and, if adopted, must be added to the estimates already made. And now, Mr. Harriman, the roving Ambassador, advocated that Russia and her satellite countries reach a comprehensive understanding with the United States and thereby become the recipients of our bounty.

Considering the colossal magnitude of Russia and the countries associated with her, it would be difficult to make any estimate of the amount of aid adequate to purchase the friendship of Russia and her satellites.

As one Senator, I want to say that I will never vote to donate American dollars for economic recovery in Russia and the eastern European nations controlled by Russia. It is amazing to me that Mr. Harriman should make such a suggestion. Once we recognize that we cannot bribe nations to change their form of government, that we cannot purchase friendship with bounty, and that the safety of this country depends upon a strong national defense, the sooner we will be able to work out of the difficulties that now confront us.

I mention these two new potential areas for foreign spending to indicate how far this spend spree may go in the effort to crush communism with American dollars.

I am voting, therefore, Mr. President, to recommit the pending bill to the committee, with the direction that it be reduced by $200,000,000.

My State, Mr. President, is affected. Virginia has many projects of the kind provided for by the pending bill—nearly as many as any other State. I am voting against these appropriations for my State because I think the national security is more important than the building of dams, or improvements to harbors. But I think the time has come when we must give earnest thought to the national situation which exists, and endeavor to safeguard the fiscal solvency of the Nation and not at this time pass a bill which is the largest of its kind in the history of Congress, which would provide nearly three times as much for the purposes contained in it as was appropriated the year before the second World War.

I realize that the saving effected, if any, will be a mere bagatelle, but the time has come to have some test in the Senate as to retrenchment. This Congress will add nearly $4,000,000,000 to the original estimates as submitted by the President in January. Most of these

additional expenditures will go for military preparedness, but it does seem to me that, faced with these new and colossal expenditures, we should save wherever possible in little items and big items alike. Economy should be practiced everywhere if we really wish to retrench. We should save in little things and in big things. We should do as businessmen do, and save wherever we can. We should now face squarely the fact that this vast spending in Washington must be curtailed if we are to preserve our system of private free enterprise.

Mr. President, I ask unanimous consent that the table to which I referred during the course of my remarks be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Federal expenditure estimates for fiscal years 1949, 1950, 1951*

| Category | Comparative expenditure estimates in billions of dollars | | |
|---|---|---|---|
| | 1949 revised budget estimate | 1950 | 1951 |
| 1. Long-term domestic civilian commitments (exclusive of pay-roll and administrative costs): | | | |
| Interest on the Federal debt in the coming fiscal year 1949 was originally estimated by the President at 5.25 billion dollars. This figure is now revised to 5.3 billion dollars and it is estimated that it will be the same in 1950 but that it will increase to at least 5.4 billion dollars in 1951 when war issues begin to mature, especially E bonds, on which interest increases heavily in the last year | 5.300 | 5.300 | 5.400 |
| Refunds due largely to overpayment in withheld taxes and the tax reduction were originally estimated by the President for 1949 at 2 billion dollars. This is now revised to 2.8 billion dollars and best estimates put the figure at 1.7 billion dollars in 1950, and 1.6 billion dollars in 1951 | 2.800 | 1.700 | 1.600 |
| Veterans' pensions, adjustment aids, and hospitalization (excluding construction—public works—and pay roll below) were originally estimated by the President for 1949 at 4.5 billion dollars. This is now revised, due largely to recent legislation increasing GI student and on-the-job pay, to 5 billion dollars, and it appears likely that this figure will remain constant throughout 1950 and 1951. As the education and "on the job" programs decrease it is expected that costs of hospitalization will increase | 5.000 | 5.000 | 5.000 |
| Federal expenditures for civilian retirement funds (exclusive of military retirement, but inclusive of Civil Service, Railroad, Foreign Service, Panama, Alaska funds, etc.) were originally estimated by the President for 1949 at 1 billion dollars, and, although contributions to classified employee retirement were increased by legislation enacted this year, the increase does not affect the rounded total, and the 1 billion-dollar estimate is expected to remain constant throughout 1949, 1950, 1951 | 1.000 | 1.000 | 1.000 |
| Direct Federal public works (exclusive of Federal-aid projects but including veterans' construction) were originally estimated by the President at 2 billion dollars. This estimate for 1949 includes construction on veterans' hospitals and atomic energy facilities in addition to other direct Federal works. Due to new projects now expected to be started in 1949, the estimate is expected to increase in 1950 to approximately 2.25 billion dollars, and in 1951 to 2.5 billion dollars. (NOTE.—Figures in these estimates do not take into account increases in "new start" projects which have been added for 1949 in the pending Army civil appropriation bill. If these items are enacted the estimates will increase sharply by 1951) | 2.050 | 2.250 | 2.500 |
| Grants-in-aid and shared revenue programs were originally estimated by the President for 1949 at 2.1 billion dollars, and there is no present reason for expecting the figure to be less in either 1950 or 1951. In fact preliminary estimates indicate the amount will be revised upward for 1949 and that it will continue at a higher level in the future. (NOTE.—The figures for 1950 and 1951 will be considerably higher if the proposed new Federal education and labor programs are enacted) | 2.100 | 2.100 | 2.100 |
| Subtotal, long-term domestic civilian commitments | 18.250 | 17.350 | 17.600 |
| 2. Additional domestic civilian costs (exclusive of pay roll and administrative costs): The commitments listed in the group above do not include such other ordinary costs of Government as expenditures for the legislative and judicial branches, agricultural payments, merchant marine and business subsidies, corporate losses, postal deficits, etc. These were estimated originally by the President for 1949 at approximately 1,250 billion dollars. They are now revised upward to approximately 1.5 billion dollars for 1949, and 1.6 billion dollars in 1950 and 1951, in anticipation of increased postal deficits, increased merchant marine subsidies and increased housing costs | 1.500 | 1.600 | 1.600 |
| 3. Pay roll for domestic civilian activities (exclusive of civilian personnel in national defense and ECA who constitute about 40 percent of the total civilian pay roll, and who are included in the following estimates for foreign commitments and national defense): The commitments listed above do not include any pay-roll expenditures. Exclusive of civilian employees in the National Military Establishment, and exclusive of civilian employees of the Economic Cooperation Administration (ERP), the Federal civilian pay roll was originally estimated by the President for 1949 at 3.5 billion dollars. It is now revised for 1949 to 3.6 billion dollars. It is not considered likely that this estimate will be decreased for either 1950 or 1951. (NOTE.—These figures do not allow for any increase in pay rates) | 3.600 | 3.600 | 3.600 |
| Recapitulation of long-term domestic civilian commitments, additional domestic civilian costs, and pay roll for domestic civilian activities: | | | |
| Long-term domestic civilian commitments | 18.250 | 17.350 | 17.600 |
| Additional domestic civilian costs | 1.500 | 1.600 | 1.600 |
| Pay roll for domestic civilian activities | 3.600 | 3.600 | 3.600 |
| Total Federal domestic expenditures (exclusive of foreign commitments and military costs) | 23.350 | 22.550 | 22.800 |
| 4. Foreign commitments (including pay roll): The President's original estimates for ERP, occupied areas, Greek-Turk aid, China aid, and other aid and participation in international organizations for 1949 totaled $7,000,000,000. This estimate has been revised upward to $7,250,000,000 principally as a result of increased aid for China and Turkey. These figures include personnel and administrative costs, which have not yet been broken out of the totals by ECA. It is expected that any increase in pay rates will necessitate further revision upward | 7.250 | 7.800 | 7.800 |
| 5. National defense (including civilian pay roll): The President's estimate for 1949 is based on his figure of $400,000,000 for UMT and $600,000,000 for reserve components. The estimates will require revision upward by $3,000,000,000 annually if universal military training is established. In estimating national defense expenditures for fiscal years after 1949 it cannot be overlooked that the highest military authorities have recommended building up a world intelligence system, increasing civilian components, a Navy sufficient to control the world's oceans, redesign and reconstruction of ships and air facilities, and an outlying ring of bases. In addition it appears that we have now undertaken consideration of military assistance for western European nations, the cost of which at present is not estimated | 13.200 | 17.200 | 19.000 |
| Recapitulation of foreign commitments and national defense: | | | |
| Foreign commitments | 7.250 | 7.800 | 7.800 |
| National defense | 13.200 | 17.200 | 19.000 |
| Total foreign and national defense expenditures | 20.450 | 25.000 | 26.800 |
| Recapitulation: | | | |
| 1. Long-term domestic civilian commitments | 18.250 | 17.350 | 17.600 |
| 2. Additional domestic civilian costs | 1.500 | 1.600 | 1.600 |
| 3. Pay roll for domestic civilian activities | 3.600 | 3.600 | 3.600 |
| 4. Foreign commitments | 7.250 | 7.800 | 7.800 |
| 5. National defense | 13.200 | 17.200 | 19.000 |
| Total | 43.800 | 47.550 | 49.600 |

Mr. FULBRIGHT. Mr. President, there is no measure considered by Congress annually which is of greater direct importance to Arkansas or to the conservation of the resources of the entire Nation than the civil functions appropriation bill. No one can visit an area ravaged by floods and see the almost unimaginable destruction and suffering without recognizing that the control of this needless devastation is of fundamental importance to the continuing prosperity and strength of our Nation.

For many years, through both Republican and Democratic administrations it has been a recognized national policy that the control of floods on navigable waters and their tributaries is a responsibility of the Federal Government. The Flood Control Act of 1928 and the act of 1936 were significant steps in formulating a program of over-all planning to solve recurrent floods in the great river basins. No longer does each farmer, each municipality, and each levee district struggle alone to protect a small and isolated area from the overflow of water from a stream

which perhaps originates hundreds of miles away. Now, through a procedure which is completely democratic and under the authority of Congress, we are solving this problem by a comprehensive river basin approach.

Flood control, waterway development, power production, and the many other benefits of this program are important to the Nation as well as to the areas directly affected. The United States no longer has great frontiers with boundless resources to develop and exploit. We cannot afford to be oblivious to the waste and depletion of the remaining natural sources of our strength. If this Nation is to remain the most powerful in the world and maintain the highest standard of living, we must protect our natural assets. The greatest of these assets is the soil. I was shocked recently to read that "soil losses from all lands in the United States total 5,400,000,000 tons annually." Assuming that this soil has an average value of $1 per ton, which I think would be very low, the loss from soil erosion alone in the United States is over $5,000,000,000 every year. All of this loss by erosion is, of course, not directly the result of floods on navigable streams, but it has been estimated that the loss of top soil in the Mississippi Basin alone averages 725,000,000 tons annually. I need not point out that unless this waste and destruction is checked our basic productive power will gradually decline.

I should also like to mention the military value of this program. In addition to its contribution to our total resources, this program on our waterways is greatly beneficial, if not essential, in time of war. The program not only assists in solving the national transportation problem during time of war, but also it prepares officers in the Corps of Engineers for their wartime tasks.

I think that aspect of the problem is of particular interest when we look at the minority views. In those views, with which Members of the Senate are familiar, we find this paragraph:

Under their proposal—

That is, the proposal of Senators who signed the minority views—

Army engineers would be ordered to designate the projects to be eliminated or given less money. The three Senators declined to name any project for which they thought the appropriation should be cut.

That is really the most objectionable aspect of the entire minority report. This would mean that after Congress had authorized these projects, after Congress had appropriated funds for contracts to be let and construction initiated, Congress would back out of its commitment and would pass the buck to the Corps of Engineers to slow down or shut down completely specific projects.

After recommending that the power to select or eliminate should be given to the Army engineers, the minority views continue:

Good and bad, important and inconsequential, large and small, the Army engineers submitted their requests to the committee—and offered their justifications with a straight face.

In other words, on the one hand, Senators who submit minority views imply very directly in that statement that without any justification the Army engineers have brought forward various projects, and that they are incompetent in so doing; yet at the same time they wish to give them this enormous power, a power which I think is unprecedented, to reduce the proposed appropriations by $200,000,000.

It seems to me that if the minority of the committee expects the Senate to take seriously its requests, it should undertake to designate which projects should be eliminated or cut, or should establish some kind of standard which the Congress could adopt by vote, and which would act as a reasonable guide to the engineers in carrying out the program of reducing appropriations or eliminating projects.

I have before me a letter from Mr. George H. Palmer, president and publisher of Marine News, which I think is quite appropriate to this particular aspect of the problem. The letter reads as follows:

MARINE NEWS,
*New York, N. Y., April 30, 1948.*

The Honorable J. WILLIAM FULBRIGHT,
*The United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR: We have read the minority report on the civil functions, Department of the Army appropriation bill which was reported to the Senate on April 23. We were surprised at the severe criticism of the Army engineers contained in this minority report, particularly the statement that:

"Good and bad, important and inconsequential, large and small, the Army engineers submitted their requests to the committee—and offered their justifications with a straight face."

We believe that this criticism is unfair and unwarranted.

As you know, all river and harbor projects are thoroughly examined by the Corps of Engineers both as to the actual physical construction and as to their economic soundness. No project is approved by the engineers the benefits of which will not in their opinion provide for maintenance, amortization, and interest on the original cost. When a project has been approved it is recommended to the Public Works Committee of the House of Representatives, who, after hearings have been held by a subcommittee, either include the project in an authorization bill or disapprove it. It seems to us that no project which has gone through this procedure can be either bad or inconsequential.

The minority report also infers that the Army engineers have failed to distinguish between the various classes of projects and have disregarded the importance of the projects and the completion-time element. We believe, on the contrary, that the engineers always make a careful study of the relative importance of projects before they make their request for funds to the Director of the Budget.

The United States Army engineers are probably the finest body of engineers to be found anywhere in the world. Their ability and integrity is unquestioned. Many members of the Corps made splendid records as commanding officers in high places during the recent World War. Because of the war, river and harbor improvement during the past several years has not kept abreast of other development. We believe that the funds recommended for river and harbor improvement by the Senate Appropriations Committee are necessary and justified.

Very truly yours,
GEORGE H. PALMER,
*President and Publisher.*

Mr. President, the minority report on House bill 5524, which gives the views of the three committee members who disagreed with the other members of the Committee on Appropriations, has called the expenditures recommended in this bill "inimical to the interest of the national economy and an unwarranted drain on the Treasury of the United States." It seems to me that exactly the opposite is true. These expenditures are not for make-work projects; they do not mean that the Federal Government is pouring money from the Treasury with no hope of return. Instead, they are in the nature of investments in the national productive plant.

Each project covered in this appropriation bill is justified on an economic basis. Tangible benefits expected to accrue will more than offset the cost; and, in addition, there are intangible benefits impossible to measure in terms of monetary values. I refer to the protection from loss of life and alleviation of suffering, and to the peace of mind resulting from a feeling of security. Many thousands of fine American families in the fertile river basins live in fear for weeks on end, wondering whether the rising river will again overflow the newly planted fields, wipe out acres of valuable top soil, and sweep homes, livestock, and even human beings downstream. This may be of little concern to persons remote from the areas where floods occur regularly, but even they cannot successfully challenge the economic balance sheets justifying each project. I do not have the figures on the particular projects included in House bill 5524: but during the House hearings, General Wheeler in discussing the 179 projects in the budget estimates, stated:

The analysis of the benefits and costs shows that benefits to the United States during the theoretical life of these projects (50 years) will exceed the costs by more than $4,300,000,000.

I agree that there is a strong possibility that the appropriations to be approved by the Congress will exceed the ceiling established by the Joint Committee on the Legislative Budget for the fiscal year 1949. I should like to point out, however, that the total amount carried in this bill—$708,586,666—is only about 1.90 percent of the legislative budget and about 1.78 percent of the President's budget estimates. This is indeed a small portion of the Federal expenditures to invest in a conservation program of prime importance.

The minority report complains that the Senate allowances are double the appropriations for river, harbor, and flood-control work in 1940. The minority report immediately explains this fact, although unintentionally, by complaining that maintenance and operations costs show a huge increase, and that allocations for construction are largely due to the fact that during the war we necessarily lagged behind in carrying forward the flood-control program. No projects were started during the war, and most of those already under way were shut down. As a result, a backlog of urgent projects has been built up. The program this year is designed to bring projects now under way to completion. The Corps of Engineers has used

good judgment by expediting work such as earth-moving, and so forth, and postponing construction which would be in competition with the housing programs.

It has also been pointed out that much of the increase in 1949 construction allotments over the 1948 allotments is due to large increases for a few large projects. Bull Shoals Reservoir in Arkansas would fall in this category. There is a very logical explanation for the request for a larger appropriation this year. Bull Shoals was authorized in 1941, and construction was initiated after VJ-day. The 1940 appropriation was $6,700,000. The tempo of construction activity has built up slowly over a period of many months, and the contractor is now in a period when the peak amount of work needs to be done.

Mr. President, I hold in my hand an article about the Bull Shoals Dam, on which construction work is now in progress. The article is dated May 9, and it appeared in the Arkansas Gazette, of Little Rock. I wish to read a few paragraphs which illustrate the point in regard to a project, such as this one, which is well under way. In fact, $15,200,000 has already been appropriated for the Bull Shoals Dam. I think it not only would be foolish but also very wasteful of money if construction of the project were stopped or slowed down materially or substantially now.

I now quote from the article to which I have referred:

In the steep-walled valley of the White River, 15 miles northwest of Mountain Home, the greatest construction project in the history of the State is now under way. Where only 2 years ago there were fields of corn and cattle grazing in river meadows, the roar of heavy machinery now echoes for miles up and down the level bottoms. Power shovels are excavating a huge hole for the footings of the dam to be placed in, while hydraulic jets are biting into the mountain walls and a steady stream of noisy Diesel Euclids carry away the excavated dirt and boulders. It is a scene of feverish activity and great engineering accomplishment.

The 45-foot high cofferdam, completed last November, has diverted the river from its former channel, and it is in the old river bed that machinery is gnawing out the foundation excavation. Containing 32,000 cubic yards of concrete, the cofferdam itself was a large project. It projects out from the north abutment, with a series of buttresses continuing on to the bluff which will be the south abutment. When the dam rises to a sufficient height within the cofferdam, stoplog gates will be placed between the buttresses, and the river diverted through sixteen 4 by 9 conduits in the base of the dam.

There follows a very interesting description of the dam itself. I shall not take time to read that part of the article now. I think the last paragraph of the article is of interest to us. It shows the extent of the commitment, we might say, which already has been made in connection with this great project:

Since the beginning of work on Bull Shoals Dam in June of last year, a tremendous change has been wrought in the surrounding towns. Dozens of houses and businesses in Mountain Home, Flippin, and other towns have been and are now being built. Since the dam building program started in 1941, Montain Home's population has approximately tripled. The tourist and fishing trade brings thousands of additional dollars into the Norfork lake country each year, and towns near Norfork and Bull Shoals are beginning to think of acquiring industries to use the great output of hydroelectric power.

The building of Bull Shoals Dam marks the crystallization of a dream shared by many men for as far back as 1819, when the explorer Henry Schoolcraft wrote that "this section is admirably adapted for agriculture and mining, and abundant undeveloped water power gives it remarkable advantages for mills and other manufactures." In 1905 a dam at Bull Shoals was contemplated by Colonel Standish, and later the Dixie Power Co. tried to construct a dam at Wildcat Shoals. Far-sighted men recognized years ago the wealth which has lain dormant in our rivers. Far-sighted men today are planning for the time when Arkansas, with the great water-power potential harnessed and working for the benefit of all, will become a prosperous manufacturing State as well as a supplier of raw materials and agricultural products.

Mr. President, I have read those portions of the article simply to emphasize the fact that to disrupt a project of this character, which already is well under way, would cause enormous loss to the people, in addition to the loss to the Government itself in the cancellation of contracts and the payment of damages for the cancellation of contracts, which is a matter with which, of course, all of us are familiar. But beyond that, as the article points out, a great many other commitments have been made by private persons in reliance upon a project which is as far along as that, which it seems to me it would be wholly unjustifiable to change at this late date.

I may say in that connection that the increases to the State of Arkansas in the Senate version of the bill as compared to the House version are very minor indeed. There is an increase of only $25,000 in the flood-control program, which is really for the planning of a small reservoir, the Water Valley Reservoir; and about $300,000 are allocated for planning in the Arkansas River basin, which of course includes Oklahoma and only approximately $200,000 of that is an increase over the House bill; so that aspect of it is of no particular importance to these particular projects. But the principle of the minority views, which would reject such projects, shows at least the possibility of either cancellation or reduction in a substantial amount, which I think is wholly unwarranted.

With regard to the money for Bull Shoals Reservoir, under the present estimate, $10,000,000 of the $14,000,000 carried in the bill will be required in the continuing contract on the main dam; $5,200,000 on the continuing contracts for cement and aggregate; $1,000,000 on the continuing contracts for powerhouse equipment and penstock gates; and $800,000 for land acquisition.

Obviously the total budget estimate of $17,000,000, which has been reduced to $14,000,000, greatly exceeds the appropriation now carried in the fiscal year 1948. A drastic cut such as inferred in the minority views would bring about the danger of a shut-down with the attendant loss of efficiency in the building itself. I believe that in the name of economy these projects should be continued on the most efficient construction schedule.

Now is not the time to cut-back this program. These major projects were authorized by Congress after careful study, the Corps of Engineers has awarded contracts to the lowest bidders, and at sites throughout the country heavy equipment has been moved into place in preparation for construction on a scale which only American engineers dare plan.

Mr. President, I ask unanimous consent to insert the remainder of the article to which I have referred at the end of my remarks, for the reason that it also has in it a description of the size and gives an idea of the cost of the heavy equipment which is necessary to carry on the work.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. FULBRIGHT. Drastic cuts can only mean shut-downs, canceled contracts, and disruption of construction schedules planned by our best engineers.

This program is of fundamental importance to all the people of this Nation, regardless of where they live. The people of New York, of Michigan, and of California will be affected by the destruction caused by the floods on the Arkansas. As a result of the destruction and dramatic tragedy of two world wars, our people have come to recognize that nations are interdependent, that no nation can isolate itself from the effects of circumstances in the rest of the world. If this is true among nations, it is doubly true among our 48 States.

If America plays the role it must play, if western democracy is saved from communism, we must be strong. To be strong means that we must produce goods that people consume, especially food and fibers. If we permit our most fertile soil to be wasted away, year after year, gradually like a creeping paralysis we shall grow weaker and eventually other peoples with greater productive powers will supplant us as the strongest Nation on this earth.

The real strength of America does not rest primarily upon our Army, Navy, and Air Force, necessary as they are, but upon our productive power. With less than 6 percent of the people of the world, we have greater industrial production than the combined production of the rest of the world. About 20 percent of our people are engaged in agriculture, yet this small number has not only fed our people better than any other people in the world but produced more food for export last year than the exports of the rest of the world put together. These are the facts upon which our strength and security are based. These are the facts, Mr. President, upon which I shall vote against the motion to recommit the bill.

EXHIBIT A

BULL SHOALS DAM IN PROGRESS

(By Tom Dearmore)

Probably the most spectacular phase in the construction of the $69,000,000 dam will be the transportation of aggregate for the concrete. It is to travel 7 miles from Lee's Mountain behind Flippin on a conveyor belt to the project, where it will be dumped into the giant concrete mixers. This is the second longest conveyor belt ever made, and is being supplied to the Flippin Materials Co.,

suppliers of the aggregate, by the Goodyear Rubber Co. It will operate in 21 flights and is to have a capacity of 650 tons of rock per hour; 3,800,000 tons will be moved by this belt. Timber is now being cleared and footings prepared for installation of the belt.

Holding the responsible job of supervisor for the Corps of Engineers, Department of the Army, is Ralph P. Johnson, engineer in charge. From his office overlooking the job, Mr. Johnson keeps a constant vigil over every aspect of construction. He is aided by about 50 subordinates, and will have about 125 engineers under his direction by the time the job reaches its peak in 1949.

Looking out over the busy valley below, Mr. Johnson gave a word picture of the immensity of the project. "It will be one of the largest concrete gravity section dams in the United States," he explained, "and will contain more than 2,000,000 cubic yards of concrete." The concrete plant will be the third largest ever built, surpassed only by those at Grand Coulee Dam, Wash., and Shasta Dam, Calif. Construction of the mixing plant is now starting about halfway up the west abutment. Its capacity output will be 7,000 cubic yards a day from four 4-yard mixers. Aggregate (crushed stone and sand) will be cooled with water before mixing. It was cooled at Norfork Dam by mixing crushed ice in the concrete.

"The lake behind Bull Shoals Dam will be one of the largest in the South, and should begin backing up by the winter of 1949 or spring of 1950," Mr. Johnson declared. "The shore line, at the top of flood-control pool, will be 1,050 miles long, and the length of the lake will be about 87 miles," he continued. "The dam, if the maximum number of 8 penstocks are installed, can produce 575,000,000 kilowatt-hours of electricity each year, and more than 1,000,000 acres of bottom land will be protected from floods."

When completed, Bull Shoals Dam will be about 8 city blocks long and 279 feet high, with a roadway 20 feet wide running across the top. A maximum of 8 power generators can be installed, and they will be placed in the penstocks immediately after completion of the project. Each turbine is capable of generating 70,000 horsepower. About 5 years will be required for the job, utilizing approximately 2,750,000 man-hours.

This spring the contractors will probably employ more than 1,000 men on the dam and a large number on the quarry at Lee's Mountain. Mountain Home, Flippin, Cotter, and Yellville will receive direct benefit from this pay roll, which will also be invaluable to the new towns of Bull Shoals, Lakeview, and Midway. The latter are being developed near the project for the benefit of workers and as future resort towns.

The town of Bull Shoals is located beyond the north abutment of the dam, and is being developed by the Ozarks White River Co. That company, headed by C. S. Woods, of Mountain Home, is also developing Lakeview, which is just east of the dam. Midway is located on the blacktop 5 miles northwest of Mountain Home.

The first concrete placing in the dam will probably take place in August, and forms will be erected in July, Mr. Johnson said. More than 85 percent of the concrete in Bull Shoals will be against steel forms. Wood forms were used predominantly on Norfolk Dam. Two 8,000-barrel steel cement silos are now being built on the east abutment to supply the mixing plant when it is completed.

Water from the White River is used for everything. It is pumped to the top of the bluff at the west abutment and up into a 100,000-gallon water tower, where it is purified for drinking. A 14-inch pipe will run from the pumping barge, which is anchored in the river above the project, directly to the mixing plant, to be used in the concrete. River water is shot from a hose on the east abutment under high pressure to strip away the face of the bluff.

Before the time comes to begin placing concrete into the foundation forms, the contractors will build a trestle over the spot where the forms are to be. Electrically driven railway cars will run out over the trestle and dump their cargoes of concrete into the forms, then return to the mixing plant 175 feet above the valley for another load. On Norfork Dam, a swinging bucket was used to transport the concrete.

The office of the Ozark Dam Constructors, the mine company combine which has the contract for building Bull Shoals, is located on the north bank of the river just below the dam. It is a reconverted aircraft hangar, and also houses the busy machine shops where dozens of machinists work night and day to keep the construction equipment running. Sharing a large part of the job's responsibility is Grady Gray, office manager for the contractors. With his assistants, Mr. Gray handles many of the intricacies of purchasing and dispersing materials. Frank Bybee serves as personnel manager for the job, while the important post of chief engineer is filled by H. H. Roberts.

The contractors maintain a completely staffed hospital on the job, and safety is especially stressed. A restaurant accommodating 100 people has also been built near the main office.

The 16-mile railroad was built up the river from Cotter last year across the river just below the contractor's office building on a highway and railroad bridge which rises 50 feet above the river. One train a day comes up from Cotter to deliver freight, but two or three a day will operate on the line when the job reaches a peak. The railroad cost about $1,000,000. At its termination point, a huge whirley crane has been erected to unload heavy penstocks and other material.

The first consideration of the United State engineers in planning the dam was to obtain exactly the right type of aggregate for the concrete. Aggregate is divided into two classifications, coarse and fine. Coarse aggregate is crushed stone and fine aggregate is crushed stone sand. A great deal of river gravel was used as coarse aggregate in Norfork, but it was decided that only crushed rock should be used in Bull Shoals. Tests were made with samples of rock from points up and down the river, and the aggregate from Lee's mountain was finally found to be the most suitable.

These tests were performed at the Waterways Experiment Station in Vicksburg, Miss. The engineers at the project also maintain a concrete laboratory.

Under construction by C. M. Foresman, Mountain Home builder, is a $9,000 observation platform on the Baxter County side of the dam. It will be accessible from the paved access road, and affords an excellent view of the construction area.

Roads leading to Bull Shoals Dam are in a much better condition than those to Norfork Dam. The United States engineers built a blacktop access road to the dam starting 5 miles northwest of Mountain Home, at Midway, and that remaining 5 miles is now being blacktopped. The 8-mile stretch from Flippin to the project has also been blacktopped. Before many years tourists may drive over both Bull Shoals and Norfork Dams.

D. S. Perkins, safety engineer for the United States engineers, keeps a constant watch to detect hazards. All men on the job are required to wear hard helmets, and salt tablets are given to workers to prevent heat fatigue. The safety record is excellent so far.

Heads of engineers' departments include L. F. Sherman, assistant to Mr. Johnson; D. H. Basgen, head of the office engineering section; V. W. Luckett, administrative head; J. D. Lunsford, head of the lay-out section; R. E. Whitla, head of the foundation section; Norman Roberts and J. W. Wilhite, heads of the mechanical engineering section, and Harry E. Hawkins, inspector.

An important initial contribution of the dam to the surrounding territory is the $140,000 the Government is paying to Baxter and Marion Counties in increased school funds. Each student moved there because of the dam is paid for at the rate of 35 cents a day for each day in school and for high school students 2½ cents a day is received for each mile between their house and school. A new high school is being built in Mountain Home with help from the Government.

Mr. CORDON obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield to the Senator.

Mr. RUSSELL. Mr. President, the senior Senator from South Carolina [Mr. MAYBANK] is necessarily absent today on public business. He has arranged a pair in opposition to the pending motion. He has asked me to have inserted in the body of the RECORD the remarks he had planned to make on the pending measure. I ask unanimous consent that the remarks of the Senator from South Carolina [Mr. MAYBANK] be printed in the body of the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remarks prepared by Mr. MAYBANK are as follows:

Mr. President, there are two projects contained in this appropriation which lie entirely within my State, and the third and largest is shared by South Carolina and our sister State of Georgia.

The two projects in South Carolina are the Winyah Bay and Charleston Harbor developments under the Rivers and Harbors section of the bill. The House granted the full budget figure of $178,000 for Charleston Harbor and $856,000 for Winyah Bay. Both of these amounts were approved by the Senate Committee on Appropriations.

The appropriation for Charleston Harbor will allow for the completion of the channel between the jetties and the widening of a turn in the south channel from 500 to 600 feet.

Charleston is now one of the most important ports on the eastern seaboard. Water-borne commerce there is increasing steadily. This is due largely to the fact that terminal facilities which were provided during the war for military purposes have now been converted to commercial use. The port is now handling hundreds of thousands of tons annually of such varied items as crude oil, fruit, coal, gasoline, wood products, vegetables, and numerous other commodities. The 1946 commerce amounted to nearly 5,000,000 tons.

If we are to continue to make the best use of these port facilities it is necessary that we have the full project dimensions for the safety of oceangoing vessels. It is the only way to insure the uninterrupted movement of a large volume of foreign and domestic commerce through this port.

At Georgetown, the Winyah Bay project is equally important. This part of the appropriation will provide for the full completion of the channel and turning basin, both of which are badly needed.

The project provides for a 27 foot channel which is necessary to permit modern cargo vessels to enter and leave that port with capacity loads. The present 18 foot channel is entirely inadequate for ocean going vessels which serve the established industries at Georgetown. This present shallow channel forces vessels now using this port to either wait for very high tides or enter and leave with partial cargoes. Both of which, of course, are costly procedures.

Georgetown is a rapidly growing industrial center. It stands ready to render a great

service to the people and industry of South Carolina with its many natural advantages.

Projects such as these result in savings and other advantages to all of the people—not just the fortunate few in the immediate vicinity. The savings in the cost of water shipments alone will be felt all the way across the State and even on into the inland States with no coast line and ports of their own.

The third project is one which has withstood more than its share of controversial debate for many years. I refer to the Clark Hill project which is now under construction by the Corps of Engineers on the Savannah River. The corps of engineers' budget requirement for this project was $8,400,000. This figure was trimmed in the House to an even $7,000,000. When the civil functions bill came to the Senate Committee I was extended the courtesy of appearing before the committee, along with Senator RUSSELL and others, for the purpose of asking that the full budget figure be restored. It is needless for me to try to express our gratitude to the committee for deciding to restore the $1,400,000 for Clark Hill.

My statement before the Appropriations Committee was a very short one. The issue, in my own mind, was very basic and I did not wish to impose on the courtesy of the members of reviewing the long and bitter fight we had had over the years to finally secure the approval for this wonderful flood control, hydroelectric and navigation development to be constructed by the Corps of Engineers. Because we have felt sure that that particular battle was over and nothing more than the annual formality of appropriations stood between our dreams of this project and its ultimate completion, we confined our appeal to the committee to a simple matter of economy. My own statement was short and I will read it just as it was presented to the committee:

"Mr. Chairman, I am most anxious to see the appropriation for the Clark Hill project restored to the original $8,400,000 figure. I ask this in the interest of basic economy.

"It is only reasonable to expect that a cut of $1,400,000 from the figure asked by the Army Engineers would slow the progress of this project in direct proportion to the amount of the reduction.

"The Senate has just voted overwhelmingly in favor of the European recovery program. This vote was a grubstake in peace but we cannot be sure. Should it fail and we find ourselves thrown, against our wishes, into another war, the Clark Hill project would be so much nearer a stage of completion and ready to take its place in our high-geared production system.

"From the economic standpoint alone, a reduction in funds now would result in greater cost in the long run. A project of this sort should be self-liquidating, as other similar projects have been. A delay in construction now would only serve to postpone the day when the Government would begin to receive a return on this investment."

Mr. President, that was in reference to the Clark Hill project only. If this bill is recommitted to the committee, it is my understanding that an effort will be made to trim at least $200,000,000 from the total appropriation. That is almost one-third of the entire amount. Should that be done what then will happen, not only to Clark Hill which is so far under way, but to the much needed work in Winyah Bay at Georgetown and in Charleston Harbor? Those are just three affecting my State, Mr. President. I do not mean to imply that they are in any degree the most important projects contained in this bill. There are other Senators here who have the same feeling for those affected within their own States. They feel the same way and I am grateful to them for their support in the past. I am sure they are with us now at this crucial time.

Any legislation such as this which is designed for the development and preservation of our natural resources by the Federal Government will always run into snags along its legislative course. There are always forces at work which would prefer to see such work done in a lesser degree and at the expense of the people who would be benefitted and in the financial interest of the great holding companies who would become even stronger. I say at the expense of those who would be benefitted most because they are the ones who are not now able to have electric lights, refrigerators, washing machines, freezer lockers and automatic pumps. It costs the public-utility companies too much to run lines to the people who live off the beaten path of their regular service to the city folks. If the service were made available to these people the cost would be prohibitive. You see, Mr. President, even though there is a lot of money in circulation now and people are earning high wages, there are still a lot of poor people in this great land of ours.

I do not mean to imply that this project is solely a hydroelectric development either. Electricity is merely a byproduct. This development is primarily for purposes of flood control. There are thousands of acres of rich bottom land along the banks of the Savannah River which are not now available for cultivation because of floods. This project would reclaim that land—land which is so vital to our farmers who are being asked to feed and clothe not only our own people but a great many of the other people of the world.

It would create a navigable channel from the Atlantic Ocean all the way up to Augusta. It would extend the benefits of a port to the people and industry of an otherwise landlocked city. It would automatically offer new and unlimited recreational facilities to hundreds of thousands of people. It would mean the creation of additional and greatly needed refuges for wild game and fish preservation and breeding.

There is one thing in favor of these particular debates. They always bring to the forefront those gentlemen who honestly and sincerely believe they were elected to represent all of their people and not just those who are able to pour the most silver into the coffers when election year rolls around. It makes you feel good inside. It restores your faith in the principle of government of, by, and for the people.

Mr. President, outside of the down-to-earth goodness of the most of our people, we have nothing more valuable than our own natural resources. These wonders of nature are God-given talents. They were not placed so abundantly for the sole use of picture post card dealers. They were created to serve man—and serve man they will. A project such as Clark Hill is a self-liquidating one. Here is an opportunity to give these many benefits to the people who deserve them and at a price they are able to afford. They would never have them otherwise. We know that from experience.

I fail to see that Government development of such a project would cut into the revenues of the power companies. They are operating at full capacity. They are, in many cases, unable to supply current demands for power. These projects merely extend these "city folk" privileges to rural people who also need them.

No government, Mr. President, ever went broke developing its natural resources. We owe much to the natural gifts we inherited when this country was settled. It is true that this wealth has been abused in many instances. It is also true that our development of some of these resources has greatly increased our Nation's wealth. We could never deny the tremendous contribution they made to our war efforts. We pray that their future use will be confined to peacetime developments for better living. However, as we make plans for drafting men and even talk of plans for mobilizing industry it seems we're being penny-wise and dollar-foolish to drop these worthy projects—especially those which are already under construction.

The people of South Carolina need the advantages to be derived from Winyah Bay, Charleston Harbor, and Clark Hill. Should we ever again find ourselves confronted with a national emergency such as we have so recently experienced the Nation will need their facilities instantly. I urge my colleagues here in this Chamber to join with me in the vote to keep from recommitting this civil functions bill to the committee.

## EFFECT OF DRAFT LAW ON SCIENTIFIC PERSONNEL

Mr. WILEY. Mr. President, will the Senator from Oregon yield?

Mr. CORDON. I yield.

Mr. WILEY. Mr. President, I understand that we shall soon be considering the question of a conscription or draft law. I find in the Chicago Journal of Commerce an editorial entitled "A Chemist Speaks," which I think is worthy of the highest consideration by every legislator who is to give this subject consideration in this critical hour. It starts out with this suggestion:

> A stupid draft law may lead to national scientific suicide, according to Charles Allen Thomas, president of the American Chemical Society.
>
> Dr. Thomas, quoting Vannevar Bush, points out the "serious deficit in our trained scientific personnel." (In the field of mechanical design the shortage is especially distressing.) This deficit, he believes, stems from the selective service law of World War II.

This editorial, as I say, should be the subject of real, earnest consideration by all Senators who must, before final adjournment, I take it, arrive at a decision on the nature of the bill we want to become the law, which we think will be adequate to meet the situation we are facing today as the leading world power. I was particularly interested in the editorial because it brings out in detail the waste of what may be called "brain power," if we attempt to pursue the course we followed in the past.

What I have in mind, Mr. President, is that there was a man called Billy Mitchell, some years back, who foresaw the needs of a nation in a war that was on the horizon, though no one saw it then. The "brass hats" could not agree with Billy Mitchell, and although the Senate has four times passed bills, which I introduced, granting him posthumously the rank of major general, someone has been able to stop action in the other House.

Billy Mitchell was a prophet in the sense that he saw that the old ways and methods, the old techniques of World War I would not be adequate for World War II. But even after he had bombed and sunk naval vessels his teachings and his ideas were disregarded.

I want to make sure that a bill is passed in connection with the matter. I have not had occasion even to examine such a bill, so I am not talking about any particular bill. I am talking about the ideas that are so dynamically stated in this editorial, because they bring clearly to mind that just as after World War I we found we had to have different weapons to meet an emergency, we must now have improved weapons to bring about peace and to make sure that no nation

or group of nations will ever think it advisable to attack Uncle Sam. It is apparent to some, at least, that the methods of World War II are outmoded. With the discovery of atomic energy and of other weapons, the old techniques, the methods of assembling armies and utilizing men, marching them up and down the streets, equipped as they were in World War II, are at least in part outmoded.

Therefore I ask that this editorial, entitled "A Chemist Speaks," be printed in the RECORD following my remarks.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. GURNEY. I assure the Senator from Wisconsin that the Senate Armed Services Committee very definitely had the problem in mind. It had the assistance of Dr. Vannevar Bush, and also the assistance of Mr. Thomas, the head of the chemical company alluded to in the editorial, in arriving at the language of the bill. I believe that when the bill is brought up for consideration the Senator from Wisconsin and the Congress in general will feel that wise provision has been made so that we can continue properly our research program.

Mr. WILEY. I am very happy to have that assurance. My only object in interjecting these thoughts into the picture at this time was to bring light into a situation which is quite chaotic, as is indicated by hundreds of letters that come to my office. It is very clear that there are those throughout the country who are again propagandizing the American mind as they did in connection with oleomargarine. They are propagandizing on the subject of this bill, or that bill, or something else relating to the armed services. What is needed is clarification of the whole picture, so that in simple language the American taxpayer and the American citizen may be made aware of an adequate approach to the problem which is facing us in this most dynamic and challenging period.

I thank the Senator from Oregon.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A CHEMIST SPEAKS

A stupid draft law may lead to national scientific suicide according to Charles Allen Thomas, president of the American Chemical Society.

Dr. Thomas, quoting Vannevar Bush, points out the serious deficit in our trained scientific personnel. (In the field of mechanical design the shortage is especially distressing.) This deficit, he believes, stems from the selective service law of World War II.

A recent study by the Army general staff showed that, of the scientists and technologists of the armed forces who reported, 70 percent denied that they had been fully utilized in their primary fields.

In this particular scientists suffered the same fate as other service personnel. A young man brought up in the Pacific islands, was skilled in Filipino dialects. The Army sent him to Europe. A veteran surgeon with a major's commission was set to paring corns and callouses. A LaSalle Streeter, an expert on railway finances, was given an intensive course in radar, then set to performing menial jobs in the African desert. The examples are innumerable.

Wartime waste of shoes and ships and shells and sugar is inevitable. But waste of manpower is unpardonable. It must not happen again.

To prevent the waste of vital scientific talent Dr. Thomas proposes selective service legislation deferring scientists and technologists engaged in essential work in industry or Government, university students engaged in teaching or research, and promising scientific or engineering students.

He would vest jurisdiction over these deferred persons in the National Security Resources Board.

The next war (if any) is unlikely to involve tremendous mass slugging matches of the Passchendaele, Verdun, or Stalingrad variety. These will be buried in the mothballs of memory along with Agincourt, Bull Run, and San Juan Hill. If the pen is mightier than the sword, the test tube is mightier than the tank, the slide rule more potent than the submarine.

The big-Army and big-Navy men keep harping on the hordes of Soviet manpower. Yet Hitler's greatest blitz successes were achieved with small, mobile forces. It was only later, when the Nazis were pressing pilots and technologists into the infantry, that the Reichswehr was shattered.

How many Russian infantrymen would it have taken to solve the magnetic mine menace? How many to invent the V-2? How many to build an atomic bomb?

If we survive world war III, we shall need the help of American science and industrial technology every inch of the way. Yet we are now short of 90,000 bachelors of science and 5,000 Ph. D.'s according to Dr. Gustav Egloff, Universal Oil chemist.

Eleven great American corporations are now contributing from $20,000 to $50,000 a year each for fundamental nuclear research. The results may be of incalculable benefit to the Nation in war and in peace. Are these programs to be jettisoned so that the scientists engaged in them may become PX officers or grease monkeys?

Dr. Thomas should be heeded. The effective use of precious scientific talent should not be left to the whims of the armed services or the exigencies of local draft-board pressures. Congress should defer the Nation's scientists in the name of the Nation's security.

## DEPARTMENT OF ARMY CIVIL FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5224) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion, as modified, of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the bill to the Committee on Appropriations with certain instructions.

Mr. CORDON. Mr. President, I am one of those in this body who believe that debate should serve the primary purpose of being informative and should generate light rather than heat. Reiteration, therefore, as I view it, can serve no good purpose.

The distinguished junior Senator from California, who is now occupying the chair, presented a comprehensive explanation of how public-works projects are originated, screened, and finally translated into construction. I could not add to that explanation. I do, however, want to associate myself with it. I am in full accord with the views expressed by the junior Senator from California in defense of the civil-functions bill now under attack on the floor.

My colleague the junior Senator from Oregon [Mr. MORSE] on yesterday presented another explanation of the place in Government, Federal economy, and fiscal affairs that capital betterments should have. He distinguished between expenditures in the field of capital additions and those in the field of current operations. I wish to associate myself with his views.

My colleague from Oregon also presented most comprehensively the relationship between many of the public works which are listed in the pending bill and the civilian economy of the country, on the one hand, and national security, on the other hand. It would serve no purpose to reiterate in connection with his statement. My colleague explained in detail the national values inherent in hydroelectric power in the Pacific Northwest. He showed with facts and figures the scarcity of hydroelectric power, and the necessity for increasing it, how it fitted into the economy and into the military necessity of the country. I undertake to say that the statements made by my colleague cannot be controverted. They stand upon the solid foundation of the record.

I should like to supplement that statement by reading a portion of an article which was published not in some propaganda sheet seeking to advance public spending and extravagance or to advance public ownership or "what have you" in the field of ultraliberalism or socialism. It appeared, Mr. President, believe it or not, in the Wall Street Journal. It should be conservative enough for the most conservative. On May 13 appeared this article. Because it is long and I do not care to burden the RECORD, I shall read extracts only. I quote:

Kilowatt crisis. Northwest turns away industries for lack of enough electricity. More aluminum for planes, less for pots and pans; power expansion sought. Building dams takes time.

I continue the quotation, under the date line of Portland, Oreg., May 13:

Power-starved Pacific northwesterners are going to have to tighten their kilowatt belt another notch. The whole Nation may feel the pinch.

Partly, it's a question of guns or butter—in this case, airplanes against pots and pans.

Congressional approval of planes to build a 70-group air force will mean raising demand for aluminum during the next 5 years one-fifth above this year's estimated output of the light metal. That means a heavy drain on electric power; 1 kilowatt of electricity is needed to produce every 1,000 pounds of aluminum.

But the Pacific Northwest, where 46 percent of the country's aluminum is produced, has no power to spare. It hasn't enough now to take care of industries and population that mushroomed during the war, let alone handle extra defense orders. More power for military-purpose aluminum for instance, can't help meaning less for kitchen utensils and farmers' barn roofs.

Scarcely any major industries in this area can get power for all their needs. At the peak of seasonal demand last winter, use was

kept within the bounds of generating capacity by a bare 55,000 kilowatts, and that only by curtailing nonessential uses.

Meantime, a number of eastern companies with blueprints for new factories in Oregon or Washington are turning elsewhere or pigeonholing their plans because of the shortage. Chester Sterrett, industrial engineer for the Portland Chamber of Commerce, reports "Three or four electro-chemical companies with substantial operations have been forced to hold up coming to the Northwest due to their inability to get power."

The answer to the shortage, of course, is to produce more power. But that's easier said than done. Building a quarter-mile-long dam takes years and millions of dollars. Private utilities are expanding in a small way, but their additional capacity won't be available before 1950. The huge Grand Coulee hydroelectric project with its nine units has scheduled eventual installation of nine more generators, each rated at 126,000 kilowatts. But the first of the three to be added in 1949 won't be in action until next April. Other Federal hydro projects are on the way, but it will be 1954, at least, before the first is completed.

Causes of the power shortage are traceable to a multitude of factors. One was the prewar superabundance of power in the Northwest which lured industries here.

The aluminum industry is a good example. Before 1939 not a pound of aluminum was produced in this area. This year five big Northwest plants will turn out 573,000,000 pounds of the metal, almost half the United States production of 1,250,000,000 pounds.

These smelters, operated by Kaiser Co., Aluminum Co. of America, and Reynolds Metals Co., are using nearly 600,000 kilowatts of power, more than a third of the combined capacity (1,592,000 kilowatts) of Bonneville and Grand Coulee Dams, two of the world's largest hydroelectric projects.

But the aluminum firms have nowhere near the power they need. All have standing orders on file with the Bonneville Power Administration, selling agent for all Federal power produced in the area. They want as much extra power as they're getting.

With that extra 600,000 kilowatts, aluminum producers here could go a long way toward producing their share of the estimated 250,000,000 extra pounds of aluminum needed in each of the next 5 years to fulfill the Air Force goal. That amount of metal, experts believe, would cover all plane program requirements, including such items as propellers and spare parts as well as the primary airframes.

The aluminum plants' demand isn't the only bug-a-boo in the northwestern electricity shortage.

Another huge power customer is the Government's atomic works in western Washington. How much power it burns is a carefully guarded secret, but utility men are certain it is one of the area's biggest users. The atomic plant is being expanded now to the tune of $350,000,000. That means its power needs will increase. Meantime, civilian industries which expanded sharply during the war are still operating far above prewar levels. And a large share of the wartime population influx has been retained. Oregon has 39.2 percent more souls than in 1939. Washington State has gained 28.6 percent more inhabitants.

During the reading of the article the following occurred:

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield.

Mr. GURNEY. I should like to call the attention of the Senator from Oregon to the fact that in the pending bill there are funds for 23 multipurpose projects. The amount chargeable to the generation of hydroelectric power for these 23 projects in the bill will, when they are completed, give us an annual return from hydroelectric power of $53,900,000 per annum. I thought that information would be of interest to the Senator, and I am glad to give it at this time.

Mr. CORDON. I thank the Senator from South Dakota.

Mr. President, I shall not read further from the article which is a factual account appearing in the Wall Street Journal. It shows the crying necessity, the urgency, for power development in the Pacific Northwest.

I undertake to say, Mr. President, that that urgency exists throughout the United States. I rest that conclusion upon testimony before our subcommittee, from engineers in the Army and out of the Army, from industrialists, from all classes of our population. This testimony was rebutted by none.

Mr. President, I shall not dwell further on that subject. It has been debated and presented fully on this floor.

I think perhaps I would have said nothing on this matter had it not been for statements attributed to Members of the Senate charging that the pending bill represents a pork barrel, a charge which afterward was reiterated on this floor. I sought to get the definition of the term "pork" as applied to legislation. The definition is in the RECORD. It imputes to those who have had a part in the preparation of the proposed legislation motives based solely on sordid political expediency, all ignoble. I regret that when called upon, those making that charge disavowed the responsibility of presenting any proof whatever in support of it. The record indicates that the charge was baseless, unjustified, and unjustifiable. I shall say nothing further about that.

Mr. President, when I first came into this body I was a member of the Commerce Committee. Before that committee came the first of the comprehensive flood-control and river and harbor authorization bills. I spent days on end, running into weeks, examining witnesses with reference to each and every project in that bill. An array of witnesses came and went. I learned at that time what screening meant as applied to river and harbor and flood-control projects. They were screened, Mr. President. No project was approved by the committee that did not have a justification. No project was presented in which the benefits were not greater than the cost. That was true of the largest project as it was true of the smallest.

Later on, becoming a member of the Appropriations Committee, I had an opportunity to secure experience in further screening those projects. Based upon that experience, where there came before those committees projects for improvement of navigation, flood control, I believe, in every State in the United States, multiple-purpose projects which combined both navigation and flood control, and then went on to combining hydroelectric power and in many cases domestic water supply, and, in others, irrigation and reclamation, I learned that our country must depend for its future prosperity upon the continuation of a public works program which, Mr. President, has not the slightest relationship to make-work projects.

I regret that this program cannot go forward by the use of less labor. I regret that the program cannot go forward by the use of fewer materials. The labor involved and the materials involved are a part of the projects which are justified, and that justification is based upon the necessities of our people.

It is just as important, Mr. President, to maintain the present level of productivity in this country as it is to increase it. Flood-control projects as such, with none of the multiple purposes involved, represent insurance to maintain the present productive capacity. One does not cancel his fire insurance in the name of economy. When things tighten he needs that insurance most.

Mr. President, we first must look to the maintenance of the present high productive capacity of the United States of America. We are faced with increasingly heavy calls in a dozen other fields beyond those which we ever had to face prior to World War II and we must recognize that the level of production must go upward, not downward.

Mr. President, every item in the bill has run the gantlet of two of the major committees of the United States Senate, and two major committees of the House. The projects have had the careful attention of the most competent construction engineering group known in the world. The projects have been screened by the President's Budget Bureau. Certainly if one had in one's self the type of desire that is contemplated in the term "pork barrel" one could not exercise it in the fact of those restraints. That should be a sufficient answer on that point.

Mr. President, I have before me the hearings representing 2 weeks of time given by the Civil Functions Subcommittee of the Appropriations Committee to the bill. There are more than 1,400 pages of testimony contained in this volume. In those 1,400 pages of testimony can be found itemized the justification for every item which makes up the sum total of the civil functions appropriation bill. Incidentally, there are many other items with reference to which there is full testimony, which are not included in the appropriation bill. They represent items which might be deferred, many of which should not be deferred, but which must be because they have not yet received screening by the committees of the Senate or of the House dealing with civil works. Anyone seeking to advise himself as to the justification for any project listed in the bill has had available to him the original justification in the authorization act. He has had available to him testimony as to the specific appropriation items in the present bill, as found in the hearings. He has had available to him like testimony, at even greater length, before the House committee. If any item in the bill is objected to, all the evidence necessary, pro and con, can be found in the record.

There is no objection before us to any single item in the bill; and when those who propose this motion suggest that

the bill go back to committee for recommendations with reference to urgency, with reference to long-range importance, with reference to projects which can be completed with reasonable appropriations, and projects where the State or municipality bears a portion of the expense, they can find that evidence already in the record. No more evidence can be adduced. It is now available, and it has already been applied.

It is the considered view of the subcommittee and of the entire Committee on Appropriations, except for a minority of three, that the bill presents the best judgment, based upon all the available testimony, or testimony which can be made available. What more can we ask? What more can the committee give?

Mr. President, there is no merit in this motion. I can understand those who may disagree with the policy of the Congress, as evidenced in the Flood Control Act, or those who disagree with the rivers and harbors navigation improvement policy of the country, which has grown up since the country was born, and which has made this country. But if we are to differ with reference to the policy, let us go to the root of it and change that policy.

There is no project in the bill that has not been brought there pursuant to policy-making law. We who serve on the Appropriations Committee do nothing but implement the expressed will of the Congress in the authorizing acts. We have done that.

I submit, Mr. President, that this motion should be rejected, and the bill now before the Senate passed.

Mr. RUSSELL. Mr. President, as a member of the subcommittee which recommended the civil functions appropriation to the full Committee on Appropriations, I desire to comment briefly on some of the questions involved in this discussion. I would not belabor the details of this question, because they have been well and ably covered by other members of the committee. However, I wish to express my own personal view, that this is a very reasonable bill. It is essentially a fair and just measure. I doubt that it provides adequately for the many responsibilities of the Federal Government for which it undertakes to provide.

I have served as a member of the Committee on Appropriations and of this subcommittee for a period of 15 years. I can state without fear of successful contradiction that during that period there has been no committee or subcommittee of this body which examined in more exhaustive detail all the numerous provisions of a bill than did this committee in dealing with the various public projects in the pending measure. We are aware of our responsibilities as a committee. I would not have the Senate think that there is any merit in the contention that, merely for the pleasure of appropriating funds, we have seen fit to include in the bill every project that was suggested. As has been stated by the Senator from Oregon [Mr. CORDON], they were all screened most carefully. The bill which is before the Senate is below the budget estimates; yet the charge has been made that the expenditure contemplated in this measure is unwarranted and unnecessary.

Mr. President, during the great struggle for survival through which our country passed from 1941 to 1945 we neglected works which were vital to the maintenance of a balanced economy. Moreover, during the war and the hectic months since VJ-day, there has been an unprecedented drain upon our natural resources and upon our economy. There has been a great change in the manner of operating the industrial plants of the country. We are today bearing burdens of production which would never have been dreamed of before the war.

I shall not go into detail as to the importance of these projects and the nature of each of them. They are broadly divided into categories of flood control, promoting transportation for the shipment of goods, keeping the channels of commerce open and, incidentally, the production of hydroelectric power.

It is not a matter of not being able to afford these improvements. The fact is, we cannot afford to do less than is provided in this bill. For example, during the war, when the demand upon us was so urgent to transport vast quantities of various materials overseas, we increased the size of oil tankers. Today there are a large number of important harbors which the new tankers cannot enter if they are filled to capacity; and we are now suffering a great economic waste because we have not spent the comparatively small sums of money which would enable this great medium of transportation and commerce to move forward at full capacity. I could enumerate at least a dozen harbors which were mentioned in the course of the hearings, where tankers must come in half-filled after long journeys from the sources of production of petroleum to the places where it is absolutely essential that it be delivered to the consumer in order to keep the wheels of industry going—indeed, to keep the very spark of life alive in millions of American homes. Yet we are told that these expenditures are unwarranted and unnecessary, when a large proportion of the funds is directed to the elimination of that great waste in our economy—waste in manpower, waste in the use of the bottoms which sail the seas, and waste in the oil which is used to propel the ships to the places where the fuel oil and other petroleum products are to be delivered.

Within the past few months great floods have occurred. They did two things. They put to the test the flood-control projects which had theretofore been constructed under the direction of the board of engineers, the same board of engineers which is aspersed so unjustly and so unnecessarily in the minority views. But for projects which had already been built, the losses would have been incalculably greater. Where the projects were not complete or where they had not been built to the dimensions and specifications of the board of engineers, millions of dollars of damage have been inflicted upon the citizenry of the Nation and withdrawn from our national economy, because of the fact that we have been so dilatory in fulfilling the national function, the responsibility of the Federal Government for carrying on a complete system of flood control.

It is unnecessary to go into detail as to the tremendous shortage of hydroelectric power which plagues our industrial efforts at the present time. All of us know that in great areas, wherein are located some of the vast industries on which not only our people but all the people of the earth depend, enterprises have been compelled to limp along at half speed, if, indeed they were not brought to a complete halt, because of the fact that there was not sufficient electric power to enable them to produce at their maximum capacity, so as to take care of the demands upon the country and to avoid any slackening of our industrial establishments which would bring about the evil days of either an inflationary or a deflationary period. Yet we are told that this effort to discharge our national responsibility with respect to these combined projects which are of such vital importance is an unwarranted and unnecessary expense to the Federal Treasury.

Mr. President, I regard it as being most unfortunate that the distinguished Senator from Kansas [Mr. REED], whom I hold in high regard and for whom I have a personal affection, should have seen fit in the course of this discussion to make a bitter and vitriolic attack upon the character and ability of the Army engineers. In the course of his remarks, he said that the men who direct the Corps of Army Engineers, who are the men upon whom our country looks to direct these projects, are without intelligence and integrity. Those are harsh words, Mr. President; and I say I do not think they are in any manner justified. For my part, in looking back over an experience of 15 years in dealing with these men as they have appeared before the committees of Congress, I have come to have great faith in both the ability and integrity of the Army engineers. The Corps of Army Engineers is one of the greatest establishments of our National Government. Where else could have been found the vision for harnessing the destructive waters of the Nation on a national scale, with the tremendous and comprehensive plan that is in process of development, and upon which we have made only a start. All countries of the world look to the Corps of Army Engineers as a model which they would emulate in connection with their various programs for flood control, for improving navigation, and for the creation of hydroelectric power. These men have been denounced here as being without intelligence or integrity, but almost every country on the earth has sent its engineers to the United States to sit at the feet of these men, in order to learn the most advanced methods of carrying on work of this character and to absorb and learn from these men the high ideals of patriotism which have inspired them in their work, so that such foreign engineers would be able to carry that inspiration back to their own lands, where it was hoped they might, as a result, be able to demonstrate the resourcefulness and the ingenuity which have marked the work of the Corps of Army Engineers as the members of that corps have engaged

in one of the most gigantic undertakings in all human history.

Mr. BARKLEY. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. RUSSELL. I yield.

Mr. BARKLEY. In addition to what the Senator from Georgia has just said, it seems to me that it might further be said that in nearly all instances when the Chief of the Corps of Army Engineers, who comes up through the ranks to be the head of that corps, reaches retirement age and retires under the law, if he is still active and willing to labor further while in mental and physical vigor, there is scarcely a large industrial organization in the United States that does not reach out and try to grab him, even after he has retired from the Army, in order to be able to utilize his experiences and services for as long a period as he is willing to engage in such activities.

Mr. RUSSELL. Yes. There is no question, Mr. President, that these men serve their country at a sacrifice, so far as monetary remuneration is concerned.

Mr. President, this charge against the Corps of Army Engineers is a cruel indictment of the entire Military Establishment. All the men who head the Corps of Engineers and direct its activities are officers of the Regular Army. They are supposed to be the cream of the crop from the great military institution at West Point, because only those who are among the highest in scholastic ability of each graduating class at West Point are put into the Engineer Corps. So when those men, who have made the best records at the Military Academy, are indicted in such harsh terms, it is even a worse indictment of the entire Military Establishment. If such a lack of confidence in our Military Establishment were to pervade the entire United States, then God save America in the trying days which lie ahead.

No, Mr. President; the responsibility which is imposed upon the Army engineers to prevent damage from floods and to keep open the channels of navigation, and, incidentally, to recoup, so far as possible, by means of the generation of hydroelectric power at some of the great dams that are built, the cost of building these reservoirs, is one of the greatest responsibilities of all the Government. I say the Army engineers have discharged that responsibility well.

With that great task before them, they went to the Bureau of the Budget and asked for $874,441,000. The Bureau of the Budget agreed to recommend much less than that amount; and the committee has cut by some $35,000,000 the budget estimates which finally evolved from those processes. Yet, because the Corps of Army Engineers did not come forward, at the insistence of one Senator, and say, "We are wasting the money of the taxpayers in a prodigal manner, and here is a project which is no good"—and thereby insult the Congress, which had approved the project—the Army engineers are thereby denounced here on the floor of the Senate. Mr. President, I think that is most unfortunate.

It is unnecessary to go into detail as to the manner in which these projects are selected. This bill, which has been denounced as a pork-barrel bill, is not merely a catch-all bill, Mr. President. The Congress of the United States must take seven different steps before money is expended on any one of these projects. In the first place, the appropriate committee of either House has to pass a resolution requesting the Army engineers to make a preliminary survey of a specific project. The Army engineers have no authority to gallivant all over the country and, for instance, see a river, and say, "Here is a good place to spend a great deal of the taxpayers' money." On the contrary, the Army engineers make a preliminary survey only at the express direction of a committee of the Congress. When such preliminary survey is made, if the engineers report that a further survey is justified such a further survey cannot be made until the appropriate committee of the House or the Senate has favorably reported on it, and until favorable action is taken in the House and in the Senate on a measure providing for such a survey, and until that measure is signed by the President, and becomes law. In other words, a further survey is made only when there is a law directing that such a survey be made of the project. After that step is taken and after the final survey—which, as I have stated heretofore, is not initiated by the Army engineers—is presented, under testimony, to the House committee handling these matters, that committee must approve the authorization of the project, and thereafter the House of Representatives must approve it, and then the Senate committee must approve it, and then it must be approved by the Senate itself, and then finally it must be approved by the President of the United States, before the project is authorized for an appropriation.

Mr. REED. Mr. President——

Mr. RUSSELL. I yield to the Senator from Kansas.

Mr. REED. In the midst of the discussion of that point by the distinguished Senator from Georgia, I hope he will permit me to call attention to the fact that there have been two over-all authorizations in which are included projects on every creek in the United States and every place where a dam could possibly be built. In the bill of 1936, and again in the bill of 1944, there were authorized—because provision for everything anyone could think of was put in those bills—674 flood-control projects and 820 river-and-harbor projects. So, as a result of the blanket authorization, there is no place in the United States, in any region or any section, where some such projects have not been authorized. Talk about the pork barrel! That is when the pork barrel started. I thank the Senator.

Mr. RUSSELL. Mr. President, the Senator must speak facetiously when he says there is not a creek in the United States or a river in the United States that does not have a project, because the Senator knows that is not in accord with the facts, and he must speak facetiously. There are many streams in this country for which no projects have been authorized and there are a number of meritorious projects which have not been authorized. The Senator from Kansas sat in the Committee on Appropriations and heard Members of this body urge the committee to approve appropriations for meritorious projects that have never yet been authorized by the Congress. One of the most difficult decisions we had to make in committee was to decline worthy projects because as a matter of fact they had never been authorized by law.

Mr. REED. I did not of course intend to be taken literally, but let me illustrate, if I may trespass upon the Senator's time for a moment——

Mr. RUSSELL. I am glad to yield for that purpose.

Mr. REED. A little stream scarcely more than a yard wide runs through my home town, and once or twice every year it floods, and the lower section of the town has perhaps a hundred houses with 2 or 3 feet of water under them. The folks would be rather disappointed if they did not have it. One day when I was home several years ago the manager of the chamber of commerce telephoned me and said, "Will you come over to the city hall?" I said, "What for?' He said, "We have an Army engineer here. He came up from Tulsa, Okla., where the headquarters of the southwestern region is, and we are talking about including Labette Creek in the flood-control program." I said, "Now, if you think I am coming over to the city hall to lend any weight that I might have as a United States Senator to include Labette Creek in a Federal program, you are mistaken. I am not coming." But the fact is that actually the engineers looked over Labette Creek. That is how far this went. And in that particular valley, this creek and two others were examined by the engineers and rejected. But to show how far this has gone and what kind of projects have been explored, and how many have been included, I read again the figures in the bills. There are 674 flood-control projects authorized, and 820 river-and-harbor authorizations, a total of fourteen or fifteen hundred projects.

The Senator from Georgia knows very well what we have done. Our friends come in and say, "Well, just authorize it. That doesn't take any money." And we have frequently granted the authorization. Authorizing it does not take any money, but all such projects sooner or later return for appropriations

Mr. RUSSELL. Mr. President, I am glad to hear the Senator say, in the light of his indictment of the engineers on yesterday, that he has found two projects in the State of Kansas on which the engineers, after survey, made an unfavorable report. I could point out that there have been literally hundreds of instances in which the Corps of Engineers has made an unfavorable report. In my opinion, in some cases they have been too rigid in their standards applied to worthy projects, because it has resulted in great loss to the country to defeat the authorization of such projects.

I now revert to the statement I made, that the Congress of the United States must authorize these projects, and it must be done after a favorable survey.

I know it has not been done in the harum-scarum manner the Senator from Kansas would have us believe. I think it has been done carefully. I regret that the Senator from Kansas, after having indicted the Corps of Engineers, now sees fit to indict the Congress of the United States in addition to the Appropriations Committee of the Senate for having authorized these projects. I am afraid it will eventually get down to the point where everybody will be out of step except the Senator from Kansas. I do not believe that any other Member of the Senate would go so far as to say that these projects were altogether without any merit or justification whatever. We may differ as to the time when the appropriation is to be made for them, and I have not relied upon the economists whom the Senator from Ohio has complimented at such great length as having given advice on this matter, and whom the Senator from Kansas has complimented, but if we are going to stand on the recommendations of the economists, Mr. President, we should build up a great backlog of worthy projects and have them available for periods of depression to provide public works instead of having to resort to relief, as we did. All economists advocate such a backlog of authorized projects as the Senator from Kansas condemns.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. If the Senator will let me do so, I should like to add my approval of what he has just said in reference to the fact, first, that the engineers very frequently disapprove projects, though we, at least, in my State, think they are meritorious. They have disapproved some half dozen in the period since this session began. Second, that the whole program is necessarily not a static one but a progressive one. The engineers have just approved, and very properly so, a great project in my State to try to do away with the danger of additional damage such as was sustained in my State last fall to the amount of more than $59,000,000, as found by the engineers, from a devastating flood and on this necessary project the Congress has not yet had a chance to express itself. In the third instance, I should like to say, if the Senator will allow me, that I thoroughly approve his statement with reference to the high quality of the services rendered by the Corps of Engineers. In my State, in 1926, at a time of high water, after the summer rains and during a hurricane, the winds came from such a direction as to throw masses of water out of Lake Okeechobee over the village of Moore Haven, taking more than 300 valuable American lives at that time. Two years later, in 1928, at a similar stage of high water, the hurricane winds happened to come from another direction, resulting in the overflow of little towns along the east and south shores of Lake Okeechobee, and taking 2,200 priceless American lives at that time.

The engineers were promptly directed by the Congress to go in and make plans and build a system of levees by which they could avert a similar disaster from the blowing by the winds of the shallow waters of Lake Okeechobee out over the surrounding communities. Last fall, with all the heavy damage that was sustained at other places, I am glad to tell the Senator from Georgia and the whole Senate that the works installed by the Corps of Engineers at an expense of about $20,000,000 only, under appropriations of this Congress, in spite of the fact that the water was higher than it was either in 1926 or in 1928, and that the wind was said to have a greater velocity than at either time previously, there was not a single life lost in the towns around the rim of the lake, and this in spite of the fact that the population in those towns since 1926 and 1928 has largely increased.

I am here to add my voice of hearty approval and of deep gratitude to that of the Senator from Georgia. I think we should be very proud of the capabilities shown by the Corps of Engineers, and should be anxious and willing to give those capabilities the chance to meet these grave problems, whether they arise in my State or in any other State of the Nation, in order that lives may be saved, as they were last fall in Florida, and in order that tragic property damage may be averted.

I may say before I sit down that, so far as Florida is concerned, it does not have a single project in the flood-control part of this particular bill, and, so far as rivers and harbors are concerned, it has less money in this bill than was recommended by the budget. But at the same time it is the humble judgment of the junior Senator from Florida that this committee has done fine work in determining where the actual necessities are, and in deciding to apply the services and the skill of the Corps of Engineers to averting disastrous loss of life and serious property damage for communities all over this Nation. I think we would be doing a very unwise thing to turn down the judgment of this committee formed after weeks and weeks of careful combing of the situation, as I well know, because I went before the committee on two occasions to plead for projects which I thought were meritorious.

Mr. RUSSELL. I thank the Senator from Florida for his observations. The specific case which he related bears out the generalization which I made earlier to the effect that every dollar expended through the board of engineers on these important national projects was justified when the storms came, the floods descended, and the damage which heretofore had been visited upon the people was averted by reason of those public works.

Mr. President, the business of passing a reasonable bill, such as this, to protect and to develop the resources of the country is nothing but the ordinary prudence which the average good businessman would use in conducting his own business. Would not private industry be placed in an impossible position if representatives of a great enterprise said they would not develop and expand because there were a great many orders being placed with them? That would be the effect, if applied to Government operations, to say that the need is greater than ever before for these worthy projects, and so we will cut them down. That is the philosophy of this motion to recommit.

We are spending a very modest amount, Mr. President, to protect our national plant from floods, to enable us to transport the tremendous quantities of material necessary to be transported at this time, and to develop more hydroelectric current to overcome the great shortage which threatens the industrial life of the Nation. Today 2,100,000,000 persons living on the earth are looking to our 140,000,000 persons in the United States for some degree of sustenance, for succor, and for the wherewithal to replace that which was destroyed by the war. There is an unequaled demand upon us for the use of our productive capacity. Never before have we been threatened with the complete loss of natural resources which are absolutely essential to future life on this continent. To say that in a period of that kind we will let the floods take their heavy toll, stop the channels of navigation, fail to improve the harbors which thousands of ships must use to transport goods overseas, and refuse to go forward in creating great hydroelectric developments, even though we know such developments are self-liquidating, would be most unwise. The distinguished Senator from South Dakota [Mr. GURNEY] has said that the hydroelectric developments would repay $53,000,000 into the Federal Treasury each and every year, to be collected from the sale of hydroelectric power from the projects authorized in the bill.

I do not know how much longer we can go forward with the ambitious program of foreign relief which we have adopted and which we propose over the next 5 years. We have advanced approximately $20,000,000,000 to certain nations of the earth since VJ-day. We have a program which will cost us, in my judgment, a minimum of $8,000,000,000 each year for the next 5 years. Would we not be in a sorry plight, and would it not be short-sightedness to the *n*th degree to attempt to move forward without harbors, without the means of transportation, without protection from floods, and without the necessary hydroelectric current to be generated by these projects? I have voted to reduce some appropriations, and for those votes I have no apology to make; but I shall not vote to reduce this appropriation, which is designed to protect the people of the United States, by deducting the pittance of $200,000,000 at a time when we are pouring out funds to foreign nations at the rate of approximately $8,000,000,000 a year.

It is significant, Mr. President, that the Senators who tell us so earnestly that the program should be curtailed do not point out a single specific project and say it is unworthy, or extravagant, or represents waste of the taxpayers' funds. The same Senators who are not satisfied with an appropriation bill which is below the budget estimates voted to force on the President of the United States and the Secretary of Defense practically

$1,000,000,000 above the budget estimate, over their protests that they did not need the money for the defense of the country. I cast a similar vote, but these projects are just as vital in the national defense as are funds for the armed services.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LUCAS. I think the Senator has touched the nerve center of the matter, so far as the argument is concerned, when he says that no project has been identified as being unworthy. It seems to me, after the committee has given the matter serious consideration, that the minority ought to point out, if they expect to receive my vote, why the appropriations should be reduced $200,000,000 and what projects are affected. It seems to me there is a weakness in their argument.

Mr. RUSSELL. Of course, it would be very easy to reduce any appropriation bill in this shotgun fashion. We might agree to an amendment to an appropriation bill for the Department of the Army saying, "Congress hereby reduces the appropriation by $500,000,000 and instructs the Secretary of the Army to deduct such amount from activities that will least impede national defense." That could be done just as fairly as it could be done in this instance. But, Mr. President, when we take such a step as that we are abdicating the constitutional responsibility to make appropriations for specific items.

I was much confused by the original language of the motion made by the distinguished Senator from Kansas [Mr. REED] and supported so earnestly by the Senator from Ohio [Mr. TAFT], the Senator from Michigan [Mr. FERGUSON], and other Senators, when I read in subsection (b)—

That the Army engineers be instructed to apply the remaining sums to the projects which they deem to be the most important both as to rivers and harbors and flood control—

And that their selections and recommendations should be based upon a certain prescribed formula.

I understand that the Senator from Kansas has today changed the language of the motion. I think it is entirely proper and appropriate that he should, because it certainly was not consistent to denounce the Army engineers as being void of either intelligence or integrity, and then to charge them with the responsibility of making an adjustment of $200,000,000 in the program.

I was also slightly confused when I heard the distinguished Senator from Ohio [Mr. TAFT] support the motion. If there was any one thing that stamped the much denounced and maligned New Deal it was the fact that the New Deal was marked by lump-sum appropriations to executive agencies who were told to spend the money as they saw fit. May I say, shades of Harry Hopkins, Rex Tugwell, Beanie Baldwin, and Henry Wallace, and other brain trusters. We find the Senator from Ohio and the Senator from Kansas offering a proposition to delegate to the Corps of Engineers, instead of to the Congress, the power to expend this money, and yet the stuff we heard during the New Deal days of Congress abdicating its constitutional responsibility, applies with equal force to the motion made by the Senator from Kansas.

I am glad that the Senator finally realized the inconsistency of his position and that of the distinguished Senator from Ohio. I understand he has now revised his motion.

Mr. REED. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Kansas.

Mr. REED. I desire to call the attention of the Senator from Georgia to the fact that we have changed the words used in the motion. It was never our intention to by-pass the Senate or the Committee on Appropriations, and leave the Army engineers as final arbiters in the matter of these projects. The language was a trifle ambiguous on that point.

Mr. RUSSELL. I do not think there was anything ambiguous about it.

Mr. REED. This is the language of the substitute motion, if I may read it:

That the Committee on Appropriations be directed to request the Corps of Engineers, Department of the Army to reexamine the projects contained in this bill with the view of making recommendations to the Appropriations Committee for the application of the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that selections and recommendations be based on—

The formula we did not change.

Mr. RUSSELL. I understood the Senator from Kansas had changed the formula; but if the English language means anything, in the original motion he had the Senate instructing the Army engineers to apply the sums appropriated to the projects they deemed most important.

I now yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I have just come to the floor of the Senate in time to hear the interesting remarks of the Senator from Georgia, and I want to suggest, in connection with the statement he is making, that he should not overlook the reference to the giving of blank checks, which has been so severely condemned throughout the years by those sponsoring the motion.

Mr. RUSSELL. That was the point I was making. Those who criticized on the ground that Congress was abdicating its functions, delegating its power and signing blank checks, are now proposing that a blank check be signed, and, worse than that, to an organization which was charged with being devoid of either intelligence or integrity.

I say, Mr. President, that if those who are predicting a Republican victory turn out to be prophets at all, we may see a new deal which will out-do all deals, new and medium, in the delegation of power to agencies of the Government.

The motion as it stands now is subject to criticism for containing the same fundamental vice it contained originally. The Committee on Appropriations has screened and rescreened these projects, almost in travail and suffering, and into the wee small hours of the morning, to get the bill down below the budget submitted by the President. It will not profit anything to send the bill back to the committee, particularly in view of the lack of confidence expressed by the movants in the engineers who are to advise the committee as to the bill.

Mr. LUCAS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Illinois.

Mr. LUCAS. I wish to make an observation concerning a rather curious situation which I have noted ever since I have been a Member of the Senate. We hear talk constantly about reductions, and occasionally we have an Appropriations Committee which will arbitrarily cut some appropriations 25 percent, or 20 percent, without any rhyme or reason. It is something about which I have bitterly complained since I have been a Member of the Senate and of the House of Representatives, because it seems to me that if appropriations are to be reduced there should be basic reasons for the reductions. We cannot pick out of the air figures of a hundred million or two hundred million dollars unless there is a fundamental, basic reason supported by facts, and that is something I have not seen in this debate up to this moment.

I am sympathetic with those on the other side of the aisle who are constantly talking about economy, but who are always seeking to give the notion to the country that they are the ones who are going to save the country through economy. Of course, they claim they are going to accomplish economy by the proposed reduction of $200,000,000; but a reduction in appropriations without any explanation is just as bad in principle as an increase in appropriations by $200,000,000 without any explanation.

Mr. RUSSELL. I agree with the Senator, and I should like to inquire why it is that this bill, one of such tremendous importance, was selected as a guinea pig in the economy drive? Senators say they want to reach the objective of $200,000,000 in economy, and I am just as earnest in my desire to attain that end as any other Senator can be, but even if the motion should be agreed to, it would not result in a saving of 25 percent of the amount over and above the budget estimate as voted in the 70-group air force program.

Mr. President, this is not the proper place to cut $200,000,000. This bill is too vital to the welfare of the people of the country, it is too important to the America of tomorrow which we seek to build, an America in which people may live in their homes with some security and enjoy a higher standard of living. In this period, when we are spending enormous sums of money for almost every purpose under the sun, all over the world, we should not overlook the immediate needs of our own people. If the bill suffers from any vice, it is that it does not go far enough in developing the America of tomorrow which we hope the citizens of the future will enjoy and defend.

Mr. BRIDGES. Mr. President, as Chairman of the Senate Committee on Appropriations, I wish to state that I am strongly opposed to the bill before the Senate in its present form. During the last 2 days considerable debate has taken place on a motion to recommit to the committee the civil works appropriations of the Department of the Army. Since I have necessarily been absent on official business, I was not present during the course of the debate, but I have had the opportunity to read very carefully every word that has been spoken on this subject. In consequence, I feel it necessary that I address my colleagues personally on the subject so that there will be no mistake in anyone's mind concerning my position on these appropriations.

I am most happy to say that two members of my committee—the junior Senator from Kansas [Mr. REED] and the junior Senator from Michigan [Mr. FERGUSON]—have seen the problem the way I have, and have joined with me in a vigorous opposition to the present bill. It is my view that the bill is ill-timed and excessively extravagant even for these days of inflationary costs.

The carefully considered and carefully written minority report of the Senate Appropriations Committee is before the Senators. It covers the reasons fully why we believe that the pending measure should be sent back to committee forthwith. It outlines the method by which we believe the bill can be brought within the limitations of sane and sensible appropriations. It presents a plan by which the taxpayers of this Nation may be saved an unnecessary expenditure of at least $200,000,000 during the forthcoming fiscal year.

We of the minority respectfully request that the Members of the Senate refuse approval of the bill in its present form by directing that the bill be returned to the committee with appropriate instructions as we have outlined in our minority report.

It is not my intention to discuss every last detail of this measure, but there are certain points which I am duty bound to bring forward for consideration.

It has been only a few short months since the Senate overwhelmingly passed the legislative budget for the fiscal year 1949, a budget which requires a reduction of $2,000,000,000 in the President's budget estimates for 1949 appropriation. I might add that the budget resolution was passed by an overwhelming vote of both sides of the aisle. Republicans and Democrats alike joined in a strong approval of this worth-while fiscal endeavor. We of the Joint Legislative Budget Committee knew at that time that there were certain items in the budget which could not be reduced materially, but we also knew that there were other items inflated beyond all reasonable consideration. It was in these, for the most part, that cuts must be made if we were to achieve our goal. The pending bill is probably the most outstanding example of this type of inflated appropriation.

I was chairman of the Joint Committee on the Legislative Budget, and it gratified me that such strong support for the recommendations submitted by the committee was forthcoming from both the Senate and the House. I trust that my colleagues, when they vote on the proposal to recommit, will recall that they voted for the most part favorably on the legislative budget, and endorsed thereby the recommendation made for a reduction in the President's budget. A vote for this appropriation measure, in its present form, can be construed in no other way than as a vote against the recommendation contained in the legislative budget.

In fact, I may say at this stage in my remarks that I consider the situation with respect to this bill so serious that I think we could well consider whether or not we should reconvene the Joint Committee on the Legislative Budget to reassess the expenditure needs of the Government for the fiscal year 1949 and to report back to the Senate and the House their views on how much appropriations need to be reduced. I am saying this as no idle suggestion or threat because I am deeply disturbed that we should so shortly forget the pledge we made to the American people that we would keep the lid on spending for the fiscal year which lies ahead.

Let us return to the measure currently before the Senate. For rivers, harbors, and flood control the bill now calls for ultimate appropriations of approximately seven and one-half billion dollars. To date only approximately two and one-half billion dollars has been appropriated. In other words, the job is only one-third done.

In addition, however, every year we authorize and appropriate for a large number of new projects, so that no matter how much we appropriate, we shall always, under the present trend, have more to do than we had the year before. Thus, each year the base of the pyramid—the number of projects already started—grows larger, and the apex of the pyramid—the projects currently being completed—becomes relatively smaller.

This is evident from tables breaking down these projects by degree of completion and appearing on pages 1395 and 1401 of the Senate hearings, which I personally request be placed in the Senate hearings on this measure and which have already been placed in the RECORD by the junior Senator from Michigan.

These tables show that of all projects in the general flood-control program fully 40 percent are not more than 10 percent completed, for out of a total of $3,186,769,400 in total costs of the projects passed by the House, some $601,000,000 worth are in planning stages only and $669,000,000 worth are less than 10 percent completed.

A similar condition exists for rivers-and-harbor projects. Of a total of $2,176,000,000, which is the estimated Federal cost of these projects, $999,000,000—let us say $1,000,000,000—represents the total cost of projects which are in planning stages or are less than 10 percent completed.

I ask unanimous consent to place the two tables I refer to in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE A.—*Recapitulation of flood control, general, projects by degree of completion*

| | Total estimated Federal cost | Allotments to date, June 30, 1948 | House approved | Balance to complete |
|---|---|---|---|---|
| Projects under planning appropriation only | $601, 845, 400 | $6, 644, 100 | $3, 000, 000 | $592, 807, 300 |
| Projects less than 10 percent completed | 669, 308, 300 | 31, 979, 300 | 47, 642, 400 | 589, 686, 600 |
| Projects between 10 and 19.9 percent completed | 503, 955, 300 | 72, 822, 600 | 74, 901, 300 | 356, 231, 400 |
| Projects between 20 and 29.9 percent completed | 238, 348, 700 | 54, 834, 200 | 41, 600, 000 | 141, 914, 500 |
| Projects between 30 and 39.9 percent completed | 543, 431, 300 | 180, 901, 200 | 50, 453, 600 | 311, 945, 500 |
| Projects between 40 and 49.9 percent completed | 86, 274, 000 | 36, 963, 400 | 22, 668, 200 | 26, 642, 400 |
| Projects between 50 and 59.9 percent completed | 133, 025, 400 | 74, 883, 200 | 35, 353, 700 | 22, 788, 500 |
| Projects between 60 and 69.9 percent completed | 33, 368, 400 | 21, 631, 400 | 10, 388, 800 | 1, 348, 200 |
| Projects between 70 and 79.9 percent completed | 75, 361, 800 | 58, 056, 700 | 13, 102, 900 | 4, 202, 200 |
| Projects between 80 and 89.9 percent completed | 21, 968, 500 | 18, 765, 700 | 2, 871, 800 | 331, 000 |
| Projects between 90 and 99.9 percent completed | 279, 882, 300 | 264, 751, 900 | 7, 254, 300 | 7, 876, 100 |
| Total under construction | 2, 584, 924, 000 | 815, 589, 600 | 306, 237, 000 | 1, 462, 966, 400 |
| Total planning and under construction | 3, 186, 769, 400 | 822, 233, 700 | 37, 000 | 2, 055, 773, 700 |

TABLE B.—*Recapitulation of river and harbor projects by degree of completion*

| | Total estimated Federal cost | Allotments to date, June 30, 1948 | House approved | Balance to complete |
|---|---|---|---|---|
| Projects under planning appropriation only | $733, 986, 300 | $4, 133, 100 | $1, 000, 000 | $728, 853, 200 |
| Projects less than 10 percent completed | 265, 327, 450 | 9, 646, 250 | 24, 086, 700 | 231, 594, 500 |
| Projects between 10 and 19.9 percent completed | 6, 228, 000 | 1, 040, 000 | 900, 000 | 4, 288, 000 |
| Projects between 20 and 29.9 percent completed | 52, 230, 300 | 13, 530, 100 | 5, 595, 400 | 33, 104, 800 |
| Projects between 30 and 39.9 percent completed | 0 | 0 | 0 | 0 |
| Projects between 40 and 49.9 percent completed | 34, 436, 800 | 14, 557, 500 | 3, 178, 000 | 16, 701, 300 |
| Projects between 50 and 59.9 percent completed | 114, 391, 200 | 60, 723, 200 | 11, 754, 600 | 41, 913, 400 |
| Projects between 60 and 69.9 percent completed | 153, 140, 100 | 99, 328, 800 | 8, 961, 900 | 44, 849, 400 |
| Projects between 70 and 79.9 percent completed | 223, 901, 200 | 170, 109, 200 | 10, 502, 200 | 43, 289, 800 |
| Projects between 80 and 89.9 percent completed | 304, 099, 400 | 262, 320, 200 | 4, 920, 100 | 36, 859, 100 |
| Projects between 90 and 99.9 percent completed | 288, 748, 900 | 272, 617, 300 | 5, 405, 400 | 10, 726, 200 |
| Total under construction | 1, 442, 503, 350 | 903, 872, 550 | 75, 304, 300 | 463, 326, 500 |
| Total, including planning and construction | 2, 176, 489, 650 | 908, 005, 650 | 76, 304, 300 | 1, 192, 179, 700 |

Mr. BRIDGES. Mr. President, I do not believe that the pending bill can be economically justified on any grounds for us to continue to increase the number of projects begun when we must spread out our energies so that they cannot be finished within a reasonable time. Let us instead concentrate on those projects which, under the formula provided in the minority report, are needed for construction at this time.

We all recognize the need for certain of these projects, and their speedy completion. Particularly where loss of life is a possibility, we should continue related projects with all the speed at our command.

But we should also be alive to the fact that we must not dissipate our resources, our manpower, our available funds, at a time when there is a marked need for these elsewhere, where commitments made now might hinder future demands for critical materials, where money spent now might well be withheld from further inflationary encouragement.

For these reasons I urge the Senate to recommit the bill to the committee with instructions as contained in the resolution submitted by the junior Senator from Kansas [Mr. REED]; namely, that—

(a) The aggregate of items included in the bill shall be reduced by not less than $200,000,000 from the sums presently included.

(b) The Army engineers be instructed to apply the remaining sums to the projects which they deem to be most important both as to rivers and harbors and flood control, and that their selections and recommendations be based on—

1. Urgency;
2. Long-range importance;
3. Projects which can be completed with reasonable appropriations; and
4. Projects where the State or municipality bears a portion of the expense.

I appreciate that such a move will be treading on the toes of certain sectional interests, but we are the United States Senate and we must take action in the national interest.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, the two tables which I now send to the desk.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit A.)

Mr. BRIDGES. Mr. President, I feel that we have a certain very definite obligation to keep the fiscal condition of the country sound, and I feel definitely that there must develop in the Senate of the United States and in Congress as a whole the ability to distinguish between something which is desirable and something which is absolutely necessary. A great many things in life are desirable. A great many things in life are worth while. We have these desires in our everyday life, in our own families, in our own homes. We note them in our own cities, in our own towns, in our own States, in our own Nation, and in the world. But many things which are desirable, which are worth while, nevertheless can not be put in the absolutely vital class of necessities. Therefore it becomes a matter of judgment as to how far we should go with respect to public works of the type under discussion. Certain public works are undeniably vital and thus are both worth while and desirable. It would seem to me that the committee, working with the Army engineers, could resurvey the picture and submit a recommendation to the Senate of the United States which would be within the recommended reasonable limitations, and that as a result we would be enabled to make a contribution toward living up to the recommendation which was so overwhelmingly adopted by this body as an expression of our desire to cut $2,000,000,000 from the appropirations for the fiscal year 1949.

When we come to effectuating real economies we know it is hard for us to do so. I know it requires genuine fortitude to effect economies. I know the pressure that is being put on individual Members of Congress to vote for certain items. I know that today there is hardly a Member of the Senate who has not had pressure put upon him from special interests back home, and by other interested parties in connection with the bill. I know that hardly any legislation of consequence comes up in the Senate on which Senators are not subject to pressure and propaganda. I know it is difficult for Senators to make decision on a question such as this. I know it is difficult to decide how to vote on the question. But, after all, we have the best interests of the United States at heart. We are not going to be able to give any leadership to the world, we are not going to be able to keep the country sound and prosperous and moving ahead, unless the fiscal policies of the Nation are kept on a sound basis.

One might say, and it could very readily be said, that the $200,000,000 represented in the question before us would not be a deciding factor in that respect, but $200,000,000 here, and $200,000,000 there, and $5,000,000 here and $100,000 there, all add up, and there are relatively few places where we can, during the current year, make substantial budget cuts.

It is very interesting to me to note, when we attempt to make a cut, that we have not had the cooperation of the Government agencies. Hardly a department, division, or bureau has cooperated in the matter of economy. They all want what they had last year and more. Everyone of them has taken advantage of the present national situation to make a demand for building up its budget by enlarging its requests for appropriations. That is a serious situation. The propaganda which is disseminated at times makes me ill when I consider how unsound, unworthy, and ridiculous are the requests which are now being made of the American Congress for expenditures.

I have before me an article from the Washington Post of today entitled "Legislators Lay Inflation to United States Spending." The article reads as follows:

LEGISLATORS LAY INFLATION TO UNITED STATES SPENDING

A majority of the Senate-House Economic Committee said yesterday the basic reason for inflation is that the Government is trying to accomplish more than is possible at our present capacity for production.

In a report to Congress on President Truman's economic message of last January, the committee majority headed by Chairman TAFT, Republican, of Ohio, declared that in his document the President wholly fails to give any weight to the tremendous impact of Government spending on prices.

"Our first recommendation is that Government spending be reduced" the majority said.

The group rejected Mr. Truman's appeal for stand-by power to restore wage-price controls and rationing on a limited scale. But it did recommend further study of the need for compulsory controls.

"Our committee is very much opposed to the establishment of over-all Government price controls, wage controls, or allocation controls in time of peace," the report said.

"We feel confident that stability in prices can be achieved without such over-all controls."

I have before me a statement which I recently made summing up the situation, and which I think is pertinent at this point. I quote:

No one can foresee the future. The uncertain international situation, the need for further rehabilitation of other nations, possible economic reverses at home—these must not be overlooked in our estimates of the future. The Congress has provided for these contingencies to the extent of its power. It has done this not only by appropriating for those measures which it deems requisite to the national security but also by placing the Government on a businesslike basis through the elimination of wasteful spending and the duplication of effort. Much more can and will be done on this score in the ensuing year. Savings accomplished in this present session have already marked us as an economy Congress. As such, by balancing the budget, making an initial payment on the debt, and reducing the cost of government, we have started to restore public confidence in the solvency of the Federal Government. This confidence will be augmented as further economies are accomplished. As a result a strengthened America will face the future with renewed courage and resolve.

We must start trimming in all respects if we are to make any fiscal progress. I was very much interested in the remarks made yesterday by the senior Senator from Ohio [Mr. TAFT]. I think some of his observations are exceptionally cogent. I liked particularly what he said about all these programs being good things in themselves. But I liked better what he further said when he spoke these words:

The civil-works program is a good thing in itself. The difficulty is not that there is any objection to anyone of the programs—each one has the highest reasons behind it—but when we try to do all we create an inflationary condition which may actually bring

more harm than the combination of the programs can bring good. It seems to me we have only one choice. We cannot abolish any of these programs, but we can try to hold them down to the very minimum.

I appreciated his remarks even more when he made the following comment:

It is, of course, more difficult to estimate what the expenses will be, but I have had prepared a table which I think gives a fair idea of about where we are today. It assumes that national defense, for which $11,000,000,000 was asked, will cost $13,100,000,000. It may cost more. International expenses have been increased from $7,000,000,000 to $7,300,000,000. Veterans' benefits have been increased from $6,100,000,000 to $6,300,000,000; and the interest on the national debt is $5,300,000,000. Refund of taxes is estimated now at about $2,500,000,000. The reduction in all other expenditures is estimated at from about $8,300,000,000 to $7,800,000,000, or about $500,000,000. That is not a very large decrease, but it is as much of a decrease as we can see any evidence of so far as all present appropriations have proceeded.

Mr. President, that would mean a total expenditure of $40,600,000,000, and would leave a balance of $1,700,000,000. This Congress has said that we should apply at least $2,600,000,000 to the public debt, and, on the basis of the present outlook and a fairly conservative estimate of military expenditures—we do not know how much of the money is to be spent in the next 12 months—we have already trenched upon the $2,600,000,000 which should be set aside to reduce the national debt.

Many of the remarks made by various Senators supporting recommital have shown considerable thought and careful consideration. I quote now from remarks which I think should be emphasized, and which were made by the junior Senator from Michigan [Mr. FERGUSON]. He said:

Why did the Congress in 1946 pass a Reorganization Act and include a provision for a legislative budget? I think I know why that was inserted. It was because we felt that the time had come in the United States when we could not trust the executive branch of the Government on the question of budgets. It was spending too much money, it was taking the substance of the people of America, and so the Congress said: "The elected Representatives of the people in both Houses should at the beginning of each year declare what they think the over-all total budget should be." They said that the budget this year should be reduced $2,000,000,000.

Where do we get the figure $200,000,000? We believed that was a commitment to the people of the United States, and that if we took from the $738,735,550 the sum of $200,000,000 we would have left about $25,000,000 more than the appropriation for last year. Then we should be able to get along with a little more than we had last year and complete the job we had undertaken.

All along we have the question of how and where we are going to cut Federal appropriations. I say that we must start now and start with this measure. I have gone along on some things that have been pretty hard for me to digest, in certain of the appropriation bills because they involved items which at least a large portion of our population felt were necessary. But we are now reaching the point where, if we are to live up to our legislative budget commitment at all, we must begin the reduction process with absolute seriousness. I think it stands to reason that public works of this type can be delayed, except in the most urgent cases, without injuring the people of the United States, whom we are here to serve. Such action would go a long way toward protecting our financial integrity at a time when it is so necessary.

There are a great many places in which administrators who spend our money must be called to account. I was horrified to read in the newspaper a statement made by Mr. Hoffman, the director of the economic recovery program, soon after he assumed office, to the effect that the money which the Congress had authorized for economic recovery in the world was not enough. I think that was an ill-advised statement, and I do not hesitate to say so on the floor of the Senate. I voted for the full amount requested to be authorized for economic recovery by the Senate Committee on Foreign Relations. I feel, however, that we in the Appropriations Committee should have sufficient leeway, within certain limits, to determine the basis for the actual recovery needs and demands. There is no question in my mind, judging from what I have seen to date, but that we can make savings in the Economic Recovery Act appropriations. If we intend to do a proper job in connection with that act, I do not think now that such reductions can be large; of necessity, I do not think they can total too much. But I think savings can be made.

Furthermore, there is no question in my mind that it is unreasonable to refer to the Army and Navy appropriations as untouchable. Of course, Mr. President, I am heartily in favor of national defense; I am probably as strong for national defense as is any Member of this body, and I was voting for national defense measures at a time previous to World War II, when some of the Members of this body were opposing such measures—even at a time, then, when the world was aflame. Last year, I voted for the unification of the armed services; but I have not seen accomplished in that respect what I hoped would occur. There is no question that waste and duplication exist in the armed services today, and there is no question that savings should be made.

So I say that there are very few untouchable items in the Federal Government's budget. On the contrary, most items can and should be approached in terms of possible savings. No doubt reductions can be made in some items more easily than in others, of course; but certainly such reductions in appropriations can be made without preventing the attainment of the objectives we seek. All down the line, on both small and large appropriation items, I think we should begin making reductions, rather than increases.

So I am very much disappointed and disillusioned that there are not more persons, including more of the Members of this body, who subscribe to having the Congress live up to its commitments in regard to a reduced Federal budget. The Members of the Congress should act in accordance with those commitments, rather than take a position that the appropriations for particular items cannot be reduced simply because those items affect projects in their particular sections of the country, projects about which the individual Members of Congress feel quite strongly, no doubt.

Nevertheless, in my judgment, the Senate and the House of Representatives are on trial at the bar of public opinion. I think that is true of both the Republicans and the Democrats, because the congressional budget recommendation was a nonpartisan one. If we do not intend to live up to the legislative budget, certainly we had better abolish it in this Congress, and start again, or at least amend it so it will be more practicable and effective.

Mr. President, I have no personal feelings in this matter. Every Senator approaches the problem with his own conscience as his guide, and I am sure that no Senator will vote for anything other than what he conscientiously considers to be in the best interests of the country and of his particular State. I hope all Senators will keep in mind, perhaps more definitely than many of them have done so, the final situation which confronts us, one which certainly is not improving. Surely in this bill we can make a start with the appropriation reductions we seek to make.

EXHIBIT A.—*Civil functions*

[Projects included by House or by Senate committee]

| | Total estimated Federal cost | Appropriated to date | Recommended by Senate committee |
|---|---|---|---|
| Rivers and harbors | $2,981,449,190 | $958,985,340 | $195,584,400 |
| Flood control: | | | |
| General | 3,435,649,800 | 837,357,600 | 371,656,800 |
| Mississippi River and tributaries | 1,026,609,500 | 746,681,667 | 67,500,000 |
| Sacramento River | 40,850,000 | 34,445,000 | 2,000,000 |
| Emergency funds | | | 3,500,000 |
| Miscellaneous civil works | | | 12,000 |
| Total | 7,484,558,490 | 2,577,469,607 | 640,253,200 |

EXHIBIT B.—*Civil functions projects—estimated Federal cost*

| State or Territory [1] | Rivers and harbors total | (General) flood control total | Grand total |
|---|---|---|---|
| Alabama | $196,244,200 | | $196,244,200 |
| Alaska | 4,745,000 | $534,000 | 5,279,000 |
| Arizona | | 288,000 | 288,000 |
| Arkansas | 380,000,000 | 165,699,700 | 545,699,700 |
| California | 55,284,900 | 542,806,500 | 598,091,400 |
| Colorado | | 35,441,100 | 35,441,100 |
| Connecticut | 8,183,290 | | 8,183,290 |
| Delaware | 34,900,000 | | 34,900,000 |
| Florida | 135,070,700 | | 135,070,700 |
| Georgia | 31,598,700 | 78,972,900 | 110,571,600 |
| Idaho | | 20,350,000 | 20,350,000 |
| Illinois | 332,064,600 | 58,187,700 | 390,252,300 |
| Indiana | | 33,110,300 | 33,110,300 |
| Iowa | 128,106,800 | 165,335,200 | 293,442,000 |
| Kansas | | 116,198,000 | 116,198,000 |
| Kentucky | 28,000,000 | 138,185,000 | 166,185,000 |
| Louisiana | 106,406,300 | 22,944,300 | 129,350,600 |
| Maine | 4,560,000 | | 4,560,000 |
| Maryland | 7,223,750 | 13,772,000 | 20,995,750 |
| Massachusetts | 2,030,000 | 12,021,000 | 14,051,000 |
| Michigan | 96,419,700 | 544,000 | 96,963,700 |
| Minnesota | 19,888,600 | 3,688,000 | 23,576,600 |
| Mississippi | | | |
| Missouri | 98,700,000 | 145,011,900 | 243,711,900 |
| Montana | 135,500,000 | 1,074,000 | 136,574,000 |
| Nebraska | | 71,809,000 | 71,809,000 |
| New Hampshire | | 11,203,200 | 11,203,200 |
| New Jersey | 9,822,000 | | 9,822,000 |
| New York | 79,152,500 | 76,388,200 | 155,540,700 |
| North Carolina | 4,609,500 | 72,736,000 | 77,345,500 |
| North Dakota | | 193,430,200 | 193,430,200 |
| Ohio | 66,767,000 | 112,314,900 | 179,081,900 |
| Oklahoma | | 273,187,000 | 273,187,000 |
| Oregon | 665,660,100 | 117,541,000 | 783,201,100 |
| Pennsylvania | 12,663,000 | 193,332,000 | 205,995,000 |
| Rhode Island | 95,000 | | 95,000 |
| South Carolina | 7,335,800 | | 7,335,800 |
| South Dakota | | 336,848,000 | 336,848,000 |
| Tennessee | | 59,100,000 | 59,100,000 |
| Texas | 135,866,150 | 187,330,100 | 323,196,250 |
| Utah | | 1,451,000 | 1,451,000 |
| Vermont | | 28,789,000 | 28,789,000 |
| Virginia | 11,754,000 | 58,626,000 | 70,380,000 |
| Virgin Islands | 1,114,000 | | 1,114,000 |
| Washington | 173,383,600 | 21,635,600 | 195,019,200 |
| West Virginia | 8,300,000 | 63,765,000 | 72,065,000 |
| Wisconsin | | | |
| Total | 2,981,449,190 | [2]3,433,649,800 | [2]6,415,098,990 |

[1] Note that projects, in committee prints A and B, are charged to single States but may include 2 or more States in project benefits.

[2] Does not include $2,000,000 for snagging and clearing and emergency bank protection. In addition, does not include $40,850,000 for flood control on Sacramento River, Calif., nor $1,026,609,500 (estimated cost and authorized to date) for flood control on the Mississippi River and tributaries which involves major work in Arkansas, Louisiana, Mississippi, and Tennessee, and minor work in Illinois, Kentucky, and Missouri.

Mr. LANGER obtained the floor.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. CAPEHART. Mr. President, I am in hearty accord with the attempts to save money and to reduce appropriations. But in view of the fact that the Government has wasted so many hundreds of millions and billions of dollars over the past number of years, I am simply wondering whether it is wise to take money away from our own people at the moment.

I hold in my hand, as examples of what would seem to have been a waste of possibly as much as $750,000 of the money of the taxpayers of the United States, 15 or 20 photographs out of a total apparently of approximately 150,000 which were taken by the United States Department of Agriculture, Farm Security Administration. At the moment these photographs are on file with the Library of Congress. I wish to call the attention of the Senate to how silly and ridiculous and foolish are some of the undertakings the Government departments enter upon. For example, I first hold up for inspection by the Senate a photograph which was taken in Grundy County, Iowa, in April 1940, by the United States Department of Agriculture, Farm Security Administration. The title of the photograph is "A Corn Shock Caught on a Barbed-Wire Fence." I am told that this photograph is but one of 150,000 photographs.

Mr. BRIDGES. Mr. President, will the Senator yield to me?

Mr. CAPEHART. Certainly.

Mr. BRIDGES. What was the object in taking that photograph, does the Senator suppose?

Mr. CAPEHART. I have not the slightest idea. I am hopeful that the Senate Committee on Agriculture and Forestry will check into this matter and will find out what actually happened.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. CAPEHART. I am happy to yield.

Mr. HICKENLOOPER. I cannot enlighten the Senator as to why a picture of a corn shock caught on a barbed-wire fence in Grundy County, Iowa, should be taken, but I assure the Senator that I do not blame anyone for taking photographs in Grundy County, Iowa, because it is one of the finest agricultural counties in the United States.

Mr. LANGER. Mr. President, the Senator from Iowa does not claim, does he, that the corn grew high enough to touch the barbed wire at the top of the fence?

Mr. HICKENLOOPER. I may say to the Senator that in Grundy County, Iowa, the corn grows so fast that if it once gets under a fence it will lift the whole fence up in the air; as the corn grows it will carry the fence up in the air with it, so that when the corn is fully grown, the fence will be high up in the air, resting on top of the corn stalks.

Mr. GURNEY. Mr. President, possibly there was a flood, and the corn was caught in the wire at the top of the fence.

Mr. CAPEHART. Mr. President, another photograph which I have in this group shows a telephone—an ordinary telephone—in the hands of some person who is about to use it. The caption of the photograph is "Washington, D. C., November 1937. The telephone used in the Information Division of the United States Department of Agriculture." I cannot conceive of anything quite so ridiculous.

Here is another photograph. The label reads, "Washington, D. C., Summer 1943, Franklin Park," and it shows a man sitting on a park bench resting his head in his hands.

Here is another photograph. The caption is "Montrose, Colo., September 1940. Man looking over express packages to see if something he has expected arrived on the morning train."

Mr. President, these photographs are unbelievable; and the cost to the Government of each one of these photographs is estimated at $5.

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. LANGER. I yield.

Mr. WHERRY. I was temporarily called off the floor. Let me ask what the Senator from Indiana is pointing out.

Mr. CAPEHART. I am saying that we are now asked to reduce the expenditures for flood control and reclamation, and thus save approximately $200,000,000; but it looks as if the Department of Agriculture, Farm Security Administration, from 1937 to 1943 spent approximately $750,000 in taking silly, ridiculous photographs; and I have been displaying to the Senate a few samples of them. I hope every Senator will examine them, and then will go to the Library of Congress and look at the literally tens of thousands of them which are on file there.

Mr. WHERRY. What was the purpose of the Farm Security Administration in having a photograph taken of a man in a park in Washington, D. C.?

Mr. CAPEHART. I do not have the slightest idea; I do not know. All I know is that the Library of Congress has all these pictures, and does not know what to do with them.

Here is one taken in Person County, N. C., in July 1939. The caption is, "Two women walking on a country road. They are on their way to visit a sick neighbor." There are no names given.

Here is one taken in Creek County, Okla., in February 1940, captioned "Pomp Hall, tenant farmer reading newspaper to which he subscribes." There it is. Take a good look.

Here is one taken at Greenbelt, Md., in August 1936. The caption is, "A model community planned by the Suburban Resettlement Division of the United States Resettlement Administration. Slate roof."

Here is one from Oskaloosa, Kans., taken in October 1938. The caption is, "In front of the hotel." It is a picture of two gentlemen sitting in front of a hotel.

Here is a dandy. It certainly is an educational picture. It was taken at Pittsburgh, Pa., in September 1943. The caption is, "Waiting for a bus at the Greyhound bus terminal." It shows a lady sleeping. By the way, this one, it would seem, was taken by the United States Office of War Information, negative 37099-E.

Here is possibly the most ridiculous one of the lot. It was taken in Louisiana in January 1941, by the United States Department of Agriculture, Farm Security Administration. The heading is, "A Spanish muskrat trapper lying on his camp bed after too much whisky and red wine." That is evidently what the taxpayers are paying money for. There it is.

Here is one, taken at Washington, D. C., in 1939. The caption is "Three women, probably Government clerks, waiting for a bus on a fall afternoon." The picture shows the backs of three ladies.

Here is a dandy, it says, "Detroit, Mich., August 1941." The caption of it is, "Jack Dwyer taking off his coat in a saloon."

There are thousands of such pictures in the Library of Congress.

Another is headed "Butte, Mont., June 1939." The caption is "Sign in a window in Venus alley." There it is. The sign reads "Mickey." Beside it is a note which says, "I will be here Sunday. Mickey." That picture possibly cost the United States Government $5, perhaps more. Take a good look, and then, Mr. President, you will find where your money has gone during the past 15 years.

Here is one headed "Washington, D. C., March 1942." The caption is "Construction of temporary war emergency buildings on the Mall, near Sixteenth and Seventeenth Streets, NW. Pile of Bricks."

Here is one taken at Eufaula, Okla., in February 1940. The caption is "Oil cans at the side of a filling station." All in the world it is, is a picture of oil cans at the side of a filling station.

Here is one taken at Spur, Tex., in May 1939. The caption is "Farmers sitting against the wall." That is all.

Here is one taken in Minnesota in November 1938. The caption is, "A man sitting in the front of a store." Mr. President, just the cost of mounting those pictures on carboard would alone run into a great deal of money, on the tens of thousands of pictures the Library of Congress has at the moment.

Here is one, taken at Baltimore, Md., in July 1938. The caption is, "Woman who lives in row house." There it is, just the picture.

Here is one, taken at Washington, D. C. in August 1942. The caption says, "Waiting for the street car at Seventh and Florida Avenue NW." It shows the back of a lady waiting for a streetcar.

Here is one, taken at Washington, D. C., in August 1938. The caption is, "People in street car." That is all it says, just "People in street car." It shows a picture taken inside a street car.

The next is a dandy. It was taken in New Hampshire, in September 1937. The caption says, "Fat man dozing in the shade of a tree in New Hampshire." That is all it shows, just a fat man, about as fat as I am, sitting under a tree. There is no name, nothing to show who he is, nothing to show the purpose of the picture.

Here is a dandy, taken at Keysville, Va., in June 1943. The caption is "Randolph Henry High School. Girl showing boy her graduation ring." It does not show the faces. It simply shows two hands. That is all. It makes absolutely no sense whatever. It is simply a ridiculous, foolish picture.

Here is a dandy, taken in Alabama, in May 1941. The caption reads, "A stake which marks the corner of a building lot." That is all. It evidently cost the Government about $5. It must have. It was taken in May 1941, just prior to the war, when it was difficult to obtain film.

Here is one, taken at Marion, Ohio, in the summer of 1938. The caption says "A sign thermometer." The sign is outside a store building.

Here is one, taken at Crowley, La., in October 1938. It is the picture of a sign. The caption is, "A sign." It is evidently an advertisement of Coca-Cola. It is nothing more than one of the tens of thousands of Coca-Cola signs to be found throughout the United States. It was taken by the United States Department of Agriculture, Farm Security Administration.

On every one of the pictures I am exhibiting there is shown the negative number, together with the name of the photographer. They are on the pictures. Somebody typed them on the pictures.

Here is one taken at Frederick County, Maryland, in June 1937. The caption says, "Threshing hand taking a drink."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CAPEHART. I am glad to yield to the Senator from Maryland.

Mr. TYDINGS. That is probably the best picture in the whole lot, since it was taken in Maryland. [Laughter.]

Mr. CAPEHART. Here is a very interesting picture, taken in Aberdeen, S. Dak., in November 1940. I think I shall give this one to the able Senator from South Dakota [Mr. GURNEY]. This caption is, "Baby-carriage in front of a lunch room." That is all it shows, a baby carriage in front of a lunch room.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator. I think I shall present this to him.

Mr. GURNEY. Does the Senator have authority to give away Government property?

Mr. CAPEHART. I do not know. The Library of Congress would like to know what to do with tons of such pictures.

Here is one taken at Washington, D. C., in 1939. The caption is "A woman, probably a government clerk, waiting for a street car, on a rainy day, probably near the U. S. Bureau of Engraving." The negative reads, "U. S. Department of Agriculture, Farm Security Administration. Negative No. 15605-M1, photo by David Myers." It is a picture of a lady, probably [laughter], waiting to catch a street car, probably near the United States Bureau of Engraving. It simply does not make sense.

Here is a picture taken in Washington, D. C. in the summer of 1943. The caption reads, "A member of the audience at a Catholic Evidence Guild rally in Logan Circle." This bears the legend, "U. S. Office of War Information, negative No. 41593-M2, photo by J. A. Horne." It says "A member of the audience," yet it shows but one person, who is lying on the ground, flat on his back. No other people are shown in the picture, and there is no evidence of anyone else being in sight. That picture cost somebody something, and the somebody evidently was a taxpayer of the United States. It probably cost at least $5.

Here is another one, taken at Manchester, N. H., in August 1936. The caption of this, again, is "A man in the park." It is the picture of an elderly gentleman sitting all alone in a park. It bears the legend, "U. S. Department of Agriculture, Farm Security Administration, negative No. 908-M5."

I have saved the best until the last. I know Senators would not believe that anyone could be so silly and ridiculous as to take a picture and put such a caption as that which has been given the last photograph which I hold in my hand. It is a photograph of two men at Beatrice, Nebr., taken in October, 1938, and the caption is "Men picking their teeth." It shows two men, each of whom is picking his teeth. It is marked "United States Department of Agriculture, Farm Security Administration, Negative No. 1222-M4."

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield. I think I should present that photograph to the able Senator from Nebraska.

Mr. WHERRY. I live only 40 miles from that point, in an area which fattens the finest cattle in the world. I am satisfied that the men who are shown in the photograph have just had a good Nebraska steak, and that is the reason they are picking their teeth.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. THYE. I suggest to the able Senator from Indiana that he move that the committee investigate this ridiculous manner of spending Federal funds. I think it would be most appropriate to inquire into the entire question. If the taxpayers' money is being used in the ridiculous manner exhibited by the photographs, I believe the committee should make a report to the Senate as to who did it and why they did it. The Senate should have the reasons for it.

Mr. CAPEHART. I expect to follow it up and ascertain exactly what happened. I shall offer a resolution to that effect.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Kentucky.

Mr. BARKLEY. I wanted to inquire if the two men referred to were picking their teeth after consuming some of the "pork" in the flood-control bill.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Green | Moore |
| Baldwin | Gurney | Morse |
| Ball | Hatch | O'Conor |
| Barkley | Hawkes | Pepper |
| Brewster | Hayden | Reed |
| Bricker | Hickenlooper | Revercomb |
| Bridges | Hill | Robertson, Va. |
| Brooks | Holland | Russell |
| Butler | Ives | Saltonstall |
| Byrd | Jenner | Smith |
| Cain | Johnson, Colo. | Sparkman |
| Capehart | Kem | Stennis |
| Capper | Kilgore | Taft |
| Chavez | Knowland | Thomas, Okla. |
| Connally | Langer | Thomas, Utah |
| Cooper | Lodge | Thye |
| Cordon | Lucas | Tobey |
| Donnell | McClellan | Tydings |
| Downey | McFarland | Vandenberg |
| Dworshak | McGrath | Wherry |
| Eastland | McKellar | Williams |
| Ecton | McMahon | Wilson |
| Ferguson | Magnuson | Young |
| Fulbright | Martin | |
| George | Millikin | |

The ACTING PRESIDENT pro tempore. Seventy-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion, as modified, of the Senator from Kansas [Mr. REED], for himself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Michigan [Mr. FERGUSON], to recommit the pending bill to the Committee on Appropriations with certain instructions.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Delaware [Mr. BUCK], who is necessarily absent, is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Delaware would vote "yea", and the Senator from Louisiana would vote "nay."

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent on official business.

The Senator from Wisconsin [Mr. WILEY], who is absent on official business, is paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from Wisconsin would vote "yea" and the Senator from Pennsylvania would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON], who is absent on official business, is paired with the Senator from Nevada [Mr. MCCARRAN]. If present and voting, the Senator from Wyoming would vote "yea", and the Senator from Nevada would vote "nay."

The Senator from Utah [Mr. WATKINS], who is necessarily absent, is paired with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from Utah would vote "yea", and the Senator from South Carolina would vote "nay."

The Senator from Maine [Mr. WHITE] is absent because of illness.

The Senator from Nevada [Mr. MALONE] is detained on official committee business. If present and voting, the Senator from Nevada would vote "nay."

Mr. LUCAS. I announce that the Senator from Louisiana [Mr. ELLENDER] is a member of the committee on the part of the Senate, having been appointed to attend the funeral of the late Senator John H. Overton, of Louisiana, and is therefore necessarily absent.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Delaware [Mr. BUCK]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Delaware would vote "yea."

The Senator from South Carolina [Mr. MAYBANK] is paired on this vote with the Senator from Utah [Mr. WATKINS]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Utah would vote "yea."

On this vote the Senator from Nevada [Mr. MCCARRAN] is paired with the Senator from Wyoming [Mr. ROBERTSON]. If present and voting, the Senator from Nevada would vote "nay," and the Senator from Wyoming would vote "yea."

The Senator from Pennsylvania [Mr. MYERS] is paired on this vote with the Senator from Wisconsin [Mr. WILEY]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from Wisconsin would vote "yea."

If present and voting, the Senators from North Carolina [Mr. HOEY and Mr. UMSTEAD], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Tennessee [Mr. STEWART], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 18, nays 55, as follows:

YEAS—18

| | | |
|---|---|---|
| Brewster | Hawkes | Reed |
| Bridges | Jenner | Smith |
| Byrd | Kem | Taft |
| Capehart | Lodge | Tobey |
| Capper | Martin | Vandenberg |
| Ferguson | Moore | Williams |

NAYS—55

| | | |
|---|---|---|
| Aiken | Green | Millikin |
| Baldwin | Gurney | Morse |
| Ball | Hatch | O'Conor |
| Barkley | Hayden | Pepper |
| Bricker | Hickenlooper | Revercomb |
| Brooks | Hill | Robertson, Va. |
| Butler | Holland | Russell |
| Cain | Ives | Saltonstall |
| Chavez | Johnson, Colo. | Sparkman |
| Connally | Kilgore | Stennis |
| Cooper | Knowland | Thomas, Okla. |
| Cordon | Langer | Thomas, Utah |
| Donnell | Lucas | Thye |
| Downey | McClellan | Tydings |
| Dworshak | McFarland | Wherry |
| Eastland | McGrath | Wilson |
| Ecton | McKellar | Young |
| Fulbright | McMahon | |
| George | Magnuson | |

NOT VOTING—22

| | | |
|---|---|---|
| Buck | Malone | Taylor |
| Bushfield | Maybank | Umstead |
| Ellender | Murray | Wagner |
| Flanders | Myers | Watkins |
| Hoey | O'Daniel | White |
| Johnston, S. C. | O'Mahoney | Wiley |
| McCarran | Robertson, Wyo. | |
| McCarthy | Stewart | |

So the motion of Mr. REED, on behalf of himself, Mr. BRIDGES, and Mr. FERGUSON, was rejected.

## SUPPLEMENTARY PROTOCOL WITH FRANCE RELATING TO DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The ACTING PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive G, Eightieth Congress, second session, a supplementary protocol, signed at Washington on May 17, 1948, modifying in certain respects the convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation, and so forth. Without objection, the injunction of secrecy will be removed from the supplementary protocol; the convention, together with the message from the President and the accompanying papers, will be referred to the Committee on Foreign Relations; and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a supplementary protocol, signed at Washington on May 17, 1948, modifying in certain respects the convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation, and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two Governments relating to income taxation signed at Paris on July 25, 1939.

I transmit also, for the information of the Senate, the report which the Secretary of State has addressed to me in regard to the protocol.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 19, 1948.*

(Enclosures: (1) Report of the Secretary of State; (2) Protocol between the United States and France, signed May 17, 1948, supplementing the tax convention of October 18, 1946.)

## CONVENTION WITH DENMARK RELATING TO AVOIDANCE OF DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The ACTING PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive H, Eightieth Congress, second session, a convention between the United States of America and Denmark, signed at Washington on May 6, 1948, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Without objection, the injunction of secrecy will be removed from the convention; the convention together with the message from the President and the accompanying papers, will be referred to the Committee on Foreign Relations; and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and Denmark, signed at Washington on May 6, 1948, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

I also transmit for the information of the Senate the report of the Secretary of State with respect to the convention.

The convention has the approval of the Department of State and the Treasury Department.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 19, 1948.*

(Enclosures: (1) Report of the Secretary of State; (2) convention between the United States and Denmark relating to taxes on income, signed May 6, 1948.)

CONVENTION WITH THE NETHERLANDS RELATING TO AVOIDANCE OF DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The ACTING PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive I, Eightieth Congress, second session, a convention between the United States of America and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and certain other taxes, signed at Washington on April 29, 1948. Without objection, the injunction of secrecy will be removed from the convention; the convention together with the message from the President and the accompanying papers, will be referred to the Committee on Foreign Relations; and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and certain other taxes, signed at Washington on April 29, 1948.

I also transmit for the information of the Senate, the report by the Secretary of State with respect to the convention.

The convention has the approval of the Department of State and the Treasury Department.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 19, 1948.*

(Enclosures: (1) Report of the Secretary of State; (2) convention between the United States and the Netherlands relating to taxes on income and certain other taxes, signed April 29, 1948.)

CONVENTION WITH NEW ZEALAND RELATING TO AVOIDANCE OF DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The ACTING PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive J, Eightieth Congress, second session, a convention between the United States of America and New Zealand, signed at Washington on March 16, 1948, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Without objection, the injunction of secrecy will be removed from the convention; the convention, together with the message from the President and the accompanying papers, will be referred to the Committee on Foreign Relations; and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and New Zealand, signed at Washington on March 16, 1948, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

I also transmit for the information of the Senate the report by the Secretary of State with respect to the convention.

The convention has the approval of the Department of State and the Treasury Department.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 19, 1948.*

(Enclosures: (1) Report of the Secretary of State; (2) Convention between the United States and New Zealand, signed March 16, 1948, relating to taxes on income.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Robert Butler, of Minnesota, now Ambassador Extraordinary and Plenipotentiary to Australia, to be Ambassador Extraordinary and Plenipotentiary to Cuba;

Henry F. Grady, of California, now Ambassador Extraordinary and Plenipotentiary to India and Envoy Extraordinary and Minister Plenipotentiary to Nepal, to serve concurrently and without additional compensation as the Representative of the United States in the Economic Commission for Asia and the Far East established by the Economic and Social Council of the United Nations March 28, 1947;

Ralph H. Ackerman, of California, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Dominican Republic;

George P. Shaw, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Nicaragua; and

Don C. Bliss, Jr., of Mississippi, and sundry other persons for appointment in the diplomatic and foreign service.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 315. An act for the relief of Reginald Mitchell;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917;

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1365. An act for the relief of Lowe Way Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason;

S. 1483. An act for the relief of Guy Cheng;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1637. An act for the relief of Leo Hamermann;

S. 1651. An act to amend the General Bridge Act of 1946;

S. 1874. An act authorizing the head of the department or agency using the public domain for national defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national defense purposes;

S. 2077. An act to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.;

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay Muncipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.;

H. R. 1878. An act to amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purposes of engaging in activities which will endanger the public safety of the United States;

H. R. 3219. An act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes;

H. R. 3510. An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska; and

H. R. 5193. An act to amend the Nationality Act of 1940.

DEPARTMENT OF ARMY CIVIL-FUNCTIONS APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 5224) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

Mr. GURNEY. Mr. President, during the debate on the bill and during the consideration of it by the committee, I received several telegrams from the Governors of a number of States, and from others in various areas of the country. I ask unanimous consent that they may be printed in the body of the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LINCOLN, NEBR., *May 10, 1948.*

Senator CHAN GURNEY,
*Senate Office Building:*

Information here that Missouri Basin development faces crisis in Senate. In my opinion the majority report of the committee must be sustained in the Senate and in conference to assure orderly, efficient, and economical progress in Pick-Sloan plan.

Missouri Basin and America cannot afford the luxury of destructive floods and wasted natural resources. Let's not permit our basin's main chance to be ruined by proponents of too little and too late.

Your efforts in behalf of the basin are deeply appreciated.

VAL PETERSON,
*Governor of Nebraska.*

---

HELENA, MONT., *May 17, 1948.*

Hon. CHAN GURNEY,
*United States Senate:*

I sincerely hope Senate will approve plan for development Missouri River Basin in accordance with program recommended by Senate Appropriations Committee. The importance of carrying on development as recommended cannot be overemphasized. This program will tend to stabilize economy of basin and contribute substantially to Nation's economy.

SAM C. FORD,
*Governor.*

---

BISMARCK, N. DAK., *May 14, 1948.*

Hon. CHAN GURNEY,
*Senate Office Building,*
*Washington, D. C.:*

Missouri Basin development projects are an economic asset to the Nation. They will hold back damaging floodwaters and utilize and give stability to and strengthen agricultural production. Appropriations recommended by Senate committee essential to efficient construction. When projects are started and accessories provided it is wasteful to let work drag. Complete utilization of benefits will require many years and work should be speeded to meet present and anticipated needs. At best it will take 8 years for reasonable flood control and 25 for extensive irrigation.

FRED G. AANDAHL,
*Governor of North Dakota.*

---

DES MOINES, IOWA, *May 14, 1948.*

CHAN GURNEY,
*Senate Office Building:*

The continuance of the Pick-Sloan plan is of vital importance to Iowa as well as the rest of the Missouri River States. Iowa is deeply interested in sufficient appropriations for this purpose to insure steady progress toward completion of the plan.

ROBERT D. BLUE,
*Governor of Iowa.*

---

JEFFERSON CITY, MO., *May 13, 1948.*

Hon. CHAN GURNEY,
*United States States Senator,*
*Senate Office Building,*
*Washington, D. C.:*

Re telegram on May 11, 1948, Governor Donnelly sent the following telegram to Senators DONNELL and KEM, of Missouri: "Call your attention to Department of Army civil functions appropriation in considering flood-control needs of Missouri. Suggest that majority proposal of Senate Committee on Appropriations should be minimum amount appropriated. We are very much concerned with orderly development of Missouri Basin."

MINNA DRAPER, *Secretary.*

---

BURKE, S. DAK., *May 14, 1948.*

Hon. CHAN GURNEY,
*United States Senator:*

Give us all the help you can on Missouri River appropriation. Spent lot of time and money to get it started.

FRANK DALEY.

---

PIERRE, S. DAK., *May 14, 1948.*

SENATOR CHAN GURNEY,
*Senate Office Building, Washington, D. C.:*

People of South Dakota greatly disturbed over efforts to reduce appropriations for civil functions of War Department. We believe like other people of the Missouri River Valley that it is false economy to further delay the plan of conservation and development of the land and water resources of this great bread basket comprising one-sixth land area of the United States. This program is too big and important to the future of our Nation to be slowed down or stopped. Urge everything possible be done to provide adequate funds for the plan's rapid advancement.

GEORGE T. MICKELSON,
*Governor of South Dakota.*

---

BEAUMONT, TEX., *May 11, 1948.*

Hon. CHAN GURNEY,
*United States Senator,*
*Senate Office Building,*
*Washington, D. C.:*

I understand a minority group of the Senate Appropriations Committee will attempt to reduce the civil functions appropriation bill by a fixed $200,000,000 and will attempt to place the burden of distribution of the remaining fund with the Corps of Engineers on the basis of priority projects as determined by the corps. I am not unmindful of the tremendous volume of testimony submitted to yourself and members of your subcommittee, the careful analysis of this data and your deliberations which resulted in wise conclusions and recommendations to committee as a whole. I therefore challenge the wisdom of allowing a minority group to materially alter your recommendations by the reported unusual procedure. I feel that one of the most vital natural resources of our country by the way of flood control, water conservation and navigation would be severely jeopardized by this movement and I sincerely urge your vigorous opposition to the proposed amendment.

My sincere regards and good wishes.

JOHN W. FULBRIGHT.

---

BEAUMONT, TEX., *May 11, 1948.*

Hon. CHAN GURNEY,
*Chairman, Subcommittee on Appropriations, Civil Functions, care the Senate,*
*Washington, D. C.:*

We appreciate the faithful, untiring efforts of your committee to determine upon a practical and timely appropriation for civil functions for the purpose of developing the water resources of America for navigation, flood control, and other beneficial purposes which today should be one of America's most important objectives. Vast national benefits have accrued from Federal funds expended previously in such programs even though much too limited in scope. The production of business and industry over much of America will be greatly impaired should there be any reduction from your carefully considered recommendations. The engineers have studied these projects over a period of many years and found them to be economically practical and feasible as well as essential to the area to be served before recommending them to Congress. It would be unwise if appropriations passed, as some suggest, to place the burden of priority decision upon the engineers. This is a distinct departure from precedent and should be predicated upon specific authority of Congress. The future of many industries, farms, and cities are dependent upon the protection from floods and assurance of improved navigation and water supply which this appropriation will provide. If it is not carried out it will undoubtedly be reflected in less returns to the Treasury of the United States in various light of world affairs to fail in carrying out this program. It should be a more far-reaching plan and for $20,000,000,000. We will lend our every aid to you.

C. K. DEBUSK,
*General Manager,*
*Beaumont Chamber of Commerce.*

PIERRE, S. DAK., *May 5, 1948.*

Senator CHAN GURNEY,
*Senate, Washington, D. C.:*

The Pierre Chamber of Commerce rejects unwarranted and unauthorized action by Clarence R. Miles in urging reduction of flood control appropriations and request your urgent support for the authorized amount.

GEO. G. SIMPSON,
*Pierre Chamber of Commerce.*

---

BERKELEY, CALIF., *May 11, 1948.*

Hon. CHAN GURNEY,
*Senate Office Building,*
*Washington, D. C.:*

Strongly urge favorable Senate action on Army civil functions bill. California agriculture threatened with tremendous losses from floods each year their control is delayed. Has a vital stake in success of this measure.

RAY B. WISER,
*President, California Farm Bureau Federation.*

---

SHREVEPORT, LA., *May 5, 1948.*

Hon. CHAN GURNEY,
*United States Senate,*
*Senate Office Building:*

Recommendations Senate Appropriations Committee for flood control and navigation merit your approval and support. Projects in this area have been too long delayed and further postponement will only result in economic waste and retard development vital to national defense. Your active support urged and appreciated.

W. SCOTT WILSON,
*President, Shreveport Chamber of Commerce.*

---

MEMPHIS, TENN., *May 5, 1948.*

Senator CHAN GURNEY:

We earnestly urge support of the majority report of the Senate Appropriations Committee on the Army Departments civil functions appropriation bill. This is of utmost importance to the entire Nation. There is no economy in floods and if the $200,000,000 reduction is made for 1949 fiscal year the consequences may be disastrous. Earnestly request support passage in accordance with Appropriations Committee majority report.

MEMPHIS CHAMBER OF COMMERCE.

---

SHREVEPORT, LA., *May 6, 1948.*

Hon. CHAN GURNEY,
*United States Senate,*
*Senate Office Building,*
*Washington, D. C.:*

The orderly development of rivers and harbors and flood-control projects in the Red River Valley depends on the passage of Army Departments civil functions appropriations bill in accordance with the Senate Appropriations Committee majority report. Reductions in appropriations would only mean postponement resulting in economic waste and a serious threat to national defense and the well being of the people of the Southwest. We respectfully request that you oppose any reduction of funds contained in the bill.

HOMER H. HARRIS, Sr.,
*President, Red River Valley Association.*

The ACTING PRESIDENT pro tempore. The clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Civil functions, Department of the Army—Quartermaster Corps—Cemeterial expenses", on page 3, line 2, after the word "Island" to insert "for the establishment of national cemeteries on military, naval, or territorial lands to be transferred or otherwise made available for this purpose at Punch Bowl

Crater, Territory of Hawaii, and Bayamon Naval Gunnery Range, Puerto Rico;".

The amendment was agreed to.

Mr. GURNEY. Mr. President, for information necessary in the conference with the House conferees I should like to offer for the RECORD a table showing a summary of Corps of Engineers funds, showing amounts for construction and advance planning; also another table showing the balance of unappropriated monetary authorization for flood control and for rivers and harbors, and another table showing the appropriations for the last 10 years, and giving the averages. I ask that the three tables may appear in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD as follows:

*Summary of Corps of Engineers funds, showing amounts for construction and advance planning*

| | Requested of Budget Bureau | 1949 estimate | House bill | Amount recommended by Senate committee | Increase (+) or decrease (−), Senate bill compared with 1949 estimates | Increase (+) or decrease (−), Senate bill compared with House bill |
|---|---|---|---|---|---|---|
| Rivers and harbors: | | | | | | |
| (1) Construction | 169,927,000 | [1] $109,800,000 | $75,304,300 | $113,510,400 | +$3,710,400 | +$38,206,100 |
| (2) Advance planning | 5,600,000 | 2,000,000 | 1,000,000 | [2] 2,107,000 | +107,000 | +1,107,000 |
| (3) All other | 99,132,200 | 81,917,000 | 75,527,000 | 79,467,000 | −2,450,000 | +3,940,000 |
| Total, rivers and harbors | 274,659,200 | [1] 193,717,000 | 151,831,300 | 195,084,400 | +1,367,400 | +43,253,100 |
| Flood control, general: | | | | | | |
| (1) Construction | 474,292,600 | 381,895,000 | 308,237,000 | 358,422,800 | −23,472,200 | +50,185,800 |
| (2) Advance planning | 7,750,000 | 4,000,000 | 3,000,000 | [2] 2,969,000 | −1,031,000 | −31,000 |
| (3) All other | 14,227,800 | 10,045,000 | 10,045,000 | 10,265,000 | +220,000 | +220,000 |
| Total, flood control, general | 496,270,400 | 395,940,000 | 321,282,000 | 371,656,800 | −24,283,200 | +50,374,800 |
| Flood control, Mississippi River and tributaries: | | | | | | |
| (1) Construction | 82,000,000 | 56,000,000 | 46,000,000 | 53,500,000 | −2,500,000 | +7,500,000 |
| (2) Maintenance | 15,000,000 | 14,000,000 | 14,000,000 | 14,000,000 | | |
| Total, Mississippi River | 97,000,000 | 70,000,000 | 60,000,000 | 67,500,000 | −2,500,000 | +7,500,000 |
| Flood control, Sacramento River, Calif. | 2,500,000 | 2,000,000 | 1,750,000 | 2,000,000 | | +250,000 |
| Flood control, general (emergency fund) | 3,000,000 | 3,000,000 | 3,000,000 | 3,000,000 | | |
| Emergency fund for flood control on tributaries of Mississippi River | 500,000 | 500,000 | 500,000 | 500,000 | | |
| Alteration of bridges | 500,000 | 500,000 | 500,000 | 500,000 | | |
| Miscellaneous civil works | 12,000 | 12,000 | 12,000 | 12,000 | | |
| Total, Corps of Engineers | 874,441,600 | [1] 665,669,000 | 538,875,300 | 640,253,200 | −25,415,800 | +101,377,900 |

[1] Includes $2,450,000 carried in H. Doc. 504.

[2] The committee considers the amounts listed for advance planning as flexible and expects the Chief of Engineers to make minor modification therein when in his opinion good engineering practices and efficient operation make it desirable.

*Flood control and rivers and harbors—Balance of unappropriated monetary authorization after fiscal year 1949*

FLOOD CONTROL, GENERAL

| | |
|---|---|
| Unappropriated monetary authorization | $1,443,908,375 |
| Amount in bill as reported to Senate for fiscal year 1949 | −359,391,800 |
| Balance of unappropriated monetary authorization after 1949 | 1,083,516,575 |

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

| | |
|---|---|
| Unappropriated monetary authorization | 447,076,319 |
| Amount in bill as reported to Senate for fiscal year 1949 | −$53,500,000 |
| Balance of unappropriated monetary authorization after 1949 | 393,576,319 |

RIVERS AND HARBORS

| | |
|---|---|
| Unappropriated monetary authorization | 1,890,700,000 |
| Amount in bill as reported to Senate for fiscal year 1949 | −115,617,400 |
| Balance of unappropriated monetary authorization after 1949 | 1,775,082,600 |

SUMMARY

| | |
|---|---|
| Unappropriated monetary authorization after fiscal year 1949 based on bill as reported to Senate: | |
| (a) Flood control general | $1,083,516,575 |
| (b) Flood control, Mississippi River and tributaries | 393,576,319 |
| (c) Rivers and harbors | 1,775,082,600 |
| Total | 3,252,175,494 |

*Appropriations for flood control (1938–48)*

| Year | Flood control, general | Mississippi River | Emergency fund, Mississippi River | Sacramento River | Total | Rivers and harbors | Total |
|---|---|---|---|---|---|---|---|
| 1939 | $82,000,000 | $31,000,000 | $800,000 | $319,700 | $114,119,700 | $70,045,000 | $184,164,700 |
| 1940 | 133,000,000 | 39,000,000 | 800,000 | 2,500,000 | 175,300,000 | 106,600,000 | 281,900,000 |
| 1941 | 71,695,000 | 30,000,000 | 800,000 | 98,300 | 102,593,300 | 111,077,250 | 213,670,550 |
| 1942 | 98,780,000 | 22,000,000 | 100 | 2,945,000 | 123,725,100 | 79,983,640 | 203,708,740 |
| 1943 | 124,726,700 | 29,954,000 | 100 | 2,300,000 | 156,980,800 | 72,268,500 | 229,249,300 |
| 1944 | [1] 14,385,100 | 19,000,000 | 3,000,100 | 500,000 | 36,885,200 | 47,715,000 | 84,600,200 |
| 1945 | [2] 19,230,100 | 26,000,000 | 500,000 | 4,850,000 | 50,580,100 | 54,541,000 | 105,121,100 |
| 1946 | [2] 130,737,000 | 45,000,000 | 500,000 | 2,050,000 | 178,287,000 | 81,205,600 | 259,492,600 |
| 1947 | 147,315,000 | 46,000,000 | 500,000 | 2,000,000 | 195,815,000 | 114,542,250 | 310,357,250 |
| 1948 | [2] 258,072,825 | 50,000,000 | 500,000 | 1,750,000 | 310,322,825 | 117,230,700 | 427,553,525 |
| Subtotal | 1,079,741,725 | 337,954,000 | 7,400,300 | 19,313,000 | 1,444,609,025 | 855,208,940 | 2,299,817,965 |
| 1949 [3] | [4] 374,656,800 | 67,500,000 | 500,000 | 2,000,000 | 444,656,800 | 195,596,400 | 640,253,200 |
| Total | 1,454,598,525 | 405,454,000 | 7,900,300 | 21,313,000 | 1,889,265,825 | 1,050,805,340 | 2,940,071,165 |

[1] Includes a special appropriation of $10,000,000 for emergency repairs to flood-control structures.

[2] Includes a special appropriation of $12,000,000 for emergency repairs to flood-control structures.

[3] Based on bill as reported by Senate committee.

[4] Includes $3,000,000 special emergency fund.

The ACTING PRESIDENT pro tempore. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Cemeterial expenses, no year," on page 4, line 12, after the word "available", to insert "and remain available until expended."

The amendment was agreed to.

The next amendment was, under the heading "Corps of Engineers—Rivers and harbors and flood control," on page 6, line 8, after the word "aircraft", to insert a colon and the following additional proviso: "*Provided further*, That not to exceed $16,000 of the sums appropriated herein may be used to pay the expenses of Corps of Engineers representatives to

three international engineering conferences to be held in Europe during the calendar year 1948."

The amendment was agreed to.

The next amendment was, under the subhead "Rivers and harbors," on page 7, line 25, after the word "law", to strike out "$151,831,300" and insert "$195,084,400"; and on page 8, line 17, after the word "Commission", to insert a colon and the following additional proviso: *Provided further,* That from this appropriation $1,490,000 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the act of August 8, 1946 (60 Stat. 932), and the act of August 14, 1946 (60 Stat. 1080)."

The amendment was agreed to.

The next amendment was, under the subhead "Flood control," on page 9, line 13, after the word "control", to strike out "$321,282,000" and insert "$371,656,800."

The amendment was agreed to.

The next amendment was, on page 10, line 19, after "appropriations", to strike out "$60,000,000" and insert "$67,500,000."

The amendment was agreed to.

The next amendment was, on page 11, line 5, after "55 Stat. 638–651)", to strike out "$1,750,000" and insert "$2,000,000."

The amendment was agreed to.

The next amendment was, under the heading "The Panama Canal," on page 13, line 13, after "Isthmus", to insert "expenses of attendance (not to exceed $10,000), when authorized by the Governor, at meetings of organizations concerned with activities pertaining to the Panama Canal."

The amendment was agreed to.

The next amendment was, on page 14, line 16, after the words "in all", to strike out "$12,499,000" and insert "$13,149,000."

The amendment was agreed to.

The next amendment was, on page 15, line 23, after "Total, Panama Canal", to strike out "$19,476,313" and insert "$20,126,313."

The amendment was agreed to.

The next amendment was, under the heading "General provisions," on page 18, line 15, after "United States Government", to insert a semicolon and "(7) that no alien employed on the Canal Zone, who may secure United States civil-service status, shall be paid a salary or wages, wholly or in part, from moneys appropriated by this act."

The amendment was agreed to.

The next amendment was, on page 20, line 13, after the word "Canal", to strike out "is" and insert "and the Chief of Engineers, Department of the Army, are."

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. That completes the committee amendments. The bill is open to further amendment.

Mr. GURNEY. Mr. President, I am authorized by the committee to offer an amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 10, line 8, after the word "dam" and before the period, it is proposed to insert a colon and the following proviso: *"Provided further,* That the authority contained in section 6 of the Flood Control Act of 1946 approved July 24, 1946 (Public, 526), is hereby extended to include the projects known as Oahe Reservoir, S. Dak., Pine Flat Reservoir, Calif., Isabella Reservoir, Calif., and Folsom Reservoir, Calif."

Mr. GURNEY. Mr. President, I ask that the amendment be agreed to.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. MAGNUSON. Are these additional projects?

Mr. GURNEY. No, they are not. The amendment includes the projects named in it under the general authorization given Army engineers to maintain schools for the project workers on the large projects it is building. The amendment adds to the general list some of the larger projects around the country that are now under construction.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. LANGER. How much additional cost will the amendment provide?

Mr. GURNEY. About $50,000 the first year for taking care of the schooling on the projects which are now in the bill. It will probably run up to a total throughout the Nation during the year of approximately $100,000.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Dakota on behalf of the committee.

The amendment was agreed to.

Mr. IVES. Mr. President, I offer an amendment which I send to the desk and ask to have stated, and I should like to have it voted upon at this time.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 7, line 25, it is proposed to strike out "$195,084,400" and to insert in lieu thereof "$196,584,400."

On page 8, line 22, before the period it is proposed to insert a colon and the following proviso: *"Provided further,* That not less than $3,700,000 of the amount herein appropriated shall be available for New York and New Jersey channels contruction."

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Do I understand that the amendment proposes an increase or a decrease in the appropriation.

The ACTING PRESIDENT pro tempore. It proposes an increase in the appropriation.

Mr. LUCAS. I thank the Presiding Officer.

Mr. GREEN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. GREEN. I have tried for some time to secure the attention of the Chair. I was out of the Senate Chamber for a few moments to receive a telephone call. I want to ask what disposition was made, if any, of the amendment on page 18, line 15.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is making a parliamentary inquiry of the Chair, and it is difficult for the Chair to hear him. Will the Senate please be in order. The Senator from Rhode Island is making a parliamentary inquiry.

Mr. GREEN. I want to know what disposition was made of the amendment. As I understand, all the committee amendments have been agreed to.

The ACTING PRESIDENT pro tempore. All the committee amendments have been agreed to.

Mr. GREEN. That includes the amendment on page 18, beginning in line 15?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. GREEN. Mr. President, I should like to ask the chairman of the committee then if attention was drawn to the fact that objection had been made to that item, and that the State Department had written a letter to the committee on the subject? I should like to ask whether the letter from the Department of State was placed in the record and called to the attention of the Senate?

Mr. GURNEY. Mr. President, will the Senator from New York yield to me so I may answer the Senator from Rhode Island?

Mr. IVES. I yield.

Mr. GURNEY. I should like to answer the Senator's inquiry. The matter he refers to relating to employment on the Panama Canal Zone is quite involved. It is fully set forth in the letter from the Department of State. A treaty has been in force with the Republic of Panama for some time which provides that equal privileges shall be given to Panamanian citizens along with American citizens. The amendment to which the Senator refers would prevent the employment of aliens to some extent. We had the matter up in conference on the bill last year, and I feel that at this time we should have in the RECORD a complete explanation of the matter for the benefit of the conferees. The full Committee on Appropriations approved the amendment as it now appears in the bill and has been adopted by the Senate. I offer the explanation, and ask to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
*Washington, April 30, 1948.*

The Honorable CHAN GURNEY,
*Committee on Appropriations,*
*United States Senate.*

MY DEAR SENATOR GURNEY: I wish to submit for your consideration a statement of the position of the Department of State with respect to H. R. 5524, section 2, paragraph No. 7, which reads as follows:

"That no alien employed on the Canal Zone, who may secure United States civil-service status, shall be paid a salary or wages, wholly or in part, from moneys appropriated by this act."

Identical language was considered last year for the War Department civil functions appropriation bill but, as you will recall, was eliminated in conference committee. The

Department would consider it most unfortunate were the Congress to enact H. R. 5524 in its present form. The amendment which I have quoted above, if it should become law, would violate this Government's agreement with Panama as comprised in the 1936 general treaty and accompanying notes between the United States and Panama and would have the effect of seriously jeopardizing relations between the two governments.

Accordingly, the Department urges the reconsideration of this amendment. While, from our point of view, it would seem preferable to strike the amendment from the bill, the Department would find satisfactory as an alternative, its modification through the insertion of the phrase "except citizens of the Republic of Panama" between the words "alien" and "employed." Such an insertion would nullify the apparent purpose of the amendment and is suggested only in an effort to cooperate with the committee in case it wishes the amendment to stand. The amendment as modified would have the effect of excluding all aliens other than Panamanians, a measure to which the Department would have no objection. Either the deletion or proposed modification of the amendment will remove the inconsistency which would exist between it and our announced policy toward Panama if it were to remain in the bill in its present form.

I should like to take this opportunity to explain fully to you the position of the Department of State on this question which is of such primary importance in the relations of the United States and the Republic of Panama.

The Department has for many years maintained a special interest in labor legislation concerning the Canal because of the inevitable effect of that legislation on citizens of the Republic of Panama and on existing commitments of the United States Government to the Panamanian Government. The United States Government has steadily moved toward the establishment of equality of opportunity and treatment between United States and Panamanian citizens in matters pertaining to employment. This policy is expressed in an order issued by the Secretary of War dated December 23, 1908, in an Executive order of February 2, 1914, and in an Executive order of February 20, 1920. As Mr. Norman Armour, Assistant Secretary of State, pointed out to you in his letter of July 16 last year, this policy is very specifically set forth in the spirit of the General Treaty of 1936 with Panama and in the note of March 2, 1936, accompanying this treaty.

The 1936 treaty, together with its accompanying notes is the basic document governing our current relations with Panama. This Government stands committed to Panama under the document to maintain as our public policy the principle that Panamanian citizens shall have equal rights with our own citizens in employment opportunities in the Panama Canal and the Panama Railroad. This Government is committed to take such measures as may be necessary to put this principle into effect. The opening statement of section II of H. R. 5524 recognizes this commitment and has been an important part of this and other appropriation acts which have been enacted since 1939, the year of the ratification of the General Treaty.

To further our policy toward Panama, the United States by civil-service regulation, effective as of May 1, 1947, provided for the admission of Panamanian citizens to examinations for certain civil-service positions in the Panama Canal and the Panama Railroad. When a question was raised in 1947 concerning the appropriateness of the civil-service regulation under reference, the Department, desirous of determining the legal basis under which recognition might properly be given to the legitimate aspirations of Panamanians for employment in the operations of the Panama Canal, submitted the matter to the Attorney General of the United States for an opinion. As you are aware, the Attorney General on May 15, 1947, ruled that pursuant to our commitments with Panama, the United States was bound to admit Panamanian citizens to civil-service examinations for the positions to which I have referred above. A copy of his opinion is attached.

It may be worth while to point out here that the fact that citizens of Panama are given an opportunity to take civil service examinations for specific positions in the Canal Zone does not mean that they have an inherent right to such positions. Provided first they pass the examinations, they are, as the Governor of the Panama Canal emphasized in hearings before a committee of the Senate in 1947, subject to exactly the same investigations with respect to previous experience, capacity and political reliability that are required in the case of any other applicants for civil service positions. The Department knows of no proposal, nor would it support any proposal, to dispense with such investigations prior to the approval of Panamanians for appointment to civil service positions in the Canal Zone.

The question has sometimes been raised with respect to the taking of the oath of allegiance to the United States by Panamanian citizens appointed to positions by the Panama Canal and the Panama Railroad. In this regard it may be of interest to know that the status of Panamanian citizens appears to be covered by section II, article 15 of the new constitution of Panama which states that Panamanian citizenship is renounced "when the employ of another government is accepted without the permission of the executive, except in the case of employees on a project in which the Republic is interested in conjunction with another nation."

The maintenance and operation of the Canal is of course "a project" in which both the Republic of Panama and the United States have mutual interests.

In further connection with the amendment under reference in this letter, it will be readily perceived that there would be an inconsistency on the one hand of offering an opportunity to qualify for civil service status to Panamanian citizens employed by the Panama Canal and the Panama Railroad and on the other hand of enacting legislation providing that funds available for certain positions in the Canal Zone are denied Panamanian citizens who may secure civil service status.

In summary, our treaty relations with Panama provide for equality of opportunity and treatment for Panamanian citizens in the Canal Zone. This public policy toward Panama is well known and important to the Panamanians, with whom cordial and friendly relations are vitally necessary. To nullify our policy toward Panama by the enactment of the amendment would undoubtedly create the impression that the United States does not live up to its international agreements. Previous experience has demonstrated that anti-American elements are always very ready to accuse us of bad faith in our relations with Panama. A definite case of bad faith, as would arise from this proposed legislation, would be of invaluable aid to those elements in their anti-American campaign.

Therefore, I wish to reiterate once again the recommendation of this Department that the amendment under reference either be stricken from the bill or modified by the insertion of the phrase "except citizens of the Republic of Panama" between the words "alien" and "employed."

Sincerely yours,

CHARLES E. BOHLEN,
*Counselor.*
(For the Secretary of State).

Mr. GREEN. Mr. President, what was the order?

The ACTING PRESIDENT pro tempore. The correspondence from the Department of State was ordered to be printed in the RECORD at this point.

Mr. GREEN. I think, for the information of the Senate, the letter should be read to the Senate.

Mr. President, this is a very serious matter, one which cannot be cast off in a cavalier manner. It is a question of whether a formal treaty between the United States and Panama should be lived up to or whether we shall, in an act passed by the Congress, violate that treaty knowingly. It is not a question only of the right or wrong of this provision in the treaty. It is a question of whether we are upholding, in the eyes of the world, the provisions of a treaty which the United States has entered into or whether it shall be violated. That is the question that arose last year, and that is the reason the provision was thrown out in conference.

This year the Senate will be doing this very thing knowingly. I cannot imagine anything worse, while this Nation is negotiating most important treaties, than proclaiming to the world that they mean nothing to us, and that we will tear them up when it suits our convenience.

It is well enough for a Senator to say that this difficulty will be cured in conference. I am looking after the reputation of the United States Senate. Ratification of treaties is confined to the United States Senate. Why should we depend upon the House to throw out a provision violating a treaty? Let us do it ourselves. The treaty with Panama distinctly provides that the citizens of Panama shall not be discriminated against in connection with the Panama Canal. This provision does discriminate as between the citizens of Panama and the citizens of the United States. No one contradicts that statement. The excuse is given that we are afraid that the Panamanians may not be as careful as are citizens of the United States in preventing bombing, or something of that kind. That has nothing to do with the question. If that is our fear, if we do not live up to the treaty we should denounce the treaty, and not seek to violate it.

I ask unanimous consent for the reconsideration of the action of the Senate in agreeing to the amendment.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent——

Mr. IVES. Mr. President, I believe the junior Senator from New York has the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York has the floor.

Mr. IVES. I am very glad to yield to the Senator from Rhode Island if he desires to proceed with this question.

The ACTING PRESIDENT pro tempore. The Senator from New York has the floor and has yielded temporarily to the Senator from Rhode Island, who is now asking unanimous consent that the action of the Senate in approving the amendment which appears on page 13 of

the bill relative to employment in the Canal Zone be reconsidered. Is there objection to the request of the Senator from Rhode Island?

Mr. GURNEY. Mr. President, of necessity I must object, because the committee approved this amendment.

Mr. PEPPER. Mr. President, a parliamentary inquiry——

Mr. GURNEY. There has been some indication that an amendment might be offered which would exempt citizens of the Republic of Panama, but the way the amendment reads on page 18 of the bill is the way the committee approved it, and therefore I must support the language as it appears in the bill.

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. PEPPER. Is unanimous consent required? Under the circumstances under which this amendment was adopted, is not a motion in order?

The ACTING PRESIDENT pro tempore. The Chair will say to the Senator from Florida that a motion will be in order at the proper time, after the amendment of the Senator from New York [Mr. IVES], which is now pending, is disposed of.

The question is on agreeing to the amendment offered by the Senator from New York.

Mr. IVES. Mr. President, to return to the amendment now before the Senate, the junior Senator from New York would like to make a very brief statement.

The New York-New Jersey channel is one of four major channels undergoing improvement in New York Harbor. The project was adopted by Congress in 1935. It calls for deepening the channel to 35 feet, with 37 feet through rock cuts, and widening the channel from three to four hundred feet to six to eight hundred feet. Eight million dollars' worth of work remains to be done to complete the authorized project.

The House recommendations for channel improvements in the entire New York Harbor amount to only $2,200,000 for the coming year. This item is specifically earmarked for the New York-New Jersey channel. Approximately half of the amount, however, has already been spent by the Army engineers and must be returned to the projects from which funds were diverted for the work. The balance, $1,100,000, will complete the project in the Kill van Kull between Bayonne and Staten Island. No funds will be available for new construction to benefit the heavily industrialized southern section of Staten Island.

As indicated in the testimony of Mr. L. W. Byrne, chief of the port promotion bureau of the Port of New York Authority, before the House Committee on Appropriations, important industries are located on both sides of the channel. The Cities Service Oil Co., Barber Asphalt Corp., American Smelting & Refining Co., Shell Oil Co., Royal Petroleum Co., and Socony-Vacuum Oil Co. border the channel. They depend on the deep-draft channel entering from Raritan Bay for the movement of bulk cargoes of petroleum, tar, ores, and other raw materials. The limited widths of the present channel handicap the operations of these industries.

New York Harbor leads all of the major ports of the Nation in tonnage handled, customs and duties collected, and in total annual revenue. Figures for 1947 show duties and customs collections at the port of New York total $192,000,000 in comparison with $35,000,000 at Philadelphia, $13,000,000 at Baltimore, $13,000,000 at New Orleans, and $7,000,000 at San Francisco. New York Harbor handled 145,000,000 tons of cargo traffic in 1945. This was three times the traffic tonnage at Philadelphia, 5½ times that at New Orleans, and more than 20 times that of the traffic at San Francisco.

In the same way that New York Harbor is the busiest in the Nation, the New York-New Jersey channel carries the heaviest traffic in that harbor. In 1945, it handled 45,000,000 tons of traffic, almost one-third of the tonnage for New York Harbor as a whole. Because of the significance of this channel for our national economy, I am urging that at least $1,500,000, additional, be appropriated for that work on the channel which is yet to be undertaken.

In the interest of safe navigation and industrial expansion, the authorized plans for the channel should be completed at the earliest possible date. It is gratifying that sufficient funds have been provided in the Army Civil Functions bill as it now is before the Senate to complete the work in the northern section of the channel. Until the area near the southern end of Staten Island has been improved, widened and deepened, however, the industries will not be able to operate at capacity and the utilization value of the harbor will be limited. I, therefore, ask the Senate to appropriate a total of $3,500,000 for the New York-New Jersey channel in the New York Harbor, that new construction may be undertaken immediately and the channel may in the near future increase its industrial and commercial activity to the benefit of the entire Nation.

I have sent to the desk an amendment to take care of this allocation.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. IVES. I yield.

Mr. LANGER. How much has already ben spent on this project?

Mr. IVES. I cannot answer as to how much has been spent on the project. I think the Senator from South Dakota [Mr. GURNEY] can answer that question. All I have is the figure to indicate how much is needed, and that is $8,000,000.

Mr. GURNEY. Mr. President, the estimated total cost of this project is $37,630,000, of which there has been appriated to date $27,308,000. There is now in the bill for this project $2,200,000, which would raise the total, after the present appropriation, to $29,508,000, leaving about $8,000,000 yet needed to complete the project.

Mr. IVES. That is where I got the figure $8,000,000.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York [Mr. IVES].

Mr. GURNEY. Mr. President, this project was discussed before the subcommittee. Certainly it is a worth-while project. Certainly the harbor in New York is very important to the country, and everything should be done, within the bounds of good judgment, to deepen the harbor as rapidly as possible.

The full committee, in casting about to find where to put the funds, decided in its wisdom that $2,200,000 was all that should be allocated to this project, which would permit a worthwhile program for the next fiscal year. Certainly the committee believes, because of the justification made before the committee, that further funds should be allocated in coming years, so that the project may be completed as presently planned. But I must say that I could not accept the amendment, in view of the action of the committee.

Mr. LUCAS. Mr. President, will the Senator from South Dakota yield to me?

Mr. IVES. Mr. President, the Senator from New York has not yet yielded the floor.

The ACTING PRESIDENT pro tempore. The Chair understood that the Senator from New York had yielded the floor.

Mr. IVES. No; I had yielded to the Senator from South Dakota.

Mr. LUCAS. Mr. President, I should like to ask a question. Did the committee enter into a unanimous-consent agreement in regard to the amount the Senator has been discussing?

Mr. GURNEY. Mr. President, I must say that I am presenting the committee views on this bill. Therefore, in representing the committee's position, I cannot accept for any project a request which would result in increasing in any particular amount the appropriations provided by the bill.

Mr. LUCAS. I think the Senator is wise in taking that position, because I dare say that under the provisions of this bill the appropriations for some projects in every State have been cut below the amounts of the budget estimates, as a result of action by the Appropriations Committee. Of course, if at this late hour we are to start adding to appropriations for this project or that project, we shall be here for some time, because all Senators will be attempting to do the same thing.

Mr. IVES. Mr. President, in answer to the statements which have been made, I wish to point out that I do not believe it is fully realized that half of this $2,200,000 has already been used, as I have indicated in my previous statement, and it must be returned to the projects from which the funds have been diverted for other work—as they have been—leaving only $1,100,000 for this particular undertaking. I have checked this matter very carefully with persons in New York who are familiar with the matter. I am loath to ask for increased appropriations at any time, but I have become personally convinced of the thorough justification for their request in this particular instance. That is why I am offering this amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York [putting the question].

The "ayes" appear to have it.

Mr. RUSSELL. Mr. President, I ask for a division. The Chair has just stated that the "ayes" appear to have it.

The ACTING PRESIDENT pro tempore. The Chair was in error. The Chair meant to say that the "noes" appear to have it; and the "noes" have it, and the amendment is rejected.

Mr. GREEN. Mr. President, earlier today I asked unanimous consent for the reconsideration of the committee amendment beginning on page 18, in line 15. I now move that the Senate reconsider its action in adopting that amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island.

Mr. GURNEY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. GURNEY. It is my understanding that ultimately the Senator from Rhode Island wishes to offer an amendment to the committee amendment. If my understanding is correct, I should think he could offer the amendment without asking for the reconsideration of the Senate's action in adopting the committee amendment.

The ACTING PRESIDENT pro tempore. If the amendment is to the committee amendment, the committee amendment will have to be reconsidered.

Mr. GURNEY. Then I have no objection to having the committee amendment reconsidered.

The ACTING PRESIDENT pro tempore. Without objection, the motion of the Senator from Rhode Island is agreed to; the action of the Senate in agreeing to the amendment is reconsidered, and the amendment is now before the Senate.

Mr. GREEN. Mr. President, my sole purpose is to see that our treaties are kept inviolate. For that reason, I make this point as to the Panamanian Treaty, although there is no question that the amendment applies to all treaties.

In that connection I can read a letter from the former Secretary of State, Cordell Hull, relative to this particular matter.

Inasmuch as the Senator has intimated, as I understand, that an amendment to the committee amendment might be considered, I desire to offer the following amendment:

In line 15, of the committee amendment, on page 18, after the word "alien", insert the words "except a citizen of the Republic of Panama;" and in line 16, after the word "may", insert the word "hereafter", so that the committee amendment as thus amended will read:

(7) that no alien except a citizen of the Republic of Panama employed on the Canal Zone, who may hereafter secure United States civil-service status, shall be paid a salary or wages, wholly or in part, from moneys appropriated by this act.

Mr. GURNEY. Mr. President, let me suggest to the Senator that I believe his amendment would be more acceptable to the committee if he would change it a little, so as to make it read "except native-born citizens of the Republic of Panama." Would the Senator have any objection to that change?

Mr. GREEN. My only objection would be that that would not comply strictly with the treaty.

Mr. GURNEY. If the Senator from Rhode Island objects to the revision which I have suggested to his amendment, inasmuch as it is not a material revision, I have no objection to the amendment as offered by the Senator from Rhode Island to the committee amendment.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. RUSSELL. Do I correctly understand that the Senator from South Dakota has accepted the amendment to the committee amendment?

Mr. GREEN. So I understand.

Mr. GURNEY. I said I have no objection.

Mr. RUSSELL. Mr. President, I regret very much to be constrained to oppose the amendment, unless the Senator from Rhode Island will accept the suggestion of the Senator from South Dakota. I do not like at this late date to go into the many reasons for making the proposed revision of the Senator's amendment, but I shall be compelled to do so on the basis of the evidence brought before the committee.

Mr. GREEN. I am very sorry, but it seems to me that we should be punctilious about making our legislation agree with the treaties we have ratified. The change may seem to be unsubstantial; but inasmuch as the question has been raised, it seems to me that it is important to have the language of the bill agree with the language of the treaty.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Rhode Island to the committee amendment on page 18.

Mr. RUSSELL. Mr. President, I regret very much to feel constrained to submit a few observations in opposition to the amendment as it is now drafted.

In the first place, I think the committee amendment with the proposed revision would do no serious violence to any treaty which we may have with any of our sister republics. The amendment as proposed to be revised merely refers to the positions in the Panama Canal Zone which are under the civil service.

This amendment has been a subject of controversy for 2 or 3 years. The evidence submitted to the committee indicated that there is considerable danger of admitting Trojan horses who would sabotage the important life line between the west and the east coasts of the United States, unless there is some restriction in the bill.

All of us know that today the Communist Party of Russia is sending its emissaries to every part of the world where they can do damage to our form of government. We know that a cold war is in progress at the present time between Russia, and all that nation symbolizes as the world center of communism, and our form of government, a democracy. The Russians have thrown around their own land an Iron Curtain. We cannot penetrate it, save by means of occasional broadcasts through the air, and even then the Russians make efforts to garble and scramble the broadcasts so that the people of Russia will not have any information in regard to what is transpiring without the borders of Russia.

In the very nature of a democracy, it is most difficult for it to protect itself from insidious forces which attempt to bore from within. With all due respect to our sister Republic of Panama, the evidence which was presented to the committee shows that it was the simplest matter on earth to obtain citizenship in that Republic. Some of the witnesses were so unkind as to say it could be bought for a few dollars, and nothing on earth would be simpler than for the Russians to send to Panama secret agents and have them obtain Panamanian citizenship and soon be in positions, in handling the vital Panama Canal, to close that great artery of commerce and transportation and national defense overnight.

Certainly it would conform, it seems to me, to any treaty if we were to exempt native-born Panamanians from the restriction. Personally I think that is going too far. I think we should have only American citizens in the administration of the Panama Canal locks, which are so vitally important to the defense of the Nation.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Are there no restrictions on obtaining civil-service status. Are there no restrictions in regard to the person's citizenship?

Mr. RUSSELL. There are certain restrictions on obtaining civil-service positions, but how well have they been observed? In our own country, here at home, the President of the United States felt disposed to ask for $50,000,000, as I recall the figure, to screen those who had already obtained civil-service appointments, to ascertain whether they were Communists. How then can we expect people employed in Panama to be screened that carefully when they are not even processed directly through Washington, except after they have been approved at Panama?

Mr. FULBRIGHT. If the Senator will yield further, the committee amendment does not say "Communists," but "aliens." In our own civil-service set-up, there is a difference.

Mr. RUSSELL. Oh, yes; of course, a man has to take an oath, but if an agent were sent from Russia to Panama for the purpose of infiltrating our civil service, how much compunction would he feel about taking an oath of allegiance to the United States—an oath that he never was a Communist, never had seen a Communist, and never had heard of any. He would have no compunction whatever about it.

Mr. FULBRIGHT. If the Senator will yield further, I think he misunderstood my question. I was not directing it to the matter of allegiance. I was directing it to his citizenship. I thought we were more careful about the proof of whether a man was a citizen of this or some other country, as distinguished from whether he was a Communist.

That is what I was thinking about. That is, when a man applies for civil-service status, for example, and takes an examination, some proof of his citizenship is required, is it not? It is required in Washington. Is it not required also at the Panama Canal?

Mr. RUSSELL. I do not know as to that. I know the testimony was that persons could become citizens of Panama with relative ease. There was no great difficulty in an alien securing citizenship.

Mr. FULBRIGHT. That is correct. The further point is, can an alien, a Panamanian, acquire civil-service status with great ease? That is the point I was trying to make.

Mr. RUSSELL. Yes; under the treaty to which the Senator from Rhode Island referred.

Mr. FULBRIGHT. There is no distinction, then, is there?

Mr. RUSSELL. I understand there is not. I do not think that is justified by a strict construction of the treaty.

Mr. FULBRIGHT. That is the point I wanted to make.

Mr. RUSSELL. I regret I misunderstood the Senator from Arkansas.

Mr. President, when it comes to a question so vital as keeping open the Panama Canal and seeing that we do not voluntarily employ those who would sabotage that essential link of our national defense chain, I think the treaty should be strictly construed; and if the amendment is to be adopted without at least confining it to those who are native-born Panamanians, so that we are at least protected from those who have gone there for the express purpose of obtaining citizenship and then of destroying the Canal, I shall be compelled to vote against the amendment of the Senator from Rhode Island.

Mr. GREEN. Mr. President, in reply to the argument of the Senator from Georgia, which is, as I understand it, that regardless of the provision of the treaty we ought to do what we think is to our own interest, because otherwise it will help the Communists, I should like to suggest that nothing could help the Communists more than for Soviet Russia to be able to point out to the world that there is no use making a treaty with us because we only abide by the treaty when we regard it to our own interests to do so; and, even assuming it is a small matter, we think it was a mistake to place this provision in the treaty, and so we will not abide by it, and we discard the treaty. "What is the use," Soviet Russia will say to the world, "making a treaty with the United States of America? Their word is worth nothing. As in the case of Germany at the outbreak of World War I, a treaty is a scrap of paper."

In this connection, it seems to me Senators generally ought to hear the letter which was written to the committee by the Department of State on this question. I ask unanimous consent that it be read.

Mr. GURNEY. Mr. President, will the Senator yield before the reading begins?

Mr. GREEN. I yield.

Mr. GURNEY. I may say to the Senator from Rhode Island that I made some inquiry into this matter, and found that the words "native-born citizens" are not new in the usage of the State Department. In our immigration system for instance we set quotas and we use the term "native-born citizens." I think the Senator could with good grace accept this addition to his amendment, making it read "native-born," and, between now and conference time, we could find out from the State Department whether the term "native-born citizen" would not comply with our treaty with Panama. I believe it would.

Mr. GREEN. Before I answer the question, may we have the letter of the State Department read?

The PRESIDING OFFICER. The clerk will read the letter.

The letter, previously printed in the RECORD on request of Mr. GURNEY, was thereupon read by the Chief Clerk.

Mr. GREEN. Mr. President, in further reference to the question asked me by the Senator from South Dakota, I should like to draw his attention to the fact that on the same date on which the general treaty of 1936 with Panama was signed, accompanying notes were exchanged by the representatives of the two governments. Those notes formed an integral part of the treaty. One dated March 9, 1936, states our policy toward Panama and reads as follows:

SIRS: With reference to the representations made by you during the negotiation of the treaty signed today, regarding Panamanian citizens employed by the Panama Canal or by the Panama Railroad Company, I have the honor to state that the Government of the United States of America, in recognition of the special relationship between the United States of America and the Republic of Panama with respect to the Panama Canal and the Panama Railroad Company, maintains and will maintain as its public policy the principle of equality of opportunity and treatment set down in the order of December 23, 1908, of the Secretary of War, and in the Executive orders of February 2, 1914, and February 20, 1920, and will favor the maintenance, enforcement, or enactment of such provisions, consistent with the efficient operation and maintenance of the Canal and its auxiliary works and their effective protection and sanitation as will assure to Panamanian citizens employed by the Canal or the Railroad equality of treatment with employees who are citizens of the United States of America.

Accept, sirs, the renewed assurances of my highest consideration.

CORDELL HULL.

I do not feel that we should go back of that statement, made under those circumstances. The language used is "Panamanian citizens," not "native Panamanian citizens." So I have yielded by modifying my original intention to ask that the committee amendment be not approved, by substituting words which limit it to Panamanian citizens. It seems to me that is as far as we can go in strict compliance with the treaty.

I am interested in this subject, not only as a Member of Congress—and that would perhaps be sufficient if I were to accept an amendment which I thought would be rectified in conference with the House of Representatives—but I am also interested as a Senator. I am proud of being a Senator. I do not want the Senate of the United States to act in contradiction of the express provision of the words in the treaty which the Senate alone ratified.

Mr. PEPPER. Mr. President, I want to join very heartily in the amendment offered by the senior Senator from Rhode Island. I think he has done the country a service in its relations not only with the Republic of Panama, but with all other countries with whom we have treaty obligations, by proposing an amendment which means that we strictly observe our treaty obligations. I think it cannot be argued, and I believe it is not argued, that failure to adopt this amendment would at least bring into serious question the matter of whether we have faithfully observed, as we assured them we would, our treaty obligations with the Republic of Panama, that her citizens—not her native-born citizens—will be treated on all fours with citizens of the United States. I am sure the senior Senator from Rhode Island will recall another instance before the Foreign Relations Committee at a time when the Senator from Rhode Island and I had the honor of being members. That was a revision of an earlier treaty with the Republic of Panama. The other members of the Foreign Relations Committee who are on the floor at the present time will recall the same experience. The original treaty provided that the United States, in case it needed bases or sites for military installations in the Republic of Panama, might occupy such sites or those bases. Evidently the people of Panama, and the Government of Panama particularly, construed that language in the treaty to mean that we could occupy territory in the Republic of Panama without consultation with the Government of the Republic of Panama, and at our own initiative and upon our own volition. That created considerable resentment on the part of the Government and the people of Panama. Therefore our State Department pressed upon us the revision of that treaty, saying to us that it would immeasurably improve our good relations if we modified the treaty so as to provide that we would not occupy, even for military purposes, any territory of the Republic of Panama without at least previously consulting with that Government before we did so.

The Senator will no doubt recall that Secretary Hull and Under Secretary Welles appeared before the committee and urged that we negotiate a new treaty which would show respect for the sovereignty of that people by providing for the condition of consultation before we should occupy their territory.

There was some delay in the committee in the approval of the modified treaty, which had carefully been worked out between our Government and the Government of the Republic of Panama, and finally I distinctly recall Mr. Welles coming back in person before the committee and again urging that we negotiate a treaty based upon these exchanges of notes, so that the people of the Republic of Panama would not have the feeling that we were in any way showing a lack of consideration for their sovereignty. I remember how Mr. Welles and the State Department then emphasized the importance to the security of the Panama Canal of the good will of

the people of the Republic of Panama, living alongside the Canal.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. GURNEY. In view of the lateness of the hour——

Mr. PEPPER. I shall take only two or three more minutes.

Mr. GURNEY. I should like to ask the Senator whether or not the inclusion of "native-born citizens" might not be acceptable to the State Department and to the Republic of Panama, and would not the Senator think it would be advisable to accept the amendment with the words, "native-born citizens," at this late hour? Of course, we would have to take to conference anyway whatever amendment was in the bill, and if it is satisfactory to the State Department, what the Senate did would be the position of the Senate conferees. I think we could resolve the question if the Senator from Rhode Island and the Senator from Florida would accept that addition to the amendment offered by the Senator from Rhode Island.

Mr. PEPPER. Certainly, Mr. President, the Senator from Rhode Island would have to be the authoritative spokesman on the subject, but I must say that I subscribe to what he has already indicated, that unless the matter be carried over to tomorrow, we should have previous advice, before the Senate acts, that the committee amendment is in conformity with the treaty as they construe it, if we use the words "native-born." I could not square our duty as Senators to observe a treaty which we ratified, with a breach to the provisions of the obligation.

Mr. RUSSELL. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. RUSSELL. I should like to have the Senator point out to me in this treaty, or in any note in connection therewith, any assurance that has been given any Panamanian citizen, native-born or alien, that he could be entitled to a civil-service job. What is assured is merely equality of opportunity for employment, not that they will be put into the civil-service system. As a matter of fact, if what the Senator from Florida has stated has any semblance of substance, for 11 years, from 1936 to 1947, the State Department violated the treaty, because they did not permit Panamanians to take the civil-service examinations until 1947, though the treaty had been in effect since 1936.

Mr. PEPPER. Mr. President, I am glad the Senator asked that question. The treaty—and the exchange of notes which formed the background for the treaty—do nothing more than give to the citizens of Panama equality of opportunity with American citizens, the same rights to take the examinations, the same impartiality of treatment in the consideration of the examinations, and in all other respects, guarantee they would be treated exactly as American citizens were treated, and as the letter from the State Department, which was recently read from the desk, affirmed, they were not guaranteed jobs, even if they passed the civil-service examinations. They still would have to meet what I think might be called the responsibility test. But the point is, we must not allow anything to constitute a discrimination against citizens of the Republic of Panama.

Mr. RUSSELL. The Senator still has not answered my question. It was not until 1947 that the State Department permitted the Panamanians to take the civil-service examinations. So the State Department, if the Senator is correct, had violated the treaty for 11 years, from 1936 to 1947. There is nothing in the treaty about any civil-service appointment, there is nothing in the letters about any civil-service appointment. This is a new construction the State Department put on the treaty in 1947, after it had been in effect for 11 years, before they ever permitted the Panamanians to take the civil-service examinations.

Mr. PEPPER. Mr. President, if we violated the treaty in the past, that is all the more reason why we should strictly observe it in the future.

As the Senator from Rhode Island read a minute ago, here is the letter from Secretary Hull dated March 2, 1936. Let me read it again:

> SIR: With reference to the representations made by you during the negotiation of the treaty signed today, regarding Panamanian citizens employed by the Panama Canal or by the Panama Railroad Co., I have the honor to state that the Government of the United States of America, in recognition of the special relationship between the United States of America and the Republic of Panama with respect to the Panama Canal and the Panama Railroad Co., maintains and will maintain as its public policy the principle of equity of opportunity and treatment set down in the order of December 23, 1908, of the Secretary of War, and in the Executive Orders of February 2, 1914, and February 20, 1920, and will favor the maintenance, enforcement, or enactment of such provisions, consistent with the efficient operation and maintenance of the canal and its auxiliary works and their effective protection and sanitation as will assure to Panamanian citizens employed by the Canal or the railroad equality of treatment with employees who are citizens of the United States of America.

Mr. President, let me give one other illustration. I am sorry the able Senator from Michigan [Mr. VANDENBERG] and the able Senator from Texas [Mr. CONNALLY] are not now upon the floor of the Senate. It will be recalled that last year, I believe it was, we passed a measure with respect to the Republic of Cuba which at that time was pointed out by some here as containing a discriminatory provision. We passed it in the Senate, although there was debate over it, and Senators will recall the bitter resentment in the Republic of Cuba against our including the discriminatory provision in that legislation. It was brought up and confronted our Secretary of State at the Bogota conference, and as I understand, the Secretary of State practically gave assurance that that discriminatory language against the citizens of Cuba would not, in effect, be carried out.

Those people, Mr. President, are sensitive. I realize that the able Senator from Georgia has the most laudable objectives in mind regarding the security of the Panama Canal, but it seems to me everything the Senator desires can be accomplished by the Government of the United States properly screening the civil service employee applicants. A letter from the State Department says that even if one takes and passes a civil-service examination it does not mean he is going to get the job which he may seek, that he has to show that he is responsible, and that security must be taken into consideration. So it seems to me that everything the Senator desires to accomplish can be accomplished administratively, and we will not be giving the propagandists more fuel for their propaganda fires which they would like to level against the good relations and the confidence existing between the sister republics of the Western Hemisphere.

I believe, therefore, that the Senator from Rhode Island is to be commended, as I have said, for drawing our attention to this matter, and that unless subsequently, after we have acted, there should be a change of construction of this exchange of notes, we should adopt the amendment of the Senator from Rhode Island, applying it to citizens of the Republic of Panama, and not charging any improprieties to that government in awarding the privileges of citizenship.

Mr. HATCH. Mr. President, I realize that the hour is late and that every other Senator is desirous of completing action on the bill, even as I am.

There can be no more serious question than that of strict adherence of our Government to the terms of any treaty into which we have entered. But more especially, if there could be any distinction, it must be that we should be more strict and more careful in obeying to the letter a treaty with a country so small as Panama.

I am not familiar with the question which has been raised. I have not given study to the thought which prompted this particular amendment. But the question of keeping a treaty is one which requires no particular study on the part of anyone. There is but one question which we should consider: Does this amendment violate a treaty into which we have entered? If it does, Mr. President, the Senate of the United States is charged with a higher obligation than the other branch of Congress to maintain the integrity of the treaty.

I am rather amazed that it should be argued here that this matter should go to conference and that the conferees should be permitted to decide whether the amendment should be included or not. Under the Constitution it is the Senate which is charged with responsibility and a joint exercise of the treaty-making power. That is denied to the House of Representatives. If the Senate conferees perform their ordinary parliamentary duties when they go into conference, they will be compelled to insist upon the Senate amendment, and with the constitutional power which is given to the Senate, the House conferees should in my opinion give greater weight to the action of the Senate on a question such as this than on any other question. The Senate conferees should prevail in sustaining the Senate amendment.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. GURNEY. In order to make our position clear, I will observe that I only suggested that we add to the amendment offered by the Senator from Rhode Island the word "native-born." I am perfectly willing, and have so stated heretofore, to accept the amendment of the Senator from Rhode Island, which is to insert the language "except a citizen of the Republic of Panama." If the Senator would put into his amendment the word "native-born," I think we could agree at once. My only reason for making allusion to taking something to conference was that if the State Department said that the word "native-born" did not apply under our treaty, then we could in conference delete that word.

Mr. HATCH. Mr. President, I understood the suggestion of the Senator from South Dakota, but I am not quite sure that I clearly understand his position. He has said that if the word "native-born" is inserted in the amendment of the Senator from Rhode Island——

Mr. GURNEY. That I would be glad to accept it.

Mr. HATCH. So it would read "except a native-born citizen of the Republic of Panama."

Mr. GURNEY. That is correct.

Mr. HATCH. The Senator from South Dakota now suggests that if the Departmen of State says that the word "native-born"——

Mr. GURNEY. That the word violates the treaty, then the Senate conferees would delete the word.

Mr. HATCH. The Senator would delete the word "native-born," but what would the Senator do with the remainder of the amendment?

Mr. GURNEY. Leave it in. That would be the Senate's position then.

Mr. HATCH. Then the Senator from South Dakota would be willing to retain the amendment of the Senator from Rhode Island, so it would read as he has offered it "except a citizen of the Republic of Panama"?

Mr. GURNEY. The Senator is correct.

Mr. HATCH. I see nothing unreasonable in that proposition.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. JOHNSON of Colorado. What I cannot understand is that if the matter is going to be taken to conference, and if the conferees are going to make this exploration, why cannot the word "native-born" be added there, because it is wide open to amendment before the conferees. I do not see why the word "native-born" cannot be added there as well as deleted there.

Mr. HATCH. I think that can be done just as well. Then there practically is not much difference in the matter as it now pends before the Senate. All the Senator from South Dakota needs to do now is to accept the amendment as offered by the Senator from Rhode Island. But then overnight, if he confers with the State Department and the State Department says that the inclusion of the word "native-born" will not constitute a violation of the treaty, the conferees could insert that word, as the Senator from Colorado has wisely said, just as well as they could delete the word.

Mr. GREEN. Mr. President, that would be entirely satisfactory to the Senator from Rhode Island. I am not obstinate about this matter, but it seems to me that if the word "native-born" were in the amendment it would restrict the word "citizen" and that would be a violation of the treaty. However, I am willing to abide by the decision of the State Department. But it seems to me that is the way we could proceed, and we could proceed promptly then.

Mr. HATCH. Mr. President, I think both sides are so close together that we are all wasting time. If the Senator from South Dakota would accept the amendment offered by the Senator from Rhode Island, and then confer with the State Department overnight, and with the consent of the House conferees, of course, insert the words "native-born", if proper, there is no reason why it should not be done.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. GURNEY. The Senator from South Dakota has already made a statement that he would accept the amendment offered by the Senator from Rhode Island, but the Senator from Georgia [Mr. RUSSELL] called the attention of the Senator from South Dakota to the fact that the word "native-born" should be included, and the Senator from Georgia is insisting on the word "native-born." If I may explain a little further, the word "native-born" should be in the amendment as adopted by the Senate, otherwise it would not be in controversy between the Senate and the House, and therefore the word could not be added. In other words, something which has not been adopted by one House or the other cannot be added in conference.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. JOHNSON of Colorado. By adding the word "native-born," the provision would be narrowed rather than broadened. It is broader as the Senator from Rhode Island suggested. If the word "native-born" were added it would result in limiting the amendment.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. HATCH. In a moment I shall yield the floor. As I said a moment ago, I think both parties to the controversy have reached a practical agreement. It is now merely a matter of words, and, in my opinion, either way will accomplish the purpose that both parties desire. I do not care to argue further. Either insert the word "native-born" or delete it, on the understanding which the Senator from South Dakota has reached, and I am sure there will be no trouble in conference. The House conferees will raise no technical question as to inserting the word "native-born."

I yield the floor.

Mr. RUSSELL rose.

Mr. PEPPER. Mr. President, the Senator from Georgia [Mr. RUSSELL] rose ahead of me, but I wanted to submit an observation, if I may do so. The language offered by the Senator from Rhode Island is the language recommended by the State Department. That recommendation was contained in the letter to the committee, and was contained in a communication which I think was received by the Senator from Rhode Island. If that should be adopted by the Senate this evening, it would be in accordance with the interpretation put upon the treaty by the State Department when the words "native-born citizen" had not been drawn particularly to its attention. But if over night the word "native-born" should be drawn to the attention of the State Department and they should think that was consistent with the treaty, then it seems to me the conferees might well, as suggested, incorporate that word, instead of the amendment offered.

Mr. RUSSELL. Mr. President, I think I realize from the discussion of this question the sentiment of the Senate. If the distinguished Senator in charge of the bill desires to accept the amendment in the form in which it was proposed, I shall delay the Senate only a few minutes. I wish to make a few observations.

In nothing that has been read here—and I have read not only the treaty, but all the letters in connection therewith—is there one word which guarantees to any citizen of Panama, native-born or naturalized, civil-service employment. The treaty and the letters, dated in 1936, do assure them equality of opportunity for employment. There is a great deal of difference between equality of opportunity for employment with respect to an alien, and admitting him to the civil-service employment of the United States.

I am not one of those who slavishly accept every whisper that comes from the State Department, or who say that because the State Department has for 11 years construed the treaty in a certain way, the Senate cannot legislate, but must let the State Department write into the law whatever it holds. That is the position taken by those who favor this provision. Although the equality treaty was written in 1936, it was March 1947, before Panamanians were admitted to the civil-service examinations and to the civil-service status.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HATCH. The Senator has just made a statement which I do not wish attributed to me. I did not accept, nor did I argue that we should accept, the view of the State Department. I stated that there was but one issue, and that is, Does this amendment violate a treaty to which the United States is a party?

Mr. RUSSELL. I agree with the Senator absolutely. The Senator inferred that he thought it did.

Mr. HATCH. I stated that I had not had an opportunity to study it.

Mr. RUSSELL. The Senator from Rhode Island and the Senator from Florida stated categorically that it violated a treaty, because the State Department said it did. I have read the treaty and I have read all the letters which passed between the signatories on behalf of the respective nations, and there is nothing in them which even mentions the words "civil service." I do not believe that in the 11 years between 1936

and 1947, Cordell Hull and Franklin D. Roosevelt violated this treaty so that the situation had to be remedied in 1947 by admitting Panamanians to civil-service examinations.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. PEPPER. There is nothing in the treaty about civil service for either Panamanian citizens or American citizens. I am sure the Senator from Georgia will not deny that there is a provision in the treaty and in the exchange of notes that in all respects pertaining to employment in this area, on the canal and the railroad, citizens of Panama and citizens of the United States shall be treated alike, and if American citizens are admitted to take civil-service examinations, that principle would require that citizens of Panama be eligible for civil-service examinations. That is my position.

Mr. RUSSELL. That is where we differ. I say that so long as we give equality of employment to Panamanians, and to those who are admitted to Panamanian citizenship, we conform to the treaty. We do not need to admit them into the civil-service system of the United States. I do not believe that President Roosevelt and Cordell Hull violated this treaty for 11 years. No one made such a charge during that period of time. The charge comes at a strange time, Mr. President. I stand as strongly for the inviolability of treaties as does any other Member of this body. When we did not assume such an obligation in the treaty, and when it was not mentioned in the explanatory notes, I do not believe that we are compelled to admit those people to the civil-service system of the United States.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Approximately how many are in the civil service?

Mr. RUSSELL. I do not know how many are involved. I heard the testimony. I was convinced that there was nothing in the treaty which required us to admit them to the civil-service system of the United States. It was an afterthought that came along 11 years later. That is the conclusion which I reached.

Mr. President, I see that the Senate is determined to accept this viewpoint, but for my part I want it to be distinctly understood that I would vote against this proposal. Because of the lateness of the hour there can be no record vote. I think it is a very unwise and shortsighted policy that the State Department is imposing on the Senate of the United States.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Rhode Island [Mr. GREEN] to the committee amendment on page 18, beginning in line 15. [Putting the question.] The Chair is in doubt.

Mr. WHERRY. Mr. President, I ask for a division.

On a division, the amendment to the amendment was agreed to.

The ACTING PRESIDENT pro tempore. The question now is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Washington will be stated.

The CHIEF CLERK. On page 7, line 25, it is proposed to strike out "$195,084,400" and insert "$198,384,400."

The ACTING PRESIDENT pro tempore. The amendment which the Senator from Washington is offering is an amendment to a committee amendment previously agreed to. The parliamentary situation is that the prior action of the Senate in agreeing to the committee amendment must first be reconsidered.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from South Dakota.

Mr. GURNEY. Of course, the Senator from Washington realizes that there are in the bill planning funds for Foster Creek Dam, on the Columbia River, on which he is about to speak. The House of Representatives made a token appropriation of $42,000. The Senate committee—and now the Senate—agreed to an increase so as to provide full planning funds to the extent of $625,000. In the orderly course of construction of a project of this size, planning must necessarily be done before the Army engineers can tell the Congress how much is necessary even for preliminary construction, such as access roads, railroads, power lines, and so forth. Therefore, the subcommittee and the Senate felt sure that we were doing everything possible for Foster Creek Dam, which was fully justified. The need for electricity exists, but we cannot place a great load of funds in any one territory of the United States.

The Senate has now accepted the committee amendment for another dam on the Columbia River, known as the McNary Dam, which is to have a total installed capacity of 980,000 kilowatts. Foster Creek Dam would add another 960,000 kilowatts in the northwest area. We do not have a budget estimate for Foster Creek construction this year. It would take us far beyond the budget if we were to include in the bill a sizable amount of construction funds to begin construction on a dam of that size.

I hope the Senator will not at this late hour request the Senate to add the funds suggested in the amendment amounting to $3,300,000. The committee is favorably disposed toward the project. Inasmuch as we have said that planning should be completed out of the 1949 appropriation, I think we shall be in a better position to approve that project as an additional project in the Northwest next year, when we have an actual plan and the engineers can fully explain it.

Mr. MAGNUSON. Mr. President, I appreciate the Senator's anticipation of what I might have to say on this matter.

I merely wish to add, for the record, that the main purpose I have in submitting the amendment to the committee amendment is that I think the record should show, and attention should be called to, in view of the importance of this matter, not only to those of us in the State of Washington and also to those in the State of Oregon and elsewhere in the Pacific Northwest, but to all the people of the United States—the importance of starting the work on these projects. It is true that there is a planning fund. It is true that the engineers also testified they could efficiently use the small sum of $3,300,000 to get this project started, because time is of the essence insofar as the power shortage is concerned.

I appreciate that my amendment to the committee amendment would, if adopted, call for a little more money, and would result in pushing this project a little faster than the committee would like to have it pushed. Of course, this project is authorized, and it is self-liquidating.

I am merely attempting to carry out the general principles which have been outlined by the Senator from South Dakota in his address to the Senate in advocating the passage of the bill as reported, and also the principles outlined in the minority views, in which it was stated that because of the necessary national preparedness measures, probably even the amount of money carried in the bill as reported by the committee should not be spent.

Mr. President, funds spent for the development of hydroelectric power are funds spent for national defense itself. This hydroelectric power may mean more to the United States in the next few years than all the battleships we have and all the money we appropriate for armaments. I wish to call that matter to the attention of the Senate.

However, I appreciate the lateness of the hour. If I may ask a question of the Senator from South Dakota, I am sure we can dispose of this matter promptly. In view of the fact that the atomic-energy plant now in the State of Washington is crying for more power, and in view of the further fact that there is a great possibility that the Secretary of Defense, the Joint Research Council, and the Joint Chiefs of Staff will present to the Congress, in a short time, a request for a project—the details of which are somewhat classified, as the Senator well knows—which will consume more power than the Foster Creek project alone will generate, and in view of the further fact that hydroelectric power is the cheapest power in the world, if a supplemental request for such a purpose is made, I am sure his committee will agree—even though the planning in that connection was not quite finished and even though the result of taking such a step might be to have the construction of the project completed a little sooner than normally would be the case, under the handling of such matters by the committee—that an addition to these appropriations might be made, rather than to wait until the corresponding bill next year.

Mr. GURNEY. Mr. President, although I know of the project to which the Senator has referred—and I know of its urgency and necessity—I still feel that

the Military Establishment should first make up its mind and should secure the concurrence of the Commander in Chief, the President, in regard to a project of this size, and that then the Military Establishment and the President should state to Congress the urgency of the project. Unless such a statement is obtained from the Military Establishment and the President, in connection with a request that the Congress make a further appropriation under a supplemental estimate, I do not believe at the moment that the Congress is justified in starting the project. However, in view of my own desire to help wherever possible when defense needs are made apparent, I shall assist the Senator insofar as possible when a supplemental estimate comes to the Congress.

Mr. MAGNUSON. Mr. President, I appreciate the fact that the committee has thoroughly taken care of the so-called McNary-Umatilla project, which is an integral part of the system; and I am sure the committee will give adequate consideration to the Foster Creek project when it is suggested for consideration. In view of that fact, I withdraw the amendment which I have proposed to the committee amendment.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point certain remarks which I have prepared on the bill and also on the so-called Foster Creek amendment.

The ACTING PRESIDENT pro tempore. If there is no objection, the remarks will be printed as a statement in connection with the remarks the Senator has made.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Mr. President, in the debate on the motion to recommit the civil-functions bill with instructions to the committee that a minimum of $200,000,000 be cut from the appropriation, there has developed a sharp conflict of views. On the one hand, there are those who regard projects included in this bill as public works, many of which should be deferred until such time as there is sufficient slack in our economy to require expenditures by the Federal Government to put manpower and materials to work. They argue that in the 160 years of our existence as a sovereign power, the rivers involved have been flowing to the ocean unharnessed, that each year the lands along the banks of these rivers and streams have been flooded, and that in spite of this our Nation has prospered. They adhere to a view which, in effect, says: "We have plenty of time to do this job; we cannot afford to spend $700,000,000 this year in an effort to harness these rivers both for production of hydroelectric power and to prevent irreparable flood damage."

On the other hand, there are those of us who believe that the $700,000,000 appropriated in this bill is an investment by the people of the United States in projects, which over the years, will return to them and to the Treasury many times the amount of the investment.

Every one of the projects involved in this bill is either a project to protect irreplaceable wealth or a project to create new wealth. The entire sum is a capital investment in every sense of the term. We take the view that the people of the United States cannot afford not to invest these funds in wealth-protecting and wealth-creating projects.

Let me illustrate with a specific example, the compelling argument against deferring construction of flood-control works. I do not think arguments of dissenters can stand up against such an example. I draw this example from my own State of Washington, but the principle involved has Nation-wide application. This spring, the Palouse River in eastern Washington has flooded its banks three times. The river runs through the heart of some of the best wheat land in the Nation. The heavy black topsoil in this area, when the white settlers turned the first furrow, averaged about 12 inches in depth. Today, through erosion produced by floods aggravated by wasteful farm practices, the topsoil averages about 8 inches in depth. In some places, it has been entirely washed away, in others the topsoil, largely as a result of conservation practices stimulated by Federal programs, has been stabilized.

The Army engineers estimate that it will cost about $1,800,000 to construct the flood works on the Palouse River to bring its waters under control. Estimated damage to physical properties—homes, commercial buildings, highways, etc.—resulting from the three floods this year totals approximately $1,500,000; a sum almost equal to the total cost of completing the project. This $1,500,000 damage does not take into account the irreplaceable loss of topsoil. Under scientific management and farm practices, this land will produce abundant crops in perpetuity, or for as long as there are farmers in the United States and the world to till it. The land produces over 50 bushels of wheat to the acre. At $2 per bushel, the crop per acre is worth $100 per year. If we capitalize the gross revenue on a 50-year basis, flood-control works on the Palouse River will be protecting wealth worth $50,000 per acre. If we capitalize that gross revenue on a 100-year basis, the flood control works are protecting wealth worth $100,000 per acre.

Each year, therefore, that we postpone construction of flood-control works on the Palouse River costing $1,800,000, we are jeopardizing basic wealth worth many, many times that amount and in addition subjecting the community and its citizens to the loss of homes, livestock, and even life itself—a replaceable loss which this year amounted to $1,500,000. This example can be multiplied in greater or lesser degree by the number of projects contained in the Civil Functions bill we are now considering.

I say the people of the United States cannot afford not to invest $700,000,000 this year in alleviating the destruction of property and basic resources upon which the very life and continued prosperity of the Nation depends.

The junior Senator from Oregon [Mr. MORSE] and others have already demonstrated the wealth-creating potential of projects contained in this bill for hydroelectric power development. I now want to speak in specifics about one such project located in my own State—what I say about that project should be placed in its Nation-wide setting and applied to similar projects contained in this bill.

---

Mr. President, I am sending to the desk an amendment which I am proposing to House bill 5524. This amendment increases the appropriation for rivers and harbors by $3,300,000. Briefly, here is the justification for this increase:

The bill now contains an item of $625,000 for planning on Foster Creek Dam—one of the key structures in the Columbia Basin development. Everyone familiar with the power situation in the Northwest is in agreement that this dam should be brought into production. There is almost unanimous agreement in the Northwest that the time schedule should be accelerated.

My amendment adds $3,300,000 for preconstruction work of Foster Creek. The $3,300,000 will enable the Army engineers to build access roads to the dam site, clear the ground for their construction camp, and perform other work preliminary to construction of the dam itself. This is work which must be done in any event and work which can be done simultaneous with completion of the planning phase of the project.

In the hearings on the civil-functions bill, the Army engineers testified that these funds for preconstruction work could be effectively and efficiently utilized and that by making $3,300,000 available in fiscal 1949 the construction schedule on Foster Creek will be advanced a full year.

Here are some pertinent facts to support my contention that prudence demands additional funds for Foster Creek Dam. Best data available at this time demonstrate that the Northwest will need at least 2,000,000 additional kilowatts of electrical energy by 1956. McNary Dam will provide in excess of 500,000 kilowatts and Foster Creek about 960,000. Completion of these two projects by 1956, therefore, will still leave a power deficiency in the Northwest—for normal peacetime expansion alone—of about 500,000 kilowatts.

Every Senator in this Chamber is aware of the controversy over expansion of our air forces. Whether we have 66 groups, or 70 groups, the planes which constitute our primary striking force require two strategic materials intimately allied to the appropriation I am discussing, namely, aluminum and oil.

At peak production during World War II, our aluminum capacity totaled about two and one-half billion pounds. Today our aluminum capacity is about one and one-half billion pounds—a little more than half our wartime requirements. The difference is represented by idle plants, cannibalized plants or plants put to other uses because of lack of power.

Aluminum, it has been said, is merely frozen kilowatts. In World War II the aluminum needed by our armed services in excess of what they could obtain represents about 2,000,000 kilowatts.

Here we are today, a Nation embarking upon an extensive preparedness program—with major emphasis by the Congress itself upon air power. Does it make sense to fail to provide for the energy base upon which the success of such a program must rest?

NOW LET'S CONSIDER THE OTHER VITAL MATERIAL—OIL

Without oil we cannot keep a modern Air Force in the air. Time after time in the current session, Senators on both sides of the aisle have depicted the serious shortage of petroleum we confront. At this point I call to your attention excerpts from a Report of Investigation of Petroleum in Relation to National Defense, conducted by Special Committee on Petroleum, Committee on Armed Services, House of Representatives.

On page 6055 of this report, the committee says:

"For more background, what is this oil consumption problem? Briefly, we are consuming more oil in the United States now than the entire world consumed in 1938. We are using far more oil now than the Nation used at the very peak of the last war. * * * Every indication is that the increase will continue, with production remaining, at best, relatively static. * * * In the 10 years (1938–48), per capita consumption grew 63 percent."

The committee then proceeds to enumerate the causes for this tremendous increase in oil consumption. Among other things the committee has this to say:

"And electrical utility companies are using almost one-third more fuel oil than in 1946, which was itself a record year. * * * The truth of the matter is that our domestic con-

sumption has gone up so rapidly that we have now consumed our prewar productive capacity fat. We are now scrounging along as best we can, with the future promising that our present peacetime petroleum difficulties will not be improved but, on the contrary, will be aggravated. Meanwhile, the Nation's tremendous requirements for petroleum in the event of war loom ominously in the background. There is no present indication that they can be adequately met—certainly not soon."

On page 6059, the committee continues:

"It is our view that if domestic consumption of oil products stays at the present level or continues to rise, if the armed forces continue to face a situation where, as they testified to us, an insufficient supply of petroleum can be provided to meet a war emergency, if the international situation continues to augur world crisis with overtones of possible world conflict, then it becomes imperative that civilian consumption of petroleum products be allocated as in the case of steel. * * * To oppose deficit operations in Government finance, but to acquiesce in such operations in respect to the Nation's oil, seems to us to be indefensible as well as illogical. To draft the Nation's youth into the armed forces without insuring that they have adequate supplies of petroleum for use in the event of war is unpardonable. To establish a 70-group air force as an imperative for national defense and yet fail to insure adequate stores of aviation fuel is absurd and futile."

The committee then says:

"If present trends continue, if, in other words, the voluntary program gives evidence of failure, rationing must be imposed."

Here then is outlined in graphic and drastic form the situation the Nation confronts as concerns petroleum supplies. It is imperative that we explore every possible oil-using activity to ascertain whether an alternate fuel supply can be found; failing that, whether it is possible to reduce consumption without serious injury to the national economy. I said earlier that appropriation of preconstruction funds for Foster Creek Dam is intimately related to the situation I have been describing.

Last year in the Pacific Northwest we used about 15,000,000 barrels of oil to generate electricity in steam plants—while people in the Midwest, the Northeast, and elsewhere implored Congress and the administration to insure sufficient oil supplies to prevent actual hardship—and while the Columbia River, with a generating capacity of 20,000,000 kilowatts, flowed on to the sea only partially harnessed.

The question before us today—the question contained in my amendment is: "Can we afford not to provide preliminary construction funds for Foster Creek Dam at a time when the energy it will produce represents the very base upon which our preparedness program must rest?"

Mr. MORSE. Mr. President, as one of the Senators from the Pacific Northwest, I wish to say to the Senator from Washington [Mr. MAGNUSON] that I am glad he has withdrawn his amendment to the committee amendment at this time, especially in view of the discussion he has had with the chairman of the committee, because I think it must be admitted that unless an exceptional oversight can be shown in connection with the report made by the Subcommittee on Civil Functions it is not as a matter of policy generally desirable to have amendments to such a bill offered on the floor of the Senate.

The Senator from Washington is well aware of the hearty support he is receiving from the Oregon Senators in connection with the Foster Creek project. I spoke at some length on the Foster Creek project yesterday afternoon, and I made a plea for the inclusion in this bill of at least some funds which would permit the preparation of plans for that project. Of course, the Senator from South Dakota and his committee have made such funds available in this bill.

I wish to say to my friend the Senator from Washington that strong representations have been made to me in an attempt to secure some additional funds for McNary Dam, because from the record it is clear that approximately $40,000,000, rather than $27,000,000, is needed in order to proceed as quickly as possible from the standpoint of defense to complete that dam. I prepared an amendment to that end, and I sent it to the desk, so that it would be there in case a decision to offer it was reached. However, I am not going to offer it.

Mr. President, I do not think it would be proper for me to offer it, in view of the exceedingly fine job which the subcommittee has done in regard to this very difficult appropriation subject matter, and its adherence, as I think, to the principles of equity.

I wish to say most sincerely to the members of the committee, not from the standpoint of the sectional interests of any Senators, Mr. President, but from the standpoint of the economic and national security welfare of our country, that I think the Senate owes the members of the committee a great debt of gratitude for the fine job they have done in the preparation of this measure and the report on it and in the submission of these appropriation recommendations.

Although, as I said yesterday, an additional $13,000,000 for McNary Dam would be repaid within the first year of operation of that dam; I do not think that in the interest of extending to the committee the cooperation to which I think it is entitled, I would be justified in offering such an amendment at this time. However, I wish to have the RECORD show the widespread demand in the entire Pacific Northwest for a larger appropriation, so that dam can be completed at the earliest possible time, in the interest of national security. I wish to assure my friend the Senator from Washington that I have in regard to the Foster Creek project the same feelings that he does; but, after all, I think the committee has done yeoman service in the interest of the general welfare of the country, and so I think we should accept the committee's report without any further amendments from the floor.

Mr. IVES. Mr. President, I merely wish to ask the Senator from Oregon to yield to me for a moment.

Mr. MORSE. The Senator from New York now has the floor in his own right.

Mr. IVES. I merely wish to ask the Senator a question.

Mr. MORSE. I shall be happy to answer.

Mr. IVES. I wish to ask whether it is the Senator's understanding that the $40,000,000 to which he has referred is needed in the coming fiscal year and can be used.

Mr. MORSE. Yes; it is needed and could be used.

Mr. IVES. I have anticipated supporting such an amendment, if it were offered. That is all I wish to say.

Mr. MORSE. I appreciate the willingness on the part of the Senator from New York to support the amendment. But I repeat that I think we should proceed to make the appropriations recommended by the committee, and to get the maximum benefits from the expenditures recommended by the committee, and then return to the committee, at another time, for another appropriation.

The ACTING PRESIDENT pro tempore. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. GURNEY. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. GURNEY, Mr. BROOKS, Mr. REED, Mr. FERGUSON, Mr. BRIDGES, Mr. REVERCOMB, Mr. THOMAS of Oklahoma, Mr. HAYDEN, and Mr. RUSSELL conferees on the part of the Senate.

## ADMISSION OF DISPLACED PERSONS

Mr. WHERRY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 994, a bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Nebraska.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

## INTERNATIONAL AIR-TRANSPORTATION SYSTEM

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BREWSTER. I think the House bill 6407 has come over to the Senate by way of a message from the House.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read by title.

The bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes, was read twice by its title.

Mr. BREWSTER. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

Mr. BARKLEY. Mr. President, reserving the right to object, I should like

to ask the Senator from Maine a question. I understand this is a bill providing for airports outside the United States, in the main.

Mr. BREWSTER. It is for the development of facilities.

Mr. BARKLEY. It is for the development of facilities in other countries, is it not?

Mr. BREWSTER. That is correct.

Mr. BARKLEY. It is for the benefit of our own aviation, is it not?

Mr. BREWSTER. It is for the benefit of our international aviation operations.

Mr. BARKLEY. That is, in conjunction with other countries?

Mr. BREWSTER. That is correct.

Mr. BARKLEY. Is there anything in the proposed legislation or in the program contemplated by it that gives preference to any particular country or to any particular corporation in the development of the airports?

Mr. BREWSTER. There is nothing, sir. It is entirely within the purview of the authorities who will undertake the development—the CAA.

Mr. BARKLEY. I shall not object.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BREWSTER. Mr. President, I move to amend the bill by striking out all after the enacting clause and inserting Senate bill 2451, as reported by the committee, with amendments.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert the following:

SHORT TITLE

SECTION 1. This act may be cited as the "International Aviation Facilities Act."

DEFINITIONS

SEC. 2. For the purposes of this act:

(1) The term "Air Coordinating Committee" means the committee established by Executive Order No. 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or equivalent powers whether created by Executive order or legislative enactment.

(2) The term "airport property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies.

(3) The term "airway property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airways communications, and meteorological facilities.

(4) The term "foreign territory" means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

SEC. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the commitments of the United States under the Convention on International Civil Aviation, the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, to acquire, establish, and construct airport property and airway property in foreign territory, and, without such consultation and concurrence, in the Territories and possessions (except the Canal Zone) of the United States, and to conduct related services.

TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

SEC. 4. Subject to the concurrence of the Secretary of State, the Administrator, and the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States, funds from any foreign government or from any international organization as payment for any facilites supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this act or of the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 6. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer, upon such terms and conditions as he may deem proper, any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this act, to the foreign government involved or to any international organization. If such airport property or airway property was obtained by transfer from any department of the National Military Establishment, the approval of the Secretary of such department also shall be obtained. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to receive on behalf of the United States such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE REPUBLIC OF PANAMA

SEC. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communication, and air traffic control facilities and services in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this act.

(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this act.

TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISHMENT TO THE ADMINISTRATOR OF THE WEATHER BUREAU

SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefor, airport property and airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this act shall be considered as property transferred pursuant to this section.

AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improvement, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, reengineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed 20 years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make such reasonable charges for aeronautical services (including fees for use of navigational aids, communications services, landing facilities, and similar services) as may be appropriate or desirable; and (6) to acquire, by purchase or otherwise, real or personal property, or interests therein, which may be necessary or desirable for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdiction of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 or to imprisonment not exceeding 6 months, or to both such fine and imprisonment.

(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

(d) The provisions of section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not apply to any of the leases or contracts made by the Administrator or the Chief of the Weather Bureau pursuant to the provisions of this act.

UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized, in carrying out the provisions of this act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. BREWSTER. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate. The conferees, I assume, would be the five members of the subcommittee who considered the bill; namely, the Senator from New Jersey [Mr. HAWKES], the Senator from Indiana [Mr. CAPEHART], the Senator from Colorado [Mr. JOHNSON], the Senator from Arizona [Mr. MCFARLAND], and myself.

The motion was agreed to; and the Acting President pro tempore appointed Mr. BREWSTER, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MCFARLAND conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, Senate bill 2451 will be indefinitely postponed.

ORDER OF BUSINESS

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from New Mexico.

Mr. HATCH. I merely wanted to ask the acting majority leader whether the bill relating to displaced persons is now the unfinished business.

Mr. WHERRY. It is.

Mr. HATCH. Is the business of the Senate such that the Senator expects to go ahead with that bill tomorrow?

Mr. WHERRY. That is the expectation.

Mr. HATCH. Or is there some appropriation bill that might displace it?

Mr. WHERRY. I may say to the distinguished Senator it will be my hope that following the adjournment today we may follow the procedure agreed upon last night, that in the morning hour the motion of the distinguished Senator from California [Mr. KNOWLAND] may be considered, that being a motion to discharge the committee which now has under consideration the Hawaiian statehood bill from further consideration of the bill. I am informed that will take the full 2 hours of the morning session. If the motion prevails, of course, the committee will be discharged from further consideration of the bill. If it does not prevail, the motion will automatically go to the calendar, and the Senate will resume consideration of the displaced persons bill. It will then be the intention to continue with that measure until it is concluded.

Mr. HATCH. Is there no appropriation bill now ready that might prevent consideration of the displaced-persons bill?

Mr. WHERRY. I may say to the Senator there is no bill that would displace it, except possibly the agricultural appropriation bill, which is ready for consideration. After the Senate begins consideration of the displaced persons bill, any Senator of course can ask unanimous consent, or even move, to take up the appropriation bill. But that will have to be determined later.

Mr. BARKLEY. There will be a controversy over a number of items in the agricultural appropriation bill.

Mr. WHERRY. That is correct. An effort might be made to have the bill considered, but that is not contemplated at this time.

Mr. HATCH. The Senator from Rhode Island [Mr. MCGRATH] found it necessary to request that he be excused from attendance on the session of the Senate tomorrow. I know he is greatly interested in the displaced-persons bill.

Mr. WHERRY. I may say to the distinguished Senator from New Mexico that there is a great deal of interest in the displaced-persons bill, and if it finally gets to the floor tomorrow, there will be plenty of time for the Senator from Rhode Island to discuss the bill.

Mr. HATCH. I thank the Senator from Nebraska.

ADJOURNMENT

Mr. WHERRY. For the record, I call attention to the fact that I am about to make a motion to adjourn in order to conform to the agreement made with Senators on the floor yesterday relative to having a morning hour, tomorrow, so that Senators will be prepared to use the morning hour for the purpose of discussing the motion of the Senator from California.

Mr. President, the Senate having concluded its day's work, I now move an adjournment until tomorrow, Thursday, at noon.

The motion was agreed to; and (at 6 o'clock and 46 minutes p. m.) the Senate adjourned until tomorrow, Thursday, May 20, 1948, at 12 o'clock noon.

# HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 19, 1948

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O blessed spirit of God, whose presence gives joy and contentment to our daily lives, help us to face this day fearlessly and undismayed. We pray Thee to remove from us all languor and irritability and fill us with fervor and renewed energy.

In the actualities of life, grant us a faith born of vision, for, whether we walk the lonely ways of trial or tread the summit of joy, in Thee we have a leadership that never faileth. Lead us from dream to duty that we may know that Thou hast a purpose for us. O let us feel the uplifting, transfiguring strength of a personal God, sheltering and blessing us with His fatherhood. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### THE MARSHALL PLAN

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, it is with great pleasure that I call the attention of the House to a beautiful brochure which I recently received in the mail. It is entitled "The Marshall Plan in Action Course."

As a Member of this body, I have been trying for some time to get a comprehensive picture of the Marshall plan. We have had the Bevin report, the Krug report, the Nourse report, the Harriman report, and many other reports on this plan, most of them highly technical, some of them beyond my feeble powers of comprehension. None of them have I had time to wade completely through. Few, if any, are in clear, simple language. They all fail to state why we should tax our constituents more than $17,000,000,000 in order to give the money to Socialist governments so these governments can bid up the prices of our own products.

As I say, I have looked far and wide for a clear, comprehensive report on why we should do this. The only information furnished have been wild guesses at best. Now, however, my prayers are answered. I can take advantage of this—I quote—"unique opportunity for study and travel during the summer of 1948." This course is being offered by a federally supported university in cooperation with the Department of State and the Governments of Belgium, France, Great Britain, and the Netherlands. It seems that these cooperating bodies, the State Department and foreign governments, are willing to indoctrinate our college students in what is their fair share of the American worker's pay envelope. In case you have any doubts, it says the instruction will be given "by a carefully selected faculty of American scholars, supplemented through lectures by professors, Government officials, trade-union officers, and businessmen," all of whom have invited themselves to sit at the dinner table of every American worker. Those who take this course—I quote—"will gain an appreciation of the importance of peace to the European recovery program." Nothing is said about the importance of take-home pay to the families of American taxpayers.

I suggest this course for those of you who would like to find out what this plan is all about. Perhaps, if a number of us take it, we will be better qualified to vote on this issue when it is presented to us again; that is, if our constituents give us another chance to use their hard-earned dollars to boost prices and support socialism under the tutelage of the State Department and European governments. They have been so successful with their peace plans we should certainly take their advice.

### EXTENSION OF REMARKS

Mr. YOUNGBLOOD asked and was given permission to extend his remarks in the RECORD and include an address he delivered last Sunday.

Mr. McDOWELL asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Independence, Kansas newspaper, by the Honorable HERBERT MEYER.

Mr. MACKINNON asked and was given permission to extend his remarks in the RECORD and include an excerpt appearing in the New York Times of yesterday giving the complete report of the Stassen-Dewey debate.

### SOUR NOTE IN MARSHALL MUSIC

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, an article appearing in the New York Daily News of May 14 reads as follows:

A few days ago, the first ship carrying Marshall plan supplies to France arrived at the port of Bordeaux. She was the *John H. Quick*, with 8,800 tons of wheat. About the same time the steamship *Earlham Victory* reached Bordeaux as the nine hundredth vessel to bring help to France under the pre-Marshall plan interim-aid arrangements.

The episode touched off a demonstration of gratitude toward the Americans on the part of many Frenchmen, including Premier Robert Schuman himself, who broadcast word that United States aid had in large part saved the present French bread ration for the rest of 1948.

#### CARGOES TO FRANCE—BALLAST COMES BACK

But into the general jollification there crept one note of sadness; namely, that both the *Quick* and the *Earlham Victory* would have to make the return trip to the United States in ballast, and without merchandise cargo.

No French vermouth. No vintage wines. No perfumes. No what they used to call ladies' unmentionables.

The same thing, it is predicted, will happen to many other Marshall-plan ships in future. Underlying reason: France just is not as yet producing goods for export to any respectable degree.

French Communists have sabotaged the rebuilding of factories and have slowed production in plants that are able to operate. French Socialists have encouraged people to slack off, with the assurance that the filthy-rich Americans have got to support western Europe anyway.

Shorter hours, bigger pay, and expensive worker-welfare schemes have been fashionable in France, as in England. Result: inflation in both countries, and export trade revival that has been slower than necessary.

Thus the Marshall-plan chickens begin coming home to roost with impressive promptness. We're starting already to find out what it means to us to underwrite the recovery of a bevy of nations whose political leaders have a stake in preventing such recovery. The lesson promises to cost us a pretty penny before it is finished.

Mr. Speaker, this goes further than the Communists in France destroying their plants by sabotage. We are keeping alive socializing Great Britain. They are buying the coal mines, the railroads, and gas plants, as well as all public utilities. Now they are taking over the restaurants in London; they have in the budget this year alone $4,683,220 to buy restaurants. We furnish the money. Oh, ERP, ERP, ECP, ECP. How we waste the American taxpayers' money. How we break America down. Stop, stop ERP, ERP.

### MARGINAL MINES

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, my people in Arizona are very much interested in the Russell bill to authorize incentive payments to small and marginal mines. The incentives or bonuses which would be paid under the proposed act are to be handled by the RFC as they were from 1942 to 1947 when the prior authority expired.

I have heard some criticism of this provision of H. R. 2455, the Russell bill, on the grounds that we only voted a 2-year continuation of the RFC while the incentive-payment plan, designed to produce more metals and minerals for the national security, is continued for 4 years.

I wish to call to the attention of the Members that a compromise was reached between the House and the Senate whereby the RFC will be continued for 6 years with a lending power of a billion and a half dollars. Clearly, then, there will be no possible clash between the RFC Act and the proposed incentive payment act.

As a strong proponent of self-contained national security I want to see a healthy mineral industry built up in this country and maintained until, at least, our stock piles are filled and the threat of war is passed. "In time of peace prepare for war" is a motto while, when put into practice, is the strongest war deterrent. H. R. 2455 should, in my opinion, be passed without procrastination. It is later than we think.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HARLESS of Arizona. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman, of course, is familiar with the fact that in

the last Congress we passed a bill to deal with this problem. It was vetoed by the President. Can the gentleman give us any assurance what the President's action will be if such a bill is again passed?

Mr. HARLESS of Arizona. I am glad the majority leader brought that up, because I have reason to believe the Russell bill is of such a nature that if it is passed it would be signed by the President. I sincerely hope the majority leader will lend his efforts to seeing that this bill is brought to the floor.

Mr. HALLECK. Does the gentleman know whether any such representations have been made by anyone in the executive department in a position to know and to give us some assurance about it?

Mr. HARLESS of Arizona. I am not in a position to tell the gentleman exactly what the President would do, but I understand there has been some indication that a bill such as the Russell bill would be signed.

EXTENSION OF REMARKS

Mr. LYNCH asked and was given permission to extend his remarks in the RECORD and include a radio program in question and answer form in which he participated.

FEDERAL TRADE COMMISSION

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a speech made by one of the Federal Trade Commissioners.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I have taken this time in order to call to the attention of the Congress a speech delivered by the Honorable Lowell B. Mason, one of the Federal Trade Commissioners. Mr. Mason indicated in this address, delivered before the Marketing Club of the Graduate School of Business Administration of Harvard University, the intention of the Federal Trade Commission to proceed further than the court, in the basing point cases recently decided, has indicated it can proceed. I feel that this speech, if it states the policy of the Federal Trade Commission, indicates the need for legislation, and for prompt action on legislation, because if the Federal Trade Commission carries out what Commissioner Mason says it can do, then it seems to me we will suffer such a dislocation of our economy that whatever benefits may come from the recent decision of the Supreme Court will be offset a thousandfold.

REMARKS OF HON. LOWELL B. MASON, COMMISSIONER, FEDERAL TRADE COMMISSION, BEFORE THE MARKETING CLUB OF THE GRADUATE SCHOOL OF BUSINESS ADMINISTRATION, HARVARD UNIVERSITY, MAY 14, 1948

Mr. President, Professor McNair, and members of the Marketing Club, the recent decision of the Supreme Court in the Cement case has great significance to all students of marketing. My interest in the subject matter of this case goes back to the year 1933. As general counsel of the Darrow Board, I supervised the drafting of three reports of this Board to the President of the United States. The reports in general were a castigation of that famous experiment in a controlled economy popularly known as the NRA. Two of these reports contained considerable material on the basing point system as applied to the steel and cement codes.

Later, in March and April of 1936, I served under Senator Wheeler, Chairman of the Senate Committee on Interstate Commerce. We amassed over 700 pages of testimony in hearings before this Committee of the United States Senate on S. 4055, "A bill to supplement existing antitrust acts, to protect the public against combinations in restraint of trade, to prevent unnecessary and wasteful cross-hauling of commodities, to restore and preserve purchasing power, and to aid in the prevention of the recurrence of economic stringency, and for other purposes."

It might be said that the Darrow Board reports and this investigation were the foster parents of what later developed into 13 years of litigation. The Cement case, as the Supreme Court pointed out in its opinion, has taken "three ye s for a trial examiner to hear the evidence which consists of about 49,000 pages of oral testimony and 50,000 pages of exhibits. Even the findings and conclusions of the Commission cover 176 pages. The briefs with accompanying appendices submitted by the parties contain more than 4,000 pages."

In short, the *Federal Trade Commission* v. *The Cement Institute*, Docket 3167, as reported in One Hundred and Fifty-seven Federal (2d), page 533, and recently terminated on April 26 of this year before the Supreme Court of the United States, embodies one of the most thoroughly tried issues ever presented in the history of American judicature.

Businessmen and many of their lawyers tell me it is impossible to say what are the legal effects of the decision. If this is so, then my house of cards is tumbled down upon my head. While I have often criticized the hit and miss methods of prosecution of the Federal Trade Commission as being a too lengthy and cumbersome method of enunciating the law, I have never believed that once the courts have spoken, businessmen, or at least their lawyers, would be unable to describe the legal effects of the decision.

As for myself, I have no personal doubts as to the meaning. When the highest court of the land speaks, for me that is the law.

I shall try to put in simple, candid, and frank terms what I see as the law of today in relation to many of the pricing customs in vogue. These comments avoid any reference to the Morton Salt decision, the latest of the Supreme Court orders, for that matter will probably be sent back to the Federal Trade Commission for further action, and I therefore will not comment on it.

It must be borne in mind that this is Lowell Mason, the person, talking, and not the utterance of any official view of the Federal Trade Commission. I call the turn as I see it, and my expressions are not of what I like or dislike. I give you what I consider the meaning of the cement and glucose decisions, and then allow myself the privilege of prognosticating the future, both from a legislative and economic viewpoint.

Lawyers are concerned with the dry bones of past precedent, but students of marketing must bear in mind that their analysis of future trends is one of the great contributions they can make toward the welfare of our economy.

1. I believe that the multiple basing point pricing system is out as a matter of law. Also, I believe it is out as a matter of plain economics. I think there are more businessmen in this country who would welcome a mill base at every point of production than there are businessmen who wish to maintain either the Pittsburgh plus or the multiple basing point system.

2. I believe that freight absorption is out. By that I mean that it will be a violation of the merchant law for anyone to use a systematic pricing system which allows him to pay the freight out of his own pocket in order to sell in a competitor's territory. By this I don't mean that a salesman can't make an off-the-cuff bid in a specific case to meet a competitor's price, but a large producer selling thousands of items and employing thousands of salesmen is in no position to let his individual salesmen free lance on his own pricing structure. Therefore, I say freight absorption is out. This affects every basic industry in the United States.

Government will probably first attack the pricing system of those heavy commodities where the freight is a large percentage of the cost of the article to the purchaser, such as iron and steel, lime, rubber, glass containers, builders' supplies, farm equipment, ice, road machinery, paint and varnish, business furniture, liquefied gas, auto parts, ladders, paper and pulp, structural clay products, china and porcelain, reinforcing materials, vitrified clay, sewer pipe, antifriction bearings, wholesale food and grocery products, end-grain strip wood block, construction machinery, paper bags, lye, and wholesale coal.

3. I believe zone prices are out. Zone prices are necessarily part of a systematic pricing system and by their very nature must entail individual price discrimination which, when inaugurated through systematic pricing, create a discrimination which is banned by these decisions.

Zone prices affect about every industry selling on a Nation-wide distribution, from pins and needles on up. But the average businessman need not worry too much. I doubt if Congress will give us enough funds so that we can sue the Nation. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Federal complaint.

4. I believe that an individual universal delivered price system is out.

With this statement of the law as I see it, let's consider seven things which may happen to either our policy or our economic system. I am, of course, assuming that the law as pronounced will be universally enforced.

I would not have my forecast challenged on the basis that administrative agencies will not force everyone to obey the bans against freight absorption, zone pricing and universal delivered prices. No man can urge the morality or justification of a law on the basis that it will not or cannot be universally applied.

1. In my opinion, Congress will never legalize any price-fixing system provided they know what they are doing. In other words, there will never be another quid pro quo between industry and labor such as the NRA leaving the consumer in the middle. The present anti-inflation law which gives industries the right to establish quotas, inventories, etc., under a system of personal waivers will never be effectively operated during peacetime.

2. Hereafter, anyone who wants will be able to take factory delivery on anything he wants to buy. This will, of course, be modified by the Clayton Act which says that the producer can always choose whom he will sell to. Thus producers may confine themselves to territories where they won't have to discriminate in price in order to get a share of the pie.

Mills will refuse to quote in many areas where they have heretofore been marketing. In a seller's market, the Cement decision will give a legitimate excuse for dropping small customers who have heretofore been serviced on a historic basis rather than on a profit basis. By this I mean that a customer who has heretofore been able to buy from a producer who absorbed the freight costs will now find the producer saying, "You pay the freight."

3. There will be a decentralization of users of basic products. Fabricators will gravitate to the points of production of their basic

materials. With each producer a basing point, the more basing points we have, the more fabricators there will be to surround each separate basing point. This decentralization will not come from the desire to be virtuous. It will come from the economic fact that freight rates today have shortened a profitable 60-mile freight absorption down to 15 miles. In other words, it's getting so it costs too much to climb over into the other man's pasture.

4. I predict that there will be an amendment to the Robinson-Patman act so that the variances in profit or mill net will not be the earmark of discrimination.

5. I predict that trade practice conference legislation will pass with even greater exemptions than those contained in the legislation I proposed before the American Bar Association in October of last year.

6. Unless there be changes in the present law, future court decisions will all turn to a further mechanization of the law. By that I mean it is a physical impossibility under our present laws for the courts to do anything but place more and more reliance on original agency decisions.

7. If the laws stand as they are now, I predict trade associations are out. At least, the present administrative trend will make life so uncomfortable for members of associations that the hazards of membership will hardly be worth any legitimate advantages.

Some of these predictions I interpret very cheerfully. Decentralization is not only a military but an economic necessity. But unless some of my other predictions come true, I can see nothing but a decadent economy controlled by an aggressive central government. The businessman who is prohibited by government from having any direct part in the development of commercial justice has little interest in the law except to avoid its clutches.

Speaking generally, and not with specific reference to the two decisions I have just discussed, we are unobtrusively assembling a compilation of central control. Its precedents are quietly established against minor activities of big companies and the major activities of minor companies. Thus we do not raise too much rumpus in our erosion of private responsibilities. But if all the inhibitions that we now have on the books were fairly and equally applied, the American businessman would cry out for the liberties of a Russian peasant.

## PAY INCREASES FOR FEDERAL WORKERS

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, I call the attention of the House to the bills H. R. 5667 and H. R. 5472. These are bills to provide an increase in pay for postal and other Federal workers. There is no dispute that living costs have increased considerably within the last 2 years. These employees have no means of meeting these increases except through such salary adjustments as we make here. They are faithful, loyal, punctual, and efficient employees of the Government. This is not a case of pressure being exerted. These employees have obligated themselves not to strike against the Government. They are looking to Congress with patience and with confidence to provide the means for them to meet these increased living costs. The House Committee on Post Office and Civil Service on April 21, nearly a month ago, reported these bills favorably. This session is rapidly coming to a close, and it is time for us to take action on these measures.



## THE FACTS ON THE EXTENSION OF TITLE VI MORTGAGE INSURANCE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article with accompanying statistics.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, real-estate and building interests are expressing complaints about the lapse of the FHA's authority to issue further mortgage insurance under title VI of the National Housing Act and about the effect of this lapse on future home-building activity. In view of the urgent need for housing throughout the country, I think it is important that the Members of the House and the people of this country understand the true facts of the present situation and also understand just where the responsibility lies for the present lapse.

On March 23, 1948, the House passed a bill, H. R. 5854, to extend title VI for one more year, until March 31, 1949, with an additional insurance authorization for $2,000,000,000. This bill involved various amendments to the previous title VI formula which were designed to restrict the inflationary effects of this liberal program of aid to the private housing industry, to place greater emphasis on the construction of rental housing, and to offer broader assistance to the prefabrication of housing and to large-scale site producers of lower-cost housing. These amendments, it should be pointed out, were in accord with proposals contained in President Truman's special housing message to the Congress on February 23. But it should also be emphasized that this title VI proposal was only one fragment—and a small fragment at that—of the President's legislative recommendations to set in motion a complete housing program.

In the meantime, in the other body, the Banking and Currency Committee was just about to consider the so-called Flanders amendments to the Taft-Ellender-Wagner bill. These amendments were designed to bring that bill into line with the recommendations of the Joint Committee on Housing, which had been set up last July at the instance of the Republican leadership of both Chambers for the express purpose of again investigating the housing situation and of recommending necessary legislation. In advance of considering all the recommendations of the joint committee, the other body was unwilling to enact one fragment of those recommendations in the form of a 1-year extension of title VI. As an alternative, it proposed a stop-gap 60-day extension of title VI from March 31 to May 31, in order to give both the Senate and the House ample time to consider the comprehensive legislation recommended by the Joint Committee on Housing.

The distinguished chairman of the House Banking and Currency Committee was not agreeable to a 60-day extension but was agreeable to going along with a 30-day extension. So the other body acceded to his wishes, and on March 25 passed an extension of title VI to April 30 with an additional authorization of $400,000,000, which was accepted by the House on March 29. It should be noted by the Members of the House that if the chairman of their Banking and Currency Committee had gone along with the original proposal of the Senate for a 60-day extension there would be no lapse in title VI today.

During April, the Flanders amendments to the Taft-Ellender-Wagner bill were debated in the other body, and an amended bill was passed without dissent on April 22 which incorporated all the legislative proposals of the Joint Committee on Housing, including a 1 year's extension of title VI substantially identical to the bill passed by the House on March 23.

Since the legislative recommendations of the Joint Committee on Housing had not yet been considered by the House Banking and Currency Committee, the Republican leadership in the other body determined on another stop-gap extension of title VI in order to give ample opportunity for full consideration of the comprehensive legislation by the House without any interruption of title VI operations. It is true that there was an effort made in the other body to pass the 1 year's extension of title VI independently—in the absence of the Senator from Ohio, who was campaigning for the Republican Presidential nomination. In fact, the distinguished majority leader of the House and the distinguished chairman of our Banking and Currency Committee were present on the floor of the Senate when this maneuver was attempted. But this attempt was resisted strenuously by the Republican leadership in the other body. Both the Republican leader, Mr. TAFT, and the Senator from New York, Mr. IVES, who is believed to speak for another candidate for the Republican Presidential nomination, complained that an attempt was being made to sabotage the Taft-Ellender-Wagner bill. So the Senate rejected this maneuver and instead adopted on May 5 a bill for a further 60-day extension of title VI with an additional authorization of $600,000,000.

That is the situation we have been in since May 5. The FHA's authority to insure mortgages under title VI lapsed on May 1. The chairman of our Banking and Currency Committee has had available two alternative ways for remedying this lapse. On the one hand, he could quickly report out to the floor of the House the Senate bill for a further 60-day extension of title VI. But he has stated he will not take up this bill. On the other hand, he can expedite action on the Taft-Ellender-Wagner bill, including its provisions for a 1-year extension of title VI, and let the House debate this measure on the merits. But he has scheduled protracted hearings on this bill, to add to the volumes of testimony taken by the Joint Committee on

Housing which has already recommended all the provisions of the bill.

In the meantime, the organized real estate interests, speaking through the National Association of Real Estate Boards and the National Association of Home Builders, are complaining that title VI has been allowed to lapse. But these interests are very choosy about what they want. They want title VI but only title VI. They have stated publicly that they are willing to see title VI lapse forever rather than to accept this aid through legislation which would also give some housing relief to the low-income veterans and other low-income families who cannot possibly be served by the private housing industry.

I say that it is about time to stop this kind of politicing about the housing shortage. I say it is about time for the Republican leadership of this Congress to break its own stalemate on housing. If title VI is important to the housing industry, let us take up the bill for a 60-day extension. And then let us take up the Taft-Ellender-Wagner bill, without further delay or further filibustering.

WORKERS EAGER TO BUY HOMES AT TODAY'S PRICES—SURVEY REVEALS NATIONAL TREND IN HOUSING SALES PRICES, OLD AND NEW

Housing sales prices, including both old and new properties in all price ranges, displayed some midwinter hesitancy but have now resumed their postwar climb. This fact was graphically proved in an elaborate survey, recently completed by United Industrial Associates, Inc., and we are indebted to them for permission to quote the table of comparative prices here. Business Week used this same data to develop an impressive chart in their April 24 issue.

They observe that—

The average American home, old and new, sold in January for $10,519 as compared with $9,556 in January a year ago and $4,599 in 1939. The greatest price increase and highest prices are recorded in Los Angeles where prices have more than tripled, and the average house is selling for over $15,000. Other markets of high demand and prices are San Francisco, Washington, D. C., Seattle, Minneapolis, and St. Paul, St. Louis, Mo., Cincinnati, Boston, and Buffalo.

There are still so many families looking for homes that housing sales prices are not showing any trend downward, according to UIA survey quoted currently in Business Week.

*Increases in housing sales prices since 1939*

| City | Average price | | | Percent increase | |
|---|---|---|---|---|---|
| | 1939 | 1945 | January 1948 | Since 1939 | Since 1945 |
| Boston | $5,558 | $8,101 | $13,050 | 134.8 | 61.1 |
| Buffalo | 4,968 | 5,520 | 8,438 | 69.8 | 52.9 |
| Chicago | 5,232 | 8,823 | 12,687 | 142.5 | 45.4 |
| Cincinnati | 5,037 | 6,976 | 9,743 | 93.4 | 39.7 |
| Cleveland | 5,233 | 7,674 | 10,800 | 106.4 | 40.7 |
| Detroit | 4,445 | 5,910 | 8,020 | 80.4 | 35.7 |
| Houston | 4,275 | 4,830 | 6,750 | 57.9 | 39.8 |
| Indianapolis | 3,110 | 4,952 | 7,537 | 142.3 | 52.2 |
| Kansas City, Mo | 2,511 | 3,580 | 6,218 | 147.6 | 73.7 |
| Los Angeles | 5,377 | 10,522 | 15,419 | 186.8 | 146.5 |
| Milwaukee | 4,373 | 6,146 | 8,950 | 104.7 | 45.6 |
| Minneapolis-St. Paul | 3,526 | 5,816 | 8,276 | 134.7 | 42.3 |
| New York City | 6,000 | 9,791 | 12,488 | 108.1 | 27.5 |
| Philadelphia | 2,750 | 3,980 | 6,989 | 154.1 | 75.6 |
| Pittsburgh | 5,294 | 6,752 | 10,300 | 94.6 | 52.5 |
| Portland, Oreg | 2,940 | 4,632 | 7,042 | 139.5 | 52.0 |
| St. Louis, Mo | 2,942 | 4,162 | 6,196 | 110.6 | 48.9 |
| San Francisco | 4,210 | 7,510 | 10,553 | 150.7 | 40.7 |
| Seattle | 3,613 | 6,215 | 8,480 | 134.7 | 36.4 |
| Washington, D. C | 5,835 | 8,462 | 11,884 | 103.7 | 40.4 |
| National average | 4,599 | 7,174 | 10,519 | 128.7 | 46.6 |

The prices of new houses in most areas continue enough higher than costs of construction that builders are expected to go ahead with a large construction program this spring. The UIA housing price index is 229 as compared with the FHLBA housing cost index 192 (preliminary for December). A drop in construction volume will not occur until the margin between costs and prices of houses is narrowed by a drop in prices or by further substantial increases in costs. The level of housing prices is also well above rents, building materials, and the consumer price index.

EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his remarks in the RECORD in three instances.

GEORGE POLK

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include a portion of an article by Marquis Childs.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Speaker, as every other American has undoubtedly felt, I have been greatly disturbed by the untimely death of Mr. George Polk, of the Columbia Broadcasting Co. Mr. Polk was killed in Greece. An immediate effort seems to have been made to charge it to Communist influences. I saw that that could not be true because he had told his friends that he had been accused of being a Communist and had been called a pink. But Mr. Childs, in writing about the matter, said that he was not content to write about lies, but wanted to get the truth, and that George Polk was one of the great reporters that he had met and known. I fear if the investigation as to the true circumstances surrounding his death is to be left to the present regime in governmental affairs in Greece, the surviving kin of this fine young man will never know the truth. Mr. Childs called upon the United States to see that an investigation is made. I hope it will not be left to the present government of that country.

SHROUDED TRUTH

The murder of George Polk, of the Columbia Broadcasting System, in Greece is like a sudden lightning flash in the murky atmosphere of that troubled country. It deserves the fullest investigation, which should have the backing of the Government of the United States.

I saw George Polk in Athens last fall. He was one of three or four really able correspondents in Greece. Both in the war as a Navy combat flier, and then on his beat in the strife-ridden Middle East, Polk had repeatedly proved his courage, his initiative, his determination.

Because he wanted to get the story behind the surface of the news, he was not content to take government hand-outs and government favors. In the midst of the intrigues of Athens he kept his eyes on the main goal—to give the American people the whole story regardless of who might be hurt or offended.

As a consequence, he was resented in high places in the Athens government. He told me last September of the effort to smear him as a Red or a Pink—a favorite technique of the extreme Rightists who dominate the Athens regime. While Polk did not take this too seriously, he realized that he had made enemies because of his criticisms of the failures and stupidities of the Athens government.

That is one reason why the first attempt to put the blame on the Communists, with whom he was supposed to be trying to make a contact in order to interview General Markos, must not be taken at its face value. That is too easy, and the regime in Athens should be made to understand that it is too easy.

This comes at a time when rumors persist of a new build-up to be launched from Athens and Washington—a build-up of the need for American troops in Greece. What George Polk might have said and written when he returned to the United States, as he planned to do, could have interfered with that build-up.

The SPEAKER. The time of the gentleman from North Carolina has expired.

RECOGNITION OF ISRAEL

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, President Truman has again displayed his great courage, his forthrightness, and his statesmanship in effecting the immediate recognition of the de facto Government of Israel. The impetus of the friendly offices of the United States of America will contribute in a large measure to the establishment of permanent government in Palestine to which so many millions of Jews and non-Jews alike have looked forward to for many, many years. Those of us who have been privileged to participate in the Government at this time can well understand the importance of these days and the gratitude and loyalty of every American Jew should be revealed in their enthusiastic encouragement of President Truman. The Americans who by their aid and assistance have contributed to the establishment of the long-sought homeland can also look upon this historic hour with satisfaction and hope.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Brooklyn Eagle.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

THE MUNDT BILL

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, this is the third legislative day which the House is going to spend in the consideration of a measure which the other body has indicated it will give no consideration to before adjournment. It is a waste of time, time which will become more and more precious as we near the dead line for adjournment. Within the next few days, Mr. Speaker, there will come before the House a measure of the utmost importance from a domestic as well as international standpoint, and that is whether this country is going to

go back to the policy of economic isolationism and economic warfare. Mr. Speaker, I hope in the closing days of the session, adequate time will be given to a discussion of the renewal of the reciprocal trade agreements program, because that is a measure which will affect the life of every person in this country, as well as the economic welfare of people all over the world.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial from the Brooklyn Eagle.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD in two instances and insert editorials.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject of Co-ops Are Big Business, and to include therein an article on the same subject.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances.

SUBVERSIVE ACTIVITIES CONTROL ACT, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, a point of order. I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ARENDS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 67]

| | | |
|---|---|---|
| Abbitt | Bonner | Chapman |
| Allen, Calif. | Boykin | Clark |
| Andersen, Calif. | Bramblett | Cravens |
| Andrews, N. Y. | Brooks | Davis, Tenn. |
| Bell | Bulwinkle | Dawson, Ill. |
| Bland | Byrne, N. Y. | D'Ewart |
| Boggs, La. | Carroll | Dingell |
| Domengeaux | Johnson, Okla. | O'Hara |
| Dorn | Johnson, Tex. | Passman |
| Douglas | Kearney | Ploeser |
| Engle, Calif. | Kearns | Powell |
| Fisher | Kee | Rains |
| Flannagan | Kefauver | Sabath |
| Fuller | Kennedy | Sarbacher |
| Gallagher | Kirwan | Scoblick |
| Granger | Knutson | Sheppard |
| Grant, Ala. | Lane | Short |
| Hall, Edwin Arthur | Ludlow | Smith, Maine |
| | Macy | Stigler |
| Hartley | Maloney | Thomas, N. J. |
| Hébert | Meade, Ky. | Towe |
| Hendricks | Meade, Md. | West |
| Herter | Miller, Calif. | Whitaker |
| Hoffman | Morrison | Wilson, Ind. |
| Jackson, Wash. | Morton | Wilson, Tex. |
| Jarman | Mundt | Wolcott |
| Jenkins, Ohio | Norrell | |
| Jenkins, Pa. | Norton | |

The SPEAKER. On this roll call, 344 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SPECIAL ORDER GRANTED

Mr. ROSS. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House today for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. GRANT of Indiana asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

THE WHEAT SITUATION

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, the international wheat agreement apportioning the world market and establishing 5 years of minimum and maximum prices was sent to the Senate for ratification by President Truman on April 30. This agreement involves 33 importing nations and 3 exporting nations. The latter group consists of the United States, Canada, and Australia.

Under the agreement these 3 exporting nations will deliver to the 33 importing nations during the next five crop years, 500,000,000 bushels of wheat each year at prices ranging from $2 to $1.10 per bushel at ocean ports and Fort William, Canada.

Mr. Speaker, it behooves all of us, both for the protection of the wheat producers and the taxpayers of America, to scrutinize this far-reaching program very carefully. I hope the Members of the Senate will carefully weigh the consequences of this agreement before granting approval to it or to any other similar agreements.

Under this agreement an International Wheat Council will be formed in which the United States will have 370 votes compared with the 630 votes of the other two exporting nations, Canada and Australia. Of the 1,000 votes allotted to the 33 importing nations, the United Kingdom will have 360. Nations within Great Britain's orbit of influence, including Canada and Australia, will control at least 1,100 votes of the 2,000 votes in the International Wheat Council. This Council will ultimately decide the price at which the wheat we export under this agreement will be sold, within the minimum and maximum levels.

Suppose today, with May wheat at $2.47 in Chicago, Great Britain should ask us to ship them a portion of their allotment. The $2 price at the seaboard, or Port Arthur, Canada, would obtain. As I interpret the agreement, Uncle Sam would first have to buy wheat at Chicago at $2.47 and pay expenses on this wheat to the ocean port. Let us assume the very reasonable amount of 13 cents for this, and we have a cost of $2.60 to the United States for each bushel delivered. Then we get back $2 at the most, and perhaps much less if the Council should so decide.

Suppose we average this selling price at $1.75, and as a result Uncle Sam would pay a subsidy of 85 cents per bushel on whatever was shipped up to a possible 185,000,000 bushels for the crop year 1948. This would mean a total subsidy cost of $157,000,000 for the privilege of exporting 185,000,000 bushels of wheat. Is this good business? Why should we pay a thin dime today under present market demands to export wheat?

Now let us glance at the 1952 crop year. Under this agreement the Council could determine, if the United States had wheat to offer, that $1.10 would be the price, or approximately 97 cents in Chicago or 85 cents in the Dakotas. How will this agreement affect our future wheat price? Will the taxpayers of America pay the difference to the producer between parity and the 97 cents in Chicago, to the tune of possibly $150,000,000? No; I fear instead the price to the producer will be smashed down so as to permit this subsidy to foreign consumers.

Mr. Speaker, I repeat, we must view this proposed agreement very carefully. The Senate will act shortly. Let us advise our colleagues in that body of our opinions of this far-reaching proposal.

EXTENSION OF REMARKS

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD.

Mr. PLUMLEY (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD in two instances and to include editorials in each instance.

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an editorial from Boalsburg, Pa., the birthplace of Memorial Day.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in three instances and include excerpts.

Mr. JENNINGS asked and was given permission to revise and extend the remarks he expects to make in Committee of the Whole and include an editorial.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 5852, with Mr. WADSWORTH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, section 3 had been read. Are there any amendments to section 3?

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. Had section 3 been read?

The CHAIRMAN. It has been read.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask the chairman of the subcommittee some pertinent questions so that I may have an answer to the more than thousand letters, postcards, and telegrams from people in my district in opposition to this bill. I believe those people are entitled to an answer, and I certainly believe that they have been misled and misinformed. Their fears have been aroused to the possible loss of their civil rights under the Constitution of the United States, and as I read and understand the bill, all of the questions that I have to ask can be answered by a simple "Yes" or "No." If the chairman of the subcommittee will give me his attention, I will state the questions.

Question No. 1: Will this bill deny or abridge the rights of freedom of speech, freedom of the press, freedom of religion, or freedom of assembly, as guaranteed by the first amendment to the United States Constitution, to any individual, organization, or association not dominated by a foreign power?

Mr. NIXON. The answer to that is "No."

Mr. McDONOUGH. Question No. 2: Will this bill deny any of these rights or privileges guaranteed by the first amendment to the Constitution, to which I have just referred, to any individual, association, or organization which is dominated by a foreign power, if such individual, organization, or association is registered with the Department of Justce?

Mr. NIXON. The answer to that is "No."

Mr. McDONOUGH. Question No. 3: Will this bill deny any individual, organization, or association not dominated by a foreign power the right to criticize Congress, the executive, the administrative or the judicial departments of the United States Government?

Mr. NIXON. This bill does not deny to any individual that right.

Mr. McDONOUGH. Question No. 4: Will this bill deny any individual, organization, or association the right of trial by jury as guaranteed by the fifth amendment to the Constitution of the United States?

Mr. NIXON. It will not.

Mr. McDONOUGH. Question No. 5: Will this bill deny any individual, organization, or association the right to advocate, propose, or support public housing, public power, socialized medicine, minimum wages, antipoll tax, antilynch laws, or nondiscrimination or segregation because of race, creed, or color?

Mr. NIXON. It will not.

Mr. McDONOUGH. Question No. 6: Will this bill penalize any two individuals, an organization, or an association which is under foreign domination and which conspires to set up a totalitarian dictatorship under foreign control, either by the tactics or procedure of fascism, nazism, or communism?

Mr. NIXON. In answer to that question, I will point out to the gentleman that section 4 of the bill would have had the same application to the German-American Bund before World War II as it will have to the activities of Communists or Fascists or Nazis today, in the event they attempt to set up in any manner a totalitarian dictatorship under foreign control in the United States.

Mr. McDONOUGH. In other words, the answer to that is that it will penalize such an individual, organization, or association?

Mr. NIXON. It will.

Mr. McDONOUGH. Question No. 7: Will this bill expose and reveal to the public the enemies of democracy as we know it who are in the United States, its possessions and Territories, and the Panama Canal Zone, who are under the domination of a foreign Communist power?

Mr. NIXON. It will.

Mr. McDONOUGH. Question No. 8: Should any American who is either liberal, conservative, or a middle-of-the-roader in his political beliefs, who is a Democrat, a Republican, an Independent Progressive, a PCA, an ADA, or a member of any labor union, who is Negro, Caucasian, yellow, or red, who is Catholic, Jew, or Protestant, agnostic, or atheist, that is not under the domination of a foreign power, have any fear that this bill will create a police state or a witch hunt if it is passed and becomes the law?

Mr. NIXON. The answer is "No." And I should like to elaborate on the answer to this extent: The claim has been made that this bill is a police-state bill. That is the usual tactic resorted to by Fascists, whether they be brown, or black, or red, for the purpose of discrediting a particular piece of legislation to which they are opposed—the tactic of the big lie.

This bill, far from being a police-state bill, is a bill which will prevent the creation of a police state in the United States.

It is obvious from these questions and answers that no American liberal, conservative or otherwise, need have any fear of the denial or restriction of his civil, political, or religious rights as guaranteed under the Bill of Rights in the United States Constitution who is not dominated or under the control of a foreign power, and not registered with the Department of Justice.

It is also obvious that all enemies of the United States who are under control and domination of a foreign power, and who attempt to set up a totalitarian dictatorship in the United States either Fascist, Nazi, or Communist will be penalized, and should be.

What loyal, liberty-loving American would not be in favor of that; by what stretch of the imagination can any loyal, liberty-loving American be favorable to any political ideology that would undermine, demoralize, and take away from him his constitutional liberties. Let me here quote from John Stuart Mill:

> A people may prefer a free government, but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if by momentary discouragement, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions, in all these cases they are more or less unfit for liberty; and though it may be for their good to have had it even for a short time, they are unlikely long to enjoy it.

Mr. Chairman, the time has come for definite action by the Congress to legally define communism in clear, concise terms. Newspapers editorialize about communism, men in public life are attacked as adherents to communistic philosophies, but in spite of all these discussions few people can define communism or give any coherent explanation of their understanding of the term.

Informed Americans know that a Communist menace does exist in the United States, a dangerous force which threatens our future. There is evidence proving that an organized attempt is being made to establish communistic methods, policies, and political ideologies within this Nation. The number of workers in this movement who understand its true purpose may be few. But, unfortunately, they are highly trained men and women like Gerhart Eisler, so subtle in their methods that they enlist the active aid of thousands of loyal Americans who are sympathetic and are misled by deliberate confusing of issues, subversion of facts, and deceit.

We must take steps to protect the innocent and expose the guilty. We do not want to brand loyal Americans, misguided though they may be, with the label of communism when they had no intention of furthering the Communist cause. We do want to seek out the Communists who burrow from within to destroy everything we cherish—freedom of religion, freedom of speech, and freedom of enterprise. We want to expose them, reveal them as enemies of the United States, and deal with them accordingly.

In every argument in the House concerning communism or Communists we see further evidence of the need for clarification of the use of these terms. Champions of persons accused of communistic activity argue that no man can be guilty of communistic activity unless he has en-

gaged in actively supporting action for the violent overthrow of the Government of the United States.

Before the development of the fifth column technique in Europe this may have constituted a liberal definition of communism. But today, with the record of the infiltration of nazism in the countries of Europe before the war and rise of quislings within European governments, we know that organized communism can use these methods, which overthrow without violence, and communism has adopted them in Czechoslovakia, in Hungary, and elsewhere.

Communism crawls through this Nation with the sublety of the serpent, bent upon the destruction of all religion, the abolition of all private property, and the complete subordination of the individual to the state. Its weapons are deceit, conspiracy, confusion, propaganda, and revolution. Its goal is the overthrow of democratic government by peaceful means, or by force and violence if necessary.

It is obvious that an untenable situation exists. We can help to correct it by passing this bill, H. R. 5852.

Can we allow the unrestricted operation of a foreign directed and dominated Communist Party within the United States when we know that Russia under no circumstances would permit American democracy to be advocated, practiced, or organized into a political party in Russia?

This bill even permits a foreign dominated and directed Communist Party to operate in the United States provided that the name of the organization, its officers, and members are registered with the Department of Justice so that the public will have full knowledge of who they are. This is no more restrictive than is required by California State law, which requires that you must register as a Democrat, Republican, or other legitimate political party, thus making a public record of the membership of such political parties, before you can vote.

This bill does not deny the organization of an American Communist Party not dominated and directed from a foreign power.

Freedom of the press and of speech is not denied under this bill, providing the members of a foreign directed and dominated Communist Party are registered with the Department of Justice.

This bill seeks only to make public those who would use freedom of speech and of the press to advocate the policies of a foreign directed and dominated Communist Party, which, if it ever gained majority power in the United States, would deny freedom of speech and of the press and freedom of religion.

Why should we spend billions in Europe to resist communism and do nothing to resist it here at home?

Following is an editorial from the Hollywood Citizen-News of Friday, May 7, 1948, which has wide circulation in my district:

WORRIED COMMUNISTS

American Communists are exceeding active in opposition to the bill proposed by Congressmen MUNDT and NIXON for the control of communism in the United States.

Their activity causes the average citizen to take more than a passing interest in the measure.

The Communist defense of the Hollywood screen writers for defying Congress in refusing to answer whether or not they had ever been members of the Communist Party has been of high intensity but even that has to take second place to the activity and the shouting against the Mundt-Nixon bill.

So we should take a look at the proposal.

The bill would refuse passports to Communists, seeking thus to stop the steady influx of spies.

It would require the Communist Party and all members thereof to register with the Department of Justice.

It would make it a criminal offense for a Communist to work for the United States Government and for anyone to knowingly hire a Communist for a Federal job.

Specifically, the bill declares that "It shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship, the direction and control of which is to be vested in, or exercised by, or under the domination or control of any foreign government, foreign organization, or foreign individual."

The frenzied opposition of Communists to the proposal indicates that they are convinced that the law would tend to prevent activities to destroy this country's democracy and activities to build up a totalitarian dictatorship.

If the bill will do what the frenzied Communists believe it will do, then it is a good bill for believers in democracy to support.

Persons who are working for a totalitarian dictatorship should be known to the general public. Members of the Communist Party should be known to the general public.

Present activities of Communists on behalf of the Hollywood screen writers who were identified in testimony before the Congressional Committee on Un-American Activities as having been members of the Communist Party are a simple matter for them.

The Communists can pour money into a defense fund for screen writers and others and not give it a second thought, for today there is no law against advocacy of a Stalin dictatorship.

But if there should be a law against efforts to establish a Stalin dictatorship then Communists would give more than second thought to their activities.

The proposed law would not change the thinking of any Communist believer in the Stalin dictatorship. It would stop any open advocacy of that dictatorship or any other dictatorship. It would make some of the otherwise innocent dupes of the Communists cautious to avoid association with known enemies of this country's democracy.

The right of free speech which democracy grants to its citizens is not for use for the support of a dictatorship that denies all right of free speech.

The Communists, who today revel in their right of free speech in this country, would deprive Americans of that right under a Stalin dictatorship.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, those of you who heard my few remarks yesterday and those of you who read them in the RECORD this morning will be interested in a communication I received in this morning's mail. I am going to read this communication to you but I shall not reveal the identity of the writer for obvious reasons. This communication was dated May 17 and is addressed to me:

DEAR SIR: I am a member of local 813, UER and MWS, at the Seeger Refrigerator Co. in Evansville.

Local 813 had a general membership meeting yesterday afternoon. There were about 250 to 300 members present.

At this meeting a communication was read condemning the Mundt bill which requires Communists to register and which is now in the House of Representatives, I believe. It was voted on but first it was discussed. This communication was defeated about 3 to 1 but the presiding officer declared it carried; it just shows you how crooked they are.

Now if this communication should show up in your office for pressure on you to vote against it from local 813 I would like to know it, since the opposition to communism is growing rapidly here and it would give us one more club to use on the commies.

In closing, Mr. MITCHELL, I urge you to support the Mundt bill because the Mundt bill in my opinion will bring them out where everybody can see who they are which will be a great help in keeping them out of responsible positions.

I have also a clipping from the Evansville Press, a three-column story of how this meeting was conducted. The heading is "United electrical meeting closed before anti-Communists can act." The article points out how they steam-rollered that meeting, how they gaveled down patriotic boys who attended that meeting for the purpose of establishing their anticommunistic attitude. The leaders gaveled them right down. I sincerely hope that the Committee on Labor and Education will go into these matters very, very carefully at the next session of Congress, and will conduct inquiries as to why the presiding officers in these unions can ram this stuff down the throats of the members who pay the dues.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. KERSTEN of Wisconsin. Does not the gentleman understand, realize, and agree that some of the top membership of that very union, the United Electrical local, is made up of avowed Communists and fellow travelers?

Mr. MITCHELL. I mentioned that in my remarks yesterday. Those particular individuals certainly are Communists, but I maintain that 95 percent of the local in my home town, Evansville, Ind., are good, loyal, patriotic American citizens, but they just do not have control over their local yet. I had hoped that the Taft-Hartley Act would give the membership control of their unions. In this case it has not done so as yet, due to the fact that the leaders have refused to sign the anti-Communist affidavits, and, believe me, the membership is plenty sore down there. I think at the next meeting they will be successful in kicking these pinkos out.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. McDOWELL. This is the great international union which is ruled and directed by Julius Amspeck.

Mr. MITCHELL. Amspeck, and at his right hand is a fellow named William Sentner, in St. Louis, who has admitted,

according to this article, that he is a Communist.

Under permission granted by the House, I include the articles to which I refer, that the Members may see what is going on in some unions in this country.

(The article referred to follows:)

UE MEETING CLOSED BEFORE ANTI-COMMUNISTS CAN ACT

(By Ed Klingler)

A planned assault against alleged left-wing leadership of local 813, CIO United Electrical, Radio, and Machine Workers, was nipped in the bud Sunday afternoon.

Local 813 anti-Communists said they were "slickered" by a "typical Communist trick."

The meeting was adjourned before they could get rolling.

The meeting in UE hall, First and Main Streets, was open to local 813 members from Servel, Seeger, Faultless, Bucyrus-Erie, and George Koch Sons.

The committee for democratic action, the active anti-Communist group within local 813, had worked at getting out a big anti-Communist attendance.

They had planned to bring up the question of alleged Communist leadership and to name those they believed to be Communists or followers of the party line.

CLAIM MAJORITY

"We had them outnumbered at least 4 to 1, and probably 6 to 1," said one anti-Communist leader. "We could have outvoted them (the leftists) on anything."

He said routine business was disposed of and the anti-Communists were preparing to spring their proposals when the Chair called for a motion to adjourn.

The motion was made and seconded. The gavel cracked and a few members got up and walked out.

From the floor the anti-Communists began to call out for a vote opposed to adjournment. The answer was: "There is no more business." Union officers vacated their chairs and so far as the legal aspects of the meeting were concerned, it was all over.

The frustrated anti-Communists remained in the hall until an announcement could be made by their leaders.

ANTI-REDS TO MEET

It was announced that there will be regular Tuesday night meetings in Haymaker's Hall, 2209½ West Franklin Street, where the anti-Communists can talk over their problems and ways to solve them.

Before formal adjournment, however, there were reported to have been two actions—both resolutions.

One commended the local 813 "victory" resulting from settlement of the Seeger strike. The other referred to the CIO United Packinghouse Workers strike, now entering its third month.

The resolution said the Seeger strike taught "a lesson we should never forget * * * that victories over the bosses can be won by a united rank and file in support of our elected leaders."

It charged the employers seek to destroy the union by dominating it.

"This," said the resolution, "is the real meaning of the attacks upon our leadership during the Seeger strike and now by the Bucyrus-Erie management."

SEEGER RESOLUTION

The resolution was in three points:

1. A vote of thanks and confidence for local and district union officers for the outcome of the Seeger strike.

2. A rejection of "the attack on our leadership by N. R. Knox, Bucyrus-Erie president, the newspapers, and others who are using the same tactics for the same reasons."

3. Support to membership at Bucyrus, Servel, Faultless, and George Koch Sons in negotiations to achieve their just demands.

Reference to Bucyrus-Erie was based on the company's refusal to recognize or do business with a Communist union. Mr. Knox mailed to the 1,200 employees copies of a letter to William Sentner, UE district president.

It charged Mr. Sentner with serving Communist objectives rather than the best interests of employees.

Anti-Communist local 813 members say they can endorse rejection of the Bucyrus attack with good grace.

KNOW WHAT'S WRONG

One said: "We have been dissatisfied with our union leadership, both local and district, for over 5 years. We know what's wrong with it.

"But we aren't dissatisfied with our union. We have resisted proposals that we abandon the UE and go into some other union.

"We are not giving up our union—we are determined to reform it so it will function in the fashion in which it was designed.

"Although we oppose our leadership, we do not believe Bucyrus is on honest ground. We think the company is trying to use the Communist issue to avoid bargaining. We don't intend to abandon support of our Bucyrus members just because the union leadership isn't to our liking."

Copies of Mr. Sentner's reply to Mr. Knox were circulated at the meeting.

BACKS MEAT STRIKERS

The second resolution gives local 813 endorsement to the strike that has closed the Evansville Swift plant, Weil Packing Co. and the Fort Branch Emge plant.

It proposes:

1. A labor demonstration in support of the Swift and Chrysler strikes.

2. To establish a "United Labor Defense Committee" of the CIO, AFL and railroad brotherhoods to support all strikers in Evansville.

3. To ask national CIO to call a national emergency labor conference to "unite all organized labor in this fight."

The resolution charges the whole weight of city, State, and Federal Governments is being thrown to support of the packing trust bosses. It says in Evansville a Democrat mayor and Republican State police are supporting Swift.

SEES LONG STRIKE

The Chrysler strike will be long and tough in the opinion of Jack Jarvis, Detroit, representing the CIO United Auto Workers Chrysler Department.

He reported on the situation at a meeting of Chrysler local 705 Sunday in the union's hall, Eighth and Main Streets.

He said strike funds of local unions would be augmented by a $7,000,000 national fund. Meanwhile, national officers of the Chrysler Department aren't accepting any pay for the rest of the strike.

---

PROVE CHARGES, SENTNER DEMANDS—SAYS BUCYRUS HEAD'S CLAIMS ARE LIES

Public proof of Communist charges is demanded of N. R. Knox, South Milwaukee, Wis., Bucyrus-Erie president.

The demand is made by William Sentner, District 8 president and general vice-president of CIO United Electrical, Radio and Machine Workers.

Copies of Mr. Sentner's letter to Mr. Knox were distributed Sunday at a meeting of local 813, UE. The letter is dated Saturday.

It referred to a letter to Mr. Sentner, distributed May 3 by Mr. Knox to the 1,200 Evansville Bucyrus employees. This said the company would no longer recognize or deal with local 813 because it is a Communist-dominated union.

RETRACTION IS ALTERNATIVE

Mr. Sentner's reply demands public proof at a meeting of Bucyrus employees in Evansville, with the alternative of a retraction and apology.

It terms Mr. Knox's letter as "slanderous attacks upon my loyalty to my country and my union."

The letter reads in full:

"I read your letter in The Evansville Press. The statement of the local union's negotiating committee, issued on May 5, adequately gives answer to the unfounded charges made by you against our membership. They correctly noted that by your action in breaking off negotiations, the management of Bucyrus-Erie has deserted peaceful collective bargaining and chosen instead a program of disruption and irresponsibility."

ACTION ENDORSED

"A subsequent membership meeting has endorsed this statement. It resolved to continue its efforts to negotiate a satisfactory labor contract and remain firm in its determination to resist any encroachment that management may attempt on their wages, rights, and privileges established by the union in the past year.

"The real purpose of your May 3 letter is to force upon your employees the company's contract. This is proven by the fact that you put a wage increase into effect and then reneged on submitting your countercontract proposals as you promised.

"At the April 5 meeting between your representatives and the union committee, the company suggested another meeting 3 weeks later at which time it promised to submit to the union its counterproposals. No meeting was held. Instead, your letter of May 3 was the first indication that you had no intention whatsoever to keep your word."

BENEFITS LISTED

"You state that we aren't interested in the welfare of our membership. We asked for a substantial wage increase; an improved vacation plan; automatic rate increases to the top of the rate range; an improved incentive premium plan; an additional 5 cents per hour for second-shift employees; and an adequate health, welfare, and insurance plan. Which of these union proposals is not in the interests of our membership?

"You also claim that the actions of our officers are not in the interests of our membership. This is a lie. The organization of your employees as part of Local 813 was in their self-interest. The wage increase secured last year, in contrast to the miserly 5 cents an hour the year before, was in the interest of our membership. A union steward in every department, elected by his fellow workers, is real industrial democracy in the interest of our membership. The establishment of a rank-and-file democratically run labor union in your plant, resulting in the settlement of grievances, is beneficial to our membership. Can you point out any specific actions which were not in the interests of our membership, and when and where they occurred?"

HIDE BEHIND LAW

"It is my considered opinion that you, as the president of a large corporation, could contribute much more to the welfare of your employees and the community by addressing yourself to their just needs rather than hiding behind the Taft-Hartley law. Instead, you are participating in an employer conspiracy in Evansville to company-unionize and establish employer domination of local 813.

"There is only one matter contained in your letter which is of any personal concern. You charge that my political objectives would help to destroy this country in the interest of a foreign power. That is a charge of treason, and if true would make me subject to prosecution under Federal law. You have a moral obligation to tell the truth, or be known as a liar.

"I am demanding of you that you meet me publicly in Evansville before an assembly of

your employees to substantiate these charges with facts or to make public retraction and apology for your slanderous attacks upon my loyalty to my country and my union."

Mr. Sentner frequently is referred to as an avowed Communist.

A group of Bucyrus workers have reported that at a meeting 2 weeks ago Mr. Sentner, when asked twice, replied twice that he was a Communist.

Mr. KLEIN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the mask is off.

Great Britain has exposed herself as the true villain in Palestine, the real aggressor, the brain which pulls the strings of its puppet states in the Arab League.

Baldly, boldly, and without shame the British Foreign Office has defied the United Nations, international comity, and rudimentary decency by the shameful declaration that Great Britain will continue to furnish arms and the $10,000,000-a-year bribe to Transjordan for the British-led, British-trained, British-paid and clothed troops of that Charlie McCarthy nation.

Brigadier John Glubb Pasha, a subject of the King of England, continues to lead the barbaric Arab legion of King Abdullah. Transjordan and Saudi Arabia were created by edict of the British Foreign Office and the complaisant War Office. The forces of Egypt are scarcely yet out of control of British commanders.

Great Britain is exposed as the object of scorn, sabotaging the infant state of Israel, contributing to a slaughter which differs from the Nazi crematoria only in degree.

Our country, through the prompt and statesmanlike action of President Truman, recognized the government of Israel within minutes of the proclamation of independence.

We cannot now sit idly by while Great Britain, using funds supplied by American taxpayers, supplies the weapons of annihilation to the Arabs.

Great Britain could stop this shameful war in 24 hours.

I call upon the Security Council of the United Nations to invoke at once against Great Britain and all the states of the Arab League every sanction provided in chapter 7 of the Charter, including, if necessary the intervention of armed force to prevent any more carnage.

These nations accepted the restraints imposed by common action when they accepted membership in the United Nations.

By their own acts they have placed themselves outside the pale of civilized conduct.

Let the civilized world impose the penalties of that outlawry, to preserve the peace and save innocent lives.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, yesterday afternoon the gentlewoman from New Jersey read into the RECORD a telegram from Bishop Haas, for whom I have great respect, indicating his opposition to the pending bill, which telegram, however, in no way refers to a particular provision. In order to demonstrate that other people of Catholic faith think quite differently with regard to this bill, may I refer to some news articles in recent Catholic papers in reference thereto so that it may be indicated and demonstrated that there is considerable democracy in thinking on this bill among the Catholic people as well as in other groups.

I quote from the Brooklyn Tablet, a Catholic paper, of May 15, the following:

SUPPORT H. R. 5852

A perusal of the outline of the Mundt bill on another page of this issue will indicate why the Communist Party, its propaganda organs, and its dupes have been exerting every pressure to prevent the enactment by Congress of H. R. 5852, a measure sponsored by the House Committee on Un-American Activities to protect the United States against un-American and subversive forces. Congress has been blanketed with protests, mostly on post cards against H. R. 5852. Most Representatives and Senators, if not all, are aware of the common source of the protests, but, for the record at least, the mail in support of the measure should and must be heavy, forceful, and unequivocal.

We urge our readers not only to write to their Congressmen in support of H. R. 5852 but to make themselves familiar with the outline of the Mundt bill in order that they may instruct others. The Communists have resorted to the most extravagant deceit, lying, and trickery to arouse opposition to the measure. Members of Communist-controlled unions have been presented with petitions to sign against the bill. Unless Americans in favor of the Mundt bill speak out militantly and on every occasion, thousands of their fellow Americans will become the unwitting promoters of communism in America.

The primary aim of the Communists is to create active and strong opposition to the measure; where this cannot be achieved, they will try to belittle and smear it in order to discourage its support. The Daily Worker has accused the Mundt bill of being designed for almost every purpose but that expressly stated in the measure itself. The Communists have labeled it a police-state bill, whereas it is actually an antipolice-state bill. They charge it with being antiunion, whereas its purpose is to free American unions from alien political domination. They assert it is a step to totalitarian dictatorship in the United States, whereas it is the most practical and courageous step yet to be taken to keep totalitarian dictatorship out of the United States. They say it would make every political opposition a crime, whereas its express purpose is to eliminate from American politics the secret, conspiratorial, Soviet methods that threaten to destroy our political system. They accuse the sponsors of H. R. 5852 of seeking to speed up the preparations for world war III, whereas the real object of the measure is to strengthen our national morale by exposing our enemies in order that we may not be the bovine victims of Soviet expansionism.

Americans of Brooklyn have been given an added incentive to take the leadership in the fight to assure the enactment by both Houses of Congress of H. R. 5852, for the leadership of the masses in opposition is in this borough. The Kings Highway Section of the Communist Party pledged, in an advertisement in the Daily Worker, to raise $10,000 in 10 days to defeat the Mundt bill. The national committee of the Party—never allergic to American dollars—raised the ante to $500,000 for the Nation.

The issues are clearly defined and the fight is on—the Communists have at stake their freedom to wreck America; Americans have at stake their freedom. The Tablet takes its stand in the ranks with every true, militant American in support of H. R. 5852.

The Rochester Courier Journal, another Catholic paper, in an editorial by Rev. P. J. Flynn, writes as follows:

The American Communists are all upset. They will be forced to give their right names if the proposed Mundt bill—"To protect the United States against un-American and subversive activities"—becomes law. And it looks as if it will.

The editorial goes on to speak praisingly of the Mundt bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield to the gentleman from New York.

Mr. KEATING. I would like to inform the gentleman that the State Convention of the Catholic War Veterans held at Rochester, N. Y., last week, unanimously endorsed this bill. It was no fake vote; it was a spontaneous vote of the entire membership gathered at that State convention. As a professing Protestant, I want to commend the Catholic War Veterans for their stand, and commend the article to which the gentleman referred.

Mr. KERSTEN of Wisconsin. I am very happy to learn of that action pointed out by the gentleman.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield to the gentleman from Mississippi.

Mr. RANKIN. This bill also has the support of the American Legion which has in it men of every religion.

Mr. KERSTEN of Wisconsin. I thank the gentleman for that comment.

In another article appearing in the Brooklyn Tablet, a Catholic paper, dated May 15, we find the following.

Under the leadership of the Communist front organization, "Committee for Democratic Rights," many persons in public life have been duped into registering their protests against the measure.

Then it lists a number of names.

Then I should also like to refer to a release of the National Catholic Welfare Council, which is a Nation-wide news service with its headquarters here in Washington. They issued a release a week or so ago which will be found in the RECORD of May 10. I quote in part as follows:

The American Communist Party has announced a major campaign against the enactment of the proposed Subversive Activities Control Act of 1948.

Concluding, the article says:

Impartial observers view the proposed legislation as the most important control measure against communism ever contemplated here. If properly enforced, the law would effectively stifle Communist activities in America. In view of public sentiment today, exposure of secret Red activities would be fatal to the party. Hence the present struggle is really one of life or death for American communism.

Another broadcast bearing upon this bill came from Moscow on May 13. They talk about the Mundt bill, too, and their argument from Moscow sounds very much like some of the arguments that some of the gentlemen are presenting here in opposition to this bill. Moscow says that the Mundt bill is like the Nazi

laws and it goes on in a derogatory manner as some of the gentlemen on this floor have done. Moscow says we should not control and curb the world Communist conspiracy over which it has the exclusive control. We American people are going to stop the American part of that conspiracy by passing this measure with an overwhelming vote.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 21, line 21, strike out line 21 on page 21 to line 20 on page 22.

Mr. MULTER. Mr. Chairman, very frankly this amendment is offered not because I expect that it will prevail, but because I am testing the good faith of those of you who have said here that this bill can be amended to be made an effective bill on the floor of this House. This proposed amendment will strike out reference to Communist-front organizations. I was very happy to hear yesterday during the course of the debate, several gentlemen who are supporting this bill, say that this is not intended to strike down the Wallace third party and that it will not affect Mr. Wallace or any of his adherents. I am opposed to Mr. Wallace and his third party. I think it is Communist-inspired, Communist-dominated, and Communist-affiliated. But I say that this bill will strike down Mr. Wallace and his third party and, therefore, I am opposed to it for that reason, in addition to the reasons I have already stated on several occasions.

Let me show you how this bill eliminates effectually the Wallace third-party movement. You define a Communist-front organization here as one with respect to which some or all of the following considerations give rise to the reasonable conclusion that "that its views and policies are in general adopted and advanced because such views and policies are those of a Communist political organization." Some of the considerations are found under subdivision (D) on page 22, as follows:

The position taken or advanced by it from time to time on matters of policy.

Let us see what the "matters of policy" are of the Wallace third party movement and see if they are not those of a Communist political organization as well as those of Communist-dominated Soviet Russia.

I do not believe anyone will deny that Mr. Wallace and his third party have conducted parades in violation of law, without flying the American flag. His party urges collaboration with Russia. He and his party approve Russia's rape of Czechoslovakia. He and his party approve Russia's domination of Finland. He and his party approve Russia's attempt to destroy democracy in Russia. Russia is selling arms to the Arab states in their aggression against the Republic of Israel and Wallace silently approves. He and his party incite strife and discord. In New York City only a few days ago Mr. Wallace stood upon the platform and silently acquiesced while one of the men of his party from that same platform urged the audience to march upon a local theater and cause a riot and civil commotion. Mr. Wallace and his party oppose universal military training and selective service for our national security as does also the Communist Party of the United States of America.

Mr. Chairman, all those things are Soviet Communist policy. Under the definition of this bill as you put it here, you require them to register, and if they do not register you can send them all to jail. All the jury can determine is, did they register, and if they did not register they are guilty.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. NIXON. The gentleman is referring to the definition of a Communist-front organization, as I understand?

Mr. MULTER. That is correct.

Mr. NIXON. That is the section the gentleman says would apply to the Wallace third party?

Mr. MULTER. Yes.

Mr. NIXON. May I call the gentleman's attention to the language of the definition, which was carefully drawn having in mind the necessity and the desirability of excluding the third party. I quote:

The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than an organization having substantially all the ordinary and usual characteristics of a political party).

The language specifically excludes the Wallace party or any other organization having the characteristics of a political party.

Mr. MULTER. But it does apply to PCA and to any union that is supporting the Wallace movement even though intended to be and is it not a political organization.

Let me conclude with this: I have in front of me yesterday's edition of the Brooklyn Eagle, which reports the Right Reverend James Pernette DeWolfe, Episcopal Bishop of Long Island, as denouncing communism, which threatens world peace and which has caused so much chaos and unrest throughout the world.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. NIXON. Reserving the right to object, Mr. Chairman, I should like to accede to the request, but due to the fact we must get on today I must say again at this time that I will have to object to any extension of time, as I did before to the request of the gentleman from Wisconsin [Mr. KERSTEN], immediately before the gentleman from New York took the floor.

Mr. McDOWELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman is merely the camel getting his head under the tent. As a matter of fact, I agree with the gentleman when he stated that it probably would not pass. The gentleman made a very touching and moving political address here, and I wish him well next fall. He is beset with enemies on all sides, according to his own statement—Communists by the score, Wallace people by the score, old-fashioned southern Democrats by the score, and so on. I do not think any further argument need be made in opposition to this amendment. I hope it is voted down.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, we heard with interest the apparently rehearsed dialogue between the two gentlemen from California, one propounding questions and the other answering in turn. There is another gentleman from California with whom I would like to carry on an unrehearsed dialogue, the gentleman from California [Mr. HOLIFIELD]. I would like to ask him the following questions:

Does this bill set up a new loyalty test for citizens of the United States?

Mr. HOLIFIELD. Yes. The criteria for treason are new criteria. The criteria for conspiracy set up in the bill are new criteria not contained in the Constitution.

Mr. CELLER. The authors of the bill would prescribe a new kind of loyalty. It is above all, conformity—conformity of the status quo, conformity to their ideas. They would abandon evolution and progress and regard America as a finished product.

Would you say that the final word has been uttered by the gentleman from California [Mr. NIXON], or would the final word be the Supreme Court of the United States?

Mr. HOLIFIELD. In my opinion, neither the gentleman from California now addressing you, nor the gentleman who is the head of the subcommittee, can give us a final determination on the constitutionality of this measure.

Mr. CELLER. Of course I could add that "Not everyone who saith, 'Lo, the Lord' shall enter the Kingdom of Heaven." His saying something is so, does not make it so.

Does this bill provide that those with unorthodox principles shall be barred and proscribed?

Mr. HOLIFIELD. It certainly does, in my opinion, and the phraseology is so indefinite and vague that it can bring in under the judgment of the Attorney General practically any organization in the United States for proscription.

Mr. CELLER. Would you say that the passage of this bill would be a precedent for ostracism by Congress by fiat?

Mr. HOLIFIELD. Why, it is certainly a legislative fiat. The bill makes a finding of fact that there is a clear and present danger in the United States of overthrow by force and violence, when no such proof has been produced to this assemblage.

Mr. CELLER. Does this bill's so-called judicial review provide for the ordinary safeguards that we throw around an accused, for example, a trial by jury?

Mr. HOLIFIELD. Of course it does not. It provides that the Attorney General shall make a finding or a reasonable conclusion based on evidence

produced before him in his administrative capacity. There is no trial by jury.

Mr. CELLER. Is the Attorney General the judge and jury and accuser all in one?

Mr. HOLIFIELD. The Attorney General certainly functions as all three sections of our Government in the proscription of organizations.

Mr. CELLER. Does this bill provide guilt by asociation, a rather new note in American jurisprudence?

Mr. HOLIFIELD. Yes. Any member of an organization whose officers fail to register is thereby guilty of a crime under this bill.

Mr. CELLER. Is there a statute of limitations?

Mr. HOLIFIELD. The statute of limitations has been completely removed. If an individual has been a member of any organization which might be convicted of being a subversive organization, that member, regardless of how many years intervened after the passage of this bill, of course, would still be guilty because no statute of limitation applies to him.

Mr. CELLER. Does the bill provide for cruel punishment?

Mr. HOLIFIELD. In my opinion, the bill provides for cruel and excessive punishment in that it makes the maximum penalty of 10 years imprisonment and $5,000 fine applicable to any violator of this act for each and every day that he fails to register providing he is an official of the organization.

Mr. CELLER. Supplementing what the gentleman from California has answered, I would say it is possible under this bill for a judge to sentence a man for 100 years or 200 years or to sentence him to pay any amount of money because for each day's violation, there is a separate crime and each separate crime can involve a penalty of $5,000, and 5 years in jail.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McDOWELL. I do not know who rehearsed most or longest but surely someone is going to win an Oscar before we get through.

Mr. CELLER. Will the bill accomplish its purposes, I ask the gentleman from California?

Mr. HOLIFIELD. In my opinion, this bill is administratively unworkable. It puts the burden of proof upon the Attorney General and his Department, which is absolutely impossible of accomplishment.

Mr. FELLOWS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FELLOWS. This drama that is being put on—it is not like Information Please, is it?

Mr. CELLER. I think we are giving very decided information to Members of the House, and the dialog which was previously put on gave considerable misinformation.

Mr. FELLOWS. This is not unrehearsed?

Mr. CELLER. This dialog I have conducted with the gentleman from California [Mr. HOLIFIELD] has not been rehearsed. It is purely spontaneous.

Mr. HOLIFIELD. We are indebted to the other two gentlemen for giving us the idea.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the greatest recommendation this bill has had is the opposition of the two gentlemen who just put on the Alphonse and Gaston stunt.

If you will turn to page A3111 of the Appendix of the RECORD, you will find a letter from the American Legion, in whose judgment I have infinitely more confidence than I have in the two gentlemen who just put on their show before the House.

Now, we are overlooking the amendment that is pending. The amendment is to try to take out of this bill the Communist-front organizations. Remember that communism is the best organized, the best financed subversive movement the world has ever seen. It works through Communist-front organizations.

This part of the bill which the amendment would strike out will do more to explode and dissipate these subversive fronts and protect the American people than anything else in the entire bill, in my opinion.

I just want to call the attention of the House to that fact in order that no Member may be deceived by this spurious argument that has been offered here today.

I also want to answer the statement made by the gentleman from New York [Mr. KLEIN]. He was more abusive of the British Empire today than he was of the white people of the District of Columbia in his attempt to wipe out segregation in the public schools and force Negroes into every white school in the District.

I am not an internationalist, but I say that I resent any man taking this floor and deliberately insulting a great people, such as the Scotch, the Welsh, the English, the Irish—the British, if you please, who are struggling now to maintain a front of civilization against this onward rush of atheistic communism that destroys all freedoms, all liberty, all religions, and all such governments as that which we now enjoy.

Oh, they talk about these crackpot professors. Yes, we got those letters. Practically every college in America has one of these Communist fronts, and some of these fronts are being financed by foundations.

I wonder how many of these professors who wrote that letter are on the pay roll of some of these communistic-front foundations. I found one of them was financing Hans Eisler, one of the most vicious Communists who has ever been exposed in the United States. It is about time they swapped a few professors and put some of them out practicing law, if they claim to be lawyers, or some of the agricultural professors out to farming, and get some new professors in these colleges.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield.

Mr. RANKIN. No, not just now. The worst blunder I heard made this morning was the statement of the gentleman from Pennsylvania [Mr. EBERHARTER] telling what the Senate was going to do. He said that the Senate is going to bury this bill. Where does he get that information?

He has no such information, and it is a reflection on the other body for a man to take this floor and say that the Senate of the United States will bury a bill that is designed to protect American institutions that are being undermined and destroyed by the most vicious movement the world has ever seen.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield? He mentioned my name.

Mr. RANKIN. I will yield for a question.

Mr. EBERHARTER. Has not the gentleman read the newspapers?

Mr. RANKIN. Yes.

Mr. EBERHARTER. Has he not read what the leader of the Republican Party said?

Mr. RANKIN. Oh, the gentleman does not know who the leader or the Republican leaders are. Each candidate for President seems to think he is the leader.

Mr. EBERHARTER. At least he said it could not be reached before the end of the session.

Mr. MULTER. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN. Yes, I yield for a question.

Mr. MULTER. Do you include as a Communist-front organization the Economic Justice Commission of the Protestant Council, representing the major Protestant denominations of Brooklyn?

Mr. RANKIN. Of all people who ought to keep their mouths shut about the Protestants it is the gentleman from New York [Mr. MULTER] who admits that he represents more Jewish Communists than any other man in Congress. I mean Russian Communists.

Mr. MULTER. No Jew is a Communist.

Mr. RANKIN. Oh, yes; there are; of course, not all Jews are Communists; but my information is that 75 percent of the members of the Communist Party in this country are Yiddish and that 60 percent of them were born in foreign countries.

They have for their purpose the undermining and destroying this country. If you do not believe it go down and search the files of the FBI.

No. The gentleman from New York [Mr. MULTER] is about the last man on earth who should mention Protestantism or even Christianity in this House.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BUCHANAN] for 3½ minutes.

Mr. BUCHANAN. Mr. Chairman, Allan Nevins, in a recent article in the Now York Times magazine section, said:

The Committee on Un-American Activities can be useful if they help guard certain areas of government, but they can be utterly pernicious if they follow the Mitchel Palmer Red-hunt tradition.

In my remarks made previously, I pointed out the salient differences between national unity after World War I and today:

If we are to have a careful policing of governmental agencies—and it is certain that those offices and departments which deal with national security must be policed—we should at least have the work done with a careful regard to all parts of our Bill of Rights. It is the fundamental charge against the Committee on Un-American Activities, not that it has acted clumsily, but that it has shown inadequate respect for the basic liberties written into our Constitution. Today even Great Britain, normally so slow to act in such matters, is purging her governmental services of Communists and their tools among the fellow travelers. But it is noteworthy that Britain has set up no body similar to our Committee on Un-American Activities.

If we grasp these facts, it is easier to approach the question, How can we deal with the dangerous Communists without hurting useful radicals and liberals? It is easier to answer because we can approach it without any sense of panic. One reason why our internal situation is so healthy is that radicals and liberals have been allowed free scope for expressing their opinions; another reason is that from 1929 onward many of their more valuable ideas were adopted and applied.

Repressive activities always defeat their own end. They arouse widespread antagonism, father the extremist doctrines at which they are aimed, and create martyrs and a martyrology—the most powerful agencies of propagandism known to history. We need not worry about the Socialists; they are the fiercest opponents of Soviet ideas. We need not worry about the utopian Communists; they can't but detest the Russian perversion of their ideals. We need not worry about the liberals, who are the bulwark of our own system.

The more freedom of opinion and discussion we have the better, for it will drive home to everyone some truths which still need enforcement. Fifteen years ago Harold J. Laski, declaring that capitalism and communism were running a race for the allegiance of the masses, stated that each had certain tests to meet. Capitalism had to remove the fear of insecurity which haunted the worker's life. It had to abolish competing imperialisms. Above all, it had to cut away the jungle growth of vested interests which impaired its efficiency and its social equity. As for communism, wrote Laski, it had to put an end to the perpetual postponement of consumption for the sake of a future which never arrived. It had to terminate the dominating grip of one party and its small cabal of leaders, introduce truly representative institutions, and permit political freedom.

While Mr. Laski thought that communism had the better prospects, we can now see that in this competitive rivalry the capitalist states have made by far the better showing. In one western democracy after another, and particularly in Britain and the United States, effective measures have been taken to remove the fear of insecurity. The power of the vested interests has been healthfully diminished. Imperialism has been almost completely abolished, and where it exists it has taken on a greatly improved character. Meanwhile, in Russia the era of consumptional plenty still recedes, while the tyrannical grip of a small oligarchy of rulers has been tightened, not relaxed. In nearly every respect in which it is possible to compare the recent development of capitalistic democracy with that of Russian communism the advantage lies manifestly with the former. These are facts which free discussion, and only free discussion, can bring forth.

Repression is an indispensable part of the Soviet regime; it is not needed in the United States and is hostile to every American tradition. Precautions against treason we may well take, and we can always punish individual violations of our statutes; but beyond that no arm of the Government can afford to go. We may well recall the words of Charles E. Hughes at a time when a sweeping attempt to deny radicals their rights simply because they were radicals had carried away the New York Assembly:

"I count it a most serious mistake to proceed, not against individuals charged with violation of the law but against masses of our citizens combined for political action, by denying them the only resource of peaceful government; that is, action by the ballot box and through duly elected representatives in legislative bodies."

If we restrict the security check to its proper and very narrow areas and elsewhere guarantee free opinion, free speech, and a free vote, we are safe.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, obviously in the time allotted me it is not possible to deal intelligently and fully with this particular amendment in terms of the constitutionality of this provision in the pending bill. Yesterday in all sincerity I attempted to discuss that point briefly and I included in my remarks a comment on this particular portion of the bill by one of the outstanding constitutional authorities in this country. I do not think that there is much I can add to what I said on it.

I prepared an amendment which goes further than this does, if adopted, because we would have to carry straight through the bill. I know that unfavorable action on this amendment would preclude the submission of my suggested amendment, which is now at the desk. If the pending amendment prevails, I shall present the balance of the amendment I have prepared. If not, I shall include my proposed amendment in the revision of these remarks not only because you, my colleagues, have every right to know what my full position was but because the people of my district, to whom I am responsible, have that right also. I recognize that this bill undoubtedly is going to pass by an overwhelming majority in some form. I do not intend to rest my decision in its final form on my vote alone.

I wish there were a constructive alternative that I could present because I realize that a great deal of ability and honest effort has gone into the drafting of this bill and the revision on the floor. However, I cannot remain silent when I find in this section, in my opinion, the probability and the possibility that you will pull into the dragnet organizations of decent Americans who could be and, I think, would be found to be violating the provisions of this law under any reasonable interpretation of this section.

Mr. Chairman, I have examined the bill as carefully, as honestly, and as conscientiously as I know how. I hope there may be other amendments offered by my colleagues, who have other ideas as to how to write in adequate safeguards that should be written in this bill. I venture the prediction that if this language remains in the bill, and if it becomes law, there is every possibility that an organization of people solely dedicated to the repeal of this law itself could, under the criteria established here, be held to be a Communist-front organization, and under the later provisions, could not send anything through the mails, could not make a speech over the radio, unless they put the tag on it that they were a Communist organization, who could and would be condemned before their fellow citizens solely because they were deeply convinced that this law should be repealed.

For my part I cannot support such a provision, and unless it is amended so that I can discharge my honest responsibilities in terms of my judgment and my convictions as to the constitutionality of this provision, I will have to vote against the bill.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield to the gentleman from Arizona.

Mr. MURDOCK. The gentleman has expressed the very fear I have, that such indefinite language written into a criminal law is capable of terrible abuse. This is a dangerous provision in the bill, and I would favor the amendment to strike it or greatly to modify it.

Mr. HESELTON. I thank the gentleman. You and I willingly assumed an individual responsibility when we took our oath of office that we did "solemnly swear that we will support and defend the Constitution of the United States." Others of our colleagues, for whom we have the greatest respect, differ with our opinion in this matter. But we can only discharge our obligation by expressing our individual convictions and by acting accordingly.

The amendment I have at the desk is as follows:

Pages 21 and 22, strike out all of section 3 (4) beginning at page 21, line 21 with "(4)" through and including the word "movement", page 22, line 20.

Page 22, strike out all of section 3 (5) beginning at line 21 with "(4)" through and including the word "organization", page 22, line 23.

Page 27, strike out all of section 8 (b) beginning at line 12 with "(b)" through and including the word "organization", line 17.

Page 27, line 18, after "(a)" strike out "or (b)."

Page 27, line 21, after word "organization" strike out "or Communist-front organization."

Pages 27 and 28, in line 25, page 27, after word "organization" strike out words "or Communist-front organization" ending on page 28, line 1.

Page 28, line 3, after word "organization" strike out words "or a Communist-front organization, as the case may be."

Page 28, line 8, after "(a)" strike out the words "or (b)."

Page 29, line 4, strike out the words "In the case of a Communist political organization," and capitalize the word "the" in line 5.

Page 31, line 9, strike out the words "Communist political organizations and Commu-

nist-front organizations shall be listed separately in such register."

Page 34, line 8, after word "organization" strike out words "or a Communist-front organization."

Page 34, line 12, after word "organization" strike out words "or a Communist-front organization."

Page 34, line 17, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 34, line 24, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 35, line 3, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 36, line 18, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 37, line 1, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 37, line 10, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I had not intended to speak on this bill at all, but during the past 3 or 4 days I have read the bill carefully. I have read it on three separate occasions, and I am still not convinced that it is a good bill. I agree with the gentleman from Massachusetts who has just spoken that the bill does need amending. I believe he has a good amendment, and there are others I understand are going to be offered during the course of the reading of the bill today. I hope they will be given the serious consideration they merit. I hope that during the remainder of the reading of the bill this afternoon that all of those who have the opportunity to offer amendments will be given every possible consideration, because even the sponsors of this bill will agree that it is far from perfect. Debate should not be shut off with a 1-minute speech on any amendment.

Now, it amused me to hear some of the proponents of this bill quote this or that authority. It amused me to hear the gentleman from Wisconsin quote the National Catholic Welfare Council. Why, he knows as well as I do that there is a difference of opinion there. He knows as well as I do that the National Catholic Welfare Council is governed by the bishops of this country, and they have no definite position on this bill that we are considering today. These dialogs that are going on, rehearsed or unrehearsed, are not doing any good as far as those of us who are interested in seeing a bill that might work, or having this bill amended so that it can work. There is serious doubt in some of our minds about it. Some of us who come from New England believe this is the same type of legislation that drove Roger Williams out of Massachusetts into Rhode Island over 300 years ago. From the time of the founding fathers of this country, down to this day, we can give example after example of attempts at legislation of this type. Historians accuse the France of 200 years ago of adopting the same type of control that is proposed here today. I have no more brief for communism than does the gentleman from Wisconsin or the gentleman from California or any Member of this House, but I do believe that this bill is not a step in the right direction as it is presented at the present time. We are going to do more harm than good. We are going to make martyrs out of a noisy minority in this country if we pass this legislation as proposed by this committee.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, the House should listen to the gentlemen from New England. I had no intention of speaking on this amendment, but I could not help it after hearing the gentleman from Massachusetts. The very timber of his voice was the voice of conscience. Now, ordinarily it is said that debate does not change many votes, but when a man speaks as he does, very deeply from the heart, and with profound conviction, and considering his background, and considering the position he has taken on other measures before this House, I think that he ought to be listened to. It certainly moved me very much.

My own fundamental opposition to this bill I stated in general debate on Friday. That this bill does outlaw the Communist Party seems clear. The undesirability of this course in our own efforts to fight communism has now been confirmed by very distinguished authority. Senator TAFT and Governor Dewey apparently have the same view. However, the debate whether this bill does or does not outlaw the Communist Party is an open one as between distinguished men like Governor Dewey and former Governor Stassen, with different views on it by them. I am entitled to my own opinion, and will act accordingly.

But this particular provision affects millions of innocent people who may be engaged in an activity like advocating a law for a National FEPC or any other particular social or public activity. As has been truly said, the ordinary citizen could be dragged into embarrassment under this provision and under the very effective coercion of this bill made to stay out of those organizations. I do not think the sponsors of this bill want anybody to be intimidated and made to refrain from an activity which he considers to be socially desirable and which he desires to undertake, because of this bill.

Let me ask the gentleman from California, who is handling the bill on the floor, this question:

What is the rationale of striking out, as was done yesterday by the committee amendment, those provisions of paragraph (3)—which relate to a Communist political organization, so that if it is used as a tool by a foreign government or foreign political organization, it will not be considered a Communist political organization under this bill—but if it is actually under such control it will be—when I have not heard the committee come forward with an amendment to this particular paragraph which we are debating now to do the same thing as to other organizations? Is it not a fact that an association for Russian-American relief, say for the relief of starving children or the victims of some catastrophe, would come specifically within the definition of a Communist-front organization under this paragraph?

Mr. NIXON. The gentleman's question can be answered in this way: The term "Communist political organization," as amended, would definitely apply to the Communist Party of the United States, unless the Communist Party should change its tactics substantially and cut its foreign ties. The purpose of the amendment was to remove the possibility that a political organization in the United States, for example, an organization like the third party, could be classed as a Communist political organization where it was being used by a foreign totalitarian power, but where it could not be said to be under the control of such foreign totalitarian power.

Mr. MARCANTONIO. If the gentleman will yield, this is the first admission we have had that this bill outlaws the Communist Party.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Chairman, without being quite sure whether the gentleman's amendment to strike out parts of section 3 will do quite what I want, I must say that I am either in favor of striking out all of section 3 or so amending it as to afford more protection to innocent persons than its loose language will afford. As I said to the gentleman from Massachusetts [Mr. HESELTON], when he offered his amendment, I think section 3 is a dangerous provision capable of terrible abuse.

I have long been distressed by the loose use of terms and of all the smearing labels that are so frequently bandied about in recent months. I have frequently been deeply hurt to hear some of the finest men and women I have ever known, prominent citizens of unquestioned patriotism and of whose loyalty there could be no doubt, branded as Communists or, what is about as bad, as fellow travelers. Sometimes the branding was not an expressed and open charge, but, rather, implied through snide remark or innuendo. Often I have heard this thing done concerning individuals or groups of individuals where there was no chance of refutation and no opportunity for even a friend to refute such unfounded accusations or innuendos.

I am not referring now to idle gossip, but I am referring to covert expressions, not a matter of public record on the part of responsible officials, but as murky indications of the thinking of certain persons in influential position. I have actually seen lists of so-called pink organizations, not for official publication, but having a pseudo-official foundation, and I have occasionally been amazed to find included organizations made up of the finest people of America, God's very elect, who have helped to lay the foundations of this Republic and who have carved a great Nation out of a vast wilderness. Sometimes I have anxiously scanned such a list to see whether the

church of my mother's faith and in which I was brought up might be included. No; I have never found that church listed, but I have found others listed, and I wonder by what authority any nitwit, overbaked superpatriot got his authority for such classification.

Unless we are far more careful in fixing our definitions in law than I can see in this bill we are going to undermine the academic freedom, the freedom of thought, the basic freedoms sought to be preserved in the Bill of Rights as an extension of the Constitution of the United States, and we can easily destroy or lose the priceless heritage of Anglo-Saxon liberty fought for and gained since A. D. 1215 and accumulated in every great charter, including our own basic law.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, this morning in a 1-minute speech I made the observation that the House is wasting valuable time, and that as the deadline for adjournment approaches, these three legislative days would be more and more precious. I said also in connection with that that the waste of time was because the other body had given indications that this measure would not be given any consideration there.

The main point of my observation this morning was to the effect that we will have coming before us within the next few days, perhaps, the question of a policy on the part of the United States which will affect our economy in this country and perhaps the economy of the entire world; I mean the question of the renewal of the reciprocal trade agreements program. This Congress will have to decide whether it wants to go back to a period of economic isolationism and of economic warfare among the nations of the world; or whether we want to continue the policy of the reciprocal trade agreements. I was attacked for that statement. It was said that I insulted the other body. I want it distinctly understood that I had no intention of insulting the other body. I intended to compliment the other body, because they are entitled to complimentary remarks from Members of this House if they indicate that they will not consider a measure of this doubtful constitutionality, and this attempt to control the thought of the people of this country.

The chairman of the steering committee of the other body has indicated in public releases that that body has no time to consider a measure of this sort.

Mr. MACKINNON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MACKINNON. Mr. Chairman, I make the point of order that it is out of order for the gentleman to refer to action that might be taken in the other body. This House is an independent body, and we are not influenced by the possibility or lack of possibility that the Senate might take certain action.

The CHAIRMAN. The point of order is well taken. The gentleman will proceed in order.

Mr. EBERHARTER. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will withhold the ruling on the point of order if the gentleman from Pennsylvania desires to be heard on it.

Mr. EBERHARTER. Mr. Chairman, it is my understanding under the rules of the House that a Member of the House is not permitted to refer to the Senate of the United States and is not permitted to refer to any Senator by name. However, it is my understanding, and I think it has been so ruled on many occasions, that it is perfectly within the rules of the House to refer to the other branch of the Congress as "the other Body." I did not mention the word "Senate," Mr. Chairman, nor did I mention the name of any Senator. I submit that the point of order is not well taken, and I hope the Chairman will so rule.

The CHAIRMAN. The Chair calls attention to Jefferson's Manual, paragraph 371, which reads as follows:

> It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

The gentleman from Pennsylvania may proceed in order.

Mr. EBERHARTER. Mr. Chairman, may I proceed a little further?

The CHAIRMAN. The Chair has ruled on the point of order, and the gentleman may proceed in order.

Mr. EBERHARTER. Mr. Chairman, I made mention in my remarks that a public release was made, and I could refer also to the Official Reporter's notes to show that I never said anything that was said in the other body and never mentioned any Senator's name. I did not mention the Senate of the United States. On that, Mr. Chairman, I rest my case.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. FOGARTY. As I understand it, you were talking about a debate that took place on the radio last night, and the report in a newspaper this morning.

Mr. EBERHARTER. I was referring to public statements not made on the floor of the Congress of the United States, and in confirmation of that, I will refer to the official stenographic reports.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MACKINNON].

COMMUNIST-FRONT ORGANIZATIONS

Mr. MACKINNON. Mr. Chairman, the proposed amendment seeks to strike out the definition of Communist-front organization. To a certain extent, that is the most vital part of the bill because the Communists claim that for every one actual member of the party, there are 10 persons who are what have come to be known as fellow travelers and who are ready to further Communist aims. This group works through Communist-front organizations. Regardless of what action the House might take, it is perfectly foolhardy to strike out the definition. There have been a number of claims made with respect to this bill, as to what it does and what it does not do. If you are so concerned, you need not be concerned about the definition, because it is accurate. But turn to section 10 to see what the penalties are. There it is stated that it shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing or having reasonable grounds for knowing or believing that it is a Communist political organization. That is the essence of the offense. They have to know it, and they have to have reasonable grounds to know it. That is the gist of the offense. Then there is this talk about guilt by association. That runs far wide of the mark. It runs far wide of what is actually in the bill. Those charged must actually know or have reasonable grounds of knowing that the organization is subject to the control of a foreign power.

I believe it is essential in this debate that we look to see what is in the bill, because some remarks have been made by people in the House and outside the House who have apparently not examined the bill.

LOUIS WALDMAN, GENERAL COUNSEL, UHCMWIU, AMERICAN FEDERATION OF LABOR

Today there appeared in the New York Times a statement by Louis Waldman, general counsel of the United Hatters, Cap, and Millinery Workers' International Union, A. F. of L. I think that is of importance, because it might possibly indicate the position of the American Federation of Labor or of this A. F. of L. union, with respect to this particular legislation. This man is general counsel, schooled in the law, a labor lawyer, with many years of experience.

He says:

> I have read the Mundt bill carefully.

Now, that puts him in a different category than some people who are commenting on this bill.

I read further:

> And in my opinion, one thing is certain about it. There is nothing in the Mundt bill that will affect the labor movement adversely or prejudice its rights in any way. All talk about this bill being antilabor is just so much nonsense, unless you believe that to be anti-Communist is to be antilabor.

Now, what an individual states a bill does is not necessarily conclusive, but this man said that he had read the bill, and that puts him in a different category than other people who have commented about what this bill does or does not do. On that ground alone, his statement is significant.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MACKINNON] has expired.

The gentleman from California [Mr. NIXON] is recognized for 5 minutes.

Mr. NIXON. Mr. Chairman, the committee is confronted at this time with an amendment which would strike out the definition of "Communist-front organizations."

The amendment has been offered on the ground that by having such a definition in the bill we are going to run the risk of having a mass witch hunt in the United States, with innocent people being smeared and sent to jail because they happen to be members of a Communist-front organization.

In considering this problem I want to analyze it very carefully, having in mind the situation as it is today and as it would be under the bill.

What is the situation today in regard to Communist-front organizations? As all Members of this House know, the Attorney General from time to time issues a list of organizations which he designates as subversive. There are no particular standards for determining whether or not these organizations are subversive, no standards which have been laid down by the Congress. No hearings are held by the Attorney General, at which that organization is permitted to come in and present its side of the case. Hearings are held ex parte, star chamber, without any opportunity for the accused organization to be heard.

As a result of these lists which are published from time to time, the organizations which are listed as subversive and the members of those organizations are stigmatized without having any opportunity to present their side of the case.

The point I want to bring home, insofar as this bill is concerned, is that the definition of "Communist-front organizations," which we have written into the bill is a very strict definition. Let us read it carefully. We must find either one of three things. One, that the organization is under the control of the Communist Party assuming that the Communist Party were found to be a Communist political organization under the bill.

Or, two, that it is primarily operated for the purpose of giving aid and support to the Communist Party.

Or, three, that its views and policies are, in general—not now and then, but in general—adopted and advanced because such views or policies are those of the Communist Party.

Let me point particularly to the last clause, because that is the one about which several Members have expressed concern. It is necessary to show, not simply that the views and policies of the organization happen to be the same in all cases as those of the Communist Party, but there is an element of intent required here. The views must have been advanced because such views were the same as those of the Communist Party or, in other words, in order to support the Communist Party.

I submit that enactment of this measure will clear the air in the United States as it must be cleared in determining what organizations are or are not subversive. I, for one, do not like the present confused situation in which the Attorney General, the Committee on Un-American Activities of this House and the Committees on Un-American Activities of the various State Legislatures, and even private organizations declare: "This organization is a Communist-front organization; that organization is a Communist-front organization" and no definite standard is laid down for determining what constitutes a Communist-front organization.

This bill represents a great improvement over the present confused situation; it is a landmark in this field. For the first time Congress will in effect state that an organization should not be classed as a Communist front and subversive unless it is controlled by the Communist Party, which means in effect that it must be controlled indirectly by a foreign Communist government or foreign Communist political organization. It is the element of foreign control which, in the final analysis, is essential in this definition.

So I say that those of you who are honestly interested in this problem, who honestly do not want to see organizations smeared, who honestly want to see this situation clarified, cannot in good conscience support this amendment and cannot, in good conscience, vote against this bill because only by adopting this bill are we going to clear the air and get away from indiscriminate name calling in this field. This bill, in effect, will for the first time establish real legislative standards for determining the character of subversive organizations and will provide greatly needed safeguards in the way of open hearings, cross-examination, and court review for accused organizations.

The CHAIRMAN. The time of the gentleman from California has expired; all time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: Page 19, strike out line 7 and all of section 3, and insert in lieu thereof the following:

"SEC. 3. The Attorney General is hereby authorized and directed to prepare and submit to the Congress—

"(1) a detailed report of efforts by the Department of Justice to enforce—

"(A) the act of June 8, 1938, entitled 'An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes';

"(B) the Alien Registration Act, 1940; and

"(C) the act of October 17, 1940, entitled 'An act to require the registration of certain organizations within the United States, and for other purposes."

"(D) and any other laws having the same purport and effect.

"(2) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities looking toward the creation in the United States of a totalitarian system; and

"(3) specific and detailed recommendations with respect to strengthening each of the laws specified in paragraph (1) for the purpose of protecting the United States against the activities of those working toward the establishment of a totalitarian system of government in the United States.

"As used in this section, the term 'totalitarian system' shall include any Communist or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision."

Mr. HOLIFIELD. Mr. Chairman, this is the crux of the situation as far as I can see, as to whether the Members who want to proceed in a constitutional method, and wish in an orderly method to obtain a disclosure of subversive organizations, and to put the Attorney General in the position where he and he alone has the responsibility for telling the Congress of the United States what legislation he deems necessary for the enforcement of laws to protect the Government of the United States.

Mr. Chairman, I have offered this amendment in a constructive effort to assist the Attorney General in the identification and prosecution of the enemies of our country, whether they be controlled and directed by foreign sources, or under the sponsorship of native totalitarian groups.

The amendment is in the form of a congressional directive to the Attorney General to do certain things:

First. Study and submit to Congress a report on his experience with present laws in the field of subversive activities.

Second. To recommend to Congress amendments, which, as a result of his experience and responsibility, would be of value to him in protecting our country against its enemies.

Third. If additional legislation is needed, the Attorney General is directed to submit a draft of such legislation to Congress for legislative action.

Now, let us explore the logic of this approach. The Attorney General has the responsibility of identifying clandestine operations of a subversive nature through the work of the Federal Bureau of Investigation. He has the responsibility of prosecuting in the Federal courts all indicted cases. He has, with the expert lawyers in his Department, accumulated through years of experience in the prosecution of innumerable cases the knowledge of the coverage of the existing laws. If directed by Congress, as he would be if my amendment is adopted, I am sure that his Department could furnish us a draft of amendments needed to the 27 existing laws, and if additional legislation is needed.

This is an orderly way to proceed on this important legislative subject. It has ample precedent, as the members of every committee know. A functioning department of Government frequently proffers such drafts on the invitation of a committee chairman for the committee's consideration of problems under legislative consideration.

Important facts to remember are these: While the general subject of subversive legislation has been given long and, in my opinion, earnest consideration by my colleague, the gentleman from California [Mr. NIXON] and his subcommittee members:

First. No draft of legislation has been given to his committee by the Attorney General.

Second. As far as I know, no opinion has been received by the committee on the workability of H. R. 5852.

No report has been received from the Solicitor General or from the Bureau of the Budget on H. R. 5852.

Mr. Chairman, the Attorney General in his testimony before the subcommittee made some specific recommendations in which he asked for specific strengthening by amendment of the McCormack Act, the Voorhis Act, and other legislation now on the statute books.

On page 24, paragraph No. 5, Mr. Clark stated that the Justice Department and other departments of Government are now engaged in preparing a recommendation to Congress for the passage of legislation strengthening the Espionage Act.

With the amendments suggested and the draft of legislation mentioned, the Attorney General said, and I quote:

> I can assure you that the intelligence agencies of your Government are very much on the job. The FBI, being charged with the internal security, takes the most active interest in this field. It is conducting continuous investigations on subversive activities.

And I might point out that in view of the above statement by Attorney General Clark, who is charged with the internal security of our country, that he would be derelict in his duty and subject to impeachment, if in his opinion a "clear and present danger" to the security of the United States existed and he failed to certify to the Congress the peril which would exist under such condition.

Mr. Chairman, I ask serious consideration of my amendment.

Mr. LEMKE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, our Nation is in a dilemma. It is all tangled up in the poisonous tentacles of two octopuses. One is the Wall Street internationalists whose poisonous tentacles are entwined in some Cabinet positions. These are giving away, for a profit, America's resources that belong to unborn generations.

They are for conscription and universal military training. This so that American youth can the more quicker defend their ill-gotten loot throughout the world. Some of this loot has the peculiar smell of petroleum.

On the other hand, we have the Communists whose poisonous tentacles extend into our schools, our churches, and governmental departments. These work underground, and like a mole only stick their heads out occasionally. They poison the minds of our youth, through some unwitting victims in our churches, schools, and colleges.

How to get rid of these two evils—internationalism and communism—is a serious problem. They are both equally dangerous to our form of government. They are both equally dangerous to the common welfare of our people. Both will destroy our Nation if we permit them to.

The Mundt-Nixon bill is not the answer. It is not a remedy. This is a case where the proposed cure is worse than the disease. This bill is similar to others that Congress recently passed that are not compatible with our form of government. You cannot kill un-Americanism with an un-American law. This bill would simply add one more un-American law to 27 unenforceable existing laws.

This bill violates the Constitution, and permit me to state it does violence to the intelligence of this Congress. It is brought in here for political purposes and will have political repercussions. It will not weaken communism, but if anything, strengthen it. It will drive them deeper underground.

Let us stop and think before we enact this kind of legislation—legislation that aims at the very heart of our liberty. You may camouflage all you wish to, but this bill is in violation of the Declaration of Independence and our Constitution. The framers of our Constitution were revolutionists. They cast off the yoke of Great Britain and they believed in freedom of thought without hamstrings.

The other night as I listened to the discussion between Governor Dewey and former Governor Stassen on communism, I could not help but feel that the Governor of New York had the better of the argument.

I could not quite understand the position of the former Governor of Minnesota. In 1943, in an article in the Saturday Evening Post he advocated that we surrender part of our national sovereignty to a world government. Later, like Wallace, he sojourned in Russia and came back with praise for Stalin.

Then he advocated that we give 10 percent of our national income each year to foreign nations. As late as 1946, over the radio, on more than one occasion, he stated that nationalism was dead. In other words, that our Nation as such was dead. He was then an extreme internationalist, but the other night, apparently for political reasons, he had become an extreme nationalist—a Republican nationalist that would outlaw thought ideologies. To say the least, the desire for office—ambition—makes strange companions.

I disagreed with the former Governor when he was a one-worlder, and I disagree with him now when he has become such an extreme nationalist that, by law, he would attempt to prevent Americans from thinking as they please; thus, destroying our form of Government of, for, and by the people.

I believe that the Governor of New York is better informed on historical events than the former Governor of Minnesota. History ought to teach us the lesson that whenever we begin outlawing freedom of speech and outlawing ideas—ideologies—we are destroying liberty. You cannot stop a person from thinking by passing a law. The way to get rid of communism is to bring it out into the open and turn on the white light of publicity.

In place of wasting our time with this kind of nickel-in-the-slot peanut politics, let us educate and show our people what communism, as practiced by Russia and its satellites, really is. Let us show them that 3 percent in Russia live just as well or better than our industrialists do, while 80 percent wear burlap for shoes and some wear burlap for underwear.

Let us show our people that a majority of the 80 percent have not had a bath for 5 years because there is no opportunity to get one. Let us show them that from two to three families still live in one home. Let us show them that while 3 percent are wined and dined and have 7-course dinners served on silver trays, 80 percent still eat dark bread and vegetables with occasionally a little piece of meat or fish.

Let us show our people that for this scant existence they dare not read or say what they think. They may criticize anyone who is lower in the gutter than they are, but never a whisper about anyone above. There is no opportunity for free expression or honest discussion as to their own or their nation's welfare.

Let us show our people that the 3-percenters hold, in the hollow of their hands, the lives, the liberty, and the miserable existence of the other 97 percent. Let us show them that if, by chance, you criticize any one of the 3-percenters then you will be booked for liquidation or Siberia. Let us show them that Russia still has millions of war prisoners in human slavery.

Let us throw up the blinds and let in the white light of publicity on how the great majority of the Russian people fare. Then anyone who wants to be a Communist ought to see a psychiatrist. Let us make our own standard of living, and our own Government so superior to communism that only a mental defective would want to be a Communist.

In the United States, Communists may be divided into three classes. There are those who are Communists for revenue only. They make a living out of it. These are for sale, and will support any organization that gives them a living.

Then there is the group that hope they will be the three percenters. They are the ones that wish to liquidate the rest of us who do not agree with them. They are the ones that hope to govern the rest of us with gun and bayonet. They hope to be the liquidators.

Then there are the innocent victims of communism, that wish to build a better world. They have the idealistic picture of communism, a society where all are equal. They do not know what the conditions are in Russia. They do not know that thousands have been liquidated in Russia and in her satellites since the war. If they did, they would be the first to repudiate the Russian kind of communism. These innocent victims we need not fear. All we have to do to convince them that they are traveling the wrong road is to present the actual facts as they exist in Russia today.

In conclusion, may I warn you that there are other dangers that confront us besides Communists. The international gang that is depleting our Nation of its natural resources for a profit is just as dangerous to our future well-being as the Communists. Let us get rid of both of these elements by merciless publicity.

The way to get rid of communism is for all branches of our Government to again observe the Constitution—the Constitution that protects minorities and the unfortunate from unwarranted persecution in the name of prosecution.

Give to the farmer cost of production for that part of his products domestically consumed, give to common labor a living annual wage and abolish slums, then we will get rid of Communists. Let us establish an economic floor below which no human being is permitted to fall. Let us provide employment assurance rather than unemployment insurance. Then communism and internationalism will have lost their charm.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this measure was gone over time and time again by some of the best constitutional lawyers in America. There is no question as to its constitionality. I call attention to the fact that not a single Member who is here opposing this bill or supporting this amendment has ever come before the Committee on Un-American Activities and urged us to work out a bill that would protect this country against these subversive activities.

They take up a great deal of time talking about the innocent people this measure would punish. The trouble is that a lot of innocent people have been taken in by these Communist-front organizations that would not have joined them if they had known what was behind them. This affords publicity, and enables these people to learn just what kind of an organization they are dealing with.

The Communist Party did not move into Poland en masse; it moved in through the Communist fronts. The first thing the people of Poland knew, their government was taken over and they were reduced to slavery.

The Communists moved into Czechoslovakia in the same way, through the same Communist-front organizations that they are attempting to use in this country. They moved into Yuoglslavia in the same way.

Today they are using the same fronts in order to try to take over Greece.

If this amendment is voted down, which I am sure it will be, and if this bill is passed, this part of the bill which they are attempting to emasculate will do more to stop the spread of communism under a disguise, under a false face, under false pretenses, under fraud and misrepresentation, than anything else contained in the bill. For that reason I sincerely trust that the amendment will be voted down unanimously.

Mr. HUBER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am as anxious as any Member of this House to stamp out communism. This bill will be bad enough if the amendment of the gentleman from California prevails, but if it is approved, I and many of the other Members of this body can support the bill.

We hear all this hysteria about communism. I wonder how we expect to abolish it by legislation. Can we stamp out an idea by burning the books? Can we do it by killing the people?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield to the gentleman from California.

Mr. HOLIFIELD. Is it not a fact that in Poland, in place of the Communist-front organizations taking over, the Russian Army took over; and in Czechoslovakia and Yugoslavia the Communist Party by military action took over, not Communist-front organizations for the Communist Party? That is a matter of military history.

Mr. HUBER. I thank the gentleman for the observation.

If we were to execute all the Communists in the United States tomorrow morning at sunrise, would we wipe out communism? Of course not. If we will put our economy in order and try to bring about a decent economy for the people of this country, we will do more to stamp out communism than by enacting the Mundt bill.

I notice the tirades of the gentleman from Mississippi against the gentlemen from New York [Mr. MULTER and Mr. KLEIN], and the reference to Jews. I have never known a Jew or a Catholic or a Protestant that was a Communist.

In that connection, I think we might stamp out the segregation that exists in the District of Columbia. I recall the recent news item about the three little colored boys whose white companions put off their visit to Washington because of existing racial injustices.

It is shocking to me that these little colored boys were denied the privilege of visiting Washington. While it is regrettable that northern and southern cities practice segregation, our National Capital is neither North nor South. Surely this seat of government should be immune from regulations that would deny American children the right to visit the historic shrines in this city bearing the name of the father of our country. I sometimes wonder how we were ever able to dedicate the Tomb of the Unknown Soldier without an investigation to determine the race of the gallant lad whose identity is known but to God, and who is interred there forever within sight of the monuments of Washington, Jefferson, and Lincoln.

I think we should probably give a little more thought to matters of this kind, and I believe if we did, we would be making more progress than by indulging in this continual hysteria by trying to outlaw all those with whom we do not agree.

Mr. OWENS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there appears in my opinion to be a bit of misunderstanding about section 3. The other day when I explained the division of the bill during debate and showed that sections 2 and 4 went together, I also showed that the balance of the bill had a certain coordination. There is a world of difference between the definition of a Communist political organization and a Communist-front organization. A Communist-front organization, upon examination of the bill, does not carry with it a penalty on the individual. The first time anything happens with respect to him is when the Attorney General sends him a notice that his name has been listed as a member of a Communist-front organization. At that time, if it is a mistake, he can say it is a mistake, and that his name should not be there. If he finds for the first time that he is a member of a Communist-front organization, he can say, "I do not want to belong to it," and resign. The first time that any penalty applies to him is when he might refuse to reply, or if he files an affidavit and tells a falsehood. Therefore you do not have to worry about that section. On the other hand, we have to be a bit more careful about this section so far as the Communist political organization is concerned, because there are certain penalties against any person who asks for employment and who knows he is a member of such an organization, or any officer or employee of the Government who knowing that the applicant is a member of the organization—of course, "knowing and believing" is there, but I am going to move to strike out the words "believing or knowing or having reasonable cause to believe," and so forth, because I believe they are surplusage—but knowing that that man is a Communist, or where a man applies for a passport knowing that he is a member of a Communist political organization, or an employee or officer issues the passport to him knowing that the applicant is a member, then you have a slightly different proposition. For that reason, I am going to offer an amendment to strike out two certain subparagraphs with reference to the definition of a Communist political organization which I think will help perfect the bill. Insofar as the amendment offered by the gentleman from California [Mr. HOLIFIELD] is concerned, he is merely asking us to trust a man who for the last 8 years has done nothing whatsoever with the laws that are on the books. It is true that there have been some strong laws on the books, but nothing has been done with them, and I do not believe any suggestions from him as to what could be added to it would be of any aid. As I said to the gentleman from Illinois [Mr. VAIL] the other day when he was criticizing the Attorney General for charging the Committee on Un-American Activities with having stolen certain documents, I said, "How can you trust this gentleman to whom you give so much power in this bill? How are you going to believe him when he has been faithless to his trust up to date?" For that reason, I believe that we in the House here should pass our legislation and not depend upon getting it from the Attorney General.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield.

Mr. HOLIFIELD. Of course, my amendment asks the Attorney General to prepare a draft. He is directed by the Congress to prepare a draft of suitable legislation, which Congress would then act on in its wisdom and either accept it or turn it down. But using the gentleman's own argument, if we cannot depend upon the Attorney General to prosecute the laws, how can you depend upon future Attorneys General to execute even more vague and indefinite phraseology?

Mr. OWENS. I admit that the prior laws could be amended if they were carefully amended. I agree with the gentleman's statement that that might be done. But I have given this bill a very careful examination. I was one

who said it would have to be amended before I could vote for it. I must say that the Committee on Un-American Activities has been certainly cooperative. There were four amendments offered yesterday; three of them passed. Two were amendments which I offered on the floor and one which I offered in the committee. I have about five or six others which I hope the committee will accept; in fact, the committee has indicated that the amendments which I tendered them, to which I have just referred, will be offered in toto by the committee. If all of the references to believing, or having reasonable cause for knowing or believing, which are included in several sections of the bill, are deleted, it will go far toward making the measure one which can be readily acceptable to the vast majority of the Members of the House.

Therefore, the committee has been very cooperative. It appears to me that those who have been opposing the measure, when they are asked the question, "Are you for the bill?" have said: "Well, we want public housing; we want social medicine; we want price control," and so forth. If they get all those things we will have communism right here in America and our present efforts will be useless. For that reason, I am going to suggest some amendments which I think will take care of section 3.

I believe the present amendment should be rejected.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. OWENS], has expired.

Mr. NIXON. Mr. Chairman, I wonder if we can get some agreement as to time for debate on this amendment.

I ask unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, with the last 5 minutes for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. NIXON]?

There was no objection.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, it is striking evidence of the inconsistency of this Congress that, with only a short time left to us before adjournment, we should spend three legislative days on a bill to search out a few Communists and subversive groups while a host of legislation which can insure us against the spread of communism and other alien ideologies lies unattended.

If we want to act against communism, we should do so positively by enacting legislation which can make this country impregnable to communistic or other inroads. Such doctrines are nourished on fear, discontent, and insecurity, and we can fight them by guaranteeing our people a decent standard of living, equality of opportunity and education, and security in old age. There are bills in both Houses to do all of these things, but they are being put aside. With the crying housing shortage throughout the country, the Taft-Ellender-Wagner bill has been inexcusably delayed in the House. The Federal aid to education bill passed the Senate almost 2 months ago, and yet there is no prospect of House action. The President's repeated plea for constructive inflation controls had been blandly ignored, although there is not one of us who has not been affected by high living costs. The Fair Labor Standards Act is out of date and inadequate and the minimum wage rate far too low, but no move has been made toward its improvement. Most shameful of all is the neglect of the revision of the Social Security Act, despite the virtually unanimous recommendations for expansion of the system and increase in benefits by the Advisory Council on Social Security set up by the Senate Finance Committee. The pressing need for this revision, now, cannot be overemphasized.

I have mentioned only some of the proposals which should be enacted, but they are major ones and their passage would go farther in the fight against communism than all the restrictive measures in the world.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I rise in favor of the amendment offered by my colleague from California [Mr. HOLIFIELD].

In my opinion, this amendment makes sense. If it is adopted by the Committee, I will vote for the bill.

By directing the Attorney General to bring to the committee of this House the amendments that he believes are necessary to enforce existing laws on the statute books at this time to bring about the same thing we all want brought about, I think we have a sensible approach to this entire problem.

When the gentleman from Mississippi [Mr. RANKIN] was before the House a few minutes ago he said that those who are opposing this type of legislation have never appeared before the Committee on Un-American Activities to offer any amendments or any type of legislation to deal with this problem.

Mr. Chairman, there are many, including myself, who are opposed to communism in every form, but who thought it useless to appear before such a committee. I, for one, have voted against every appropriation that has been made for this committee. I believe, and I sincerely believe, that they have done more harm than they have done good. Thousands of persons have been unjustly accused of being Communists as a result of some of the activities of this committee. They were accused of being members of these so-called Communist-front organizations. We have had that same problem in the House when some of our employees in government, because they happened to join some organization they believed was truly liberal, have been branded as Communists or fellow travelers, even though they have dropped their membership as soon as they learned the organization was not what they had believed. Many an honest person has been harmed by this committee by being publicized as a Communist when the charge did not square with the facts.

Now, the gentleman from Mississippi goes on to talk about Yugoslavia and Poland, and Hungary, and all these other countries that are under the control of Russia at this time, saying that they were taken over by Communist-front organizations. That is not so. Marshal Tito, who has direct control of Yugoslavia today, was imprisoned for 10 or 15 years. Yet he and the Communist Party took over control of Yugoslavia. The Russian Army took over control in Poland. In Rumania the Communist leader there was in jail for 10 or 15 years, but he thrived and led his Red minions to control of the country.

If we want to rush through this type of legislation, accusing people out of hand and putting them in jail, we might have the same conditions here eventually. If they put these people in jail, they will scream about martyrdom and they will attract sympathizers. These will burrow further underground, and one day we might have the same conditions that exist in Yugoslavia, Hungary, Czechoslovakia, Poland, and every other satellite country of Russia in Europe today.

Mr. Chairman, I hope that the amendment offered by my colleague the gentleman from California [Mr. HOLIFIELD] will be adopted. If it is I will support the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I join my colleague from Rhode Island in support of the Holifield amendment. This is the first constructive proposal that has been submitted to us on this Mundt bill since we began its consideration.

Charges were made on this floor yesterday by the majority leader and members of the Un-American Activities Committee, proponents of this measure, that those on our side of the aisle had nothing but criticism to offer in the consideration of this measure. I say that a comparison between the constructive, the concrete, the sound amendment offered by the gentleman from California [Mr. HOLIFIELD] with the vague, indefinite, negative proposals of the Mundt bill, stand in as sharp contrast as do night and day.

Mr. Chairman, I urge the adoption of this amendment which asks the Attorney General, and those in his Department who for years have been engaging in enforcing the 27 measures now on our statute books, to report to Congress on deficiencies in present laws, with recommendation for tightening them up. These men know far better all the ramifications of the entire field which we are considering than anyone here in the House. They know the strong points and the weaknesses of the present laws, and are in a position to make a comprehensive report on how these 27 laws have been effective and where they have failed; and they can thereby give us specific recommendations for our consideration on what additional legislation is necessary.

I wish to make it clear, and I am sure the proponents of this measure will ad-

mit it, that the Department of Justice and the Attorney General did not approve the Mundt bill. The Attorney General did admit that there were weaknesses in existing law which ought to be strengthened, and the Justice Department is now engaged in a thorough research and can be ready to submit recommendations in a short while.

I urge the committee to adopt the Holified amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. HOLIFIELD. I wish to point out also that my amendment will take into consideration the subject of native fascism which it not taken care of in the committee bill, or native totalitarian organizations which are not taken care of in the bill as such.

I wish to point out that in Italy, in Germany, and in Russia internal totalitarian governments took over those different nations, not external foreign governments of different ideological persuasion, but internal ideological totalitarian governments took over Russia, Italy, and Germany. I therefore say that such dangers should also be taken care of, and my amendment would take care of them.

Mr. BLATNIK. I absolutely agree with the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, when the gentleman from Mississippi [Mr. RANKIN] addressed the House a few moments ago he raised the question as to who represented who and the nature and complexion of the representation. I was elected to this House at a special election, which brings out fewer voters than ordinarily, by more votes cast for me than were cast for all the seven gentlemen elected in the entire State of Mississippi in 1946. The complexion of my district embraces every type of personality, political view, and religion. While I do not embrace Protestantism, I do embrace that concept found in the New Testament wherein Jesus says: "All sins are forgiven unto all the sons of men."

So I, too, forgive the gentleman from Mississippi when he accuses all Jews of being Communists as one of his arguments in favor of support for this bill and in opposition to the various constructive amendments that have been offered here.

Mr. RANKIN. Will the gentleman yield? I made no such statement.

Mr. MULTER. Mr. Chairman, I want to quote what the Episcopal bishop of Long Island, the Right Reverend James Pervette DeWolfe, said as follows:

> Only a realistic practice of democracy can overcome communism, and a true application of democratic life would eliminate racial barriers. We cannot overcome communism unless we make our way of life more effective through a realistic practice of democracy. The trouble with the world is not politics or economics, but rather spiritual sickness.

Speaking, if you please, for the major Protestant denominations in Brooklyn, the Economic Justice Commission of the Protestant Council, which cannot by any stretch of the imagination be labeled as a Communist-front organization nor is it in any way affiliated with communism, had the following to say about this very bill, and this resolution was not adopted at any meeting where those who were in favor of the bill were prevented from speaking:

> Its enactment would hamper the freedom and rights of loyal citizens and interfere with the basic right of free discussion. Finally, it would, by driving underground, make dangerous the forces it alleges to control.

The gentlemen who are urging support of this bill are not serious about looking for amendments that may improve it when they oppose this amendment offered by the gentleman from California [Mr. HOLIFIELD].

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. May I say that I did want time to speak on this amendment because I think it is a constructive approach to the problem, that it will accomplish the purpose which the committee originally had in mind. If the amendment is agreed to I will vote for the bill on final passage. I believe the committee would do a service to the country if it would accept the amendment offered by the gentleman from California [Mr. HOLIFIELD].

Mr. MULTER. Mr. Chairman, when so much debate is given to name-calling, indicating that some of my colleagues intend to vote by labels, let me ask you to ponder this question. When the gentleman from New York [Mr. MARCANTONIO], the gentleman from Mississippi [Mr. RANKIN], and I find ourselves voting together in favor of rural electrification or some other measure of that type, are we, if you please, fascistic—Communists, or comic Fascists?

The gentleman from Mississippi [Mr. RANKIN] took exception to my comment about his reference to Communists. His precise language was:

> Of all people who ought to keep their mouths shut about the Protestants, it is the gentleman from New York [Mr. MULTER], who admits that he represents more Jewish Communists than any other man in Congress. I mean Russian Communists.

I never made any such admission. I have consistently urged, and the record bears me out, that no one who believes in God, Jew or Christian, can be a Communist. He who espouses communism can do so only if he leaves his God and denounces his religion.

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, if the gentleman from Mississippi [Mr. RANKIN] made the remarks just mentioned by my distinguished friend and colleague of the New York delegation [Mr. MULTER] contending that all Jews are Communists or any such intimation I want this House to know that I resent it with all the vehemence at my command. The colloquy must have occurred a while ago when I was called from the Chamber to the Democratic cloakroom to answer a telephone call. I want the gentleman from Mississippi and the Members of this body to know I am acquainted with a very great number of the people of Mr. MULTER'S district and you certainly will not find any better Americans in Mississippi or any part of the United States.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the Holifield amendment and shall not take the full time allotted me because I think the membership of the House is desirous of getting on with the voting stages of this bill. We have been talking, talking, and talking for a long time. The time has come to enact this legislation into law.

I do want to straighten out the record on two points, however. In the first place, the Attorney General, to whom this killer amendment proposes now to refer the whole matter, vacating and delegating the authority of Congress to the executive department which I am convinced this Congress is never going to do, has had his day and his say on this legislation at great length. In these hearings which were held he specifically spelled out the kind of amendments that he thought should be made by the Committee on Un-American Activities in order to make this legislation effective, and we have meticulously and carefully followed his recommendation. We have plugged up the loopholes that he suggested and and we have written legislation which in addition to that writes into the bill the experience of the FBI as well as the experience of the best authorities in America who have been wrestling and tusseling with this difficult problem for more than 10 years. Obviously the Holifield amendment is just another one of those efforts to kill the legislation; simply an indirect attempt to do what opponents of anticommunism legislation know they cannot do directly.

Mr. Chairman, I ask that the amendment be defeated and that we go on with the bill.

Mr. PETERSON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Florida.

Mr. PETERSON. The Attorney General recommended certain specific things with reference to registration. He also recommended, among other things, the complete elimination of subversive persons in Government positions. We had the rather complete testimony which he gave when we drafted this bill; did we not?

Mr. MUNDT. The gentleman is absolutely correct. Not only did he appear as the second witness in these hearings and present testimony on the problem which confronted the committee, but in the various stages through which this bill passed I sent copies of the legislation to the Attorney General, and he wrote back and even sent his colleagues up to consult with me. We said to him that if there is anything to which he specifically objected, to tell us what he had to recommend, and it is very eloquent testimony

that the Attorney General has not made any objection to this legislation. It does follow the general line and pattern that he laid down, and it is an effort on the part of the Congress to enact the will of the people of this country. Such an amendment as offered by the gentleman from California simply vitiates the authority of Congress by saying we are unable to act; let the Attorney General tell us what to do. That is not the theory of American Government, and we do not propose to follow that formula here.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman has indicated by his remarks that my offer of this amendment might be construed in the form of a subterfuge.

Mr. MUNDT. Not a substitute; a killer amendment.

Mr. HOLIFIELD. I want to assure the gentleman that I offered the amendment in all sincerity.

Mr. MUNDT. I think that is right. It is a sincere effort to kill the bill.

Mr. HOLIFIELD. No. May I say that it is a sincere effort to obtain some expert advice on drafting the amendment to a bill which needs amending, and I admit it needs to be drafted by a man who has the responsibility of enforcing the act against all forms of totalitarianism in the United States. That is my opinion of this amendment, and it is not for the purpose of killing, except in killing what I consider vague and indefinite and dangerous language as written in the balance of the committee bill.

Mr. MUNDT. Yes, but the gentleman considers the whole bill to be in that category, so he proposes to kill it.

Mr. HOLIFIELD. No. I have adopted the first part of the gentleman's bill by my amendment and only substitute a part which I think will make it workable from the standpoint of enforcement.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman's amendment reminds me of the time they caught some horse thieves down in the Southwest and tried one of them, and they happened to get 12 of his cohorts on the jury. They brought in a verdict, "We, the jury, find the man who stole the horse not guilty."

Mr. MUNDT. Mr. Chairman, obviously whether it be the intent or the accidental result of the gentleman's amendment, its passage would kill the bill. So, I ask that the amendment be defeated.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—ayes 21, noes 61.

So the amendment was rejected.

Mr. LUCAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the United States is confronted with a world which is a breeding ground for insidious propaganda, all of it directed at this last great bastion of freedom on the face of the globe. We have in this country agents of this foreign ideology who have organized a growing movement which is feeding on the very freedoms which are inherent in our society. This movement is taking advantage of every liberty which we possess and using the powers obtained thereby to attempt to destroy those self-same liberties. While pretending patriotism it promotes oppression in the form of a program to uproot the very foundation stones of our Government. Under guise of liberalism, it would destroy our liberties.

I say, Mr. Chairman, that the time has come to control it, or else it will control us. We have waited too long to force these advocates of anarchy out into the open. We have allowed them too much liberty. We have actually encouraged them to organize, to propagandize, and thereby to weaken and confuse our people by our failure to act before this time. We cannot afford to delay longer.

There are those among us who are being deluded regarding this bill, people who sincerely believe that its passage will violate their rights as citizens of this great free land of ours. All I can say to them is this: Read the bill again. It simply outlaws treason and the subversive methods that have been employed in other countries to overthrow free governments. What lover of our land will oppose that?

Let us look at the bill. This is what it does. It makes it unlawful to attempt to establish in the United States a totalitarian dictatorship or to assist in the performance of any act toward that end or to participate in a movement organized for such a purpose. It deprives of United States citizenship whoever is found guilty under this act. It forbids members of such subversive organizations from working for the Government. Nor may they secure passports for the purpose of leaving or entering this country. This latter, of course, is to prevent the disloyal from going abroad for schooling in methods for our destruction.

These are very important sections in the bill, but I think the most necessary provision is the requirement that all subversive organizations register and make annual reports to the Attorney General. This is the way we will force them out into the open. No longer can they escape the bright light of publicity upon their iniquitous activities. No longer will loyal American citizens be misled by organizations parading under patriotic titles without opportunity of knowing who directs their activities. No longer will loyal American citizens be deceived into joining un-American organizations, nor will loyal American laboring people be led by those who would destroy this country. It is high time those who would overthrow this Government be brought out into the open. This bill provides for exactly that.

But these restrictions do not deprive anyone of a constitutional right any more than a law against shouting "Fire!" in a crowded theater is a deprivation of the right of free speech. When this Nation cannot protect itself against traitors within our boundaries it can hardly be expected to successfully defend itself against outside enemies.

Mr. Chairman, we are privileged to live in a great and wonderful land, so wonderful, indeed, that all the world envies us. But we do not have all these advantages simply because we live on this continent or because our forefathers chose to have a republican form of government. We have purchased and purchased again our freedoms with the lifeblood of all those who have made the supreme sacrifice for our country. Our failure to take every step toward preserving this democracy may result in our loss of it and the sacrifices which have been made will have been in vain. The duties resting upon us lie too heavily for us to avoid courageous action in defense of our liberties. We must pass this bill.

Mr. MUNDT. Mr. Chairman, I rise for the purpose of making a unanimous-consent request to limit the time for debate on this section. I understand there are four amendments on the Clerk's desk pertaining to this section. I ask unanimous consent that debate on this section and all amendments thereto close in 40 minutes, thus providing 5 minutes for and 5 minutes against each amendment.

Mr. MARCANTONIO. Mr. Chairman, reserving the right to object, we got along very well yesterday. Nobody attempted to filibuster. Every Member expressed his views sincerely on this bill. Now the gentleman seeks to restrict and limit debate. There are various amendments to be offered. Members are offering these amendments in all sincerity. Therefore, I do not think it is fair for the gentleman from South Dakota to try to limit debate on this bill and the amendments. Therefore, Mr. Chairman, I am constrained to object at this time.

Mr. MUNDT. Mr. Chairman, would an hour be satisfactory?

Mr. MARCANTONIO. Yes.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that debate on section 3, and all amendments thereto close at a quarter to two.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. OWENS].

Mr. OWENS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. OWENS:

On page 19, lines 22 and 23, strike out all of subparagraph (A) of paragraph (3) of section 3.

And on page 20, lines 10, 11, and 12, strike out all of subparagraph (D) of paragraph (3) of section 3.

Mr. OWENS. Mr. Chairman, I ask unanimous consent that each part of my amendment may be voted on separately.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Chairman, a few moments ago when I was discussing section 3 and the definition of Communist political organization and Communist-front organization, I pointed out that we

need only worry about the definition of Communist-political organization because of the fact that, as was mentioned by one of the aspirants for President of the United States on the radio the other evening, it might cause some restriction upon individuals. While he did not refer to any definite section of the bill, he may have had this particular portion in mind, although I feel that he was referring more particularly to sections which will be amended during the course of the day.

There were some contentions raised which seemed to me to have some merit. For instance, in section 3, paragraph 3, among other things it mentions "the term Communist-political organization means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations."

It then sets forth considerations running from (A) to (J). I call attention to the fact that every one of those considerations, with the exception of three, definitely ties this Communist-political organization up with a foreign power, which is absolutely proper, in my opinion.

Subparagraph (B) says:

> The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

In subparagraphs (C), (E), (F), (G), (H), and (J), it directly refers to such foreign government. So I do not see how anyone can have any objection whatsoever to those paragraphs.

Paragraph (I) refers to "the extent to which it fails to disclose, or resists efforts to obtain information as to its membership—by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method; its members refuse to acknowledge membership therein; it fails to disclose, or resists efforts to obtain information as to, records other than membership lists," and so forth.

Now, if that section on membership were to be combined with paragraphs (A) and (D), in order to give the Attorney General reasonable cause to conclude that it is under control of such foreign government, there might be difficulty, because you would have membership included with the following paragraph (A) "the extent and nature of its activities, including the expression of views and policies," without connecting it with a Communist organization or a totalitarian state or anything else.

The same would apply to (D), which reads, "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

All over the country, in the universities like Johns Hopkins, St. John's College, the University of Chicago, they encourage "great books" courses. Among those courses are books on Marx and Lenin. A group of that type might possibly, in combination with the membership, be brought in under the Communist political party organization.

For that reason I am suggesting that we take out first (A), where it says "the extent and nature of its activities, including the expression of views and policies" without connecting it with a foreign organization. Then, secondly, take out that reference to communism "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin," because when we do, we will have a powerful section that no one can complain about, because it definitely ties everything up with a foreign government or a totalitarian dictator under some foreign power. For that reason, I suggest, in all seriousness, the adoption of this particular amendment. As I said before, I ask that each be considered separately.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. OWENS] has expired.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

I respectfully oppose the amendment proposed by the gentleman from Illinois [Mr. OWENS]. As I understand it, he seeks to strike out subsections (A) and (D) in section 3. I think if either of those were stricken it would definitely weaken the ability of the bill to properly consider whether or not an organization is a Communist organization, particularly with section (D), "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

A number of gentlemen who have read an extensive amount of literature put out by the Communist Party, particularly put out by the Communist Party in Russia, will note that in practically every article there is constantly referred to the hyphenated word "Marx-Lenin" line.

As a matter of fact, last year the president of the Moscow State University wrote a very long article in the Ministry of Education Journal in which he takes to task the colleges of the Moscow State University for not adhering in their lectures to the Marxist-Leninist line. In other words, that is the definite line that the Communists insist must be followed. Mr. Zhdanov, one of the high members of the Politiburo is constantly weeding everything out of the Communist activities that does not adhere to the Marxist-Leninist line. We have had such examples even in the world of art and music, where things that do not adhere to the line are stricken out, they are liquidated. The Marxist-Leninist line must be maintained and its bureau for world Communists was headed by Mr. Zhdanov.

So the extent to which an organization bases its activities on the doctrines of Marx and Lenin is probably the most notable characteristic of Communist activity. It would therefore definitely weaken the bill if there were not as one of the elements to be considered, the extent to which an organization adhered to the Marxist-Leninist line. That is the very essence of Communist activity.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. MUNDT. The gentleman is exactly correct, and I certainly hope the Committee will not favor these amendments, because they do weaken the bill. It would handicap the Attorney General and the Government in building a case against Communists, for they all revert to the language on page 21, starting in line 16. That is, the preaching, teaching, and reading of Marxist and Leninist doctrines as it pertains to the control by a foreign government of this country, they all refer back to that. It is not the teaching of it in colleges, but it is the practice of it for the purpose of overthrowing the Government that this legislation moves against.

It would be very serious to disrupt the definitions by taking that out and I certainly hope the Committee will agree with the gentleman from Wisconsin and oppose the amendment.

Mr. KERSTEN of Wisconsin. I heartily thank the gentleman. This goes to the world Communist movement throughout which the Marxist-Leninist line is adhered to. It is adopted by the Communists who are seeking to rule the world and that should be one of the basic measures of determination.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. OWENS. Would we not be advocating that the people of the country read Marx and Lenin in order to know what the law is and would therefore be proponents, mind you, of reading the doctrines of Marx and Lenin?

Mr. KERSTEN of Wisconsin. No; I do not agree with the gentleman at all. The Communist Party today is flooding the world with Marxist-Leninist literature and they are designating it as such; and it is that type of thing which I think we should spotlight and I think should be considered in determining whether these organizations are Communist-controlled.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The question is on the first portion of the amendment offered by the gentleman from Illinois [Mr. OWENS].

The first portion of the amendment was rejected.

The CHAIRMAN. The question recurs upon the second portion of the amendment.

The second portion of the amendment was rejected.

Mr. MATHEWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have in my hand a letter received by me from a constituent yesterday from which I desire to quote. My first quotation is this:

> I myself am a Communist.

I want to express my gratitude to the gentleman for his honest frankness. I have been unable to get out of these people when I ask them anything further than a refusal to answer the question: Are you a Communist?

The second quotation I want to make from this letter—and remember, the letter is addressed by a constituent to me—is this:

I know your sharp hostility to the Communists.

So, Mr. Chairman, I do not have to stand up here, tell this House that I am opposed to communism, and ask the Members to take only my own word for it. I have here the written proof of a man who admits he is a Communist and who knows that I am hostile to the Communists, which is gratifying and satisfying to me.

The third quotation I want to read from this letter follows:

Should the bill pass—

That is, the Mundt bill, because he is writing me about this bill which is now under consideration—

the Communist Party will not debase itself by compliance with its provisions.

Now, to the gentleman on the other side of the aisle who said a few moments ago, if I recall his words correctly, that no Jew is a Communist, I should be glad if he would see me later and I might be able to give him some information concerning the race and the religion of the writer of this letter. What I want to say most emphatically is that I protest against the fact that the actions of any individual should ever reflect in general upon any race of which he is a member, of any religion to which he belongs, or of any group with which he may be affiliated.

I want to compliment the committee on having brought out a most excellent bill covering a most difficult subject. There are many features about the bill which I do not like. But that is not an analogous situation. It happens in almost all bills with almost all of us. Offhand I can think of only one bill with none of the provisions of which I disagreed, and that was a bill to repeal over 100 existing laws. However, I do wish that it had used the word "subversive" or some similar word in place of Communist because I am equally opposed to an organization, no matter what name it goes under, that carries out the principles which are to be forbidden by this act.

Mr. Chairman, I am a little tired of having American patriotism tested by the sole criterion of which foreign country he loves and which foreign country he hates. The time has come when American patriotism again should be tested by only one rule and that is how much does he love the United States of America and the principles for which it stands.

A great deal has been said on both sides concerning whether or not this bill outlaws the Communist Party. Night before last I listened to a debate between two eminent gentlemen of this country, one of whom said that the bill does outlaw the Communist Party, the other stating that it did not. That left me in a state of delightful confusion, until I came on the floor of the House yesterday and heard the gentleman from Minnesota, Dr. JUDD, state that it both does and does not outlaw the Communist Party. So the whole thing was cleared up. With all due respect to the gentleman from Minnesota, who is a medical doctor for whom I have the highest respect, when it comes to questions of constitutionality it seems to me that a medical doctor is about as much use as a constitutional lawyer messing in at the birth of his first child. From my own reading of the bill I cannot see how it does outlaw the Communist Party and if for one moment I were convinced it does I would vote against the bill because I have continually opposed outlawing the Communist Party.

There have come to me the usual number of hysterical telegrams and letters protesting against the bill now before us and saying in effect, that if I voted for the bill I would pull down the Statue of Liberty, burn up the Bill of Rights, trample upon the American flag, and deal a death blow to dear democracy.

Naturally, I disagree with this point of view. I do not believe that the bill is anywhere nearly so bad as these people try to point out, nor do I believe it will accomplish all the great objectives claimed for it by its proponents.

With all the other duties revolving upon me I have not had the opportunity to do the thorough research work necessary to determine to my own satisfaction whether or not every provision of this bill is constitutional. From my study of it I am not convinced that any particular provision is unconstitutional. As I said before I do not like all the provisions and particularly I do not like any legislation which puts the power of both prosecution and decision in the hands of one person. I know that it has been done in the past 16 years but that neither makes it right nor more palatable to me. It is against fundamental American principles to constitute a public official both the prosecutor and the judge in any cause. I realize that the effect of this is modified, if not nullified, by the granting of the right of appeal, as does this bill. With no such right of appeal granted, I could not vote for the bill.

There have been some good amendments adopted and I understand more will be offered. I hope some of these will be adopted so that I can vote for the bill.

There is one observation I would like to make from what I understand is the purpose of this bill. It has never been questioned that this Congress has the right to pass legislation preventing foreign goods being imported into this country, or being imported only under restrictions, limitations and conditions, such as the paying of duties. These laws have been in force and effect for many years and people have been prosecuted and punished for their violation. Consequently I see no reason why, within constitutional limitations, this Congress does not have the right to enact legislation to prevent the importation of a foreign government to take over the government of the United States and the people thereof.

No one truly American wants to vote for legislation which infringes upon the right of free speech or free action to change our form of government in the proper, legal way. On the other hand if this Congress does not have power to take reasonable steps to protect the very government only through the power of which free speech and proper free action is guaranteed and protected to the individual citizen, then we have reduced the matter to utter nonsense. Realizing that the right protected is always greater than the mechanism which protects it, nevertheless, the right protected is of absolutely no use if the individual citizen does not have adequate protection in its enjoyment.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill does not outlaw the Communist Party, but it does apply very effectively DDT to the Communists, and I am in favor of applying DDT to that kind of vermin, not only for the protection of our Government but for the protection of the innocent people who are taken in, drawn in, and fooled by the activities, the do-good propaganda and ballyhoo of the Communist Party.

In this book, A Nation of Nations, by Louis Adamic, published in 1945, Mr. Adamic refers to an incident that occurred in my State and with which I am quite familiar, so I am going to quote what he says, then I will tell you a little about it.

He said:

Early in 1939 I received a large four-page bilingual leaflet entitled "Call to the First Congress of the Mexican and Spanish American Peoples of the United States on March 24, 25, and 26, 1939, at Albuquerque." It was addressed to "all labor organizations, fraternal and cultural and religious groups, civic and social and political clubs, and Mexican honorary commissions." It read in part: "Today more than 2,000,000 Mexican and Spanish-American people in the United States are facing the consequences of increasing economic and cultural poverty. Their conditions of work, housing, health, education, and opportunity menace their very existence. * * * In scattered localities through the Southwest various groups have focused their attention on the issues with varying degrees of success. The experience of these groups has demonstrated that only concerted discussion and action can achieve progress toward a significant improvement of these conditions.

That is very fine, Mr. Chairman, it sounds good. Then he said, and I quote again:

The call was signed by scores of Hispano, Mexican, and Anglo leaders in New Mexico, Texas, California, Colorado, Arizona, and elsewhere.

But the congress was not held. For one thing, its organization was not well handled. And perhaps the attempt was a little ahead of its time. Essentially it was a capital idea and something like it is bound to be tried again.

Now, Mr. Adamic may not know why they did not hold the congress, but I do. The League of United Latin American Citizens, a patriotic organization to which I belonged, investigated this movement through the help of some people who were in a position to help, and they found out that it was led, organized, dominated and financed by well-known Communist leaders. All they had to do then was expose them, and the people used their own judgment and took care of the

rest. These Communists moved on and never held their congress.

This is what this bill is intended to do. If it does it, if it brings them out in the open, we can trust the judgment of the American people to take care of themselves.

On one point this bill goes a little far, I am afraid. Subparagraph (4) in section 8, on page 29, requires that the Communist Party register the names and addresses of all its members, and then on the next page it is provided that the Attorney General shall notify those persons who are listed as members of the Communist Party, but says nothing about what may be done if a person is erroneously listed as a member. That places in the hands of the Communist organization the right to say who are and who are not members, and conceivably they can list men and women as members of the organization, who perhaps are not. The bill does not make any provision whereby those innocent people may extricate themselves from the list of Communists. Great harm can be done. There is nothing in the bill that will penalize the organization for filing fraudulently the names of people who are not Communists. There is no definition of what constitutes a member. I think the committee ought to give some thought to that and ought to either put in some penalties against the fraudulent listing of persons as members, or else this provision ought to be eliminated. It really is not necessary, and it is dangerous. If you can identify the organization and its officers, if you can bring them out in the open, we will have made some progress.

Mr. POWELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, unfortunately I think we have beclouded the issues by bringing in the question of communism. It is not a question of outlawing communism but the question before us is whether we are going to outlaw Americanism. This bill, not because of what I have read nor from my opinion, but according to the opinion of the gentlemen who proposed it, beginning with the gentleman from Minnesota [Mr. JUDD] yesterday, is aimed against our American way of life. Our colleague yesterday said that the judicial process of our Constitution is no longer adequate to cope with this problem. Therefore, he admitted and so stated that this bill would substitute the legislative for the judicial process. This means we are taking the first step in scrapping the American way of life as we have known it.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Minnesota.

Mr. MACKINNON. I think what my colleague had in mind was that the present laws on the books were inadequate under judicial interpretation.

Mr. POWELL. No; he did not say that.

Mr. MACKINNON. I know he did not; but I just offered that as to the thought that he may have had in mind. The statement was somewhat ambiguous as I heard it.

Mr. POWELL. I welcome that, because what our colleague said yesterday caused me great concern. It is inconceivable that a Member of our body openly said on this floor that the judicial process of our Government was no longer adequate to cope with this problem. We all heard his statement.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. MARCANTONIO. The statement made by the gentleman from Minnesota [Mr. JUDD] was in response to an inquiry made by me.

Mr. POWELL. That is right.

Mr. MARCANTONIO. I stated that this bill was substituting legislative determination of guilt in place of judicial determination of guilt.

Mr. POWELL. He admitted it.

Mr. MARCANTONIO. He not only admitted it but sought to justify such substitution by what he claims has happened in other countries.

Mr. POWELL. That is right and he is exactly correct, too. What happened in Germany under Hitler from 1933 to 1941? Law by law it was exactly this bill. In 1933 till 1941 this bill, step by step, item by item, was adopted by the Reichstag of Hitler; this very bill as it is now before us today. I think that is a grave thing. It is not a question of outlawing communism, it is a question of outlawing Americanism. By the open profession of one of the Members of the House, we are taking the first step in scrapping the Constitution, which is just what happened under Adolf Hitler. This bill as it is now would have been acceptable without changing one jot or tittle, to the Reichstag of Nazi Germany. It destroys our courts, our Constitution, our Bill of Rights. It makes Hitler the winner of World War II.

I want to know who is in favor of the bill. Our President is against it, every presidential candidate is against it, the FBI is against it, and religious organizations are against it. You heard the magnificent telegram to the gentlewoman from New Jersey [Mrs. NORTON] from the Most Reverend Bishop of Grand Rapids, Bishop Haas. I belong to the Protestant Council of New York City, which is composed of many big-money men of the Protestant church in New York, and they are against it. The Methodist church is against it. Who is in favor of the bill, I should like to know?

Mr. REDDEN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from North Carolina.

Mr. REDDEN. The gentleman can name many outstanding Americans who are opposed to the bill, but can he name one Communist in America who is for it?

Mr. POWELL. No, because I am discussing the bill from the standpoint that it is outlawing Americanism, not communism.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The American Legion and the Veterans of Foreign Wars, who speak for millions of veterans, are for this bill.

Mr. POWELL. Are they the only Americans?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. MARCANTONIO. I just wonder how many members of the Legion have been made aware of the provisions of the bill. I say that if the rank and file of the Legion and other veterans' organizations were aware of the Fascist implications of this bill they would be against it.

Mr. POWELL. I agree with the gentleman, because I have not met any organization that was in favor of this bill when it became aware of what was involved, even openly anti-Communist organizations.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, yesterday I received a heavy packet of mail, and as I ripped open its cover out fell more than 200 petitions with 15 names each, demanding that as their Representative I support the Committee on Un-American Activities. These petitions were from the triple-cities area, from Binghamton, Johnson City, and Endicott. They are accredited signatures. They are the 3,000 signatures of men and women who are honest, forthright Americans, who are in every walk of life and of all races and creeds. They are Americans first, last, and always. I feel it my bounden duty to come before the House today to say that those petitioners have every right to expect action on my part to see their wishes are carried out.

They expect me to take action against the foes of our country, and I am voting for this bill today to keep faith with them. There has been much talk during the past few days about whether this bill will affect the basic rights of Americans. I have been through this bill carefully. I cannot point out any part of it that will do any such thing.

In the State of New York the supreme court some months ago ruled that unless you have ample proof a person is a Communist it is libelous to call him a Communist. A jail sentence hangs over the man who dares refer to the name. I would be very hesitant before I labeled anybody a Communist or to call any names unless I had pretty good proof that a man was a Communist or a member of a subversive group.

So it seems to me that those who are afraid of losing fundamental rights, at least in the State of New York, should look to the ruling which was made by the supreme court of that State. For that reason, I cannot see where anyone needs to be apprehensive or afraid. I would be the last to advocate going on a witch hunt against any citizen of the land or any group or organization that is patriotic and aboveboard.

Therefore, Mr. Chairman, it is my sincere, honest conviction that every subversive group in the country should be examined and that the light of publicity

should be put upon that group or individual so that we know where they stand.

Certainly a representative of the people cannot stand idly by after all the repercussions we have had on our domestic front in the past 2 or 3 years and turn his back to the danger. Who will say there are not subversive groups or individuals in the country going out and attempting to stir up trouble and to overthrow our American form of government?

I do not know whether during the debate in the past few days anything has been said about my colleague [Mr. MUNDT], the author of this bill. For my part, I think the gentleman has manifested during the 10 years he has been in Congress, and while I have served with him, every sincere and honest effort he could put forth to see that Americanism is preserved. I for one believe that he is sincere in offering this bill and in fighting for what he believes is right on the floor of the House. In doing this, he is carrying out the wishes of the people who elected him. I believe that when a man proceeds with that idea and with those principles, he cannot possibly be far from right.

It is my fervent hope this bill we pass today will accomplish what we intend it shall, the exposure of all individuals, groups and organizations whose purpose is to overthrow our beloved country.

Mr. SMITH of Ohio. Mr. Chairman, it is impossible for me to vote for the Mundt bill and I want my constituents to know why.

This measure, if enacted into law, will give our people a false sense of security against communism, which is dangerous.

They have already been greatly fooled by the many laws enacted to suppress communism and subversive activities. If those laws were enforced they would accomplish all the proponents of the pending bill allege it will do. But they have not been enforced. What faith the public had in them was misplaced.

About a year ago Congress appropriated between ten and eleven million dollars to screen out the Communist elements from the Federal pay roll. Judging from the size of that appropriation it must have been thought the departments of Government were pretty much infested with persons believing in the Marxian ideology.

The number of persons discharged from Government service or who have left it because of that law is too piddling to mention. Everyone knows the procedure has been a fiasco. Again we see the public deceived. The security against communism which was promised by the proponents of that plan failed to materialize.

The refusal by Congress to put the State Department in direct charge of the Marshall plan furnishes an excellent illustration of the utter futility that must be expected from the Mundt bill to suppress communism in the United States. Congress refused to put the State Department in control of the Marshall plan because that Department was honeycombed with Communist-minded persons and could not be trusted to carry out the task of administering the Marshall plan.

Yet, nothing of any consequence has been done to clear those persons out of the State Department, nor will anything be done.

Of course, the foreign-aid program is, nevertheless, dominated by the State Department and in the nature of things it could hardly be otherwise.

But there is another respect in which the public is apt to be misled by the Mundt bill which is even more alarming. The Mundt bill does not touch the real cause of communism any more than the other laws that have been passed to combat it.

Communism has its roots in a diseased economy, excessive taxation, political corruption of money and class legislation, and so forth.

There is no room for communism in a healthy economy. Therefore, to check this ideology in the United States, it is necessary to take politics and politicians out of business, drastically reduce the number of persons on the Federal pay roll, sharply curtail all expenditures not absolutely essential to our national security and the functioning of true government, and returning to the producers of the Nation their gold.

When the workers are again in position to demand gold in payment for their labor, communism will not be a threat to the Nation. The reason is simple. They will then possess the greatest possible protection to keep what they produce which, of course, is also a guaranty of the most equitable distribution of wealth. Let anyone, if they can, point to a single instance where communism flourished under a system that protected every worker in the right to be paid for his labor in gold or paper that could be converted into gold at its face value. No one can, of course.

It is a diseased economy that gives communism a foothold. The real remedy for communism is to restore the Nation's economic health.

Vital also to the national security and general welfare of our people is the adoption of a policy that gives primary consideration to the interests of the United States of America instead of the rest of the world.

It seems to me the Mundt bill is primarily designed to garner votes rather than to get at the real cause of communism. I cannot be a party to deceiving the public and am, therefore, constrained to vote against the Mundt bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I have asked for this time in order to make one point with respect to this debate which I do not think has been adequately made. It bears upon the basic question of whether or not this bill outlaws any group.

In view of the fact that section (3) of the bill is the heart of the triology of the bill that makes the outlawing, I would like to explain to the House why I believe this bill outlaws the Communist Party and will drive it underground; a course to which such distinguished citizens as Governor Dewey and Senator TAFT are opposed; and I add Mayor O'Dwyer's opposition to this very bill in connection with this discussion.

As you read the sweeping findings of fact which are in this bill, I think you must come to the conclusion that the Congress could write a bill tomorrow making findings of fact with the broadest implicatcns, about any other group which is a minority group and which a majority of the Members of the House may not like at some future time.

On the basis of those broad findings of fact, the House could seek to outlaw that group. That might be sought to be applied to people of the Catholic or Jewish faith or any other minority group. I feel, therefore, that in opposing this bill and pointing out this particular matter in connection with it, I am serving the interests of all my constituents.

If the Members will refer to page 16, they will find among the findings of fact, the following:

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship.

If the Members will then turn to section 3, which contains in subparagraph (3) a definition of "Communist political organization," it now reads, as amended, and I read from page 21, lines 16 to 18:

It is reasonable to conclude that it is under the control of such foreign government or foreign governmental or political organization—

It has already been stated that only the Communist Party of the United States is meant. Hence, the bill is defining what it has already found in its findings of fact. Then, if we turn to sections 4 and 5, we find first that it is made unlawful to advocate any such thing as according to the findings of fact this Communist political organization is said to advocate, and in section 5, as I pointed out before, those who are convicted of a felony are not only deprived of citizenship, but if they are native-born Americans they are deprived of nationality.

Therefore, as soon as such an organization registers it admits its officers and active members are guilty of a felony, and if that does not mean outlawing the Communist Party I do not know what would do it, and that course is considered as inimical to our very efforts to fight communism by some of the most distinguished Americans in public life.

The CHAIRMAN. The time of the gentleman from New York [Mr. JAVITS] has expired.

The Clerk read as follows:

CERTAIN PROHIBITED ACTS

SEC. 4. (a) It shall be unlawful for any person—

(1) To attempt in any manner to establish in the United States a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual;

(2) To perform or attempt to perform any act with intent to facilitate or aid in bringing

about the establishment in the United States of such a totalitarian dictatorship;

(3) Actively to participate in the management, direction, or supervision of any movement to establish in the United States such a totalitarian dictatorship;

(4) Actively to participate in the management, direction, or supervision of any movement to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship;

(5) To conspire to do anything made unlawful by this subsection.

(b) Any person who violates any of the provisions of subsection (a) of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than 10 years, or both such fine and imprisonment.

(c) Any offense punishable under this section may be prosecuted at any time without regard to any statute of limitations.

Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COUDERT:

Page 23, line 22, after the word "manner", insert "not otherwise permitted by law."

And on page 24, line 3, after the word "act", insert "not otherwise permitted by law."

And on page 24, line 7, after the word "participate", insert "in any manner made unlawful by this section or any other law of the United States."

On line 10, page 24, after the word "participate", insert "in any manner made unlawful by this section or any other law of the United States."

Mr. COUDERT. Mr. Chairman, by way of preamble let me say that I am not exactly a newcomer in this matter of dealing with communism. In the years 1941, 1942 and 1943, as chairman of the Joint Legislative Committee of the New York State Legislature I had the difficult and unpleasant task of investigating among other things subversive activities in the great school and college systems of the city of New York. So I have no illusions as to the difficulties that have confronted this Committee on Un-American Activities. I have great admiration for the way in which it has carried on all through the years, by and large. I also have no illusions as to the difficulties that confronted this committee or any other committee in drafting legislation to deal with this matter.

In our own New York committee report of 1942 we strongly advocated registration, compulsory registration of Communist organizations and their membership. The bill before us provides for such registration. I am heartily in favor of it. It is the heart of the bill, and I think it will go very far toward the accomplishment of our purpose which is to bring these subversive elements out into the open.

Section 4, however, presents an entirely different situation. It is wholly unnecessary to the bill and it is a very violent and radical departure from all American precedent, American practice, and American tradition. It will make it unlawful and subject to 10 years imprisonment for any person to attempt in any manner to bring about the prohibited results.

Yesterday the gentleman from New York [Mr. KEATING], speaking in support of the bill, made the following statement—lest there be any doubt that my conclusion and construction be not correct. Said he:

First, it is contended that freedom of speech and of the press guaranteed by the first amendment is restricted by this measure. No doubt its effect will be to curtail both insofar as by words or writings attempt is made to establish in this country a totalitarian dictatorship.

Section 4 prohibits advocacy, mere advocacy by an individual citizen of the United States. When that individual citizen going beyond individual advocacy by word or writing, joins up with other individual citizens for the purpose by joint action of bringing about the results he seeks, then he falls under the provisions of this bill relating to registration of Communist political organizations as he well should. Upon default of registration he will be subject to the penalties provided for failing to register. But section 4 dealing alone with an individual is something that we should strike from this bill because it serves no purpose. It has no necessary connection with the registration and it will leave the heart of the bill intact.

I have moved to amend it in such a way as to continue to permit the legitimate, peaceful, legal advocacy of any cause by any citizen of the United States. I hope the committee will accept my amendment. It is an amendment that will not in anywise impair the effectiveness of this bill.

Mr. COX. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I dislike finding myself in opposition to my distinguished friend who has just yielded the floor. He is not only a great lawyer of fine understanding but he is a man of the highest patriotic impulses, one whose leadership I am usually pleased to follow. I believe, however, that he is in error in the position he takes as expressed in the amendment which he offers. You might as well strike this section from the bill if you accept his amendment because the amendment takes the heart out of the section.

The gentleman is in error also when he says that the section as written makes it a crime for any one to, in any manner, advocate the overthrow of the Government. That is not true, as I understand it. The language of the bill is as follows, omitting a few words:

It shall be unlawful to attempt to establish a totalitarian dictatorship under foreign control.

In other words, the section does not make criminal the advocacy of overthrow of the Government on the part of any one except he does so as a member of a totalitarian group under foreign control. The section as it is written simply penalizes a foreign agent or the agent of a foreign government here in America who advocates the overthrow of the Government by force and arms or by any other means.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. COUDERT. What is there in the subsection the gentleman has just read that refers to a foreign agent? That applies to any individual American citizen who advocates totalitarianisms as defined.

Mr. COX. Of course, the crime is personal but directed only against one who attempts to establish a totalitarian setup under the control of a foreign agent; in other words, as a participant in the activities of such an agent or of such an organization he carries on and performs as an agent of a foreign government.

Mr. Chairman, I can think of no more serious blunder that this committee might commit than to accept the pending amendment. Certainly it would to a very large extent destroy the bill which the committee has so laboriously prepared and brought to the floor for the consideration of this committee.

Mr. COUDERT. Mr. Chairman, if the gentleman will yield further, the gentleman makes something of the point that this advocacy must include domination by a foreign power.

Mr. COX. That is right.

Mr. COUDERT. If this bill becomes law, then is there any reason that the gentleman knows why this should not be a precedent for passing a bill punishing in the same fashion, or prohibiting in the same fashion, advocacy of joining a world government?

Mr. COX. No. There is no similarity between the point the gentleman makes and the amendment he offers.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman, in discussing this amendment, has omitted words in subsection (a) (1) of section 4.

Mr. COX. Yes.

Mr. MARCANTONIO. "In any manner."

Mr. COX. I left those words out for the purpose of making the point clear.

Mr. MARCANTONIO. But that is the point that the gentleman from New York raised.

Mr. COX. I know exactly what the language is. I was reading it to make clear just what the section says. The section says that it shall be unlawful to attempt in any manner to establish a totalitarian dictatorship under foreign control. The point that I make is that the section penalizes the conduct of one performing as an agent of a foreign government, or as a member of an organization under foreign control.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York has discussed the implications of the language of section 4. I would like to demonstrate to this Committee just how section 4 operates in connection with the various other sections of the bill.

Under section 8 of the bill a Communist political organization or Communist-front organization must register. The moment that Communist organization registers, or the moment its officers register, then to see what happens we must turn to subsection 6 on page 16 of section 2. There we have a legislative finding of fact as to what such a registered organization is doing in the United

States. It is "setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship."

Follow me. An organization under section 8 registers. Subsection 6 of section 2 states that the organization which is registered is trying to set up a Communist totalitarian dictatorship. Then you go back to section 4 which makes it a crime punishable by 10 years in jail; to do what? To attempt in any manner to establish in the United States a totalitarian dictatorship. So, what happens? A member of such an organization, whose officers have registered the organization, finds himself in what position? He finds himself in the position of having actually, for all purposes and effect, pleaded guilty to a violation of section 4. If he is indicted under section 4, as he must be, what defense does he have? He is a member of an organization which has already been found by the Attorney General to be an organization which seeks to set up a totalitarian dictatorship. We come about that by the legislative finding in subsection 6 of section 2. That is a finding with which he is presented the moment he goes into court, that he is a member not only of an organization, but of an organization which attempts to set up a totalitarian dictatorship. Therefore, before trial he is automatically guilty of having violated section 4.

If you can justify that in the light of the prohibition against guilt by association, if you can justify that in the light of the prohibition against bills of attainder and guilt by legislative determination, then you have a right to vote for this bill if you want to. But this is the first time that this Congress is actually passing a law which says to a person, "You are guilty of committing another crime simply by belonging to an organization." You do it by reading together section 8, which provides for registration with the legislative finding of purpose of such an organization, under subsection 6 of section 2, and with section 4, which says, to attempt in any manner, to do what? To establish in the United States a totalitarian dictatorship. Read on page 16, section 6, the legislative finding, "by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships." So that subsection 6 of section 2 in connection with section 8, which requires registration, compels an American citizen to be declared and adjudged guilty before he is tried. Further, an American citizen violates the law if, first, his organization registers, second, if it does not register, and third, in either case register or not register it is legislated guilty of section 4 which calls for 10 years' imprisonment and no statute of limitation. That is what you have in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

LOSS OF UNITED STATES CITIZENSHIP

SEC. 5. (a) Section 401 of the Nationality Act of 1940, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "or", and by adding at the end of such section a new subsection to read as follows:

"(k) Committing any violation of section 4 of the Subversive Activities Control Act, 1948, provided he is convicted thereof by a court of competent jurisdiction."

(b) Section 403 (a) of the Nationality Act of 1940, as amended, is hereby amended to read as follows:

"(a) Except as provided in subsection (g), (h), (i), or (k) of section 401, no national can expatriate himself, or be expatriated, under such section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in such section if and when the national thereafter takes up a residence abroad."

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 24, line 24, strike out all of section 5.

Mr. JAVITS. Mr. Chairman, I have offered this amendment at what is perhaps the final opportunity under this bill only for the purpose of rounding out and concluding the argument that I have made on the question of outlawry of an organization.

I want, however, to pursue just for one minute another question. The question that I put to the House and to the Committee is, Would it not be possible, once Congress adopts the precedent of this bill, that some time in the future by writing sweeping findings of fact with respect to Catholics, or Jews, or some other group found all over the world—and coupling them with the definition of a felony, Congress could make the findings, determinations, and conclusions in a bill that a crime has been committed merely by being an active member or officer of a Catholic, Jewish, or similar organization?

To make it more clear that outlawry is intended by the bill, section 5 imposes the punishment of loss of nationality—not just loss of citizenship—because as lawyers in the House know, conviction of a felony generally deprives a person of the right of a citizen to vote for a time. But under this particular section 5, a native-born American who is convicted of this crime under section 4 is expatriated.

I am not solicitous of Communists and most of the Members of the House are not solicitous about Communists; we are solicitous about human beings, and we are solicitous of preserving constitutional rights. We are solicitous about not having sweeping findings of guilt by the definitions of a statute alone. That is the ground on which I felt justified in completing my argument while the section of the bill which with section 4 relates to conviction of a felony was still before us.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MACKINNON. I want to suggest a slight correction to the gentleman in a minor detail, and that is that conviction of a felony does not in all States always entail the loss of a person's voting rights.

Mr. JAVITS. It does in most States though, does it not?

Mr. MACKINNON. It is up to the particular State.

Mr. JAVITS. But it does in most States, does it not?

Mr. MACKINNON. Look at what they did in Massachusetts. We did the same thing in our State.

Mr. JAVITS. But it does generally in most States, will not the gentleman agree with that?

Mr. MACKINNON. No, not as I read the law—there are a great many States where the State law ignores Federal convictions for felony.

Mr. JAVITS. This bill may deprive a natural-born American of his nationality and I was making that point in connection with outlawry.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MARCANTONIO. I hold in my hand the edicts of Adolf Hitler. I would like to read, with the gentleman's permission, one of the sections with reference to the law regarding the revocation of naturalization and the deprivation of German citizenship. It is as follows:

LAW REGARDING THE REVOCATION OF NATURALIZATION AND DEPRIVATION OF GERMAN CITIZENSHIP (REICHSGESETZBLATT, I, 480, JULY 14, 1933)

An ordinance to effectuate this measure was passed 2 weeks later (Reichsgesetzblatt, I,538, July 26, 1933). It provided:

"Conduct violating the duty to loyalty against the Reich and the people will be found particularly if a German assists in the hostile propaganda against Germany or if he has tried to insult the prestige or the measures of the National Government."

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. NIXON. I should like to point out that under the bill as written the provisions of section 4 and the penalty which the gentleman is discussing would apply to those advocates of fascism as I pointed out earlier in the day, of the brown variety, the black variety, and the red variety, such as we have in the Soviet Union. It is to avoid the establishment in the United States of a Nazi dictatorship, a Communist dictatorship, or a Fascist dictatorship, that we have this provision in the bill, and this penalty which we think fits the crime.

Mr. JAVITS. But that is not your bill, because as I read it when coupled with the findings of fact, it calls for indictment of the officers and active members of the Communist Party as soon as it registers, and hence it is outlawed in effect. This section 4 to which you refer cannot be taken out of the whole bill here, desirable as that might be.

Mr. ISACSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, subdivision (k) of section 5 provides for loss of United States citizenship for anyone who commits a violation of section 4.

Section 4 provides that it shall be unlawful for any person to attempt in any manner to establish a dictatorship. I have previously indicated that the words "any manner" must necessarily mean some manner other than the use of force

or violence. This must necessarily be true for we have already have statutes on the books which prohibit the use of force and violence.

What, then, would constitute "any other manner"? Well, the language of the bill itself gives us an indication of what these other methods may be.

On page 17, section 2, subsection 6 there are listed a number of subsections which characterize the activities other than force and violence, which are sought to be penalized by this bill. What are they?

(A) The disruption of trade and commerce.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ISACSON. Not at this time.

Mr. CASE of New Jersey. It is very pertinent to this point.

Mr. ISACSON. I anticipate that the gentleman from New Jersey wishes to point out that this section has been eliminated from the bill as it now stands.

Mr. CASE of New Jersey. Yes.

Mr. ISACSON. Despite that fact, the language defines the activities that are in the minds of the committee when they refer to activities "other than force and violence." Whether they are still part of the bill or not, they are the activities which the committee seeks to proscribe and penalize. Let us then return to section 2, subsection 6.

Now, what does the bill mean when it says "disruption of trade and commerce?" In ordinary every-day language, it means strikes. It means picketing. It is clear, therefore, that one of the activities which is sought to be penalized here, as an activity "other than force or violence," is the activity of striking.

Let us proceed to subsection (B):

The inciting of economic, social, and racial strife and conflict.

What does the committee mean by that? Well, you have all heard the Congressman from Mississippi, Congressman RANKIN. He stood on this floor yesterday and again today and chanted that a bill which seeks to eliminate racial segregation constitutes incitement of racial strife. Are we then to conclude that any group which seeks to end segregation again comes under this section of the law?

Subdivision (C) prohibits: "The dissemination of propaganda calculated to undermine established government and institutions."

What is the everyday language for that? It simply means opposition, criticism of certain policies of the Government. This section seeks to equate criticism with subversion and conformity with loyalty. Thus this section would penalize strikes and picketing and criticism of the administration and all attempts to end segregation.

It is for that reason that we say that this bill is "Rank in" every respect, and we say "Nix on" this Mundtstrosity.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ISACSON. Certainly.

Mr. HALLECK. As I understand it, section 4 contains certain language prohibiting certain acts.

Mr. ISACSON. That is right.

Mr. HALLECK. Which would be tried as every criminal case would be tried in the district courts, prosecuted before juries who would hear the evidence and determine what ought to be done. Then, there is a penalty provided. Then, an additional penalty, in section 5, which is now sought to be stricken out. Does the gentleman believe that his last statement to the effect that certain activities, which he has listed, could possibly come under the language which seeks to prohibit anyone from attempting to establish a totalitarian dictatorship under the direction or control of a foreign country?

Mr. ISACSON. The answer is "Yes," for the following reasons: First, strikes might be outlawed. I have cited on this floor two instances in which strikes have been declared to be political strikes. I have given you the dates when and the places where that was done. Second, attempts to end racial segregation might be outlawed. The remarks of Congressman RANKIN, who claimed that a law which seeks to end segregation is an incitement to racial strife amply prove this. Third, the attempts to stifle the third party's criticisim of the administration's policies prove my point.

The CHAIRMAN. The time of the gentleman from New York [Mr. ISACSON] has expired.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this section, and all amendments thereto, close in 10 minutes, the last 5 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, I take this time in order to answer the distinguished majority leader by directing some questions to him. The gentleman from Indiana, of course, has read this bill and is fully familiar with it. The gentleman has read section 8 which requires registration.

Assume that the officers of an organization have registered that organization as a Communist political organization. Then, turn to subsection 6 of section 2 on page 16 of the bill. There, Congress finds as a matte. of fact—lines 23 to 25—that such an organization is engaged in the setting up of a Communist totalitarian dictatorship which would be subservient to the most powerful existing Communist totalitarian dictatorship. Assume further that a member of such organization is indicted; I ask the gentleman: What is his defense? Has he not already been substantially and from any realistic viewpoint found guilty the moment the Attorney General has found his organization to be one that is a Communist political organization?

Mr. HALLECK. The gentleman announced that he was going to interrogate me about the provisions of the bill. As I said earlier, I did not engage in drafting the bill, but I think I know enough about it to make this suggestion to the gentleman: As I understand it, the direct provision of prosecution under indictment such as the gentleman referred to is contained in section 4.

Mr. MARCANTONIO. Exactly.

Mr. HALLECK. Section 4 undertakes to set out the conduct which shall be considered as criminal.

I just happen to believe that anyone who undertakes to attempt to establish in this country a totalitarian government subject to control and domination by a foreign power is guilty of about the greatest crime I can think of. I see no reason why that man should not be indicted. I see no reason why Congress should not enact a law to reach him and let the jury determine what the facts are.

Mr. MARCANTONIO. That is not the question I asked the gentleman. I asked the gentlen an, and I repeat it: Is the gentleman in favor of what this bill does, namely, under section 8 an organization must register as a Communist political organization, if it is one. Correct? If the Attorney General finds it to be one. Correct?

Mr. HALLECK. That is, the Attorney General could enter an order declaring it so.

Mr. MARCANTONIO. That is it.

Then, under section 4 a person is charged with attempting in any manner to establish in the United States a totalitarian dictatorship, and so forth. Correct?

Mr. HALLECK. Let me say just this——

Mr. MARCANTONIO. Let us go step by step, so we do not confuse the issue.

Mr. HALLECK. I want to go step by step with the gentleman, but I think he is asking——

Mr. MARCANTONIO. But the gentleman admits that section 8 requires registration of a Communist political organization. Section 4 requires indictment of a person who attempts to establish a totalitarian dictatorship; and subsection 6 of section 2 establishes as a legislative finding that a Communist political organization is an organization that would set up a totalitarian dictatorship. I ask the gentleman then, what good is a jury trial to a person indicated under section 4 in view of subsection 6 of section 2 of the bill and in view of section 8 of the bill?

Mr. HALLECK. Will the gentleman now yield to let me reply?

Mr. MARCANTONIO. I now yield to the gentleman.

Mr. HALLECK. As I said before, section 4 undertakes to set out certain criminal penalties for certain prohibited acts. That would be tried, of course, as the gentleman knows, upon an indictment, a trial by jury.

Mr. MARCANTONIO. But what issues would be left to the jury?

Mr. HALLECK. Now, the gentleman has been asking me questions. Let me have time to answer.

Mr. MARCANTONIO. But what issues would be left to the jury?

Mr. HALLECK. Beyond that, the bill in respect to registration has two different methods of procedure. One would permit the Attorney General to go into the courts to establish the charges made. The other would provide for a hearing before the Attorney General as an administrative officer of the Government and the executive branch of the Government. After hearing, after opportunity

to be heard, there is a review in court of the order made by the Attorney General as such administrative officer.

Mr. MARCANTONIO. But that is not a trial by jury as set forth in the sixth amendment to the Constitution of the United States. You cannot substitute a legislative finding and an executive finding in place of a trial by jury required under amendment 6 of the Constitution.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to remind the gentleman from New York [Mr. MARCANTONIO] that a man in a Communist country would not know what a grand jury is; that the commissars decide whether or not they want him shot or not and proceed as usual.

Mr. MARCANTONIO. That statement is just as relevant to the issues as everything else the gentleman from Mississippi has been sputtering on this particular bill.

Mr. RANKIN. But my arguments have been unanswerable.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment and call the attention of the committee to just what the amendment is. The amendment would strike out all of section 5, and I refer to the amendment introduced by the gentleman from New York [Mr. JAVITS], and supported by the gentleman from New York [Mr. ISACSON]. The rest of the colloquy dealt with other aspects and phases of the bill.

Mr. Chairman, I ask that the Committee reject this amendment because to strike out this penalty in section 5 would mean that the Committee by such action would virtually place its approval upon conspiracies engaged in to overthrow this Government and deliver it to a foreign power.

May I say one other thing and that is the penalties under section 5 apply only to the crimes committed under section 4, only to those crimes which tend toward treason, because they really amount to a conspiracy to deliver this Government lock, stock, and barrel to a foreign power.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Minnesota.

Mr. MACKINNON. The only question that has been raised which might require some clarification in the minds of the Members is the extent to which this might apply to some world organization such as the Catholic Church, the Zionist organization, certain Protestant churches, the World Federalists, and similar organizations. This particular section that we are referring to deals with offenses under section 4. There is nothing in section 4 that deals with any organization, international or local, except one which attempts to establish a "totalitarian dictatorship system of government." We all know that is not the purpose of those organizations and hence they would not be affected in any way. I do not believe that being "subject to foreign control" is anywhere near as great an evil as an attempt to establish a "totalitarian dictatorship." I do not think there is any evil dealt with in this bill which is as great as the evil of attempting to establish a totalitarian dictatorship in this country. The fundamental reason for the magnitude of such evil is that a totalitarian dictatorship would deny the fundamental, inalienable right of human beings to liberty. That is the broad moral basis for this proposal. Such moral law is over and above the Constitution of the United States, but it is recognized in the Constitution and in our Declaration of Independence. The inalienable rights that human beings possess transcends everything that the gentlemen from New York have referred to because the cases he mentioned did not involve cases where inalienable rights were being protected. That is the justification in law and morality for this bill. We are here protecting the fundamental human rights that every individual born in the world is entitled to have his government protect and keep secure and inviolate.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield to the gentleman from Indiana.

Mr. HALLECK. As I understand it, the precise amendment is to strike out section 5 which adds a penalty in the event of conviction that involves the taking away of the right of citizenship. In my State of Indiana and in many other States, if a man is convicted of a burglary, for instance, the court may disfranchise him for a given period of years. That in effect takes away whatever voting rights he has and his right to hold office, his right of citizenship that goes with his being a resident of the State of Indiana. Now, I would not undertake to say to anyone whether or not this additional penalty should be incorporated. That is a matter for a man's own conscience. But, if a man is convicted under section 4, and if section 4 is properly in the bill, then certainly there is precedent for the additional penalty that is involved in section 5.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The amendment was rejected.

The Clerk read as follows:

EMPLOYMENT OF MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 6. (a) It shall be unlawful for any member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that the organization is a Communist political organization—

(1) to seek or accept any office or employment under the United States without revealing that he is a member of such organization; or

(2) after 30 days after the date of the enactment of this act, to hold any nonelective office or employment under the United States.

(b) It shall be unlawful for any officer or employee of the United States to appoint or employ any individual as an officer or employee of the United States, knowing or believing that such individual is a member of a Communist political organization.

Mr. VAIL. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. VAIL:

Page 25, lines 22 and 23, strike out the following: "or believing, or having reasonable grounds for knowing or believing."

Page 26, lines 9 and 10, strike out the following: "or believing."

Mr. VAIL. Mr. Chairman, I would like to inform the House that this amendment has the unanimous support of the entire committee.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Illinois [Mr. VAIL].

The committee amendment was agreed to.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply rise to read another one of Hitler's edicts so that the Members of this House can compare it with section 6.

On April 7, 1933, the following law was passed:

SECTION 1. Civil servants who have been members of the Communist Party, or Comunist auxiliary and substitute organizations, or who have otherwise been active along Communist lines, are to be discharged from the civil list.

SEC. 2. Civil servants who will hereafter be active along Marxist, Communist, or Social Democratic lines, are likewise to be discharged.

SEC. 4. Civil servants who by their previous political conduct do not afford assurance that they will at all times identify themselves without reserve with the national state may be discharged from the service.

SEC. 15. The provisions regarding civil servants are equally applicable to employees and workers.

Mr. Chairman, compare section 6 with the Hitler edicts, and think it over.

Mr. HALLECK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, back in 1940 I remember my service on the special committee that investigated the National Labor Relations Board. In the course of that investigation it was insisted that there were Communists in the employ of that agency. The question arose as to whether or not Communists should serve in the executive branch of the Government. Those who believed that they should be permitted to serve took the position that it did not make any difference what their political belief was, they ought to be entitled to employment by the Government.

Possibly I am a little naive, but it has always been my belief that a man employed in the Government of the United States should be deeply interested in making that government work. That is his first responsibility. It has always seemed to me that you could not expect very good service for good government from a person in the employ of the Government who did not believe in this Government of ours but who, on the contrary, believed in some totalitarian form of government or some form of government that is diametrically opposed to

our form of government under the Constitution and just laws fairly administered for all.

As far as I am concerned I cannot see any similarity with any operations of Mr. Hitler. I think it is just a matter of common sense, important for preservation of our freedom, for national security, and in the interest of good government, that we expect that the people who serve us in the executive branch of the Government of the United States hold the conviction that ours is the best kind of government and that they would rather have our kind of government than some totalitarian or any other alien form of government. I believe it is only from such loyal people that we will get the kind of government the people of this great land are entitled to have. That is the reason I am glad section 6 is in the bill.

The Clerk read as follows:

DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 7. (a) It shall be unlawful for any member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that the organization is a Communist political organization—

(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

(2) after 60 days after the date of the enactment of this act, to use or attempt to use a passport theretofore issued.

(b) It shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or believing that such individual is a member of a Communist political organization.

Mr. VAIL. Mr. Chairman, I offer a perfecting amendment, which has the unanimous support of the committee.

The Clerk read as follows:

Committee amendment offered by Mr. VAIL:

On page 26, lines 15 and 16, strike out "or believing, or having reasonable grounds for knowing or believing."

On page 27, line 1, strike out "or believing."

The amendment was agreed to.

REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

SEC. 8. (a) Each Communist political organization (including any organization required, by a final order of the Attorney General, to register as a Communist political organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist political organization.

(b) Each Communist-front organization (including any organization required, by a final order of the Attorney General, to register as a Communist-front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

(c) The registration required by subsection (a) or (b) shall be made—

(1) in the case of an organization which is a Communist political organization or a Communist-front organization on the date of the enactment of this act, within 30 days after such date;

(2) in the case of an organization becoming a Communist political organization or a Communist-front organization after the date of the enactment of this act, within 30 days after such organization becomes a Communist political organization or a Communist-front organization, as the case may be; and

(3) in the case of an organization which by a final order of the Attorney General is required to register, within 30 days after such order becomes final.

(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

(1) The name of the organization.

(2) The name and last-known address of each individual who is at the time of the filing of such registration statement, and of each individual who was at any time during the period of 12 full calendar months preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

(3) An accounting, in such form and detail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which received and the purposes for which expended) by the organization during the period of 12 full calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the name and last-known address of each individual who was a member of the organization at any time during the period of 12 full calendar months preceding the filing of such statement.

(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulation prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe—

(1) accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization; and

(2) accurate records and accounts of moneys received and expended (including the sources from which received and the purposes for which expended) by such organization.

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as a member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report.

(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regulations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be.

Mr. HESELTON. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HESELTON: On page 29, line 3, strike out the period and insert in lieu thereof a colon and the following: *Provided,* That the provisions of this paragraph requiring disclosure of the sources of money received shall not require any Communist-front organization to disclose the names or addresses of members of such organizations."

Mr. HESELTON. Mr. Chairman, first I want to assure the membership of the House that this is not offered in any way as a wrecking amendment or an amendment that would seriously affect the bill in the shape that it is now in. I do want to confess I am still thinking very deeply about my own responsibility as this bill takes shape. Secondly, I have some degree of confidence that Members of the House may agree with the wisdom of this provision. It applies solely to the names and addresses of members of what are termed in the bill to be Communist-front organizations. The committee in its report and throughout the bill has very properly distinguished between members of the Communist Party and members of a Communist political organization, with which I am confident none of us have any sympathy, and the members of another kind of organization which may or may not be finally found to be in any degree guilty of any offense. In the report on page 7 this is clearly brought out when the committee refers to this briefly by saying: "And in the case of a Communist political organization, but not in the case of a Communist-front organization, the names and addresses of members. If you will look at the bill you will see there is a requirement under subsection (3) for an accounting in such form and detail as the Attorney General may prescribe of all monies received including the sources from which they are received. It is my contention there can be no interpretation of that except that among the sources of the funds of practically all voluntary decent organizations are from dues from their members and, therefore, their names and addresses would be disclosed, which would violate the clear intention of the committee.

You would by indirection be defeating the very protection the committee has written into this section. Consequently, I have tried to provide this limitation so that there would be no question in the world but what the intent of the committee would be carried out by anyone, whoever it might be, who would be charged with the administration of this law.

If I might take the liberty of asking the gentleman from California [Mr. NIXON] who has been most cooperative in discussing all sections of this bill, am I correct in assuming that the intent of the committee was to make it impossible for anybody to so construe this provision that the names and addresses of the

dues-paying members of what are described as Communist-front organizations should not be disclosed by any official?

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield.

Mr. MUNDT. The gentleman is correct, the way the bill is now written. There is no provision at all which requires the publication of any of the names or addresses of front organizations. That is the way the law now stands.

Mr. HESELTON. And that is what the committee wants to have as a result, I am sure.

Mr. MUNDT. But to write in what you do creates a new storm cellar into which these front organizations will run their members and hide them from public view and refuse to respond to subpenas, and you take the administration's side of a controversy such as we now have in the Condon case, by saying that no executive agency may disclose, even to Congress itself, the list.

Mr. HESELTON. I vigorously disagree with the gentleman's interpretation of the amendment. I repeat, the committee itself has definitely and explicitly stated that they did not want the names and addresses of these people in this questionable category to be disclosed. I say the language of the bill before us now indicates that. I would like to ask the gentleman from California [Mr. NIXON] if he thinks I have made a fair statement in terms of the intent of the committee.

Mr. NIXON. I think the gentleman's statement as to the intent of the committee is correct. Proof of the fact that the gentleman's statement is correct is that the bill as presently written expressly distinguishes between the publication of names and addresses of members of Communist political organizations and the names and addresses of members of Communist-front organizations, and expressly requires the furnishing of names of members of Communist political organizations only.

Mr. HESELTON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. HESELTON] has expired.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been amazed at the solicitude that has been evidenced in this debate for those who are seeking the overthrow of this Government and the setting up in lieu and instead thereof a totalitarian state under the control of a foreign power.

I have heard the changes rung again and again about something that Hitler is alleged to have said. Well, Hitler is dead, and I think I know where he is. Stalin is alive, and I have not heard any word of condemnation of Stalin or his satellites and representatives in this country who are seeking its overthrow and its destruction.

Now, I esteem the gentleman from Massachusetts [Mr. HESELTON] most highly. He seems to be laboring under the fear that if somebody sucks eggs in conjunction with a Communist front, they will not be able to hide the shells; that if they are caught in the sheepfold, they may be examined to see if they have wool in their teeth; that if some of the cohorts and financial supporters of these Communist organizations lie down with dogs they may be found to have gotten up with fleas on them. I have no such solicitude. Let us take the false whiskers off of all of them, Reds, pinks, pinkos, and parlor pinks, and expose all of them. It will hurt this country just as much if some deluded saphead who moves in good society and masquerades as a good citizen should dump hundreds of thousands of dollars into a fund to maintain and support one of these subversive organizations as it would if that money should come straight from Moscow.

Let us have an end to this window dressing and take the false whiskers off all these fellows who in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them insult our intelligence.

I am also told, and I want to get right down now to brass tacks, that this House is to be asked to march up the hill in support of this measure and then when we get on top of the hill we are going to take the teeth out of it and in an apologetic and an abject surrender to the Communists and their mouthpieces in this country we are going to provide a means of escape for the Communists who have been found to be Communists by the Attorney General, and the Communist organizations and Communist-front organizations that have been found by the Attorney General to be Communist in their nature and purposes; that if they are so found upon a full hearing by the Attorney General that his finding shall not have the effect of the findings of administrative agencies that have heretofore dealt with the rights of decent citizens in this country, that the findings of the Attorney General in a full, fair public hearing will be open to review in the courts of the country and tried de novo. In other words, the findings of the Attorney General shall not be conclusive. The courts will have to examine and weigh the evidence.

Every lawyer in this House knows that when a citizen's suit is heard before a trial judge of competent jurisdiction without the intervention of a jury, if there is substantial evidence or any evidence to sustain the court's finding the appellate court will not weigh the evidence upon appeal. We are going to give these Communists a latitude, a protection, a leeway, an escape from the findings of the Attorney General that they are Communists or are members of Communist organizations that are required to register under this measure. Out of abundant precaution it is provided in this proposed law that if the Attorney General finds any new evidence or any new evidence is called to his attention that in his opinion warrants a different finding on his part, such evidence may be considered by him, and that he may make a different finding and file such new evidence and different finding in the appellate court.

I do not want the members of this committee to try to make a monkey out of us. I do not think they will do it. I do not want anybody to try to undertake to make a monkey out of this House by making an abject surrender to communism.

The issue is clearly drawn. You are either for our Government and its flag or you are for Russia and the hammer and the sickle. Let the line of demarcation be drawn so there can be no doubt about where an American citizen stands who believes in this country and its flag, its Constitution and its liberties; let the line be drawn between Americans and those who believe in Communistic Russia and the tyranny and outrageous violation of civilization and the Christian religion that has made that government, that system, a plague throughout all the world.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. MUNDT. Mr. Chairman, will the gentleman yield for a consent request?

Mr. SMITH of Ohio. I yield.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto conclude in 14 minutes, the last 2 to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. SMITH of Ohio. Mr. Chairman, I am against a world government. I am opposed to the bipartisan foreign policy which presently seeks to establish a world government. Should a world government eventuate, in all likelihood some particular nation will dominate. That nation might be the United States, and I have a strong suspicion that the citizens of the United States who are back of the movement to set up a world government take it for granted that the United States would be in the saddle. But that might not be the case. It could happen that some country other than our own would be in control.

Bear in mind that a world government might be a dictatorship; and in my judgment that is what is in process of formation. So we might have some foreign country exercise dictatorial power over the United States. Would not this bill, if enacted into law, throw strong suspicion upon all those who are striving to establish what can conceivably be a foreign dictatorship over the United States?

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts and call the attention of the committee clearly to what this amendment would do. Of course, I know it is offered in the best of faith but actually it would take the teeth right out of this bill.

Every Member of the House knows that when we pass this legislation requiring Communists to register, most of the elements of that party will move into front organizations. Unless we provide some way to find out who they are and where they get their money, we are shutting the door in the face of those of us who are trying to stop Communist activ-

ities in this country. We do not provide in the bill that these front organizations have to register their names in public, but we do provide in the bill that these subversive-front organizations must keep in their own offices a complete list of the names and accurate addresses of all of their members and they must report to the Attorney General the sources of revenue and the manner in which they spend their money.

If we were to adopt the gentleman's amendment we would set up a barrier against Congress or the Attorney General bringing those names out of hiding if it should become necessary. We must keep the authority in our own hands so if there are subversive groups and front organizations whose names are kept there under mandate of Congress, and if it becomes necessary then to find out who they are, to disclose their identity, to find out their addresses, certainly we do not want to hamstring ourselves so that we have no power at all to find out who is trying to overthrow this Government by force and violence.

For the reasons set forth above I ask that the amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I want to ask the chairman of the committee a question that has been bothering me during the debate. What will constitute membership in these various organizations?

Mr. MUNDT. That will depend on the charter and the constitution of the particular organization. In most cases it will be a dues-paying member. In some places they may not use dues, they may have some other initiation procedure. But whatever step you have to take to become affiliated with them, this legislation covers the procedure. It does not mean they can put Mr. MILLER or Mr. MUNDT in of their own volition and without our knowledge. The individual member has to take some overt act to become a member.

Mr. MILLER of Connecticut. Then all the citizen would have to do is not to commit that overt act. If it is the payment of dues, he will not pay dues. If it is attending meetings, he will stay away from meetings.

Mr. MUNDT. If he becomes a member of the Communist-front organization, he is covered.

Mr. MILLER of Connecticut. Here is what is bothering me. He simply will not comply with whatever criteria you set up. If you set up the payment of dues he will not pay dues. But that does not lessen the threat of communism so far as we are concerned.

Mr. MUNDT. There is no criterion established; it varies from front organization to front organization.

Mr. MILLER of Connecticut. That is the trouble.

Mr. MUNDT. If a man does not join the Communist-front organization he is not covered and if in his own individual capacity he happens to carry out some of the policies of the Communist-front organization he will not be affected. But if he is affiliated with the organization, then he comes under the declarations of the bill.

Mr. MILLER of Connecticut. That is what bothers me. We could have one of the most dangerous Communists, a man who does want to overthrow this Government by force and violence, yet he would not be touched by this bill and he is the man we would drive underground because he will not comply with the conditions set forth here.

Mr. MUNDT. The only way he could continue to operate is to operate as a hermit alone and unaffiliated with others acting similarly.

Mr. MILLER of Connecticut. No; he could operate as one of many kindred spirits.

Mr. MUNDT. Then he becomes a member of an organization that is subversive if his activities are of such a nature.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HESELTON].

The amendment was rejected.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 29, line 5, after the word "organization", insert the words "or Communist-front organization."

Mr. RANKIN. Mr. Chairman, this amendment provides for the registering with the Attorney General of the names and addresses of every member of a Communist-front organization in America, just as we do the Communist organizations.

I have said time and time again that these Communist-front organizations are doing infinitely more harm in this country today than the Communist Party itself. There is no reason on earth why every man who belongs to one of these subversive-front organizations should not have his name registered, or his membership registered, with the Department of Justice. I took that position in the committee, and I take that position now.

Whenever that is done you are going to find people becoming careful about joining these subversive fronts. You will not find so many of these fellow-travelers strutting around in our educational institutions, poisoning the minds of our students, because they happen to be members of a Communist-front organization that is used as a cat's-paw for the Communist Internationale. This is one of the greatest dangers in America, and I want those names registered with the Department of Justice so that the Department of Justice may know who they are.

You know the reason there is so much fight on this bill? The passage of this bill in the form it was reported, and especially with this amendment, will do more to turn back this tide of fanaticism and to save America for Americans, preserve American institutions and put a stop to this world-wide effort to undermine and destroy this government, to undermine and destroy our religious institutions, to undermine and destroy everything American, than anything else has ever done.

I say, the passage of this bill, especially with this amendment, will do more to turn back that tide of fanaticism than anything else that could be done at this time.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. NIXON. I am asking the gentleman to yield only for this purpose, to say that this particular proposal, which I know the gentleman has offered in the best of faith, was considered by the full committee and by the subcommittee.

Mr. RANKIN. I understand.

Mr. NIXON. And it was rejected. It was rejected on the ground that the committee did not desire to have the names of Communist front members made public for the very good reason that membership in a Communist-front organization as distinguished from a Communist political organization can involve innocent people.

Mr. RANKIN. This does not publicize the names. It makes them file the names of the members of these subversive fronts with the Attorney General of the United States, and if this amendment goes in it will do more to put a stop to these subversive elements working throughout the United States than any other one thing that can be done. When patriotic American citizens realize that an organization is a Communist front, that the name of every member is registered with the Department of Justice, they are going to be very reluctant to lend their names or their money to the carrying out of these subversive propaganda campaigns. I know there was opposition to this amendment in the committee. I took the same position then that I am taking now.

I have stood by this committee since it was organized 10 years ago.

I was responsible for its creation as a permanent committee in 1945. I have supported it throughout all these years. But I tell you now that one of the best things we can do is to adopt this amendment to make every Communist-front organization file with the Department of Justice a list of its members, together with their post-office addresses.

That will not be putting them on the front page, but it will be putting them where the Attorney General or the Department of Justice can lay its hands on them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

The Clerk read as follows:

KEEPING OF REGISTER; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS

SEC. 9. (a) The Attorney General shall keep and maintain in the Department of Justice a register of all organizations which are registered under section 8, and such register shall be known as the "Register of Communist Organizations." Communist political organizations and Communist-front organizations shall be listed separately in such register.

(b) Such register, together with the registration statements and annual reports filed under section 8, shall be kept and maintained in such manner as to be open for public inspection.

(c) The Attorney General shall submit to the President and to the Congress annually (and at any time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this act, including the names of the organizations listed in such register and of the data (including the names and addresses of the individuals listed as members of such organizations) contained in registration statements and annual reports filed under section 8.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are assuming that registration is not a penalty and not an infringement of the first amendment to the Constitution. I am sure that if the Members of this House will examine the decisions on this subject they will find otherwise. Requiring registration because of the expression of any views is just as much an infringement of the first amendment as any other action this House could take. Unless the views expressed constitute a clear and present danger, something which is to be found by judicial determination and not by legislative finding, as provided in this bill, the requirement of registration is a violation of the first amendment to the Constitution. I hope the Members will examine the decisions on this issue, particularly the case of *Thomas* v. *Collins* (323 U. S. 516). I shall read a short paragraph from it:

If one who solicits support for the cause of labor may be required to register as a condition to the exercise of his right to make a public speech, so may he who seeks to rally support for any social, business, religious, or political cause. We think a requirement that one must register before he undertakes to make a speech to enlist support for a movement is quite incompatible with the requirements of the first amendment.

Examine section 8 and section 9 in the light of the constitutional prohibition and you will find that what the House is attempting to do here is in violation of the first amendment to the Constitution.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Indiana.

Mr. MITCHELL. Does the gentleman from New York feel that it was a violation of constitutional rights when millions and millions of our boys and girls registered for the draft to defend this country some 4 years ago? We are working in reverse now.

Mr. MARCANTONIO. I have heard the question. That question is just as relevant to this issue as the remark the gentleman made previously on the floor of this House about the United Electrical Workers.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from New York, who I hope will talk about the law on the question instead of making an irrelevant declaration, as the gentleman from Indiana just did.

Mr. KEATING. The gentleman realizes that in this case of Thomas against Collins, to which he has referred, the Court discussed and in no way overruled but rather by implication approved the case of Bryant against Zimmerman which required the Ku Klux Klan to register in the State of New York and in which case it was held to be not a violation of the Constitution to require the Ku Klux Klan to register, just as the Communists are required to do by this bill. Both are enemies of our free institutions. The wording of the registration statute under review in the Bryant case is very similar to the measure before us.

Mr. MARCANTONIO. The gentleman overlooks the distinction I have made. Registration or any other action can be required where the activity constitutes a clear-cut present danger. A clear-cut present danger must be established by judicial process. Remember, in this bill you do not seek to establish clear and present danger by judicial process. You attempt to evade the Constitution, that is, you try to evade the Constitution by attempting to establish it by legislative determination. That is the very, very false foundation upon which this whole legislation is based.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. KEATING. Do I understand the gentleman's contention to be that the Ku Klux Klan does constitute a clear and present danger, but the Communists do not in this country?

Mr. MARCANTONIO. I say to the gentleman that the Ku Klux Klan does constitute a clear present danger.

Mr. KEATING. What about the Communists?

Mr. MARCANTONIO. So far as the Communist Party is concerned, I refer the gentleman to United States against Schneiderman. In that decision it is indicated strongly that the Communist Party does not constitute a clear present danger.

Mr. KEATING. What was the date of United States against Schneiderman?

Mr. MARCANTONIO. That decision of the Court is one reason why you are seeking to evade the constitutional prohibition against this legislation.

Mr. Chairman, pursuant to permission granted by the House, I annex a brief on this subject.

MEMORANDUM ON THE CONSTITUTIONALITY OF SECTION 8 OF THE MUNDT BILL, H. R. 5852

The Mundt bill is unconstitutional in numerous respects. This memorandum, however, is limited to only one of its constitutional defects: namely, that the registration requirements of section 8 violate the first amendment.

1. Under the terms of the bill, organizations may be required to register solely, or at the very latest largely, because of the doctrines they advocate and the views they express, no matter how peaceably. Thus the tests of whether an organization is a Communist political organization include the expressions of its views and policies, the extent to which these views are the same as those of the foreign controlling country (presumably Russia), and the extent to which it supports or advocates Marxism and Leninism. An organization is a Communist front if it can be reasonably concluded that its views and policies are in general adopted and advanced because they are those of a Communist political organization, Communist foreign government, or the world Communist movement. To be considered are the identity of some of its members and its policy positions.

Under existing conditions, registration obviously subjects the organization, its members and supporters to serious economic, social and political disabilities. Communist has become a bad name in this country; it has even been held to be libellous. People get fired from their jobs, in or out of the Government for being communistic. Many organizations could not survive if they had to adopt a Communist label. Even a frankly Communist organization cannot survive if it must, by listing its members and financial contributors, subject them to these disabilities.

Since these consequences are incurred because of the advocacy of views, the registration requirement effectively restrains such advocacy and the assembly of persons into organizations which advocate such views. Indeed, restraint by exposure is the acknowledged purpose of the bill.

But a restraint of speech and assembly by registration, "exposure" or other means is as unconstitutional under the first amendment as the most direct prohibition. The Supreme Court has repeatedly held that the rights guaranteed by the first amendment cannot be infringed indirectly any more than they can be directly prohibited. This it held in *Murdock* v. *Pennsylvania* (319 U. S. 105) and *Grosjean* v. *American Press Co.* (297 U. S. 233), that free speech cannot be indirectly restrained by imposition of license taxes; in *Lovell* v. *Griffin* (303 U. S. 444), by a system of issuing permits at official discretion; in *Schneider* v. *Irvington* (308 U. S. 147), by an ordinance aimed at street littering which prevented distribution of handbills.

The proponents of the bill, therefore, are on untenable ground in asserting that the bill is constitutional because it only "exposes" and does not "outlaw." Restraint by "exposure" is as invalid as direct "outlawry." The great debate between Mr. Stassen (who supports the bill because it outlaws) and Mr. Dewey (who supports it because it does not outlaw) is therefore beside the point.

2. What is more, even without the restraint arising from the consequences of registration; the mere requirement of registration is itself invalid when based, wholly or in part, as here, on the expression of views.

In *Thomas* v. *Collins* (323 U. S. 516), the Supreme Court held a statute unconstitutional, as abridging free speech and assembly, because it required registration, even for identification purposes only, of any person who solicited union membership. The Court said: "As a matter of principle a requirement of registration in order to make a public speech would seem generally incompatible with an exercise of the rights of free speech and free assembly." This decision applies where the speech and assembly concerns political, as well as labor, subjects. Thus the Court also said:

"If one who solicits support for the cause of labor may be required to register as a condition to the exercise of his right to make a public speech, so may he who seeks to rally support for any social, business, religious, or political cause. We think a requirement that one must register before he undertakes to make a public speech to enlist support for a lawful movement is quite incompatible with the requirements of the first amendment."

This bill does exactly what *Thomas* v. *Collins* holds to be invalid. It requires an organization to register if it advocates certain views. If it does not register, the organization, its officers, and those souls hardy enough to remain members are criminally punished. To avoid punishment, then, the organization must register before it can function and before it can advocate those views. Thus, registration is a condition to the assembly of its members into the organization and to their advocacy of views through the organization.

3. Furthermore, the registration provision is unconstitutional, because by it Congress would be classifying and inquiring into views and opinions. It would classify Marxist views as being "bad" and "dangerous," so that its advocates must register and identify themselves; advocates of other views are not under such requirements. But under the Bill of Rights, Government may not inquire into or classify views and opinions. In *Board of Education* v. *Barnette* (319 U. S. 624), the Supreme Court said: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by words or deed their faith there."

In *Cantwell* v. *Connecticut* (310 U. S. 296), the Supreme Court held that a State official could not constitutionally be allowed to determine what causes were religious ones and which were not. In *United States* v. *Ballard* (322 U. S. 78), the Court held that a jury could not constitutionally, under the first amendment, be allowed to determine whether religious beliefs were true or false.

In short, the first amendment prohibits heresy trials, whether by legislature, administrative official, or jury. The first amendment protects freedom of speech and assembly as much as it protects freedom of religion. Hence, you cannot lawfully declare political views to be politically heretical.

4. Finally, the registration requirement is invalid because it imputes to organizations with many members a description which can be based on the views of some of its members. Guilt by association is unconstitutional. In *Kotteakos* v. *United States* (328 U. S. 750), the Supreme Court said: "Guilt with us remains individual and personal, even as respects conspiracies. It is not a matter of mass application."

NOTE.—The foregoing memorandum does not discuss one point. A restraint on speech would be valid if the speech presented a "clear and present danger" of a substantive harm which the legislature could directly prohibit. But no such danger exists here. Furthermore, it has been applied only to a particular conduct (as shouting "fire" in a theater), not to general advocacy of principles and ideas. The Court said in *Bridges* v. *California* (314 U. S. 252): "What finally emerges from the 'clear and present danger' cases is a working principle that the substantive evil must be extremely serious and the degree of imminence extremely high before utterances can be punished."

Mr. KEATING. Mr. Chairman, I move to strike out the last word. I do so only for the purpose of calling the attention of the membership to the fact that the Schneiderman case referred to by the gentleman from New York was decided in 1943. A lot of water has gone over the dam since 1943. What was then not a clear and present danger could very well be so today.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MARCANTONIO. A clear and present danger cannot be established by legislative fiat. That is a question for the courts to determine. You are seeking to establish that by legislative determination. Our Constitution provides that that question must be established by judicial determination. That is why your bill will not stand up.

Mr. KEATING. Does the gentleman have any doubt that in an appropriate proceeding, a judicial determination would establish that communism constitutes a clear and present danger in this country today?

Mr. MARCANTONIO. Here is your answer. You have the McCormack Act. You have the Voorhis Act. Why has not the Attorney General of the United States established it in the courts?

Mr. KEATING. Does the gentleman ask me why the Attorney General has not done something?

Mr. MARCANTONIO. I will tell you.

Mr. KEATING. Mr. Chairman, I refuse to yield further until I answer the gentleman's question.

Mr. MARCANTONIO. Because there is no evidence.

Mr. KEATING. Mr. Chairman, I refuse to yield further.

Mr. Chairman, the Attorney General may have acted properly or may not, but at least he said that some such legislation as this bill providing for registration would assist him in the performance of his duties. That is part of the record. If he has not previously done all that he might have done, I hope the gentleman does not charge that to the present speaker.

If the gentleman is so certain that it will be impossible to establish in court that the Communist menace presents a clear and present danger in this country, if he is so confident that the language in the Schneiderman case, decided in 1943 on the state of facts there proved, would be repeated today in the decision of an issue raised by this measure, it is extremely difficult to understand what he fears.

In the light of the march of world events since 1943, particularly the last 3 years, in the face of the tactics adopted by the Communists and their spokesmen and apologists in this country, never more eloquently demonstrated than in their frantic efforts to defeat the measure before us, it impresses me that the scales weigh heavily on the side of those who contend that the clarity and immediacy of the danger is patent. I would much prefer to conclude otherwise. That, however, is realism and my Presbyterian conscience will not permit.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MUNDT. I ask unanimous consent that all debate on this section, and all amendments thereto, close in 7 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

THIS IS A DUTY WE OWE TO OUR COUNTRY

Mr. RANKIN. Mr. Chairman, the statement of the gentleman from New York [Mr. MARCANTONIO] certainly drew the line when he said that the Ku Klux Klan was an immediate danger to the country but that the Communist Party was not, and that therefore we have no right to legislate until it becomes an immediate danger.

That sounds like some of the pro-Japanese arguments heard just before the attack on Pearl Harbor.

More than a hundred years ago, Sergeant S. Prentiss, the most eloquent man who ever occupied a seat in this House, speaking on the subject of self-defense, used this statement:

> The principles of self-defense, which pervade all animated nature, and act toward life the same part that is performed by the external mechanism of the eye toward the delicate sense of vision—affording it, on the approach of danger, at the same time, warning and protection—do not require that action shall be withheld till it can be of no avail.
>
> When the rattlesnake gives warning of his fatal purpose, the wary traveler waits not for the poisonous blow, but plants upon his head his armed heel, and crushes out at once his venom and his strength.
>
> When the hunter hears the rustling in the jungle, and beholds the large green eyes of the tiger glaring upon him, he waits not for the deadly spring, but sends at once through the brain of his crouching enemy the swift and leaden death.
>
> If war was declared against your country by an insulting foe, would you wait till your sleeping cities were wakened by the terrible music of the bursting bomb; till your green fields were laid waste and trampled under the hoofs of the invader and made red with the blood of your brethren?
>
> No. You would send forth fleets and armies; you would unloose upon the broad ocean your keen falcons; and the thunder of your guns would arouse stern echoes along the hostile coast.
>
> Yet, this would be but national defense, and authorized by the same great law of self-protection, which applies no less to individuals than to nations.

Here we are, let me say now, representing 140,000,000 American people, with our country threatened with grave danger. Oh, they say it 's not imminent or apparent; but we know it is a lurking danger, and working all the time. It is our duty to legislate against it. It would be silly, it would be stupid, it would be foolish, it would be unworthy of us, as Prentiss said, to wait until our sleeping cities are awakened by the terrible music of the bursting bomb.

That is what some of these Communist-front organizations have been working for, in trying to steal the secrets of the atomic bomb and pass them on to an enemy, an avowed enemy, that is plotting the destruction of this Government. There is no doubt about that. Go down and see the Iron Curtain tonight, and you will be convinced.

Let us make this bill as strong as possible. Let the American people know that we do not propose to temporize with a foreign power, with an alien enemy, that is using every possible effort to undermine and destroy America and American institutions, and to reduce our people to a system of slavery that now prevails in a great many of the countries of the Old World.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. What amendment is the gentleman referring to? As I understand it, the only amendment before the committee at the present time is a pro forma amendment.

The CHAIRMAN. That is the amendment to which the gentleman is referring.

Mr. PETERSON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am taking these 2 minutes to call attention to certain decisions of the court. We have been discussing from time to time the question of "clear and present danger," and "clear and present need," and so forth. The court in the Pennsylvania case which went to the circuit court of appeals held this:

What the policy of the Communist Party is does not appear from the evidence but courts have long recognized and have taken judicial notice that communism, as a political movement, is dedicated to the overthrow of the Government of the United States (and with it the governments of the States as necessary incidents in our system of divided sovereignty) by force and violence (*U. S.* v. *Wallis*, 268 Fed. 413; *Skeffington* v. *Katzeff*, 277 Fed. 129; *Antolish* v. *Paul*, 283 Fed. 957).

Then the court continues to say:

For ourselves, we are not willing to say that courts are such impotent instruments of government that they may not take judicial notice of facts so well known to the man on the street. Destruction of other existing government by violence is not the suggestion merely of a secret pact among Communists; it is the vaunted objective of the party openly declared by its recognized spokesman. In the meantime, although Communists concede that these ends cannot be attained except by violent and revolutionary processes, they have sought to maintain their status as a legitimate political party entitled to a place on the ballot.

The Arkansas court has held similarly as has other courts.

You cannot expect the Congress to have less knowledge than the man on the street has and if the court takes judicial notice of those particular things, so also can the Legislature. Here we are in the Legislature merely placing in this bill the statement that Congress takes cognizance of the same type of knowledge as does the courts.

I merely wanted to call that to the attention of the Members in order to clarify the situation.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

MEMBERSHIP IN CERTAIN COMMUNIST POLITICAL ORGANIZATIONS

SEC. 10. It shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that it is a Communist political organization, if (1) such organization is not registered pursuant to section 8, and (2) the period of time designated in section 8 for registration by such organization has expired.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: Page 32, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"SEC. 10. It shall be unlawful for any individual to become or remain a member of any organization if (1) there is in effect a final order of the Attorney General requiring such organization to register under section 8 of this act as a Communist political organization, (2) more than 120 days have elapsed since such order became final, and (3) such organization is not registered under section 8 of this act as a Communist political organization."

Mr. NIXON. Mr. Chairman, this is a perfecting amendment to section 10 which makes it absolutely clear that members of a Communist political organization will know that the organization has been found to be such an organization before criminal penalties will apply to persons becoming or remaining members under this section. Under the amendment not only must the organization have been found to be a Communist political organization by the Attorney General but a period of 120 days must elapse after the order has became final before criminal penalties apply.

Mr. MARCANTONIO. Mr. Chairman, I rise for the purpose of asking the gentleman from California certain questions in connection with his amendment.

The gentleman's amendment applies to section 10 of the bill and provides that before a person may be indicted for remaining in an organization a final order must have been issued requiring that organization to register. Is not that the tenor of the amendment?

Mr. NIXON. That is correct.

Mr. MARCANTONIO. In other words, unless such an order is issued, continuance of one's membership in an organization no longer constitutes a violation of section 10, as it does in the bill before us. Is that correct?

Mr. NIXON. That is right.

Mr. MARCANTONIO. So much for that point. As the bill was written originally it did. And this gives us an idea how dangerous this bill was, is, has been, and will be. You will find that it was possible under section 10 for a person to have been indicted for remaining a member of an organization even though no order had been issued requiring that organization to register. This again illustrates the dangerous, loose, and careless language of the bill.

Now the committee offers what it calls a perfecting amendment in order to make certain that before a person may be indicted an order must first be issued requiring the registration of that organization. I state that to illustrate again that not only the committee itself but the Members of this House, as time goes on and they continue to study the bill, find in it more and more dangers to the liberties of the American people. But the basic danger which cannot be corrected as far as section 10 is concerned is that here we have section 10 legislating guilt by association. In other words, if a person continues to remain a member of an organization against which an order has been issued requiring the registration of that organization, that person will be declared guilty under section 10. He is guilty of a crime. Of what? Mere association. This is being done despite the clear constitutional prohibition against guilt by association.

Mr. HALE. Mr. Chairman, I ask unanimous consent that the pending amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Clerk reread the committee amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from California [Mr. NIXON].

The committee amendment was agreed to.

The Clerk read as follows:

USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

SEC. 11. It shall be unlawful for any organization which is registered under section 8, or for any organization with respect to which there is in effect a final order of the Attorney General requiring it to register under section 8, or for any person acting for or on behalf of such organization—

(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank: "Disseminated by ———, a Communist organization"; or

(2) to broadcast or cause to be broadcast any matter over any radio station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank: "The following program is sponsored by ———, a Communist organization."

DENIAL OF TAX DEDUCTIONS AND EXEMPTION

SEC. 12. (a) Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution (1) such organization is registered under section 8, or (2) there is in effect a final order of the Attorney General requiring such organization to register under section 8.

(b) No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 8, or (2) there is in effect a final order of the Attorney General requiring such organization to register under section 8.

CERTAIN ADMINISTRATIVE DETERMINATIONS

SEC. 13. (a) Whenever—

(1) in the case of any organization which is not registered under section 8 of this act, the Attorney General has reason to believe that such organization is a Communist political organization or a Communist-front organization (or the Attorney General is requested, by resolution of either House of Congress, to investigate whether such organization is a Communist political organization or a Communist-front organization), or

(2) the Attorney General receives from any organization registered under section 8 an application that he make a finding that the organization is not a Communist political organization or a Communist-front organization, as the case may be, and by order cancel its registration and relieve it from the requirement of making further annual reports, and such organization, in support of such application, presents evidence which, in the opinion of the Attorney General, makes a prima facie showing that the organization is not a Communist political organization

or a Communist-front organization as the case may be,

it shall be his duty forthwith to institute and conduct a full and complete investigation to determine whether such organization is in fact a Communist political organization or a Communist-front organization, as the case may be. The Attorney General shall not make such a determination with respect to any organization without first affording to it, after timely notice, an opportunity for a hearing.

(b) For the purposes of such investigation the Attorney General, or any officer of the Department of Justice authorized by him, may hold hearings, administer oaths and affirmations, may examine witnesses, and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpenas may be signed and issued by the Attorney General or any such authorized officer. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. In case of disobedience to a subpena the Attorney General may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(c) The testimony in any hearing conducted under this section shall be reduced to writing and filed in the office of the Attorney General.

(d) If upon an investigation pursuant to clause (1) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 8 of this act.

(e) If upon an investigation pursuant to clause (2) of subsection (a) of this section the Attorney General determines that the organization is not a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall by order cancel the registration of such organization and relieve it from the requirement of further annual reports. A copy of such order shall be sent to such organization.

(f) If upon an investigation pursuant to clause (2) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall issue and cause to be served on such organization an order refusing to cancel the registration of such organization and to relieve it from the requirement of further annual reports.



Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON:

Page 35, line 17, after the period, insert the following new sentence: "Subpenas shall be issued on behalf of the organization being investigated upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought."

And on page 35, line 23, after "Attorney General", insert "or such organization."

And on page 36, line 12, after "(c)" and before the word "The", insert the following: "All hearings conducted under this section shall be public. The organization shall have the right to present its case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts."

Mr. NIXON. Mr. Chairman, I think the purpose of this amendment is quite clear. It is the intention of the committee, through this amendment, to spell out the administrative procedure before the Attorney General with clarity so that there can be no question but that these proceedings are to be held in such a way as to provide a fair consideration of all the facts.

I ask for the adoption of the amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from California [Mr. NIXON].

The committee amendment was agreed to.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. KERSTEN of Wisconsin. Mr. Chairman, in support of the Mundt bill, and particularly section 8 thereof, requiring the registration of Communist political organizations with the Attorney General, I desire to offer in support of this measure some information concerning the effectiveness of section 9 (h) of the Taft-Hartley Act, requiring the officers of labor organizations to sign affidavits that they are not members of the Communist Party.

Recently, in a very able article by James Y. Newton, in the Washington Star of May 9, 1948, he quotes Mr. Denham, the general counsel of the National Labor Relations Board, as follows:

No one feature of the act has received quite so much attention in the public eye as (the one) which deals with non-Communist affidavits. And no other section—nor, in fact, any other law that I know of—has proved to be a more effective weapon against our No. 1 menace, "the infiltration of communism into our basic economic structures."

This statement by the general counsel of the National Labor Relations Board is most significant, and should be persuasive with the Congress of the United States in considering the measure now before us.

Furthermore, I would like to direct your attention to the very able statement of my distinguished colleague, Representative WINT SMITH, of Kansas, on page A2745 of the Appendix of the CONGRESSIONAL RECORD. Under the title of "The Handwriting on the Wall," General SMITH called attention to the first decertification election held by the National Labor Relations Board at Cordele, Ga. In the plant of the Harris Foundry and Machine Co. the employees voted 138 against the union to 60 for the union. As a result of that election, the Board decertified a local of the steelworkers union. The steelworkers, as you know, have not complied with the act by filing non-Communist affidavits.

Another incident, involving a steelworkers local, is even more dramatic. Quoting again from Mr. Newton's article:

The second happening involves the 1,400 workers of the Nashville Corp., Nashville, Tenn. On August 22, 2 days before the Taft-Hartley Act took effect the steelworkers won easily a collective bargaining representation election among the employees. But, before NLRB could certify the union as bargaining agent, the new law became effective.

CRACK-DOWN RULINGS

Then, the Board ruled it would dismiss all pending cases unless the unions involved filed the non-Communist affidavits and other data required by the new law. The steelworkers decided not to file and the Nashville case, among others, was tossed out, election or no election.

Within a short time, the International Association of Machinists, a complying union, went to work on the Nashville employees. A few weeks ago they asked for a bargaining election. NLRB held the workers had the choice only of voting for the IAM or "no union," that the steelworkers could not appear on the ballot.

A few days ago, the Nashville workers voted 960 for the IAM to 94 for no union. A number of other ballots were challenged. But, the steelworkers lost, at least for a year, the 1,500 members.

On May 17, 1948, the National Labor Relations Board issued a release giving a summary of the first 36 decertification elections held in 17 States and Hawaii. This release was for the period between January 1, 1948, and March 31, 1948. In 25 of the first 36 decertification elections a majority of the employees voted against further representation by the unions previously certified as their representatives. Of the 3,083 eligible voters in these 36 plants 2,730 valid votes were cast, the A. F. of L. receiving 347 votes, the CIO 596, unaffiliated unions 196, and against any union 1,591. This release did not show how many of the 25 unions decertified by the Board had failed to sign non-Communist affidavits.

I thought the Congress would be interested in the reaction of American workmen toward their union representatives who have failed or refused to sign non-Communist affidavits. Therefore, I have secured from the Board a compilation of decertification elections as of May 15, 1948.

In 61 decertification elections from January 1 to May 15, 1948, the Board shows that 39 unions were decertified by a vote of a majority of the employees. Of the 39 unions decertified, the Board's records show that only 9 were in compliance with section 9 (h) of the act and had signed non-Communist affidavits. Of the 22 unions which have won elections, the Board shows 4 noncomplying unions.

These figures clearly indicate, in my opinion, that a majority of the employees throughout our country are resolved to rid themselves of leaders who refuse to go on record as loyal citizens of the United States.

The Clerk read as follows:

JUDICIAL REVIEW

SEC. 14. (a) Such organization may obtain a review of an order issued under subsection (d) or (f) of section 13 in the United States Court of Appeals for the District of Columbia by filing in the court, within 60 days from the date of service upon it of such order, a written petition praying that the order of the Attorney General be set aside. A copy of such petition shall be forthwith served upon the Attorney General, and thereupon the Attorney General shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Attorney General. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Attorney General. The findings of the Attorney General as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Attorney General, the court may order such additional evidence to be taken before the Attorney General and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Attorney General may modify his findings as to the facts, by reason of the additional evidence so taken, and he shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and his recommendations, if any, with respect to action in the matter under consideration. If the court sets aside an order issued under subsection (f) of section 13 it may enter a judgment canceling the registration of the organization and relieving it from the requirement of further annual reports. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in section 240 of the Judicial Code, as amended (U. S. C., 1940 ed., title 28, sec. 347).

(b) Any order of the Attorney General issued under subsection (d) of section 13 shall become final—

(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Attorney General has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia, and no petition for certiorari has been duly filed; or

(3) upon the denial of a petition for certiorari, if the order of the Attorney General has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia; or

(4) upon the expiration of 10 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Attorney General be affirmed or the petition for review dismissed.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON:

Page 38, beginning in line 6, strike out the words "substantial evidence" and insert in lieu thereof the words "the preponderance of the evidence."

Page 38, beginning in line 19, strike out the words "substantial evidence" and insert in lieu thereof the words "the preponderance of the evidence."

Mr. HOBBS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOBBS. I wish to inquire if my understanding is correct, now that section 14 has been read, that it is open to such amendments as may be offered, whether they come in the order in which they are offered or not.

The CHAIRMAN. The section is open to any amendment that is germane to the section.

Mr. HOBBS. In other words, I have no objection to this amendment, Mr. Chairman, but I have an amendment in line 17, so I do not want to be barred by not offering it before this committee amendment is considered.

The CHAIRMAN. The gentleman will have that opportunity.

Mr. JENNINGS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JENNINGS. I wish to inquire of the chairman of the subcommittee whether he intends to address the committee in favor of this amendment. It is a vital amendment, and I want to be heard in opposition to it.

Mr. NIXON. Mr. Chairman, I shall only take the time to say this: This amendment has received the consideration of the committee and has the approval of the committee. This is a decision that was made after full consideration of the issues involved. I believe it should be approved by the Committee of the Whole. I recognize that the gentleman from Tennessee [Mr. JENNINGS] is concerned about this amendment, and I respect his opinion on it, but I do feel that the amendment is an additional safeguard in this particularly sensitive branch of the law which should be written into the bill at this point.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. Originally the language in the bill provided that if the court found that there was substantial evidence sustaining the findings of fact of the Attorney General the court would not disturb those findings.

Mr. NIXON. I will read the section:

The findings of the Attorney General as to the facts, if supported by substantial evidence, shall be conclusive.

Mr. MARCANTONIO. Now you substitute "preponderance of the evidence"?

Mr. NIXON. That is correct.

Mr. MARCANTONIO. There is a vast difference between the two, yet this committee brought out this bill with "substantial evidence."

Mr. NIXON. Is the gentleman opposed to the amendment?

Mr. MARCANTONIO. I do not oppose the amendment, I oppose the bill, and I will discuss the "preponderance of the evidence" in my own time later.

Mr. HALLECK. Mr. Chairman, will the gentleman yield in order that I may ask a question of the gentleman from New York [Mr. MARCANTONIO]?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALLECK. Is it not true that the gentleman has consistently opposed the various methods that have been suggested to change the substantial evidence rule in connection with the findings of the National Labor Relations Board, the Federal Trade Commission, the Securities and Exchange Commission, and various other administrative agencies of the Government?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield to permit me to answer the distinguished majority leader?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. There is a vast difference. Here you are legislating a criminal statute. Here you are again substituting legislative determination for judicial determination by giving to the Attorney General the power to make findings upon which a criminal case can be based. It is an entirely different story.

Mr. HALLECK. It just so happens that there is a criminal penalty in the Federal Trade Commission Act.

Mr. MARCANTONIO. Yes, but they are not tied up this way.

Mr. HALLECK. There the substantial evidence rule applies. It also happens that the procedure involved in all these administrative agency operations may start with a cease and desist order, to be followed by an injunction in court, and, if there is failure to comply, a man can be put in jail for refusal to comply. I submit that the order entered by the Attorney General as contemplated in this proposal is an administrative ruling to be rendered by him after a hearing. It is on exactly the same plane as the order entered by other administrative agencies. The fact that it is the same is evidenced by the fact that the appeal is to the Circuit Court of Appeals in the District of Columbia, even as decisions and rulings from other administrative branches of the Government go either to the District Court of Appeals or to the circuit courts of appeals all over the country.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of answering the majority leader. First of all, you are substituting here a rule of evidence as applied to a civil administrative proceeding. You are substituting that for a rule of evidence which has always been applied in a criminal proceeding; namely, quite beyond a reasonable doubt. Let us look at this thing a moment, and you will see the difference between the SEC regulations, the National Labor Relations Board regulations and sections 13 and 14 of this bill. Here we must examine section 13, the registration section, and then section 14, the judicial review section. You must read those sections in connection with section 4, because an administrative finding is made pursuant to section 13, and then a review pursuant to section 14,

that finding becomes a predetermined issue of fact in a criminal case. That finding pursuant to section 13 and then determined after review under section 14 becomes an executive finding of fact in a criminal trial not subject to consideration by a jury. Under section 4 a person is indicted for being a member of a Communist political organization. Again I take the gentleman back to the original proposition: Membership in a Communist political organization has been determined to be membership in an organization whose activity is a violation of section 4. This follows as a result of the finding by the Attorney General and the legislative finding in subsection 6 of section 2 of the bill. In other words, a court or a judge cannot submit that question to the jury. It is a question of fact which has been determined before trial. It should be a question of fact. It should be determined, but by whom? By the jury. But as a result of these administrative proceeding sections and judicial review sections, you have taken that very fundamental question of fact away from the jury and have given the power to make that finding to the Attorney-General to be reviewed subsequently by an appellate court. You have by-passed the jury trial entirely—on what? On the issue that constitutes the very foundation upon which the criminal proceeding is based.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CASE of New Jersey. I am very glad that the gentleman brought that question up. It was mentioned several times before. I will stake any legal reputation that I may ever have or have now on this proposition: That for the purposes of section 4 the question of guilt is an issue of fact to be determined entirely by the jury. It may be evidence in a trial under section 4 that in an administrative proceeding under another section of the act the Attorney General, perhaps with the courts upholding him on appeal, made a finding on the same issue of fact. But for the purpose of the criminal trial, the jury must decide the issue for itself, and the Attorney General's finding in the other proceeding will be only evidence and in no way conclusive in the criminal case.

Mr. MARCANTONIO. The gentleman must remember that time and time again in a criminal proceeding there is a certain question of fact that the court will not leave to the jury. This is one question of fact which we have taken away from the jury by sections 2, 13, and 14 of this bill. It is my considered judgment that on an instruction to charge made by defendant's attorney in which he asks the judge to charge whether or not defendant's organization is a Communist political organization is a question of fact to be determined by the jury in finding whether or not the defendant is guilty. I say to the gentleman that as a result of this legislation, the court will be constrained to refuse to so charge and must instead charge that membership in an organization which the Attorney General has decreed to be a Communist political organization constitutes an attempt to set up or an attempt in any manner to set up a totalitarian dictatorship in violation of section 4. That is why I say to the gentleman from Indiana there is a tremendous difference between this statute and the SEC statute.

Mr. JENNINGS. Mr. Chairman, the amendment proposed by the committee fundamentally and in a far-reaching manner, I think, weakens this bill and extends a privilege to Communists which no good citizen has ever been accorded under the law, when his rights come before any administrative agency set up by the Federal Government. In other words, when an administrative agency, such as has just been mentioned by the distinguished majority leader, made a finding of fact upon substantial evidence, that finding of fact was binding upon any tribunal to which that case might have been carried. Pursuant to this policy now proposed toward these admitted enemies of this country, in their efforts to overthrow and destroy it and in their effort to avoid the provisions of this law requiring them to register, if they are found by the Attorney General to be a Communist organization or a Communist-front organization, upon a full and fair hearing, in which they have the right to subpena and the right to introduce evidence, either oral or documentary—if upon such a hearing he makes his finding, that finding is conclusive in event the case goes to an appellate court for review. This proposed amendment puts the burden upon the appellate court of weighing the testimony and determining whether or not the finding of the Attorney General is supported by a preponderance of the evidence. That is a protection that is not now accorded any other citizen in the land, either under the law with respect to findings of an administrative agency of the Federal Government or in the case of any citizen whose case is tried by a judge without the intervention of a jury. In other words, there is a presumption of the correctness of the findings of the Attorney General if there is substantial evidence to support his findings.

There is this other provision: If the Attorney General learns of additional evidence, or if additional evidence is called to his attention that may lead him to come to a different conclusion, he may consider such evidence, and if he feels the ends of justice will be met by his considering such evidence, he may make a different finding of fact, and that can go before the appellate court and be considered by it.

The whole committee came in here with a bill that has received the commendation of the press of the country, and which I want to support, but I do not like this shilly-shally performance, this idea of marching up the hill and marching back down again; this surrender to these subversive elements that are undertaking to destroy this country. Just when will we get hard in this country? Just when will we line up with the decent citizens of this country? Just when will we stand by its institutions? Just when will we reach the end of that tolerance with which we have heretofore indulged these Communists? Are you afraid of them? Who are you following in this matter?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. WALTER. The gentleman does not contend that the preponderance-of-evidence rule goes as far as the rule applicable in criminal cases, in which it is beyond a reasonable doubt?

Mr. JENNINGS. Oh, no; of course not. Any Communists, Communist organizations, or Communist-fronts who are indicted under this proposed act can only be convicted upon evidence that establishes their guilt beyond a reasonable doubt. Any trial upon an indictment under section 4 of this bill has no relation whatever to the question of whether or not the Attorney General has found upon substantial evidence that an organization is communistic or a Communist-front as defined by the proposed act.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HALLECK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, my understanding is that this proposal was submitted to members of the subcommittee by the various interested parties, and in substance has been agreed upon. I am not going to quarrel with that circumstance although I knew nothing of it. However, I do think that at this time I ought to make a statement as to what I see the issue to be and what its effect otherwise may be.

The growth of administrative law, of course, is one of the greatest developments of the American scene. As the great body of administrative law has developed and as we have seen this great extension of administrative agencies we have constantly been confronted with the question as to what sort of judicial review should be given a person feeling himself aggrieved by the decision of the administrative agency.

Through all of this administrative law we have treated the decisions of the agency as final on the facts subject to a review in the courts under the substantial evidence rule. Under that rule the courts have found that if there is any evidence to support a decision of the administrative agency it will not disturb the findings. In other words, we have in effect given the decision and determination of the administrative agency the same position in the courts of the land as we give to the district courts of the country when trying cases de novo. As we have gone along we have been constantly asked for a more effective judicial review. Many have believed that to have a complete review of all of the facts would so burden the courts that they never could get their work done. Many have expressed disappointment over the operations of the substantial evidence rule. So, for several years, in the writing of legislation dealing with certain administrative agencies we have been struggling for some halfway point between a complete review and the substantial evidence rule.

In the Taft-Hartley Act, for instance, I believe the substantial evidence rule was amended to read that the decision shall be affirmed if it is supported by substantial evidence taken on the record as a

whole. In other cases we have used the words "unless it is shown to be clearly erroneous or manifestly against the weight of the evidence."

This provision that we are now considering applies to the administrative decisions of the Attorney General acting under the provisions of this act. In my opinion those decisions, those orders rendered after hearing are exactly like the decisions rendered in the Wage-Hour Division, the National Labor Relations Board, the Federal Power Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Pure Food and Drug Administration, and many others that might be named.

The question that arises in my mind is simply this, if this bill becomes law—and I hope it does become law—if we are going to the extent of saying that on judicial review the court shall weigh the evidence, and thus depart completely and entirely from the substantial evidence rule, then what are we going to say to those who come to us who feel themselves aggrieved by rulings of other administrative agencies and then demand that we give them the same sort of judicial review that is here provided? And I might say parenthetically—I made some brief reference to it a moment ago—that many of those who will insist that in this review of the administrative decisions provided for in this act, we must depart from the substantial evidence rule and provide for a real review of the facts, are the very people who have contended most vigorously against any effort to relax the substantial evidence rule in other cases. I see here the gentleman from Pennsylvania [Mr. WALTER] who is a coauthor of the Walter-Logan bill in which bill we struggled with this problem. I have heard the debates here when people opposing this whole measure have argued that we should not relax the substantial evidence rule at all. Possibly this will mark a good move in the right direction. Possibly this will set in motion a drive for a more effective review in connection with some of these other administrative agencies; and certainly I am not opposed to that.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the subcommittee may have approved this amendment but it certainly does not meet with my approval. If you are going to water this bill down you might as well strike out the enacting clause and let it go at that.

A while ago you voted down an amendment to have these Communist-front organizations register their membership with the Attorney General; then in a moment or two you adopted an amendment on page 32 that gives them, you might say, 120 days of grace. Think what could happen in 120 days with Communists boring from within, with our enemies plotting war from without.

I agree with the gentleman from Tennessee [Mr. JENNINGS]. You now attempt to give them a preference by wiping out the question of substantial evidence and making it preponderance of the evidence.

The gentleman from Pennsylvania [Mr. WALTER] a while ago raised the question that you should have to prove guilt beyond a reasonable doubt. That is the rule when you are trying a criminal, trying a man for a criminal offense, for which he has been indicted. In order to indict him in any common-law court in America the requirement is that the "proof must be evident or the presumption great."

That is what substantial evidence means. When the Attorney General has the substantial evidence he has the right to issue this order.

I am opposed to watering this bill down.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from South Dakota.

Mr. MUNDT. I may explain to the Committee, because the gentleman from Tennessee indicated this is a committee amendment, that it is an amendment offered by the subcommittee. It has never been acted on either way by the full committee. We agreed that it should be left to the Members of the House to decide. I expect to support the legislation as it is written. I agree with the gentleman from Tennessee and my colleague who is speaking that we should not give communism any greater advantage than we give others in this country. The difference between the two versions is not great, and H. R. 5852 will remain an effective curb to communism regardless of the vote on this.

Mr. RANKIN. I agree with the distinguished gentleman from South Dakota. This amendment should be voted down.

Let us not temporize with the enemy that you know is plotting the overthrow of our Government and the destruction of our civilization.

It is time for the Members of the Congress of the United States to stand up and pass laws that will protect this country now and for all time to come.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HOBBS. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, never did I think that the gentleman from Tennessee, Judge JENNINGS, or the distinguished majority leader would ever rise on this floor and support the New Deal version of what it was pleased to call law. I glory in the spunk of the subcommittee, and whether the full committee agrees or not, I submit that the amendment of the subcommittee, as offered here by its chairman, is absolutely right.

The section sought to be improved by this amendment applies only to judicial review, which is essentially civil, and is according to all of the law that has ever been written in the books only a question of where the scales of justice find equipoise, or the weight of the evidence on one side or the other. The burden of proof need only be borne by evidence sufficient to preponderate; not, as in criminal cases, "beyond all reasonable doubt."

This thing is right, men. Just because during the days that you call "the era of the New Deal" such mistakes were made, and this "substantial" evidence rule adopted, does not justify you ardent critics of "the New Deal" in copying the same mistake. Neither you nor I ever have believed it was right to deprive an American citizen, whether he be a Communist or not, of the right that every American citizen has to have the charge against him weighed fairly on appeal and to require that it be established by the weight of the evidence; or, in other words, the preponderance. And no one else can fairly challenge the right to that kind of review.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am glad to yield to the gentleman from New Jersey.

Mr. HAND. Moreover, does not the gentleman from Alabama see a very great difference between the Securities and Exchange Act, for example, which has been referred to, which involves the registration of some stock certificates, and a proceeding in which ultimately one is branded as a Communist?

Mr. HOBBS. Of course, there is that difference. There is not a single illustration on the books where this "substantial" evidence rule has been written, that I have not inveighed against. No one knew what it meant until it was defined by the Supreme Court, and now, by several decisions, it has been held to mean practically the same as the "preponderance" or the "weight" of the evidence.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield.

Mr. NIXON. Is not the gentleman's point this, the fact that the Congress may have during the thirties adopted various pieces of legislation setting up administrative procedures in which punishment resulted on the basis of the substantial evidence rule, and the fact that that was done is certainly no argument that it was right at that time, and we cannot rectify the mistake now by requiring the same amount of evidence that should be required in reviewing these administrative procedures.

Mr. HOBBS. Not only so, but 10 wrongs do not make 1 right. There is no justification for the "substantial" evidence rule. There is utterly no way to attempt to justify a wrong rule of law on judicial review, if you call it judicial, and I care not who the defendant is. If a defendant has a right to have his case considered and reviewed by an appellate court, and here the review is to be by a three-judge court, a circuit court of appeals, he has a right to fair judgment as to how the evidence preponderates, pro or con.

I submit that these gentlemen, just because they go New Deal, in their old age, have no right to "doctor" the scales of justice by again adopting a discredited criterion.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Pennsylvania, I believe, put his finger on the proposition involved here. We are not dealing with the same situation here as you are with the SEC. The first part of this bill spells out the nature of the Communist conspiracy. The terms in the preamble of the bill are, of course, quite opprobrious because of the oppro-

brious nature of the conspiracy itself, so that designation as a Communist organization or Communist front organization has a bad connotation. Therefore, we are dealing here with the reputations of individuals. If the substantial evidence rule were permitted to remain in the bill as it originally was, an Attorney General could, after an insufficient investigation and hearing, make a decision that a certain organization was a Communist front. Now, he could do that using even the weaker evidence. He could make a mistake and he could make a bad mistake, and it could go up to the court on appeal, the Appellate Court, and if there was substantial evidence there, even though it would be weaker evidence, then this organization is branded as a Communist organization or Communist front, and every individual aligned therewith would be also so branded. As one of Shakespeare's great characters said, "Who steals my purse steals trash." His reputation is as valuable to him as is life itself. Under this amendment the court on appeal must determine the greater weight of the evidence; the evidence must preponderate. I believe that is the only fair rule when you are dealing with the reputations of American citizens. The evidence should preponderate that the organization is a Communist front or a Communist political organization. So I support the amendment requiring "the proponderance" as a safeguard against the administrative procedure that could otherwise affect the reputation of citizens upon insufficient evidence.

This measure is an intelligent approach to handling the Communist conspiracy. It cuts the foreign ties of American Communists and forces them into the open where the American people can see them. If the American Communist Party withers and dies as thus cut off it will be because tyranny does not grow on free American soil unless it have secret nurture from abroad.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Chairman, the amendment we are considering would substitute the words "preponderance of the evidence" in lieu of the words "substantial evidence" as applied to administrative findings when such determinations are on appeal and before the Court. I disagree with the contentions of the distinguished gentleman from Tennessee [Mr. JENNINGS] that this change is not needed and that it would place an undue burden on the prosecution and give an undue advantage to those who might be accused of violations of the penal provisions of this bill. Let us see if we can get back in our minds just what this question of the preponderance of the evidence would mean to a defendant prosecuted under the section of the bill to which it is to be added. The penalties prescribed against an individual would be predicated upon his joining or remaining in an organization proscribed by the Attorney General by a final order as an organization that was required to register but had not done so. Suppose an individual is indicted under that provision and haled into court. His defense might well be, "In the first place, I am not a Communist, and in the second place, the organization I joined or remain in is not Communist and does not come within the prohibitions of the law."

If we do not put this "preponderance" provision in the bill and there is any evidence to sustain the original finding that this was the kind of an organization that would subject the defendant to the penalty by his remaining in it, he has part of his defense shut off by the administrative finding previously made simply under a rule of substantial evidence. I think that is vital and goes to the question of a man's right to defend himself in court.

Something has been said about extending privileges to Communists by the committee amendment. Let us take a look at that a moment. The original Mundt bill, incidentally, would have required the registration of Communist organizations or Communist-front organizations, and confined itself to that, so that the American people might know at all times the outfits that are flying under false colors and inducing people innocently to join up with them and lend their support to them.

I think we would have had a better bill if we had limited this bill to that. But the present bill substituted for the Mundt bill goes further and prescribes penalties for private individuals for their activities. So we enter there into the field of criminal law and apply it to the individual. I think we must surround that with every possible safeguard. I doubt seriously that those provisions can be held valid because of their very uncertainty, and I do not agree with them. They are not sound and will not work. But I can find it possible to support the bill because of its purposes and the need to expose those organizations which go under false colors as patriotic organizations, as well as other forms of fronts. However, we should surround this bill with the same safeguards that private individuals who may be accused of crime are given. It is not a question of protecting Communists, but only the question of protecting the right of an American citizen haled into court and charged with violation of some law, to be charged and tried in accordance with the criminal laws of his country, so that he may have the safeguards that have always been provided for him. I think this amendment is badly needed if this bill is going to be enacted into law and I certainly think we should adopt it promptly.

The CHAIRMAN. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from California [Mr. NIXON].

The amendment was agreed to.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 37, line 17, after the words "such organization", insert "or any person affected."

Mr. HOBBS. Mr. Chairman, this is a very simple amendment and only gives the same right of judicial review to every individual affected by this law that is granted to organizations affected. I do not see why there ought to be any argument about it, and I do not believe the amendment will be opposed. I ask you to give that right to every American citizen, many of whom ignorantly or carelessly have gotten in bad company. You give that right to the accused organization, but you give no right of appeal to any individual. This amendment corrects that inequity.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment. If the gentleman would read carefully the sections to which it refers, namely sections (D) and (F), those sections of the bill do not require registration of individuals at all. Those sections of the bill require registration of the group or organization. So there is no good reason that I can see to give individuals an opportunity to obtain a review of an order issued under subsections (D) and (F) which does not apply to individuals at all.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. HOBBS. I have read the sections carefully. My thought is that where I join an organization in perfect innocence, and that organization is declared to be one of these Communist organizations, then I would lose my job if I were a Government employee or any of the other pains and penalties provided in this act would apply to me. If I am wrong about that, of course, I would have no objection to the language remaining as it is.

Mr. MUNDT. The organization makes the registration. The organization has the right of review. The individual is taken care of in the earlier section of the bill where he is certified directly from the Attorney General and notified of the fact that he has been so listed. The procedure is set forth there. I think this amendment would confuse the situation and make it unworkable.

Mr. HOBBS. Mr. Chairman, with that statement by the distinguished chairman of the full committee, I would be delighted to withdraw my amendment and ask unanimous consent that I may withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 38, after the period in line 3, strike out everything through the period in line 7 and insert "Thereupon the court shall have jurisdiction of the proceedings and shall review the case both as to matters of law and of fact, and shall affirm the findings of the Attorney General as to the facts, if supported by the preponderance of the evidence, but if in the opinion of the court such findings are erroneous as to the law, or not supported by the preponderance of the evidence, they may be set aside."

Mr. HOBBS. Mr. Chairman, I understand the committee gave consideration

to this amendment and is in accord with it and will accept it. Is that true?

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Yes, sir; of course.

Mr. NIXON. The gentleman presented the amendment to me and I discussed it with members of the committee. The difficulty that we see with the amendment, after discussing it also with the legislative counsel, is that it attempts to set forth language which is novel in this particular field, and which would result, in effect, we believe, in getting the judicial review of these proceedings tied up in courts for a considerable length of time. For that reason, the committee came to the conclusion that it would prefer to support the amendment as the committee presented it, the preponderance of evidence, supported by substantial evidence.

Mr. HOBBS. That means that we have to submit it to the House, which I always welcome.

The only point in this amendment is simply this: There is no use whatever in giving to any group or any person on these issues a review of the law. What is the law? That they must register. So it is always and only a question of fact as to which anyone charged with violating this act has need of review. Therefore, this amendment simply says that this same court, three circuit court judges, shall consider the case. We vest the authority in them to consider it, and consider it both as to matters of fact and of the law. If the court decides that the Attorney General's decree is supported by a preponderance of the evidence, they must affirm. If not, they reject it. So, it simply gives anyone accused of violating this act the right of real review, both as to the law and as to the facts.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am always delighted to yield to my friend.

Mr. FERNANDEZ. I thank the gentleman. The gentleman from South Dakota [Mr. MUNDT] stated to the gentleman from Alabama that under this bill the organization listed the members, and that the members are then notified and given an opportunity to clear themselves. I cannot find a provision whereby the members may have an opportunity of clearing themselves. I called attention to that earlier today and I am still looking for it. Nobody has ever told me yet where it is. I think it is very important.

Mr. HOBBS. I agree with the gentleman. I yield to the distinguished gentleman from South Dakota to inform the gentleman where it is. I do not know. It has nothing to do with this amendment, however.

Mr. FERNANDEZ. But it had something to do with the amendment which was withdrawn, because none of these provisions are in this bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so happy to yield to the distinguished gentleman from Mississippi.

Mr. RANKIN. If a man is a member of an organization that is making war on the United States he ought not have to go into court to prove that this man who is a member of that organization is guilty of a criminal offense. Substantial evidence ought to be sufficient to put him on notice that he cannot run around here as a traitor to this country and then plead that he is entitled to a fair trial. That is what Eisler did. He said, "I am the subject of persecution. I am a refugee from persecution." Come to find out, he was teaching that Communist school in Moscow.

Mr. HOBBS. I agree with the gentleman to this extent that we ought to write this law so that there could be no doubt that everyone accused would get a fair trial and justice. That is all I am asking.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HOBBS] has expired.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NIXON. Mr. Chairman, I realize that the distinguished gentleman from Alabama [Mr. HOBBS] has offered this amendment in an attempt to improve the administrative procedure section and that he is one of the most respected judicial authorities in the House. As I stated, however, when the gentleman so kindly yielded to me, the Committee believes that this amendment should be voted down for the reason that I mentioned, that it would in effect set up a novel procedure and novel language which would result in judicial controversy over a long period of time and in effect would hinder effective prosecution under the act.

I ask that the Committee reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. HOBBS) there were—ayes 38, noes 88.

So the amendment was rejected.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 38, line 10, after the word "material", strike out "and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Attorney General."

Mr. WALTER. Mr. Chairman, under the review section of the bill as a condition precedent to having additional evidence considered by the Attorney General it is necessary to establish two things: One, that the evidence is material; and, two, there must be shown to the court a reason why it was not adduced at the original hearing. It certainly seems to me that in a statute of this sort, and this is a rather peculiar statute, there is no mistake about that, if there is any material evidence in existence, a person ought to be, as a matter of fact, permitted, after satisfying a court that it is material, to introduce that evidence without first being compelled to explain to the court's satisfaction the reason why the evidence was not adduced originally.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from South Dakota.

Mr. MUNDT. The members of the Committee on this side have no objection to the amendment and unless somebody on the other side objects to it, we will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The amendment was agreed to.

The Clerk read as follows:

PENALTIES

SEC. 15. (a) Any person failing to register or to file any registration statement or annual report as required by section 8 of this act shall, upon conviction thereof, be punished by a fine of not less than $2,000 and not more than $5,000; except that in case such failure is on the part of the executive officer (or individual performing the ordinary and usual duties of an executive officer) or secretary (or individual performing the ordinary and usual duties of a secretary), or any other officer, of an organization required to register under such section 8, the punishment for such failure shall be a fine of not less than $2,000 and not more than $5,000, or imprisonment for not less than 2 years and not more than 5 years, or both such fine and imprisonment. For the purposes of this subsection, if there is in effect with respect to an organization a final order of the Attorney General requiring it to register under section 8, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

(b) Whoever, in a registration statement or annual report filed under section 8 of this act, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall, upon conviction thereof, be punished by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

(c) Any person violating any provision of this act for violation of which no penalty is provided by section 4 or by subsection (a) or (b) of this section shall, upon conviction thereof, be punished by a fine of not more than $5,000, or by imprisonment for not more than 2 years, or by both such fine and imprisonment.

Mr. McDOWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this has been one of the hardest and longest debates, in the Eightieth session of the Congress. In the judgment of the Committee on Un-American Activities and to assuage the feelings and the thoughts of the Members, particularly those Members from metropolitan areas, I would like to remind you that when the debate opened on Friday it was discovered that thousands and thousands of forged telegrams, forged letters, and forged petitions had come into Washington to various Members of Congress. It is a known fact, it is an announced fact, that the Communist Party of the United States is now in the act of raising a half-million dollars to defeat this bill. How they expect to use this money I do not know.

Into Washington in the last 24 hours have come many, many telegrams, principally from the great cities of the Na-

tion, from Los Angeles and the area thereabouts, from Boston, from Chicago, from New York, from my own city of Pittsburgh, and from many other places. In checking last night we discovered, particularly from the city of New York, that the same thing is going on now and probably will go on when this bill moves to the other body that has been going on for the last week.

Let me read you the statement of the employee of one of the Western Union telegraph offices in the city of New York:

As one who is employed in the Western Union, I would suggest that you or the FBI survey all the original telegrams filed in New York City for transmission to Washington which protest the passing of the Mundt bill. You will find long petitions all in the same handwriting, and many individual telegrams all signed by different names in the same handwriting, and we who work here recognize many as coming from the same groups who protested the holding of the Communist deportees at Ellis Island.

There are other words here too and a signature, which I will not reveal for very obvious reasons.

By the time this reaches the other end of the Capitol we hope to have the evidence completely in our hands that the same organizations and the same individuals and the same groups that sent thousands of telegrams to President Truman protesting his recognition of the Greek Government, the sending of troops to Korea, and protesting other things that Stalin does not want done so that the perpetual onward movement of Communist Russia may continue, that the same organizations, the same American Communist Party directed by the Kremlin in Moscow has been doing this.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: Page 41, between lines 8 and 9, insert the following additional section to be numbered 16 and change the number of section 16 in line 10 to section 17:

"That the existing text of section 20 of the Immigration Act of February 5, 1917, as amended (39 Stat. 890; 57 Stat. 553; 8 U. S. C. 156), is hereby designated as subsection (a) of section 20 of that act.

"SEC. 2. That the first sentence of said section 20 (a) of that act, as established by section 1 of this act, is hereby amended to read as follows:

"'SEC. 20. (a) That the deportation of aliens provided for in this act and all other immigration laws of the United States shall be directed by the Attorney General, within his discretion and without priority of preference because of their order as herein set forth, either to the country from which such alien last entered the United States; or to the country in which is located the foreign port at which such alien embarked for the United States or for foreign contiguous territory; or to the country in which he resided prior to entering the country from which he entered the United States; or to the country which had sovereignty over the place where such alien was born at the time of his birth; or to the country of which such an alien is a subject or citizen; or to the country in which he was born; or to the country in which the place of his birth is situated at the time he is ordered deported; or, if deportation to any of the said foregoing places or countries is impracticable or impossible, then to any country which will agree to accept such alien into its territory.'

"SEC. 3. That the last sentence of said section 20 (a) of that act, as established by section 1 of this act, is hereby amended to read as follows:

"'Pending final determination of the deportability of any alien taken into custody under warrant of the Attorney General, such alien may, in the discretion of the Attorney General (1) be continued in custody; or (2) be released under bond in the amount of not less than $500, with security approved by the Attorney General; or (3) be released on conditional parole. It shall be among the conditions of any such bond, or of the terms of release on parole, that the alien shall be produced, or will produce himself, when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charges which subsequently are lodged against him, and for deportation if a warrant for his deportation is issued. When such a warrant of deportation is issued against any alien, the Attorney General shall have a period of 6 months from the date of such warrant within which to effect the alien's departure from the United States, during which period, at the Attorney General's discretion, the alien may be detained, released on conditional parole, or upon bond in an amount and specifying such conditions for surrender of the alien to the Immigration and Naturalization Service as may be determined by the Attorney General. If deportation has not been practicable, or departure of the alien from the United States has not been effected, within 6 months from the date of the warrant of deportation the alien shall become subject to such further supervision and detention pending eventual deportation as is authorized hereinafter in this section.'

"SEC. 4. That section 20 of that act, as amended by sections 1, 2, and 3 of this act, is hereby further amended by adding the following new subsections:

"'Any alien, against whom a warrant of deportation, heretofore or hereafter issued, has been outstanding for more than 6 months shall, pending eventual deportation, be subject to supervision under regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Such regulations shall require any alien subject to supervision (1) to appear from time to time before an officer of the Immigration and Naturalization Service for identification; (2) to submit, if necessary, to medical and psychiatric examination at the expense of the United States; (3) to give information under oath as to his circumstances, habits, associations, and activities; and (4) to conform to such reasonable written restrictions on his conduct or activities as are prescribed by the Commissioner of Immigration and Naturalization in his case. Any alien who is found by the Attorney General to have willfully failed to comply with such regulations, or to have willfully failed to appear to give information or submit to medical or psychiatric examination if required, or to have knowingly given false information in relation to the requirements of such regulations, or to have knowingly violated a reasonable restriction imposed upon his conduct or activity, shall be thereafter detained in accordance with subsection (c) until such time as the Attorney General orders other disposition of the alien's case. Nothing in this subsection shall preclude the Attorney General at any time from directing removal of any alien of the classes described in subsection (c) from supervision under this subsection to detention as prescribed in subsection (c).

"'(c) Any alien who falls within one or more of the classes of deportable aliens described in section 19 (d) of this act, and any other alien, regardless of the charge or charges in the warrant of deportation against him, who entered the United States within 10 years preceding the issuance of a warrant of arrest against him, may, in the discretion of the Attorney General, be denied the privilege of release under supervision as provided in subsection (b), and instead the alien may be taken into custody and transported to such place of detention as may be designated by the Attorney General and there, or at any such other place or places as may thereafter be designated by the Attorney General, be detained, though not at hard labor, pending eventual deportation, or until departure from the United States otherwise shall have been arranged, or until the Attorney General upon sufficient evidence of good cause shall order supervision of the alien under subsection (b). In determining whether good cause has been shown to justify releasing the alien and ordering his supervision under subsection (b), the Attorney General shall take into account such factors as (1) the age, health, and period of detention of the alien; (2) the effect upon the national security and public peace or safety; (3) the likelihood of the alien's resuming the course of conduct which made him deportable; (4) the character of the efforts made by such alien himself and by representatives of the country or countries to which his deportation is directed to expedite the alien's departure from the United States; (5) the reason for the inability of the Immigration and Naturalization Service to secure passports or other travel documents from the country or countries to which the alien has been ordered deported; and (6) the eligibility of the alien for discretionary relief under the immigration laws.

"'(d) Any alien subject to detention under subsections (b) or (c) of this section may be released, in the discretion of the Attorney General, from detention under subsection (c) and placed under supervision under subsection (b), on a showing which shall satisfy the Attorney General that the alien has obtained a travel document or made other approved arrangements to leave the United States, and, if considered necessary, upon giving a departure bond conditioned as prescribed by the Attorney General, with good and sufficient sureties approved by the Attorney General. Should any alien return to the United States after having departed pursuant to this subsection and be excluded and his deportation following such exclusion be impracticable, or if he enters the United States unlawfully, he shall again be taken into custody and, regardless of the charges upon which he was deportable, shall be thereafter subject to treatment in accordance with subsection (c). In any such case, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance. The Attorney General is hereby authorized and directed to arrange for appropriate places of detention in established institutions for those aliens required by this section to be taken into custody and detained. Nothing in this section shall be construed so as to prevent any alien detained under subsection (c) of this section, from questioning, on petition for writ of habeas corpus filed in the district court of the United States of the district wherein he is detained, the validity of such detention.

"'(e) Before the Attorney General may order the release under supervision of any alien detained under subsection (c), he shall prepare and file with all the other papers relating to such case, a synopsis of the evidence upon which such order is to be made and the reasons for such order.

"'(f) If any alien subject to supervision or detention under subsections (b) or (c) of this section is able to depart from the United States, except that he is financially unable to pay his passage, the expense of such passage to the country to which he is destined may be paid from the appropriation for the enforcement of this act, unless such payment is otherwise provided for under this act.'

"SEC. 5. Nothing in the provisions of sections 5, 7, 8, and 10 of the Administrative Procedure Act (60 Stat. 239, 241, 242, 243; 5 U. S. C. 1004, 1007, 1009), or the Declaratory Judgment Act of 1934, as amended (48 Stat. 955; 28 U. S. C. 400), shall be applicable to the provisions of this act or to any law relating to the immigration, exclusion, expulsion, or registration of aliens or to the nationality or naturalization laws of the United States; nor shall the provisions of section 503 of the Nationality Act of 1940 (54 Stat. 1171–1172; 8 U. S. C. 903) be applicable in any case which involves a determination of the right of a person to be admitted to or to remain in the United States under the provisions of any of the immediately foregoing described laws."

Mr. MUNDT. Mr. Chairman, I make the point of order against the amendment that it is not germane to the pending bill, H. R. 5852. It seems to me the gentleman's amendment, which I believe is in actuality a bill which is before the House and before another committee, deals with the arrangements and techniques of deportation proceedings, which do not properly fall within the province of the House Committee on Un-American Activities, so in my opinion the amendment should not be attached with germaneness to legislation of this type. Regardless of the merits of Mr. HOBBS' proposal, I submit it should come before us as a separate measure and not be added as over-burden to H. R. 5852.

The CHAIRMAN. Does the gentleman from Alabama care to be heard on the point of order?

Mr. HOBBS. I certainly do, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOBBS. Mr. Chairman, the amended title of this bill is "A bill to protect the United States against un-American and subversive activities." That is the declared purpose of the bill. In the subcommittee's report on the legislation we have been considering it is stated:

The subcommittee recommends the immediate consideration by the Judiciary Committee of the House of proposals which would require all aliens to register annually with the Department of Justice, allow the Department of Justice to hold deportable aliens in custody until arrangements for their deportation can be concluded, and provide for strict reciprocity in the granting of visas and in the treatment of aliens from Communist-dominated countries.

I submit, Mr. Chairman, in all earnestness and candor, that when you are dealing with a problem that goes to un-American and subversive activities you cannot find any activity that is more important to prevent the poisoning of the body politic of this Nation than the one to which my amendment addresses itself. It has already been considered by the Judiciary Committee of the House, it has already been granted a rule by the Rules Committee, and it has already passed this House. In substance it is identical with H. R. 5643 of the Seventy-sixth Congress, that did pass this House. It is no fault of ours that it is not the law of the land today.

Mr. Chairman, I want to address myself to you very seriously for a moment on the point of order. When the bill H. R. 5643 was introduced by me in this House in the Seventy-sixth Congress, the immigration and naturalization authorities of this Nation said there were only 460 aliens at large in this country, and as free as you are, who had gone through all the processes of the courts and been finally adjudged unfit to remain here in freedom and the warrant of deportation, finally approved by the courts, had issued. They are here today, as free as you are. The Communist Party is largely responsible for nearly 5,000 of such cases today. Russia has not issued a single passport by virtue of which any one of our orders of deportation could be executed. We have by just so much been absolutely deprived of our right of deportation, which is one of our sovereign attributes if we are a free and independent nation. So I say that this is utterly un-American, it is utterly subversive of one of the pillars upon which our sovereignty rests, the right of deportation, a sovereign right universally recognized by international law as belonging to every free and independent nation.

Just because we cannot get the cooperation of another government, I say that the bill which has already passed the House and which has had the approval of the Committee on the Judiciary and which has claimed the very right that is now recommended for consideration by the subcommittee that wrote and now offers this bill ought to be germane to a bill to protect the United States against subversive and un-American activities. I believe, sir, that it is germane to this bill.

The adoption of my amendment would cure the evil that is thwarting our Nation in the effective exercise of its sovereign right of deportation.

The CHAIRMAN (Mr. WADSWORTH). The Chair is ready to rule.

The Chair would remind the gentleman from Alabama, of course, that his function is not to pass upon the merits of an amendment, nor to pass upon the merits of the bill which the gentleman says has already passed the House. The Chair may personally find himself in complete agreement with the objective sought by the legislation which the gentleman from Alabama espouses, but the legislation to which he refers, as the Chair understands, has to do with the immigration and naturalization laws of the United States. This bill pending before the Committee of the Whole does not approach that subject. Its title is "Subversive Activities Control Bill, 1948." It comes from the Committee on Un-American Activities. That committee has no jurisdiction over legislation having to do with immigration and naturalization laws. Therefore, the Chair holds that the amendment is not germane.

Mr. HOBBS. Mr. Chairman, may I call the attention of the Chair to the fact that it deals with the question of the issuance of passports and prohibits such issuance.

The CHAIRMAN. The proposal of the gentleman goes far beyond that. The point of order is sustained.

Mr. CROW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CROW. Mr. Chairman, I have listened with interest to the debate on the Mundt bill, H. R. 5852, and it is rather difficult for me to understand the position of the opponents of this bill in declaring it to be unconstitutional.

We of this House should be interested in preserving our Constitution and not in preserving the rights of people who owe their allegiance to Russia or any other foreign country and whose sole purpose is the overthrow of the Constitution, under which they are attempting to hide for protection.

It is my position that our Constitution is for the protection of our good American citizens who believe in the American way of life and who are only interested in one ism, Americanism.

Let us look at some of the organizations who complain about the Mundt bill. First we have the CIO groups who have refused to sign the Communist affidavit as required by the Labor Relations Act of 1947; second we have the Communist organizations and Communist-front organizations who would be required to register and name all of their officers and members. I have received many telegrams requesting that I oppose the bill for the protection of our country, and I have answered every telegram with the same answer, "I am going to vote for the bill for the protection of our country."

Mr. Chairman, some people consider the Communist Party as a political party in the United States. Let us look at some of the statements made by Louis Budenz, former managing editor of the Daily Worker, when he appeared at hearings on communism held by the State Legislature of the State of Washington. He identified his Red pals as stooges for Stalin and identified Jack Stachel as one of the three top Communists in the United States with direct access to Joe Stalin at any time. He gave the inside picture of the structure, personalities, operating procedures, and machinations of the American section of the Comintern. Does this give the impression that the Communist Party is a political party in the United States?

Mrs. Kathryn Fogg, another witness at the above-described hearing, stated as follows:

I broke with the Communists because they do not believe in democracy, they do not practice democracy and they never intend to practice it. You take orders; you do not use your own judgment. The orders came from the Kremlin, Moscow, but I did not realize that until I had spent considerable time in the party, believing it to be a liberal organization in the sense we understand that term in the United States.

Manning Johnson, former high ranking colored Communist, a Navy veteran of the last war advised all lower strata Communists to "get out of the party while the getting is good." He had joined the Communist Party in 1930 and re-

ceived special training in the notorious Lenin School in Moscow in all forms of sabotage, physical as well as psychological. He quit in 1940 when he became convinced that the Communists were using his race for ulterior sinister purposes of their own that had no connection whatever with Negro problems. He was positive that:

The Communist Party is not a political party in any sense of the word. It is a fifth column to carry out Soviet Russian policies and to prepare the United States for an easy pushover in case of war or class revolution. You cannot be a Communist in good standing and continue to be loyal to the United States. A Communist's main job is always to weaken the United States against the day when the Soviet totalitarian dictatorship takes over.

Mrs. Isabel Costigan, wife of a widely known Seattle political figure, unburdened herself of years of heartache resulting from her brief, but nasty experience with Communists. She stated as follows:

There is no morality in the Communist Party. It will stoop to anything. I was sick from the time I got in. We were told that the little people formulated the program. I found that they were simply told what to do. No one talks more democracy and practices more dictatorship than the Communist Party.

Our Federal Constitution affords a reasonable freedom of speech and of the press. This freedom does not comprehend the license to slander, to libel, or to disseminate propaganda to subvert our form of Government. Constitutional liberty must not be construed as license. Recently the United States Court of Appeals, in the case of Leon Josephson, a reputed Communist, held that when free speech imperils national security, constitutional protection cannot be claimed by the offender.

Mr. Chairman, in view of the statements of the above-named Communists I hope that all Members of this House who are interested in the protection of our Constitution and the American way of life will support and vote for H. R. 5852. I do not consider the controlling of organizations who are Russian dominated a violation of our Constitution. If we are going to fall for that line of argument it will not be long until we will be without a Constitution for our protection. I am sure that the people of the satellite countries of Europe do not find many rights and privileges under the constitution forced upon them by their Communist leaders and under whose yoke they are now living.

Mr. Chairman, I want it plainly understood that I am opposed to any form of communism and I will support all measures that will tend to lessen the danger of our Constitution being rewritten by direction of Joe Stalin.

Mr. NIXON. Mr. Chairman, I offer a committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: On page 41, after line 8, insert the following section:

"Applicability of Administrative Procedure Act.

"SEC. 16. Nothing in this act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions, or the conduct of proceedings, under this act, except to the extent that this act affords additional procedural safeguards for organizations and individuals."

And renumber the following section accordingly.

Mr. NIXON. Mr. Chairman, it will be seen that this is merely a perfecting amendment and has the full approval of the committee.

The amendment was agreed to.

OUTLAWING THE COMMUNIST PARTY

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MACKINNON. Mr. Chairman, the question has been raised as to whether this bill outlaws the Communist Party. I submit that if any person will read this bill he will come to no other conclusion than that the Communist Party, as it is presently existing and operating, is outlawed by this legislation. Anything is outlawed when it is made illegal. Jesse James was an outlaw not because he was mentioned by name in a legislative act, but because he did something that was illegal. The present activities of the Communist Party would here be made illegal and hence outlawed. They would be made illegal by section 4 of this act, which states:

It shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual.

From, first, the constitution of the Communist Party and from, second, their activities it can be proven that they are attempting to establish a totalitarian dictatorship under foreign control in the United States. The portions of their constitution which prove they are attempting to establish a totalitarian dictatorship is that section which states that their ends, and I quote, "will be achieved only by the socialistic organization of society under a government led by" the members of a single class of society. Personal or political relations with persons who may have divergent interests or views to those of this particular class make one incompatible for membership in the Communist Party. Such individuals may be classified as enemies of the leading class and thereby denied access to membership in the party that is to lead the Nation. This denial of equal opportunity to membership in a political party merely on the grounds that one may have divergent interests to those of a single class of society is the essence of totalitarianism.

FOREIGN CONTROL

The foreign control of the Communist Party is proved, to state the proof briefly, by one, the policy flip-flops of their official party publication to coincide with foreign views; two, compliance of the Communist Party of the United States with directives of Russian officials of the Communist Party. The compliance in some of these instances is still continuing even though the order was issued long ago; three, the "commuting" of members of the Communist Party in the United States to Russia for the purpose of receiving instructions and orders.

All of these matters are documented and substantiated at length in numerous congressional hearings on this subject. Because of these facts the Communist Party as it exists and presently operates in the United States would be illegal under the legislation in question. It would thus be outlawed.

BILL IS CONSTITUTIONAL

This bill is constitutional as the Communist Party would be outlawed in a perfectly legal way and for valid reasons. There is nothing illegal about outlawing something that is evil. Bank robbers, assassins, murderers, and many other members of our society are outlawed, not by name but because statutes make their activities illegal. Some confused thinking has come about on this particular subject in that some people seem to feel that you have to name something by name to outlaw it, but nothing is further from the truth. Many activities are outlawed and many organizations are considered outlawed organizations because their activities are illegal under some law that does not name them by name. As a matter of fact it is the exception rather than the rule when organizations are outlawed by name. But I submit that this is a perfectly constitutional exercise of power in the hands of Congress.

I do not wish to burden any person with an elaborate legal discussion, but suffice to say that the Constitution recognizes the inherent right of the Government to protect itself. In addition to this article IV section 4 of the Constitution places the duty and responsibility upon the Congress and the other branches of the Government to guarantee that a republican form of government shall not be denied any person in the United States. No discussion is necessary to prove that the denial of representation to members of a single class as is proposed by the constitution of the Communist Party would not satisfy the requirement of a—republican—representative form of government as guaranteed by the Constitution.

The thought has been suggested that maybe you can do away with these rights by a constitutional amendment, but I submit that cannot be done. We are concerned with essential liberty—the basic right of an individual to a voice in the government that is going to govern him and his family. I am sure that clear thinking on this subject will convince any member that this is one of the inalienable rights not only protected by the Constitution, but the Constitution and our form of Government recognizes that such right is inherent and cannot be infringed upon even by the Constitution.

This legislation is clearly constitutional in my opinion and I submit that is what Communists are most afraid of.

If the proposed legislation was not constitutional they would have nothing to fear.

To say that this legislation is constitutional means it is constitutional to outlaw any attempt to establish a totalitarian dictatorship in the United States under foreign control. The claim that this legislation was unconstitutional would mean it was illegal to oppose by peaceful means what we would resist by force of arms. No such construction is reasonable.

THE REPORT ON THE BILL

Probably a word is in order at this point on the references in the report which some Members have quoted seemingly to the effect that the bill did not support the "outlawing approach." Even a casual observation of this report will note that such comments relate only to the rejected proposals of outlawing the Communist Party by, first, barring it from the ballot; and, second, making the Communist Party illegal per se. In fact the very section of the report in which these outlawing approaches, and the language in question is contained, is entitled "Rejected Proposals." Clearly these comments on the "outlawing approach" relate only to the rejected proposals and such comment cannot be taken as applying to the bill which outlaws the subversive activities of all individuals and organizations, including those of the Communist Party, through general description. A perfectly customary and legal approach.

NEW YORK PRECEDENT

It would also be noted in connection with the registration provisions of this act, that the State of New York since 1923 has had a law aimed at certain subversive organizations that bind their members by oaths, disciplined them and sought to attain political power. This law is known as the Walker law. It was enacted in 1923. It was aimed at the Ku Klux Klan. It required them to file their membership lists. The full provisions can be examined by referring to sections 53–57 of the New York civil rights law. In addition to the other ordinary requirements of registration, it made each such organization publicly file copies of every resolution, and I quote, "providing for concerted action of its members or a part thereof to promote or defeat legislation, Federal, State, or municipal, or to support or defeat any candidate for political office." Section 55 prohibited such organizations from mailing, sending, or delivering certain documents through the mail without full disclosure as to the source. Section 56 provides penalties. Under section 57, which was adopted in 1947, the attorney general is empowered to bring prosecutions. This had previously been limited to the local prosecutors.

UNITED STATES SUPREME COURT DECISION

This statute went to the United States Supreme Court in the year 1928, and in the case of *Bryant* v. *Zimmerman* (278 U. S. 63), the Supreme Court held the law to be a constitutional exercise of legislative power. At that time the Court included William Howard Taft, Oliver Wendell Holmes, Louis D. Brandeis and Harlan Fiske Stone. The decision was 8 to 1 for the constitutionality of the legislation and the only dissent was by Justice McReynolds who did not think the case properly before the Court on technical grounds.

The New York law there held constitutional, in some respects, is broader than this legislation. Nothing here requires the filing of resolutions relating to political activities, but the substance of this decision held that it was proper for the legislative body to classify with respect to the evil to be prevented, to define those from whom the evil mainly is to be feared and to direct its law against those without covering the whole field of possible abuses. But on this point it is most remarkable that there has been practically no discussion on the floor by the opponents of this bill to the effect that any other organization that should be included that is not included. Their principal argument has been, not that other groups should be included, but that one single group, to wit, the Communist Party and their fronts should not or could not be reached by legislation.

Mr. SMITH of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SMITH of Kansas. Mr. Chairman, back home, among the people who live on the land first settled just a lifetime ago, a land of rolling hills and fertile valleys, where excess rainfall is carried away by the Smoky Hill, the Saline, Solomon, and Republican Rivers, where less than 90 years ago moccasined feet were the only travelers; this is still a land free from early morning factory whistle. Punching time clocks is almost unknown. The head of the family eats his meals at home. This is rural America free from exacting tribulations of an industrial way of life.

But, living as we do on a land given to us by our pioneer fathers and mothers, we must stop, pause, and listen to a new way of life that is trying to be forced on us by a scheming, deadly band of a foreign-inspired group, who hope to change our very way of life. I refer to Russian-dominated Communists.

We in Kansas do not pay too much attention to the big, white, fleecy clouds that float lazily overhead in the summertime. But when sometimes in the late afternoon a big, black bank of clouds appears in the northwest, we who live in northwest Kansas know what it means. There is a storm coming up. As night approaches we see to it that barn doors are fastened and the hen house doors are shut. We take these precautions because of our past experience. As night comes on we see the lightning flash and hear the thunder roll. Then the wind dies down. There is an ominous calm just before the first big raindrops come splattering on the roof. Then comes the wind and rain and sometimes hail.

Why do I say all this? Because America might well be in that period of a quiet calm just before the storm of communism breaks.

Is there anyone who does not know about the big, black cloud that settled over Czechoslovakia, Hungary, Yugoslavia, and Rumania? There people waited too long to shut the barn and hen house doors.

Everyone knows, or should know, that communism originated in Russia. It is not a mere political idea. It is a complete way of life. Put in simple terms a Russian cannot, first, own land; second, may not have a jury trial; third, cannot quit work; fourth, cannot choose his own job; fifth, may not employ labor; sixth, may not strike; seventh, may not travel without permission; eighth, may not own jewelry; ninth, cannot ring a church bell; tenth, cannot talk to a foreigner without permission; and is forbidden free speech, freedom of assembly, freedom of religion, and freedom of his soul.

Thus, we see communism is not a political matter—but a way of life. Because in Russia the Communists through leaders own all the people, body and soul.

It is only too true, that many people here in America still think and say Russia cannot attack us and conquer this country because she cannot land on our shores or come over the Arctic Pole.

Those who think like that are still thinking in terms of past history. They cannot enjoy the luxury of thinking of the past to prove their point because communism has a new technique. Communists have something new in the way to conquer a country. Throughout history conquerors have sent their armies smashing through the countryside—spreading out horizontally, putting their soldiers throughout the country. That is the way nations were conquered by Alexander the Great, Genghis Khan, Caesar, Napoleon and the Germans in the late World War used this method. But the Russian or Communist uses a much more effective modern approach. His forces spring up vertically like a toadstool. They use the citizens of the country by this toadstool method to seize control. These toadstools grow up among the police, transportation systems, the communications systems, and other vital industries. On a given signal they take over. The country is helpless.

Just imagine if all these services in this country were in control of the Communists, how difficult would be our problem. You say that cannot happen in this country? That is what the people of Bulgaria, Hungary, Rumania, and Czechoslovakia thought also—but it was too late. They did not pay any attention to the big black cloud and did not get the barn and hen-house doors shut in time.

Communism grows like the dry rot in a tree. The tree appears to be a big fine tree. You admire its shape, size and enjoy its nice cool shade. Then, one day, a severe windstorm suddenly comes up and your tree is blown down. You discover that the inside wood, covered over by the bark, is rotten and does not have the strength to stand a hard wind. Communism can do the same to us. Do not believe the Communists are out in the open—they are covered up by the pinkish bark of fringe organizations. They go about the country boo-hoo-ing a lot of

weak sentimental socialistic ideas, preying upon the sentiments of those that have not. They cry to high heaven things are not right. They shout and cry for liberty. They call themselves liberals, but if you look carefully into the background of these so-called liberals you will find they generally are those that want to take away some of your property and give it to someone else. Much of the propaganda that is flooding America, in the churches, schools, labor unions, and the so-called "do good" front organizations, all use this liberal doctrine. And always they conclude their statements about the blessings of a controlled economy.

Our wars have been fought to destroy an all-powerful state and now these so-called liberals would now turn to an all-powerful state to save us. What a fantastic idea. They want to change our free social order for one of controlled economy. Of course in the final analysis this doctrine is disguised. But, it is just plain socialism. And also remember that a Communist is nothing more nor less than a Socialist trying to get to his objective in a hurry.

Remember always our constitutional guarantees are no stronger than the people who protect them.

Recently I received a letter. The writer went at great length to discuss the attitude of the Russians toward America. He pointed out if Our Lord had had to deal with Communists in Jerusalem He would have held up His hand and blessed them. May I be so bold as to say what I think He would have done if He had been confronted by Communists? He would have driven them out of the temple as He did the money changers.

There is another thing we have got to redefine and that is what we mean by social justice. At present these programs mean social hate programs instead of social justice.

We in this country have been taught to believe that dangers to this country would always come from abroad. That we had to fear external enemies. We must all realize that the basic idea of communism is to rule or general ruin. They preach to be ready always, to seize power by force. Communists seek to enter the labor unions, the slum areas, and groups of young people immature in their thinking.

Everyone knows that the Communist cause is dominated and controlled by Russian dictatorship. That the sole purpose of the organization in the United States is to not only destroy our form of government but our way of life.

The President of the United States in March 1948 asked Congress to appropriate billions of dollars to build up our defenses against world-wide communism. It would be most foolish to spend billions of dollars abroad and not try to do anything in the United States against communism.

The Communist Party of the U. S. A. since its inception has constantly advocated and now teaches the overthrow by force and violence the Government of the United States.

Must our Constitution protect those that would destroy it?

Must the Communist Party in the United States continue to enjoy the same rights, privileges, and immunities as any other political party even when we know it is dominated by a foreign power?

Are the people to be denied through their representatives in Congress the right to say that Communists can carry on their nation-destroying activities under the cloak of political immunity.

The objectives of the Communists be they in Russia or the United States are the same, Attorney General Biddle in 1942 made this finding.

There cannot be any further mystery about the Communists' foreign policy. Their sole aim is to establish a dictatorship throughout the earth. That is why you cannot appease Russia.

Those of us that support this bill believe we have found the way to help protect ourselves from the deadly doctrine of communism. This bill will help to remove the political immunity which the Communists now enjoy.

This communistic doctrine has spread over a large part of Europe, and is spreading over Asia.

One of the most common repeated statements of the Communists is, "Without the revolutionary overthrow of capitalism, no international arbitration, no talk of disarmament, no democratic reorganization of UN will be capable of saving mankind from new wars."

That statement should explain Russia and her policies. It plainly shows that Russia will not be a working partner in the United Nations.

In order to get a little better understanding of communism let us see what Mr. Foster, head of the Communist Party in the United States, has to say about it.

Under oath before a committee of Congress, as reported in the CONGRESSIONAL RECORD, he revealed the world-wide objectives of communism.

The testimony:

The CHAIRMAN. Mr. Foster, does your party advocate the destruction of religious belief?

Mr. FOSTER. Our party considers religion to be the opiate of the people, as Karl Marx has stated, and we carry on propaganda for the liquidation of these prejudices among the workers.

The CHAIRMAN. To be a member of the Communist Party do you have to be an atheist?

Mr. FOSTER. Many workers join the Communist Party who still have some religious beliefs, and when he joins the party he will soon get rid of them.

The CHAIRMAN. Well, can members of the Communist Party in Russia be married in the church and maintain religious belief?

Mr. FOSTER. My opinion is that a member of the party of the Soviet Union who would be married in the church wouldn't be of any value to the Communist Party.

The CHAIRMAN. And now for loyalty to our country. If I understand you, Mr. Foster, the workers of America look on the Soviet flag as their flag.

Mr. FOSTER. The workers of this country and the workers of every country have only one flag. That's the Red flag.

The CHAIRMAN. Mr. Foster, do you owe allegiance to the American flag? Does the Communist Party owe allegiance to the American flag?

Mr. FOSTER. I stated very clearly that the Red flag is the flag of the revolutionary class and we are part of the revolutionary class, and all capitalist flags are the flags of the capitalist class and we owe no allegiance to them.

So this bill makes it unlawful, punishable by fine or imprisonment, to establish or look toward the establishment of a totalitarian dictatorship in the United States which is subservient to foreign control.

It provides for loss of citizenship to anyone so convicted.

It denies Federal employment and passports to members of Communist political organizations.

It requires registration with the Attorney General of Communist political organizations and Communist-front organizations.

It denies the use of the mails to any organization unless such organization is registered with the Attorney General, and all organizational publications must be marked that it is a Communist organization.

This bill also denies the privilege of broadcasting any matter over the radio unless it is preceded by a statement giving the name of the organization and the fact it is a Communist organization.

I fully believe that the passage of this bill into law will aid materially in helping to stamp out communism in this country. To every American who has served his country; to everyone who watched their son or loved one leave for the training camp, this bill helps to protect us from another war. What a tragedy it would be to win two world-shaking wars and then to succumb to an enemy within our country.

George Washington said to his officers as he was preparing to cross the Delaware, "Put only Americans on guard tonight." And, so I believe that the people in my part of America, who were born as Americans, who live as Americans, and who want to die as Americans, and who love their land and can call it their own—believe we have a right to protect ourselves from those who would destroy us from within.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Chairman, you can no more check or destroy the menace of communism by this legislation than you can sweep back the tide with a broomstick. Communism is an idea, and as has been well said here, an idea cannot be killed by fiat. Prison walls cannot kill an idea. An idea can be checked and destroyed only by combating it with an idea which is better, more constructive, more responsive to the public conscience, and the public welfare.

The concept of outlawing a political philosophy is not only without precedent in the history of this Government but it is antagonistic to long-established principles of representative democratic government as exemplified by the Constitution. I am as much opposed to communism as any man in this body. I have

spoken, fought, and voted against communistic doctrines, communistic practices, and communistic activities in this Government ever since I became a Member of this House, and Communists have bitterly assailed and fought against me.

But I cannot subscribe in conscience to this violation of the letter and spirit of constitutional democracy. American citizens have the right to embrace any political philosophy they desire, the right to express their opinions and views and to advocate their enactment into law. They have the right to form and join political parties for any legitimate purpose. If in this process they engage in international conspiracies endangering the national security, if they advocate overthrow of the Government by force, we have laws on the statute books to visit them with appropriate punishment. If persons violate the law in their political activities, let them be punished in the ways and means provided by existing laws against treason, sedition, obstruction of justice, and many other statutes, State and Federal, which enable this Government to protect itself against organized violence, espionage, treason, sedition, and the like.

For the first time in history this bill seeks by law to outlaw political thought and to proscribe political activity and to check the freedom—the cherished freedom—of the individual American citizen to think, believe, and advocate his thought and belief without restriction by the oppressive hand of government. Thus we would adopt and follow the example of totalitarianism of excluding by arbitrary edicts every form of opinion save that agreeable to the dictatorship in control. Thus we duplicate the mockery of Nazi elections with their gross "Yahs" and their puny "Neins," enforced by the mailed fist, the mockery of Sovietism with its brutal suppression of every view save the view of its ruthless dictator. We denounce and condemn Russia for outlawing all political parties save the Soviet and then we follow the same practice in this country. Thus we ourselves embrace the shape and features of totalitarianism; we abandon our basic character as a free democracy governed by the sovereign will of its people and take on the form of a repressive dictatorship.

I cannot discuss the bill in detail. It is a melange of unconstitutional concepts. It is a tissue of repression and violation of fundamental constitutional rights so dear to every American. It seethes with totalitarian evils it presumes to banish. It ousts our courts of jurisdiction and accords their jurisdiction to the executive department. It lays down a dangerous and most alarming precedent. It prohibits many actions and activities already prohibited by existing law. It is a mark, unfortunately, of totalitarian trends in America, of which we have had so many manifestations in recent times.

Totalitarian governments are built upon definite patterns. Militarization and military dictatorship, ruthless abrogation of civil rights and civil liberties, including free speech, worship, thought, and action, and regimentation of the industrial, economic, and social features of the state and the economy are primary accompaniments of totalitarian government. All these features are, unhappily, easily discernible in current American government.

Let me remind you, my colleagues, that absolutism in any form is contrary to free American institutions. Fascism and the corporate state are no more welcome to true believers in democracy and Americanism than Marxist communism and the proletarian dictatorship. We must zealously preserve all our liberties or we will be in grave danger of losing them all. If we check the rights and liberties of one group of our body politic, mistake it not, we will soon be confronted by demands to check the rights and liberties of others. We curb political thought of radicals today and we may check the free economic action of conservatives tomorrow. We destroy the right of expression and advocacy today, and tomorrow we may destroy the right to own property and conduct a free-enterprise business. Certainly, by this bill the precedent shall have been laid for further encroachments by the Government upon the domain of individual freedom of action, initiative, and enterprise. If you regiment and throttle one class of the American society, the time will come, mark my words, and it will not be far away, when you will have to regiment others. At that time, democracy will perish and totalitarian government will be entrenched in this Nation.

There is no question here of perpetuating and protecting our Government against destruction or overthrow by Communists. Communism is organized on a world-wide basis and is strongly supported even in our own country. The seeds of communism have been sown deep in American soil. Communistic ideas have taken hold of many in the rank and file of the people who may or may not know or understand that these ideas are communistic. That is understandable in the light of the subtle propaganda, the aggressive techniques, the growing political strength, the definite political recognition, the infiltration into the Government which have characterized recent years. Ruthless suppression, repression, police-state registrations, espionage, Nazi or Cossack terrorism will not reverse this trend, will not cure these conditions. This trend can be reversed, these conditions can be corrected effectively and permanently only by constitutional measures, only by weeding Communists out of the Government service, only by exposing the propaganda methods, techniques, and nefarious activities of Communist groups, only by ferreting out and punishing criminal subversive violators of the law, only by enforcing the law impartially and fearlessly against those who are carrying on illegal conspiracies against the Government.

Communism cannot be combated by fiat. It must be combated by American methods, by argument, discussion, debate, and the alleviation of the social, economic, and Government ills and maladjustments which are feeding the fires of dissension and radicalism in the Nation. Expose the Communists to the light of day, to the force of American public opinion. Expose their activities in the educational, recreational, industrial, civic, and social life of the country. Uncover their web of conspiracy and punish their overt acts against public order and welfare. Preserve and protect and guard the Constitution. It is the charter of our most precious liberties. Keep it American, keep it democratic, keep it as a sure and vital safeguard against oppression of minorities, oppression of the individual, oppression against free thought, free conscience, free personal action compatible with public welfare, free economic and political activity consonant with our form of government and our economic organization.

Let no hysteria shake us from the moorings of the Constitution. Communism cannot flourish in the atmosphere of American freedom. So long as that freedom means what it was intended to mean—a chance for every American to live without fear or terror; to live under a rule of law and equal rights and opportunity, to live in a land where every worthy citizen can work out his own destiny and earn a decent livelihood, there is little likelihood that communism will triumph over democracy.

I realize that many able, sincere, loyal Members differ with my views in this matter, but I must follow the promptings of my own conscience as to what I believe to be in the best interests of the Nation. I will, therefore, vote against this bill.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I asked for this time only because I would like to have an answer to the question which I have been asking all afternoon. On page 29 of this bill it is provided that the Communist political organization shall file the name and address of the members of the organization. When a man is filed as a member of this organization he loses very valuable rights; the right to employment by his Government; the right to obtain visas from his Government; and other rights.

Now, suppose that an organization by mistake or for an ulterior motive, files as a member of this organization the name of the gentleman from South Dakota [Mr. MUNDT], or some other person who is not a member of the organization, how is he going to extricate himself from that situation? I want to know how a man who is filed as a member of the organization and claims he is not a member may proceed to clear his name and get back his right.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. Yes. That is why I asked the question.

Mr. MUNDT. If I follow the gentleman's inquiry, and I think I do, he is concerned about a situation whereby some fellow who is not a Communist may be listed by the Communist organization as a Communist, and consequently, although he is innocent, have penalties attached to him.

Mr. FERNANDEZ. That is correct.

Mr. MUNDT. The committee provided for that in language on page 30, starting with line 8, subsection (g), which must be read in conjunction with language appearing on page 49. I will read both,

and I think the gentleman will understand what we have in mind.

Mr. FERNANDEZ. Where is the language on page 40?

Mr. MUNDT. I will read both of them. Page 30, section (g):

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as a member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report.

Now, on page 40, subsection (b), we provide:

(b) Whoever, in a registration statement or annual report filed under section 8 of this act, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall, upon conviction thereof, be punished by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

So it follows if by chance any Communist organization were to list ANTONIO FERNANDEZ or KARL MUNDT as a Communist, we would then have recourse to the the courts to point out that under the law they are subject to a penalty of 5 years' imprisonment and a $5,000 fine for having listed us willfully erroneously. May I say that the penalties of this act do not apply to the individual because he is listed on the registration list, but the penalties apply because he is found, in fact, to be a Communist.

Mr. FERNANDEZ. But you have not given a definition in this bill of what constitutes a member. How are you going to convict that organization which says that in their opinion a person is a member of the organization? And how does he proceed, or does he have to wait for a prosecution to extricate himself?

Mr. MUNDT. As to whether he is a member will be determined by the rules and regulations which are provided in this legislation and put down by the Attorney General in processing registration, plus the charter of the organization, plus the constitution, but, above all, by the regulations that the Attorney General applies in the process of registration. We specifically set up on page 40 against falsification of any of these registrations. We do not say that a man cannot get a Government job because he is registered as a Communist. It is because he is a Communist in fact that he cannot get a job. It is by virtue of the fact that he belongs to the Communist organization that he is denied certain privileges under my bill.

Mr. FERNANDEZ. I thank the gentleman from South Dakota. I may say to the gentleman that if this provision does apply and there is a penalty for listing a person who is not a member, that answers part of my question.

Mr. MUNDT. I may say to the gentleman from New Mexico that that was put in the bill specifically for that purpose, and the report helps to make that clear.

Mr. FERNANDEZ. I hope so, though I do not think the penalty alone is sufficient even if applicable.

Mr. FELLOWS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I might be excused if I were in a state of disorganized mental confusion, but if this question can be answered perhaps my mind will be clear. May I ask the gentleman from New York this question: Is it not true that this law would not apply to any organization in this country, no matter by what name it might be called, if it is not connected in any way with any political power in a foreign country?

Mr. MARCANTONIO. That question can be answered only as follows——

Mr. FELLOWS. Cannot the gentleman answer it "Yes" or "No"?

Mr. MARCANTONIO. A "yes" or "no" answer cannot be given for this reason: While it is seemingly true that a Communist political organization must be found to be one that is under the control of such foreign government or foreign governmental or political organization, but you have got to bear in mind that the finding must be made by the Attorney General based on what? Based on these definitions in section 3. You can apply any one of these definitions to numerous organizations of any character, and the Attorney General can take any one of them and if he finds that it is reasonable to conclude that as a result of one or more of these characteristics set forth in section 3 are applicable to the organization, that as a result of that he finds it is reasonable to conclude that such an organization is under the control of such foreign government, then he can find that that organization is a Communist political organization. Does that answer the gentleman?

Mr. FELLOWS. Yes, I suppose in a way; but assuming that it is true that there must be some political power in a foreign country which dominates or controls an organization in this country, then all this organization in this country would have to do in order to free itself from the operation of this proposed statute would be to cut the strings between it and the foreign political power.

Mr. MARCANTONIO. That would also be likewise true. If the Attorney General did find that an organization according to the language of the bill is under the control of such foreign government and the organization severs its ties it removes itself. I do not see how the bill could be applicable to it.

Mr. FELLOWS. I thank the gentleman.

Mr. MARCANTONIO. But always remembering that it is the Attorney General's determination of this matter. The real question should be how can an organization which has been found by the Attorney General under the loose language of the bill to be a proscribed organization, and which in reality has no foreign ties, extricate itself?

Mr. FELLOWS. That is a matter of procedure and I can see where there might be some disagreement as to the proper procedure; but my proposition is that the relationship must exist, and if some organization here does not wish to come within the statute it just severs the relationship. I think that is fair enough.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FELLOWS. I yield.

Mr. KERSTEN of Wisconsin. In answer to the gentleman from New York as to the phrase "it is reasonable," he has interpreted that as he has throughout this debate to mean that the Attorney General is the one to find it is reasonable. That is not the proposition. It must be reasonable, and if it is not a reasonable finding then it does not apply.

Mr. FELLOWS. I thank the gentleman.

The Clerk read as follows:

SEPARABILITY OF PROVISIONS

SEC. 16. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the remarks made by my good personal friend and colleague from Pennsylvania [Mr. MCDOWELL] in respect to the many telegrams, letters, and representations made to the Members of Congress with respect to this bill might leave an inference in the minds of some people that those who are opposed to this measure are opposed to it because of the things that these organizations or individuals may have said or because they brought pressure on us or because we were deceived by them.

Mr. Chairman, having been on the floor during all of the debate on this bill with the exception of an hour or so, it is my observation that in the consideration of this measure, which is of much importance to this country, and is of such a nature as to naturally arouse some hysteria, the debate has been maintained on a very high plane, unusually high. I do not think those in opposition or those in favor of the bill displayed any particular partisanship. The debate was entirely on matters of principle, and on the question of whether the provisions of this bill were constitutional or would deny the people the real freedoms which they gained through the Constitution and the Bill of Rights.

The bill has been carefully analyzed, it has been amended, and in many respects it has been improved. Many Members on both sides of the aisle have asked very important questions, as a result of which the record contains clarifications. We have proven to the people of this country that the Congress can really take a subject which naturally would stir up some hysteria, but which in this instance developed nothing but what I believe to be intelligent debate, and then consider it conscientiously and on its merits. So that I hope no inference will go out to the country that this decision which is being made today on the final passage of the bill and on any amendments that were adopted were on anything except the basis of principle, on the basis of a high resolve on the part of the membership to do what they think in their own best

judgment and conscience will be for the best interest of this country today and in the future.

Mr. NIXON. Mr. Chairman, I move to strike out the last two words.

May I say first of all that the Committee on Un-American Activities in bringing this legislation to the floor of the House was completely aware of the great responsibility that it had. All of the Members of the House will realize that there was considerable pressure upon the committee to bring to the floor of the House an unreasonable measure, a measure which would go so far as to without doubt infringe upon the rights of others than those against whom it should be directed, and that such a measure could have passed this House without any question due to the fact this happens to be an election year and that communism happens to be an issue.

We were aware of that and, in fact, some people urged that the committee approach the problem in that manner. But I want to assure the Members of this House that the Subcommittee on Legislation and the full committee in the consideration of this legislation has devoted a great number of hours and a great many days, working toward a fair, equitable, and effective solution to this problem. I think that in the consideration of this measure the Members of the House will agree that the committee has attempted to give every consideration to amendments we felt were necessary and which Members of the House felt were necessary to clear up any possible inconsistencies, or to avoid infringing upon the rights of others than those against whom the legislation should be directed.

I believe, after studying the bill as amended, that no Member of this House, who honestly wants to do something about the Communist menace in the United States, can with good conscience vote against this bill.

I am fairly convinced, and I believe the great majority of the House are convinced, that this bill, if it is enacted, will be effective in meeting the evil against which it is directed. The frantic opposition to it from those who would be affected by it and against whom it is directed is the best indication that it will be effective.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALLECK. I cannot refrain from taking this opportunity to commend the gentleman from California [Mr. NIXON] and his coauthor of this measure, the gentleman from South Dakota [Mr. MUNDT] and all the members of the committee who have labored so diligently in trying to meet this very grave problem that confronts us. You have done a splendid job. You have been open-minded in the consideration of the measure. The amendments that have been suggested have been carefully considered. Many of them have been adopted with the consent of the committee. I think it is a goob job well done. I thank the gentleman for his work and those who labored with him for their work. I am quite sure that the overwhelming vote that this measure will receive will be clear evidence of the approbation of the Members of this body.

Mr. NIXON. I thank the gentleman.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. Does the gentleman honestly think that further legislative action will take place on this bill after it passes the House today?

Mr. NIXON. I will say that the overwhelming majority of the people of the country today sincerely and strongly believe that some legislation must be adopted to control the subversive activities of Communists in the United States. The Members of the other body, as well as the Members of this House, are elected by and represent the people of the United States, and as representatives of the people I am confident they will respond to the will of the people by acting upon this measure. The House by passing this bill by an overwhelming vote will in effect declare to the other body that this legislation is necessary, that it will be effective, and that it has the solid support of the people of the United States.

I should like to pay particular tribute at this time, Mr. Chairman, to the members of the Subcommittee on Legislation, of which I had the honor of being chairman. The gentleman from Illinois [Mr. VAIL] has worked tirelessly during the hearings and during the period when the bill was being drafted in final form. It was he who was particularly responsible for the inclusion in the bill of section 4 which, in my opinion, will prove to be one of the strongest and most effective provisions in the bill. The gentleman from Pennsylvania [Mr. MCDOWELL] became a member of the subcommittee at a time when two of its members were absent due to illness and has worked diligently in behalf of this legislation. On the minority side the gentleman from Florida [Mr. PETERSON] has given to the subcommittee the benefit of his wide experience in the law and has contributed greatly to perfecting the language of the bill in its final form. The gentleman from Louisiana [Mr. HÉBERT] brought to the subcommittee a broad understanding of the policy issues involved in the legislation and his advice was particularly helpful.

I should also like to mention the work of several other Members of the House with whom I personally have consulted during the drafting of the legislation.

The gentleman from Wisconsin [Mr. KERSTEN], the gentleman from Pennsylvania [Mr. CHADWICK], the gentleman from Minnesota [Mr. MACKINNON], the gentleman from New York [Mr. KEATING], and the gentleman from New Jersey [Mr. CASE] have spent many hours with me in going over the provisions of the bill and in working out its details, having in mind particularly the constitutional legal questions involved. The unselfish assistance which they rendered in the drafting of a bill, which was not before a committee of which they were a member is, in my opinion, an indication of their devotion to duty and of their intense desire to find a fair, equitable, and effective solution to one of the most difficult legislative problems ever considered by this House.

Finally, I wish to express to all the Members of the House my appreciation for their cooperation and indulgence during the consideration of this measure. As a new Member handling a measure on the floor for the first time, I was most gratified to find the Members of the House so considerate and thoughtful.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in the closing moments of this debate I would like to point out the fundamental issue which has been overlooked this afternoon, and I want to direct my remarks to the Members of this House who would not vote for a bill outlawing the Communist Party. It is, indeed, significant that the committee itself in its report has specifically stated that the purpose of this bill is not to outlaw the Communist Party, and it has also stated that it could not do so even if it wanted to. So on the proposition of outlawing the Communist Party, whether this bill does outlaw it or does not outlaw it is where the division must take place. I contend that this bill does outlaw the Communist Party, and I base my contention on the following proposition:

First of all, let us look at the background of this legislation. We have in existence two well-known laws, the Voorhis Act, which provides for the registration of foreign agents, and the McCormack Act, which makes it a criminal offense for anyone to willfully advocate the overthrow of the Government by force and violence. Not only the present Attorney General but his predecessor had this legislation on the books. Of course, for political reasons persons may want to charge dereliction against them, but I think we can dismiss that. No one here can in good conscience charge that the Attorney General would not avail himself of those two statutes if he had evidence that the Communist Party or its members were foreign agents under the Voorhis Act, or if he had evidence that the members of the Communist Party or its leadership advocated the overthrow of the Government by force and violence. The reason why there has been no prosecution under those statutes is specifically because there is no such evidence. Further, the Attorney General has been confronted with decisions of the highest court of this land. He has had before him the Schneiderman decision and the following language. In dealing with the Communist Party the Court said:

> There is a material difference between agitation and exhortation calling for present violent action which creates a clear and present danger of public disorder or substantive evil, and mere doctrinal justification or prediction of the use of force under hypothetical conditions at some indefinite future time.

Confronted with the subsequent decision in the Bridges case, and confronted with three specific prohibitions, first, section 9 of article I of the Constitution, which constitutes the prohibition against a bill of attainder; second, amendment No. 5 with respect to due process; and third, amendment No. 6

with respect to trial by jury, the Attorney General, lacking evidence, having no evidence, could not proceed under the existing statutes. In attempting to outlaw the Communist Party, this committee found itself against the same constitutional prohibitions and against the fundamental proposition that there is no evidence that can stand the test of judicial process.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MUNDT. Mr. Chairman, I think at this late hour we should limit this closing debate to the time the gentleman has had and 5 minutes on the side of the committee.

Mr. MARCANTONIO. Then, Mr. Chairman, to take care of that argument, I will get the 5 minutes by offering a preferential motion.

Mr. MUNDT. That will take care of that.

The Clerk read as follows:

Mr. MARCANTONIO moves that the Committee do now rise and report the bill H. R. 5852 back to the House with the recommendation that the enacting clause be stricken from the bill.

Mr. MACKINNON. Mr. Chairman, a point of order. Has not that preferential motion already been made?

Mr. MARCANTONIO. Yes; but the bill has been amended, Mr. Chairman, since the first preferential motion was made, and therefore this preferential motion is in order.

Mr. MACKINNON. Mr. Chairman, I withdraw my point of order.

Mr. MARCANTONIO. Why must I work so hard to get additional 5 minutes' time? Mr. Chairman, this committee was confronted with lack of evidence with these constitutional prohibitions, and the decisions of the Supreme Court. So the committee devised this bill for the purpose of outlawing the Communist Party and attempted to do by indirection what the Constitution and the interpretations of the Constitution as handed down by the Supreme Court prohibited this committee and the Congress from doing directly. So what does the committee do? It substitutes for the doctrine of judicial determination of guilt the doctrine of legislation determination of guilt. That is the formula upon which this bill is based. It provides definitions and provides legislative findings of fact. Then after it makes these definitions and legislative findings of fact, it confers upon the Attorney General an administrative function, the function of determining guilt. In this case, the committee goes beyond the legislative determination of guilt and sets up also the doctrine of executive determination of guilt. Hence the Communist Party is dealt with first in section 2 with reference to the legislative finding, then in section 3 under definitions, and then in section 8 under registration and following that, the administrative section, section 13. So what do we have? The Attorney General is finally given the power to say that the Communist Party is a Communist political organization. That power would have to be exercised by the court. The reason you do not permit the court to exercise that power is that you know there can be no evidence to sustain in the courts the legislative finding of facts that you set forth in section 2. So you have the Attorney General himself exercising the power to decide the guilt of the Communist Party. Then when the Communist Party goes into court indicted under section 4, it is deprived of the right of setting up any valid defense because of a legislative finding of fact, and the executive decree of guilt on the part of the Attorney General.

You have taken away from the jury the right to pass on the substantive question of whether or not the Communist Party constitutes a Communist political organization as you have defined it in section 3 of the bill. You have taken away from the court and jury the question whether the Communist Party constitutes a clear and present danger; whether or not it is a foreign agent; whether or not it advocates force and violence; whether or not the Communist Party seeks to establish a totalitarian dictatorship under control of a foreign power. Thus we have an innovation here. We have a very serious innovation here. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work, a work which, in my considered judgment, is subversive of the Bill of Rights.

Mr. Chairman, in this last moment, all I can say is that the best guaranty of the freedoms and liberties and institutions of this Nation is the Bill of Rights of our Constitution, which with this bill you would destroy.

The CHAIRMAN. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the motion.

I do not propose to have that tirade against my Government and in favor of communism, the international enemy of our civilization, to be the last word spoken on this bill.

The gentleman from New York [Mr. MARCANTONIO], in his defense of communism here and his criticism of the United States of America, made the greatest argument in favor of this bill that I have heard. If there was any doubt at all up to this time, I am sure that it has been cleared away and that this bill will pass by an overwhelming majority.

The question was asked a moment ago, What would happen at the other end of the Capitol?

The American Legion, the Veterans of Foreign Wars, the Daughters of the American Revolution, and every other patriotic organization in America is throwing its strength behind this bill, and when it gets to the other end of the Capitol you will see it taken up and, in my opinion, improved, strengthened, and passed.

Oh, I know it is the hope of you people who have fought the Committee on Un-American Activities all these years that this bill will die in a Senate committee. I predict that when this measure goes to the other end of the Capitol, those patriotic Members, who are just as much interested in our country as we are, will take it up and pass it, and probably make it stronger. I hope they make it stronger than it is in the form in which it passes here today.

I also want to pay my respects to the subcommittee, to Chairman THOMAS, and to all the other members of the committee who have served with me since 1945, when this committee was created as a standing committee and given power to legislate.

No committee of Congress has ever been abused by the enemies of our country as this one has. The members of this committee have taken more abuse at the hands of the subversive elements, members of the Communist Party, the Communist International, and members of the Communist-front organizations throughout the Nation, than the members of any other committee that has ever existed in this House, at least since I have been a Member.

I congratulate the committee. I congratulate the House, on the passage of this measure; and I predict that the other body will follow suit and not only pass this bill, but probably make it stronger than it is now and help to save America for Americans.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. RANKIN] has expired.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate has been closed on the pending motion.

Mr. MUNDT. I rise under the same privilege as that given the gentleman from New York [Mr. MARCANTONIO].

The CHAIRMAN. The gentleman will have his opportunity to make his motion after the disposition of the pending motion.

The question is on the motion offered by the gentleman from New York [Mr. MARCANTONIO].

The motion was rejected.

Mr. MUNDT. Mr. Chairman, I move to strike out the last three words and ask unanimous consent that all debate on this bill and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Chairman, we now come face to face with the roll call for which a great many Members have been waiting for 10 years, because we have come face to face with the roll call to determine whether freemen operating within the framework of their charter of freedom, the Constitution of the

United States, have the power to protect themselves and their Government and their way of life against subversive secret forces trying to overthrow this Government and deliver its control to foreign countries.

The gentleman from New York [Mr. MARCANTONIO] said that the Attorney General had adequate power now would he but decide to act. The Attorney General, however, said in appearing before the House Committee on Un-American Activities: "I lack the specific authority. I lack the precise mandates which Congress should provide to give me the authority to move in against the subversive Communists." So we asked the Attorney General what it was he lacked and he told us, and we plugged up those loopholes with this particular legislation.

The gentleman from New York [Mr. MARCANTONIO] has said that this legislation outlaws communism. We have made it very clear in the committee report, we have made it clear in the subcommittee report, we have made it clear in speaking in support of the bill that this legislation does not outlaw communism, but it does outlaw certain subversive activities in this country. If the Communists persist in engaging in those activities, they outlaw themselves by running into conflict with section 4 of this bill. Otherwise they are not outlawed.

I think the gentleman from Maine [Mr. FELLOWS] put it rather neatly when he asked the gentleman from New York as to whether or not an organization operating under this act could not exclude itself from its provisions if it severed its ties with the foreign country. Mr. MARCANTONIO agreed and the gentleman from Maine agreed, and we all agree that such is the situation.

But this legislation does sever the umbilical cord binding the American Communist Party to mother Russia and makes it find some new source of guidance and nourishment and support. This legislation operates much as the Hatch Act. The Hatch Act does not make it illegal for a Federal employee to participate in politics to a certain degree. He can vote as he chooses. He can discuss politics in the privacy of his own home, he can run for mayor, or he can run for the school board; but the Hatch Act does make illegal certain other activities. A Federal employee cannot become chairman of a political organization, he cannot address a public political rally. In the same way this legislation does not make communism illegal but it does make illegal certain activities in which Communists are likely to find themselves engaged.

If you want another analogy, this legislation is analogous to sections of the Taft-Hartley bill dealing with picketing. Under that legislation picketing is not made illegal, picketing is not outlawed, but certain kinds of picketing are made illegal, certain types of picketing are outlawed by the legislation. So in this bill, being a Communist is not made illegal and it is not outlawed, but practicing certain activities whether it be done by Communists, Bundists, Falangists, or Black Dragonists, those activities are made illegal.

Now, as we face up to this roll call, Mr. Chairman, let us not be deluded into thinking that we do not have to make a decision on this matter because the other body perhaps will lay it aside and do nothing between now and the time Congress adjourns. I think the other body will rise to its responsibilities. I think an aroused American public opinion will insist that the other body act with the alacrity and the intelligence manifest in this body. But whether the other body acts or does not act the responsibility is ours in the House where we have wrestled with this problem in our Special Committee on un-American Activities for 10 long years to bring to bear the evidence and the information we have acquired in enacting this positive and constructive act from the standpoint of protecting America against subversive operatives such as the Communists in America.

This decision is now ours to make. Once it is made, the other body of this Congress must face up to its responsibilities or face the consequences of its own indifference and inaction. The time has come for America to act in the interests of the defense of its own freedom and its own constitutional institutions. We of the House propose to act today and I trust the other body will have within it a group of individuals who will move in behind the sponsorship of this legislation. I believe that such leadership exists in the other body and that it will put its shoulder to the wheel without delay. I believe the enlightened and awakened public opinion of this Republic expects such action and that it will insist upon it. We Republicans have promised the country to move effectively against communism in this country—many Democrats have promised their constituents the same thing. I believe this is a pledge which Republicans and Democrats will join in redeeming in the present session of Congress.

Mr. Chairman, the long debate is over. The product of 10 long years of study and effort is now before us. Let us adopt it by an overwhelming roll-call vote and thereby give new hope to the forces of freedom around the world who are looking eagerly to America to point the way by which free men can protect their way of life against those who would enslave us all.

The CHAIRMAN. All time has expired. The question is on the committee substitute, as amended, for the bill.

The committee substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WADSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, pursuant to House Resolution 582, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOLIFIELD. Mr. Speaker, I am opposed to the bill in its present form and I offer a motion to recommit.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOLIFIELD moves to recommit the bill H. R. 5852 to the Committee on Un-American Activities with instructions to report the same back to the House forthwith, with the following amendment: Strike out all after the enacting clause of the bill and insert in lieu thereof the following:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'Subversive Totalitarian Activities Control Act, 1948.'

"NECESSITY FOR LEGISLATION

"SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

"(1) The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

"(2) The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democrtaic or representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

"(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

"(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

"(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

"(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) corrupting officials of the Government and securing the appointment of their agents and sympathizers to offices and positions in the Government.

"(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such 'Communist fronts.'

"(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

"(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

"(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

"(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a potential danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

"SEC. 3. The Attorney General is hereby authorized and directed to prepare and submit to the Congress—

"(1) a detailed report of efforts by the Department of Justice to enforce—

"(A) the Federal Corrupt Practices Act, 1925, as amended;

"(B) the act of June 8, 1938, entitled 'An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes';

"(C) the Alien Registration Act, 1940; and

"(D) the act of October 17, 1940, entitled 'An act to require the registration of certain organizations within the United States, and for other purposes.'

"(2) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities looking toward the creation in the United States of a totalitarian system; and

"(3) specific and detailed recommendations with respect to strengthening each of the laws specified in paragraph (1) for the purpose of protecting the United States against the activities of those working toward the establishment of a totalitarian system of government in the United States. "As used in this section, the term 'totalitarian system' shall include any Communist or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision."

Mr. MUNDT. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "nays" appeared to have it.

Mr. HOLIFIELD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MUNDT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 319, nays 58, not voting 54, as follows:

[Roll No. 68]

YEAS—319

Abbitt
Abernethy
Albert
Allen, Ill.
Allen, La.
Andersen, H. Carl
Andresen, August H.
Andrews, Ala.
Andrews, N. Y.
Angell
Arends
Arnold
Auchincloss
Bakewell
Banta
Barden
Barrett
Bates, Ky.
Bates, Mass.
Battle
Beall
Beckworth
Bender
Bennett, Mich.
Bennett, Mo.
Bishop
Blackney
Bland
Boggs, Del.
Bolton
Bradley
Brehm
Brophy
Brown, Ga.
Brown, Ohio
Bryson
Buck
Buffett
Burke
Burleson
Busbey
Butler
Byrne, N. Y.
Byrnes, Wis.
Camp
Canfield
Cannon
Carson
Case, N. J.
Case, S. Dak
Chadwick
Chapman
Chelf
Chenoweth
Chiperfield
Church
Clark
Clason
Clevenger
Clippinger
Coffin
Cole, Kans.
Cole, Mo.
Cole, N. Y.
Colmer
Combs
Cooper
Corbett
Cotton
Coudert
Courtney
Cox
Cravens
Crawford
Crow
Cunningham
Curtis
Dague
Davis, Ga.
Davis, Tenn
Davis, Wis.
Dawson, Utah
Devitt
Dirksen
Dolliver
Domengeaux
Dondero
Eaton
Elliott
Ellis
Elsaesser
Elston
Engel, Mich.
Evins
Fallon
Fellows
Fenton
Fletcher
Fuller
Gamble
Garmatz
Gary
Gathings
Gavin
Gearhart
Gillette
Gillie
Goff
Goodwin
Gore
Gossett
Graham
Grant, Ala.
Grant, Ind.
Gregory
Griffiths
Gwinn, N. Y.
Gwynne, Iowa
Hagen
Hale
Hall, Edwin Arthur
Hall, Leonard W.
Halleck
Hand
Hardy
Harness, Ind.
Harris
Harrison
Hart
Harvey
Hays
Herter
Hess
Hill
Hinshaw
Hobbs
Hoeven
Holmes
Hope
Horan
Hull
Jackson, Calif.
Jenison
Jennings
Jensen
Johnson, Calif.
Johnson, Ill.
Johnson, Ind.
Jones, Ala.
Jones, Wash.
Jonkman
Judd
Kearns
Keating
Keefe
Keogh
Kerr
Kersten, Wis.
Kilburn
Kilday
Kunkel
Landis
Lanham
Larcade
Latham
Lea
LeCompte
LeFevre
Lewis, Ky.
Lewis, Ohio
Lichtenwalter
Lodge
Love
Lucas
Lusk
Lyle
McConnell
McCormack
McCowen
McCulloch
McDonough
McDowell
McGarvey
McGregor
McMahon
McMillan, S. C.
McMillen, Ill.
Mack
MacKinnon
Mahon
Maloney
Manasco
Mansfield
Martin, Iowa
Mason
Mathews
Meade, Ky.
Meade, Md.
Merrow
Meyer
Michener
Miller, Md.
Miller, Nebr.
Mills
Mitchell
Monroney
Morrison
Muhlenberg
Mundt
Murray, Tenn.
Murray, Wis.
Nicholson
Nixon
Nodar
Norblad
Norrell
O'Konski
O'Toole
Owens
Pace
Patman
Patterson
Peden
Peterson
Phillips, Calif.
Phillips, Tenn.
Pickett
Ploeser
Plumley
Poage
Potter
Potts
Poulson
Preston
Price, Fla.
Priest
Rains
Ramey
Rankin
Rayburn
Reed, Ill.
Reed, N. Y.
Rees
Reeves
Regan
Rich
Richards
Riehlman
Riley
Rivers
Rizley
Robertson
Rockwell
Rogers, Fla.
Rogers, Mass.
Rohrbough
Rooney
Ross
Russell
Sadlak
St. George
Sanborn
Sarbacher
Sasscer
Schwabe, Mo.
Schwabe, Okla.
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Seely-Brown
Shafer
Sikes
Simpson, Ill.
Simpson, Pa.
Smathers
Smith, Kans.
Smith, Va.
Smith, Wis.
Snyder
Spence
Stanley
Stefan
Stevenson
Stockman
Stratton
Sundstrom
Taber
Talle
Taylor
Teague
Thomas, Tex.
Thompson
Tibbott
Tollefson
Trimble
Twyman
Vail
Van Zandt
Vinson
Vorys
Vursell
Wadsworth
Walter
Weichel
Welch
Wheeler
Whitten
Whittington
Wigglesworth
Williams
Wilson, Ind.
Wilson, Tex.
Winstead
Wolcott
Wolverton
Wood
Woodruff
Worley
Youngblood

NAYS—58

Blatnik
Bloom
Buchanan
Buckley
Carroll
Celler
Crosser
Dawson, Ill.
Delaney
Dingell
Donohue
Douglas
Eberharter
Ellsworth
Feighan
Fernandez
Fogarty
Foote
Forand
Gordon
Gorski
Granger
Harless, Ariz.
Havenner
Hedrick
Heffernan
Heselton
Holifield
Huber
Isacson
Javits
Karsten, Mo.
Kean
Kee
Kelley
King
Klein
Lemke
Lesinski
Ludlow
Lynch
Madden
Marcantonio
Miller, Conn.
Morgan
Morris
Multer
Murdock
Norton
O'Brien
Pfeifer
Philbin
Powell
Price, Ill.
Sabath
Sadowski
Smith, Ohio
Somers

NOT VOTING—54

Allen, Calif.
Anderson, Calif.
Bell
Boggs, La.
Bonner
Boykin
Bramblett
Brooks
Bulwinkle
Cooley
Deane
D'Ewart
Dorn
Doughton
Durham
Engle, Calif.
Fisher
Flannagan
Folger
Fulton
Gallagher
Gross
Hartley
Hébert
Hendricks
Hoffman
Jackson, Wash.
Jarman
Jenkins, Ohio
Jenkins, Pa.
Johnson, Okla.
Johnson, Tex.
Jones, N. C.
Kearney
Kefauver
Kennedy
Kirwan
Knutson
Lane
Macy
Miller, Calif.
Morton
O'Hara
Passman
Redden

| | | |
|---|---|---|
| Scoblick | Smith, Maine | Towe |
| Sheppard | Stigler | West |
| Short | Thomas, N. J. | Whitaker |

So the bill passed.

The Clerk announced the following pairs:

On this vote:

Mr. Doughton for, with Mr. Folger against.

Mr. Deane for, with Mr. Jackson of Washington against.

Mr. Hoffman for, with Mr. Kirwan against.

General pairs until further notice:

Mrs. Smith of Maine with Mr. Johnson of Oklahoma.

Mr. Thomas of New Jersey with Mr. Hébert.

Mr. Jenkins of Ohio with Mr. Bell.

Mr. Gross with Mr. Redden.

Mr. Morton with Mr. Passman.

Mr. Macy with Mr. Fisher.

Mr. Bramblett with Mr. Durham.

Mr. Allen of California with Mr. Whitaker.

Mr. Anderson of California with Mr. Engle of California.

Mr. D'Ewart with Mr. Stigler.

Mr. Gallagher with Mr. Bonner.

Mr. Towe with Mr. Cooley.

Mr. Short with Mr. Kennedy.

Mr. Jenkins of Pennsylvania with Mr. Jones of North Carolina.

Mr. Kearney with Mr. Kefauver.

Mr. O'Hara with Mr. Lane.

Mr. Scoblick with Mr. Miller of California.

Mr. Knutson with Mr. Sheppard.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to protect the United States against un-American and subversive activities."

A motion to reconsider was laid on the table.

### GENERAL LEAVE TO EXTEND REMARKS

Mr. NIXON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on this bill in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

### EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks in the Appendix of the RECORD and include two articles.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include extraneous matter.

Mr. MITCHELL asked and was given permission to include extraneous matter in the remarks he made in the Committee of the Whole today.

Mr. O'KONSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include a newspaper article.

Mr. HESELTON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. McDONOUGH asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. PLUMLEY. Mr. Speaker, notwithstanding the request heretofore made, I now ask unanimous consent again to extend my own remarks in the Appendix and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New York Herald Tribune and one from the Rochester Courier-Journal.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. KLEIN asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and to include in each extraneous matter.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include articles.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an editorial from the Washington Post showing the necessity for an amendment of the United Nations Charter, in order to make it work more effectively.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARCANTONIO asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

### SURPLUS PROPERTY ACT—SUBSTITUTION OF CONFEREES

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] be excused from serving as a conferee on the part of the House on the bill (H. R. 2239) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, due to absence from the city.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the gentleman from West Virginia [Mr. SNYDER] to serve as a conferee in place of the gentleman from Indiana. The Clerk will notify the Senate thereof.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to be excused from service as a conferee on the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the gentleman from Alabama [Mr. MANASCO] to serve in place of the gentleman from California. The Clerk will notify the Senate thereof.

### SPECIAL ORDER CHANGED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order I had for tomorrow may be transferred to Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

### EXTENSION OF REMARKS

Mr. HAND asked and was given permission to extend his remarks in the RECORD following the amendment offered by Mr. COUDERT and include extraneous matter.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the RECORD in five instances and include extraneous matter.

Mr. HORAN (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD and include an article.

### HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

### LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I am informed that a rule has been granted on the bill (S. 2256) having to do with meat inspection. This is a bill reported unanimously by the Committee on Agriculture, as I understand it. If we have time during the balance of the week, that bill may be called up.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOLIFIELD, for 2 weeks, on account of official business.

### SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on tomorrow after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The SPEAKER. Under previous special order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

### VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, lately there have appeared several incorrect statements regarding the cost of the veterans' homestead housing

bill, recently reported by the Committee on Veterans' Affairs. It is, as you know, an amendment to the original GI bill of rights, enacted in 1944.

Some have gone so far as to charge that the cost of this housing program for veterans of World War II would total over $9,000,000,000. I can say to you that such a statement is totally and completely in error. The actual probable cost of this program will be negligible for the results obtained.

All of the expenditures for homes for veterans authorized by the homestead bill are of a reimbursable character. Not one cent of the money authorized for the direct construction of homes or housing units is a gift or subsidy. The money for such projects is to be obtained from the Veterans' Administration at one-fourth of 1 percent more than the cost of the money to the Government. All those who are familiar with operations in this field will agree that this one-fourth of 1 percent is more than adequate to bear the various costs of administration and handling.

There is ample precedent for this sort of aid. The Home Owners' Loan Corporation made loans to home owners during the depression which have been repaid in a most satisfactory manner with no loss to the Government and a prospective profit. I believe that the veterans of World War II will provide just as good a record if given the opportunity to participate under such a program.

The only direct cost to the Federal Treasury for this vast housing program is the comparatively small sum of $200,000,000 to provide public facilities—small in comparison to the housing which will be provided. This sum would be used by the Federal Works Administrator to aid State and local governments or associations on a 50-percent matching basis for streets, water, sewer, and other similar facilities where such are not available or not provided by other means. Federal aid for such local community facilities was used during the war. During that period, more than $300,000,000 was granted by the Federal Government to local public bodies for public facilities relating to housing for industrial workers. I believe that Members of this House will agree that a grant of two-thirds of this amount for the veterans of World War II is certainly a reasonable request and a very small cost to pay in connection with the substantial amount of housing that will be constructed under this bill. The veterans of World War II are good risks, Mr. Speaker.

Mr. Speaker, I want to bring up the matter of bills that the Committee on Veterans' Affairs has passed a good many months ago. Two of these are bills that were introduced by the gentleman from New Jersey [Mr. MATHEWS]. One is a bill that provides a slight increase to the widows and orphans. Today they cannot live on the pittance they receive. People receiving relief abroad are getting more than our widows are getting at home.

Mr. MATHEWS. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New Jersey.

Mr. MATHEWS. I am so familiar with the interest of the gracious gentlewoman from Massachusetts in veterans' affairs generally and so familiar with the fine work she has done that I cannot refrain from complimenting her every chance I get. I do so now.

In this connection it would be interesting to listen to a few figures which I compiled rather out of curiosity. Just take three of my own bills, for instance, H. R. 3748, to which the gentlewoman from Massachusetts has just referred, and which increases the compensation a little bit for widows and orphans of service-connected deaths, the Veterans' Administration estimates the increased cost under that bill for the first year at $99,000,000 or thereabouts. Incidentally, information has just come to me that certain foreign countries, some of which are getting the money of our own taxpayers as gifts, have recently increased the benefits to their own war widows and orphans.

If we take the substitute Senate bill for H. R. 4007 the estimated cost will be about $7,000,000 over all. H. R. 5588, which is known as the dependency allowance bill, slightly increases the compensation to disabled veterans who are receiving compensation and who have dependents, is estimated by the Veterans' Administration to cost an additional amount for the first year of around $61,000,000, or a little over. Now, taking a very generous look at this and calculating for 4 years at $100,000,000 for H. R. 3748 instead of $99,000,000, that would cost $400,000,000 for 4 years, and calculating H. R. 5588 at even a greater amount than the Veterans' Administration estimates, that would cost $244,000,000 for 4 years, and then H. R. 4007, taking the substitute Senate 1391, would cost a total of $7,000,000. That is a grand total for 4 years of $651,000,000. I find in the CONGRESSIONAL RECORD under date of March 25, in the remarks of the gentleman from Michigan [Mr. WOODRUFF], that under the Marshall plan—and I suppose it is for the full 4 years; I am giving them the benefit of that—we will give away to Europeans $911,000,000 in tobacco alone, which is $2,500,000 more than the three bills would cost for the next 4 years.

But that is not all. It must be realized that these widows and children of our deceased war dead are paying their share of the $911,000,000 worth of tobacco that is being given away to foreign countries and are also paying more for everything they buy due to the inflationary effect, however small or large that may be, resulting from the giving of billions of dollars to other nations. Thus, if we do not pass legislation increasing the compensation of these widows and orphans we are not just leaving them where they were. We are actually reducing the full value of the compensation they are now getting by this foreign spending. I thought the gentlewoman might be interested in that observation.

Mrs. ROGERS of Massachusetts. The gentlewoman from Massachusetts is very interested in the statement made by the gentleman from New Jersey [Mr. MATHEWS], who has so tirelessly worked for years and years for the veterans as well as working tirelessly in our Committee on Veterans' Affairs in going over bills and trying to find the ones that would do the most good. He always searches for facts. I thought that the $900,000,000 was even for a shorter time than 4 years under the Marshall plan.

Mr. MATHEWS. That is probably so, but I have given them the benefit of every doubt.

Mrs. ROGERS of Massachusetts. Even that, for tobacco alone, is more than is spent for feeding and clothing our widows and orphans. That is extremely significant. May I say to the gentleman that I have every belief that a rule or suspension will be granted to see that a measure of justice is done to the widows and to the orphans.

Mr. MATHEWS. May I say to the gentlewoman that I sincerely hope so, too. And, may I add that all three of the bills are wholeheartedly endorsed by the four prominent veterans organizations—the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, and the AMVETS.

Mr. RAMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. RAMEY. All of us on the committee share and concur in the judgment of the gentleman from New Jersey, Judge MATHEWS, and appreciate the devotion of the gentlewoman from Massachusetts for the welfare of the veterans. But, I want to further say that I realize that the chairman and all members of the committee know of the indefatigable work of the gentleman from New Jersey, Judge MATHEWS. There has not been a bill but what he has sought to get all the facts and give us the benefit of his investigation. We might further say that there is nothing even political about the gentleman from New Jersey, Judge MATHEWS. He is not a candidate; he is going to do much better at home in free activities, and I believe the gentlewoman will agree with me that no man will be more missed in this House, and who has our best wishes, than the gentleman from New Jersey, Mr. MATHEWS.

Mrs. ROGERS of Massachusetts. It will be a tremendous loss to everybody in the United States, and, most of all, to the veterans.

Mr. MATHEWS. Mr. Speaker, if the gentlewoman will yield, I thank the gentleman from Ohio and the gentlewoman from Massachusetts very much for those kind remarks.

Mrs. ROGERS of Massachusetts. I do not know what we will do without him.

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ROSS] is recognized for 15 minutes.

## YOUTH FLIGHT TRAINING

Mr. ROSS. Mr. Speaker, never was there a time in the history of America when the minds of our young people—boys and girls—were so dramatically focused on aviation. It is an awakening awareness of the vast potentialities of this field of endeavor for individual achievement, rather than a mere enthusiasm stimulated by the almost unbelievable air developments during and since World War II.

This Congress has passed legislation authorizing a 70-group air force. This expansion of our military air power to the largest in peacetime history will accentuate youth's interest in aviation. Aviation is a young industry. It is likewise an industry for the young. There are millions of young people today who find in aviation the kind of work and life that appeals to their imagination and interest, where not even the sky is the limit of their hopes.

Young America, having caught the germ of aviation, cannot be cured by any means except to participate in its development and progress. The youth of the country should be encouraged to participate. If America is to retain its supremacy in the field of aviation, if we are to develop to the fullest the potentialities of this great industry, if we are to have a trained reservoir of young manpower, schooled in the fundamentals of aviation, to meet the requirements of a sudden war, then the Federal Government must inaugurate a broad national program for the education and training of the youth of the Nation in the great science of aviation.

The science of aviation is growing at an accelerated pace, but the rate of growth of flying still depends on three major factors: One, aircraft; two, airports; three, pilots. The three are interdependent. Federal assistance in the development of one means assisting them all.

It is evident that without pilots there would be no need for aircraft or airports; therefore, flight training and aviation education are matters of national concern. Basic flying training costs more than the large majority of our young people can afford, so it becomes evident that Federal assistance to a new civilian flight-training program for our youth is desirable and essential if our Nation is to continue to lead the world in all fields of aviation development.

VITAL IMPACT OF CPT-WTS PROGRAMS ON AMERICAN AVIATION

Despite criticism from certain quarters leveled toward the civilian pilot training program of the Civil Aeronautics Administration during 1939 to 1944, this program undeniably proved the most farsighted and progressive step ever taken in American aviation. Also, the GI flight-training program carried on under the Servicemen's Readjustment Act—notwithstanding the obvious abuses about which most of you have heard—has been of inestimable value to the progress of aviation.

But, let us take a look at the record of the former CPT–WTS programs, since they present a more comprehensive picture of civil aviation training objectives. The very fact that the GI flight-training program is restricted only to veterans of World War II and is of temporary nature, is my reason for advocating a national program of youth flight training.

CPT, as it was labeled back in 1939, had the twofold justification of creating a reservoir of young pilots for national defense and of stimulating the advancement of personal flying, a phase of aviation which surprisingly had lagged behind others although it afforded the greatest potential for new employment and investment opportunities.

After the peacetime CPT program shifted to a wartime basis and training was given only to those men in the Reserve and finally on active duty, the pace was greatly accelerated, and during that period a staggering total of 326,816 men received CPT–WTS courses. It cannot be claimed that these trainees were finished military pilots, but it cannot be questioned that the paralyzing blows struck by our Air Force against Nazi production and communications would have been dangerously delayed without the patriotic service of the civilian flight schools that participated in the program.

Militarily speaking, CPT yielded returns which have not been fully appreciated by the general public. Out of the 91,139 trainees completing one or more courses on the original civilian basis, more than 62,000 entered military aviation or a closely related wartime activity.

As a result of the CPT–WTS programs, there was a striking increase in the total number of pilots and the total number of civil aircraft purchased—about 435,000 trainees received close to 12,000,000 hours of flying in some 504,000 courses. Also, the number of privately owned registered aircraft increased from 13,507 in 1939 to 24,470 in 1941, or 45.4 percent.

The direct and far-reaching benefits to both civil and military aviation resulting from the CPT–WTS programs can never be valued in mere dollars and cents. Certainly, some mistakes were made. Any program of such magnitude cannot escape errors, and the many other complications involved in a tremendous new undertaking. But out of the melting pot of complexities emerged such vital national aviation development and advancement that the programs will forever reflect creditably for its founders.

At this point, I might add that the farsighted men who conceived and pioneered the CPT program were well aware that they were putting the cart before the horse. They also well knew that any long-range program in aviation should begin with aviation education at the grade-school level—the grass roots, if I may repeat a well-worn expression. They further knew that time was a premium for already war clouds were darkening the European horizon when authorization was granted by Congress for the first experimental program. It was then a matter of grave concern to train young men of college age who would be ready to defend our skies if war came soon—as it did. Such outstanding young men as Majors Joe Foss, Walter Mahurin, and Dick Bong, America's leading air aces in World War II, began their flying careers in the CPT program.

CPT ACHIEVEMENTS

The over-all achievements of the CPT program are too manifold to mention, but I would like to mention several of the major ones. Many thousands of persons, stimulated by the example of CPT trainees in their community, learned to fly on their own and to buy new aircraft. Moreover, CPT contracts helped to establish new centers of personal flying activity which continued to expand after the program was terminated. Many small, fixed-base operators were afforded an opportunity to enlarge the scope of their activities and to improve their facilities. Also, many new fixed-base operators came into being along with new airports and landing fields. It is interesting to note that before the inauguration of CPT in 1939 there were only 37 CAA approved flight schools in the entire Nation. At the cessation of CPT–WTS on January 1, 1945, despite coastal defense restrictions and other wartime controls, there were 470 approved flight schools, or about a 1,300-percent increase. This increase proved not only quantitative but qualitative since an approved flight school must provide instruction of uniformly high standard. Today there are 3,006 approved flight schools.

The record of the CPT schools from the safety standpoint was recognized by conservative insurance companies since, during the period of CPT operations, they lowered their rates seven times based on accumulated actuarial experience. At the beginning of the program, rates were as high as $35 for a $3,000 life policy but were eventually reduced to $4.90 for the same policy, including hospitalization.

The CPT program also was instrumental in establishing aviation as a permanent course in the college and university curriculum. The American Council on Education, in its survey conducted in 1944 for the CAA, revealed that at least 399 institutions of higher learning offered academic work in aviation with the majority of courses giving academic credit. Today, an increased number of colleges and universities are providing such courses.

AVIATION COURSES INTRODUCED IN ELEMENTARY AND SECONDARY SCHOOLS

Elementary and secondary schools throughout the Nation also became increasingly interested in establishing aviation courses, as part of their curriculum, as a result of the activities of aviation education at the community level. The avid enthusiasm of boys and girls in anything aviation caused educators to recognize that aviation had become as essential an element in our cultural pattern as grammar and arithmetic. Today, more than half of the Nation's high schools are including some form of aviation education in their curriculum. Many of the secondary schools have added to their classroom work actual flight experience—generally about 4 hours of dual instruction with the objective of giving the student a clearer understanding of the principles of flight. Over a million students in our public schools already have taken aviation courses or other courses in which aviation subjects have been introduced.

WHAT IS AVIATION EDUCATION?

I have purposely discussed at length the CPT-WTS programs so that their far-reaching and vital impact on American aviation and education could be better understood. It should be clearly recognized that aviation education goes far beyond purely flight training. It in-

volves new ideas regarding international, social, and political relationships. It embraces a new world areo-economy. It provides changed geographical thinking and, even more significant than these, it offers an understanding of air power and its vital place in the future course of world developments.

Aviation education is the study of all aspects and effects of the airplane, most important of which is the airplane's effect on individual living and on world development.

World-famous sociologists, political scientists, and economists have said that the airplane is now in the process of bringing about more change in the way people live than did the industrial revolution of the seventeen hundreds. This means revolutionary changes for the youth of this generation.

It is, therefore, the job of aviation education to bring to both youth and adults of this age, first, understanding of the new world concepts which the airplane is making; second, understanding of those institutions that are being established now and will be established in the future for the control of aviation in the interests of mankind. These understandings may be taught in special classes. More often, however, in their general-education aspects they are fused into the regularly taught subjects of the curriculum.

Senator KNOWLAND, of California, in his recent article on Aviation Education, said:

> In this atomic age in which we live, the United States must keep ahead of the field in both civilian and military aviation * * * out of our schools and colleges will come those who will make sure that we maintain our place of leadership.
>
> Therefore, because of the dynamic effect of the airplane on the world and because the understanding of air-world ideas is a primary necessity for efficient and peaceful living in an air age, we must have aviation education in the modern school curriculum.

AVIATION INDUSTRY OWES ACHIEVEMENTS TO EDUCATION

Our great aviation industry of today with all of its magnificent achievements owes its very existence and its future to educational institutions of the Nation. With no mathematician, no engineer, no scientist, no management there would be no airplane and no aviation industry.

Education produced the scientists who penetrated the innermost secrets of atomic energy; education produced the engineers who perfected the atomic bomb; education must produce the citizens of tomorrow who will carry on this great aviation industry of ours so that America will continue to be foremost in world aeronautical achievement.

The CAA is charged by Congress with the fostering and developing of civil aviation. This Government organization recognizes that if aviation is to reach its maximum development it must foster greater public understanding of all its aspects.

AVIATION TRAINING MUST BE EXTENDED TO ALL EDUCATIONAL LEVELS

The pioneering work of the Federal Government in stimulating the interest of our youth in aviation cannot lag now in these critical times, but must be continuously encouraged and strengthened. Aviation training must be extended to all levels of our educational system in order that knowledge and skill in its varied phases may be widespread throughout the Nation, and a fundamentally sound foundation laid for the uninterrupted development and advancement of civil aviation.

Since one of the major functions of education is to prepare our young people to live effectively, it becomes our duty to consider the effects of aviation which tend to change the life and thinking of our Nation and of the world. By the same token, educators will wish to make themselves more effective by adapting the schools to the social, economic, political, and moral changes which have been, are being, and will be, brought about by the growth of aviation.

It is in our schools that the intelligent appreciation and understanding of aviation may commence, and be fostered and encouraged. The problem is not one of choosing between new interests which aircraft are bringing into the daily experience of boys and girls and the traditional subjects and skills for learning. It does not imply displacing or slighting the basic academic studies.

At this very moment, there is an ideal combination of circumstances—national and international—conducive to aviation growth. If we are laggard in our responsibilities many of these favorable factors will be lost. With congressional foresight and cooperation, a $20,000,000,000 war-developed industry, instead of retarding in development, can pioneer to a new and almost limitless economic frontier tomorrow, through the aviation training of our youth today.

AVIATION NOW BIG BUSINESS

We all appreciate that aviation—in its many facets—has developed into big business, although in the matter of development it is still a young business. It is not only big business, it is a potent factor in our domestic and international affairs and world commerce. But to become big business it was necessary to begin as small business, suffering the hardships, the physical and financial reverses, and to pioneer revolutionary ideas which have resulted in the achievement of mature status over the past few decades.

It is inevitable that the American people think in the terms of big accomplishments—the world's largest aircraft, the greatest number of air routes, the constant establishment of global flight records, and the like. But let us not lose sight of the fact that such outstanding aviation achievements may be traced back to the earlier pioneering of the small operators, who in the infancy of aviation provided the spark which ignited the imagination of our scientists, technicians, and business tycoons and made aviation what it is today.

AVIATION FUTURE STAGGERS IMAGINATION

The future of aviation is so tremendous that it staggers the imagination. None of us knows exactly its limitations or its potentialities. We can only watch the inevitable progress of this youngest of industries and assist in its phenomenal growth in every possible way.

It is only fitting that I conclude my remarks with another quotation from the above-mentioned congressional report on the same page:

> An aeronautical educational program should be established throughout the public-school system in order that basic problems of the air age—global geography, meteorology, navigation, mechanics, communications, and the rudiments of flight—are well understood by future generations.

I am preparing a bill which I will introduce next week authorizing the CAA to sponsor and promote a Nation-wide program of education and training in aviation for elementary and secondary schools. Let us make America a Nation with mightier wings by teaching all of our youth basic aviation principles now.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include some newspaper clippings.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1878. An act to amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purposes of engaging in activities which will endanger the public safety of the United States;

H. R. 3219. An act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes;

H. R. 3510. An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska; and

H. R. 5193. An act to amend the Nationality Act of 1940,

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 315. An act for the relief of Reginald Mitchell;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917;

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservations of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1365. An act for the relief of Lowe Way Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason;

S. 1483. An act for the relief of Guy Cheng;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1637. An act for the relief of Leo Hamermann;

S. 1651. An act to amend the General Bridge Act of 1946;

S. 1874. An act authorizing the head of the department or agency using the public domain for national-defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national-defense purposes; and

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay municipal utility district, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes; and

H. R. 5933. An act to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 20, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1563. A communication from the President of the United States, transmitting a revision of the appropriation language for fiscal year 1949, involving an increase in the amount of $150,000,000 for civil functions, Department of the Army (H. Doc. No. 659); to the Committee on Appropriations and ordered to be printed.

1564. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Savings and Loan Corporation for the fiscal years ended June 30, 1945 and 1946 (H. Doc. No. 660); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

1565. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 3, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Mississippi River between the Missouri River and Minneapolis for the construction of a harbor at Fort Madison, Iowa, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on July 9, 1945 (H. Doc. No. 661); to the Committee on Public Works and ordered to be printed, with one illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. H. R. 5710. A bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; with an amendment (Rept. No. 1983). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6448. A bill to direct the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City; with amendments (Rept. No. 1984). Referred to the Committee of the Whole House on the State of the Union.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6130. A bill for the relief of certain postal employees; without amendment (Rept. No. 1996). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. S. 252. An act for the relief of the estate of Lee Jones Cardy; without amendment (Rept. No. 1976). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 314. An act for the relief of Robert E. Lauritzen; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 825. An act for the relief of Ern Wright; without amendment (Rept. No. 1978). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1055. An act for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce; without amendment (Rept. No. 1979). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1206. An act for the relief of Jack O'Donnell Graves; without amendment (Rept. No. 1980). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1588. An act for the relief of E. W. Strong; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1886. An act for the relief of William M. Looney; without amendment (Rept. No. 1982). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 435. A bill for the relief of Stone & Cooper Coal Co., Inc.; without amendment (Rept. No. 1985). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 1076. A bill for the relief of Chester O. Glenn; with an amendment (Rept. No. 1986). Referred to the Committee of the Whole.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1528. A bill for the relief of Jennie Olsen Andersen, widow and Arthur Andrew Andersen, infant son, of Carl Edward Andersen; with amendments (Rept. No. 1987). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2091. A bill for the relief of the Bunge North-American Grain Corp., the Corporacion Argentina de Productores de Carnes, Herman M. Gidden, and the Overseas Metal & Ore Corp.; with amendments (Rept. No. 1988). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 2508. A bill for the relief of James I. Mathews; with an amendment (Rept. No. 1989). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 2916. A bill for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Lucile L. Rice, Mrs. Gladys Webb, and James E. Webb; with amendments (Rept. No. 1990). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 3062. A bill for the relief of the estate of Rudolph Maximilian Goepp, Jr.; with amendments (Rept. No. 1991). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 3713. A bill for the relief of Mrs. Judge E. Estes; with an amendment (Rept. No. 1992). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4663. A bill conferring jurisdiction on the United States District Court for the Middle District of Georgia to hear, determine, and render monetary judgment upon the claims of the city of Macon, Ga.; with amendments (Rept. No. 1993). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 5270. A bill for the relief of Mrs. Hope Irene Buley; with an amendment (Rept. No. 1994). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6083. A bill for the relief of Elizabeth Rowland; without amendment (Rept. No. 1995). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 6616. A bill to create additional Secretaries of the Armed Services for Reserve components; to the Committee on Armed Services.

By Mr. LANHAM:

H. R. 6617. A bill to provide military leave with pay for members of the Reserve Corps of the Army and Air Force who are officers or employees of the United States or the District of Columbia; to the Committee on Armed Services.

By Mr. RIEHLMAN:

H. R. 6618. A bill to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WEST:

H. R. 6619. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent borrow area, without exchange of funds or reimbursement; to the Committee on Expenditures in the Executive Departments.

By Mr. CURTIS (by request):

H. R. 6620. A bill to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing paleontological investigations in areas which will be flooded by the construction of Government dams; to the Committee on House Administration.

By Mr. EVINS:

H. R. 6621. A bill to provide for the construction of a post office at Watertown, Tenn.; to the Committee on Public Works.

By Mr. REGAN:

H. R. 6622. A bill to provide for the conveyance of a certain housing project in Kermit, Tex., to the Kermit Chamber of Commerce; to the Committee on Public Works.

By Mr. RUSSELL:

H. R. 6623. A bill to stimulate the production and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes; to the Committee on Public Lands.

By Mr. LEA:

H. R. 6624. A bill to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.; to the Committee on Public Lands.

By Mr. HARDIE SCOTT:

H. R. 6625. A bill to authorize the Housing and Home Finance Administrator to transfer certain war housing projects to the Philadelphia Housing Authority; to the Committee on Public Works.

By Mr. KEOGH:

H. R. 6626. A bill to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy; to the Committee on Merchant Marine and Fisheries.

By Mr. GOFF:

H. R. 6627. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Public Lands.

By Mr. CLASON:

H. R. 6628. A bill to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H. J. Res. 407. Joint resolution to clarify the application of the existing excise tax imposed on certain fans under section 3406 (a) (3) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. JONES of Washington:

H. J. Res. 408. Joint resolution to authorize the cancellation and release of an agreement dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on the Judiciary.

By Mr. JUDD:

H. J. Res. 409. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; to the Committee on Foreign Affairs.

By Mr. MACK:

H. Con. Res. 203. Concurrent resolution establishing a Joint Committee on the Olympic National Park; to the Committee on Rules.

By Mr. LECOMPTE:

H. Con. Res. 204. Concurrent resolution authorizing the disposal of certain obsolete Government publications now stored in the folding rooms of the Congress; to the Committee on House Administration.

By Mr. HERTER:

H. Res. 601. Resolution to provide for the transfer of the records of the Select Committee on Foreign Aid to the Joint Committee on Foreign Economic Cooperation; to the Committee on House Administration.

---

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 6629. A bill for the relief of William B. Buol; to the Committee on the Judiciary.

By Mr. MONRONEY:

H. R. 6630. A bill to reimburse the James & Phelps Construction Co.; to the Committee on the Judiciary.

By Mr. SPENCE:

H. R. 6631. A bill for the relief of William Luttrell; to the Committee on the Judiciary.

---

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1962. By Mr. HART: Petition of the membership of the Medical Society of New Jersey to the Rules Committee of the House of Representatives, to reconsider the report on the World Health Organization of the United Nations; to the Committee on Rules.

1963. By Mr. LEWIS: Petitions of 127 citizens, urging prohibition of the use of grain by the brewers and distillers of the United States; to the Committee on Banking and Currency.

1964. By Mrs. ROGERS of Massachusetts: Petition of the town of Lexington, Mass., asking that our United Nations delegates present or support an amendment of the Charter for the purpose of constituting the United Nations a world government; to the Committee on Foreign Affairs.

1965. By the SPEAKER: Petition of Leo Seren and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1966. Also, petition of J. Seabrooks and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1967. Also, petition of Mrs. Rosa Martin and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1968. Also, petition of Mrs. William Collins and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1969. Also, petition of H. A. Harber, Miami, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1970. Also, petition of Miss Pauline Arnold and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1971. Also, petition of Mrs. H. Treckman and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1972. Also, petition of Sylma L. Gallant and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

---

# SENATE

## THURSDAY, MAY 20, 1948

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, while dealing honestly with things as they are, keep alive our hope that things may yet be better than they are. "Earth shall be fair and all her people one: Not till that hour shall God's whole will be done."

Give us faith to believe in the possibility of change, that, each in his own place, we may do all we can to change from bad to good, and from good to better, until Thou art satisfied with our labors. In the name of Jesus Christ our Lord. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 19, 1948, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, informed the Senate that Mr. SNYDER had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2239) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, vice Mr. HARVEY, excused.

The message also informed the Senate that Mr. MANASCO had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, vice Mr. HOLIFIELD, excused.

The message announced that the House had passed a bill (H. R. 5852) to protect the United States against un-American and subversive activities, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians; and

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

### ORDER FOR CONSIDERATION OF CALENDAR ON MONDAY

Mr. WHERRY. Mr. President, several Senators have inquired when another call of the calendar will be had for the consideration of unobjected-to bills. I ask unanimous consent at this time that when the Senate convenes on Monday next, May 24, it proceed to the call of

the calendar for the consideration of unobjected-to bills, beginning with Calendar No. 1301, House bill 3805, which is the place where the last call of the calendar ended.

The PRESIDENT pro tempore. Without objection, the order is made.

AIDS TO NAVIGATION BY COAST GUARD

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1853) to authorize the Coast Guard to establish, maintain, and operate aids to navigation, which was to strike out all after the enacting clause and insert:

That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

(c) Loran stations (1) required to serve the needs of the armed forces of the United States, or (2) required to serve the needs of the maritime commerce of the United States, or (3) required to serve the needs of the air commerce of the United States.

SEC. 2. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established on the date of the enactment of this act.

Mr. BREWSTER. Mr. President, the amendment of the House is a complete substitute for the Senate bill. Therefore, I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BREWSTER, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MCFARLAND conferees on the part of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

DONATIONS BY NAVY DEPARTMENT TO NONPROFIT INSTITUTIONS AND ORGANIZATIONS

A letter from the Secretary of the Navy, reporting, pursuant to law, a list of institutions and organizations, all nonprofit and eligible, which have requested donations from the Navy Department; to the Committee on Armed Services.

AUDIT REPORT OF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the Federal Savings and Loan Insurance Corporation for the fiscal years ended June 30, 1945 and 1946 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

PETITION

The PRESIDENT pro tempore laid before the Senate a petition signed by Antonio Maxino, commander in chief, and Donato V. Suarez, senior vice commander, of the Philippine Constabulary Veterans, Philippine Islands, praying for the enactment of legislation to extend to certain persons of the old Philippine Constabulary the benefits provided veterans of the Spanish-American War, including the Philippine Insurrection; which was referred to the Committee on Finance.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BREWSTER, from the Committee on Interstate and Foreign Commerce:

S. 2454. A bill to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes; with an amendment (Rept. No. 1362);

S. 2455. A bill to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft; with an amendment (Rept. No. 1363); and

S. 2456. A bill to provide safety in aviation and to direct an investigation of the causes and characteristics of thunderstorms; with amendments (Rept. No. 1364).

INVESTIGATION OF SURPLUS PROPERTY DISPOSAL—REPORT OF COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS (REPT. NO. 1365)

Mr. FERGUSON. Mr. President, from the Committee on Expenditures in the Executive Departments, I ask unanimous consent to submit a report on the disposal of surplus property which has been prepared by the Surplus Property Subcommittee of that committee.

Before sending the report to the desk, I desire to make a brief statement concerning the investigations handled by this subcommittee, of which I had the honor of being chairman. It was the desire of this subcommittee to examine the over-all administration of the surplus disposal program by the various Government agencies charged with this responsibility. In order to examine and appraise the administration of this program, it was necessary for the subcommittee to investigate numerous specific cases involving the disposal of surplus property. In the report which I am now submitting, which has been unanimously approved by the subcommittee and the full committee, we attempted to make a fair and unbiased appraisal of our Government surplus disposal program.

As is stated in this report, the subcommittee believes that the disposal of our war surpluses should continue to receive the careful consideration and constant surveillance of the Congress.

With the submission of this report the Surplus Property Subcommittee will have completed its work. However, the Investigation Subcommittee of the Committee on Expenditures in the Executive Departments, which was organized on March 1 of this year, will continue to examine into the disposal of our war surpluses. Complaints and other matters concerning the disposal program which were formerly handled by the Surplus Property Subcommittee, will now be considered by the Subcommittee on Investigations, and it is the intention of this new subcommittee, at some later date, to submit further reports to the Senate concerning this important problem.

I now send the report to the desk and request that it be printed.

The PRESIDENT pro tempore. Without objection, the report will be received and printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 20, 1948, he presented to the President of the United States the following enrolled bills:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 315. An act for the relief of Reginald Mitchell;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917;

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1365. An act for the relief of Lowe Way Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason;

S. 1483. An act for the relief of Guy Cheng;

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1637. An act for the relief of Leo Hamermann;

S. 1651. An act to amend the General Bridge Act of 1946;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians;

S. 1874. An act authorizing the head of the department or agency using the public domain for national defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national defense purposes;

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams;

S. 2077. An act to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.; and

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MILLIKIN, from the Committee on Finance:

Samuel B. Hill, of Washington, to be a judge of the Tax Court of the United States, for a term of 12 years from June 2, 1948 (reappointment);

Richard L. Disney, of Oklahoma, to be a judge of the Tax Court of the United States, for a term of 12 years from June 2, 1948 (reappointment); and

Mortimer Jordan, of Alabama, to be collector of internal revenue for the district of Alabama, in place of Henry J. Willingham, resigned.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YOUNG:

S. 2707. A bill for the relief of Mrs. Bernice M. Kramer; and

S. 2708. A bill for the relief of Dr. Arnulf Remigius Walther Pils; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 2709. A bill for the relief of Stefan Magura and Michal Magura; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2710. A bill for the relief of Lloyd Gordon Findley; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2711. A bill to amend the Public Health Service Act, Seventy-ninth Congress, chapter 538, second session, to establish a Federal Bureau of Asylums for inspections of all institutions which obtain Federal grants of money and which are caring for mental patients; to the Committee on Labor and Public Welfare.

By Mr. JOHNSON of Colorado (for Mr. MCCARRAN):

S. 2712. A bill to aid in preventing shortages of petroleum and petroleum products in the United States by promoting the production of synthetic liquid fuels; to the Committee on Interstate and Foreign Commerce.

By Mr. MCFARLAND (for himself and Mr. HAYDEN):

S. 2713. A bill to authorize the disposal of withdrawn land in tracts too small to be classed as farm units under the reclamation act; and

S. 2714. A bill to authorize the reimbursement of the reclamation fund for the cost of the construction and certain costs of operation and maintenance of the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California; to the Committee on Interior and Insular Affairs.

(Mr. WHITE (by request) introduced Senate bill 2715, fixing qualifications of radiotelegraph operators, which was referred to the Committee on Interstate and Foreign Commerce, and appears under a separate heading.)

By Mr. FERGUSON:

S. 2716. A bill to provide for a preliminary examination and survey of River Rouge, Mich., for the purpose of determining action necessary to control floods in the River Rouge drainage area; to the Committee on Public Works.

By Mr. GURNEY:

S. 2717. A bill for the relief of Milton Buechler; to the Committee on the Judiciary.

By Mr. CAIN (for himself and Mr. MAGNUSON):

S. J. Res. 220. Joint resolution to authorize the cancellation and release of an agreement dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on Interstate and Foreign Commerce.

QUALIFICATIONS OF RADIOTELEGRAPH OPERATORS

Mr. WHITE. Mr. President, by request, I ask unanimous consent to introduce for appropriate reference a bill to fix the qualifications of radiotelegraph operators, and I request that a letter from the Chairman of the Federal Communications Commission recommending the proposed legislation be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the letter will be printed in the RECORD.

There being no objection, the bill (S. 2715) fixing qualifications of radiotelegraph operators, introduced by Mr. WHITE (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. WHITE is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
*Washington, D. C., May 13, 1948.*

Hon. ARTHUR H. VANDENBERG,
*President pro tempore of the Senate,*
*Washington, D. C.*

DEAR MR. PRESIDENT: The following statement and recommendations of this Commission with regard to the present temporary power of the Commission to waive the 6 months' previous service requirement for ship radiotelegraph operators of certain cargo ships imposed by section 353 (b) of the Communications Act of 1934, as amended (47 U. S. C. 353 (b)), is submitted.

Section 353 (b) was added to the Communications Act of 1934 by Public Law No. 97, Seventy-fifth Congress (50 Stat. 189), approved May 20, 1937. As so enacted, these provisions were as follows:

"A cargo ship, required by this part to be fitted with a radio installation, which is fitted with an auto alarm in accordance with this title shall, for safety purposes, carry at least one qualified operator who shall have had at least 6 months' previous service in the aggregate as a qualified operator in a station on board a ship or ships of the United States."

In 1941 it was becoming apparent that a shortage of qualified radiotelegraph operators who possessed the required 6 months' previous service was developing. Accordingly, Congress, by the act of July 8, 1941 (55 Stat. 479), amended section 353 (b) by adding the following language to section 353 (b):

"But during the emergency proclaimed by the President on September 8, 1939, to exist, but not after June 30, 1943, the aforesaid requirement of 6 months' previous service may be suspended or modified by regulation or order of the Commission for successive periods of not more than 6 months' duration."

By the act of June 22, 1943 (57 Stat. 161), the duration of this grant of discretionary power to the Commission was extended until "the termination of such emergency [proclaimed September 8, 1939] or such earlier date as Congress by concurrent resolution may designate."

On June 10, 1947, a hearing by the Senate Judiciary Committee was held to afford all interested parties an opportunity to express their views on Senate Joint Resolution 123, a bill to accomplish the termination of war and emergency statutory provisions no longer considered to be essential. Included among the statutory provisions considered for termination was the discretionary power of the Commission referred to above.

By letter from the Commission, dated June 9, 1947, addressed to Senator ALEXANDER WILEY, chairman, Senate Judiciary Committee, and by testimony of a Commission representative before the Senate Judiciary Committee on June 10, 1947, the Commission recommended that no action be taken by Congress which would have the immediate effect of terminating the temporary power of the Commission to waive the previous service requirement of section 353 (b) of the Communications Act of 1934, as amended. In support of this recommendation facts were cited which showed that in March 1947 a shortage of qualified ship-radio operators who possessed the required 6 months' previous service had unexpectedly developed, necessitating the exercise of the Commission's waiver authority in no less than 77 instances during the period from March 23, 1947, to May 31, 1947. This activity was in marked contrast to the comparative inactivity in this regard during the 14 months of post-VJ-day experience immediately preceding March 1947. The Commission's recommendation to the committee was made in view of the fact that there was then no reliable indication as to when the shortage of fully qualified and experienced ship radiotelegraph operators would cease to exist. When Senate Joint Resolution 123 was enacted on July 25, 1947, the Commission's waiver authority under section 353 (b) of the Communications Act of 1934, as amended, was not immediately terminated but instead was repealed effective July 1, 1948.

The desirability of the existence of the Commission's waiver authority during the 14-month period ending with April 1948 is demonstrated by the statistics listed below. A general waiver of the previous service requirement was not promulgated by the Commission to meet the 1947 shortage situation. Instead, limited individual waivers were granted in cases of actual necessity where, in the absence of a waiver, the ship owner was faced with the choice of either indefinitely awaiting the availability of a fully qualified and experienced radiotelegraph operator or sailing in violation of section 353 (b). In the face of this strict criterion, the number of waivers granted during each successive month from March 1947 to and including April 1948 has been as follows:

| | |
|---|---|
| March 1947 | 1 |
| April | 39 |
| May | 37 |
| June | 53 |
| July | 46 |
| August | 44 |
| September | 58 |
| October | 25 |
| November | 12 |
| December | 28 |
| January 1948 | 11 |
| February | 2 |
| March | 1 |
| April | 1 |
| Total | 358 |

In no instance was a waiver found to be necessary in the case of ships departing from west coast ports. All of the above waivers have been confined to ships sailing from East and Gulf Coast ports.

From analysis of available data concerning shipping activity we do not now anticipate a shortage of ship radio operators with 6 months' ship radio experience. However, there are a number of factors which make it difficult to predict with certainty what developments may take place with respect to the availability of such operators. For example, the supply of ship radio operators may be affected by the greater desirability from time to time of shore employment as

contrasted with ship employment, the desirability from the operator's standpoint of a particular voyage or ship, or the possibility of some type of compulsory military service. Similarly, the volume of shipping may fluctuate violently within a limited period of time at a particular place while the overall trend of shipping continues to follow a predicted trend. It should be noted that in the absence of a discretionary authority to modify the 6 months' previous service requirement in cases of necessity, a ship owner may at any time, because of a peculiar combination of circumstances, be faced with a choice of either indefinitely awaiting a properly qualified and experienced radio operator or sailing in violation of the provisions of section 353 (b). Accordingly, unpredictable short-term situations may occur in which the requirement of 6 months' previous service should be susceptible of administrative flexibility.

In order to achieve this objective, it is recommended that section 353 (b) of the Communications Act of 1934, as amended, be amended to read as follows:

"(b) A cargo ship, required by this part to be fitted with a radio installation, which is fitted with an auto-alarm in accordance with this title, shall, for safety purposes, carry at least one qualified operator who shall have had at least 6 months' previous service in the aggregate as a qualified operator in a station on board a ship or ships of the United States. However, the aforesaid requirement of 6 months' previous service may be suspended or modified by regulation or order of the Commission for successive periods of not more than 6 months' duration."

The injection of permanent flexibility into the experience requirement of section 353 (b) would be in line with the discretionary authority with respect to radio operators accorded to the Commission under other provisions of the Communications Act. Under section 303 (1) of the act, the Commission has authority to prescribe the qualifications of station operators.

Submission of a recommendation has been withheld until this time in order that we might explore fully the type of recommendation that should be made with respect to the provisions of section 353 (b). Unfortunately, we are, therefore, in the position of submitting this recommendation at a time when the Congress is expected to adjourn within approximately 1 month. Should there not remain sufficient time for consideration of the proposed amendment of section 353 (b) as permanent legislation, it is recommended that legislation be enacted providing a further temporary extension of the authority of the Commission under section 353 (b) pending further consideration of this matter at the next session of Congress.

Clearance of this letter has been obtained from the Bureau of the Budget.

By direction of the Commission.

WAYNE COY,
*Chairman.*

## WELCOME TO INTER-AMERICAN BAR ASSOCIATION

Mr. FERGUSON submitted the following concurrent resolution (S. Con. Res. 56), which was referred to the Committee on the Judiciary:

Whereas the Inter-American Bar Association will hold its sixth conference at Detroit, Mich., during the month of May, 1949; and

Whereas this is the first time that the Inter-American Bar Association has planned a conference in the United States; and

Whereas the purposes of the Association, as stated in its constitution, are to establish and maintain relations between associations and organizations of lawyers, national and local, in the various countries of the Americas, to provide a forum for exchange of views, and to encourage cordial relations among the lawyers of the Western Hemisphere; and

Whereas the high character of this international association, its deliberations, and its members can do much to encourage cordial relations among the countries of the Western Hemisphere: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress of the United States welcomes the Inter-American Bar Association to the United States, and wishes the association unparalleled success in its sixth conference; and be it further

*Resolved*, That a copy of this resolution be transmitted to the Secretary General of the Inter-American Bar Association.

## FEDERAL COURT DECISIONS ON REGULATION OF TRADE PRACTICES

Mr. CAPEHART submitted the following resolution (S. Res. 241), which was referred to the Committee on Interstate and Foreign Commerce:

*Resolved*, That the Senate Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete inquiry into the impact upon the consumers of goods and upon small and large business in the United States of the decision of the United States Supreme Court rendered on April 26, 1948, in the case of the *Federal Trade Commission, petitioner*, v. *The Cement Institute et al.*, and of other recent decisions of such Court and the lower Federal courts construing Federal statutes relating to the regulation of trade practices in interstate and foreign commerce.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislaiton as it may deem advisable, to the Senate at the earliest practicable date but not later than March 15, 1949.

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Government. The expenses of the committee under this resolution, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## UTILIZATION OF GERMAN AND JAPANESE INVENTIONS, ETC.

Mr. CAPEHART submitted the following resolution (S. Res. 242), which was referred to the Committee on Interstate and Foreign Commerce:

*Resolved*, That the Senate Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete inquiry for the purpose of determining the best method, in the interests of our interstate and foreign commerce and particularly of American consumers and small business of disseminating information with respect to, and promoting the utilization of, those inventions, discoveries, and copyrighted works which have come into the possession of the Department of Commerce as a result of the examination of German and Japanese Government archives.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable, to the Senate at the earliest practicable date but not later than March 15, 1949.

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Government. The expenses of the committee under this resolution, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

## FUNERAL EXPENSES OF THE LATE SENATOR OVERTON

Mr. ELLENDER submitted the following resolution (S. Res. 243), which was referred to the Committee on Rules and Administration:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the President pro tempore in arranging for and attending the funeral of Hon. JOHN H. OVERTON, late a Senator from the State of Louisiana, on vouchers to be approved by the Committee on Rules and Administration.

## HOUSE BILL REFERRED

The bill (H. R. 5852) to protect the United States against un-American and subversive activities was read twice by its title and referred to the Committee on the Judiciary.

## LONG-RANGE AGRICULTURAL PROGRAM—AMENDMENTS

Mr. MAGNUSON. Mr. President, I ask unanimous consent to submit amendments intended to be proposed by me to the bill (S. 2318) to provide for a coordinated agricultural program. The amendments would allow flexibility to the President of the United States in negotiating tariffs on agricultural imports and exports. The committee rejected the amendments, but I should like to submit them and request that they be printed in the RECORD together with a supplementary explanatory statement.

The PRESIDENT pro tempore. Without objection, the amendments will be received and printed, and the amendments, together with the supplementary statement, will be printed in the RECORD.

There being no objection, the amendments and supplementary statement were ordered to be printed in the RECORD, as follows:

On page 90, line 22, after the words "interfere with", insert "or to render or tend to render necessary."

On page 91, delete lines 9 through 14 and substitute therefor the following: "Immediate investigation to be made by the Secretary of Agriculture to determine such facts, after due notice to interested parties. When circumstances permit, such investigation shall include opportunity for hearing to interested parties, which hearing shall be conducted subject to such regulation as the President shall specify. Upon completion of such investigation, the Secretary of Agriculture shall consult with the Tariff Commission and the Secretary and the Commission shall report to the President, jointly, their findings and recommendations concerning the matter investigated: *Provided*, however, that if the Secretary and Commission are unable to agree on a report, then each shall report to the President separately."

SUPPLEMENTARY STATEMENT TO ACCOMPANY AMENDMENT TO S. 2318, SUBMITTED BY MR. MAGNUSON

This amendment to S. 2318, the long-range farm bill, is in reality an amendment to section 22 (a) of the Agricultural Adjustment Act of 1933, as amended. Section 22 of the AAA authorizes the President, under certain circumstances, to take remedial action against imports which threaten to jeopardize a price support or related program undertaken by the Department of Agriculture pursuant to applicable statutes. It is my conviction that there is no point in having section 22 on the statute books unless the executive branch can accomplish with effectiveness and dispatch the purposes for which the section is intended. My amendment, therefore, is designed to streamline section 22 (a) in an effort to make it a usable tool when circumstances warrant its use.

Section 22 authorizes the President to impose fees on imports not in excess of 50 percent ad valorem and take related action when it is found that "articles are being, or are practically certain to be, imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program or operation undertaken" by the Department of Agriculture in support of an eligible commodity. Part of my amendment provides that the remedies authorized by section 22 can also be invoked when imports of an agricultural commodity would "render or tend to render necessary" a price support or related program.

It is not difficult to imagine a situation where a price-support program would be unnecessary except for substantial imports of a particular agricultural commodity. Under such circumstances the President should be authorized to curtail such imports. It is clearly undesirable in such a case to wait until the damage is done, then set up a support program, and finally protect the support program by restricting imports.

The second part of my amendment deals with the fact finding and recommendation procedure established by section 22 (a). As this section now stands, whenever he has reason to believe that imports of an agricultural commodity will seriously interfere with a program undertaken by the Department of Agriculture, the President "shall cause an immediate investigation to be made by the United States Tariff Commission."

The Commission reports its findings and recommendations to the President. If the President finds the facts and recommendation warrant it, he then sets in motion the remedial actions authorized by section 22. It is important to understand, however, that no action by the President "shall be enforced in contravention of any treaty or other international agreement to which the United States is or hereafter becomes a party."

To the best of my knowledge the remedies provided in section 22 have never been successfully invoked, in the case of a perishable, agricultural commodity—largely because of the time lag inherent in the present investigative report and recommendation procedure. My amendment will go far toward rectifying this situation.

Here's what the amendment does: First, it transfers the fact-finding function from the Tariff Commission to the Secretary of Agriculture. Second, it provides for consultation between the Tariff Commission and the Secretary on the facts developed. Third, it provides for separate reports to the President, in the event the Tariff Commission and the Secretary disagree on recommendations warranted by the facts developed. Fourth, it requires the Secretary to give due notice to all interested parties that an investigation is to be conducted but authorizes him to waive public hearings in those exceptional cases where the time element precludes such action without jeopardy to the very crop the investigation was initiated to protect. Time is a particularly precious element in the case of perishables.

In my judgment, there are at least three compelling reasons for placing primary responsibility on the Secretary of Agriculture for conducting investigations under section 22 (a). First, the Secretary and his subordinates have an intimate day-to-day working knowledge of agricultural problems. Second, he has at his command a field staff in every county of the United States and in many foreign countries—a field staff on the ground trained to gather crop and market data. Third, remedial action taken under section 22 is intimately related to domestic price support and similar programs, and if taken judiciously may eliminate the need for such programs. The Department of Agriculture, therefore, should also have primary responsibility with respect to these additional measures designed to complement its direct price support and stabilization actions. At the same time it is appropriate to require the Secretary to consult with the Tariff Commission, and to provide for separate reports to the President in the event of disagreement, because, among other things, changes in tariff rates may be involved in restrictive action under section 22.

LONG-RANGE AGRICULTURAL PROGRAM—AMENDMENT

Mr. COOPER submitted an amendment intended to be proposed by him to the bill (S. 2318) to provide for a coordinated agricultural program, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. COOPER to the bill (S. 2318) to provide for a coordinated agricultural program, viz: On page 89, line 4, after the word "operation" add a new section 308 as below and renumber present sections 308 to 309:

"TOBACCO

"(g) Sec. 312. (a) of the Agricultural Adjustment Act of 1938 is amended by striking out the period after the last word in the first sentence and adding the following: '*Provided*, That the Secretary shall, notwithstanding the total supply or the reserve supply level, proclaim a national marketing quota for the marketing year beginning in the next calendar year for any kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year and shall proclaim a national marketing quota for Virginia sun-cured tobacco for any marketing year for which a quota is proclaimed for fire-cured tobacco, and, beginning on the first day of the marketing year next following and continuing throughout such year, a national marketing quota shall be in effect for the tobacco marketed during such marketing year.'"

INTERNATIONAL PEACE AND SECURITY THROUGH THE UNITED NATIONS—AMENDMENT

Mr. HATCH. Mr. President, I ask unanimous consent to submit an amendment intended to be proposed by me to the resolution (S. Res. 239) reaffirming the policy of the United States to achieve international peace and security through the United Nations and indicating certain objectives to be pursued, and I request that it be printed and lie on the table.

In submitting this amendment I wish to say at this early moment, and as emphatically as possible, the amendment in no sense can be construed or interpreted as providing for setting up any form of a superworld state. It merely attempts in simple words to express something of the faith and hope of the American people, and I believe of the people of the world, that a world of law and order may be established sometime, in some way, to avoid a world of war and chaos.

The PRESIDENT pro tempore. Without objection, the amendment will be received, printed, and lie on the table.

REPUBLIC OF ISRAEL—ADDRESS BY HENRY MORGENTHAU, JR.

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by Henry Morgenthau, Jr., on the Salute to Israel program held at Madison Square Garden, New York City, May 16, 1948, which appears in the Appendix.]

THE PARADOX THAT IS AMERICA—SERMON BY DR. PETER MARSHALL

[Mr. HILL asked and obtained leave to have printed in the RECORD a sermon entitled "The Paradox That Is America," delivered by Dr. Peter Marshall, on Sunday, May 16, 1948, which appears in the Appendix.]

LIFE IN UNITED STATES AS SEEN BY UN STAFF—ARTICLE FROM NEW YORK TIMES

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article entitled "Life in the United States as Seen by the UN Staff," published in the New York Times of May 2, 1948, which appears in the Appendix.]

POLAND'S PRESENT INDUSTRIAL AND AGRICULTURAL ECONOMY — ARTICLE BY WILLIAM L. SHIRER

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article on Poland's present industrial and agricultural economy, written by William L. Shirer, and published in the New York Herald Tribune of May 2, 1948, which appears in the Appendix.]

CARTELS OR COMPETITION—ARTICLE FROM CHRISTIAN SCIENCE MONITOR

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article entitled "Cartels or Competition," published in the Christian Science Monitor of Monday, May 10, 1948, which appears in the Appendix.]

WAR AND MILITARY TRAINING—STATEMENT OF STUDENTS OF MENNONITE EDUCATIONAL INSTITUTIONS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement on war and military training by students of Mennonite educational institutions, which appears in the Appendix.]

SEVENTY-GROUP AIR FORCE—EDITORIAL FROM THE SEATTLE POST-INTELLIGENCER

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an editorial entitled "Congress Deserves High Praise," published in the Seattle (Wash.) Post-Intelligencer on May 14, 1948, which appears in the Appendix.]

THE TIDELANDS BILL—EDITORIAL FROM THE SEATTLE POST-INTELLIGENCER

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an editorial entitled "The Tidelands Bill," published in the Seattle (Wash.) Post-Intelligencer May 15, 1948, which appears in the Appendix.]

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. DONNELL asked and obtained consent for the subcommittee of the Committee on the Judiciary considering the nomination of Roy W. Harper to be a Federal judge in the State of Missouri to meet this afternoon during the session of the Senate.

Mr. BALDWIN asked and obtained consent for a subcommittee of the Armed Services Committee to hold a hearing this afternoon at 2 o'clock.

TILLAMOOK CHEESE DAY

Mr. MORSE. Mr. President, on behalf of my colleague [Mr. CORDON] and myself, I want to make a very important announcement to the Senate, namely, that tomorrow will be Tillamook Cheese Day in the Senate Restaurant. The Senators from Oregon in behalf of the Tillamook Chamber of Commerce and the Tillamook cheese producers of Oregon will serve complimentary servings of Tillamook cheese in the Senate Restaurant tomorrow. It should settle, we hope, the long-standing good-natured argument between the senior Senator from Wisconsin [Mr. WILEY], and the Senators from Oregon as to the relative merits of the cheese produced in the two great dairy States of Oregon and Wisconsin. I wish to say that, as always, I am perfectly willing to abide by the judgment of my colleagues. However, in this case, I think I should inform the Senate that the Senator from Wisconsin almost confessed to the superiority of Tillamook cheese over the better-than-average cheese of Wisconsin when, upon tasting Tillamook cheese recently, he smacked his lips and exclaimed, "My, my, some good Wisconsin cheese maker must have moved to Oregon and found a new secret of cheese making."

Someday I am going to take the Senator from Wisconsin to Tillamook County, Oreg., and let him see firsthand America's greatest cheese-producing county—a county in which our cows eat green pastures the year around, a county which supports a great dairy industry under the slogan "Tillamook cheese, best by test, from the golden West." Tomorrow the two Senators from Oregon will treat their fellow Senators to the delicious product of this great Tillamook dairy county of Oregon, and we hope you all enjoy our hospitality.

STATEHOOD FOR HAWAII—DISCHARGE OF COMMITTEE

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution (S. Res. 232), as follows:

*Resolved*, That the Committee on Interior and Insular Affairs is hereby discharged from the further consideration of the bill (H. R. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. KNOWLAND obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield that I may suggest the absence of a quorum?

Mr. KNOWLAND. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Martin |
| Baldwin | George | Millikin |
| Ball | Gurney | Moore |
| Barkley | Hatch | Morse |
| Brewster | Hawkes | O'Conor |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Buck | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Jenner | Saltonstall |
| Cain | Johnson, Colo. | Smith |
| Capehart | Johnston, S. C. | Sparkman |
| Capper | Kem | Stennis |
| Chavez | Kilgore | Taft |
| Connally | Knowland | Thomas, Utah |
| Cooper | Langer | Thye |
| Cordon | Lodge | Tobey |
| Donnell | Lucas | Tydings |
| Downey | McClellan | Vandenberg |
| Dworshak | McFarland | Wherry |
| Eastland | McKellar | Williams |
| Ecton | McMahon | Wilson |
| Ellender | Magnuson | Young |
| Ferguson | Malone | |

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from Rhode Island [Mr. GREEN], the Senator from North Carolina [Mr. HOEY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business at one of the Government departments.

The PRESIDENT pro tempore. Seventy-four Senators having answered to their names, a quorum is present.

SENATOR FROM MARYLAND

Mr. KNOWLAND. Mr. President, I understand that the junior Senator from Indiana [Mr. JENNER] has a privileged resolution, which he says will be noncontroversial. At this time I yield to him.

Mr. JENNER. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 234, Calendar 1331, which is a resolution declaring HERBERT R. O'CONOR to be a duly elected Senator from the State of Maryland.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 234) was read, as follows:

*Resolved*, That HERBERT R. O'CONOR is hereby declared to be a duly elected Senator of the United States, from the State of Maryland, for the term of 6 years, commencing on the 3d day of January 1947, and is entitled to be seated as such.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

STATEHOOD FOR HAWAII—DISCHARGE OF COMMITTEE

The Senate resumed consideration of the resolution (S. Res. 232) to discharge the Committee on Interior and Insular Affairs from further consideration of the bill (H. R. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. KNOWLAND. Mr. President, I formally renew my motion to discharge the Committee on Interior and Insular Affairs from further consideration of the Hawaii statehood bill. I wish to make only a brief statement so as to allow ample time for opponents of the motion to discuss it. I believe that the question is of such national importance in the establishment of a national policy that it warrants the careful consideration of the Senate.

The Territory of Hawaii has been under the United States flag for 50 years. Prior to that time it had been an independent nation—a constitutional republic in 1894 and a constitutional monarchy prior to that time. It has been an organized Territory for 48 years. The theory of organizing a Territory is to prepare the area for statehood. The legislative history shows that in debate on the organic Territorial Act amendments were offered providing that enactment of that legislation should not be construed as promising statehood to Hawaii at any time in the future. Those amendments were defeated in both the Senate and the House of Representatives.

Let us examine the record to see whether Hawaii has met the test of statehood. First, I wish to quote briefly from a letter written to Members of the Senate by the Senator from Nebraska [Mr. BUTLER]. On page 4, in the second paragraph, he states:

I frankly admit that according to all the standards in effect when the mainland Territories were given statehood, Hawaii meets every test.

What about the length of apprenticeship? The facts show that Hawaii has been an organized Territory for a longer period of time than any of the 29 Territories which were ultimately admitted to

statehood, with the exception of two. Hawaii has been an organized Territory for 48 years. The two which served a longer period of apprenticeship were Arizona, 49 years, and New Mexico, 62 years.

I invite the attention of the Senate to the fact that with the single exception of Oklahoma, Hawaii has more population than any other organized Territory at the time it was admitted to statehood. The population figures at the time of admission to statehood run from 6,857 in the case of Nevada, 52,465 in the case of Oregon, 55,211 in the case of Illinois, and so forth. I ask unanimous consent that these population figures be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

| Territory | Date of organic act | Date admitted as State | Years waited | Population at date of organic act | Population at date admitted as State |
|---|---|---|---|---|---|
| 1. New Mexico | 1850 | 1912 | 62 | 61,547 | 327,000 |
| 2. Arizona | 1863 | 1912 | 49 | 9,658 | 204,354 |
| 3. Hawaii | 1900 | ------ | 48 | 154,001 | 502,122 |
| 4. Utah | 1850 | 1896 | 46 | 11,383 | 276,749 |
| 5. Washington | 1853 | 1889 | 36 | 11,198 | 357,232 |
| 6. Michigan | 1805 | 1837 | 32 | 4,762 | 212,267 |
| 7. North Dakota | 1861 | 1889 | 28 | 2,977 | 109,983 |
| 8. South Dakota | 1861 | 1889 | 28 | | 348,600 |
| 9. Idaho | 1863 | 1890 | 27 | -------- | 88,548 |
| 10. Montana | 1864 | 1889 | 25 | 20,595 | 142,924 |
| 11. Florida | 1822 | 1845 | 23 | -------- | 87,445 |
| 12. Wyoming | 1868 | 1890 | 22 | 9,118 | 62,555 |
| 13. Mississippi | 1798 | 1817 | 19 | 8,850 | 75,448 |
| 14. Arkansas | 1819 | 1836 | 17 | 14,255 | 97,574 |
| 15. Oklahoma | 1890 | 1907 | 17 | 61,864 | 1,657,155 |
| 16. Indiana | 1800 | 1816 | 16 | 5,641 | 147,178 |
| 17. Missouri | 1805 | 1821 | 16 | 20,845 | 66,586 |
| 18. Ohio | 1787 | 1803 | 16 | -------- | 45,365 |
| 19. Colorado | 1861 | 1876 | 15 | 34,277 | 194,327 |
| 20. Nebraska | 1854 | 1867 | 13 | 28,841 | 122,993 |
| 21. Wisconsin | 1836 | 1848 | 12 | 30,945 | 305,391 |
| 22. Oregon | 1848 | 1859 | 11 | 13,294 | 52,465 |
| 23. Illinois | 1809 | 1818 | 9 | 12,282 | 55,211 |
| 24. Minnesota | 1849 | 1858 | 9 | 6,077 | 172,023 |
| 25. Iowa | 1838 | 1846 | 8 | 43,112 | 192,214 |
| 26. Louisiana | 1804 | 1812 | 8 | 76,556 | 76,556 |
| 27. Kansas | 1854 | 1861 | 7 | -------- | 107,206 |
| 28. Tennessee | 1790 | 1796 | 6 | 35,691 | 105,602 |
| 29. Nevada | 1861 | 1864 | 3 | 6,857 | 6,857 |
| 30. Alabama | 1817 | 1819 | 2 | -------- | 127,901 |

Mr. KNOWLAND. As to present population in relation to that of the 48 States of the Union, we find that Hawaii, with 525,000 people, has more population than 6 States at the present time, and within 50,000 of as large a population as four additional States. I ask that this table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Population of Hawaii compared with the 48 States, July 1, 1947*

| | |
|---|---|
| 1. Nevada [1] | 140,000 |
| 2. Wyoming | 275,000 |
| 3. Delaware | 293,000 |
| 4. Vermont | 364,000 |
| 5. Idaho | 488,000 |
| 6. Montana | 494,000 |
| 7. Hawaii [2] | 525,000 |
| 8. New Hampshire | 547,000 |
| 9. New Mexico | 550,000 |
| 10. North Dakota | 552,000 |
| 11. South Dakota | 564,000 |
| 12. Utah | 637,000 |
| 13. Arizona | 657,000 |
| 14. Rhode Island | 761,000 |
| 15. Maine | 911,000 |
| 16. Colorado | 1,159,000 |
| 17. Nebraska | 1,301,000 |
| 18. Oregon | 1,517,000 |
| 19. West Virginia | 1,849,000 |
| 20. Arkansas | 1,903,000 |
| 21. Kansas | 1,914,000 |
| 22. South Carolina | 1,918,000 |
| 23. Connecticut | 2,020,000 |
| 24. Mississippi | 2,092,000 |
| 25. Maryland | 2,215,000 |
| 26. Washington | 2,233,000 |
| 27. Oklahoma | 2,311,000 |
| 28. Florida | 2,394,000 |
| 29. Louisiana | 2,549,000 |
| 30. Iowa | 2,606,000 |
| 31. Kentucky | 2,777,000 |
| 32. Alabama | 2,824,000 |
| 33. Minnesota | 2,897,000 |
| 34. Virginia | 3,019,000 |
| 35. Tennessee | 3,079,000 |
| 36. Georgia | 3,233,000 |
| 37. Wisconsin | 3,283,000 |
| 38. North Carolina | 3,718,000 |
| 39. Missouri | 3,854,000 |
| 40. Indiana | 3,858,000 |
| 41. New Jersey | 4,435,000 |
| 42. Massachusetts | 4,725,000 |
| 43. Michigan | 6,249,000 |
| 44. Texas | 7,118,000 |
| 45. Ohio | 7,773,000 |
| 46. Illinois | 8,221,000 |
| 47. California | 9,876,000 |
| 48. Pennsylvania | 10,281,000 |
| 49. New York | 14,092,000 |

[1] Total population excluding armed forces overseas, July 1, 1947, Current Population Reports, Bureau of the Census, Oct. 12, 1947.

[2] Territory of Hawaii, Department of Health Statistics, July 1, 1947.

Mr. KNOWLAND. With regard to contributions to the Federal Treasury, I invite attention to the fact that Hawaii contributes in Federal taxes $106,314,370.16. That is a greater contribution to the Federal Treasury than is made by 12 of the 48 States of the Union.

I ask unanimous consent that a table showing the comparative figures for collection of internal revenue for the fiscal year 1947 be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Comparison of Hawaii with 48 States in collection of internal revenue, fiscal year 1947* [1]

| | |
|---|---|
| 1. Wyoming | $32,589,057.13 |
| 2. Nevada | 42,768,134.38 |
| 3. Vermont | 44,813,441.62 |
| 4. New Mexico | 48,116,165.85 |
| 5. North Dakota | 50,303,606.39 |
| 6. South Dakota | 51,902,374.20 |
| 7. Idaho | 65,989,998.91 |
| 8. Montana | 68,532,698.34 |
| 9. Arizona | 75,952,217.33 |
| 10. New Hampshire | 82,266,064.82 |
| 11. Utah | 84,224,106.98 |
| 12. Mississippi | 98,310,270.60 |
| 13. Hawaii | 106,314,370.16 |
| 14. Arkansas | 109,042,772.13 |
| 15. Maine | 124,220,870.88 |
| 16. South Carolina | 178,291,486.05 |
| 17. West Virginia | 196,657,861.24 |
| 18. Rhode Island | 216,325,430.14 |
| 19. Alabama | 244,285,520.38 |
| 20. Colorado | 263,878,657.05 |
| 21. Oregon | 284,193,102.43 |
| 22. Nebraska | 296,312,323.17 |
| 23. Oklahoma | 300,032,512.60 |
| 24. Delaware | 323,558,135.00 |
| 25. Louisiana | 325,137,482.40 |
| 26. Tennessee | 338,837,918.29 |
| 27. Iowa | 348,763,454.52 |
| 28. Kansas | 366,257,975.20 |
| 29. Georgia | 410,737,368.21 |
| 30. Florida | 413,725,954.99 |
| 31. Washington | 484,388,554.31 |
| 32. Minnesota | 612,200,194.02 |
| 33. Connecticut | 646,345,211.43 |
| 34. Maryland | 678,159,708.24 |
| 35. Wisconsin | 730,031,296.39 |
| 36. Virginia | 738,987,895.73 |
| 37. Kentucky | 739,719,335.40 |
| 38. Indiana | 916,678,240.96 |
| 39. Missouri | 1,061,844,944.33 |
| 40. Texas | 1,085,680,197.06 |
| 41. North Carolina | 1,183,005,659.73 |
| 42. New Jersey | 1,267,410,582.83 |
| 43. Massachusetts | 1,342,620,908.03 |
| 44. Michigan | 1,779,425,893.21 |
| 45. Ohio | 2,443,637,089.85 |
| 46. Pennsylvania | 2,986,060,371.59 |
| 47. California | 3,144,385,640.09 |
| 48. Illinois | 3,447,148,357.01 |
| 49. New York | 7,723,862,348.35 |

[1] Source, U. S. Bureau of Internal Revenue release of Aug. 26, 1947.

Mr. KNOWLAND. When this Nation sought to obtain its independence, one of the great rallying cries was, "Taxation without representation is tyranny."

What about American public opinion? Does it support statehood for Hawaii? I invite attention to the fact that the Democratic national platform in 1944 had this to say:

We favor enactment of legislation granting the fullest measure of self-government for Alaska, Hawaii, and Puerto Rico and eventual statehood for Alaska and Hawaii.

The Republican national platform of 1944 had this to say:

Hawaii, which shares the Nation's obligations equally with the several States, is entitled to the fullest measure of home rule looking toward statehood; and to equality with the several States in the rights of her citizens and in the application of all our national laws.

Further, I invite the attention of my colleagues on this side of the aisle to a resolution adopted by the Republican National Committee in April 1946 by unanimous vote. In that resolution the Republican National Committee had this to say:

Whereas Republican Party in its national platform has supported policies looking toward ultimate statehood for Hawaii; and

Whereas people of Hawaii have demonstrated beyond question their loyalty, patriotism, and by overwhelming vote their desire to assume responsibilities of statehood; and

Whereas capacity of people of this Territory to assume responsibilities of State government has been fully demonstrated; and

Whereas admission of Territory of Hawaii as the forty-ninth State would be in fulfillment of a promise long made, is in keeping with the policy of self-determination and would strengthen position of this country in Pacific: Be it

*Resolved*, That Republican National Committee endorse effort of the people of Hawaii to obtain immediate statehood.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram from the Republican Central Committee of the Territory of Hawaii endorsing immediate statehood.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HONOLULU, *May 14, 1948.*

HON. WILLIAM F. KNOWLAND,
*Senate Office Building,*
*Washington, D. C.:*

In view of splendid record made by Hawaii in qualifying for statehood as shown by several recent congressional investigations

and because Republican Party platform of 1944 favored statehood for Hawaii and Republican National Committee passed resolution in 1946 endorsing immediate statehood, Republican Party in Hawaii believes further delay of statehood for Hawaii entirely unjustified. Therefore urgently request your support of Knowland resolution to bring Hawaii statehood legislation before the Senate for immediate consideration.

REPUBLICAN CENTRAL COMMITTEE,
OLIVER P. SOARES, *Chairman.*

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the Gallup poll of April 15, 1948, which shows that two out of every three voters in the United States want Hawaii to be admitted as the forty-ninth State of the Union.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TWO OUT OF THREE VOTERS WANT HAWAII ADMITTED AS FORTY-NINTH STATE IN THE UNION—SENTIMENT FOR ADMISSION REACHES ALL-TIME HIGH AS SENATE GROUP BEGINS HEARINGS

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., April 15.—Two out of three voters in the United States believe the time has come for Hawaii to be admitted to the Union as the forty-ninth State. Sentiment approving the step is higher now than ever before.

Hearings are being held today and tomorrow by the Senate Committee on Public Lands, Senator HUGH BUTLER, Nebraska, chairman, on a bill for Hawaiian statehood.

As the hearings take place field reporters for the American Institute of Public Opinion this week completed an up-to-the-minute testing of sentiment on the question. They interviewed hundreds of typical men and women voters in every section of the country, and found that among those with an opinion on the subject statehood is favored by a vote of four to one.

This is the question asked of the entire cross section:

"Would you favor or oppose having Hawaii admitted as the forty-ninth State in the Union?

The identical question has been asked on two other occasions by the Institute: once just before the war and again about 2 years ago. A steadily increasing vote favorable to the proposition is shown when the answers are compared as in the following table:

| | Today | March 1946 | January 1941 |
|---|---|---|---|
| | *Percent* | *Percent* | *Percent* |
| Favor | 66 | 60 | 48 |
| Oppose | 15 | 19 | 23 |
| No opinion | 19 | 21 | 29 |

Opinions of Hawaiian residents divide approximately the same as in the above survey of mainland sentiment, according to a plebiscite there at the general election of November 1940. At that time the islands' citizens voted 67 percent for statehood and 33 percent opposed.

After almost 50 years as a Territory, Hawaii's campaign for admission to the union has been stepped up in recent months, under the leadership of JOSEPH FARRINGTON, the Territory's Delegate to Congress.

Considerable publicity has been given in this country to the efforts to secure statehood for the islands. The House of Representatives approved statehood last year.

Both former Secretary of Interior Harold L. Ickes and his successor, Julius Krug, have advocated admission as the next logical step in the development of the islands. President Truman also has recommended the legislation.

Mr. KNOWLAND. Mr. President, I hold in my hand a cable from the chairman of the Hawaii Statehood Commission, officially representing the government of the people of Hawaii. The telegram reads as follows:

HONOLULU, *May 13, 1948.*

Senator WILLIAM F. KNOWLAND,
*Senate Office Building,*
*Washington, D. C.:*

Hawaii merely seeks fair opportunity for her right to statehood to be considered by the Senate without further delay. Senator KNOWLAND'S resolution, if approved, will afford that opportunity. May we urge your vote in its favor.

HAWAII STATEHOOD COMMISSION,
By A. T. LONGLEY, *Chairman.*

What about further indications of public opinion in this regard? I hold in my hand a cable which I received this morning from the Territory of Hawaii, addressed to me. It reads as follows:

HONOLULU, *May 19, 1948.*

Senator WILLIAM KNOWLAND,
*Senate Office Building,*
*Washington, D. C.:*

Honolulu Council of Churches, representing 41 churches on Oahu, in its annual meeting Monday, May 17, unanimously adopted the following resolution urging Senate approval of Hawaii statehood:

"Whereas we Christian Americans of various racial backgrounds are experiencing in Hawaii a degree of cultural and racial brotherhood which we believe is unique in our land; and

"Whereas our islands constitute outposts of Christian as well as of American ideals at the crossroads of the Pacific and at the threshold of the important nations to the west; and

"Whereas the life of these islands since early missionary days has been deeply influenced by the Christian faith which has been a vital factor in the brotherhood we experience; and

"Whereas we believe that statehood would offer us a further opportunity of making our distinctive contribution to the life of our Nation, as well as to the advancement of Christian ideals in the whole Pacific area: Therefore be it

"*Resolved,* That we in attendance at this annual meeting of the Honolulu Council of Churches on Monday, May 17, 1948, express our earnest hope that Congress will admit Hawaii to the duties as well as the privileges of statehood at the earliest possible moment and pledge ourselves and our churches to the continuing and vital task of guiding this community in Christian ways so that we may under God make our fullest contribution to the cause of brotherhood, freedom, and peace."

JOSEPH J. BAKKEN,
*President.*
EDWARD L. WHITTEMORE,
*Executive Director.*

Mr. President, one of the further indications is a letter which I hold in my hand. It comes from the Hawaii Education Association and reads as follows:

THE HAWAII EDUCATION ASSOCIATION,
*Honolulu, T. H., May 11, 1948.*

The Honorable WILLIAM F. KNOWLAND,
*Senator from California,*
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR KNOWLAND: This is to express to you the sincere appreciation of the teachers of Hawaii for your valiant efforts to secure favorable action by the United States Senate on Hawaii's statehood bill, H. R. 49. We earnestly hope that your efforts will be successful and that the bill will come before the Senate before Congress adjourns.

Again, mahalo nui loa.

Cordially yours,
JAMES R. MCDONOUGH,
*Executive Secretary.*

Mr. President, an overwhelming number of newspapers in the United States have editorially endorsed statehood for Hawaii.

Now let us briefly examine the question of loyalty, which has been raised in some quarters. Not a single case of sabotage, either before, during, or subsequent to Pearl Harbor, was reported by either the FBI, the Army Intelligence or the Navy Intelligence. If Senators will read the record between now and the time when I hope we shall have a chance to vote on the question of statehood for this forty-ninth State-to-be, they will find that the record is full of testimony from high United States officials, including Admiral Nimitz, that the example of patriotism and courage of the people of Hawaii was unsurpassed.

Mr. President, I hold in my hand a resolution which I have received just this morning, and which I think should be read into the RECORD at this point:

Whereas the One Hundredth Battalion and the Four Hundred and Forty-second Combat Team, Nisei troops, formed a part of the Thirty-fourth Division throughout most of the Italian campaign; and

Whereas, no more heroic and glowing achievements have been recorded in the American military annals than those performed by these Nisei troops; and

Whereas a brief history of their deeds should be known to all Americans, the following recital is submitted:

Coming to the Thirty-fourth Division in North Africa, the One Hundredth Battalion thereafter comprised the Second Battalion of the One Hundred and Thirty-third Infantry of the Thirty-fourth. Landing with the Thirty-fourth Infantry Division at Salerno, the One Hundredth Battalion played a prominent part in the capture of the key city of Venevento. Later its men played a prominent role with tremendous sacrifices in the attacks on and siege of Cassino, among the bloodiest combats to take place in World War II. From Cassino the One Hundredth Battalion accompanied the Thirty-fourth Division to the beachhead at Anzio-Uettuno, where these brave soldiers played a most conspicuous and daring part in the breakthrough and drive through the gates of eternal Rome. From Rome they swept northward along the western coastline of Italy, culminating their brilliant advance with the capture of Leghorn and Pisa.

While in Italy the Four Hundred and Forty-second Combat Team arrived to join the Thirty-fourth Division. It was then that the One Hundredth Battalion joined the Four Hundred and Forty-second and became a regiment attached to the division. It was this regiment which played such a prominent part in the capture of Leghorn, Pisa, and in the crossing of the Arno River.

Later the Four Hundred and Forty-second Combat Team, reinforced with the One Hundredth Battalion, went to France, there to write a memorable page of outstanding achievements in France and western Germany. The Four Hundred and Forty-second Combat Team later returned to Italy and constituted a regiment of the Ninety-second Infantry Division, participating in the breakthrough from Via Reggio, up the western coast of Italy, capturing Genoa and sweeping north through the valley of the Po and to final victory.

Not once did these Nisei troops fail to take an objective. Theirs was a proud and brilliant achievement in every engagement. Not once did they falter—all this with no man ever running away from the enemy, not one man tried by court martial, and their performance always in keeping with the very highest of American tradition. The Thirty-fourth Division is proud indeed that these Nisei troops were a part of the division in the rigorous and brutal Italian campaign. Without the aid of these troops, it is not too much to say that the conquest of Italy would not have terminated as early as it did.

The comradeship born on the battlefields of Italy between the men of the Thirty-fourth Division and the Nisei of the One Hundredth Battalion and the Four Hundred and Forty-second Combat Team will live forever. The Thirty-fourth has a deep feeling of the debt owed by itself and its men to these fine Americans, a feeling in which it believes that the Government of the United States and every American must, in justice, share.

Therefore, be it

*Resolved*, That the Washington, D. C., Chapter of the Thirty-fourth Division Association, representing the 80,000 soldiers who passed through its ranks and served with it in World War II, believing that the national security, the dignity of that sizable American citizenry residing in the Hawaiian Islands—including many of our former comrades of the One Hundredth Battalion and the Four Hundred and Forty-second Combat Team—and the general welfare of these United States strongly supports the plea for statehood for Hawaii. We urge, therefore, that the Congress take immediate, energetic, and favorable action to that end.

Mr. DONNELL. Mr. President——

Mr. KNOWLAND. Mr. President, if the Senator from Missouri will permit me to complete my remarks, then I shall be glad to yield for any questions.

As pointed out in the resolution I have just read, those men became the most highly decorated unit in the American Army. They were the spearhead of various other units of Americans of Japanese ancestry, coming from other parts of the country.

The people of the Territory of Hawaii not only gave their moral and financial support to the activities of our Government during World War II, but they sent their sons to fight and die for the free way of life. Will any Member of the Senate rise on the floor of the Senate and question their loyalty?

Mr. President, what about the Communist whispering campaign? I wish to read extracts from the hearings held by the able Senator from Oregon [Mr. CORDON] as chairman of the Territories and Insular Affairs Subcommittee of the Committee on Interior. On page 2 of this list of extracts from the testimony, there is a quotation from Mr. Paul Ellis, business manager of the International Brotherhood of Electrical Workers:

I think as far as communism is concerned here, and while we definitely stand against communism, the fact that communism exists certainly should not be a bar to statehood. They have communism everywhere. They have it in California, and they are not going to take statehood away from California on that account, and, in fact, the big man who has everybody scared out here is a Californian, a resident there, I think.

On page 3 is an extract from the testimony of Mrs. W. J. Hull, representing the Daughters of the American Revolution:

I think now the fear might be of communism. But the very fact that we are alive to a minority element here, and very indignant about it, I think is very healthy. You will find that communism is no more rampant there than anywhere else in the United States.

Let me read now an extract from the testimony of Mr. Chad Dunstan, of the Hawaii American Legion:

The position of the American Legion is specific. It is known throughout the entire world that we are against communism. I don't think communism is any bar in statehood. As a matter of fact, the people here would be better able to deal with the problem if they were a State. Some people have got a little excited about it. I am certainly not in favor of it, and I am not in favor of the way certain Communist union leaders are attempting to seize power. But I can remember back a few years when the papers of Michigan were full of the fact that Communists had seized the State government. I don't think it is an issue of statehood.

I wish to read just one other extract from the testimony—and there are many others which I could read to the Senate now. This is from the testimony of Martin Pence, United States circuit judge, Territory of Hawaii:

This communistic influence is simply a bug-a-boo put up by those who perhaps for reasons that I don't know, so I can't speak facts, happen to be at this time opposed to statehood.

And there are many more in the same category.

Mr. President, here is an example of a situation which we are called upon to meet. I received a letter from a resident of the islands, dated May 14, in which it is said:

The reverse side explains why thousands as well as myself do not desire statehood at this time.

I shall not read the name of the person who sent it to me, because he may have wished it held confidential. On the reverse side is the photostat of a document which was apparently given some circulation in various quarters, labeled "Halt the war drive: An answer to Truman's war speech." I am frank to admit that as I read it quickly I was a little concerned as it at least showed the same type of activity with which we have to contend in many States of the Union. I then got down to the signature at the bottom of the page. Much to my embarrassment, I found this:

Issued by Communist Party of California.

This is the type of situation with which we have to contend. Because of it there is an effort made to indict the people of Hawaii. Let us look at the other side of the picture. I have in my hand an article which appeared in the Evening Moscow, published in Moscow, Russia, on July 25, 1947. We all know that no article appears in the controlled press of Russia without government approval. Let us see what they have to say on the issue of statehood:

Half a century lies between the day when the American flag was raised in the Hawaiian Islands for the first time and the recent decision of the House of Representatives of the United States on the transformation of the Hawaiian archipelago into the forty-ninth State. It is not an accident that this step, directed toward perpetuation of the domination of the United States of these islands, which were seized by force, was taken just now when American imperialism is engaged in its expansionistic policies everywhere, when American reaction is forcing the foreign policy of the country into the path of unbridled militarism and is seeking bases and backing reactionary regimes in all corners of the globe.

The Hawaiian Islands are becoming the forty-ninth State in the days when American imperialism, with constantly increasing pressure, is carrying out the famous "Truman doctrine," when Marshall has proclaimed his "plan" for Europe and the greedy tentacles of Wall Street are stretching out toward the war-ravaged and Hitler-destroyed Old World.

In these days the story of the transformation of the Hawaiian Islands into the forty-ninth State of the dollar empire sounds very, very revealing.

Think of it, Mr. President. Apparently the people who are excited about this situation are those in the Soviet Union, who fear this will be a definite indication for all time to come that at no place where the American flag flies will it ever be taken down, in the face of any kind of threat, under any circumstances.

Now, Mr. President, as to the justification for my motion. There are many more things I could place in evidence, but time does not permit. I want to allow ample time for the Senator from Nebraska to present his side of the case. But, in fairness to the Senate, I should say that statehood for Hawaii is not a new subject. I am sorry there are not more Senators present, because I think people who have waited 48 years as a Territory are at least entitled to 2 hours of the time of the Senate of the United States in making a basic decision of this kind. Five congressional studies have been made. Two unanimous reports favoring statehood have been made. The very able report of the Senator from Oregon, chairman of the Subcommittee on Territories and Insular Affairs of the Committee on Interior and Insular Affairs, has been sent to each Member of the Senate. The Senate should take note of this.

Ample time has been given for the consideration in the Eightieth Congress. Delegate FARRINGTON introduced, on January 3, 1947, House bill 49. On January 8, 1947, I introduced a companion bill (S. 114). The House committee reported favorably on March 27, 1947. The bill H. R. 49 passed the House on June 30, 1947. It was, on July 1, 1947, referred to the Senate committee. This is not a "quickie" bill which has been put before the committee without adequate time to act. The Senate should take note of this.

The bill for statehood has the support of the President of the United States. It has the support of the Secretary of the Interior. The Military Establishment has written that they have no objection to statehood. Lack of reports from administrative agencies should be no bar to statehood. The Senate should take note of this.

In the Senate committee, action was postponed by a narrow margin of 7 to 5. I am told, on what I believe to be good authority, that the absent member of the committee would have been favorably disposed toward reporting the bill without recommendation. If that is a correct statement of fact, it means that the vote would have been 7 to 6. Six would have been in favor of at least getting it to the floor of the Senate of the

United States. Hence, as a matter of fact, 1 Senator from 1 State is keeping 95 Senators, representing 48 States, from even having a chance to pass on this major matter of national policy. The Senate should take note of this.

Unless my motion prevails, statehood is dead for this session. If my motion prevails, the bill will immediately go on the calendar for future debate, rather than committee suffocation. The Senate should take note of this.

It is no unprecedented thing to take the action I am proposing under the extenuating circumstances I have outlined. It is certainly, in my opinion, in no sense insulting to a standing committee of this body, under those circumstances. I say to Members of the Senate it is certainly not half so much a discourtesy to the Committee on the Interior and Insular Affairs as the action of the Senate was in recently recommitting the bill for regional education without even giving the Committee on the Judiciary a chance to have the Senate vote on the committee amendments. So let us not feel that the action requested, under the circumstances I have outlined, should cause offense to any committee of the Senate.

Some have asked me why I have taken this action. First of all, I did not press the motion to discharge the committee until the committee had finally acted, and by its own action, by a very narrow vote, had determined that this bill would not be reported for consideration by the Senate at this session of Congress. Mr. President, I took the action because Hawaii has, for the present at least, no voice and no vote in the Senate of the United States. Also, as her nearest neighbor, Mr. President, and acting under the good-neighbor policy, if you please, I believe that we in California—and the statement applies to Oregon and the State of Washington—who are nearest to her, know her best. We have pride in her achievements, have unquestioned devotion to her cause, and can, without any equivocation or mental reservation whatever, vouch for her. We should do all in our power to bring to fruition the just hope of Hawaii for statehood. I trust the Senate will adopt my resolution and at least give the Senate of the United States a chance to pass on this very important matter of national policy.

Mr. CORDON. Mr. President, I rise in support of the resolution offered by the junior Senator from California. I do so because of the most compelling reasons. I am a member of the Committee on Interior and Insular Affairs, and chairman of the Subcommittee on Insular Affairs of that committee. I do not subscribe to the belief that legislative committees are established by the Senate for the purpose of having their jurisdiction taken from them and returned to the body of the Senate. That should be done, Mr. President, only when it can be said affirmatively that the committee ordinarily having jurisdiction of the matter has itself, in effect, renounced its jurisdiction, when that committee has, in its judgment, concluded that as to the session then current it has completed its labors with reference to the subject in hand.

That situation prevails, Mr. President, with reference to the Hawaiian statehood bill. I call to the Senate's attention the fact that the bill came to the committee on the 1st day of July last year. The Senate adjourned in the latter part of July last year. There was a special meeting at the end of last year. There was adequate time for investigation to be made. I am not in any sense critical of the committee when I make that statement. I simply call attention to the lapse of time.

I was directed by the committee to make an investigation into certain problems of the Hawaiian statehood question at the beginning of the second session of the Eightieth Congress. An examination was made. It was the fifth hearing of that character to be made. I believe that hearing developed all the additional facts which are necessary for the basis of a conclusion on this bill.

Mr. President, I call attention to the fact that the first statehood investigation of Hawaii was between the dates of October 7 and 12, 1935. There were 12 days of hearings. Six committee members attended them. Ninety witnesses were heard for the bill, and 15 witnesses against it. There was a total of 105 witnesses, and there were 343 pages of hearings.

In 1937, between the dates of October 6 and October 22, with 17 days of hearings, attended by 25 members, there were 47 witnesses heard in favor of statehood, 19 against, or a total of 66 witnesses. Six hundred and ninety-six pages of testimony were taken, printed, and are available.

In 1946, between January 7 and January 18, there were 12 days of hearings, with 6 committee members. Ninety-one witnesses were heard in favor of statehood, and 16 witnesses against statehood, or 107 witnesses in all. There were 908 pages of testimony taken, printed, and now available.

From March 7 to March 19, 1947, there were 13 days of hearings, with 28 members of subcommittees in attendance, there were 35 witnesses heard for statehood, none against, and there were 310 pages of testimony taken, which were printed and are available.

From January 5 to January 20 of this year, the senior Senator from Oregon conducted the hearings, 16 days were devoted to hearing 215 witnesses for statehood, and 16 witnesses against statehood, or a total of 231 witnesses. Four hundred ninety-seven pages of testimony were taken, printed, and are available to the Senate.

There have been 70 days of hearings in all. Sixty-six Members of the House or the Senate have taken part in those hearings. Four hundred and seventy-eight witnesses have been heard in favor of statehood; 66 witnesses were heard against it, or a total of 544 witnesses. Three thousand one hundred and ninety-seven pages of testimony have been taken and are now available.

Each of those hearings, Mr. President, was followed by a concise report, which is printed and available.

There would appear to be an abundance of testimony available. All the facts have been gathered, tabulated, analyzed, and reported on either to the Senate or the House of Representatives.

I now read the motion adopted by the committee:

> That we do not take action on the report at this time; that the chairman be instructed to arrange at the earliest practicable time a trip or trips to Hawaii of those members of the committee who desire to study the matter on the ground.

Mr. President, while I believe in that type of investigation, I cannot subscribe to the thought that a further investigation should be made of this matter, under the circumstances which now exist and in view of the testimony which has already been taken on the ground and elsewhere. I feel that the adoption of that motion, Mr. President, means simply that this matter which has had the consideration of the House and has passed the House will not receive consideration at this session of Congress. I feel that Hawaii is entitled to that consideration, that the House itself is entitled to have its action agreed to or rejected, and that the people of the United States are entitled to have action. I find no argument in opposition to that position.

If we now return the bill to the Senate, certainly in that large volume of testimony every inquiring mind can find an answer to his inquiry. If we return the bill to the Senate we shall take nothing from the committee. The committee feels that as to this session it has completed its work. If possibly Congress should continue beyond the convention period in June, if that remote chance should eventuate, and there should be a recess and then a continuation at some later time, perhaps the examination which the majority of the members of the committee indicate they would like to make can be made. But that is too remote, Mr. President. We are almost certain that when we adjourn it will be the conclusion of this session of the Eightieth Congress. With the conclusion of the Eigtieth Congress the work already done will be lost. We must start anew at another date.

Mr. President, I should like very much to make a résumé of the testimony which has been made available, indicating the problems which have arisen, the questions which have arisen, and the answers which have been given in every field of inquiry. To do that would be to trespass on the time of the Senate, inasmuch as this is simply a motion to return the bill to the Senate for consideration. It would mean, perhaps, to cut short the time of those who oppose the motion, if it be found that we might not reach a vote by 2 o'clock. I express the hope that the Senate will act on this matter by 2 o'clock. For that reason, Mr. President, I shall not go into a dozen questions which might be considered.

I say to the Members of the Senate that I have studied the subject, I have gone to the islands. I have spent days and nights interrogating witnesses. I have gone into every possible angle of the problem. I believe with every ounce of my being that this bill should have

favorable action by the Senate. But, at least, Mr. President, we can give it consideration, whatever the outcome may be. Because I feel so strongly, I rose in support of the motion. It is probably the only time I shall ever rise on the floor of the Senate and ask that a bill be returned from a committee to which it has been committed.

In view of the knowledge I have gained as a result of a careful reading of the work that has been done by my predecessors in this field, with the memory of what I myself have seen on the ground, having in front of me the action taken by the States of the United States, a Gallup poll 2 to 1 in favor of statehood, with the vast majority of the newspapers of the United States in favor of statehood, the National Department of the American Legion just taking a position in favor of statehood, with everybody who has given any attention to this matter urging favorable action, Mr. President, I say the least the Senate can do is to bring back the bill to the Senate, where at least conclusive action during the Eightieth Congress may be had.

Mr. MORSE. Mr. President, will my colleague yield for two questions?

Mr. CORDON. I am glad to yield.

Mr. MORSE. Knowing what an able investigator my colleague is, I should like to ask him two questions. First, is he perfectly satisfied that no new information could be obtained by further investigation as to Hawaii's qualifications for statehood, if such further investigation were ordered?

Mr. CORDON. I say to my colleague that some items of new information might appear, but in general, so far as information of real value determinative of the question before the Senate is concerned, any further inquiry would be but cumulative.

Mr. MORSE. That is the point I wish to make—further investigation would be plowing old ground, and would be cumulative in effect so far as evidence was concerned?

Mr. CORDON. I cannot but believe that that is correct.

Mr. MORSE. Second, the Senator is satisfied, is he not, on the basis of his investigation, that Hawaii as of now has met all the criteria any Territory ought to meet for statehood?

Mr. CORDON. I am convinced that that is the fact.

Mr. MAGNUSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Washington?

Mr. CORDON. I yield.

Mr. MAGNUSON. I wanted to ask the Senator from Oregon whether he thought that the failure of the Senate to take action up or down on the admission of Hawaii as a State into the Union would have a very disastrous effect, not necessarily upon the merits of Alaskan statehood, but would have a disastrous effect in the determination of whether or not the Senate or the Congress would give that case serious consideration, after the House has, by unanimous report by the subcommittee and the full committee recommended that Alaska also be made a State.



Mr. CORDON. If I were living in Alaska and were faced with the knowledge that such a case as this had been made for Hawaii and nothing had been done, I would feel rather hopeless with reference to my own case.

Mr. MAGNUSON. I am not asking the Senator to pass on the merits of the case, but the plea of Alaska is that there be consideration at this session of Congress its application for admission, and I am afraid that should we accept the action of the committee on the Hawaiian case, the Alaskans' plea for consideration at this session would be dead.

Mr. CORDON. Mr. President, I feel that I am not competent to pass upon the merits of the Alaskan bid for statehood. I feel that there is a very great difference between the two cases as of the moment. One is a case completely made, the other yet to be made, in some respects at least. But the people of Alaska and the people of Hawaii, our last two remaining Territories, at least should look forward with hope to being recognized as being at least entitled sometime to arrive at the same level of governmental responsibility and privilege as the people in the 48 States. With reference to Hawaii, they have already in 50 years made their case, and the stamp of approval of what they have done has been affixed by successive committees of both Houses.

Mr. MAGNUSON. I thank the Senator.

Mr. BUTLER. Mr. President, I wish to say that the statements and addresses made by the able Senator from California and the able Senator from Oregon, the latter of whom is a member of the Committee on Interior and Insular Affairs, are exceedingly interesting on the question of statehood for Hawaii. The question today is, will the resolution of the Senator from California be agreed to, and further consideration of the Hawaiian statehood bill be removed from the Committee on Interior and Insular Affairs?

I shall take only a few minutes, and I do not think any other member of the committee expects to take more than a few minutes, because we are perfectly willing to cooperate with the Senators who have just spoken, and who have expressed a willingness and a desire to vote on the issue today; and we must vote before the hour of 2 o'clock if we are to vote today, otherwise the resolution will go automatically to the calendar.

I wish to make the statement, frankly, that if there were no reason for a further investigation of the situation in the Hawaiian Islands, I would be ready to report the bill to the Senate today. There is definite reason for further investigation.

Although I have not consulted any of my colleagues about it, I am about to make what may be a rather unusual statement. It was said that the action on statehood was unanimous on the part of the House committee and practically unanimous in the House. The bill had not long been passed by the House before members of the House committee who reported it came to me and requested that a careful investigation of the political situation in Hawaii be made, because they made no such investigation, they had no opportunity to, and while they favored the passage of the bill in the House, they thought the Senate should certainly make such an investigation.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. CORDON. Is the Senator aware of the fact that 18 members of the House committee which went into this matter and reported it have addressed letters or telegrams saying they would do the same thing again? That is the fact.

Mr. BUTLER. I am not entering into an argument with my esteemed friend from Oregon over the issue, but I am making the statement—and I am perfectly willing to make it under oath—that several members of the House committee made the statement to me that I have just repeated.

The Senator from Oregon himself made a trip to the Hawaiian Islands, and I think did a very splendid job. He had the assistance of an able member of the bar of the State of Oregon, Judge Wimberly, and I think it is only fair that other members of the committee, not wanting a trip, a joy ride, or anything of the sort, but desiring to have the same opportunity to investigate the political situation which the Senator from Oregon looked into with Judge Wimberly, should have that opportunity.

I wrote a letter regarding the matter which I ask to have printed in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
*May 13, 1948.*

During the session on Monday, May 10, the junior Senator from California, Mr. KNOWLAND, introduced a resolution calling for the discharge of the Committee on Interior and Insular Affairs from further consideration of H. R. 49, the Hawaiian statehood bill.

This is a most important piece of legislation and I want to assure you that the committee having the bill has been faithful and diligent in its handling of the bill. It may be that you will not be able to attend the session when the debate on this resolution of Senator KNOWLAND occurs, and therefore I want to recite as briefly as possible the events leading up to the present situation.

H. R. 49 was passed by the House and came to the Senate on July 25, 1947. This was plainly too late for the Senate committee to handle it until the present session. However, during the December session of the Eightieth Congress we brought the matter up before a well-attended meeting of the committee. I am quoting below from the minutes of the committee meeting held on December 2, 1947, covering the Hawaiian statehood bill:

"HAWAII

"The chairman believes that a careful preliminary study of the Hawaiian situation should be made now for the information of the full committee and, if necessary, a hearing be held by the full committee in Hawaii after the elections next year.

"Senator CORDON stated that he would like to go over the groundwork done in Congress on the statehood bill, and would like to hold from 3 to 5 days' hearings in Hawaii

with people that cannot come to Washington. He is particularly anxious to go into the international features. There are a lot of rumors that communistic influences are very strong—others deny it. He is anxious to learn the views of both the majority and the minority, and to learn more of the educational set-up.

"Senator CORDON would prefer to have the full committee hearing held in January or February, but understands and appreciates the difficulty of so many Members being away from the Senate at that time.

"Senator HATCH said he believes that Senator CORDON should go now and bring back as much information as possible.

"Senator DOWNEY stated that he suggests that the Federal Bureau of Investigation be asked to make a full and complete study of the communistic situation in Hawaii and submit a report to the committee.

"Senator CORDON said he wants to send a man down to Hawaii to make a study of the situation for at least a week before he arrives.

"After considerable discussion, Senator HATCH made a motion, seconded by Senator MILLIKIN, that the chairman be authorized to designate one or more persons to make the trips and report to the full committee at the earliest opportunity. The motion was agreed to and the chairman stated he would make the necessary appointments in cooperation with the chairman of the Subcommittee on Territories and Insular Affairs."

In line with the motion by Senator HATCH I later arranged with the senior Senator from Oregon, Mr. CORDON, to visit the islands and report back to the committee. You have attached hereto his report. In line with the request of Senator CORDON, it was arranged for Judge Carl E. Wimberly, of Oregon, to precede him and prepare for the hearings covered in the report attached.

This report was delivered from the Public Printer on March 16, last, and reported to the full committee and made a part of the committee's official file on April 2, 1948. At that time Senator CORDON requested that the committee pass on the legislation at the earliest date possible, and final hearings were conducted on April 15. A special meeting of the committee was held at 9:45 a. m., May 8, 1948, and a motion was made by Senator CORDON to report the bill. Senator MILLIKIN moved as a substitute motion the following:

"That we do not take action on the report at this time; that the chairman be instructed to arrange at the earliest practicable time a trip or trips to Hawaii of those members of the committee who desire to study the matter on the ground."

On this motion the vote was as follows:

| | Yes | No |
|---|---|---|
| Senator EUGENE D. MILLIKIN | X | -- |
| Senator EDWARD V. ROBERTSON [1] | -- | -- |
| Senator GUY CORDON | -- | X |
| Senator HENRY C. DWORSHAK | X | -- |
| Senator ZALES N. ECTON | X | -- |
| Senator GEORGE W. MALONE | X | -- |
| Senator ARTHUR V. WATKINS | -- | X |
| Senator CARL A. HATCH | -- | X |
| Senator JOSEPH C. O'MAHONEY | -- | X |
| Senator JAMES E. MURRAY | -- | X |
| Senator SHERIDAN DOWNEY | X | -- |
| Senator ERNEST W. MCFARLAND | X | -- |
| Senator HUGH BUTLER | X | -- |

[1] Absent.

Immediately following this meeting I issued the following statement to the press, including the list of those present and voting as reported above:

"Statement to the press by Senator HUGH BUTLER, chairman of the Senate Committee on Interior and Insular Affairs, May 8, 1948.

"The committee again voted today to visit the Hawaiian Islands before taking final action on the statehood bill now before it. The vote was 7 to 5, Senator ROBERTSON being absent. This reaffirms the action of the committee taken last December.

"Chairman BUTLER said he wanted to make it plain that this is not a vote on statehood. He thinks a majority of the committee may favor statehood when they have visited the islands sometime before the opening of the next Congress. He expressed the hope that the people of Hawaii would not be discouraged by the action of the committee today. Hawaii has been a Territory and a part of the United States for about 50 years, which is a long time when compared to the average life span of an individual, but a very short time when measured by the life of a nation."

As can be seen from the above, as long ago as last December the committee had decided tentatively to make no final recommendation on H. R. 49 until there had been an opportunity for a visit to Hawaii and a thorough investigation by the full committee. I believe it was generally understood that the brief Cordon visit could not be expected to develop enough facts to justify a final decision. It might also be pointed out that, since the Cordon investigation, a number of the members of the committee have received information raising the question of political stability, as well as some indication that many responsible people in Hawaii have been afraid to testify against statehood for fear of economic or other reprisals. The majority vote against an immediate decision was based, I believe, partly on these considerations.

From the chronological report above I trust you will appreciate that our committee has not been lax in its attention to duty in handling H. R. 49, and I hope you will feel that the bill should remain with the Committee on Interior and Insular Affairs. I shall ask committee members to plan a trip to the islands as soon as possible.

Many fine citizens of Hawaii have called on the committee in connection with the consideration of H. R. 49. Among them was former Delegate Sam King, who was here just a few days ago. I quote from a statement he made to the press under date of May 7:

"Mr. King said Chairman BUTLER feels strongly the importance of the decision facing his committee and especially the burden he carries for other Members of the Senate.

"By senatorial custom and pressure of affairs, Senators necessarily rely upon their committee chairman to investigate important matters thoroughly. I am sure that Senator BUTLER is troubled by the fact that he has not been able to take his full committee to Hawaii for formal hearings, and by the unfortunate situation in which he appears as an opponent of statehood for Hawaii in pursuance of what he feels to be his duty to his colleagues as well as to the people of our Nation."

I frankly admit that according to all the standards in effect when the mainland Territories were given statehood, Hawaii meets every test. But when our mainland Territories became States, there was no such world-wide condition as faces us today and no threat of communism. It is impossible in a letter even of great length to outline fully the political situation, but in the debate I shall attempt to do that. At the moment let me quote from the Cordon report, page 6, line 12. "Candor compels the statement that knowledge regarding the extent of communistic infiltration unfortunately is slight."

It is the hope of the majority of the members of our committee to somehow learn more about the Communist situation in Hawaii. We may be able to satisfy ourselves in that regard in time to act on H. R. 49 before the Eighty-first Congress, in case there is a special or adjourned session of the Eightieth Congress called before January 1, 1949. However, I am firmly of the opinion that it is of sufficient importance to the United States to take whatever time is necessary to learn the truth about communism in that area before statehood is granted. There was a 30-day deadlock in their lower house last year before they could agree upon a chairman. During that time the Bridges-Hall leaders brazenly dictated to a great many of the members of the lower house as to how they should vote. Personally, I think it much wiser to watch developments through another session of their legislature and judge them by performance instead of accepting promises.

Also involved in the decision on H. R. 49 is the question of whether we shall grant statehood to offshore or noncontiguous territories. Statehood once established for a Territory is final. It cannot be revoked. For these and other reasons I feel very sincerely that the committee is entitled to ample time to make a thorough investigation of all phases of the questions involved in the passage of H. R. 49.

In order that you may know the official position of the two major political parties on the matter of statehood for Hawaii, I quote herewith the planks covering same, taken from the 1944 platforms:

From the Democratic platform—"We favor enactment of legislation granting the fullest measure of self-government for Alaska, Hawaii, and Puerto Rico and eventual statehood for Alaska and Hawaii."

From the Republican platform—"Hawaii, which shares the Nation's obligations equally with the several States, is entitled to the fullest measure of home rule looking toward statehood: and to equality with the several States in the rights of her citizens and in the application of all our national laws."

I most sincerely hope that you will support the majority of the members of the committee and leave the bill H. R. 49 with the Committee on Interior and Insular Affairs. We will get action at the earliest moment possible with due regard for our responsibilities and the safety of our Nation.

Yours very truly,

HUGH BUTLER,
*Chairman, Senate Committee on Interior and Insular Affairs.*

---

[From the Honolulu Advertiser of February 25, 1947]

HOUSE DEMOCRATS TAKEN OVER BY PAC IN DRIVE ON SENATE

Hawaii's voters who chose half their house of representatives from among Democratic nominees are confronted today with an amazing situation wherein that party's recognized leaders have been displaced by CIO's Political Action Committee, which denies it is a political party and had no official nominees on the ballot last November. The result is a deadlock that since last Wednesday has prevented the house from organizing.

The stalemate is not a partisan row between Democrats and Republicans as such. It is a means that has been employed by PAC to hold up Hawaii legislation in the hope that the senate, under this pressure, will pledge itself to PAC's legislative program and thus pave the way to make Hawaii a "PAC state" upon its admission to the Union.

The voters rejected this ambition at the November election and there has been no indication that the senate will buy freedom to legislate at the price of an agreement with PAC.

The house deadlock, however, is in exact conformity to PAC's announced intention to dominate legislation at this session. This was revealed in a notice sent to all successful candidates who wore the PAC label in the campaign to submit their proposed legislation to PAC for approval before it was offered to the legislature.

Neither the Democratic organization nor its leaders are parties to the PAC scheme. They were ready, when Hawaii's special election created an even political division in the house, to reach an agreement with the Republicans on an equitable allocation of patronage.

Chairman David K. Trask invited all house members elected on the Democratic ticket to meet with the party's leaders to discuss the terms of an agreement to be offered for Republican consideration. The invitation was accepted by all of them and by Jack Hall, spokesman for PAC which had endorsed 14 of the 15 ostensibly Democratic representatives.

Then Hall called the meeting off. The house Democrats wanted nothing to do with their recognized party leaders. They had submitted to Political Action Committee dictation.

Not all of them had accepted PAC leadership willingly. Representative Frankie Kam was elected without PAC endorsement, and others among the 14 who wore that label are said to have had it thrust upon them. What means have been used to hold these dissidents in line while pressure is put on the Senate to surrender has not been revealed. Its drastic power is self-evident. For 5 days the house Democrats have stood united in idleness under PAC command.

Republican house members are aware of the attempt to force PAC's political program upon the senate and find it an insurmountable barrier to a compromise.

Hence the issue is plainly drawn between CIO's Political Action Committee and its minority group in the legislature and the people of Hawaii who elected a majority of the members of both houses from among candidates who do not wear the PAC label.

The situation is squarely in the laps of the people of Hawaii. They elected a legislature to legislate for them, not for any special pressure group. Their surest means of breaking the deadlock appears to be to speak up, loudly and clearly, in assurance to every legislator that he will be safeguarded against any reprisal that might be attempted against him in consequence of defiance of PAC.

Mr. BUTLER. Mr. President, I set forth in the letter the fact that the Senator from Oregon admitted that he was unable to investigate fully the political or the communistic situation. I am going to read just a quotation or two from the hearings, page 70, the testimony of Territorial Senator William H. Hill. I do not know whether Senator Hill is a Republican or a Democrat, and I want the Members of the Senate now present to know that so far as we of the Committee on Interior and Insular Affairs are concerned, there is absolutely no partisanship in this matter. Senator Hill, who has been chairman of the ways and means committee of the Hawaiian Senate for about 20 years, said:

I have been [in the Hawiian Islands] there for 35 years. I am more or less of an independent worker. * * * I have been in the legislature for 20 years, chairman of the ways and means committee of the senate here.

I shall skip some of the testimony.

My main reason [for opposing statehood at this time] is this ILWU and the Communist situation that is here. We do know—the FBI knows and we all know—that the Communists are here.

Senator Hill continues further along:

I appreciate that every State has a certain amount, but they do not control as they do here.

* * * * *

Until we know more about them—an investigation has just started recently. We want nothing more than to be able to elect a governor and the judges and the attorney general, and so forth. That would make it a very nice set-up. As it is, however, there is no danger. Our Governor being appointed by the President of the United States will not be a Communist. Our judges are appointed. Under a State they would be elected; at least they are in the other States. Of course, the Federal judges are always appointed, but our supreme court and our circuit court judges are all appointed by the President of the United States with the approval of the Senate.

So, while I believe that eventually we should have statehood, I don't know what is the rush.

* * * * *

I don't think there is any question of what we are entitled to, and should have, statehood.

I might say that I think the majority of the Members of Congress feel the same way about that, when their desires to know the inside political situation in Hawaii can be satisfied.

I read further from the testimony of Senator Hill:

I think we are better equipped than many of the States were—the present States were—when they became a State, but I don't think we should right now. I don't think it should be rushed through in the next few weeks until we finally learn more about the Communist matter.

I read further from Senator Hill's statement:

I think it would be very foolish to rush in with the situation as it is and with the small amount of knowledge, of definite knowledge, that we have of the Communist trend in Hawaii.

I shall quote from the statement of Charles M. Hite, appearing at page 285 of the hearings. I shall make this very brief, Mr. President, because any one Member of the Senate could consume the entire 2 hours we have today. I do not think it is necessary to use that much time in order to make the point we want to establish. I read from the statement by Mr. Hite, as follows:

I know and I know Mr. Burns knows, too, in all probability, of various influential witnesses you have had who, in my private home were violently against statehood, who have appeared up here and given you statements for it.

Mr. President, we have received a tremendous amount of mail from persons who write in that spirit, as indicated by the quotation I shall read from a letter from a prominent business man of the United States addressed to me, as follows:

My daughter lives in Hawaii and since the late war has been an enthusiastic supporter of statehood for the Territory. She has felt that economically and socially the islands have earned such recognition by the United States. However, in the last few months she has completely reversed her stand—and the one and only reason is the Communist entrenchment in labor and government circles there.

I ask, Mr. President, that this letter, which is dated April 3, 1948, and another letter dated January 9, 1948, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 3, 1948.

DEAR SENATOR BUTLER: My daughter lives in Hawaii and since the late war has been an enthusiastic supporter of statehood for the Territory. She has felt that economically and socially the islands have earned such recognition by the United States. However, in the last few months she has completely reversed her stand—and the one and only reason is the Communist entrenchment in labor and governmental circles there.

* * * * *

My daughter's sincere and evident distress over the situation has moved me to write you suggesting that before statehood is voted for Hawaii, some sort of an unbiased investigation be made by a man of your standing and capabilities. During Senator CORDON'S visit to Hawaii, my daughter tried to reach him, but he was so closely guarded by Delegate FARRINGTON, that it was impossible to see him alone, except to speak for the record, which obviously would be available for FARRINGTON'S scrutiny. This in turn would make a speaker liable to personal recriminations on the part of the Delegate along the lines already used against the Governor of Hawaii.

Since the situation is critical, I urge you to make a personal study into it.

Very truly yours.

---

JANUARY 19, 1948.

SIRS: This is my second letter, and is written in confidence with the request that my name be withheld from the public records in this connection.

Senator GUY CORDON, now in Hawaii, has stated to the press that he senses undercover opposition to statehood, but is unable to put his finger on it.

My belief is that not a little of this opposition stems from the fear that Delegate JOSEPH R. FARRINGTON is hand in glove with CIO elements which are seeking to control our politics. In 1946 he accepted CIO-PAC endorsement and would not repudiate it, although urged so to do by his party.

We fear that under statehood Mr. FARRINGTON would be indebted to this element and obliged to do its bidding. This we resent, and not a few Republicans will register a protest at the polls if Mr. FARRINGTON chooses to run for reelection.

We fear also that any constitution which might be drafted for the state of Hawaii would bear the imprint of this radical group, making all offices from top to bottom elective because such a form would be more responsive to pressure groups, of which the CIO is the most menacing.

While I do not regard radical bloc voting a threat here, I am alarmed at the growing tendency to "plunk." In the 1946 election we had evidence of that. A Japanese was elected to the board of supervisors of the city and county of Honolulu largely by this type of vote. Perhaps I need not explain that a "plunk" vote, probably from plumping, is a ballot marked for a single candidate in a given category of offices, although there are several vacancies to be filled, thus building up his total and blanketing all the others in the same category.

This evil is growing and should be prohibited by law, but a bill to that effect was killed in the legislature by CIO elements.

Also we attempted to get a closed, partisan primary, but it was killed likewise by the same faction, because an open primary lends itself to pressure groups. In 1944 a gifted lawyer, who was running for reelection to the local senate, was defeated in the primary by votes of the opposition party plus CIO, and a weaker candidate was chosen, who in turn was easily killed off in the general election.

As long as this situation obtains, Hawaii could not have good government as a state and had better remain under its territorial form. Now we have an appointed Governor, and a good one, if Governor Stainback is a Democrat, and I am a Republican; we have judges appointed by the President of the United States, with their appointments confirmed by the Senate of the United States; also we have an appointive cabinet. But

under this pressure group, the CIO, probably all offices would be elective and their incumbents would be obliged to harken to their master's voice.

I am opposed to government by organized minorities, namely, pressure groups, but I fear that Hawaii as a State would suffer from this evil no end, under present conditions. While the local CIO has a strong economic empire, its political empire is much weaker, owing to the fact that so many of its members are aliens. Out of some 40,000 members it had only around 8,000 voters. However, it exerts political pressure far beyond its voting strength, because the facts are unknown to the public. Candidates knuckle under to it, as FARRINGTON did, for fear of losing the labor vote, which in a close election can hold the balance of power.

This is the fear lurking in man, hearts which Senator CORDON has been unable to fathom. We will not go before him and tell him these facts, since we do not wish to make a showdown with Mr. FARRINGTON just yet. This does not indicate lack of courage; rather it is political strategy. In due course a solid bloc of Republicans will challenge FARRINGTON'S right to reelection if, and when the time comes.

Furthermore, I suspect that Mr. FARRINGTON is opposed to a second plebiscite lest it might not carry or the plurality in favor of statehood be reduced. Senator CORDON announced that he regard a second plebiscite as unnecessary. Very well, how then does he propose to reach this undercover opposition? In the secrecy of the voting booth it would come out, but it will not rise to the surface as matters stand.

There are two layers of public opinion in Hawaii regarding statehood: (1) on the surface, articulate, vocal; (2) beneath the surface, inarticulate, nonvocal. Those who think the latter group consists of cravens don't know their stuff. There is method in this silence, and in due course it will be broken, but the time is not yet. Only a plebiscite could plumb the depths of the layer beneath the surface. I believe that the Senate ought to have a recent and accurate poll on this issue before taking a vote on statehood for Hawaii.

Enclosed please find a copy of an address by Mr. Jack W. Hall, regional director of the CIO for Hawaii, in which he expressed a passionate longing for statehood so that the people might elect their judges. Had time permitted, he would probably have added elective executive offices, also initiative, referendum, and recall. But the intelligent folk of Hawaii prefer the Federal form which we now have, with only slight modifications sufficient to conform to statehood, if and when. We have a profound respect for the wisdom of the founding fathers, and do not wish to go beyond the pattern laid down in the Constitution of the United States. Some commonwealths have seen fit to go into the highways and byways seeking strange gods, but we are not convinced that they found anything worthy of imitation.

But if a pressure group gets a stranglehold on us, as one bids fair to do, we shall be in for left-wing democracy, which can be a species of demagogy, depending on how it is operated. Thomas Jefferson preached against burdening the electorate unduly, and if he knew of our vagaries today he would turn over in his grave. We think too much of Uncle Sam to stray after false gods.

On the other hand, we dislike Harry Bridges so roundly and distrust him so deeply that we want no part of him or of his stooges controlling our political life. Harry and his nefarious CIO are interlopers in these fair islands, preaching an alien ideology, to wit, Marxian class consciousness, class hatred, and class strife, stirring up trouble by needless and disruptive strikes with a view to ruining private enterprise and setting up state socialism, with a dictatorship of the proletariat. The tactics of the CIO smack of Moscow. However, the soft pedal has been put on the Moscow-line during the visit of Senator CORDON and Judge Wimberly. All appears to be sweetness and light.

But our once peaceful and harmonious paradise, animated by the spirit of Aloha, has become a seething cauldron of class hatred, class jealousy, and class friction. Race has been set against race, brother against brother, and employers are branded as evil spirits. Hawaii has become a breeding ground for communism and pro-Soviet sympathy. The serpent has entered Eden, and on his venomous head he bears a symbol—the Hammer and Sickle.

As the forefathers of 1776 declared their independence of what they regarded as an alien government, so we too must declare our independence of this alien pressure, the diabolical gospel of Karl Marx, before we shall be ready to enter upon statehood. The American colonies made good their independence before drafting the Constitution of the United States, and we wish to make good ours before drafting a constitution for the State of Hawaii.

Permit me to point out the difference in situations between communism in old, well-established states and communism in a territory looking toward statehood. Apparently communism has made but scant impact on the State of New York, in view of the comparative ease with which Governor Dewey was reelected. But New York has a well-established constitution which Communists cannot impair one whit, but out here we are in the formative stage with respect to constitution making, and the radicals could just about write their own ticket.

True, the Constitution of the United States requires that the form of State government shall be democratic, but this covers a wide range. * * * Under our Federal-type organic act, we have some protection from these subversive elements, but if we plunge into the maelstrom of constitution making, I wouldn't give a fig for the chances of sound government to survive. In the event of such failure, I would evacuate and return to God's country, after 18 years of residence in these parts. I would take a chance on Oregon or California, as I regard left-wing democracy on the mainland as harmless, a sort of political fad. Down here it would be a menace.

This situation did not escape the keen eye of Senator CORDON. He stated that among other questions he would discuss with the Senate committee was the matter of the election of various officials now appointed by the President of the United States or the governor of the Territory. Thus did the Senator from Oregon put his finger on the crux of the whole issue. If we could be assured that JOE FARRINGTON would quit pussyfooting around with a radical group, and that we could get a sound constitution of the Federal type, all of us would go down the line for statehood now.

In conclusion, as the foregoing facts create a presumption that we are not yet ready for complete self-government, I will preach and work against immediate statehood for Hawaii. The time is not ripe for an exposé of Mr. FARRINGTON'S collaboration with a Communist-dominated group. But we have the evidence, and at the proper time will blow the lid off, and the populace will think that our intermittently active volcano has erupted. In truth it will be the political volcano blowing its top.

Give us time to clean house, and we will attempt to do a thorough job.

Respectfully.

Mr. BUTLER. Mr. President, I wish to quote from the report submitted by the Senator from Oregon [Mr. CORDON] as chairman of the Subcommittee on Territories and Insular Affairs, with reference to H. R. 49, the following sentence, which was quoted in my letter addressed to Senators several days ago:

> Candor compels the statement that knowledge regarding the extent of communistic infiltration unfortunately is slight.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BUTLER. I was going to continue a little further.

Mr. CORDON. The Senator has read only one sentence from the report.

Mr. BUTLER. I will insert the entire paragraph, or the entire page, if the Senator wishes, so the Senate will have the whole thing in the RECORD. But I read this sentence at the conclusion of the paragraph:

> The plain truth is that no one knows the extent of Communist success in Hawaii.

The complete paragraph in question is as follows:

> 5. The search into the question of communistic influence in the Territory was a prime objective of the inquiry. Witnesses at the hearings were closely interrogated and the question was exhaustively pursued during all interviews and conversations. Witnesses were examined for their concepts of communism no matter what their opinions as to its prevalence. The chairman discussed the problem of communism with the governor and with other officials. They were most cooperative in furnishing all available information on the subject. Candor compels the statement that knowledge regarding the extent of communistic infiltration unfortunately is slight. This, however, is not unusual, since, because of the undercover techniques employed by this group, similar lack of knowledge prevails in the States. Because Communists habitually and consistently deny affiliation with Communist beliefs and association with Communist groups, it is most difficult to identify them. The subcommittee pressed an aggressive inquiry in an attempt to learn the known number of Communists in Hawaii. As far as could be determined, the total was something less than 100. The plain truth is that no one knows the extent of Communist success in Hawaii. It is not apparent; it is not open; but that does not mean, of course, that it does not exist.

I think, Mr. President, it is necessary that the Senate know a little more about the situation before Senators vote on such an important issue as statehood for a Territory.

Senators all know who Harry Bridges is. Most Senators, I believe, know of Jack Hall, his lieutenant. I will simply quote from the Honolulu Advertiser of November 7, 1947, as follows:

> Reviewing past union victories, Hall said 10 years ago the workers began to have some say in the government. He (Hall) pointed out they almost took control of the government last year, and failed by but one vote.

Senators, I want to ask if it is not fair that members of the committee be permitted to complete their investigation, which I insist they have been conducting very diligently up to date?

The quotation I have placed in the RECORD could be added to without end.

From the very moment I became a Senator there has been one dominant thought guiding me daily. That thought is the obligation which I feel to serve the United States of America, the 48 States plus Territories, to the best of my ability. With that thought uppermost in my

mind, I will always do what I feel is best for the security and welfare of the country you and I all love. When I made a promise before God to carry out this obligation, I meant it. Everything I have ever done, every word I have spoken since I have been a Member of this, the greatest legislative body in the world, has been done and always will be done and dedicated to this purpose.

If I have ever failed, or if I ever fail in any undertaking while a Member of this the United States Senate, it will be through zeal or even overzealousness to protect, defend, and support the people of the United States and the Constitution on which our Government rests.

With all the warnings which we have had of the activities of Communists both within and without our country, it seems to me to be the least that I can do to take every measure and exercise every care to insure the preservation of our country, including our Territories, from this recognized danger, the greatest danger in the history of mankind. All I ask is for the cooperation of the Members of this body to carry out this purpose, which in the language of the American Legion pledge can be put very briefly, "For God and country."

The closing sentence of my letter of May 13, 1948, which Senators all received a few days ago, had this to say:

I most sincerely hope that you will support the majority of the members of the committee and leave the bill H. R. 49 with the Committee on Interior and Insular Affairs. We will get action at the earliest moment possible with due regard for our responsibilities and the safety of our Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD a pamphlet entitled "The Truth About Communism in Hawaii," by Ichiro Izuka.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

THE TRUTH ABOUT COMMUNISM IN HAWAII

(By Ichiro Izuka, a former Communist)

(Preface)

DEAR READER: Wherever I go in these islands, I find people who are disturbed by all the rumors and the radio propaganda about Communists in Hawaii. Some think every labor leader who fights for better wages and working conditions is a Communist. Others who call themselves liberals scoff at the idea that Communists have influence in Hawaii Nei. The Communists themselves are loud in their assertions that talk of communism is merely antilabor, red-baiting.

You good people need to know the truth about the Communist situation in Hawaii. You need to know where and how they operate. Hawaii must wake up. Especially union members must wake up. If you are a union member it is exceedingly important that you know what the Communist Party is, and whether Communists are in your union today, getting control over its membership and property.

I am an ex-Communist. I know what the party in Hawaii is doing. I know it from the inside. Only last November I left it after 9 years association with the Communists named in the pages which follow. I was treasurer of the Communist cell to which I once belonged, and was also an active worker on Kauai while I lived there, having joined the party in 1938 while I was an employee of Kauai Terminal, Ltd., at Port Allen.

I believed in the sincerity of the party's efforts to help the workers of Hawaii. I knew how much they needed help, and I mistakenly thought the party was the only place to aid them. My faith was strong for a long time, but this story will tell you how it was undermined. I see the party now as it really is, a conspiratorial party, working against the welfare of the people of my native islands.

Because of all that I did to strengthen the party in the days of my blindness, I desire now to tell you the truth of my experience whatever the consequences may be to myself. You must know what is among you before it is too late. This is my warning.

During these months when I have been openly opposing the party there have been threats against me, and my character has been attacked. When this story is printed the threats and lies will increase on every side. There may be libel suits. Hate is a weapon the party knows how to use and does use to the fullest extent.

But here is the truth about communisim as I know it in Hawaii.

ICHIRO IZUKA,
*American.*

HONOLULU, T. H., *November 15, 1947.*

I. FERTILE SOIL FOR COMMUNISM

First, a few words of personal history. I was born in Hanapepe, Kauai, T. H. on June 5, 1911, the sixth of a family of nine. Most of my brothers and sisters were born on a rice farm to which my parents had moved from a sugar plantation in order to improve their living standards. Later economic pressure forced my parents to return to the sugar plantation and submit to the original labor contract.

When my parents came from Fukuoka, Japan, to Hawaii in 1900 as contract laborers, most plantation workers, recruited largely from the poorer people of Japan, worked under conditions of virtual peonage. When they were recruited my parents were led to believe they would make enough money in 3 years to return to the old country for my grandparents. Instead they spent 35 years in Hawaii much of this time toiling on plantations and barely making enough to live on. My parents truly worked hard. When I was small, mother would get up in the morning at about 4 o'clock to prepare lunch for my brothers and sisters to take to work. From then until late at night she worked, as did my father and older brothers and sisters. In those early years my mother took me with her when she slaved in the fields for $17 a month, then the standard wage for women. My own first taste of work on the plantation came when I was 10. I worked during the summer vacation for $7 a month and later, after finishing grade school, I received $18 a month. The hours in the fields were long. We commenced before sunrise.

Seven of our family worked for the pitiful plantation wages, and in addition there was our continual debt bondage to the plantation store. Our family had a debit there for nearly 15 years. We workers had no incentive to go for our money on pay day, for most often the envelope was empty, all charges having been taken from the pay checks. Because of our poverty and the need of income from the older children, only my youngest brother and I had the opportunity to go as far as the eighth grade in school.

When I was 16 years old I decided to get away from the plantation into some other kind of work. My father and two of my brothers were employed at the Kauai Railroad Co. (later the name was changed to Kauai Terminal). I went to work as a boatman, or lighter-bargeman, working in rough dangerous waters in all kinds of weather. During that whole period I was building up a resentment against our hard-working conditions that was later to make me ripe for communistic propaganda. Two of us worked in a boat, going out from the shore piers to unload the ship which could not come in. We went back and forth until the job was done and they loaded her in the same way with Hawaiian sugar for the mainland.

When I was first employed in this dangerous, difficult work, I received 25 cents an hour, because the company claimed I was only a kid and not entitled to the 30 cents paid to other workers, although my work was the same. The pressure from the bosses was terrible and we sometimes were compelled to work 48 hours straight. High waves, sometimes 15 feet high, heavy cargo, and poor working facilities often threatened our lives. Many workmen were crippled and some were killed. For all this work and danger we received about $75 a month. I should say here that these off-ship working conditions stopped in 1939 when a new pier was constructed.

In 1937 the workers finally got together and decided to strike the ship *Maunalani*. Although the quarreling of our bosses for favors from the company, and their roughness toward us was the precipitating cause of the strike, all that most of the workers wanted was more money in the pay envelope and better working conditions.

When the port was closed we got a hint of the pressure industry can bring. Policemen came with a machine gun and other firearms and acted as though we were a bunch of criminals. However, John Waterhouse, president of Alexander Baldwin, Ltd., came and told us that wages would be raised and conditions improved. We would get about 8 cents an hour raise, which seemed big money to us after the years of hardship. That was the first spontaneous strike in the history of Hawaii, I believe, where the workers really won.

II. ENTER THE COMMUNISTS

The settlement did not come immediately after Mr. Waterhouse's offer, for the local leaders of the strikers had called Honolulu headquarters for help in negotiating an agreement. Maxie Wiesbarth, who is not a Communist, sent Jack W. Hall (now ILWU director for Hawaii) and George Goto to Kauai to aid us. (This was before Hall's 99-year suspension from the sailors union of the Pacific.) At that time Antone Marcalino, who represented the company, offered a contract containing the provisions agreed to by Mr. Waterhouse. During those days, I and many other workers knew nothing about the union movement. We accepted the statements of Mr. Marcalino and signed the contract. But later we discovered the union recognition clause was phoney. It gave the union recognition only so long as the union had a majority. It left the door wide open for splitting tactics. A real contract gives recognition for the life of the contract, which is usually for a period of 1 year at least.

Hall and Goto were members of the Communist Party. They had brought with them plenty of Communist literature and distributed it secretly. I was an active young fellow, very anxious for the improvement of the working classes, so Hall and Goto saw to it that I had plenty of Communist literature to read. I devoured it, and for the first time thought I had discovered a party that really had something to offer the workers. I soon decided that the Republican and Democratic Parties were only interested in helping keep the workers in submission. This was my first introduction to the Communist Party and I was thrilled. A whole new world opened—at last I could really work to improve my lot and that of the other workers of Hawaii. It was so exciting and intoxicating that after a year I decided to join the Communist Party. I joined in 1938, giving my application to Jack Kimoto. He had come to me and asked me to join, because he knew from my militant attitude that I was heart and soul for the workers. This is the way most Communist recruits are gained here in Hawaii—they take enthusiastic workers and fill them with propaganda against the existing conditions and against the present government, and soon

they have a new Communist dedicated to turning the world over to the workers. Jack Kimoto is now in Honolulu, editing The Hawaii Star, allegedly a labor paper, published in Kalihi Valley at 1810-G Kalihi Street.

According to the story Kimoto told me, he was born and raised on Ewa plantation. His father participated in the 1919 strike. The family was evicted from their home. Sometime between 1919 and 1928 Kimoto became a left-winger. Sometime during the late twenties or early thirties he went to Los Angeles to further his education in left-wing philosophy and tactics. He told me he was sent back to Hawaii in 1938 or thereabouts by the Communist Party of California to do the work of the party in Hawaii. When I first knew Kimoto in the early part of 1938 he was staying with the manager of the weekly Japanese paper Yoenjiho Sha. Hall and Goto were trade-union party members, whereas Kimoto directly represented the party in Hawaii. When I first met him he had no other occupation.

I believe Kimoto is sincere. I recall he gave me a membership book and I treasured it as a symbol of the party that was working for the common man. And, too, I was thrilled by the secrecy of the party and the influence we wielded in union meetings. At that time the Communist international organization meant nothing to me.

At our secret meetings, sometimes held in my home, sometimes in my automobile in lonely spots, we were taught how to control union meetings, parliamentary procedure, and, of course, party principles. We were taught, too, that the Big Five was a Fascist organization, and that both political parties were like a coin—heads or tails, it is still the same coin. These lessons were given to us by Hall and Kimoto, sometimes together, sometimes separately.

This intrigue was interesting and when I could go into a union meeting and get hundreds of people to do what we had decided upon at our Communist meeting the night before, I felt powerful and important. Here is how it worked: I was vice president of the ILWU, local 1-35, and at the same time a leader in the Kauai Communist group. All during 1938-39, and 1940, when I held these dual positions, we steered the union membership into doing our wishes. One Communist would get up and make a motion. Then, after discussion which was led by other Communists in different parts of the hall, it would be voted upon. At any time the discussion did not go the way we wanted it to, another person would jump up with some objection based upon parliamentary procedure. This system is still being used in the ILWU unions by Communist leadership, and the union members still do not realize what is happening to them.

We also used our Communist influence to control election of certain candidates. For instance, in 1938 we had the Progressive League of Kauai. This was a Communist-front political group, in which most of the members did not realize the Communist connection. We were especially anxious to prevent the election of Lindsay Faye, of the Kekaha Sugar Co., who ran for Senator on a Republican ticket against a Democrat, J. B. Fernandez. We were successful. This was my first introduction to the power a few people can wield secretly in politics. We were to get much deeper into politics at a later date.

In this period of the Communist Party growth in Hawaii, we were very careful about taking in new members. During most of this period, I was the one who decided who should be admitted on Kauai. We would pick out some sincere labor enthusiast, feed him ideas, and finally give him some Communist propaganda. We had to be very careful because if the bosses had learned anything about our Communist group they would have used it against us. My bosses never learned of my Communist connection, and for this reason I was able to continue effective work. We watched the reactions of men selected for Communist Party membership, and sometimes we decided against admitting one because he lacked the proper militant spirit or because he could not accept the iron discipline of the Communist Party. There was no room for weakness. The Communist method is to recruit only the strongest and most fanatical elements who know how to obey orders. We knew that with only a few members we could control hundreds of non-Communists through the unions, so we took no chances on admitting a doubtful person to party membership. That might have exposed our entire plan.

At the time the Port Allen union was organized in 1937 it was independent. Then, later, it affiliated with the AFL. However, the Communists had trouble in working thro'g' the A. F. of L. so Jack Hall and Goto, both Communist members, urged us to jump from the A. F. or L. to the ILWU which was affiliated with the CIO. This was accomplished through the usual methods. At the time of the switch to the CIO, I was not yet a party member, but I later learned all the details.

### III. COMMUNIST TRAINING AND AFTER

Kimoto talked to me from time to time about the desirability of going to a Communist school in San Francisco and finally I was assigned by the executive board of the Communist Party to take a course there. Kimoto was at that time chairman of the party for all the Territory of Hawaii. Associated with Kimoto on the central committee were Dr. John Reinecke, Jack W. Hall, Jack H. Kawano, and Ah Quong Leong (now Mrs. Robert McElrath). The party bought my ticket to San Francisco and gave me about $65 to help pay my room and board.

I left for San Francisco the latter part of August 1939 on the U. S. S. *President Taft*. I traveled as a passenger, Kimoto having arranged for me to take care of a partially paralyzed comrade by the name of Uesato who had come to Hawaii from Los Angeles to recuperate, but had not benefited by the change. Every time Uesato wished to go somewhere on the ship I had to assist him. We traveled steerage. Jack Hall, having no such duties, worked in the stewards' department as a scullion. While waiting for the school to open I worked on the San Francisco waterfront. The Communist school was at 121 Haight Street in San Francisco. It was a great feeling to be able to admit I was Communist instead of hiding. I was quite proud of communism, and eagerly absorbed the Communist teachings. Here in Hawaii we were not ashamed of being Communists. We were more like the early Christian martyrs—proud of our faith, but not anxious to be caught.

At the Communist school I first met Robert McElrath, now international representative of the ILWU, who was living on the mainland. He has been active in Communist work here in Hawaii for several years, and I have attended scores of Communist meetings with McElrath and his wife. He is one of the greatest advocates of extending Communist power through the unions. Jack Hall also attended this school. We studied many things, including History of the Working Classes and Political Economy by Leontiv, and Marxism-Leninism. The purpose of the school was to arm the workers with the theoretical background of communism—the theories of Marx, Engles, Lenin, and Stalin. We were taught the world significance of communism, and given the party strategy of boring from within. We were taught that, here in Hawaii, we should apply the Marxist theory to local conditions.

All of our actions, we were taught, should be aimed toward the day when the World Communist Party would take over. McElrath, Jack Hall, and myself sat together through class after class, and lecture after lecture. We didn't realize that later we were to have serious differences upon party policy in Hawaii.

Communist school is a serious matter. There is no time for day dreaming. We were assigned to groups and each group was given various questions to study. We learned many things—including how to write news releases and how to disseminate propaganda.

Our school was just getting a good start when the war started in Europe, September 1939, and we were told the Communist Party had to get ready to go underground. One of the instructors told our class that the central committee of the party, with headquarters in New York, had ordered the closing of all Communist schools throughout the United States.

After the lecture, Louise Todd, a Communist Party instructor, called Jack Hall and me into one of the offices and instructed us to destroy all evidence, including books and other literature, important party papers, membership books, etc., because after the Soviet-Hitler pact the party expected raids from the FBI. All during this time I lived in an almost religious fervor—I considered myself a part of the great movement that would someday take over the entire world. When the school closed I came back to Hawaii on the *Lurline*, working my way as a dishwasher.

After returning to Hawaii, we spent much time and effort on antiwar work. Our slogan was, "The Yanks are not coming" and "Keep America out of an imperialistic war" and "This is a phony war." All the time we were feeding the unions this antiwar propaganda. Then the big switch came—the day Hitler attacked Russia, ending the nonaggression pact (July 5, 1941). Then we were told immediately to change our line from keep out of war to "This is a war against Fascist aggression" and "This is a war of Fascist liberation." I was often puzzled at these abrupt changes, but I took the word of the leaders that the Communist Party was planning for world control and we should take the party line, regardless of outward appearances.

Before the United States entered the war there was a 10-month strike on Kauai. First the union at the port of Ahukini (at Lihue) struck in July 1940. Then the ships were directed to Port Allen. The union members were asked to handle "hot cargo." When a gang refused, the entire group was fired. However, at Port Allen we had a contract with the company saying we were not to strike, or stop work for any cause for the duration of the contract. On this particular issue I was against the strike. I suggested we observe the contract until it expired. Jack Hall insisted on the strike. We took a real beating—lost nearly a year's wages, and our families suffered. This was the first time I seriously doubted the Communist plan for helping the laboring men of Hawaii. At this time Jack Hall was a Communist representative and advisor to the union, although not many members realized his true character.

After the strike the longshoremen went back to work like whipped dogs—all except the Communists. They believed and gloried in the struggle, win or lose. They believed a long and bitter strike hardened the workers, increased their hate for the bosses, and made them veterans in the class struggle.

When I went back to the job I was elected president of the Port Allen ILWU. Most of our union members were scared and panicky, but I was still willing to stick my neck out. During the strike we had a political election and, as Communists, were able to do some effective work. Jack Hall wrote speeches for Clem Gomes (senator of Kauai) and Gomes won the election. At this time I was auto driver for Jack Hall as we ran back and forth to Gomes' home. Today, I am told, Jack Hall privately boasts that he controls Gomes.

Gomes, of course, had no idea Hall was a Communist.

Sometime in March 1942, following the Japanese attack on Pearl Harbor, we Communists were again ordered to destroy all of our literature and important documents. I received my orders on this from the executive board in Honolulu through Jack Hall. I was in Honolulu for a visit. He spoke to me at the ILWU hall above the fish market at 1011 Kekauliki Street and at his home. This was to avoid having any documents seized by the Army or Navy or the FBI. At this time I was on longshore work at Port Allen, and also doing work as a Communist. At the same time I was doing defense work on the airfield at Mana, Kauai. I was more convinced than ever that the Communists were fighting against a world Fascist plot and I went to work on party principles with renewed vigor.

While on the Mana job, I had a battle to get some back pay for the workers. On this job the employers held up 4 weeks' pay, causing considerable ill feeling. As the result of my work or from some other cause, the workers from then on got their pay promptly. But, as a result, I was pretty much branded as a radical. The FBI knew I was active and started checking on me. The chief of police, Edwin Crowel, of Lihue, sometime in February or March of 1942, came with an FBI man to talk to me. They asked if I was satisfied with my job or was I having any trouble. In the meantime I had a heavy responsibility as president and secretary; in fact, I was collecting practically all the union dues and keeping the union going.

Then came the big shock! On April 11, 1942, one of the Koloa police officers came to my home at 1 a. m. and told me Chief Crowel wanted to see me. I agreed to go see him the next day. When I went to Crowel's office he took me to the circuit court where I waited for 6 hours. Nothing happened and finally I was taken to Waialua jail where I spent a week in solitary confinement. This was under the military government. I had no lawyer, no opportunity to send a message to my wife or to communicate with anyone. I endured all this cheerfully because I felt I had been doing a good job as a Communist.

After a week I was taken before a board in Lihue Circuit Court Building. On the board were Major Peterson of the Army, Caleb Burns, manager of Lihue Sugar Plantation, Hector Moir, manager of Koloa Plantation, and Lindsey Faye of Kekaha Plantation. I believe the civilians represented some phase of civilian defense. The charges against me were that I had distributed leaflets advocating strikes and slowdowns on a defense job. They asked me many questions and all during this questioning I carefully avoided mentioning anything connected with the Communist Party. I was convinced I must protect my fellow party members at all costs. They asked if I was a member of the Communist Party and I said "No." This was technically truthful because the party had been ordered to disband. I denied all connection with the party and after the hearing I was sent back to jail. The basis for this charge was, I believe, my distribution of the Pilot, official organ of the National Maritime Union.

A month later I again went before the board. This time the civilian members were the same but the Army man was Colonel Doyle. The charge this time was advocating slowdown on a national defense job. The questions were about the same and again I denied any connection with the Communist Party. I was worried because I had been active against Mr. Faye in the election previously, and here I was faced by him in his role of judge. Moreover, Burns and Moir, especially the former, were plantation managers who could hardly be expected to approve of my activities in behalf of the longshoremen during the 1940 strike and later. Again I was sent back to jail. I was there for 120 days altogether. Then they turned me loose on August 8, 1942.

For a time after getting out of detention, I lived by making lauhala articles. The Communists and sympathizers, through Jack Kawano, gave me about $180 to help me at this time. Port Allen was under Government control so, of course, I could not go to work there so soon after being detained.

IV. REACTIVATION OF THE COMMUNIST PARTY AFTER WORLD WAR II

The Communist Party in Hawaii was reactivated in November 1945. For some months before this, our leading Communists were active in what were known as community discussion groups. The leading spirits were Dr. Reinecke, Mr. and Mrs. Robert McElrath, Peter and Alice Hyun, Eileen Fujimoto, "Jack" Kimoto, Jack Kawano and myself. This group moved from district to district, to engage in public discussion on subjects of community interest. Usually middle class and professional people were invited to attend through personal contacts by party members. These meetings attracted school principals, teachers, welfare workers and a sprinkling of manual workers.

They were a success and had the effect of increasing the prestige of our leading Communists in the community. None of the good middle class people who attended had any idea that they were being led by Communists, but to me, looking at it from the inside, this activity merely constituted another front activity.

When orders came to reactivate the party the discussion groups were dropped. Three cells, clubs, or fractions were formed at once. I was told that since I was not in a CIO union I should attend the meetings of the miscellaneous group, composed of people from the drydocks, A. F. of L. machinists' union and so forth. The first meeting of this group was held in Waikiki in the house of Elizabeth Bristow, secretary to Jack Hall. Present were Ernest Arena, Ralph Vossbrink, Jack Hall, K. Imori, Robert McElrath, Frank Thompson, Elizabeth Bristow, and myself. The first order of business was the election of officers which resulted as follows:

Chairman, Jack Hall; literature director, Ralph Vossbrink (he was the individual who caused some excitement in Honolulu by passing out Communist literature on the water front); educational director, Robert McElrath; treasurer, Ichiro Izuka.

As treasurer I kept a card in code showing the name of each member, his Communist Party book number, the monthly dues, initiation fee, and the month and date of payment of dues.

This card requires decoding since I was instructed to keep the information confidential and to devise a system of recording which I alone could understand. The first symbol in column I is a Russian "A" and stands for Ernest Arena. In the next column is his book number, which was 74515, in column three is $1 dues for the month of November 1945. He received a raise in wages in January 1946 which raise required him to pay dues of $2 a month. The second symbol in column I is a Russian "B" and stands for Ralph Vossbrink. The third is a Japanese character and indicates Jeanette Nakama. The fourth symbol is a Russian "H" and stands for Jack Hall. The fifth is a Japanese character and stands for Imori. The sixth is an English "I" and stands for Izuka. The seventh symbol is a Russian "M" and stands for McElrath. The eighth symbol down is Russian "T" for Mr. Frank Thompson, then the ILWU international representative in the islands. The ninth is a Japanese character and stands for Ralph Tokunaga. The following "O" stands for Wilfred Oka. The card shows he joined the party and paid his dues in February 1946. The other names indicated on the card are as follows: Okuhara, then of the carpenters' union, joining in June 1946; Wallace Ho, who didn't pay any dues here because he was paid up in San Francisco and was waiting for his transfer card; David Thompson also waiting for transfer card; Peggy Uesugi, not then a member, merely a prospect. This girl joined later for job security, I believe. She was secretary to Yukio Abe, secretary-treasurer of the ILWU, Local 137. Next is her husband, who is an employee of the Mutual Telephone Co. It is quite likely he joined the party also to make his wife's job secure. I am quite sure he knows nothing about communism. The next is Pauline Rosenthal, who was waiting for a transfer card from San Francisco, then Abe, a member of the National Maritime Union, and Mrs. Abe, his wife. At the bottom of the card is the Russian "B" to represent Elizabeth Bristow, who left in January of 1946 for New York.

Later on more clubs or fractions were formed, first on Oahu, and later on Hawaii, Kauai, Maui, and Lanai. I now give a brief account of these fractions. Since none of us party members were permitted to keep written minutes or records it will readily be understood that much is now forgotten and much I never heard about. Party discipline requires that a member ask no questions about other fractions. Therefore I have only the sketchiest information and know only the most active members in the party.

The description which follows is as of 1946 before my resignation from party membership in November 1946. As already mentioned, there were three groups at first after reactivation of the party. As these groups increased in size it was decided by the executive board to divide them up so as to have a separate group or fraction in each district where there were party members. Thus there was a Kaimuki group, with Dr. John Reinecke as chairman. This cell met at Reinecke's home at 3571 Pahoa Street. I estimate that there were from 10 to 15 in this cell, including Mrs. Aiko Reinecke, Mrs. Peggy Uesugi and, at first, Ernest Arena. Arena later joined the Moiliili group because he was a worker and a trade unionist, while the Kaimuki group, composed largely of so-called intellectuals, concerned itself with education. Arena was secretary-treasurer of ILWU Local 150. As an example of the so-called educational work, Dr. Reinecke told me during one of his numerous visits to pier 11, which you might say was headquarters both for ILWU and the Communist Party, that the executive board of the party had assigned to the Kaimuki and Moiliili groups the job of strengthening the "Hawaii Youth for Democracy." Reinecke was once a teacher at the University of Hawaii. Charles Fujimoto was chairman of the Moiliili group and a chemist employed by the university. It was natural that these two should become most active in promoting "Hawaii Youth for Democracy."

Other members of the Moiliili group were Wilfred Oka, Koichi Imori, Ralph Tokunaga, and Jeanette Nakama, in whose house at Kaihee Lane the group usually met. A word should be said about the occupations of some of these people. Wilfred Oka was once with the YMCA. From there he went to the carpenters' union (A. F. of L.) as assistant business agent. When he was forced out he secured a job with the teamsters' union. He was assigned first, if I remember rightly, to organize Honolulu's taxi drivers. This was around October or November of 1945, or perhaps even earlier. While he was with the teamsters, Oka was recruited for the party by Imori in January 1946 after which he brought about a switch in the affiliation of the taxi drivers from A. F. of L. to Culinary and Service Workers Union (CIO) organized by Ralph Vossbrink. At this particular time the party line required that party members do all in their power to secure the affiliation of as many A. F. of L. unions as possible with the CIO. Oka, as a good party member, immediately went to work as a kind of casual organizer for CIO unions in Hawaii, all of which

are, more or less, controlled by the Communist Party through party members placed in strategic positions in these unions.

Koichi Imori received his training in trade union work from the local Brewery Workers Union under the leadership of Mr. James Cooley. This was back in 1938–41. For a short period Imori was trying to interest garage and service station employees in the United Auto Workers of America (CIO). This union was too long making up its mind whether or not to grant a charter over here, so Imori got himself a job with Morgan Haywood, business representative of the International Association of Machinists, an independent union. He was forced out of this job and was picked up by Mr. Arthur Rutledge of the A. F. of L. teamsters on November 1, 1946. He was given a job as business agent of Local 904, Gasoline and Oil Drivers Union.

The party was much in favor of having party members, like Imori occupy key positions in unions like the machinists and teamsters. Imori was, in fact, a useful pipe line of information for the party. From discussions within the party, in which I myself participated, I believe it is correct to say that Imori was planted, first in the machinists then in the teamsters, by the party itself. Later Rutledge assigned Imori to help Mookini raid the ILWU in the pineapple industry. You will remember Mookini was ousted from the ILWU as president of the Pineapple Union, Local 152. This assignment was too much for Imori. He resigned May 23, 1947, and Rutledge publicly denounced him as a Communist. Rutledge had discovered he was taking subscriptions among the A. F. of L. members for the People's World, and Rutledge, with some justification, said that the People's World is the west coast edition of the Daily Worker, New York publication of the Communist Party of the United States of America.

Ralph Tokunaga of the Moiliili cell was president of the Marine Engineering and Dry Dock Workers Union, affiliated with the ILWU. It is not an accident or a coincidence that Tokunaga is president of this union. The party planned it that way. The party needs people it can trust in such positions, and who could be more trustworthy from a Communist Party point of view than a party member?

Jeanette Nakama at one time was secretary to the port agent of the National Maritime Union (CIO) in Honolulu. She resigned at about the time president Curran of the NMU was denouncing president Harry Bridges of the ILWU and the Communists within his own union. Later I read in the newspapers that she had joined the staff of the Department of Public Welfare in Honolulu.

The next call or fraction is the Manoa group—the most important of them all. This fraction included Jack Hall, his wife Yoshiko Hall, David Thompson, research director of ILWU, Robert McElrath, international representative of ILWU and Pauline Rosenthal, office manager of ILWU offices at pier 11.

The Puunui group was an offshoot of the Waikiki cell which had been split into three groups, Puunui, Manoa, and Moiliili. The Puunui group was first organized in August 1946 at a regular Wednesday night meeting of the Waikiki group, which in this case was held in my home at 2714 Liliha Street. Later it met regularly at this address. The reason for forming the Puunui group was that the original group was getting too large and it was becoming more difficult to keep these meetings secret. Chairman of the group was Ralph Vossbrink and the treasurer was Willis Wong. Other members were: Easter Doyle, of the Dry Dock Workers Union and president of the Oahu CIO Council; Wallace Ho, an employee of the Marine Cooks and Stewards, active also in organizing the Culinary and Service Workers Union with Vossbrink; and Rachel Saiki, who was a star witness in the NLRB S. H. Kress case in 1938, and who assisted in organizing Spud's Laundry when she was for a time employed there. After I was in disgrace with the party for supporting that long time friend of labor, Mr. Borthwick, in the delegate race, this group met in Wally Ho's home at 62 Laimi Road.

The McCabe group (mostly employees of the McCabe company) was led by Jack Kawano, president of local 137, ILWU, and later temporary president of the consolidated waterfront local which included longshoremen all over the Territory. Other members were Ben "Big Nose" Kaahawinui and Julian Napuunui, an executive board member of Local 137. The Castle and Cooke group was composed mostly of employees of Castle and Cooke Terminals. Eileen Fujimoto, wife of Charles Fujimoto, was chairman and also a member of the executive board of the Communist Party, representing this group. She earns her living as secretary to Jack Kawano. Another member was Joseph "Joe Blurr" Kealalio, who was vice president of ILWU Local 137. Another was Richard Shigemitsu, executive board member of local 137, who was also elected by secret order of the party to the Committee for Maritime Unity, about April 1946.

Early in 1946 all members of the ILWU, who were also members of the party, made up a group generally referred to as the ILWU group. Later it, like the Waikiki group, became too large and was split up into three—Castle & Cooke, McCabe, and the Sugar group. I attended many meetings of the ILWU group when it met at Kimoto's home at 2162 Makanani Drive in Alewa Heights. These meetings discussed such matters as the CMU convention, ILWU-PAC, the coming struggle in sugar, and so forth.

As to the CMU convention, it happened that there were too many Communist Party members in the ILWU who wished to run for delegate in the unity conference in San Francisco and there were intelligent non-Communist union members who also made the race for delegate. The ILWU is entitled to five delegates, two from the waterfront and three for sugar, pineapples, and miscellaneous. As regional director of the ILWU, Jack Hall appointed the delegates except those for the longshoremen. This could not happen to the waterfront local because it is under the control of Jack Kawano, its president, and there were too many experienced longshore union men who were anxious to go to San Francisco themselves. The nominations were by petition, I believe. At any rate, there were too many nominations. In the ILWU cell of the Communist Party, the situation was discussed and plans made to solve the problem of too many candidates. In the cell meeting—I was there and heard it all—Richard Shigemitsu of local 137 was selected as the party candidate to run with Harry Kamoku of the Hilo union, local 136. Other party members were ordered to decline in favor of Shigemitsu. In obedience to the order Jack Kawano and Joseph Kealalio and Ben Kaahawinui declined nominations. The next problem was to get the rank and file of the union to vote for the party candidates rather than for the non-Communists. There were two such non-Communist candidates on the ballot, Yoruku Fukuda, long-time executive board member of local 137, later co-chairman with Marshall McEuen of ILWU-PAC, and a Mr. Hoopili. Fukuda was popular because he was an old-timer, coolheaded, intelligent and one of those who did much to build the ILWU in the early days. Shigemitsu on the other hand, was hotheaded, arbitrary, and abusive. He was particularly unpopular with the Japanese because whenever they were slow to accept or understand his Communist propaganda he would call them "Buddaheads" and other uncomplimentary names.

At the cell meeting it was decided, however, that all party members were to go all out for Harry Kamoku and Richard Shigemitsu. The popularity of Kawano, "Big Nose" Kaahawinui, Levi Kealohoa, and John Elias did the job for Shigemitsu. All the above-named Communists pleaded with the workers to vote for Kamoku and Shigemitsu. The result was that Kamoku and Shigemitsu went to the Conference of the Committee for Maritime Unity as longshore delegates. The party discipline and organization won against popular candidates with no machine backing.

The story I have just told you is important because it gives a good example of the technique by which the Communist Party, though small in membership, can and does control the ILWU here, a union claiming between thirty and forty thousand members. Until the rank and file understand the Communist Party methods of control, and learn to combat them by counterorganization, the Communist Party will continue its control. In sugar, in pineapple, and in PAC similar methods were used with the same results.

Returning to these Oahu Communist cells, another was the Punch Bowl group. It was composed of office workers and so-called intellectuals. David Hyun, a young Korean, was the leader of the group and its delegate to the executive board of the Communist Party. I have no information about this group except that Hyun definitely did represent the group on the executive board.

Out in the country there was the Waipahu group, including Tadashi "Castner" Ogawa, president of the sugar local 145, unit No. 1, and "Major" Hideo Okada, secretary-treasurer of the local. Another party member of this group assigned to build up the Communist Party in Kahuku was Harry Shigemitsu, brother of Richard. He, too, was a business agent.

On the other islands there are Communist Party cells. On Kauai the group includes Robert Kunimura, president, of the Kauai sugar local, No. 149, whose election was planned and achieved by the party last year. Another is Yoshikazu Morimoto, secretary-treasurer of Local 149. Under the new consolidation which has recently taken place, two new business agents were appointed for Kauai. I know both are Communists because I got to know them in the party. In fact, they were recruited just before I resigned, "Slim" Shimizu and Frank Silva, the latter once a field luna on McBryde Plantation. Here's the picture for you. The Communist Party plans to put party members into key union positions, especially positions with salaries attached, and always succeeds because there is no organized opposition, not even any knowledge among most of the members about the party and how it works.

Sometimes an intelligent non-Communist who believes in the American way and has helped build the union, wants to serve the union in an official capacity. Take Representative Matsuki Arashiro, who long before the war was president of the McBryde sugar local. He would have liked to have been appointed secretary-treasurer or business agent on Kauai. But he was not a member of the Communist Party and he would not join. I know, because I asked him to join. And I didn't ask him just because I felt like it. He was discussed as a prospect by the party and it was decided he should be contacted. He made no response. Therefore the Communist Party could not trust him to take orders. Instead, Morimoto was made the principal representative on Kauai. Arashiro was passed over again when Shimizu and Silva were appointed to paid positions.

On the big island the Communist group was composed of Harry Kamoku, president of ILWU, Local 136, Bert Nakano, secretary-treasurer of Local 136, and Yasuki Arakaki, who was president of the Olaa Local 148. Arakaki was a fine example of party missionary worker. For a long time he was violently opposed to the tactics of Jack Hall and Frank Thompson, international representative. He was against consolidation of the locals and bitterly resented dictation by Hall and Thompson. Something had to be done about

him. Early in 1946 twelve ILWU people were hand-picked by Comrade Jack Hall, regional director of ILWU, to go to San Francisco for training, not to mention indoctrination. Hall, assisted by McElrath and other top union leaders, who, of course, were also top party members, made up a list of union members who were either Communists or good prospects for the party. Arakaki had militance and intelligence. Inside the party he could be very useful. Outside the party he could be, and was, a troublemaker. Therefore, he must be recruited and then made subject to party discipline. So he and Thomas Yagi, secretary-treasurer of local 144 (Maui), both non-Communists, were selected to go to San Francisco to undergo training for union leadership. The night before Arakaki left on the boat, Kimoto and Charles and Eileen Fujimoto talked to him until 3 o'clock in the morning. Finally they persuaded him to join the party. The argument that won him over was that joining the party was the only way to control Hall and Thompson because they, too, were subject to party discipline. I was not present during Arakaki's conversion to communism. I only know what the Fujimotos themselves told me about his conversion and that he has since been a party comrade.

When he arrived in San Francisco, he was made much of, had his picture and an article in the Dispatcher, official organ of the international union. Overnight he became a big shot. More important, he now obeys orders without question. However, the party was not successful in converting Yagi. Morimoto, then a recent convert, told me that the reason the party could not get Yagi was because he was a Roman Catholic.

That, I think, is sufficient about the party cells. A little should be added about the structure of the party in Hawaii, which follows the mainland pattern. Each cell or group elects a delegate to the executive board, which is the supreme authority in Hawaii, but in turn is responsible to California. Before I resigned in November 1946, the executive board of the Communist Party in Hawaii was as follows: Denichi "Jack" Kimoto, chairman; Dr. John Reinecke, treasurer; also James Freeman, Mrs. Ah Quong (Robert) McElrath, Jack H. Kawano, Charles Fujimoto, Eileen Fujimoto, Ralph Vossbrink, and David Hyun. James Freeman was the full-time party organizer for the Territory and was sent from California to do party work exclusively.

The executive board elects a smaller secretariat to carry on between meetings of the executive board. In 1946 it consisted of Dr. John Reinecke, Kimoto, and James Freeman. It made decisions which could not wait until regular executive board meetings. In addition to those on the regular executive board, Jack Hall, Robert McElrath, and other important party members, such as Henry Schmidt, are called in when more important and immediate problems are up for discussion. Also, outside island members, such as Arakaki, Kamoku, and Morimoto, attend meetings of the executive board when the unions they represent send them to Honolulu and pay their expenses. We might say that the union feeds the party and in return the party controls the union in the interests of party policies and objectives. These policies and objectives, of course, are geared to the policies and objectives of the Soviet Union. If the one changes, the other changes.

V. POLITICAL ACTIVITIES

In the political field the story is the same. The ILWU set up a political-action committee just before the primary election in 1944. There was no active Communist Party at the time, and therefore the degree of control exercised by Communists was less. The first PAC was sparked by Jack Hall, Jack Kawano, and Elizabeth Bristow. They invited the so-called progressive element of the AFL to join with them in running PAC. Solomon Aki, business agent of IBEW, local 1357, was made cochairman with Jack Hall. I was working for the Army at the time and didn't participate in PAC work. I do know, however, that the AFL people were disgusted at the treatment they received both during the campaign and later in the legislature. That is a story in itself. They did learn to their sorrow, however, that you cannot do business with Communists.

In the 1946 political campaign the ILWU set up its own PAC with Marshall McEuen and Yoroku Fukudo as cochairmen. This time I was in a Communist fraction expecting to participate in the discussions and proceedings. Since we were receiving no information from the executive board on some important matters, I made a motion that the fraction request the executive board to tell us the party's position on the sugar strike (which began September 1) and on the PAC endorsements which were soon to be made. Vossbrink was our delegate to the board. He never reported back on either, except to say that the decisions on the sugar strike were being made in San Francisco. (Of course, the decision to strike in the first place was made in San Francisco. Local rank and file members of the union were merely asked to strengthen the hand of the negotiating committee by authorizing it to call a strike if necessary.)

I learned later from other members of the executive board that Vossbrink never took up these matters with the board at all. Actually it was not safe for the dictators in the party to permit democratic discussion in the fractions because the self-appointed fuehrers in the party intended to decide on the endorsements themselves. I refer to such people as Hall, McElrath, and Kawano. Nor could they have general discussions on the fact that San Francisco and the local Communist Party were using the local unions and their members as pawns in a big power play.

Time and space do not permit me to describe all the high-handed activities of the Communist Party leadership in the 1946 political campaign. Instead, I wish to tell a story about how the dictators within the Communist Party handled the issue of who was to be endorsed for the delegateship. As an observer I attended the Oahu PAC conference which was called together to consider endorsements before the primary election of October 1946. Delegates approved all the recommendations from the Communist Party leadership except that they insisted upon the endorsement of Frankie Kam for the house of representatives.

The next matter considered was the Delegate race. Jack Hall recommended that the endorsement of a Delegate candidate be left to the Territorial PAC conference. Two delegates opposed this, stating that since they had made endorsements for all the Oahu contests they might as well make a recommendation to the Territorial PAC on the Delegate race. All the big guns in the Communist Party opposed this suggestion, but after a lot of debate the conference decided to take the matter up. There was then a hot debate on the question whether Borthwick or FARRINGTON should be endorsed. The Communists secured a recommendation in favor of FARRINGTON only by grossly misrepresenting Borthwick. Yet no one knew better than Hall and Kawano that through all the long years of struggle to build an effective labor movement in Hawaii, Mr. William Borthwick had been the sincere friend of the working people. He had given of his time and money to assist their struggle to form unions in the face of HSPA and Big Five opposition. The workers realized that Borthwick was their friend. That is why, in the general election, Mr. Borthwick obtained so many votes in spite of the Communist Party opposition and its control over ILWU and PAC.

It was clear to me at the conference that the Communist leadership had made, or was making, some sort of deal. They had decided to crucify the workers' friend, Borthwick, for 30 pieces of silver. In this case the silver came in the form of a newspaper, namely, the Star Bulletin. This newspaper, throughout the years, had been as bitter in its opposition to unions as the Advertiser has ever been. It attacked and misrepresented the Wagner Act and was also supporting the sugar interests and the Big Five against the workers who were struggling to win some dignity and security through organization.

The Communist Party, in fact, either bought or duped the Star Bulletin into neutrality in this great struggle by the endorsement of JOSEPH FARRINGTON, who was generally understood to be the major stockholder in the Star Bulletin. The only way to put this sell-out over was to misrepresent and attack Borthwick's record. Hall and Kawano accused Borthwick of being anti-Japanese, of being responsible for the 2-percent tax law, and of being against statehood for Hawaii. Borthwick made no campaign in the primary except a slight one in Honolulu. He had no opposition in the Democratic primary. In that election FARRINGTON obtained over 20,000 more votes than Borthwick.

During the period between the primary and general election, the food situation became critical on Kauai. Y. Morimoto, secretary-treasurer of local 149 and PAC delegate, came to Honolulu to see Jack Hall about meeting with the Governor. Morimoto wanted very badly to have the Governor obtain the release of rice from Kauai plantation stores. Plantation policy was "come back to work and you'll get rice." The big sugar strike was on at the time. Jack Hall was ashamed to see the Governor, in my belief, because of his commitment to FARRINGTON, a Republican, and his ingratitude to Borthwick, a Democrat. I told Morimoto that Jack Hall was not the man to see the Governor. I did not believe he would arrange a meeting and sure enough he kept stalling Morimoto off. In the end a meeting between the Governor and Morimoto was arranged through Mr. Borthwick and Mr. Edward Berman. When that had all been done, Hall stepped in and had a Territory-wide delegation go with Morimoto to see the Governor. Hall slunk in behind and skulked in the rear. In fact, he was only there because Goldblatt told him he had better go. The delegation got an earful. The Governor told them that FARRINGTON made the statement in Washington to himself and Mrs. Stainback that "It was disgraceful for Roosevelt to win the election through the support of a Communist-dominated PAC." He also reminded them that Borthwick was a good man and had been their faithful friend for years. He told them that they were fighting the Big Five economically and supporting them politically. He showed the delegates an "ad" which contained the names of the board of directors of the Star Bulletin to prove his point. He reported that he had already sent Mr. Beecroft of the department of interior to Kauai about the release of rice to the people there. Rice was released at about the same time or soon after this meeting.

Hall wasn't enjoying this conference at all. He soon stood up as an indication it was time to leave. He remained standing but the delegates did not take the hint. Instead, they waited to the very end of the meeting and all shook hands with the Governor except Comrade Hall.

The reader will conclude from the above that I was not exactly seeing eye to eye with Comrade Hall and that I was working against him in the matter of the Delegate race. Had the Communist Party made an official, even if secret, decision on the delegateship, I, as a party member, could not have done what I did. Party discipline would not permit this. When Hall and Kawano saw what damage I was doing to their plans they decided to make their position on the Delegate race

the official party position. So, I was called in, on October 11, 1946, to the executive board meeting of the Communist Party, held at 7:30 p. m. at the residence of Dr. Reinecke on Pahoa Street. Kimoto was chairman. He said, "Well, what have you got to say about the endorsement of FARRINGTON?"

I stated the case for Borthwick, some of which is suggested by what I have already told you. I pleaded for a neutral position by the party to give Borthwick an equal chance with FARRINGTON. I said the things which a number of Communist members also believed and did not have the guts to say. In fact, about 4 or 5 days previous to this meeting I had been up to Mr. Ed Berman's home with Wilfred Oka, Koichi Imori, Charles and Eileen Fujimoto and Mrs. Oka. These people were for Borthwick, but at the executive board meeting no one supported my stand. Then Mrs. McElrath made a motion [1] that the endorsement of FARRINGTON by the Communist Party be retained. That word "retained" made official the individual decisions of Hall and Kawano to support FARRINGTON. I was ordered to quit working for Borthwick and to abide by the party's decisions. The next day I wrote my resignation from the party and sent same to Dr. John Reinecke, treasurer. But, reader, if you know anything about the Communist Party, you will know you cannot resign from the Communist Party. You can only be expelled on charges. Article IX of the party constitution says such charge must be "handled expeditiously." Accordingly, I received a letter from the chairman of the trial committee of the party:

HONOLULU, T. H.,
*November 18, 1946.*

DEAR COMRADE: You are hereby notified that charges have been placed upon you by the Territorial executive board of the CPUSA for your direct violation of article 4, section 2, and article 9, section 1, of our constitution.

For the immediate disposal of your case, the trial committee will meet on Sunday, November 24, 1946, 2 p. m., at 62 Laimi Road, Honolulu, T. H.

In accordance with our constitution, you have the fullest rights to appear before this committee to defend yourself from any injustice.

Yours truly,

WALLACE HO,
*Chairman, Trial Committee.*

You didn't miss the fact, did you, that charges were made by the territorial executive board of the Communist Party of the United States of America? Of course I didn't attend such a farce.

On Kauai and Maui the campaign went well. Many ILWU members were enthusiastic for Borthwick. On the big island there was organized opposition of the kind the Communist Party, with its contempt for civil liberties, is always ready to use. I was threatened with bodily harm by one party member sent from Honolulu who was nearly twice my size. Another asked me if I wanted to be a martyr.

In Hilo I met Joseph Kealalio on the street and he asked me to attend a meeting of the strike-strategy committee at 9:30 that very morning. The strike-strategy committee was meeting all right, but Kamoku and Kealalio took me into the next room. The people I met there were Communists. They are as follows: Kamoku, Kealalio, Bert Nakano, Yasuki Arakaki, Henry Schmidt, and one other man whom I did not know personally. These people set out to intimidate me. Kamoku kept repeating, with respect to the endorsement of FARRINGTON, "This is a law." "This is the law." He meant, this is Communist Party law which you must obey. Schmidt was very abusive and charged that Borthwick was a Jew baiter. I explained that Borthwick was accused of Jew baiting because he is reported to have said, "We don't need any Goldblatts or any other blatts in Hawaii." The Commies based a broad charge of Jew baiting on a single remark. A typical piece of character assassination for party purposes.

In the general election FARRINGTON won by a mere 8,556 votes. The final results were FARRINGTON 45,765 votes, Borthwick 37,209 votes. Had Borthwick campaigned in the primary and been able to make more appearances on the outside islands, he might well have won the election. He lost because a conspiratorial Communist Party deceived the workers of Hawaii, who did not know they were Communists, into following their leadership in simple trust.

VI. COMMUNIST-FRONT ORGANIZATIONS

Just as the Communist Party uses workers and their labor organizations to carry out the program of the Communist Party, so do they use middle-class "parlor pinks" and so-called liberals and intellectuals. This policy is exemplified by the Labor Canteen set up during the war, which in turn gave birth to the Hawaii Association for Civic Unity. Fellow traveler innocents, like Dr. Rademaker, had insisted that it was not the Communist Party but the Labor Canteen that gave leadership in HACU. Well, I can only tell you what I know. While the Waikiki group was still in existence, Ralph Vossbrink made an official, though verbal, report to that group. He said that the executive board of the Communist Party had assigned the Kaimuki group the job of infiltrating into, and giving leadership to, the Labor Canteen and HACU. This assignment was made to the Kaimuki group because they had no direct connections with labor unions, and were supposed to be intellectuals. Vossbrink stated that everybody should participate in HACU. He had membership cards with him, one of which I signed. Others signed also. Vossbrink explained that it was the Communist Party policy to encourage liberal people in the community to take an active part in HACU, but it was also the intention of the party to control the policies of HACU lock, stock, and barrel. In the ILWU faction held in Kimoto's house, there was less interest in both the Labor Canteen and HACU. Some of the longshoremen were even contemptuous. In fact, they became interested in the Labor Canteen only after the GI's out at Schofield had demonstrated in favor of immediate demobilization. This convinced the commies that these soldiers didn't merely talk, they did things. A number of these same GI's were very active in the Labor Canteen. I believe we can sum up the ILWU faction's attitude by stating that they believed that the Labor Canteen and HACU were composed of mere intellectuals and "parlor pinks," who, when the revolution came, would run like rabbits. A comrade once remarked that this also applied to Dr. John Reinecke himself. The fact that the Communists could control HACU on any important issues was well demonstrated when Arnold Wills opposed the method in which HACU was handling proposals on FEPA. I was present at the meeting. Even a blind man could see that the meeting was "stacked." The Communists lacked arguments but they had the votes.

When you take a look at the HACU executive council you find a liberal sprinkling of Communists and fellow travelers. For example, Mr. Jack Kimoto, chairman of the Communist Party executive board, address, ILWU, pier 11, is there. Likewise Mr. John Reinecke. Also Mrs. Ah Quong McElrath, not to mention Mr. Ralph Vossbrink. In addition to these, there are quite a number who deliberately or innocently follow the party line and look to the individuals already mentioned for guidance. The executive council also contains a number of very sincere liberal people who have not yet learned that you cannot do business with Communists. In fact, some of them have not yet learned that there are any Communists in Hawaii Nei.

VII. CONCLUSION AND SUMMARY

I quit the Communist Party because it is not honest with the workers. With Adolf Hitler, the party believes that the lie is a very useful means for gaining its ends. The bigger the lie, the better it works. The Communists propagandize the workers with any story, true or false, which aids their cause. Just as the Kremlin tells the Russian people it was the Soviets alone who defeated the Japanese, so the Communists have now told their victims in the pineapple unions, not that they lost a strike, but that they won a lock-out. What an insult to the intelligence of our Hawaiian workers.

The party has never undertaken a broad American style of program of worker education. The party does not want an intelligent, well-informed rank and file in the unions. The party will do the thinking for the masses. All the party wants are handpicked Charlie McCarthys who know how to carry out orders. Prospective victims are sent to San Francisco for training and indoctrination. Then they come back to the paid positions in the unions.

Moreover, the Communist Party is not interested in the workers in Hawaii as human beings or as individuals. Nor is it interested in ths community as a place in which to grow up and live. It is merely interested in Hawaii as a favorable battleground on which to wage the class struggle and win converts to communism. Its loyalty is not to Hawaii or to America, but to the Soviet Union. For this reason it will sacrifice American men and women, even its own existence as a local party, if Soviet policy and needs so dictate.

Communist Party leaders, always deceitful and contemptuous of truth, will denounce anyone opposing their program or methods as a "fascist" or "enemy of labor." Character assassination and vilification are their standard weapons and they are ever alert to use them to shift the spotlight from themselves.

But the truth comes out despite their frantic efforts to cover up and fabricate. The American people including the rank and file of labor are beginning to see the light.

I served the Hawaiian labor movement proudly and faithfully and believe in the American labor movement and social progress. Our American trade unions must be preserved. They are a vital part of our democracy but the termites who would undermine and destroy them must be exposed if democracy is to survive.

The rank and file Hawaiian workers, now innocent pawns of the Communist Party, must free themselves of the Communist leadership whose first loyalty is not to the American labor movement but to the political doctrines and policies of the Soviet Union.

I am hoping that they will not wait too long.

The Communist Party in Hawaii is a secret, underground organization. It works in the dark—fears the light of day. It takes advantage of the simple faith of our people and of their lack of knowledge and experience. We do not need that kind of influence in our growing Hawaiian democracy. Indeed, it is a serious threat to our American ideals, for it makes a mockery of democratic action and subverts it to its undercover objectives.

For these reasons I am doing my bit in exposing the Communist Party of the United States of America as it operates in the Territory of Hawaii.

Mr. ECTON. Mr. President, I merely want to state that I am a member of the Committee on Territories and Insular Affairs of which the distinguished Senator from Nebraska [Mr. BUTLER] is the chairman. To my knowledge, neither he

[1] "Seconded by Reinecke," Izuka, November 24, 1947.

nor a majority of the committee have ever gone on record as being opposed to Hawaiian statehood. Our distinguished chairman has been eminently fair in considering all the issues and the desires of those who have represented themselves as speaking either for or against Hawaiian statehood.

I assure the Senate that it would be much easier personally, and perhaps politically, to support the resolution on the floor today rather than to support the distinguished chairman of the committee, the Senator from Nebraska. But I want to say that in my opinion the able and distinguished Senator from California [Mr. KNOWLAND] has advanced the best argument and the most reasonable argument why the bill should have further consideration by the committee.

The Senator from California made the statement in his opening remarks that we are here deciding an important national policy. I agree with him. The Congress of the United States has never before faced a problem of this kind in formulating such a policy, and it should be considered and explored to the *n*th degree in our committees and subcommittees. For the first time we are considering the possibility and the advisability of admitting an offshore Territory as a separate and distinct State of our Union and making it the 49th State of the United States.

The question before the Senate today is not how patriotic the good people of Hawaii have been. So far as I know, no one, either in or out of the committee, has questioned their patriotism. Everything the distinguished Senators from Oregon and California have said in commendation of the good people of Hawaii is true. We are all sure of it. But are we to begin now, without further consideration, to take in an offshore Territory as one of the United States. That is the question. Our chairman merely wishes to explore all the ramifications pertaining to that question.

There are some things which need to be explored. It is true that Hawaii has been a Territory for 48 years. But, Mr. President, I submit that 48 years in the life of a nation is a comparatively short time. Even 48 years in the life span of an individual seems short, but it is even shorter in the life of a nation. I have not been able to determine in my own mind just what great advantage Hawaii would gain by being admitted as a State this year, next year, or the year after; and I have not been able to determine what the people of the United States would gain or lose by a postponement for a short time until the majority of the members of the committee can be satisfied in their own minds.

The population of the Hawaiian Islands is more than 600,000—perhaps 650,000. As I understand, there are approximately 167,000 Japanese. There are less than 130,000 Americans. The other 300,000 are made up of Malays, Chinese, Koreans, Filipinos, Portuguese, and other nationalities. Those people should be considered. Their economic welfare and their future should be thoroughly explored.

There is another issue involved in this question which should be considered. I am sure that Members of the Senate realize that if Hawaii were granted statehood, immediately there would be two more United States Senators in this body. The distinguished Senator from Nebraska mentioned the political implications. Members of the committee have no hesitancy in accepting two additional Members from the State of Hawaii as United States Senators. We know that Hawaii would send the finest men she could possibly send. But in view of the number of different nationalities represented in Hawaii, we cannot help but wonder what might be the condition 25 or 30 years from now if some of the subversive groups should gain momentum. We have been informed that they have a strong hold in the Territory of Hawaii. Someone has even asked, Mr. President, if we thought the people of the United States could stand for more than 96 Senators at any one time. [Laughter.]

No one questions the patriotism, integrity, and Americanism of the people of Hawaii. We are proud of them. In my opinion the Territory of Hawaii has made even greater progress as a Territory than some of the States in the Union made after they were admitted as States. So I cannot see what the people of the Territory of Hawaii could gain by forcing this measure to an issue at the present time, especially when our calendar is so overcrowded.

That brings up another point upon which I wish to touch. Much has been made of the fact that this bill has been in committee for more than a year. I am sure the distinguished Senator from California knows that this is not the only bill which the committee has had to consider. We have had dozens of other bills to consider. In fact, I know of some bills which were introduced during the first week of the session of the Eightieth Congress, which have not yet been considered by the committee, for the simple reason that we have not got around to them. There has not been sufficient interest in some of them. There is a great deal of interest in this bill. In the light of my friendship and admiration for the fine people who have worked for Hawaiian statehood, it is most difficult not to grant their request and let the bill go through.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. ECTON. I yield.

Mr. MAGNUSON. I am sure the Senator also appreciates the fact that although this bill has been in committee for a year, Hawaii was ready for statehood back in 1938. Because of the fact that we used it as an outpost, it being practically an armed camp from 1938 on, Hawaii has lost 10 years, and another year because the bill has been in committee. This matter should have been acted upon back in the 1930's. Hawaii was ready then, just as ready as she is now. She has lost 10 years because of the war. After the war we could not demobilize Hawaii as quickly as was desirable in order to restore her economy to a civilian basis. Hawaii has been ready for at least 11 years.

Mr. ECTON. I should like to ask the distingushed Senator from Washington why the administration which is so pronouncedly in favor of the Hawaiian statehood bill did not act upon it when that administration was in complete control?

Mr. MAGNUSON. I can answer that question very simply. From 1930 until 1935 or 1936 preparations were in progress. Hawaii was getting ready to present its case and was ready in 1938. Then the war clouds gathered, and Hawaii became an armed camp. At that time there was no opportunity to consider statehood for Hawaii. No Congress, whether Republican or Democratic, has had much of an opportunity to act upon the question, except in the past year and a half. But that does not make any difference to the Hawaiian people. They have lost between 10 and 11 years in their quest for statehood.

Mr. ECTON. Mr. President, I do not wish the able Senator to think——

Mr. MAGNUSON. Well, the Senator asked me a question.

Mr. ECTON. I do not wish the able Senator to think that I am being rude or anything of that sort in regard to this matter.

Mr. MAGNUSON. No.

Mr. ECTON. But I cannot help but make this remark: When things broke loose at Pearl Harbor, in my own mind I could not help but feel how fortunate it was for the people of Hawaii that they were not a State. It was most fortunate for the people of Hawaii that they were not a State at that time. The newspapers were immediately flooded with insinuations and other remarks about sabotage and similar matters, although since then all such charges or insinuations have been disproved entirely, 1,000 percent. I am very happy to know that is so, and I am happy to accept it.

Mr. MAGNUSON. I can tell the Senator from Montana that that is true. I had some personal experiences with that matter myself.

Mr. ECTON. Yes; I know it is true. But it was fortunate that at that time Hawaii was not a state.

So far as the Gallup poll or any other poll which might be taken is concerned, let me say that we can get polls on almost any subject and can obtain almost any kind of result from polls. For instance, I received a letter from one of my constituents in Montana, a man who has been visiting in Hawaii. He happens to be a pretty good lawyer in my State. When he wrote to me, he told me that of all the people he contacted in Hawaii he did not find anyone who was in favor of statehood for Hawaii at the present time. He said there was one man from Samoa who was all hopped up about statehood. I cite that example merely to show that it depends on whom one talks to and where and when the poll is taken.

Mr. President, if I am not ready to act on this all-important question of deciding a matter of national policy, why does anyone on the street have a right to say that he is prepared to vote either for or against such a national policy? It is the business of those of us who are here in Congress to get all the facts about such matters. We have not had time to do a decent job in that respect. If any

apology is due, I am willing to make an apology to the very fine people of Hawaii for being so overburdened with various other matters here that we have not had time to give the question of statehood for Hawaii due and satisfactory consideration. We in the Congress are spread too thin, Mr. President; I think all of us agree about that. Instead of having 80 bills to look after, we have 8,000; and it is no wonder that we have not been able to get to this very important question.

So, Mr. President, I hope the Members of the Senate will see fit to renew their confidence in this committee so that we may obtain the facts. The American people are entitled to the facts, just as we are, and it is in the interest of the good people of Hawaii that all the facts be obtained.

Mr. HATCH. Mr. President, I wish to say just a few words and to express a thought in regard to the particular resolution which now is being considered. I shall not go into the question of statehood for Hawaii, except to say that, as a member of the committee, I participated in the discussion of the motion which was made. At the time I felt, and I now feel, that the committee had sufficient and adequate information upon which it could act on the merits of the bill. I voted against the motion to postpone consideration. In the committee I mentioned some of my reasons for voting in that way. As I have said, I think ample information has been acquired by the committee, and I think it could now act upon the bill itself.

But, Mr. President, I was voted down by my colleagues; a majority of the committee voted to sustain the motion asking for additional consideration and the accumulation of further facts before the committee acts on the bill.

The resolution now before the Senate proposes that the committee be discharged from the further consideration of the bill, and that the bill itself be brought to the floor of the Senate. As a member of the committee, Mr. President, if I voted for this resolution I would have to say to myself that the majority of the committee, which voted for the motion, were not acting in good faith, and were not being fair in their consideration of the measure, and that their decision to postpone action on the bill was merely for the purpose of killing the bill. Probably some persons entertain that belief; probably some persons entertain that thought as to the majority of the committee which voted for the motion. But although I opposed the motion and although I was ready then to vote on the bill, as I am ready now, I am not ready to say that my fellow members of the committee are not acting in good faith, that they are not honest in their decision to acquire more information. So long as even a minority acts in good faith and honesty, as I am bound to concede that the majority of this committee did, I shall not vote for a motion to discharge the committee.

So, Mr. President, although I shall at the earliest possible moment—and I hope to have such an opportunity—vote for Hawaiian statehood, I shall not vote for this resolution.

The PRESIDENT pro tempore. The question is on the adoption of the resolution submitted by the Senator from California.

Mr. MILLIKIN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent. If present and voting, the Senator from South Dakota [Mr. BUSHFIELD] would vote "nay."

The Senator from Vermont [Mr. FLANDERS] and the Senator from Wisconsin [Mr. WILEY] are absent on official business. If present and voting, the Senator from Wisconsin [Mr. WILEY] would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business and is paired with the Senator from Utah [Mr. WATKINS] who is necessarily absent. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Utah would vote "yea."

The Senator from Maine [Mr. WHITE] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. REED], and the Senator from Iowa [Mr. WILSON], are detained on official committee business. If present and voting the Senator from Kansas [Mr. REED] would vote "nay."

Mr. LUCAS. I announce that the Senator from Rhode Island [Mr. GREEN], the Senator from North Carolina [Mr. HOEY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business at one of the Government departments, and if present would vote "nay."

On this vote the Senator from Rhode Island [Mr. GREEN] is paired with the Senator from North Carolina [Mr. HOEY]. If present and voting, the Senator from Rhode Island would vote "yea", and the Senator from North Carolina would vote "nay."

The Senator from Rhode Island [Mr. MCGRATH] is paired on this vote with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from Rhode Island would vote "yea", and the Senator from South Carolina would vote "nay."

On this vote the Senator from New York [Mr. WAGNER] is paired with the Senator from Nevada [Mr. MCCARRAN]. If present and voting, the Senator from New York would vote "yea," and the Senator from Nevada would vote "nay."

The result was announced—yeas 20, nays 51, as follows:

YEAS—20

| | | |
|---|---|---|
| Baldwin | Ferguson | Morse |
| Ball | Gurney | Sparkman |
| Buck | Hill | Thomas, Utah |
| Cain | Holland | Thye |
| Capper | Ives | Vandenberg |
| Chavez | Knowland | Williams |
| Cordon | Magnuson | |

NAYS—51

| | | |
|---|---|---|
| Aiken | George | Malone |
| Barkley | Hatch | Martin |
| Bricker | Hawkes | Millikin |
| Bridges | Hayden | Moore |
| Brooks | Hickenlooper | O'Conor |
| Butler | Jenner | Pepper |
| Byrd | Johnson, Colo. | Revercomb |
| Capehart | Johnston, S. C. | Robertson, Va. |
| Connally | Kem | Russell |
| Cooper | Kilgore | Saltonstall |
| Donnell | Langer | Smith |
| Downey | Lodge | Stennis |
| Dworshak | Lucas | Taft |
| Eastland | McClellan | Tobey |
| Ecton | McFarland | Tydings |
| Ellender | McKellar | Wherry |
| Fulbright | McMahon | Young |

NOT VOTING—24

| | | |
|---|---|---|
| Brewster | Maybank | Taylor |
| Bushfield | Murray | Thomas, Okla. |
| Flanders | Myers | Umstead |
| Green | O'Daniel | Wagner |
| Hoey | O'Mahoney | Watkins |
| McCarran | Reed | White |
| McCarthy | Robertson, Wyo. | Wiley |
| McGrath | Stewart | Wilson |

So the resolution (S. Res. 232) was not agreed to.

## COUNTING OF ELECTORAL VOTE

Mr. LODGE. Mr. President, a long time ago there was presented to the Congress a proposal to amend the Constitution, to provide that votes in the electoral college should be counted in proportion to the number of popular votes received for the office of President and Vice President. That proposal is now before the Congress, having had a favorable report both in the House and in the Senate, through the Senate Judiciary Committee. It seeks to avoid the situation which has occurred three times in our history, wherein the candidate receiving the highest popular vote has received a smaller number of votes in the electoral college than the candidate who received the smaller popular vote.

A very excellent article appeared in the Washington Post this morning, entitled "Constitutional Defect," which sheds great light upon this subject. It is an article which I feel sure would be of great interest to the people of the United States. I ask unanimous consent that it may be printed in the body of the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### CONSTITUTIONAL DEFECTS

Our present system of electing the President and Vice President is, in considerable measure, a product of two forces that operated a century and a half ago—distrust of the people and spite. Hamilton tells us that the founding fathers thought a small specialized body would be better qualified to select an eminent Chief Executive than would the rank and file. On this theory the task of choosing the President was assigned to a group of electors to be appointed by the various State legislatures. It was con-

templated that the electors would meet and discuss the candidates and then cast their votes as individuals worthy to be considered men of special discernment. This scheme prevailed in spite of the fact that such men as Madison, Franklin, and Charles Carroll preferred direct election by the people.

Spite came into the picture in 1800 when the issue was whether the Presidency was to go to Jefferson or to a Federalist. Several of the Federalist States ordered their electors to vote as a group in spite of the fact that they had previously voted individually and variously in the electoral college. The purpose was to deny Jefferson any votes from those Federalist States. Madison induced Virginia to swing over to the unit system in spite of his dislike for it, to protest its own candidate against the tactics of the Federalists. Since that time the electors for each State have acted as a unit, with the result of throwing all of each State's electoral votes to the same candidate regardless of how the popular vote may be divided.

That unfair method of utterly denying the minority in each State any voice in the election of the President is still with us. Actually the people took over from the electors the function of choosing the President by the simple device of pledging the electors to vote for the candidate of one or the other of the major political parties. But the unfair distribution of electoral votes persists. Within the States the minority still hasn't a look-in.

Senator LODGE and Representative GOSSETT are sponsoring amendments to the Constitution to correct this defect. They seek to prevent a candidate with a minority of the popular votes from receiving a majority of the electoral votes and to eliminate the finagling that is threatened in almost every election. Their sensible and much-needed resolutions have been reported out, respectively by the Senate and House Judiciary Committees. We think it is of the utmost importance that these resolutions be sent promptly to the States for ratification. Fortunately, the Senate leadership has given the Lodge resolution a place in its program of favored legislation. On the House side, however, the resolution reported out nearly 2 months ago is stalled in that graveyard of legislation—the Rules Committee. Apparently drastic action is needed to dislodge it, and we think the House leadership ought to take such action without further delay.

## ADMISSION OF DISPLACED PERSONS

Mr. WHERRY. Mr. President, I move that for the remainder of the morning hour the Senate consider the Senate bill 2242, which is the displaced persons bill.

Mr. LODGE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The motion is not debatable. The question is on agreeing to the motion of the Senator from Nebraska.

The motion was agreed to, and the Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. REVERCOMB. Mr. President, the pending bill, Senate bill 2242, reported from the Committee on the Judiciary, deals with the subject of entrance into this country of nationals of other countries who have been given the name of displaced persons.

The Senate will recall the extended discussion which took place on this floor during the last session of the Congress, respecting the situation which prompted the passage by the Senate of Senate Resolution 137, which provides for a full and complete investigation of our entire immigration system, including all aspects of the displaced-persons problem.

I may say that that resolution provided that before other phases of the immigration problem were reported upon there should be a report and such legislation as the Judiciary Committee might submit to the Senate upon the phase of immigration known as the displaced-persons problem.

We were aware that there were pending in the Congress a number of bills which proposed to change radically our immigration laws. These bills represented a sharp divergence of opinion, ranging from proposals for the exclusion of all immigrants to proposals for a virtual elimination of our immigration barriers. We were aware, too, of the increasing pressure of aliens to enter this country, both legally and illegally; and we were, of course, concerned with the problem of displaced persons, particularly since the problem had a direct bearing on the immigration policy of this country.

Pursuant to Senate Resolution 137, a subcommittee was appointed by the Senate Committee on the Judiciary, which subcommittee consists of the senior Senator from Missouri [Mr. DONNELL], the senior Senator from Nevada [Mr. MCCARRAN], the junior Senator from Kentucky [Mr. COOPER], the junior Senator from Rhode Island [Mr. MCGRATH], and myself as chairman.

I want to pay tribute to the members of the committee with whom I have served, and to say to the Senate that I have never served or hope to serve with men who devoted themselves more tirelessly, earnestly, and thoughtfully to a very great and very involved problem such as that which was before the committee. There were differences of opinion. We held meeting after meeting, but there was a genuine intent to deal with and to solve the problem as best we could. After a time a bill was reported by the subcommittee to the full Committee on the Judiciary. That bill was reported by the full committee to the Senate and is now before the Senate for consideration.

I very much regret that today one of the very active members of the committee is not present on the floor because of illness. I refer to the able Senator from Nevada [Mr. MCCARRAN]. It is also a matter of regret to me that the chairman of the Judiciary Committee, the able Senator from Wisconsin [Mr. WILEY], is necessarily absent from the Senate, but I hope that before the debate has concluded he will be present and we may have the benefit of his excellent consideration of the problem.

At the same time, Mr. President, I pay my respects to the members of the staff. The resolution authorized us to proceed with the organization of a staff to deal with the various problems connected with immigration. The members of the staff have worked consistently and intelligently throughout the days the staff has been in existence. They have delved into the questions, they have revealed them to the committee, and generally they have been a very great help to us.

Since the problem of displaced persons involved our foreign policy and constituted a problem of concern to our armed forces, it was felt that the Foreign Relations Committee and the Armed Services Committee should each be represented in an advisory capacity in the work of the subcommittee. Accordingly, pursuant to an invitation extended by the Senate Committee on the Judiciary, the Senator from New Jersey [Mr. SMITH] of the Senate Foreign Relations Committee, and the Senator from Virginia [Mr. BYRD] of the Armed Services Committee, were designated to act as advisors to the subcommittee.

As you will recall, Mr. President, on March 2, 1948, there was filed with the Senate, report No. 950, which was the report of the Senate Committee on the Judiciary relating to displaced persons. The subcommittee and its staff is continuing the general immigration study and will report on that subject at a later date. The problem has been and continues to be an ominous one.

In order to gain first-hand information, three members of the subcommittee, accompanied by four staff members, made an investigation in Europe last fall for the purpose of ascertaining the facts not only with reference to displaced persons, but also with reference to other phases of immigration, such as the processing activities of our consular officers abroad, as well as the methods of issuing visas, and the methods of checking on applicants for immigration. We visited numerous displaced-persons settlements in various areas of Europe. We conferred with and took testimony from not only the officials in charge of operating displaced-persons camps, but consular officers and immigration officials both of the United States and other countries. We took testimony of the officials of the Preparatory Commission of the International Refugee Organization. We also talked with countless numbers of displaced persons themselves.

We felt, Mr. President, that it was important in our study of the problem of displaced persons to consider not only the facts in Europe, but also to study the situation as it exists in the United States, insofar as that situation is pertinent to the resettlement of displaced persons in this country.

In approaching this problem, soundness requires that our own situation in America be given due consideration and weight in our recommendations. Accordingly, study was made of facts pertaining to the employment and housing situation in this country, the present and prospective flow of immigrants to the United States, the settlement of aliens in this country, and the many phases of our immigration problems in the United States insofar as they might relate to reception by this country of additional nationals from other lands.

After the conclusion of the investigation in Europe, the subcommittee held

numerous conferences. As I have said, we had the able advice and consultation of the advisory members of the subcommittee. We conferred and took testimony here of officials of this government and of representatives of various relief agencies that are concerned with the problem, particularly of the various church representatives in their relief work. They are very much concerned with this problem. We studied the facts and information which had been developed by our staff, and we had available the transcript of the voluminous hearings which had recently been taken on the problem by a committee of the House of Representatives.

It is not my purpose at this time to burden the Senate with a complete recitation of all the facts which are contained in the report on displaced persons. That report is before the Senate. My remarks at this time will consist of a résumé of the facts, together with an explanation and analysis of S. 2242 which accompanied the report, and which has been reported favorably by the Senate Committee on the Judiciary.

Mr. President, for the sake of continuity I shall be glad if Senators who desire to interrogate me on the subject under consideration will kindly withhold their questions until after the conclusion of my remarks, and at that time I shall be very glad to yield for questions.

I doubt if there has been before the Congress in the course of the last several years any issue concerning which there has been greater misrepresentation, misinterpretation, and confusion than the problem of displaced persons. I think it proper to call the attention of the Senate to the fact that there has been a highly organized group of people earnestly interested in the question, no doubt, who have over the course of the last years carried on a campaign of propaganda in which many well-meaning individuals have joined with earnestness. They have gone throughout the country organizing groups within the various cities. Persons who were appealed to because of their sympathy with the condition of these unfortunate people have been very active in behalf of some character of legislation which would bring displaced persons into this country.

But in the course of this activity I know full well, because of some of the questions addressed to me by persons who were interested, that misleading statements have been made. Many were told that the displaced persons were in concentration camps, behind barbed wire, that they were there under guards, and that they were living in housing which was very inadequate, and which resulted in their having very bad conditions of living. I wish to discuss those particular phases and facts as I proceed with this opening statement.

I feel it proper at this time to call to the attention of the Senate one group particularly active, known as the "Citizens Committee on Displaced Persons." At this point I ask unanimous consent that there be inserted in the body of my remarks an excerpt from a legislative bulletin issued by the national legislative committee of the American Legion on May 21, 1947, pertaining to 23 registered lobbyists, with salaries aggregating $152,000 a year, who represent the Citizens Committee on Displaced Persons. I ask unanimous consent that it be inserted at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In addition to numerous organizations registered with the Senate and House of Representatives who are working in behalf of the admission of displaced persons, either by relaxing immigration quotas or otherwise, during the past quarters, the following persons have been registered with Congress as legislative representatives of the Citizens' Committee on Displaced Persons:

| *Name* | *Annual salary* |
|---|---|
| James M. Kiernan | $15,000 |
| Thomas N. Cooley | 12,000 |
| Leo J. Margolin | 12,000 |
| Jack Wasserman | 12,000 |
| Vinton E. Ziegler | 8,000 |
| William S. Bernard | 7,500 |
| Curtis Edward Johnson | 7,500 |
| Myron Ray Ely | 6,000 |
| Robert W. Pearson | 6,000 |
| Helen Alcott Shuford | 6,000 |
| Clara Leiser | 5,220 |
| Pearl Richardson | 5,220 |
| Peggy Harris | 5,220 |
| John T. D. Franzen | 5,040 |
| Eric Kocher | 5,040 |
| Blossom Steinart | 5,040 |
| Beatrice Wellington | 5,040 |
| Meredith Selby | 4,800 |
| Elizabeth Buck | 4,320 |
| Patricia Ritter | 4,080 |
| Elizabeth Gardiner | 4,020 |
| Charlotte E. Abbott | 4,000 |
| Harry L. Bennett, Jr | 3,000 |
| Total | 152,020 |

In addition to salaries, these people also receive actual amount of out-of-pocket expenses, which include such items as air and railroad fares, hotels, meals, telegraph, telephone, and postage. As they are operating from two different addresses in New York City, which no doubt requires much traveling to Washington in connection with their lobbying activities, these expenses are no doubt very extensive.

Mr. REVERCOMB. Mr. President, I call this matter to the attention of the Members of the Senate so that they may be advised of the great pressure which has been brought upon the Congress on this subject, and so that they proceed to consider it with fairness. I think that the committee which has dealt with the subject has approached it with fairness, from the viewpoint of the unfortunate displaced persons, as well as from the viewpoint of the well-being of our own country.

What are the facts, Mr. President? The facts are that the displaced persons' problem is of staggering proportions. It involves tens of millions of people whose ranks are being swelled by tens of millions of more people.

The quotation I am about to read, Mr. President, appears on page 4 of a book entitled "Refugees in America," by Maurice R. Davie. I call attention to the fact that the refugee, or displaced person, or stateless person problem is not anything new. It existed prior to the Second World War. That was very impressive to me. We had forgotten, as we went along, that there were many who were called "stateless persons," many called "refugees." The phrase "displaced persons" had not then been used. I now read from this book by Mr. Davie:

As late as 1939, 20 years after the conclusion of World War I, Judge Hansson, retiring president of the Nansen Office for Refugees, which was at that time combined with the office of the High Commissioner for Refugees of the League of Nations, stated that over 600,000 refugees were still under the care of his office.

That was in 1939, just prior to the beginning of the Second World War.

From September 1, 1939, which was the date on which Hitler invaded Poland, until the end of World War II, the ranks of these 600,000 refugees which were then under the custody of the League of Nations were swelled by tens of millions of persons in the world-wide upheavals of the war. In central Europe alone, at the conclusion of hostilities, some 8,000,000 displaced persons became the wards of the armies of occupation. Of this number, some 7,000,000 have been repatriated, and that leaves the million of which I speak. We still have approximately a million in and out of displaced persons camps, in the American, British, and French zones of Germany and Austria, who are said now to be under IRO.

In addition, pursuant to the Potsdam agreement of August 1945, some 10,000,000 persons of German ethnic origin who lived in Poland, Czechoslovakia, and Hungary, many of whom were from families who had lived in these countries for generations, were forcibly expelled from these countries; their property was confiscated, and they were driven into Germany and Austria. Mr. President, they were nationals of those countries. They were descendants of German people. They were said to be of German ethnic origin, but when the war was over I am advised that under the Potsdam agreement they were driven from Yugoslavia, Czechoslovakia, Hungary, and Poland back into Germany. These people, Mr. President, constituted a new class of European displaced persons which our Nation, through its spokesman, participated in creating. More than 3,000,000 of these peoples have, since the end of the war, been driven into the American zone of Germany alone. And I may say at this point, that although the constitution of the International Refugee Organization embraces people all over the world who are or who may hereafter be out of their country of nationality and who are fearful of returning, the 10,000,000 persons who were displaced pursuant to the Potsdam agreement are expressly excluded by the constitution from the care and assistance of the IRO. They are not looked upon today as being displaced persons. As a matter of fact, if we are going to be fair on the subject of displaced persons, there are no persons more displaced than those left outside the definition of displaced persons under the IRO.

A few of these Volksdeutsche, as they are called, have, however, been admitted into refugee camps operated by the military authorities. There was no other place for them. The army of occupation had to do something with them.

The members of the committee who visited Europe saw one of these camps near Vienna—near the famous Vienna Woods—under the control of the United States Army at that place. But these persons are not recognized by the IRO, which has been organized and to which we have subscribed, and to which we have paid most of the money received by it and expended in its administration of these refugees.

But that, Mr. President, is not all the displaced persons even in Europe. Hundreds of thousands of displaced persons are lodged in the Scandinavian countries of Denmark, Norway, and Sweden. These people are also beyond the purview of the IRO, and it is reported that periodically large numbers of them are being deported to Russia as slave laborers. Still another group consists of about 200,000 men who were members of the Anders Polish Army and who cannot return to Poland. As I recall, most of the members of the Anders army are in the British zone in Germany. They are scattered in various areas of Europe. This group is also expressly excluded from the jurisdiction of PCIRO. But even this additional group does not include all the displaced persons in Europe. Since the end of the war hundreds of thousands of persons have been leaving countries behind the iron curtain and are entering into Germany and Austria.

Since the end of the war more than 200,000 persons classed as infiltrees, who are eligible under IRO, have entered the American zones of Germany and Austria alone, and gone into the camps of displaced persons there. Representatives of international church relief organizations in Europe estimated that there are approximately 10,000,000 more potential displaced persons living in eastern Europe who have not left there, but who will migrate westward.

But, Mr. President, the European displaced-persons problem is only a part of the world displaced-persons problem. The Preparatory Commission of the International Refugee Organization, concerning which I shall comment in greater detail later, is not confined in its activities to displaced persons in Europe, but its operations are world-wide, and include such areas as China, North Africa, Egypt, India, Lebanon, and Palestine.

I may say that it was stated to us by the then acting head of the International Refugee Organization that some ten million refugees in Pakistan, the new state of old India, has already sent representatives to IRO saying that they wanted to be cared for under IRO. That will be 10,000,000 more persons. According to the acting head of IRO, Sir Arthur Rucker, they are qualified as displaced persons. So I lay all this before the Senate, Mr. President, to show that when we undertake to consider the whole problem of displaced persons of the world we are dealing with millions upon millions of people who seek care and resettlement.

I cannot, Mr. President, definitely say what effect the expansion by Russia in the world will have on the problem of displaced persons; but, I anticipate that the recent expansion by Russia and any further expansions will mean that the problem will become even greater in scope. I shall later make reference in detail to displaced persons who have already been admitted into the United States, but I should like at this time merely to comment on the fact that the displaced persons who have already been admitted into the United States have not come merely from Europe, but have come from all over the world including China, Palestine, the West Indies, South America, Africa and other countries.

Now I want to discuss with the Senate the world organization that was created for the care of refugees or displaced persons. Having shown the immense number of people who claim to be displaced throughout the world, let us see what has been done by the IRO, to which America subscribes, and to which it has contributed so bountifully in funds. Having pointed out the scope of the problem of displaced persons, I shall now make certain observations respecting the Preparatory Commission for the International Refugee Organization and its functions.

The Senate will recall that during the closing days of the last session of the Congress, by Public Law 146 the President was authorized to accept membership for the United States in the International Refugee Organization, which would take over the problems of displaced persons. It was expressly provided in the law which authorized the acceptance, however, that the authority was given upon the condition and with the reservation that no agreement should be concluded on behalf of the United States, and no action should be taken which would have the effect of abrogating or modifying any of the immigration laws of the United States. By that condition the security and the independence of this country in its actions upon this subject have been preserved. Had that reservation not been placed in the law Congress would have surrendered completely the control over immigration in the United States. But the language is there, and it has been our safeguard so that we as the legislative body of this Nation may meet here today and ourselves deal with this subject. Heaven only knows what would have happened if that safeguarding language had not been placed in the resolution accepting membership in IRO. We could have been the dumping ground for countless thousands of people, against which policy we could not have raised a voice or a hand. So today we can deal with this problem as an American problem, and deal with it properly through our own Congress.

The International Refugee Organization has not yet come into being because, of the 54 nations which are members of the United Nations, only 14 have accepted up to this date, and the constitution of IRO requires that 15 nations must sign before it becomes effective. There we have an interesting picture. Of the 54 nations which are members of the United Nations, only 14 up to this date, years after this country subscribed to IRO, have come into the picture and have said that they want to take a part in the resettlement of the refugees of the world.

That organization is operating under the name of the Preparatory Commission for International Relief Organization. It is an interim agency, operating under agreement of the governments which have already signed. For all practical purposes it exercises the powers and performs the duties provided for in the constitution of IRO.

To date the United States has contributed approximately 79 percent of the total contributions received by the Preparatory Commission for the International Refugee Organization. Our annual contribution is a little more than $73,000,000. I think it is well to invite the attention of the Senate to the fact that in the agreement which we entered into when we joined the organization this country agreed to pay 39 percent, as I recall, of the operational cost and 45 percent of the relief. Today, as a matter of fact, 79 percent of the moneys used by that organization are contributed out of the Treasury of this country, without the authority of the Congress and beyond the agreement which was entered into and approved.

I think it proper at this point to observe that it was a sad day for the refugee and for the United States when these settlements or camps, as they are called, were taken away from the jurisdiction of the United States Army and of the British Army in its zone and placed under IRO. I saw some of the camps which were still being operated by the Army in Vienna. From the standpoint of method of operation, cleanliness, and the manner in which they were conducted, there was no comparison between such camps and some—not all—of the camps under the jurisdiction of IRO. I think the Senate should know that almost without exception—I did not find an exception in the camps we visited with the local governing bodies—the teams, as they are called, of IRO were the old UNRRA employees of past days. The Senate knows what happened under the administration of UNRRA.

Of the approximately 1,300,000 displaced persons and refugees who are in Germany, Austria, and Italy, and who are now under the jurisdiction of PCIRO—that stands for "Preparatory Commission of the International Refugee Organization"—about 680,000 are outside of camps and about 645,000 are in camps operated either by PCIRO or other agencies. Only about 24,000 persons in central Europe who are outside of camps are at present being given care and maintenance by PCIRO. It should be borne in mind that these statistics do not include displaced persons in other areas of the world who are eligible for care and maintenance and do not include the Volksdeutsche and other groups of displaced persons who are expressly excluded from PCIRO care and maintenance.

In other words, of the millions of persons in Europe who are actually displaced, irrespective of their status under IRO, only about 670,000 are at present being given care and maintenance by that organization, either in camp or outside. Virtually all the other displaced persons, many times in number, are shifting for themselves. It is to be noted that about 715,000, or more than half of the 1,300,000 displaced persons in Europe who are under the jurisdiction

of IRO, are in the American zones of Germany and Austria.

I think it should be made clear for the record, so that never again may there be misleading talk about people being in internment camps, that displaced persons who are in the camps or settlements—and I do not know why the word "camp" is used, because they are settlements—are not behind barbed wire. They are not prisoners in any sense of the word. They are not under armed guards. They come and go in the camp with perfect freedom, in and outside it. Some of them work in the economy of the areas around them, and eat and sleep in the camps. The majority of the displaced persons' camps which we saw were formerly German army barracks. In some centers residences have been requisitioned. There is considerable crowding. Most of the camps are very crowded. Many of them are well kept, clean, and neat. Others are not, depending entirely upon the habits of living of the people who are there.

As for the food, they receive more food than the natives of the land where they live. As I recall—all food being allotted and rationed—the displaced person received a basic ration of 2,100 calories a day, with additional allotments for children and those who were sick. The German was receiving a ration of 1,500 calories a day. In Austria the same ration was given to displaced persons as was allowed in Germany. As I recall, the Austrian was allowed only 1,550 calories a day.

In all respects, including food, health, clothing, and shelter, I should say that substantially higher standards of living were found in these camps than among the people who were native to the land.

As pointed out in the report which is now before the Senate, communism in displaced persons' camps, so far as overt activity is concerned, is not manifest. This is one question to which I think we should give great thought and care in the admission of any persons into this country. The bill provides for it. In this day of great Communist expansion and infiltration throughout the world America must be alerted and on guard not to invite into her midst those who would bring to her the disease of government which originated in Europe.

The view was expressed that although communism was not an overt activity among the displaced persons, nevertheless a few Communists may be among the displaced persons, but that they would continue to be in a dormant state until they reached America or whatever their destination was, whereupon their Communist activities would begin. More than one consular official made the statement that the present processing procedures are tailor-made—to use the exact words of the officials—for effecting illegal entry into the United States on false documents, and they expressed alarm over the widespread use of false and fraudulent documents in support of applications for visas for entrance into this country. They have stated that an estimated 40 percent of the applications for visas filed by displaced persons in Germany and Austria, and in the course of being processed, were found to be fraudulent or to be supported by fraudulent documents, and that the number of cases of such practices is increasing. The consular officers were insistent that provisions must be made for a more thorough investigation of applicants. Mr. President, that is a situation which the Senate cannot ignore, namely, that in the great pressure and the great rush for such persons to come into this country, when they go to the consular offices to secure visas to permit them to enter the United States, 40 percent of the applicants have been found to be using fraudulent papers or fraudulent information upon which to secure permits to enter the United States. Those are the facts which were presented before the committee.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. REVERCOMB. I yield.

Mr. FERGUSON. Was that discovery made after the admission of those persons, or was it made during the period of their application, so that they were screened and put aside?

Mr. REVERCOMB. I think both have happened. The consular offices are very short of workers and are rather lacking in methods to enable them to do a really efficient job, but they are doing the best they can. In their screening processes they have discovered fraudulent affidavits and fraudulent applications to the extent of 40 percent of those which have been filed.

As the Senator well knows, displaced persons have been coming into the United States since December, 1945, both under the President's directive and under the regular quotas. Of the number who have asked for visas, 40 percent have been found, up to this time, to have used fraudulent affidavits or to have made applications based on fraud—which is just the way for the subversive group to get their men into this country.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. REVERCOMB. Yes.

Mr. FERGUSON. Under the bill, it is proposed that a much better screening be had, so that the consuls will not have the power to screen, but the Commission itself will have the power to screen.

Mr. REVERCOMB. I say to the Senator that I think it would be a very bad mistake to take the authority away from these trained officers, who for many years have been engaged in the work of screening applicants and issuing visas, and who are familiar with the process. It would be a great mistake to take the work away from them and attempt to turn it over to a new commission. My thought is that the consulates should have their staffs increased and augmented with proper investigatory forces. It would be a great mistake to separate or divide the responsibility for the entrance of persons into the United States, giving one organization or commision the responsibility for granting visas to displaced persons, and giving the consulates—which from the very beginning of this Government have had charge of the issuance of visas—responsibility for issuing visas to persons coming in under the regular quotas. All persons applying for admission into the United States and being granted admission should come under the same authority, and the same sort of examination should be given to all of them, so that when they enter the United States we shall at least have some reason to know that they are qualified to become sound residents of our country.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. REVERCOMB. Yes.

Mr. FERGUSON. If 40 percent of the applications have been found to be fraudulent, with the result that the applicants have been rejected, has any investigation been made by the State Department or the investigating agency to determine how many persons have fraudulently come to our shores?

Mr. REVERCOMB. I know of no such investigation, and we found no figures which would show that situation definitely. However, later I shall present some figures which will be of interest in relation to that subject.

During the investigation of subversive groups, it was found, as set forth in the report, that 6,000 known Communists have been spotted in and around the displaced-persons camps at Stuttgart, Germany. They constitute a constant threat and menace to this country.

Mr. COOPER. Mr. President, if the Senator will yield to me, let me inquire whether he said that the Communists were in the camps or around them?

Mr. REVERCOMB. The language used was "in and around". Some of them are in the camps and some of them are in the area of the camps.

Mr. COOPER. Can the Senator say how many of the 6,000 are in the displaced-persons camps?

Mr. REVERCOMB. No; I am unable to say that. I am giving the evidence as it was stated: that they knew of 6,000 Communists in and around the displaced-persons camps at Stuttgart, Germany.

Mr. FERGUSON. Does the record show that those 6,000 persons claim to be displaced persons, so that they would be eligible under this bill for entrance into the United States; or does the evidence show that they are simply on the outside of the camps, and are merely hangers on? What does the record show as to that?

Mr. REVERCOMB. I shall read the language given in evidence by the investigator for one of the consular offices:

> In the Stuttgart area, the last figure I have is 6,000 in this Stuttgart area, living around here, including DP camps.

That is his language.

Mr. COOPER. Mr. President, will the Senator further yield?

Mr. REVERCOMB. I yield.

Mr. COOPER. I know the Senator expressed a desire not to be interrupted, and I do not wish to interrupt him unnecessarily. However, I think the point is quite important.

Mr. REVERCOMB. Yes; it is a very important point.

Mr. COOPER. For purposes of the RECORD, I think the meaning and implication of the statement which has been referred to should be made clear. As I understand, the Senator from West Vir-

ginia does not say that 6,000 persons in the displaced persons camps around Stuttgart, Germany, have been known or identified as Communists.

Mr. REVERCOMB. Oh, no. I read the language of the investigator, as contained in his statement—that 6,000 persons in the Stuttgart area, living around there, including the DP camps, were known to be Communists. But I also wish to point out to the Senator that not all the displaced persons are living in those camps.

Mr. COOPER. Can the Senator state how many of the 6,000 are displaced persons?

Mr. REVERCOMB. I can not tell that; but I say that infiltrated among them, in and out of the camps, according to this statement, are 6,000 Communists, in that one area alone.

Mr. COOPER. But I am sure the Senator wil agree that he is not saying that there are 6,000 displaced persons around Stuttgart who are Communists.

Mr. REVERCOMB. Let me read the statement; I believe that will give the best answer. First I shall read the question addressed to the investigator:

> Do you have in DP camps, persons known to be Communists?
>
> Answer. That is right.
>
> Question. How many?
>
> Answer. Naturally they are going to hide in any way possible their connection with the party.

That was the answer to that question.

Mr. President, I do not think there can be any question about the matter. The fact is that there are some Communists in the displaced persons camps and there are some Communists outside the camps, in the Stuttgart area. It is said that they are not active, but are dormant. But those are persons whose records are known, and they have been followed and checked on, and they are living in that area. So the question presented in this connection is a real, live question with which we must deal. We must guard against the situation. We can not accept the statement of any displaced person about this matter. We must guard against the threat that is presented to us in this way—and today it is a very real threat.

Mr. President, I quote further from the statement of the officer:

> At the stage they come here, they are in a dormant state. That is what we call it in intelligence work. That is when an agent lies low. He has nothing to do until he gets where he is going. The stakes are South America or wherever.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. REVERCOMB. I yield.

Mr. FERGUSON. If those 6,000 persons are known to the American agents in the locality, there would be no way by which they could possibly enter the United States, either under the pending bill or any of the amendments proposed to it, because Communists are not admitted to the United States, if they are known—and they are known if they are properly screened.

Mr. REVERCOMB. The point is well made by the Senator as to the 6,000 known. But the investigator goes on to add the very significant statement that they are in a dormant state. I am simply bringing this out because it has been said that there are no Communists among these displaced persons. We had just as well remove from our minds any thought of that kind. They are not all Communists; of course, they are not. Many of them are very much against communism. But to say that there is no communism there and no danger of communism is in my opinion to evade a great danger lurking in the midst of the whole problem.

INTEGRATION IN GERMANY, AUSTRIA, AND ITALY

The subcommittee gave special attention in its study in Europe to the possibilities of integration of European displaced persons in the economy of the countries in which they find themselves.

It must be remembered, as I have previously pointed out, that of the millions of persons who are actually displaced in Europe, only about 670,000 are presently being given care and maintenance by PCIRO either inside of camps or outside of camps, and virtually all the other displaced persons, many times in number, are shifting for themselves. It must be remembered too, that all but a relatively small number of the displaced persons who are receiving care and maintenance by PCIRO are in Germany. About 537,000 displaced persons are receiving care and maintenance in Germany, while only about 74,000 are receiving care and maintenance in Austria, and only 32,000 are receiving care and maintenance in Italy.

In Austria some 20,000 displaced persons have already been settled and have been granted Austrian citizenship and many additional thousands of displaced persons are earning their living in the Austrian economy.

Although there is in Italy a serious unemployment problem, it would not seem unreasonable to assume that the 32,000 displaced persons who are receiving care and maintenance in displaced-persons camps could be absorbed in the Italian economy. I do not believe the Italian displaced-persons problem presents any great difficulty because there are so few there.

The big problem, of course, involves the 537,000 displaced persons who are in displaced-persons camps and settlements in Germany. About two-thirds of the displaced persons in Germany who are receiving care and maintenance are in the American zone of Germany.

Here is an interesting situation, to show the result of the movement into that zone. Before World War II, the United States zone of Germany had a population of 13,500,000. Since the war, this population has been increased to 18,500,000. The increase of approximately 5,000,000 people is due to the influx of refugees and Volksdeutsche. In other words, prior to the war, there were in what is now the American zone approximately 13,500,000 people. Today, because the American Army has been there, and because the American provision has been there, 5,000,000 people have been added to that population.

Mr. THYE. Mr. President, will the Senator yield?

Mr. REVERCOMB. I shall be glad to yield to the Senator. I understand he wants to place a brief summary in the RECORD.

Mr. THYE. Mr. President, in view of the consideration to be given in the Senate to legislation providing for the admission into this country of so-called displaced persons, whose condition is one of the great tragedies resulting from the war, I ask unanimous consent to have printed in the RECORD portions of a preliminary report made by the Minnesota Commission on Resettlement of Displaced Persons, headed by Dr. T. F. Gullixson, of St. Paul. This commission was appointed by Gov. Luther W. Youngdahl to determine how many displaced persons might be successfully absorbed in resettlement and integrated with the racial groups in Minnesota. Later, after Congress passes suitable legislation to make possible the entry of these people, the Governor's commission will study the problem of their reception and resettlement in detail.

In addition to the survey statistics based on 2,255 questionnaires returned by church people through the agency of eleven leading denominations I wish to quote one sentence from the report of the Minnesota Commission to the Governor, as follows:

> It is noteworthy that of these only nine people have registered an attitude of opposition to the resettlement of displaced persons from the camps of Europe within the State of Minnesota, thus indicating great popular support for the program.

Mr. President, I ask unanimous consent that a summary of the final report filed with the Governor by the commission in Minnesota be printed at this point in the RECORD.

Mr. LANGER. Mr. President, reserving the right to object, I should like to ask one or two questions.

Mr. THYE. I yield to the Senator.

Mr. LANGER. Do the people in Minnesota who voted on this question know, and were they told by the commission, that all people of German ethnic origin were barred and could not be admitted?

Mr. THYE. I cannot answer that question positively because I do not know whether they were so informed.

Mr. LANGER. I have no objection.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF REPORT TO GOVERNOR OF MINNESOTA BY STATE COMMISSION ON RESETTLEMENT OF DISPLACED PERSONS, MARCH 31, 1948

Your commission on resettlement of displaced persons submits its report covering the results of a questionnaire survey which sought to obtain an authentic reflection of Minnesota public opinion in relation to the possibility of aiding to resettlement in America and in Minnesota some of those now in displaced-persons' camps in Europe.

Our final tabulation includes 2,255 questionnaires. Of this number, 133 returns were submitted on questionnaires printed by local newspapers, indicating that a sizable group of our people were reached through this medium, in addition to those reached through the clergy of the various denominations.

Table I shows that 427, or 18.9 percent, of the replies indicated the respondent had one

or more relatives in DP camps in Europe; 80.3 percent, or 1,810, had no relatives; and 18, or 0.8 percent, of the replies did not answer this question.

NUMBER OF RELATIVES IN DP CAMPS

Of the 427 respondents reporting relatives in DP camps, the greatest number had one relative so situated, while one respondent indicated 75 relatives in DP camps. As the degree of relationship to be reported was not specified, it is believed this report may be considered correct as the respondent may have included in his count relatives of rather remote relationships. In all, 1,707 relatives of Minnesotans were reported in DP camps in Europe. The respondents had an average of four relatives in DP camps.

DESIRE TO AID RELATIVES

Table III presents an analysis of the responses of persons having relatives in DP camps as to the type or types of assistance they would be willing to provide one or more of these relatives. The greatest percentage of the respondents (29.3 percent) expressed a desire to help with living quarters, employment, and financial assistance to relatives in DP camps. Only 1 of the 427 respondents indicated an inability to aid in any respect, while 20 failed to indicate what type or types of aid they could provide. In other words, 95 percent of the respondents with relatives in DP camps definitely offered some type of aid to one or more of their relatives.

| Type of assistance offered | Number | Percent |
|---|---|---|
| Total | 427 | 100.0 |
| Living quarters only | 56 | 13.1 |
| Employment only | 29 | 6.8 |
| Financial assistance only | 30 | 7.0 |
| Living quarters and employment | 64 | 15.0 |
| Living quarters and financial assistance | 87 | 20.4 |
| Employment and financial assistance | 15 | 3.5 |
| Living quarters, employment, and financial assistance | 125 | 29.3 |
| None | 1 | .2 |
| Not specified | 20 | 4.7 |

RESPONDENTS WITHOUT RELATIVES IN DP CAMPS

Table IV analyzes the attitudes of persons not having relatives in DP camps and comprise 1,810, or 80.3 percent of the total responses. Of this group 1,516, or 83.8 percent, indicated a willingness to help; 198, or 10.9 percent, indicated they would not be willing to help; 87, or 4.8 percent, did not answer this question; and 9, or 0.5 percent, gave definite statements indicating they did not favor the proposal to admit displaced persons to this country.

| Type of assistance offered | Number | Percent |
|---|---|---|
| Total | 1,516 | 100.0 |
| Living quarters only | 107 | 7.1 |
| Employment only | 334 | 22.0 |
| Financial assistance only | 441 | 29.1 |
| Living quarters and employment | 276 | 18.2 |
| Living quarters and financial assistance | 31 | 2.0 |
| Employment and financial assistance | 60 | 4.0 |
| Living quarters, employment and financial assistance | 121 | 8.0 |
| Not specified | 146 | 9.6 |

OCCUPATIONAL SKILLS

In response to the question as to the skill or skills believed needed in various communities throughout the State, a great variety of skills were reported by respondents. A count of the number of respondents indicating particular skills is not considered a valid measurement of this factor of the study so we have only listed in rough classifications the professional, skilled white collar, skilled, semiskilled, and common laborer, as follows: Professional, 8 classifications; skilled white-collar workers, 19 classifications; skilled workers, 35 classifications; common labor, 9 classifications.

Mr. REVERCOMB. If I may ask the able Senator from Minnesota this question, does the Commission to which he refers know that of the displaced persons already brought to this country 89.9 percent have settled in the cities and have not gone into the country to live?

Mr. THYE. I can only report that in sending out questionnaires and in discussing the question with different people with whom they came in contact, business people, farming people, church people, and others, the Commission was informed, in response to their inquiries, that displaced persons could be provided not only with homes but with jobs, and that they could become a part of the community and become integrated into the life of the community and the community activities.

Mr. REVERCOMB. That is a wonderful thing, if they can be so placed. But when they reach this country and disembark from the ships 89.9 percent go into the cities, approximately 50 percent into New York City alone. I want to say that the bill reported by the committee endeavors to take care of that very situation.

Mr. THYE. But, if the Senator will permit me to make a personal comment on the question beyond the remarks that I have requested consent to have printed in the RECORD, I may say I could imagine nothing more bleak or discouraging and disheartening to a human being than to be a displaced person without a home, without a country, with no place to which to turn, except possibly a concentration camp or something of that nature. It was with that thought in mind that I was led to this investigation in Minnesota, in an attempt to ascertain the manner in which the people of the respective communities of the State would accept displaced persons and aid them in establishing themselves peacefully in a normal life, engaging in the general pursuit of a livelihood such as that followed by other citizens of the State, or, as in the case of the pioneer parents of the Senator and myself, as new citizens reestablishing themselves in a life full of opportunity, as the pioneers did.

Mr. REVERCOMB. I want to say to the Senator that I think the investigation had in view a high purpose. I think it is splendid that the Senator can get a report from his State that the people will take some of these displaced persons. That being so, a good portion of them should go to the Senator's State. The problem is, will they go there and not settle in cities along the eastern seacoast? The bill is prepared for the very purpose of disseminating such persons who may come into the country. I hope we may have the good fortune to persuade some of them to go to Minnesota.

Mr. THYE. The sole purpose of the study in Minnesota was to attempt to lend the State and its people to the accomplishment of that which the Senator has described in his remarks. That was the purpose of the first survey. The reason I asked that it be printed in the RECORD was in order that all the Senators and the public might know what is being done in Minnesota in an attempt to assist in accomplishing the desired purpose.

Mr. REVERCOMB. I appreciate the remarks of the able Senator from Minnesota. I am quite sure that the Senator from Minnesota and the citizens of his State do not want persons who would not make good citizens. They must be persons who would be willing to adopt the American way of life. Is not that correct?

Mr. THYE. That is indeed correct.

Mr. REVERCOMB. That is what we must safeguard in any legislation of this type. This bill attempts to accomplish that. It was brought forth after weeks and months of work and study. Senators entered the discussions with differences of opinion, and finally brought forth this bill which will provide safeguards if a fair trial is given it and if proper investigation is made to make sure that jobs would not be taken from American citizens and housing would be available without depriving American citizens of shelter. I think those are safeguards which are needed. We do not want people to come in and push our own people out. We do not want an influx of persons who would take away the jobs of our people. This bill provides that before anyone may come in, a job must be waiting for him. The Senator says it is there in Minnesota. There must be housing waiting. The Senator says it is in Minnesota. If that is the situation, I think it is an excellent thing.

Mr. THYE. I do not disagree with the Senator. In fact, the commission in Minnesota was established to supplement the legislation, to assist in accomplishing its purpose, and to assist in finding out whether there are suitable places in which to live and suitable jobs waiting. The entire purpose of the commission, finally, was to supplement and to assist in the very provisions contained in the bill.

Mr. REVERCOMB. I am glad the Senator agrees with me that there should be jobs waiting and that there should be housing so that our own citizens would not be displaced. Is that correct?

Mr. THYE. That is correct. I might add that in the event every State in the Union were to form such a commission, undertake the same type of study which the Minnesota commission made, and file a report of their findings and a report of how each community would assist in the reestablishment of displaced persons, the Senator would not find segregation in the larger cities of persons who come in as displaced persons. There would be a general spreading out of immigrants across the country, and they would find opportunities in various communities. Thereby they would become not only good citizens, but workers within the various communities.

I submit the findings of the commission only in order that they may be a sort of example of how other States might likewise act in order to assist and

supplement the activity which is proposed in the bill.

Mr. REVERCOMB. The Senator knows, however, as a practical matter, that unless the whole subject of bringing in these people is controlled by a commission which is willing to see them settled broadly over the country, we shall meet the same problem we have met in connection with those who have already come to this country. More than 80,000 have already come to America and have settled in the large cities along the eastern coast. They should be in a limited number so that there might be a fair trial for a year or two, and the result ascertained.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield for a question.

Mr. LANGER. I understand the commission in Minnesota was appointed over a year ago. Is that correct?

Mr. THYE. That is correct.

Mr. LANGER. At that time the so-called Stratton bill was pending before the Senate; is that correct?

Mr. THYE. That is correct.

Mr. LANGER. Is it not true that the people in Minnesota believed that under the Stratton bill they could bring in their relatives, their fathers, mothers, sisters, brothers, cousins, or nephews, and that is one reason why so many persons in Minnesota and in other States in the Northwest were in favor of the so-called Stratton bill?

Mr. THYE. There is no question in my mind, in making a reply to the senior Senator from North Dakota, that that was the thought in the minds of the people. But, nevertheless, disregarding the fact that there were relatives in mind, the very purpose of circulating the questionnaires asking citizens in various communities whether they would accept displaced persons and assist in reestablishing them in a new community, or in a town or city, was to determine whether, with the aid of all the people of the Nation, in every State in the Union, there could be agencies created to assist displaced persons brought to this country.

So I again say that if every community had such an agency as my remarks indicate, there would be help for the newcomers and there would not be a question of segregation in towns. We know very well that there would be some who would have relatives in America who would be most happy to assist in the reestablishment of some of the displaced persons.

Mr. LANGER. With reference to the question of housing, does not the Senator from Minnesota believe that the ordinary citizens of Minnesota would not care to have a stranger come into their homes? They might be willing to take a relative.

Mr. THYE. I would say, in reply to the senior Senator from North Dakota, that there are very few communities anywhere in the United States in which the Senator cannot find some person who has a relative in a displaced-persons camp on the European Continent. Such a person would find a relative somewhere in the United States who would be glad to take a relative in and disregard the fact that he had never before seen him.

Mr. LANGER. May I not say that I believe the distinguished Senator is mistaken? There are only 1,323,000 displaced persons on the continent of Europe. I am not including expellees. I am satisfied that persons of German ethnic origin in Minnesota have many relatives in Europe. When they write a letter saying, "May I bring in my brother or sister or uncle or nephew?" it will be found that the person referred to is not in what is known as the displaced-persons category. The writer of such a letter will receive a letter from the United States authorities saying, "We are sorry, but we cannot let them in under the quota. There are only four classes of persons that can come in, and those relatives are not included in those four classes."

Mr. THYE. Of course, I should have to reply to the senior Senator from North Dakota that what we are talking about and thinking about is displaced persons and the question of bringing displaced persons to the United States.

The next question is, where can we locate them, will they be a burden to us when they come, and will they be competitive in the sense that they will be competing for houses and competing for jobs, and thereby putting an additional burden upon the country?

I say we must have a heart as a Nation and as a people and try to deal sympathetically toward displaced persons in the camps of Europe. Nothing could be bleaker or more discouraging or disheartening than to be an individual without a country, with nothing but the bare walls of a concentration camp staring him in the face for the remainder of his life.

It would be better for us as a Nation and as a people to appraise our own surroundings, and to see in what manner we could bring such persons into this country and have them settle in communities or towns.

Mr. REVERCOMB. The Senator uses the phrase "concentration camp," which connotes concentration forced on people. These are not concentration camps in that sense. People are just as free to come and go as they want to. They come in and go out of those camps all day long. Some have interests outside, some work outside. The camps are crowded, as I have just described, they are generally old army barracks, with very crowded conditions, but clean or not clean, according to the housekeeping ability of the people who live in them.

Of course these people appeal to us. Such a condition anywhere in the world would appeal to us. But I am sure that the Senator is practical enough not to want in the State of Minnesota an influx of people who would deprice those who are now at work in Minnesota of their work, or take their homes away from them. I believe the Senator from Minnesota agrees with me that before these people come to the United States, there must be jobs awaiting them, and places where they may live. Does the Senator agree with that?

Mr. THYE. Indeed I do.

Mr. REVERCOMB. Then the Senator will support the committee bill.

Mr. THYE. There is no question in my mind, and I do not differ with the Senator from West Virginia. I merely supplement, first, by filing a report of a commission finding.

Mr. REVERCOMB. I am very glad to have it.

Mr. THYE. And also adding to that report my own remarks as to what my convictions on the question of the displaced persons are, and attempting to assist the Senator in outlining what I believe to be the manner in which we should proceed in taking displaced persons into the various communities of our States, if they are permitted to come into the United States.

I should like to add, if the Senator will yield for a moment more, that last week I was in the airport at Spokane, Wash., and in the course of coming into the airport and awaiting another plane out I watched a young man, whose age I would say was about 16, land from the ship on which we arrived, hurry into the washroom, wash his face and comb his hair, and come back into the lobby of the waiting room of the airport. I noticed him then meet two men and two women, and there was a very friendly greeting. I learned that he was a young man from Norway, who had been permitted to come into the United States. He met friends of his father in the airport station, and the greeting and the general conversation were about what he had left in the old country, and what he was looking forward to in this new country, the United States of America. When I saw the gleam of happiness in the eye of this youth when he met these people, whom he had never met before, and observed how they received him in a glad, almost brotherly or parental, spirit, I realized what an obligation we had, and how much good we, the American people, could accomplish in this Nation of ours if we should extend ourselves and bring people to this country and reestablish them in communities here. I agree with the Senator from West Virginia that we would want to check them, we would want to know they were the right kind of people.

Mr. REVERCOMB. Doubtless the boy from Norway came under the immigration laws of our country, and entered the United States as a Norwegian alien, as they have been doing through the years past. That practice is still maintained.

Mr. THYE. It was the example I was discussing, rather than the individual case. I merely wanted to call attention to the happiness on the part of the persons who joined in welcoming this boy.

Mr. LANGER. If the Senator from West Virginia will yield for one more question, I shall not interrupt him further.

Suppose a citizen of Minnesota, a very fine man, living at New Auburn, let us say, had a cousin or a brother living in Poland, and when Russia entered Poland the brother became an "expellee" and went into the American zone; and suppose the Senator found that under the bill that boy could not come into this country. Would he still support the measure?

Mr. THYE. If the boy could not come into the United States.

Mr. LANGER. Yes. There are ten million of them who are absolutely barred from coming into this country because they are of German ethnic origin. I know there are hundreds of thousands of people in the Senator's State who have relatives in Europe, but they cannot come into the United States. They cannot get in. The displaced persons are taken out of the 1,323,000, but the officials cannot take them out of the 10,000,000 who were driven by Russia into the American, British and French zones.

Mr. REVERCOMB. It is worse than that. Under the agreement, representatives of our own Government were put over there to make it certain.

Mr. LANGER. That is correct.

Mr. IVES and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. REVERCOMB. I yield first to the Senator from New York.

Mr. IVES. I do not desire to take up much time at this particular juncture in the debate, but I should like to point out that there is a very strong desire on the part of a substantial number of citizens in the State of New York to have legislation of this type enacted. In anticipation of that, various organizations have already been set up in the State which are now working to the end that preparations may be completed before an act of this kind becomes effective, in order that New York State may be able to take care of its full quota, whatever its quota may be, by any stretch of the imagination, when the legislation itself becomes effective.

Mr. REVERCOMB. I interrupt the Senator to say that New York so far has had a very generous quota.

Mr. IVES. New York realizes that but New York has not complained.

Mr. REVERCOMB. I am glad to hear that.

Mr. LANGER. May I ask the distinguished Senator a question?

Mr. REVERCOMB. Certainly.

Mr. LANGER. Is it not true that out of the 1,323,000, a large number of them are related to residents of New York City?

Mr. IVES. I presume that is correct.

Mr. LANGER. That is not true of the State of Minnesota, I might say, from my investigation.

Mr. THYE. Will the Senator restate what he just said?

Mr. LANGER. I say that of the 1,323,000, very few, if any, are related to citizens of German ethnic origin in the State of Minnesota, or the State of Wisconsin, or the States of North or South Dakota.

Mr. THYE. May I ask the senior Senator from North Dakota why he finds the situation so different in Minnesota from the other States in the Union?

Mr. LANGER. Because they lived in another part of Europe, and were driven back into Germany when Joe Stalin's forces entered the places where they lived.

Mr. THYE. It is highly debatable as to whether the people of German descent in our State originated from what we might say in one section of Germany. I think that question could be debated.

Mr. LANGER. I think the Senator will find it has already been thoroughly investigated by the Immigration Bureau, and it is a matter of record.

Mr. THYE. I wish to thank the senior Senator from West Virginia for yielding to me. The only reason I was disposed to ask the Senator to yield was that I was obliged to attend a committee meeting at 3 o'clock which I feel obligated to attend. I again thank the Senator for permitting me to interrupt him.

Mr. REVERCOMB. The Senator from West Virginia is very glad indeed to have had the contribution from the Senator from Minnesota.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. FERGUSON. Does the Senator from West Virginia have a copy of the Potsdam agreement as it relates to the people of German ancestry who were driven from the various countries into Germany after the armistice?

Mr. REVERCOMB. I do not have it before me, but I believe the Senator from Michigan will find it in the CONGRESSIONAL RECORD of March 8, where it was placed by the Senator from North Dakota [Mr. LANGER].

Mr. FERGUSON. I should like to have it in the RECORD at this point.

Mr. President, I ask unanimous consent that the matter to which I have referred be inserted at this point in the RECORD so it may be read by those who follow the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

XIII. ORDERLY TRANSFERS OF GERMAN POPULATIONS

The Conference reached the following agreement on the removal of Germans from Poland, Czechoslovakia, and Hungary:

The three Governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia, and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Allied Control Council in Germany should in the first instance examine the problem with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective representatives on the Control Council to report to their governments as soon as possible the extent to which such persons have already entered Germany from Poland, Czechoslovakia, and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out, having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government, and the Control Council in Hungary are at the same time being informed of the above, and are being requested meanwhile to suspend further expulsions pending the examination by the Governments concerned of the report from their representatives on the Control Council.

Mr. REVERCOMB. Mr. President, I shall now pursue the history and development of the problem before us. It is so broad and there is so much to it that I have tried to condense it to those facts which will bear upon the pending legislation.

A Presidential directive of December 22, 1945—and for Senators who are present I call attention earnestly to this statement—a Presidential directive of December 22, 1945, gives priority in certain categories of immigration visas to be given to displaced persons who immigrate to the United States. In other words, on December 22, 1945, the President of the United States issued a directive saying that displaced persons should be given priority upon the regular immigration list into this country. Since then, approximately 33,000 displaced persons have been admitted into the United States under our quota laws and it is estimated that at the end of our present fiscal year, June 30, 1948—and the estimate was made at the time of the drafting of the report now before the Senate—the number of displaced persons admitted into the United States will be approximately 50,000. I want to call that to the attention of the Members of the Senate. Many people think that no displaced persons have been admitted into this country. Mr. President, that many have been admitted into this country, and admitted freely as immigrants with no controls over them whatsoever. How vastly different that is from the admission of such persons into other countries of the world which have accepted any number of them.

I may emphasize that the 50,000 displaced persons who will have been admitted into the United States by the end of the present fiscal year will have been admitted under our regular quota laws, that is under the regular immigration laws. Thousands of additional displaced persons have come and been admitted into the United States outside the quota law as nonimmigrants, for temporary periods, and these additional thousands are now seeking permanent immigration status. That is, having come here as visitors, having come here on travel visas, not as immigrants, once here they seek to stay here as permanent residents, and there will be offered, I am advised, an amendment to the bill to permit those who have come here presumably as visitors to stay as permanent residents. I think these facts should be called to the attention of the Senate in dealing with the subject.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me for a question on that point?

Mr. REVERCOMB. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Can the Senator tell us what percentage of those who have come here during the last 5 years, we will say, or since 1940, have come under the quotas assigned to various nationalities? In other words, what I am trying to bring out is that the number of persons who have come in as visitors and without quotas is far under the number of those who have entered under the quotas established some years

ago for admission for the respective nationalities. Is that not correct?

Mr. REVERCOMB. I should like to look into the report and have those figures placed in the RECORD. I do not have them at hand at the moment. I shall place them in the RECORD during the course of the debate. I believe the Senator from Massachusetts is wrong when he makes his statement on the basis of nonquota immigrants compared with those who are not immigrants. I think those who are not immigrants are far in excess of the quota allowances during the course of years in question.

Mr. SALTONSTALL. I have never seen any figures covering visitors and nonimmigrants, and I thought it would be interesting to have the figures in the RECORD.

Mr. REVERCOMB. I have at hand one figure which will interest the Senator from Massachusetts. More than 366,000 persons came into this country last year on visas as nonimmigrants. More than 366,000 came in as visitors, as travelers, or as trader merchants. In those categories, 60 percent more came in last year than ever came in in any prior year in the history of the country.

Mr. SALTONSTALL. But those people have not stayed or have not stayed legally. Am I not correct in that statement?

Mr. REVERCOMB. I like the latter part of the Senator's question—"have not stayed legally." That is one of the problems with which we are dealing. That that has been one of the greatest abuses in the immigration set-up over the course of years. We must have an Immigration Service which earnestly wants to enforce the terms of the law. Countless thousands of persons have come here and stayed who had no right to stay, and I suspect never had any intention of merely coming to visit for a while and then leave the country. Three hundred and sixty-six thousand persons, I repeat, came into the United States in the last year who were not classed as immigrants at all.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. LUCAS. Can the Senator give any figures as to how many of those 366,000 persons have stayed here illegally?

Mr. REVERCOMB. No. I can tell the Senator how many have left. I think we have that figure, and I shall be very glad to give it.

Mr. LUCAS. I think it will be very interesting, in view of the Senator's statement that the immigration laws ought to be enforced. I agree with him in that statement, and I think the immigration officers are doing a good job. If the Senator has that figure as to the number who remained here who really should be returned to the land from which they came, I think the Senate should have the figures.

Mr. REVERCOMB. It may be of interest on that point, I may say to the Senator from Illinois, to note that there are some 32,000 cases in Greater New York alone of persons whom the immigration authorities are trying to deport. The immigration authorities are as far behind as 32,000 cases in greater New York alone, I am advised.

An indication of the number of the illegal entries into the United States is the fact that the number of deportations for the last 4 years has exceeded the number of immigrants who legally entered the United States during this period.

Mr. LUCAS. That would not apply to the figure of 366,000. That would cover persons who might have been here illegally before.

Mr. REVERCOMB. No, the 366,000 I mentioned were persons who came here last year as nonimmigrants.

Mr. LUCAS. But I am talking about the statement the Senator from West Virginia just read. What the Senator said would not altogether apply to the 366,000 persons he spoke of.

Mr. REVERCOMB. It probably would not affect any one of them.

During the past fiscal year 18,663 aliens were deported from the United States, that is forcibly deported, and 195,880 aliens who had been judged deportable were permitted to depart at their own expense.

In New York alone there is at the present time an arrearage of approximately 32,000 investigations of deportation cases.

Mr. LUCAS. I should not say that that was a bad record, if the Senator will permit me to comment.

Mr. REVERCOMB. It sounds pretty bad. It is for only one area.

Mr. LUCAS. I am talking about the number who have been actually deported, and the number who are being prepared for deportation. There are only 32,000 left under investigation.

Mr. REVERCOMB. Thirty-two thousand in one area. The immigration officials themselves tell us what great difficulties they have. They are alarmed over the number who have come in, and whom they cannot follow.

Mr. LUCAS. They have a right to be alarmed over the situation. I agree with the Senator. I know that the Senator has made quite a study of this problem. Does he agree that during the war years 1,000,000 who were eligible to come in under the quota did not come in during that time?

Mr. REVERCOMB. I should not say that 1,000,000 did not come in. Let me put it in this way——

Mr. LUCAS. The number is very close to 1,000,000, as I recall from the figures which I obtained from the immigration officials. I was under the impression that during the war immigration had practically dried up.

Mr. REVERCOMB. The figure is rather large as to all the unused quotas.

Mr. LUCAS. That is what I am talking about. I am talking about the unused quotas during the war.

Mr. REVERCOMB. From those countries from which the displaced persons come, the figure is approximately 30,000 who could have come in during the war years under the quota system. Thirty thousand did not come in who might have come in from the countries from which the displaced persons come.

Mr. LUCAS. That is a very interesting figure. I hope the Senator's figure is correct.

Mr. REVERCOMB. The Senator will find this subject discussed in great detail in the printed report on the bill.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. COOPER. The Senator has just made the statement—and I am sure that it is correct—that 30,000 who might have come in under the quotas did not come in during the war.

Mr. REVERCOMB. During the fiscal years 1940 to 1945, inclusive.

Mr. COOPER. His figure applies to deficits in nationality quotas.

Mr. REVERCOMB. Yes. We have done that for years.

Mr. COOPER. If the average number which had been entering annually under quotas had entered during the war years, is it not a fact that 180,000 persons additional to those who actually entered would now be in the United States?

Mr. REVERCOMB. Is the Senator assuming that the laws would be broken? During the war years, just as in the years prior to the war, we were under the quota system. Only a certain number can come from each country. During the six war years approximately 30,000 persons could have come fro... the countries from which the displaced persons come. Perhaps this will make it clear: The total number of quota immigrants admitted to the United States during the six war years—1940 to 1945—was 132,876. The total number is only 48,147 less than the 181,023 quota immigrants admitted into the United States during the preceding 6 years—from 1934 to 1939.

Mr. COOPER. I agree with the Senator when he speaks of numbers restricted to quotas from specific countries. However, I am speaking now of the numbers of people, without respect to quotas and without respect to nationality——

Mr. REVERCOMB. How can we disregard quotas? They are a requirement of the law.

Mr. COOPER. I am talking about the total number of people who would have been in this country, regardless of where they came from, if the average number who had been admitted annually since 1930 had entered during the war years. Is it not true that about 180,000 quota and nonquota immigrants would have come in during those years?

Mr. REVERCOMB. To use the exact figure, 183,023 quota immigrants were admitted into the United States for the 6 years preceding the period from 1940 to 1945. Using that figure as a fair basis for the number who would have come in between 1940 and 1945, I should say that 180,000 would have come in. We know that the number who did come in was 132,876, and there is a difference of only 48,147.

Mr. COOPER. The printed report of the committee indicates the average number of quota and nonquota immigrants who entered each year from the year 1930, the date of enactment of the

present law, and through 1947. In the four war years about 180,000 additional people would have been admitted if the average had been maintained.

Mr. REVERCOMB. The able Senator is using nonquota immigrants, which he cannot use in any calculation of this kind. I think the Senator said "quota and nonquota," did he not? If we include nonquota immigrants, that embraces immigrants from South America, Canada, and the rest of the Western Hemisphere. We cannot confuse the two categories. Using the figure for quota immigrants, upon the basis of these figures, even with the war, there was a difference of only 48,147 between the war years and the 6 years preceding the war.

Mr. President, I wish to proceed with my statement. We shall be engaged in this argument for several days, I presume, and I should like to conclude my opening statement upon this subject.

I was speaking of the number of displaced persons who have been admitted into this country already, and of the fact that it is estimated that 50,000 of them will have come in under our regular immigration laws by July 1, 1948.

At the time of the filing of this report England had taken 36,000 displaced persons, most of whom were from the British zone of Germany or the British zone of Austira. Belgium had taken 25,000. France, with a shortage of workingmen, had taken only 16,000. As of the time of the filing of this report Canada had taken 8,500.

Many persons feel that if the United States should rush ahead and take a great number, other coultries would do likewise. The able Senator who now occupies the chair [Mr. CAIN] was in Europe at the time of the committee's investigation, and has a first-hand understanding of the entire situation. France is in need of workingmen. France has made a contract with Italy for Italian workingmen to come into France. She has taken approximately 16,000 displaced persons. But when they go there they go for a specific purpose. They go there as farm workers, miners, or workers in the building-construction industry.

Those taken into Belgium were taken in for coal mining. While we were in Germany last fall Gen. Lucius Clay, in charge of the military government of Germany, received a report, at a meeting which I was privileged to attend, to the effect that Belgium had sent back to the camps a large number of displaced persons because they did not fulfill the work for which they were brought there. Canada has taken in a number of men for farming and dairy purposes, as woodsmen, and I understand a limited number of tailors.

Under the provisions of the bill the United States would be the first country to permit displaced persons to enter with their families. In most of the other countries the families must wait in the camps while the men go to find jobs. The answer is that there is no housing for the families.

I recall talking with one of the ministers of England on this subject, and asking him, "Why do you not take more displaced persons?" His answer was, "We have a housing problem." Mr. President, we, too, have a housing problem which must be regarded in any action taken on this subject.

In many instances the families of the workers are not permitted to enter with the workers. It should be pointed out also, with reference to resettlement of displaced persons, that many displaced persons have declined the opportunity to resettle in some of the receiving nations. Virtually all the displaced persons desire, as do millions of other Europeans, to leave Europe. Many desire to emigrate from Europe to the United States. This is nothing new. The desire to come to the United States existed long before the war, long before we ever heard the expression "displaced persons." For years, even prior to the war, the immigration quotas for some countries have been heavily oversubscribed.

The Senate will recall that under the provisions of the Economic Cooperation Act of 1948, the Administrator is required to encourage arrangements among the participating countries in conjunction with the International Refugee Organization looking toward the largest practicable utilization of manpower available in any of the participating countries in furtherance of the accomplishment of the purposes of the act.

Under the provisions of the act, the term "participating countries" includes dependent areas. Also, the act provides for guarantees in connection with certain projects fostered by private investors.

It is my information, Mr. President, that in some of these dependent areas, projects fostered by private investors have already resulted in colonization of displaced persons with rather satisfactory results. For example, a number of displaced persons have been resettled in French Morocco, through the initiative of a development organization, the head of which reports that there is a potential capacity in North Africa for the resettlement of hundreds of thousands of displaced persons. I suggest to the Senate that substantial inroads toward the solution of the problem can be made if, pursuant to the provisions of the Economic Cooperation Act of 1948, appropriate projects are fostered in such areas of the world in which colonization is needed.

Mr. President, in speaking of the need for additional colonization, I wish to read from the Reader's Digest of April 1948, which contains an article entitled "Too Many People." The article was written by C. Lester Walker, and it was originally published in Harper's magazine:

> "If other nations—China, India, Russia—are to have so many people, shouldn't the United States, lest it be overwhelmed, increase its population?"
>
> The answer is "No." In terms of military strength, the overpopulated nation is weakened by its extra people. A modern army is fed and equipped by the surplus of foods and materials a people can produce.
>
> The United States may be a stronger, healthier, happier Nation today with a population of 140,000,000 than it will be when it reaches 200,000,000. Studies by P. K. Whelpton of the Scripps Foundation for Population Research indicates that a fixed 100,000,000 people might be even better for us. It would mean more and better clothes, housing, jobs, medical care, education, beefsteak, and milk for everybody.

Of course, Mr. President, the population of the United States will increase; our population is growing. But we cannot overlook the fact that we have today a problem on our own hands. This is not the country of 50 years ago, when unrestricted immigration to the United States could be absorbed.

THE SITUATION IN THE UNITED STATES

The subcommittee felt that in order that the problem of displaced persons, insofar as it affects the United States, might be viewed in a true perspective, an appraisal should be made of the problem in the light of our general immigration pattern and the situation in the United States insofar as such situation is pertinent to the resettlement of displaced persons in this country. Accordingly, I should like to briefly make reference to the immigration policy of this country as it has evolved during the years, and to certain pertinent facts pertaining to the situation in the United States.

Under our immigration law, there are two general classes of immigrants. The first are known as quota immigrants. Under our immigration law, only a designated number of quota immigrants may enter the United States annually from certain countries. In addition to the quota immigrants, there is also another class of immigrants, known as nonquota immigrants, who consist chiefly of certain relatives of American citizens, immigrants from the Western Hemisphere, and similar classes. There is no statutory limit on the number of nonquota immigrants who may be admitted into the United States, except insofar as the number is limited by the excluding provisions of the law or the status required in order to qualify as a nonquota immigrant.

Mr. President, at this point let me emphasize that every immigrant who is admitted into the United States, and who thereafter becomes a naturalized citizen, may become a conduit through which various members of his family may be admitted into the United States on a nonquota basis, in that way swelling the growing population of our country.

The maximum annual number of quota immigrants for all European countries is approximately 150,000. Of this quota, five-sixths is allocated to countries of western and northern Europe. The basis for the allocation of the European quota has been evolved after years of careful study in which all of the many facets of the immigration problems were carefully considered. This allocation of five-sixths of the European quota to northern and western Europe and only one-sixth of the European quota to eastern and southern Europe has been made on the theory that northern and western European stock predominated in building the United States and that immigrants from this stock have backgrounds and customs similar to those which prevail in the United States, and that immigrants from the northern and western European stock are therefore more readily assimilable. The displaced persons in

Europe, except persons of German nationality, are all from countries of southern and eastern Europe which have relatively small quotas because immigrants from these areas have been found during the course of our history to be less assimilable.

It has been asserted, and I call the special attention of the Senator from Kentucky to this point, that there have been accumulated a substantial number of unused quotas which were unused during the war years, and which should now be made available to displaced persons. The implication of this assertion is that had it not been for the war, hundreds of thousands of these persons from eastern and southern Europe would have been admitted into the United States during the course of the years in which the war was being fought; that is, during the 6 years 1940 to 1945, inclusive. However, a consideration of the facts immediately dispels the basis for this assertion. The total unused quotas for the last 9 years, from 1939 to 1947, inclusive, for the six countries from which displaced persons have come, exclusive of Germany, is only 30,342.

During the 18 years in which the present quota law has been in effect, the average annual number of quota immigrants has been approximately only 35,000. The reason for the unused quotas, not only during the war years, but during the entire history of the immigration quota law, is that relatively few immigrants from the large quota countries have been emigrating to the United States. For example, four countries of northern and western Europe which have 72 percent of the European quota have, during the existence of the law, used only 13 percent of their quota. On the other hand, the quotas for the countries of southern and eastern Europe are heavily oversubscribed for as much as 50 years in advance. It is therefore apparent that a disproportionate number of the immigrants to the United States have come from countries whose populations, under our quota law, are deemed less assimilable.

What was the situation respecting immigration to this country during the war years? The total number of quota immigrants admitted into the United States during the six fiscal years 1940 to 1945, was 132,876. This number is only 48,147 less than the 183,023 quota immigrants admitted into the United States during the preceding 6 years, the fiscal years 1934 to 1939.

Since the war, however, as might be expected, there has been a tremendous increase in the number of persons coming to the United States both as quota and as nonquota immigrants. More quota immigrants were admitted into the United States during the last fiscal year than the total aggregate number of quota immigrants that were admitted during the preceding four fiscal years. More nonquota immigrants were admitted into the United States during the last 2 years than were admitted in the course of the preceding eight fiscal years.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. COOPER. It is somewhat difficult to argue statistics on the floor, but I have just looked at page 67 of the full report of the subcommittee on which the printed report is based and the table on that page, indicates that from 1930 through 1947, 630,513 quota immigrants were admitted into the United States.

Mr. REVERCOMB. That is, as quota immigrants alone.

Mr. COOPER. Yes, quota immigrants. As the Senator said a few minutes ago, the total figure would average 35,000 quota immigrants a year during the period 1930 to 1947.

We were in the war from 1941 to 1945. In the 4 years, 1942, 1943, 1944, and 1945 the table indicates that only 44,659 quota immigrants came into this country. If the average number of 35,000 per year had entered in those 4 years, over 140,000 would have entered. Subtracting the 44,659 who entered it is clear that there was a deficit of 93,000 quota immigrants, in those 4 years. I take these figures from the report of the subcommittee of which I was a member.

Mr. REVERCOMB. I may say to the Senator, that I shall not take time now to enter into a calculation with him, but I shall be very glad to do so in the course of the discussion, after I have had an opportunity to examine the records.

I do have figures which I want to place in the RECORD. I put them in before, and I want to put them in again at this point. The total number of quota immigrants admitted into the United States during the six fiscal years 1940 to 1945, was 132,876. That number is only 48,147 less than the 183,023 quota immigrants admitted in the preceding six fiscal years, 1934 to 1939.

I have mentioned in the course of this discussion, and it has also been mentioned by other Senators, I believe, the subject of the illegal entry of aliens into the United States. This problem is one of the phases of our immigration problems under consideration in the study of our general immigration laws. An indication of the number of illegal entries into the United States is the fact that the number of deportations for the last 4 years has exceeded the number of immigrants who legally entered the United States during this period. During the past fiscal year, 18,663 aliens were deported from the United States and 195,880 aliens who had been adjudged deportable were permitted to depart at their own expense. In New York City alone there is at the present time an arrearage of approximately 32,000 investigations of deportation cases. I went over these figures a short while ago, in a discussion with the Senator from Illinois.

Closely related to the problem of illegal entry of aliens into the United States is the problem of aliens who legally enter for temporary periods, such as visitors and persons in transit to other countries, but who fail to leave the United States. I may add to that category those who come here sometimes as treaty merchants, dealing with business problems. Mr. President, I cannot overemphasize the gravity of this problem. During the course of the last fiscal year, 366,305 of these persons who are technically classed as nonimmigrants were admitted into the United States. This number is over 60 percent more than the number of nonimmigrants admitted into the United States in any previous year in the course of the last 40 years. I speak from the record when I say that an alarming number of these people who are admitted into the United States for temporary periods as nonimmigrants come for the purpose of evading our immigration laws. As chairman of the regular Immigration and Naturalization Subcommittee of the Senate Judiciary Committee, I have seen substantial evidence of this, because we already have a great number of private immigration bills which have been before our subcommittee for the purpose of adjusting the immigration status of these people who are being admitted temporarily, but who, after they set foot on American soil, refuse to leave this country. As I have previously indicated in my remarks, there are among these nonimmigrants who have been admitted into the United States, thousands of displaced persons.

I may say at this point that there have already been introduced in the Eightieth Congress more than 1,000 private bills for the purpose of adjusting the status of aliens. This number is over twice the number of such bills which were introduced in the Seventy-ninth Congress and over six times the number of such bills which were introduced in the Seventy-eighth Congress. Moreover, more than 4,000 cases in which deportation of aliens has been suspended by the Attorney General, have already been referred to the Eightieth Congress as required by law.

These figures, Mr. President, will give some idea of how many people are coming into the country, and of the terrific problem facing our immigration authorities.

Mr. LUCAS. Mr. President, will the Senator yield at that point for a question?

Mr. REVERCOMB. I yield to the Senator.

Mr. LUCAS. I read from page 15 of the annual report of the Immigration and Naturalization Service, United States Department of Justice, the following:

> Visitors and transients came chiefly from Cuba and Canada and Mexico. It is noteworthy that the increase in the number of students is due to the larger numbers coming from Latin-American countries rather than from Europe.

I read that statement, because all the emphasis is now being laid on the displaced persons who are in European countries. I merely call attention to that statement because I think we ought to give it some consideration. Undoubtedly it is a true statement.

In other words, most of them coming in on temporary visas or on the nonquota basis are from South American countries, according to the report.

Mr. REVERCOMB. I am glad the Senator has brought that up, because I do not want to leave an inference that they are all from Europe. There are persons coming from other countries, but

many of the 366,000 are in fact displaced persons.

Mr. LUCAS. I presume the Senator is correct.

Mr. REVERCOMB. That is the advice which I have received.

Mr. LUCAS. Does the Senator know the number of displaced persons?

Mr. REVERCOMB. No, I do not have that figure.

Mr. LUCAS. It would be interesting to know, because we are talking about displaced persons. If the Senator could supply the Senate with that information it would be valuable, because the Senator makes the general, broad statement that many persons who come in are displaced persons. No doubt some of them are. But I believe it would tend to clarify the situation if we knew the accurate figures, if there is any way of obtaining them.

Mr. REVERCOMB. In the substitute to be offered to the committee bill there is a provision that some 15,000 displaced persons who have come in on temporary permits may have their status adjusted so that they can remain. I take it that approximately 15,000 have come in.

Mr. LUCAS. The able Senator from Massachusetts [Mr. SALTONSTALL] has just handed me a report from the Committee on the Judiciary, on page 24 of which this statement is made:

> As stated above, approximately 30,000 displaced persons have been admitted to the United States.

Mr. REVERCOMB. That is under the quota system.

Mr. LUCAS. Yes.

Mr. REVERCOMB. One who comes in on a visitor's visa does not come under that classification.

Mr. LUCAS. I understand that. I am interested in displaced persons, those in the emergency group, who are not coming in under quotas.

Mr. REVERCOMB. I am very glad to have the question raised.

Mr. President, I have been speaking about the background of the whole situation in connection with the number of people coming into this country. I certainly did not mean to leave the inference that 366,000 have entered under the quota system. I did not say that. I said that the persons who have come in under the quota law amounted to 32,000.

Mr. LUCAS. I rather gained that impression from what the Senator said, and in order to clarify the RECORD I thought it was advisable to make the statement which I made.

Mr. REVERCOMB. I have used a definite figure of 32,000. As we are advised by the Immigration Service, it was estimated at the time the report was written that there would be 50,000 displaced persons admitted under the quota law by July 1, 1948. As to the number of displaced persons who have come in as visitors, we are told that some have come in, but I do not have the figures, and I do not know where they can be obtained.

Mr. LUCAS. Will the Senator yield on that point for a moment?

Mr. REVERCOMB. I yield.

Mr. LUCAS. I think it would be worth while to have the RECORD show a break-down of the 366,305 figure.

Mr. REVERCOMB. If that can be done, I shall be glad to have it.

Mr. LUCAS. It will not take more than a minute. I read from the annual report:

> The total number of nonimmigrants admitted was 366,305; Government officials, 16,517; members of international organizations, 3,803; temporary visitors for business, 79,634; temporary visitors for pleasure, 134,924; in transit, 96,825; returning residents, 22,818; students, 11,003; others, 789.

Those items make up the total which I have mentioned.

I might say for the information of the Senate that the group which I have read are exclusive of agricultural laborers who have been coming in from Mexico and other countries.

Mr. REVERCOMB. That is temporary labor.

Mr. LUCAS. Yes.

Mr. REVERCOMB. We do not have the figures as to them.

Mr. LUCAS. I am still reading from the annual report, under the caption of immigrants and nonimmigrants, page 15:

> During the fiscal year 1947, there were 323,422 aliens (exclusive of border-crossers, Mexican agricultural laborers, and crewmen) who departed from the United States. Only 22,501 were emigrants, i. e., aliens who left a permanent residence in the United States for a permanent residence abroad; 17,511 nonimmigrants were resident aliens who planned to return to the United States after a temporary stay abroad; and 283,410 were aliens who had been admitted as visitors, persons in transit, and others temporarily admitted.

Mr. President, that does not portray a bad picture, I will say to my able friend, if those figures are correct, of what the immigration officials are doing in the way of checking persons who are in this country. I do not say they get them all, but that is a pretty impressive showing, so far as I am concerned.

Mr. REVERCOMB. I will say to the Senator, with respect to displaced persons who have come in on temporary permits, that it seems to me there would be in that class temporary visitors for business, temporary visitors for pleasure, persons in transit, and students. I should certainly like to have those figures.

Mr. LUCAS. I do not know about the number of displaced persons. I thank the Senator for permitting the interruption.

Mr. REVERCOMB. In addition to the migration of aliens to this country, there are certain migrations of persons who are not strictly immigrants. I may say, so that no one may misunderstand the figures given in the discussion as to the number of people coming into the country, the number who are here, and the problems we have to meet in connection with those who are here and those who are coming, that there are at the present time approximately 100,000 American citizens situated throughout the world who are still awaiting repatriation to the United States. The situation is such that a special agency of Government has been established for the sole purpose of facilitating their repatriation to this country. Those persons, of course, would not be charged to any quota, but may enter the United States as rapidly as facilities will permit.

There is another type of migration which in recent years has been increasing in substantial numbers, due to various social and economic conditions in Puerto Rico. Puerto Ricans are American citizens and have the right to come and go as they please, and approximately 1,000 Puerto Ricans a week, 50,000 a year, are currently migrating to the United States. Most of them are settling in New York City, in East Harlem and the Bronx, and it is reported that those who come here to settle elsewhere in the country are creating serious social and economic problems where they locate.

Mr. President, I should like to say a word with reference to the areas of settlement of aliens who have been admitted into the United States. This is important in dealing with the bill because the bill has taken into consideration the very question of dispersal of the people who may come to this country.

In 1940 approximately 5,000,000 aliens in the United States registered under the provisions of the Alien Registration Act. Almost 70 percent of them were concentrated in urban centers of 50,000 population or over. Only 34.4 percent of the total population of the United States, including aliens, was in such urban centers. With a total population of 34.4 percent in cities of populations of 50,000 or more, 70 percent of the registered alien population of the country was in those populous centers.

Where, Mr. President, have been the areas of settlement of the displaced persons who have been admitted to the United States since 1945? Statistics show that 89.9 percent, nearly 90 percent, of the 17,018 displaced persons admitted into the United States during the fiscal year ending June 30, 1947, settled in cities or urban areas, and 50 percent of those persons were destined to New York City alone.

I believe it is proper for us to consider the social implications of these persons, particularly since the crux of a sound immigration program is the assimilation of the immigrants who are admitted, an assimilation into our way of life and the understanding of our form of government. We are justified in appraising the impact of the social and political problems which are inherent in the concentration of aliens in the urban centers of the Nation.

We must recognize, too, the fact that we have in this country more foreign-born persons than has any other country in the world. Most of them are excellent citizens who have contributed to the progress and development of the country.

Now I should like to make a few observations respecting the employment and housing situations in the United States, insofar as they are related to the reception of persons into this country. The report which has been filed, that is, the printed report of the committee on the bill, contains detailed information respecting both the housing and the employment situations.

The housing situation in the United States needs a little explanation, for we are keenly aware of the acuteness of this problem. The report of the Senate Committee on Banking and Currency on the National Housing Act shows that at the beginning of 1947 there were 2,200,000 married couples in nonfarm areas, that is, in urban areas, living as extra families doubled up in homes with other families, and about 300,000 married couples were living in hotels, rooming houses, tourist camps, and similar places. I invite the attention of the Senate particularly to the statistics revealed in the report to the effect that the housing shortage is twice as acute in the urban areas as it is in the rural areas of the United States.

I call attention to that point particularly with reference to the bill on the dissemination and giving preference to agricultural workers who come here, because it is in the rural sections we are going to be better able to house any number who may be brought, but in connection with the number to be brought in, even to the rural sections, we have to take due regard for the number of jobs that are open, and for the housing to accommodate them.

With reference to the employment situation, I observe that although employment in the United States is at present at a high peak, with less than 2,000,000 employables now unemployed, it must be borne in mind that the universities and colleges are crowded with students, many of whom will be seeking employment in the near future, and that 2,000,000 veterans are now in school, and approximately 662,000 veterans are engaged in on-the-job training. Those young men, to whom we owe the very highest duty of consideration before anyone else, are going forth to find places of employment. No one should displace them in any position. We have to take due notice and give weight to that very situation—that there are some 2,000,000 veterans who will leave school in a short time to seek work, and some 662,000 are taking on-the-job training and soon will want jobs of their own. All this has to be weighed in fixing on the number to be brought in and in determining the provisions of the act under which any may be brought in.

Let me say that while all of us hope that the present condition of great employment in our country may continue for years, and we will work toward that end, no man can assure that it will continue indefinitely. If we were in the midst of a time of severe unemployment in this country Senators would not be seeking the entrance of great numbers of people. We cannot ignore the fact that the time may come, as it has come recurrently in history, when we will have a condition of unemployment, though I hope, as do all, that we will not again confront such a situation. We will work to the end that it shall not come, but at the same time we know from the lessons of history that such times do come to all peoples and to all countries.

Mr. President, in concluding my remarks this evening, I wish to undertake an analysis of the bill which has been sent to the floor of the Senate by the Committee on the Judiciary.

I wish to say, in fairness, that the bill was evolved after weeks and months of work, conferences and meetings, and study of collected facts. It is a bill which was brought forth earnestly to meet the problem facing us, taking into consideration the need of the people who are called displaced, and also taking into consideration, into high consideration, I may say, the welfare of the country and its citizens. I therefore enter upon a brief analysis and summary of the provisions of the bill.

The bill, S. 2242, which has been reported favorably by the Committee on the Judiciary, is designed to have America, so far as she can do so, contribute her part toward alleviating the situation affecting displaced persons. The bill, accordingly, embraces those European persons who were actually displaced during the war, or very shortly thereafter.

The bill, as will be noted, embraces two general categories of displaced persons. The first are those who were forced to flee from Germany or Austria during the Hitler regime, and who have returned to Germany and Austria, but who have not been firmly resettled.

The second consists of those displaced persons who, during the period beginning at the commencement of the war, on September 1, 1939, and ending some months after the war, were in Germany, Austria, or Italy, and who were taken there from their native invaded countries for forced labor, or who fled there when the Allied countries occupied Germany. The bill also embraces displaced orphans, of whom there are only a little more than 3,000.

In view of the situation in the United States, to which I have previously alluded, the bill provides for certain vocational and housing prerequisites. The bill further provides that only those persons may be admitted who are qualified under the immigration laws of the United States for admission into the United States for permanent residence, and for whom satisfactory assurances have been given that such persons will not become public charges.

The bill provides that, in addition to persons admissible under other laws of the United States, and subject to the provisions of the bill, a number of eligible displaced persons and eligible displaced orphans not to exceed 50,000 may be admitted into the United States for permanent residence during each of two fiscal years commencing at the start of the next fiscal year, July 1, 1948.

It was initially felt that the admissions should be for only 1 year on a trial basis, but it was decided that the period of admission must be for 2 years in order that an appraisal could be made of the program at the end of a year without creating a hiatus if it should be decided to continue the program. Special provisions are, of course, incorporated into the bill in order to accommodate the spouse and children of an eligible displaced person.

I may say that I shall offer before I take my seat this evening an amendment to the committee bill which will assure that those who are to be classed as farm workers will include the wife and children of anyone classed within that category, and that there shall be no separation of families.

There are three priorities provided for, each of which is a vital part of the bill. The first priority is to eligible displaced persons and eligible displaced orphans located in displaced-persons camps and centers. Under the constitution of the IRO, in theory, at least, those displaced persons who are in displaced-persons camps constitute the class of displaced persons who are unable to become integrated into the economy of the country in which they find themselves. It is felt that priority should be given to this class of displaced persons in order that some progress may be made toward the objective of eventually closing down the camps, although I confess that it is very probable that persons who emigrate from the camps will be replaced immediately by persons outside the camps. Anyway, there is a priority given to those who are in the camps.

Another priority which is provided in the bill is a 50-percent priority to farmers and farm workers. I may say at this point that I have offered an amendment to clarify the language of the bill so that it is clear that the wife and children of a farm worker may also be charged to that class. There are three very cogent reasons for the priority for agriculturalists. The first is to assist in filling the demand in the the United States for farm workers. The second is to assure a basic general distribution of those persons admitted so that they will not be concentrated in a few urban centers of the United States. The third reason is that the housing shortage, as I have pointed out, is much less acute in the rural areas than it is in the urban centers.

The third priority which is provided for in the bill, is a 50-percent priority for those persons whose place of origin or country of nationality has been annexed by a foreign power. The evidence is conflicting as to whether or not certain groups of displaced persons could be safely repatriated. It has been reliably reported to the subcommittee that many of the displaced persons who came from west of the Curzon line in Poland could safely return under the present Polish Government. There is no doubt, however, that the persons east of the Curzon line, where the country has been annexed by Russia, and those other countries covered by this priority, cannot come home in safety. This priority includes persons from the Baltic States and persons from east of the Curzon line in Poland. To them is given a 50-percent priority. The other 50 percent is left open to the displaced persons of other national origins.

Another vital provision of the bill is prompted by the facts which I have referred to in regard to the processing of applicants for visas to the United States. The bill provides that no eligible displaced persons shall be admitted into the United States unless there shall have first been a written report prepared by such agency as the President shall designate regarding such person's character, history, and eligibility under the bill, and the burden of proof is on the applicant.

This provision in the bill, and it is the only bill which makes provision for screening or examining these persons for admission to see whether or not they are affiliated with subversive groups or whether they should be permitted entry at this time of great world turmoil and mixed political thinking.

The bill provides, Mr. President, for a commission to formulate and issue necessary regulations, but the actual administration of the program, that is the carrying out of the orders of the Commission, is to be by the regular immigration officials. The bill further provides for periodic reports from those persons admitted and from the Commission to the President and to the Congress.

The bill also provides for the elimination of preferences and priorities to displaced persons under the general immigration laws, which began in December 1945, and opens up the immigration laws to the persons who are nationals of the countries to which the quotas are assigned. There are many persons who sat back waiting for an opportunity to come to the United States, who had to stand aside because a displaced person was put ahead of them. Kinsmen of persons who have long been citizens of the United States are back in their home country waiting, having been pushed back because displaced persons were put ahead of them. If the pending bill should be passed a separate category will be fixed for the displaced persons, and immigrants who qualify under the immigration law may come to the United States under the regular methods. The reason for that provision is not only so that all displaced persons shall be admitted under the same procedures, but so that certain other immigrants, as I before said, who are eligible for immigration to the United States, may have an opportunity to come to the United States.

There are two other provisions of the bill to which I shall allude. The first would enable PCIRO to pay the passage for displaced persons coming to the United States and would exempt them from paying the fee for the issuance of an immigration visa, and would exempt them from paying the head tax.

The second makes special provision for the admission of displaced persons who are adopted by our overseas personnel. This last provision is one which was suggested to the committee, and the committee felt it should be written in the bill. It provides that orphans who are in Europe, who are adopted by the military personnel or even the civilian personnel of America in Europe, may be brought into the United States nonquota.

In conclusion, I make a few additional observations. I recognize that with reference to the problem of displaced persons, as with reference to many of the problems in the field of immigration, there are sharp differences of opinion which are reflected by the views of the Members of the Congress. I recognize also that the situation pertaining to displaced persons presents a special problem which to an extent should be given special consideration. The bill which has been favorably reported by the Senate Committee on the Judiciary represents a reconciliation of diverse views on the problem, which I believe are a typical cross section of the views held by many Members of the Congress.

On the one hand, there are those who, considering the immigration policy of the country and the situation of the United States, take the position that no special legislation should be enacted. There are those who have introduced bills even to curtail and stop immigration under the regular quota laws which have existed for many years. On the other hand, there are those who desire more liberal legislation; and there are even those, as indicated by testimony before the committee, who would break down the immigration laws and wipe them away.

It is my view that this bill goes as far as special enactments of this kind can go, while keeping in mind the best interests of the United States, which to me must be the paramount consideration in any legislation. I feel that the standards and safeguards which I have explained are adequate to protect the interests of this country, but I must assert that without the standards and safeguards provided in the bill, any legislation on the subject would be most unwise and would be dangerous and harmful.

As I say, the bill is more or less of a compromise of the diverse views of Members of the Senate. The Committee on the Judiciary has reported it to meet the problem, and has included in the bill the standards and safeguards necessary to protect our country. I submit it to the Senate for consideration, and I trust for passage. It is an experiment. It should not go too far. Let us give it a trial and see how well we can meet this problem.

At this time I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. CAIN in the chair). The amendment offered by the Senator from West Virginia will be stated.

The LEGISLATIVE CLERK. On page 5, line 21, it is proposed to strike out the period, and insert a colon and the following proviso: *"Provided, however,* That the wife, and unmarried dependent child under 21 years of age, of each of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia.

Mr. COOPER. Mr. President, may I ask the Senator a question?

Mr. REVERCOMB. Certainly.

Mr. COOPER. Would the Senator's amendment cover all unmarried children under 21 years of age?

Mr. REVERCOMB. The reason for the amendment is to make it clear that the wife and children of an agriculturist or farm worker who is admitted as a displaced person may also be charged to the agricultural class, and accompany him. It prevents the separation of families.

Mr. COOPER. Would it cover all unmarried dependent children in the family of the worker?

Mr. REVERCOMB. It covers the wife and the unmarried dependent child under 21 years of age.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question on that point?

Mr. REVERCOMB. I am very glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I understand that the wife and child not only are included in the 50-percent agricultural quota, but are also included in the total quota of displaced persons.

Mr. REVERCOMB. Yes. That is true of all our immigration laws. They are charged to quotas under the regular immigration law. I do not feel that there should be a departure from it.

Mr. SALTONSTALL. Taking that case as a hypothetical case, there would be three persons admitted as farmers, if the husband were a farmer, and they would to 3 of the 100,000 people to be admitted.

Mr. REVERCOMB. That is correct.

Mr. KNOWLAND. Mr. President, has the Senator concluded his remarks?

Mr. REVERCOMB. I yield the floor.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ENGEL of Michigan, Mr. CASE of South Dakota, Mr. TIBBOTT, Mr. SCRIVNER, Mr. KERR, Mr. MAHON, and Mr. NORRELL were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEFAN, Mr. HORAN, Mr. FENTON, Mr. CLEVENGER, Mr. ROONEY, Mr. GARY, and Mr. O'BRIEN were appointed managers on the part of the House at the conference.

## INVESTIGATION OF THE CHARACTER AND LOYALTY OF OFFICIALS OF ATOMIC ENERGY COMMISSION—VETO MESSAGE (S. DOC. NO. 157)

Mr. KNOWLAND. Mr. President, I wish to have the Senate take up a privileged matter at this time. I ask that the veto message of the President on Senate bill 1004 be laid before the Senate.

Mr. WHERRY. Mr. President, reserving the right to object, as I understand, this is a privileged matter and does not displace the unfinished business.

The PRESIDING OFFICER. The Chair is advised that it is a temporary matter and does not displace the unfinished business.

Is there objection to the request of the Senator from California? The Chair hears none, and the Chair lays before the Senate the message from the President of the United States withholding his approval from Senate bill 1004.

(For veto message, see CONGRESSIONAL RECORD of May 17, 1948, page 5895.)

The Senate proceeded to reconsider the bill (S. 1004) to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Martin |
| Baldwin | George | Millikin |
| Ball | Gurney | Moore |
| Barkley | Hatch | Morse |
| Brewster | Hawkes | O'Conor |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Buck | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Jenner | Saltonstall |
| Cain | Johnson, Colo. | Smith |
| Capehart | Johnston, S. C. | Sparkman |
| Capper | Kem | Stennis |
| Chavez | Kilgore | Taft |
| Connally | Knowland | Thomas, Okla. |
| Cooper | Langer | Thomas, Utah |
| Cordon | Lodge | Thye |
| Donnell | Lucas | Tobey |
| Downey | McClellan | Tydings |
| Dworshak | McFarland | Vandenberg |
| Eastland | McKellar | Wherry |
| Ecton | McMahon | Williams |
| Ellender | Magnuson | Wilson |
| Ferguson | Malone | Young |

The PRESIDING OFFICER (Mr. CAIN in the chair). Seventy-five Senators having answered to their names, a quorum is present.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

The Chair would like to add that on the question of the passage of a bill over the President's veto the Constitution provides that a yea-and-nay vote must be taken.

Mr. KNOWLAND. Mr. President, the issue before us today is whether the Senate shall override the Presidential veto of Senate bill 1004. First of all, I wish to make it perfectly clear, as I think it was made clear during the debate when the bill was passed by this body some time ago, that the bill has no reference to the pending problem of Presidential nominations to the Atomic Energy Commission. It is not something that has recently been put before the Congress of the United States in anticipation of Presidential reappointments of members of the Commission. To the contrary, the bill was first introduced prior to the time the present members of the Atomic Energy Committee were originally confirmed by the Senate. It grew out of the fact that at that time the Senate Section of the Joint Atomic Energy Committee found what they felt to be a loophole in the law which for the security of the Nation needed to be taken care of. At that time I introduced a bill. I happen to be one of the Senators who supported the President's nominations.

I call attention, Mr. President, to the fact that this bill merely gives to the Senate Section of the Joint Atomic Energy Committee the powers which the Atomic Energy Act itself indicates that the full committee has at the present time.

In subsection (e) of section 15 of the Atomic Energy Act of 1946, referring to the full committee, nine members from the Senate and nine from the House of Representatives, it is provided:

> The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

To that the bill proposes to add the following language:

> That section 15 (e) of the Atomic Energy Act of 1946 is amended by inserting at the end thereof the following: "The Senate members of the joint committee, as a committee, hereafter referred to in this subsection (e) as the Senate committee, and independent of the similar power included in the broader authority of the joint committee as specified in the preceding sentence, may, prior to the giving of advice and consent or refusal to advise and consent by the Senate to any appointment by the President under this act that requires such advice and consent, direct the Federal Bureau of Investigation to investigate the character, associations, and loyalty of any such appointee. The Director of the Federal Bureau of Investigation shall cause such investigation to be made, and, upon completion thereof, shall report to the Senate committee, in writing, setting out the information developed by such investigation, and shall thereafter furnish such amplification or supplementation thereof as the Senate committee may direct."

In other words, under this bill, it is not proposed to seize any files of the President of the United States or of the executive department, but rather it is only proposed that the Senate members of the joint committee, acting as a committee, in the discharge of the Senate's constitutional function of confirmation of Presidential nominees, shall have power, for its own protection within this limited field, to engage the facilities of the Federal Bureau of Investigation, which is a creature of the Congress of the United States, and to call upon it for information enabling us properly to discharge our constitutional duties. It does not give the committee power to go out and ask for investigations of a Cabinet officer or of anyone else on the outside. It applies solely to getting information which the Senate needs in the discharge of its obligation under the Constitution of the United States.

I think it important to state some of the background of this situation. In the first place, under the Atomic Energy Act, the joint congressional committee which is set up has a tremendous responsibility upon its shoulders. It is headed at the present time by the able Senator from Iowa [Mr. HICKENLOOPER.]

We are charged, under the theory of that act, with being the liaison body between the Congress of the United States and the Atomic Energy Commission. The field of atomic power is one which is unprecedented in the history of the Republic. The very nature of atomic energy is such that, for good or evil, it could jeopardize the very safety of the Republic itself.

In the proper discharge of our responsibilities as members of the committee we, of course, have access, as we must have, to much top-secret information. If we are to discharge our responsibilities we must have access to that type of information.

I have pointed out to the Senate that the bill is not aimed, nor was it meant to be aimed, at the incumbent members of the commission. Common sense will make that evident. So far as the present members are concerned, they now have all the secrets of atomic energy. So it is obvious that there would be no particular reason at this late date to ask for an FBI report on the present members of the Commission. Speaking only as an individual, I should certainly think it would be wholly unnecessary to do so unless some facts which I do not now have might warrant the committee in asking for such an investigation. As I say, I do not believe that is likely to happen; but before there is a vacancy, either by death, resignation, or otherwise, and new names are presented to the Senate of the United States, we must assume a heavy burden of responsibility in determining whether the Senate will give its advice and consent. I feel that as a matter of protection to this body in discharging its constitutional obligations, we must, in the interest of national security, have the power if we deem it necessary to exercise it.

What happened during the original confirmation fight? The able Senator from Iowa [Mr. HICKENLOOPER] who was then the chairman of the committee, had, during the course of hearings, sent a letter to the President of the United States. I shall read that letter at this time, because I think it is an important part of the background and the history of the case. It is dated February 25, 1947, addressed to Hon. Harry S. Truman, President of the United States, White House, Washington, D. C., and reads as follows:

> MY DEAR MR. PRESIDENT: The Senate section of the Joint Committee on Atomic Energy is approaching the close of its hearings and investigation upon the matter of qualifications of your appointees to the Atomic Energy Commission and the general manager thereof. The committee is anxious to complete its work in order that a report to the Senate can be made in this most important matter at the earliest possible moment.
>
> While the Atomic Energy Act of 1946 specifically authorizes the joint committee to "utilize the service, information, facilities, and personnel of the departments and establishments of Government," the Senate section, sitting as such, does not seem to possess this authority and the members of the Senate section believe that justifiable

criticism can be directed if we do not exhaust all reasonable avenues for the securing of information upon which to base our final recommendation.

Because these are Presidential appointments the committee feels this matter should be taken up with you directly and primarily. The committee is also of the opinion that we will be asked on the floor of the Senate whether or not we have secured all available information.

The importance of these appointments being great, the committee feels obligated to respectfully request authority from you to any investigating agencies of the exective or administrative branches of Government to put into the hands of the committee all information possessed by any such agency or branch bearing upon each of the appointees to the Commission and the general manager thereof. The committee members further feel that it will be most helpful if you can see fit to make available to the committee such information and reports upon the appointees as may be possessed by you.

Among the agencies of Government from which the committee would desire information are, the Federal Bureau of Investigation, the Army and Navy Intelligence Departments, the Intelligence Section of the Manhattan District, and such other departments and agencies as might have available information.

The appointees to the Commission, of course, are Mr. David E. Lilienthal, Chairman; Dr. Robert F. Bacher; Mr. Sumner T. Pike; Mr. William W. Waymack; Mr. Louis L. Strauss; Mr. Carroll L. Wilson, General Manager.

The committee desires that I express our appreciation to you for your cooperation in this matter, and again I state that this matter is being respectfully submitted to you, rather than being taken up by the committee directly with the agencies involved.

Because the committee feels the urgency of taking final action at the earliest possible moment, this letter is being delivered to you by hand, with the hope that your action in connection herewith may be had at the earliest possible moment.

I have the honor to remain,

Most respectfully yours,

B. B. HICKENLOOPER,
*Chairman, Senate Section,*
*Joint Committee on Atomic Energy.*

On March 1, 1947, the Senator from Iowa, in his capacity as Chairman of the Joint Atomic Energy Committee, received the following letter from the White House:

THE WHITE HOUSE,
*Washington, March 1, 1947.*

Hon. B. B. HICKENLOOPER,
*Chairman, Senate Section,*
*Joint Committee on Atomic Energy,*
*Washington, D. C.*

MY DEAR SENATOR HICKENLOOPER: I have your letter of February 25, in which you advise that the Senate Section of the Joint Committee on Atomic Energy submits the request that I authorize the investigating agencies of the executive branch of the Government to present to the committee all information possessed by any such agency bearing upon each of the appointees to the Atomic Energy Commission and the General Manager of such Commission.

It has long been the established policy that all such investigative reports are confidential documents of the executive department of the Government and that congressional or public access to them would not be in the public interest. I believe that it would be unwise to change this established policy and to set a precedent that would seriously prejudice the future usefulness of these investigating agencies.

For your information, be advised that the records of the investigating agencies of the executive branch of the Government were checked at the time the appointees in question were named to the Commission. No derogatory information was contained in any report. Before answering your letter of February 25, I have had a current check made of the records of the Federal Bureau of Investigation, the Army and Navy Intelligence Departments, and the Intelligence Section of the Manhattan District, and I wish to advise you that no derogatory information with reference to any of the appointees to the Commission, or with reference to the General Manager of the Commission, is contained in the files of these agencies.

Very sincerely yours,

HARRY S. TRUMAN.

Mr. President, and Members of the Senate, I wish to call attention to the fact that the President of the United States did not have a full and complete investigation made of the appointees to the Atomic Energy Commission at that time. The only thing he had made was a check of the files, which is an entirely different thing.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. Let me complete my thought, please.

In other words, his Attorney General, or whoever he operated through, merely said, "Have them look in the files as to information now in the files of the FBI and these other agencies, and let me know what is there." That is entirely different from having a full and complete investigation made by Government agencies. There is no more important agency in the Government of the United States or in any government in the world than the Atomic Energy Commission.

I now yield to the Senator from Michigan.

Mr. FERGUSON. My question is, Does not the record as it now stands show clearly that there was not only not a thorough investigation, but no investigation? If the files themselves happened to show something, then the President would know of it, but if no complaint were made nothing would appear in the FBI files concerning these persons.

Mr. KNOWLAND. The Senator is absolutely correct.

Mr. President, this matter is something which is in no sense partisan. As I pointed out before, the very security of the Republic itself, the very peace of the world, may hinge upon the action we take.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KNOWLAND. Let me complete this thought. No one knows what the future may hold in store for this country—it may be 5 years, it may be 10 years, it may be 20 years from now. But we are a government of laws and not of man, as well we should be. We came within 4 months of having Henry Wallace as President of the United States, and I say to the Members of the Senate of the United States that I frankly would not want to take his recommendations for members of the Atomic Energy Commission without the Senate of the United States having full access to all information it felt was necessary in the discharge of its constitutional obligation of confirmation.

We are not legislating for today, we are not legislating for the present incumbent members of the Atomic Energy Commission. We are legislating for the future of America. So I do not want any Senator on this side of the aisle or on the other side of the aisle to feel that in this case there is the slightest degree of partisanship in any sense of the word. This rises above partisanship, to the very security of the Nation.

I now yield to the Senator from Illinois.

Mr. LUCAS. Am I correct in my understanding from the colloquy between the Senator from California and the Senator from Michigan that no investigation was made by the FBI or any other agency of the members of the Atomic Energy Commission?

Mr. KNOWLAND. The Senator from Illinois is correct. By the President's letter itself it is shown that all he had done in the case was to have a file check made, which is an entirely different thing from saying to Mr. J. Edgar Hoover, or the head of any other agency, "I am appointing people to the most important Commission within my ability to appoint, which has great consequence to the future of the Nation. I want you to make a thorough, complete, and full investigation of these men and report back to me."

I myself had assumed, until we got this letter, that certainly any President of the United States in making appointments of this kind would have done just that thing, and I can say to the Senator from Illinois that I was shocked beyond belief when I learned as the result of this letter that the President had had no investigation of that character made, but had merely had a file check made of records which might exist in the agencies at that time.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. KNOWLAND. I yield.

Mr. LUCAS. The Senator is construing that letter literally. Perhaps it might have been well if another letter had been directed to the President of the United States asking whether or not any of the Federal agencies had made an investigation.

Mr. HICKENLOOPER. Mr. President, I can answer the Senator's question.

Mr. KNOWLAND. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I can say to the Senator from Illinois and to the Senate of the United States, and I state this on the authority of the head of the Federal Bureau of Investigation and on the authority of the President of the United States, who made the statement to me and to the junior Senator from New Jersey [Mr. SMITH], who sits next to me, that no investigation by the FBI of any of these appointees was requested by the President. I know of no further additional evidence that can be brought to bear than the head of the FBI and the President of the United States on this issue.

Mr. LUCAS. Let me ask a further question, in view of the last statement. Am I to understand that the Senator from Iowa has talked to Mr. J. Edgar

Hoover on this question, and is now repeating the conversation he had with him?

Mr. HICKENLOOPER. I am stating the fact. I did not ask Mr. Hoover himself, I ask his chief deputy in this matter, and that was confirmed by a telephone conversation on the part of the Senator from New Jersey [Mr. SMITH] to the head of the FBI, acting for the Director. The affirmative statement, not only to me, but to the Senator from New Jersey, was that no investigation had been requested of the FBI in these matters. The Senator from New Jersey and I both went to the President after I had made my statement on the floor of the Senate, in the confirmation fight, that no such investigation had been requested. For one reason or another the Senator from New Jersey had a different comprehension. We both went to the President, and in an interview with the President he told us that he had in fact not requested a formal investigation by the FBI, and that none had been made, that the only thing he had asked them to do was to check and see whether in their files there was anything derogatory then existing.

Mr. LUCAS. What files?

Mr. HICKENLOOPER. The files of the FBI.

Mr. LUCAS. Then they did have a file on these appointees.

Mr. HICKENLOOPER. I said the whole file system of the FBI. I do not know whether they have a file on them or not.

Mr. SMITH. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from New Jersey.

Mr. SMITH. I should like to confirm what the Senator from Iowa has said, because we were very much concerned at the time. I called up the FBI office and said, "Was a special investigation made?" They said, "No, there was not. We keep files on all important persons," and that is what we are referring to when we say they had that file. We went and asked the President himself, and he said it was the FBI file he asked confirmation of.

Mr. LUCAS. Does the Senator believe the FBI had no file on David Lilienthal?

Mr. SMITH. They did have a file, and that is the file they made an investigation of on behalf of the President. Perhaps they have a file on the Senator from Illinois, perhaps they have one on me myself.

Mr. LUCAS. I hope they have, if they have one on me.

Mr. SMITH. I think they have. I would say to the Senator from Illinois that if either he or I were tomorrow appointed a member of the Atomic Energy Commission, certainly an official investigation would be justified of our whole background, in addition to what may have been made up to this time.

Mr. HICKENLOOPER and Mr. PEPPER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from California yield; and if so, to whom?

Mr. KNOWLAND. I yield first to the Senator from Iowa, then I will yield to the Senator from Florida.

Mr. HICKENLOOPER. On the question of the file, there is no affirmative or original file on any of the members of the Commission, according to such information as I get from the FBI. The Senator from New Jersey stated a moment ago that the FBI and various clipping-collecting agencies, if you please, do carry routine files of information currently as it comes from the newspapers and otherwise on people of prominence in Government, but there is no investigating file in the FBI on the members of this Commission, so far as I know, and so far as I have been told.

Mr. LUCAS. It strikes me that the Commission should have called Mr. Hoover before it and had some evidence, rather than have taken hearsay testimony of some deputy. Now I am more confused than ever, since the Senator from New Jersey talks about the suggestion that there are particular files in the FBI about the men who are on the Commission. I simply do not follow that.

Mr. KNOWLAND. I will say to the Senator from Illinois that probably there is not a newpaper morgue service in the country that does not keep a clipping file on everybody of prominence in the country.

Mr. LUCAS. It does not seem to me to be much of an argument to say that there is a news clipping file.

Mr. KNOWLAND. I think it is an argument, because if they keep some information of that character and they happen to have it in the files, that is an entirely different situation from going out and making a full and complete investigation.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes, I yield to the Senator from Illinois.

Mr. LUCAS. Why was it the committee did not hold a hearing and call Edgar Hoover and others before it and take testimony on this very important point?

Mr. KNOWLAND. For the simple reason that the President of the United States in the letter which I have just read to the Senate lowered an iron curtain and said in effect that we could not secure information from the executive agencies of the Government.

Mr. LUCAS. The Senator knows that committees of Congress of the United States can call Edgar Hoover before them any time they want to, and have had him before them to testify.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. FERGUSON. I wonder by what authority or what practice the Federal Bureau of Investigation would, as has been indicated here, have files on important people. As I understand, the purpose of the FBI is to investigate Federal crimes, not State crimes. We have heard on many occasions that the FBI has nothing to do with State law enforcement or the enforcement of criminal law so far as the State is concerned. We all know that the great branch of the criminal law of America comes under State jurisdiction. Very little of it comes under Federal jurisdiction. So first, what authority has the FBI to keep files unless they are ordered by the Executive himself to make an investigation? Then I can see a reason for an investigation and a file. But are we talking here about a clipping bureau? Is that what the President of the United States asks the FBI to be, so they may look through the newspaper clippings they have on important people?

Mr. KNOWLAND. I do not know what the President finally asks them to do except what he says in his letter. They may or may not even have had some newspaper clippings on these five appointees and the general manager. If there were such clippings in their file they looked in their file and made a report based on them. If there were no newspaper clippings or anything else in their file they looked in their file and apparently made a negative report that there was nothing in their file. My only point is that whether they were newspaper clippings or whether there was nothing in the file, the mere check of the file is not the same thing as affirmatively investigating people holding perhaps the most important jobs in this country, second only, perhaps, to the President of the United States.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Florida.

Mr. PEPPER. I should like to submit two observations. The first is that the President faithfully acts in the discharge of his constitutional authority and function when he makes nominations to the Senate, and it is beyond the power of the Senate, it seems to me, to lay down standards and criteria for the President to observe in the exercise of his own constitutional responsibility.

In the second place, as was said by the able Senator from Illinois [Mr. LUCAS], when the Senate acts, of course it acts upon its own responsibility, and if the Atomic Energy Committee is the committee to which the nominations are being referred, it of course seems to have authority to make any inquiry which it cares to make. No one from any other branch of the Government has any right to restrict or limit the inquiry that committee might make.

But I wanted to go a little further than that, and to ask the Senator if he is laying down the proposition here to the Senate, which is a constitutional tribunal, that before any officer of great trust or responsibility can be confirmed by the Senate, or nominated by the President, he must clear the FBI?

Mr. KNOWLAND. Wait a minute. I have the floor.

Mr. PEPPER. If the Senator will allow me to ask the question. I am going to predicate the question. I do not say it facetiously but I ask the Senator, to illustrate the point, whether the Committee on Atomic Energy of the Senate has been investigated by the FBI?

Mr. KNOWLAND. Let me first answer the Senator's question and then I shall let the Senator from Iowa, who is the chairman of the committee, respond very fully to the Senator's remarks.

Mr. PEPPER. The other part of my question is as follows: Some time ago former Senator Burton was nominated

by the President to be a member of the Supreme Court. Does the Senator from California lay down the proposition that in such a case, when a man is named to such an exalted position, before the Senate can act it must have a report on the nominee from the FBI?

Mr. KNOWLAND. Mr. President, I may say to the Senator that the only thing the bill covers is the field of atomic energy, which is unprecedented in its scope so far as the future of the people of the country is concerned. We do not claim that the Senate or the Senate members of the committee should be able to direct the FBI to investigate any other officeholder in the Government of the United States. We do say in the specialized field of atomic energy, and in that field alone, because of its very nature, that in the discharge of our constitutional duties under the Constitution of the United States, the same Constitution from which the President draws his powers, in the discharge of our equal obligation as the Senate passing on Presidential nominations, we should have access to such information as we feel to be necessary in order to protect the best interests of the American people. That is all we are asking for in the bill, and I say to the able Senator from Florida that I do not believe the Senate can afford to leave any question of doubt that the Senate should have access to such information as it feels it needs in the discharge of its constitutional obligations.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. KNOWLAND. I yield.

Mr. PEPPER. I respectfully observe that the bill goes far beyond what the Senator from California has just stated. In the first place, I understand that the President seems to understand that it is the design of the proposed legislation, for all practical purposes, to make the Department of Justice, or an agency of the Department of Justice, an agent and a functionary of the Committee on Atomic Energy, a subsidiary of the Senate itself.

Mr. KNOWLAND. Only for the specific purpose of securing access to information for the specific job of passing upon specific members of the Atomic Energy Commission and the general manager thereof, when the nominations of this limited number of persons, five on the Commission and one general manager, are submitted to the Senate of the United States for confirmation.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. KNOWLAND. I yield.

Mr. PEPPER. The Senator must admit logically and legally that if one committee of the United States Senate has that power, every other committee of the Senate has similar power, and every committee of the House of Representatives has the same power, because the Constitution does not recognize the Atomic Energy Committee as being in a class by itself.

Mr. KNOWLAND. I can only answer the Senator from Florida in this way: We are clearly defining what we have in mind. If there is a constitutional question—and I do not think there is, but other Senators who are going to speak will discuss the constitutional question—if there is a constitutional question it will have to be ultimately settled by the Supreme Court of the United States.

I desire to say, however, that I feel the members of the Atomic Energy Committee of the Senate and of the Joint Committee would be remiss in their obligation to the Senate of the United States, they would be remiss in their obligation to the people of the United States, if knowing that this loophole exists in the law; they did not make a report as we have done, to the Senate; if we did not urge the passage of the bill which would close the loophole. Then if the Senate of the United States, in its judgment, wants to take the responsibility, with its eyes open, of leaving that loophole there, I hope that a later time, if some trouble develops in this field, no Senator will rise on the floor of the United States Senate and say, "Why did you not secure a full and complete report from the FBI on these nominees?"

Mr. PEPPER. Mr. President, will the Senator yield for a further observation on that point?

Mr. KNOWLAND. I yield.

Mr. PEPPER. It sems to me that it is an extraordinary doctrine to suggest that the only means by which a committee of the United States can be fully informed and safely advised about a high appointive official is to have the data which, somehow or other, have been obtained by the Federal Bureau of Investigation. As the Senator pointed out a little while ago, if the FBI has the files which it is said to possess, or is suspected of possessing, the FBI has no right to have them, unless we have a secret police, a gestapo, already unofficially recognized in this country. If the FBI has no file on these private and honorable citizens, behind whom the FBI has no right to be snooping, then it will have to dig up the data which the Senate committee would like to have. That means making the FBI the agent of the Atomic Energy Committee of the Senate, to do a job of investigation.

If this committee wishes to employ an investigator and send him out on an inquiry, if it wishes to write a letter to every police official, every sheriff's office, and every other law enforcement agency in the country, I know of no restriction which would prevent the committee from doing so, except the approval of the Senate and the appropration of the funds it might desire. But this committee wants to make the FBI the criterion, in the first place, of Senate approval of top responsible officials, a theory which I protest.

In the second place, it seems to me that whether it intends it or not, the effect of what the committee attempts to do is to convert an agency of the executive branch into an agency of the legislative branch of the Government, including revelation of the confidential information which that agency may have.

Mr. KNOWLAND. Mr. President, I will say to the Senator from Florida that I am not a constitutional lawyer. I do not pretend to be. I am not an attorney. However, my conception of our Government under the Constitution, with its separation of powers, does not go to the extent of believing that we have, in effect, three governments in the United States. We are all parts of the same Government. It is not a question of dealing at arm's length with an allied power in the executive branch or the judicial branch of the Government. We are all part and parcel of the same United States Government.

To carry the Senator's suggestion to its logical conclusion, it seems to me that in all cases the executive branch could say that it would refuse to furnish information to the Congress of the United States which the Congress needs in fulfilling its obligations. That would mean that the legislative branch as such would have to create a new series of legislative agencies. I do not believe that the separation of powers goes to that extent. I believe that when the Congress establishes a Federal Bureau of Investigation, and then wishes to call upon that agency of the Government, which it has created, to act for it in the discharge of its constitutional responsibilities by obtaining a bit of information to help it reach a proper judgment in the discharge of its high responsibility, it has a perfect right to do so, and should be able to make a request for information of such agency.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. TAFT. In confirming Presidential appointees, we are not performing a legislative duty. In that respect we are acting as a part of the executive department, and participating in an executive function, just as the President participates in a legislative function when he vetoes a bill which the Congress has passed. There are no closed compartments in this Government. We create many commissions which have legislative power, judicial power, or mixed legislative and judicial powers. There are no partitions between the various departments. This is a case in which we are performing an executive function, exactly the same function which the President performs when he nominates someone. It seems reasonable that whatever agency serves him in performing that function should also serve us when we perform a similar function. So I do not understand the basis for this discussion. We can, of course, establish an FBI of our own, to perform the same function. But why? Why should not the same officials who are performing that service for the President also perform the same service for the Congress of the United States?

We are not infringing on the power of another department of Government. We are simply saying that when a certain agency performs this kind of function, we are entitled to the same advice which the President receives from an agency which happens to be operating in that field. If that is not good constitutional law, and if the Congress were to establish its own bureau of investigation, that would be a pure duplication of functions.

Mr. PEPPER and Mr. LUCAS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from California yield; and if so, to whom?

Mr. KNOWLAND. The Senator from Illinois has been trying to obtain the floor.

Mr. PEPPER. Will the Senator permit me to make one observation in reply to the Senator from Ohio?

Mr. KNOWLAND. I yield.

Mr. PEPPER. Let us assume that the theory of the Senator from Ohio is correct. Let us assume that the same relationship exists in the treaty-making field. A treaty is negotiated by the President and submitted to the Senate, and we act in pursuance of our constitutional duty. Would the Senator from Ohio claim that we have the right to request the disclosure of all the confidential information which the President may have obtained in respect to the negotiation of a treaty, because our ratification of the treaty is required in the exercise of the coordinate function of the Senate?

Mr. TAFT. My answer is "Yes." I think we are entitled to every bit of such information.

Mr. PEPPER. I dare say that history will not confirm insistence upon such right of inquiry.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LUCAS. I should like to make one observation in the time of the Senator from California. So long as I am a Senator, I shall never surrender the power which is sought to be surrendered by this bill to the executive branch of our Government. As the Senator rightly stated a moment ago, the Atomic Energy Committee is without doubt, from the standpoint of the welfare and security of the Nation, the most important committee in the Congress. Under our form of representative government the people expect the Congress to protect and defend its powers. The Senator seeks to delegate to a part of the executive branch of the Government certain powers of the legislative branch. So far as I am concerned, when five nominations come before us for the Atomic Energy Commission, I would rather appropriate all the money necessary and take all the time necessary under the power and authority of a committee of the United States Senate, to make the kind of investigation which we can properly make, than to turn over to the executive branch of the Government a function which is rightly ours.

The FBI is a wonderful organization, but many persons in this country erroneously believe, in line with what the Senator from Florida has said, that it has some features of a gestapo organization. I am certain it will never become such. And I am not speaking disparagingly about the wonderful work it has done, but I am looking into the future, to the time when there will not be an Edgar Hoover at the head of the FBI. So long as men of the type who have served in the United States Senate for more than a century and a half are Members of this body, and so long as men of the type who are now serving in this body are Members of the United States Senate, it will be closer to the people of the United States than the FBI, with all its files. This is the place where power should reside. We should not expect an agency of the executive branch of the Government to furnish us the information which we desire. If the proposed legislation should become law, I believe that in time it would prove to be one of the greatest mistakes Congress had ever made. It would be an admission to the country that we ourselves do not have the power or capability necessary to perform our function, or that we are afraid to appropriate a sufficient amount of money to make our own investigation. That is an admission I shall never make. So far as I am concerned, I would have as much or more confidence in an investigation made by a committee of the Senate than in an investigation made by the FBI.

Mr. HICKENLOOPER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. Mr. President, it is intriguing, indeed, to notice the reversal of field of the Senator from Illinois. The statement which he has just concluded is certainly ingenious. I should like to go back to the 27th day of February 1948 and read to the Senate what the Senator from Illinois then stated about this legislation. I had intended later to invite the attention of the Senate to the fact that the Senator from Illinois was one of the vigorous supporters of this legislation, because he so indicated on the 27th day of February. I shall read from the RECORD. In discussing this bill as it was originally introduced the Senator from Illinois said on February 27, as appears from page 1866 of the RECORD of that day:

> Why cannot the Senator get this information by writing into his bill the right of the committee, after the appointment is submitted, to obtain through any agency of Government the necessary investigators to get information about the men who have been nominated?

The Senator from Illinois further stated:

> What is the difference whether the President makes it in the first instance—if it is in the teeth of the Constitution, as I believe—or whether we write into the law a provision which gives us the power to direct the Federal Bureau of Investigation to make the investigation after the nomination comes to us?

Mr. LUCAS. That is right.

Mr. HICKENLOOPER. That is exactly what this bill provides.

Let me continue with the Senator's record, just so the statement as it appears in this RECORD will be rounded out.

Mr. LUCAS. Yes; I want the Senator to read all of it, so there will be no misunderstanding.

Mr. HICKENLOOPER. Of course I am reading it.

The Senator from Illinois then said, after a statement by the Senator from California [Mr. KNOWLAND], which appears in the middle of the column:

> Why is it sought to place this responsibility upon the President?

Mr. President, we should bear in mind that the original bill provided that the President should cause this investigation to be made, and the Senator was objecting vigorously to that.

I repeat a part of the statement the Senator from Illinois made at that point, and then continue with it:

> Why is it sought to place this responsibility upon the President? Let him assume his own responsibility with respect to investigation, and if he submits a nomination to the Senate for appointment to the Commission, and the committee of the Senate desires to go further, we can write a law which will give the Congress the right to say, "We want investigators from the FBI to investigate John Doe or Harry Blackacre." The Congress has the power to determine whether or not the kind of man the President has appointed has the qualification and meets the test laid down by the Senate.

Then I addressed the Chair, and requested the Senator from California to yield, and he yielded.

Then the following occurred:

> Mr. HICKENLOOPER. Will the Senator from Illinois support such legislation?
>
> Mr. LUCAS. The Senator from Illinois will certainly support such legislation.

Mr. LUCAS. Mr. President, now will the Senator yield?

Mr. HICKENLOOPER. The Senator from California has the floor.

Mr. KNOWLAND. I yield.

Mr. LUCAS. Mr. President, nothing could please me more than to have the able Senator from Iowa read that statement into the RECORD, and as soon as I made the observation, I knew that was exactly what he would do. I am prepared to meet the test. Consistency has been called the hobgoblin of little minds.

Of course the Senator from Iowa has never changed his mind in his life upon any proposition, because he is always right; he always has the facts and the law at hand. So he has never changed his mind once since he has been in the Senate.

But the Senator from Illinois, after having made the observation——

Mr. HICKENLOOPER. Mr. President, I might say that I have just changed my mind about the Senator from Illinois. [Laughter.]

Mr. LUCAS. I expected the Senator to do that. Such change in no way disturbs me.

But what the Senator from Illinois did, after that debate, was to take a careful look at what he had said, and analyze this whole situation from the constitutional angle, as well as the standpoint of the future. And what the Senator from Illinois said at that time, in the opinion of the Senator from Illinois today, was wrong. It is a theory which I cannot in good conscience support. I have changed my mind before when convinced I was wrong, and I have no apologies to make for so doing.

Mr. HICKENLOOPER. Mr. President, I must say that I am now utterly confused about the logic of the Senator from Illinois. If he was wrong then in his judgment, is he wrong now in his judgment?

Mr. LUCAS. That could be. The Senator from Iowa is the only person who is always right in his judgment and never wrong. That is the beauty of being consistent.

Mr. KNOWLAND. Mr. President, I have tried to outline here today, what I believe is necessary if the Senate of the

United States is to be properly protected in the discharge of its constitutional obligation. I hope the Senate will vote to override the President's veto.

Mr. HICKENLOOPER. Mr. President, I rise because I have a few remarks about this matter which I should like to make for the RECORD at this time.

I wish to call the attention of the Senate to the fact that on May 15, 1948, the President vetoed Senate bill 1004, and returned the bill to the Senate, together with his objections. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point in my remarks, the veto message of the President.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

*To the Senate:*

I return herewith, without my approval, the enrolled bill (S. 1004) entitled "An act to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act."

The bill under consideration would amend section 15 (e) of the Atomic Energy Act of 1946, by adding at the end thereof a provision which would authorize the Senate members of the joint committee to direct the Federal Bureau of Investigation to investigate the character, associations, and loyalty of any person appointed by the President under the act, whose appointment requires the advice and consent of the Senate, and would require the Director of the Federal Bureau of Investigation to report to the Senate committee in writing, setting forth the information developed by such investigation.

Under our form of government, the executive power is vested by the Constitution in the President. Other grants of power are made to the legislative and the judicial branches. As was said by the Supreme Court in the case of *Humphrey's Executor* v. *United States* (295 U. S. 602, 629), "the fundamental necessity of maintaining each of the three general departments of government entirely free from the control or coercive influence, direct or indirect, of either of the others has often been stressed and is hardly open to serious question. * * * The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there."

S. 1004 is objectionable in that it would permit an unwarranted encroachment of the legislative upon the executive branch. Five Senators would be authorized to direct the Federal Bureau of Investigation, a bureau of the Department of Justice, to make investigations for them. The complete independence of the executive branch renders it imperative that the Executive have sole authority over the officers whom he appoints. Chief Justice Marshall said in *Marbury* v. *Madison*, 1 Cranch 137, 164:

"By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists and can exist no power to control that discretion."

Aside from the question of constitutionality, which I am advised is serious, I believe the bill is wholly unnecessary and unwise. It would authorize the Senate members of the Joint Committee to utilize a bureau of an executive department and direct its head to perform functions for the legislative branch, at the same time that he was performing similar functions as part of the executive branch, with the possibility of confusion and misunderstanding as to which branch controlled.

I fully recognize my obligation in exercising my constitutional duty of appointment to obtain the facts about any person nominated to serve as a member of the Atomic Energy Commission. Every facility of the executive branch, including the Federal Bureau of Investigation, will be used to obtain those facts. I am entitled to have placed before me all relevant information, including material which in the public interest should be maintained on a highly confidential basis.

The measure, furthermore, appears impractical because, as I am advised, investigations conducted by the Federal Bureau of Investigation after the nomination of an individual has been publicly announced are not and cannot be as productive as those which are conducted on a confidential basis prior to an announcement. Persons are always reluctant to disclose full information about an individual after his nomination has been sent to the Senate. The most reliable information is that which is obtained by the executive branch prior to nomination. This information is frequently of a category which cannot be made public without damage to the national interest. Although I have no desire to keep from Congress information which it should properly have, I must emphasize that the provisions of this bill are completely incompatible with the necessities of the operation of our Government and with the national security.

Accordingly, I cannot give my approval to the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 15, 1948.*

Mr. HICKENLOOPER. Mr. President, it is not my intention to go into great detail in discussing this action of the President or his reasons for the veto, except to point out certain erratic assumptions and conclusions contained in that message. Perhaps a brief review of the history of this legislation and the reasons therefor might be in order.

In the first place, the vital nature of the atomic energy activities in this country demands the highest degree of security and reliability on the part of the personnel involved in the program. There are grave and ample reasons why the best interests and the security of our Nation demand that the knowledge which we hold and which we are from time to time advancing with respect to atomic energy be safeguarded to the greatest reasonable extent. Not only do the secrets surrounding the production and use of atomic weapons demand this great security, but also the very hazardous nature of atomic energy production itself requires that the Nation be safeguarded against unwarranted and inept use.

In setting up the Atomic Energy Act of 1946 this was clearly recognized and the necessity for the security of the project and the reliability of personnel was set out. In that act it is mandatory that all employees working in the atomic energy project and having access to restricted data be investigated by the Federal Bureau of Investigation and cleared for access by the Commission after such investigation. I may say at this point, Mr. President, that I hope the Senate will take note that under the bill the clearance for access is not by the FBI. The FBI does not evaluate and does not come to conclusions on questions of the acceptability of employees. The evaluation and the clearance or the refusal to clear are the province of the Commission, based upon the facts submitted by the FBI.

Mr. President, requirement for investigation by the Federal Bureau of Investigation was not extended in the act to the commissioners or to the general manager who are appointed by the President. I think it is safe to say that it was the opinion of the committee in the preparation of the bill, and also the opinion of the Congress in passing the bill, that such a provision was not required, because of the universal conviction that the President, prior to the appointment of any person to these vital and controlling offices, would invariably, and as a matter of ordinary precaution, cause such an investigation to be made. It was unthinkable, Mr. President, in view of the fact that all other employees were specifically required to be so investigated, that the President would not cause such investigation to be made.

It developed, however, near the close of the hearings on confirmation of the present commissioners, that no investigation of any of the commissioners or of the general manager had been requested from the Federal Bureau of Investigation by the President, except that a so-called routine file check was had to determine whether or not derogatory information was then contained in any existing files. The Senate Committee on Atomic Energy requested that the President supply it with such information touching these appointees as he might have. But the President flatly refused to turn over to the committee for its examination such information as might be in his possession, and by such action he refused to cooperate with the committee, and therefore, with the Congress, in exploring the propriety of these appointments in connection with the grave responsibilities of confirmation which devolve upon the Senate.

It was at that time that the Senator from California [Mr. KNOWLAND] immediately sensing the inadequacy of the situation, as proved by the complete absence of a formal investigation by the Federal Bureau of Investigation of these cases, filed Senate bill 1004.

Originally, S. 1004 proposed that the President be required to cause such an investigation prior to the submission of any nominations of the Commission or General Manager and to submit the results thereof to the Senate committee. Objection was raised to this provision as an attempt to restrict the President in exercising his rights of nomination. The bill was amended, therefore, to its present form and, in effect, provides only that the Senate section of the Joint Committee on Atomic Energy to whom

is referred presidential nominations for this Commission and the General Manager, may request and receive from the Director of the Federal Bureau of Investigation a report in writing of an investigation of any such appointees, prior to their confirmation. The bill speaks for itself and is clear and concise. The bill passed both Houses of the Congress and expresses the will of the lawmaking body.

In his objections to the bill the President wholly confuses the issues. He confuses the issues of the exercise of his discretion, as the executive, in the manner and way in which he may utilize the agencies, departments, and officers of Government in performing his duties, with the inherent and fundamental right of Congress to place such requirements, restrictions, and authority, apart from the executive discretion, upon agents and departments of Government.

The President states that S. 1004 is objectionable in that it "would permit an unwarranted encroachment by the legislative upon the executive branch." This argument, of course, is wholly without foundation with respect to this bill. Throughout the entire history of our country and under the fundamental constitutional provisions, not only specifically may the Legislature provide for the duties and the activities of departments and agencies of Government, but it may abolish existing ones and create new ones, all of which may be under the general supervision and general control of the Executive. Examples are as extensive as the body of the law itself; there is scarcely a statute passed by the Congress that does not prescribe direct control, alter or change the duties, the obligations and the activities of some department or agency within the executive branch of Government.

At the present time, as nearly as I can calculate, 330 agencies and departments of Government are required by law to, and do, report directly to the Congress or its committees. The Atomic Energy Commission itself reports directly to the joint committee and to the Congress.

The President continues:

> Five Senators would be authorized to direct the Federal Bureau of Investigation, a bureau of the Department of Justice, to make investigations for them.

This is an utterly unsound argument. It is not 5 Senators, nor 50 Senators, nor 96 Senators that would be ordering this, but the action of the sovereign Congress of the United States, in its judgment, ordering this service to one of its arms and branches for its own benefit.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Maryland.

Mr. TYDINGS. Does the Senator feel that the President of the United States should direct an investigation to be made of a tentative appointee to the Commission before appointing him?

Mr. HICKENLOOPER. Mr. President, I may say that that question would be one which I think would not necessarily enter into this argument. I think the President should exercise whatever discretion he feels is proper in making up his mind in connection with his duties.

Mr. TYDINGS. Mr. President, will the Senator yield for another question?

Mr. HICKENLOOPER. I yield.

Mr. TYDINGS. Does the Senator feel that in the event the President has not ordered such investigation prior to the appointment, he should make an investigation through the FBI after he has made the appointment and sent it to the Senate?

Mr. HICKENLOOPER. Mr. President, I feel that that is asking me to say what the President should do. I feel that the President should exercise his discretion. It is merely my judgment about the matter, but I feel that the President should cause an investigation to be made, in his own interest, before submission of the name of an individual for appointment.

Mr. TYDINGS. By the FBI?

Mr. HICKENLOOPER. I would say by the FBI or by any other agency he may choose.

Mr. TYDINGS. I should like to say to the Senator that my purpose in asking these two questions was to lay the foundation for asking him a further question. There is a great deal of difference, is there not, between a law directing that the President shall cause a complete investigation of a tentative nominee for the Commission, to be made through all the agencies of the Government, on the one hand, and a law delegating to the Senate the power to make such an investigation itself. The Senator sees the distinction, does he not?

Mr. HICKENLOOPER. There is a vast difference. The original bill provided that the President should cause an investigation to be made. Objection was raised. The author of the bill, the Senator from California [Mr. KNOWLAND], then proffered an amendment to strike it out, because it clearly appeared that all the Senate wanted was to be able to call upon an existing investigative agency of the Government to aid the Senate in performing its constitutional duties.

Mr. TYDINGS. I do not think I have made my point wholly clear. I am trying to point out to the Senator the difference between a law which directs the President to have an investigation made prior to the appointment of an individual to this particular office, and a law which gives to the legislative branch the authority to make an investigation through an agency of the executive branch of the Government.

Mr. HICKENLOOPER. I think there is a very fundamental difference between the two theories or philosophies.

Mr. TYDINGS. If I may continue for a second more, I think the Senator from California made an excellent case, detached from the Constitution, as to the advisability of a certain procedure. But we cannot always do things that at the moment seem to us to be advisable. We are sometimes confronted with constitutional limitations. It seems to me the law which was vetoed, according to its title, which is all I am going to read——

Mr. HICKENLOOPER. Mr. President, if the Senator will pardon me, is he reading from the original bill, or is he reading from the bill as it was finally passed?

Mr. TYDINGS. I am reading from what apparently is the veto message. It says:

> The President is returning without his approval bill (S. 1004), entitled—

And here is the quotation. Listen to these words—

> "An act to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation."

The point I am trying to make is, there is a vast difference between a law which directs the President to make an investigation for his guidance so that he may know when he submits a nomination to us that the nominee has passed certain tests, and a proposition which gives to the Senate the right to make such investigations through an executive agency. I have not thought it through, but I should say offhand that in the one case I do not believe we have invaded perhaps the prerogatives of the Executive.

Mr. HICKENLOOPER. In which case?

Mr. TYDINGS. In the second case it is doubtful if we would have invaded those rights.

Mr. HICKENLOOPER. Do I correctly understand that the Senator is taking the position that he does not believe we would be invading the prerogative of the Executive?

Mr. TYDINGS. He has that right, anyway. We would make it mandatory.

Mr. HICKENLOOPER. That was the major question on the floor. The Senator from Connecticut [Mr. MCMAHON], the Senator from Illinois——

Mr. TYDINGS. I do not think the bill which the President vetoed, the title of which I just read, was a bill to give the Senate authority to make the investigation.

Mr. HICKENLOOPER. That is exactly it. It would give the Senate the right to make an investigation for itself.

Mr. TYDINGS. There is a vast difference between that sort of a procedure and a bill which would direct the President to make an investigation. In one case we would be telling the President to exercise a discretion which is already inherent in his particular office, and in the second case we would be taking over the Presidential prerogatives ourselves and running one of the branches of the Government.

Mr. HICKENLOOPER. I shall discuss that question in a moment. I have it covered very roughly and, perhaps, inadequately, but I think the law is clear as to what the situation is.

I return to the statement of the President:

> Five Senators would be authorized to direct the Federal Bureau of Investigation, a bureau of the Department of Justice, to make investigations for them.

This is an utterly unsound argument. It is not 5 Senators, nor 50 Senators, nor 96 Senators that would be ordering this, but the action of the sovereign Congress of the United States, in its judgment, ordering this service to one of its arms and branches for its own benefit.

It is just as capricious to say that three Senators could order this, because a quorum of the committee is five, and the majority of those present could direct action of the committee. Therefore, it would be three Senators instead of five, if this argument is carried to its fanciful conclusion; but again, I point out that it is not 3 Senators, nor 5 nor 96, but it is the direction and the will and the considered judgment of the sovereign Congress of the United States that is directing such action.

Although the fallacy of the argument advanced in the objections would seem utterly apparent, nevertheless, may I proceed a step further and point out that it is as sound and reasonable to say that in the event a bill is passed by a majority of one vote in each House of the Congress, that those two votes, cast by any of the affirmative voters that might be selected, mean that those two individuals so designated control the Congress of the United States.

The President further in support of the philosophy of his objection quotes certain language of Chief Justice Marshall in *Marbury* v. *Madison* (1 Cr. 137, 164), as follows:

> By the Constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders. In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists and can exist no power to control that discretion.

I digress for a moment to say that that decision goes to the use by the President of certain officers to carry out his duties under his executive authority and powers under the Constitution, within his discretion. I want to draw that distinction.

The above language, without any question, refers to the President's discretion in using appointive officers, in connection with his exercise of his executive responsibilities and powers specifically given to him by the Constitution or pursuant thereto.

The next two paragraphs of the decision in Marbury against Madison, however, contain the following language:

> But when the legislature—

And I call the attention of the Senator from Maryland to this language—

> But when the legislature proceeds to impose on that officer other duties, when he is directed peremptorily to perform certain acts, when the rights of individuals are dependent on the performance of those acts, he is so far the officer of the law, is amenable to the laws for his conduct, and cannot at his discretion sport away the vested rights of others.

The next paragraph goes on. The veto message did not quote enough of the decision. Only one paragraph was quoted. The next paragraph says:

> The conclusion from this reasoning is that where the heads of departments are the political or confidential agents of the executive, merely to execute the will of the President, or rather to act in cases in which the executive possesses a constitutional or legal discretion, nothing can be more perfectly clear than that their acts are only politically examinable. But where a specific duty is assigned by law, and individual rights depend upon that performance of that duty, it seems equally clear that the individual who considers himself injured has a right to resort to the laws of his country for a remedy.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. TYDINGS. I think the point is not whether Congress can impose a particular duty upon someone in the executive branch. We all know we can do that. We can impose thousands of duties on persons in the executive branch of the Government. We do it every day. That is not what we are doing here. We are attempting to tell the executive branch how it shall operate. We are attempting to do what under the present law we cannot do, as I understand. As I said in the beginning, it is one thing to tell the President or to tell the FBI that they should have every man investigated, but it is a different thing for us to tell the FBI to investigate someone else.

Mr. HICKENLOOPER. I call the Senator's attention to the fact that I pointed out a moment ago that there are more than 300 agencies and departments of Government in the executive branch which are required by law to do things for committees of Congress. The Senator from Maryland himself—and I usually agree with his judgment because I think it is sound—supported a bill along the very principle which we are attempting to pass here when he voted for the atomic-energy bill and vigorously supported it in committee, which provided that the Joint Committee on Atomic Energy could utilize services, facilities, information, and personnel of the departments and agencies of the Government.

Mr. TYDINGS. That is not at all a parallel case.

Mr. HICKENLOOPER. We are attempting to use personnel, information, and facilities of a Federal bureau.

Mr. TYDINGS. To initiate executive action. That is entirely different from utilizing services for facts already in existence. There is a vast difference between saying we want certain information from the Treasury Department or certain information from the Department of Commerce, and initiating an investigatory agency to dig up information.

Mr. CORDON and Mr. MCMAHON addressed the Chair.

The PRESIDENT pro tempore. Does the Senator yield? If so, to whom?

Mr. HICKENLOOPER. I yield to the Senator from Oregon.

Mr. CORDON. Would it not be interesting to the Senate if some of the opponents of the bill would, somewhere during the discussion, indicate the legal difference between the power of the Congress to direct, let us say, the Army engineers, who are an arm of the executive department, to investigate flood-control projects and report their findings to the country, and another agency which directs a Federal bureau to make an investigation and report to the Congress?

Mr. HICKENLOOPER. Mr. President, of course, there are apt parallels and apt illustrations. There is no difference.

I now yield to the Senator from Connecticut.

Mr. MCMAHON. I should like to point out to the Senator that it is within the power of this Congress, or any Congress, to create bureaus and wipe them out of existence by depriving them of appropriations, but what we cannot do is to operate the departments or the bureaus. That is solely an executive function. That is exactly the distinction, as I see it, in the examples which the Senator from Maryland has been discussing

I should like to put this proposition to the Senator from Iowa. Suppose the President of the United States should write him a letter, as chairman of this joint committee, and say, "See here, Senator HICKENLOOPER, I've got about 15 men whose qualifications I am considering for appointment to the Atomic Energy Commission. I hear you have $150,000 a year to conduct that Commission, and you have investigators, and I suppose they are competent, because you hired them. So what I would like you to do is to send those fellows down to me at 10 o'clock tomorrow morning, and I will put them to work investigating for me."

If I mistake not the temper of the Senator from Iowa, upholding the dignity of this body, I should be surprised if he did not rise in the Senate and say, "Mr. President, listen to this letter I received this morning in the mail. Listen to what the President of the United States is requesting me to do. Nominating is his business. We will take care of the situation after the nominations get here, but it is his business to do the nominating."

I submit to the Senator that that is a very fair parallel to the situation we confront here, and which we are trying to solve.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield; and if so, to whom?

Mr. HICKENLOOPER. I shall yield in a moment, but I desire to make a statement in reply to the Senator from Connecticut.

Of course, the comparison is utterly fallacious. It presents no basis for comparison, because the President is not the law-making body of the land, and under the Constitution the sovereign right to make laws, to create agencies, to direct their duties, to pass upon their efficiency, rests in the Congress of the United States, in the last analysis. We can take our checks and our balances between the branches of the Government under our system, where we check one off against the other—and bear in mind that there are very few checks that do not have balances to the second and sometimes the third degree—but when we take out of the Constitution of the United States all the checks and balances and check them off, the residue of sovereign power in this country rests in the Congress of the United States. It is the law-making body, and it has the power to direct.

I should say to the Senator from Connecticut that if the President of the United States had the sovereign power to

tell Congress what to do, and he sent word for us to do it, I would say, "Yes, sir; I shall obey the sovereign power as you have ordained it, and do the job."

Mr. McMAHON. I should like to point out to the Senator that he seems to be proceeding on the theory that the legislative branch of the Government is supreme over the executive branch of the Government. That is not so. The executive and the legislative branches of the Government are coequal and coordinate. Of course this contest we are talking about now has been going on for 150 years. It has been tested time and time again. If the Executive were to give up any of the power he legally has under the Constitution, he would be betraying the people of the United States whom he also serves in his constitutional capacity. I say to the Senator that the basic fallacy of the Senator's last statement is his belief that in the legislative branch of the Government there is a higher power than there is in the executive branch of the Government.

Mr. HICKENLOOPER. Mr. President, I should not be understood as saying that at all. There are areas in which the judiciary is supreme, and areas in which the Executive is supreme, and generally those are the areas where he is executing either the laws of the country passed by the Congress, or the specific charges placed upon him by the Constitution. In the exercise of those duties by the President he has vast and coequal authority with other branches. But that is not to say that whenever the Congress creates an executive agency it cannot modify, change or direct its actions when it is acting for the Congress or the people.

Mr. FERGUSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from Michigan.

Mr. FERGUSON. In response to the question of the able Senator from Connecticut, I think we could say that Congress could pass a law authorizing the President to use the clerks of a committee. That is the test here. We are passing this law authorizing the Congress to use his aids. We could pass a law to authorize the President to use the aids employed by the Congress.

Mr. BARKLEY. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from Kentucky.

Mr. BARKLEY. There is quite a difference. We are not proposing here to authorize a committee to use the facts which are gathered by an executive agency or appointee. We are authorizing a committee to command that executive appointees shall be the servants of a committee, and if we can do that with respect to the Atomic Energy Commission, we can do it with respect to postmasters, district attorneys, United States judges, and even members of the Cabinet, because they are creatures of the Congress. There is not a Cabinet member whose office is not created by the Congress, and if we could take this action with regard to the Atomic Energy Commission—which has no particular magic, so far as the law is concerned—we could provide that the FBI could be the agent of the Committee on the Judiciary to investigate every judicial appointment sent to the Senate by the President of the United States. Does the Senator deny that?

Mr. HICKENLOOPER. I call the Senator's attention to the fact that there are 330 agencies of the Government——

Mr. BARKLEY. I do not care if there are 4,000. Does the Senator deny that if we can do it with regard to the Atomic Energy Commission we can do it with regard to judges, postmasters, and even Cabinet members?

Mr. HICKENLOOPER. Without any doubt.

Mr. BARKLEY. I do not agree with the Senator.

Mr. HICKENLOOPER. Congress has the power to place duties and responsibilities even upon department heads, even upon Cabinet members, which are aside and apart from their duties rendered to the President in his executive capacity.

Mr. BARKLEY. But we have no power to say that by order of a committee of one branch of the Congress a Cabinet member or other Executive appointee shall be subject to the commands of that committee.

Mr. HICKENLOOPER. I disagree with the Senator in that; I believe we have.

Mr. McMAHON. Mr. President——

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Iowa yield to the Senator from Connecticut?

Mr. HICKENLOOPER. I yield.

Mr. McMAHON. Does the Senator see any impropriety in the idea of going over the President of the United States or going over the Attorney General and saying to Mr. Hoover, totally out of the chain of command, "Here, you work for us. Never mind your chief, never mind your superior, you work for us."

"Oh," says Mr. Hoover, "I cannot work for you for the moment, because the President of the United States, who is my chief, has all this work for me to do through the Attorney General."

Would we say to Mr. Hoover, "Pay no attention to the President of the United States, pay no attention to the Attorney General?" I say that is destructive of efficiency, it is destructive of the fundamental distinction between the three coordinate branches of the Government.

Mr. HICKENLOOPER. Two years ago the Senator supported exactly that kind of a law, and he did it ably. He supported and was the author of a law which said that the Federal Bureau of Investigation must investigate every employee of the Atomic Energy Commission before he should have access to confidential data. The President has no control over the FBI in that activity, the FBI does not report to the President, and 40,000 or 50,000 employees under the Atomic Energy Act who are subject to such investigation have neither confused the President nor confused the Congress, nor caused any confusion, and there is no objection to it.

Mr. McMAHON. Let me answer the Senator on that point, if he will permit me. I do not, of course, agree that that is the interpretation of the language in the bill to which the Senator refers, but if it were I would stand here and say, "Mea culpa! Mea culpa! Mea culpa! because I do not care——

Mr. HICKENLOOPER. I speak only English.

Mr. McMAHON. Because I do not care how often it is said, or by whom it is said, it is still wrong.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BARKLEY. I ask the Senator from Iowa if that provision did not apply to appointments made by an executive department or executive agency which do not require confirmation by the Senate of the United States?

Mr. HICKENLOOPER. Certainly.

Mr. BARKLEY. That law did not authorize a committee of the Congress to say to the FBI, "You shall or shall not do a certain thing."

Mr. HICKENLOOPER. No; but, Mr. President, the Congress of the United States said to the FBI—and the Congress of the United States did not say to the Attorney General, the superior, the director of the FBI; the Congress did not say to the President that the FBI shall investigate; the Congress of the United States reached right straight out and took the FBI by the arm, disregarded the Attorney General, if you please, bypassed the President, if that is the case, and ordered the FBI to investigate all of these people before they could go to work. The reports do not even go to the Attorney General, the FBI's superior; they go directly to the Atomic Energy Commission. I say that only in answer to the question that it is a confusing proposition.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. TYDINGS. That would be an entirely different matter from the point we have been discussing all afternoon. The FBI was established to investigate—

Mr. HICKENLOOPER. Exactly. That is all we want it to do.

Mr. TYDINGS. The point is that we cannot use it. It is not an arm of the legislature. It is an arm of the executive branch.

Mr. HICKENLOOPER. We use the Army engineers.

Mr. TYDINGS. Yes.

Mr. HICKENLOOPER. We use the Bureau of the Budget.

Mr. TYDINGS. Yes.

Mr. HICKENLOOPER. We use 329 agencies.

Mr. TYDINGS. Congress can use the FBI, Congress can use 4,000 agencies, but Congress has got to use them through the executive branch. That is how the 300 agencies to which the Senator referred are used. They are used through the executive branch of the Government.

Mr. HICKENLOOPER. I beg the Senator's pardon. These reports are required by law to be made by that agency directly to the Congress.

Mr. TYDINGS. That is what can be done here.

Mr. HICKENLOOPER. That is certainly what can be done here.

Mr. TYDINGS. The legislative branch is telling an arm of the executive branch what it shall do and what it shall not do and what it wants to do. That is the distinction.

Mr. HICKENLOOPER. I call attention to the fact that the Senator from Maryland not only rendered sterling service but his advice was sought and accepted in many instances when the Atomic Energy Act of 1946, the bill of which the Senator from Connecticut was the author, was being passed. I do not know whether the Senator from Maryland offered this particular portion of the bill or not, but he certainly supported it, and it was provided by that act that the Atomic Energy Commission keep the joint committee of the Congress fully and currently informed. That is a mandatory provision of the law, and the President has nothing to say about it. We are using an agency to do an affirmative job—for the Congress? No. Because they report separately to Congress. We are requiring by law that they do an affirmative job for an arm of the Congress. That is exactly what we are asking here.

Mr. TYDINGS. Mr. President, will the Senator again yield?

Mr. HICKENLOOPER. I yield.

Mr. TYDINGS. Of course we ordered the Atomic Energy Commission to keep the Congress informed. But we did not tell the Atomic Energy Commission how to run the atomic-energy business. We simply said, "You will keep us informed of what you do." What is attempted to be done now is to tell the FBI what it shall investigate and what it shall not investigate; not through executive channels, but through legislative fiat. We would not even have a law behind us if we were to call up the FBI and say, "Look here, I want you to investigate John Smith." We have no business to do that. If Congress wants that done, then put the power in the President, and the direction in the executive branch. It is an entirely different thing. It is proposed by the bill to take over the whole executive function. If that is done, the entire Government, all the three departments will be so intermixed that there will be no distinction between the three of them. If we are going to take over and direct as we see fit the functions of any particular executive bureau or agency, then this is no longer a legislative body. It is at least a quasi executive body. Our business is to pass laws. It is the President's business to administer the law. What is attempted to be done now is to get over into his territory and to help him operate the executive branch of the Government.

Mr. HICKENLOOPER. May I pose this question to the Senator? The Senator says it is wrong for the Congress to authorize the direction of an investigation by the FBI of the Commissioners.

Mr. TYDINGS. No. I apparently have not made the point plain. I would not say that my knowledge of the subject is profound, but without looking it up, without going into any study of it, I will say that we can direct certain investigations to be made, but they have to be made through the executive branch. What is attempted to be done now is to substitute the legislative for the executive branch, and we would tell the FBI, which is an agency of the executive branch, how it is to function, and what it is to do. We cannot do that. We can direct the President to ask the FBI to investigate every nominee for appointment to the Atomic Energy Commission. That is one thing. We can direct that certain duties be performed which are in his sphere. But what is attempted to be done now is to take that function away from the President, and we would tell the FBI what it is to do and what it is not to do. That is an entirely different matter.

Mr. HICKENLOOPER. Mr. President, when the bill was under consideration in February the position taken by the Senator from Maryland found violent disagreement. While I have not looked into that question carefully, yet my respect for the judgment of the Senator who advances these arguments is so great that I would not dispute them formally. But there was violent disagreement with the philosophy which the Senator now advances when he says we can direct the President to direct this agency. The Senator from Florida made a very strong, sound, convincing, and ingenious argument on that point. The Senator from Georgia [Mr. GEORGE] made a similar argument and said that he objected to the original bill because we were trying to direct the President to do something in connection with an appointment, and he felt it was an invasion of the President's discretion. The Senator from Illinois [Mr. LUCAS] took the same position. And our very dear friend, the late lamented Senator from Louisiana, Mr. Overton, made a vigorous argument along that line. I am not sure whether the Senator from Arkansas [Mr. MCCLELLAN] participated in the debate.

But the argument made by the Senator from Maryland met violent opposition from Senators, and the weight of their opposition certainly should be impressive. We changed the bill because it was generally conceded in the debate which occurred at that time that such a provision as we now have in the law would be acceptable, whereas the curtailment or the restriction of the Presidential discretion in making appointments would not be advisable.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Yes.

Mr. TYDINGS. What the Senator from Mayland intended to say was this, and I will put it in generality, that we cannot usurp or encroach upon the constitutional appointive powers and prerogatives of the President.

Mr. HICKENLOOPER. I agree with the Senator from Maryland on that point.

Mr. TYDINGS. The Senator and I are in complete agreement on that point. Now my thought in exercising this power through the executive channel was not to do it in such a way as to encroach upon any power the President may have, because he already has the power to order an investigation. It was to give that power full strength and vitality in his hands.

The difference between that proposition and the one which is current before the Senate is that we are not asking the President to use a power which is primarily and solely his. We are asking that we be given the power to perform a function which is solely in the hands of the Executive. If this bill becomes law, in my opinion we shall have encroached upon and usurped an Executive function.

Mr. HICKENLOOPER. Does the Senator say that the Congress may not prescribe the duties and functions of the FBI?

Mr. TYDINGS. Through Executive channels.

Mr. HICKENLOOPER. Or by law.

Mr. TYDINGS. What the Senator will not let me point out is that he is attempting, without any reference to the President, or Mr. Hoover, or anyone else, to call the FBI and say, "This is the chairman of the Atomic Energy Committee of the United States Senate. I know that you are in the executive branch, but I want you to investigate John Jones and Bill Smith." That is a usurpation of and encroachment upon the functions of the Executive. But if the Senator were to amend his proposal and require that the President, before submitting nominations to this body, should have the FBI investigate them, he would not be usurping any power. He would be activating it.

Mr. HICKENLOOPER. I believe the Senator from Maryland was not present in February when we plowed that field. We went all through that field and stirred up a hornet's nest of those who wanted to protect inviolate the discretionary province of the President.

Mr. WHERRY. Mr. President, will the Senator from Iowa yield to me for the purpose of propounding a unanimous-consent request, with the understanding that the Senator from Iowa shall have the floor when the Senate convenes tomorrow?

Mr. HICKENLOOPER. I should like to have 5 minutes more to conclude.

Mr. WHERRY. The Senator can have 5 minutes more, tonight, or tomorrow.

Mr. President, it appears that the debate will continue for some time. Senators who are in favor of sustaining the veto have not yet made their formal speeches. I understand that the distinguished Senator from Connecticut [Mr. MCMAHON] would like to make an address, especially on the constitutional question. Other Senators have not yet been heard from. Some Senators who wish to override the veto have not yet been heard. So I suggest to Members of the Senate that inasmuch as it is now 6:25, we agree upon an hour tomorrow at which a vote may be had upon the pending measure.

In order to start negotiations, I suggest that an early hour be agreed upon. I suggest an hour as early as 2 o'clock, with the understanding that the time between the convening of the Senate and 2 o'clock be divided equally between Senators who are upholding the veto and Senators who wish to override the veto.

Mr. BARKLEY. Mr. President, reserving the right to object, did the Senator say 2 o'clock?

Mr. WHERRY. That is the hour at which I should like to have the vote, if possible. Let me tell the Senator why.

We now have for consideration 10 appropriation bills. There are at least nine major pieces of legislation on the calendar. It was my idea—and I say this very respectfully to the minority leader, because he knows the situation which always develops when we are operating on a schedule and attempting to close the session—that we might take up the agricultural appropriation bill at the conclusion of consideration of the pending question tomorrow and, if possible, dispose of all the amendments except one or two with respect to which there may be controversy and then let the bill go over until Monday.

Mr. BARKLEY. Mr. President, it will not require 10 minutes to dispose of all the amendments which are not controversial. I do not know that there are more than one or two such amendments in the bill. I wish to cooperate with the Senator and with the majority of the Senate in expediting the business of the Senate. We pass appropriation bills rather rapidly. It is a rather important question we are now discussing, and I am sure that neither side is discussing it facetiously. It is really an important constitutional question. While I am anxious to expedite consideration of the question, I could not agree to 2 o'clock as the time for voting. I would agree to 4 o'clock tomorrow.

Mr. WHERRY. Mr. President, while the Senator is very optimistic as to the length of time which the agricultural appropriation bill will take, I am quite confident that it would be a miracle if within 10 minutes we could dispose of all the amendments except one or two controversial amendments.

Mr. BARKLEY. We can never tell how long a time will be required to finish consideration of a bill, but we know how rapidly we can dispose of amendments to appropriation bills to which there is no objection. They go through rapidly. I am sure that between 4 o'clock and 6—and we shall not adjourn much earlier than 6 tomorrow—we could dispose of the amendments which are not controversial and allow the one or two controversial amendments to go over until Monday.

Mr. WHERRY. Mr. President, the Senator from Maryland has raised three fingers. He is one of my favorite Senators. I presume the Senator means that he would be willing to vote at 3 o'clock.

Mr. TYDINGS. Mr. President, I have only one vote; but let me say to the Senator from Nebraska that long service in this body has convinced me that no Senator who takes a position on a constitutional question ever surrenders to the other side. I do not know that anything is to be gained by a long debate.

Mr. WHERRY. I suggest to the minority leader, and also to the Senator from California [Mr. KNOWLAND] and the Senator from Iowa [Mr. HICKENLOOPER] that the hour of 3 o'clock tomorrow be fixed for voting.

Mr. KNOWLAND. Mr. President, reserving the right to object, I understand that if the hour is set at 3 o'clock, the time will be equally divided between proponents and opponents of the veto.

Mr. WHERRY. That is correct.

Mr. LANGER. Mr. President, reserving the right to object, when will the Senate again take up the displaced persons bill?

Mr. WHERRY. The displaced persons legislation is the unfinished business. The veto message was laid down as a privileged matter. When consideration of that subject is terminated, the unfinished business will be the displaced persons bill. It was my thought that if we could take up the agricultural appropriation bill tomorrow by unanimous consent, we might conclude consideration of that legislation, and then the Senate would return to consideration of the displaced persons bill on Monday.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. McMAHON. Mr. President, reserving the right to object, I had the honor of making the only speech in opposition to this proposal when it was passed on a voice vote a few weeks ago. It is not the intention of the Senator from Connecticut to try to give a long dissertation on constitutional law and on the history of the efforts of the legislature to encroach upon the Executive. However, I believe that the question which we are now considering goes to the very fundamentals of constitutional government.

For my part, if the Senator from Nebraska could see his way clear to agree to it, on the theory that we would not get started until 12:30, I should be willing to set the time at 3:30. I think we should have a 3-hour debate.

Mr. WHERRY. How would that hour suit the Senator from California?

Mr. KNOWLAND. Mr. President, I certainly agree with the minority leader that this is an important question, and that both sides are conscientiously trying to present their point of view. Would it suit the requirements of the Senator from Connecticut if we were to meet at 11 o'clock tomorrow?

Mr. McMAHON. I have no objection. However, many Senators would have no previous notice that such a thing was to be done. Perhaps many Senators have made appointments in their offices. I think it is rather unfair to ask the Senate to meet either in the evening or at an earlier hour than usual, without a day's notice.

Mr. KNOWLAND. My thought was that if we were to meet at 11 or 11:30 the extraneous business of inserting matters in the RECORD might be disposed of in time to leave a full 3-hour period for debate.

Mr. BARKLEY. Mr. President, what the Senator says is true; but there is nothing which any Senator may wish to place in the RECORD tomorrow at 12 o'clock which could not wait until 3:30 or 4. Therefore, we might well dispense with the preliminaries of insertions in the RECORD, and proceed directly to this discussion. The difficulty with me personally—and I wish to make a brief address on the subject, but I do not think it will take me more than 10 or 15 minutes—is that I have an important engagement tomorrow at 11, and I cannot cancel it because it is not one that I made myself. I should like to be here during the session. I think we can accomplish all purposes, even if we have to stay a little later tomorrow afternoon, by agreeing to vote at 3:30 p. m. tomorrow.

Mr. HATCH. Mr. President, I simply wish to suggest that already 2 hours or more have been consumed in this debate. That time has largely been used by those who seek to override the Presidential veto, although as a matter of fact they have been interrupted by innumerable questions—which were pertinent and contributed to the debate. So I doubt whether we shall find that the time suggested is sufficient.

The Senator from Kentucky has said that he would like to speak for 15 or 20 minutes. I know that will mean at least 20 minutes, and I should like to hear him speak for 30 minutes, as a matter of fact, on this subject tomorrow.

Mr. BARKLEY. Mr. President, I appreciate the anxiety of my good friend the Senator from New Mexico to hear me speak for 20 minutes or even longer, but what I really said was that I did not think my remarks would require more than 10 or 15 minutes. I would really be willing to forego any speech at all on the subject if I could persuade the Senator from New Mexico to take the time instead.

Mr. HATCH. Mr. President, I would not be willing to have the Senator do that.

Mr. WHERRY. Mr. President, I submit the unanimous-consent request according to the modification suggested by the minority leader, namely, that the hour for voting on the pending question be 3:30 tomorrow afternoon; that on the convening of the Senate tomorrow, the time between the hour of convening and 3:30 p. m. be equally divided between those who favor sustaining the veto and those who favor overriding it; that the time for those who wish to speak in favor of sustaining the veto be allotted by the distinguished Senator from Connecticut [Mr. McMAHON], and that the time for those who desire to speak in favor of overriding the veto be allotted by and be in charge of the Senator from California [Mr. KNOWLAND].

The PRESIDING OFFICER. Is there objection to the unanimous-consent request thus proposed? The Chair hears none, and it is so ordered.

Mr. HICKENLOOPER. Mr. President——

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. HICKENLOOPER. I yield.

Mr. WHERRY. Does the Senator from Iowa desire to conclude his remarks tonight?

Mr. HICKENLOOPER. It will take me perhaps 15 or 20 minutes longer, or possibly 30 minutes, to complete my remarks. I do not like to hold the Senate in session very much later tonight. As a matter of fact, I may be able to cut down very substantially the time I shall consume tomorrow in the presentation of the remainder of my remarks.

If the Senator from Nebraska desires to have the Senate take a recess at this

time until tomorrow, that will be satisfactory to me, provided I may have the floor.

Mr. BARKLEY. Under the agreement, that will be in the control of the Senator from California.

The PRESIDING OFFICER. The Chair suggests to the Senator that under the agreement which has been entered, the Senator from California [Mr. KNOWLAND] is to parcel out or allot the time for those who desire to speak in favor of overriding the veto.

Mr. HICKENLOOPER. Mr. President, I wish to say that I have a great deal of faith in the Senator from California, but of course he has not yet promised me any time tomorrow.

Mr. KNOWLAND. Let me say to the Senator that he need have no worry on that score.

ORDER FOR CONSIDERATION OF AGRICULTURAL APPROPRIATION BILL

Mr. WHERRY. Mr. President, I now ask unanimous consent that at the conclusion of the consideration of the pending question, the veto message of the President, the Senate proceed to the consideration of House bill 5883, the agricultural appropriation bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS

Mr. WHERRY. Mr. President, as it has apparently concluded its work for the session today, I move that the Senate take a recess until tomorrow, Friday, at noon.

The motion was agreed to; and (at 6 o'clock and 34 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 21, 1948, at 12 o'clock noon.

---

NOMINATIONS

Executive nominations received by the Senate May 20, 1948:

MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Hon. Andrew McCaughrin Hood, of the District of Columbia, to be an associate judge of the Municipal Court of Appeals for the District of Columbia. (Judge Hood is now serving in this office under an appointment which expires July 7, 1948.)

CIRCUIT COURTS OF HAWAII

Edward A. Towse, of Hawaii, to be second judge of the First Circuit, Circuit Courts of Hawaii, vice Hon. Albert M. Cristy, elevated.

---

# HOUSE OF REPRESENTATIVES

THURSDAY, MAY 20, 1948

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, Thou who guardest the secret of Thine own creation, we are so weak. How shall we live aright? Do Thou interpret to us what we should do and our destiny yet to be.

Through fellowship with Christ do we realize the dignity and power to defy temptations and vicissitudes. Teach us the way as revealed in Thy Holy Word:

*Blessed is the man who walketh not in the counsel of the ungodly, nor standeth in the way of sinners; nor sitteth in the seat of the scornful; but his delight is in the law of the Lord. He shall be like a tree planted by the rivers of water, and whatsoever he doeth shall prosper.*

In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes; and

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5524. An act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. BROOKS, Mr. REED, Mr. FERGUSON, Mr. BRIDGES, Mr. REVERCOMB, Mr. THOMAS of Oklahoma, Mr. HAYDEN, and Mr. RUSSELL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6407. An act to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BREWSTER, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MCFARLAND to be the conferees on the part of the Senate.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. CHAVEZ members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. National Archives.
3. Department of the Army and the Air Force.
4. Department of Commerce.
5. Federal Communications Commission.
6. Housing and Home Finance Agency.
7. Department of the Interior.
8. Department of the Navy.
9. Post Office Department.
10. Office of Selective Service Records.
11. Tennessee Valley Authority.
12. Department of the Treasury.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter in each.

WHEAT

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include therein the international wheat agreement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, for those who think that our contributions to foreign nations will end in 1951, I should like to call attention to a recent release from Dr. Willford I. King, the well-known economist, who is the chairman of the Committee for Constitutional Government. In his statement Dr. King points out that the operations of the international wheat agreement may result in our subsidizing wheat exports to the possible extent of $2 per bushel. As Dr. King says:

This will mean an added burden on the long-suffering taxpayers or further inflation.

Mr. Speaker, it behooves all of us, on behalf of the taxpayers, to study these far-reaching programs. I sincerely hope the Members of the other body will carefully consider the results which may flow from this agreement before granting approval to it or any other similar agreements which may result in additional tax burdens and bind the Congress to future expenditures which have not previously been approved by both Houses of the Congress.

There seems to be no end to the introduction and passage of spending measures. As long as we continue along the spending path we shall face increasing inflation, and we should not guarantee to supply our resources to foreign governments at prices we may never see again in the free market. When we do that we do no favor to foreign peoples. After all, they still must buy our goods from their own governments at prevailing prices. The sacrifices of our taxpayers will serve only as subsidies to keep Socialist governments in power to the detriment of free enterprise. As Dr. King warns us:

Americans should never lose sight of the fact that Europe's present need for aid is based almost entirely upon the fact that she is suffering from a very serious disease—collectivitis.

THE INTERNATIONAL WHEAT AGREEMENT

(Comments thereon by Williford I. King, chairman of the Committee for Constitutional Government)

Americans should never lose sight of the fact that Europe's present need for aid is based almost entirely upon the fact that she is suffering from a very serious disease—collectivitis. Like hookworm, it effectively eliminates the capacity to produce. The only reason that we are able to aid Europe in her present period of distress is that the people of our Nation are today comparatively free of this malady.

Because Europe's poverty is due to present internal rather than past external causes, many persons have likened the European relief program to water running into a rat hole. If the rat hole goes through a dike, it rapidly grows larger as time passes. Will this happen in the present instance?

Proponents of the Marshall plan say "No." But just as the European relief program is starting operations President Truman presents to the Senate for ratification a proposed treaty embodying an international wheat agreement framed by the representatives of 36 countries and approved by our own representative—Secretary of State Marshall. What is the nature of this agreement?

According to news reports, it promises that, during each of the next five crop years, the United States, Canada, and Australia will deliver to other nations 500,000,000 bushels of wheat at prices ranging from $1.10 to $2 per bushel. But the lowest price quoted on May 1, 1948, at Kansas City, for No. 2 hard wheat was $2.39½, a figure considerably higher than the highest price and more than double the lowest price to be paid during the next 5 years for any of the allotted export wheat.

Unfortunately, we do not, at present, have in operation in the United States any system of controlling the price level. For 15 years, we have been afflicted with inflation. There is no assurance that we may not have more inflation during the next 5 years. If we do, prices in general—and incidentally the price of wheat—will probably rise materially above their present levels. Yet we agree to supply throughout a 5-year period our quotas at prices well below the present market.

A council, in which we have only one vote, may well set the price at the minimum rate. This would be $1.50 per bushel in 1948–49, and fall to $1.10 in 1952–53. If the council should do this, and if the market price should rise to $3.10 per bushel in 1952–53, our Government would obviously lose $2 on every bushel exported. This would mean either an added burden on the long-suffering taxpayers, or further inflation.

When we see how fixed prices paralyze industry in Europe; when we remember how the OPA caused our whole economic system to bog down; what excuse can possibly be offered for entering into a 5-year agreement to fix the price of export wheat? The proposal clearly reflects collectivist ideology and has no place in a free economy.

Moreover, if the Senate ratifies this agreement, the chances are that it will soon find awaiting its approval similar agreements pertaining to numerous other commodities. Now billions will gradually be added to those already poured out under the Marshall plan. And there is not the slightest reason to believe that they will cure the collectivists malady and thereby make Europe once more self-supporting. What is certain is that Uncle Sam's nephews and nieces will foot the bill.

Are our Senators seriously endeavoring to economize and balance the budget? If so, they will try to plug the rat hole, which is draining away American resources. They will refuse to ratify the international wheat agreement, for this ratification would make the rat hole bigger and the waste greater.

PERSONAL ANNOUNCEMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, when the Mundt bill vote was taken, I was unavoidably absent on official business. Had I been present I would have voted "aye."

EXTENSION OF REMARKS

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject of Where Are We Headed? and to include therein an editorial on the same subject.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD by including an article which appeared in the Syracuse Herald Tribune entitled "Truman Should Be Elected."

UNEMPLOYMENT INSURANCE COMPENSATION

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF. Mr. Speaker, I want to comment briefly today on two bills which I think should be passed without delay.

One is H. R. 5875. Railroad workers, who are out of work because they are ill or because there are no jobs available, do not draw enough in unemployment insurance benefits to live on in these high-priced days. The unemployment insurance fund, from which these benefits are paid, can easily support at least a cost-of-living increase in daily benefit rates. H. R. 5875 is a conservative bill. It proposes an extremely modest increase, ranging from 45 cents to $1.25 a day. There can be no doubt that the present rates, many of which were established as long ago as 1939, are inadequate today. There is no question that the money for such an increase is available in the unemployment insurance fund. The only thing missing is congressional action, and I suggest that the House Committee on Interstate and Foreign Commerce proceed at once to make that action possible by reporting out H. R. 5875.

Immediate action should be taken also on H. R. 5993, providing even more urgently needed relief for railroaders. It is not generally realized, I think, that the men and women who have spent their entire lives—faithfully and often dangerously—keeping the Nation's trains on the move, are expected to get along, when they are too old to work, on an average retirement income of only $70 a month. Those pension rates were established in 1937—nearly a dozen years ago—when we were just emerging from a depression and prices were abnormally low. What can you buy with $70 a month today? And remember, $70 is the average. There are thousands of these men and women trying to exist on $50 a month, or even less.

Do not misunderstand me. H. R. 5993 will not put any of them on "easy street." The 20- to 25-percent increase it provides for annuities and pensions is, in my opinion, not enough. I am supporting this bill, however, rather than some other bill proposing greater increases, because I respect the judgment and the caution of the railroad labor leaders who brought about the establishment of the retirement system in the first place. These people are as eager as anyone, more eager, to see their retired brethren get a decent break. They are also eager to preserve the financial stability of the retirement fund so that next year, and the year after that, and 10 and 20 years from now, the men and women who retire will be sure of getting monthly incomes. With the common sense that is typical of them, these labor leaders, through the Railway Labor Executives' Association, procured the services of the best actuaries available. They set them to studying the retirement fund to determine just how much of an increase could be squeezed out without plunging the whole set-up into financial chaos. H. R. 5993 is based on the estimates of those actuaries. Its provisions have three advantages over those of any similar bill now pending:

First. It provides some measure of relief for aged railroaders now forced to live below subsistence levels.

Second. It does not endanger the future financial stability of the retirement system.

Third. It does not involve any increase of taxes on either the employees or the railroads.

When the advantages are so clear, and no disadvantages are discernible, there can be no excuse for delay. I urge, therefore, that the House Committee on Interstate and Foreign Commerce take immediate action to bring to the floor H. R. 5875 and H. R. 5993.

EXTENSION OF REMARKS

Mr. TWYMAN asked and was granted permission to extend his remarks in the RECORD and include some correspondence.

INCREASE IN STRENGTH OF ARMED SERVICES

Mr. TWYMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TWYMAN. Mr. Speaker, I am inserting in the Appendix of the RECORD a letter which I received from Maj. Gen. Edward F. Witsell, the Adjutant General of the Army, and my reply. The General's letter is very interesting and I should like to have my colleagues consider the suggestions which I offer in my reply. I am fully in accord with the idea that the strength of our armed services should be maintained, but I also feel that this can be accomplished on a voluntary basis.

FAIR LABOR STANDARDS ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

Mr. WALTER. Mr. Speaker, I would like to call the attention of this body to a situation that has been given considerable publicity recently. This situation concerns the so-called question of payment of overtime on overtime under the Fair Labor Standards Act. Certain interests are attempting to develop a Nation-wide feeling that liabilities of perhaps 6 to 9 billion dollars have been created or are about to be created as a result of the Supreme Court's decision in the longshore case. These same individuals are attempting to influence this Congress to enact legislation which would purportedly eliminate these alleged vast retroactive liabilities but which would incidentally eliminate one of the basic objectives of the Fair Labor Standards Act: the establishment of a time-and-one-half penalty for work in excess of 40 hours a week.

Before proceeding with an explanation of the facts in this situation, let me state, what I shall later prove, that the effects of the Supreme Court's decision in the case are not in any degree as serious as these interests are attempting to make out; that the provisions of the Portal Act, in the passage of which I had a considerable share, because I am a member of the House Judiciary Committee, which committee reported the bill, will reduce such liabilities as may exist to a very considerable degree; and that there is no urgent need for legislation to correct the situation with respect to the future, so that we should not be stampeded in hasty action which would undermine one of the basic objectives of the Fair Labor Standards Act of 1938.

Now let me briefly explain the facts in the longshore cases Aaron against Bay Ridge Operating Co., and Blue against Huron Stevedoring Co. The longshoremen involved in these cases worked under a union contract which provided for the payment of the stated rate for work done between 8 a. m. and 5 p. m. on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, and between 8 a. m. and noon on Saturdays. The contract also provided for payment at one and one-half times the stated rate for all the work performed after 5 p. m. and before 8 a. m. on those same days, and for all work performed on Saturday afternoons, and for all work on Sundays. The hours between 5 p. m. and 8 a. m. and all hours on Saturday afternoons and on Sundays were called overtime in the contract.

The longshoremen contended and the Supreme Court has held that the word "overtime" in the contract was a misnomer and that actually the time and one-half rates called for by the contract were not overtime rates at all but simply were higher rates for work at nights and on weekends. The facts were that many of the longshoremen performed all of their work at nights and on weekends; in other words, all of their work was "overtime" and none of it was straight time under the contract, and they received exactly the same rate for the hours in excess of 40 that they received for the first 40 hours. Can anyone possibly argue that this type of payment should be held to satisfy a law which requires a 50-percent increase in the rate for hours in excess of 40?

Even before the Supreme Court handed down its decision, there had been widespread claims and predictions that these cases would result in a flood of suits and that employers would be subject to unforeseen liability for back pay amounting to as much as $6,000,000,000. I think it is perfectly clear that these claims are a combination of misapprehension and gross exaggeration. They ignore a number of facts which make it plain to me the Supreme Court's decision has not resulted and cannot result in the serious situation portrayed.

It is quite true, of course, that there are many union agreements which contain time and one-half premium payments or penalty payments for work outside the regular hours scheduled for the employees. In this case, however, the higher rates were paid to employees who normally worked at night and on week ends, without regard to whether they had performed any work at all at the day rate. In other words, the situation in the longshore industry is peculiar to that industry and the facts which gave rise to the opinion of the Supreme Court are not at all comparable to the situations which exist in other industries. It is possible that the decisions above referred to indicate the need for legislation but certainly not for legislation that would affect the workers in every field.

Another basic element in the situation which is ignored by the proponents of legislation is the Portal-to-Portal Act of 1947. These persons are claiming that the Supreme Court's decision upsets all existing practice under which time and a half is paid for work on Saturdays, Sundays, and holidays, which is very common under collective-bargaining agreements and also under non-union-pay arrangements in industry. Sections 9 and 10 of that act afford a complete good-faith defense to employers who rely on official rulings and most particularly for those who rely on the Administrator's published interpretations, so that no liability can accrue under such situations. Now the Administrator has held that time and one-half compensation for Saturdays, Sundays, and holidays need not be included in the regular rate of pay for overtime purposes and can be credited against the overtime-pay requirements of the law. For these situations, therefore, there is not the slightest need for concern.

Another provision of the Portal Act establishes a 2-year statute of limitations, which would make 2 years the maximum period of liability for any suits now filed. Even in the longshore industry, the situation which gave rise to these suits was largely a wartime situation. Since that time, work at night and on week ends has fallen off very substantially. Moreover, it has been usual since the war for a longshoreman to work for more than one employer in a single workweek, so that even there the extent of retroactive liabilities for suits that may be filed has been grossly exaggerated.

It has also been suggested that the longshore decision will affect the provisions which are common to many union agreements requiring overtime payments for work in excess of or outside the normal or regular working hours. It seems very clear to me that these agreements are not affected by the Supreme Court decision because the Court was ruling on the peculiar facts in the longshore case. In this case the Court was concerned with payments at the higher rate to employees who normally work at night and on week ends without regard as to whether they have performed work at the day rate. In no other industries that I know of do the facts correspond with those in the longshore industry. In no other industry that I know of do the employees choose individually whether they will go to work during the premium hours or the straight-time hours or some mixture of both that suits their convenience. Therefore if any legislation is considered it should be restricted to this particular industry. The union provisions and the established practice of other industries call for work to be done at stated hours or for a stated workday and only in rare cases do the employees work outside of these hours. When they do work outside of these hours, such work is in addition to their working the normal workday and the normal workhours. Such was not the case in the longshore industry, and for this reason the Court could not hold that these men were working overtime hours.

If these are the facts, and I have not the slightest doubt that they do represent the facts, the Congress should not be stampeded into drastic legislation which would deprive 20,000,000 workers of the overtime benefits of the Fair Labor Standards Act. This would be the effect of some of the bills which were introduced into this Congress. These bills say to employers: "You may select for the purposes of the Fair Labor Standards Act anything you wish to be called the regular rate of pay so long as it is 40 cents or more an hour.

If you can get your employees to accept that rate as the rate for overtime purposes we will consider it valid under the act." Employers will, of course, find it very difficult to get such agreements in organized establishments where there is a union to protect the employees' interests. Even here, of course, there will be instances in which a union may be too weak to resist such pressure or it may fear that other benefits would have to be sacrificed unless it surrendered the overtime protection of the act. The real harm that will be done, however, will be to the 9,000,000 or more unorganized workers covered by the Fair Labor Standards Act who have little or no bargaining power and who will of necessity have to accept the employer's designation of the regular rate of pay. Perhaps this will not be done the first day or the first month of the passage of the law; it may begin in certain areas and in certain industries. The competitive effects of such action will soon manifest itself, however, particularly when supply

catches up with demand. It may then sweep across nonunion establishments. The pressure then will come on the organized establishments whose employers will complain about the competition from other employers who are paying time and one-half the minimum wage and not time and one-half the regular rate of pay. If experience is any guide at all, even a mild depression will result in a breakdown of union standards as well as nonunion standards. The channels of interstate commerce will be flooded with goods produced under substandard conditions.

It was to prevent this from happening, of course, that the Fair Labor Standards Act was originally passed. If it is the intention of Congress to eliminate this act on a piece-meal basis, it can of course do so by enacting measures like the Goodwin bill or others even worse that have been introduced, and the Congressmen that vote for the crippling of the Fair Labor Standards Act will regret that action when the votes are counted.

I do not argue that the Fair Labor Standards Act does not require amendments. I do not contend that the term "regular rate of pay" may not need legislative clarification. I understand that the Administrator of the Wage and Hour and Public Contracts Divisions has submitted an amendment to the House Labor Committee which would clarify this term but which would at the same time prevent emasculation of the overtime requirements of the act.

I do contend that far more urgent than the revision of the regular rate of pay is the vast injustice which has been done to at least 1,500,000 workers and their families whose standard of living has been depressed rather than advanced since the passage of the Fair Labor Standards Act because of the failure on the part of Congress to revise the outmoded 40-cent minimum wage provided in that act. The injustice can be corrected only by the adoption of a new minimum wage of at least 75 cents an hour, and in all fairness to these employees, authorization should be given the industry committees provided for in the act to raise the 75-cent minimum wage to some figure such as one dollar on which a worker can possibly manage to exist under present day living conditions.

I urge in conclusion that Congress take constructive action to improve the Fair Labor Standards Act rather than allow itself to be stampeded into adopting amendments which would undermine this legislation which has proved of undoubted value to millions of workers and to the entire society.

### GENERAL EISENHOWER'S MEMOIRS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. MILLER].

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, it would seem that General Eisenhower and his friends have been able to get a special ruling which will make it possible for the general to avoid the ordinary, honest rulings of the Internal Revenue Bureau. The taxpayers of America and this Congress have a right to know why such special treatment should be given to General Eisenhower in the sale of his memoirs. I would suggest that the proper committee in the House call the Director of the Bureau of Internal Revenue before the committee and ask him for a proper explanation of this procedure which does seem a bit unusual.

It is to be noted that he is using the special personnel assigned to him under an Executive order to complete the writing of his memoirs. This all comes out of the taxpayers' pocket.

If the news item is correct, it ought to prove a real asset to the Eisenhower-for-President boosters. It is one of those privileges granted by the New Deal which the voters can easily understand.

SPECIAL TAX RULING ALLOWS IKE $750,000 FOR MEMOIR RIGHTS

(By Walter Trohan)

The Bureau of Internal Revenue has handed down a special unpublicized ruling which will permit General Eisenhower to realize $750,000 on the sale of his memoirs.

Without the special ruling the supreme allied wartime commander in western Europe, who is now president of Columbia University, would realize only about $150,000 from the memoirs.

PRICE SET AT MILLION

The special ruling was explained by a high tax official, who said that the Internal Revenue Bureau was consulted by agents of the general and a newspaper which purchased his memoirs.

The scheme to preserve a greater share of the general's writing earnings was given to the Internal Revenue Bureau and especially approved. The Bureau has given special treatment to others favored by the New Deal.

The internal-revenue official reported that Eisenhower has decided to sell all the rights to his memoirs—syndicate, book, and the rest outright for $1,000,000.

The finished book is to be dated by the Internal Revenue Bureau and held for 6 months. Under this procedure Eisenhower will pay capital gains taxes for 25 percent or $250,000 on the work rather than graduated income taxes, which would eat up to 80 percent of the returns.

GETS $15,271 SALARY

The book has been sold to the New York Herald Tribune.

Eisenhower received $15,271 in salary and allowances as a retired five-star general. He also has a staff of three assigned to him at the direction of the President. These assignments are under congressional fire.

As president of Columbia Eisenhower draws a reported salary of $25,000 and occupies a house supplied and staffed by the university.

The general has revealed that he is dictating his memoirs to his secretary, WAC Warrant Officer Margaret Hayes, who is drawing her pay from the Government. Eisenhower said while he is preparing the memoirs himself, they will probably be edited.

### EXTENSION OF REMARKS

Mr. FERNANDEZ asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Christian Science Monitor.

Mr. KELLEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

### PROSECUTOR, JUDGE, AND JURY

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, since coming to Congress in 1943, I have been opposed to the Fair Employment Practices Committee for one reason, and that is that it places in the hands of a commission the job of being prosecutor, judge, and jury.

I voted against the bill to outlaw communism yesterday because it does the same thing, it places in one man the power of being prosecutor, judge, and jury; and I am opposed to that even though it be our own able Attorney General.

### CALL OF THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. MILLER of Nebraska. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 69]

| | | |
|---|---|---|
| Allen, Calif. | Folger | Miller, Calif. |
| Anderson, Calif. | Fuller | Miller, Md. |
| Barden | Gallagher | Mitchell |
| Beall | Granger | Morrison |
| Bell | Harness, Ind. | Morton |
| Bland | Hartley | Mundt |
| Bonner | Harvey | Norrell |
| Boykin | Hébert | Norton |
| Bramblett | Hendricks | O'Hara |
| Brooks | Hobbs | Patman |
| Buckley | Hoffman | Patterson |
| Bulwinkle | Holifield | Pfeifer |
| Byrne, N. Y. | Horan | Potter |
| Cannon | Jackson, Wash. | Potts |
| Carroll | Jarman | Poulson |
| Case, N. J. | Jenkins, Pa. | Powell |
| Chapman | Johnson, Okla. | Price, Fla. |
| Chelf | Johnson, Tex. | Redden |
| Clark | Jones, N. C. | Rooney |
| Cole, Kans. | Kearney | Scoblick |
| Cooley | Kee | Shafer |
| Cravens | Kefauver | Sheppard |
| Davis, Tenn. | Kennedy | Short |
| Dawson, Ill. | Kerr | Smith, Maine |
| Deane | Kirwan | Stefan |
| Dingell | Lane | Stigler |
| Domengeaux | Lewis, Ky. | Towe |
| Dondero | Lucas | Vail |
| Dorn | Ludlow | Wadsworth |
| Doughton | Lynch | West |
| Douglas | McDowell | Whitaker |
| Durham | Macy | Wigglesworth |
| Engle, Calif. | Manasco | Wilson, Ind. |
| Fellows | Meade, Ky. | Wood |
| Fisher | Meade, Md. | Worley |

The SPEAKER. On this roll call 322 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

### ANNOUNCEMENT

The SPEAKER. The Chair wishes to state that the period for 1-minute speeches has passed, but there will be an announcement about an event tomorrow night on which the Chair will recognize three Members to make 1-minute speeches for that purpose. There will be none other.

The Chair will receive requests for unanimous consent to extend remarks.

EXTENSION OF REMARKS

Mr. PRICE of Illinois asked and was granted permission to extend his remarks in the RECORD and include a letter from the Veterans of Foreign Wars and his reply thereto.

Mr. LANHAM asked and was granted permission to extend his remarks in the RECORD.

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, pending before the Congress are two most important bills introduced by my good friend, the gentleman from Ohio [Mr. CROSSER]. They are H. R. 5875 and H. R. 5993. To these measures I have given careful thought and study. A fair analysis of their objectives and the issues involved convinces me that they are meritorious and worthy pieces of legislation.

H. R. 5875 would provide for a sorely needed increase in benefits under the Railroad Unemployment Insurance Act. Large amounts of money, much more than was ever anticipated, have been covered into the unemployment insurance fund due to wage increases and a continuance of the high level of railroad employment which started during the war years. While the fund was being enlarged to an appreciable extent the benefits have remained static even though the cost of living has steadily advanced to a very, very high degree. Conversely, the purchasing power of those dependent on this fund has been graded downward. The railroad worker who becomes unemployed by reason of illness or lack of work cannot, under the present level of unemployment benefits, make ends meet. And this was the objective of the original act. Their economic status is now completely out of balance with the level heretofore set by Congress. The objective of the original act can be restored only by passage of H. R. 5875.

The high cost of living has also made serious inroads on the living standards of another group—the retired annuitants. It is the pocketbook of the man with a fixed income, particularly the annuitant, which has been dealt the heaviest blow during the inflationary period in which we now live. The average annuitant under the Railroad Retirement Act draws only $70 per month. Many receive as low as $50 per month. Who can live or reasonably exist on any such sum? Try it, if you will.

The annuity formula was established in 1937, during the depths of the depression, in WPA days, if you please. Who would be so bold as to compare the economy of the year 1937 with that of 1948? It appears to me, Mr. Speaker, that dire necessity demands an increase in retirement incomes. The Congress recently recognized this by granting similar increases to retired Federal workers.

I understand that H. R. 5993 would grant increases ranging from 20 to 25 percent, with the higher percentage increases going to the lower income groups, thereby granting the largest increases where needed most. Certainly it cannot be successfully argued that this range of increase in annuities is beyond the realm of reason when considered in the light of present living costs.

The increases can be effected without impairing the sound condition of the retirement fund. They can be effected without requiring an increase in retirement taxes. They are sorely needed. Therefore, Mr. Speaker, I favor this bill as well as H. R. 5875 and urge that they be given favorable consideration before the Congress adjourns.

OIL POLLUTION

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, the pollution of our coastal waters by the dumping of bilges and water ballast containing oil is becoming increasingly menacing. The situation affects most directly our entire coast line.

Oil scum on the water collects underneath our piers and water-front buildings and creates a serious fire hazard. Our entire sea-food industry is threatened with destruction, and our beaches and seacoast resorts are being ruined.

There are laws on the statute books designed to prohibit the dumping of this material on the coastal waters, but we have no effective enforcement machinery. Although the Army engineers are charged with the enforcement of this legislation, for only one port, the port of New York, do we appropriate specific funds to enable the engineers to police the harbor and arrest violators. It is my understanding that even there the enforcement is far from satisfactory, due perhaps in part to the fact that penalties are low compared to the costs to the ship operators of complying with the law, and due in part to the difficulty in apprehending violators.

The situation has become so serious in the Hampton Roads area that many interested organizations have banded together in an effort to evolve a constructive and satisfactory approach to solving this problem. There has been a splendid spirit of cooperation locally, participated in by the Army engineers, the Navy, the Coast Guard, the State Port Authority of Virginia, the Hampton Roads Sanitation Commission, the Hampton Roads Maritime Association; the cities of Norfolk, Portsmouth, and Newport News; and many interested individuals. Several meetings have been held by representatives of these groups and it has been decided that an effort should be made to provide a facility for handling the material from these ships in the harbor, and removing the oil before it has contaminated the water. This service will be provided to the ship operators at a nominal cost, which will relieve much of the temptation to violate the law.

It is proposed that the facility will be operated by the Hampton Roads Sanitation Commission. The State of Virginia has appropriated $25,000 to get the project under way, and the Congress has been requested to appropriate $50,000 to assist in this worthy program. An appropriation of this amount has been included in the Senate version of the pending civil functions appropriations bill. It is my sincere hope that conferees on the part of the House will retain this item in the bill in order that this facility may promptly be put into operation.

It is anticipated that after the first year's operation the normal revenues of operating the facility will take care of the expense of operation, and that future appropriations will not be required. This is expected to be possible through revenues from fees paid by ship operators, and through the sale of the oil which will be reclaimed.

Our people have embarked upon a new and constructive approach to a most difficult problem which we believe will show the way for coping with this situation to other coastal communities.

My colleague the gentleman from Virginia [Mr. BLAND] has introduced a bill (H. R. 4468) to increase the penalties for violators which I sincerely hope will be passed to augment the disposal plan contemplated in the Hampton Roads area.

There is reason to believe that the plan undertaken in the Hampton Roads area will provide a pattern for meeting the oil pollution menace and provide for protection of our beaches, rehabilitation of our sea-food industry, and the elimination of serious fire hazards which now threaten our water-front commercial areas.

SUBCOMMITTEE OF COMMITTEE ON EXPENDITURES IN EXECUTIVE DEPARTMENTS PERMITTED TO SIT DURING SESSION OF HOUSE

Mr. BENDER. Mr. Speaker, I ask unanimous consent that the Subcommittee on the Procurement of Buildings of the Committee on Expenditures in the Executive Departments may sit today and tomorrow during general debate in sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD regarding a housing amendment to the GI bill of rights.

Mrs. BOLTON asked and was given permission to extend her remarks in the RECORD and to include a letter from a discharged member of the armed forces.

Mr. JOHNSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances, and include a lecture in each case.

Mr. SARBACHER asked and was given permission to extend his remarks in

the Appendix of the RECORD and include a letter.

Mr. McGARVEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. BANTA asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. GEARHART asked and was given permission to extend his remarks in the Appendix of the RECORD in three separate instances and in each to include extraneous matter.

Mr. DONOHUE asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. FEIGHAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include two resolutions.

### THE BASEBALL GAME

Mr. COFFIN. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COFFIN. Mr. Speaker, I want to turn the attention of the membership of this House for a minute from such inconsequential matters as the Mundt bill, ERP, and military training, to something that is going to save this Nation; it is the baseball game tomorrow night.

I am just aghast, amazed, shocked, and flabbergasted with the indefatigable assiduity of Capt. "RUNT" BISHOP, who is training this team. He tells me things are going well and we are going to take the Democrats here and put them back where they belong.

But I am disappointed that there has been such an apathetic response from the Republican side of this House for seat reservations. If checks are not in by tomorrow noon the price is doubled. I ask you gentlemen to get busy and send your checks in. Many of you are holding these tickets hoping to get by without having to dig into the treasury. You are going to be very much disappointed because you are going to be assessed twice the value if you do not get your checks in by tomorrow noon.

There is great demand for these tickets. People are lining up for almost a block.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. COFFIN. I have only a minute and I wanted to finish my thought. I am going to yield to the gentleman from Pennsylvania [Mr. KUNKEL].

Make your checks out and send them in by tomorrow noon or the price is doubled. We have had to buy three more barrels of arnica and we have had to purchase six more ambulances. If we do not have these checks in we are not going to get these boys off for a vacation.

Mr. KUNKEL. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania is recognized.

Mr. KUNKEL. Mr. Speaker, last year the net receipts were very close to $3,000. So far this year, up to last night, we have collected $1,770.75. Approximately $225 additional came in this morning. We want to beat last years collections for this worthy charity this year. So there are quite a few Members who have forgotten to send in their checks up to this time. I ask you to do it as soon as you get back to the office, and before you have time to forget it again. Then tomorrow as soon as the game is over and the receipts taken in at the park are added to them we will be able to present the check to the charity immediately thereafter.

I know there are some of you who have forgotten. It is easy to forget. So do not fail to mail your check in as soon as you get back to your office.

Mr. BISHOP. Mr. Speaker——

The SPEAKER. The gentleman from Illinois is recognized.

Mr. BISHOP. Mr. Speaker, I want to congratulate the Republican boys who have been out doing their bit so earnestly for the last month and a half. Some of the boys are able now to raise their arms to eat and hope to be able to perform perfectly tomorrow night.

I bring this matter to the attention of the Republican boys because we need your assistance out there tomorrow night in rooting and we have 25 fellows who are going to participate. I am sure that the rest of you will participate enthusiastically by giving us plenty of support from the bleachers as well as the grandstand.

May I say to you boys who have your tickets in your offices and not returned them to do so immediately. They are wanted at the park. When you go back to your office I hope you will have your secretary remit the money or return the tickets.

Mr. Speaker, I yield at this time to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I like the enthusiasm of my Democratic colleagues in the absence of our manager.

I want to take this opportunity to thank all of you on the Democratic club for the cooperation you have given and for the very fine agility you have displayed on the field in practice during the last few days.

We all know that the purpose of this game is to raise funds for the underprivileged children of the District of Columbia in order that they may have a vacation this summer. The Evening Star is to be commended for sponsoring this game for raising funds to send these children to a summer camp.

The Republicans, Mr. Speaker, think they have this game already won, but they are going to be the most badly fooled bunch of fellows that ever went out on a baseball field. Not only do we have a fine, enthusiastic group of men on the Democratic club, but we have the most able manager to be found in congressional circles. He is not only a very able and beloved Member of Congress, but an experienced baseball player of prior years. He knows baseball and the strategy that it takes to win, having played in some three leagues during his playing years.

All Democrats are glad to have him as our manager this year and the players take pride in following his leadership.

The high morale of our club, I am sure, has shaken the confidence of the opposition.

Really and truly, I am looking forward to a lot of fun on Friday night and on Saturday morning we will probably be in physical ruin, but rejoicing over our victory and the contribution we will have made toward such a worthy cause.

### EXTENSION OF REMARKS

Mr. CHURCH asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

### CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. BATES of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6342) to authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6342, with Mr. HILL in the chair.

The Clerk read the title of the bill.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I am taking the floor again today in order to give a résumé of what I had to say last week in regard to this bill. Because of the lateness of the hour we could not continue and bring debate on the bill that day, to a conclusion and hence it is the unfinished business for consideration this morning.

Mr. Chairman, the bill before us today, H. R. 6342, is the so-called Army and Air Force Public Works Bill. It embraces an estimated expenditure for all the projects included—over 100 in number, of approximately $207,000,000. I might say at the outset, however, that originally, when the projects were submitted to the Army by officers in the field about a year and a half ago, their recommendation to the War Department embraced projects involving an expenditure of over $2,000,000,000, and as a result of the screening process in the War Department that figure was brought down to about $800,000,000. That was submitted to the Budget, and when the Bureau of the Budget submitted it to the Congress after further substantial reductions, the total of the projects in the bill amounted to only about $249,000,000.

We come before the Committee today with a reduction made by the Committee on Armed Services of approximately $40,000,000. All of these projects have been very carefully screened by the Joint Research and Development Board as well as the chiefs of staff, of both the Army and the Air Force, and they embrace only those projects considered to be of the highest priority. Having in mind the very critical situation existing throughout the world in the housing of our officers and enlisted men, I must emphasize that this bill, in some degree,

will tend to alleviate this condition. Yet, if all the housing provided for in this bill should be constructed, it would only meet approximately 23 or 24 percent of the housing requirements of the Army and the Air Force based on the latest authorized strength. We know, and can see from these photographs here, how thousands of our men, officers as well as enlisted men, are living all over this country of ours, and in our overseas possessions. They are living in all kinds of old shacks, anything they can get, in order that they may bring their families near them—their loved ones whom they have not seen, in many cases, for a period of 1, 2, or 3 years. That is perhaps one of the most deplorable conditions that confront us today. It seems to me we have a great obligation to the men in the fighting units of our military organization to see to it as far as we reasonably can that we provide them decent housing conditions so that they will not be compelled in peacetime to live apart from their loved ones.

As I said at the outset, this bill provides for a total of only 23 or 24 percent of what might well be called the minimum required housing accommodations for the Army and the Air Force. Out of a total of $207,000,000 embraced within this bill, about 52 percent or $107,000,000 will be for housing. The other $100,000,000-plus will be for the development of many vitally important projects, including rocket and jet engine development, development of equipment for testing aircraft, development of guided missiles, research and development laboratories for rockets, ammunition storage, rotor wing testing facilities, wind tunnels, and the removal of flight hazards at various air fields under the jurisdiction of the Air Force.

This bill has been before the Congress for nearly 1 year. For the fiscal year 1948 we have had no appropriations for new construction. It is imperative in the closing days of this Congress that something be done to make available to both the Army and the Air Force money with which they can proceed with the construction of these very necessary projects.

I realize, of course, that these things are going to cost money, but your committee has kept in mind at all times the financial condition of the country and has tried to balance our necessary military requirements with what we consider to be the imperative need for economy. We have brought about a substantial reduction in the expenditures which will be authorized.

This bill provides for the substitution of what is called a space limitation on the construction of family quarters instead of the present limitation on the maximum cost of housing heretofore established by statute. Under the provisions of an amendment which I intend to offer today we feel we can get the greatest amount for the money expended and can provide a greater number of housing facilities for our men and thereby meet to some extent the urgency of the situation. We can help at least in a small degree to eliminate these disgraceful conditions that we find wherever our military installations are located.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The gentleman has referred to the amendment he proposes to offer. As I understand, this bill as it comes to the House from the committee represents a substantial reduction from the program that was proposed in a companion bill in the Senate.

Mr. BATES of Massachusetts. First of all, the bill in the Senate embraced an expenditure of about $250,000,000. The bill now before the committee embraces an expenditure of $207,000,000. That is the result of our committee's cutting about $40,000,000, roughly, from the bill.

Mr. CASE of South Dakota. The gentleman has referred to the amendment he proposes to offer this afternoon.

Mr. BATES of Massachusetts. Because of conditions existing throughout the world wherever our installations are located, we feel that we ought to bring down the size of these housing units to the very minimum consistent with decency, to a point where we can save $13,000,000 more, or in lieu thereof, to authorize the building of 876 more houses with the $13,000,000 thus saved.

Mr. CASE of South Dakota. Does the amendment the gentleman now says he will offer today represent a change in the bill we started to consider the other day?

Mr. BATES of Massachusetts. It represents one change in particular, and that is that where we authorized the construction of housing with a net floor area of 1,250 square feet under the bill as we started to consider it the other day, we now limit it by the amendment I will offer to 1,080 square feet.

Mr. CASE of South Dakota. When you say that "we are now limiting it," do you mean by the amendment that you propose to offer?

Mr. BATES of Massachusetts. By this amendment, that is right.

Mr. CASE of South Dakota. What saving would that accomplish?

Mr. BATES of Massachusetts. Thirteen million two hundred and ninety-eight thousand nine hundred and ten dollars.

Mr. CASE of South Dakota. The gentleman is proposing to offer that amendment as the result of the further consideration given to the matter by members of this committee following the questioning which we had the other day when the bill was being considered?

Mr. BATES of Massachusetts. That is precisely correct. I thank the gentleman from South Dakota [Mr. CASE] who has had wide experience in housing investigations in the Army and the Air Force over a period of years. I accept and appreciate his views a great deal. I realize, of course, that conditions are extremely serious, and housing conditions are extremely bad. I think we are justified in cutting down the size of the houses which will permit a reduction in the appropriations in the first place, and then if we so desire we can increase the number of houses to be made available.

Mr. CASE of South Dakota. May I say that I personally appreciate the additional consideration which the gentleman has given to this matter, and I trust that I later may have time to speak so that I may elaborate on that further.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HAND. I am not quite certain what your amendment proposes to do. Are you changing the space requirements which are found on page 14 of the bill, for example, at line 10, page 14, where it says, "for enlisted men, 1,080." Is that to be changed or not?

Mr. BATES of Massachusetts. No. We are not changing the space limitations set forth, but we are adding a proviso to the effect that the 1,080-square-foot size is the maximum size which may be constructed under this bill. That is the one determination that we have made, that the space limitation be limited to 1,080 feet for the houses authorized to be constructed under this bill.

Mr. HAND. Then it would still cost approximately $13,000 to build quarters for enlisted men?

Mr. BATES of Massachusetts. $13,200. That is considered to be the estimated cost.

Mr. HAND. Does not the gentleman consider that maximum space a very liberal allowance, and does he not think the cost is very high?

Mr. BATES of Massachusetts. No; I do not consider by any manner or means that the space limitation is excessive. We know that the FPHA authorizes a space limitation of 1,650 feet. This bill originally allowed 1,250 feet for what we call company-grade officers. But if my amendment is adopted, it will limit the maximum size to 1,080 square feet which we consider to be minimum in which a man and his family can live decently at any of these airfields or military posts.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. KERSTEN of Wisconsin. I compliment the gentleman on his own and his committee's attitude in seeking to cut down on unnecessary expenditures and bringing it down this far. I think that is a very fine attitude.

Mr. BATES of Massachusetts. I thank the gentleman.

Mr. SASSCER. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I have requested this time in order to secure some additional information from my distinguished friend who is Chairman of the subcommittee. As I understand it, under the bill that first came from the Senate, it would have been possible to build 2,198 housing quarters for the air forces; is that correct?

Mr. BATES of Massachusetts. We are not dealing with the bill which came from the Senate. We are dealing with a bill which originated in the House, H. R. 4122, which is somewhat akin to

the Senate bill. That bill provided for the construction of 4,755 quarters.

Mr. SIKES. The gentleman refers both to Army and Air Force housing. I would like to know how many houses were authorized by the House committee before the reductions which were recently made.

Mr. BATES of Massachusetts. The Senate bill of which the gentleman is speaking provided 4,755 family quarters.

Mr. SIKES. Then, will the gentleman tell us how many housing units are provided in the House bill?

Mr. BATES of Massachusetts. Originally, H. R. 4122 was reported by the committee a year ago. We substituted the bill which is now before the committee. The bill now before the committee provides for 3,559 quarters.

Mr. SIKES. How many quarters will be possible if your amendment is agreed to?

Mr. BATES of Massachusetts. 3,559, unless the saving of $13,298,910 is allocated to further housing. If it is, that will mean 876 more houses.

Mr. SIKES. Will it not be possible, through amendment, to obtain for the same money which is now provided in the bill, 876 more houses?

Mr. BATES of Massachusetts. This amendment will be adopted without authority to use it for further housing. If it were used for housing it would construct 876 more houses.

Mr. SIKES. How will you obtain the additional 876 houses, which are so badly needed at stations left out of this bill, if you do not ask for authority?

Mr. BATES of Massachusetts. We do not intend to do that at this time. We are going to amend the bill so as to restrict the limitation to 1,080 square feet and therby save $13,298,000. I realize, of course, that the Senate bill is far in excess of that. What will come out of compromise we do not know, but we are going to stand on the reduction of $13,298,910 in the bill that is now before us.

Mr. SIKES. As I recall reading the amendment, which the gentleman proposes to offer, it contained a proviso that the Secretaries of Army and Air Force would be empowered to allocate to housing the amount that would be saved by his amendment.

Mr. BATES of Massachusetts. Unless otherwise directed by the House, I intend to strike out that particular paragraph.

Mr. SIKES. Then, what the gentleman proposes to do is to eliminate needed housing from certain airfields and other installations throughout the country, even though it would be possible, under the language of his amendment as originally written, for the same money which the bill now carries to obtain at least a proportionate amount of housing for all of the installations which need housing so badly.

Mr. BATES of Massachusetts. I realize full well the need of this housing. On the other hand, the committee has considered the matter and they feel strongly that we ought to cut down the limitation to 1,080 square feet and build 3,559 units under that limitation.

Mr. SIKES. I am a member of the committee and I recall no such agreement. I say that savings in size of units should be used at other stations needing such units. You propose a saving which could be allocated to other stations.

Mr. BATES of Massachusetts. That is true, if the House so desires, but my amendment will simply cut down the limitation for the type of houses to be constructed, and thereby save $13,298,910 below the present estimated cost in this bill.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SIKES] has expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill divides itself into two categories. One, permanent housing, which is vitally needed both in this country and abroad; and the other, probably equally if not more important, which is directed to projects of vital and strategic importance to the national defense, such as the development of Alaskan defenses, air bases, port facilities, ground force bases and air bases in Guam, and other bases in the North Atlantic area. Also, important projects inside the United States, including essential technical and research facilities which our military leaders feel are vital in the development of rockets, guided missiles, and other weapons. Also, the very important heavy bomber base in South Dakota, and facilities and equipment for air force stations throughout the United States.

Directing my remarks first briefly to the part of the bill which has to do with scientific developments, I feel that it is not necessary to take much time on this phase, for certainly any Member of the House who has followed recent events realizes the importance of the development of the defenses of America. We know that a few weeks ago after very careful study the House Armed Services Committee reported out a bill directed to Selective Service which will probably soon come up on the floor.

If we are to build up the manpower of this army certainly a corollary of the building of that manpower is the housekeeping phase to which this bill is directed, that part of the national defense that is directed to the facilities for the training of the men who will make up this army for which the Congress is providing.

Approximately a year ago after long hearings your Committee on the Armed Services reported out this bill with a companion measure known as the Navy public-works bill. Only a few weeks remain before this Congress will either recess or adjourn. It seems to me that these two vitally important measures should be given not only prompt consideration but both should be enacted into law in order that they may become a part of the defense program to which so much time, thought, and effort has been directed.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. I notice there are provisions for Alaska. The Army does not have any installations at Big Delta, or Ketchikan, or Cathedral Bluffs, or at Skagway, or Bethel, or Sitka at this time, does it?

Mr. SASSCER. This bill, as the gentleman from West Virginia knows, is a public-works bill, the objective of which is to provide the physical facilities both in continental United States and in the European and Asiatic bases.

Mr. SNYDER. I recognize that. If the gentleman will yield further, the only thing there is at those points and other points in Alaska is the Alaska implementation system which works under CAA up there. The Army abandoned these places. Is this to provide quarters for the people in the Civil Aeronautics Association or for Army personnel? That is my question.

Mr. SASSCER. If the gentleman will bear with me just a moment, I think I can give him the exact items which are included in Alaska. We have development of port facilities including additional ship berth, warehouses, railroad spurs, salt-water fire protection systems, and other facilities and utilities. There is an item at Ladd Field, Alaska, for operational facilities, hospital and community facilities, and utilities including schools, stores, and so forth.

Mr. SNYDER. I understand the one at Ladd Field, but what about Nenana?

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. As I understand the question, it is whether or not the Army or a private communication system is going to operate the communications system in Alaska. Is that the question?

Mr. SNYDER. No. The question is whether these facilities or houses are to be built for Army personnel or the Civil Aeronautics Administration. As I understand it, they took over and are now operating the weather stations, the airport reporting system which reports on weather and reports on planes coming in and out. Is this to provide housing for the CAA or for Army personnel?

Mr. BATES of Massachusetts. Under the provisions of the bill the Secretary of the Air Force, in the case of airfields, and the Secretary of the Army, in the case of Army installations, will determine the most suitable purposes for which houses will have to be provided. It is understood that many facilities within this bill are not only for officer and enlisted personnel but where we must have civilian personnel housing facilities must be made available for them also.

Mr. SASSCER. That is my understanding.

Mr. SNYDER. Well, at Sitka there is not even an airfield, yet there is provision in here for housing at Sitka. For what purpose is that housing?

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that this request for housing is in connection with the Alaska communication system operated by the Army in Alaska?

Whether the system is operated by the CAA or not is not the question.

Mr. SASSCER. As the gentleman from Pennsylvania says, it dovetails in altogether as part of an over-all program which the administrative officials of the War Department may determine to be the best use in order to gain a given end.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Chairman, I yield myself an additional 10 minutes.

Mr. Chairman, comment has been made as to the amount of money involved in the bill. May I say that before the bill was considered in the War Department, following established policy, they called upon various commanders in the field to make up estimates of their needs so far as housing and other physical facilities needed for troops are concerned. It passed through screening in the War Department, on to the Bureau of the Budget, on to the committee, and in those various stages the original estimate of $2,000,000,000 is now before the House in the amount of $207,000,000, approximately one-tenth of the estimate of the commanders in the field as to their needs. So, certainly, it is most apparent that there is no waste of money or extravagance in this bill; on the contrary, the weight on the scales has been on the side of the saving of all possible money.

Several commanders from abroad came to the continental United States to testify before the committee and stated that the amounts called for in this bill will supply but a fractional part of the need for vital housing.

Mr. LEWIS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. Is there any appropriation or authorization for Air Force quarters in Guam?

Mr. SASSCER. Yes. I will give the gentleman the item if he will bear with me just a second. Army Ground Force bases in Guam, $3,803,940; Air Force bases, $5,367,708. I think probably there are one or two other smaller items.

Mr. LEWIS of Ohio. Is that included in these items in the bill for the Marianas?

Mr. SASSCER. Guam is included within the Marianas.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachussets. Is there anything in the bill for installations in Massachusetts?

Mr. SASSCER. The gentleman from Massachusetts, the chairman of the subcommittee, could probably answer that question better than I, but I am of the opinion that this is one authorization bill in which the State of Massachusetts is not included.

Mrs. ROGERS of Massachusets. I would like to bring to the attention of the gentleman something that troubles me very much, and I think it is very serious, and that is the situation at Forest Glen. The buildings there are not fireproof; they are ramshackle, and, while the Army has done everything it can to make them as safe as possible, I believe that they are not safe for our disabled veterans. We have deaf men out there, amputees, and other cases; and I hope very much that the Committee on Armed Services will consider permanent buildings for Forest Glen.

Mr. SASSCER. I thoroughly agree with the observations of the gentlewoman from Massachusetts. That installation, as I understand, is an old antiquated girls school, which was probably antiquated at the turn of the century. It is grossly unfitted for the purpose for which it is used. However, I understand that is under the Navy and not the Army.

Mrs. ROGERS of Massachusetts. No; that is under the Army instead of the Navy. Forest Glen is sort of an annex of the Walter Reed Hospital, and the Army men there are somewhat convalescent. They are all supposed to be ambulant, but I think if you had a fire there you would have quite a serious situation.

Mr. SASSCER. That is probably true, but I know that in the Navy public works bill there is something for Forest Glen, and some question as to that item has come up.

Mrs. ROGERS of Massachusetts. Will the gentleman consider Forest Glen and the Army installation there?

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The fund for the Forest Glen item, to provide for the planning of a new hospital, with 1,500 beds, was included in the bill. On the other hand, a situation has developed since then which has made it necessary again to review the hospital facilities in this area, and as a result of that review we have found that there is an excess of beds over and beyond those presently occupied, and the Surgeon General does not recommend the inclusion in the bill of the item for the designing and planning of a new hospital. He does ask, however, that the balance of the money, namely, $600,000, be retained in the bill for designing and planning a pathological building.

Mrs. ROGERS of Massachusetts. I understand that at the present time the Surgeon General and also the commanding officer at Walter Reed Hospital have the situation very much in mind. There is real danger there for the patients. I know the gentleman is a member of the subcommittee, and I wish both gentlemen would make a survey or have a survey made, because I think it is unsafe for the men to be there.

Mr. BATES of Massachusetts. That, of course, would have nothing to do with the capacity. We find that the capacity of beds at Walter Reed Hospital is 1,400, and there are 1,052 patients there. We find also that at Forest Glen there is a capacity of 689, with 727 patients. The Surgeon General's office sent this communication to me:

> While it is believed that additional hospital beds are needed in the Washington area for the care of Army and veteran patients, the planning of a 1,000-bed general hospital as now included in H. R. 4122 can be delayed at this time. It is suggested that the wording of the bill (p. 3, lines 19–23, incl.) read as follows:
>
> "Forest Glen, Md., or vicinity: Complete plans and specifications for construction of an Army Institute of Pathology Building including all necessary auxiliary facilities, $600,000."

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania,

Mr. GAVIN. In that event, why do they not remove the patients that are out at the Forest Glen Hospital now, if beds are available in this area? I was out there the other day. I would say that Forest Glen is nothing but a group of shacks, hollow shells, antiquated dumps unfit for anybody. It is a veritable disgrace, a fire trap and a fire hazard, and it ought to be closed up and new facilities provided, and the patients removed. I feel that this is a very serious matter. If the facilities are available that the gentleman states, why do they not take advantage of them? I stopped and talked to General Beach, and he told me that there are no other facilities available, that they have to use these facilities. Does the gentlewoman understand that that is the case?

Mrs. ROGERS of Massachusetts. That is my understanding at the present time. Also, there are out-of-door facilities there that are very important, for instance, for the amputees and the men who are reconditioning. It is extremely important to have a fireproof installation constructed at Forest Glen as soon as possible, in my opinion.

Mr. BATES of Massachusetts. As the gentleman from Pennsylvania well knows because of his original interest in the subcommittee study of the original authorization submitted to the committee for consideration, upon examination, the Surgeon General told us that something ought to be done about planning a new hospital at Forest Glen. Therefore, the committee itself, without any recommendation by the Surgeon General, included in the bill an item of $800,000 for such plans. Subsequent to that, however, a member of the Committee on Appropriations called to my attention the excess beds in the Walter Reed Hospital area and suggested I might write to the Surgeon General for information regarding how he feels in regard to planning a new 1,000-bed hospital at Forest Glen. He wrote me as of March 29, only a little over a month ago, saying that the planning of this 1,000-bed hospital as now included in the bill can be delayed at this time, but suggested that the planning and designing of the new Army Institute of Pathology Building be included at a cost of $600,000.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 additional minutes, in view of the fact that I have used very little of this time myself.

Mrs. ROGERS of Massachusetts. If the gentleman will yield, I still go back to my original idea that Forest Glen is very much needed for rehabilitation purposes. Some place of this kind must be provided. I think the beds they have at Walter Reed Hospital should be saved for

ill patients. It is the convalescent patients that are at Forest Glen.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. A proposal to develop this Institute of Pathology in the new hospital at Forest Glen raises serious questions about the unification of the Army and the Navy. Everyone knows that at Bethesda, Md., we have the new Naval Medical Center, which is outstanding in its character. Those of you who have visited there recently must know that it is not being used at capacity at the present time. If we are ever going to achieve the goal of unification, it ought to mean that a man can get in a hospital maintained by the armed services whether he happens to wear khaki or the uniform of the Navy. The country will never be able to maintain the Military and Naval Establishments it needs if it has to have separate hospitals for each branch of the service. It is my personal conviction that money should not be authorized and appropriated to build a new, separate Army hospital of Institute of Pathology in the immediate vicinity of the naval hospital at Bethesda until that question is thoroughly examined.

Mr. GAVIN. If unification of Army and Navy is a fact and not a theory, then the patients at the Forest Glen hospitalization facility should be removed. We are trying to point out that it is unsafe. The American veteran has earned and is entitled to better hospitalization facilities than he is now provided at Forest Glen.

Mr. CASE of South Dakota. There is no dispute between me and the gentleman on that at all. If the men at Forest Glen are not being taken care of, the Secretary of Defense should issue some sort of order immediately to permit their admission at Bethesda.

Mrs. ROGERS of Massachusetts. There is another very important and vital reason for the men to be at Forest Glen. They have a very fine research prosthetic appliance laboratory there. They are working on artificial hands and legs. It is vital to have the men near that research laboratory or as near as possible to it. That particular building is fireproof. Those who saw the men wearing artificial arms and legs make that demonstration here in Washington will probably remember that some of the prosthetic appliances were developed and perfected at the Forest Glen prosthetic appliance workshop.

Mr. GAVIN. The committee states that these facilities are available for these patients in the Washington area. Then why is it necessary to keep Forest Glen open? I was out there recently. I looked the place over carefully, and I feel it is unsafe to continue to operate that facility with some 500 or 600 patients. They should be removed immediately and the place should be closed up. I am trying to impress upon the Committee that that is what should be done. I fully realize that the people who are in charge are doing a good job and turning in a very fine performance with the facilities that they have available, but that still does not give the veteran the treatment and protection that I feel he is entitled to. I think all the patients should be removed to facilities that would be more desirable, safe, and acceptable than Forest Glen.

Mr. BATES of Massachusetts. I appreciate the long-time interest that the gentleman from Pennsylvania has had in this matter. But after all it is a question of administration, which comes within the province of the Committee on Armed Services. We do have a Subcommittee on Hospitals of the Committee on Armed Services and they ought immediately to explore the situation because of the condition that the gentleman and the gentlewoman from Massachusetts [Mrs. ROGERS] have called to our attention. But when we have a letter from the Surgeon General telling us that there is no need at the present time for this appropriation, I think we ought to be governed by what he says, because he may have some substantial reason for saying that. He may have some plan in mind to bring about changes. We do know as a result of the examination of the Walter Reed Hospital that the number of patients being taken care of there does not begin to compare with the capacity of the hospital itself. There ought to be wherever possible some coordination. I think that is a matter for the Surgeon General's office. Of course, the Surgeon General should be helped in every way possible by the Committee on Armed Services, of which the gentleman from Pennsylvania and myself and others are members.

Mr. GAVIN. I want to call to the attention of my very able chairman who has worked so hard and conscientiously on this bill that this institution was built about 1894. It is nothing but a wooden structure or a series of wooden structures with stucco on the outside. It is a very undesirable facility and should be closed up and the patients should be removed.

Mr. MILLER of Connecticut. If the discussion of this particular matter has been concluded, I think it is only fair to make this observation, that the Congress has shown a great deal of enthusiasm for a 70-unit air force. They have so voted.

It is my understanding that this bill, to some extent, implements that program. We are not going to have the type of pilots we want in the Air Corps and our armed forces generally unless we provide adequate housing. I want to commend the committee for bringing in this bill. I am particularly concerned about the Air Corps, because, after all, to quite some extent they take the hazards of war throughout peacetime in their training and in their operations, and we are not going to have the efficiency that we want if we do not give them decent housing wherever they are located, and an opportunity to live normal American lives with American families.

Mr. SASSCER. The gentleman is entirely correct.

As I stated a moment ago, this bill is to provide physical facilities for housing, physical facilities for training, both of which are necessary in the implementation of the manpower of the Army.

Time is a vital element in this bill. Very often, in an effort to save money we lose money. Most frequently delay is costly. This bill and the Navy bill were both reported out approximately a year ago. Both the Army and the Navy and those two bills have items for carrying on construction where the teams were already in the field. There was information before the committee some months back, in fact, when the bills were being considered last year, that if funds were not forthcoming rather quickly it would be necessary to break up these construction teams in the Pacific, stop the work, with the necessity of later reassemblying the workmen and starting in at a considerably higher cost.

May I read from the record. General MacArthur sent General Casey and he testified before the committee recently in an effort to try to get this construction speeded up. He said:

> Present funds are running out. Demobilizations are being initiated due to the lack of fiscal year '1948 funds anticipated on July 1 of last year. With any further delay in availability of these funds, this demobilization will have to proceed.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 additional minutes.

General Casey then said:

> I am here on a number of matters, but my primary concern, and General MacArthur's primary concern, is to effect what relief we can toward the provision of funds for construction on Okinawa and Guam.

As to the need of this housing I am going to read just two or three brief statements from the hearings, which can picture that need far more graphically than I could.

Colonel Erler testified and said:

> Near Hamilton Field, Calif., the record shows 16 noncommissioned officers living in one old converted farmhouse, sharing two baths and one communal kitchen and basement, each of the 16 families paying a monthly rental of $55 a month.

In Illinois a staff sergeant with his wife and child live in a house constructed from two former trailer shells joined together, with drop-table siding. They share communal toilets and showers, with 30 other people, and pay $40 a month rent.

A captain living with his family of four in a 2-room cabin in a tourist camp 3 miles from Lowry Field, Colo., pays a monthly rental of $80 a month, water supply and communal toilet facilities are located 75 feet away from the cabin.

A master sergeant with his family of two live in a dilapidated building—listen to this—formerly used as a chickenhouse near Lowry Field, Colo. This facility consists of one room, an outside toilet, vermin-infested. Available water supply located 50 feet from the shack.

I asked the question following this testimony, if this acute housing shortage had any effect upon reenlistments, and in every instance the answer was, "Yes," a material effect on reenlistments and reenlistments of key men in our armed services. At a time when we are told that we must turn—and apparently we must—and embark into a new field

of selective service in peacetime, and when we are told that the men in the services are living in vermin-infested quarters in squalor without sanitation, is it not vital that this Army bill and this Navy bill providing the physical facilities should be speeded on to passage?

This House by an overwhelming majority voted for the European aid program. I was among those in the overwhelming majority; but we may well pause in our charity to the world and not get swept on in a philosophy that charity begins abroad to such extent that we permit the men of our armed services upon whom we are dependent for the defense of this country to live under the conditions which have been outlined in this testimony.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to my friend, the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, the gentleman is making a splendid statement on behalf of this bill today. I think it is a shame that the military authorities and the Congress itself allow such housing to exist in this country, the country which is supposed to be the greatest free democracy in the world. I realize that during wartime our soldiers had to live under such conditions, but there is no reason in the world why they should live under the conditions and in such quarters as the gentleman has presented to the House this afternoon. It is high time something was done. I hope that the House will not waste time approving this bill today.

Another point that I would like to make is that it seems to me that this is the best possible evidence that could be presented to the members of the Committee on Banking and Currency to get some action on the Taft-Ellender-Wagner housing bill. I think that if this exhibit were shown to that committee they would not waste the time they are now wasting on that bill but instead would give to the country the decent housing program that everyone wants at the present time.

Mr. SASSCER. I wish to say to the gentleman from Rhode Island that the services have been pressing well over a year for this legislation. The Armed Services Committee under the leadership of our very able chairman and under the leadership of the very able chairman of the subcommittee, after long hearings, reported this legislation out nearly a year ago.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. McCORMACK. I thoroughly agree with the gentleman from Rhode Island in his observation particularly in relation to the outstanding work done by the gentleman from Maryland [Mr. SASSCER], not only in connection with this bill but with all legislation relating to our national defense and all legislation relating to our country.

I know my friend from Rhode Island joins with me in that expression. May I ask the gentleman, When was it that the additional housing was recommended? The gentleman said it was recommended a little over a year ago.

Mr. SASSCER. My recollection is it was reported out of the Armed Services Committee some weeks before adjournment last year.

Mr. McCORMACK. Last year?

Mr. SASSCER. Yes.

Mr. McCORMACK. And the recommendation was made some time last year?

Mr. SASSCER. The bill was reported out at that time.

Mr. McCORMACK. But the recommendations from the Department came up to Congress through the regular channels last year?

Mr. SASSCER. Prior to the hearings and prior to the action of the Armed Services Committee. The Armed Services Committee acted last year.

Mr. McCORMACK. On this particular bill?

Mr. SASSCER. Yes.

Mr. McCORMACK. It has been lying around here all these months and it is only up for consideration today?

Mr. SASSCER. That is correct.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. To answer the pertinent question asked by the gentleman from Massachusetts, I may say that the subcommittee did not get this bill until July 1947, because it did not reach here from the Bureau of the Budget until that time. That only gave us 2 or 3 weeks before the adjournment of the Congress a year ago to make the report. But we did make the report.

Mr. McCORMACK. When was the report made? The bill was reported last year.

Mr. BATES of Massachusetts. In the closing days of the Seventy-ninth Congress.

Mr. McCORMACK. Can the gentleman from Massachusetts explain why it is now May 20 and all of this time went by before the bill came out on the floor?

Mr. BATES of Massachusetts. That is true, but there are many other bills that have not come up.

Mr. McCORMACK. They have not been reported out. This was reported.

Mr. SASSCER. The gentleman from Massachusetts [Mr. BATES], as chairman of the subcommittee, has worked diligently, conscientiously, and actively on behalf of these public-works bills.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself 1 additional minute.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Florida.

Mr. SIKES. I appreciate the gentleman's courtesy and I want to commend him for the fine statement he has made which ably portrays the need for housing facilities at Army and Navy installations. I want to ask him, is it not true that under the terms of this bill we are neglecting to provide housing for other installations which also need them vitally; and would it not be better to spread what housing is available over all of those which need housing rather than to point to a few and say, "We will take care of these. The rest of you will have to continue to live in the hovels and shacks you are now living in."

Mr. SASSCER. I think anything has to be taken piece by piece. This bill provides for housing in probably the most acutely needed places. As was stated a moment ago, certain money was saved in the allotted space and it is my hope that the money thus saved can be later on spread about to meet the urgent needs in other sections.

Mr. SIKES. I concur in the gentleman's hopes.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, first of all I want to express congratulation to the chairman of the subcommittee for the improvement he has effected in this bill between last Thursday and today. As the bill came before us a week ago it provided housing at the rate of $22,700 for lieutenant colonels and majors, $18,750 for company officers and $16,540 for noncommissioned officers. Under the amendment which I understand the gentleman from Massachusetts will offer, the only housing construction undertaken under the bill will be houses of 1,080 square feet which, at a cost of $13 a square foot, will amount to $14,040. In spite of my commendation of the chairman, I do not think it is good legislative procedure for a bill to be changed to this extent after it has been presented to the House, because there is little relationship between the bill as we pass it this afternoon on the one hand and the hearings and report on the other. However, the result is all to the good, and I offer no complaint.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I think the RECORD should show that the gentleman from New York [Mr. BUCK] is partly responsible for the improvement proposed in the bill. At the time the bill was under consideration a week ago last Thursday, the gentleman from New York was the gentleman who made the point of order of no quorum which resulted in an adjournment until an opportunity could be had for working out improvements that are now proposed in the bill. Personally I think there are some other improvements that can be worked out in the Committee this afternoon, and I hope the gentleman intends to discuss some of them.

Mr. BUCK. I thank the gentleman for those remarks, and I do intend to discuss certain phases of the bill which I think are subject to improvement.

All of us remember that during the war we had 11,000,000 men in the armed services, and they were all housed. The Army claims that all the wooden barracks which were available at the stations covered by this bill have been converted into

family dwelling units. I am inclined to question the accuracy of the Army statement in that regard. I hope they are right. If they are not right, it seems to me they should proceed at once to make further conversions into family quarters.

While the amendment which will be offered by the gentleman from Massachusetts [Mr. BATES] will limit the houses to be constructed to 1,080 square feet, yet his amendment, as I have seen it, makes no mention of what the cost per square foot will be. Unless we put in a cost limitation, the Army and the Air Corps could ride high, wide, and handsome on the construction of these buildings, and instead of being held to the $14,000 or $15,000 cost they could readily run cost up to $16,000, $18,000, or $20,000. Unless the chairman of the subcommittee offers such an amendment, I will offer an amendment limiting the cost to $13 a square foot.

In connection with that I want to say that privately built houses are now selling in my community, inclusive of the lot, all of the improvements, and the profit to the builder, at from $10 to $12 a square foot. For that reason I am sure the $13 price is safe.

Now, there is nothing contained in the bill in regard to the distribution of these houses between commissioned officers and enlisted men. Most of the exhibits we have here emphasize the deplorable conditions in which enlisted men and noncoms have had to live. It is the noncom who is the backbone of the Army and the Air Force, and we have been told how difficult it is to keep him in the service lacking adequate housing. It therefore seems to me that something ought to be placed in the bill providing for the distribution of this new housing between officers and noncoms. The Army was asked a question as to this distribution, and replied that their practice as to new housing is to allot 60 percent to officers and 40 to noncoms. This does not seem to me, under the circumstances, to be a desirable distribution. I think it ought to be reversed, at least.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Illinois.

Mr. VURSELL. Can the gentleman tell me how many houses are to be built for the noncoms?

Mr. BUCK. I do not have the figure available as to the total number which will be built under this bill. The Chairman of the subcommittee could answer that question, I am sure.

Mr. BATES of Massachusetts. They number 3,559 housing units.

Mr. VURSELL. For noncoms?

Mr. BATES of Massachusetts. No; 3,559 altogether, and they will be split between the noncoms and the officers according to the policy of the War Department, as the gentleman from New York [Mr. BUCK] just said.

Mr. VURSELL. Is this for the Air Force only?

Mr. BATES of Massachusetts. No. This is an Army and Air Force bill.

Mr. VURSELL. Why build houses for some noncoms and not have houses for all? Why not have them all in barracks?

Mr. BATES of Massachusetts. Of course, you cannot put men and their families in barracks.

Mr. VURSELL. I did not understand that men who went into the Army could not take their families with them.

Mr. BATES of Massachusetts. No; the facts are that under the law we have to pay subsistence and rental allowances for married men with dependents in the Army and Air Force and that is costing over $100,000,000 a year.

Mr. VURSELL. Still it would cost a great deal less than to build each one a house.

Mr. BATES of Massachusetts. I think it would cost less if we would enter upon a good construction program with adequate houses, and diminish that expenditure for rental allowances of $100,000,000 a year, year in and year out.

Mr. BUCK. May I ask the distinguished gentleman from Massachusetts if he thinks the 60–40 percent division is an equitable division, in view of the circumstances?

Mr. BATES of Massachusetts. I cannot answer that with any degree of intelligence because I do not know all the related facts, but the Army feels that it is a fair division, and that is the policy at the present time.

Mr. BUCK. There would be nothing to prevent the Army, if it so desired, from departing from that percentage?

Mr. BATES of Massachusetts. No, but on the other hand if the Army and Air Force feel that they ought to have some latitude in determining who are to get these houses under the policy of the War Department of which the gentleman speaks, without being subject to a definite statutory limit of, let us say, 60 percent, it is only proper that they should have this latitude, because under some conditions it may not be practical to work that out under a restrictive statutory limitation. But the policy which they are following has been sent out to the commanding officers of all military stations, directing them to take care of noncommissioned officers and then take care of the junior officers and on up the line. They are working it out, as the gentleman says, on a 60–40 basis.

Mr. SCHWABE of Missouri. If the gentleman will yield, when the gentleman from New York refers to the 60–40 ratio is he speaking of the number of dollars or of individuals?

Mr. BUCK. I am speaking of the number of houses. If 10 houses were built on a particular post, as per the Army policy 6 would be allotted to officers and 4 to noncoms.

In my remarks thus far I have referred only to the domestic situation. I want to address myself now to one item contained in this bill which I think is shocking. This has to do with Keflavik Airport, Iceland. The report states:

> Keflavik Airport is one of the principal air transport bases in the world and is a main point on the North Atlantic route to Europe.

The hearings on page 4806 show that present traffic is 4 military and 10 civilian aircraft per week. If that makes Keflavik one of the principal air transport bases in the world, 14 planes per week, then I am very much mistaken. Yet, Mr. Chairman, it is proposed in this bill to spend some $10,000,000 for permanent construction at Keflavik, despite the fact that our lease on that airport with the Icelandic Government extends for some 5½ years only. Who other than Government would build permanent buildings on property on which a lease of but 5 years exists?

Now I want to read you some of the items included in this $10,000,000 for Keflavik.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield two additional minutes to the gentleman from New York.

Mr. SASSCER. Mr. Chairman, I yield 3 minutes to the gentleman from New York.

Mr. BUCK. For Keflavik Airport it is proposed to allot $405,000 for housing facilities for transients. With 14 planes a week, they allot a half a million dollars to house travelers when, as, and if they must stop over. In the bill is housing for the resident civilian crew of $2,939,000, with a 5-year lease. There is half a million dollars to build a 4-mile road to connect a radio beacon with the main station. By the construction of this 4-mile road, the people who reside at the beacon are saved 8 miles in driving to the main station, yet, for that we are spending $500,000, and we have a 5-year lease. We are building a gymnasium to cost $787,450. Remember that this facility is to handle 14 planes a week, and there is but a 5-year lease on the land. We are going to build a theater for $60,500; a chapel for $170,000. Here is the best one of all, a two-room schoolhouse for $94,450. Included is a school lunchroom for $25,000; and a 25-bed hospital for $818,000. I never heard such construction figures in my life.

The Air Corps has stated that all existing buildings at Keflavik are of temporary type or Quonset-hut type and have deteriorated beyond the point where repairs can be made economically due to extreme weather conditions and have been turned over to the Icelandic Government. In spite of what the Air Corps says about these extreme weather conditions, the climate in Iceland, actually, is the same climate as that of Philadelphia. We were told that construction costs are very high because building workers would have to be sent to Iceland from the United States. But then on digging into the matter, we found that the Icelandic Government refuses to permit use of imported building workers and insists that Icelanders only be employed. Next we were told that there is a short building season. We found, on investigation, that the building season is 12 months a year. The whole set-up for Keflavik Airport, except for those items that have to do with actual operation of planes, is so grossly extravagant and makes so little sense that I hope the committee will be willing to eliminate these projects I have enumerated pending further study. These add up to

about $2,800,000. They certainly do not appear to be justified under the circumstances I have outlined.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, as has already been pointed out in the discussion thus far, the bill being presented to us for our consideration this afternoon is proposed to be modified from the form in which it was originally presented by the amendment which the gentleman from Massachusetts will offer to restrict the building of quarters to the minimum size that was proposed in the bill originally, in other words to a space limitation of 1,080 square feet, which would be the space that was suggested for buildings for enlisted men.

That is the minimum size becomes the maximum; the smallest will be the largest. I think that is a very definite improvement under present conditions.

No one has to argue with me as to the need for some additional housing facilities for men on Army and Air Force posts. I have seen some of the quarters in which the men presently are required to live to be with their families. A great deal of it is disgraceful. A great deal of it is available only at exorbitant rates.

At the same time, when this bill was presented before, I felt that the proposal to start building quarters with all the limitations of price removed, and to set up only the space limitations proposed under the presently estimated costs would be indefensible. Under the space limitations proposed by the legislation with the average cost figures as supplied by the Army engineers, we would have been authorizing the construction of houses for colonels of 1,670 square feet, which would cost $21,700 with an additional $2,500 for utilities, making a total of $24,200.

At this point I will insert a memorandum from the Army engineers showing how these prices were computed:

*Multiple-type family housing average cost in permanent construction in the United States*

| Type | Space allowance | Detached house | Duplex house | (2-story) multiple-type-house |
|---|---|---|---|---|
| Unit cost per square foot | | $13 | $12.50 | $12.25 |
| Noncommissioned officers | 1,080 square feet | 14,000 | 13,500.00 | 13,200.00 |
| Utilities | | 2,200 | 1,700.00 | 1,200.00 |
| Total | | 16,200 | 15,200.00 | 14,400.00 |
| Company officers | 1,250 square feet | 16,200 | 15,700.00 | 15,300.00 |
| Utilities | | 2,500 | 2,000.00 | 1,300.00 |
| Total | | 18,700 | 17,700.00 | 16,600.00 |
| Lieutenant colonel and major | 1,400 square feet | 18,200 | 17,500.00 | 17,200.00 |
| Utilities | | 2,500 | 2,000.00 | 1,300.00 |
| Total | | 20,700 | 19,500.00 | 18,500.00 |
| Colonels | 1,670 square feet | 21,700 | 20,900.00 | 20,200.00 |
| Utilities | | 2,500 | 2,000.00 | 1,300.00 |
| Total | | 24,200 | 22,900.00 | 21,500.00 |
| Generals | 2,100 square feet | 27,300 | | |
| Utilities | | 2,500 | | |
| Total | | 29,800 | | |

Data given above based on prices prevalent in October 1947.

The multiple-type is an eight-unit row house in which each family has two stories and a basement. In accordance with modern practice, some units will be offset from others to eliminate the monotonous appearance of a large number of identical units.

The permanent shell, 4-family apartment is a type of which 2,500 units were built in the fiscal year 1946–47 programs. They are two-story structures, with two apartments on each floor. They are designed to be converted in the future into two duplex family units, each unit having two stories and, generally, a basement. These shells were built without plaster, hardwood floors, kitchen cabinets (in many instances), and many other features considered necessary in the civilian market for even the cheapest housing.

The cost of utilities varies greatly at different stations, depending upon the location of the housing area with respect to the nearest feasible utilities connections, and the ability of the existing utilities systems to accommodate the added load occasioned by this construction. If it is only necessary to run utilities to existing lines in the streets, the cost will be less than shown. However, if it becomes necessary to provide long feeders or mains, the cost will exceed that stated. The figures given are averages derived from experience.

As will be seen by the table, for lieutenant colonels and majors we would have been authorizing houses, with utilities, to cost $20,700. For company officers, captains or less, we would have been authorizing houses which, with utilities, would have cost $18,700.

It seemed to me it was indefensible to authorize that kind of construction program. At the same time, we are not proposing to build enough houses to meet the needs of the noncommissioned officers and the enlisted men. In fact, growing out of the discussion which we had when the bill was before us recently, we subsequently had a conference which was arranged by the gentleman from Massachusetts [Mr. BATES] with some of the representatives from the Army, including General Bragdon, of the engineers. In that informal conference General Bragdon admitted that the house in which he himself was living in Washington, for which he was paying rent, is not the equivalent of the lowest-type house proposed to be built here for the enlisted man in the 1,080-square-foot category.

So that this suggestion of limiting construction to that as a maximum and making that available for officers and noncommissioned men, according to the needs of the situation, seemed to be wholly justified. Even more so when it was discovered that even if we built all of the housing authorized in this bill of this type we would not have built as much housing as was estimated to be needed in the lowest category.

In other words, if we built it all of the smallest size, which is a three-bedroom house, we would not exhaust the need. So the amendment proposed by the gentleman, to that extent, certainly should be approved.

However, there are some other questions which ought to be raised. In this conference to which I referred, I raised the question as to what would be the saving if we built some of the houses with a permanent shell and with limited trim. The Army engineers supplied us with the data. If we use a permanent shell of brick or concrete or stone, and on the interior used limited trim, an additional $800 per house could be saved. The memorandum of the engineers, which I insert at this point, shows how this would be accomplished.

*Study fiscal year 1948 family housing (1,080 square feet multiple—8 family row or 6 family apartment), prices as of Oct. 1, 1947*

| Permanent type of construction | Semipermanent type of construction | Savings |
|---|---|---|
| Walls, 5 types of construction.<br>8-inch masonry.<br>4-inch brick veneer.<br>Frame, stucco.<br>Frame, siding wood.<br>Frame, cement asbestos shingles. | Same | |
| Roofs, 3 kinds of material:<br>Tile for Spanish.<br>Slate for Colonial.<br>Built-up for modern copper flashing. | Asphalt shingles for Spanish and Colonial, galvanized iron flashing, built-up for modern. | $60 |
| Attics, not finished | Same | |
| Basements, not finished; provide 1 heater and 1 laundry sink. | do | |
| Windows, wood double hung and steel casements, stock sizes. | do | |
| Doors, stock size, 1¾ inches. | Stock size, 1⅜ inches. | 20 |
| Kitchen, furnished in each kitchen.<br>1 range.<br>1 refrigerator.<br>Sufficient cabinets for storage of food and dishes. (All items are stock manufactured.) | Same | |
| Floors, hardwood floors throughout. | Hardwood floors, first floor; softwood floors, second floor. | 50 |
| Bath, each has | Fixtures, same | 40 |
| 1 tub.<br>1 water closet.<br>1 lavatory.<br>1 medicine cabinet.<br>Walls, painted, tile. wainscot and floor. | Linoleum floor and Keenes cement wainscot. | 150 |
| Walls, interior, plaster, painted. | Wall board, taped and painted. | 330 |
| Hardware, all hardware specified compares in quality with that used in speculative homes. | Same | |
| Heating, forced hot water system, commercially available materials, similar to type of systems generally in use for comparable housing. | do | |

*Study fiscal year 1948 family housing (1,080 square feet multiple—8 family row or 6 family apartment), prices as of Oct. 1, 1947*—Continued

| Permanent type of construction | Semipermanent type of construction | Savings |
|---|---|---|
| Plumbing, fixtures medium quality, commercial, copper piping. | Fixtures medium quality, commercial, galvanized iron piping. | $150 |
| Electrical, commercially available material similar to type of system generally in use. | Same | |
| Total savings (approximately). | | 800 |

Then we asked General Bragdon for a table to show what would happen if we built with a temporary interior finish. At this point I shall insert a letter from the Chief of Engineers to the gentleman from Massachusetts [Mr. BATES] and an accompanying table showing the economies that could be obtained on this program that way:

MAY 11, 1948.

Hon. GEORGE J. BATES,
*House of Representatives.*

DEAR MR. BATES: At a conference in your office on the morning of May 8, 1948, representatives of this office discussed with you and Mr. CASE of South Dakota the amendment of H. R. 6342, the military construction enabling bill for fiscal year 1948. At your request, there are enclosed additional data to assist in a determination of the extent and effect of the proposed amendment.

You expressed a desire that construction of family quarters authorized in H. R. 6342 be limited to multiple-type dwellings because of their lower cost. Enclosures 1 and 2 show the estimated cost of construction and maintenance for various types of family quarters and the cost of the attendant utilities services.

At your suggestion, consideration has been given to the elimination of as many nonessential construction features as possible. Enclosure 3 indicates that it will be possible to reduce the cost of multiple-type housing units of 1,080 square feet by approximately $800 per set of family quarters by this means. The principal saving is effected in roofing, flooring, and plumbing fixtures. Further reduction in construction cost can be obtained only by measures which will result in substantially increased maintenance costs.

A study of potential savings or the increased number of quarters which might result from the construction of the fiscal year 1948 housing program in multiple-type units of 1,080 square feet is shown in enclosure 4. The summation of this study is contained in column K, lines 7 through 18. These are compared to the program presently covered by H. R. 6342, which is shown on lines 3 and 4.

The largest individual increase in number of units or the largest single saving in total cost is afforded by alternate A, wherein temporary-type finish and trim is not contemplated. Alternates B, C, and D provide for increasing percentages of housing in which the finish and trim is of a temporary type. When all housing is of this type, as provided for in alternate D, a total additional saving of $3,486,000, or 271 additional family units, may be effected over that provided by alternate A.

A draft of the proposed amendment to H. R. 6342, prepared in accordance with your wishes and those of Mr. CASE is attached as enclosure 5. In view of the small additional saving which is produced by alternates B, C, and D, however, it is recommended that the provision in the amendment for construction employing temporary-type finish and trim not be adopted.

Display charts of the floor plan, perspective view, and the typical site layout of the eight-family, multiple-type (row) house are being sent to your office this date under separate cover.

General Bragdon stated that he would inform you as to the number of enlisted men who have indicated their intention to reenlist in the Army if family quarters are provided. The results of a cross-section poll taken in December 1947 indicated that approximately 16,900 men are in this category.

I trust that the attached information will prove sufficient and will be of assistance to you in securing early action on this important measure. I will welcome an opportunity to be of any further service to that end.

Sincerely yours,

R. A. WHEELER,
*Lieutenant General,*
*Chief of Engineers.*

*Military construction enabling bill (S. 1676) (H. R. 6342)—Analysis of family quarters program*

| Line No. | Item | Continental United States | | | Overseas | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Air Force | Army | Total | Air Force | Army | Total | Air Force | Army | Total |
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) |
| | Quarters provided for in S. 1676: | | | | | | | | | |
| 1 | Estimated cost | $29,853,430 | $38,977,310 | $68,830,740 | $17,083,446 | $10,113,264 | $27,196,710 | $46,936,876 | $49,090,574 | $96,027,450 |
| 2 | Number of units | 1,581 | 2,144 | 3,725 | 617 | 413 | 1,030 | 2,198 | 2,557 | 4,755 |
| | Quarters provided for in H. R. 6342: | | | | | | | | | |
| 3 | Estimated cost | $19,373,440 | $29,714,070 | $49,087,510 | $16,145,126 | $8,069,274 | $24,214,400 | $35,518,566 | $37,783,344 | $73,301,910 |
| 4 | Number of units | 1,026 | 1,638 | 2,664 | 580 | 315 | 895 | 1,606 | 1,953 | 3,559 |
| | Difference between S. 1676 and H. R. 6342: | | | | | | | | | |
| 5 | Estimated cost | $10,479,990 | $9,263,240 | $19,743,230 | $938,320 | $2,043,990 | $2,982,310 | $11,418,310 | $11,307,230 | $22,725,540 |
| 6 | Number of units | 555 | 506 | 1,061 | 37 | 98 | 135 | 592 | 604 | 1,196 |
| | ALTERNATE A | | | | | | | | | |
| | All quarters under H. R. 6342 limited to 1,080 square feet, multiple-type (row-type or 2-story apartment) permanent finish: | | | | | | | | | |
| 7 | Savings if no increase in number of units | $4,599,040 | $6,126,870 | $10,725,910 | $1,540,646 | $1,032,354 | $2,573,000 | $6,139,686 | $7,159,224 | $13,298,910 |
| 8 | Total units for total money in H. R. 6342 | 1,345 | 2,064 | 3,409 | 660 | 366 | 1,026 | 2,005 | 2,430 | 4,435 |
| 9 | Increase in units (line 8 minus line 4) | 319 | 426 | 745 | 80 | 51 | 131 | 399 | 477 | 876 |
| | ALTERNATE B | | | | | | | | | |
| | Same as alternate A but 50 percent of units with temporary finish: | | | | | | | | | |
| 10 | Savings if no increase in number of units | $5,009,440 | $6,782,070 | $11,791,510 | $1,983,206 | $1,267,074 | $3,250,280 | $6,992,646 | $8,049,144 | $15,041,790 |
| 11 | Total units for total money in H. R. 6342 | 1,384 | 2,122 | 3,506 | 680 | 378 | 1,058 | 2,064 | 2,500 | 4,564 |
| 12 | Increase in units (line 11—line 4) | 358 | 484 | 842 | 100 | 63 | 163 | 458 | 547 | 1,005 |
| | ALTERNATE C | | | | | | | | | |
| | Same as alternate A but 75 percent of units with temporary finish: | | | | | | | | | |
| 13 | Savings if no increase in number of units | $5,214,640 | $7,109,670 | $12,324,310 | $2,204,486 | $1,384,194 | $3,588,680 | $7,419,126 | $8,493,864 | $15,912,990 |
| 14 | Total units for total money in H. R. 6342 | 1,404 | 2,153 | 3,557 | 692 | 384 | 1,076 | 2,096 | 2,537 | 4,633 |
| 15 | Increase in units (line 14—line 4) | 378 | 515 | 893 | 112 | 69 | 181 | 490 | 584 | 1,074 |
| | ALTERNATE D | | | | | | | | | |
| | Same as alternate A but all units with temporary finish: | | | | | | | | | |
| 16 | Savings if no increase in number of units | $5,419,840 | $7,437,270 | $12,857,110 | $2,425,766 | $1,501,794 | $3,927,560 | $7,845,606 | $8,939,064 | $16,784,670 |
| 17 | Total units for total money in H. R. 6342 | 1,425 | 2,185 | 3,610 | 704 | 392 | 1,096 | 2,129 | 2,577 | 4,706 |
| 18 | Increase in units (line 17 minus line 4) | 399 | 547 | 946 | 124 | 77 | 201 | 523 | 624 | 1,147 |

NOTE.—This analysis includes only those cases where permanent construction is contemplated under S. 1676 or H. R. 6342. Temporary construction or conversions of existing buildings are omitted. The total difference between S. 1676 and H. R. 6342 (1,204 quarters) includes 8 of the latter. Unit cost of detached, 1,080-square-foot house used in H. R. 6342 is $14,040 plus $2,500 for outside utilities. Unit cost of permanent multiple type is $13,200 and, for temporary finish, $12,400. Each requires $1,200 additional for outside utilities. These are continental United States prices.

So, if we were to build 50 percent with cheaper interior finish, instead of saving $13,298,910, we would save $15,041,790. If we were to build 75 percent of them with the cheaper trim, we would save $15,912,000.

I am personally of the opinion that we ought to build at least 75 percent of these with the cheaper or temporary interior trim.

The engineers gave us figures which show that the initial cost per square foot

of this multiple type, but in a permanent category, would cost $12.25 per square foot. Using the permanent type but temporary trim inside would cost $10.50 per square foot. That is a saving of $1.75 per square foot. Over a 20-year period the total cost for maintenance, plus the initial cost, would work out to $15.25 per square foot on the permanent type, and only $15 on those on which we used temporary trim at the present time. I insert the engineers' memo on this matter at this point:

*Fiscal year 1948 military construction (Army and Air Force)*

VARIOUS TYPES OF FAMILY QUARTERS, COMPARATIVE INITIAL COST AND MAINTENANCE

| | Initial cost per square foot | Maintenance per square foot for 20 years | Total cost per square foot for 20 years |
|---|---|---|---|
| Permanent, detached houses | $13.00 | $3.00 | $16.00 |
| Permanent, duplex houses | 12.50 | 3.00 | 15.50 |
| Permanent, multiple-type, or 2-story apartment | 12.25 | 3.00 | 15.25 |
| Permanent, 3-story apartment | 12.00 | 3.00 | 15.00 |
| Temporary, detached houses | 11.00 | 7.00 | 18.00 |
| Permanent shell, 4-family apartment, no interior trim | 10.50 | 4.50 | 15.00 |
| 2-story frame, 4-family, minimum acceptable standard (wallboard, soft-wood floor) | 10.00 | 7.00 | 17.00 |

Data given above based on prices prevalent October 1, 1947.

The multiple-type is an eight-unit row house in which each family has two stories and a basement. In accordance with modern practice, some units will be offset from others to eliminate the monotonous appearance of a large number of identical units.

The permanent shell, four-family apartment is a type of which 2,500 units were built in the fiscal year 1946–47 programs. They are two-story structures, with two apartments on each floor. They are designed to be converted in the future into two duplex family units, each unit having two stories and, generally, a basement. These shells were built without plaster, hardwood floors, kitchen cabinets (in many instances), and many other features considered necessary in the civilian market for even the cheapest housing.

So it would seem to me to be good sense to build at least 75 percent of these with the temporary trim inside, because even over a 20-year period the cost would be less than it would be for the others.

REPEALER SECTION

There is one other matter to which I wish to draw attention. That is the blanket repealers that are carried in section 4 of the bill. They disturb me no end. One can only tell what those repealers will do if he will take the committee report and refer to the section which is provided under the Ramseyer rule, which shows the sections of existing law that are proposed to be repealed. If the Members have a copy of the bill in front of them, let us look at section 4 and see what it proposes to do.

The first law which it would repeal is this old law which reads:

No military post within the United States shall be established without express authority of Congress.

Why should there not be express military authority for the establishment of new military posts within continental United States?

I do not think that section should be repealed.

Then the next statute to be repealed is that which provides that no expenditure exceeding $5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War upon detailed estimates submitted to him. Why should the Army have authority to build in excess of $5,000 without express approval of the Secretary of War on estimates submitted to him?

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. BATES of Massachusetts. I can realize the interest of the gentleman in raising the point of authorization, but every appropriation bill that comes to the Congress from now on under the Reorganization Act must carry with it the authority of the bill. Therefore, this is what we might call superfluous language in the law because everything, under the Reorganiaztion Act must come to Congress with authority for the appropriation.

Mr. CASE of South Dakota. In that case this is not in conflict with that provision but it applies the additional requirement that not more than $5,000 is to be spent without the Secretary of War approves the detailed estimate.

Then the next section or part of the repealer would repeal the requirement that—

The erection, construction, and repair of all buildings and other public structures in the Quartermaster Corps shall, as far as may be practicable, be made by contract, after due legal advertisement.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. BATES of Massachusetts. That again is a proviso of law that under the bill which we passed a year ago every contract must be authorized and that in the continental United States at least three bidders must submit bids before any one bid can be accepted and the contract let. What we are trying to remove is surplus language.

Mr. CASE of South Dakota. If that be true why was not this thing eliminated at the time we adopted a substitute for it?

Mr. BATES of Massachusetts. Apparently it got by the committee and was not recommended by the War Department. It now appears that there are duplicate statutes and they have the general statute covering all these things.

Mr. CASE of South Dakota. And the gentleman says that the new law does not affect bidding and letting of contracts for work done for the Quartermaster Corps?

Mr. BATES of Massachusetts. That is the law.

Mr. CASE of South Dakota. Will the gentleman submit the citation for the RECORD?

Mr. BATES of Massachusetts. I cannot do it at the moment, but I know as a member of the committee we went very, very carefully into it, for we were greatly interested in having it inserted in the general law a year ago.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman one additional minute.

The CHAIRMAN. The gentleman from South Dakota is recognized for one additional minute.

Mr. BATES of Massachusetts. That is covered by H. R. 1366, Public Law 413.

Mr. CASE of South Dakota. The next section proposed to be repealed is that section which reads:

*Provided*, That no building or structure of a permanent nature, the cost of which shall hereafter exceed $30,000, shall be erected for use as an Army hospital unless by special authority of Congress.

That would open the door to a repetition of the fiasco out at Honolulu where the Army during the war started a $5,000,000 hospital in duplication of the facilities which the Navy had there without the approval of Congress; unless there is some explanation for that, certainly we should not permit Army hospitals to be started willy-nilly without the approval of Congress.

Mr. BATES of Massachusetts. Again, that is a duplication of statutes, and these duplications we are trying to eliminate.

Mr. CASE of South Dakota. It is desirable to eliminate duplicate or overlapping statutes, of course, but on the face of the bill it was not evident that this was being done. I am glad to have the gentleman's assurance on these points as a part of the recorded legislative history of the bill.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. MUHLENBERG].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MUHLENBERG] is recognized for 10 minutes.

Mr. MUHLENBERG. Mr. Chairman, I have been very much interested in the discussion we have had so far on this bill, and most of the possible questions have been answered by our very able chairman, the gentleman from Massachusetts [Mr. BATES]. I think it might be wise, however, to talk briefly about some of the questions brought up by the gentleman from New York [Mr. BUCK], who has talked about his worry in connection with the possible limitation of cost on these buildings. It should be pointed out that, after all, there are only three variables that affect building: One is the size, one is the material, and third is the money. If we are going to limit, we can limit any two out of the three, but we cannot arbitrarily limit all three because we thus create an impossible situation. It seems to me, as one who is in the building business privately, it is very much wiser from our own standpoint to limit the size and the material rather than the actual amount of money; but if we do choose to limit the money then we cannot limit the

other two, and then direct the Army to accomplish the impossible.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from New York.

Mr. BUCK. I think the gentleman realizes that the cost of building in the New York area is about as high as any place in the country.

Mr. MUHLENBERG. It is not so indicated by building cost indexes.

Mr. BUCK. I thought it was. If a speculative builder can build for $10 to $12 a foot, including lot, oil furnace, his profit, and all of his development expenses, would not $13 be a fair figure for building here?

Mr. MUHLENBERG. It is perfectly all right to limit that in money, but I do not believe you ought to limit both in money and in square feet. If you are going to talk in terms of money, let us cut out the reference to square feet.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The gentleman is himself an architect by profession. He was district engineer of the War Department and knows something about building costs. We do not know whether $13 will stand 6 months from today or whether it will be $15. If we put in a limitation at $13 we may stymie the whole program.

Mr. MUHLENBERG. I thoroughly agree with the gentleman. I do not believe it is wise judgment to actually legislate a cost that is not definite and specific today.

Mr. Chairman, I want to speak also about one of the points the gentleman from South Dakota [Mr. CASE] brought up, and that is the limitation of the amount of money that would have been spent under the original bill for these quarters. The bill provides an arbitrary amount of $2,500 for the necessary utilities, which have been listed generally as road making, extension of sewer lines, extension of gas, where they have it available, electricity, and so forth. I think it should be realized that that is an entirely arbitrary amount. In a good many cases it may cost less than half of that, in some cases it may cost more, but to arbitrarily say that $2,500 must be added on before we arrive at the final cost of the housing unit is to my mind not correct nor sound reasoning.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. All I know is that in the memoranda prepared for us by the Office of Chief of Engineers in connection with this study, $2,500 is the utilities figure used for lieutenant colonels, majors, and colonels, and $2,200 was used on the NCO projects.

Mr. MUHLENBERG. That is correct, because it was the idea then that NCO housing would be built more or less in blocks and the cost of utilities ought to be somewhat less.

I would like to speak for my remaining moment about this 1,080 square-foot limitation. I have built a great many houses in my time. I asked the Corps of Engineers to send me the plans on which this 1,080-square-foot theoretical house was going to be built, and after having examined the plans carefully I can say that in my own judgment it shows extraordinarily minimum construction. I do not believe it is wise to arbitrarily fix 1,080 square feet as the actual amount that ought to be approved by this Congress for quarters. The plans are well done under the limitations of the order to the Corps of Engineers for designing these houses and they are reasonably well presented. I believe the obvious thing to do would be to make more evident the 10 to 20 percent variation in both cost and size that is now allowed under the proposed law. There are provisions in the proposed law which say that the 1,080 square feet actually does not provide a fixed limit because we allow variations under certain events, so I believe that arbitrarily to say that 1,080 square feet shall be bulit here, there, and everywhere, is not very wise. At some places they can get along with much less, at other places they may need more. At some places they can get along with a one-story house, such as we have out here near Washington at Viers Mill. Something of that type might be perfectly adaptable in some of the southern sections of the country, and in other places it might be better to build a two-story compact house, a single house, and at other places it might be wise to build a house of larger proportions or with provisions for cross ventilation. I think in some places we do not need a three-bedroom house, because the average noncom may not have a greater requirement than two bedrooms and occasionally at each station four-bedroom accommodations might be wise. I do not believe, therefore, that it would be wise to standardize too much, and I recommend strongly that in your thinking about this bill, instead of trying to tie it down too tight, it would be wiser to create the possibility of variation in the type of building that we are going to construct.

I would like to point out finally one item that I would like you to remember, and that is that the original request that came in from the field amounted to something over $2,000,000,000. This was submitted after careful investigation of requirements of each installation by the commanding officer of that installation. When it finally got by General Wheeler, the Chief of Engineers, after his analysis of absolute necessity, it dropped from $2,000,000,000 to the final figure of $547,000,000 as submitted to the Bureau of the Budget.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from New York.

Mr. KEATING. I think that is illustrative, and I am quite sure the gentleman agrees with me, on the type of effort which General Wheeler, who is shortly to retire as Chief of Engineers, has always put into his service in the Army, and his service before the committees of Congress. I know of no man who has ever served in the United States Army in whom the Members of this House have greater confidence than they have in General Wheeler.

Mr. MUHLENBERG. I am extremely sorry that the gentleman from New York did not turn his back to me and address that remark to the House itself, because it was a remark that should have been heard by every Member of the House. I agree with every word that the gentleman from New York said, and that this reduction of three-quarters of the original requests by the General Staff and General Wheeler in turn, before he even presented it, is an illustration of the type of guardianship of public money that we can expect in putting the guidance of the expenditure of that money in competent hands.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I would simply like to add that I think it is the unanimous opinion of the members of the subcommittee on appropriations which deals with the War Department, and particularly with the Army Engineers, that General Wheeler is possibly the outstanding Chief of Engineers that it has been our privilege to deal with when it comes to considering the interest of the taxpayer as well as the Army in construction. I personally believe he is thoroughly honest and is the soul of integrity and honor when it comes to answering questions that we put to him with respect to construction, either military construction or construction of rivers and harbors and flood-control projects.

Mr. MUHLENBERG. I am delighted to have yielded part of my time to the gentleman from South Dakota for the remarks he made, because I thoroughly agree with everything said about General Wheeler.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Army and the Secretary of the Air Force are hereby authorized to establish or develop military installations and facilities by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities; or by the completion of such construction, installation, or equipment specifically approved by the Secretary of the Army and the Secretary of the Air Force and heretofore undertaken as follows:

CONTINENTAL UNITED STATES

Alamogordo Army Airfield, N. Mex.: Family quarters, rocket-firing facilities, and utilities; $1,622,720.

Andrews Field, Md.: Family quarters and utilities; $3,143,630.

Army and Navy General Hospital, Hot Springs, Ark.: Family quarters, barracks, and utilities; $852,100.

Army and Navy Medical Procurement Office, Engineering and Development Division, Fort Totten, N. Y.; Medical-equipment laboratory; $390,000.

Anniston Ordnance Depot, Ala.: Waste-disposal facilities; $60,000.

Fort Belvoir, Va.: Family quarters and utilities; $792,380.

Fort Benning, Ga.: Family quarters and utilities; $1,466,050.

Bergstrom Field, Tex.: Family quarters and utilities; $1,501,970.

Fort Bliss, Tex.: Family quarters and utilities; $1,113,000.

Fort Bragg, N. C.: Family quarters and utilities; $1,778,400.

California Institute of Technology, California: Completion of supersonic wind tunnel; $410,700.

Chanute Field, Ill.: Family quarters and utilities, $1,310,800.

Craig Field, Ala.: Crash station; $26,370.

Camp Detrick, Md.: Family quarters, munitions-loading building, crop research, and utilities; $862,830.

Edgewood Arsenal, Md. (including Technical Command, Army Chemical Center, and Chemical Corps School): Family quarters, chemical-laboratory facilities, and utilities; $959,950.

Fitzsimons General Hospital, Denver, Colo.: Family quarters and utilities; $449,-050.

Forest Glen, Md.: Complete plans and specifications for construction of an Army Institute of Pathology Building and a new 1,000-bed general hospital (on a 1,500-bed chassis), including all necessary auxiliary facilities; $850,000.

Hamilton Field, Calif.: Family quarters and utilities; $61,800.

Fort Hamilton, New York Port of Embarkation, N. Y.: Family quarters and utilities; $575,230.

Camp Hood, Tex.: Family quarters and utilities; $4,455,950.

Fort Sam Houston, Tex. (including Brooke Army Medical Center): Family quarters and utilities; $1,288,900.

Huntsville, Arsenal, Ala.: Reservation fencing; $20,600.

Fort Jay, N. Y.: Family quarters and utilities; $382,500.

Kearney Army Airfield, Nebr.: Family quarters and utilities; $1,511,840.

Keesler Field, Miss.: Family quarters and utilities; $1,356,700.

Kelly Field, Tex.: Helicopter engine testing facilities; $152,000.

Fort Knox, Ky.: Family quarters and utilities; $2,833,380.

Fort Leavenworth, Kans.: Printing plant, library addition, electrical supply and distribution facilities; $1,161,500.

Camp Lee, Va.: Family quarters, bachelor quarters, barracks, and utilities, $2,902,870.

Letterman General Hospital, San Francisco, Calif.: Complete plans and specifications for construction of a new 1,500-bed general hospital, including all necessary auxiliary facilities; $940,000.

Fort Lewis, Wash.: Family quarters and utilities; $2,647,500.

Lexington Signal Depot, Ky.: Garage and equipment-storage facilities; $25,000.

Lowry Field, Colo.: Family quarters and utilities; $1,310,800.

McDill Field, Fla.: Family quarters, control tower, crash station, and utilities; $1,-030,380.

Madigan General Hospital, Fort Lewis, Wash.: Family quarters and utilities; $369,600.

Malta Test Station, N. Y.: Hydraulic test laboratory; $205,000.

Marietta Army Airfield, Ga.: Control tower; $54,500.

Fort McPherson, Ga.: Family quarters and utilities; $360,900.

Fort George G. Meade, Md.: Family quarters and utilities; $995,800.

Mountain Home Army Airfield, Idaho: Family quarters and utilities; $940,880.

Muroc Army Airfield, Calif.: Rocket static test facilities, control tower, all-altitude speed course; $2,746,500.

Fort Myer, Va.: Replace field commissary refrigerator facilities; $108,000.

Oakland Army Base, San Francisco Port of Embarkation, Calif.: Family quarters, barracks, and utilities; $907,580.

Oliver General Hospital, Augusta, Ga.: Family quarters and utilities, $231,000.

Percy Jones General Hospital, Battle Creek, Mich.: Family quarters and utilities, $231,000.

Picatinny Arsenal, New Jersey: Research and development facilities for high explosives, completed bombs, rockets and rocket powders, laundry, $1,978,800, of which $1,-228,800 is authorized to be expended during the fiscal year 1948.

Presidio of San Francisco, Calif.: Family quarters and utilities, $360,900.

Randolph Field, Texas: Family quarters, control tower, and utilities, $1,465,300.

Rapid City Army Airfield, South Dakota: Development of facilities for VVHB, $5,000,-000.

Fort Riley, Kans.: Family quarters and utilities, $720,800.

Roswell Army Airfield, New Mexico: Training facilities, $95,790.

Sacramento Signal Depot, California: Irrigation and sprinkling, $47,970.

San Antonio Army Airfield, Military Training Center, Texas: Family quarters and utilities, $1,310,800.

Scott Field, Illinois: Family quarters and utilities, $1,316,500.

Selfridge Field, Michigan: Family quarters, crash-truck station, and utilities, $800,840.

Fort Sheridan, Ill.: Family quarters and utilities, $360,900.

Fort Sill, Okla.: Family quarters and utilities, $573,500.

Camp Stoneman, San Francisco Port of Embarkation, California: Family quarters and utilities, $878,570.

Tinker Field, Oklahoma (including Oklahoma City Air Depot): Jet engine test facilities, $362,000.

Two Rock Ranch Station, California: Family quarters, water pipe line, and utilities, $149,800.

United States Military Academy, West Point, N. Y.: Family quarters and utilities, complete plans and specifications for a new academic building, $3,249,750.

Valley Forge General Hospital, Phoenixville, Pa.: Family quarters and utilities, $231,000.

Vint Hill Farms Station, Virginia: Family quarters and utilities, $782,300.

Watertown Arsenal, Massachusetts: Magnesium shop building, $87,000.

White Sands Proving Ground, New Mexico: Family quarters, laboratory, storage and testing facilities for rocket development, administration facilities, central fire station, hospital expansion, and utilities, $3,887,430.

Williams Field, Ariz.: Single-engine gunnery range; $51,500.

Wingate Ordnance Depot, N. Mex.: Additional well; $20,000.

Fort Worth Army Airfield, Tex.: Family quarters, ammunition storage, training facilities, and utilities; $2,394,770.

Wright Field, Ohio: Rotor wing-testing facilities, armament laboratory-test facilities, and scavenging building for wind tunnels; $1,887,000.

Yuma Test Branch of the Engineer Board, Ariz.: Family quarters, bachelor quarters, infirmary, post exchange, and utilities; $389,-620.

Various Air Force stations: Removal of flight hazards, and construction of night lighting systems, low-approach instrument-landing systems, high-frequency direction-finding systems, radio-range stations, sprinkler systems, and fire-prevention facilities; $5,085,500.

OUTSIDE CONTINENTAL UNITED STATES

Whittier, Alaska: Development of port facilities; $5,332,277.

Army Airfield at Mile 26, near Fairbanks, Alaska: Family quarters, barracks, and utilities; $2,021,118.

Ladd Field, Alaska: Family quarters, bachelor quarters, barracks, operational facilities, hospital, community facilities, and utilities; $20,694,850, of which $11,694,850 is authorized to be expended during the fiscal year 1948.

Fort Richardson-Elmendorf Field, Alaska: Family quarters, bachelor quarters, barracks, storage facilities, communication facilities, school, motor-pool facilities, and utilities; $10,190,375.

Adak Army Base and Airfield, Aleutian Islands: Family quarters, barracks, communication facilities, and utilities; $4,334,600.

Army Airfield, Fort Yukon, Alaska: Establishment of fighter field with necessary operational facilities, bachelor quarters, barracks, mess hall, and utilities; $4,160,950.

Army Airfield, Nenana, Alaska: Operational facilities, barracks, and utilities, $505,000.

Adak ACS Station, Aleutian Islands: Family quarters, operational buildings, garages, and utilities; $950,050.

Anchorage ACS Station, Alaska: Family quarters and utilities; $514,280.

Big Delta ACS Station, Alaska: Family quarters and utilities; $57,410.

Ketchikan ACS Station, Alaska: Family quarters, operational buildings, and utilities; $114,160.

Cathedral Bluff ACS Station, Alaska: Family quarters and utilities; $56,160.

Fort Randall ACS Station (Cold Bay), Alaska: Family quarters and utilities; $57,-410.

Juneau ACS Station, Alaska: Family quarters and utilities; $56,160.

Northway ACS Station, Alaska: Family quarters and utilities; $56,160.

Naknek ACS Station, Alaska: Family quarters, operational buildings, garage, and utilities; $79,760.

Skagway ACS Station, Alaska: Family quarters, operational buildings, and utilities; $107,750.

Lena Point ACS Station, Alaska: Operational buildings, quarters, and utilities; $46,000.

ACS Station between Haines and Juneau, Alaska (location to be determined): Operational buildings, quarters, and utilities; $46,000.

Bethel ACS Station, Alaska: Operational buildings; $30,000.

Kodiak ACS Station, Alaska: Operational buildings; $14,420.

Nome ACS Station, Alaska: Family quarters, operational building, and utilities; $77,-944.

Sitka ACS Station, Alaska: Operational building, and garage; $8,600.

New Tripler General Hospital, Territory of Hawaii: Family quarters, bachelor quarters, and utilities; $3,472,960.

Hickam Field, Territory of Hawaii: Family quarters (conversions) and barracks (reconstruction); $2,242,200.

Fort Armstrong, Territory of Hawaii: Telephone-exchange building; $55,000.

Helemano, Territory of Hawaii: Family quarters and utilities; $473,415.

Waipio, Territory of Hawaii: Family quarters and utilities; $207,760.

Fort DeRussey, Territory of Hawaii: Family quarters and utilities; $528,220.

Army Ground Force bases, Marianas: Housing, storage, and utilities; $3,803,940.

Air Force bases, Marianas: Barracks, storage, and utilities; $5,376,708.

Clark-Stotsenberg area, Philippine Islands (Army Security Agency): Barracks and utilities; $669,300.

Albrook Field, Canal Zone: Sewerage; $276,000.

Fort Brooke, Puerto Rico: Family quarters, water storage, and utilities; $324,100.

Fort Buchanan, Puerto Rico: Bachelor quarters, water storage, and utilities; $466,500.

Borinquen Field, Puerto Rico: Water storage and distribution facilities; $165,000.

Henry Barracks, Puerto Rico: Barracks and utilities; $561,200.

Keflavik Airport, Iceland: Development of Keflavik Airport, $10,352,100.

Harmon Field, Newfoundland: Family quarters, operational facilities, laundry and dry-cleaning facilities, warehouses, and utilities, $12,087,100.

Frobisher Bay (Upper Frobisher), Canada: Family quarters and utilities, $396,905.

Fort Chimo, Canada: Family quarters and utilities; $214,570.

Kindley Field—Fort Bell, Bermuda: Family quarters (including conversions), water-evaporation building, and utilities, $2,359,938.

Alaska: Classified installation for the Air Force, $5,000,000.

Newfoundland: Two classified 'nstallations for the Air Force, $3,500,000.

SEC. 2. To accomplish the above-authorized construction the Secretary of the Army and the Secretary of the Air Force are authorized to acquire lands and rights pertaining thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary toward meeting the purposes of this act, but not to exceed $92,846,000 for public works in the continental United States during the fiscal years 1948 and 1949, which includes $5,000,000 for emergency projects within the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force, and $122,200,000 for public works outside continental United States during fiscal years 1948 and 1949, which includes $20,000,000 for emergency projects outside the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force. With respect to projects within and without continental United States, the approximate partial cost for each project enumerated and authorized in section 1 of this act may, in the discretion of the Secretary of the Army or the Secretary of the Air Force, be varied upward or downward 10 percent, but the total cost of the work on the projects in continental United States authorized by this act shall not exceed $85,886,000 and the total cost of the work outside continental United States authorized by this act shall not exceed $122,044,350. Any such appropriation shall be available under the direction of the Secretary of the Army or the Secretary of the Air Force for expenses incident to construction, including administration, overhead, planning, and surveys, and shall be available until expended: *Provided,* That any work undertaken under this authorization may be prosecuted by direct appropriations, or by both direct appropriations and continuing contracts subject to the availability of subsequent appropriations: *Provided further,* That no money from current or future appropriations for the Army or the Air Force shall be expended for the construction of family quarters for personnel of the Army or the Air Force of greater net floor area in square feet per unit than the following:

For enlisted men, 1,080.

For warrant officers, flight officers, and commissioned officers of and below the rank of captain, 1,250.

For majors and lieutenant colonels, 1,400.

For colonels, 1,670.

For general officers, 2,100.

For the purposes of this act, net floor area is defined as the space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches: *Provided,* That these areas may be increased not to exceed 10 percent at activities outside the continental United States, and not to exceed 10 percent for quarters of commanding officers of stations, bases, or installations based on the normal rank of such officers: *Provided further,* That quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility, rating, and pay as determined by the Secretary of the Army or the Secretary of the Air Force to be appropriate.

SEC. 4. The following laws and parts of laws are hereby repealed: That part of the act of March 2, 1905 (33 Stat. 826; 10 U. S. C. 1331) reading as follows: "No military post within the United States shall be established without the express authority of Congress"; that part of the act of May 12, 1917 (40 Stat. 74; 10 U. S. C. 1333) reading as follows: "*Provided further,* That hereafter no expenditure exceeding $5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War, upon detailed estimates submitted to him"; that part of the act of February 27, 1893 (27 Stat. 484; 10 U. S. C. 1336) reading as follows: "The erection, construction, and repair of all buildings and other public structures in the Quartermaster Corps shall, as far as may be practicable, be made by contract, after due legal advertisement"; and that part of the act of May 12, 1917 (40 Stat. 58; 24 U. S. C. 21) reading as follows: "*Provided,* That no building or structure of a permanent nature, the cost of which shall hereafter exceed $30,000, shall be erected for use as an Army hospital unless by special authority of Congress". Revised Statutes, 1136, as amended by section 1 of the act of February 27, 1877 (19 Stat. 242; 10 U. S. C. 1339), is hereby further amended by deleting the figure "$20,000" and inserting the figure "$100,000." The following parts of acts are hereby repealed, and shall not be applicable to contracts or expenditures under the appropriations "Engineer Service, Army," contained in the Military Appropriation Acts, 1946 and 1947: That part of section 1 of the act of June 25, 1910 (36 Stat. 721), which reads as follows: "*Provided,* That hereafter no money appropriated for military posts shall be expended for the construction of quarters for officers of the Army, or for barracks and quarters for the artillery the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed, in the case of quarters of a general officer, the sum of $15,000, of a colonel or an officer above the rank of captain, $12,000, and of an officer of and below the rank of captain, $9,000," as modified by section 1 of the act of February 25, 1927 (44 Stat. 1235), which reads as follows: "*And provided further,* That hereafter no part of this appropriation or any appropriation hereafter made shall be expended for the construction of quarters for officers of the Army in the United States or its possessions, the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of an officer above the rank of captain, $14,500, and of an officer of and below the rank of captain, $12,500."

Mr. BATES of Massachusetts (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the entire bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. CURTIS. Reserving the right to object, Mr. Chairman, why is it that this bill authorizes appropriations for the fiscal year 1948 when that year is about to end?

Mr. BATES of Massachusetts. Only because we introduced this bill a year ago, before the fiscal year had started, and no action was taken on it. Now, of course, we must have the authority to spend this money. They have already spent and charged back to this appropriation a very small amount of this money. I intend to offer an amendment that will clarify this situation.

Mr. CURTIS. That will not double the authorization for the coming year?

Mr. BATES of Massachusetts. No, it will not. It will be a continuing authorization.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Chairman, during the time when I was speaking in general debate I started to interrogate the gentleman from Massachusetts with respect to several repealer provisions in section 4. We were proceeding by question and answer to determine that the various repeal clauses of section 4 were covered by new law. I did not get to finish that section. However, the gentleman from Massachusetts has handed me a memorandum under date of July 15, 1947, addressed to him by J. S. Bragdon, brigadier general, United States Army, Assistant Chief of Engineers for Military Construction, which deals with all of these various repealers and explains how they are covered by new law. I wonder if the gentleman from Massachusetts will ask permission to place this letter in the RECORD in order that it may be part of the legislative history of the bill?

Mr. BATES of Massachusetts. Mr. Chairman, the gentleman from South Dakota brought this to my attention and I showed him the letter that I received from the Army engineers. I have no objection if the gentleman wants to place this in the RECORD at this point, giving the answers to the questions asked.

Mr. CASE of South Dakota. I shall be glad to do so. The memorandum from the Army engineers is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
*Washington, July 15, 1947.*

Memorandum for: Hon. GEORGE J. BATES, Chairman, Subcommittee No. 8, Armed Services, Committee, House of Representatives.

Subject: H. R. 4122.

1. Reference is made to H. R. 4122, "A bill to authorize the Secretary of War to proceed with construction at military installations, and for other purposes," on which hearings were held before Subcommittee No. 8 of the Committee on Armed Services, House of Representatives on July 10–11, 1947.

2. The proposed legislation includes, in sections 2, 3, and 4, provisions for the repeal or modification of certain existing laws. The intent of these sections of the bill was not discussed at the hearings.

3. In section 2 of the bill (p. 13, line 24, and p. 14, lines 1 and 2) the proposed authority of the Secretary of War to acquire land is exempt from the provisions of section 3648, Revised Statutes, which forbids advance payment for land acquisition, in administering the provisions of the Act of July 9, 1942, which authorizes reimbursement to holders of grazing permits. This enables the War Department to reimburse holders of grazing permits in cases where the Army takes over grazing land for military construction authorized by the enabling act. No

other exception is desired to the restriction on advance payments.

4. In section 4 of H. R. 4122 (p. 16, lines 2 through 5) repeal is proposed of the present requirement that the express authority of Congress be obtained prior to the establishment of any military post within the United States. In view of the fact that enabling legislation for military construction will, in the future, recite specific locations at which construction is to be undertaken, the old law is unnecessary. The only instance where a military post might be established without express authority of Congress is under the provision for emergency construction (p. 14, lines 8 through 14). No new military installation will be constructed with these or similar funds except installations such as research and development laboratories or projects which are of a classified nature and, therefore, should not be mentioned by name in acts of Congress.

5. Repeal of the requirement that the Secretary of War approve expenditure of sums exceeding $5,000 upon any military post (p. 16, lines 5 through 10) is believed to be obvious. With the enactment of enabling legislation this provision would not apply to new military construction. With respect to repairs and maintenance, controls are now in effect in the War Department which make this portion of the statute unnecessary.

6. The clause in the act of February 27, 1893 (p. 16, lines 10 through 15) should be repealed since it refers to the Quartermaster Corps rather than the Corps of Engineers. The latter service now performs or supervises all military construction and repairs to buildings and grounds for the Army under the provisions of the act of December 1, 1941. The practice of contracting public works by due legal advertisement by the War Department is and will remain in force except in such cases where it is completely impracticable, under the provision of R. S. 3709, as amended.

7. A portion of the act of May 12, 1917 (p. 16, lines 15 through 20) becomes unnecessary in view of the specific nature of H. R. 4122. Authorizing legislation in future years will follow the format of H. R. 4122 and thus specific authority of Congress will be obtained thereby for all new Army hospitals.

8. In view of the nature of H. R. 4122 and the assumption that future enabling legislation will be equally specific, Revised Statute, 1136, as amended by section 1 of the act of February 27, 1877 (p. 16, lines 20 through 23) is considered redundant and inapplicable. For this reason the War Department proposed that this clause, limiting new construction without congressional authority to $20,000, be repealed but the Director of the Budget only approved raising the limitation to $100,000.

9. The proposed revision of parts of laws given on page 16 (lines 24 and 25) and page 17 of H. R. 4122 are believed to be self-explanatory. If the Congress approves section 3 of H. R. 4122, and thereby establishes space limitations on new family quarters, monetary limitations should no longer be applicable. The whole intent of that portion of section 3 of H. R. 4122 is to obtain relief from monetary limits on family housing.

10. In the corrected copy of H. R. 4122, furnished you on July 14, 1947, there is a provision inserted on page 15, line 1, which would authorize the use of continuing contracts on projects undertaken pursuant to the enabling act. This is intended to apply to "continuing" projects such as the hospital at Ladd Field, Alaska (p. 9, lines 8 through 11), and the experimental pilot plant for high explosives at Picatinny Arsenal, N. J. (p. 6, lines 12 through 16). In these cases only a portion of the required project will be covered by appropriations for fiscal year 1948, with the remaining portions to be accomplished from appropriations in future fiscal years. The proviso added to H. R. 4122 will permit the Secretary of War to execute a "continuing contract" on such jobs, making the remainder of the work contracted thereby contingent upon future appropriations by the Congress. This system enables the War Department to obtain a much better contract price for large projects because the contractor engaged on the work is able to mobilize his organization and lay plans for the entire project rather than one increment only. The Government is not obligated under such a contract except for such funds as have been appropriated and the use of these continuing contracts cannot do other than benefit the Government.

11. There is an additional reason for requesting repeal or modification of the miscellaneous statutes referred to in this bill. As long as they remain in force minor conflicts and misunderstandings occur which prevent the War Department from performing its construction in an efficient and business-like manner. These old statutes are obsolete and should be modified by enactment of these repeal clauses and thereby modernize these parts of our construction laws.

12. It is trusted that these data will be of assistance to you in presenting your report on H. R. 4122. If any further information is required, every effort will be made to furnish it to you promptly.

For the Chief of Engineers:
Sincerely yours,

J. S. BRAGDON,
*Brigadier General, United States Army,*
*Assistant Chief of Engineers for*
*Military Construction.*

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BUFFETT. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Chairman, I take this time in order to get some information about this bill. May I ask the chairman of the subcommittee on what basis the Marianas are included for construction of facilities?

Mr. BATES of Massachusetts. The Marianas are now under a trusteeship under the United Nations, and the United States is the sole trustee.

Mr. BUFFETT. The United States is the sole trustee of the Marianas under a trusteeship of the United Nations?

Mr. BATES of Massachusetts. That is right.

Mr. BUFFETT. Under that trusteeship we are building permanent defense bases for our defense?

Mr. BATES of Massachusetts. There is nothing in this bill for the Marianas except for construction on Guam. Of course, Guam itself is a United States possession. There is no construction carried in this bill for the Marianas except in Guam.

Mr. BUFFETT. That is, of permanent construction?

Mr. BATES of Massachusetts. Any construction.

Mr. BUFFETT. I should like to find out something about the construction in Iceland. I, along with most of you, have had many complaints about the reported efforts of foreign nations to place military installations outside their own borders. I am wondering how our procedure in this case differs from the procedure others are following, and to which we object.

Mr. BATES of Massachusetts. The answer to that question is that we have already entered into an agreement with the Icelandic Government for a period of 5½ years, to run until such time as our obligation in central Europe, particularly in Germany, is carried out. We have contracts today with the Overseas Airline to land at Iceland and to carry on some of the work toward our operations in central Europe. I need not tell the gentleman, however, because I think we should be plain about the facts, that Iceland is one of the most if not the most strategic location we have to deal with insofar as thinking about our future security is concerned. There is much that can be said of things that are of high priority and highly restricted and cannot be said on the floor of the House. The facilities that we are establishing at Iceland are, in substance, for our own protection. Of course, they are going to be operated by private enterprise under contract with the War Department.

Mr. BUFFETT. These facilities are permanent facilities regardless of the fact that we have only a 5-year lease?

Mr. BATES of Massachusetts. They are permanent only insofar as climatic conditions permit. For instance, there are 150-mile winds that make it almost impossible to build what we call temporary quarters that have any real durability. We must provide quarters up there that will withstand the weather conditions. It has been stated that the temperature up there might be the same as Philadelphia, but so far as other climatic conditions are concerned, the 150-mile wind velocities make it something like a typhoon in the Marianas.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. BUCK. How did the Quonset huts and the other temporary buildings withstand these 150-mile winds during these 5 or 6 years that we have been in Iceland?

Mr. BATES of Massachusetts. The Quonset huts in Iceland, as well as all our other facilities in the Pacific area, are pretty well deteriorated because of weather conditions, rusting out, and generally the short life of such structures. If we are going to build any facilities in Iceland of any lasting value, we must build facilities of more durable construction. Temporary facilities such as Quonset huts are not the type that we ought to erect in the Alaskan area, or any other area where there is such rapid deterioration because of climatic conditions.

Mr. BUFFETT. May I ask the gentleman whether the agreement with Iceland was entirely voluntary on their part?

Mr. BATES of Massachusetts. Yes.

Mr. BUFFETT. Can the gentleman tell me what kind of relationship we enjoy with Canada with reference to our

permanent installation in Canada? Do we own the ground or lease it or what is the arrangement?

Mr. BATES of Massachusetts. We only have one project, and that is at Fort Chimo, Quebec. That is being established pursuant to an agreement between the United States and Canada under the permanent joint board of defense. That is the only facility we have there.

Mr. BUFFETT. That is an agreement with whom?

Mr. BATES of Massachusetts. With Canada.

Mr. BUFFETT. With Canada itself?

Mr. BATES of Massachusetts. Yes. The only facility we have there is at Fort Chimo in Quebec.

Mr. BUFFETT. Does the same situation prevail with reference to Newfoundland?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUFFETT. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BATES of Massachusetts. Insofar as Newfoundland is concerned, we have the same agreement with Newfoundland as we have in the Caribbean area under the so-called 99-year lease, or destroyer, agreement.

Mr. BUFFETT. I notice one project in the bill which provides for hospitals at Forest Glen. Can the gentleman tell the committee how many military beds are in the Washington area?

Mr. BATES of Massachusetts. Mr. Chairman, we discussed that at quite some length during the discussion of the bill in the past hour and a half. As a result of investigations that we have made, and similar inquiries that have been directed to me as chairman of this subcommittee, I have asked for a complete report. I have that report and also a report from the Surgeon General. But he thinks and believes that the so-called hospital to be designed and planned under the provisions of this bill may be delayed until later, and I have an amendment to that effect.

Mr. BUFFETT. But you do not have information as to the number of military beds that we have in this area as of this time?

Mr. BATES of Massachusetts. Yes; insofar as the military hospitals are concerned, but not including the Naval Medical Center. I have a report here from the Army hospital which shows that we have about 400 beds in excess of the patient load there at the present time. At Forest Glen there is a 200-patient-load excess over the normal capacity of the hospital. We discussed this at quite some length today. I expect to offer an amendment to strike out a certain provision of the bill authorizing the designing and planning of that hospital.

Mr. BUFFETT. Can the gentleman tell us whether or not any progress has been made under the unification bill in correlating the use of naval and military hospitals?

Mr. BATES of Massachusetts. It is because of that possibility that we are asking that this bill be amended to strike out the planning of a new hospital at Forest Glen in order that the whole situation may be completely reviewed in the light of what you might call the patient-load need here in the District.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Page 2, line 1, after the word "Army", strike out the word "and" and insert the word "or."

Mr. BATES of Massachusetts. Mr. Chairman, that is just a clerical error and is corrected by inserting the word "or."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts:

On page 3, lines 16 and 17, strike out the words "and a new one thousand bed general hospital (on a one thousand five hundred bed chassis)."

And on page 3, line 18, strike out "$850,000" and insert "$600,000."

Mr. BATES of Massachusetts. Mr. Chairman, that is in line with the discussion I had just a few moments ago with the gentleman from Nebraska [Mr. BUFFETT], in which I said that we had been advised that there is no need at the present time for the designing and planning of a new 1,000-bed hospital at Forest Glen, and that it will reduce the amount for Forest Glen from $850,000 to $600,000.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. CASE of South Dakota. Does the bill carry any appropriation of funds for contract authority?

Mr. BATES of Massachusetts. Not contract authority other than the general authority under the provisions of this bill, which must be supplemented, of course, by appropriations.

Mr. CASE of South Dakota. Does it give any green light to use any funds heretofore appropriated but impounded in some way?

Mr. BATES of Massachusetts. Not that I know of. Of course, this bill simply authorizes a new project, namely, the designing and planning of this so-called Army Institute of Pathology building.

Mr. CASE of South Dakota. But even the planning could not be accomplished without the appropriation of funds therefor?

Mr. BATES of Massachusetts. That is right. It would have to be supplemented by action by the Appropriations Committee itself, of which the gentleman from South Dakota is a member.

Mr. CASE of South Dakota. That would apply to all of the authorizations here, that they are merely authorizations for appropriations, and are not effective until implemented by specific appropriations?

Mr. BATES of Massachusetts. That is correct. Everything in this authorization bill must be implemented by appropriations.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: On page 13, lines 4 and 9, after the word "fiscal", strike out "years 1948 and 1949" and insert "year 1948."

Mr. BATES of Massachusetts. Mr. Chairman, that again is a clerical error in the bill. It authorizes appropriation not in excess of the amount carried in this bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Page 15, line 5, strike out the period and insert a colon followed by the words "*Provided further*, That no family quarters for personnel of the Army or the Air Force shall be constructed with the funds authorized for appropriation herein in excess of a net floor area of 1,080 square feet per unit: *Provided further*, That family quarters so constructed shall be of the multiple type (generally eight families to a unit) or apartment type (generally six families to a unit) except where tropical or desert climates render the use of multiple-type dwellings deleterious to health and welfare and except where one, two, or three two-family units are necessary to provide the exact number of family quarters authorized herein for construction at a station."

Mr. BATES of Massachusetts. Mr. Chairman, this is the amendment that we discussed at quite some length, but I want to say at the outset that while the bill we had on the floor last week contained language relative to space limitations for officers, as, for example, 2,100 square feet in the case of generals, there was no intention under that language to build houses of any such dimensions as that at the present time. I discussed the matter with the gentleman from South Dakota [Mr. CASE] and the gentleman from New York [Mr. BUCK]. It was felt that a limitation of 1,250 feet for the company-grade officers would be the maximum that could be built, and in the light of the over-all need of spreading the money, we determined in the meantime that we could well restrict construction under this bill to the 1,080-square-foot size established for the noncommissioned officers, using the so-called multiple type of house, which ought to be adequate to meet the needs of anybody, even including generals themselves, if they could get nothing better in which to live. That is the crux of this amendment I am offering.

This amendment in itself will save more than $13,000,000 over and above the

$40,000,000 saving already represented in the authorizations contained in the bill at the time we first took it under consideration a week or so ago. On the other hand, if at a later time the Congress wants to use the $13,000,000, it will provide about 876 houses in addition to the 3,559 provided for in the bill.

I may say that we have worked very diligently on this amendment and had a rather difficult time in getting those in authority to agree to the multiple-type structure. Finally, we told them that they would have to take that or take nothing, and I think they are now agreeable.

Mr. SIKES. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES to the committee amendment: Add the following: "*Provided further*, That additional units of family quarters made available by the provisions of this clause may be constructed at any Army or Air Force station scheduled for retention in the permanent Military Establishment at the discretion of the Secretary of the Army or the Secretary of the Air Force, as the case may be."

Mr. SIKES. Mr. Chairman, I would like for the Committee to consider what is proposed in my amendment to the amendment offered by the gentleman from Massachusetts. The bill as originally brought in provided for $247,000,000 of construction. This has been cut down to $207,000,000, a saving of $39,000,000.

It was originally proposed to build 4,744 housing units. This has been reduced under the bill by 1,204 housing units.

It is now proposed to make a further reduction in the size of the housing units, to cut them to 1,080 square feet which would provide an additional saving of $13,000,000.

If this saving of $13,000,000 is allowed to be allocated for housing among the installations which have been eliminated from the bill we will be able to build 876 badly needed additional units. The need for housing has been very capably described in the discussion on this floor. Certainly, there is an acute need for housing at practically every Army and Air Force installation in the country. It has been considered advisable by the committee to eliminate certain of those facilities. The people, military and civilian, who are stationed at those installations live in the same kind of hovels, the same trailers, suffer from the same inadequate facilities, endure the same inconveniences as the people who are provided for in the bill. I feel that if we are going to cut down the amount of space which is available and thereby effect an additional saving, that the least we can do is to pass this saving on to those other installations which have the same need for housing. Then they also may at least have a part of the facilities which are needed so badly.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida.

Mr. Chairman, the amendment I offered restricted these buildings to 1,080 square feet. The effect of the amendment offered by the gentleman from Florida would be that the saving of $13,000,000 that we would effect as a result of bringing down the so-called space limitation in the original bill from 1,250 square feet to 1,080 square feet would be made available for the construction of 876 more houses. Of course, the Senate bill, a similar bill to the bill we filed a year ago, goes far beyond this bill in the amount authorized to be expended and also in the space limitations allowed for the construction of housing. It seems to me, in the light of the fiscal situation this country is facing today, that wherever it is possible, consistent with good sound policy, we should save whatever money we can.

This bill provides just as many houses as the bill we filed a week ago, in other words 3,559. The only question involved is whether we want to utilize the $13,000,000 we are saving in this bill as a result of the reduction in the maximum space limitation for the purpose of building more houses.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Indiana.

Mr. HALLECK. I am glad the gentleman has made that statement, and particularly to point out that under this arrangement we will build as many houses as we would have built under the original proposal. Certainly here is an opportunity to save $13,000,000 because of changes in the plans and therefore I think the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SIKES] to the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The amendment to the amendment was rejected.

Mr. BUCK. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The Clerk read as follows:

Amendment offered by Mr. BUCK to the amendment offered by Mr. BATES of Massachusetts: Strike out the final period, add a colon and the following: "*Provided further*, That the cost of family quarters construction in the United States in accordance with the authorization contained in this clause shall not exceed $13 per square foot."

Mr. BUCK. Mr. Chairman, as I mentioned previously, I heartily applaud the action of the gentleman from Massachusetts in setting up this 1,080-foot limitation, thereby saving $13,000,000. But it does not seem to me that we can be certain of saving that $13,000,000 unless we put a price limitation on the houses.

In a discussion in the office of the gentleman from Massachusetts day before yesterday he had figures which showed that by changing certain building materials the cost of the 1,080-foot building could be reduced by some $800. By the same token, the cost of the 1,080-foot house could be increased by $800, $1,200, or $2,000 by more elaborate construction.

I do not see how we can assure the saving of $13,000,000, about which the gentleman from Indiana just spoke, unless we place the limitation on the price per foot.

The objection has been raised that costs of construction may increase. Of course, in the $13 per foot we have a broad leeway, but, on the other hand, if the cost of construction does go up it would be a very simple matter to come to Congress and ask for revision of the $13 figure. We cannot tie up the $13,000,000 saving unless we put a limitation per square foot on the cost of the housing.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Would the gentleman's amendment apply to the building itself or would it also include the utilities?

Mr. BUCK. It does not include the utilities.

Mr. Chairman, I hope the amendment will be approved.

Mr. MUHLENBERG. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not like to quarrel on a technical point, but I honestly do not believe that this amendment talks the language of the building trades. I do not believe that it is wise that we limit this authorization to a certain number of dollars per square foot. Cost varies all over the United States, and to say in a law that applies nationally that the limitation shall be $13 a square foot does not impress me as being wise legislation. If the gentleman from New York had said that there should be an over-all limitation in cost, I think that would be sensible and sound. If he had said, on the other hand, that there should be a limitation in square feet, I think that would be sensible and sound. But, to say that the limitation shall be in so many dollars per square foot is not, in my opinion, a sound way to legislate, because it is entirely out of accord with normal practice and limits the designers in a very arbitrary fashion so that instead of creating control and a degree of standardization I believe we would create confusion.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. Two of the three limitations that the gentleman from Pennsylvania referred to—namely, the limitation on square feet and the limitation on cost—are both in the bill, so that the additional limitation on cost per square foot would only result in making this restrictive legislation. If the building cost goes up, the whole program would be defeated.

Mr. MUHLENBERG. I agree with the statement of the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BUCK] to the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The question was taken; and on a division (demanded by Mr. BUCK) there were—ayes 8, noes 30.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The amendment was agreed to.

Mr. HESELTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the reason for taking this time is because I want to discuss with the chairman of the subcommittee the question which I previously discussed on appropriation bills, and that has to do with the installation in these proposed buildings of new oil-burning equipment or the conversion, should there be any undertaken, from existing coal-burning equipment to oil-burning equipment. I assume it is pertinent, since the authorization covers construction and installation of not only buildings, but of facilities and utilities.

I did call the attention of the chairman to this when we previously discussed the bill, and he very kindly put me in touch with a gentleman from the office of the Corps of Engineers who provided me with not only a teletype message which was sent on December 22 from the office of the executive of the Corps of Engineers to all division engineers with reference to this important problem, but also a later order dated February 4, 1948, on the subject of restriction against installation of fuel-oil- or gas-burning equipment in military construction projects. This teletype message and this subsequent order in effect make it absolutely impossible to undertake any such installation or conversion not only in the continental United States but overseas, except upon full and careful justification of each such proposed undertaking. Perhaps the best way to get at it would be to read just this portion of the teletype message which I think indicates the safeguards which have been undertaken by the Corps of Engineers.

This is the first part:

Due to current fuel-oil situation CMA effective immediately installation of oil-burning equipment either as an initial installation or conversion will not be initiated or continued except when—

A. An order for oil burners has been placed and cannot be canceled without substantial monetary loss to the Government, or

B. Provision for use of alternate fuel would increase cost of project to a total in excess of funds available to district for project or beyond statutory limitation.

Then there are certain things which must be done in the event that exceptions are felt to be necessary, and among them are: information must be furnished as to local availability of fuel, as to the dependability of the supply over a 5-year period, and as to the influence of local monetary and personnel requirements on the fuel selection.

In the later order, another provision is inserted in connection with overseas construction, and that is that it must be established that the fuel will not be obtained by export from the continental United States.

I am not at all sure that I have put this as concisely as I had hoped, but I believe the gentleman from Massachusetts is aware of the general nature of the limitation the Corps of Engineers has in effect now on all construction, except veterans' hospitals, as I understand it. I assume the gentleman is in accord, in urging the adoption of this bill, with the general limitation already established by the Corps of Engineers.

Mr. BATES of Massachussets. If that is the policy of the Departments, both Army and Air Force, that is thoroughly agreeable to me, but it has nothing to do with this construction bill.

Mr. HESELTON. The gentleman has repeatedly said to me that it has nothing to do with the bill, and I have repeatedly replied to him that I thought he was definitely mistaken. It is the case of the camel getting his nose under the tent. We have had altogether too much of that. What I have attempted to do all through this session is to foresee the possibility of some inexcusable repetition of such a situation as took place in the Boston Marine Hospital. In other words, I have been trying consistently to shut the door before the horse is gone. That is my purpose.

Mr. BATES of Massachusetts. We are all acquainted with the fine work the gentleman has done in that regard, but this bill cannot be amended along the line of what the gentleman suggests. This is a construction bill.

Mr. HESELTON. May I say to my most able and learned friend from my own Commonwealth that I respect his views but differ with his conclusions. I am suggesting no amendment. I insist that I want in the RECORD not only what the Corps of Engineers say is a sound policy but that my friend has said at least by implication he approves of it.

Mr. BATES of Massachusetts. The only answer I can give to my beloved friend from Massachusetts is that we are dealing with a construction bill. Whatever administrative policy the war Department and the Air Force put into effect in respect to oil-burning equipment or coal-burning equipment so as to conserve fuel oil meets with my approval. The more oil they can save, the better I like it.

Mr. HESELTON. That is a complete and satisfactory answer.

I include the teletype message and the order to which I have referred:

OFFICE OF CHIEF OF ENGINEERS,
*Washington, D. C.*

*All Division Engineers:*

Due to current fuel oil situation, effective immediately, installation of oil-burning equipment either as an initial installation or conversion will not be initiated or continued except when—

A. An order for oil burners has been placed and cannot be canceled without substantial monetary loss to the Government, or

B. Provision for use of alternate fuel would increase cost of project to a total in excess of funds available to distribution for project or beyond statutory limitation.

An immediate report will be submitted to Office Chief of Engineers giving detail justification of each project continued under above exceptions. Status of active construction project in your division that will utilize oil as a heating medium and are not within above exceptions and therefore are stopped and advise if use of other fuel as substitute is possible. If not considered feasible to substitute other type fuel due to advance construction or other reasons, full justification will be submitted. All justifications, both for suspended projects and continued projects, will include information re local availability of fuels, dependability of supply over a 5-year period, and influence of local monetary and personnel requirements on fuel selection. Action affects continental United States only. Provisions of this message apply only to military construction and do not apply to Veterans' Administration hospitals until further notice.

CHAS. G. HOLLE,
*Colonel, Corps of Engineers, Executive.*
ENGMD 3020, December 22, 1947.

---

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
*Washington, D. C., February 4, 1948.*

Subject: Restriction against installation of fuel oil or gas-burning equipment in military construction projects.

To: Division engineers, except division engineers LMVD and UMVD district engineers, except district engineers, Buffalo, Detroit, Duluth, Milwaukee, Fort Peck, Garrison, Baltimore, Kansas City, Grecian, Philadelphia, Portland, Huntington, Nashville, Pittsburgh, Charleston, Jacksonville, Little Rock, Sacramento Districts and districts in IMVD and UMVD.

1. General:

(a) The provisions of this letter pertain to all construction in continental United States and overseas areas, regardless of the source of funds, except Veterans' Administration hospitals, civil works construction, and work in the Grecian district.

(b) The President has directed that no equipment shall be installed for burning fuel oil or gas or liquefied petroleum gas, and no permanent building or establishment shall be converted to these fuels, without the prior approval of the Bureau of Mines, except where firm commitments for such installations or conversions have already been made.

(c) Pursuant to the order of the President, DofA Circular 17, 1948, was issued. In accordance with paragraph 2 of that circular, and in view of the necessity for considering the probable availability of fuel even though authority for continuing the installation of equipment may exist, the initiation or continuation of the installation of petroleum fuel or gas burning equipment is subject to necessary clearance with the Bureau of Mines by the Chief of Engineers. Accordingly the procedures prescribe in the following paragraphs will become effective immediately.

2. Active projects in continental United States:

Although the Presidential order and DofA Circular 17 both postdate teletype ENGMD 3020, December 22, 1947, the latter conforms to the provisions of the order and the circular except as hereinafter stated and therefore action taken to date will be considered as complying with current instructions. The provisions of the above teletype remain in force. Resubmission of information relative to these projects already reported upon in compliance with the teletype are not required.

However DofA Circular 17 applies to Diesel oil, gas, and liquefied petroleum gas, consequently the provisions of teletype ENGMD 3020, are extended to apply to the installation of equipment which would consume any of the above fuels and it is desired that the action directed in the teletype be taken in connection with such equipment. Reports will be forwarded to the Chief of Engineers, attention, ENGMF.

3. Active projects in overseas areas:

Pursuant to authority vested in the Chief of Engineers by DofA Circular 17, Division Engineers are authorized to continue the installation of affected equipment in oversea areas when:

(a) An order for the equipment has been placed and cannot be canceled without substantial monetary loss to the Government arising from cancellation, transportation, and incidental charges or,

(b) Provision for use of alternate fuel would increase cost of project to a total in excess of funds available to the district for the project or beyond the statutory limitation or,

(c) The fuel will not be obtained by export from the continental United States.

An immediate report will be forwarded to the Chief of Engineers, attention ENGMF, giving detailed justification of each project continued under one or more of the foregoing provisions. In addition division engineers will report at once the status of each active construction project in their respective divisions which will utilize any of the subject fuels and is not within the above provisions and therefore is suspended. Report will state if use of other fuel is considered feasible and, if it is not so considered, will include full justification of recommended resumption of the installation without change. Justifications, both for continued and suspended projects will state the contemplated source of petroleum base fuel (continental United States, local or other) and information relative to local availability, dependability of local supply over a 5-year period, other local demands and probability of diversion of local supply to more critical areas. Information relative to the influence of local monetary and personnel considerations on fuel selection should be included. Every effort will be made to provide the Chief of Engineers with a complete and clear picture of the situation affecting each project.

4. Projects in planning phase and future projects, wherever located:

The Chief of Engineers, attention: ENGMF, will be immediately informed if it is planned to install equipment burning oil (including fuel or Diesel), gas or liquefied petroleum gas in any project now authorized for preliminary planning or design. This does not apply to master planning. Justifying information will be forwarded in detail for use in requesting an exception for the installation. Information as to the type of fuel to be utilized will be furnished by the Chief of Engineers as determined by the Bureau of Mines.

5. Future Office Chief of Engineers directives—all projects:

Subsequent directive authorizations issued by the Chief of Engineers for construction work will either state the type of fuel for each applicable purpose or direct the submission of recommendations upon the basis of which determination will be made and announced by the Chief of Engineers. The Chief of Engineers has initiated the assembly of necessary data to insure prompt issuance of design directives for projects in the fiscal year 1948 budget when the appropriation is made. For this purpose it is desired that division engineers inform the Chief of Engineers, attention: ENGMF, of the projects in Priority List II A, copy of which is enclosed, where the use of oil (including fuel and Diesel), gas or liquefied petroleum gas is contemplated and include full justification for the use of those fuels. This action should be taken promptly in order to provide the Chief of Engineers with sufficient time for coordination with the Bureau of Mines.

By order of the Chief of Engineers:

CHAS. G. HOLLE,
*Colonel, Corps of Engineers, Executive.*

There can be no doubt as to the wisdom of these precautions. They are in the interest not only of conservation of fuel oil for industrial, home, institutional, and transportation purposes, but also in the interest of such conservation for vital armed services requirements, which another subcommittee of this committee called to the attention of the Congress and the country a few days ago. If and when this bill becomes law, I insist that those charged with the planning of the program should and must recognize these requirements for fuel oil, the difficulties we faced last winter, and the lack of any satisfactory assurance as to when we shall again be in a safe position. I want this responsibility to be made crystal clear to them. That is my sole reason for asking for the gentleman's advice and for placing this material in the legislative record on this bill.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in regard to the remarks of the gentleman from Massachusetts on the use of oil-burning equipment, if we are to construct houses in Alaska as this bill provides we are going to have to have oil-burning equipment, because that is in many places the only fuel it is feasible to use up there.

I did not take this time, however, to express my opinion on the use of fuel in Alaska. I am interested and concerned about the building that is provided in this bill. I have been told by construction people that during the last year and at the present time we have been using every available stick of material for building purposes. Whatever we divert at this time will come from our civilian construction under this proposed legislation. I believe it is necessary to construct some of the facilities proposed here, but in view of the storage, we should be careful that we do not construct more than is absolutely necessary. Directing your attention particularly to Alaska, I believe that I have been in every one of these places named in the bill any number of times. I spent some 55 months in Alaska and the Aleutian Islands. I can well understand why at mile 26, about 8 miles out of Fairbanks where we have an airfield, we need new construction. However, at Ladd Field, which is used now practically only as a cold-weather experimental base, there are permanent quarters and the necessity for constructing additional buildings at this time is somewhat questionable. At Fort Richardson-Elmendorf Field we certainly need new construction. At Adak Army Base, which is being built up and which is in the perimeter of the defense area, which it is necessary for us to hold and operate, unquestionably we need family quarters in addition to what we now have. I notice at Adak also they have an appropriation for the ACS, the Alaska Communication System. That system is operated by the Army, utilizing civilian personnel to a large degree. At Adak we have an item for the Army air base, and one for the Adak ACS station, both at this same location. I do not understand why the construction is broken down as two separate items. All facilities will be under the military.

Consider such places as Big Delta, Ketchikan, Cathedral Bluff, Juneau, Northway, Skagway, and the ACS station between Haines and Juneau, Bethel, Kodiak, and Sitka. Those are places from which the armed services have withdrawn. They left a great number of buildings of temporary construction. The ACS personnel at each location do not number more than six or eight people; generally, their functions have been taken over by the Civil Aeronautics Administration. There is close coordination and cooperation between the armed services and the CAA in Alaska, and CAA personnel are presently provided with quarters. If building materials are scarce, and this is the point I want to make, we should put it on a priority basis and take care of such places as Ladd Field, Anchorage, mile 26, and defer any construction at some of the other points named. If this condition is true in Alaska, it is probably true in the other overseas theaters mentioned in the bill, and also here in the United States. By establishing priorities we can take care of the pressing needs of both the Army and our veterans.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are here today debating a bill to provide better housing accommodations for the armed services. I happen to have served in one of the branches referred to in this bill, namely, the Chemical Corps—formerly with Chemical Warfare Service.

I know that my branch of the service and others similarly situated need better housing, but I do not think it would be appropriate to let this debate go by without calling to the attention of the House that though we are only a month away from adjournment, and though we have a bill pending before us, sent to us by the other body, which can provide housing for millions of veterans who need it at least as badly as those in the services need housing, that bill is still in committee.

I think all of us who are veterans, and other Members who are interested in the housing problem understand that the shortage is just about as acute today as it was immediately after the war. We certainly have a right to expect that in this Congress, the Eightieth Congress, the comprehensive housing bill sent to us from the other body, S. 866—the Taft-Ellender-Wagner bill—will not die in the committee stage as it did in the Seventy-ninth Congress, but will be brought to the floor for a vote before the session ends.

I might say to the Members that you could be shown pictures, though I think you can supply them from what you yourselves have seen in the country, both from the big and the little cities, of slums and inadequate housing accommodations far worse than any of these pictures of bad housing on military posts disclose.

I do not oppose this bill to improve housing in the armed services. I think it needs to be done; I know that from my own experience. But we must also give urgent attention to this paramount need of housing for civilians which is agitating the whole country, and especially the veterans themselves. They feel that having been away for 4 years and having done the job the country wanted done, the least that can be done for them is

that we, as a Congress, should exercise ourselves to do what we can to see that they get decent treatment with respect to their own housing.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. FOGARTY. I agree 100 percent with what the gentleman has said. If the members of the Committee on Banking and Currency could get a look at this type of housing that we are asking the men in our armed forces to live in, if they had seen this exhibition today, they would take speedy action on your bill or the Taft-Ellender-Wagner bill.

Mr. JAVITS. I may say that my bill is that very bill. I thank the gentleman for his contribution.

I yield back the remainder of my time.

Mr. BUCK. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. BUCK: Page 12, line 2, after the word "airport", strike out "$10,352,100" and insert "$7,493,000."

Mr. BUCK. Mr. Chairman, this amendment has to do with Keflavik Airport, Iceland, with regard to which I spoke at some length a few minutes ago. My amendment has nothing to do with the strategic installations. It leaves $7,552,000 in the bill to take care of all construction having to do with the operation of aircraft.

All my amendment does is to cut out $2,859,000 worth of frills, for which no adequate justification has been offered.

I want to read some of the items which make up this $2,859,000. There is $405,000 for building permanent housing for transient passengers, with 14 airplanes a week.

There is $500,000 to build a road between the airport and a beacon, to permit the family which lives at the beacon, to save 8 miles in driving to the main station.

There is $787,000 for a gymnasium.

There is $60,000 for a theater.

There is $170,000 for a chapel.

There is $94,000 for a two-room schoolhouse. Think of that; $94,000 for a two-room schoolhouse.

There is $25,000 for a lunchroom.

There is $818,000 for a 25-bed hospital.

The hearings contain absolutely no justification for this extravagance. The Department talks of severe weather. Such weather conditions just do not exist. The average snowfall at Reykjavik is 13 inches. The average snowfall in Philadelphia is 22 inches. The average winter temperature at Reykjavik is 32°. The average winter temperature at Philadelphia is 34°.

It seems to me that when the War Department proposes that we spend such ridiculous sums without justification that the items should be stricken from the bill. Let the Department then come before the subcommittee and justify its proposals.

As I said in the beginning, my amendment has nothing to do with the strategic operation of the Keflavik Airport or the money proposed for airport construction. All such sums would still be left in the bill.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. MUHLENBERG. I am in thorough agreement with the gentleman's amendment. All I would like to point out is that this is not a matter of the War Department, it is a matter of the Air Force.

Mr. BUCK. I thank the gentleman for the correction. It is the Air Force that is involved.

If the Air Corps would come before the subcommittee and justify these expenditures I would be the last man to withhold the money. But on the present showing the items are unjustified and from the evidence now before the House they are wildly extravagant.

Mr. Chairman, I yield back the balance of my time.

Mr. BATES of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can well appreciate the thoughts that enter the mind of the gentleman from New York [Mr. BUCK] in regard to projects of this kind. On the surface they do appear extravagant. On the surface they do appear as though they are costing a lot of money; but there is one thing we have got to keep in mind and that is the cost of construction in that far northern country. I know the gentleman from Pennsylvania [Mr. MUHLENBERG] because of his experience in such matters and his study of such matters in connection with War Department bills can well understand the point I am raising. I have had a lot of experience in construction and I know it costs much more to erect a building in the Arctic than it does in continental United States; and we know as a result of reports that we are getting that it costs in Iceland and Alaska two to two and a half times as much as it does on the mainland. Let us take the school building that has been listed by the gentleman from New York [Mr. BUCK]. I well recall years ago when I had a good deal to do with the construction of school buildings that we figured that $10,000 a room would be ample to take care of those requirements. Today in the District of Columbia where they have just built a number of school buildings the cost has been from $20,000 to $25,000 a room. In this instance in Iceland we have a two-room school building at an estimated cost of a little more than $94,000; in other words, double what we have to pay in continental United States or the District of Columbia.

But what are we going to do? We must erect these facilities of which the gentleman from New York [Mr. BUCK] spoke. It is necessary that they be erected from the standpoint of our national security needs, and we will have families up there. Most certainly we must provide school accommodations for them and we certainly must provide some chapel accommodations for them. We do that right here in Washington. There is a provision in our Navy public works bill for a chapel out here at the Bethesda Naval Hospital. Also, we certainly ought to have some recreational facilities in that God-forsaken land up there, hundreds, many hundreds of miles from the mainland of the United States or from any mainland, if we expect to maintain those installations there as we are now trying to maintain them in Alaska, and as we are now trying to maintain them in Hawaii, in Guam, in the Marianas, and all the overseas possessions. Certainly we must have some facilities for recreation if we intend to keep them an on operating basis.

Let me again call to your attention, Mr. Chairman, the fact that the Icelandic station is going to be one of the most, if not the most, important station that we have from the standpoint of being a strategic location, from the standpoint of the future security of the United States; and we ought not to skimp to a point where these facilities will not be there, needed facilities with which to take care of the recreational, religious, and educational needs of these men, women, and children, whom we are going to ask to go into Iceland.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. During my service on the Naval Affairs Committee it was my privilege to travel throughout the Pacific and all of these other islands as a member of the Naval Affairs Committee with the subcommittee chairman, the gentleman from Massachusetts [Mr. BATES]. I remember during the war in all of these inspection trips one of the foremost thoughts in our mind was that the boys while they were in the service should be given every recreational opportunity and to give to them every religious service it was possible to give. I do not believe that we should consider these as frills up in Iceland when we are appropriating only $700,000 for a gymnasium, to construct a theater, to construct a chapel, or to construct a few miles of road. It is the least we can do for men we are sending to what the gentleman has said, these God-forsaken areas.

Mr. BATES of Massachusetts. When we come to consider that in that area there are only about 100 to 200 people and that they are 90 miles away from the nearest populated point, do we expect them to go up there and live in seclusion, within the four walls of their own home, or shall we give them at least some recreation and educational and religious services?

Mr. Chairman, I believe it would be a fatal error to amend this bill by striking those facilities.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BUCK].

The question was taken; and on a division (demanded by Mr. BUCK) there were—ayes 23, noes 35.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word to direct an inquiry or two to the gentleman from Massachusetts [Mr. BATES].

As I understand it, the other body has already passed a somewhat similar bill. Is it the intention of the gentleman from Massachusetts to call up the other bill

and move to strike out all after the enacting clause and then send the matter to conference?

Mr. BATES of Massachusetts. I have such an amendment prepared and I will offer it shortly.

Mr. CASE of South Dakota. The reason for asking that is that although the gentleman has offered an amendment which has the effect of reducing the total over-all appropriation, in our process here this afternoon we have not gone through the bill project by project and applied that reduction to specific stations. Is it a logical assumption that when the bill goes to conference, the conferees will seek to make the appropriate adjustments and, of course, as there is some give and take in conference, to work out a bill that will present us with the best well-rounded program of family quarters and utilities by applying the funds apropriated to the stations which need them such as the Rapid City Airfield, where $5,000,000 is provided for UHBB facilities, but where the item for housing and quarters was dropped in the House bill?

Mr. BATES of Massachusetts. That is the intention of the committee.

Mr. CASE of South Dakota. I thank the gentleman.

Mr. LUCAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCAS: Page 8, line 5, strike out "Fort Worth Army Air Field" and insert "Carswell Air Force Base."

Mr. LUCAS. Mr. Chairman, this is a perfecting amendment.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. As I understand, this amendment simply changes the name of an airport. The name of the airport has recently been changed, and this amendment is offered to bring it in conformity with that change. We are fully in accord with the amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill before us is for the Army civil functions and for developing Army bases. I would like to ask the chairman of the Committee on Armed Services about H. R. 6341, the Navy civil-functions bill which was unanimously reported out by the Armed Services Committee over a year ago and has since been in the Committee on Rules with no action on it whatever?

If we are going to pass a bill to outlaw communism at home and to take care of the Army on this basis, why is not something done on a bill that has in it 80 items of defense, including $30,000,000 for a guided-missile test range at Mugu, Calif., also the air field at Annapolis for the training of naval personnel? Nothing has been done on that. There is also included in that bill an item for a jet engine testing laboratory at Trenton, N. J., costing approximately $17,000,000, as well as other facilities for our national defense. That bill has rested without action in the Committee on Rules for over a year. I think we should have an explanation of the position of that bill on the floor of the House at this time when we are talking about the Army civil-functions bill.

Mr. ANDREWS of New York. Mr. Chairman, if the gentleman will yield, the gentleman is substantially correct in the remarks he made about the date of reporting the bill and what is in it. We made application to the Committee on Rules a while ago for a rule, but the action of the Committee on Rules has precluded action upon the bill until the present time. It is my understanding now, which the gentleman from Massachusetts [Mr. BATES] will confirm, that we will be granted a rule on the Navy public-works bill very shortly, but there will be some cuts in the total amount of appropriation involved, the same as the Army bill.

Mr. FULTON. What cuts will that be; cuts in projects or cuts in the over-all amount?

Mr. BATES of Massachusetts. Mr. Chairman, if the gentleman will yield, according to the bill we filed, it was a new bill, and that is now before the Committee on Rules and will be taken up tomorrow morning. I want to say in justice to the Committee on Rules that I held the bill up myself due to the fact that I have been engaged in many things during the past 2 weeks, so that I could not attend to it, and that includes the Army public-works bill, the District of Columbia tax bill, and many other things. I did not have a chance to appear before the Committee on Rules.

Mr. FULTON. I believe that you did not hold it up for a year with these important research items in it.

Mr. BATES of Massachusetts. The Committee on Rules is going to meet tomorrow morning, and we will have a hearing. I believe they will take favorable action.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Commitee rose; and the Speaker pro tempore, Mr. HALLACK, having assumed the chair, Mr. HILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6342) to authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes, pursuant to House Resolution 574, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for immediate consideration a similar Senate bill (S. 1676) to authorize the Secretary of War to proceed with construction at military installations, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES of Massachusetts. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Strike out all after the enacting clause of the bill S. 1676 and insert in lieu thereof the provisions of the bill H. R. 6342 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes."

A motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which the bill H. R. 6342 was passed were vacated, and the bill was laid on the table.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the bill S. 1676, and ask for a conference with the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. BATES of Massachusetts, ARENDS, COLE of New York, BROOKS, and SASSCER.

There was no objection.

### EXTENSION OF REMARKS

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD and include two brief editorials.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD and include an article on the cost of living in Seattle.

Mr. CASE of South Dakota asked and was given permission to revise and extend the remarks he made in Committee of the Whole earlier today and include certain tables supplied by the Office of the Chief of Engineers relative to the construction under consideration.

Mr. GAMBLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HESELTON asked and was given permission to revise and extend his remarks made in Committee of the Whole earlier today and include certain data furnished by the Office of the Chief of Engineers.

Mrs. SMITH of Maine (at the request of Mrs. BOLTON) was given permission to extend her remarks in the RECORD in two instances.

Mr. HOLIFIELD (at the request of Mr. PRICE of Illinois) was given permission to extend his remarks in the RECORD and include a letter.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include an article from the Wall Street Journal.

## AMENDING MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. WELCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1006) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HALLECK). Is there objection to the request of the gentleman from California?

Mr. LYLE. Mr. Speaker, reserving the right to object, does this have anything to do with the tidelands question?

Mr. WELCH. No.

Mr. LYLE. It does not affect that question one way or the other?

Mr. WELCH. No.

Mr. LYLE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first sentence of section 27 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended (U. S. C., title 30, sec. 184), is amended to read as follows:

"No person, association, or corporation, except as herein provided, shall take or hold coal or phosphate leases or permits during the life of such leases in any one State, exceeding in the aggregate acreage 2,560 acres for each of such minerals; no person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate 15,360 acres granted hereunder in any one State; and no person, association, or corporation, except as herein provided, shall take or hold sodium leases or permits during the life of such leases exceeding in the aggregate acreage 15,360 acres in any one State."

With the following committee amendments:

Strike out all after the enacting clause and insert the following: "That section 2 of the act entitled 'An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain,' approved February 25, 1920, as amended (41 Stat. 438, 30 U. S. C., secs. 201 and 202), is amended to read as follows:

"'SEC. 2. (a) The Secretary of the Interior is authorized to divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in his opinion, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter he shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon by competitive bidding or by such other methods as he may by general regulations adopt, to any qualified applicant. He is hereby authorized, in awarding leases for coal lands improved and occupied or claimed in good faith, prior to February 25, 1920, to consider and recognize equitable rights of such occupants or claimants. No competitive lease of coal shall be approved or issued until after the notice of the proposed offering for lease has been given in a newspaper of general circulation in the county in which the lands are situated in accordance with regulations prescribed by the Secretary.

"'(b) Where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area, the Secretary of the Interior may issue, to applicants qualified under this act, prospecting permits for a term of 2 years, for not exceeding 2,560 acres; and if within said period of 2 years thereafter the permittee shows to the Secretary that the land contains coal in commercial quantities, the permittees shall be entitled to a lease under this act for all or part of the land in his permit.

"'Any coal prospecting permit issued under this section may be extended by the Secretary for a period of 2 years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to determine the existence or workability of coal deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons in the opinion of the Secretary warranting such extension.

"'(c) No company or corporation operating a common-carrier railroad shall be given or hold a permit or lease under the provisions of this act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations; and no such company or corporation shall receive or hold under permit or lease more than 10,240 acres in the aggregate nor more than one permit or lease for each 200 miles of its railroad lines served or to be served from such coal deposits exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam.

"'Nothing in this section shall preclude such a railroad of less than 200 miles in length from securing one permit or lease thereunder but no railroad shall hold a permit or lease for lands in any State in which it does not operate main or branch lines.'

"SEC. 2. Section 9 of the act (41 Stat. 440 U. S. C. sec. 211) is amended to read as follows:

"'SEC. 9. The Secretary of the Interior is authorized to lease to any applicant qualified under this act, through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, any phosphate deposits of the United States, and lands containing such deposits, including associated and related minerals, when in his judgment the public interest will be best served thereby. The lands shall be leased under such terms and conditions as are herein specified, in units reasonably compact in form of not to exceed two thousand five hundred and sixty acres.'

"SEC. 3. Section 10 of the act (41 Stat. 440, 30 U. S. C., sec. 212) is amended to read as follows:

"'SEC. 10. Each lease shall describe the leased lands by the legal subdivisions of the public-land surveys. All leases shall be conditioned upon the payment to the United States of such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, at not less than 5 percent of the gross value of the output of phosphates or phosphate rock and associated or related minerals. Royalties shall be due and payable as specified in the lease either monthly or quarterly on the last day of the month next following the month or quarter in which the minerals are sold or removed from the leased land. Each lease shall provide for the payment of a rental payable at the date of the lease and annually thereafter which shall be not less than 25 cents per acre for the first year, 50 cents per acre for the second and third years, respectively, and $1 per acre for each year thereafter, during the continuance of the lease. The rental paid for any year shall be credited against the royalties for that year. Leases shall be for a term of 20 years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each 20-year period succeeding the date of the lease such reasonable readjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of such periods. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties not attributable to the lessee. The Secretary of the Interior may permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss.'

"SEC. 4. Section 11 of the act (41 Stat. 440, 30 U. S. C., sec. 213) is hereby amended to read as follows:

"'SEC. 11. Any lease to develop and extract phosphates, phosphate rock, and associated or related minerals under the provisions of sections 9 to 12, inclusive, of this act shall provide that the lessee may use so much of any deposit of silica or limestone or other rock situated on any public lands embraced in the lease as may be utilized in the processing or refining of the phosphates, phosphate rock, and associated or related minerals mined from the leased lands or from other lands upon payments of such royalty as may be determined by the Secretary of the Interior, which royalty may be stated in the lease or, as to the leases already issued, may be provided for in an attachment to the lease to be duly executed by the lessor and the lessee.'

"SEC. 5. Section 12 of the act (41 Stat. 441, 30 U. S. C., sec. 214) is amended to read as follows:

"'SEC. 12. The holder of any lease issued under the provisions of sections 9 to 12, inclusive, of this act shall have the right to use so much of the surface of unappropriated and unentered public lands not a part of his lease, not exceeding 80 acres in area, as may be determined by the Secretary to be necessary or convenient for the extraction, treatment, and removal of the mineral deposits.'

"SEC. 6. The first sentence of section 27 of such act, as amended (41 Stat. 448, 30 U. S. C., sec. 184), is amended to read as follows:

"'No person, association, or corporation, except as herein provided, shall take or hold coal or sodium leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage 5,120 acres for each of said minerals: *Provided*, That the Secretary of the Interior may, in his discretion where it is necessary in order to secure the economic mining of sodium compounds leasable under this act, permit a person, association, or corporation to take or hold sodium leases or permits for up to 15,360 acres in any

one State. No person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate 15,360 acres granted hereunder in any one State; and no person, association, or corporation shall take or hold at one time phosphate leases or permits exceeding in the aggregate 5,120 acres in any one State, and exceeding in the aggregate 10,240 acres in the United States.'

"SEC. 7. The first sentence of section 39 of such act of February 25, 1920, as amended (47 Stat. 798, 30 U. S. C., sec. 209), is amended to read as follows:

"'The Secretary of the Interior, for the purpose of encouraging the greatest ultimate recovery of coal, oil, gas, oil shale, phosphate, sodium, potassium and sulfur, and in the interest of conservation of natural resources, is authorized to waive, suspend, or reduce the rental, or minimum royalty, or reduce the royalty on an entire leasehold, or on any tract or portion thereof segregated for royalty purposes, whenever in his judgment it is necessary to do so in order to promote development, or whenever in his judgment the leases cannot be successfully operated under the terms provided therein.'

"SEC. 8. The act entitled 'An act to grant extensions of time under coal permits,' approved March 9, 1928, as amended (45 Stat. 251, 30 U. S. C., sec. 201a), is hereby repealed.

"SEC. 9. The second sentence of section 3 of the act entitled 'An act to promote the mining of potash on the public domain', approved February 7, 1927, as amended (44 Stat 1057, 30 U. S. C., sec. 283), is amended to read as follows: 'Any lease issued under this act shall be for a term of 20 years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each 20-year period succeeding the date of lease such reasonable adjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of such period. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties not attributable to the lessee. The Secretary of the Interior may permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss. The Secretary upon application by the lessee prior to the expiration of any existing lease in good standing shall amend such lease to provide for the same tenure and to contain the same conditions, including adjustment at the end of each 20-year period succeeding the date of said lease, as provided for in this act'."

Mr. LEMKE. Mr. Speaker, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. LEMKE to the committee amendment: On page 7, line 21, after the word "deposits," strike out the period, insert a comma, and the following: "But this provision shall not be applicable to national forest lands."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes."

A motion to reconsider was laid on the table.

## JAPANESE MANDATED ISLANDS OF THE PACIFIC

Mr. RIZLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Concurrent Resolution 129 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Whereas the President, on behalf of the United States, pursuant to authority contained in Public Law 204 of the first session of the Eightieth Congress, has approved an agreement between the Security Council of the United Nations and the United States of America pursuant to which the United States has become the administering authority for the trust territory of the Pacific islands, heretofore known as the Japanese Mandated Islands of the Pacific; and

Whereas it is the responsibility of the Congress of the United States to provide a permanent government for the trust territory of the Pacific islands; and

Whereas the problem of administration of the trust territory of the Pacific islands is interrelated to the administration of Guam, American Samoa, Wake Island, and other United States island possessions in the Pacific Ocean: Therefore be it

*Resolved by the House of Representatives (the Senate concurring)*, That there is hereby established a joint congressional committee to be composed of three members who are members of the Committee on Public Lands of the Senate, to be appointed by the President pro tempore of the Senate, and three members who are members of the Committee on Public Lands of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members.

SEC. 2. The committee shall make a thorough study and investigation of the islands, groups of islands, and other areas included within the trust territory of the Pacific and all other islands, groups of islands, and other areas in the Pacific which are possessions of, or subject to the authority of, the United States, including study and investigation of—

(a) the peoples, customs, laws, economies, resources, and governments of such areas;

(b) the interrelation, and the natural or appropriate integration, of such areas;

(c) the interrelation of the security of such areas and the security of the United States;

(d) measures designed to advance the security and well-being of the peoples and economies of such areas; and

(e) such other matters relating to such areas as the committee may deem appropriate.

SEC. 3. The committee shall complete its study and investigation as expeditiously as possible, and shall forthwith thereafter report to the Committee on Public Lands of the Senate and the Committee on Public Lands of the House of Representatives the results thereof, recommending such organic and other legislation as may be necessary to provide for the civil government of such areas, and to assure to the peoples of such areas justice, peace, and tranquillity, a voice in their civic affairs and government, the development of their economies and the protection of their civil rights, all with due regard to the established customs of such peoples.

SEC. 4. For the purposes of this concurrent resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eightieth Congress, to employ such consultants, specialists, clerks, and other assistants, to travel, and authorize its assistants to travel, freely through such areas and such other places, to utilize such transportation, housing, and other facilities as the Army, Navy, Marine Corps, Coast Guard, and Air Force may make available, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $———, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman or vice chairman. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of disbursements so made.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, line 5, strike out "the cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: On page 4, line 8, strike out the remainder of the line after the word "committee."

The committee amendment was agreed to.

Mr. RIZLEY. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CRAWFORD] to offer an amendment.

Mr. CRAWFORD. Mr. Speaker, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 2, line 4, after the comma, insert "three Members who are members of the Committee on Foreign Relations of the Senate."

Mr. RIZLEY. Mr. Speaker, the committee will accept the amendment.

The amendment was agreed to.

Mr. CRAWFORD. Mr. Speaker, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 2, line 7, after the word "representatives", insert "three Members who are members of the Committee on Foreign Affairs of the House of Representatives."

The amendment was agreed to.

Mr. CRAWFORD. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 3, line 7, after the word "the", strike out the language "Committee on Public Lands" and insert "Committee on Interior and Insular Affairs."

Mr. CRAWFORD. Mr. Speaker, this is by reason of the fact that the other

body has changed the name of the committee since the resolution was introduced.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CRAWFORD. Mr. Speaker, I offer a further amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 2, line 4, after the word "the", strike out "the Committee on Public Lands" and insert "Committee on Interior and Insular Affairs."

The amendment was agreed to.

Mr. CRAWFORD. Mr. Speaker, I offer a further amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: Page 3, line 8, after the word "Senate", insert "and the Committee on Foreign Relations of the Senate."

The amendment was agreed to.

Mr. CRAWFORD. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 3, line 9, after the word "representative", insert "and the Committee on Foreign Affairs of the House of Representatives."

The amendment was agreed to.

Mr. RIZLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MEAT-INSPECTION SERVICE

Mr. RIZLEY. Mr. Speaker, I call up House Resolution 598, providing for the consideration of the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. RIZLEY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH] and yield myself 5 minutes.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. RIZLEY. Mr. Speaker, this resolution would make in order the bill S. 2256, relating to the meat-inspection service of the Department of Agriculture. Specifically, this bill provides that the cost of meat inspection shall be paid by the Department of Agriculture and not by the packers. I think that is a very fair, clear, concise statement of what the bill does.

It will be recalled that in the Department of Agriculture appropriation bill of last year, pursuant to an amendment proposed by the acting chairman of the Committee on Agriculture and a rule which was granted, the Congress provided for a change in the procedure that had been in vogue for some time in respect to the inspection of meat. The Government had for 40 years paid for that service. Under the amendment in last year's appropriation bill it was provided that instead of the Government's paying for the inspection service the packers would pay for it.

Under that policy the Federal meat inspection service established a reputation for fairness, a reputation for effectiveness.

The bill made in order by this rule shifts the cost of meat inspection back to the Federal Government. The proponents of the bill contend that under the present law, the inspection service has not functioned effectively or equitably as between the large packers and small packers, and that as a consequence the public is not amply protected. It is my understanding that the bill to be considered under this rule was passed unanimously by the other body. It was then reported out by the House Committee on Agriculture unanimously; that committee appeared before the Committee on Rules and advised us that there was no opposition, in their committee and that the opposition appearing for the hearings, was negligible. I understand, of course, that my distinguished friend from Illinois [Mr. DIRKSEN] is violently opposed to this change and that he so told the House Committee on Agriculture.

Mr. DIRKSEN. The gentleman from Illinois did appear before the committee.

Mr. RIZLEY. In any event, all of the members of the Committee on Agriculture, both Republicans and Democrats, were in favor of this bill. The Rules Committee unanimously reported it and we feel since the bill has been reported unanimously that the House should pass upon the matter. I therefore request favorable consideration for the rule.

Mr. SABATH. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, if the packers were losing money I would be more than pleased to relieve them of their responsibility to pay for the inspection of their meat and meat products; but the reports show that the packing organizations have made more money in 1946 and 1947 and are making more money this year than ever before in the history of our country; consequently, I cannot see why, how, or under what pretext we should shift this cost of inspection on to the taxpayers, thereby relieving the packing industry from paying for meat inspection. Do we pay for any other inspection, may I ask? Why should they not be made to pay? If we relieve the packers from paying for inspection, will not other industries, such as the canners and hundreds of other food processors, ask to be similarly relieved from payment for Government inspection.

Mr. Speaker, this proposal is not new to me. I have been with this proposition for 40 years. I know when the packers originally put this thing over and saddled the cost of inspection on the Government. In the last Congress, however, we succeeded in repealing the law and relieved the Government of this unnecessary burden and expense. Now the Committee on Agriculture by unanimous report offers us this bill. They claim there is no opposition to it. But did they give the women of America, the consumers, an opportunity to come before that committee, or did they give those who are interested in safeguarding the rights and interests of our Government, including the taxpayers, the privilege of appearing before the committee? They did not.

Mr. Speaker, the greatest portion of the packing industry is in my city. I have seen it grow. I knew the original organizers—Armour, Smith, Nelson, and Cudahy—personally when I was quite a young man.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Oklahoma.

Mr. RIZLEY. The gentleman from Illinois is very fair about this matter. When it was before the Rules Committee, in his very generous way he said the thing should be submitted to the House, that he would not oppose the rule but would not agree to the legislation. I want to point out, of course, the big packers in the country, or most of them, reside in the city of Chicago. The little packers of the country are the ones who are having considerable difficulty under this change that we have made and, no doubt, it has resulted in some advantage to the larger packers of the country. I know, of course, that the gentleman from Illinois is not thinking about them in connection with this matter, but that does happen to be the fact as we were told by the representatives of the industry.

Mr. SABATH. I realize that the gentleman is interested in the small packers, the same as I, but I say to him that even the small packers made more money during the war and they have made greater profits in the last 6 years than they ever did before. Many of these small packers became millionaires, because they aided the big packers by withholding from the market large quantities of their meats, thereby bringing about the black market which was responsible for the continuous increase in the cost of meat and meat products. I am desirous of being fair, and I will say this, that if the men who originally organized the packing industry in Chicago and in Kansas City and in other cities of our country were still in control of that industry instead of Wall Street.

I do not think that they would ask us to unload this burden upon the Government. They would not have been guilty of black marketeering and with charging exorbitant prices for meat as was done during the war and which have been

maintained even up to now, so much so that it was and is impossible for the average citizen to obtain meat for his family, unless he paid double and triple the price for it. Of course, we remember the packers' strike a few years ago when they wilfully stopped killing for the purpose of creating a scarcity which enabled them to increase prices and hold up the American people. The packers having made so much money, including the small packers, I do not see why the Government should assume this responsibility and cost of inspection and should be borne by them. They are in a position to absorb this cost of inspection, the same as all other food industries having Government inspection.

Furthermore, may I ask the gentlemen who are advocating this legislation whether any agreement has been made by the packers to reduce the cost of meats if we eliminate this cost of inspection? Indeed not. I know that they will not agree to anything like that, and they will continue to charge just as much as they possibly can, not only for their meat but for their many byproducts. Let me tell you, they are making more money now on their byproducts than they are making on the meat itself. They are in a position and will continue to be in a position to charge the consumer all that he can stand. For that reason I feel that this legislation is not in the best interest of the consumer, nor of our country, nor the Treasury, nor the taxpayers. I believe that the inspection cost should be borne by them, because as I have stated they are in good financial position to do so. Many of you Members have demanded economy, but in view of the tremendous national debt and in the interest of the taxpayers I do not see how you have the gumption to bring in this bill that will increase the cost of Government to our taxpayers.

Mr. GILLIE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Indiana.

Mr. GILLIE. The gentleman has just made reference to the big packers. The big packers can stand this expense all right, true; they are not kicking about this bill. It is the little packer that cannot afford the inspection that wants the system changed.

Mr. SABATH. I will say this, that I have all the confidence in the world in the gentleman's statement, but I would like to have him give me or anyone else a list of two or three small packers that would not be able to pay this inspection fee. As I said, I am personally acquainted with many of the small packers in Chicago whom I have known for many years, among whom are the Oscar Mayer Co., Pfaelzer Bros., Inc., and others, none of whom have appealed to me to support legislation to relieve them of the small cost of inspection. But I do know that representatives of the Meat Institute, representing the big packers, have been around to urge the saddling of the $11,000,000 cost of inspection upon the Government.

As I stated before, both the large and small packers have made more money during 1946 and 1947 and are continuing to make greater profits today than ever before. Their reports show that their profits run into the millions of dollars, reaching the stupendous amount of $87,000,000 in 1947, and their profits for the first 3 months of 1948 show the same percentage of profits, as compared with profits of $56,000,000 in 1946. Yet despite the tremendous increase in earnings, the big packers have refused to grant a small increase in the wages of their employees.

Mr. Speaker, there is no evidence to indicate that the officials of the Meat Inspection Division of the Department of Agriculture or anyone in behalf of the interests of the Government were given an opportunity to appear before the committee to testify in opposition to the bill or to show that for the past 9 months meat inspection, paid for by the packers, has been inadequate or suffered in any way whatsoever. In fact, with greater production during that period, meat inspection has never been more efficiently performed.

Mr. Speaker, I feel that the bill is not entitled to favorable consideration for the reasons I have given. I realize it will be impossible for me to sway you gentlemen, especially those of you on the left, who are advocating economy but come in with bills continuously increasing expenditures and causing more waste of our taxpayers' money. So, in view of the conditions, I am opposed to the rule, although I realize it will pass. I am afraid that even though the bill is unfair to the Government it will also pass, because you have the votes and, of course, what do you care about the people? Load everything on the Government.

Mr. RIZLEY. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, during the last 40 years a public consciousness has grown up with regard to the purity of foods. It has been only about 40 years that we have had a Food and Drug Administration. It has been about 40 years that we have had Federal meat inspection. That law was passed early in this century, and the decision was made administratively, not by statute, that the cost of that inspection should be borne by the Federal Government.

Since that time we have had other excursions into the entire field of purity of food products through the Federal Government, and largely through the Food and Drug Administration, so that today the Federal surveillance over foods and cosmetics offered to the general public aggregates a considerable amount, as could be shown if it were possible for us to assemble the costs of all the services required in that connection. For instance, in addition to meat, we have Federal surveillance over all coal-tar colors; over penicillin, streptomycin, and insulin; the entire field of cosmetics; sea foods, where certificates are required on canned shrimp and canned oysters; and the whole field of fruits and vegetables. Wherever arsenical or other sprays that are deleterious to public health are used, the Food and Drug Administration, by indirection, requires that they be analyzed, coded, and certified as pure to the consumer before they may be shipped interstate.

I should like to read a letter which covers this matter fairly well. It is from Mr. Larrick, Assistant Commissioner of the Food and Drug Administration. This is dated April 21, 1948:

As far as foods are concerned, the law requires but one product to be certified by this Administration. This is in the case of coal-tar colors. A sample from each batch manufactured must be submitted to this Administration for examination and, if found legal, a certificate is issued to the manufacturer. The manufacturer pays a fee covering each certificate issued, and the fee system is so arranged that the entire cost of the color-certification service is borne by the industry. The same system also deals with coal-tar colors used in drugs and cosmetics.

In the drug field the law requires testing and certification by this Administration of each batch of penicillin, streptomycin, and insulin product before they may be shipped interstate. Here again the fees charged are are such that the entire cost is borne by the manufacturers.

Section 10 (A) of the Federal Food, Drug, and Cosmetic Act provides for continuous inspection of sea-food establishments in the case of packers who apply for the service. While this provision was enacted in 1935, the only sea-food products produced under inspection at the present time are canned shrimp and canned oysters. Products packed under inspection are required to be labeled "Production supervised by United States Food and Drug Administration." Formerly an annual appropriation of $40,000 was provided for this service with a fee system whereby the packers operating under inspection paid the remaining cost of the service. Starting July 1, 1947, however, this $40,000 was not appropriated, and during the past year the entire cost of the inspection service has been borne by the packers.

You mentioned examinations which we make of such products as apples. In our regulatory work we do examine apples, and many other foods for that matter, to determine whether they are or are not in compliance with the requirements of the statute. The initiative in the collection of such samples, however, is ours, and there is no charge made for our examinations regardless of the results. When, however, food products are seized by the Federal courts as a violation of the law, these are frequently released under bond for the purpose of affording the owner an opportunity to bring the goods into compliance under our supervision. Court decrees in such cases provide that the cost of supervision, including the cost of any laboratory examinations of the "good portion," shall be borne by the claimant in the action, and such charges are invariably made on an actual time basis.

Mr. Speaker, I mention these things in order to bring the full scope of this matter before the attention of the Congress. I would like to point out something that is in error obviously in the committee report on this bill. I quote from page 4 of the committee report, which reads as follows:

Most types of Federal inspection—such as fruits and vegetables, tobacco, and other products—are purely voluntary. They are not required by law before the article can move in interstate commerce, but are made by the Federal Government at the request of the producer. Generally such inspections are for purposes of grading and commercial standardization, and not for the purpose of determining the basic purity and wholesomeness of the product.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. HORAN. I yield.

Mr. HAND. Does the gentleman recall at the time the appropriation for the inspection of sea food was cut out one of the arguments which was made by the packers was that, because they bore their costs, the fishing people should do likewise? So if this bill is passed, we will find the people interested in canning shrimp and oysters here asking for the same treatment?

Mr. HORAN. That is correct.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. HORAN. I yield.

Mr. COLMER. In that connection I would like to point out that at approximately the same time the Congress took this action in stopping the contributions of the Federal Government for meat inspection it also stopped the contribution for sea-food inspection. Certainly, as the gentleman well points out, we in the sea-food industry should be treated in the same manner and out of the same dish and spoon that the meat packers are treated from.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. HORAN. I yield. May I point out first to the chairman of the Committee on Agriculture that we are getting to the very nub of the question in the question asked by the gentleman from New Jersey [Mr. HAND] and the comment made by the gentleman from Mississippi [Mr. COLMER].

Mr. HOPE. The thing I want to point out is that you have an entirely different situation insofar as the inspection of sea food is concerned, as contrasted with the inspection of meat, in that the inspection of meat is compulsory and the inspection of sea food is voluntary. It is a service that is rendered to the distributors and manufacturers of seafood, but the meat packer, who deals in interstate commerce, must have it inspected before it can go in interstate commerce.

Mr. HORAN. May I answer that. The responsibility on the part of the producer of edible food is never a voluntary responsibility—not under the Federal Food and Drug Act. The responsibility for the purity of food rests with the producer in every instance, and certification of that purity is the nub of this thing. If we are to create exemptions for the meat industry, we are facing a comparable problem of giving exemptions of Federal service, on an appropriation basis, to every producer and interstate shipper of edible foods in the United States.

The SPEAKER pro tempore. The time of the gentleman from Washington [Mr. HORAN] has expired.

Mr. RIZLEY. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. HORAN. On page 4 of the committee report this statement is made:

> Most types of Federal inspection—such as fruits and vegetables, tobacco, and other products—are purely voluntary.

I challenge that statement, and I do it in good faith, and I hope in good grace.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. HORAN. Yes.

Mr. HOPE. On what basis does the gentleman challenge that statement?

Mr. HORAN. Because I cannot ship an apple out of the State of Washington without having it cleared and certified as to purity and free from spray residue. That is not voluntary on my part.

Mr. HOPE. That is a Washington State law. That is not a Federal law.

Mr. HORAN. That is all right. I am shipping in interstate commerce, and if it is not cleared, the Federal Food and Drug Act condemns that shipment; so in the end it is a Federal responsibility.

Mr. HOPE. But the committee in this report is talking about Federal inspection. Of course, various States have different laws governing State inspection, but in this legislation we are talking about Federal inspection. We did not make any official survey of all the States and their laws on this subject, but we were speaking of Federal laws. I am certain that that statement is accurate as far as the Federal law is concerned.

Mr. HORAN. I cannot ship in interstate commerce without having my apples cleared as to spray-residue content. Samples have to be taken, for which the apple producer pays. Those samples are taken to a laboratory and tested as to the arsenate residue on those apples. Those findings have to be returned and an analysis made, and certified by the laboratory. For this I pay in full, on a fee basis. Then, and then only, can I get a bill of lading so that I can ship in interstate commerce and be free of susceptibility of being libeled by the Federal Government. I submit that your argument rather begs the question.

Mr. HOPE. Does the gentleman contend that that is under a Federal law?

Mr. HORAN. It is a Federal law, the Food and Drug Act, under which this administration libel is made.

Mr. HOPE. Does the gentleman contend that the inspectors are appointed by the Federal Government?

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, there is no man in this House for whom I have a higher personal regard or deeper affection and greater appreciation of his ability than the distinguished Chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. HOPE]. I regret that I have to rise here in opposition or to differ with him in this matter, and I am going to be very frank about it. I am differing with him simply and solely upon the basis that if the Meat Inspection Service is to be paid for by the Federal Government, then the expenditure for the sea-food industry and other similar industries should also have the benefit of that inspection at the expense of the Federal Government.

Mr. Speaker, in 1936 the late and beloved Senator Pat Harrison of Mississippi, who was then so ably representing my great State in the other body, and I, succeeded in getting through this Congress legislation authorizing the inspection of sea food. Prior to that time the people engaged in that industry in my State would have carloads of canned shrimp, and oysters, and other sea food seized out in the far West, on the east coast, and in other sections of the country, and condemned, with the consequent loss to the fishermen and packers in that industry. This Congress voted the authorization for that inspection service. Since 1936 and up until last year, 1947, the Federal Government paid about half of that service and the packers paid the other half, under that authorization; but last year the Committee on Appropriations failed and refused to make an appropriation for that service, and at the same time they cut out the inspection service for the meat packing industry.

If we are going to cut it out for one and save money on the one, why not save it on the other? If we are going to grant it to one, then why not grant it to the other? How are you going to make fish out of one and fowl out of the other, or more appropriately I should say fish out of one and meat out of the other? All we are asking for is fair play and no discrimination in this matter.

At the appropriate time I expect to offer an amendment to put back into effect the service for the sea-food industry that was intended under the old act. If that goes through I will support this bill. Otherwise I shall find it most difficult to go along.

The argument is made and will be made that one is compulsory and the other is not compulsory but cooperative.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from New Jersey.

Mr. HAND. On that point, I recall the statement made by the distinguished chairman. I do not pose as an expert on the laws governing this industry, but I do know of my own personal knowledge that in the last 2 or 3 years, particularly during the closing years of the war, the oyster industry, which is very largely concentrated in my area, was under the complete domination of the Federal Government. We even regulated the size of the pack which was required.

Mr. COLMER. And still do.

I have endeavored to be fair about this thing. I have endeavored to be very frank. If we are going to do this for one industry then we should do it for the other. That may sound like a very selfish position. I will admit it is a selfish position, but I will also admit it is a fair position, and you will have to admit it, too.

One argument is made that it is not compulsory. Nothing will spoil more quickly than sea food, and nothing can make you more ill than bad sea food. Certainly if anything requires inspection it is canned sea food, not only for the benefit of the industry but for the benefit of the public generally.

All we are asking is the same treatment that you give to the meat industry. As I said before, if we can get that cooperation I will be glad to go along even though the service for the meat industry will cost $11,000,000 whereas for the sea-food industry it will cost only $80,000, but it will be fair and equal treatment.

Mr. Speaker, frankly there is some question of germaneness of this proposed amendment. Since the original act authorizing sea-food inspection was passed this service has been transferred from

the Department of Agriculture to the Commerce Department. But that technicality does not affect the fairness, the justice, and the equity of the matter. I am, therefore, in hopes that the distinguished chairman of the committee will not raise that question.

CALL OF THE HOUSE

Mr. HOPE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

Mr. RIZLEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 70]

| | | |
|---|---|---|
| Allen, Calif. | Fisher | Macy |
| Anderson, Calif. | Folger | Meade, Ky. |
| Barden | Fulton | Meade, Md. |
| Bates, Ky. | Gallagher | Miller, Calif. |
| Beall | Goodwin | Miller, Md. |
| Bell | Harless, Ariz. | Multer |
| Bishop | Hart | Mundt |
| Bland | Hartley | Nixon |
| Bloom | Harvey | Norton |
| Boggs, Del. | Hébert | O'Hara |
| Bonner | Heffernan | O'Toole |
| Boykin | Hendricks | Patman |
| Bramblett | Hoffman | Pfeifer |
| Buckley | Holifield | Plumley |
| Bulwinkle | Jackson, Wash. | Potts |
| Byrne, N. Y. | Jenkins, Pa. | Powell |
| Cannon | Jennings | Price, Fla. |
| Carroll | Johnson, Okla. | Redden |
| Celler | Johnson, Tex. | Robertson |
| Clark | Jones, N. C. | Rooney |
| Cole, Kans. | Kearney | Scoblick |
| Cole, N. Y. | Kefauver | Scott, Hardie |
| Cooley | Kennedy | Shafer |
| Cox | Keogh | Sheppard |
| Cravens | Kirwan | Short |
| Crosser | Klein | Smith, Maine |
| Davis, Tenn. | Lane | Stigler |
| Dawson, Ill. | Lewis, Ky. | Thomas, N. J. |
| Deane | Ludlow | Towe |
| Delaney | Lyle | Vail |
| Dondero | Lynch | Vorys |
| Dorn | McDowell | West |
| Doughton | McGarvey | Whitaker |
| Durham | | Wilson, Ind. |
| Engle, Calif. | | Wood |
| Fellows | | |

The SPEAKER pro tempore. On this roll call 325 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ARMY CIVIL FUNCTIONS BILL, 1949

Mr. ENGEL of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5524) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ENGEL of Michigan, CASE of South Dakota, TIBBOTT, SCRIVNER, KERR, MAHON, and NORRELL.

There was no objection.

WORLD HEALTH ORGANIZATION

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 602, Rept. No. 2000), which was referred to the House Calendar and ordered to be printed:

*Resolved,* That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 409) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor. That after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

HOME RULE AND REORGANIZATION IN THE DISTRICT OF COLUMBIA

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 603, Rept. No. 2001), which was referred to the House Calendar and ordered to be printed:

*Resolved,* That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the District of Columbia, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion exception one motion to recommit.

STATE, JUSTICE, COMMERCE, AND JUDICIARY APPROPRIATION BILL, 1949

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. STEFAN, HORAN, FENTON, CLEVENGER, ROONEY, GARY, and O'BRIEN.

There was no objection.

EXTENSION OF REMARKS

Mr. O'HARA (at the request of Mr. AUGUST H. ANDRESEN) was given permission to extend his remarks in the RECORD.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include excerpts.

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. FLETCHER asked and was given permission to extend his remarks in the RECORD and include an article from the People's World of Thursday, May 13.

MEAT INSPECTION SERVICE

Mr. RIZLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. HOPE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2256, with Mr. MCCONNELL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HOPE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is made necessary by the fact that last year the appropriation bill for the Department of Agriculture contained a legislative provision which the Committee on Appropriations has no authority to place in it, a legislative provision which changed the system of meat inspection which had been in successful operation in this country for more than 40 years.

The bill passed the House and went to the Senate. The Senate Committee on Appropriations held hearings on it, and, as a result of the information developed at those hearings, struck from the bill the provision requiring that the packers pay for the inspection. The action of the committee in striking that provision from the bill was sustained in the Senate. The bill went to conference and, finally, in the course of the conference, the provision was reinstated. Since July 1 we have had the packers paying for meat inspection.

This year the present bill was introduced in the Senate. It was referred to the Committee on Agriculture. That committee held hearings and, as a result of those hearings, it unanimously reported the bill to the Senate. It went

on the Senate calendar and at a later date the bill was passed by the Senate without a single vote against it.

It came before the Committee on Agriculture in the House. We held a full and complete hearing on it and at that hearing there appeared representatives of all the leading farm organizations, representatives of labor organizations, representatives of producers, and representatives of the small packers, all of them taking the same position—that this bill should be reported and passed. I want to call attention to some of the witnesses before that committee, as follows:

David Dolnick, labor-relations consultant, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL.

Albert K. Mitchell, former president, American National Livestock Association and New Mexico Cattle Growers' Association.

J. F. Krey, chairman, board of American Meat Institute.

Henry Neuhoff, Jr., president, the National Independent Meat Packers' Association.

Mr. Weymouth, representing the Texas and Southwestern Cattle Raisers' Association.

J. B. Wilson, chairman, legislative committee of the National Wool Growers' Association.

F. E. Mollin, executive secretary, American National Livestock Association, Denver, Colo.

L. Blaine Liljenquist, representing the Western States Meat Packers' Association, Inc.

John J. Riggle, representing the National Council of the Farmer Cooperatives.

J. T. Sanders, legislative counsel, the National Grange.

George R. Dressler, secretary, the National Association of Retail Meat Dealers.

William Yungclas, representing Iowa Swine Producers' Association.

In addition there were statements filed by the American Farm Bureau Federation, by the Kansas Livestock Association, by the American Veterinary Medical Association, representing the meat inspectors, by the Eastern Meat Packers Association, and by Bryant Edwards, president of the Texas and Southwestern Cattle Raisers Association.

As a result of the hearings, the House Committee on Agriculture unanimously reported the bill. We have it before us today. The law that was on the books previous to the action of the House last year was on the books for more than 40 years. Under the provisions of that law, we built up a meat-inspection service which was without peer anywhere in the world. It was a service in which a great esprit de corps had been built up. It was a great health service to the public. In 1906, the Committee on Agriculture, because it was a service to the public put the burden of paying for it on the public. It had been operated and carried on that way for more than 40 years. The representatives of the farm organizations appeared before the committee because they feared the effect of this legislation upon agriculture, because they felt that while at the present time when we were in a flush period, this cost might be passed on by the large packers to the consumers, that in a time of depression it would be pushed back on the producers.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. SMITH of Ohio. Since this is being passed on to the consumer or to the public, the cost to the public now, as I understand, under this new program, is more than the cost under the old program. Is that correct?

Mr. HOPE. That is correct.

Mr. SMITH of Ohio. In that event, as a matter of fact, we would be saving money to the public by repealing that law instead of adding to the burden of the public. Is that not true?

Mr. HOPE. I think the gentleman is exactly correct.

This service being in the interest of the public, the greater proportion of the meat consumed that is federally inspected, the greater the protection that will be afforded to the public. There has been this year, for the first time in the history of meat inspection, a decline in the number of establishments inspected. The gentleman from Illinois [Mr. DIRKSEN] said there had been some added and some taken away, and the net result does not make much difference; but it is significant that this is the first time in all the 42 years' history of this legislation that we have been going downhill.

Now, here is the situation in which the small packers of the country find themselves today. They are not like the large packer, in that they can pass on this expense. They are in a different position, because if they are in interstate commerce, and under the inspection system, they must compete with other small packers in their own State who are not shipping in interstate commerce, and who do not have this expense.

I want to read to you briefly a part of the testimony of Mr. Henry Neuhoff, Jr., president of the National Independent Meat Packers Association, a packer at Dallas, Tex. Here is what Mr. Neuhoff said:

> We are a small packer. Ten percent of our business is interstate. We have three Government inspectors in our plant. Our inspection fee is about $18,000 a year. To show you how this thing can grow, they are now telling us we need another. Three of them have been doing it for the last 3 or 4 years, and, all of a sudden, as soon as we are paying the bill, they say, "Let us have another one here." That would be $24,000 a year. Those are small figures, but they would be big for our company. Ten percent of our business, then, would cost us $24,000 a year. If I could make that kind of money on the balance of the business, I could make $240,000 a year, and I would be in big money.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. HOPE] has expired.

Mr. HOPE. Mr. Chairman, I yield myself five additional minutes.

Continuing, Mr. Neuhoff said:

> But I cannot afford that expense, and we are going to have to give up Government inspection and do business in the State of Texas alone.

Now, that is the situation of countless numbers of small packers throughout the country, and if this system continues, there is no doubt in my mind but what the percentage of meat inspected federally will go down and down as time goes on.

I do not think we should overlook the fact that there is an important principle of Government involved here. That is whether or not we are going to let Government departments make their own appropriations and write their own tickets on these things.

The gentleman from Illinois [Mr. DIRKSEN] says the Department of Agriculture is pretty well satisfied with this system. Of course they are satisfied. Every department in the Government would be delighted if we would give them authority to levy taxes and charges, and not require them to come to Congress to get their appropriations every year. Of course they like it. They can put four inspectors in Mr. Neuhoff's plant. They can increase the number in anybody's plant and build up a large bureaucracy without ever having to come to Congress for any money or having any check-up.

It seems to me that while the amount involved here may be comparatively small, we are setting a dangerous precedent when we establish the principle that Government bureaus can go out and levy charges and assessments and build themselves up at the expense of the public, without any requirement that they come before the Congress for an appropriation.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. MILLER of Connecticut. On that very point, these small processors, to which I referred a while ago, have no redress at all. They have to accept the judgment offered to them or be deprived of Federal inspection or go out of business.

Mr. HOPE. That is absolutely true.

Mr. MILLER of Connecticut. I tried five cases without getting any relief at all. I have seen them charged for a whole day's inspection service when the inspector was not in the plant 10 minutes during the whole day.

Mr. OWENS. Mr. Chairman, does that mean that men are paid on the basis of a day or an hour rather than being paid on the basis of the amount of meat which is being shipped from a particular plant? In other words that they are not paying their proportionate share in accordance with the meat they are producing?

Mr. HOPE. No; it is my understanding that these fees are based upon the element of time and not on the element of poundage, and that in the case of a small packer it is a much more expensive proposition than in the case of a large packer who can furnish continuous work for the inspector.

Mr. OWENS. Mr. Chairman, will the gentleman yield further?

Mr. HOPE. I yield.

Mr. OWENS. That absolutely is true, the gentleman says?

Mr. HOPE. That is my understanding of the matter.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. MILLER of Connecticut. On a particular product such as chop suey which has a very small meat content, the price of the inspection service comes very high because so little meat enters into the whole product.

Mr. HOPE. I am sure that is the case.

Just one thing more. I know of no case of compulsory Federal inspection where a business institution that is inspected is required to pay the cost of inspection. We have plenty of systems of voluntary inspection, such as grain inspection, fruit and vegetable inspection, and that sort of thing where the inspection is made for the benefit of the processor or the distributor who wants to get a grade upon his product, and in that case it is certainly right and proper for the person benefited by the inspection to pay for it. In that case it is done for the purpose of establishing grades, not for the purpose of protecting the public.

The old system of meat inspection worked in a splendid way for 42 years and we ought to restore it.

The CHAIRMAN. The time of the gentleman from Texas his expired.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. CAMP].

Mr. CAMP. Mr. Chairman, I do not hope to add anything to what the gentleman from Kansas has so ably said other than to explain the situation that exists in my section of the country. We have a number of small packing plants, new plants, which because of the expense of inspection have been forced to forego inspection. The result is that they are confining their business to the State of Georgia. My district is along the Alabama line. This curtailment of territory has been most serious to these small packing plants in my section. Our people want meat inspection but the small packers cannot give it to them when they have to pay for it. It costs far more proportionately for them to have their product inspected than it does the large plants.

I am heartily in favor of this bill.

Mr HOPE. Mr. Chairman, I yield the remainder of my time to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, I am, of course, vitally interested in this bill, and I will tell you why. It is because at one time I was an inspector and had charge of municipal inspection and also assisted Government inspectors.

For a good many years I did that. I know what is going to take place if we do not pass this bill and make it law.

I am so not much concerned with the fact that the costs are assessed against the packers. I am concerned about meat inspectors working for the packers. Big packers can afford to pay for this inspection and they will not grumble about it, but it is the small packer that we are going to have to reckon with; a lot of them cannot afford to pay this inspection fee in the first place. In the second place, there will be a good many of them lower their inspection and as a result we will have poor inspection and we will have meat of poor quality. There is no doubt about that.

Mr. SCHWABE of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from Oklahoma.

Mr. SCHWABE of Oklahoma. In addition to that fact, is it not true that in many instances the smaller packers will cease to come under this inspection rule that now prevails, and they will not ship their products interstate; therefore, necessarily, they will not be rigidly inspected?

Mr. GILLIE. That is true. They cannot ship interstate when they do not have Government inspection.

It might be interesting to know that 51 packers now have dropped out. These are small packers. Thirty-six new plants have been established since. This leaves a loss of 15. That is correct, according to the information received.

The whole history and development of meat inspection demonstrates it is a public activity, and being a public activity it should be supported by public funds, making it independent of the industry it polices in the public interest. This, in our judgment, is precisely as it should be. Government agencies which enforce regulations affecting industry should be entirely free from financial support by the regulated industry, particularly when the regulations concern the people's health.

Mr. GOFF. Mr. Chairman, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from Idaho.

Mr. GOFF. Since this is a governmental function—a necessary service—it would be just as logical, would it not, to have the litigants pay the salaries of our judges who are deciding cases?

Mr. GILLIE. The gentleman is correct. I want to explain how the existing arrangement—that is, the packer-paid inspection—affects the flexibility of that industry's personnel.

It affects the industry's personnel in this way, and we refer respectfully to the fact that it was formerly possible to assign men to part-time work on Federal meat inspection, and to utilize them during other hours of their workday for different Federal inspection activities such as port quarantine regulations, enforcement of the 28-hour law, sanitary inspections of various kinds, and field and interstate inspection work, which they do not do now. All they do is meat inspection work now.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. GILLIE. I yield to the gentleman from Washington.

Mr. HORAN. Did the action of the subcommittee last year change the inspection service or the inspection procedure in any way?

Mr. GILLIE. No; as far as the regulations are concerned they are practically the same.

Mr. HORAN. Is it not true, prior to last year the meat industry itself paid out of its own pocket on a fee basis better than two and a half million dollars for overtime inspection service?

Mr. GILLIE. That may be true, I do not know, but that was for overtime service. They do not do any of these other activities as long as they are inspecting meat under this arrangement.

I think it was the gentleman from Illinois [Mr. DIRKSEN] who made reference to Dr. Miller not making very much fuss about this new regulation. Why should he? Under this sort of arrangement he does not have to come down here and ask for appropriations because the money is already there. It is paid by the big and small packing plants.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield the gentleman one additional minute.

Mr. GILLIE. My colleague, the gentleman from Illinois [Mr. DIRKSEN] quoted a proverb in his statement on the floor of the House this afternoon in connection with this bill. I would also like to quote a proverb which has direct connection with the problem which we have at hand and that is "Whose bread I eat his song I sing." If I am working for a packer I am going to look after the packer, and that is all there is to it.

Mr. Chairman, I hope that this bill will receive favorable support.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. WORLEY].

Mr. WORLEY. Mr. Chairman, I think we made a mistake last May when we allowed the very distinguished and able gentleman from Illinois to lead us up the hill he mentions. We were not led up with my consent because I felt we were making a mistake at the time. Unfortunately, no member of the Committee on Agriculture was permitted, so far as I know, to appear before the Committee on Appropriations. I do not know yet what witnesses they had, but I do know that every single one of the witnesses who appeared before the Committee on Agriculture was in unanimous agreement that the system inaugurated last May should be changed.

As to the question of who is going to pay for this service, I think there is no argument whatever but that the meat buyer himself will eventually pay for the service, regardless whether he pays in the form of taxes or as a result of higher prices which the packer will place on his product as a result of the cost which he must pay directly under the present system for meat inspection. Therefore, it is a question of who is getting the benefit as to who should pay the bill. In both cases the consumer is getting the benefit, and the consumer, the taxpayer, is receiving the protection that he is entitled to receive in the purchase of any meat shipped in interstate commerce. If my information is correct, the present system is highly satisfactory to the big meat packers, those who do business in multiplied millions of dollars every year, for this reason: Under the law all meat shipped in interstate commerce must be federally inspected. In my own district, which is bordered on the west by New Mexico and on the north and east by

Oklahoma, several of the small packers, I mean, small in the sense of thousands of dollars of business a year instead of millions, must, if they ship even 1 pound of meat in interstate commerce, pay for Federal inspection. They cannot afford to ship, say 10 percent or 15 or 20 percent of their meat in interstate commerce and justify the expense they would have to go through under this new system of doing business. Consequently, the result is that the big meat packers, who do practically all of their business in interstate commerc, and who can afford to pay these charges, remove at once competition from the field of interstate commerce. The second result is that certainly we are placing a burden on interstate commerce, and we are also discouraging the small packing plant from expanding and from selling in interstate commerce.

Those of us who supported the Small Business Committee and who are sympathetic with small busir.ess ir general, I think, can appreciate the plight they are in. So, in the final analysis, Mr. Chairman, as in most everything, the one who gets the benefit is going to have to pay the bill. In this case the public is receiving the benefit of protection, which makes it a Government function. Such a system had been in effect for years and years until last May, the public was protected by Federal inspection, and I feel this bill, which my committee reported unanimously, should be approved.

The Clerk read as follows:

*Be it enacted, etc.,* That the cost of inspection rendered on and after July 1, 1948, under the requirements of laws relating to Federal inspection of meat and meat food products shall be borne by the United States except the cost of overtime pursuant to the act of July 24, 1919 (7 U. S. C. 394).

Mr. HORAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time merely to point out that the question before the House is simply this: Whether the cost of inspecting the purity of all foods to be shipped in interstate commerce is to be paid through fees by the benefiting industry or whether we are to expand the Federal purity-of-foods inspection to cover every edible food produced in the United States and shipped in interstate commerce and let the taxpayer foot the bill. That is the question before the House, and do not let anyone delude you. In the matter of simple justice and equity to the producers of foodstuffs in the United States, I am going to move to recommit this bill to the Committee on Agriculture for a complete study not only of meat and meat products shipped in interstate commerce but also of edible foods produced and shipped by farmers and by shippers in interstate commerce. I think in the name of justice to the energetic, industrious, and conscientious people of the United States, to whom we are indebted for our foods, we have a duty to be that broad and that fair.

Mr. COLMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER: On page 1, line 5, after the word "products", insert "and sea food and sea-food products."

Mr. HOPE. Mr. Chairman, I make the point of order against the amendment that it is not germane.

The CHAIRMAN. The Chair will hear the gentleman from Kansas on the point of order.

Mr. HOPE. Mr. Chairman, this bill relates to the inspection of meat and meat food products, of slaughter meat. The amendment offered by the gentleman from Mississippi would cover an entirely different product, the inspection of which is authorized under an entirely different law. The provisions relating to the inspection of sea food call for a purely voluntary inspection. The inspection is carried out by an entirely different department of the Government. It is not a compulsory provision and is not in any sense comparable with the type of inspection that is provided for in this bill. I think that very clearly the amendment is not germane to this bill.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. COLMER. Mr. Chairman, I offered this amendment in the hope the point of order would not be raised. I fear that the grounds stated by the distinguished gentleman from Kansas are sound. I do not know of any argument I could make against it.

The CHAIRMAN [Mr. MCCONNELL]. The Chair is ready to rule. The Chair holds that the amendment is not germane. Under the rulings on the question of germaneness, one individual proposition may not be amended by another individual proposition, even though the two may belong to the same class. The Chair sustains the point of order.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I stated a moment ago, I was in hopes that the point of order would not be raised by my friend, but since he saw fit to raise it, and I can have no criticism of his action. I realized that technically it was not germane and had discussed that point with him.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to my friend.

Mr. HOPE. I simply want to say to the distinguished gentleman from Mississippi that it was with a great deal of reluctance that I made the point of order. I certainly am very sympathetic with his proposal. I hope that the proper committee having jurisdiction over the matter will report a bill to carry out the ideas that he has in mind. But the committee was simply in the position that if we permitted the amendment to be considered, which would cover sea food, then perhaps a dozen different amendments might be offered to include other commodities. The chairman had reason to believe that some other such amendments might be offered and he was for that reason constrained to make the point of order.

Mr. COLMER. I thank the gentleman for his observation.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. DIRKSEN. The gentleman assumes a perfectly logical ground because if we take this off of the industry and put it back on the taxpayers of the country, then it ought to be done for sea food, penicillin, streptomycin, fruits, drugs, and cosmetics, and ought to be done for everybody and everything. Here you have the first instance that you are going to roll back the whole inspection system where the beneficiary pays the fee. That is the reason the bill before us now ought to be defeated.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. WORLEY. If that is true how is it that although this was on the statute books for 40 years, all those things did not happen?

Mr. COLMER. I should also like to point out that the law outhorizing seafood inspection has been on the statute books since 1935 as I pointed out in discussing the rule. I was joint author of that bill authorizing sea-food inspection for the protection of the public. The same committee that cut out the appropriation for sea food cut it out for meat packing. What I am trying to say is that if the meat-packing industry is to have this protection, then the sea-food industry ought to have it also, because the same principle is involved whether it is germane or not. There is nothing, as I pointed out earlier, on the rule, that is more injurious to health or that will make you more deathly sick than bad sea food. Therefore a great need for this sea-food inspection exists.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. FLANNAGAN. I am in thorough sympathy with the views that the gentleman has just expressed. But sea food is not a subject within the jurisdiction of the House Committee on Agriculture. Another committee has jurisdiction of that.

Mr. COLMER. I understand that very well. I offered the amendment on the appropriation bill after that committee had stricken it out. I already had it authorized by law so it just seems that the time is always inopportune. Each of these Republican-dominated committees give you the run-around. The point is that if meat is entitled to inspection, then sea food is entitled to inspection. As I pointed out a moment ago, I want to be very frank about this matter. I think that sea food and meat both should have Federal inspection, and every argument that has been made for meat stands for sea food. But I cannot say to my people who are engaged in the sea-food business that I am going to support a bill for the inspection of meat when they are denied the same service at the hands of the Federal Government.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. HORAN. The gentleman's position is entirely sound, because the same action that knocked out meat inspection also knocked out the sea food, that the gentleman is advocating. But if we were

to reinstate inspection of sea food, does not the gentleman think it only fair to have the Federal Government pay for the purity inspection of all foods in interstate commerce?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLMER. I ask unanimous consent, Mr. Chairman, to proceed for one additional minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COLMER. Now, those of you who are so gracious as to point out how this may be done, if you will give me your attention for a moment, I will tell you how I think it can be done. Let us recommit this bill and then bring in a bill covering both meat and sea-food inspection.

Mr. FLANNAGAN. Well, will the gentleman yield?

Mr. COLMER. I yield.

Mr. FLANNAGAN. The gentleman understands that the House Committee on Agriculture could not bring in such a bill, because it has no jurisdiction over fish, oysters, and shrimp.

Mr. COLMER. I thank the gentleman; but I hope I may have his cooperation in finally seeing this injustice corrected.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. PHILLIPS of California. Mr. Chairman, I move to strike out the last word.

As you realize, I came into this discussion from a committee meeting at the very last moment. I am not sure that the points have been expressed that I want to say now.

I think the gentleman from Washington [Mr. HORAN] has approached this problem in a most courageous way. That is, that we are discussing not only the entire problem of inspection. If we are going to have Federal inspection for meat, as we have had it in the past, then we should, in justice, have Federal inspection for coal-tar products, for penicillin, for insulin, for extracts, sea foods, apples, pears, and all of the other products that go into interstate commerce that require any kind of inspection.

But this is what I wanted to talk to you about particularly. This matter came out of the Committee on Appropriations, of which I am a member, and the subcommittee of which I am a member. The bill now before us came out of the Committee on Agriculture, of which committee I was a member. I am probably the only person who has had both sides of this argument within a period of a couple of years. When it came to the Committee on Appropriations, the committee held what I thought were very good hearings. It heard both sides of the case. It concluded that we could very well take this money out of the appropriation, and that no one would suffer; that the protection would still be given the people; that the Nation would save about $11,000,000, and with the clouds of war hanging over us as they are today, with the probability of expenses rising, as they are today, with every edition of the newspaper that comes onto the streets, you realize that $11,000,000 is a certain amount of money. So the money was taken out.

Now, what did it amount to? It amounts on the average to about a quarter of a cent a pound. That is not a very large amount. I have been visited, as all of you have, by the small meat packers. I am extremely sympathetic with them. I have worked with them in the State and in the Nation. But I said to them, "This has worked out very well. Why not let it go for another year and see what happens." There is not one bit less inspection today than there was a year ago. No inspection that was carried on a year ago has been stopped. In fact, the number of packing houses to give up inspection in the last year is less than in the average normal year. We said to the department which administers it—we did not say, "Do you like this?" as the gentleman from Kansas seems to think we did. We asked them, "Has this in any way changed your control of the inspection?" And the evidence presented to us not only by the department but by the packing houses was that it had not in any way changed their control of inspection.

Finally, one of the principal witnesses who was before the committee more than a year ago and fought this thing the hardest, voluntarily came before the subcommittee this year and said, "I come to tell you that although I opposed this a year ago it is working very well."

I have full sympathy for what the committee has in mind. They have been approached by the people who would like to have the inspection paid and make it easier for themselves. Nevertheless, so far as the consumer is concerned, the consumer has not been affected one whit adversely by this, and my own intention is to support the gentleman from Washington and the gentleman from Illinois and to say that I am going to vote against this bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for one additional minute that I may ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. BARRETT. The gentleman referred to the fact that the clouds of war are hanging over us today. I wish to call the gentleman's attention to the fact that the meat-inspection law was put on the books in the wake of the Spanish-American War when our soldiers were served tainted meat. The people were determined that never again should our armed forces be obliged to eat any meat that was diseased or unclean. The people demanded the enactment of the meat-inspection law and not the packing industry. It was made mandatory that no meat could be sold in interstate commerce or to the Government unless this inspection under Government employees maintained. The purple meat-inspection stamp of the Bureau of Animal Industry has been a reliable yardstick for the protection of the health of the American consumers. Certainly the people will not have the same high degree of confidence in the integrity of the quality of inspection under a system whereby the policeman who stands on guard is paid by the industry that he is supervising rather than the people. In my book the inspector that determines whether the animal that is being butchered or the conditions under which it is butchered are unhealthful or unsanitary should be working at all times not for the industry involved but for the general public. And I ask, "How can we be certain unless he is paid by the general public, for whose interests and whose interests alone he is working?"

Mr. PHILLIPS of California. The question answers itself.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. DIRKSEN. The answer to the objection of the gentleman from Wyoming is that overtime payments are already paid by the packers. If there is any significance in the argument at all that would apply now as well as any other time.

Mr. PHILLIPS of California. The gentleman should also say that it was the industry that asked for this and not the consumer.

Mr. BARRETT. Begging the gentleman's pardon, the general public asked and, in fact, demanded this legislation in the first instance and not the packing industry.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. HORAN. If that be true, then all inspection of other foods is also wrong.

Mr. PHILLIPS of California. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. PLOESER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, my interest in this thing stems from three principal thoughts: One, the fact that if we are to have meat inspection it should be on a public health service basis and that means that we should encourage all meat into interstate commerce that can be put into interstate commerce, that it should be inspected, and that there should be no inducement even to the largest packer to go out of interstate commerce by setting up individual plants in the respective States.

Second, Mr. Chairman, as it is done now it is done in great prejudice to the small packers. Maybe the gentleman from Illinois did not receive many pieces of mail from Missouri packers; but on

the other hand I do not know any particular reason why anyone in Missouri should correspond with the gentleman from Illinois on the subject. I can assuage any possible hurt by omission by turning over my files to the gentleman.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. DIRKSEN. I can only say that when they get in difficulty down there in Missouri they are very anxious to correspond with the gentleman from Illinois.

Mr. PLOESER. When they get in difficulty in Missouri they get in touch with their Congressmen from Missouri who give action, thoughtful action.

Now, I want to explain to you the difference between the small-packer situation and the large. First of all, the packer who does a business interstate, who is large, who does millions of dollars worth of business a year, is usually in position to establish plants in each of the respective States in which he chooses to do business. If and when he should do so, he could take himself out of this inspection requirement entirely. Then the safeguard to the public is gone.

There are hundreds of little packers in America. There are many of them in my great State of Missouri. There are many of them in my own district who do not slaughter a full daytime slaughter each day, yet they are assigned by the Department of Agriculture one, two, or three inspectors, whatever is necessary, to take care of the flow as it goes through for two or three hours. They are paid full time. The Department of Agriculture can determine how many inspectors shall go into that plant and by a little stretch of the imagination, which would strain no more than some stretches of imagination I have heard expressed on this floor, I can readily see where the Department of Agriculture by punitive action could even put a little packer out of business. It simply means that the little packer pays a much greater inspection fee. If this thing were to be absolutely equitable, why would not the penalty be on a per pound basis? But it is not. In the field of fish or seafood as compared with meat, the situation is not comparable. It is voluntary in the seafood field; it is not voluntary in the meat field.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from California.

Mr. PHILLIPS of California. The gentleman does not realize perhaps how very curiously he is making an argument in favor of a vote against the bill. He is discussing a condition which existed when the United States was paying for all the inspection. There were these additional inspectors and these additional inspectors are being removed under the condition which exists now.

Mr. PLOESER. Of course, if the gentleman can twist my argument that badly, I can understand why he would vote for the bill.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Washington.

Mr. HORAN. The catalogue of inequities that has been recited by the gentleman from Missouri constitutes a very good argument for recommittal of this bill and a full study of the matter by the appropriate committee, and I mean a full study. It ought to be done in all equity.

Mr. PLOESER. Obviously the gentleman's committee did not seek to give it full study this year, though many of us were pressing him on the subject. I want to compliment the Committee on Agriculture for taking this matter up and acting as it has. The other body has already acted. I think it is the duty of this body to act now.

Mr. Chairman, the third reason I am for this bill is admittedly a selfish one. One of the great industries of my State of Missouri is the independent packing business. This is an extreme penalty against that industry levied in an inequitable fashion under the guise of protection of the public health.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HALLECK. Mr. Chairman, I move to strike out the requisite number of words.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Chairman, I take this time to announce the program for next week, because many Members have been asking me about it and wondering what it would be.

I may say first that we had programed for consideration this week H. R. 2588, having to do with the use of Government-owned vehicles in the postal service. If that can be disposed of this evening, we will adjourn over until Monday. If we cannot dispose of that matter this evening we will meet tomorrow to take up that bill.

On Monday and Tuesday of next week we will start quite a program, which will include consideration of the following bills:

H. R. 6227, home rule for the District of Columbia.

H. R. 6096, having to do with alcohol plants.

H. R. 6208, on the business census.

H. R. 5645, having to do with the cigarette tax.

H. R. 6341, covering flood control.

House Joint Resolution 409, having to do with the World Health Organization.

Of course, these bills may not be called in that order, and we probably may not dispose of all of them on those first 2 days.

On Wednesday it is hoped that we can take up and dispose of the bill for the extension of the Reciprocal Trade Agreements Act.

On Thursday, the Interior Department appropriation bill.

On Friday, the Internal Revenue Code revision.

Saturday is undetermined.

Conference reports may be called at any time. Other rules may be called as found desirable to expedite the business of the House.

MEAT INSPECTION

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, a number of items have been mentioned regarding meat inspection. I believe you have overlooked a very important item. You have mentioned fish and other foodstuffs. I want you to remember the reason that there is an inspection on meat, and that is that it is not inspected after the meat has been slaughtered, but during the time it is being slaughtered that inspectors are present to detect, in hogs, tuberculosis in the glands, and again, in cattle, for tuberculosis and other contagious diseases. I point this out to show you that it is very necessary that there be inspection of the animal at the time it is being slaughtered. I know, for instance, that during the war period on numerous occasions black-market meat was sold to restaurants and hotels without any meat inspection at all. It is not a case of inspecting this meat after it goes to the butcher shop but, gentlemen, while it is being slaughtered. You take fish, for instance, they could naturally spoil, and so can meat spoil, but the purpose of proper meat inspection is at the time these animals are being slaughtered, and that is the protection our American people are entitled to.

Mr. Chairman, in the 9 western States we have 221 companies of which 131 are regular members of the operating slaughtering plants of the 9 western States. Now, the protection is for the benefit of the consumer. I have been in the fruit business and I have been in the livestock business. I know about the inspection of fruits and vegetables, because I come from an area where we produce numerous kinds of fruits and vegetables besides livestock. I know the value of inspection. But let me say to you if you want to protect your family, let us not quibble about who is going to pay the cost. Let us put the cost where it belongs, on the Federal Government, and have proper Federal inspection protect the little plants, the big plants, and at the same time protect the human beings that are going to consume this meat. I am for all types of inspection, but I particularly want meat inspection, because I think that is No. 1 on the list, to protect our American people from the disease it carries at the time the animal is slaughtered.

Mr. HOPE. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I hope there will not be a roll call on this bill, in order that the business of the House may be facilitated. But I do want to say as a Representative of a great cattle-producing area that I believe this bill is important to the welfare of the cattle industry of the country, public health, and the over-all general welfare of the Nation. I want to be on record as strongly urging the immediate passage of this legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I wish to go on record in favor of this measure. I believe it to be in the interest of the general public. When I say general public I mean, among others, the people who raise livestock for slaughter and for food, and the packing houses. I have two fine packing houses in my city, and they are very much interested in the passage of this measure. It is also in the interest of the health and well-being of the pepole who eat the products of our packing houses. When I have money enough to buy beefsteak, which is ever and anon, or lamb chops or pork chops, I want them to be from a healthy animal.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, in summarizing this matter let me say to the House that we have a meat-inspection service now that has been in operation for 9 months. It has the blessing of the Department of Agriculture. It works, and nobody has contended on this floor that it does not work. It saves the taxpayers $11,000,000 a year. It is proposed now to throw that $11,000,000 down the drain and go back and tax this against the people rather than the industry, where it properly belongs. If you want to vote for this bill that will be the result. My judgment is that this bill ought to be defeated, or at least it ought to be recommitted to the committee.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HALLECK] having assumed the chair, Mr. MCCONNELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture, pursuant to House Resolution 598, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. HORAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Does any member of the minority wish to offer a motion to recommit?

Is the gentleman from Washington opposed to the bill?

Mr. HORAN. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HORAN moves to recommit the bill to the Committee on Agriculture.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. HORAN) there were—ayes 39, noes 143.

So the motion was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING INTERSTATE COMMERCE ACT

Mr. WOLVERTON submitted a conference report and statement on the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers.

THE POSTAL SERVICE

Mr. RIZLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 590 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House and the State of the Union for the consideration of the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles. That after general debate, which shall be confined to the bill and continued not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. RIZLEY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH] and now yield myself such time as I may require.

Mr. Speaker, this resolution makes in order the bill H. R. 2588, which is a bill requiring all mails consigned to an airport from a post office or branch or from an airport to a post office or branch within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

As I understand it this bill came from the Committee on Post Office and Civil Service with the full approval of that committee and without objection by any member of that committee.

I shall not take much time. Briefly, I may say in 132 of the 1,569 cities, where Government-owned post-office motor-vehicle service has been established the operation is staffed by employees of the motor-vehicle service, presently under the jurisdiction of the Fourth Assistant Postmaster General. The purpose of this bill is to provide that in the cities where the operation of the trucks in the Government-owned motor-vehicle service is performed by employees of the Government-owned post-office motor-vehicle service, under the jurisdiction of the Fourth Assistant Postmaster General, all mails consigned to an airport from a post office or from a post office to an airport shall, as far as possible, be transported by trucks owned by the Government-owned motor-vehicle service and operated by employees of the Government-owned motor-vehicle service.

In other words, as I understand the situation, in these cities the Government has a pool of trucks that are operated by postal employees. Notwithstanding this pool of Government trucks in the postal service, contracts with private persons are being made to transport the mail from and to the airports. The Committee on Post Office and Civil Service contend that, from the hearings which they have held, money could be saved if we permitted the Government to use its own trucks to transport these mails under certain circumstances which I heretofore mentioned, for the post office to the airport and vice versa, rather than having the services performed by private contractors.

I do not know anything about the merits of this bill. It was presented by the Committee on Post Office and Civil Service. It was a unanimous report by that committee. The Rules Committee reported it unanimously, so that the Congress could pass on the questions involved in this bill.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. McDONOUGH. You say all mails must be transported by Government-owned trucks.

Mr. RIZLEY. That is right.

Mr. McDONOUGH. What about the transporting of mails by air? We have a helicopter in Los Angeles that delivers mails from the airport to the downtown post office, and it is under private contract. It is not owned by the Government.

Mr. RIZLEY. I will yield to the chairman of the committee the gentleman from Kansas [Mr. REES] to answer that question.

Mr. McDONOUGH. The bill provides that mails must be delivered by motor-truck. We use a helicopter to carry the mail from the airport to the downtown post office in Los Angeles. What are you going to do about that?

Mr. REES. You can still use it.

Mr. McDONOUGH. But the bill says "all mails."

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. REES. The bill simply says that where motor vehicles are used for carrying the mail.

Mr. RIZLEY. Yes. That seems to take care of the gentleman's question.

Mr. HINSHAW. Will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. HINSHAW. I see in the report of the committee that the Fourth Assistant Postmaster General is opposed to the passage of this bill and states that the additional cost would exceed $300,000 per annum.

Mr. RIZLEY. The Committee on Post Office and Civil Service disputes that fact, and they say that the evidence before the committee is contrary to the statement of the Postmaster General.

Mr. TABER. Will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. TABER. I know of a lot of cases where busses go out to the airport from the city and they carry the mail out with them. It is a minor item with them. They get very small fees for doing it. This will upset all that business and cost a great deal more money. It does not look like we ought to do any more foolish things. We have done one foolish thing this afternoon. Why should we keep on doing foolish things and add to the expense of the Government?

Mr. RIZLEY. That, of course, is a matter of opinion—whether we have done a foolish thing or not.

Mr. TABER. Not much.

Mr. RIZLEY. In any event, I may say to the gentleman from New York there seems to be a sharp conflict of opinion as to which is going to cost the most. I am one of those who believes in economy, whether it be dealing at home or abroad. I want it handled as cheaply as possible, and I think the gentleman from Kansas, the chairman of this committee, is for economy. His committee, who heard the evidence, has found the facts otherwise than the opinion of the distinguished gentleman from New York who did not hear the evidence. At any rate the Rules Committee wants the House to pass on the merits of the bill rather than to have the Rules Committee kill the bill and what we are doing now is presenting the rule so the bill can be considered.

I yield to the gentleman from Kansas.

Mr. REES. I just want to say in reply to the gentleman from New York that I appreciate his desire to hold down expenses in every way possible. That is exactly what we are trying to do under the provisions of this bill. We believe that not less than $75,000 or $100,000 can be saved annually if this bill is enacted into law. Furthermore, if you do not pass this bill the extra costs will go still higher. They ought to be held down in this particular case, but the intent of this bill—and I will talk about that a little later—is to reverse the trend in postal operations resulting in excessive and ever-increasing cost in the transportation of mail to and from airports. After these contracts have been let to these private carriers that are carrying the mail now they continue to increase the number of vehicles, and they continue to increase the cost, not only in number of vehicles, but additional cost per vehicle, until the cost now compared to what it was a couple of years ago is much more than it was at that time. Scarcity of vehicles was one of the excuses for hiring private concerns. Now that they are receiving 1,800 new trucks, there is no reason why they should not use them to carry the mail and thereby save the taxpayers of this country a considerable amount of money. We will be glad to explain that further when we go into the Committee of the Whole for the consideration of this bill.

Mr. RIZLEY. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

The SPEAKER pro tempore. The gentleman from Oklahoma consumed 8 minutes.

Mr. SABATH. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Illinois is recognized for 5 minutes.

Mr. SABATH. Mr. Speaker, I agree with the gentleman from New York [Mr. TABER], the chairman of the Committee on Appropriations, who actually tries at times to keep the appropriations and the expenditures of the Government down. He said the House had done a foolish thing this afternoon. That was not the only time it has done so; it does it quite often. This afternoon, however, the House made a present to the poor, unfortunate packers of this Nation of $11,000,000.

Mr. Speaker, several who have spoken in favor of the bill have stated that the enactment of the bill does not involve increased expenditures in requiring Government-owned trucks to transport mail to and from an airport within a radius of 35 miles from a city in which there has been established a Government-owned vehicle service. I presumed up to a few minutes ago, in view of the statements of the proponents of the bill, that the installation of this service would not require additional appropriations, that there would be opposition to it. However, in glancing at the report on the bill, I read a letter from the Postmaster General, Mr. J. M. Donaldson, dated May 26, 1947, in which he states the Department is opposed to the enactment of the bill, and for the very good reason that the extended delivery and pick-up service from airports would require the employment of additional carriers and personnel in the vehicle service, and would necessitate the purchase of additional motor vehicles. I quote from the Postmaster General's report:

> At the present time there are 1,569 post offices operating Government-owned vehicles, of which 132 are operated by motor vehicle employees under the jurisdiction of the Fourth Assistant Postmaster General, and the remaining 1,437 are operated by city delivery carriers. These vehicles are used only for the delivery of mail during the normal hours of the day. To require their usage for airport deliveries will necessitate the appointment of additional employees. Furthermore additional vehicles would be required.
>
> It is not possible to determine the exact cost that would result from the enactment of this measure. However, the cost would greatly exceed the cost of contract service now used at offices for airport deliveries. If the Department is required to assume this service and only 100 additional letter carriers were appointed, the cost would exceed $300,000 per annum. Added to this expenditure would be the cost for additional personnel in the motor vehicle service and in the service under the jurisdiction of the Second Assistant Postmaster General. There also would be added the cost of purchasing additional vehicles and the administrative expense that would be involved.

Mr. Speaker, in view of the Postmaster General's report I cannot reconcile the statements of the gentlemen that no additional expenditures are involved in extending this service. The majority make promises of economy to the American people, but when it comes to deeds instead of words you vote for every appropriation and increased appropriations, and while the bill before us does not call for an authorization for an appropriation, any fair-minded man will agree that the expanded service will require the employment of additional personnel and the purchase of vehicles, not mentioning the additional cost for administration.

You vote appropriations for everything, but do nothing for the deserving postal employees. For months and months they have been pleading for an increase in their pay, but you have been deaf to their pleas. I hope, however, that you will come to the conclusion that in view of the approaching election it is about time you passed some bill that may be beneficial to the country and to the people instead of just bills to benefit the vested interests such as the packers bill that you passed by such a tremendous vote a little while ago.

I shall conclude, not desiring to hold the Members here any longer because it is getting late.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Speaker, having served on the House Post Office Committee for several years it is only natural that I retain a great deal of interest in postal affairs. By the same token my experience on that fine committee has enabled me to gain a good measure of knowledge of postal problems.

Based on my experience, it is my humble opinion that the Post Office Government-owned Motor Vehicle Service is one of the most efficient branches of our splendid postal system.

Because of its high efficiency it has lowered the cost of hauling the United States mails to a point where the cost is about one-third less than what private contractors would charge to do the same type of work.

True, a lot of the postal trucks are old; but they are rapidly being replaced with new and more modern equipment and it is my opinion that the Post Office can perform the work provided for in the bill, H. R. 2588, with their own trucks at a considerable saving to the Post Office Department.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, I was very sorry to note in the program for next week failure to include bills in relation to increases of salary for the postal employees and other Federal employees, bills that have been reported out of the committee from which the pending bill comes. It seems to me they should be brought up not later than week after next if they cannot be included in the program of next week. I believe there is a very crowded program for the week. These bills ought to be brought up for the consideration of the House. I hope between now and then the Rules Committee reports a rule. If there is one group of employees who are entitled to consideration at this time it is the Federal group of employees.

These bills, having been reported by committees for an appreciable period of time, should be considered and there ought to be some indication given the employees of the Post Office Department and the other agencies of the Federal

Government of an intention to bring the bills up under the regular rules of the House by a rule reported by the Rules Committee. I do not know that the chairman of the Committee on Post Office and Civil Service has as yet applied to the Rules Committee for a rule on those two bills, but, if not, I hope he will do so at once and I hope the committee will give an early hearing to his request.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Oklahoma.

Mr. RIZLEY. I am very glad to say to the distinguished gentleman from Massachusetts that the chairman of that committee has applied for a rule and the Rules Committee is considering the matter. We have been considering a number of rules. We have disposed of, I think, about five bills here this afternoon under rules. I am sure in due time we are going to get to the legislation the gentleman is talking about.

Mr. McCORMACK. I am very glad to hear that. My remarks were made, of course, with knowledge of the difficulties of the Rules Committee, particularly at this time of the year. However, I would feel better if I could get an expression from the gentleman from Oklahoma that the Rules Committee will report a rule on these bills.

Mr. RIZLEY. I may say to the distinguished gentleman from Massachusetts that I am not chairman of the Rules Committee. I am a very minor member of the Rules Committee.

Mr. McCORMACK. I cannot agree with my friend in that statement.

Mr. RIZLEY. I just am not going to speak for the chairman of the Rules Committee. As the gentleman well knows, the chairman programs the order in which these rules are to be brought up and I am not going to speak for him as to when it will be brought up. It is being considered, I will say to the gentleman.

Mr. McCORMACK. My friend evidences that he has the mind of a good soldier. I appreciate that and I respect him for it. I would not assume for an instant that he would speak for anybody else but himself. As he voluntarily rose to make the observation he has, may I ask the gentleman from Oklahoma if he is in favor of a rule on these two bills?

Mr. RIZLEY. Of course, the gentleman is probably trying to get the gentleman from Oklahoma to declare himself in advance.

Mr. McCORMACK. Yes.

Mr. RIZLEY. I have heard my distinguished friend from Massachusetts say many times that it is not good policy to announce in advance how you are going to vote on any particular measure because there might be a lot of intervening circumstances in the meantime to change the situation. I am sure if the gentleman from Massachusetts will just retain that cool frame of mind that he usually has, in due time the bills he is talking about will be considered by the Rules Committee and the legislation considered by the House.

Mr. McCORMACK. My friend is very adroit and I recognize the logic of his adroitness.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman one additional minute. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. SABATH. May I state that as a Democratic member of the Rules Committee I am ready to vote for bringing out those bills and to grant a rule for their consideration. I am of the opinion that the majority of the Republican Members will finally come to the conclusion that the country demands this legislation.

Mr. RIZLEY. Mr. Speaker, if the gentleman will yield. I can recall that it has not been so long ago when my distinguished friend, the gentleman from Illinois [Mr. SABATH], was chairman of the Committee on Rules, and I often heard it said that he was so good natured and wanted to handle the matters in such a way no one would be offended that even when he went to Illinois, he took the bills home with him, and then when he got to a point where he could program them, that he would program the bills. I am sure the present chairman of the Committee on Rules will handle the situation in an expeditious manner.

Mr. McCORMACK. I might say in relation to the gentleman from Illinois and in relation to the gentleman from Massachusetts who is now speaking, that the last time that a pay-raise bill came out of the committee for the postal employees and for the other Federal employees, that the rule was reported out within a few days after the bill was reported out of the standing committee, and it was brought to the floor of the House immediately after the rule was adopted by the Committee on Rules, and proceeded with as soon as it possibly could be considered by the House. With all of my feeling of tolerance for my friends who are now in the majority, several weeks have gone by since the committee has reported out these two bills, and I do hope that in the very near future the Committee on Rules will report out a rule on both bills and that the leadership of the House will program them for early consideration.

Mr. RIZLEY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Speaker, this bill was on the Consent Calendar over a long period of time, and as an intermittent member of the committee on objectors, I objected to the bill repeatedly on the ground that a rule ought to be sought and the bill brought in here, where it could adequately be debated. Therefore, in appearing before the Committee on Rules I did not oppose the granting of a rule, feeling that the bill ought to be brought in and discussed on its merits.

At this point I want to say a word about the hearings that were conducted on the bill. The hearings lasted 1 hour and 50 minutes. Three Post Office officials appeared at the hearing, and all were opposed to the enactment of the bill. The Post Office Department is still opposed to the enactment of the bill. Twelve Post Office employees appeared at the hearing, and naturally, they all favored it. It means more jobs for the Post Office employees. One Congressman appeared and he was in favor of the bill; he came from Detroit. The 132 contractors who now carry the mail under contract did not appear, and I hope that in the course of the debate someone will tell us whether or not any of these private contractors who now carry airport mail were invited to appear and give their testimony.

Mr. RIZLEY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, quite obviously this bill, if it is enacted, will be vetoed by the President at the instance of the Post Office Department. It seems to me that it is a waste of our time to consider it in view of the fact that the Postmaster General is opposed to the bill. He states that if only 100 additional letter carriers are appointed, the cost will exceed $300,000 per year. Added to this expenditure would be the cost for additional personnel in the motor vehicle service and in the service under the jurisdiction of the Second Assistant Postmaster General. There would also be added the cost of purchasing additional vehicles and the administrative expense involved.

I would like to ask the chairman of the committee, my good friend, the gentleman from Kansas [Mr. REES] who appeared and said that this would save money.

Mr. REES. I will say to the gentleman that the motor-vehicle operators themselves did. The gentleman can understand this, that there will be a few more, as he suggested, employees of the postal service, but the cost of these additional employees, using the equipment that is owned by the Government, in our judgment—and when we get into the Committee of the Whole House I will be glad to explain the matter further—it will save the Government a good many thousand dollars. I have in my hand a table indicating the cost of the carrying of the mail presently by these contractors and the cost to the Government if carried by the Government itself.

Mr. HINSHAW. May I ask the gentleman where he got his statistics?

Mr. REES. Yes. These figures were computed from the post offices where these various cities are located. For example, in Oakland, in the gentleman's own State of California it costs $2.50 per trip to carry the mail, and we are spending $14,065. Under use of the Government's own motor vehicles, it is estimated by the people in the post office at Oakland it would cost $1.50 per trip, or a saving there alone of $7,410 a year. Not only that, but the contractor at Oakland, Calif., I am informed, is presently asking for more money to carry the mail. So we find that throughout the country wherever the mail is carried by contractors in a good many of the larger places they are asking for more money now than they have been getting for carrying the mail.

Mr. HINSHAW. I am inclined to agree with the gentleman, in the largest cities it is quite probable that the mail should be carried by the Post Office Department, but in the hundreds and hundreds and hundreds of small cities where the air mail amounts to only a few pounds there is no reason in the world why it should not be carried by an airport bus that goes back and forth from downtown. It would be a lot more expensive to send a truck out there with a letter carrier to carry 15 or 20 pounds of mail than it would be to let that mail be carried by some bus company operating to the airport.

Mr. REES. I am afraid the gentleman misunderstands. He talks about hundreds and hundreds of small cities being involved. There cannot be more than 132 involved in all under this legislation, places where the mail would be carried by motor vehicles under contract.

Mr. HINSHAW. As I understand the bill, wherever the airport is within 35 miles of a post office, it is now to be carried by the Post Office Department under this bill. Is that correct?

Mr. REES. There are 33 cities presently under the provisions of this bill; that is, there are 33 cities where mail is being carried under contract. There could be no more than 132 in all. That is all there could be under this measure.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from New York.

Mr. BUCK. The gentleman asked a few minutes ago about the estimates of cost for having the mail carried by the Post Office. The gentleman from Kansas said the estimates were prepared by the motor-vehicle employees, as I understood him.

Mr. HINSHAW. That is what I understand, but the Postmaster General says it will cost probably $300,000 a year more.

Mr. BUCK. Exactly.

Mr. HINSHAW. I see no advantage in the pasage of this bill as far as the Government expense is concerned. If I thought the Government were going to save money I would be for it.

Mr. YOUNGBLOOD. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Michigan.

Mr. YOUNGBLOOD. That $300,000 objection has been removed by an amendment to the bill.

Mr. HINSHAW. There is no report to that effect from the Postmaster General.

Mr. YOUNGBLOOD. I am sorry that he did not make a report, but his objection has been removed.

Mr. HINSHAW. Tell me how it was removed.

Mr. YOUNGBLOOD. I cannot find his statement at the moment, but during the course of my remarks later I will enlighten the gentleman on that.

Mr. HINSHAW. I am afraid that is merely a rewrite of the bill as it was. The bill is probably in a little better form than it originally was. But I cannot see where there is any advantage to be gained by considering this bill, if there is no removal of the objection of the Postmaster General. Consequently, the bill will unquestionably be vetoed, and the time of the Congress in considering the bill be wasted.

Mr. RIZLEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. REES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

The question was taken; and on a division (demanded by Mr. KEEFE) there were—ayes 49, noes 9.

Mr. TABER. I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. TABER. Mr. Speaker, I withdraw the point of order.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2588, with Mr. MCGREGOR in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. REES. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I regret very much after a bill has been reported out by a committee and has been granted a rule and comes to the floor of the House for consideration that some Members do not seem to be willing to permit the measure to be considered for as long as 60 minutes.

I regret very much there appears to be so much misunderstanding with respect to the intent, as well as the provisions of this proposed legislation.

I want to pay my respects to the chairman of the great House Committee on Appropriations, together with members of his committee who are making every effort possible to bring about as much economy as they can in mounting expenditures of this Government. I am sure you will agree with me that we are at least entitled to be heard.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. REES. Not at present. I will later on.

If Members of this House are opposed to this legislation, they certainly ought to vote against it. If, after you have heard the discussion and explanation of this legislation, and do not agree with me that this mail should be handled by our own postal employees, and furthermore, you do not further agree with me that the enactment of this legislation will save the taxpayers of this country a considerable amount of money, if you do not think it is good legislation, you should vote against it. I do think the bill is entitled to be considered on its merits.

I am appearing here as chairman of a committee that saw fit, by unanimous vote, to recommend this bill for passage. If you believe the committee made a mistake in bringing it to the floor, then you can tell us you think so and vote against it. But I do insist that in all fairness we are entitled to at least be heard. Personally, I think it is for the best interests of our Government that the bill be enacted into law.

The bill was carefully considered in the committee. It has the support of large groups of postal employees, and in my judgment, should have the support of the Post Office Department.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. REES. The gentleman will yield when he finishes his statement.

Mr. Chairman, it is the purpose of this legislation to reverse a trend in postal operations which is resulting in the excessive costs of transporting mail to and from airports. We are concerned in this legislation only in the transportation of mail to and from airports where the Post Office Department maintains its own motor-vehicle service. By that, I mean that not only does the Post Office Department own its own trucks but in these cities maintains a garage and its own mechanic drivers.

There are only 132 such cities where a motor-vehicle service under the direction of the Fourth Assistant Postmaster General is maintained. I mention this because you may have observed in the report on this bill, as introduced, that in the view of the Post Office Department the passage of this legislation would require a change in operations at some 1,569 post offices where the Post Office Department owns motor vehicles. This was very obviously a misunderstanding on the part of the Department. However, to clarify it, H. R. 2588 was amended by the committee so that in this bill as amended, it very specifically limits the operation of this law to the 132 cities to which I have referred.

Hearings were held on this legislation last session and at the same time these hearings were held there were only six cities where the Post Office Department maintained its own garages and motor-vehicle system that such mail was carried under contract. Even at that time an analysis of the contracts which has been entered into indicated that this was an operation costing the postal service more money than it should have cost if it was carried by their own vehicles. Today there are 33 such cities where the carrying of this mail to airports has been contracted out. You can see that this trend is resulting in more and more contracts in the face of a past history of economy in transporting this mail by Post Office Department trucks.

The Postmaster General in his report covering the year 1947 points to the operation of the motor vehicles and the motor vehicle service where they have their own maintenance as 45 cents an hour. When we add to this the average hourly rate of the mechanic drivers of $1.34 the total hourly costs of operating these vehicles is $1.79. I think it is appropriate at this point to mention that this hourly cost will be favorably affected

by the additions to the motor vehicle fleet which have been ordered and are currently being delivered. It is pointed out that some 1,800 motor vehicles are scheduled for delivery by July 1 of this year and an additional 1,480 by the end of the year.

An analysis of the 23 contracts now in existence based upon the hourly cost of operating our own motor vehicles with drivers and the estimated time for making the transfer of mail to and from airports indicates that a savings of $80,271.47 would be realized annually if this were our own operation. This is based upon a contract cost under existing contracts of $232,943.62 as compared to the same operation being performed by our own vehicles at a cost of $152,672.15.

In addition to the economies involved, I should like to point out that by letting out this particular service on contract we are scheduling the mail in many instances to coincide with the convenience of the contractor rather than the primary purpose of the postal service which is to advance the delivery of the mail. In no other of the postal services is it so important to have a proper scheduling of mail. This is particularly true since the patrons of air-mail service pay a premium for such service.

As to the question of costs, I believe the most considered and recent statement of the Postmaster General on the subject of relative cost of contract vehicles and Government-owned vehicles is contained in his annual report issued December 31, 1947. In that report, on this point, the Postmaster General has stated:

> The high cost of contract equipment—
>
> Meaning motortrucks—
>
> in comparison with the cost of Government operation is recognized. It is the intention of the Department to purchase suitable equipment, when obtainable, to replace such equipment to the extent that economies can be effected by so doing.

The committee strongly urges favorable action on this legislation and points out that the statements of the Postmaster General relating to high cost of contract equipment is even more apropos when we consider we are dealing only with those cities where we have our own vehicles and maintenance facilities already existing.

This legislation will assure that the new vehicles to which I have referred will be placed into the phase of postal operations where it will mean the greatest savings to the Post Office Department.

I wish I had the time to go through these contracts and call attention to the present cost of the contracts for carrying the mail from these airports and compare it with the cost of using our own vehicles and personnel. I would not of course support this legislation if it were not my considered judgment that we would be saving money by using our own equipment and our own personnel rather than to hire the thing done.

I understand in other cities that private carriers are presently asking for contracts. In the city of New York I am informed private carriers are trying to get contracts to take the place of our own Government-owned vehicles. The vehicles are there, the personnel is there; why not use them?

I now yield to the gentleman from Wisconsin.

Mr. KEEFE. I just wanted to ask the gentleman if he is not to have the time prescribed by the rule to debate this bill even in view of the attitude of some Members of Congress that they would like to have somebody here on the floor to listen to the gentleman, so we would know what this bill was? Because the understanding is that no vote on this bill will be had today, that it has been put over until Monday. Does not the gentleman feel that we should have somebody here to listen to the debate to know what this argument is all about?

Mr. REES. I am glad the gentleman from Wisconsin is here in the front row and is deeply interested in this particular legislation, and I appreciate his interest in it. I agree with him that the membership should be present when this or any other legislation is considered.

Mr. KEEFE. There would not have been anybody here if the action had not been taken by somebody.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from California.

Mr. HINSHAW. I am afraid the gentleman may be confusing the contract operation of carrying this mail with the contract operation of hiring a vehicle with a driver. As I understand it, most of this mail is carried in such things as busses and other vehicles that carry passengers to and from the airport, and that their carrying of the mail is purely incidental and on an hourly basis.

Mr. REES. I may say to the gentleman that if that is the fact they are charging just as much as though carrying the mail were their principal business. In Detroit, Mich., for example, they charge $9.80 a trip to carry the mail under contract and it is estimated by employees at the Detroit Post Office that using Government-owned equipment and Government employees the cost would not be over $4.50 per trip which is less then half the present cost. It may be incidental with these private operators to carry other things than mail, but that never seems to be taken into consideration, when they make those charges. It is estimated that in Detroit alone more than $7,000 annually would be saved under this bill.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BAKEWELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BAKEWELL. Mr. Chairman, the American people have come to rely on the United States mails with a very high degree of assurance. They know that when a letter is deposited in the mail it will be carried safely and expeditiously to its destination. One of the chief reasons for such confidence on the part of the American public is because of the trust which they have in the competence, reliability, and devotion to duty of the postal employees.

In recent years, the Post Office Department has undertaken to negotiate contracts with private contractors in five cities to carry the mails from main and branch post offices to the airport. This was done despite the fact that there were Government vehicles available for the purpose. By this means, the mails were taken out of the custody of postal employees and turned over to private contractors, even though Government vehicles and postal employees were available to furnish the necessary transportation. Now I do not intend to impugn the efficiency nor the integrity of any of these private contractors, but I believe—and I think that all of you gentlemen will agree with me on this—that the mails will be safer and will be more expeditiously handled if they are carried by postal employees.

St. Louis, in which is located the district which I have the honor to represent, is one of the five cities in which contracts have been negotiated with private carriers for transporting the mail from airport to post office. H. R. 2588 will prevent such contracts and will insure that the mails are handled by postal-service employees from point of origin to destination.

Another factor to be considered is that many of these private contracts have been renegotiated at a substantially increased cost—in some instances four times—over the original cost. This increasing spiral can go on indefinitely. I say that both economy and efficiency call for the passage of this bill.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, there seems to be some confusion or misunderstanding on the part of certain Members relative to the provisions of this bill which applies only to post offices that have regularly established motor-vehicle service, and there are only 132 post offices in our country which have regularly established motor-vehicle service. Of these 132 post offices that have motor-vehicle service, there are 33 which carry the mail from the post office to the airport by contract carrier instead of by using Government trucks and Government employees.

Mr. Chairman, this bill has the unanimous support of your committee. We believe it will save the Government money. Last week the Postmaster General issued his report for 1947, and on page 38 he makes this statement:

> The high cost of contract equipment in comparison with the cost of Government operation is recognized. It is the intention of the Department to purchase suitable new equipment, when obtainable, to replace such equipment to the extent that economies can be effected by so doing.

Mr. Chairman, here is what a former Postmaster General had to say about this matter:

> On October 9, 1914, the Post Office Department laid the foundation of an efficient and dependable mail transportation service to replace contract vehicle hire; during the

time the Government-owned motor-vehicle service has been in operation it has very clearly demonstrated its efficiency and proven its superiority over the more expensive method of securing vehicle equipment.

Mr. Chairman, this bill also has the support of the National Federation of Post Office Motor Vehicle Employees. Of course, the Government with its own trucks and with its own employees can carry the mail to these airports in the 132 cities cheaper than it can be done by contract carrier.

I notice one of the officials of the National Federation of Post Office Motor Vehicle Employees made the statement in its publication recently that formerly the mail to the airport in Jersey City was carried in motor vehicles owned and operated by the Government by postal employees. In Jersey City when the Government carried this mail in its own trucks, operated and manned by its own employees, it cost $8,000 a year, according to this official. Last year a contract was let to a private company for $21,000.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Tennessee. I yield to the gentleman from New York.

Mr. BUCK. Is it or is it not true that the statement the gentleman just read was written 30 years ago, or in 1918?

Mr. MURRAY of Tennessee. I do not know the date, but at that time the Postmaster General made the statement that the contract service was less efficient and more expensive than the service rendered by postal employees in Government trucks.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Tennessee. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Why are the words "shall if possible" be transported by such Government-owned motor vehicles used?

Mr. MURRAY of Tennessee. That is very clear. At this time the Government does not have sufficient new trucks to carry on the operation. It has orders in for several thousand new trucks. If in any of the 132 cities they have not available sufficient equipment to carry the mail to the airport in Government trucks, then the Postmaster General can still let a contract.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. REES. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Chairman, I think the House might like to know that the distinguished gentleman who is now the Attorney General of the State of Virginia was a Democratic member of the subcommittee that worked quite hard on this matter and brought out a favorable report on it. I refer to Judge Almond.

Mr. REES. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. MCGREGOR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles, had come to no resolution thereon.

## EXTENSION OF REMARKS

Mr. GWINN of New York and Mr. BLACKNEY asked and were given permission to extend their remarks in the RECORD.

Mr. JENISON asked and was given permission to extend his remarks in the RECORD and include an address by Hon. C. WAYLAND BROOKS.

Mr. MCCORMACK asked and was given permission to extend his remarks in the RECORD.

Mr. HULL asked and was given permission to extend his remarks in the RECORD and include a letter.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PACE, for May 21 and May 24, on account of urgent business.

## ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

## CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians;

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams; and

S. 2077. An act to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.

## ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 23 minutes p. m.) the House, under its previous order, adjourned until Monday, May 24, 1948, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1566. A letter from the Secretary of the Navy, transmitting a report of proposed transfers from the Navy Department; to the Committee on Armed Services.

1567. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 8, 1947, submitting a report, together with accompanying papers and an illustration, on a review of reports on Fernandina Harbor, Fla., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on February 6, 1945 (H. Doc. No. 662); to the Committee on Public Works and ordered to be printed, with one illustration.

1568. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 2, 1945, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Hellens Creek, Calvert County, Md., authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 663); to the Committee on Public Works and ordered to be printed, with one illustration.

1569. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 22, 1947, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Mattapoisett Harbor, Mass., authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 664); to the Committee on Public Works and ordered to be printed, with an illustration.

1570. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated January 28, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on Jamaica Bay, N. Y., with a view to dredging and improving a channel in Mott Basin. Requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on February 1, 1946 (H. Doc. No. 665); to the Committee on Public Works and ordered to be printed, with one illustration.

1571. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 11, 1947, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Eightmile River, Conn., authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 666); to the Committee on Public Works and ordered to be printed, with one illustration.

1572. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated February 19, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on Stonington Harbor, Conn., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on September 25, 1945 (H. Doc. No. 667); to the Committee on Public Works and ordered to be printed, with one illustration.

1573. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 23, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on Port Wing Harbor, Wis., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on February 1, 1946 (H. Doc. No. 668); to the Committee on

Public Works and ordered to be printed, with one illustration.

1574. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 2, 1946, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of South Platte River and its tributaries, Colorado, Wyoming, and Nebraska, authorized by the Flood Control Act approved on August 11, 1939 (H. Doc. No. 669); to the Committee on Public Works and ordered to be printed, with two illustrations.

1575. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated February 12, 1948, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Governors Run, Calvert County, Md., with a view to providing a harbor for small boats, authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 670); to the Committee on Public Works and ordered to be printed, with one illustration.

1576. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated January 21, 1948, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of St. Patricks Creek, Md., authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 671); to the Committee on Public Works and ordered to be printed, with one illustration.

1577. A communication from the President of the United States, transmitting a draft of a proposed provision for the fiscal year 1949 pertaining to the National Security Resources Board (H. Doc. No. 672); to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REED of Illinois: Committee on the Judiciary. House Joint Resolution 378. Joint resolution to limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, 366 of the Revised Statutes, and certain other provisions of law; without amendment (Rept. No. 1997). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHAFER: Committee on Armed Services. H. R. 6098. A bill to promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes; with amendments (Rept. No. 1998). Referred to the Committee of the Whole House on the State of the Union.

Mr. JUDD: Committee on Foreign Affairs. House Joint Resolution 409. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; without amendment (Rept. No. 1999). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 602. Resolution providing for consideration of House Joint Resolution 409, joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; without amendment (Rept. No. 2000). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 603. Resolution providing for the waiving of all points of order against H. R. 6227, a bill to provide for home rule and reorganization in the District of Columbia; without amendment (Rept. No. 2001). Referred to the House Calendar.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 2002. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. S. 263. An act to provide for the carrying of mail on star routes, and for other purposes; with an amendment (Rept. No. 2003). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA: Committee on Interstate and Foreign Commerce. H. R. 3734. A bill to protect consumers, retailers, distributors, manufacturers, dealers, and producers from misnaming, misbranding, improper identification, and deceptive or misleading advertising of fur products and articles made in part or in whole from fur, and for other purposes; with amendments (Rept. No. 2004). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EBERHARTER:

H. R. 6632. A bill to amend the Internal Revenue Code to authorize the use of a meter certificate in lieu of tax stamps in certain cases, and for other purposes; to the Committee on Ways and Means.

By Mr. FLETCHER:

H. R. 6633. A bill to authorize an exchange of lands and interests therein between the city of San Diego, Calif., and the United States, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN of Georgia:

H. R. 6634. A bill to authorize the issuance of a special series of stamps in honor and commemoration of Miss Moina Michael, originator of Flanders Field memorial poppy idea; to the Committee on Post Office and Civil Service.

By Mr. MITCHELL:

H. R. 6635. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRETT:

H. R. 6636. A bill to amend the Social Security Act to lower the age requirements for old-age assistance from 65 to 62 years and to provide for increased Federal contributions to the States for old-age assistance and for aid to the blind; to the Committee on Ways and Means.

By Mr. DIRKSEN:

H. R. 6637. A bill to amend the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906; to the Committee on the District of Columbia.

By Mr. DOMENGEAUX:

H. R. 6638. A bill providing direct Federal old-age assistance at the rate of $60 per month to citizens 60 years of age or over; to the Committee on Ways and Means.

By Mr. KERSTEN of Wisconsin:

H. R. 6639. A bill to provide for the admission to the United States of certain persons who served in the Polish Army, and for other purposes; to the Committee on the Judiciary.

H. R. 6640. A bill to authorize the United States during an emergency period to undertake its fair share in the resettlement of displaced persons and expellees by permitting their admission into the United States; to the Committee on the Judiciary.

By Mr. MILLS:

H. R. 6641. A bill to amend the Civil Service Retirement Act of May 29, 1930, to provide annuities for certain surviving spouses of annuitants retired prior to April 1, 1948; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON:

H. R. 6642. A bill to authorize grants to enable local school agencies overburdened with war-incurred or defense-incurred school enrollments to increase school facilities; to the Committee on Education and Labor.

By Mr. CURTIS:

H. R. 6643. A bill to repeal the tax on toilet preparations and certain war-tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. BARRETT:

H. Res. 604. A resolution creating a select committee to investigate the administration of public lands for grazing purposes; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LESINSKI:

H. R. 6644. A bill for the relief of Carmelo Paterna; to the Committee on the Judiciary.

By Mr. McGREGOR:

H. R. 6645. A bill for the relief of Evangelos Petro Zielkas; to the Committee on the Judiciary.

By Mr. PLOESER:

H. R. 6646. A bill for the relief of Leroy C. Schmahlenberger; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1973. By Mr. ELSTON: Petition of Miss Helen O. Lucas and 23 other residents of Cincinnati, Ohio, urging passage of H. R. 6397, a bill to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

1974. By Mr. McCULLOCH: Petition of Rev. W. H. Lahr and 11 other persons from the Heidelberg Reformed Church, Lima, Ohio, opposing the enactment of legislation providing for universal military training; to the Committee on Armed Services.

1975. By the SPEAKER: Petition of Selsa Berhantz and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1976. By Mr. McCULLOCH: Petition of F. B. Phenegar and 77 other persons from Troy, West Milton, and Casstown, Ohio, urging revision of the Social Security Act so that eligible persons will receive a minimum of $60 per month; to the Committee on Ways and Means.

1977. By the SPEAKER: Petition of M. Weinbaum, editor in chief, Novoye Russkoye Slovo, and others, petitioning consideration of their resolution on behalf of displaced persons in the camps of Europe; to the Committee on the Judiciary.

1978. Also, petition of C. O. Peterson and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1979. Also, petition of Philip Perlmutter and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1980. Also, petition of I. Zola and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1981. Also, petition of Philip Hoggard and others, petitioning consideration of their

resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1982. Also, petition of Miriam Hammel and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1983. Also, petition of Buddy Hays, Orlando, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

# SENATE

## FRIDAY, MAY 21, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, in this moment of prayer, we are again beseeching Thee to bestow upon us the blessings of wisdom, strength, faith, and lofty aspiration.

May wisdom be transformed into guidance, strength into service, faith into sight, and aspiration into achievement as we seek to respond to the high vocation of being the prophets of a new day and the builders of a better world.

Grant that our creed, character, conscience, and conduct may always be in cordial and consistent agreement.

May we yield ourselves without compromise to the moral and spiritual disciplines as we strive to authenticate the reality and value of the ideals and principles of our blessed Lord.

Hear us in His name. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 20, 1948, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed without amendment the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture.

The message also announced that the House had passed the bill (S. 1006) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation, with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1676) to authorize the Secretary of War to proceed with construction at military installations, and for other purposes, with amendments; that the House insisted upon its amendments to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BATES of Massachusetts, Mr. ARENDS, Mr. COLE of New York, Mr. BROOKS, and Mr. SASSCER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 129) providing for a joint committee composed of members of the Senate and House Public Lands Committees to make an investigation of our island possessions in the Pacific and trust territories and report back recommendations for legislation providing for civil government, in which it requested the concurrence of the Senate.

### INVESTIGATION OF THE CHARACTER AND LOYALTY OF OFFICIALS OF ATOMIC ENERGY COMMISSION—VETO MESSAGE (S. DOC. NO. 157)

The PRESIDENT pro tempore. The matter before the Senate is the reconsideration of Senate bill 1004, amending the Atomic Energy Act of 1946, returned by the President without approval. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Under the order of the Senate of yesterday, the vote on this question will be taken at 3:30 o'clock today, and the intervening time will be equally divided between those in favor of sustaining the veto and those opposing, controlled, respectively, by the Senator from Connecticut [Mr. MCMAHON] and the Senator from California [Mr. KNOWLAND].

Mr. WHERRY. Mr. President, I suggest to the distinguished Senator from California [Mr. KNOWLAND] and the distinguished Senator from Connecticut [Mr. MCMAHON] that a quorum call be had, and that the time be charged equally to the proponents and opponents of the veto.

Mr. KNOWLAND. That is agreeable, Mr. President.

Mr. MCMAHON. Mr. President, I agree also.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Millikin |
| Baldwin | George | Moore |
| Ball | Green | Morse |
| Barkley | Gurney | O'Conor |
| Brewster | Hatch | Pepper |
| Bricker | Hayden | Reed |
| Bridges | Hickenlooper | Revercomb |
| Brooks | Hill | Robertson, Va. |
| Buck | Hoey | Russell |
| Butler | Holland | Saltonstall |
| Byrd | Ives | Sparkman |
| Cain | Johnson, Colo. | Stennis |
| Capehart | Johnston, S. C. | Stewart |
| Capper | Kem | Thomas, Okla. |
| Chavez | Kilgore | Thomas, Utah |
| Connally | Knowland | Thye |
| Cooper | Langer | Tobey |
| Cordon | Lodge | Tydings |
| Donnell | Lucas | Umstead |
| Downey | McClellan | Vandenberg |
| Dworshak | McFarland | Wherry |
| Eastland | McGrath | White |
| Ecton | McKellar | Williams |
| Ellender | McMahon | Wilson |
| Ferguson | Magnuson | Young |
| Flanders | Malone | |

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the senior Senior from New Jersey [Mr. HAWKES], the Senator from Indiana [Mr. JENNER], the Senator from Wisconsin [Mr. MCCARTHY], the junior Senator from New Jersey [Mr. SMITH], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] is absent on official state business.

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

Mr. LUCAS. I announce that the Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. KNOWLAND obtained the floor.

### COUNTING THE ELECTORAL VOTE

Mr. LODGE. Mr. President, will the Senator from California yield to me for an insertion in the RECORD?

Mr. KNOWLAND. Mr. President, I will yield for that purpose, but I ask that Senators restrain themselves, because we are operating under a limitation of time.

Mr. LODGE. I merely wished to say that this fall millions of American citizens will go to the polls to elect a President. In the States which the Democrats will carry, the Republican votes are not only not going to be counted, they are going to be credited to the Democrats. And in the States which the Republicans will carry, all the Democratic votes are not only not going to be counted, they will actually be credited to the Republicans.

To correct that misappropriation of the votes of the American people I sponsored a joint resolution, Senate Joint Resolution 200, which provides that the electoral votes shall be counted in proportion to the popular vote.

Two comprehensive and illuminating articles on this subject have been written by Chalmers M. Roberts and published in the Washington Evening Star of May 18 and 19, 1948. They throw so much light on this constructive reform that I ask that they be printed in the RECORD at this point as a part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of May 18, 1948]

"CHANGING OUR ELECTION SYSTEM—PROPOSED CONSTITUTIONAL AMENDMENT WOULD ABOLISH SOME HARMFUL ODDITIES OF THE ELECTORAL COLLEGE"

(By Chalmers M. Roberts)

(First of two articles)

Congress has an opportunity, before it adjourns for the Presidential campaign to offer the States a new constitutional amendment to make sure the 1948 election will be the last under the present electoral college system.

The amendment, recently approved by both the Senate and House Judiciary Committees, resolves around these two key sentences:

"The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States."

The amendment makes the qualifications of voters for President the same as for the most numerous branch of the State legislature in each State. Otherwise, each State is in control of its own rules on voting eligibility.

Election day will continue, unless Congress changes it, to be the first Monday in November.

Each State will continue to have electoral votes figured on the same basis—the total number of Senators and Representatives the State has in Washington.

Forty-five days after the election, or as Congress otherwise determines, each State's official custodian of election returns must send the President of the Senate in Washington distinct lists of all persons for whom votes were cast for President and the number of votes for each as well as the total number of votes cast in the State. The Senate's President then will open the returns before a joint session of Congress.

PROPORTION OF POPULAR VOTES CONSIDERED

Each Presidential candidate will receive such proportion of the electoral votes of each State as he received of the total vote cast in that State. The division will be carried out to the third decimal point unless a more detailed calculation would change the result of the election.

The candidate with the greatest number of electoral votes shall be President. If two or more candidates end in a tie, which is hardly likely with the vote divided down to one one-thousandth, the candidate with the greatest number of popular votes, added on a Nation-wide basis, is elected.

The Vice President is elected in the same way. No persons constitutionally ineligible for the job of President can be eligible for Vice President.

The amendment was offered in the Senate by a Republican, Senator LODGE, of Massachusetts, and in the House by a Democrat, Representative GOSSETT, of Texas. For many years the late Senator Norris, of Nebraska, sought to write such an election change into the Constitution.

The amendment's sponsors feel there is even more need today for the reform, agreed to long ago by political scientists. They point, for one thing, to the recent action of Alabama voters in naming a slate of Presidential electors pledged not to cast the State's electoral vote for President Truman, if he is the Democratic nominee. Under the new amendment the voters could vote directly for any other candidate.

Mr. GOSSETT refers to the present electoral college system as "a hocus-pocus method" of naming our Chief Executive. He says:

WE NOW VOTE FOR ELECTORS

"We vote (under the present system) for electors, who in turn, through a dubious, confused, and technical procedure, vote for one of the candidates for President. The candidate who received the greatest number of popular votes in a particular State gets all of the electoral votes of that particular State, each State having a number of electoral votes equal to the number of its Members of Congress. If no candidate gets a majority of the electoral votes of the Nation the issue is then thrown into the Congress to be decided among the three high candidates."

It is because we now vote for electors, rather than the Presidential candidate himself, that the current Alabama situation can arise. Efforts in the same direction were made in 1944 among anti-Roosevelt southerners, though the electors, in the end, did cast their votes for FDR.

Under the Lodge-Gossett amendment there would be no electors. The voters would choose among Presidential candidates directly without any intervening group. Each State's electoral vote would be divided according to the popular vote and not cast in a bloc.

This is what its sponsors claim the amendment would accomplish:

1. End the possibility that another President could reach the White House with less popular votes than his chief opponent. This has happened three times in our history—Adams had less than Jackson in 1824, Hayes had less than Tilden in 1876, and Harrison less than Cleveland in 1888. The winner won by carrying the big States.

TWO-PARTY SYSTEM IN THE SOUTH

2. Open the now Democratic solid South to the two-party system by making it worth while for the Republicans to campaign in every one of the 11 States. In 1944, for example, instead of Roosevelt getting all 127 electoral votes of the 11 States, Dewey would have won about 28 to Roosevelt's 99, disregarding the fractions. On the other hand, the Democrats would have obtained 3⅔ of the 8 votes of Maine and Vermont, instead of none. The "what's-the-use" voter would go to the polls instead of staying home.

3. End the out-of-proportion influence of the third party which thrives on its ability to swing a doubtful State—as Henry Wallace in New York—from one party to another. It likewise would diminish the power of minority pressure groups, political, racial, or religious, for whose support both major parties now angle every 4 years. On the other hand, a third party would have a chance to build into a major party strictly on its ability to get the votes.

4. End the business of doubtful States and safe States in Presidential elections. Every State would be a battleground, not just half a dozen pivotal States. Candidates would campaign all over the Nation, not just in key sections. Sectionalism would be largely destroyed.

5. End the custom of choosing candidates from the pivotal States. Of the last 10 Presidents, 6 have come either from New York or Ohio. Under the amendment, a good man from any State would have a better chance for nomination because there would not be the political scheming to carry certain States. Every State would be a battleground for votes.

All this would come about, Senator LODGE and Mr. GOSSETT say, if the electoral votes in each State are divided according to the division of the popular vote.

Why keep the electoral vote system at all? Why not just a straight popular vote for President on a Nation-wide basis? The answer to this question is the matter of States' rights. It will be discussed tomorrow.

---

[From the Washington Evening Star of May 19, 1948]

CHANGING OUR ELECTIVE SYSTEM—PROPOSED AMENDMENT WOULD ELIMINATE PRESENT PRACTICE OF POLITICAL BIDDING FOR MINORITY GROUPS

(By Chalmers M. Roberts)

(Second of two articles)

If the Lodge-Gossett amendment to the Constitution, to end the electoral college system of naming the President, is adopted, the favoritism now shown the small States of the Union will nonetheless be preserved.

That favoritism comes about through the manner in which a State is assigned its electoral vote. Each State has Members in the House of Representatives in accordance with its population, no State having less than one. To this each State adds two electoral votes, representing the two Members each has in the Senate.

Thus our least populous State, Nevada, now has three electoral votes for its one Representative and two Senators. New York, most populous, has 47 for 45 Representatives and two Senators. Therefore in Nevada one electoral vote represents just under 37,000 persons while in New York one electoral vote represents just under 76,000 persons. To capture an electoral vote in New York, then, takes more than twice as many popular votes, all other things being equal.

This bonus system for the small States, part of the original deal in setting up our Constitution and solving the large versus small State controversy, is still maintained under the proposed Lodge-Gossett amendment.

The difference is that to get all of Nevada's 3 or New York's 47 electoral votes a Presidential candidate also would have to get all of the popular votes in either State.

EXAMPLE IN 1944 ELECTION

The 1944 election returns from New York State form a good example:

Roosevelt received 3,304,238 votes to 2,987,647 for Dewey. Under the electoral-college winner-take-all system, all 47 of New York's electoral votes went to F. D. R.

What would have happened if the Lodge-Gossett amendment had been in effect in 1944?

Roosevelt and Dewey would have divided the New York State electoral vote just as they divided the popular vote. (The fact that a big chunk of the Roosevelt vote was registered under the American Labor and Liberal Party banners would make no difference.) The division, figured to the third decimal point, as called for in the amendment, would have been Roosevelt 24.584, Dewey 22.229.

In Nevada the division of the three electoral votes would have been Roosevelt 1.638, Dewey 1.361.

Nationally, the totals, eliminating the fractions, would have been Roosevelt 300, Dewey 223. As they actually were counted, the electoral votes were divided, 432 for Roosevelt and 99 for Dewey. Roosevelt would have been elected, of course, under either system, assuming the same number of votes were cast in each State.

But the story in New York has not always been that simple.

In 1884, when Grover Cleveland was opposing James G. Blaine, Cleveland received 563,084 votes in New York State to 562,001 for Blaine, a difference of only 1,083 votes. A change of less than 600, therefore, would have thrown New York's entire electoral vote to Blaine. Because everything in that election depended on New York's electoral vote, Blaine, instead of Cleveland, would have been elected President.

The House Judiciary Committee report on the Gossett amendment (identical to the one sponsored by Senator LODGE) comments in these words:

"Should a similar situation again arise, as well it might, the Communist Party in the State of New York alone could determine who was to be President of the United States."

The comment on the possible influence of the Communists is particularly pertinent in the light of the 1948 election. It is a fact that the Communists are backing Henry A. Wallace and that they have quite a large number of voters in New York State who will vote for Mr. Wallace.

POSSIBILITIES IN BALANCE OF POWER

It may be that the Republican candidate will run so far ahead of the Democratic candidate that the Wallace vote will make no difference in that State. But it also may be that the Republican will run so little ahead of the Democrat that the Wallace third party vote will be the factor that gives New York's 47 electoral votes to the Republican. And, further, it may be that the popular vote is so close that the Communist vote alone

among the third-party voters will be the margin by which the State goes Republican.

And, of course, New York may be the margin by which the Nation goes Republican.

This business of the minority vote in key States—Communist or any other type—is best described in the House committee report:

"The electoral-college system places unreasonable and unconscionable burdens and temptations upon a Presidential candidate and upon a President elected by it. Political expediency, if not political necessity, compels a Presidential candidate to woo and often to kowtow to the organized minority votes in the big pivotal States.

"These votes are often, in effect, up for sale to the highest bidder, an overweening temptation for political corruption. The political strategists in his party are constantly urging a President to extend undue favors and consideration to these politically potent groups to whom he probably owes his election. No President should be subjected to such pressure or to such temptation. The proposed amendment would obviate this evil."

Those are the words of the House committee report unanimously approved by both Republicans and Democrats.

A BID FOR MINORITY VOTES?

Mr. GOSSETT gets down to the point the committee makes by looking at the 1944 political platforms. He notes that both parties wrote in fair employment practices planks which, as a Texan, he deplores. He adds that the platform makers "of both parties will tell you frankly, off the record, that this was done as a bid for the Negro vote."

A second minority group, which both parties wooed, he says, was "the radical labor wing of organized labor." He says both parties "pussy-footed the labor question because of organized labor's power through the electoral college."

Finally, he makes the point that both parties appealed to the Jewish vote in New York by pledges on the Palestine issue. Many Members of Congress will agree that the erratic American polic on this issue stems from rival political maneuvers designed more to catch votes than to solve the problem itself.

Remove the overbalanced power of all minority groups, the Lodge-Gossett amendment backers say, and we will be rid of the pressure to knuckle under to any minority. We will, in effect, be a more democratic Nation in the conduct of our Government.

The House report sums up the problem in these well-chosen words:

"The greatest and most important office in the world is that of the President of the United States. The method through which we elect a President should be fair, honest, accurate, certain, and democratic.

"Our present system is not fair, honest, accurate, certain, or democratic. The proposed amendment would substantially meet the test of fairness, honesty, accuracy, certainty, and democracy."

## INVESTIGATION OF THE CHARACTER AND LOYALTY OF OFFICIALS OF ATOMIC ENERGY COMMISSION—VETO MESSAGE (S. DOC. NO. 157)

The Senate resumed reconsideration of the bill (S. 1004) to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate Members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act.

The PRESIDENT pro tempore. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. KNOWLAND. Mr. President, I yield one-half hour of the time of those favoring the overriding of the veto to the Senator from Iowa [Mr. HICKENLOOPER].

Mr. HICKENLOOPER. Mr. President, at the conclusion of the debate yesterday I had been able to get about half through a prepared statement which I wished to make, and I shall continue with that this morning.

At the conclusion of the debate yesterday we were discussing certain paragraphs in the case of Marbury against Madison. I had referred to the one paragraph in that celebrated case which the President quoted in his veto message, and had called attention to and quoted two succeeding paragraphs in that case which are apropos to this issue, and which were not quoted in the President's veto message.

There can be no doubt that in Marbury against Madison, Chief Justice Marshall drew a sharp and clear distinction between the control of the discretionary use by the President of executive agencies and officials by the President, on the one hand, and the unquestioned right of the Congress, on the other to "impose on that officer other duties."

The President continues with his objections and states that in addition to the question of constitutionality the bill is "unnecessary and unwise." Quoting further from the President's message:

It would authorize the Senate members of the joint committee to utilize a bureau of an executive department and direct its head to perform functions for the legislative branch at the same time that it was performing similar functions as a part of the executive branch, with the possibility of confusion and misunderstanding as to which branch controls.

I invite the attention of Senators to that language, and ask that they read it and reread it.

The failure of this argument, too, should be immediately apparent. From a practical standpoint the Bureau is, of course, equipped to do this kind of a job and it would in no way confuse its other operations for the President in such other fields of activity as he might direct for his own use.

Again may I illustrate by pointing out that the Atomic Energy Act requires the FBI to investigate and report on employees of the Atomic Energy Commission and its contractors, not at the direction or under the control of the President, but by direction of law. These reports extend to thousands of cases. There are some 50,000 employees who will come under the investigative area of the FBI. Not one of the reports in one of those cases is to be made to the President, nor is the investigation to be made at the direction of the President. The investigation is to be made at the direction of law, and the reports are to be made to the Commission, not to the President. This action does not create "confusion or misunderstanding as to which branch controls." The President raised no objection whatsoever to this provision of law, and in fact approved it.

May I point out, also, that the Atomic Energy Act gives certain broad powers to the Joint Committee on Atomic Energy, as follows:

The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

Certainly, this extends the power of the joint committee throughout the executive branch of Government, and beyond any question includes the services, information, facilities, and personnel of the FBI. The President raised no objection to this provision of law, and in fact approved it. The exercise of this power by the joint committee of the Congress has created no misunderstanding or confusion.

May I point out, in addition, that every one of the 16 employees of the staff of the Joint Committee on Atomic Energy has received a full investigation by the FBI at the request and direction of the joint committee, and no objection whatsoever was raised by the President or anyone else to those proceedings, and no "confusion or misunderstanding" arose in the exercise of this perfectly proper action.

At this point I wish to call the attention of the Senate to another situation in which affirmative action, if you please, is directed and received. Under the Immigration Act of 1917, as amended December 8, 1942, in cases where the deportation of aliens has been suspended, the act requires that if after the report of the case and during the next session of the Congress, the two Houses resolve that the Congress does not favor such suspension, then—and here I quote the language of the law—

The Attorney General shall therefore deport such alien in the manner provided by law.

Thereby placing in Congress the right to control and direct the action not of a subordinate agent of the Government but of the Attorney General, who is a member of the President's Cabinet; and the President raises no objection to that directive provision of the law.

In the next to the last paragraph of the President's objections the President states:

I fully recognize my obligation in exercising my constitutional duty of appointment to obtain the facts about any person nominated to serve as a member of the Atomic Energy Commission. Every facility of the executive branch, including the Federal Bureau of Investigation, will be used to obtain those facts. I am entitled to have placed before me all relevant information, including material which in the public interest should be maintained on a highly confidential basis.

It might be well to observe at this point that the Senate section of the joint committee is also fully aware of its obligations in connection with the constitutional duty of advice and consent in these appointments, and that it has an obligation to obtain the facts and to have placed before it all relevant information, including material which in the public interest should be maintained on a highly confidential basis. The President states in that paragraph that "every facility of the executive branch, including the Federal Bureau of Investigation, will be used to obtain those facts."

The history of appointments heretofore made indicates that such facilities were not completely used by the President in the past, and that "every facility of" the Federal Bureau of Investigation was not utilized by the President in connection with the nominations submitted last year. In addition, and because reasonable minds might differ, the Senate committee is entitled to, and by right should have, such original information before it as may be available and as may be properly developed, so that it can, within its own judgment, evaluate such information, rather than be called upon to accept the assumptions and conclusions of either the executive branch or others.

With the utmost respect for the President of the United States and the prerogatives of his office, it is only fair to say that evaluation which he might place upon certain evidence would not necessarily be the evaluation placed thereon by the committee of Congress whose duty it is to act equally in the public interest.

The last paragraph of the President's message concludes with a statement that the law is impractical because it might present some difficulties in its application. Mr. President, it is a principle as old as our system of law itself that difficulty of compliance with the law is no excuse for the avoidance of its provisions or for the discarding of its requirements.

It seems improbable, however, that information would be less available regarding appointees after their nominations than before, and, in fact, it is equally probable that information might be more readily obtained when a nomination has been made.

In any event, if the President feels that this is a stumbling block or a hampering provision, there is no reason whatsoever why he cannot, upon his own motion and with a desire to cooperate with the Senate committee, have such investigation made in secrecy prior to appointment, in the atmosphere in which he believes the most accurate information can be developed, and after having acquired this information, submit it or make it available to the committee whose duty it is to investigate and advise the Senate.

The President further states in his message:

> This information is frequently of a category which cannot be made public without damage to the national interest.

Mr. President, I wish to repeat that peculiar statement, as contained in the President's message. I quote it again. The President says:

> This information is frequently of a category which cannot be made public without damage to the national interest.

It is unthinkable that the President would send nominations for advice and consent of the Senate in cases where information existed with respect thereto which would be damaging to the national interest. If such a situation ever occurs, the very national interest itself demands that full disclosure and information thereon be available to the committee.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. HICKENLOOPER. I yield for a question, although I should like to complete this statement.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to make this point: In making an investigation they might find in the record something which they would not wish to give out to the world, something pertaining to the very thing we are discussing at the present time; and it might be very injurious to the welfare of those of us here in the United States if such information were given out to the world. Is not that true?

Mr. HICKENLOOPER. I call the attention of the Senator to the fact that this law in no way requires the making public of this information. This law does not provide for the making public of any of this information.

Mr. JOHNSTON of South Carolina. But is it not true that if we had the investigation made, probably everything found in the course of the investigation would be made public?

Mr. HICKENLOOPER. No, Mr. President, not at all. I shall touch on that in a moment if the Senator will bear with me.

The bill (S. 1004) does not require that the information adduced under its provisions be made public and the fact of the acquisition of such information by the Senate section of the Joint Committee does not necessarily mean that such information will be made public. However, conclusions based upon information which indicate the impropriety of advising and consenting to an appointment by the President are most certainly potent and vital factors in the advice which an investigating committee must give, solemnly and reliably, to the Senate.

The President states, in the concluding paragraph of his veto message, as follows:

> Although I have no desire to keep from Congress information which it should properly have.

I call the Senate's attention to the paternalism of this statement. It is evident. In effect the President is saying that the Congress and its properly constituted committees have neither the capacity nor the ability to evaluate and pass upon the pertinence or the propriety of information and its effect upon the discharge of their responsibilities.

Now, Mr. President, if I may have the attention of the Senator from South Carolina, I want to touch on the very point he raised. I ask him to bear in mind that this bill does not make the investigation public. It puts the investigation results in the hands of the Senate Section of the Joint Committee on Atomic Energy. If the Senator will bear that in mind in connection with the next statement, I shall appreciate it.

I call to the attention of my colleagues that the Members of the Senate section of the Atomic Energy Committee to whom this authority is to be granted under S. 1004, are members of the Joint Committee on Atomic Energy created by the Atomic Energy Act of 1946. The duties of that committee require continuous studies of the atomic energy program, and the act requires the submission to the joint committee of continuous, full information from the Commission. To the members of this committee there continually comes the most vital information. The committee is entrusted with responsibilities in connection with national security that have never been exceeded in the history of our country. There has never been an allegation nor a scintilla of evidence that the security maintained by this committee has been breached. The integrity and the inviolate preservation of vital information on the part of members of the Senate section of the committee as well as members from the House of Representatives has not been exceeded in degree, in any governmental operation, past or present.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSTON of South Carolina. I do not want the Senator to think that I am making any insinuations in regard to the committee or what they may do—that is, the committee as presently constituted. But this committee will not be the same committee forever. As this committee goes out and other members come into the committee, does the Senator think there is a possibility or probability of some member of the committee from the Senate discussing with Members of the House things that may have been disclosed to the committee? And does the Senator think that that House Member might talk to someone outside, and perhaps let the cat out of the bag, so to speak?

Mr. HICKENLOOPER. Mr. President, I may say to the Senator that I share with him a genuine concern that incidents of that kind shall not happen, and I may say to him that an incident of that kind has not happened. But I may say further to the Senator from South Carolina that when $3,000, $4,000, and $5,000 clerks in the Government service have access to and custody of this information, I believe Members of the Senate of the United States and of the House of Representatives can be trusted with it, in the public interest.

Mr. JOHNSTON of South Carolina. Mr. President, that is the danger, as I see it. The clerks of Members will also read what is contained in the FBI reports.

Mr. HICKENLOOPER. Mr. President, the Senator misunderstood me. In the executive agencies of the Government, clerks in the lower echelons have control and custody of these files and they can be trusted as a rule with the information. Certainly I think that if they can be trusted with it, Members of the Senate, and especially committees assuming solemn responsibilities, can be entrusted with the information. That is true either of the committee as presently constituted or of those who shall succeed the present members of the committee.

Mr. JOHNSTON of South Carolina. Mr. President, that danger is to be faced, but I would suggest also that the clerks

of whom the Senator speaks can be disciplined just a little bit in case they expose any confidential matter.

Mr. HICKENLOOPER. I think, Mr. President, that the bar of public opinion will discipline any other person who might undertake to claim immunity in the event he elected to divulge matters which, in the public interest, should not be made public.

Mr. President, I do not disparage clerks. When I mentioned the salary, I did not mean to disparage their operations. We have many faithful clerks and many faithful employees in the Government service. But when persons who operate in the Government at the echelon and on the pay scale of from $3,000 to $5,000 a year can be given custody and can maintain secrecy, maintaining it in many instances inviolate, it seems to me that a duly constituted committee of the Senate or of the House, bearing in mind the responsibilities and magnitude of this operation and the things involved, may be fully trusted to maintain the secrecy of the information in the public interest. The joint committee has done it. I cannot speak for those who may follow hereafter, but I can speak for the type of persons who are bound to follow, and who will sit in this body, or in the body across the hall, and I think that the average standard of American representation in these two bodies is the greatest protection against the indiscriminate or willy-nilly dispersal of this information.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Nevada.

Mr. MALONE. The Senator is fully familiar—since a great point has been made that the Senate should not be allowed to call for information—with the fact that the Army engineers, under a Cabinet officer are directed through resolutions of this body to make investigations and to furnish information which the Members of the Senate do not now have, and to bring to the committees of Congress reports, upon which those committees may act.

Mr. HICKENLOOPER. I thank the Senator from Nevada. I am aware of that, but I did not have it in mind. I thank the Senator for bringing it to my attention. That is another example, in addition to that of immigration, which is a specific instance, in an affirmative direction, of assistance given by an executive agency to the Congress.

I conclude the formal part of my statement, Mr. President, by merely saying that I believe the Senate committee can be fully trusted not only to receive such information but to exercise its sound discretion in the public interest in connection with either the disclosure or the preservation of that information.

Mr. President, in the public interest, in the interest of fair examination of appointments to a commission which has the highest degree of responsibility and the greatest latitude of power ever to be lodged in a commission in the history of this country, and in the interest of the progress of that commission itself, I sincerely hope that the veto will be overridden.

I desire to mention and to amplify briefly one other phase of the subject which was touched on yesterday. It must be borne in mind—to repeat what I have heretofore said—that the act of advice and consent in connection with Presidential appointments is not a legislative act, as such, as is the passage of bills and joint resolutions, which is a part of the constitutional process in which the Executive participates. The legislative branch participates in the confirmation of nominations of officials. There are three steps involved. First, the President nominates a person; in other words, he sends a suggestion to this body that he desires to appoint a certain person to a certain office. The responsibility then shifts to the Senate of the United States. The Senate must go forward, examine the proposal, and then give its advice and consent, or refuse to give its advice and consent. In performing that function the suggestion is entirely out of the hands of the President. He has taken the first step. When he has done that, he loses any responsibility, so far as any further affirmative act on his part in connection with the matter is concerned. True, he may withdraw the nomination or ask that it be returned, but the Senate takes over at that point. It either advises and consents or refuses to advise and consent. If it consents to the nomination and confirms, a message is sent to the President stating that the Senate advises and consents. Then the third step in the process takes place. The President then makes the appointment and issues a commission. These three steps are interlocked. As was suggested yesterday by the Senator from Ohio [Mr. TAFT], there are several instances, under our system of checks and balances, in which the legislative and executive branches interlock or intermingle their activities. This is an outstanding example. So it is safe and fair to say, as it has been said by authority, that when the Senate considers a nomination looking toward advice and consent, it is performing an executive duty. It has already legislative authority, but it is performing an executive duty.

The bill provides that the arm of the Senate, the committee which is established to examine into nominations in this particular category, has a duty to advise the Senate itself as to what action the committee thinks is proper, and the bill merely authorizes that arm of the Senate, acting in that executive area, to have the advantage, if you please, of the investigative department of the Government which is so well equipped to do the job, so that the committee can examine the evidence adduced, the information discovered, evaluate it, and be in position to advise the colleagues of the committee of the conclusions, based upon all the evidence.

It has been said here that our committee should do that work on its own initiative, and independently. There is no committee of the Congress, that I know of, which is either equipped or has the money to operate a Nation-wide investigative agency. As to the cost of obtaining information of this nature adduced by the FBI, I do not know whether the statement is accurate, but I do know that there is a yardstick of approximately $100 for each case. If the investigation is an interdepartmental operation the cost is somewhere near that figure. Let us say it is $200 a case, for an investigation made by a going concern of efficiency, an agency of reliability, as history has proved. From a practical standpoint, Mr. President, it would be the height of idiocy to attempt to have a committee of Congress establish a far-flung investigating agency to investigate one, two, or three individuals in connection with confirmations.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield for a question.

The PRESIDENT pro tempore. The time of the Senator from Iowa has expired.

Mr. KNOWLAND. Mr. President, I yield 10 minutes additional time to the Senator from Iowa.

The PRESIDENT pro tempore. The Senator from Iowa is recognized for 10 minutes.

Mr. PEPPER. I should like to ask the able Senator from Iowa, as a matter of information, who conducts at the present time investigations of the civilian personnel of the Atomic Energy Commission?

Mr. HICKENLOOPER. The Federal Bureau of Investigation.

Mr. PEPPER. Of the personnel employed by the Atomic Energy Commission?

Mr. HICKENLOOPER. Almost without exception. The law provides that no person can be employed by the Commission or be employed under the Commission, including employees of all kinds—the number is somewhere in the neighborhood of 50,000—and be given access to what is called restricted data, which has been interpreted as including access to an area in which restrictive data are maintained, without having been investigated by the FBI, a report of the investigation having been submitted to the Commission and the Commission having evaluated the information and evaluated the individual involved.

Mr. PEPPER. Is that in the present law?

Mr. HICKENLOOPER. It is in the present Atomic Energy Act.

Mr. PEPPER. The President did not veto that bill. So that privilege is accorded by the executive department to the Atomic Energy Commission.

Mr. HICKENLOOPER. Mr. President, it is not a privilege; it is a mandate.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. HICKENLOOPER. I yield.

Mr. PEPPER. Who investigates the military personnel having anything to do with the atomic-energy work carried on by the Government?

Mr. HICKENLOOPER. Any military personnel which is to have access to restricted data is, under the law, required to be investigated by the FBI, the same as in the case of civilian personnel.

Mr. PEPPER. Does that include naval personnel also?

Mr. HICKENLOOPER. Yes; it includes naval personnel.

Mr. PEPPER. Who would be reached if the bill now in question, which was vetoed by the President, were permitted to take effect, who is not now covered by FBI investigation?

Mr. HICKENLOOPER. The persons to be reached would be nominees to the Commission itself or to the office of General Manager.

Mr. PEPPER. That would be five people, altogether?

Mr. HICKENLOOPER. Six. I should like to make it clear, Mr. President, that Senate bill 1004 proposes that the Senate committee may—it is not mandatory—request an investigation of a nominee whose name has been sent to the Senate by the President, after the nomination has been received and prior to confirmation. After confirmation, the power of the Senate committee under this bill ceases and does not exist. In other words, if the bill were passed today, barring the question of certain nominations before the Senate, an FBI investigation could not be ordered by the committee except as a new name might be sent to the Senate for nomination. That would be the only circumstance.

Mr. PEPPER. Mr. President, will the Senator yield for one more question?

Mr. HICKENLOOPER. I yield.

Mr. PEPPER. All the employees of the Atomic Energy Commission are employees of a Government agency, not dissimilar in character from other Government employees, excepting that they are more important.

Mr. HICKENLOOPER. The Senator misunderstands. These employees are not all employees of a Government agency. The Atomic Energy Commission has somewhere between 4,500 and 5,000 employees; the exact number, I do not know at the moment. There are between 45,000 and 50,000 employees of contractors, that is, contractors making independent contracts with the Commission, and the contractors hire their employees.

Mr. PEPPER. Is it not a customary practice for the FBI to inquire into the background of Government employees generally of the executive departments of the Government or agencies or commissions created by the Congress?

Mr. HICKENLOOPER. I cannot answer that question.

Mr. PEPPER. So that in investigating these employees the FBI is merely performing the same kind of function it performs in investigating the background of Government employees generally.

Mr. HICKENLOOPER. Mr. President, at the moment I can think of no other agency of the Government the employees of which, or those working on the project, are required by law to be investigated by the FBI. I cannot recall such a case at the moment. There may be some others. It is not the customary thing, it is not the traditional thing, to require by law that the FBI investigate employees of other departments of Government prior to their employment. As I say, there may be exceptions; I do not know. The provision under discussion was inserted because of the very nature of this project, because of the utter necessity for secrecy, because the very existence of the United States itself vitally depends upon the integrity with which this project is operated, and the integrity of the personnel who are connected with it.

Mr. PEPPER. If the Senator will yield for one additional question, I will not ask him more, because I do not want to take his time. Instead of it being the law that the personnel of the Atomic Energy Commission shall be investigated by the FBI, as important and critically located Federal employees, the bill by its very title says it is a bill "to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation," and so forth. Instead of the executive departments having the duty to carry out the law which requires an FBI examination of the personnel, this bill gives the Joint Atomic Energy Committee power to issue a directive to a Federal agency in the executive branch of the Government. That seems to me to be the distinction in the case which the Senator has not observed.

Mr. HICKENLOOPER. Let me call the Senator's attention to the fact that we have embarked upon a unique enterprise, unique in the whole American system, unique in its magnitude, if you please, and unique in the vitality with which it can control and direct our national destiny. This project is operated in secrecy, and has to be operated in secrecy. The Congress of the United States has determined that it, as a public activity, will not go into the details of the operation of this great enterprise. The law, taking that into account, created a joint committee whose duty it is to keep in touch with this project.

The Senate committee has the responsibility of recommending to the Congress on the question of confirmation of appointees. I think there is every reason and every argument, for the public benefit itself, to permit the Senate members of the joint committee, which must operate in secrecy as a rule, access to all possible avenues of information in connection with these appointments.

Mr. CONNALLY. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from Texas.

Mr. CONNALLY. What assurance has the Senator that the FBI, through some civil-service appointee, is any more capable or reliable than the Senate itself, which has the power to investigate these appointees?

Mr. HICKENLOOPER. Manifestly the Federal Bureau of Investigation, as a mature agency of many years of life, has an efficient organization which knows how to do a job of that kind with great speed and great thoroughness. There is no committee of Congress which has the organization, the personnel, or the equipment to do that kind of a job.

The PRESIDENT pro tempore. The time of the Senator from Iowa has again expired. To whom does the Senator from California or the Senator from Connecticut yield?

Mr. DONNELL. Mr. President, will the Senator from California permit me to address one question to the Senator from Iowa?

Mr. KNOWLAND. I yield 2 minutes to the Senator from Iowa for that purpose.

Mr. DONNELL. Will the Senator from Iowa state whether or not he can inform the Senate as to the origin of the Federal Bureau of Investigation? Was it created under authority of Congress? Was it created under specific act of Congress, or under general act of Congress, or under any act of Congress at all?

Before the Senator answers, the thought to which I address myself is that if it is a creature of Congress, is it not perfectly proper for Congress to prescribe what the duties of that creature shall be?

Mr. HICKENLOOPER. It undoubtedly is a creature of Congress. As I understand the origin of the FBI, a good many years ago it was set up without specific act of Congress. It was set up as an investigative agency by the then Attorney General. It has had its name changed various times. It has been recognized in laws which have been passed, but its original was in the discretion of the then Attorney General, and it was not set up originally under a specific authorization by the Congress.

Mr. DONNELL. Does the Senator know whether it was set up under the authority conferred by section 300, United States Code Annotated, title 5, reading:

> For the detection and prosecution of crimes against the United States, and for the acquisition, collection, classification, and preservation of criminal identification records and their exchange with the officials of States, cities, and other institutions, the Attorney General is authorized to appoint officials who shall be vested with the authority necessary for the execution of such duties.

Mr. HICKENLOOPER. It is my understanding, Mr. President, that that is the general over-all authority under which the bureau was set up.

The PRESIDENT pro tempore. The Senator's time has expired. The Senator from Connecticut [Mr. MCMAHON] is recognized.

Mr. MCMAHON. I yield 15 minutes to the Senator from Florida [Mr. PEPPER].

The PRESIDENT pro tempore. The Senator from Florida is recognized for 15 minutes.

Mr. PEPPER. Mr. President, the able Senator from Iowa is quite right in saying that the Atomic Energy Commission performs a very important function, and he might have added that the subject under consideration is likewise of great significance to our form of government. Undoubtedly the Atomic Energy Commission is trying to preserve the strength and solidity of this great democratic Republic. We who are determined to support the Presidential veto of the bill have the same objective in view.

We believe, Mr. President, that it is comparable in importance to the functioning of the Atomic Energy Commission that we do preserve the form of our Government, which recognizes a division of power among the executive, the legislative, and the judicial branches of the Government. There are many who think and many who have said that to break down the character of our Gov-

ernment itself, the very structure which supports our high endeavors, is perhaps the most dangerous blow that could be struck at the security of the Nation itself.

The President has put his veto of the bill squarely upon constitutional grounds, and upon what he deems to be sound public policy.

Let it be clearly understood that the bill the President has vetoed differs vitally from the existing law. When the Congress has created and the President has approved and therefore given legal status and effect to a congressional enactment setting up the Atomic Energy Commission, and it begins to employ personnel, that personnel becomes, like other Federal personnel, subject to public law and subject to Executive authority and responsibility.

It was perfectly proper for the Congress to require that this personnel, which it deems to be particularly strategically located, should pass certain scrutiny and be subject to certain investigation, that of the Federal Bureau of Investigation. That is provided in the present law. The able Senators who have spoken against the Presidential veto have clearly recognized—and the able Senator from Iowa [Mr. HICKENLOOPER] a few moments ago stated—that all the personnel of the Atomic Energy Commission, the personnel of every contractor who even as an independent contractor performs any service for the Atomic Energy Commission, and even all the personnel of the armed services which have anything to do with this very important subject of the control and the development of atomic energy, are, under the existing law, subject to Federal Bureau of Investigation authority and scrutiny.

So, Mr. President, I think that we are not jeopardizing the secrecy of this vital and dynamic force. We are not opening the doors to the infiltration into the personnel of the Atomic Energy Commission of those who may have sinister designs or may be even irresponsible in character.

The question before the Senate, Mr. President, is not whether the employees, or even those who are in an incidental way as civilians or military personnel connected with this project carried on under the Atomic Energy Commission, shall be subject to the Federal Bureau of Investigation. The question is whether the Atomic Energy Commission, a group of five individuals, and the General Manager of the Atomic Energy Commission, one person, six persons in all, appointed by the President of the United States personally upon his great constitutional responsibility, and subject to public confirmation by the United States Senate, shall have to have their characters and their records and their background subjected to the scrutiny of the Federal Bureau of Investigation, not at the direction of the President of the United States or the Attorney General, the head of the Department of Justice in which the FBI functions as an agency, but by the directive of a committee of the United States Senate alone.

Mr. HICKENLOOPER. Mr. President——

Mr. PEPPER. If the Senator will allow me, I would like to proceed for a minute. That, Mr. President, it seems to me, would clearly be an authorization by Congress to a subcommittee of the Congress—because that is what the Joint Committee on Atomic Energy of the two Houses must be, a subcommittee of the Congress—that such a subcommittee shall have the congressional power to exercise an executive prerogative in the direction of a Federal agency. That agency does not have that power with respect to the personnel under the Atomic Energy Commission. It is the duty of the President of the United States, who took an oath as President that he would faithfully execute the laws, to see to it that that agency, under his direction, performs its duty prescribed by law, and that they investigate the personnel of the Atomic Energy Commission, or those who may be related to it.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I shall yield after one more sentence. But that is not what the bill attempts to do. It does not make it the duty of the President to see to it that an investigation is made. It gives the power to a committee of the Congress to direct an executive agency to perform an executive function. The bill, therefore, Mr. President, it seems to me, encroaches upon the constitutional immunities of the executive power.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I again call the attention of the Senator from Florida to the fact that the lesser persons operating in this great activity are required to be investigated. It is required that their backgrounds, their personalities, and all their associations be investigated. But with respect to the individuals who are at the top and who have the power to order their employees around and control the destinies of these individuals, there is no requirement now in the law to investigate them.

I also call the attention of the Senator to the fact that, while the Senator said a moment ago that the President shall have the employees of the Commission investigated under his responsibility, the President did not have a single member of the Commission or the General Manager investigated.

Mr. PEPPER. Mr. President, I may say three things in response to the able Senator's inquiry. First, whether the President had the personnel, which he recommended to the Congress to be members of that Commission, investigated by the FBI was a matter which was up to the President to determine. We may question the wisdom or the lack of wisdom of the President's policy, but he had the constitutional right to ask the FBI to investigate them or not to investigate them, and we do not have the power to supervise or to restrict the President in the exercise of the executive function.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I shall yield in a moment.

In the second place, there are two very vivid distinctions between the employees of the Atomic Energy Commission and the members of the Atomic Energy Commission. The first is, the President personally appoints the members of the Atomic Energy Commission, and the President does not personally appoint the employees of the Atomic Energy Commission.

In the third place, the employees of the Atomic Energy Commission, so far as I know, are not subject to confirmation by the Senate of the United States, whereas the members of the Atomic Energy Commission are subject to the confirmation of the Senate of the United States.

Those are, in my opinion, very important distinctions, Mr. President, between the personnel in the employ of the Atomic Energy Commission and the Atomic Energy Commission itself.

I now yield to the Senator from California.

Mr. KNOWLAND. I simply wish to say to the Senator from Florida at this point that I think he makes the best argument that has been made for the bill when he states that the great difference is that the employees are not subject to confirmation, and therefore, of course, the joint committee is not given power so far as they are concerned. But so far as the members of the Commission are concerned, and the general manager, it is not correct to say that the President makes the appointment and then it is ipso facto final. They are not finally members of the Commission until they have been confirmed by the Senate of the United States.

We are not seeking in the bill to dictate the President's direction in pursuing his constitutional duty, but to have access to information when we perform our constitutional duty. The oath the President of the United States takes to uphold the Constitution of the United States in the discharge of his duty is no more sacred than the oath a Member of the United States Senate takes to discharge his constitutional duty. We merely want to be sure that we have access to the information we need in discharging our constitutional duty.

Mr. PEPPER. Mr. President, I shall make two replies to the able Senator from California. In the first place, the employees of the Atomic Energy Commission, as we both said, are not subject to confirmation by the Senate. We, therefore, do not demand of the Executive authority the revelation of what the FBI investigation shows about the subordinate personnel. Therefore in that case, when the President desires an FBI investigation of Atomic Energy Commission's employed personnel we are not encroaching upon the immunity of the Executive power. But in the case in question here today we are requiring, if the measure before us should become effective, that the executive branch of the Government first subordinate an agency of the executive department to the direction of a subcommittee of the Congress—and less than the whole Congress, I might add—and, in the second place, that the information which may be obtained

through such an agency's investigation, shall be disclosed by the executive agency to the congressional subcommittee, namely, the Joint Committee on Atomic Energy of the two Houses of Congress. So we are doing two things which in my opinion are outside the scope of congressional authority. First we are giving by law a congressional committee the power to direct an executive agency to perform a congressional function, because the power of confirmation is a congressional function conferred upon the Congress by the Constitution, whatever it may be called otherwise.

In the second place, we are requiring the disclosure of confidential information obtained by the executive department to a coordinate department of the Government which has no superior power to require disclosure of confidential executive information.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KNOWLAND. The bill does no such thing. It does not require the agency to turn over files which it has obtained in an investigation for the President, for example, of these persons. It merely provides that the Senate, which is the only one of the two bodies which has a constitutional function, shall be entitled to the information.

As the Senator well knows, under the Constitution the House has no constitutional function in connection with the confirmation of nominations. The bill merely provides that the Senate members of the joint committee, acting for the United States Senate, may have the power to obtain information which will help them to reach an adequate judgment on the basis of which they may finally pass upon the qualifications of nominees, in carrying out their constitutional obligation in connection with confirmation.

Mr. PEPPER. I am afraid the able Senator from California misunderstands me. I am not saying that the bill would require the disclosure of information already in the files of the FBI. I am saying that the bill proposes two excesses of congressional authority. First, in the title of the bill itself, the purpose is distinctly shown. I read it:

An act to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy—

Not the entire Senate, or the entire Congress—

to require—

To command, to order—

investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act.

Under the provisions of this bill the Senate members of the Joint Committee on Atomic Energy would be given the executive power to order a subordinate executive agency to perform a congressional function, namely, the power of confirmation in the Senate. That is very different from a law which requires the President, in the performance of his executive duty, to carry out a certain function, namely, to require an FBI investigation.

But the able Senator from California overlooks one thing which I said. I stated that the FBI would not be required by the proposed law to disclose information which it already had, but would be required to disclose information which it might obtain in an inquiry at the direction of the Joint Committee on Atomic Energy, which is executive and confidential information, to a body of the Congress, namely, the joint committee, which I say is a usurpation of executive authority and immunity.

If the Congress has power to give authority to the Joint Committee on Atomic Energy, it can give such authority to any other joint committee; and if it can give it to a joint committee, it can give it to a separate committee of either the Senate or the House of Representatives. By such legislation we could convert the executive bureaus into completely subordinate congressional agencies which would spend their whole time performing congressional functions, without any recognition of the authority or responsibility of the President of the United States, who is head of the executive branch of our Government.

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. McMAHON. Mr. President, I yield 10 minutes more to the Senator from Florida.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HICKENLOOPER. The Senator says that if the Congress can give authority to the Joint Committee on Atomic Energy it can give it to other committees. I invite the Senator's attention to the fact that the Congress has already done that, and the President has approved it, in the Atomic Energy Act itself.

Mr. PEPPER. Will the Senator give the illustration he has in mind? Does it apply to anything other than employees?

Mr. HICKENLOOPER. The Joint Committee on Atomic Energy is given authority in the act itself to utilize the services, facilities, information, and personnel of the departments and establishments of the Government. I think I have quoted the language verbatim. So that has already been done.

Mr. PEPPER. Oh, yes. We give general authority to make inquiry of executive agencies and seek information from them. But does the act in so many words give authority to require the disclosure by the executive branch of the Government of confidential information which the executive branch may not desire to reveal?

Mr. HICKENLOOPER. Let me read to the Senator the exact language of the law which the President approved:

The committee—

Referring to the Joint Committee on Atomic Energy—

is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

That language is found at the close of a section which outlines the required activities of the joint committee.

Mr. PEPPER. If that language means what the able Senator says it means, why is it necessary to pass a new bill to give the committee further authority? The FBI is an agency of the Government. Evidently the committee is not satisfied with the language of the act, or it would not be proposing another bill to supplement the authority which it possesses.

Mr. HICKENLOOPER. This bill refers to the Senate members of the Joint Committee on Atomic Energy.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McMAHON. It is always difficult for me, of course, to make any complaint or give voice to any criticism of any provision of the act, for reasons which are obvious to every Member of the Senate. To read and re-read this so-called authority and by its reiteration claim that that makes it constitutional, is fallacious. Of course the President signed the bill. He knew what the bill provided for, and how desperately necessary it was. The act has a separability clause in it; and I say very frankly tha' if the joint committee, acting under the provisions of the act, were to call upon the Director of the Federal Bureau of Investigation for investigatory files, and he should be ordered not to produce them, and should be brought before the bar of the Senate on a contempt charge, if he should sue out a writ of habeas corpus, the Supreme Court would discharge him from the custody of the Sergeant at Arms of the Senate. The mere reiteration of the fact that we wrote certain language into the act does not make it constitutional.

Mr. PEPPER. The Senator is undoubtedly correct.

Mr. President, I close by referring to another aspect of this question. I distinctly recall that in the first atomic-energy bill which was before the Senate—and I want Senators to check me and correct me if I am in error—there was a provision which required the approval of the Federal Bureau of Investigation—not clearance or investigation, but approval. If I am not in error, that language was in at least one version of the original bill, because I remember that the Senator from Texas [Mr. CONNALLY] and other Senators raised the question with respect to approval, and the language was changed so as to provide for investigation by the FBI.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HATCH. I had intended to discuss that very point in connection with the remarks I wish to make. The original bill provided that no person should be appointed without the approval of the Federal Bureau of Investigation, which was as clear-cut an invasion of the Constitution as any bill that was ever presented to the Congress.

Mr. PEPPER. I thank the Senator from New Mexico. That shows how far some of those who are associated with

this enterprise are prepared to go in encroaching upon the constitutional prerogative of the executive branch of the Government.

Mr. President, I have as high respect and regard for the competency, patriotism, and integrity of the Federal Bureau of Investigation as has any other Member of the Senate or any other citizen of the country. I think it is universally agreed that it has done a magnificent job. But, Mr. President, as an American who wants to see the citizenry of this country free from a secret police of any character, I have been alarmed at the growing supineness and readiness with which the people—even Members of Congress—have been willing to make the approval of the FBI the congressional criterion of patriotism, competency, or loyalty.

After all, the Federal Bureau of Investigation is headed by one man, and he is only one man in a nation of 140,000,000 people. He can err, because he is human. He takes his orders, so far as I know, from but two superiors. One is the Attorney General of the United States, and the other is the President of the United States. Thus, there is a man who has thousands of employees, all of whom are sustained by the Federal power and Federal funds; he has tremendous scope and reach; his activities are secret; and he is not accountable to the Congress. No one is his superior but, first, the Attorney General of the United States, and then, in turn, the President of the United States. I am opposed to giving him or any other American mortal untrammeled or unrestricted authority, to be the criterion of, at least, the performance of constitutional duties by the Senate of the United States.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I shall yield in a moment.

Mr. President, I maintain that we cannot investigate all the thousands of employees the Atomic Energy Commission may have or all the employees the contractors who may do work for the Atomic Energy Commission may have. But when there are just six persons in top places, appointed personally by the President of the United States, subject to Senatorial approval, and when we can call and question and look at and examine them, and when we can search their background by means of using any personnel we may be disposed to employ or by means of any inquiry we may wish to make to State or local agencies, to say that it is not enough to have those safeguards upon their competency, but that the committee must have the power, regardless of whether the Attorney General or the President of the United States wish it done, to compel the FBI to investigate those six persons and report to the committee, I say is going too far.

Yesterday afternoon I asked a question, and I said I did not ask it facetiously. My question was this: Were the members of the Joint Committee on Atomic Energy, who act in this matter, investigated by the FBI?

Mr. HICKENLOOPER. Mr. President, will the Senator yield, to permit me to answer that question?

Mr. PEPPER. I shall yield in a minute.

Mr. President, who of us in the Senate would dare to suggest that we need the advice of the FBI upon the competency of any of our colleagues on that committee, who perform perhaps some of the most important functions which are performed by Senators and Representatives in Congress?

Mr. KNOWLAND and Mr. HICKENLOOPER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Florida yield; and if so, to whom?

Mr. PEPPER. I yield. I believe the Senator from California rose first, so I yield now to him. After he concludes I shall yield to the Senator from Iowa.

Mr. KNOWLAND. Mr. President, I merely wish to say that at no time has the theory or the language of this bill given the FBI any veto on what action the Senate should take. When the Senate committee obtains the information it can examine it, can carry on further investigations, can reject it, can do anything it wishes to do with it. At no place, either in letter or in spirit, does the bill provide that the FBI shall have a veto power and that its decision shall be the final decision in this matter. Under the bill, the FBI would merely be used to enable us to obtain access to information which we feel the Senate of the United States must have in the discharge of its constitutional duties.

This business——

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. KNOWLAND. Then I shall make this statement in my own time.

The PRESIDENT pro tempore. The Senator from California is recognized in his own time.

Mr. KNOWLAND. Mr. President, I say to the able Senator from Florida that I do not know whether he has had a chance to read the report of the Canadian Royal Commission regarding the spy situation in that country; but we do know that at a time when we were one of the Allies and were so engaged in the great war and in the winning of the war, and when we had sent to our allies in Russia some $11,000,000,000 worth of lend-lease equipment, and when we were rendering them every possible assistance, they had their secret agents in high places in the Canadian Government, in the high scientific circles of Canada, in the very Parliament of Canada itself, stealing atomic information. According to the information obtained by the Canadian Royal Commisison—information, the accuracy of which has not been denied, and the information is a part of the public records—those secret agents stole a sample of uranium, and they stole plans and other materials relating to the field of atomic power.

I say to my colleague, the Senator from Florida, that in this limited field of atomic energy, in which the very nature of the substance can destroy the safety of our Republic and the peace of the world, I think we have a right to gain access to whatever information we need in the final discharge of our duties.

Mr. PEPPER. Mr. President, if the Senator will permit me to reply——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Florida in his time?

Mr. KNOWLAND. I yield 2 minutes to the Senator from Florida.

Mr. PEPPER. I am glad to have the able Senator from California point out the things he has so well mentioned. I am not informed, but I doubt very seriously whether, in spite of the Canadian spy trial, it is the policy and the legal requirement of the Canadian Government, and it is being required by law in Canada, that because there was one rotten egg in the Canadian Parliament, therefore every person who sits in the Canadian Parliament must be investigated by the Canadian FBI; and in spite of the spy case in Canada—and of course all of us denounce those who were the culprits in it—I doubt very seriously whether the members of the Canadian commissions who are appointed by the executive authority there, and have to have the approval of the Canadian Parliament, are subject to police inquiry by their FBI.

Mr. President, all of us want to preserve atomic energy, but we also want to preserve our constitutional form of government.

I am talking about only six persons, and they are the General Manager and the five members of the Commission on Atomic Energy, every one of whom has to have the seal and stamp of appointment and approval placed upon him by the President of the United States personally, and every one of whom has to be confirmed by the Senate of the United States. I deny the possibility that a President chosen by the people would be so designing or so incompetent as to let a man unworthy of this high office receive his approval; but if it should ever occur, then I deny that the Senate of the United States would not discover his infidelity somewhere in the inquiries and investigations it would make.

So, Mr. President, I think this bill is not justified.

The PRESIDENT pro tempore. The Senator's time has expired.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Connecticut or the Senator from California yield?

Mr. McMAHON. I yield 15 minutes to the Senator from New Mexico [Mr. HATCH].

The PRESIDENT pro tempore. The Senator from New Mexico is recognized for 15 minutes.

Mr. HATCH. Mr. President, I hope I shall not take all the 15 minutes. My own time, as well as the time of the Senate, is limited. But I cannot let this opportunity pass without saying a few words about some of the fundamental issues which are involved in trends and tendencies of legislation of this kind.

I shall not discuss the constitutionality of this measure, although I think the veto message of the President could well be sustained upon the ground that the bill is unconstitutional and that the decision in Marbury against Madison, notwithstanding the able remarks of the Senator

from Iowa, still applies, as cited in the President's message. But with those matters I am not concerned today so much as I am concerned with other philosophies of our Government which may be involved in measures of this kind.

Mr. President, throughout all the world there is a most dangerous trend and tendency to elevate, exaggerate, and give absolute control to agencies of government called police agencies.

Mr. HICKENLOOPER. Mr. President, will the Senator yield at that point for a very brief observation?

Mr. HATCH. I yield.

Mr. HICKENLOOPER. I may observe to the Senator from New Mexico that there are tendencies evidenced all over the world, and especially in this country, toward the formation of subversive groups such as those who would destroy the very fundamentals of the American system. I think it is high time that we spent as much time taking cognizance of those people as we spend in coddling sometimes what we consider in a nebulous type of consideration to be fundamental or human rights.

Mr. HATCH. I thank the Senator for his observation. I trust the Senator will not ask me to yield again because I am speaking under a limitation of time. But I want to say that his observation contributes nothing to what I am discussing.

Mr. President, as I said, there are dangerous trends in this country. One of them I have in mind now, in the political life in which we are now living, when a candidate for the Presidency of the United States goes forth, posing as a saviour of democracy, and on public platforms and over the radio announces as a slogan or doctrine the policy of peace and prosperity. No more iniquitous doctrine could be announced than that. Much as I desire peace, a peace based first upon world-wide order under established law, for which I contend, I know that my country and the liberties which we possess were not founded upon or gained by either peace or prosperity. They were gained in blood and battle by men willing to lay down their lives in order that the freedom of the individual might be preserved and made safe and secure throughout this great Nation. Peace and prosperity can never preserve the freedom of the individual. It is upon the freedom of the individual and his sacred rights as a citizen that our democracy is founded. Only upon that principle can it be preserved and maintained. If, in order to maintain it, it should be found necessary for us to undergo poverty, American citizens will give up prosperity. Should it become necessary, in order to maintain freedom, American citizens will give up peace, they will fight and die as the sons of America have ever been able and willing to fight and die for the blessings of liberty. The blessings of liberty can be maintained only by those in the legislative branch of the Government being constantly on guard against every potential or possible invasion of them. There is inherent in the type of legislation which is now under consideration the absolute invasion and possibly the destruction of the freedom of the individual. I have seen many bills come before the Congress, introduced more often in the other House than in the Senate, providing for the exercise of great powers by the Federal Bureau of Investigation, some of them providing that no citizen should be deemed eligible to office unless there had been an investigation by the FBI.

Mr. President, it does not do to say, as the Senator from California said just now, that we are not, in granting this power to the FBI, giving them the final say, because, Mr. President, it is a well known fact that when the FBI submits a report, founded, as most of them are, on hearsay, embodying charges of which the citizen has had no knowledge or notice, and no opportunity to defend himself or to reply, or to have the benefit of the constitutional right of confrontation by witnesses, in order to safeguard his character and reputation, and a report of that kind comes before one of the committees, the committee reports adversely to the citizen.

In the bill which was originally introduced, a copy of which lies on my desk, it was provided that no person could be appointed by the President of the United States until an investigation had been made and the results of it made available to the committee. The committee to which that bill was referred, probably thinking of the Constitution, which was clearly violated, amended the bill ostensibly to evade and avoid the constitutional provision by saying that no man should ever take office until the investigation had been made, thus attaching the qualification to the holding of office in the United States that every citizen the President might desire to appoint must first be investigated by the FBI. Does any man who loves liberty, the freedom of the individual, and the constitutional rights of American citizens dare stand on the floor of the Senate to defend either one of those provisions?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HATCH. I yield. I hope it will not be taken out of my time.

Mr. KNOWLAND. I will take it out of my own time.

Mr. HATCH. Very well.

Mr. KNOWLAND. I merely say to the Senator from New Mexico that if there had been a little more careful screening by the democratic forces in Czechoslovakia, Jan Masaryk might be alive today and Czechoslovakia might not be behind the iron curtain.

Mr. HATCH. Mr. President, Czechoslovakia did not fall as a result of outside influence. It fell because the citizens of Czechoslovakia did not guard their own liberties as individuals and did not prize liberty highly enough to stand up and resist the communistic influence, but surrendered their rights and let the Communists come in and take control of their secret police. That was their greatest mistake—a pattern which was followed in the case of every country that has found itself behind the "iron curtain," the elevation of the police above the rights of the citizens. Had the brave Czechoslovaks been as vigilant in protecting the freedom of the individual and the preservation of constitutional rights for which I speak today, Czechoslovakia would not have fallen.

Mr. President, in what I have said I cast no reflection upon the FBI. Under the direction of Mr. Hoover, it has performed a magnificent service. But I was shocked yesterday to learn that, by what authority I do not know, if any free-born American happens to achieve a position of importance his record is investigated and a file kept on that citizen in the FBI. Mr. President, I cannot conceive under our free system of government that such a practice should prevail. I hope the report is not true. But, granting everything I say about the ability with which Mr. Hoover has conducted the FBI, everyone of us knows that it is a very great power he now exercises. Senators would further broaden that arbitrary power, disregarding their duties and responsibilities as Senators to provide the Senate with its own investigations, by turning the making of investigations over to the FBI, and thus giving control to the police, just as the people of Czechoslovakia did in their poor country.

Oh, Mr. President, these are not idle words. I am arguing for the preservation of the fundamental principles upon which this Government is founded and which, if lost, would mean the destruction of our Government and the liberties of our citizens.

What I started to say, Mr. President, was that someday some person other than Mr. Hoover will become Director of the Federal Bureau of Investigation. It could happen that he might be a ruthless man who would use his vast power for political or other purposes and actually destroy the lives and reputations of persons who sought to hold office in this land of ours. I do not argue against investigation. I would give to the committee, sir, all the power and all the money it needs to investigate any man as it might order and direct. I would never be afraid of a committee of the Senate of the United States abusing that power, because as Senators we are subject to the will of the people, and there is a check upon us which we must heed and obey if we hope to remain in office. Not that such a check would be needed, but as the duly constituted and elected officials of government we are responsible to the people. So I would grant and give any funds required; but I shall not write into the law of the land any provision that would exalt the Federal Bureau of Investigation and make our own committee subservient to that Bureau, because I believe that by granting such power I would be striking at the very foundations of democracy itself.

Mr. President, I trust and hope that the veto of the President will be sustained.

Mr. McMAHON. Mr. President, I suggest the absence of a quorum. The Senator from California and I will share the time consumed.

The PRESIDENT pro tempore. Does the Senator from California agree to the suggestion?

Mr. KNOWLAND. Yes, Mr. President.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Millikin |
| Baldwin | George | Moore |
| Ball | Green | Morse |
| Barkley | Gurney | O'Conor |
| Brewster | Hatch | Pepper |
| Bricker | Hayden | Reed |
| Bridges | Hickenlooper | Revercomb |
| Brooks | Hill | Robertson, Va. |
| Buck | Hoey | Russell |
| Butler | Holland | Saltonstall |
| Byrd | Ives | Sparkman |
| Cain | Johnson, Colo. | Stennis |
| Capehart | Johnston, S. C. | Stewart |
| Capper | Kem | Thomas, Okla. |
| Chavez | Kilgore | Thomas, Utah |
| Connally | Knowland | Thye |
| Cooper | Langer | Tobey |
| Cordon | Lodge | Tydings |
| Donnell | Lucas | Umstead |
| Downey | McClellan | Vandenberg |
| Dworshak | McFarland | Wherry |
| Eastland | McGrath | White |
| Ecton | McKellar | Williams |
| Ellender | McMahon | Wilson |
| Ferguson | Magnuson | Young |
| Flanders | Malone | |

The PRESIDING OFFICER (Mr. WILLIAMS in the chair). Seventy-seven Senators having answered to their names, a quorum is present.

The Chair recognizes the Senator from Connecticut [Mr. McMAHON].

Mr. McMAHON. I yield 10 minutes to the Senator from Illinois [Mr. LUCAS].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. LUCAS. Mr. President, it is doubtful that I can add anything to what has already been said on the important subject of the unconstitutional aspects of the bill vetoed by the President. I wish to take just a few moments on another phase of what seems to me to be a dangerous trend which would be approved by the enactment by the Congress of the bill vetoed by the President.

I have noticed in the last few years a movement on the part of some Senators and Members of the House of Representatives to probe and probe and probe into everything they can find, even to the extent of making an attempt to bring in the private files of individuals who are high public servants of this Government.

I distinctly recall what happened in the Pearl Harbor investigation. As a member of the investigating committee, I served for months listening to the testimony that was adduced, and I know what was attempted in that case. The main object on the part of certain Senators was to find something that was detrimental to Franklin D. Roosevelt in his private or public files, and time without number their was a demand that something be produced from his files, or that the members of the committee be allowed to examine the files in order that they might discover something, not in connection with this public life, but something in connection with his private life which would make campaign propaganda.

Mr. President, when the Senate of the United States turns the investigatory power it has within its own grasp and power over to an agency of the executive branch of the Government, in my judgment, we are doing a very dangerous thing from the standpoint of the future welfare of the Congress.

The Congress has within its own hands the power to do the very things sought to have done by the FBI. After serious consideration and reexamination of the important question I will never confess or admit that the Senate cannot employ equally competent and capable investigators to find everything about the private and public life of five individuals whose names the President of the United States sends to the Senate for confirmation. It is our plain duty to do so. We should not encroach upon the power of the Executive. It is a great confession of weakness upon the part of the majority who seek to pass this bill. I shall not be a party to such a program.

Mr. President, we should not be fooled by this weakness. I firmly believe the people want the real power of this type of an investigation to rest in the Congress of the United States where it belongs under the Constitution.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. LUCAS. No; I have only 10 minutes. I yielded to the Senator yesterday. I will yield to him tomorrow.

Mr. HICKENLOOPER. I merely wanted to read to the Senate what the Senator said.

Mr. LUCAS. Does the Senator wish to read it again? Let him read it in his own time; I enjoy it as much as the Senator from Iowa.

Mr. President, I say with all sincerity that the Senate of the United States, if it approved what is attempted, would be abandoning one of its primary functions, and attempting to take from the executive branch of the Government power that was never intended by the fathers of the country.

Day after day there have been attempts here to encroach upon the powers of the Executive. Well do I remember that, when the late Franklin D. Roosevelt was charged with an attempt to pack the Supreme Court, the hue and cry arose throughout the country, especially among the Republican leaders—and I joined with them at that time—that the President of the United States had no right, power, or authority to encroach upon the judicial branch of the Government; this argument is equally valid today when the legislative branch of the Government unduly encroaches upon the power of the Executive.

Yesterday the distinguished Senator from Iowa seemed to get great enjoyment from reading what I had said in the Senate a few weeks ago during the debate at that time. I thought at the moment I was right but upon reflection and a careful consideration of the magnitude of the problem involved I came to the conclusion that I had committed what seemed to me to be a grievous error. So, today, I take a different position. I do not do so reluctantly. I am glad to change my position.

Mr. President, consistency is the hobgoblin of small minds. I know of men who served in this body who were consistent. Yet the people defeated them at the polls as the result of their consistency. I know a distinguished Member of the United States Senate, who has not been consistent on one of the greatest issues ever presented before the American people. He enjoys the respect and the confidence of about as many people in this country as any individual I know. He was not consistent.

Yet the distinguished Senator from Iowa has gleefully complained because the Senator from Illinois has not been consistent upon the pending measure. It is seldom that the Senator from Iowa produces any merriment on the floor of the Senate, and I enjoy the merriment resulting from what he said yesterday. The Senator from Iowa believes he was doing something to the Senator from Illinois which would be of great harm or detriment to him, but in that belief he is badly mistaken. The Senator from Iowa is one of those individuals who never changes his mind. He is one of those omniscient persons who is right in everything. Whenever the Senator from Iowa rises from his seat in the Senate and lays down the law and the facts as he believes them to be, no one can change his mind.

Mr. HICKENLOOPER. Mr. President, will the Senator yield at that point?

Mr. LUCAS. No, Mr. President. Not a chance. [Laughter.] The Senator from Iowa is never wrong. Senators can look at him and see the beaming confidence on his face, and know how righteous he is, and how powerful he is in his presentation of right.

No, Mr. President, men cannot always be consistent and under high public service when one knows he is wrong, it is no sin to admit it. I remember what former Senator Henry Ashurst, of Arizona, said about consistency and inconsistency. It would be well if the Senator from Iowa would take the time some day and read what former Senator Ashurst said on that subject.

Mr. President, the legislation before us is an extremely important piece of legislation. It is a piece of legislation which goes to the very fundamentals, to the basic concepts of the three branches of Government so far as complete separation of them is concerned. I am astounded, I am shocked to find that my good friends on the other side of the aisle who are members of the Atomic Energy Committee would admit that they are not capable, that they do not have the power, that they do not have the willingness to go forward upon their own investigating the qualifications, the loyalty, and character and the associations of these five men whose names will be presented to us by the President for our confirmation. Never would I, Mr. President, admit such a failure.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. McMAHON. Does the Senator want another minute to conclude?

Mr. LUCAS. No, Mr. President, I have concluded.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Iowa [Mr. HICKENLOOPER].

The PRESIDING OFFICER. The Senator from Iowa is recognized for 3 minutes.

Mr. HICKENLOOPER. Mr. President, wonders never cease. The versatile Senator from Illinois constantly astounds me.

In speaking of his change of position he calls it inconsistency, and perhaps it is. Perhaps it is being versatile. I do not know. But let me read again what the Senator from Illinois said on February 28 in regard to this legislation. He said:

> We can write a law which will give the Congress the right to say, "We want investigators from the FBI to investigate John Doe or Harry Blackacre." The Congress has the power to determine whether or not the kind of man the President has appointed has the qualification and meets the test laid down by the Senate.

Mr. President, I am not certain whether I am consistent or not, but I assume from the argument which the Senator from Illinois just made that, with the burning recollection in his mind of the evils brought to light by the investigation of Pearl Harbor, from having sat and worked arduously in that committee, and having seen the insidious things which may be revealed by a congressional committee investigation, he thinks that the pending bill is nefarious. I call attention, Mr. President, to the fact that that burning memory was in his mind on February 28 when he made the statement I have just quoted. Whether it has been revived or not, I still do not agree with the Senator that inconsistency is a virtue.

Mr. LUCAS. Mr. President, will the Senator yield me 1 minute?

Mr. McMAHON. I yield 1 minute to the Senator from Illinois.

Mr. LUCAS. I thank the Senator from Connecticut.

I rise to say in the 1 minute only one thing, and that is that I sincerely thank my very able and distinguished friend from Iowa for again reading what I said last February. It has now been read into the RECORD three times, and I hope the Senator will read it once more so that everyone will know about it. From the bottom of my heart I thank the Senator from Iowa for having read what I said in February.

Mr. HICKENLOOPER. I assure the Senator that the pleasure is all mine. [Laughter.]

Mr. KNOWLAND. Mr. President, I now yield 30 minutes to the junior Senator from Michigan [Mr. FERGUSON].

Mr. FERGUSON. Mr. President, it has been very interesting to hear the considerable amount of oratory which has been produced on the Senate floor respecting the President's veto message. The bill which the President vetoed was passed without a yea-and-nay vote, as I recall; but now when it comes back from the President's desk with a veto it seems that a great deal of oratory must be expended on it.

Mr. President, the veto message of the President is a very interesting one. The Atomic Energy Act of 1946, which was sponsored by the able Senator from Connecticut [Mr. McMAHON] contains an unusual provision. In fact, when the Senator from Connecticut was chairman of the Atomic Energy Committee he was perfectly willing to have passed legislation dealing with the subject we are now considering. As I understand, he was the author of the bill which is now the law, and in it he went so far as to require the President of the United States to do something in relation to the individuals who were to be appointed members of the Atomic Energy Commission. In the second paragraph, under "Organization," the law provides:

> Members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate.

Normally that is the language used in similar legislation. But what did the able Senator from Connecticut further insert in the legislation? He placed in it this language:

> In submitting any nomination to the Senate, the President shall set forth the experience and the qualifications of the nominee.

Why, Mr. President? Because the situation at the time we were considering that legislation was unusual. Congress was taking under its wing a monopoly over the atomic energy of the United States. Never in the history of the Nation had such a project been before Congress. If the Senator from Connecticut were arguing today that that provision was unconstitutional, he might have some grounds for his argument on the veto message.

Mr. President, the able Senator from Connecticut went much further than that. He was successful in having passed as broad a provision, in my humble judgment, as is now sought to be passed in the present vetoed bill because he provided under (e) in section 15:

> The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

That includes the FBI. That includes all the Government bureaus and all the Government agencies.

Mr. President, I think there is something behind the objection now being made to the bill. What is it? Let us look at the bill itself. Until today the FBI has been under the Attorney General. The Director of the FBI is no more and no less than an agent of the Attorney General of the United States. So when the opponents of this bill sense the fact that Congress for once in its life is for one specific purpose about to put the Director of the FBI under the direction of Congress and not under the Attorney General, a great deal of oratory is expended on the floor of the Senate.

I remember that we had a preliminary investigation into the Kansas City vote-fraud case in a subcommittee of the Committee on the Judiciary. All the evidence submitted was clear that the Attorney General is supreme, and that the Director of the FBI takes his orders and his directions from the Attorney General. But, Mr. President, that is not this bill. This bill provides that the Senate committee may use the FBI. This is the language:

> The Director of the Federal Bureau of Investigation shall cause such investigation to be made and, upon completion thereof, shall report to the Senate committee, in writing—

Not through the Attorney General, but directly to the committee—

> setting out the information developed by such investigation, and shall thereafter furnish such amplification or supplementation thereof as the Senate committee may direct.

Is that the cause of the oratory in opposition to the bill?

The President of the United States does not state his reasons for believing the bill to be unconstitutional. He says only—

> Aside from the question of constitutionality, which I am advised is serious, I believe the bill is wholly unnecessary and unwise.

Let us look at the citation given by the President. The case of Marbury against Madison is an old case. It was decided back in 1803. Let us consider the facts of that case.

A Secretary of State was a defendant in a case in which the President of the United States tried to control the acts of the Secretary. What did the court decide? The court decided that the Congress of the United States had conferred upon the Secretary of State certain duties and obligations by law, and that even the President of the United States could not change those duties or obligations. The decision says that the President of the United States has certain political activities; he has certain discretion; and with respect to his political activities or political duties, in which he has sole discretion, the Congress of the United States cannot interfere. But the case also holds that when he is not using his political power, but is using the authority of the executive branch under a law, the President of the United States cannot change the law.

It is argued that the Congress has no power to place any duties upon an executive branch of the Government. We have done so in the case of the Federal Trade Commission. We have done so in the case of the Court of Claims. We have done so with respect to practically all Government agencies. Let me read one example which I found the other day when I was looking for a certain section which I shall read later. This is what Congress did back in 1908, on May 22. This language is found in 35 Statutes at Large, 244, under the heading "Reports of traveling expenses of officers and employees at Washington."

> It shall be the duty of the head of each executive department and other Government establishment at Washington to submit to Congress at the beginning of each regular session a statement showing in detail what officers or employees (other than special agents, inspectors, or employees, who in the discharge of their regular duties are required to constantly travel) of such executive departments or other Government establishments have traveled on official business from Washington to points outside of the District of Columbia during the preceding fiscal year, giving in each case the full title of the official or employee, the destination or destinations of such travel, the business or work on account of which the same was made, and the total expense to the United States charged in each case.

That law requires of the executive departments and of every bureau, with certain specific exceptions, the duty and obligation to say where employees travel out of Washington, how far they travel, and exactly how much expenses

such travel entails. How does that differ from the present bill?

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McMAHON. Under the statute which the Senator has just read, agencies are required to report to the Congress as to what they have done. In the instant case they are being told what to do. In the statute which the Senator has just read the Government agencies are told, "Tell us what you have done, after you have done it." But the Congress did not in that statute say, "Mr. Secretary of the Interior, send John Jones to Albuquerque, N. Mex., at half-past five in the afternoon."

Mr. FERGUSON. Mr. President, that does not answer the argument with respect to power and authority. This bill requires the executive branch to do something. When Congress creates a bureau or an agency, it can by law change that bureau or agency. It made the FBI a bureau under the Attorney General. It can by law change its status and say that a part of its duties shall be to report to Congress upon a particular bill. That is not exactly new. Instead of asking an agency to do a job, Congress may require it to furnish all the information it has.

Let me read section 105a of title 5 of the code, which is a Federal law:

> Every executive department and every independent establishment of Government shall, upon the request of the Committee on Expenditures in the Executive Departments of the House of Representatives, or of any seven members thereof, or upon request of the Committee on Expenditures in the Executive Departments of the Senate, or any five members thereof, furnish any information requested of it relating to any matter within the jurisdiction of said committee.

I have been wondering why the House Committee on Expenditures in the Executive Departments has not been using that section to obtain certain information which it wants.

There has been a great change in the attitude of the President. I remember serving with the President when he was a Member of the Senate on the Special Committee to Investigate the National Defense Program. I remember that on two occasions, in my presence, he signed a subpena upon the Attorney General of the United States to bring to the committee information in the hands of the Attorney General, under the so-called Jackson opinion; and in each case the Attorney General brought the information to the committee.

We now find that in order to avoid section 105 (a) of the code certain information is taken from the bureaus in the executive branch of the Government and placed in the personal custody of the President of the United States. That is probably the reason why the Committee on Expenditures in the Executive Departments of the House cannot use that section. The section does not refer to information in the hands of the President. It merely provides for the furnishing of information by departments and establishments of the Government, relating to matters within the jurisdiction of the committee. The language "every executive department and independent establishment of the Government" would in my opinion cover all of them except the judiciary, the legislative branch, and the President of the United States himself.

Mr. President, I think the constitutionality of this measure is clear. I hope each Member of the Senate will search his conscience in deciding this question. When the time comes for the vote, if Senators believe the proposed law is unconstitutional, I hope they will vote to sustain the President's veto; but if they believe that the bill, as drafted, is constitutional, then I hope they will vote to override the veto. Mr. President, after all, we are proud of the fact that we are living under a Constitution, and all our powers are limited by that Constitution. So we should search our intelligence in order to decide whether under the Constitution the proposed law is a proper one.

I realize that the President has said:

> Aside from the question of constitutionality, which I am advised is serious, I believe the bill is wholly unnecessary and unwise.

I think that is a question for Congress to decide. It is a question of the policy of the United States, and Congress should decide that. In this particular case, when on all hands and on all sides we hear about the fifth column of the Soviet Union in the United States, when we hear that in the United Nations it is impossible to obtain agreement in regard to atomic energy, when we hear from across the border to the north that the Soviet Union used its spies to obtain evidence in relation to the very thing which is in the background of this debate, we in the Congress of the United States should leave no doubt in the mind of the public that we are alert to the situation, that we believe it to be serious and that it is necessary and wise for us to exercise caution in regard to atomic energy.

Mr. President, when the young men of the United States are asked to arm against communism all over the world, I think the time has come when we can arm here at home, here in America, against communism. Yes, Mr. President, this is an antisubversive bill.

The able Senator from New Mexico [Mr. HATCH] said, as I understood him, that we should not investigate these persons. Mr. President, have we come to the point where we are no longer going to inquire into the fitness of any persons appointed by the President? The record now is clear that the President did not look into the fitness of these persons. In his veto message, the President says:

> I fully recognize my obligation in exercising my constitutional duty of appointment to obtain the facts about any person nominated to serve as a member of the Atomic Energy Commission. Every facility of the executive branch, including the Federal Bureau of Investigation, will be used to obtain those facts. I am entitled to have placed before me all relevant information, including material which in the public interest should be maintained on a highly confidential basis.

That is the President's statement. But, Mr. President, it is clear that the President did not use every facility of the executive branch, including the Federal Bureau of Investigation, because from the letter it is now clear that no investigation by the Federal Bureau of Investigation was ordered the last time.

Mr. President, in connection with the argument of this matter today and in our consideration of the question that is presented to us, I hope we can separate in our minds the present nominations from the nominations to this Commission which will be made in the future. I hope we can do that. This bill was introduced in the Congress before the present nominations were submitted to the Senate. Therefore we must vote on this matter, not on the basis of the present appointments, but on the basis of the fact that in time to come we shall need this proposed law.

As I have said, it is evident that every facility available to the President was not used; the FBI was not used.

Senators on the other side of the aisle have suggested that there is a desire to create a Gestapo. That is not a fact. Those of us who favor this bill wish to have used one of the existing agencies, namely, the FBI. It is now in existence and it is doing work for the executive branch of the Government and, for that matter, for the judicial branch of the Government, because the work the FBI does can be used in both those branches of the Government. I am inclined to think that if we had written into this bill a provision that the desired reports would be made by the FBI under the jurisdiction and direction of the Attorney General, we would not be arguing about this matter today. But that is not the way the bill reads, because the Commission thought that inasmuch as the Attorney General, an agent of the executive branch of the Goverment, would make his own investigation, the Congress could not require him to make an investigation. The feeling was that after an investigation had been made by the Attorney General—and this is the way the bill now stands—after the appointments come to the Senate, then, and only then, can this committee—which is the same as saying "this Congress"—use an agency of the executive branch, under this particular section of the bill, to make such an investigation.

So not only do we find that this proposed law is constitutional, but we find that it is wise. We find that under the circumstances it is warranted. We find that it relates to a policy in regard to which we should exercise our utmost discretion as Senators of the United States and Members of the Congress. We want to be just as careful as we possibly can; we do not wish to create any more Government bureaus than are necessary, and so we are willing to confer upon the FBI this power, this duty, and this obligation. In my judgment, the President of the United States should not veto a bill to that effect, and therefore we should vote to override his veto.

Therefore, Mr. President, on both grounds—believing that the bill is constitutional and wise, and also that it is within the power of the Congress—the Senate should vote to override the veto.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. McMAHON. Mr. President, how much time does our side still have?

The PRESIDING OFFICER. The Senator from Connecticut has 37 minutes at his disposal.

Mr. McMAHON. I yield myself 7 minutes, and I should like to be reminded by the Chair when the 7 minutes have expired.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 7 minutes.

Mr. McMAHON. Mr. President, I could no better begin my remarks on this question, I think, than by reading what I said in the closing minutes of the debate when the bill was before the Senate for consideration on April 12. I read now from the RECORD:

Furthermore—

I said—

Mr. President—and let this be in the RECORD—if perchance there should be a change in the Executive at 1600 Pennsylvania Avenue at any time while I sit as a Member of this body, the position I take today will be exactly the position I shall take then upon any attempt to destroy what I regard as a very essential provision of the Constitution. Let me say to Senators who are present that there is no provision of the Constitution the religious observance of which is better calculated to insure justice and liberty to the people of the United States than the provision that judges shall judge, legislators shall legislate, and executives shall execute.

I say in closing, and with this I shall take my seat, that implicit in the proposal is a statement by the Senate of the United States that with all the money at our command and with all the services of the Senate at our command we feel we are not capable of discharging the duties imposed upon us by the Constitution of the United States. That is the issue, and I prefer to register my vote as one who believes that the Senate can obtain all the information that is either necessary or desirable in passing upon Presidential nominations.

Mr. President, the Senator from Michigan referred to the fact that the pending bill was passed on April 12 without a yea-and-nay vote. I very well remember the occasion. The attendance in the Senate was about the same as it is now. Perhaps there may have been a few more then than there are now. It occurred to me then that a great constitutional issue had been passed upon in a manner that I would not have had it passed upon if I could have had it done differently; and as I look around me today, Mr. President, I am constrained to say I regret the situation that now confronts the galleries and the press of the United States as this grave constitutional question is being debated.

Mr. President, this struggle is one that began in the days of George Washington. Practically every President since then has found it necessary to resist encroachments upon the executive branch of the Government. There is no question that the division of powers between the three coordinate branches of our Government was a work of peculiar genius by those who drafted the Constitution. I was greatly interested recently reading a quotation from Alexander Hamilton. I commend it to Senators on the other side of the aisle:

In the administration of Government personnel Hamilton again insisted on freedom of the executive branch upon legislative interference. When the House of Representatives attacked his Treasury administration as having exceeded the constitutional grant of powers, Hamilton declared such an inquiry an intrusion upon executive responsibility.

I now quote Mr. Hamilton:

The proper inquiry for the Legislature must be whether the laws have been duly executed or not; if they have been duly executed, the question of sufficiency or deficiency of authority, from the President to his agent, must be * * * a matter purely between the President and the agent, not examinable by the Legislature, without interfering with the province of the Chief Magistrate, to whom alone the responsibility is.

This question naturally divides itself into two parts. The first, of course, and primary question is on the Constitution. The second question that naturally arises is, If it is constitutional, is it wise, is it the right thing to do? That was the form the argument of the Senator from Michigan took, and it was well organized; so I shall briefly advert, in the time I have allocated to myself now, upon the constitutionality of the provision.

Mr. President, I think no better summary of the legality of the question, shall I say, has been gathered together in one place than in the opinion of the then Attorney General Robert H. Jackson, now Mr. Justice Jackson of the Supreme Court of the United States. On April 30, 1941, he addressed a letter to Hon. CARL VINSON, chairman of the House Committee on Naval Affairs. In that letter the then Attorney General stated not only the constitutional basis for his refusal to turn over FBI reports, but he further pointed out the inequity that would follow as a matter of right and justice if that policy were to be pursued.

I ask that the Attorney General's opinion be printed at this point in my remarks.

There being no objection, the opinion was ordered to be printed in the RECORD as follows:

APRIL 30, 1941.

Hon. CARL VINSON,
*Chairman, House Committee on Naval Affairs.*

MY DEAR MR. VINSON: I have your letter of April 23, requesting that your committee be furnished with all Federal Bureau of Investigation reports since June 1939, together with all future reports, memoranda, and correspondence of the Federal Bureau of Investigation, or the Department of Justice, in connection with "investigations made by the Department of Justice arising out of strikes, subversive activities in connection with labor disputes, or labor disturbances of any kind in industrial establishments which have naval contracts, either as prime contractors or subcontractors."

Your request to be furnished reports of the Federal Bureau of Investigation is one of the many made by congressional committees. I have on my desk at this time two other such requests for access to Federal Bureau of Investigation files. The number of these requests would alone make compliance impracticable, particularly where the requests are of so comprehensive a character as those contained in your letter. In view of the increasing frequency of these requests, I desire to restate our policy at some length, together with the reasons which require it.

It is the position of this Department, restated now with the approval of and at the direction of the President, that all investigative reports are confidential documents of the executive department of the Government, to aid in the duty laid upon the President by the Constitution to "take care that the laws be faithfully executed," and that congressional or public access to them would not be in the public interest.

Disclosure of the reports could not do otherwise than seriously prejudice law enforcement. Counsel for a defendant or prospective defendant, could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Disclosure of the reports at this particular time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which you wish to protect the country. For this reason we have made extraordinary efforts to see that the results of counterespionage activities and intelligence activities of this Department involving those elements are kept within the fewest possible hands. A catalog of persons under investigation or suspicion, and what we know about them, would be of inestimable service to foreign agencies, and information which could be so used cannot be too closely guarded.

Moreover, disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants—sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.

Disclosing of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.

In concluding that the public interest does not permit general access to Federal Bureau of Investigation reports for information by the many congressional committees who from time to time ask it, I am following the conclusions reached by a long line of distinguished predecessors in this office who have uniformly taken the same view. Examples of this are to be found in the following letters, among others:

Letter of Attorney General Knox to the Speaker of the House, dated April 27, 1904, declining to comply with a resolution of the House requesting the Attorney General to furnish the House with all papers and documents and other information concerning the investigation of the Northern Securities case.

Letter of Attorney General Bonaparte to the Speaker of the House, dated April 13, 1908, declining to comply with a resolution of the House requesting the Attorney General to furnish to the House information concerning the investigation of certain corporations engaged in the manufacture of wood pulp or print paper.

Letter of Attorney General Wickersham to the Speaker of the House, dated March 18,

1912, declining to comply with a resolution of the House directing the Attorney General to furnish to the House information concerning an investigation of the Smelter Trust.

Letter of Attorney General McReynolds to the Secretary to the President, dated August 28, 1914, stating that it would be incompatible with the public interest to send to the Senate in response to its resolution, reports made to the Attorney General by his associates regarding violations of law, by the Standard Oil Co.

Letter of Attorney General Gregory to the President of the Senate, dated February 23, 1915, declining to comply with a resolution of the Senate requesting the Attorney General to report to the Senate his findings and conclusions in the investigations of the smelting industry.

Letter of Attorney General Sargent to the chairman of the House Judiciary Committee, dated June 8, 1926, declining to comply with his request to turn over to the committee all papers in the files of the Department relating to the merger of certain oil companies.

In taking this position my predecessors in this office have followed eminent examples.

Since the beginning of the Government, the executive branch has from time to time been confronted with the unpleasant duty of declining to furnish to the Congress and to the courts information which it has acquired and which is necessary to it in the administration of statutes. As early as 1796, the House of Representatives requested President Washington to lay before the House a copy of the instructions to ministers of the United States who negotiated a treaty with Great Britain, together with the correspondence and other documents relating to that treaty. In declining to comply with the request, President Washington said:

"* * * as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office * * * forbids a compliance with your request." (See Richardson, Messages and Papers of the Presidents, vol. 1, pp. 194, 196.)

In 1825, the House of Representatives requested President Monroe to transmit certain documents relating to the conduct of the officers of the Navy of the United States on the Pacific Ocean, and of other public agents in South America. In his reply, President Monroe refused to comply with the request, stating that to do so might subject individuals to unjust criticism; that the individuals involved should not be censured without just cause, which could not be ascertained until after a thorough and impartial investigation of their conduct; and that under those circumstances it was thought that communication of the documents would not comport with the public interest nor with what was due to the parties concerned. (See Richardson, Messages and Papers of the Presidents, vol. 2, p. 278.)

In 1833, the Senate requested President Jackson to communicate to that body a copy of a paper purporting to have been read by him to the heads of the executive departments, dated September 18, 1833, relating to the removal of the deposits of the public money from the Bank of the United States. President Jackson declined. (See Richardson, Messages and Papers of the Presidents, vol. 3, p. 36.)

In 1835 the Senate passed a resolution requesting President Jackson to communicate copies of the charges, if any, which might have been made to him against the official conduct of Gideon Fitz, late surveyor general south of the State of Tennessee, which caused his removal from office. In reply, President Jackson again declined to comply. (See Richardson, Messages and Papers of the Presidents, vol. 3, pp. 132-133.)

This discretion in the executive branch has been upheld and respected by the judiciary. The courts have repeatedly held that they will not and cannot require the Executive to produce such papers when in the opinion of the Executive their production is contrary to the public interests. The courts have also held that the question whether the production of the papers would be against the public interest is one for the Executive and not for the courts to determine. (*Marbury* v. *Madison* (1 Cranch 137, 169); *Totten* v. *United States* (92 U. S. 105); *Kilbourn* v. *Thompson* (103 U. S. 168, 190); *Vogel* v. *Gruaz* (110 U. S. 311); *In re Quarles and Butler* (158 U. S. 532); *Boske* v. *Comming-gore* (177 U. S. 459); *In re Huttman* (70 Fed. 699); *In re Lamberton* (124 Fed. 446); *In re Valecia Condensed Milk Co.* (240 Fed. 310); *Elrod* v. *Moss* (278 Fed. 123); *Arnstein* v. *United States* (296 Fed. 946); *Gray* v. *Pentland* (2 Sergeant & Rawle's (Pa.), 23, 28); *Thompson* v. *German Valley R. Co.* (22 N. J. Equity 111); *Worthington* v. *Scribner* (109 Mass. 487); *Appeal of Hartranft* (85 Pa. 433, 445); *2 Burr Trials* (533-536); see also 25 Op. A. G. 326.)

In *Kilburn* v. *Thompson*, supra, the Court said:

"It is believed to be one of the chief merits of the American system of written constitutional law that all the powers entrusted to government, whether State or national, are divided into the three grand departments—the executive, the legislative, and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other."

In *Appeal of Hartranft*, supra, the Court said:

"We had better at the outstart recognize the fact, that the executive department is a coordinate branch of the Government, with power to judge what should or should not be done, within its own department, and what of its own doings and communications should or should not be kept secret, and that with it, in the exercise of these constitutional powers, the courts have no more right to interfere, than has the Executive, under like conditions, to interfere with the courts."

The information here involved was collected, and is chiefly valuable, for use by the executive branch of the Government in the execution of the laws. It can be of little, if any, value in connection with the framing of legislation or the performance of any other constitutional duty of the Congress. We do not undertake to investigate strikes as to their justification or the lack of it, but confine investigation to alleged violations of law, including of course violation of statutes designed to suppress subversive activity, and to general intelligence to guide Executive policy. Certainly, the evil which would necessarily flow from its untimely publication would far outweigh any possible good.

I am not unmindful of your conditional suggestion that your counsel will keep this information "inviolate until such time as the committee determines its disposition." I have no doubt that this pledge would be kept and that you would weigh every consideration before making any matter public. Unfortunately, however, a policy cannot be made anew because of personal confidence of the Attorney General in the integrity and good faith of a particular committee chairman. We cannot be put in the position of discriminating between committees or of attempting to judge between them, and their individual members, each of whom has access to information once placed in the hands of the committee.

Of course, where the public interest has seemed to justify it, information as to particular situations has been supplied to congressional committees by me and by former Attorneys General. For example, I have taken the position that committees called upon to pass on the confirmation of persons recommended for appointment by the Attorney General would be afforded confidential access to any information that we have—because no candidate's name is submitted without his knowledge and the Department does not intend to submit the name of any person whose entire history will not stand light. By way of further illustration, I may mention that pertinent information would be supplied in impeachment proceedings, usually instituted at the suggestion of the Department and for the good of the administration of justice.

It is for the reasons given that I feel it my duty to decline your request, believing that in them you will find justification for my refusal.

Respectfully,

ROBERT H. JACKSON.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for an observation?

Mr. McMAHON. On the Senator's time?

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. McMAHON. I am sorry. I would yield to Senator, but my time is growing so short——

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from Iowa, to permit him to ask a question or two.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. HICKENLOOPER. Mr. President, I merely want to suggest that in referring to the opinion of the Attorney General on the question of constitutionality, in my opinion a sharp distinction should be drawn between trying to take from the President information he has developed under his executive discretion, on the one hand, and the power of Congress to impose affirmative duties on an official in the executive department, on the other.

Mr. McMAHON. Mr. President, I would say to the Senator from Iowa, in reply, that the FBI is simply an extension of the executive department of the Government headed by the President. The Senator unwittingly puts his finger on the very fallacy which underlies the attempt being made in this case. I wish I had time to thoroughly review the cases which have occurred under every President, wherein the Congress has demanded that certain papers be given up and furnished to the Congress. The President has invariably refused to comply. A fortiori, if he may refuse to supply confidential papers and documents in his possession, certainly he can see to it that an arm of the executive branch of the Government does not, at the behest of the legislative branch, turn over to it the results of a confidential investigation

which the legislative branch has no right in the first place to order.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from Connecticut has yielded himself further time?

Mr. McMAHON. I yield myself 7 minutes more.

The PRESIDING OFFICER. The Senator is recognized for 7 minutes.

Mr. McMAHON. Mr. President, as stated by one President—

> It cannot be doubted that the triumphant success of the Constitution is due to the wonderful wisdom with which the functions of government were distributed between the three principal departments—the legislative, the executive, and the judicial—and to the fidelity with which each has confined itself or been confined by the general voice of the Nation within its peculiar and proper sphere. Whilst a just, proper, and watchful jealousy of Executive power constantly prevails, as it ought ever to prevail, yet it is equally true than an efficient Executive, capable, in the language of the oath prescribed to the President, of executing the laws, and within the sphere of Executive action of preserving, protecting, and defending the Constitution of the United States, is an indispensable security for tranquillity at home and peace, honor, and safety abroad.

Mr. President, I now devote myself for a few minutes to the question of policy involved. I dare say that no man on this floor has any greater appreciation than have I of the affairs with which the Joint Committee on Atomic Energy is charged by the Congress to supervise. I take some pride in the fact that I have in my official capacity as a Senator had some part in the establishment of the policy of the Government on this subject. I do not think that anyone in the United States will charge me with being unaware of the terrible forces with which we deal. Yet, Mr. President, I say that even if I believed—which I do not—it were necessary for the safety of the United States that this bill should pass, I would be constrained, under my oath as a Senator of the United States, to vote against it, because I am pledged by my oath to uphold the laws and the Constitution of the United States. Feeling as I do, I would be forced, as I say, to vote against such a bill. I would endeavor to cure the defect if one existed in a constitutional manner. But I am convinced, having knowledge, as I have, of the subject with which we are dealing, that the safety of the United States and the efficient functioning of the Joint Committee on Atomic Energy do not require this legislation.

Mr. President, we are very much concerned with the efficiency of the Federal Bureau of Investigation. It is primarily upon that agency that we rely to protect us against sabotage, against espionage, and against everything that would militate against the security of the Nation. Any measure which is designed to hinder it in its operations should be and must be defeated. In other words, in order to promote the security of the United States, as my friend the Senator from California [Mr. KNOWLAND] would do, in order to use the Federal Bureau of Investigation to promote the security of the United States, he would, unwittingly, if this measure should pass, strike a blow at the Bureau's efficiency and its ability to do the things which it is charged by law to do.

That is a broad statement, Mr. President. Why do I make it? I make it for these reasons: I call attention to the fact that the Federal Bureau of Investigation, by the very nature of its work, must, if it is to be efficient and sufficient in all matters and at all times, guard with sacred zeal the sources of its information. I should like to quote from the opinion of former Attorney General Jackson.

He said:

> Disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants—sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.
>
> Disclosure of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.
>
> In concluding that the public interest does not permit general access to Federal Bureau of Investigation reports for information by the many congressional committees who from time to time ask it, I am following the conclusions reached by a long line of distinguished predecessors in this office who have uniformly taken the same view.

And then he cites case after case——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McMAHON. Mr. President, I yield myself more time. Remind me, again, Mr. President, in 7 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 7 minutes.

Mr. McMAHON. So, in the judgment of the Attorney General of the United States and in the judgment of every single one of his predecessors, yes, in the judgment of the Director of the Federal Bureau of Investigation, the giving out of reports to congressional committees or to anyone else would lessen the efficiency and the ability of the Federal Bureau of Investigations—to do what? To catch Russian spies who have been talked about on this floor. Parenthetically, I might say that those Russian spies, if they had ever faced the inquisition that was given nominees for the Atomic Energy Commission by the Senate Investigating Committee and its guests, I dare say would have disclosed the information in their possession.

Ah, Mr. President, is it necessary? We all remember the investigation which took place a year and 3 months ago, when from one end of this land to the other, charges were trumpeted against the Presidential nominees, and every newspaper in the land carried the charges and the accusations. They were tried, Mr. President, in the open, in the Senate Office Building, where they should have been tried. After the trial was concluded—it had consumed 56 sessions and 102 hours—a report was made to the Senate. We considered the nominations for 10 days and voted by an overwhelming vote to confirm them.

I said, when the bill passed, that I rose to uphold the dignity of the United States Senate.

Mr. President, the joint committee which is charged with the important duty with reference to which we have been speaking has appropriated to it $150,000. Eighteen employees are devoting their full time to the duties with which the joint committee is charged. The joint committee and its staff have done a highly creditable piece of work in discharging the very grave responsibility placed upon it by the act. We do not need any FBI investigations. We do not need any secret-service investigations. We do not need any investigation by the Pure Food and Drug inspectors, or any of the other of the myriad investigatory agencies of the Government. We can do the job ourselves.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. McFARLAND. Will the Senator state what the attitude of the FBI was in regard to making reports available?

Mr. McMAHON. I think I can speak with some authority on that subject. I believe it was the attitude of the Federal Bureau of Investigation that to take the reports out of the executive department would tend to destroy the efficiency of the Bureau in carrying out the duties with which they are charged.

Mr. McFARLAND. It has always been the understanding of the Senator from Arizona that the Department of Justice was of the opinion that if the reports were freely circulated it would prevent the Bureau from obtaining the information which it desired to obtain, for the reason that everyone was assured that his answers would be kept in the utmost confidence.

Mr. McMAHON. The Senator is exactly correct. I should like to point out to the Senator, if he will permit me, another thing which occurs to me. I should like to impress this on every Member of the Senate. When these reports are made up they are full of statements by people who are labeled "T–1," "T–2," "A–1," "XY," and so forth. The identity of those confidential informants is known solely to the Bureau and its innermost supervisory employees. When such a report is brought up, do we call in the nominee, and say, "'A–1' says you tried to burn down your neighbor's house?" He says, "Wait a minute; just a minute, please. Who is 'A–1?'" We say, "We cannot tell you that, because if we did the Director of the Bureau of Investigation rightly and correctly says it would ruin the efficiency of the FBI." What a situation that would be for citizens of the United States to be confronted with.

Ah, Mr. President, I yesterday asked a question of the Senator from Iowa, and I did not then get what I thought was a satisfactory response. The question was, What would happen if the President of the United States were to write a letter to the President pro tempore of

the Senate saying, "Mr. President pro tempore, you have some committees which are not doing very much. They have a lot of employees who are going home early. The FBI is working overtime. The Secret Service has its hands full. I want you to send your employees down here so that I may put them to work, because I have a lot of things for them to do. Oh, no, they will stay on your pay roll, but I have some nominees I want to have investigated."

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. McMAHON. I cannot yield now. I might say that there is only one step from that, of course, and a very short step, in principle, to say to the senior Senator from Illinois, "Come down here. You are not earning your $12,500. I have a veto message I want you to write, and you have to go to work for me."

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. McMAHON. I yield myself two more minutes.

The PRESIDENT pro tempore. The Senator from Connecticut is recognized for two more minutes.

Mr. McMAHON. The Senator from Illinois would say, "Mr. President, I will go down there and go to work for you when the Supreme Court tells me to."

I say, Mr. President, that if I were President of the United States—a fact, I might say, to which there is a presumption to the contrary—if the Senate committee drew upon Mr. Hoover, and said, "Mr. Hoover, investigate John Jones and send your report to us," I repeat, if I were President of the United States, I would say, "Mr. Hoover, you are my employee; you are working for me, under the law and the Constitution. I have the right to require your full time and your services to keep me informed and to investigate nominations to the Atomic Energy Commission for me."

Then, I presume, the Senate would haul him up for contempt, and, as I said earlier, habeas corpus would issue, and I am as certain as I am that I am standing here that the Supreme Court would discharge Mr. Hoover from a contempt charge.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. McMAHON. I yield myself two more minutes.

The PRESIDENT pro tempore. The Senator from Connecticut is recognized for two more minutes.

Mr. McMAHON. So, Mr. President, I say that this is not a new issue, as is evident from a reading of the cases and of the facts in the long struggle that started in George Washington's time, when he refused, contrary to the belief of the Senator from Ohio, to divulge to the Senate the secret papers upon which he had negotiated a treaty which was before the Senate for ratification—a struggle which continued from Washington to Jefferson, to Jackson, to Buchanan, to Polk, to Andrew Johnson, to Grover Cleveland, to Wilson, Coolidge, and Franklin Roosevelt. Under his constitutional responsibility, the President, as a representative of all the people, would be derelict in his duty if he did not defend the rights of the Chief Executive of the Republic. I, as a Senator of the United States, shall always be jealous of the prerogatives of the Senate, as I see them, as I am at this moment, because of a conviction of my conscience, jealous of the prerogatives of the President of the United States.

Mr. President, the bill is not constitutional, it is not wise, it is not necessary. The veto should be sustained.

Mr. HICKENLOOPER. Mr. President, I yield 3 minutes to the junior Senator from Michigan [Mr. FERGUSON].

The PRESIDENT pro tempore. The Senator from Michigan is recognized for 3 minutes.

Mr. FERGUSON. Mr. President, I think the RECORD should be clear on just what Attorney General Jackson's opinion applied to. He was not speaking, in that opinion, about the powers which are to be conferred in the bill which has been vetoed. In this bill the Congress is assigning a particular task to the FBI. Attorney General Jackson was speaking about confidential information, as he called it, in the hands of the Executive, an entirely different question.

Mr. President, separation of powers does not mean that the Congress of the United States cannot give to a bureau or an agency executive and judicial power or quasi-legislative and judicial power. It merely means that there are certain political powers, as was said in the case of Marbury against Madison, which cannot be taken from the President. But in that case power was lodged in the Secretary of State, the law said that he was to do certain things, and therefore the law was controlling, rather than the political power of the President.

Mr. President, on many occasions, until the Senate stopped the practice, various committees of the Senate borrowed from agencies Government employees, who were paid from the appropriations for the agencies, but did work for the committees. The only way in which we could stop that was by law.

The Jackson opinion does not apply to the instant case. Nor was the Jackson opinion based upon any Supreme Court decision.

Mr. McMAHON. Mr. President, I yield 10 minutes to the Senator from Kentucky [Mr. BARKLEY].

The PRESIDENT pro tempore. The Senator from Kentucky is recognized for 10 minutes.

Mr. BARKLEY. Mr. President, in the limited time at my disposal I do not propose to attempt a constitutional argument on the subject under discussion. If I might offer a brief reply to the Senator from Michigan, I would say that in principle I see no difference between requiring an executive department, which is an arm of the President, to divulge confidential information which it has gathered, and requiring an arm of the executive department to give confidential information to a committee of the Senate in regard to the confirmation of an appointment.

I am firmly convinced that what is proposed in the vetoed bill is an effort on the part of Congress to control the actions and the performance of the duties of agents of an executive department, and that means agents of the President. If Congress can do that in regard to the Atomic Energy Commission, it can do it in regard to any other appointeee of the President whose name is sent to the Senate and referred to any committee.

As I said yesterday in a colloquy with the Senator from Iowa [Mr. HICKENLOOPER], there is nothing constitutionally sacred in regard to the Atomic Energy Commission, which is the subject of the veto and the legislation now under consideration. We all recognize the confidential nature of that instrumentality. We recognize the importance of keeping it so. But from a legal and constitutional standpoint, we have no more power to authorize a committee of the Senate to command the FBI to be its agent, under its direction, in regard to appointees to the Atomic Energy Commission than we have in regard to any other appointee to a position under the United States whose name is sent to the Senate by the President.

If we can do what is proposed in regard to the Atomic Energy Commission, we have the power to do it in regard to all appointees of the President, including every district attorney and every judge in the United States.

It is one thing for the Department of Justice to investigate, through the Bureau of Investigation, the qualifications, the character, and the records of men who are contemplated for appointment by the President of the United States on the recommendation of the Attorney General. For instance, I think that every contemplated nominee for the position of district attorney is investigated for the information of the Attorney General in making his recommendation, and for the information of the President. The President has undisputed power to command the Bureau of Investigation to investigate anything within his purview. It is one thing for the Attorney General, who is the head of the Department of Justice, of which the Federal Bureau of Investigation is a part, to order the Federal Bureau of Investigation to investigate an appointee, or a contemplated appointee, because that is a part of the duty of the executive branch of the Government. It is an entirely different matter for a committee of the United States Senate, or a mere majority of a committee which, as has been indicated here, would be five Members of the United States Senate, to transpose itself into an executive agency and command the Federal Bureau of Investigation to be its servant, not subject to the Attorney General, not subject to the President, but subject only to that committee in regard to the matter which was under consideration.

It is easy to understand how a conflicting situation might exist. The Bureau of Investigation is an agency in the Department of Justice. It continues to act under the Attorney General, regardless of change in administration. Suppose the President of the United States, in the exercise of his judgment, should nominate a prominent and eminent lawyer to be Attorney General of the United States. If the Senate could do the thing it is now proposed it shall have authority

to do, it could authorize the Commitee on the Judiciary to require the FBI to investigate a contemplated Attorney General and thereby decide who might be their superior in the Department of Justice. The mere mention of such a ridiculous conflicting situation, it seems to me, is sufficient to condemn it. Assuming that the Committee on the Judiciary would exercise the authority that Congress might give it, if it should give to the Committee on Atomic Energy the power now sought, we might very well visualize a situation where a subordinate agency in the Department of Justice might determine who would be the Attorney General of the United States.

If Congress can do that with regard to an Attorney General it can do it with regard to the Supreme Court of the United States, because if we can authorize the committee to require the Bureau of Investigation literally to pass on the qualifications of appointees to the Atomic Energy Commission we can likewise authorize the Committee on the Judiciary, if the President were to appoint an individual to be Chief Justice of the United States, to require the FBI to make an investigation with respect to the qualifications of that individual. Are we willing to say by the precedent which it is sought to set here that we may extend it to all appointees, including appointees to the highest Court, which is a coordinate branch of the Government, so that a mere arm of the Department of Justice would have the right to say by its testimony or its report to the Committee on the Judiciary whether any man appointed to the Supreme Court shall qualify to serve in that coordinate branch of the Government of the United States?

Mr. McMAHON. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. McMAHON. I should like to read one sentence from the statement of the Senator from California [Mr. KNOWLAND], the sponsor of the bill, made yesterday, which is along the lines the Senator is now discussing:

> We do not claim that the Senate or the Senate Members of the committee should be able to direct the FBI to investigate any other officeholder in the Government of the United States.

Mr. BARKLEY. That is a mere statement that up to now they are not seeking to go any further. The point is, if we go this far we can go the entire distance, and we can require the FBI to come before a committee and determine by its testimony, or its report, whether an individual nominated by the President of the United States to be Chief Justice of the United States should be entitled to confirmation. It seems to me that the whole proposal, in view of its possible ramifications, is an infringement upon the executive branch of the Government. We are supposed to retain the independence of these coordinate branches. While the President is a part of the legislative process in the sense that he must approve or disapprove legislation, only in that sense is he a part of the legislative branch, which is a coordinate branch of the Government, with equal power and equal authority in its sphere, with that of the President himself and the Supreme Court.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BARKLEY. I do not know how much time I have left.

The PRESIDENT pro tempore. The Senator from Kentucky has 1 minute left.

Mr. BARKLEY. I yield.

Mr. HICKENLOOPER. Does the Senator by any chance contend that the Congress cannot prescribe duties for subordinate officials of government?

Mr. BARKLEY. Congress can prescribe duties for subordinate officials of government, and does it every time it creates an office. Congress has prescribed the duties of every new Cabinet member when it has created a new department. It has prescribed the duties of every subordinate agency in setting up the agency. As a matter of legislation it has prescribed the duties of such new agencies. That is one thing. But it is an entirely different thing to say that a committee of the Senate can call individuals who are members of the executive department before it and require them to make an investigation for a committee which is likewise a subordinate branch of the Congress of the United States.

The PRESIDENT pro tempore. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. Mr. President, will the Senator from Connecticut yield me another minute?

Mr. McMAHON. I yield the Senator from Kentucky 1 minute.

The PRESIDENT pro tempore. The Senator from Connecticut has 2 minutes left on his side.

Mr. BARKLEY. Mr. President, I hope the President's veto will be sustained, not merely because Harry Truman has sent it here. I would take the same position if it were done by any other President. I think we are embarking upon a dangerous course when we say that we can reach our arm, our subordinate arm through a committee, into an agency of the executive branch, and require that agency to do something which may be even in contradiction of the order of the President, to take them out of a job to which they have been assigned by the executive department, and say "We need you. We want you. Regardless of anything else you say, you are now our agent." I do not believe we can do it constitutionally; I do not believe we should do it in the exercise of sound judgment and wisdom.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Iowa [Mr. HICKENLOOPER], the chairman of the Joint Atomic Energy Committee.

Mr. HICKENLOOPER. Mr. President, in closing the debate, I again call the attention of the Senate to the fact that there have been many red herrings drawn across the trail during the last few days which may divert attention from the real substance of the issue. In the first place, it is not five Senators who would be ordering an investigation. As I pointed out yesterday, three Senators could order the investigation, if that is the logic of the situation which is insisted upon, because three Members would constitute a majority of a quorum. But this is the sovereign Congress of the United States ordering and fixing additional duties upon a subordinate officer of the United States for the benefit of this body.

I may also point out that there is nothing unique about the bill. Throughout the entire history of the United States we have ordered and prescribed duties of subordinate bodies of Congress. I have now in my hand a list of more than 330 agencies and departments in the executive department of the Government which are ordered and required to submit reports to and perform services not only for the Congress, but to and for each House of the Congress, and in many instances to and for committees of the Congress. There is nothing unique about the legislation.

On the question of constitutionality I may suggest that the constitutionality of the measure has been argued by Senators on the other side of the question on the ground that the Congress would be reaching into the discretionary powers of the President in connection with acts he is required to perform under the Constitution, and violating such provisions of the Constitution. There is nothing of that kind involved here. In this legislation Congress seeks to have an act performed by an executive agency of Government for the Congress, not for the President.

Again I may review and say that in the Atomic Energy Act itself thousands of investigations by the FBI are ordered by the law, not by the President. He has no control over it. Thousands of investigations of employees of the Atomic Energy Commission are ordered by law to be made by the FBI; and the reports of those investigations are not made even to the Attorney General, who is the immediate superior of the Federal Bureau chief, but directly to the Atomic Energy Commission. They are not even made to the President. Neither the President nor the Attorney General has any control over such investigations, either to order them or to stop them.

This bill is essential from a practical standpoint. It is justified historically and from a legal standpoint. From a practical standpoint, it is the only method whereby the committee of the Senate can be assured that it has exhausted all reasonable opportunity and avenues of investigation to look into the qualifications of appointees to these important positions.

On many occasions in the past the judgment of the Chief Executive in appointments which he has made to important positions has been declared to be bad by the Senate in exercising its constitutional duty. We are all mindful of those examples. It is neither fair nor sound to say that because the President makes an appointment the appointment is sacred or the individual whom he appoints is a paragon of virtue, ability, and all the other things one might desire in public office. That is why the Senate is required to examine into Presidential appointments. That is why the Constitution charges this body with fully as

sacred a responsibility and obligation to the public in confirming such appointments as it places upon the Chief Executive in making the appointments. The responsibility is a divided responsibility. The solemnity is equal on both sides. To deny this body the use of an efficient, already organized, extensive body of investigators to report to the committee and aid it in the exercise of its important duty is not only fundamentally sound, but it is utterly practical in this vital field.

The PRESIDENT pro tempore. The time of the Senator from Iowa has expired.

Mr. KNOWLAND. Mr. President, we come to the end of the debate relative to the question whether Senate bill 1004 shall be passed, the objections of the President of the United States to the contrary notwithstanding. I believe that the constitutional questions have been ably discussed today. There is apparently an honest difference of opinion as to constitutionality. Personally I believe that the bill is a constitutional use of power by the Congress of the United States. In any event, as I pointed out yesterday, there is only one way in which that question can be finally determined, and that is for the United States Supreme Court to pass upon the question if the law is ever challenged.

The second question is, Is it essential? On this question I have no doubt whatsoever. Yesterday I pointed out the legislative history of the bill. This is not something that has recently been introduced. As a practical matter of fact, it has no application whatever to the incumbent members of the Commission. The original form of the bill, which has been greatly modified, was introduced before the present Commissioners were confirmed a year ago. It grew out of the fact that during that period of time we discovered what we thought to be a very serious loophole in the law, one which would threaten the very security of the Government itself. This is an unprecedented field in which we operate. With the exception of the late President Roosevelt and the incumbent President, no other President in the history of the United States has had to deal with this vast atomic force, which in itself could lead to the destruction of the very Republic under which we live, and the peace of the world.

I invite attention to the fact that the Joint Committee on Atomic Energy is charged with a tremendous responsibility. The nine Members of the Senate and the nine Members of the House of Representatives on the joint committee are the liaison between the Atomic Energy Commission itself and the Congress of the United States. By the very nature of the power with which we are concerned, the committee must deal with highly classified subjects, and we do so constantly. In turn, because of the nature of this subject, we cannot discuss all phases of it with the House of Representatives or with the Senate. Members of Congress must rely to a large extent upon our judgment in this field.

The proposed legislation would in no sense confer upon the committee the power to seize any existing records of the President of the United States or of the executive branch of the Government of the United States. To the contrary, all it provides is that in this limited field, in this unprecedented field of atomic power, when the United States Senate is exercising its constitutional responsibility of confirming or refusing to confirm Presidential appointments—in that limited field alone, and only in that field, we shall have the right to call upon one of the agencies of the Government created by the Congress of the United States to obtain the information which we need in the discharge of our constitutional obligation.

Again I say that this question is a matter of great concern to the country. I pointed out that a year or so ago our neighboring country to the north, Canada, was faced with a very serious spy situation. A Royal Commission was appointed. If one examines the report of the Royal Commission, he will find that at the time the Soviet Government was united with us as an ally, and we were giving to her $11,000,000,000 in lend-lease goods, and aiding her in a common effort, she sent her agents to Canada, an allied power. Those agents penetrated to high places in the Government of Canada, in what would be the equivalent of our Atomic Energy Commission, and into the very legislative halls themselves.

What had the Russians done? They had stolen a sample of uranium. They had stolen other information regarding the atomic field. Therefore I say that the very subject matter with which we are dealing made the committee feel that it was desirable and necessary to report a bill to this body and to the other body of the Congress to try to close the loophole.

As the great Democratic President, Grover Cleveland, once said, we were confronted by a condition and not a theory. We have tried to offer a constructive approach to close the loophole. We believe that it is a constitutional approach. We believe that Congress has the power to ask an agency of its own creation to obtain information for the Congress in the discharge of our constitutional obligation. In the final analysis this body has the ultimate responsibility. At some distant time in the future, when someone is appointed to the Commission, we do not want Members of the Senate to rise and say, "Why did you not see that there was a full and complete FBI report?"

The PRESIDENT pro tempore. The time of the Senator from California has expired.

The Senator from Connecticut [Mr. MCMAHON] has 1 minute.

Mr. MCMAHON. Mr. President, in the minute remaining I wish to point out that this situation high-lights the Biblical injunction that man cannot have two masters. He cannot serve both the President of the United States and the Senate members of the Joint Committee on Atomic Energy.

The statutes which are cited as precedents deal with the exercise of constitutional legislative authority. We can establish bureaus; we can abolish them; we can appropriate for them; or we can deprive them of appropriations. But we cannot conduct them in their daily operations. That is what we would attempt to do if we were to enact this bill.

Something has been said about the Canadian spy case. If we enact this bill we shall inevitably tear down the efficiency of the Federal Bureau of Investigation and deprive it of the ability to detect the very kind of thing which the Senator from California has pointed out to the Senate.

The PRESIDENT pro tempore. Under the unanimous-consent agreement, all time has expired and the Senate will proceed to vote.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Millikin |
| Baldwin | George | Moore |
| Ball | Green | Morse |
| Barkley | Gurney | O'Conor |
| Brewster | Hatch | Pepper |
| Bricker | Hayden | Revercomb |
| Bridges | Hickenlooper | Robertson, Va. |
| Brooks | Hill | Russell |
| Buck | Hoey | Saltonstall |
| Butler | Holland | Sparkman |
| Byrd | Ives | Stennis |
| Cain | Johnson, Colo. | Stewart |
| Capehart | Johnston, S. C. | Thomas, Okla. |
| Capper | Kem | Thomas, Utah |
| Chavez | Kilgore | Thye |
| Connally | Knowland | Tobey |
| Cooper | Langer | Tydings |
| Cordon | Lodge | Umstead |
| Donnell | Lucas | Vandenberg |
| Downey | McClellan | Wherry |
| Dworshak | McFarland | White |
| Eastland | McGrath | Williams |
| Ecton | McKellar | Wilson |
| Ellender | McMahon | Young |
| Ferguson | Magnuson | |
| Flanders | Malone | |

The PRESIDENT pro tempore. Seventy-six Senators having answered to their names, a quorum is present.

The question before the Senate is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

A vote to override the veto will be a vote "yea."

A vote to sustain the veto will be a vote "nay."

The yeas and nays are required by the Constitution. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Kansas [Mr. REED] are necessarily absent. If present and voting, the Senator from South Dakota, the Senator from Wisconsin, and the Senator from Kansas would vote "yea."

The Senator from Indiana [Mr. JENNER] and the Senator from Utah [Mr. WATKINS] are necessarily absent and are paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Indiana and the Senator from Utah would vote "yea," and the Senator from Wyoming would vote "nay."

The Senator from Pennsylvania [Mr. MARTIN] and the Senator from Ohio [Mr. TAFT] are necessarily absent and

are paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from Pennsylvania and the Senator from Ohio would vote "yea", and the Senator from Montana would vote "nay."

The Senator from New Jersey [Mr. SMITH], who is necessarily absent, and the Senator from Wyoming [Mr. ROBERTSON], who is absent on official business, are paired with the Senator from New York [Mr. WAGNER]. If present and voting, the Senator from New Jersey and the Senator from Wyoming would vote "yea," and the Senator from New York would vote "nay."

The Senator from New Jersey [Mr. HAWKES], who is necessarily absent, and the Senator from Wisconsin [Mr. WILEY], who is absent on official business, are paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from New Jersey and the Senator from Wisconsin would vote "yea," and the Senator from Pennsylvania would vote "nay."

Mr. LUCAS. I announce that the Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Pennsylvania [Mr. MYERS] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Montana [Mr. MURRAY] is paired with the Senator from Ohio [Mr. TAFT] and the Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the Senator from Montana would vote "nay," and the Senators from Ohio and Pennsylvania would vote "yea."

The Senator from Pennsylvania [Mr. MYERS] is paired on this vote with the Senator from New Jersey [Mr. HAWKES] and the Senator from Wisconsin [Mr. WILEY]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senators from New Jersey and Wisconsin would vote "yea."

The Senator from Wyoming [Mr. O'MAHONEY] is paired on this vote with the Senator from Indiana [Mr. JENNER] and the Senator from Utah [Mr. WATKINS]. If present and voting, the Senator from Wyoming would vote "nay," and the Senators from Indiana and Utah would vote "yea."

On this vote the Senator from New York [Mr. WAGNER] is paired with the Senator from Wyoming [Mr. ROBERTSON] and the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from New York would vote "nay," and the Senators from Wyoming and New Jersey would vote "yea."

The yeas and nays resulted—yeas 47, nays 29, as follows:

YEAS—47

| | | |
|---|---|---|
| Aiken | Butler | Downey |
| Baldwin | Byrd | Dworshak |
| Ball | Cain | Eastland |
| Brewster | Capehart | Ecton |
| Bricker | Capper | Ferguson |
| Bridges | Cooper | Flanders |
| Brooks | Cordon | Gurney |
| Buck | Donnell | Hickenlooper |
| Holland | Millikin | Tobey |
| Ives | Moore | Vandenberg |
| Kem | Revercomb | Wherry |
| Knowland | Robertson, Va. | White |
| Lodge | Russell | Williams |
| McClellan | Saltonstall | Wilson |
| McKellar | Stewart | Young |
| Malone | Thye | |

NAYS—29

| | | |
|---|---|---|
| Barkley | Hoey | Morse |
| Chavez | Johnson, Colo. | O'Conor |
| Connally | Johnston, S. C. | Pepper |
| Ellender | Kilgore | Sparkman |
| Fulbright | Langer | Stennis |
| George | Lucas | Thomas, Okla. |
| Green | McFarland | Thomas, Utah |
| Hatch | McGrath | Tydings |
| Hayden | McMahon | Umstead |
| Hill | Magnuson | |

NOT VOTING—19

| | | |
|---|---|---|
| Bushfield | Murray | Taft |
| Hawkes | Myers | Taylor |
| Jenner | O'Daniel | Wagner |
| McCarran | O'Mahoney | Watkins |
| McCarthy | Reed | Wiley |
| Martin | Robertson, Wyo. | |
| Maybank | Smith | |

The PRESIDENT pro tempore. On this vote the yeas are 47; the nays are 29. Two-thirds of the Senate not having voted in the affirmative, the bill on reconsideration is not passed.

LEAVE OF ABSENCE

Mr. BALDWIN asked and obtained consent to be absent from the Senate for the remainder of the afternoon, by reason of being chairman of a subcommittee of the Committee on Post Office and Civil Service.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

STATEHOOD FOR ALASKA — MESSAGE FROM THE PRESIDENT (S. DOC. NO. 159)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed:

*To the Congress of the United States:*

Alaska is our last great frontier area, and has the capacity to provide new opportunities for many thousands of our citizens. It contains known resources of food, timber, and minerals of great value to the national economy, and may have much greater resources as yet undiscovered.

It is in the Nation's interest, therefore, for the Government to assist the balanced development of Alaskan resources and to help open economic opportunities on a sound long-term basis. I am recommending in this message a number of actions which will contribute to these purposes.

Since Alaska became part of the United States 80 years ago, a certain amount of development has taken place. A number of industries, principally fisheries and mining, have been established, although unfortunately they have followed too largely the pattern of absentee ownership and exploitation. During the recent war, when the strategic importance of Alaska became obvious, a number of extensive military installations were built or started there.

1. Statehood for Alaska: Some 94,000 people now reside in the Territory, and the population is growing. Alaska residents deeply desire statehood. A large proportion of them are from the States and share our long tradition of self-government. Alaska has a larger population and a stronger economic base than did many of our present States when they were admitted to the Union. It has had Territorial government for more than 35 years, surely a sufficient period of preparation for its admission as a State.

I believe, therefore, that we should admit Alaska to statehood at the earliest possible date, and I urge the Congress to enact the necessary legislation. I am pleased to note that the Committee on Public Lands of the House of Representatives has unanimously recommended such legislation.

It is important to remember that after the Congress acts, it will still be necessary to hold a constitutional convention, draft a constitution, and submit it to the voters for approval before statehood is achieved. Since these steps will require at least a year, they should be started as soon as possible.

Statehood will bring many advantages to the people of Alaska. Most important, it will give them a much greater opportunity to manage their own affairs; they will have the benefits of local freedom and initiative inherent in our system of democratic government. They will be able to put into effect much more fully their own concept of the unified development of all the resources of their vast territory.

In addition, when Alaska is a State, its people will be able to do much for themselves which they now find difficult or impossible. For example, through their State government a sound, modern tax structure can be established to replace the present obsolete and inadequate system prescribed 35 years and more ago by the Federal Government. Alaskans will also be able to provide more adequately for education and health, problems which are especially difficult under frontier conditions.

Moreover, statehood will permit Alaskans to take a greater part in the affairs of the Nation. Through voting representation in the Congress and participation in national elections, they will have a direct voice in national decisions. At the same time, as a State Alaska will participate fully in many national programs, such as the Federal-aid highway program, which are now withheld unless special legislation is passed.

While statehood is a wise and necessary step, certain other immediate actions should also be taken, if Alaskans are to achieve steady and balanced industrial, agricultural, and community growth.

2. Improving the transportation system: In many respects, Alaska is still a pioneer land, and one of the principal problems is that of developing a satisfactory transportation system. The Territory is about one-fifth the size of the United States, yet has less highway or railroad mileage than many of our smaller States. It is a country of vast distances, sparsely settled, which to-

gether with difficult weather conditions and terrain creates unique transportation problems.

Under these circumstances, the Federal Government has a special responsibility to help in improving the transportation system. Traditionally, the Government has aided the development of transportation in frontier areas. From the standpoint both of military and civilian development, much needs to be done immediately to improve transportation in Alaska.

Nearly all the freight and many of the passengers carried between the States and Alaska move by sea. The only access by land is over the Alaska Highway, built during the war, largely through Canadian territory.

Shipping services between Alaska and the States are not now easily provided on an economical and regular basis, nor will they be for some time to come. Weather conditions are difficult, adequate ports are few and scattered, and traffic is very unbalanced at different seasons. As a result, rates have been high and service somewhat unsatisfactory to the Territory. A new development has recently taken place in the establishment of barge transportation, which seems to offer possibilities for competition with the steamship services, although at present barges only operate to a few ports.

The Government has recognized that in view of the special need for effective sea transportation, assistance should be given to the development of efficient low-cost service, for the best interests of Alaska and the Nation as a whole. Assistance should be provided that will encourage the establishment of new industries in Alaska and consequent migration and settlement. At the same time Government assistance should be directed toward the establishment of a sea transportation system which will become independent of Government subsidy as conditions permit. To this end the Government should audit the efficiency of subsidized operators as well as control the rates.

Present legislation permits nominal-rate charters of surplus Government-owned vessels to private operators. It is apparent that this type of Government aid is sufficient to keep shipping in the Alaska trade and can be administered to achieve even more desirable rate and service standards than have been provided since the present legislation was approved in March 1947. I recommend, therefore, that the present legislation be extended, in modified form, for 1 year. The modifications should prevent exclusive arrangements with any carriers and should provide financial incentives for efficient operations. The Maritime Commission has presented these recommendations in detail to the Congress. The Commission will also change its present contractual arrangements with the Alaska carriers along similar lines.

At the same time, because of the unique transportation conditions existing in Alaska, I recommend that our maritime laws be amended to remove the present bar to shipping goods in bond between the United States and Alaska via Canadian rail, port, and shipping facilities. This bar does not apply between any of our States, and there is no reason thus to discriminate against Alaska. Furthermore, Canadian ships should be permitted to transport passengers and freight between Alaska ports, in order to provide more adequate service. These recommendations are also in accord with the mutual interest which we will continue to have with our Canadian neighbors in the development of the great northwest territory of this continent.

Another factor hampering transportation is that in several Alaskan ports, docking and storage facilities are insufficient. Some ports are now being developed and others are being studied by the Navy, the Corps of Engineers, and the Coast Guard to determine the extent and nature of local improvements needed. A number of private construction projects are awaiting the completion of these reports.

Land transportation in Alaska is provided principally by the Government-owned Alaska Railroad and the present inadequate highway network. The 1949 budget now before the Congress includes funds for carrying forward a 5-year program of rehabilitation and improvement for the railroad. Upon reconsidering the urgency of these improvements and the possible rate of construction I now recommend that this program be accelerated, in order to accomplish most of the work within 3 years.

There is also pending before the Congress a long-range program for improving the present highway system and building some important new roads. I shall shortly submit supplemental estimates to accelerate this program, as well as the railroad program.

In addition to these improvements of the highways in Alaska, it is important also to consider the roads through Canada. The Canadian Government has done an excellent job in maintaining the main Alaska highway, and it is being used increasingly by truckers and tourists. The so-called Haines Cut-off Road is an important link connecting southeastern Alaska at the head of the inland passage with the Alaska highway in the Yukon Territory of Canada. Since this road is of importance to the United States, but is so located as to be of less use to Canada, special arrangements will have to be made for its improvement and maintenance.

Because of the great distances and sparse settlement of Alaska, air transportation has developed rapidly. Both large-scale air lines and small-scale "bush pilots" operate extensively through the Territory and often provide the only direct link between town and settlements. It is especially important therefore that air transportation be encouraged.

The 1949 budget, now pending before the Congress, includes funds for the improvement of air-navigation facilities in Alaska. In addition, I am glad to note that the Congress has just completed action on legislation for the construction of new airports at Fairbanks and Anchorage, where the present civil airports have become obsolete largely as a result of the establishment of military airports close by.

3. Constructing housing and community facilities: Another problem facing Alaskans and the Government in establishing proper conditions for further settlement and development is that of constructing badly needed housing and community facilities. The towns and cities of Alaska have grown so rapidly in recent years that the lack of those facilities is causing considerable hardship now and constitutes a serious bar to further growth.

To assist the construction of schools, hospitals, and community facilities, such as water, sewers, streets, and electric services, I recommend that special legislation be enacted to permit the Federal Works Administrator to provide such facilities and transfer them to the Territory and its municipalities upon terms which will assure a proper sharing of the cost. It is necessary and proper for the Government to assist in providing the elementary facilities necessary for sanitation, health, and education.

The Territorial government and Alaskan communities face difficulty in financing these facilities because of the inadequate financial structure imposed by the present Federal law. In particular, the Territory and the municipalities are unnecessarily hampered in obtaining funds for community development. Even in advance of statehood, I recommend that these restrictions be removed, so that Alaskans may do as much as possible to obtain their own facilities and may carry their proper share of the cost of construction under the Federal program I have recommended.

In addition to the hospitals to be provided under this proposed legislation, special provision should be made for hospital facilities for tubercular patients, as the rate of tuberculosis in Alaska is about nine times that of the rest of the United States. The 1949 budget and a supplemental request for funds which I shall shortly submit to the Congress provide for a substantial increase in the available number of beds for tubercular patients.

The housing problem in Alaska is extremely acute. In spite of the rapid increase in population during and since the war, there has been very little residential construction. This situation results from a number of special circumstances, including the limited residential building industry, the shortage of funds for home financing, the high cost of building materials transported from the States, and special land and utility problems.

Many of the actions recommended in this message will assist in removing these obstacles. Thus, the improvement of transportation, the provision of community facilities, and the modification of the public-land laws will all aid the development of the home-building industry.

In addition to these measures, I recommend that special financial terms for home construction be provided under existing programs of aid to private housing. The need for such special treatment of Alaska problems has already been recognized in some of our present housing legislation. Furthermore, I recommend that special development funds should be made available on a revolving-fund

loan basis, in order to encourage immediate construction.

4. Lands for natives: A special legal problem is at present hampering the development of Alaska. This is the question of whether or not Alaska natives have claims to the ownership of certain lands. Until this problem is settled, it will continue to create some question concerning the title to land needed by individuals and companies for development in many parts of the Territory, including the national forests.

The determination of native claims under existing law would require a considerable period of time. In the interest of the development of Alaska, and for the benefit of all concerned, I recommend that the Congress authorize the Secretary of the Interior to grant to the natives their village sites and burial grounds, and such lands and hunting and fishing rights as are necessary for their economic livelihood, with due regard for the integrity of the national forests, provided that the natives waive claims to any additional lands. In addition, the Congress should extinguish by law any rights which the natives might have to other public lands. At the same time, the natives who do not accept such grants should, of course, be free to assert claims against the Government in a proper court with respect to any asserted rights lost by such extinguishment. These actions would clear title to the land granted and all other land and permit industrial and agricultural development to go forward.

I believe that this will be the fairest and most expeditious method for settling this long-standing problem.

5. Encouraging land settlement: Another step which should be taken to improve the opportunities for industrial, agricultural, and community development in Alaska is to improve our laws concerning the disposal of public land. More than 95 percent of the land area of Alaska is now in the public domain. It can be settled, and is being settled, under the present public-land laws. But those laws should be amended to take account of unique conditions in the Territory.

Because of the isolated nature of the new farming and industrial areas which will be opened, and of the peculiar conditions found there, I recommend that legislation be enacted to permit land settlement on a group basis, in tracts of a size and shape appropriate to the terrain, and to permit homesteaders to live in communities rather than in isolated farm houses, where appropriate. Furthermore, I recommend that the Congress authorize appropriate technical and financial assistance for settlement and development. Together with necessary administrative changes to improve the handling of land applications and funds necessary to permit speedier surveying of land areas, I believe these actions will permit easier and more rapid settlement in Alaska.

All of the recommendations I have made concerning statehood, transportation, housing, and community facilities, lands for natives, and land settlement are designed to make possible the early and sound development of industry, agriculture, and stable community life. These actions will establish a proper framework within which individuals and private companies can use the abundant natural resources of Alaska.

Until now the principal industries have been gold mining and salmon fishing and canning. Substantial expansion of these industries under present conditions is unlikely.

There are, however, numerous other promising opportunities for economic development. Many minerals, other than gold, including such scarce minerals as lead and zinc, have been located, although most of the Territory has not been thoroughly prospected. It can be expected, therefore, that the mining industry will continue to grow for many years. Funds have been included in the 1949 budget for an expansion of mineral exploration and the establishment of a Bureau of Mines laboratory in Alaska, both of which will be important aids to new development.

While salmon fishing and canning are fairly stable, and are necessarily operating under careful conservation standards, there are possibilities for new fisheries of different types.

Sources of energy are basic elements in economic developments. Oil and coal, the present main sources of energy, are being shipped to Alaska. It is extremely important to develop more power sources within the Territory. Considerable coal is now mined there, with substantial possibilities for more. There are also oil deposits.

In addition, there are numerous potential hydroelectric power sites, although few of them have been sufficiently studied to prepare detailed construction plans. These power sites should be studied as rapidly as possible in order that power development can proceed promptly.

In southeastern Alaska, and to a lesser extent elsewhere, extensive timber resources are available which can, when accompanied by suitable power development, be the foundation for substantial forest-products industries. The most promising opportunities at present appear to be in establishing pulp and paper mills in the Tongass National Forest, where timber sales are available to private companies on a sustained yield basis.

There are also many opportunities to produce construction materials, such as cement, brick, and lumber. Most of these materials are now being transported at high cost over long distances, and the production in Alaska will be of great value to home building and other construction industries.

In addition, there are extensive opportunities for tourists and sportsmen to enjoy the spectacular scenery and unspoiled wilderness of Alaska. With improvements in highway, water, and air transportation there will be an increasing stream of visitors. Many economic opportunities will be present to provide accommodations and other services for such visitors.

Another important possibility for economic development is that of agriculture. Only small areas are now being farmed, and our knowledge is very incomplete concerning the farming methods, crops, and marketing systems best adapted to the special conditions of Alaska weather and soil. Several additional areas seem to offer good opportunities for farming, and the Agriculture and Interior Departments are conducting detailed studies of them this summer. Furthermore, the Agricultural Experiment Station in Alaska is expanding its program of investigating crop and livestock possibilities.

It will necessarily be a slow process to develop further agricultural areas on a sound basis. Nevertheless, I believe that considerable expansion of agriculture will be possible, and it is certainly desirable for the Government to support agricultural settlement so that Alaska can become less dependent on imported food.

All these opportunities are now present or potential. With imagination and far-seeing effort by the people of Alaska and the Government, the resources of Alaska can play a growing role in our national economy and can provide a sound livelihood for the people now there and many thousands who will join them.

In the long view, the most important action the Government can take to assure this end is to permit Alaska to become a State. With the additional measures I have recommended, there is every reason to foresee a strong and expanding population of permanent residents, and to expect that the State of Alaska will be a strong partner in our great Union of States.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 21, 1948.*

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

### RATES OF PAY FOR CERTAIN POSITIONS AT FIELD INSTALLATIONS OF VETERANS' ADMINISTRATION

The PRESIDENT pro tempore laid before the Senate a letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to prescribe the rates of pay for certain positions at field installations which, with accompanying papers, was referred to the Committee on Labor and Public Welfare.

### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the mayor and Board of Aldermen of Lexington, Tenn., favoring an appropriation of $4,000,000 for construction of a steam plant at Johnsonville, Tenn.; to the Committee on Appropriations.

Resolutions adopted by the Connecticut Federation of Women's Clubs, Inc., Orange, Conn., favoring strengthening of the United Nations' Charter by an amendment providing a federal world government for the maintenance of peace; to the Committee on Foreign Relations.

A resolution adopted by the Pennsylvania Grocers Association in convention assembled at Philadelphia, Pa., protesting against the imposition of impost taxes, license fees, unnecessary regulations, and color restrictions, either local, State, or Federal, on oleomargarine; to the Committee on Finance.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

H. R. 4112. A bill to provide for the acceptance and use of funds for support of the national weather service supplementing the funds appropriated for the operation of the Weather Bureau of the Department of Commerce; without amendment (Rept. No. 1367);

H. R. 4393. A bill to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes; without amendment (Rept. No. 1368);

H. R. 4426. A bill to provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes; without amendment (Rept. No. 1369);

H. R. 4427. A bill to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes; without amendment (Rept. No. 1370);

H. R. 4804. A bill to allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941; without amendment (Rept. No. 1371); and

H. R. 4817. A bill to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.); without amendment (Rept. No. 1372).

By Mr. REED, from the Committee on Interstate and Foreign Commerce:

H. R. 3730. A bill to amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage, or injury to, property is sustained, on account of expense incurred in defending actions at law; without amendment (Rept. No. 1373).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. J. Res. 162. Joint resolution to rescind certain orders of the Secretary of the Interior establishing Indian reservations in the Territory of Alaska; with amendments (Rept. No. 1366).

By Mr. GURNEY, from the Committee on Armed Services:

H. R. 5298. A bill to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes; with amendments (Rept. No. 1374).

By Mr. CAIN, from the Committee on the District of Columbia:

S. 2406. A bill to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended; without amendment (Rept. No. 1375); and

H. R. 5874. A bill to establish a District of Columbia Armory Board, and for other purposes; with an amendment (Rept. No. 1376).

By Mr. KEM, from the Committee on the District of Columbia:

H. R. 6071. A bill to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes; with amendments (Rept. No. 1377).

By Mr. McGRATH, from the Committee on the District of Columbia:

S. 2040. A bill to permit certain property owners to file objections and exceptions to awards of damages and assessments of benefits growing out of condemnation proceedings for the extension of Eastern Avenue in the District of Columbia, and for other purposes; with amendments (Rept. No. 1378);

H. R. 6203. A bill to incorporate the Roman Catholic Archbishop of Washington a corporation sole; without amendment (Rept. No. 1379);

H. R. 6209. A bill to amend an act entitled "An act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia," approved January 6, 1893, as amended; without amendment (Rept. No. 1380);

H. J. Res. 379. Joint resolution to provide for maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949; without amendments (Rept. No. 1384);

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes; without amendment (Rept. No. 1381); and

H. J. Res. 381. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies of 1949; without amendment (Rept. No. 1382).

By Mr. MILLIKIN, from the Committee on Finance:

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment; with amendments (Rept. No. 1383).

## REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. LANGER, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER (for Mr. BUSHFIELD):

S. 2718. A bill to authorize and direct the Secretary of the Interior to issue to Helen Stranger Horse Bordeaux a patent in fee to certain land;

S. 2719. A bill to authorize and direct the Secretary of the Interior to issue to Arminia Douville Iron Wing a patent in fee to certain land; and

S. 2720. A bill to authorize and direct the Secretary of the Interior to issue to Lema Bordeaux Marshall a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

By Mr. IVES:

S. 2721. A bill for the relief of Anton Gasparik; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2722. A bill for the relief of Luigi Podesta; to the Committee on the Judiciary.

By Mr. HOEY (for himself and Mr. UMSTEAD):

S. 2723. A bill to extend the time within which suit may be commenced under the Federal Tort Claims Act on the claim of Ulma B. Riggs; to the Committee on the Judiciary.

By Mr. BUTLER:

S. J. Res. 221. Joint resolution to provide a civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

## DEPARTMENT OF AGRICULTURE APPROPRIATIONS—AMENDMENTS

Mr. YOUNG submitted an amendment intended to be proposed by him to the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 63, line 14, after the word "newspapers", change the period to a comma and add the following: "together with the unobligated balance of the appropriation for this purpose for fiscal year 1948, which shall be available to complete the orderly liquidation of the 1947 and prior crop year programs."

Mr. WHERRY submitted two amendments intended to be proposed by him to the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, which were ordered to lie on the table and to be printed, as follows:

On page 43, line 22, insert after "$6,000,000" the following: "of which $2,070,500 shall be available for preliminary examinations and surveys, and."

On page 43, line 22, strike out "$6,000,000" and insert in lieu thereof "$6,475,000."

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

Page 52, line 15, strike out the figure "$65,000,000" and insert in lieu thereof the figure "$100,000,000."

## HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 129) providing for a joint committee composed of members of the Senate and the House Public Lands Committee to make an investigation of our island possessions in the Pacific and trust territories, and report back recommendations for legislation providing for civil government, was referred to the Committee on Interior and Insular Affairs.

## ADDRESS BY SENATOR WILEY BEFORE WISCONSIN STATE TELEPHONE ASSOCIATION

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Wisconsin State Telephone Association, at Madison, Wis., on May 20, 1948, which appears in the Appendix.]

## TRIBUTE TO THE LATE SYDNEY B. WILLIAMSON

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD a commemorative address honoring the late Sydney B. Williamson, builder of the Pacific locks of the Panama Canal, delivered by Harry O. Cole, formerly resident engineer and later in charge of the completion of the Pacific locks, before the annual meeting of the Panama Canal Societies of the United States, on May 8, 1948, which appears in the Appendix.]

## ANTIMONOPOLY LEGISLATION—EDITORIAL COMMENT

[Mr. LANGER asked and obtained leave to have printed in the RECORD two editorials, one being entitled "Disappearing Little Business," published in the Tennesseean (Nashville, Tenn.) on May 19, 1947; the other being

entitled "A Monopoly Bill Buried," published in the Chicago Sun, May 14, 1947, which appear in the Appendix.]

RURAL YOUTH AND CIVILIZATION—ADDRESS BY BILL MICHAEL, PRESIDENT, FUTURE FARMERS OF AMERICA

[Mr. ECTON asked and obtained leave to have printed in the RECORD an address entitled "Rural Youth and Civilization," delivered by Bill Michael, president of the Future Farmers of America, at a convention of the Montana Stock Growers, May 16, 1948, which appears in the Appendix.]

CIVIL RIGHTS AND LIBERTIES FOR INDIANS—ADDRESS BY THUNDER BOLT LEFT HAND, CROW INDIAN

[Mr. ECTON asked and obtained leave to have printed in the RECORD excerpts from a radio address on the subject of Civil Rights and Liberties for Indians, delivered by Thunder Bolt Left Hand, Crow Indian, May 15, 1948, which appears in the Appendix.]

CIVIL RIGHTS IN MINNESOTA—EDITORIAL FROM ATLANTA CONSTITUTION

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an editorial entitled "Civil Rights in Minnesota?" published in the Atlanta Constitution of May 20, 1948, which appears in the Appendix.]

RUSSIAN APPROACH TO PEACE DISCUSSIONS—ARTICLE BY DAVID LAWRENCE

[Mr. HOEY asked and obtained leave to have printed in the RECORD an article entitled "Keep the Door Open, Mr. President," written by David Lawrence and published in the United States News of May 21, 1948, which appears in the Appendix.]

AMERICAN CITIZENSHIP—EDITORIAL BY HARRY H. SCHLACHT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an editorial paying tribute to American citizenship by Harry H. Schlacht, from the New York Journal and American of May 16, 1948, which appears in the Appendix.]

DEVELOPMENT OF CERTAIN MINERALS ON THE PUBLIC DOMAIN

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1006) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation, which were to strike out all after the enacting clause and insert:

That section 2 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended (41 Stat. 438, 30 U. S. C., secs. 201 and 202), is amended to read as follows:

"SEC. 2. (a) The Secretary of the Interior is authorized to divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in his opinion, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter he shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon by competitive bidding or by such other methods as he may by general regulations adopt, to any qualified applicant. He is hereby authorized, in awarding leases for coal lands improved and occupied or claimed in good faith, prior to February 25, 1920, to consider and recognize equitable rights of such occupants or claimants. No competitive lease of coal shall be approved or issued until after the notice of the proposed offering for lease has been given in a newspaper of general circulation in the county in which the lands are situated in accordance with regulations prescribed by the Secretary.

"(b) Where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area, the Secretary of the Interior may issue, to applicants qualified under this act, prospecting permits for a term of 2 years, for not exceeding 2,560 acres; and if within said period of 2 years thereafter the permittee shows to the Secretary that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or part of the land in his permit.

"Any coal prospecting permit issued under this section may be extended by the Secretary for a period of 2 years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to determine the existence or workability of coal deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons in the opinion of the Secretary warranting such extension.

"(c) No company or corporation operating a common-carrier railroad shall be given or hold a permit or lease under the provisions of this act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations; and no such company or corporations shall receive or hold under permit or lease more then 10,240 acres in the aggregate nor more than 1 permit or lease for each 200 miles of its railroad lines served or to be served from such coal deposits exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam.

"Nothing in this section shall preclude such a railroad of less than 200 miles in length from securing one permit or lease thereunder but no railroad shall hold a permit or lease for lands in any State in which it does not operate main or branch lines."

SEC. 2. Section 9 of the act (41 Stat. 440, 30 U. S. C., sec. 211) is amended to read as follows:

"SEC. 9. The Secretary of the Interior is authorized to lease to any applicant qualified under this act, through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, any phosphate deposits of the United States, and lands containing such deposits, including associated and related minerals, when in his judgment the public interest will be best served thereby. The lands shall be leased under such terms and conditions as are herein specified, in units reasonably compact in form of not to exceed 2,560 acres."

SEC. 3. Section 10 of the act (41 Stat. 440, 30 U. S. C., sec. 212) is amended to read as follows:

"SEC. 10. Each lease shall describe the leased lands by the legal subdivisions of the public-land surveys. All leases shall be conditioned upon the payment to the United States of such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, at not less than 5 percent of the gross value of the output of phosphates or phosphate rock and associated or related minerals. Royalties shall be due and payable as specified in the lease either monthly or quarterly on the last day of the month next following the month or quarter in which the minerals are sold or removed from the leased land. Each lease shall provide for the payment of a rental payable at the date of the lease and annually thereafter which shall be not less than 25 cents per acre for the first year, 50 cents per acre for the second and third years, respectively, and $1 per acre for each year thereafter, during the continuance of the lease. The rental paid for any year shall be credited against the royalties for that year. Leases shall be for a term of 20 years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each 20-year period succeeding the date of the lease such reasonable readjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of such periods. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties not attributable to the lessee. The Secretary of the Interior may permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss."

SEC. 4. Section 11 of the act (41 Stat. 440, 30 U. S. C., sec. 213) is hereby amended to read as follows:

"SEC. 11. Any lease to develop and extract phosphates, phosphate rock, and associated or related minerals under the provisions of sections 9 to 12, inclusive, of this act shall provide that the lessee may use so much of any deposit of silica or limestone or other rock situated on any public lands embraced in the lease as may be utilized in the processing or refining of the phosphates, phosphate rock, and associated or related minerals mined from the leased lands or from other lands upon payments of such royalty as may be determined by the Secretary of the Interior, which royalty may be stated in the lease or, as to the leases already issued, may be provided for in an attachment to the lease to be duly executed by the lessor and the lessee."

SEC. 5. Section 12 of the act (41 Stat. 441, 30 U. S. C., sec. 214) is amended to read as follows:

"SEC. 12. The holder of any lease issued under the provisions of sections 9 to 12, inclusive, of this act shall have the right to use so much of the surface of unappropriated and unentered public lands not a part of his lease, not exceeding 80 acres in area, as may be determined by the Secretary to be necessary or convenient for the extraction, treatment, and removal of the mineral deposits, but this provision shall not be applicable to national forest lands."

SEC. 6. The first sentence of section 27 of such act, as amended (41 Stat. 448, 30 U. S. C., sec. 184), is amended to read as follows:

"No person, association, or corporation, except as herein provided, shall take or hold coal or sodium leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage 5,120 acres for each of said minerals: *Provided*, That the Secretary of the Interior may, in his discretion where it is necessary in order to secure the economic mining of sodium compounds leasable under this act, permit a person, association, or corporation to take or hold sodium leases or permits for up to 15,360 acres in any one State. No person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate 15,360 acres granted hereunder in any one State; and no person, association, or corporation shall take or hold at one time phosphate leases or permits exceeding in the aggregate 5,120 acres in any one State, and exceeding in the aggregate 10,240 acres in the United States."

SEC. 7. The first sentence of section 39 of such act of February 25, 1920, as amended (47 Stat. 798, 30 U. S. C., sec. 209), is amended to read as follows:

"The Secretary of the Interior, for the purpose of encouraging the greatest ultimate recovery of coal, oil, gas, oil shale, phosphate, sodium, potassium, and sulfur, and in the interest of conservation of natural resources, is authorized to waive, suspend, or reduce the rental, or minimum royalty, or reduce the royalty on an entire leasehold, or on any tract or portion thereof segregated for royalty purposes, whenever in his judgment it is necessary to do so in order to promote development, or whenever in his judgment the leases cannot be successfully operated under the terms provided therein."

SEC. 8. The act entitled "An act to grant extensions of time under coal permits," approved March 9, 1928, as amended (45 Stat. 251, 30 U. S. C., sec. 201a), is hereby repealed.

SEC. 9. The second sentence of section 3 of the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, as amended (44 Stat. 1057, 30 U. S. C., sec. 283), is amended to read as follows: "Any lease issued under this act shall be for a term of 20 years and so long thereafter as the lessee complies with the terms and conditions of the lease and upon the further condition that at the end of each 20-year period succeeding the date of the lease such reasonable adjustment of the terms and conditions thereof may be made therein as may be prescribed by the Secretary of the Interior unless otherwise provided by law at the expiration of such periods. Leases shall be conditioned upon a minimum annual production or the payment of a minimum royalty in lieu thereof, except when production is interrupted by strikes, the elements, or casualties not attributable to the lessee. The Secretary of the Interior may permit suspension of operations under any such leases when marketing conditions are such that the leases cannot be operated except at a loss. The Secretary upon application by the lessee prior to the expiration of any existing lease in good standing shall amend such lease to provide for the same tenure and to contain the same conditions, including adjustment at the end of each 20-year period succeeding the date of said lease, as provided for in this act."

Amend the title so as to read: "An act to amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes."

Mr. BUTLER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

## ANNOUNCEMENT AS TO CALL OF THE CALENDAR

Mr. WHERRY. Mr. President, for the benefit of Senators, I may say that I have had several inquiries about the calling of the calendar. Unanimous consent was obtained yesterday to call the calendar when the Senate convenes on Monday as to bills to which there is no objection, beginning where we left off on the last call of the calendar.

## DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1949

The PRESIDENT pro tempore. The Senate reverts under the unanimous-consent agreement to the consideration of the bill (H. R. 5883). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 5883) making appropriations for the Department of Agriculture—exclusive of the Farm Credit Administration—for the fiscal year ending June 30, 1949, and for other purposes.

Mr. BROOKS. Mr. President, in reporting House bill 5883, the agricultural appropriation bill, the Senate committee increased the appropriations over the amount fixed by the House by a little more than $34,000,000, which is made up primarily of four items. The largest item is an increase of $15,000,000 in the appropriation for production and subsistence loans under the Farmers Home Administration, the funds to be loaned to farmers for necessities when they cannot borrow from any other source. The record submitted to us shows that there is an unusually large number of veterans who are asking for loans of this type, and that the Farmers Home Administration has almost entirely limited itself to the financing of veterans from this fund.

The second largest item, Mr. President, is $11,500,000, covering the expense of meat inspection. It will be recalled that last year, for the first tim in 40 years, the meat-inspection item was deleted from the agricultural appropriation bill and the cost was placed upon the packers themselves. Since that time the Senate unanimously passed a bill reported unanimously by the Committee on Agriculture and Forestry authorizing the return of this expense to the Government of the United States. Since the Senate Appropriations Committee acted and reinstated this cost as a part of the appropriation, the House has likewise passed the bill. It now remains for the President's signature, which I have no doubt it will receive.

That accounts for the twenty-six and one-half million dollars of the $34,000,000. One of the larger items was $2,000,000 which was added by the Senate committee for the Extension Service because of the difficulty found in connection with the retention of county agents. While employees of the Department of Agriculture have had, over the years, increases in salaries amounting to 32 percent, the salaries of county agents have lagged far behind, and in only some instances were they raised as much as 7 percent. The committee felt that the county agent was the only individual who could disseminate information among the farmers and that we should retain the services of county agents as being experienced men.

The other item was an addition of $3,200,000 for carrying out the provisions of the Research and Marketing Act of 1946. The House provided $2,000,000 for this purpose, but it was placed in a section of the bill which was devoted entirely to marketing. Believing that production is as vital as anything else in this country, now that we have taxed our agricultural resources to the maximum for a number of years, and having had presented to us a great number of projects which needed attention, the Senate committee increased this item by $3,200,000. Unlike the House, which allocated all the increase to one section of the bill, we reverted to the original bill and proportionately assigned the appropriation to various items, so that each branch of the Research and Marketing Act would be treated alike.

With that explanation, Mr. President, of the major increases, I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the committee amendments to be first considered.

I want to state for the benefit of the Senate that the subcommittee was in almost complete unanimity, as was also the full committee, on the amendments as reported.

The PRESIDENT pro tempore. Without objection, the Senator's request that the committee amendments be first considered is granted.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. THOMAS of Utah. Before the Senate proceeds to consider the amendments, I should like to ask a question. The bill is entitled "An act making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes." May I ask why the Farm Credit Administration appropriations are omitted from the bill?

Mr. BROOKS. They come under the Government corporations bill, another appropriation bill.

Mr. THOMAS of Utah. Is that a change of policy?

Mr. BROOKS. So far as I know, it is not a change of policy.

Mr. THOMAS of Utah. Then why is it necessary to have a parenthetical statement in the bill?

Mr. BROOKS. I think it is probably for clarification.

Mr. THOMAS of Utah. That is what I am seeking. I thank the Senator.

The PRESIDENT pro tempore. The clerk will proceed to state the committee amendments.

The first amendment of the Committee on Appropriations was, under the heading "Department of Agriculture—Office of the Secretary—Salaries and expenses," on page 3, after line 24, to strike out:

Within the funds available to the Department, but without limitation of other authority, the Secretary of Agriculture may employ, in any position in the Department, not to exceed 10 persons in the special executive and special professional grades (CAF-16 and P-9) as authorized by the Classification Act of 1923, as amended, but no such person shall be paid at an annual rate in excess of $15,000.

The amendment was agreed to.

The next amendment was, under the heading "Research and Marketing Act of 1946," on page 4, line 22, after the numerals "1946", to strike out "$2,500,000" and insert "$4,000,000."

The amendment was agreed to.

The next amendment was, on page 5, line 4, after the word "act", to strike out "$3,000,000" and insert "$4,800,000."

The amendment was agreed to.

The next amendment was, on page 5, line 8, after the word "act", to strike out "$1,500,000" and insert "$2,400,000."

The amendment was agreed to.

The next amendment was, on page 5, line 15, after "August 14, 1946", to strike out "$5,000,000" and insert "$4,000,000."

The amendment was agreed to.

The next amendment was, on page 5, line 16, after the words "In all", to strike out "$12,000,000" and insert "$15,200,000."

The amendment was agreed to.

The next amendment was, under the heading "Office of the Solicitor", on page 6, line 15, after the word "service", to strike out "$2,024,500" and insert "$2,124,500"; and in line 23, after the word "exceed", to strike out "$1,403,033" and insert "$1,430,033."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Agricultural Economics," on page 12, line 9, after the word "trends", to strike out "$1,900,000" and insert "$1,988,500."

The amendment was agreed to.

The next amendment was, under the heading "Extension Service—Payments to States, Hawaii, Alaska, and Puerto Rico," on page 14, line 2, after "(7 U. S. C. 343d–1)", to strike out "$10,500,000" and insert "$12,500,000"; and in line 14, after the word "acts", to strike out "$22,966,950" and insert "$26,966,950."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Experiment Stations—Payments to States, Hawaii, and Puerto Rico," on page 18, line 10, after "(7 U. S. C. 427–427g)", to strike out "$2,661,268" and insert "$2,861,268, of which amount not to exceed $316 shall be transferred to and made a part of the appropriation 'Research on agricultural problems of Alaska,' without matching requirement"; and in line 20, after the name "Puerto Rico", to strike out "$7,161,268" and insert "$7,361,268."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry—Salaries and expenses," on page 19, line 21, after the word "exceed", to strike out "$651,700" and insert "$1,218,000."

The amendment was agreed to.

The next amendment was, on page 22, after line 3, to insert:

Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat and meat-food products, $11,500,000: *Provided*, That the unobligated balance remaining in the "Meat inspection fund" established by the Department of Agriculture Appropriation Act, 1948, shall be carried to the general fund of the Treasury.

The amendment was agreed to.

The next amendment was, on page 22, line 16, after the word "animals", to strike out "$340,000" and insert "$365,000."

The amendment was agreed to.

The next amendment was, under the Bureau of Plant Industry, Soils and Agricultural Engineering, subhead "Soils, Fertilizers, and Irrigation," on page 26, line 20, to strike out $1,466,000" and insert "$1,524,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Entomology and Plant Quarantine—Salaries and expenses," on page 29, line 16, after the word "application", to strike out "$3,019,800" and insert "$3,023,300."

The amendment was agreed to.

The next amendment was, under the subhead "Control of emergency outbreaks of insects and plant diseases," on page 31, line 23, after the word "citizens", to strike out "$1,000,000" and insert "$1,750,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Agricultural and Industrial Chemistry—Salaries and expenses," on page 32, line 25, after the word "stores", to strike out "$589,050" and insert "$634,050."

The amendment was agreed to.

The next amendment was, under the heading "Forest Service—Salaries and expenses," on page 39, line 11, after the word "forests", to strike out "$24,889,175" and insert "$25,364,000."

The amendment was agreed to.

The next amendment was, on page 40, line 4, after the word "elsewhere", to strike out "$2,750,000" and insert "$2,825,000."

The amendment was agreed to.

The next amendment was, on page 40, line 8, after the word "elsewhere", to strike out "$1,000,000" and insert "$1,125,000."

The amendment was agreed to.

The next amendment was, on page 40, line 11, after "section 10", to strike out "$750,000" and insert "$822,000."

The amendment was agreed to.

The next amendment was, under the heading "Forest roads and trails," on page 42, line 25, after "and (2)", to strike out "$5,000,000" and insert "$5,300,000"; and on page 43, line 3, after the words "in all", to strike out "$14,750,000" and insert "$15,050,000."

The amendment was agreed to.

The next amendment was, under the heading "Flood control," on page 44, line 9, after the word "for", to insert "necessary."

The amendment was agreed to.

The next amendment was, under the heading "Soil Conservation Service," on page 46, line 4, after the word "installations", to strike out "$1,048,000" and insert "$1,548,000."

Mr. LODGE. Mr. President, would it be in order to offer an amendment to the committee amendment?

The PRESIDENT pro tempore. It would be in order.

Mr. LODGE. I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 46, line 4, it is proposed to strike out "$1,548,000" and insert "$2,548,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

Mr. LODGE. Mr. President, I offer the amendment at the request of certain farmers of Massachusetts who requested me to offer it because of their complaint that the 1949 appropriations for soil conservation and research in Massachusetts have been cut 46 percent as compared with the appropriations authorized in prior years.

Mr. BROOKS. Mr. President, I will say to the Senator from Massachusetts that the committee went into the matter very carefully. The House increased the appropriation for the program to $6,000,000.

We had before us not only representatives of the Department of Agriculture, but representatives of the various farm groups, and the president of the Association of Soil Conservation Districts. They were all agreed that it would be very beneficial if we took $500,000 of the $6,000,000 that was increased for this particular project and transferred it to research. In all the testimony presented we believed we reached a meeting of the minds of the best authorities we could find on the subject, and therefore I hope the amendment will be rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment of the committee was agreed to.

The PRESIDENT pro tempore. The Clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, on page 46, line 12, after the word "information", to strike out "$44,000,000" and insert "$43,500,000."

Mr. BARKLEY. Mr. President, I should like to ask the Senator having the bill in charge why it was that in this important program of soil conservation the committee has reduced the amount available in this item by $500,000.

I think everyone agrees that the soil-conservation program is very vital and important. There is nothing that would add more substantially to the resources of our country than the preservation of the fertility of the soil not only as it is now, but the reclamation of the soil which has undergone waste and deterioration over the past years. What is the explanation for the reduction in the amount?

Mr. BROOKS. Mr. President, I will say to the distinguished minority leader that it is merely a transfer of funds within the Soil Conservation Service itself. The House of Representatives, feeling very much as do the Senator from Kentucky and the Senator from Illinois, believed it was a vitally important matter, and they appropriated for this particular item $6,000,000 more than the budget request. Then came the request from the Department and from the president of the Association of Soil Conservation Districts asking that of the $6,000,000 that was added above the budget, $500,000 be allocated to research within the Soil Conservation agency, rather than the actual action program. So it was to meet the request of the soil-conservation districts that we transferred this amount to research. We did not reduce the amount at all.

Mr. BARKLEY. So it is accurate to say that within the Department itself it is a bookkeeping arrangement, by which more money will be used for research, and a little less for actual operation.

Mr. BROOKS. That is correct.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the heading "Land utilization and retirement of submarginal land," on page 46,

line 21, after the word "exceed", to strike out "$29,100" and insert "$38,000"; and in line 23, after "District of Columbia", to strike out "$1,000,000" and insert "$1,250,000."

The amendment was agreed to.

The next amendment was, under the heading "Production and Marketing Administration—Conservation and use of agricultural land resources," on page 49, line 11, after the word "than", to strike out "$500" and insert "$750."

The amendment was agreed to.

The next amendment was, on page 52, after line 5, to insert:

EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

Not to exceed $500,000 of the appropriation made available by section 32 of the act of August 24, 1935 (7 U. S. C. 612 (c)), shall be used to pay any subsidy, benefit, or indemnity to manufacturers of or dealers in insulation products.

The amendment was agreed to.

The next amendment was, under the subhead "Marketing services," on page 53, line 3, after the word "exceed", to strike out "$2,187,827" and insert "$2,197,827."

The amendment was agreed to.

The next amendment was, on page 53, line 14, after the word "products", to strike out "$1,667,250" and insert "$1,687,250."

Mr. LODGE. Mr. President, I move an amendment to this committee amendment, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 53, line 14, it is proposed to strike out "$1,687,250" and to insert in lieu thereof "$1,692,250."

Mr. LODGE. Mr. President, this amendment increases by the modest amount of $5,000 the appropriation recommended by the committee of some $1,600,000 for market-news service. It is designed specifically to permit the broadening of the market-news coverage at the Boston, Mass., office of the Dairy and Poultry Market News Division, Department of Agriculture. The increased amount is based upon an estimate submitted to me by the Department.

The Boston office of the Dairy and News Division is now reporting prices of live poultry as they apply to the Boston market proper. This service was inaugurated several years ago. In the meantime, there has been a marked tendency toward the processing of poultry at points nearer immediate areas of production. Thus, in Massachusetts, processing plants are now located at such points as Avon, Billerica, Canton, Chelsea, Franklin, Fitchburg, Palmer, and Woburn. These plants are important outlets for live poultry, some of which was formerly shipped to Boston. The effect of these processing operations points to further decreases in live poultry receipts at Boston, thus making that market relatively less important. It is obvious, therefore, as outlets closer to producing areas are broadened, that the prices paid for live poultry by buyers who operate processing plants become increasingly important to local poultry producers.

For some time past, all branches of the poultry industry in New England have been very much dissatisfied with the prices reported for live poultry by the Boston office for the reasons I have outlined. The dissatisfaction is caused entirely because the prices reported are inadequate, and do not cover a broad enough area. The $5,000 amendment which I now propose meets the acute need for the necessary broadening of the prices reported, and will, I believe, effectively bring about a much-desired improvement in the market-news service reporting of live poultry prices in the New England area.

Mr. BROOKS. Mr. President, in this particular item we did include four additional market news services, and there was a letter, I am sure, requesting the one which has been mentioned now by the Senator from Massachusetts. I have no objection to accepting the amendment and taking it to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LODGE. I thank the Senator from Illinois.

The PRESIDENT pro tempore. The Clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the heading "Farmers Home Administration," on page 57, line 14, after "title II", to strike out "$60,000,000" and insert "$75,000,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Rural Electrification Administration," on page 58, line 18, after the word "reports", to strike out "$5,000,000" and insert "$5,450,000."

Mr. BARKLEY. Mr. President, would it be agreeable to allow this amendment to go over? I do not know whether an amendment will be offered to the item, but I understand it is not contemplated that the bill will be concluded this afternoon, and that it will have to go over anyway. There may not be any discussion of this item, but I should like to look into the appropriation, if it is agreeable to the Senator from Illinois.

Mr. BROOKS. Mr. President, I understand the junior Senator from Oregon [Mr. MORSE] wishes to make some comments on the amendment, so will the Senator from Kentucky withhold his request until we hear the Senator from Oregon?

Mr. BARKLEY. Certainly.

Mr. MORSE. Mr. President, I have some brief comments on the proposal to appropriate $5,450,000, in line 18, page 58. I think an additional $450,000 should be included. However, I wish to assure the Senator from Illinois that I thoroughly understand the problem which confronted him as chairman of the subcommittee, and I should be less than appreciative if I did not say to him that I think he has done a grand job in piloting this very difficult appropriation bill through the committee and to the floor of the Senate. I am also of the opinion, Mr. President, that as a matter of general policy we should be most hesitant to make floor amendments to appropriation bills when they reach the floor of the Senate after they have been given the very careful consideration which a committee such as that presided over by the Senator from Illinois has given to the bill which is now before the Senate.

Nevertheless, for future reference I wish to make some brief remarks, because I am satisfied that in due course of time a supplemental appropriation will be needed for this particular item, and I want these remarks in the RECORD at this point for future reference when the supplemental request is made. My remarks will not be lengthy, but I wish to make my record on this question, because I think that a shortage of $450,000 in the amendment of the committee would do much to cramp the official operations of REA.

Mr. President, in Oregon more than 90 percent of our farms have electric service. We are proud of that record but the fact remains that about 4,000 Oregon farms and ranches are still without central station service. In addition, it is becoming increasingly obvious that the demand from farmers for power is exceeding the capacity of existing systems to supply it. Our present power systems are being outgrown.

The proposed expansion of the lending authorization of the Rural Electrification Administration would make a substantial improvement in both respects.

Before the REA program started in 1935, the commercial companies had already provided service to many of the areas in our State where electric service was likely to result in a profit. It is obvious that they will not be interested in extending their lines into the back country and across the broad plains where the thousands of still unserved rural families live. If these people are to be reached, we must look to the non-profit cooperatives and public bodies established with the help of the Federal Rural Electrification Administration. We must make it possible for these groups to obtain from REA the loan capital they need to expand their facilities.

When REA started in 1935 only about 28 percent of Oregon farms had service. Since then, the 15 REA borrowers, 14 of them cooperatives and one a public-utility district, have used loans of $12,000,000 to build 4,500 miles of new power line serving 16,000 rural families. Because of what they have done, and the stimulus they have provided to other suppliers, many thousand other Oregon farms have been electrified since 1935.

But our rural leaders are not content to rest so long as any of their neighbors lack power. I have recently received a number of letters from rural groups in my State which indicate a readiness to expand into the areas yet unserved, if Congress will provide the necessary loan funds and enable REA to furnish the technical assistance needed to do the job. I want to read from some of these letters.

The Benton-Lincoln Electric Cooperative wrote to me on May 11 as follows:

Future finance is one of the major problems of the cooperative. Construction in the immediate future of lines in rural areas not now served, and system improvements alone will require financing in excess of half a million dollars. We will require in excess of $150,000 per year to connect new consumers along existing lines. * * * Unserved consumers are in abundance. As of this date we have requests from approximately 300 in areas not now being served, and requests from approximately 200 in areas which we are now serving who require extensions of 5,000 feet or less.

The Malheur Cooperative Electric Association told me, in a letter of May 10, after describing two loan applications it has already submitted to REA:

The appropriations now being considered at this time by the Congress of the United States may be the determining factor as to whether we will be able to provide service to all the folks in the area who desire service and whether we will be able to provide it in a satisfactory manner. We feel that they are entitled to as good service as the other members more favorably located and that all should receive benefits.

The Douglas Electric Cooperative, of Roseburg, wants to serve an additional 577 families, and said:

Our construction is proceeding at only such rate as our finances will allow. Our board of directors have, by resolution, requested loan funds on three different occasions since last fall, none of which have been honored to date.

The Umatilla Electric Cooperative Association of Hermiston needs additional capital to provide service to 400 additional consumers this year and to increase the capacity of its system because the average power use has grown from an initial 37 kilowatt-hours per month to more than 300 at present. The Tillamook People's Utility district reports 80 unserved families in its area. The North East Clackamas County Electric Co-op of Sandy is building a line to serve 300 potential users.

If this condition exists in Oregon, where 90 percent of the farms already have service, it is all the more true in the rest of the country, where one farm in three is still unserved.

Additional funds are needed by REA not only to extend service to new consumers but also to make improvements in existing systems. Electric service to rural people must not only be available, it must be adequate. Farmers must be able to have all the power they want and need at the time they need it.

As recently as December 1941 the average farm connected to REA-financed power lines in Oregon used 74 kilowatt-hours. By December 1947 the average was three times as great, rising to 223 kilowatt-hours. When such statistics as those are translated into a higher standard of living and a richer life, Mr. President, for the farm people of my State and elsewhere in the Nation, it is easy to see the direct relation, as I sought to bring out in my speech the other day when we were discussing the Bonneville problem, between supplying electric service to farmers and a higher standard of living for the rural population of America. Such an increase in demand for power means that the systems already in existence must be improved to give them a greater capacity. They must have more and larger wires, more and larger substations—what the engineers call "heavying up." The letters which I receive illustrate this need.

There is practically no difference of opinion regarding the necessity for increasing the REA loan fund to the $400,000,000 which the committee has recommended. The major question before us is whether the increase of $450,000 in administrative funds recommended by the committee is enough to assure that the loan fund will be used effectively. This is only half of the Budget request for $900,000 additional funds.

REA provides technical advice and consultation to its borrowers much like that which a bank might provide for the commercial and industrial firms it finances. The REA borrowers are operating in areas into which commercial suppliers had largely refused to go. They thought the returns did not promise to be commensurate with the effort and investment required. In addition, these borrowers have been new groups without previous experience in the utility business. The advice and assistance of the REA specialists have been necessary to the success of the program and are in great demand by the borrowers.

The need for additional personnel in REA was pointed out by Administrator Claude R. Wickard before the Senate Appropriations Subcommittee on April 30. He said:

We are going to have to recruit some personnel if we are going to be able to carry the work load which we are going to have next year because of the great expansion in our program. Expansion not only of the loan fund but expansion in the construction program, expansion due to the complexity of the program, and expansion in the work load due to the more difficult territory that we are going to serve, particularly territories in the Western States. We estimate that our program and our work load next year will be at least four times what it was before the war, and we are able to take care of that work load with only 18 percent increase in administrative funds and no increase in the number of people over prewar, through the economies which we have put into effect and which we contemplate putting into effect as conditions warrant.

The REA accompanied its request for additional administrative funds with a very careful and detailed break-down of the work load that will devolve upon the agency in administering the increased-loan program. See page 921, hearings before subcommittee of the Committee on Appropriations, United States Senate, on H. R. 5883.

This analysis indicates that $5,900,000 for administrative expenses is the minimum that will be necessary to carry on the program in 1949. This is $450,000 more than the Senate Appropriations Committee recommends.

The Appropriations Committee's report on REA is inconsistent. It wisely admonishes the Administrator to use the loan funds "very carefully in order to maintain the REA in good repute with both farmers and the general public."

At the same time the committee recommends cutting in half the additional administrative funds which are necessary to enable REA to administer a vastly increased loan program with the care that the admonishment requires.

I join the committee in wanting the agency to continue to exercise the greatest care in the lending of these funds. I want it to maintain the same high standards it has always maintained in the past. But I do not see how we can expect that this will be accomplished by cutting in half the agency's request for additional administrative money that it needs to do a careful and thorough job.

One reason the REA borrowers need more advice and assistance than would otherwise be the case is that they are constantly under the necessity of protecting themselves from attack by unfriendly interests. The Eastern Oregon Electric Cooperative wrote to me on May 7 that a private power company was actively engaged in building competing lines to take away customers from the cooperatives.

The Malheur Cooperative Electrical Association said:

Our electric cooperative and its development has consistently been hampered by the determined attitude of the local private utility to destroy it. This is the same utility which previously had not shown any interest or desire to serve the outlying areas. They have indeed taken an unfair attitude.

This is not a new attitude. The established suppliers had taken the best areas before the REA was created, and they have consistently tried to skim the cream of areas mapped for cooperative development. This has resulted in the REA borrowers having to operate in areas where problems are numerous and complex.

The Benton-Lincoln Electric Cooperative, of Corvallis, in the same letter from which I quoted earlier, expressed the situation well:

More prompt and better service is needed from the Rural Electrification Administration and we urgently request that additional funds be made available for administrative purposes in the REA. The business of the cooperative is seriously handicapped due to the shortage of qualified personnel in the Rural Electrification Administration.

The following was received on May 11 from the Lane County Electric Cooperative, which has offices in my home town:

We wish you to know that we are sincerely grateful for your interest in appropriation for the Rural Electrification Administration. Our members feel proud of the fact that the representatives in Congress are farsighted enough to recognize the importance of the REA program. We of the "grass roots" are feeling tremendous effect it is having on rural life as the cooperatives grow in Oregon.

We respectfully request your support for the entire appropriation requested by REA both for loan purposes and administrative funds.

From the Coos Electric Cooperative I received a letter containing this statement:

We have come a long way in the past 9 years in serving our area, but we still have a long way to go and will need a lot of help before we can attain our goal of service to everyone. We will need all the support you can give us when the bill comes up in the Senate.

As the REA borrowers extend their lines into less densely settled areas, and as the load grows on their systems, they are going to continue to need the services of skilled specialists—help for which they have no place to turn except to REA. REA must be staffed to provide those services, both to safeguard the Government's investment and to bring to our rural people the benefits which Congress intends them to get from the REA program.

I wish to file as a part of my speech a review of the progress of the REA program in Oregon since its inception. With the consent of the Senate, I shall file this without reading it to the Senate, other than the first paragraph thereof, in which I point out, by way of introduction to the survey of the work of the REA in my State which I have compiled during the past few weeks, the following:

I am intensely interested in seeing that the full benefits of the REA program are made available to all rural citizens of America. I have followed the rural electrification program from its very beginning, and I have seen the great good that the REA has brought to the rural people. I have seen it repeatedly in my own State of Oregon, and I have seen it elsewhere—spread outwardly across the continent during these last 13 years.

Several weeks ago I started a survey of the effect of REA in my State, writing to the various cooperatives and farm organizations which have benefited from the REA program. I wish to file as a part of my statement today the factual data which I have received from them, which I think is a great tribute to the important services of REA, and which I think clearly substantiate, if anyone wishes to analyze the data which have been filed with me, the need for full and adequate support of the REA program.

The PRESIDENT pro tempore. Without objection, the memorandum will be printed in the RECORD.

The memorandum is as follows:

I am intensely interested in seeing that the full benefits of the REA program are made available to all rural citizens of America. I have followed the rural-electrification program from its very beginning, and I have seen the great good that the REA has brought to the rural people. I have seen it repeatedly in my own State of Oregon, and I have seen it elsewhere—spread outwardly across the continent during these last 13 years.

The Rural Electrification Administration's program has been enthusiastically received by the rural citizens of Oregon from the beginning. These people know the value of electricity on the farm. This is attested by the spread and growth of REA systems in Oregon.

When REA came into existence in May of 1935, central-station electric service, as I stated earlier, was being received on only 17,839 Oregon farms, a figure which represented only 27.5 percent of the farming units in that State.

A survey made as of July 1, 1947, indicated that rural electricity was then reaching 58,226 or 92.2 percent, of the farms in Oregon. Oregon ranked eighth among the States in the percentage of farms receiving central-station electric service. Even then, however, an estimated 4,899 farms were still without electric service.

Those Oregon farmers whose premises are now supplied with electric service had been quick to grasp the opportunity offered by REA. And it seems needless to add that those approximately 5,000 rural land owners who still remain unserved want electricity, and that they are only awaiting the opportunity to obtain it through the REA cooperatives which they hope will be enabled to expand.

The State of Oregon has a peculiar interest in rural electrification in that the Hood River Valley lays claim to being its birthplace in the United States, where in 1906 a 2-mile rural-electric system was erected near the town of Hood River to serve five farm patrons. Thus, through the erection of this small, pioneer system, it is obvious that Oregon early in this century recognized the value and potentialities of electric service to the rural areas.

That the State of Oregon continued its pioneering interest in rural electrification is also marked by the research work conducted by the State university in the field of application of electric power to farming.

This research program was directed in large share to pasture irrigation, and the results are still quoted as a national authority on this subject.

The first REA loan approved in the State of Oregon was dated in December 1936 and the first rural-electrification line thus financed in the State went into operation on June 15, 1938. The State's first borrower was the Nehalem Valley Cooperative Electric Association.

By April 26, 1948, REA had approved $12,041,184 in loans for 15 borrowers, including 14 cooperatives, in the State. These loans are intended to enable the borrowers to finance a total of 6,514 miles of lines, in addition to other electric facilities, to serve 19,501 rural consumers.

Up to February 29, 1948, REA had advanced $8,831,106 as loans in Oregon and the REA borrowers in the State were operating 4,574 miles of lines which were serving 16,243 farms and other rural establishments.

As I have mentioned, the average monthly farm consumption of electricity on the REA-financed lines in Oregon has increased from 74 kilowatt-hours in December 1941 to 223 in December 1947.

Naturally enough, this increase reflects greater use of electrical equipment to save time and labor in performing farm and household tasks and to help provide for a more comfortable and secure rural living. In the Oregon areas covered by REA-financed systems, some of the more important types of farming to which electricity can be applied easily and profitably are poultry and egg production, dairying, sheep raising, and irrigation.

I should like to refer more in detail to the Benton-Lincoln Electric Cooperative of Corvallis, Oreg., from whose letter of May 11 I have previously quoted in part.

The Benton-Lincoln Electric Cooperative, like hundreds of other organizations of its kind in the United States, was organized by a group of rural people who had been unable to obtain central station electricity from local power companies at a price that they could afford to pay.

It was originally organized to serve farms and rural homes in Benton and Lincoln Counties, in the heart of the Willamette Valley. The small section of line owned by this cooperative, which started as a 175-mile system serving 548 consumers, has grown until it now is approximately 1,000 miles in length and serves 3,400 members.

The original section of line was served from the Bonneville Power Administration's Albany substation, and since then two additional substations have been brought into service to provide power to the ever-increasing population of this valley. They are the Harrisburg and Wren substations. A recent engineering study of the system has showed advisability of adding three new substations.

One of the leading power consumers is John Silbernagel, president of the Benton-Lincoln Electric Cooperative's board of directors. Mr. Silbernagel lives 9 miles northeast of Scio in the Jordan Valley area, in the same neighborhood in which he was born. He has 8 children, 4 of whom are veterans of World War II and are back on the farm again.

Mr. Silbernagel and his sons have accumulated approximately 600 acres in the last 20 years. They raise dairy and beef cattle, grass seed, and grain. Mr. Silbernagel has been active in cooperative work for 25 years.

Al Phillips, vice president of the Benton-Lincoln board, lives in Marion County, Oreg., 10 miles northeast of Stayton, in the same community in which he was born. He has 4 children, 3 of whom served in World War II. He owns 640 acres of land on which he raises beef cattle, sheep, and strawberries.

Mr. Phillips is a member of the State Cooperative Cannery board and has served on this board for 20 years. It is one of the largest cooperative canneries in Oregon. Mr. Phillips estimates he will produce a crop of 1,500 tons of strawberries this year which will be processed at the cooperative cannery.

Oscar Smith, secretary-treasurer, of the Benton-Lincoln board, lives 10 miles southwest of Dallas, Oreg., on land that was granted to his grandfather. He owns approximately 300 acres on which he raises sheep and hogs. Twenty-five acres of his land are in hops, into which an investment of from $20,000 to $25,000 for labor and other expenses is required each year before the crop is harvested. Mr. Smith has been operating his hop yard successfully for 20 years.

Electricity has done outstanding things for these and other rural Oregon citizens.

It has brought dairy farming to the front and made it profitable. It has converted the otherwise worthless steep slopes of the mountainous costal area into valuable grazing land. The raising of grass seed has become a profitable business since the farmers have been able to do their own seed cleaning with small, privately owned seed cleaners and medium-size cooperative cleaning operations in each community.

The poultry industry has come into prominence by the use of electric brooders and lighting. The increased profit in the turkey industry has made it one of the major sources of income in rural Oregon.

Modernization of the farm home by means of the conveniences provided by electricity has stopped the trend of the younger generations to leave the farm home for the modern city home.

The standard of education in rural schools has been raised with the use of proper lighting and modern plumbing.

But future finance is one of the major problems of the Benton-Lincoln Cooperative, as it is in the case of REA-financed co-ops everywhere else in America.

The Malheur Cooperative Electric Association of Vale, Oreg., from whose letter of May 10 I have briefly quoted, is owned and operated by its rural members in Baker and Malheur Counties, Oreg., and Payette County, Idaho. At present, the system operated by this cooperative consists of 325 miles of energized distribution lines which serve 625 members. These lines have been constructed since the co-op was activated on August 19, 1938. The members of the Malheur Cooperative Electric Association are rural residents in these counties who, like so many others, had exercised, without success, all possible efforts to obtain central station electric power service prior to their date of organization. They were convinced of their right to have electricity on their rural premises.

The present members of the Malheur Cooperative's board of directors are Harry Wilcoxon, president, and Charles Retting, secretary-treasurer, both of Vale; A. B. Robbins, vice-president, of Ontario; L. B. Hyatt, Payette, Idaho; Tully A. Griffin, Ontario; R. H. Murry and Hardy B. Murry, both of Unity;

and M. Heckathorn, Charles Swan and Charles Ingram, all of Vale.

It is the policy of this co-op to have representation on its board from each section served. In this way is provided a close contact among the members, the directors, and their cooperative.

The first undertaking of the Malheur co-op was to bring electric service to the rural areas around the community of Vale. From these extensions it was proposed to construct distribution lines to serve all rural residents who could feasibly be connected. The co-op's objective was 100 percent coverage. Construction was well under way to accomplish this when wartime restrictions delayed progress.

In order to contribute to the war effort in food production, the Malheur co-opmembers were able to continue in accordance with rules of the War Production Board. To bring service in the most economical way to the unserved areas in the vicinity of Ironside, Unity, and Hereford, Oreg., and with a minimum use of critical materials they extended their existing lines to such a distance that it was impossible for them to provide the co-op's additional members with unlimited power and service of the most satisfactory type. Because of the long distances involved in reaching these areas, they experienced a power shortage which made it impossible for all patrons of the co-op to be reached.

To remedy this situation recently they submitted an application to the REA requesting an allocation of funds to be used in new construction to provide these communities and surrounding areas with ample power. They plan to secure a new source of power at Durkee, Oreg., which would shorten the lines to serve these areas and permit unlimited service to be provided for all members of the co-op in that area.

This co-op also requested funds with which to provide connections for additional members along existing extensions and for necessary system improvements. To accomplish its plans the co-op has estimated that an REA loan of some $200,000 will be necessary. The appropriations now under consideration for REA may be the determining factor as to whether these worthy folk in Oregon receive the electric service for which they have so long worked and waited.

If it is able to complete its plans, the Malheur co-op will be providing electric service to some 750 members who would not otherwise be receiving the benefits of rural electrification.

Mr. Harry Wilcoxon, president of the Malheur Cooperative's board of directors, told me by letter: "In regard to what electricity has done for the people of this rural area, the benefits are too numerous to list. Briefly, we can say that without it we would be depriving our rural people of the benefits electricity offers in this modern world. With it, we are able to maintain a standard of living comparable to the standards of others in this great country of ours."

The Douglas Electric Cooperative, of Roseburg, Oreg., also previously quoted in its letter of May 7, and which wants to serve an additional 577 families, had a total of 1,833 consumers as of April 30.

Mr. Harold Backen, Jr., the manager of this co-op, states that electricity has "made" it possible for these deserving people to have a new way of life. The burden of producing dairy products, lumber, and all types of farm produce has been lightened through the use of electricity made available through the democratic process of electric cooperatives financed through our Government."

This is one of the numerous REA-financed co-ops that have made advance amortization payments on their REA loans. The Douglas co-op is $42,393.73 ahead of its debt-repayment schedule.

The Umatilla Electric Cooperative Association was organized and incorporated in 1937 as a result of the insistent demand on the part of the rural people in West Umatilla and North Morrow Counties of Oregon for electric service.

Today this co-op is giving service to farms and other rural establishments in an area comprising about 600 square miles. Additional capacity for the system is made necessary, however, by two types of growth: First, the increased usage per consumer; and, second, the increasing number of consumers requiring service.

The increase in average use per consumer has been phenomenal during the period since the cooperative initiated service. The initial average usage was 37 kilowatt-hours per consumer per month, whereas at the present it has increased to about 400 kilowatt-hours per consumer per month, with some individuals using much more.

The increasing number of consumers is brought about by the constant growth in density of population in that area, together with the develpoment of industries and farms, the most notable factor in the growth of industry being the construction of hydroelectric dams. McNary Dam is being built in that immediate vicinity. In addition, the Umatilla co-op finds it necessary to construct a number of short power line extensions designed to serve established locations which are still without electric service. The co-op is now receiving applications for new service almost daily, with about 100 such applications already on file and more coming in.

These conditions make it necessary to take immediate steps to relieve the limitations for service which are laid down by the present physical capacity of the system. The cooperative has recently completed a study of the system by means of which it has been determined just what the needs of the system are.

The first vital need is for an increase in power supply. Additional capacity is contemplated through the construction of several three-phase feeder lines. It is also considered imperative by the co-op to obtain additional temporary power from the temporary substation at McNary Dam and through a new substation at Hermiston. These needs are vitally important.

The Tillamook People's Utility District, to which I have previously referred, is organized under the Oregon public utility district law. This public agency has already obtained a loan from the REA in order to extend electric service to some 300 unserved farms which the commercial utility had for years refused to provide with service. Mr. C. F. Stranshan, president of the Tillamook district, informs me that the power company began building lines "as soon as the REA loan was announced from Washington."

This co-op feels that by having obtained a loan from the REA it was indirectly able to bring about the serving of 250 additional farms with electric power, as, I am informed, the established suppliers had made no effort to serve these farms until it became known that the REA had approved the co-op's application for a loan.

At present the Tillamook district is serving 165 consumers, and there remain 80 others who are unserved in the area in which it maintains lines. In order to transmit power to these additional farms, however, it will be necessary for the agency to obtain an additional REA loan.

The Coos-Curry Electric Cooperative, organized in 1939 and serving Coos and Curry Counties in Oregon, is another co-op that has come a long way in the past 9 years, but with still a long way to go before it can expect to attain its goal of service to all of the potential consumers within the area it serves.

This co-op received its first REA loan for the purpose of building 84 miles of line. Since that time it has grown to the point that it now operates 389 miles of line serving 2,041 members. There still remain, however, some 300 miles of line which must be constructed before electric service can be brought to the homes of 1,200 more rural people within its service area.

The leaders of the Coos-Curry co-op tell me that dollars and cents cannot begin to measure what electricity has done, or can do, for our farm people, who are looking to the Government's Rural Electrification Administration to help them finish the job.

In Coos-Curry Counties, for example, irrigation is only beginning in the area served by the Coos-Curry co-op. Additional electric service is greatly needed by the dairying industry in this area for the necessary development of pasture and meadow irrigation. Coos County has 20,000 dairy cattle at present, and there are 5,000 dairy cattle in Curry County. Moreover, the possibility for development of cranberry irrigation through rural electric power along the coast is unlimited.

The Coos-Curry co-op has on file applications from sawmills for more than 5,000 horsepower. Prospective consumers are constantly asking this co-op for service in areas where there has been no allocation of funds for the construction of lines, and where, therefore, it is thus far impossible for the co-op to extend service. This co-op now has pending a $350,000 REA loan application for the extension of its electric system.

Mr. Ivan Laird, a rancher and one of the leading citizens of the community, has been president of the cooperative since it was organized in 1939. He has devoted much time and effort, as have other leaders of the co-op, to make it one of the outstanding business enterprises in the area.

Mr. Elmer Gant was elected to the office of secretary-treasurer in October 1947 and has a vital interest in the cooperative for the reason that he represents an area not completely served. Mr. Gant was formerly postmaster for the city of Bandon, Oreg. Mr. A. E. Sandbo, of Brookings, is vice president of the co-op, and the six other board members, by reason of their geographical location, make up a true representation of the entire area served by the Coos-Curry co-op.

The Eastern Oregon Electric Cooperative Association, to which I have heretofore referred, is a relatively new REA-financed co-op. It was organized in 1946 by a group of citizens desiring electric service in rural areas east of Pendleton, Oreg., and north and east of Weston, Oreg., including Cayuse, Thorn Hollow, Gibbon, Weston Mountain, and the Tollgate recreational area. Subsequently the projected service area of the cooperative was expanded to include Meacham and Kamela, Oreg. The co-op immediately applied for a loan from the REA to finance the construction of lines from the Bonneville substation in Pendleton to the rural areas where the co-op members reside.

This co-op has 273 members, of whom about 50 are enrollees of the Umatilla Indian Reservation near Pendleton. Ultimately, the co-op expects to have some 400 members within its presently planned service area. Its principal problem has been to obtain the necessary materials for construction of its lines.

The future finance and service needs of the eastern Oregon co-op include a supplemental REA loan appropriation of $30,000 to $50,000 to enable the organization to build lines into the Beacham and Kamela areas. Within the next few years the needs of the cooperative for REA financing will be greatly enlarged if the co-op is able to embrace within its service area extensive unserved rural territory lying south and west of Pendleton and including Ukiah, Long Creek, and adjacent small communities.

The co-op estimates that around $600,000 will be required to build into this territory, and that more than 400 consumers, including large industrial sawmill loads, would be provided with central station service for the first time.

The president of the eastern Oregon co-op is Howard P. Baker, owner of the Bingham Warm Springs Dude Ranch and Summer Resort. The vice president is Neil Lieuallen, a large-scale wheat farmer who resides in Athena, Oreg., and who has an alternate residence in the Tollgate recreational area. The treasurer is Allen Temple, who has an interest in the Temple Hotel in Pendleton and who operates a dairy near Pendleton. The secretary is Mrs. Esther Temple, a widow, who operates a wheat farm east of Pendleton. Other members of the co-op's board are Frank Orthmeyer, a grocer at Cayuse; Dale Erickson and W. E. Van Winkle, both of whom are farmers on Weston Mountain; and Dolph Thompson, a grocer at Gibbon.

A story of successful perseverance is told by the history of the Lane County Electric Cooperative, my own home community, of Eugene, Oreg., which was organized by a small group of farmers and businessmen of the Mackenzie River district in 1939. Their intention was to build an REA-financed distribution system for the large upper river area which was not served by a private power company.

But their application to REA for a loan was not immediately approved on the grounds that their organization was too small to bear the overhead costs of operation. They then met with a group of farm leaders in the Eugene rural areas and interested them in the organization. With this added membership, their second application for a loan of $53,000 was approved on July 1, 1940, and construction was begun on the McKenzie lines and a contract was entered into with the Eugene Water Board to buy wholesale power from the Leaburg plant.

In 1941 the cooperative bought out the old distribution system in the city of Oakridge, rehabilitated it, and added these consumers to the co-op membership. The cooperative did this for but one reason: to provide greater area coverage; that is, reach unserved citizens who were in need of electric power for their homes and farms. The co-op's purchase of the old distribution system gave it a physical and economic bridge by which it was able to extend its lines to unserved families who want electricity and who could not be reached in any other way. The acquisition permitted the co-op to average in the city lines, with many consumers to the mile, with those built into the back country, so that the result is a self-sufficient power system serving all sections.

As the co-op established a reputation for dependable power, groups formed in other unelectrified areas to urge the expansion of service to them. Plans were made and an REA loan approved for building approximately 140 miles of lines to serve these people. The engineering and staking were completed and the materials were on hand when the war began, and the Government, to conserve manpower and materials, halted construction for the duration. This proved a hardship on the system, as during the war years 90 percent of the staking and clearing was lost. As soon as possible after the war, the project was restaked and recleared and the entire 140 miles built.

In 1946 REA authorized 116 miles of construction to serve 715 more consumers. This construction has recently been completed and energized. In addition to these larger projects, the co-op has maintained small construction crews for continuous construction of smaller member extensions and shorter taps.

To date, this co-op has been allocated $1,608,000 of REA loans and of this amount has drawn $1,127,132.35. With this money it has constructed 485 miles of lines which are now serving 2,860 consumers.

The Lane County co-op writes me that rural electric power, made possible through REA financing of this cooperative, has worked wonders in the Lane County area.

This rural power service has permitted a steady increase in the standards of living for 1,463 Lane County residential consumers. It has raised production and living standards as well on 1,232 Lane County farms by electrified development of crop irrigation and the use of milking machinery, electric brooders, farm refrigeration, machine shops, etc.

Rural electricity has also provided many farms with fire protection through pressure water systems not hitherto possible.

It now serves 150 Lane County commercial consumers including retail stores, churches, schools, refrigeration lockers, theaters, tourist courts, and the like.

It has increased lumber production by electrifying 12 lumber mills in Lane County.

And rural electricity in this county has served another important purpose by supplying power to the United States Army engineers for construction of Dorena flood-control dam on Dower River and Meridian flood-control and power dam on the upper Willamette River.

The Lane County cooperative finds it difficult to predict accurately the future needs of the co-op because of the rapid expansion of industry and the heavy influx of population, which combined create a constant change in the demand for power in this region.

It is manifest, however, that an engineer's estimate in 1947 of the cooperative's expected power load in 1952 will be reached in the latter part of 1948.

This co-op estimates that there are 1,050 unserved potential consumers now within the boundaries of its service area. To serve these unserved citizens of Lane County will require the construction of around 200 additional miles of lines through new REA loans of $500,000.

The officers of the Lane County Co-op are outstanding citizens of the community. The president is Lennie Haldorson, a farmer, who was born in the county and who now operates a 100-acre farm, raising grains, hay, and fruit. He is county deputy for the Oregon Grange, and is one of the organizers of the Lane County Cooperative.

The vice president is Smith Taylor, a retired United States forest ranger, who has spent most of his life on the Mackenzie River in the ranger service. He is one of the group that organized the cooperative and has served continuously on its board of directors.

Clarence Belknap, the treasurer, has spent most of his life in the Mackenzie River district as a lumberman and farmer. He too was instrumental in organizing the cooperative and he also has been on the board of directors of the National Rural Electric Cooperative Association and president of the Oregon Electric Cooperative Association.

Sidney Bales, the secretary, has been in the lumber business near Dorena for the last 15 years. He was active in bringing REA cooperative power to that district and has had a constant interest in the affairs of the co-op. He also is vitally interested in the improvement of the rural school system of Oregon.

The Lane County Cooperative Electric Association of Blackly has 800 members who are actually receiving service, as well as 300 applicants for co-op membership who have been waiting for service since before World War II.

A study of this co-op's present system indicates a later requirement for an additional REA loan of $600,000 for the construction of lines to mills and industrial plants now without service, and to an estimated 1,300 dwellings that are expected to go up at an early date in rapidly developing subdivisions.

The system now maintained and operated by this cooperative is entirely inadequate to serve the present load, and increasing its capacity is dependent upon a future REA loan.

The Columbia Basin Electric Cooperative, of Heppner, was organized in 1940 and a loan application filed with the REA in early 1941. However, lack of a power source, the war, shortages of materials, and various other circumstances combined to prevent any actual work until September 1946.

This cooperative has 630 members, and many of those expecting to be served are large grain farmers and cattle ranchers. Future needs of this cooperative will include REA funds to serve some 300 additional farms.

Henry Baker, of Ione, is president of the Columbia Basin Electric Cooperative. A wheat farmer, Mr. Baker is vice president of the Morrow County Grain Growers and chairman of the Morrow County triple-A program.

Ralph Potter, of Condon, vice president, is a large wheat rancher and landowner in Gilliam County and active in civic affairs. E. E. Rugg, of Heppner, secretary-treasurer, operates an extensive wheat and stock ranch in Morrow County and is active in Grange programs.

Complete area coverage for the rural citizens of Clatsop, Columbia, Washington, and Yamhill Counties is the goal of the West Oregon Electric Cooperative, of Vernonia.

Already this cooperative, organized March 8, 1944, is providing rural electric service for 1,750 consumers. At present this co-op is constructing additional lines in Columbia and Washington Counties to serve 250 new members, and plans are under consideration for an additional 80-mile section to serve 276 more member users.

The West Oregon Co-op is experiencing definite power shortages in two sections of its present system. In order to strengthen the system, this co-op expects in the near future to request another REA loan for additional "backbone" lines, transmission lines, and substations. In what amount this new application will be has not been computed as yet.

Various communities in its project area have called upon the West Oregon Cooperative for electric service, and it is considered likely that the need for additional funds with which to meet these additional service requests will exceed $200,000. Of this I am informed by Mr. Guy I. Thomas, the co-op manager.

"It is the aim of this cooperative," Mr. Thomas tells me, "to electrify all rural sections within our project area and thereby better the living standards of those who are now denied the comforts and labor-saving devices that electricity will afford them."

The Central Electric Cooperative, of Redmond, is one of the older REA-financed co-ops in Oregon. The first section of its system was energized in the spring of 1941. Today it has 362 miles of line in operation, serving 1,056 members. An additional 55 miles of line, to serve 60 members, will be completed this month, and the co-op has applied for an REA loan to construct 393 miles of line, to serve 735 consumers.

The Central Electric Cooperative has on hand 64 additional applications for new service and other applications are coming in daily. To serve these 64, the construction of an additional 31.5 miles of primary line will be necessary.

Rural electrification is an important need in the agricultural development of central Oregon, which is famous for its potato and poultry production. Electricity is used for grading and loading potatoes and ventilating the potato cellars. Poultry producers use electricity for brooders, incubators, water heating, and the air conditioning of egg-storage houses. In the production of turkeys, electricity is used for the illumination of outside roosts.

This cooperative has made $32,000 advance payments on its obligations to the REA.

Another of the older REA-financed rural electric cooperatives in Oregon is the Wasco Electric Cooperative, energized May 24, 1941, and serving principally Wasco and Sherman Counties, and parts of Gilliam, Wheeler, and Jefferson Counties. It is contemplated that a larger portion of these latter counties will be serviced later. At present practically all of the rural areas of Wasco and Sherman Counties receive central station electric power from the cooperative, except where commercial supplies existed before the co-op started.

This cooperative, too, is in excellent financial condition. Its directors are W. E. Davis, president; S. M. Hix, vice president; Lester DePriest, secretary; Leo E. Hammel, treasurer; Raymond Crabtree, Lloyd T. Woodside, K. V. Benson, Roy J. Forman, and Ted M. Ball. All are substantial wheat and livestock farmers.

During the last few years considerable use has been made of this low-cost power for irrigation. The co-op has 16 irrigating consumers who pump from deep wells. One of these used more than 75,000 kilowatt-hours of energy in the month of September 1947.

Five irrigation cooperatives have been formed in the area adjacent to the Wasco cooperative. These co-ops have drilled deep wells and installed electric motors of 100 horsepower or larger to pump water for modern sprinkler-type irrigation.

The Wasco cooperative has a special rate which makes these projects feasible. Around 1,000 acres of land have been placed under water which would not have been irrigated but for the cheap power rate made available by the cooperative. Many farmers have put in small-scale irrigation systems, some of them pumping from streams, rivers, and wells.

The cooperative serves six sawmills. Electricity in remote sections has led to the development of various small mills which together have a sizable output of lumber. These mills have not been able to receive central station electric power from other sources in their area.

The Wasco cooperative has approximately $1,200,000 invested in its facilities. The individual members have spent an estimated three times the investment of the cooperative for improvements on their farms.

Since the rural areas of Wasco and Sherman Counties have been served with electricity farm home life has greatly changed. For the past 30 years migration from farm to city has been pronounced. However, with the introduction of electricity to farms the tendency has been to develop substantial modern homes there and for the younger people to remain and engage in modern farming.

Rural electric service has led to a general improvement in health, cleanliness, and the pride of operating a permanent farm home comparable to the most desirable dwellings of some of our large cities.

The history of the Northeast Clackamas County Electric Cooperative, of Sandy, is a record of enterprising men and women working cooperatively, overcoming obstacles and disappointments, and remaining united in a common effort to bring the indispensable power of their own Columbia River to themselves, their neighbors, and their friends.

To this little group of rural citizens of the Dover and George areas, the timber-clad slopes of Mount Hood typified the uncleared land on which they toiled so strenuously to bring up their families. And the tall towers and transmission lines that carried power from Bonneville Dam across the highway near Sandy reminded them of their daily struggle without electricity within sight of America's cheapest and most plentiful power supply.

For years prior to 1939 the people of the Dover and George areas had requested service from the Portland General Electric Co. Always the company's answers were in the negative. The Dover and George areas were too thinly populated. The electric load would be too small. Service to these people would not be profitable. Only those living near the company lines, and who could pay for their own extension, might expect to be served.

But today power from Bonneville Dam surges over the rural electric lines that crisscross these areas south of Sandy, thanks to the REA and the determination of the Northeast Clackamas Co-op members. And the same spirit that motivated the original organization group is now evident in plans of the co-op members to extend Bonneville power to everyone within reach of the co-op system.

At present this cooperative is serving some 500 members who are using power to increase production through irrigation, dairying, poultry, and livestock breeding. The co-op expects to serve 300 additional users upon construction of a line to Government Camp. Plans for this line were made in 1943, and most of the project materials are already on hand.

The Bonneville Power Administration agreed to serve this project from a substation on the cooperative's line at Aims. The substation site was purchased and made ready, and the co-op had spent a large sum for engineering costs and construction of a tie line when the members were notified that the appropriation for construction of the substation had been removed from the Bonneville Power Administration's budget.

This cooperative greatly needs the Bonneville substation at Aims, as it forms the basis of all plans for the proposed new section of the system. The cooperative has endeavored to have this item restored to the BPA budget, but so far without success. This substation would permit almost unlimited use of electricity at low cost, providing a 33,000-volt pressure on the subtransmission system which would feed the load centers of the cooperative.

Load forecasts indicate that in the next year or so membership in the co-op will treble and that average family power consumption will be up 80 percent.

Commercial customers are expected to triple in number also, and more than 400 new summer homes will need service. The members of this co-op, like other co-op members, realize with a sense of gratification that with every electric bill they pay they are making an investment in their own power system, which some day they will own outright and debt-free.

C. J. Sandstrom, a turkey grower, has been president of the Northeast Clackamas Co-op since its organization. M. E. Martin, a farmer and lumber grader, is vice president; W. L. McCabe, a farmer and millwright, is treasurer; and Mrs. Mildred R. Decker, who is the wife of a farmer, is secretary of the co-op and of the Oregon Rural Electric Cooperative Association as well. The five other members of the co-op's board are G. E. Bollinger, W. E. Bews, and W. H. Joyner, farmers; and J. J. Teuscher and L. E. Baker, dairy farmers.

Such are the records of the REA-financed rural electric agencies which are actively operating in the State of Oregon today, furnishing power and lights to thousands of worthy rural inhabitants who, until the advent of the REA program, were unable to obtain the benefits of electricity in their homes and on their farms and ranches.

These are typical in many aspects of the other Oregon groups participating in the REA program, as well as those which operate today in the other States of our Nation. That this program has benefited millions of American citizens during these last 13 years is a simple statement of tremendous fact that bases its support in electrified rural industry throughout the length and breadth of our land. This great work must go on. The principle of its continuation is recognized everywhere. This great work should be speeded as much as possible. That fact is evident. Millions of citizens have rejoiced and are rejoicing today at the blessings brought to them in their rural communities through the medium of the REA program. But there remain millions of our citizens who have not been so blessed, and who may never know the advantages of electricity except through continuation of the REA program.

Mr. MORSE. Mr. President, because of urgent representations of rural people from all sections of the country, the Congress is expanding the Federal rural-electrification program. We are asking the Rural Electrification Administration to add a large volume of new work to the steadily mounting responsibility we have given the agency in past years. It is only reasonable that we should make provision for the agency to discharge the responsibilities that we are assigning to it.

REA originally requested an administrative fund of $5,000,000 to safeguard a previous Government investment of about $1,000,000,000, and to process new loans of $300,000. The requested sum is less than one-half of 1 percent of the amount the Government has invested in loans to electric cooperatives and other borrowers and which the REA is asked to safeguard. After Congress approved a supplementary loan authorization of $175,000,000, REA requested an additional $900,000 for administrative expenses to enable it to carry out the additional work which the action of Congress imposed.

This request did not take into account the increase in the regular loan authorization for 1949 from $300,000,000 to $400,000,000 which has passed the House and has been approved by the Senate Appropriations Committee.

If, as was indicated, the additional $900,000 was needed for administrative expenses for the added $175,000,000 in loans, it is most inconsistent to cut the administrative increase in half when adding another $100,000,000 to the loan funds. This is what the Senate Appropriations Committee has recommended.

The administration of the REA program has earned warm praise and has met every test. However, we cannot expect it to maintain its present high position in the regard of both farmers and the general public if it does not have adequate funds to do an efficient job.

In closing these remarks, I wish to repeat what I said to my good friend from Illinois [Mr. BROOKS] at the beginning of my statement. I, for one, appreciate very much the attitude which he has displayed throughout the hearings on the REA problem. I shall not offer an amendment to increase the administrative budget $900,000, for two reasons. First, I believe that as a matter of general policy, wherever possible, even though we may reserve a difference of opinion with a subcommittee of the Appropriations Committee as to amounts recommended, members of the committee are entitled from the other Members of the Senate to the benefit of the doubt, and to a recognition on our part that after all, if we are to be frank about it, compromises must be arrived at by the Appropriations Committee in regard to the many requests for funds. I am appreciative of that fact. I do not think it would be proper for me not to extend

to the Senator from Illinois my cooperation in regard to this matter.

In the second place, to be frank, I shall not offer the amendment because I know it would not be adopted, and I do not believe in unnecessarily bumping my head against a stone wall. However, I am making this RECORD today for future reference, because I am of the opinion that in due course of time my good friend from Illinois will be confronted with a request for a supplemental appropriation. When that time comes I want the RECORD to show the arguments which I have made today for larger appropriations for administrative expenses of REA.

Mr. AIKEN. Mr. President, I have a question to ask in regard to the Rural Electrification Administration appropriation. As I recall, in the appropriation bill of a year ago there was a proviso that no money should be expended for the construction of generating plants without notice being given the Appropriations Committee at least 30 days before such money was to be expended. I notice that there is no proviso to that effect in the appropriation bill this year. I understand that last year reports were made, as required, to the Appropriations Committee and are on file. Did the committee feel that it was unnecessary to continue that proviso?

Mr. BROOKS. As I recall, it was not a proviso in the law last year. There was such language in the committee report. It certainly was not the intention of the committee to discontinue the practice. Such reports are being made in regular order, and we have had no protest of any kind against continuance of the practice. We expect that it will be continued.

Mr. AIKEN. I wished that point to be made clear in the RECORD.

I also understand that in case of emergency, when generating equipment has been destroyed and must be replaced without delay, the committee would not expect to have any delay while it was being notified. In fact, I am not sure but that such a statement was made in the report last year.

Mr. BROOKS. There would be no question, in my judgment, about their calling the chairmen of the two committees and conferring with the ranking minority members in an emergency and obtaining an immediate response. Of course, this statement is contained in the report. Even though it is only in the report, I think it would be the will of the Senate to meet a situation of that kind. I can imagine no real difficulty in case of an emergency.

Mr. AIKEN. I thank the Senator from Illinois. I simply wish to keep clear for the RECORD what was expected of the REA in this connection.

Mr. THYE. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. THYE. I should like to inquire about the number of rejections, if any, the committee acted on last year.

Mr. BROOKS. I know of none that were rejected.

Mr. THYE. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. LUCAS. On the question raised by the Senator from Vermont, did I correctly understand the Senator to say that the same language is in the report this year?

Mr. BROOKS. No; it was not put back in the report. But it was certainly the understanding of the chairman and, I am sure, of the other members of the committee who were present, that it was a continuing understanding with the REA, for even when we were in the closing hours of the hearing, I asked the Administrator if he would bring his report up to date, so that we could know what it was, before reporting the bill. If the Senator would like to have it in the report, we can write it in.

Mr. LUCAS. No. The only reason I made the inquiry is that I was under the impression, from a memorandum which I have before me, that there was delay in the operations of some of the cooperatives, when they were up against an emergency as a result of a 30-day notice.

I was wondering whether it is still the opinion of the committee that the REA would have to comply with the 30-day notice, as written in the report.

Mr. BROOKS. I can say to the Senator that I am sure the Members of the Senate know that is the understanding.

Mr. LUCAS. I thank the Senator, because that will clear up any misunderstanding on the part of some of the REA officials. They followed the report, even though such language was not written into the law. They believed they had to do that, and I think perhaps they were right, even though legally they were not bound by language in the report. I am glad it was taken out.

Mr. BROOKS. Perhaps the Senator misunderstood what I said. I said it was not taken out as an indication that we disapproved of it. We merely accepted it as a policy. They merely indicated to the committee that they were delayed.

When we talk about delays in the REA, it should be pointed out that although they now have enough money, it will probably be 3 years before they can get all these projects under way. Unless there is an emergency, such as stated by the Senator from Vermont, the giving of a 30-day notice that they are going to build a generating plant could not possibly delay them.

Mr. LUCAS. I am only talking about such an emergency.

Mr. BROOKS. I have stated that there is no protest, and I have stated for the RECORD that I feel sure that in an emergency they could come to the committee and ask that it be considered; and I am sure it would be considered, and I am sure the Senate would back up the chairman or the ranking minority member, whichever it happened to be at the time.

Mr. LUCAS. I simply wish to know whether the REA would have to follow the law or the committee report.

Mr. BROOKS. It was not in the law, but it was in the report. So far as I know, it is a continuing understanding with the REA.

Mr. LUCAS. I think it is unfortunate that we do not write it into the law—if that is what the Senate desires. Actually, I do not think the Administrator of the REA should be required to follow a committee report in administering such an important program. In other words, the committee says in the former report, "Before you can do certain things there must be a 30-day notice," but that statement is not in the law. However, the Administrator of the REA is construing it as if it were the law. Probably he has to do that in order to get along with Congress. But I submit that this is not the proper way to legislate.

Mr. BARKLEY. Mr. President, I do not think it will delay the consideration of the bill on Monday to have this amendment go over. So I should like to have the amendment go over, in order that I may look into a matter pertaining to the amount which has been recommended for appropriation for administrative expenses.

Mr. BROOKS. There is another amendment coming up on Monday. If we are going to let this amendment go over, then I should like very much to have an understanding, as nearly as we can do so, about when we shall reach a vote on Monday. If we are going to have the bill go over until Monday, because of one or two amendments, that is one matter; but if on Monday the whole field will be opened up for further and continued discussion, I think that will be very unfortunate.

Mr. BARKLEY. Yesterday we had an understanding that we would try to complete the action on the amendments as to which there is no controversy, and that amendments which are controversial would go over. I am inclined to think that this amendment will not be controversial, but there is one feature which I should like to have an opportunity to look into over the week end. We are almost through the amendments anyway, I think.

Mr. BROOKS. Yes; we are almost through them.

I may say for the benefit of the Senate that in my most congenial relationship with the ranking minority member of the committee, the Senator from Georgia [Mr. RUSSELL], who for years was chairman of the subcommittee, I agreed to have the bill go over until Monday for an amendment that he wishes to submit. I made that agreement as a matter of convenience to other Senators. But I was very anxious to get the other matters cleared up before then, if I could do so.

If Senators wish to have this amendment go over, and if there was an agreement that such matters would go over—and even though I did not share in the agreement, I do not doubt that it was made—it is agreeable to me. So if objection is made to final action being taken on this amendment at this time, and if request is made to have it go over, it will have to go over, under the agreement.

Mr. BARKLEY. I am not making objection, but I wish to have this matter go over until Monday.

Mr. BROOKS. Very well.

I wish to say to the Senator from Oregon and the Senator from Kentucky that this committee has been constantly a

friend of the REA. Last year, as Senators will recall, the House reduced the amount of the loaning authority from $250,000,000 to $225,000,000, and also reduced the appropriation for administrative expenses. The Senate committee restored the $25,000,000 and restored at least $1,000,000 of the appropriation for administrative expenses last year, as I recall. The Senate increased that amount from $4,000,000 to $5,000,000.

This year the request was made for a very large loaning authority, and instead of reducing the appropriation from $250,000,000 to $225,000,000, the House, in taking action on a $300,000,000 budget estimate, allowed them $100,000,000 more. But immediately they come to us with a request for an appropriation of $900,000 for administrative expenses. The testimony shows that because of the shortages of material and the difficulties in regard to time they are not going to be able to loan all this money, and much of it will be loaned to already-existing REA cooperatives, for the expansion of which very little in the way of administrative expenses is needed.

We felt that it was fair to give them half of what they requested. I am sure that will not cripple them in any way, and I am sure it was not the intention of the committee to cripple them in any way. Consequently, I feel that there should be no objection.

Mr. BARKLEY. Mr. President, I do not doubt the sincerity of the Senator from Illinois or of the committee itself. What strikes me, in common with the Senator from Oregon, is this: In view of the increase in loaning ability, I wonder whether all of it can be exercised in 1 year or whether it will take longer than 1 year; and in view of the fact that only half of the amount requested for administrative expenses has been recommended by the committee, and also in view of the increased loaning ability or authority and evidently the increased load of work, I wonder whether the amount requested is necessary in order to permit the carrying of the additional load.

I may be convinced that it is. I may be completely satisfied on that point. If I am, I shall not make any point regarding it or attempt to delay the committee or the Senate in the consideration of the matter.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. MORSE. I wish the RECORD to be perfectly clear that in the opinion of the junior Senator from Oregon, the distinguished chairman of the subcommittee, the Senator from Illinois [Mr. BROOKS], has demonstrated over and over again that he is a friend of REA. There is no doubt about the fact that we would not have been able to secure the increased appropriation which we secured last year or, for that matter, the amount which was recommended in the report this year, had it not been for the chairman of the subcommittee and the other members of the subcommittee who have shown their friendship for REA. I do not want anything in my remarks, in the slightest extent whatever, to carry an implication that I think the Senator from Illinois is not a very great friend of REA. His record bespeaks the fact that he is a friend of REA. I, along with the Senator from Kentucky, am simply confronted with the question as to whether or not the great increase in the loaning power of REA provided in this bill does not necessarily carry along with it a requirement for a larger appropriation for administrative functions.

The Senator from Illinois has just pointed out that he does not think REA will be able to use all loan money this year, because of a shortage of supplies and for other reasons. I merely wanted to call the Senate's attention to the fact that as the loans are made it is going to put an increased burden upon REA from an administrative standpoint. I think eventually we are going to have to increase the administrative appropriation of REA, if our Federal funds loaned by REA are going to be best protected in the public interest.

Mr. BARKLEY. Mr. President, we do know that the reduction in the administrative appropriation last year, and the requirement by reason of that that salaries be to some extent reduced, resulted in the loss of some of their men, some of their more valuable men, who went into private employment. I suppose the increased loaning authority will require necessarily some additional employees of an expert type who are qualified to go into the field and coordinate this work, which is on the surface simple but which is in fact somewhat complicated.

The only question in my mind is whether the allowance, in view of the lag in last year's operations, is sufficient. I may be completely satisfied about that, and I have made no question about the friendly attitude of the Senator from Illinois. I hope nothing I said could be interpreted as questioning his or the committee's friendly attitude toward REA. But probably if the matter had gone over without even this discussion some time would have been saved, if in the meantime I could have been completely satisfied in my own mind that under the circumstances it is a wise provision.

Mr. BROOKS. Mr. President, I want to reiterate what I said to the Senator from Kentucky and to other Members of the Senate, that we restored last year $1,000,000 in administrative funds. While REA lost some of its better men, the evidence will show that some of those better men went to work for the cooperatives, because they could make better money working for the cooperatives than they could make working for REA. So it was not altogether a lack of funds that resulted in their loss. It was the inadequacy of Federal salaries, as well, and that is a question we shall have to consider.

Mr. BARKLEY. That may be true, yet a lack of funds has something to do with the lack of adequate salaries.

The PRESIDENT pro tempore. Does the Senator from Illinois agree to the request which has been made?

Mr. BROOKS. I agree that the amendment may go over until Monday.

The PRESIDENT pro tempore. That completes the committee amendments.

Mr. UMSTEAD. Mr. President, I submit an amendment, which I send to the desk, and I ask that it be read.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 47, line 16, it is proposed to strike out "$150,000,000" and insert in lieu thereof "$250,000,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from North Carolina.

Mr. UMSTEAD. Mr. President, I should like to call the attention of the Senate to the glaring inconsistency of the amounts appropriated for the agricultural conservation program—the program which provides Government assistance to farmers throughout the Nation in carrying out practices to conserve our national soil and water resources.

For the 1947 program, the Congress last year provided a final appropriation of around $265,000,000 for this program. For the program in the fiscal year 1948, the pending bill carries the sum of $150,000,000. Since $24,500,000 of this amount must go to cover administration of the program, the funds available for assistance payments to farmers under the 1948 program actually total only about $125,000,000. For next year's program, 1949, the bill as passed by the House a few weeks ago and approved by the Senate Appropriations Committee provides an authorization of $225,000,000. An amendment to this bill has already been introduced in the Senate which would raise this authorization for next year's program to three hundred million. That amendment in my opinion should pass.

Let me repeat: For 1947 the amount provided was about two hundred and sixty-five million; for 1949, the pending bill authorizes $225,000,000, which I hope will be increased to $300,000,000; for 1948, only $150,000,000 is made available. Why this difference? Why is the program less necessary this year than last year, or than it will be next year?

Only one fact could justify the small appropriation for this year, and that would be that the need for conservation this year is smaller and less urgent than it was last year or than it will be next year. And we know that is not the case.

For this reason, I am offering an amendment to the conservation and land-use item, which would increase the appropriation for the fiscal year 1948 to $250,000,000. This sum would be more in line with funds appropriated for other years.

It is true that the President's budget message requested only $150,000,000 for this year's program, but I understand that this was done mainly because it was felt that appropriation requests by the budget should not exceed the contract authorizations provided in last year's appropriation bill in the sum of $150,000,000 for the 1948 program. But it is not yet too late to rectify this mistake; there is still time to increase the amount so that a more adequate conservation job can be done by farmers this year.

Reports not only from my own State of North Carolina, but from all over the country, are emphatic in stating that this

reduced appropriation will seriously cripple this important program this year.

It is abundantly clear that an increase in the appropriation for 1948 could be used to good advantage.

Increasing the appropriation from $150,000,000 to $250,000,000 would almost double the amount available for assistance to farmers. The administrative expenses are already taken care of under the allocations of the original $150,000,000 authorization, so almost the whole amount of the increase would go to the farmers for additional conservation practices.

And there are many practices, badly needed practices, which may yet be completed this year. It is too late to do anything about those conservation operations normally carried out only in the spring and early part of the year, which would have been performed if more funds had been available. But there is ample time to encourage more of those practices suitable for fall and early winter performance.

Farmers can still apply needed plant foods such as lime, phosphate, potash, and sulfur. Supplies and equipment are available in adequate amounts. Farmers can still carry out such erosion-control practices as terracing and diversion ditches.

Farmers can still seed and improve their pastures. They can contour fall crops as a protection against irreparable erosion damage. Winter cover crops, including legumes and small grains, can still be seeded. Livestock water developments can still be encouraged. These are only a few of the many urgently needed practices which farmers can still be assisted in carrying out this year.

The conservation of our national soil and water resources is vitally important to all of us. It should not be postponed. Let us do what we can to encourage more of it by increasing the amount of the Government's assistance for this year.

This program has been a tremendous success. It has offered encouragement, assistance, and help to the farmers who wished to improve the soil, diversify crops, and prevent farmland from washing away. It has helped to conserve fertility of the soil and water resources. It has added to tax values and it has increased productivity.

Furthermore, it is well to remember in this connection that sound soil-conservation practices such as strip cropping, pasture coverage, tree planting, and the planting of grasses and legumes are practical methods of assisting in the control of water flow in sections endangered by the hazards and destruction of floods.

This program is administered largely by community, county, and State committees. To them must go a large part of the credit for its unusual success. They serve at great sacrifice to themselves, and are actuated not by the small compensation they receive, but by their patriotic devotion to the welfare of agriculture and the well-being of the country at large. I also wish to commend the officials of the Department of Agriculture, both in Washington and in the field, for the efficiency with which this program has been conducted.

At this time, when agriculture is being again called upon for maximum production, certainly everything reasonable should be done to encourage it and make it possible. Therefore, I urge the adoption of the amendment which I have offered.

Mr. President, I repeat, that if the program was sound last year and is recognized as being sound for next year, then why is not the program equally sound for this year? If it is sound, then my amendment should be adopted.

Mr. BROOKS. Mr. President, before I reply to the Senator's statement I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Fulbright | Millikin |
| Baldwin | George | Moore |
| Ball | Green | Morse |
| Barkley | Gurney | O'Conor |
| Brewster | Hatch | Pepper |
| Bricker | Hayden | Reed |
| Bridges | Hickenlooper | Revercomb |
| Brooks | Hill | Robertson, Va. |
| Buck | Hoey | Russell |
| Butler | Holland | Saltonstall |
| Byrd | Ives | Sparkman |
| Cain | Johnson, Colo. | Stennis |
| Capehart | Johnston, S. C. | Stewart |
| Capper | Kem | Thomas, Okla. |
| Chavez | Kilgore | Thomas, Utah |
| Connally | Knowland | Thye |
| Cooper | Langer | Tobey |
| Cordon | Lodge | Tydings |
| Donnell | Lucas | Umstead |
| Downey | McClellan | Vandenberg |
| Dworshak | McFarland | Wherry |
| Eastland | McGrath | White |
| Ecton | McKellar | Wiley |
| Ellender | McMahon | Williams |
| Ferguson | Magnuson | Wilson |
| Flanders | Malone | Young |

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment submitted by the Senator from North Carolina [Mr. UMSTEAD].

## CONDITIONS IN PALESTINE

Mr. BREWSTER. Mr. President, I wish to raise a question which has been giving us increasing concern, namely, the developments of recent days in connection with the situation which now prevails in Palestine. I wish particularly to address an inquiry in this matter to the chairman of the Committee on Appropriations, which seems to have close cognizance of this program.

I desire to read briefly from a report of the War Investigating Committee under the chairmanship of Senator MEAD, who conducted a rather extensive investigation. I quote from page 34 of his report issued in 1946, and call attention to this paragraph:

> Our failure to recapture or at least retain full control over lend-leased weapons and armaments may well have repercussions in delicate future relations between nations. A matter of such importance as the permanent transfer of weapons and armaments to foreign nations should be studied and acted upon by Congress.

The wisdom of those words I think has been amply demonstrated by more recent developments.

I read from page 68 of the report, as follows:

> Several major questions of our national policy are necessarily involved in the adoption of any program for the transfer of armaments. They are:
>
> 1. The effect upon any future world program for disarmament.
>
> 2. The effect upon policing plans and responsibilities under the United Nations organization.
>
> 3. The result of the existence of the means of waging war in the hands of foreign nations presently on friendly terms, not only with the United States, but with themselves, which may subsequently become embroiled in a dispute either with the United States or among each other, in which such armaments may be used as an instrument of national policy, either potentially or by open resort to arms in combat, under which circumstances, the United States would have no power to control the use of such armaments.
>
> 4. The use of such armaments for the control of backward peoples, whether now under the domination of some other foreign power, or to be subsequently brought within such foreign control.

I call attention to the statement of the British Government 3 days ago that arms and ammunition are being furnished by the British Government to the Arab nations which are now attacking the new nation of Israel, which we have recognized, and that they expect to continue to furnish the aid of such arms and ammunition, the loan of British officers who are now governing that action, and the extension of financial aid in the amount of $8,000,000 a year to the Government of Transjordan, which is carrying out at the present time the invasion of this area. Having called attention to those facts, I want to call attention further to what the War Investigating Committee said 2 years ago. I read from page 69 of the report:

> The sale or gift of armaments by our Government in peacetime is a matter of such importance and delicacy in our relations with the other nations of the world that it deserves full consideration and study by Congress itself. The committee believes that the present programs for the transfer of armaments to other nations should be reviewed by Congress immediately, and that any subsequent program for the sale, gift, or transfer of armaments should be embarked upon only after express and clear authorization by Congress.
>
> The Government of the United Kingdom now has troops deployed in areas where there has recently been or where there is threatened to be open fighting—Indonesia, Greece, Palestine, Egypt, India. Whether armaments which we have transferred to the British in the United Kingdom settlement are actually employed in such conflicts, either those which have occurred since VJ-day or those which may occur in the future, is not the real point. The fact that we have contributed to the total arms which the British Empire has is the important fact and it imposes upon us a responsibility for the use of those arms which we cannot escape. Although we have no voice in the foreign policy of the British Government nor in the formation or execution of colonial policies of the British Empire, we have aided them and have made possible whatever the British Empire may elect to do that involves a use of arms.
>
> * * * * *
>
> In recommending the removal of American markings on nondemilitarized combat material transferred to other governments, the State Department obviously had some of the above implications in our foreign policy in mind. The committee does not believe that the removal of identifying labels on our equipment is a complete discharge of our responsibilities to nations and peoples,

against whom such equipment, possibly against our will, may be employed.

I venture to suggest that those who may die in Palestine as the result of the use of American arms and ammunition will not be particularly impressed with the fact that the American markings may have been removed. I think the casualties will be equally great inspite of such removal. I suggest that this is a matter which should invite the most serious attention both of the administration and the American people.

I want to address in particular one question to the distinguished chairman of the Committee on Appropriations, the Senator from New Hampshire [Mr. BRIDGES] as to whether or not attention has been given or is being given to the vast stores of arms and ammunition which the report shows were left in the Middle East. There is a compilation in Report No. 110, part 7 showing millions upon millions of dollars' worth of arms and ammunition left in the Middle East, much of these vast arms stores being turned over to the British.

I will say in justice to the State Department that I was informed by Mr. Lovett within the past week that they were assured by the British Government that it was not turning these American arms and ammunition over to the Arabs. Whether or not that answers the question so far as our conscience is concerned is another matter, because obviously if the British are able to turn over arms and ammunition of British make, as they stated within 3 days they were doing, it is in part a result of the supply of arms and ammunition which we made available to the British under our lend-lease and their operations. We have retained some measure of control, but whether or not that control is being exercised is of very profound moment.

In addition, we are making available funds to the British Empire, as I understand, and the United Kingdom. Meanwhile they have under treaty within the past month agreed to make available to Transjordan $8,000,000 a year for the support of these armed forces. The announcement in the press of this week was that that financing had been available both for this year and for next year. Meanwhile, as I understand, we are supplying the deficit in the British balances so far as their foreign relations are concerned.

So I wish to ask the chairman of the Appropriations Committee to what extent this matter has received attention or is to receive attention by the Committee on Appropriations in connection with the money we are now making available under our European relief program.

Mr. BRIDGES. I will say to the distinguished Senator from Maine that, of course, I feel strongly on the matter of the hop-skip-and-jump policy, the hop-skip-and-jump technique of the administration dealing with Palestine, because it leaves not only the people of the United States and the Congress of the United States, but the people of the world in wonderment as to just what our policy is.

Mr. BREWSTER. I may say that I think the New York Herald Tribune very properly referred to it as the "porpoise policy," which will be familiar to the inhabitants of our coast.

Mr. BRIDGES. We have changed our position so many times that it would take rather a shrewd and skillful person to follow the winding course we have pursued.

We have now recognized the nation of Israel. Having recognized the nation of Israel, I think, personally, that the next appropriate step would be the repeal of the arms embargo, so that free nations and free people may purchase arms with which to defend themselves. That is not a new policy for me, I might say to the Senator from Maine, because I have always felt that way. Away back when the majority of the Senate and of the House also were opposing the repeal of the arms embargo prior to World War II, I favored its repeal. I also was one of the six United States Senators who voted against the Neutrality Act.

Mr. BREWSTER. Am I correct in my understanding that the lifting of the alleged arms embargo is entirely within Executive discretion?

Mr. BRIDGES. As I understand the embargo status at the present time it is within the power of the administration to lift the arms embargo. Therefore such opinions as we may express in the Congress today are cur opinions as legislators, but the power to lift the embargo is vested in the executive branch of the Government.

The Senator from Maine has addressed a question to me as chairman of the Appropriations Committee. I may point out to him, first, that, as he knows, the foreign policy of our country is within the hands of the executive branch of the Government. It is its responsibility. Congress has been told on many occasions that it is the responsibility of the executive branch of the Government and not the responsibility of the legislative branch. Nevertheless, in a secondary way the Congress of the United States directly and indirectly has not only an interest in, but has something to say with reference to foreign policy. The Foreign Relations Committee of the Senate, headed by the distinguished Senator from Michigan [Mr. VANDENBERG], is the committee having the primary responsibility in that connection. But the Appropriations Committee, insofar as it deals with appropriations for the State Department, and insofar as it deals with appropriations for aid to other countries, indirectly enters the picture.

The Senator asks me, as chairman of the Appropriations Committee, whether or not the question of financial aid to Great Britain, with relation to help so far as the Arab countries are concerned, has been given any attention. I will say that that question has not been officially before us. But the question whether or not the aid granted the United Kingdom in an economic way allows the British to help other nations in a military way, of course, has disturbed some of the members of the committee. I feel that the Appropriations Committee, as it examines requests for funds for economic recovery—although they are not military funds in any way—can very properly inquire as to the use of the funds directly or indirectly for the purpose which the Senator describes. As I say, we could approach that problem only indirectly; but when we are spending billions of dollars for aid to a nation, we can very appropriately, I think, make inquiry as to the disposition of the funds, and as to whether or not their disposition makes available funds for a purpose contrary to our beliefs.

Mr. BREWSTER. As I recall, during the debate on the European recovery program, in the colloquy between the distinguished Senator from Michigan, chairman of the Committee on Foreign Relations, and the Senator from New Hampshire, chairman of the Committee on Appropriations, the Senator from Michigan very clearly pointed out that it was the responsibility of the Senator from New Hampshire to determine to what extent authorized appropriations were required for the purposes indicated in the legislation which we were considering. Whether or not the funds which might be required in connection with the activities of the United Kingdom in the Middle East at this time in any way have their impact upon the aid which is being extended would seem to be a very pertinent inquiry, to determine to what extent the United States is assisting those who both at Lake Success and in the Middle East are apparently so militantly opposing the policies of the United States. I think our position in world affairs has been made sufficiently ignominious by what has heretofore happened, without further adding to it by assisting a nation which, at Lake Success and in the Middle East, is opposing what we allege to be our policy at this time.

Mr. BRIDGES. I think the Senator is correct. It is entirely proper that the Appropriations Committee should make inquiries in that direction, as we consider requests for further appropriations of billions of dollars which will go to the United Kingdom. I will say in answer to the Senator that the committee will make such an inquiry, and that it will be a subject of examination at that time.

Mr. BREWSTER. I thank the Senator.

Mr. BROOKS. Mr. President, when I called for the quorum I did not do so for the purpose of the statements which have been made, but I share the sentiments expressed in those statements. I think we are in the rather ridiculous position of holding out a great hope to the new state of Israel, and then letting them stand there without the opportunity of purchasing arms, holding the arms embargo in effect while we aid another nation which admittedly furnishes arms to the people with whom the state of Israel is in conflict.

My hope and prayer is that conflicts all over the world may be stopped. I do not know all the factors which may contribute to greater conflict, but certainly it adds to the confusion of the world to have a policy which the people of the United States do not understand. Our policy has been to extend economic and military aid to Great Britain. No nation on God's earth ever received more military aid from us than did Great Britain.

When we read that our sustenance is being used to furnish arms to the tune of $8,000,000 a year to those who are contesting with the new nation of Israel, which we have recognized, it seems to me that we are holding out a false hope. It seems to me that the executive branch ought to do one thing or the other. It is well within the discretion of the executive branch to lift the arms embargo. They should do so.

Mr. BARKLEY. Mr. President, I do not want to enter into an extended discussion at this late hour. I think in fairness it ought to be said that the President and the Secretary of State are at this time considering the question of lifting the embargo. There are undoubtedly some complications. They probably do not want to act hastily. I am satisfied that in the beginning they considered very carefully the question as to whether they should impose the embargo. But the question is under consideration. I share the hope that it may be found in the interest of justice to lift the embargo at the earliest possible date.

Mr. BROOKS. Above all things, I hope that a truce can be arranged.

Mr. BARKLEY. I share that hope. In view of the known situation, I trust that at the earliest possible date bloodshed may be completely avoided in that part of the world, so that the new nation may be allowed to move forward under its own steam as rapidly as possible in accomplishing its mission.

Mr. BRIDGES. Mr. President, I think the suggestion made by the Senator from Illinois, the distinguished chairman of the Committee on Rules and Administration, is a very sound one. A tragic situation now exists. The executive branch of the Government could make no greater contribution than by immediately using its good offices or its power to bring about a truce, so that the bloodshed and terrorism which are taking place today may be stopped. I agree that that should be the first step, and that then we should proceed along the lines which have been suggested.

Mr. BARKLEY. Mr. President, if I may add a word, it is a hopeful sign that the United Nations has just designated an outstanding citizen of Sweden as mediator or arbitrator between the factions in Palestine and Israel. I hope that such action may result in an agreement for a truce and ultimate settlement of this difficulty.

Mr. BREWSTER. Mr. President, I should like to ask the distinguished minority leader whether or not that is merely another step in the attempt to bring about a truce, an attempt which has been going on for many years; and whether or not it is obvious that far stronger measures are required. Is there any doubt that if our Government should insist with sufficient strength to our British friends that they must stop furnishing aid—including arms, munitions, financial aid, and officers—to the Transjordan Legion, which is apparently practically a puppet of the British Government, we would rapidly approach the desired end?

Mr. BARKLEY. That may well be true. I mention the appointment, by a unanimous vote, of the mediator as at least holding out a hope for a truce. If a truce can be brought about, and the people can be calmed, so that the parties may sit down and consider the practical situation, such a course may lead to an ultimate settlement.

Mr. BREWSTER. Is Count Bernadotte the arbitrator who has been named?

Mr. BARKLEY. Yes.

Mr. BREWSTER. We certainly wish him well in his great task; but it is imperative that there be early action.

Mr. JOHNSON of Colorado. Mr. President, I should like to talk for 1 hour but do not wish to trespass on the time of the Senate at this late hour; but I cannot let this opportunity pass without concurring heartily in the sentiments which have been expressed by the Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], and the minority leader, the Senator from Kentucky [Mr. BARKLEY].

I think the Senator from Illinois has placed his finger on the action which should be taken; a truce ought to be imposed on both sides this very day. It is imperative to stop the bloodshed and the impending massacre which is presently threatened in the Holy Land now, not next week or next month.

Of course, the vicious arms embargo which we have imposed against Israel, whom we have recognized as a member of the family of nations, places us in a very stupid position. It ought to be lifted without further delay.

I hope that our Government will move quickly, because loss of time now will mean the loss of a hundred thousand lives in the next few days. We must have action, and quick.

Mr. FERGUSON. Mr. President, as I recall the facts, when the War Investigating Committee looked into the question of the transfer to Britain of the war surpluses in the Near East, it was found that in the agreement there was a provision that we could recoup those goods at any time. It appears to me that if the munitions about which the able Senator from Maine has been talking are being transferred to Transjordan, we are to blame, in a way, because under our agreement we could take back those goods from Britain, and thereby could stop the goods from going to Transjordan.

So under the facts, as I recall the agreement, it would seem that we could step in at once and make sure that the goods we transferred to Britain under a conditional agreement would not be used in these ways.

Of course it is true that we did remove the markings, so that if the goods were used in battle it would not seem as if we were actually using them. But all of us know they were United States goods. When I was in the Near East, we saw those large surpluses. So there is no use attempting to deceive ourselves simply by removing the markings.

I think this entire matter should be looked into immediately, because we do not wish to be furnishing these goods for these purposes.

Mr. IVES. Mr. President, I wish to join in the discussion of this matter. I gather from what the chairman of the Appropriations Committee has said that he is going to look into the matter through his committee, without delay. I hope he does so, and I hope the committee will obtain the full facts.

It seems to me that it does very little good to lift the arms embargo unless the other situation ceases. It must be stopped. Of course our arms embargo should be lifted while this condition of war continues. But if this other activity continues—and that would seem to be the prospect at the present time—it seems to me that immediately our Government should exercise its every influence to have the British Government's apparent present policy stopped.

## DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949

The Senate resumed the consideration of the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

Mr. BROOKS. Mr. President, the amendment now under consideration has to do with increasing the $150,000,000 item for the program for conservation and use of agricultural land resources. I think I should review, for the benefit of the Senate, the history of this matter and how this $150,000,000 program happened to be arrived at.

It will be recalled that last year the House of Representatives, acting in the middle of the year, cut back the amount to $165,000,000, although the year before the law provided an authorization for a $300,000,000 program. At the time the House made that reduction in the middle of the year, it also delayed any authorization for the year for which this $150,000,000 is provided.

The Senate committee first raised the amount for last year from $165,000,000 to $258,000,000. In conference we found that we had to cut it back to $228,000,000. But by allowing the Department to use $37,000,000 which it had in surplus, the total was raised to $265,000,000—by the effort of the Senate committee.

We were told by the Department of Agriculture that it would much prefer some program for this year, rather than to attempt to go back to the $300,000,000 program of last year, although they liked both of them. It was through the greatest of effort that we arrived at the $150,000,000 program. In doing so, we wrote into the law a provision that it was to be limited to $500 payments, which would be the maximum payments to any farm, and we further wrote in a provision that the money was to be distributed according to need, which would result in a more equitable distribution among those who need the aid. We further provided that only a certain amount could be taken from one State to another. As I recall, the limitation was 15 percent, in connection with adjusting the needs between the States. Everyone understood that. It was written into the law, and the programs have been let or laid out accordingly.

Now an attempt to override the entire committee, which was unanimous in regard to this matter, is being made. I

hope the amendment of the Senator from North Carolina will be rejected.

Mr. UMSTEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BALL in the chair). Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. BROOKS. I yield.

Mr. UMSTEAD. As I understand the Senator's statement, last year both the Senate committee and the Senate took the position that the other body of Congress had made a mistake in this matter—as is evidenced by the action of the Senate in increasing the amount then and in making provision for $150,000,000 for this year.

Mr. BROOKS. Let me correct the Senator. We said the House made a mistake because it authorized nothing. The House did not authorize any program at all. We said that was a mistake. We finally got the House to agree with us that a $150,000,000 program should be authorized.

Mr. UMSTEAD. Since that time, the House of Representatives has provided, in this bill, an authorization for next year, for a program of $225,000,000, has it not?

Mr. BROOKS. Yes.

Mr. UMSTEAD. Then has not the House itself admitted that it made an error last year?

Mr. BROOKS. I cannot determine that simply by means of observing what the House has done.

Mr. UMSTEAD. Is there any better way of determining that the House has made an error than by observing what the House has done in that respect?

Mr. BROOKS. The Senator will have to draw his own conclusions in that regard.

Mr. UMSTEAD. I hope the Senator from Illinois will draw the obvious conclusion.

In view of the interest of the Senator's committee and in view of the Senate's interest in this matter and the recognition of the importance of this program, and in view of what both branches of Congress did about last year's program and what the Senate was finally able to do about this year's program, does not the Senator agree that the Senate should go all the way by correcting all the errors the other body of Congress made, instead of simply stopping a little past the halfway mark?

Mr. BROOKS. Mr. President, I shall not discuss what was the halfway mark.

We faced a condition last year. I took the position then that when the Congress has authorized a program the Congress has a moral obligation and responsibility to stand by that program. So I did my level best to get the Congress to stand by the $300,000,000 according to the program.

We finally got the amount up to $267,000,000, and last year we wrote in a provision for a $150,000,000 program for this year. That is what I think we should insist upon now.

Mr. UMSTEAD. Mr. President, I appreciate the Senator's splendid efforts, and I agree with the program as it is, as far as it goes. But if the Senator feels that the program is as important as he felt it was last year, then why is it that the Senator cannot go along with the logical conclusion? If $265,000,000 was necessary and useful and helpful for last year, and if $225,000,000 is satisfactory for next year, then why is it that the Senator cannot go along on the proposition that $250,000,000 is needed for this year?

Mr. BROOKS. Mr. President, I answer the Senator by stating that I believe we should keep our word to the country. I believe in the program. I believe the Department of Agriculture and the various farm organizations when they state that the program is the thing that must be kept alive with the committees. Inasmuch as they have come in with the $300,000,000 program, I believe we should live up to our commitment. I was in the Congress when we voted that program. I am willing to live up to any commitment we make along that line.

But we were not able to secure that entire amount. We were able to secure $267,000,000 of the $300,000,000 program. I believe we should keep the program alive. We did the best we could. We have provided for a $750 limitation as a maximum for each farm, and we have provided for a $150,000,000 program. We limited its distribution according to need. We limited the amount that could be taken from one State to another. So we made the rules, and they were firmly fixed. They call for $150,000,000. I am going to stand by the $150,000,000. I agree that the $225,000,000 is not too much to commit for next year, and when it comes to the Senate, I shall stand by the $225,000,000. But I believe it is more important to keep the word of the Congress with the farmers and to save their program than it is to be changing the rules in the middle of the game all the time. That is why I say I am going to stand—and I ask the Senator to stand—by the commitment we made. I asked him to do it last year, and I shall ask him to do it now, and when we make our commitment for next year, I shall be standing here, asking him to stand by it.

Mr. UMSTEAD. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. UMSTEAD. I certainly agree with the Senator that Congress ought to abide by its commitments, and I so stated when last year's bill was under consideration by this body. But, of course, it is true, is it not, that the $150,000,000 authorized last year for the current fiscal year is not the final amount which the Congress can provide? It would not violate any agreement if the Congress, now, in the middle of the year for which benefit payments are made, should increase that amount. To lessen the amount would be a violation of the contract of Congress. But certainly the Senator does not mean to infer it would be a violation of anything Congress did last year to increase the amount in the pending bill from $150,000,000 to $250,000,000.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. AIKEN. When last year's appropriation was cut to $150,000,000, I do not think anybody in the Senate was more disappointed than I. I felt the amount was inadequate to meet the need. I felt that, as a result of the cut, there would be fewer farmers, particularly small ones, participating in the soil-improvement program. Subsequent events have shown that my fears at that time were fully justified.

However, the fact is that this year's soil-improvement program is well under way. Most of the farmers of the country were under contract months ago. Most of the material they have bought with the funds allocated to them has been delivered, and I think most of it has already been applied to the land.

If the amount of the appropriation is increased now it means that committees throughout the United States will again have to canvass all the farmers, asking them if they can do a little more soil-improvement work for a little more money. In certain parts of the country it might be possible for them to do that, but there are large areas of the United States where the soil-improvement season is practically over so far as the delivery and application of materials is concerned. The farmers would not be able to participate in any further appropriation of funds, and would therefore be penalized.

I again say that the amount of $150,000,000 was not enough to meet the needs. But I think now we ought to look forward to next year's program, in which all the farmers of the United States can participate. I am gratified to see that the amount in the appropriation bill is $225,000,000. I wish it could be more. I still would like to see it made at least $250,000,000. But as for this year's program, let us not open that up again, particularly in this election year, or all the Members that are up for reelection at least will be accused of voting for it in the hopes of getting the farmers' votes, and we do not want that to happen—not in this body. Of course we all know that would not be so, but we perhaps could not convince the public it was not. So I suggest we let this year's program alone, inadequate though it may be, and concentrate on better programs for the future.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from North Carolina.

Mr. UMSTEAD. Mr. President, on this question I request the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Delaware [Mr. BUCK] is necessarily absent and is paired with the Senator from Wyoming [Mr. O'MAHONEY]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Wyoming would vote "yea."

The Senator from New Jersey [Mr. HAWKES] is necessarily absent and is paired with the Senator from California [Mr. DOWNEY]. If present and voting, the Senator from New Jersey would vote "nay," and the Senator from California would vote "yea."

The Senator from Indiana [Mr. JENNER] is necessarily absent and is paired with the Senator from Rhode Island [Mr. GREEN]. If present and voting, the Senator from Indiana would vote "nay,"

and the Senator from Rhode Island would vote "yea."

The junior Senator from Pennsylvania [Mr. MARTIN] is absent on official State business and is paired with the senior Senator from Pennsylvania [Mr. MYERS]. If present and voting, the junior Senator from Pennsylvania [Mr. MARTIN] would vote "nay," and the senior Senator from Pennsylvania [Mr. MYERS] would vote "yea."

The Senator from New Jersey [Mr. SMITH] is necessarily absent and is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from New Jersey would vote "nay," and the Senator from Montana would vote "yea."

The Senator from Ohio [Mr. TAFT] is necessarily absent and is paired with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from Ohio would vote "nay," and the Senator from South Carolina would vote "yea."

The Senator from Ohio [Mr. BRICKER] is necessarily absent. If present and voting, the Senator from Ohio would vote "nay."

The Senator from South Dakota [Mr. BUSHFIELD], the Senator from Vermont [Mr. FLANDERS], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from North Dakota [Mr. LANGER], the Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are unavoidably detained.

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from South Carolina [Mr. MAYBANK], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Pennsylvania [Mr. MYERS] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on public business.

The Senators from Virginia [Mr. BYRD and Mr. ROBERTSON] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ] is absent because of a death in his family.

The Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GREEN], the Senator from Nevada [Mr. MCCARRAN], the Senators from Maryland [Mr. TYDINGS and Mr. O'CONOR], the Senator from Idaho [Mr. TAYLOR], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Ohio [Mr. TAFT]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Ohio would vote "nay."

The Senator from Montana [Mr. MURRAY] is paired on this vote with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Montana would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote the senior Senator from Pennsylvania [Mr. MYERS] is paired with the junior Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the senior Senator from Pennsylvania would vote "yea," and the junior Senator from Pennsylvania would vote "nay."

The Senator from Wyoming [Mr. O'MAHONEY] is paired on this vote with the Senator from Delaware [Mr. BUCK]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Delaware would vote "nay."

On this vote the Senator from California [Mr. DOWNEY] is paired with the Senator from New Jersey [Mr. HAWKES]. If present and voting, the Senator from California would vote "yea," and the Senator from New Jersey would vote "nay."

The Senator from Rhode Island [Mr. GREEN] is paired on this vote with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 28, nays 34, as follows:

YEAS—28

| | | |
|---|---|---|
| Barkley | Holland | Pepper |
| Connally | Johnson, Colo. | Russell |
| Eastland | Johnston, S. C. | Sparkman |
| Ellender | Kilgore | Stennis |
| Fulbright | Lucas | Stewart |
| George | McClellan | Thomas, Okla. |
| Hatch | McFarland | Thomas, Utah |
| Hayden | McGrath | Umstead |
| Hill | McMahon | |
| Hoey | Magnuson | |

NAYS—34

| | | |
|---|---|---|
| Aiken | Donnell | Millikin |
| Baldwin | Dworshak | Morse |
| Ball | Ecton | Revercomb |
| Brewster | Ferguson | Saltonstall |
| Bridges | Gurney | Thye |
| Brooks | Hickenlooper | Vandenberg |
| Butler | Ives | Wherry |
| Cain | Kem | Wiley |
| Capehart | Knowland | Williams |
| Capper | Lodge | Young |
| Cooper | McKellar | |
| Cordon | Malone | |

NOT VOTING—33

| | | |
|---|---|---|
| Bricker | McCarran | Robertson, Va. |
| Buck | McCarthy | Robertson, Wyo. |
| Bushfield | Martin | Smith |
| Byrd | Maybank | Taft |
| Chavez | Moore | Taylor |
| Downey | Murray | Tobey |
| Flanders | Myers | Tydings |
| Green | O'Conor | Wagner |
| Hawkes | O'Daniel | Watkins |
| Jenner | O'Mahoney | White |
| Langer | Reed | Wilson |

So Mr. UMSTEAD's amendment was rejected.

Mr. STEWART. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 52, line 15, it is proposed to strike out "$65,000,000" and to insert "$100,000,000."

Mr. STEWART. Mr. President, I ask that the amendment lie on the table until Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, earlier in the day an amendment was offered on page 58 of the bill. I requested that it go over until Monday because I desired to speak on the matter before consenting to the amendment. I wish to say that I am convinced in my own mind that the sum is inadequate and should be increased. I shall not ask that the amendment go over, because it may be possible to correct it if experience shows the amount to be inadequate before this Congress shall adjourn. Therefore, I withdraw my objection to the consideration of the amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 58, line 18, it is proposed to strike out "$5,000,000" and insert "$5,450,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. YOUNG. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from North Dakota.

The CHIEF CLERK. On page 63, at the end of line 14, after the word "newspapers.", it is proposed to change the period to a comma and to add the following: "together with the unobligated balance of the appropriation for this purpose for fiscal year 1948 which shall be available to complete the orderly liquidation of the 1947 and prior crop-year programs."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. BROOKS. Mr. President, I should like to speak with reference to that amendment. I think it can be accepted, but I should like to have it go over. It is a short amendment. I do not think there is much controversy with regard to it.

The PRESIDING OFFICER. Without objection, the amendment will go over.

Mr. BROOKS. I also understand that an amendment will be offered by the acting majority leader, and I should like to have it go over also.

Mr. WHERRY. Mr. President, I send to the desk an amendment, which I ask to have printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Nebraska will be printed and lie on the table.

Mr. WILEY. Mr. President, I understand that it is not expected that there will be a final vote on the bill tonight. Is that correct?

The PRESIDING OFFICER. The Chair cannot answer that question.

Mr. WHERRY. Mr. President, as already agreed late in the session on yesterday, the Russell amendment and another controversial amendment were to be carried over until Monday. Two or three other amendments will also come up. There will be no final vote on the bill until the debate is concluded on Monday. We hope to finish the debate at an early hour and proceed with consideration of the displaced persons bill. I should like to say to the members of the Senate once again, as I announced at the beginning of today's session, that yesterday unanimous consent was granted to call the calendar of unobjected to bills

when the Senate convenes on Monday at noon. That will come ahead of the agriculture appropriation bill.

Mr. WILEY. I thank the Senator for that information.

I desire to submit an amendment on page 40. I presume the amendment on that page was acted on today. I was not present. I got off the train only a few moments ago. If the Senate agreed to the sum of $1,125,000 for forest-products experiments, and so forth, I wish to submit an amendment to increase that amount to $1,250,000.

The PRESIDING OFFICER. The committee amendment has been adopted and the action taken will have to be reconsidered before the Senator can offer his amendment.

Mr. WILEY. I ask unanimous consent, Mr. President, to reconsider the vote on that amendment. I am not asking it for the benefit of my State alone; I am asking it for the benefit of the Nation. The amount involved is small. The amount now provided would mean the laying off of persons connected with the Forest Products Laboratory in Asheville, New Orleans, Missoula, Portland, and Berkeley.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin?

Mr. BROOKS. Mr. President, reserving the right to object, I may say that of course the Senator appeared before the committee, where he made a very forceful statement which was completely considered. Half of what the Senator asked for was obtained. I do not like to object to reconsideration of the vote by which the amendment was agreed to, but I ask him to withhold his request for reconsideration until Monday, until I can talk the matter over with him.

The PRESIDING OFFICER. Objection is heard.

### EXECUTIVE SESSION

Mr. WHERRY. Mr. President, the Senate having concluded consideration of all the committee amendments to the appropriation bill, and other amendments which can be acted upon today, I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BALL in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

Mr. WHERRY. Mr. President, I ask that the treaty on the Executive Calendar be passed over.

The PRESIDENT pro tempore. Without objection, the treaty will be passed over. The clerk will proceed to state the nominations on the Executive Calendar.

### UNITED NATIONS

The Chief Clerk read the nomination of Henry F. Grady to be representative of the United States of America in the Economic Commission for Asia and the Far East established by the Economic and Social Council of the United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

### DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Robert Butler to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Ralph H. Ackerman to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WHERRY. I ask unanimous consent that the other nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

### TAX COURT OF THE UNITED STATES

The Chief Clerk read the nomination of Richard L. Disney to be judge of the Tax Court of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Samuel B. Hill to be judge of the Tax Court of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

### COLLECTOR OF INTERNAL REVENUE

The Chief Clerk read the nomination of Mortimer Jordan to be collector of internal revenue for the district of Alabama.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WHERRY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

### RECESS TO MONDAY

Mr. WHERRY. I move that the Senate take a recess until Monday next at noon.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until Monday, May 24, 1943, at 12 o'clock noon.

---

### NOMINATIONS

Executive nominations received by the Senate May 21 (legislative day of May 20), 1948:

#### UNITED STATES ATTORNEY

Joseph F. Deeb, of Michigan, to be United States attorney for the western district of Michigan. (Mr. Deeb is now serving in this office under an appointment which expires June 5, 1948.)

#### UNITED STATES MARSHAL

Kehoe C. Shannon, of Texas, to be United States marshal for the western district of Texas, vice Guy McNamara, deceased.

---

### CONFIRMATIONS

Executive nominations confirmed by the Senate May 21 (legislative day of May 20), 1948:

#### UNITED NATIONS

Henry F. Grady, now Ambassador Extraordinary and Plenipotentiary to India and Envoy Extraordinary and Minister Plenipotentiary to Nepal, to serve concurrently and without additional compensation as the representative of the United States of America in the Economic Commission for Asia and the Far East established by the Economic and Social Council of the United Nations, March 28, 1947.

#### DIPLOMATIC AND FOREIGN SERVICE

Robert Butler, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba.

Ralph H. Ackerman, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

George P. Shaw, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Nicaragua.

#### TO BE CONSULS GENERAL OF THE UNITED STATES OF AMERICA

Don C. Bliss, Jr.
Clarence C. Brooks
Edward S. Crocker 2d
Joseph C. Satterthwaite
Howard H. Tewksbury
Clare H. Timberlake

#### TO BE CONSULS OF THE UNITED STATES OF AMERICA

Francis Bowden Stevens
Aaron S. Brown
Edmund A. Gullion
John C. Pool
Charles W. Thayer
William L. Blue
Robert M. Brandin
John A. Calhoun
Adrian B. Colquitt
David LeBreton, Jr.
Paul Paddock
Claude G. Ross
Terry B. Sanders, Jr.
Byron B. Snyder
Robert J. Dorr
Vernon B. Zirkle
William B. Douglass, Jr.
W. John Wilson, Jr.

#### TAX COURT OF THE UNITED STATES

TO BE JUDGES OF THE TAX COURT OF THE UNITED STATES FOR TERMS OF 12 YEARS FROM JUNE 2, 1948

Richard L. Disney
Samuel B. Hill

#### COLLECTOR OF INTERNAL REVENUE

Mortimer Jordan, to be collector of internal revenue for the district of Alabama.

---

# SENATE

## MONDAY, MAY 24, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father in Heaven, today we pray for Thy gift of contentment, that we may not waste our time desiring more, but learn to use and enjoy what we have.

We may not know everything, but we may know Thee and Thy will. We need not be rich to be generous, nor have all wisdom to be understanding. Our influence may not be great, but it can be good. Our speech may not be eloquent, but it can be truthful and sincere. We cannot all have good looks, but we can have good conscience, and, having that, we shall have peace of mind and need fear no man.

May we be kind one to another, tenderhearted, forgiving one another, even as Thou, for Christ's sake, hast forgiven us. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of Friday, May 21, 1948, was dispensed with, and the Journal was approved.

SENATOR FROM LOUISIANA

Mr. ELLENDER presented the credentials of W. C. FEAZEL, of Louisiana, designated a Senator from the State for the unexpired term of John H. Overton, deceased, ending when a Senator is elected to that office in accordance with applicable laws, which were read, as follows:

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT,
*Baton Rouge, May 18, 1948.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

SIR: Under and by virtue of the authority vested in me by the Constitution of the United States, particularly amendment XVII thereof, and Act No. 241 of the regular session of the Legislature of Louisiana for the year 1914, I do hereby appoint W. C. FEAZEL as Senator from the State of Louisiana to fill the vacancy caused by the death of Hon. John H. Overton as Senator from the State of Louisiana, said appointment being for the unexpired term ending when a Senator is elected to that office in accordance with applicable laws.

Witness His Excellency, our Governor, Earl K. Long, and our seal hereto affixed at Baton Rouge, this 18th day of May, in the year of our Lord 1948.

[SEAL] EARL K. LONG,
*Governor.*

By the Governor:
WADE O. MARTIN, Jr.,
*Secretary of State.*

The PRESIDENT pro tempore. The credentials will be placed on file.

Mr. ELLENDER. Mr. President, the Senator-designate is present and ready to take the oath of office.

The PRESIDENT pro tempore. The Senator-designate will present himself at the desk, and the oath will be administered to him.

Mr. FEAZEL, escorted by Mr. ELLENDER, advanced to the desk of the President pro tempore and the oath of office prescribed by law was administered to him by the President pro tempore.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the unanimous-consent agreement of Thursday last, the order of business is the call of the calendar for the consideration of unobjected-to bills.

Mr. WHERRY obtained the floor.

PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED FORCES

Mr. GURNEY. Mr. President——

Mr. WHERRY. I yield to the Senator from South Dakota.

Mr. GURNEY. Mr. President, there is on the calendar the manpower bill, Senate bill 2655, which came from the Senate Committee on Armed Services. It has been decided among the committee members that we will at this time, before consideration of the bill on the floor of the Senate, offer an amendment eliminating the mandatory draft provision which is presently in the bill applying to those who are 18 years of age. It leaves in the bill the same number, and the volunteer provision is retained. The amendment I am about to offer strikes out the mandatory draft provision so far as those 18 years of age are concerned. That is all it does. So I offer the amendment at this time.

The PRESIDENT pro tempore. The amendment will be received and printed and will lie on the table.

Mr. GURNEY. Mr. President, while I have the floor I wish to offer some technical amendments, merely making changes in the printing to correct errors in drafting, commas left out, and the like. I offer those technical amendments at this time, and I ask unanimous consent of the Senate that a reprint of Senate bill 2655 be made, showing in appropriate line type and italics the changes made by the committee amendments which have just been offered.

The PRESIDENT pro tempore. The amendments will be received and printed and will lie on the table, and a complete reprint will be made, without objection, pursuant to the request of the Senator from South Dakota.

THE CALENDAR

The PRESIDENT pro tempore. The clerk will proceed with the call of the calendar under the order heretofore entered.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Morse |
| Baldwin | Hatch | Murray |
| Ball | Hawkes | O'Conor |
| Barkley | Hayden | O'Mahoney |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Bridges | Hoey | Revercomb |
| Brooks | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Johnson, Colo. | Saltonstall |
| Cain | Johnston, S. C. | Smith |
| Capehart | Kem | Sparkman |
| Capper | Kilgore | Stennis |
| Chavez | Knowland | Stewart |
| Connally | Langer | Taft |
| Cooper | Lodge | Thomas, Okla. |
| Cordon | Lucas | Thomas, Utah |
| Donnell | McCarthy | Thye |
| Downey | McClellan | Tobey |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Feazel | Magnuson | Wiley |
| Ferguson | Malone | Williams |
| Flanders | Martin | Wilson |
| Fulbright | Maybank | Young |
| George | Millikin | |
| Green | Moore | |

Mr. WHERRY. I announce that the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. JENNER], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

Mr. LUCAS. I announce that the Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Texas [Mr. O'DANIEL] is absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

The clerk will call the first bill on the calendar. The Senate is proceeding to consider unobjected-to bills on the calendar, beginning with Order No. 1301, as the result of the unanimous-consent agreement of the Senate on last Thursday.

THOMAS A. W. ELDER

The Senate proceeded to consider the bill (H. R. 3805) for the relief of Thomas A. W. Elder, which had been reported from the Committee on the Judiciary with amendments.

EXTENSION OF TERMS OF OFFICE OF PRESENT MEMBERS OF ATOMIC ENERGY COMMISSION—MINORITY VIEWS (PT. 2 OF REPT. 1342)

Mr. McMAHON. Mr. President, may I be recognized at this time to file minority views from the Joint Committee on Atomic Energy?

The PRESIDENT pro tempore. The Senator is recognized for that purpose.

Mr. McMAHON. Mr. President, from the Joint Committee on Atomic Energy I ask unanimous consent to file minority views on the bill (S. 2589) to provide for the extension of the terms of office of the present members of the Atomic Energy Commission, and I request that they be printed, and be printed in the RECORD.

There being no objection, the minority views were received, ordered to be printed, and to be printed in the RECORD, as follows:

S. 2589, a bill providing for the extension of the terms of office of the present members of the Atomic Energy Commission, is a bill which amends the Atomic Energy Act of 1946 and changes the terms of office of the present members of the Commission so that the terms of all five members will expire approximately a year and a half after the next President of the United States assumes office.

This amendment to the Atomic Energy Act is devised to avoid action on the nominations of the present members of the Commission which were submitted to the Senate by the President on April 20, 1948.

The bill was reported favorably to the Senate by a majority of the Joint Committee on Atomic Energy on May 17.

In the opinion of the minority, enactment of this bill by the Congress would seriously impair the efficiency of the atomic energy program which is one of the four main pillars of our national defense. These are the reasons:

1. It would dissipate the spirit of political nonpartisanship in which the entire program was conceived and established.

2. It would impair that continuity in management of the project which is so essential to its success and which was carefully provided for under the terms of the original act.

3. Because of uncertainty about future policies it would create confusion among personnel working on the numerous projects now in operation under the supervision of the Commission.

4. It suggests to the American people the possibility of a complete turn-over in Commission membership and in Commission policies 2 years hence—at a time which may be crucial to the Nation's safety and defense.

In the opinion of the minority, this contemplated a course of action which is both unwise and dangerous. The present Commission has now been operating for a trial period sufficiently long to demonstrate the basic soundness of its purposes and policies. This is the time to firm up the project. If a change in direction is needed, it should better be made now, rather than 2 years from now.

To clarify the record, it should be noted that this bill was first proposed by its proponents to "avoid a bitter political fight"—to employ their own terminology—over Senate confirmation of the Commissioners. There was no suggestion of incompetency or dereliction on the part of the President's nominees.

A chronology is in order to aid in establishing the origin of the "bitter political fight." The record speaks for itself:

On April 19, the morning press of New York City carried a story to the effect that nominations for the Atomic Energy Commission were about to be made by the President.

Later on the same day, the Republican Policy Committee met and at noon the chairman of the policy committee gave an interview to the press. In this interview, he stated that the committee in its meeting that morning had resolved to go slow on all confirmations of appointments made by the President.

On April 20, the President sent the following nominations for the Atomic Energy Commission to the Senate: Mr. David E. Lilienthal, Mr. Robert F. Bacher, Mr. Sumner T. Pike, Mr. Lewis L. Strauss, and Mr. William W. Waymack.

On April 23, over a Nation-wide hook-up on a program entitled "Meet the Press," the chairman of the Republican Policy Committee stated in answer to a question propounded by a noted political commentator, that he certainly did mean Mr. Lilienthal, Mr. Bacher, Mr. Pike, Mr. Strauss, and Mr. Waymack when he stated that he was in favor of going slow on any further confirmations submitted by the President.

The first proposal was for a 1-year extension of the present terms of the commissioners. When it was apparent that public opinion was overwhelmingly opposed, a 2-year extension was substituted in the hope that it would prove more acceptable. Press and radio reports indicate that the proposed 2-year extension is just as strongly disapproved by the general public. Later, perhaps as an afterthought, the reason was advanced that the Commission needed a further test period.

On April 28, the Senate section of the joint committee met in executive session to hear Dr. Carl Compton, Dr. Vannevar Bush, Dr. Robert J. Oppenheimer, Dr. I. I. Rabi, and Dr. Lee A. DuBridge. Dr. Compton, an eminent scientist, is the president of the Massachusetts Institute of Technology; Dr. Bush, head of the wartime Office of Scientific Research and Development and associated with atomic energy from the inception of the program, is presently head of the Armed Forces Research and Development Board; Dr. R. J. Oppenheimer, director of the Los Alamos laboratory for the Manhattan engineer district and currently chairman of the Institute for Advanced Studies at Princeton University, is the chairman of the General Advisory Committee, a group established by the McMahon Act and appointed by the President to advise on general matters relating to atomic energy; Dr. I. I. Rabi, chairman of the Physics Department at Columbia, Nobel prize winner and consultant to the Los Alamos laboratory during the war, is also a member of the General Advisory Committee; Dr. Lee A. DuBridge, president of the California Institute of Technology, was a third member of the General Advisory Commmittee present.

Each of these scientists stated in answer to individual questions that he favored confirmation of the present members of the Commission as submitted by the President. Each expressed confidence in the work of the Commission. Each declared he knew of no reason why the Commission nominees should not be confirmed immediately.

In response to questioning, these eminent scientists emphasized that they did not consider themselves qualified to pass judgment on what course the Senate should or should not pursue. Later they were asked to submit their views in writing.

The minority believes that these scientists should be permitted to speak for themselves, that in the public interest their views should be made known to the Congress. Copies of three of these letters have been made available to the minority. The letters from Dr. Oppenheimer, Dr. Rabi, and Dr. DuBridge are included as appendixes to this report.

Minority members of the joint committee have received literally dozens of telegrams from competent observers of the Commission's work, many of them scientists, who believe that the atomic energy program will suffer if a change is made in the existing act, respecting the terms of the Commissioners.

This is the conviction of the minority: there is no justifiable reason for a "bitter political fight" over confirmation of the nominees as submitted by the President. If politics intrudes this time, it will create a precedent that may live on indefinitely. "Fiddling with fission," as one editorial writer expressed it succinctly, is an extremely dangerous pastime. The American people have every right to feel alarmed at the prospect.

In the light of the foregoing, the minority believes that it would constitute a grave dereliction of duty on our part to permit the majority report to go unchallenged. Let us examine the majority report:

Reduced to essentials, the majority report puts forth two basic reasons for avoiding action on the nominations submitted by the President through an extension of the terms of the present Commission. Stated simply, they are: (1) The basic goals, programs, and objectives of the Atomic Energy Commission are still in a formative stage. (2) The joint committee has had insufficient time and insufficient information to warrant conclusive judgments regarding the atomic-energy program.

These are specious arguments and doubly dangerous, because it is to the joint committee that the Congress and the country look for an objective appraisal of the progress of atomic-energy development. The Joint Committee on Atomic Energy was established so that necessary secrecy of the program could be observed, but at the same time a responsible body of Congress could be kept constantly informed of the Commission's activities.

Unfortunately but necessarily, the cloak of secrecy must obscure much of the Commission's work from public view. But no confidential or classified information is required to discern the main outlines of the Commission's accomplishments.

Let us look at the record of the Commission insofar as security permits.

The overriding purpose of the atomic-energy program, as expressed by the Congress, is that the atomic-energy program shall be operated with the paramount objective of securing the common defense and security. It will be remembered that there was considerable discussion when the Atomic Energy Act was being considered by the Congress as to the relative merits of a civilian or a military commission. There were some people who felt that securing the common defense and security could only be obtained by a military commission. The act itself establishes a military liaison committee to work closely with the Commission, and it even provides for an appeal to the President in the event that any Commission action is deemed adverse to the interest of the military. It is significant that not one single appeal to the President has been taken under this provision by the Military Establishment from any action of the Commission. It is significant that one of the earliest decisions of the Commission was the establishment of a weapons proving grounds in the Pacific. This was reported to the Congress by the Commission in July 1947. Only recently, in response to a question as to his attitude regarding the return to the military of the atomic-energy program, the Secretary of the Army stated that the relationships between the Commission and the military were working very well and that no change in the act is needed in this respect.

Still more recently, we have learned of the excellent cooperation that existed between the Military Establishment and the Commission in conducting the recent tests at Eniwetok. Only a few days ago, on May 17, the President announced that three atomic weapons, each of them of improved design, were involved in the recent tests at Eniwetok Atoll. The President pointed out that all the tests in the Pacific "were successful in all respects and that the results indicate very substantial progress."

These are concrete evidences of the progress being made under the present leadership of the atomic-energy program. These are vivid demonstrations of a firm program; these are real tangible results.

Underlying these results is a solid foundation of careful planning and vigorous execution of programs. To the minority, the Commission's goals seem self-evident, even without the detailed explanations with which the committee has been supplied by the Commission. In production it is simply production of the greatest amount of fissionable material in the shortest possible period of time. The specific programs and means being taken to achieve this goal have been made available to the Joint Committee on Atomic Energy in regularly quarterly reports made to it by the Atomic Energy Commission. In far lesser detail, they have been described to the Congress in the semiannual reports of the Commission.

It is indeed unfortunate that the security requirements prevent us from buttressing factually the specific, definite, well-defined program of the Atomic Energy Commission to assure all-out production of fissionable materials. We can, however, point out in this connection that at the Commission's Hanford plant in the State of Washington there is currently underway, in fulfillment of the Commission's program, one of the largest peacetime construction jobs ever undertaken by this country.

This, too, is a fact—a real tangible fact—not to be controverted by political argument. The Commission's progress in fulfilling other major purposes of the act are also clearly visible, especially when the circumstances surrounding the program at the time the Commission took over its direction are recalled. It is no secret that when the present members of the Commission assumed control the Nation's atomic-energy program had slowed to a dangerous tempo. The inevitable confusions of policy and purpose which followed the end of the war, the changed operations of peacetime, confronted the Commission with a tremendous task of pulling together and pushing ahead a program of both short- and long-term objectives.

Following VJ-day the Los Alamos Laboratory, the weapons research center of the program, had slipped from its position of possibly the finest research center in the world. As a noted atomic-energy reporter only recently described it after first-hand observation:

"Now that the information is out of date it can be told. The Los Alamos Laboratories, heart and brain of the entire atom-bomb

project, were on the verge of collapse less than a year ago and the whole future of America's bomb research was threatened with chaos.

"It can be told now only because it is no longer true. * * * But for a long time only an optimist would have considered such an outcome likely."

Under the Commission's direction the Laboratory has recruited and regained personnel which have restored it to its prime position and earned it the commendation of both the President and the armed services for its vital part in the recent test program. Under the Commission the weapons research and development program has been both speeded up and expanded, and programs, in cooperation with the armed services, have been undertaken for the development of atomic energy for air and ship propulsion.

It is not possible to relate specifically the scientific and technical advances that have been made under the Commission's leadership, but we would draw the attention of the Congress to the information contained in the Commission's July 1947 and January 1948 reports concerning the reactor development program and about which the Commission has kept the joint committee fully informed through quarterly progress reports and discussions.

The Commission's record of accomplishment in the field of biological and medical research is more fully known. It has set up a system of distribution for radioactive isotopes and thus made available to industry and agriculture, as well as medical and biological research institutions, a research tool that has often been described as the greatest invention since the microscope.

Charged with the responsibility of assisting and encouraging private as well as public research and development, the Commission has instituted a Nation-wide system of national laboratories, each of which is used by universities in their region. A fellowship program designed to alleviate the Nation's shortage of scientific manpower has been started. The Commission has established a unified public and technical information service to insure, in accordance with the Atomic Energy Act, adequate control and dissemination of the information that is the lifeblood of scientific and engineering progress—and of public understanding of that progress and its implications. The Commission's information policy has been commended on all sides, both for the "unbiased and factual" character of the information issued and for the broader policy or "concept of the public's right to all atomic-energy information compatible with the national security."

The Commission is charged with carrying on its regulatory programs with the least possible dislocation of established business and industrial patterns. We recall, during the consideration of the McMahon Act by the Congress, that there were considerable misgivings regarding the patent provisions of the act and the manner in which they would be administered by the Commission. Under the leadership of the present members of the Commission we hear very little about the "unwarranted" invasion of traditional patent patterns." The Commission appointed a group of eminent members of the patent bar [1] to study and advise the Commission as to the administration of the patent provisions. This group, in a report submitted to the Commission and made available to the joint committee, has emphatically stated that the Commission has done an admirable job in working toward reconciliation of the patent needs of the Atomic Energy Act with traditions of the American patent system. This same group found widespread agreement on the part of the Commission's contractors with the manner in which the Commission has administered the patent provisions in the act.

In promulgating and administering its regulations regarding the movement of source materials in this country and in regard to the control of export and production of equipment for the production of fissionable materials, the Commission exercised similar care in working toward achieving its objectives without unwarranted intrusion upon established business practices.

In sum, the Commission is carrying out with energy and distinction the policies of the Congress. It is making substantial progress. To catalog a list of items and label it all in words like "uncertainty" and "indefiniteness" cannot cloud this record—a record which unfortunately cannot now, for security reasons, be fully revealed. There is no uncertainty, there is no lack of resolution, as to the program goals and objectives of the Commission. It is, of course, true that there are operating problems such as any enterprise meets, but to enumerate such programs as reasons for avoidance of action on the President's nominations is clearly unsound.

The minority recognizes that the attainment of the Commission's various objectives involves many problems that are yet to be overcome. By the very nature of atomic energy, this is a condition that can and should be expected to continue. But this is all the more reason why, in a field characterized by so many variables and imponderables, continuity of experienced leadership is imperative. And it reduces to absurdity the demand of the majority for a precise timetable as to what the future holds.

The minority hopes that the Commission's program will never be reduced to a static state. The hope of this Nation lies in a dynamic ever-changing program in which yesterday's accomplishments are rendered obsolescent by today's scientific and technical advances.

We of the minority know that the majority members understand the nature of the subject as fully as we. Why then have they resorted to an argument which denies the basic premise of the entire atomic energy program?

The second reason advanced by the majority in support of this amendment, that it has had insufficient time and insufficient information to warrant coming to conclusive judgments, is also untenable. In point of fact, the committee has a vast store of information regarding all phases of the atomic-energy program supplied not merely by the Commission but also by its observation and its own staff. In view of the full and detailed knowledge which the joint committee possesses regarding the whole program, the minority was indeed surprised to learn that a reason assigned for sponsoring this amendment is the supposed inadequacy of information about the atomic-energy program.

In fulfilling its responsibility for keeping the joint committee "fully and currently informed in respect to [its] activities," the Commission has provided such information by means of many letters, memoranda, and written reports. The Commission and the committee have met in executive session on numerous occasions for full, frank discussion of particular goals, programs, and problems. It submits every 3 months a top secret progress report. Additionally, the Commission has submitted three semiannual reports to the Congress containing as much information as security would permit.

On its part, the committee has been no less diligent in discharging its responsibility under the act. It has inquired into almost all phases of the atomic energy program and has examined certain aspects very clearly. Members of the committee and its staff have from time to time visited the field facilities of the Commission. In addition, the staff of the committee are in daily contact with the Commission staff and operating personnel.

The committee has always had full and complete access to any information possessed by the Commission. The minority regrets that it is not possible to explain in full detail the nature and extent of the information possessed by the joint committee.

It is significant that the majority states that no criticism of the Commission is intended, nor is there any lack of confidence in the Commission. On these we all agree, for the record of the Commission and the facts impel all members of the committee to reach that conclusion. We are driven, therefore, once again to conclude that the real reasons for this bill to amend the Atomic Energy Act lie outside considerations of the atomic energy program itself. Are we not compelled to conclude that the real reason for this bill is the one expressed by the chairman of the Republican Policy Committee, namely, to enable the next administration (the signers of the majority report apparently being confident of the political part of the next President) to choose its own members for the Atomic Energy Commission?

It is strange that this amendment to the Atomic Energy Act was not introduced until shortly after the President submitted the names of the present members of the Commission to the Senate for its advice and consent. It can hardly be contended by the majority that the "uncertainties," which they proclaim as the main reason for their action, are "uncertainties" which all of a sudden became apparent when the President submitted the names of the Commissioners to the Senate. As a matter of fact, the majority report quotes from the joint committee report—in which the minority joined—of January 30 in which it was recognized that "it was not possible to draw any final conclusions" respecting the operation of the atomic energy program. Why, at the time of submission of the joint committee report to the Congress, was not an amendment submitted? Why, in fact, was nothing ever said by any member of the joint committee regarding the necessity for an amendment to the Atomic Energy Act before the submission of the names of the present Commission?

As signers of the January 30 report of the joint committee to the Congress, the minority subscribed to the statements made in that report as to the necessity for further information before recommending any changes in the Atomic Energy Act. The minority dissents from the manner in which the majority has used the joint committee report to further the aims of the proponents of the proposed amendment. In its report, the majority quotes from the committee's January report as follows: "As a legislative committee, it—the joint committee—does not feel that it should at this time draw any final conclusions respecting the operation of this program or the administrative policies in effect. Sufficient time has not elapsed to warrant conclusions of this kind. This is not to be construed either as an attitude of hostility or an attitude of approval but, on the contrary, expresses an attitude on the part of the committee to objectively evaluate the various phases of the program as a result of more mature opportunity." The majority report neglects to include the preceding sentence which reads: "The joint committee does not at this time recommend to the Congress any major legislation affecting the policy or the philosophy of the act."

[1] Casper W. Ooms, member of Dawson, Ooms, Booth & Spangerberg, of Chicago; William H. David, member of Davis, Hoxie & Faithfull, of New York; John A. Dienner, member of Brown, Jackson, Boettcher & Dienner, of Chicago; and Hector M. Holmes, member of Fish, Richardson & Neave, of Boston.

This bill was conceived in haste and was pushed through the committee in haste. No public hearings were held on this bill. No attempt was made to secure the opinions of those persons and groups qualified by their intimate association with various parts of the atomic-energy program. In fact, no persons appeared before the joint committee even in executive session to comment on this proposed bill except for the five scientists—Dr. Compton, Dr. Bush, Dr. Oppenheimer, Dr. Rabi, and Dr. DuBridge—whose comments are not discussed in the majority report.

There has been much said about the esoteric quality of the atom and it is true that most people are unable to explain the physics of nuclear energy, but of one thing the American people are convinced, as was the Congress when it considered legislation in this field—there is no place for politics in the field of atomic energy. Accordingly, the minority strongly opposes the passage of S. 2589 and strongly urges the Senate to take immediate action to confirm the nominations of the President for the full terms prescribed by the Atomic Energy Act.

BRIEN MCMAHON,
*Senator from Connecticut.*
TOM CONNALLY,
*Senator from Texas.*
LYNDON B. JOHNSON,
*Representative from Texas.*
CARL T. DURHAM,
*Representative from North Carolina.*
CHET HOLIFIELD,
*Representative from California.*
MELVIN PRICE,
*Representative from Illinois.*

---

APRIL 29, 1948.

Hon. BOURKE B. HICKENLOOPER,
*Chairman, Joint Committee on Atomic Energy, Senate Office Building, Washington, D. C.*

DEAR SENATOR HICKENLOOPER: Thank you for inviting us to learn of your plans for the future of the Atomic Energy Commission. You have asked us to write to you of our views, and this I gladly do.

To my mind the way to assure the continuity of the work of the Atomic Energy Commission and inspire confidence in its policies is to confirm the Commissioners. In all areas in which I am qualified to judge, they richly deserve confirmation, and above all by their success in the paramount objective of assuring the common defense and security.

You and other Senate Members of the Joint Committee on Atomic Energy assured us that confirmation could be achieved—if possible at all—only after a long, bitter struggle and a long period of uncertainty, delay, and sustained attack on the Commissioners. It is not appropriate for me to judge to what extent these difficulties are beyond the control of your committee. However that may be, I must agree that a worse fight than last time over the issue of confirmation would gravely and perhaps fatally impair the work of the Commission, and confidence in its stability.

Should your committee decide on an extension of term, rather than a confirmation, for the present Commissioners, I should advocate the longest reasonable extension. The date of June 30, 1950, which was suggested during the discussion, seems to me the earliest that could in any way establish a sense of confidence and allow the work of the Atomic Energy Commission to proceed.

May I again thank you and the members of your committee for discussing these grave questions with us.

Yours sincerely,

J. R. OPPENHEIMER.

GENERAL ADVISORY COMMITTEE TO THE ATOMIC ENERGY COMMISSION,
*Washington, D. C., April 29, 1948.*

Hon. BOURKE B. HICKENLOOPER,
*Chairman, Joint Committee on Atomic Energy, Senate Office Building, Washington, D. C.*

DEAR SENATOR HICKENLOOPER: Herewith are some brief comments on the discussions our group had with some of the members of your committee, the Joint Committee on Atomic Energy, with regard to the future of the atomic energy effort of the United States.

I wish to state right off that I am convinced that the Atomic Energy Commission has made enormous progress toward its statutory objectives in the year that has elapsed since it was confirmed by the Senate. Furthermore, I have confidence that the Atomic Energy Commission will be even more successful in the future in developing a sound basic program and an organization to carry it out.

It is of the most vital importance to the atomic-energy program of the United States that confidence and continuity should exist in its direction. It is necessary that the personnel of the Atomic Energy Commission, of industry, and of the national-defense establishment should work in harmony toward the common end of the welfare and security of the United States.

With this in mind I feel that the best thing that could occur to assure these conditions would be for the Atomic Energy Commission to be confirmed by the Senate with a minimum of delay, criticism, or recrimination which would impair confidence in our national policy. The activities of the Atomic Energy Commission must be entirely out of partisan politics.

Failing that event, a continuation of the present Commission to June 30, 1950, the end of the fiscal year or beyond would be the second best solution. Such a report for extension should contain an expression of confidence on the part of your committee in the competence of the Atomic Energy Commission and an appreciation of the excellent progress that has been made. Any shorter term would greatly impair the confidence of the various contributors to the atomic-energy effort and therefore would be greatly detrimental to the security and welfare of the United States.

Respectfully yours,

I. I. RABI.

---

GENERAL ADVISORY COMMITTEE,
ATOMIC ENERGY COMMISSION,
*April 29, 1948.*

The Honorable BOURKE B. HICKENLOOPER,
*Chairman, Joint Committee on Atomic Energy, United States Senate, Washingtor. D. C.*

DEAR SENATOR HICKENLOOPER: At our informal conference on April 28 you and the other members of your committee discussed with several of us the problem of how best to insure continuity and effectiveness of the Atomic Energy Commission program, and you requested us to transmit to you our views on this subject.

As we told you it is our opinion, and we believe the opinion of our scientific colleagues associated with AEC activities, that in the 12 months since the present members of the Commission were confirmed they have done an excellent job. They have collected a staff, reorganized the laboratories and are getting the enormously complex activities of the project on a firm footing. Their success in the portion of the work devoted to atomic weapons, which was necessarily an item of first priority, has been outstanding. For their great services during this exceedingly difficult period the present members of the Commission deserve a sincere vote of confidence from the Congress and from the Nation.

However, the work of the Commission has only just begun. It is essential that it be continued on a stable basis. It can not be so continued if there is uncertainty concerning the future. Key men will not remain with, or be attracted to, a project in which the future is in doubt. Yet hundreds of thousands of men must be attracted into this field as a life work if the difficult scientific and engineering problems are to be solved and if atomic energy is to become of maximum possible benefit to this country.

For these and other reasons I am strongly in favor of the prompt confirmation by the Senate of the appointments of the members of the Commission as recommended by the President.

You have informed us of the serious political difficulties which you and some other members of your committee foresee in the way of securing such prompt confirmation. On the nature and extent of these difficulties we are not of course competent to judge. I agree with you that a prolonged and bitter political controversy, with unjustified attacks against the Commissioners and their work, would be a staggering blow to the effectiveness of the project work.

We were shocked to hear that such a controversy is even a possibility. I would hope that your committee could find a way to confirm the Commissioners in such a way to avoid such controversy.

In any case I believe no action should be taken which would be construed as a vote of nonconfidence in the Commission. Any action which extends the term of office of present members by 1 year or less would be so construed and would introduce a prolonged period of "marking time" of uncertainty and disruption. If you decide to recommend amending the present law to continue the preliminary trial period at all, I urge that the extension be at least until June 30, 1950. This extension, if enacted should be accompanied by an expression of confidence in the Commission and the desire of the Congress to insure continuity of the program. This is necessary to assure present and prospective members of the Commission and its scientific and engineering staffs that they would be able to pursue uninterruptedly their necessarily long-range program.

This course of action I regard as a second-choice course, but it might be preferable to a prolonged and bitter political controversy. Your committee unanimously expressed the desire to keep this issue free from political maneuvering and to recommend only such actions which you believe will contribute most effectively to continued progress of AEC work. This attitude I heartily endorse and I know your course of action will be most carefully considered from this point of view.

Respectfully yours,

L. A. DUBRIDGE.

## AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO CERTAIN AGREEMENTS BETWEEN CARRIERS

Mr. REED. Mr. President, I wish to advise the Senate that the Senate and the House conferees have reached an agreement upon Senate bill No. 110, to amend the Interstate Commerce Act with respect to certain agreements between carriers, better known as the Reed-Bulwinkle bill. The House is expected to act today, and I give notice to the Senate, and particularly to my friend the Senator from Georgia [Mr. RUSSELL] and other Senators in opposition, that when the report comes from the House I shall give 24 hours' notice of my intention to call it up for action by the Senate.

Mr. RUSSELL. I thank the Senator from Kansas for making that announcement.

Mr. REED subsequently said: Mr. President, I desire to supplement a statement made earlier in the day, by informing the Senate that the House has agreed to the conference report upon the bill (S. 110), the so-called Reed-Bulwinkle bill. After a conference with the acting majority leader, the Senator from Nebraska, I desire to repeat that the conference report will be called up at some convenient time on Wednesday of this week. I use the term "convenient" in order to work to the utmost degree with the acting majority leader in the expedition of legislation.

### COMMITTEE MEETING DURING SENATE SESSION

Mr. DONNELL asked and obtained consent that a subcommittee of the Committee on the Judiciary before which is pending the nomination of Roy W. Harper to be district judge in the State of Missouri be permitted to meet during the session of the Senate today.

### THE PALESTINE SITUATION

Mr. KNOWLAND. Mr. President, I desire to take 5 minutes on the pending bill under the rule.

The PRESIDENT pro tempore. The Senator is recognized for 5 minutes.

Mr. KNOWLAND. Mr. President, the time has passed when debating-society methods can save the peace. If the present situation in Palestine continues unchecked, the principal victim will not be Israel or the Arab states. It will be the United Nations itself, the only existing international organization around which the forces of international law and order can rally.

The issue raised by open warfare, invading armies and bombing of open cities, far transcends in importance the issue of partition boundary lines or the ultimate de jure recognition of a de facto state.

Saturday night the American consul general at Jerusalem, Thomas C. Wasson, died of gunshot wounds received the same day. He had been on an errand of peace for our Government and the United Nations.

Aggression cannot be camouflaged by any technicality. Supplying arms to one side or the other by the nonbelligerent members of the United Nations is no solution. That course of action, in effect, merely says "Sic 'em." A fire department does not squirt gasoline on a fire. That is the technique of the arsonist.

Now is the time for the United Nations and its members to say in clear and unmistakable language: "Fighting must cease at once. Opposing armies will stand in place."

If this mandate for peace is ignored, full economic sanction should be applied forthwith, if necessary they should be supported by a naval and an air blockade.

Article 33 of the United Nations Charter states:

> The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiations, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

It is obvious that the nations now at war are not using this section, which is not permissive but is mandatory upon them. The Charter is being openly and flagrantly violated.

There are various steps then outlined in the Charter to be taken by the nations concerned and/or by the Security Council under the provisions of articles 34, 35, 36, 37, 38, 39, and 40.

Article 41 states:

> The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

This is followed by article 42, which supplies the necessary language to enforce the above-mentioned article. Had the League of Nations followed a similar course of action against Fascist Italy in 1935, Ethiopia would not have been overwhelmed and World War II might well have been prevented. Instead, only half-hearted "slap on the wrist" tactics were used which angered Mussolini but caused him no basic discomfort.

Seeing such impotence on the part of the League of Nations, ruthless men in Germany and Japan licked their chops and picked out their own victims for future aggression. That is the basic danger in procrastination at this time. History has a way of repeating itself.

Article 42 states:

> Should the Security Council consider that measures provided for in article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of members of the United Nations.

Either these articles mean something or they do not. Now is the time and here is the place to find out. We can no longer permit the people of the world to rest under the impression that there exists a system of international law and order and collective security, if indeed such means are not in existence. These words in the various articles either mean something or they are but pleasant platitudes, and the United Nations Charter itself but a scrap of paper.

The sands of the time are rapidly running out. Delay will not only be fatal to the people of Israel and the Arab world, who will continue to die in the battles now being fought and yet to come, but it will also be fatal to the plans and aspirations for peace by men and women everywhere in the world. If ever intelligence and leadership were needed in the world, it is needed today. If ever a people had an opportunity for leadership, the United States occupies that position. The whole course of history will hinge on how we measure up to our responsibilities.

Mr. BREWSTER. Mr. President, will the Senator from California yield?

The PRESIDENT pro tempore. The time of the Senator from California has expired.

### THOMAS A. W. ELDER

The Senate resumed the consideration of the bill (H. R. 3805) for the relief of Thomas A. W. Elder.

The PRESIDENT pro tempore. The Clerk will state the committee amendments.

The first amendment of the Committee on the Judiciary was, on page 1, line 7, after the words "the sum of", to strike out "$9,000'" and insert "$6,500."

The amendment was agreed to.

The next amendment was, on page 2, line 4, after the numerals "1944", to strike out "inclusive" and insert "inclusive: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

### JOHN CAMERON HENRY

The bill (H. R. 4672) for the relief of John Cameron Henry was considered, ordered to a third reading, read the third time, and passed.

### HARRY DANIELS

The Senate proceeded to consider the bill (S. 1835) for the relief of Harry Daniels, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the words "the sum of", to strike out "$1,350" and insert "$894.25"; and in line 9, after the word "suspension", to strike out "of" and insert "and separation from service in", so as to make the bill read:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Daniels, of 1426 Twenty-first Street NW., Washington, D. C., the sum of $894.25, in full settlement of all claims against the United States for salary not paid while under suspension and separation from service in the National War Labor Board, from November 9, 1944, to August 6, 1945, inclusive, while serving in the position of mail clerk of the Communications Unit of the National War Labor Board, Washington, D. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARCELLA KOSTERMAN

The bill (S. 1573) for the relief of Marcella Kosterman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marcella Kosterman, the sum of $3,422, in full satisfaction of her claim against the United States for compensation for the death of her husband, William P. Kosterman, on February 25, 1924, as a result of illness contracted by the said William P. Kosterman in the Philippine Islands while a member of Company F, Signal Corps, United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

CHARLES DUNCAN MONTIETH

The bill (S. 2440) for the relief of Charles Duncan Montieth was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Comptroller General of the United States is hereby authorized and directed to cancel the indebtedness of Charles Duncan Montieth, of McLean, Va., in the amount of $165.14, arising out of the transportation of his household effects from McLean, Va., to Chicago, Ill., upon transfer of his official station, while employed by the Department of the Interior, extension of authorization for such transportation not having been approved within the 6-month period prescribed by regulations of the President of the United States issued under authority of the act of October 10, 1940 (54 Stat. 1105). The Secretary of the Treasury is hereby authorized and directed to pay to Charles Duncan Montieth out of any money in the Treasury not otherwise appropriated any amount heretofore credited to such indebtedness or refunded or paid to the United States on account of such indebtedness. In the audit and settlement of the account of any accountable officer of the United States the payment of the amount for such transportation expenses shall be considered to have been duly and timely authorized.

JOHN H. SCHMITT AND MRS. MILDRED SCHMITT

The bill (H. R. 3965) for the relief of John H. Schmitt and Mrs. Mildred Schmitt was considered, ordered to a third reading, read the third time, and passed.

ABRAHAM SPEVAK

The bill (H. R. 4593) for the relief of Abraham Spevak was considered, ordered to a third reading, read the third time, and passed.

WILLIAM B. BUOL

The bill (S. 107) for the relief of William B. Buol, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted etc.*, That in the administration of the immigration and naturalization laws of the United States, the first proviso to section 3 (a) of the Selective Training and Service Act of 1940, as amended (U. S. C., title 50, War, appendix, sec. 303 (a)), shall not be held to apply to William B. Buol, of Winona, Minn.

WILLOW RIVER POWER CO.

The resolution (S. Res. 231) referring to the Court of Claims the bill (S. 662) for the relief of the Willow River Power Co., was considered and agreed to, as follows:

*Resolved*, That the bill S. 662, for the relief of the Willow River Power Co., with the accompanying papers, is hereby referred to the Court of Claims in pursuant of section 151 of the Judicial Code (28 U. S. C., sec. 257), for such action as the court may take in accordance therewith.

PER CAPITA DISTRIBUTION TO CERTAIN CALIFORNIA ENROLLED INDIANS

The Senate proceeded to consider the bill (H. R. 2878) to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein, which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That notwithstanding the provisions of section 6 of the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602), as amended by the act approved April 29, 1930 (46 Stat. 259), the Secretary of the Interior is authorized and directed to distribute per capita to each person enrolled under section 7 of such act, the sum of $150 out of the unexpended balance of the principal amount deposited in the Treasury of the United States to the credit of the Indians of California. Such per capita payments shall be made directly to such members, or their heirs or devisees, any restrictions of law to the contrary notwithstanding, except that payments due to adults under legal disability, or to minors, may be made under such rules and regulations as the Commissioner of Indian Affairs may prescribe, to legal guardians or curators of such adults or minors, or to natural guardians where legal guardians or curators have not been appointed.

SEC. 2. There is hereby authorized to be appropriated out of the principal amount in the Treasury of the United States to the credit of the Indians of California, such sum as may be necessary to make the payments referred to in the first section of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for the per capita distribution of certain funds in the Treasury of the United States to the credit of the Indians of California."

PURCHASE BY THE UNITED STATES OF CERTAIN LANDS AND MINERAL DEPOSITS OF CHOCTAW AND CHICKASAW NATIONS, OKLAHOMA

The Senate proceeded to consider the joint resolution (S. J. Res. 203) providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 6, line 2, to strike out the quotation marks at the end of the line and insert after line 2: "J. A. Krug, Secretary of the Interior; William A. Durant, Principal Chief of the Choctaw Nation; Floyd E. Maytubby, Governor of the Chickasaw Nation", so as to make the joint resolution read:

*Resolved, etc.*, That the following contract between the United States of America and the Choctaw and Chickasaw Nations of Indians, entered into on October 8, 1947, pursuant to the provisions of the act of June 28, 1944 (58 Stat. 483), is hereby ratified by the Congress, to wit:

"CONTRACT

"This contract of purchase, by and between the United States of America entered into in its behalf by J. A. Krug, Secretary of the Interior, and the Choctaw and Chickasaw Nations, acting by William A. Durant, Principal Chief of the Choctaw Nation, and Floyd E. Maytubby, Governor of the Chickasaw Nation, pursuant to the provisions of the act of June 28, 1944 (58 Stat. 483), and for the purpose of carrying out the terms and provisions thereof, it is mutually agreed between the parties hereto, as follows:

"1. Subject to the approval of this contract by a vote of the living enrolled eligible voters of the Choctaw and Chickasaw Nations, and its ratification by the Congress of the United States, the United States agrees to pay to the Choctaw and Chickasaw Nations, and the Choctaw and Chickasaw Nations agree to accept, the sum of $8,500,000 in full payment for all of their right, title, and interest in the lands and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Supplemental Agreement of 1902 (32 Stat. 641), and in full and final settlement of any and all claims for damages against the United States for any failure on the part of the United States, its officers, agents, or employees, to sell such properties in accordance with the terms of the Supplemental agreement, or for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties by the United States, its officers, agents, or employees.

"2. Upon approval of this contract as provided by section 1 hereof, and its ratification by the Congress, the amount of the purchase price, when appropriated by the Congress, shall be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States, and shall be distributed as hereinafter set forth.

"3. When the purchase price herein agreed upon shall have been appropriated, the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall execute a conveyance or conveyances, satisfactory in form and substance to the Secretary of the Interior, vesting in the United States all of the right, title, and interest of the said Choctaw and Chickasaw Nations, in and to such lands and mineral deposits, and releasing all claims for damages against the United States for the failure of the United States, its officers, agents, and employees, to sell such properties in accordance with the terms and provisions of said supplemental agreement of 1902, and for any other failure alleged to have occurred in connection with the sale, lease, and administration of such properties.

"4. The purchase price when appropriated shall be allocated three-fourths to the Choctaw Nation and one-fourth to the Chickasaw Nation, and shall be distributed per capita by the Secretary of the Interior to the en-

rolled members of said nations, exclusive of persons enrolled as Freedmen, who, under the Atoka agreement (30 Stat. 495), are not entitled to share in this distribution. The share of a deceased member shall be distributed to his heirs or devisees determined in conformity with the law applicable at the date of the death of the deceased member, or the date of the death of his heirs or devisees.

"Before payment is made to the heirs of any deceased member, proof of death and heirship satisfactory to the Superintendent for the Five Civilized Tribes Agency must be made, and the finding of said superintendent upon such proof shall be final and conclusive. Such per capita payments shall be made directly to such members, or their heirs or devisees, any restrictions of law to the contrary notwithstanding, except that payments due to adults under legal disability, or to minors, may be made, under such rules and regulations as the Commissioner of Indian Affairs may prescribe, to legal guardians or curators of such adults or minors, or to natural guardians where legal guardians or curators have not been appointed.

"No expenditure of any kind or character shall be allowed the United States as an offset or claim for reimbursement against the proceeds from the sale of such lands and mineral deposits.

"5. All proceeds from the sale of any of the properties mentioned herein made subsequent to the date of this contract, and prior to the appropriation of the purchase price, shall be credited on the purchase price. All royalties from any coal, asphalt, oil, gas, or other minerals mined from the herein mentioned properties, until the first of the month in which the purchase price shall be appropriated, the balance of the purchase price of any sales made prior to the date of this contract, and such other moneys as may be due the Choctaw and Chickasaw Nations from said properties, shall, when paid, be placed to the credit of the Choctaw and Chickasaw Nations on the books of the Treasury of the United States.

"6. This agreement shall not be binding upon the Choctaw and Chickasaw Nations until it has been duly approved by a majority of the living enrolled eligible voters of the Choctaw and Chickasaw Nations voting at a special election called for such purpose pursuant to the act of June 28, 1944, and shall not be binding upon the United States until ratified by the Congress of the United States.

"In witness whereof, the representatives of the parties hereto do hereunto affix their names this the 8th day of October 1947.

"J. A. KRUG,
*"Secretary of the Interior.*
"WILLIAM A. DURANT,
*"Principal Chief of the Choctaw Nation.*
"FLOYD E. MAYTUBBY,
*"Governor of the Chickasaw Nation."*

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 582) authorizing annual payments to States, Territories, and insular governments, for benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes, was announced as next in order.

Mr. CORDON. Mr. President, I ask that the bill be passed over temporarily. I wish to offer a slight amendment.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

DISTRIBUTION AMONG CERTAIN STATES OF RECEIPTS OF COLORADO RIVER DEVELOPMENT FUND

The bill (S. 2346) to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund was announced as next in order.

The PRESIDENT pro tempore. This bill is the same as House bill 5901, calendar 1405. Is there objection to the substitution of the House bill for the Senate bill and the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5901) to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund.

Mr. WHERRY. Mr. President, may we have an explanation of the bill?

Mr. O'MAHONEY. Mr. President, both the Senate Committee on Interior and Insular Affairs and the House Committee on Public Lands have unanimously endorsed the bill, the purpose of which is to provide that the fund set aside by the Boulder Canyon Act for the development of the upper basin shall be equitably distributed among the upper basin States. There is complete unanimity in the committee with respect to the measure.

The PRESIDENT pro tempore. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2346 will be indefinitely postponed.

AMENDMENT OF CERTAIN TAXATION PROVISIONS IN THE ORGANIC ACT OF ALASKA

The Senate proceeded to consider the bill (H. R. 5122) to amend section 9 of the act of August 24, 1912 (37 Stat. 512).

Mr. BARKLEY. Mr. President, may we have an explanation of the bill? The title of the bill does not identify it in any way.

Mr. BUTLER. Mr. President, this bill is very necessary to the continued progress of the Territory of Alaska. It amends certain taxation provisions of the organic act of the Territory so as to permit a general property tax on a practicable basis.

Mr. BARKLEY. That is sufficient explanation.

The PRESIDENT pro tempore. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

COMPACT FOR DIVISION OF WATERS OF THE SNAKE RIVER

The bill (S. 1445) granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. MAGNUSON. Mr. President, reserving the right to object, I wonder if the Senator from Nebraska will explain the type of compact which is proposed with respect to the Snake River.

Mr. BUTLER. Mr. President, the bill simply grants the consent of Congress to the negotiation of a compact by the States of Idaho and Wyoming for the division of the waters of the Snake River and its tributaries. Such legislation has been passed on two previous occasions, but in each case the time period authorized has lapsed before any agreement was concluded. An interstate compact on this river is very necessary in order to permit development of the waters in accordance with existing plans.

Mr. MAGNUSON. I am wondering why Oregon and Washington, the other two States affected by the Snake River, are not allowed the permissive right to enter into a compact with the other States.

Mr. BUTLER. I am afraid I cannot answer that question.

Mr. CORDON. Mr. President, I had the same thought in mind. I have made inquiry among the authorities in my own State who are interested in the subject, to determine whether there was anything in the compact which would prejudice the States of Oregon and Washington. I have been assured by the authorities in my State that there is not. At the time the measure was introduced I sent the compact out to my State to be investigated.

Mr. MAGNUSON. I thank the Senator.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 8, after the name "United States," to insert, *"Provided further*, That nothing in this act shall apply to any waters within the Yellowstone National Park or Grand Teton National Park or shall establish any right or interest in or to any lands within the boundaries thereof or in subsequent additions thereto," so as to make the bill read:

*Be it enacted, etc.*, That consent of Congress is hereby given to the States of Idaho and Wyoming to negotiate and enter into a compact providing for an equitable division and apportionment among the said States of the waters of the Snake River and all of its tributaries originating in either of the two States and flowing into the other, and upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of

the proceedings and of any compact entered into: *Provided*, That such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States: *Provided further*, That nothing in this act shall apply to any waters within the Yellowstone National Park or Grand Teton National Park or shall establish any right or interest in or to any lands within the boundaries thereof or in subsequent additions thereto.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PERFORMANCE IN THE FIELD OF CERTAIN FUNCTIONS RELATING TO PUBLIC LANDS

The Senate proceeded to consider the bill (H. R. 4461) approving the performance in the field of certain functions relating to the public lands, which had been reported from the Committee on Interior and Insular Affairs with amendments.

The first amendment was, on page 1, line 3, after the word "That", to insert "except as provided in section 2 of this act"; and in line 4, after the words "duty of the", to strike out "grazing service of the."

The amendment was agreed to.

The next amendment was, on page 1, after line 10, to insert—

SEC. 2. Notwithstanding the provisions of Reorganization Plan No. 3 of 1946, no function or duty of the Bureau of Land Management performed in the District of Columbia on January 1, 1946, relating to the minerals referred to in the act of February 25, 1920, as amended, known as the Mineral Leasing Act, shall be transferred to the field.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

INTEREST RATES ON PUBLIC LAND PURCHASES IN HAWAII

The bill (H. R. 3635) to ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947 was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes, was announced as next in order.

Mr. WHERRY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

VOLUNTEER FIREMAN POSTAGE STAMP SERIES

The Joint Resolution (H. J. Res. 339) to provide for the issuance of a special postage stamp series in honor of volunteer firemen was considered, ordered to a third reading, read the third time, and passed.

PRESTON BENCH PROJECT, IDAHO

The bill (S. 1987) to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior through the Bureau of Reclamation is hereby authorized to construct, maintain, and operate, pursuant to the Federal reclamation laws, the Preston Bench project, Idaho, substantially in accordance with the report of the regional director of the Bureau of Reclamation, region IV, dated September 15, 1947, as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That the total cost of the project shall be reimbursable under the Federal reclamation laws within repayment periods fixed by the Secretary of the Interior at not to exceed 78 years.

SEC. 2. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this act.

MODIFICATION OF REPAYMENT CONTRACTS WITH LOWER YELLOWSTONE IRRIGATION DISTRICTS

The bill (S. 1386) authorizing modifications in the repayment contracts with the Lower Yellowstone Irrigation District No. 1 and the Lower Yellowstone Irrigation District No. 2 was announced as next in order.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Nebraska to the fact that House bill 3731, which is a companion measure to the Senate bill, is in the Committee on Interior and Insular Affairs; and the Chair inquires whether the Senator wishes to have his committee discharged from the further consideration of the House bill, and to have the Senate pass the House bill, which is assumed to be the same as the Senate bill.

Mr. BUTLER. I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of House bill 3731, and that the House bill be substituted for the Senate bill and be now considered.

The PRESIDENT pro tempore. Without objection, the Committee on Interior and Insular Affairs will be discharged from the further consideration of House bill 3731, and the Senate will proceed to the consideration of the House bill.

Mr. WHERRY. Mr. President, reserving the right to object, let me inquire of the distinguished Senator from Nebraska what the bill provides. I understand that the House bill is now before the Senate Committee on Interior and Insular Affairs, but has not been given any consideration by that committee as yet.

Mr. BUTLER. It is here.

Mr. WHERRY. The proposed procedure involves the discharge of the Senate committee from the consideration of the House bill; does it not?

The PRESIDENT pro tempore. The Chair understands that a similar Senate bill has been reported to the calendar.

Mr. WHERRY. Then, I have no objection.

The PRESIDENT pro tempore. Without objection, the Committee on Interior and Insular Affairs will be discharged from the further consideration of House bill 3731.

Is there objection to the present consideration of House bill 3731?

There being no objection, the bill (H. R. 3731) authorizing modifications in the repayment contracts with the lower Yellowstone irrigation district No. 1 and the lower Yellowstone irrigation district No. 2 was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1386 will be indefinitely postponed.

Mr. CORDON subsequently said: Mr. President, may we revert to Calendar 1322, Senate bill 1386, for which I understand House bill 3731 has been substituted?

The PRESIDENT pro tempore. The Senate passed the House bill, which is similar to the Senate bill, which had been reported to the calendar by the Committee on Interior and Insular Affairs.

Mr. CORDON. I note that the Senate bill was reported with an amendment. The Chair has stated that the two bills are similar. I ask whether they are identical.

The PRESIDENT pro tempore. The Chair will have to ask the Senator from Nebraska to pass upon that question.

Mr. CORDON. It appears to me that originally they may have been the same. But the Senate committee reported an amendment to the Senate bill. Under the circumstances, I assume that a corresponding amendment should be made to the House bill.

Mr. BUTLER. At the suggestion of the Department of the Interior, an amendment was reported by the committee to the Senate bill, in order to state more fully what changes will be made in the contracts. I think the amendment is a desirable one.

The PRESIDENT pro tempore. Does the Senator from Nebraska wish to have an amendment offered to the House bill?

Mr. BUTLER. Mr. President, I had an erroneous impression about the matter; but upon examining the bills again, I find there is an amendment which has been reported to the Senate bill.

The PRESIDENT pro tempore. Under those circumstances, does the Senator wish to have the House bill passed or to have the Senate bill passed and then have the bill go to conference?

Mr. BUTLER. Under the circumstances, we shall have to pass the Senate bill.

The PRESIDENT pro tempore. Without objection, the vote by which House bill 3731 was passed will be reconsidered.

The question now is——

Mr. CORDON. Mr. President, may the bill go over until the matter can be arranged in an orderly way?

The PRESIDENT pro tempore. The matter was about to be arranged in an orderly way; but upon request, the bill will go over.

Mr. RUSSELL. Mr. President, I know nothing about the bill; but if we merely consider the House bill and strike out all after the enacting clause, and insert the text of the Senate bill as amended, that will take care of the matter.

The PRESIDENT pro tempore. The Senator is quite correct.

Mr. CORDON subsequently said: I have discussed Senate bill 1386 with the able senior Senator from Nebraska. I understand what he proposes to do in connection with the substitution of the House bill for the Senate bill, and I therefore have no further objection.

The PRESIDENT pro tempore. Without objection, the Senate reverts to the consideration of Calendar No. 1322, Senate bill 1386.

Mr. BUTLER. The House bill and the Senate bill, on examination, are found identical with the exception of one word, on page 6, section 4, where it reads "The contractual modification provided for in this act shall be effective." The Senate bill has it in the plural, "contractual modifications provided for in this act shall be effective."

It is my opinion that the plural is the better construction of the two, so the Senate bill should be considered and passed.

The PRESIDENT pro tempore. If the Chair may do so, he suggests to the Senator that perhaps the simpler process would be simply to amend the House bill in the fashion he indicates, and pass it.

Mr. BUTLER. That would be satisfactory and I ask that that may be done.

The PRESIDENT pro tempore. Is there objection to the present consideration of House bill 3731?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which proposes, on page 5, line 10, to strike out "modification" and insert "modifications."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection the bill (S. 1386) will be indefinitely postponed.

## TRANSFER OF LAND IN FORT ROBINSON MILITARY RESERVATION

The Senate proceeded to consider the bill (S. 2254) authorizing the transfer of a certain tract of land in the Fort Robinson Military Reservation to the city of Crawford, Nebr., and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, after line 18, to strike out:

SEC. 3. The tract of land authorized to be transferred by the first section of this act shall be used by the grantee for purposes of a public park and recreational site or golf course or for similar and related purposes. If the grantee shall fail or cease to use such tract for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

And insert:

SEC. 3. Any conveyance under section 1 of this act shall reserve to the United States all the minerals in the land along with the right to prospect for, mine, and remove the same, but such reservation shall not include water or water rights. Such conveyance shall also provide that if the Secretary of the Interior finds, at any time, that the city of Crawford has ceased to use the property for a public park, recreational site, golf course, or similar and related purposes, or has alienated or attempted to alienate such property, title thereto shall revert to the United States.

So as to make the bill read:

*Be it enacted, etc.*, That there is hereby authorized to be transferred by quitclaim deed to the city of Crawford, Nebr., the following described tract of land lying within the Fort Robinson Military Reservation, Dawes County, Nebr.: Beginning at the northwest corner of the tract of land conveyed to the city of Crawford for public-park purposes by the Act of Congress approved June 25, 1906 (34 Stat. 461); thence west along the north line of the said reservation a distance of one thousand one hundred and seventy-five feet; thence south three hundred and six feet; thence south twenty-seven degrees fifty-two minutes east to the westerly boundary line of the present park, the point of intersection being approximately two thousand six hundred and fifteen feet south of the starting point; thence north two thousand six hundred and fifteen feet to point of beginning, containing an area of approximately forty-three and fifty-seven one-hundredths acres.

SEC. 2. There is hereby authorized to be granted to the city of Crawford, Nebr., a permanent easement across the lands of the United States comprising the Fort Robinson Military Reservation, Dawes County, Nebr., for a pipe line to carry water from the White River to the filters and purification plants of the city, which easement shall include all rights and privileges now enjoyed by the city under a revokable license to maintain such pipe line across such lands of the United States.

SEC. 3. Any conveyance under section 1 of this Act shall reserve to the United States all the minerals in the land along with the right to prospect for, mine, and remove the same, but such reservation shall not include water or water rights. Such conveyance shall also provide that if the Secretary of the Interior finds, at any time, that the city of Crawford has ceased to use the property for a public park, recreational site, golf course, or similar and related purposes, or has alienated or attempted to alienate such property, title thereto shall revert to the United States.

SEC. 4. The officer of the United States in whom is vested jurisdiction over the lands comprising the Fort Robinson Military Reservation is authorized and directed to execute the necessary instruments of conveyance to effectuate the transfer and grant authorized, and the conditions prescribed, by this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SALTONSTALL subsequently said: Mr. President, I should like to ask for the reconsideration of Senate bill 2254, Calendar No. 1323, so as to have an explanation. I know the Senate has already acted upon that bill, but I wish to have an explanation because Senate bill 2277, to amend section 13 of the Surplus Property Act, is in conference between the two Houses. The committee of conference has agreed upon a conference report.

Senate bill 2254 seeks to convey a tract of land in the Fort Robinson military reservation to the city of Crawford, Nebr., for public park purposes, and to do so without payment. However, the conference report on Senate bill 2277, as agreed to by the committee of conference, permits the conveyance of such land for public park purposes at 50 percent of the value. Accordingly, these two bills seem to be in conflict. The bill which is in conference applies to land all over the United States which is in the category of surplus property.

Therefore, if Senate bill 2254 constitutes a new conveyance at the present time for park purposes, I believe action on that bill should be held up, and the subject matter should be handled in the same way provided by the general bill which relates to all such public property.

The PRESIDENT pro tempore. Without objection, the vote by which Senate bill 2254 was passed, is reconsidered, and that bill is again before the Senate.

Mr. REVERCOMB. Mr. President, I wish to ask a question. Do I correctly understand that Senate bill 2277 has been acted upon in conference?

Mr. SALTONSTALL. The committee of conference has agreed to a conference report on Senate bill 2277, and the matter is now in the hands of the chairman of the House conferees to present report to the House. The terms of that measure would seem to be in contradiction with the terms of Senate bill 2254.

Mr. REVERCOMB. Has the conference committee acted upon the bill?

Mr. SALTONSTALL. It has, but neither the House nor the Senate has yet acted on the conference report on Senate bill 2277.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. HATCH. I did not quite understand what the Senator said, but I received the impression that he stated that some bill which is in conference attempts to lay down a rule relative to all such surplus property.

Mr. SALTONSTALL. That is correct.

Mr. HATCH. What committee handled the matter?

Mr. SALTONSTALL. Senate bill 2277 was reported by the Armed Services Committee. It was passed by the Senate. A similar bill was passed by the House and those two bills went to conference. The committee on conference has agreed on a report to be made to the respective branches of Congress. The report has not yet been agreed to.

Mr. HATCH. The point I make is that it seems to me strange that the Committee on Armed Services, in dealing with surplus properties alone, would attempt to lay down a rule relating to all the public lands and public domain of every kind, without permitting a committee which has special jurisdiction of that subject to consider it.

Mr. SALTONSTALL. The surplus property as to which a general rule was attempted to be laid down had to do with military reservations. Such property had become a problem in many sections throughout the United States, for instance, at Fort Wayne and Detroit. The

University of Utah wants certain military reservations outside Salt Lake City, and there are many other properties of similar character. I am simply bringing up the question whether this bill is in conflict with that general rule.

Mr. BARKLEY. Does it relate to surplus property?

Mr. SALTONSTALL. That is what I want to find out.

Mr. HATCH. I think probably the Senator from Nebraska desires to discuss the matter. I shall yield to him, but my impression is this bill does not deal with surplus property at all. Is that correct?

Mr. WHERRY. That is correct. I am satisfied this bill deals with land which has been turned over to the Agricultural Department. They are asked to deed to the Park Service a small portion of the land. It does not take the same status as the legislation to which the distinguished Senator from Massachusetts referred, which has to do with surplus property. This land is now in the hands of the Agricultural Department, and the bill deals with a very small portion of the land—I have forgotten how many acres. I think my colleague, the senior Senator from Nebraska [Mr. BUTLER], should have the statistics. The point I am making is that it is not in the same category as the proposed legislation just referred to by the distinguished Senator from Massachusetts, which is now in the form of a conference. That bill does involve the transfer of surplus property. In this instance the land is to be transferred from the Agricultural Department to the Park Service. It is very vital to have the bill passed today, if possible.

Mr. SALTONSTALL. I do not want to hold up any proper measure, but I call the Senator's attention to the second paragraph in the report (No. 1278) of the committee, which says:

> Section 1 of the bill would authorize the transfer by quitclaim deed of 43.57 acres of land, located in the extreme northeastern corner of the Fort Robinson Military Reservation, to the city of Crawford, Nebr., for park purposes or other recreational uses.

In other words, it would authorize the transfer of land from the military reservation to the city for park purposes.

Mr. WHERRY. But the Senator, I think, will recall that this military reservation was transferred to the Department of Agriculture, for the Remount Service, which was taken over by the Agricultural Department.

Mr. BUTLER. It is entirely out of the hands of the military.

Mr. WHERRY. It is also out of the hands of the War Assets Administration. I think the Senator from Massachusetts is correct about the conference report on the other legislation to which he has referred, and there should be a determination probably of the question it involves on that, but this bill does not fall in the same category. Therefore, if the Senator does not object too strenuously, we should like to have the bill passed.

The PRESIDENT pro tempore. Does the Senator from Massachusetts object to the consideration of the bill?

Mr. SALTONSTALL. Mr. President, if it is not a transfer from a military reservation and is in the hands of the Agricultural Department, I do not object.

Mr. BUTLER. I can assure the Senator that is the case.

Mr. LUCAS. Mr. President, reserving the right to object, may I inquire of the able Senator from Nebraska how much acreage is involved in this transfer?

Mr. BUTLER. About 43 acres would be transferred from the Department of Agriculture supervision to the city of Crawford.

Mr. LUCAS. Is there any consideration for the transfer of the property?

Mr. BUTLER. I do not think there is.

Mr. LUCAS. Is there any precedent for a bill of this kind?

Mr. BUTLER. The pipe line that brings to the city of Crawford the water from a spring up in the hills runs over this tract of about 43 acres. That is the particular reason why the city wishes to add the 43 acres of the former military reservation to the city proper.

Mr. LUCAS. It seems to me, Mr. President, we would be setting a rather dangerous precedent.

Mr. HATCH. Mr. President, on that point, I might say that this precedent is long established. Many conveyances have been made of the public land of the United States to various cities all over the Nation for the purpose of recreation and for park purposes.

Mr. LUCAS. That is what I had in mind in connection with the precedent.

Mr. HATCH. Yes; there is precedent for it, and it is one which should be uniform. The bill specifically provides that should the city discontinue its use for recreational and park purposes, title will revert to the United States. I think it is a most commendable bill. It is a precedent which should be followed.

The PRESIDENT pro tempore. Is there objection to the present consideration of Senate bill 2254?

There being no objection, the Senate resumed the consideration of the bill.

The PRESIDENT pro tempore. The amendment has already been agreed to. The question is on the passage of the bill.

The bill (S. 2254) was passed.

## SALARY OF COORDINATOR OF FEDERAL AGENCIES, PUERTO RICO

The Senate proceeded to consider the bill (S. 2508) to increase the annual salary of the Coordinator of Federal Agencies in Puerto Rico from $7,500 to $10,000, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, in line 6, after the word "thereof", to strike out "$10,000" and insert "$10,000 to be paid out of funds appropriated by Congress for such purposes"; and after the amendment above stated, to insert:

SEC. 2. Section 50 of the Organic Act of Puerto Rico (U. S. C., title 48, secs. 797 and 798) is amended to read as follows:

"SEC. 50. Except as otherwise provided in this or any other act, the salaries and office expenses of all officials of Puerto Rico, including deputies, assistants, and other help, shall be such and be so paid out of the revenues of Puerto Rico as shall from time to time be determined by the legislature of Puerto Rico and approved by the Governor; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity for further appropriations therefor. Until otherwise prescribed as provided by this section the annual salary of the Governor shall be $10,000; in addition to which he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Puerto Rico, with the furniture and effects therein, free of rental; and the annual salary of the head of each executive department shall be $6,000.

"Notwithstanding the foregoing, the annual salary of the chief justice of the supreme court shall be $10,500, and the annual salary of each associate justice of the supreme court shall be $10,000. All of said salaries of the chief justice and associate justices shall be paid in equal monthly installments.

"Where any officer, during such time as his salary is fixed by this act, is required to give a bond, the premium thereof shall be paid from the insular treasury."

SEC. 3. So much of section 34 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 838) as reads "Except as otherwise provided in this Act, no law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election of appointment, nor permit any officer or employee to draw compensation for more than one office or position." is amended to read as follows:

"Except as otherwise provided in this act, no law shall extend the term of any public officer, permit any officer or employee to draw compensation for more than one office or position, or increase or diminish the salary or emoluments of any senator or representative during the term for which he is elected or appointed."

SEC. 4. Section 31 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 820) is amended by striking out "That members" and inserting in lieu thereof "Until otherwise prescribed pursuant to section 50 of this act, members".

SEC. 5. Section 20 of the Organic Act of Puerto Pico (U. S. C., title 48, sec. 786) is amended by inserting after $6,000" the following: "or such other sum not less than that payable to the head of any executive department as may be prescribed pursuant to section 50 of this act."

SEC. 6. Section 22 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 779) is amended by inserting after "$5,000" the following: "or such other sum as may be prescribed pursuant to section 50 of this act."

SEC. 7. The third and fourth sentences of section 38 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 750) are amended to read as follows: "The public service commissioner shall devote his entire time to his duties as such commissioner. Until otherwise prescribed pursuant to section 50 of this act—

"(a) the salary of the public service commissioner shall be $6,000 a year, and

"(b) the compensation of the associated members shall be $10 for each day's attendance at the sessions of the commission, but in no case shall they receive more than $1,000 during any 1 year."

SEC. 8. This act shall take effect 30 days after the date of its enactment.

So as to make the bill read:

*Be it enacted, etc.*, That paragraph (1) of section 49b of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 793b (1)) is amended by striking out "$7,500" and inserting in lieu thereof "$10,000 to be paid out of funds appropriated by Congress for such purpose."

SEC. 2. Section 50 of the Organic Act of Puerto Rico (U. S. C., title 48 secs. 797 and 798) is amended to read as follows:

"SEC. 50. Except as otherwise provided in this or any other act, the salaries and office expenses of all officials of Puerto Rico, including deputies, assistants, and other

help, shall be such and be so paid out of the revenues of Puerto Rico as shall from time to time be determined by the legislature of Puerto Rico and approved by the Governor; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor. Until otherwise prescribed as provided by this section the annual salary of the Governor shall be $10,000; in addition to which he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of Puerto Rico, with the furniture and effects therein, free of rental; and the annual salary of the head of each executive department shall be $6,000.

"Notwithstanding the foregoing, the annual salary of the chief justice of the supreme court shall be $10,500, and the annual salary of each associate justice of the supreme court shall be $10,000. All of said salaries of the chief justice and associate justices shall be paid in equal monthly installments.

"Where any officer, during such time as his salary is fixed by this act, is required to give a bond, the premium thereof shall be paid from the insular treasury."

SEC. 3. So much of section 34 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 838) as reads "Except as otherwise provided in this act, no law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election or appointment, nor permit any officer or employee to draw compensation for more than one office or position." is amended to read as follows:

"Except as otherwise provided in this act, no law shall extend the term of any public officer, permit any officer or employee to draw compensation for more than one office or position, or increase or diminish the salary or emoluments of any senator or representative during the term for which he is elected or appointed."

SEC. 4. Section 31 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 820) is amended by striking out "That members" and inserting in lieu thereof "Until otherwise prescribed pursuant to section 50 of this act, members."

SEC. 5. Section 20 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 786) is amended by inserting after "$6,000" the following: "or such other sum not less than that payable to the head of any executive department as may be prescribed to section 50 of this act."

SEC. 6. Section 22 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 779) is amended by inserting after "$5,000" the following: "or such other sum as may be prescribed pursuant to section 50 of this act."

SEC. 7. The third and fourth sentences of section 38 of the Organic Act of Puerto Rico (U. S. C., title 48, sec. 750) are amended to read as follows: "The public service commissioner shall devote his entire time to his duties as such commissioner. Until otherwise prescribed pursuant to section 50 of this act—

"(a) the salary of the public-service commissioner shall be $6,000 a year, and

"(b) the compensation of the associated members shall be $10 for each day's attendance at the sessions of the commission, but in no case shall they receive more than $1,000 during any 1 year."

SEC. 8. This act shall take effect 30 days after the date of its enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill relating to salaries of certain officers and employees of the United States and certain officers and employees of Puerto Rico."

## CONSOLIDATION OF JUDICIAL DISTRICTS OF ALASKA

The Senate proceeded to consider the bill (H. R. 3344) to amend the fourth paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended.

Mr. LANGER. Mr. President, may we have an explanation of the bill? It does not seem to be found in my calendar file, for some reason or other.

Mr. BUTLER. Mr. President, this bill simply provides for a change in the boundaries of the judicial districts of Alaska, in order to provide a more efficient and convenient administration of the governmental business. It has the approval and recommendation of the departments concerned.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

## RATIFICATION OF ACT 205, SESSION LAWS OF HAWAII, 1947

The bill (H. R. 5175) to confirm and ratify Act 205 of the session laws of 1947 of the Territory of Hawaii, relating to the issuance of public improvement bonds was considered, ordered to a third reading, read the third time, and passed.

## BILL PASSED OVER

The bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. House bill 5883 is the pending business before the Senate and, therefore, will be passed over.

## ACCOUNTS OF PROPERTY AND DISBURSING OFFICERS UNDER THE WAR DEPARTMENT

The Senate proceeded to consider the bill (S. 1747) to authorize credit in certain accounts of the United States property and disbursing officers under the War Department, and for other purposes, which had been reported from the Committee on Expenditures in the Executive Departments with amendments, on page 1, line 3, to strike "1940", and insert "1942"; on page 2, line 12, after the word "any", to strike "such", and in the same line, after the word "settlement", to insert "based thereon"; so as to make the bill read:

*Be it enacted, etc.,* That payments made prior to July 1, 1942, out of moneys appropriated under the provisions of the National Defense Act, for the support of the National Guard of the several States, Territories, and the District of Columbia which now stand disallowed or would hereafter be disallowed, but for this act, by reason of lack of adequate or correct supporting vouchers and documents, are hereby ratified and validated as to the United States property and disbursing officers making the same, in such amounts only as are found and determined by the Comptroller General of the United States to be without substantial evidence of fraud or criminality or of timely knowledge of such fraud or criminality on the part of the United States property and disbursing officer involved and to have been actually expended in good faith or under bona fide contracts (1) for services which in fact have been rendered or (2) for facilities which in fact have been furnished to the United States and its agencies including the National Guard; all items so found shall be passed to credit in the accounts of the property and disbursing officers involved, and any settlement based thereon shall not be reopened as against any such officer in the absence of new evidence of fraud or criminality: *Provided,* That nothing herein shall be construed to prohibit recovery from any payee of public moneys illegally or erroneously paid to such payee or to preclude the recovery from any such property and disbursing officer or his surety of any balance found due the Government under a settlement made as herein provided.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## POWERBOAT SERVICE IN ALASKA

The bill (H. R. 1608) to amend an act entitled "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes," approved August 10, 1939 (53 Stat. 1338), was considered, ordered to a third reading, read the third time, and passed.

## COMMEMORATIVE STAMP FOR GOLDEN ANNIVERSARY OF CONSOLIDATION OF BOROUGHS COMPRISING NEW YORK CITY

The Senate proceeded to consider the joint resolution (S. J. Res. 210) to authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City.

Mr. IVES. Mr. President, I understand that House Joint Resolution 371, which is identical with Senate Joint Resolution 210, has passed the House, and is now before the Committee on Post Office and Civil Service. If that be correct, I move that the Committee on Post Office and Civil Service be discharged from the further consideration of House Joint Resolution 371, which is identical with the Senate joint resolution, and I ask that the House joint resolution be substituted for the Senate joint resolution and be now considered.

The PRESIDENT pro tempore. Without objection, the Committee on Post Office and Civil Service will be discharged from consideration of House Joint Resolution 371. Is there objection to the present consideration of the House joint resolution?

There being no objection, the joint resolution (H. J. Res. 371) to authorize the issuance of a stamp commemorating the golden anniversary of the consolidation of the boroughs that comprise New York City, was considered, ordered to a third reading, read the third time, and passed.

THIRD TIME ZONE AFFECTING PORTIONS OF IDAHO

The bill (S. 2547) to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone, as amended, was announced as next in order.

Mr. JOHNSON of Colorado and other Senators asked that the bill go over.

Mr. REED. Mr. President, on behalf of the Senator from Idaho [Mr. DWORSHAK], I should like to make a brief explanation of the bill.

The PRESIDENT pro tempore. The Senator from Kansas is recognized for 5 minutes.

Mr. REED. This bill involves the same subject matter as House bill 6318, Order No. 1408——

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. JOHNSON of Colorado. I was one of the Senators who requested that the bill go over. The reason for the request is that representatives of railroad labor in that area have asked that the bill go over for today. They say they will probably be able to iron out their objection today, and that the next time we have a call of the Consent Calendar the bill will probably be passed.

Mr. REED. This is the first objection I have heard from anyone.

Mr. JOHNSON of Colorado. It is also the first time I have heard of objection.

The PRESIDENT pro tempore. The bill will be passed over.

PARKER RIVER NATIONAL WILDLIFE REFUGE, MASS.

The bill (H. R. 3578) to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

RATIFICATION OF ACT 74, SESSION LAWS OF HAWAII, 1947

The bill (H. R. 3954) to approve act No. 74 of the Session Laws of 1947 of the Territory of Hawaii, was considered, ordered to a third reading, read the third time, and passed.

DESIGNATION OF CERTAIN PUBLIC LANDS AS AVAILABLE FOR HOME LANDS

The bill (H. R. 3633) to amend section 203 of the Hawaiian Homes Commission Act designating certain public lands as available home lands, was considered, ordered to a third reading, read the third time, and passed.

RATIFICATION OF ACT 237 OF SESSION LAWS OF HAWAII, 1947

The bill (H. R. 4091) to ratify act 237 of the Session Laws of Hawaii, 1947, was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF LAND TO CITY OF FAIRBANKS, ALASKA

The bill (H. R. 183) to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska, was considered, ordered to a third reading, read the third time, and passed.

SCHOOL FACILITIES IN YELLOWSTONE NATIONAL PARK

The bill (H. R. 4823) to provide adequate school facilities within Yellowstone National Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONFIRMATION OF TITLE TO SALINE LANDS IN JACKSON COUNTY, ILL.

The Senate proceeded to consider the bill (S. 1504) to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, line 6, after "Stat. 891" to strike out "is" and insert "as amended by the act of November 29, 1944 (58 Stat. 1036), is further"; and in line 8, after the words "Stephen Holliday", to strike out "the southwest quarter of the"; so as to make the bill read:

*Be it enacted, etc.*, That the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036), is further amended by striking out so much thereof as reads as follows: "To Stephen Holliday, southeast quarter of the southeast quarter of section 31, township 8, of range 2;", and inserting in lieu thereof the following: "To Stephen Holliday, the southwest quarter of the southeast quarter and the southeast quarter of the southeast quarter of section 31, township 8, of range 2;"

SEC. 2. The amendment made by the first section of this act shall be effective as of March 2, 1861.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the act entitled 'an act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others,' approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036)."

BILL PASSED OVER

The bill (S. 2688) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. SALTONSTALL. Mr. President, while I am in favor of the bill and believe it should be enacted, while temporarily occupying the chair of the majority leader, I ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

RETURN OF CERTAIN LANDS IN PUERTO RICO

The bill (S. 2592) to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are individually authorized, in accordance with the express provisions of the conveyances to the United States Government or the final judgments in condemnation proceedings filed at the request of the Secretary of the Army in the Federal District Court for Puerto Rico, to convey all or any part of the land in Puerto Rico, which was acquired for national defense purposes, when such land or part thereof is no longer required for such purposes. The improvements constructed by the Departments of the Army, Navy, or Air Force, upon such property will be disposed of by the Secretaries of the Army, Navy, or Air Force prior to the time such property is conveyed, in accordance with the best interests of the United States Government: *Provided*, That no such property shall be conveyed or otherwise disposed of without the prior joint approval thereof of the Secretaries of the Army, Navy, Air Force, and Treasury.

CONVEYANCE OF A RIGHT-OF-WAY IN CERTAIN LANDS AT PUNGO, VA.

The bill (S. 2593) to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public highway purposes in certain lands at Pungo, Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he hereby is, authorized to convey to the Commonwealth of Virginia, without cost to the said Commonwealth, and upon such terms and conditions as he may deem proper, a perpetual easement for public-highway purposes in, over, and across a strip of land contiguous to the former naval auxiliary air station, Pungo, Va., being approximtely 1,595 feet long and containing 1.58 acres, more or less, metes and bounds description of which is on file in the Navy Department.

CONSTRUCTION OF RECREATIONAL PARK AT UNITED STATES NAVAL HOSPITAL, GREAT LAKES, ILL.

The bill (S. 2251) to authorize the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, Great Lakes, Ill., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized to permit the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Ill., for the convenience and pleasure of the patients of that hospital.

SEC. 2. The site of the recreational park and its construction shall be subject to the approval of the Secretary of the Navy. The construction of the recreational park and all work performed in connection therewith shall be without cost to the United States.

SEC. 3. Upon completion of the recreational park the Secretary of the Navy is authorized to accept it as an unconditional gift to the United States from the Army and Navy Union, United States of America, Department of Illinois.

INCREASED ALLOWANCES FOR ESCORTS OF REPATRIATED WAR DEAD

The bill (H. R. 5870) to amend the act of May 16, 1946, as amended, to provide increased allowances for the escorts of

repatriated war dead, was considered, ordered to a third reading, read the third time, and passed.

## RESEARCH AND CONTROL OF DISEASES OF HEART AND CIRCULATION

The Senate proceeded to consider the bill (S. 2215) to provide for research and control relating to diseases of the heart and circulation, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. WHERRY. Mr. President, may I ask for an explanation of the bill, and also the amount of the appropriation involved?

Mr. SMITH. Mr. President, the committee, after considering the bill, felt that the proper handling of the matter was to establish an institute identical in form with the present institute for research in cancer. Consequently we have offered an amendment containing practically all the provisions as then introduced and providing for handling the question as it is done under provisions of the Public Service Health Act. It is identical in form with the present provisions for research in the field of cancer. The committee reported the bill unanimously, and I sincerely hope that it will be passed.

In answer to the question as to the amount of the appropriation, no amount is fixed. It will be necessary for the institute to request appropriations.

Mr. WHERRY. I am very much in sympathy with the bill, but I felt that it should be pointed out that it is an authorization bill and that appropriations will have to be made upon a showing before the Appropriations Committee.

Mr. SMITH. That is correct. It will be operated on the same basis as the cancer research is handled at the present time, through private agencies as in the case of cancer.

The PRESIDENT pro tempore. The clerk will state the committee amendment.

The amendment was to strike out all after the enacting clause and insert:

That this act may be cited as the "National Heart Act."

PURPOSE

SEC. 2. The purpose of this act is to improve the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assist and foster such researches and other activities by public and private agencies, and promote the coordination of all such researches and activities and the useful application of their results; provide training in matters relating to heart diseases, including refresher courses for physicians; and develop, and assist States and other agencies in the use of, the most effective methods of prevention, diagnosis, and treatment of heart diseases.

RESEARCH AND TRAINING

SEC. 3. (a) The title of title IV of the Public Health Service Act (42 U. S. C., ch. 6A) is amended to read "Title IV—National Cancer and Heart Institutes."

(b) Title IV of such act is further amended by inserting "Part A—National Cancer Institute" between the title of such title IV and the heading of section 401, and by adding at the end of section 406 the following new part:

"PART B—NATIONAL HEART INSTITUTE

"ESTABLISHMENT OF INSTITUTE

"SEC. 411. There is hereby established in the Public Health Service a National Heart Institute (hereafter in this part referred to as the 'Institute').

"HEART-DISEASE RESEARCH AND TRAINING

"SEC. 412. In carrying out the purposes of section 301 with respect to heart diseases the Surgeon General, through the Institute and in cooperation with the National Advisory Heart Council shall—

"(a) conduct, assist, and foster researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of heart diseases;

"(b) promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals;

"(c) provide training and instruction in technical matters relating to the diagnosis, prevention, and treatment of heart diseases, and provide for such training and instruction through grants to public and other nonprofit agencies and institutions;

"(d) provide fellowships in the Institute from funds appropriated or donated for such purpose;

"(e) secure for the Institute consultation services and advice of heart-disease experts from the United States or abroad;

"(f) cooperate with State health agencies in the prevention, control, and eradication of heart diseases;

"(g) make grants-in-aid to universities, hospitals, laboratories, and other public or private agencies and institutions, and to individuals for such research projects relating to heart diseases as are recommended by the National Advisory Heart Council, including grants to such agencies and institutions for the construction, acquisition, leasing, equipment, and maintenance of such hospital, clinic, laboratory, and related facilities, and for the care of such patients therein, as are necessary for such research.

"ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and he is authorized to provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis, prevention, and treatment of heart diseases to persons found by the Surgeon General to have proper technical qualifications, and designated by him for such training or instruction, and to fix and pay them a per diem allowance during such training or instruction of not to exceed $10.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501 of the Public Health Service Act, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of heart diseases, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of $50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

"(c) In carrying out the purposes of section 412 grants-in-aid for heart disease research or training projects shall be made only after review and recommendation of the National Advisory Heart Council made pursuant to section 414.

"FUNCTIONS OF COUNCIL

"SEC. 414. The Council is authorized—

"(a) to review research and training projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of heart diseases, and certify approval to the Surgeon General, for prosecution under section 412, of any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of heart diseases;

"(b) to collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of heart diseases, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

"(c) to review applications from any university, hospital, laboratory, or other institution whether public or private, or from individuals, for grants-in-aid for research or training projects relating to heart diseases, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of heart diseases;

"(d) to recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 of this act; and

"(e) to make recommendations to the Surgeon General with respect to carrying out the provisions of this part.

"OTHER AUTHORITY WITH RESPECT TO HEART DISEASES

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the study of the causes, prevention, or methods of diagnosis or treatment of heart diseases; or (b) the expenditure of money therefor."

NATIONAL ADVISORY HEART COUNCIL

SEC. 4. (a) Section 217 of such act is amended by adding at the end thereof the following new subsection:

"(f) The National Advisory Heart Council shall consist of the Surgeon General ex officio, who shall be Chairman, and of six members to be appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of heart diseases. Each appointed member shall hold office for a term of 3 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. An appointed member shall not be eligible to serve continuously for more than 3 years but shall be eligible for reappointment if he has not served immediately preceding his reappointment."

(b) Subsection (b) of section 217 of such act is amended to read as follows:

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council, and where

appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, or the National Advisory Heart Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

(c) The title of section 217 of such Act is amended to read "National Advisory Health, Cancer, Heart, and Mental Health Councils".

(d) Subsection (e) of section 209 of such act is amended to read as follows:

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Heart Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding $25 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

(e) Paragraph (d) of section 301 of such act is amended to read:

"(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases, recommended by the National Advisory Heart Council."

(f) Paragraph (g) of such section is amended to read:

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to heart diseases, upon recommendation of the National Advisory Heart Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

GENERAL PROVISIONS

SEC. 5. (a) Section 2 of the Public Health Service Act is amended by striking out the word "and" at the end of paragraph (l), by striking out the period at the end of paragraph (m) and inserting in lieu thereof "; and", and by inserting after paragraph (m) the following new paragraph:

"(n) The term 'heart diseases' means diseases of the heart and circulation."

(b) The term "National Institute of Health," wherever appearing in the Public Health Service Act, chall be changed to "National Institutes of Health."

(c) The word "title," wherever appearing in sections 403, 404, and 406 of the Public Health Service Act, shall be changed to "part."

Mr. MAGNUSON. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from New Jersey if he is satisfied that the bill is not in conflict in any way with the National Science Foundation bill?

Mr. SMITH. Mr. President, it is not in conflict. The scope of the bill is different. It directly authorizes the research to be done. Under the National Science Foundation bill commissions are established to explore the field and to recommend. I feel that there is no conflict between this bill and the National Science Foundation bill.

Mr. MAGNUSON. Is it similar to the Cancer Institute legislation?

Mr. SMITH. It is identical in its language with the Cancer Institute bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes."

BILL PASSED OVER

The bill (S. 2318) to provide for a coordinated agricultural program, and for other purposes, was announced as next in order.

Mr. AIKEN. Mr. President, this bill should, I believe, go over at this time. I should like to see it passed immediately, without objection, but I realize that it is not possible to do that.

The PRESIDENT pro tempore. The bill will be passed over.

FREE POSTAGE FOR MEMBERS OF ARMED FORCES WHILE IN HOSPITALS

The Senate proceeded to consider the joint resolution (S. J. Res. 193) to grant free postage to members of the armed forces while confined for treatment in a military or naval hospital, which had been reported by the Committee on Post Office and Civil Service, with an amendment on page 1, line 5, after the word "States," to strike out in the parentheses the word "including," and insert "excluding."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc., by the Senate and House of Representatives of the United States of America in Congress assembled,* That any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by (1) a member of the military or naval forces of the United States (excluding the United States Coast Guard), while on active duty or in the active military or naval service of the United States and confined for treatment in a military or naval hospital, and (2) a veteran, while being furnished hospital treatment or institutional care in any hospital or other institution operated by or under contract with the Veterans' Administration, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General shall prescribe.

CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA

The bill (H. R. 4551) to provide for the addition of certain surplus Government lands to the Cape Hatteras national seashore recreational area project, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT TO MINERAL LEASING ACT OF 1920

The Senate proceeded to consider the bill (S. 2548) to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950.

The PRESIDENT pro tempore. Senate bill 2548 is the same as Calendar 1407, House bill 6302. What does the Senator from Nebraska wish to do with reference to the Senate bill?

Mr. BUTLER. Mr. President, I ask that the House bill be substituted for the Senate bill, and be now considered.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the bill (H. R. 6302) to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2548 is indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 5155) to authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake & Ohio Canal was announced as next in order.

Mr. MALONE. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

MILITARY OR NAVAL SERVICE HOMESTEAD ENTRIES

The bill (H. R. 5244) to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II," was considered, ordered to a third reading, read the third time, and passed.

CONDEMNATION OF LANDS IN MINNESOTA FOR FISH PROPAGATION

The Senate proceeded to consider the bill (S. 1413) to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Nebraska to the fact that House bill 3785, which the Chair understands is a similar bill, is still in the committee. What does the Senator from Nebraska desire done?

Mr. BUTLER. Mr. President, House bill 3785 it is necessary to amend in order to correct the land description, changing "range 47" to "range 27."

The PRESIDENT pro tempore. Without objection, the Committee on Interior and Insular Affairs will be discharged from the consideration of House bill 3785. Is there objection to the consideration of House bill 3785?

There being no objection, the Senate proceeded to consider the bill (H. R.

3785) to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes.

The PRESIDENT pro tempore. The amendment suggested by the Senator from Nebraska will be stated.

The CHIEF CLERK. On page 2, line 24, it is proposed to strike out "47" and insert "27."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1413 will be indefinitely postponed.

### CONVEYANCE OF ROADS LEADING TO CERTAIN HISTORICAL AREAS

The bill (H. R. 5839) to authorize the conveyance to States or political subdivisions of roads leading to certain historical areas administered by the Department of the Interior was considered, ordered to a third reading, read the third time, and passed.

### ELIMINATION OF REQUIREMENTS OF OATHS IN CERTAIN CASES

The bill (H. R. 4513) to eliminate the requirement of oaths in certain land matters, and for other purposes, was considered, ordered to a third reading, read the third time and passed.

### CONVEYANCE OF LANDS TO OKLAHOMA FOR BENEFIT OF NORTHEASTERN STATE COLLEGE

The bill (H. R. 4512) to provide for the conveyance of certain lands to the State of Oklahoma for the use and benefit of the Northeastern State College was considered, ordered to a third reading, read the third time, and passed.

### CONVEYANCE OF LANDS TO PINELLAS COUNTY, FLA.

The Senate proceeded to consider the bill (S. 2496) to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 1, after the name "Florida", to strike out "for and in consideration of the payment of $20,000"; on line 4, after the word "Presidential", to strike out "order" and insert "orders"; on line 5, after the date "1849", to insert "and November 17, 1882"; on line 6, after the word "Numbered", to strike out "9159" and insert "9151"; after the name "Interior", on line 7, to strike out "and Secretary of the Army are hereby authorized and directed to execute the proper conveyances to Pinellas County, State of Florida" and to insert "is hereby authorized and directed to sell the said land, and to execute the proper conveyances to Pinellas County, State of Florida, with a reservation to the United States of all minerals in said lands and the right to prospect for, mine, and remove the same under regulations prescribed by the Secretary of the Interior. The consideration for such conveyance shall be—

"(a) with respect to that portion of said lands which was originally purchased by said county from the Treasury Department in 1938 and thereafter was reconveyed by it to the War Department in 1941, the sum received by said county from the War Department in consideration of such reconveyance; and

"(b) with respect to the remainder of said lands, 50 percent of the reasonable appraised value thereof, as determined by the Secretary of the Interior", so as to make the bill read:

*Be it enacted, etc.*, That all the right, title, and interest of the United States in and to the following described public lands in the State of Florida, to wit: Lots 1, 2, 3, and 4 of section 5; lots 1 and 2 of section 6; lots 1, 2, and 3 of section 7; lots 1, 2, 3, and 4 of section 8; lots 1 and 2 of section 9; lot 1 of section 17; and lots 1, 2, 3, 4, and 5 of section 18 in township 33 south, range 16 east, together with accretion thereto, shall be conveyed to Pinellas County, State of Florida, when it shall be determined that it is no longer necessary for the purpose for which it was reserved by Presidential orders of March 23, 1849, and November 17, 1882, or is not needed for the purposes as set forth in Executive Order Numbered 9151, April 28, 1942, and that the Secretary of the Interior is hereby authorized and directed to sell the said land, and to execute the proper conveyances to Pinellas County, State of Florida, with a reservation to the United States of all minerals in said lands and the right to prospect for, mine, and remove the same under regulations prescribed by the Secretary of the Interior. The consideration for such conveyance shall be—

(a) with respect to that portion of said lands which was originally purchased by said county from the Treasury Department in 1938 and thereafter was reconveyed by it to the War Department in 1941, the sum received by said county from the War Department in consideration for such reconveyance; and

(b) with respect to the remainder of said lands, 50 percent of the reasonable appraised value thereof, as determined by the Secretary of the Interior.

SEC. 2. The property acquired pursuant to section 1 shall be retained by the said Pinellas County and be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time, in whole or in part or parts, to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### PAYMENTS TO DISTRICTS SERVING THE FORT PECK PROJECT, MONTANA

The bill (H. R. 4201) was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. MILLIKIN. Mr. President, reserving the right to object, the subcommittee on irrigation and reclamation is making a study of this whole subject, and is attempting to evolve a bill which will be applicable to all reclamation projects. I should like to ask the distinguished Senator from Montana [Mr. ECTON] whether in his opinion the enactment of this particular bill would in any sense be considered as a binding precedent, and an exemption for the benefit of this particular project, if we should come up with general and possibly different legislation on the subject.

Mr. ECTON. Mr. President, I appreciate the concern of the very able Senator from Colorado. This particular bill is emergency legislation, and if we could have an over-all bill later which would take care of the situation covered by the bill I am sure none of us would try to construe this measure as permanent and unchangeable. I am sure we would be most willing to make any amendment or any allowance which might be necessary.

Mr. MILLIKIN. I thank the Senator for his observation. I wish to say that the drafts which we are considering would somewhat restrict the scope of this bill, and when we come in with general legislative proposals I should not like to be confronted with any claim that precedents have been established giving any special treatment to any particular project.

Mr. ECTON. I should be willing to let this project stand on its own merits at that time.

Mr. WHERRY. Mr. President, may I inquire of the Senator from Colorado when he expects the general legislation to be reported?

Mr. MILLIKIN. We have been working on it. I have worked on two or three drafts during the past week. It will come out as soon as we have something which we believe is sound. We are not dragging our feet.

Mr. WHERRY. Does the Senator mean that he has in his committee measures providing general legislation on the subject covered by the specific bills?

Mr. MILLIKIN. We have many bills of the same general nature, and it was that fact which caused us to try to evolve a piece of general legislation which would treat all the projects alike. I should object to separate consideration of the bill now under discussion if it were not for the claim of emergency.

Mr. WHERRY. I point out to the distinguished Senator that I am satisfied that some of the specific measures in his committee also involve emergencies similar to the particular emergency spoken of in connection with the bill we are discussing. If there is a general bill to come out of the committee which will take care of the situation at this session, I am glad to know that. Otherwise it seems to me there are other specific instances in which the committee's attention would be required.

Mr. MILLIKIN. We are moving expeditiously, attempting to figure out suitable legislation.

The PRESIDENT pro tempore. Is the Chair to understand that the Senator from Colorado asks that the bill go over?

Mr. MILLIKIN. I do not.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CARLOS RIGGENBACH

The bill (S. 709) for the relief of Carlos Riggenbach, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Carlos Riggenback as of May 5, 1941, the date upon which he was admitted temporarily to the United States as a student. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Switzerland during the current year.

WLADYSLAV PLYWACKI

The bill (S. 1606) for the relief of Wladyslav Plywacki was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of the immigration laws, Wladyslav Plywacki, who served with the United States Army in Europe following his liberation from a German prison camp, and who entered the United States illegally in June 1947, shall be held and considered to have been lawfully admitted to the United States for permanent residence, upon payment of the required visa fee and head tax. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available immigration quotas for nationals of Poland.

SEC. 2. The Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel the outstanding order and warrant of deportation, warrant of arrest, and bond, if any, issued in the case of Wladyslav Plywacki. From and after the date of enactment of this act, the said Wladyslav Plywacki shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or such warrants and order have issued.

THOMAS CAMARDA

The bill (H. R. 2760) for the relief of Thomas Camarda was considered, ordered to a third reading, read the third time, and passed.

HOU CHUNG CHAY

The Senate proceeded to consider the bill (S. 1337) for the relief of Hou Chung Chay, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after the word "permanent" on line 6, to strike out the word "residence" and to insert "residence, upon payment of the required visa fee and head tax. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year in which such quota is available," so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the immigration and naturalization laws, the alien Hou Chung Chay, of New York, N. Y., shall be held and considered to have been lawfully admitted on June 5, 1942, to the United States for permanent residence, upon payment of the required visa fee and head tax. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year in which such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DODA GREENBAUM (BRENNER)

The bill (H. R. 926) for the relief of Doda Greenbaum (Brenner) was considered, ordered to a third reading, read the third time, and passed.

LEON NIKOLAIVICH VOLKOV

The Senate proceeded to consider the bill (H. R. 703) for the relief of Leon Nikolaivich Volkov, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and to insert:

That the Attorney General is hereby authorized and directed to suspend the deportation of Leon Nikolaivich Volkov for a period of 1 year from the effective date of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. ANNA V. REYER AND OTHERS

The bill (S. 1730) for the relief of Mrs. Anna V. Reyer, Alexander A. Reyer, and Vitaly A. Reyer, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, in the administration of the immigration and naturalization laws, Mrs. Anna V. Reyer, who was admitted into the United States on a visitor's visa, and her two sons, Alexander A. Reyer and Vitaly A. Reyer, who were admitted into the United States on student visas, shall be deemed to have been lawfully admitted into the United States for permanent residence as of the date of their last entries.

SEC. 2. Upon enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available quota for nationals of the Soviet Union and two numbers from the nonpreference category of the first available quota for nationals of China.

MRS. CHARLOTTE D. WANG

The bill (H. R. 3640) for the relief of Mrs. Charlotte D. Wang was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF REENTRY PERMITS TO CERTAIN ALIENS

The bill (S. 2349) relating to the issuance of reentry permits to certain aliens, was announced as next in order.

The PRESIDENT pro tempore. The Chair calls attention to the fact that Calendar No. 1406, House bill 5922, relates to the same subject.

Mr. BALDWIN. Mr. President, I move that House bill 5922 be substituted for the Senate bill and be now considered, and that the Senate bill then be indefinitely postponed.

Mr. REVERCOMB. Mr. President——

Mr. McCLELLAN. Reserving the right to object——

The PRESIDENT pro tempore. The Senator from West Virginia is recognized.

Mr. REVERCOMB. I wish to make inquiry of the Senator from Connecticut at this time whether there is not an amendment to the bill.

Mr. BALDWIN. I did not know of an amendment.

Mr. REVERCOMB. Looking at the bills in the bound volume, I find that there is an amendment in the bill.

The PRESIDENT pro tempore. Does the Senator from Connecticut wish to have his motion put?

Mr. BALDWIN. I withdraw the motion. I did not know of the amendment.

Mr. CAPEHART. Let it be passed over temporarily.

The PRESIDENT pro tempore. The bill will be temporarily passed over. Does the Senator from Arkansas wish to be recognized?

Mr. McCLELLAN. I desired to reserve the right to object. I should like to have an explanation of the bill.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

SANTIAGO SOLABARRIETA

The Senate proceeded to consider the bill (S. 765) for the relief of Santiago Solabarrieta, which had been reported from the Committee on the Judiciary with an amendment, to strike out section 3, as follows:

SEC. 3. Notwithstanding any other provision of law, the said Santiago Solabarrieta may be naturalized as a citizen of the United States by taking the oath of allegiance, in the manner prescribed in the naturalization laws, before any court having jurisdiction of the naturalization of aliens.

So as to make the bill read:

*Be it enacted, etc.*, That in the administration of the immigration laws, Santiago Solabarrieta, of Parma, Idaho, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of his actual entry into the United States, upon the payment by him of the visa fee of $10 and the head tax of $8.

SEC. 2. Upon the enactment of this act the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from nonpreference category of the first available Spanish immigration quota.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADMISSION OF PATRICIA SCHWARTZ AND BEATRICE SCHWARTZ

The bill (S. 1739) to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Beatrice Schwartz was announced as next in order.

The PRESIDENT pro tempore. The Chair will say that a House bill (H. R. 5716) covering the same subject, is on the calendar, as Calendar No. 1404.

Mr. LUCAS. Mr. President, House bill 5716 is now on the Senate calendar, after having been passed by the House. As the President pro tempore has said, it covers the same subject matter. I ask unanimous consent that the language of House bill 5716, after the enacting clause, be stricken, and that there be inserted in lieu thereof the language of Senate bill 1739, which is No. 1368 on the calendar.

The PRESIDENT pro tempore. The Senator from Illinois wishes the Senate to proceed with consideration of House bill 5716, and desires to amend that bill? Is that correct?

Mr. LUCAS. Yes, Mr. President.

The PRESIDENT pro tempore. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5716) to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz.

The PRESIDENT pro tempore. The Senator from Illinois has asked unanimous consent that the House bill be amended by striking out all after the enacting clause and inserting the language of Senate bill 1738, as amended by the Committee on the Judiciary.

The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following:

That the Attorney General be, and is hereby, authorized and directed to record the lawful admission for permanent residence of Patricia Schwartz and Beatrice Schwartz, who arrived at the port of New York on May 9, 1947, and that they shall, for all purposes under the immigration laws, be deemed to have been lawfully admitted as immigrants for permanent residence, upon the payment of the visa fee and head tax. The Secretary of State is authorized to instruct the proper control officer to deduct two numbers from the appropriate quota for the first year in which such quota is available.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Illinois.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Beatrice Schwartz."

The PRESIDENT pro tempore. Without objection, Senate bill 1739 will be indefinitely postponed.

Mr. WHERRY. Mr. President, did I understand correctly that the amendment offered by the Senator from Illinois is the language of the Senate bill, as amended by the Committee on the Judiciary?

Mr. LUCAS. The amendment consists of the language of the Senate bill, as reported by the Committee on the Judiciary with an amendment. That language is a little different than the language of the House bill.

Mr. WHERRY. I understand.

Mr. LUCAS. I think the real difference arises from the fact that under the Senate bill these two individuals are charged to the quota.

Mr. WHERRY. As I understand, the amendment to the House bill which was adopted was the Senate bill as amended by the committee?

Mr. LUCAS. That is correct.

The PRESIDENT pro tempore. The language of the Senate bill, as amended by the committee, was substituted for the House language.

Mr. REVERCOMB. Mr. President, in order that I may clearly understand the action which has just been taken, was the language of the Senate bill, as amended by the Committee on the Judiciary, substituted for the House bill, and was it then adopted?

The PRESIDENT pro tempore. That is correct. The language as reported by the Senate committee has been substituted for the language of the House bill, and the House bill, as amended, has been passed.

Mr. REVERCOMB. I thank the President pro tempore. I made that inquiry because some very definite changes were made in the Senate bill by the committee.

### MARKOTO IWAMATSU

The bill (S. 1409) for the relief of Markoto Iwamatsu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That notwithstanding section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 8 U. S. C. 703, 57 Stat. 600), Atsushi Jun Iwamatsu, who rendered outstanding services to the United States Government during the war with Japan, and his wife, Tomoe Iwamatsu, both of whom entered the United States temporarily as visitors in 1939, may be permitted to remain permanently in the United States if they are found to be admissible under the immigration laws other than those relating to persons of races ineligible to naturalization.

SEC. 2. That their 12-year-old son, Markoto Iwamatsu, now presently residing in Japan, may be admitted to the United States for permanent residence if he can qualify for admission under all of the immigration laws other than those relating to persons of races ineligible to citizenship and those laws requiring an immigration visa.

The title was amended so as to read: "A bill for the relief of Markoto Iwamatsu, Atsushi Jun Iwamatsu, and Tomoe Iwamatsu."

### WALTER WERNER TECH

The bill (S. 1964) for the relief of Walter Werner Tech was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel the outstanding order and warrant of deportation, warrant of arrest, and bond, if any, issued in the case of Walter Werner Tech. For and after the date of enactment of this act, the said Walter Werner Tech shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or such warrants and order have issued.

SEC. 2. In the administration of the immigration laws, the said Walter Werner Tech shall be considered as having been lawfully admitted for permanent residence as of the date of his actual entry into the United States on payment of the required visa fee and head tax.

SEC. 3. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available immigration quota for nationals of Germany.

### MICHEL FERAPONTOW

The bill (H. R. 892) for the relief of Michel Ferapontow was considered, ordered to a third reading, read the third time, and passed.

### THEODORE LOETSCH

The bill (H. R. 4484) for the relief of Theodore Loetsch was considered, ordered to a third reading, read the third time, and passed.

### JACOB COHEN

The bill (H. R. 4443) for the relief of Jacob Cohen was considered, ordered to a third reading, read the third time, and passed.

### LAWRENCE EDGAR EDWARDS

The bill (H. R. 2218) for the relief of Lawrence Edgar Edwards was considered, ordered to a third reading, read the third time, and passed.

### NATURALIZATION OF ELIZABETH PICKERING WINN

The bill (S. 83) authorizing the naturalization of Elizabeth Pickering Winn, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, notwithstanding any other provision of law, at any time within 1 year after the date of enactment of this act, Elizabeth Pickering Winn may be naturalized as a citizen of the United States by taking the naturalization oath of allegiance before any court having jurisdiction of the naturalization of aliens, or by taking such oath before any diplomatic or consular office of the United States abroad.

### FILIBERTO A. BONAVENTURA

The bill (H. R. 1916) for the relief of Filiberto A. Bonaventura was considered, ordered to a third reading, read the third time, and passed.

### KAHEI MATSUO

The bill (S. 1364) for the relief of Kahei Matsuo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, in the administration of the immigration and naturalization laws, the Attorney General is authorized and directed to grant to Kihei Matsuo (alien registration number 553367) an extension of stay in the United States for 1 year from the date of enactment of this act.

### DR. TIMOTHY C. H. LIANG AND ESTHER CHANG LIANG

The bill (H. R. 3358) for the relief of Dr. Timothy C. H. Liang and Esther Chang Liang was considered, ordered to

a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1861) to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service," was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1390) to broaden the cooperative-extension system as established in the act of May 8, 1914, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

BENEFITS PAYABLE UNDER LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Senate proceeded to consider the bill (S. 2237) to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act, which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause, and insert:

That subsection (b) of section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b) Compensation for disability shall not exceed $35 per week and compensation for disability shall not be less than $12 per week: *Provided, however,* That if the employee's average wages at the time of injury are less than $12 per week, he shall receive his average weekly wages."

SEC. 2. So much of subdivision (c) of section 8 of such act, as amended, as precedes paragraph (13) thereof and paragraph (22) thereof are amended to read as follows:

"(c) Permanent partial disability: In case of disability partial in character but permanent in quality the compensation shall be 66⅔ percent of the average weekly wages, and shall be paid to the employee, as follows:

"(1) Arm lost, 312 weeks' compensation.

"(2) Leg lost, 288 weeks' compensation.

"(3) Hand lost, 244 weeks' compensation.

"(4) Foot lost, 205 weeks' compensation.

"(5) Eye lost, 160 weeks' compensation.

"(6) Thumb lost, 75 weeks' compensation.

"(7) First finger lost, 46 weeks' compensation.

"(8) Great toe lost, 38 weeks' compensation.

"(9) Second finger lost, 30 weeks' compensation.

"(10) Third finger lost, 25 weeks' compensation.

"(11) Toe other than great toe lost, 16 weeks' compensation.

"(12) Fourth finger lost, 15 weeks' compensation.

"(22) In case of temporary total disability and permanent partial disability, both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the compensation period provided in subdivision (c) of this section: Arm, 32 weeks; leg, 40 weeks; hand, 32 weeks; foot, 32 weeks; eye, 20 weeks; thumb, 24 weeks; first finger, 18 weeks; great toe, 12 weeks; second finger, 12 weeks; third finger, 8 weeks; fourth finger, 8 weeks; toe other than great toe, 8 weeks.

"In any case resulting in loss or partial loss of use of arm, leg, hand, foot, eye, thumb, finger, or toe, where the temporary total disability does not extend beyond the periods above-mentioned for such injury, compensation shall be limited to the schedule contained in subdivision (c).

"In any case in which there shall be a loss of or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively."

SEC. 3. Subsections (a) (b), (c), and (e) of section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, are amended to read as follows:

"(a) Reasonable funeral expenses not exceeding $400.

"(b) If there be a surviving wife or dependent husband and no child of the deceased, to such surviving wife or dependent husband 35 percent of the average wages of the deceased, during widowhood, or dependent widowerhood, with 2 year's compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 15 percent of such wages for each such child; in case of the death or remarrage of such surviving wife or dependent husband, if there be one surviving child of the deceased employee, such child shall have his compensation increased to 35 percent of such wages, and if there be more than one surviving child of the deceased employee, to such children, in equal parts, 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66⅔ percent of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

"(c) If there be one surviving child of the deceased, but no surviving wife or dependent husband, then for the support of such child 35 percent of the wages of the deceased; and if there be more than one surviving child of the deceased, but no widow or dependent husband, then for the support of such children, in equal parts 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66⅔ percent of such wages.

"(d) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $52.50 nor less than $18, but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 4. Subdivisions (a), (b), and (c) of section 10 of the Longshoremen's and Harbor Workers' Act, as amended, are amended to read as follows:

"(a) If the injured employee shall have worked in the employment in which he was working at the time of the injury, whether for the same or another employer, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of 300 times the average daily wage or salary for a 6-day worker and 260 times the average daily wage or salary for a 5-day worker, which he shall have earned in such employment during the days when so employed.

"(b) If the injured employee shall not have worked in such employment during substantially the whole of such year, his average annual earnings, if a 6-day worker, shall consist of 300 times the average daily wage or salary, and, if a 5-day worker, 260 times the average daily wage or salary, which an employee of the same class working substantially the whole of such immediately preceding year in the same or in similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

"(c) If either of the foregoing methods of arriving at the annual average earnings of an injured employee cannot reasonably and fairly be applied, such annual earnings shall be such sums as shall reasonably represent the total annual earnings of such employee derived by him from the industry in which the employee was engaged and from any other industry or industries in which said employee may have been engaged during the year preceding such injury."

SEC. 5. Subsection (m) of section 14 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is hereby amended to read as follows:

"The total compensation payable under this act for injuries shall in no event exceed the sum of $11,000: *Provided,* That this subsection shall not apply to cases of permanent total disability or death: *And provided further,* That with respect to cases arising under paragraph 21 of subsection (c) of section 8 hereof the total compensation payable shall in no event exceed the sum of $9,000."

SEC. 6. The provisions of this act shall be applicable only to injuries or deaths occurring on or after the effective date hereof.

Mr. WHERRY. Mr. President, reserving the right to object, may I ask the distinguished Senator from New York exactly what is proposed to be done under the bill?

Mr. IVES. Mr. President, it does not happen to be my bill. The Senator from Minnesota [Mr. BALL] has done far more work on it than has the Senator from New York. The bill was reported from the committee by the Senator from Minnesota. After long and extensive hearings, in which every angle of the matter contained in the bill has been explored, the bill has now been evolved, upon which there is general agreement, and the bill was reported unanimously by the committee. I yield to the Senator from Minnesota to make an explanation of the bill.

Mr. BALL. Mr. President, this is a bill to amend the Workmen's Compensation Act. It covers longshoremen and harbor workers and also employees in the District of Columbia. The schedule of benefits, and so forth, has not been changed since the act was originally passed in 1927. What we did was to bring it up to the top average of the State workmen's compensation laws, and, as the Senator from New York said, the employers and the employees and the unions involved are all in agreement on the bill.

Mr. WHERRY. Mr. President, I have no objection.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BALL subsequently said: Mr. President, on the call of the Consent Calendar, the bill (S. 2237), amending the Longshoremen's and Harbor Workers' Compensation Act, was passed. At that time I intended, but forgot, to ask unanimous consent that the committee report (No. 1315) on that bill be printed in the RECORD, prior to the passage of the bill. I make the request now, because the

committee report makes clear the intent of the committee in regard to certain sections of the bill.

There being no objection, the report (No. 1315) was ordered to be printed in the RECORD as follows:

REPORT NO. 1315

The Committee on Labor and Public Welfare, to whom was referred the bill (S. 2237), introduced by Mr. IVES, to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act, having considered the same, report favorably thereon, with an amendment, and recommend that the bill, as amended, be adopted.

The amendment made by the committee is as follows:

Strike out all after the enacting clause and insert:

"That subsection (b) of section 6 of the Longshoremen's and Harbor Worker's Compensation Act is amended to read as follows:

"'(b) Compensation for disability shall not exceed $35 per week and compensation for disability shall not be less than $12 per week: *Provided, however,* That if the employee's average wages at the time of injury are less than $12 per week, he shall receive his average weekly wages.'

"SEC. 2. So much of subdivision (c) of section 8 of such act, as amended, as precedes paragraph (13) thereof and paragraph (22) thereof are amended to read as follows:

"'(c) Permanent partial disability: In case of disability partial in character but permanent in quality the compensation shall be 66⅔ percent of the average weekly wages, and shall be paid to the employee, as follows:

"'(1) Arm lost, 312 weeks' compensation.

"'(2) Leg lost, 288 weeks' compensation.

"'(3) Hand lost, 244 weeks' compensation.

"'(4) Foot lost, 205 weeks' compensation.

"'(5) Eye lost, 160 weeks' compensation.

"'(6) Thumb lost, 75 weeks' compensation.

"'(7) First finger lost, 46 weeks' compensation.

"'(8) Great toe lost, 38 weeks' compensation.

"'(9) Second finger lost, 30 weeks' compensation.

"'(10) Third finger lost, 25 weeks' compensation.

"'(11) Toe other than great toe lost, 66 weeks' compensation.

"'(12) Fourth finger lost, 15 weeks' compensation.

"'(22) In case of temporary total disability and permanent partial disability, both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the compensation period provided in subdivision (c) of this section: Arm, 32 weeks; leg, 40 weeks; hand, 32 weeks; foot, 32 weeks; eye, 20 weeks; thumb, 24 weeks; first finger, 18 weeks; great toe, 12 weeks; second finger, 12 weeks; third finger, 8 weeks; fourth finger, 8 weeks; toe other than great toe, 8 weeks.

"'In any case resulting in loss or partial loss of use of arm, leg, hand, foot, eye, thumb, finger, or toe, where the temporary total disability does not extend beyond the periods above-mentioned for such injury, compensation shall be limited to the schedule contained in subdivision (c).

"'In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively.'

"SEC. 3. Subsections (a), (b), (c), and (e) of section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, are amended to read as follows:

"'(a) Reasonable funeral expenses not exceeding $400.

"'(b) If there be a surviving wife or dependent husband and no child of the deceased, to such surviving wife or dependent husband 35 percent of the average wages of the deceased, during widowhood, or dependent widowerhood, with two years' compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 15 percent of such wages for each such child; in case of the death or remarriage of such surviving wife or dependent husband, if there be one surviving child of the deceased employee, such child shall have his compensation increased to 35 percent of such wages, and if there be more than one surviving child of the deceased employee, to such children, in equal parts, 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66⅔ percent of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

"'(c) If there be one surviving child of the deceased, but no surviving wife or dependent husband, then for the support of such child 35 percent of the wages of the deceased; and if there be more than one surviving child of the deceased, but no widow or dependent husband, then for the support of such children, in equal parts 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66⅔ percent of such wages.

"'(d) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $52.50 nor less than $18, but the total weekly compensation shall not exceed the weekly wages of the deceased.'

"SEC. 4. Subdivisions (a), (b), and (c) of section 10 of the Longshoremen's and Harbor Workers' Act, as amended, are amended to read as follows:

"'(a) If the injured employee shall have worked in the employment in which he was working at the time of the injury, whether for the same or another employer, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of 300 times the average daily wage or salary for a 6-day worker and 260 times the average daily wage or salary for a 5-day worker, which he shall have earned in such employment during the days when so employed.

"'(b) If the injured employee shall not have worked in such employment during substantially the whole of such year, his average annual earnings, if a 6-day worker, shall consist of 300 times the average daily wage or salary, and, if a 5-day worker, 260 times the average daily wage or salary, which an employee of the same class working substantially the whole of such immediately preceding year in the same or in similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

"'(c) If either of the foregoing methods of arriving at the annual average earnings of an injured employee cannot reasonably and fairly be applied, such annual earnings shall be such sums as shall reasonably represent the total annual earnings of such employee derived by him from the industry in which the employee was engaged and from any other industry or industries in which said employee may have been engaged during the year preceding such injury.'

"SEC. 5. Subsection (m) of section 14 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is hereby amended to read as follows:

"'The total compensation payable under this act for injuries shall in no event exceed the sum of $11,000: *Provided,* That this subsection shall not apply to cases of permanent total disability or death: *And provided further,* That with respect to cases arising under paragraph 21 of subsection (c) of section 8 hereof the total compensation payable shall in no event exceed the sum of $9,000.'

"SEC. 6. The provisions of this act shall be applicable only to injuries or deaths occurring on or after the effective date hereof."

GENERAL STATEMENT

In view of the increase in wages and cost of living since the enactment in 1927 of the Longshoremen's and Harbor Workers' Compensation Act, a revision of the maximum and minimum compensation rate levels, and of the over-all limitation upon the total of aggregate compensation payments per case, is found necessary to keep pace with such increases and to afford workmen the same relative security, in the event of industrial accident, as they enjoyed in the years following 1927.

According to sources of information available in the United States Department of Labor, wage rates in 1927 averaged 80 cents per hour for longshoremen, while in 1947 such rates averaged $1.75 per hour. Over the same period the cost of living index increased 45 percent. During this period the maximum weekly workmen's compensation rate under the Longshoremen's Act was not increased, but remains today at $25, the rate established in 1927. The $7,500 maximum compensation under the Longshoremen's Act for injury or death, as fixed in 1927, for the same reason affords much less security today.

The committee proposes an adjustment of the compensation rate levels, of the over-all maximum limitation upon compensation, and of the scale of benefits paid to certain beneficiaries in death cases, so as to accomplish upward revision of benefit payments upon a basis which will enable beneficiaries to meet the rising cost of living, which will take into account the general wage increases, and which will in general preserve the relative security value involved.

The committee has not proposed an increase in the maximum and minimum weekly compensation rate levels, or of the total maximum compensation per case, on a percentage basis exactly corresponding with, for instance, the percentage of increase in the hourly wage rate. It has, however, sought to bring the scale of benefits under the act into relative harmony with current economic facts by proposing moderate increases in the maximum weekly rate levels and in the over-all limitation upon maximum aggregate compensation, and by a compensatory liberalization of other features of the act, such as by moderately increasing the benefits payable for the loss or loss of use of members of the body, by moderately increasing the death benefit payable to children, and by removing the over-all limitation upon compensation in cases of death and permanent total disability.

The changes proposed by the committee are long overdue; they should produce equitable results both from the standpoint of employers and employees alike. The following is a sectional analysis of the bill.

*Section 1*

Section 1 of the bill would amend the present section 6 (b) of the Longshoremen's Act by raising from $25 to $35 the maximum weekly compensation rate for disability and by raising from $8 to $12 the minimum weekly compensation rate. Both rates (established in 1927) would thus be increased by approximately 40 percent above present

statutory levels. An increase in the maximum weekly compensation rate to $35 is consistent with similar increases in State workmen's compensation laws made during the past few years.

The other change in this section is of a minor nature and is intended to clarify the present language of the act. The act at present provides that if an employee's wages at time of injury are less than $8 per week, he "shall receive his full weekly wages" as compensation. The committee proposes that this provision read:

"That if the employee's average weekly wages at the time of injury are less than $12 per week, he shall receive his average weekly wages."

This change is necessary to maintain consistency in the computation of compensation, which the act intends in all cases to be predicated upon an employee's average weekly wage, not upon the actual wage at moment of injury.

*Section 2*

Section 2 of the bill proposes to amend the so-called schedule of compensation in section 8 (c) of the Longshoremen's Act pursuant to which indemnities are computed for loss or loss of use of members of the body, such as an arm, leg, hand, foot, eye, etc.

The committee is aware of the decision of the United States Supreme Court in the case of *Baltimore and Philadelphia Steamboat Company* v. *Norton* (284 U. S. 408 (1931)), which held that in cases of protracted disability the compensation for temporary total disability for any period longer than the number of weeks then set forth in section 8 (c) (22) of the act (which will be found repeated in S. 2237) could not be paid at the full rate where there was partial loss or partial loss of use of a member, and that for temporary total disability in cases exceeding the statutory healing period the full weekly rate could not be paid, but only a percentage of such full rate depending upon the percentage of loss or loss of use of the particular member.

The committee intends to provide that an employee should receive compensation for any one or more of the categories of disability set forth in section 8 of the Longshoremen's Act—namely, permanent total disability, permanent partial disability, temporary total disability, and temporary partial disability—and that the receipt of compensation in one category would not affect the right to receive compensation under any other category if the case should ultimately fall therein, providing that in no case shall the limits prescribed in section 5 hereof be exceeded.

The committee intends that the right to compensation for permanent disability payable under the schedule in section 8 (c) of the act shall not impair the employee's right to compensation otherwise provided for in section 8, for other and different character and quality of disability (that is, for temporary total and temporary partial disability), as the law presently provides for. The committee proposes the new indemnity rates as in the nature of a compensatory feature (as above referred to), since the maximum weekly compensation rates have not been revised upward in the bill to the precise extent present wage levels would probably warrant.

*Section 3*

This section of the bill proposes to amend subsections (a), (b), (c), and (e) of section 9 of the Longshoremen's Act.

The first change proposed relates to reasonable funeral expenses. The present act provides only $200 as the maximum amount by which to provide for the burial of an employee. Funeral and burial expenses have, along with living costs, advanced proportionately. While in 1927 the statutory allowance would provide decent burial, the allowance is wholly inadequate today, and therefore the committee recommends that the maximum level for reasonable funeral expenses be adjusted to $400.

The next proposed change in this section of the bill would effect an increase in benefits to children of deceased workmen. The employer's liability for compensation would still remain at the present statutory maximum weekly level of two-thirds of the deceased worker's average weekly wage, as no change has been proposed in this respect. The only change (within and subject to such limitation to two-thirds of the weekly wage) relates to the percentage of the deceased worker's average weekly wage which would be paid as the death benefit to children. Under the act at present, a child living with the surviving widow of the deceased receives 10 percent of the deceased's average weekly wage as such child's death benefit. The committee proposes to increase this to 15 percent. Under the present act, upon the death or remarriage of a widow, any surviving child has his death benefit increased to 15 percent of such wage (subject to such two-thirds over-all limitation). In such cases the present bill provides 35 percent for one child, but for more than one child, to all children, equally, such 35 percent plus 15 percent for each child in excess of one, such increase taking effect after the death or remarriage of the widow. The death benefit for children who become orphans immediately upon the death of a workman would be computed upon the same basis as that for children whose surviving parent had died or remarried—following the same general plan of the present statute, but with such increased percentages of the deceased workman's wage.

The proposed readjustment of the death benefit for children takes into account the greater cost of providing proper and adequate child care under present-day conditions, and is one of the compensatory liberalizing features previously mentioned.

The change proposed in subsection (e) of section 9 of the act (sec. 3 of the bill) is to correlate the basis for computing death benefits with the basis for computing disability benefits under section 6 (b) of the act (first section of the bill). Thus, the maximum weekly compensation rate for disability would be $35, and the same maximum compensation rate would apply as compensation for death (two-thirds of $52.50 being $35). This same correlation is in the present act.

*Section 4*

Section 4 of the bill would amend section 10 (a), (b), and (c) of the present law, which specifies the method of determining the average weekly wage for the purpose of computing disability and death benefits.

The only proposed change in subsection (a) of section 10 of the act would be to include a factor by which to compute the wages of employees working full time in the employment in which they were engaged when injured. In 1927 many employees were employed on a 6-day-week basis. The formula in the act was derived from an older formula in the New York Workmen's Compensation Act which was written at a time, several decades ago, when most employees worked on such 6-day-week basis. As most employees now are employed on a 5-day-week basis, the present statutory basis for computing wages is anarchronistic, thus preventing use of the particular formula in most cases, as it can lawfully be applied only in those cases where employees work a 6-day week. The additional new factor (a 260 multiplier) is provided in the bill so that the particular provision can be made useful ing the 5-day-week employments.

The proposed change in subsection (b) of section 10 of the act carries out the same purpose as that in the change proposed for subsection (a). Subsection (b) relates to employees whose occupation is full time, but through some circumstance the employee himself has not worked the full year (for example, he may have been ill during part of the year, or have been injured shortly after taking the employment). Under this subsection of the act, the wage of another employee in the same or similar employment is used as the measure of the injured employee's capacity to earn. The factors, however, must be consistent with those in subsection (a); hence the 260 multiplier must also be included in subsection (b) to accomplish this result.

Subsection (c) of section 10 of the act would be amended by section 4 of the bill so as to permit the inclusion of all earnings of the injured employee to be taken into account in determining the employee's annual earning capacity. This subsection in the present law is used where the employment itself, in which the injured employee was engaged when injured, does not afford a full year of work. It is also used where the workweek is shorter than 6 days (and would be used where such workweek is also shorter than 5 days under the proposed amendment to this section). Thus subsection (c) applies to seasonal, intermittent, discontinuous, and like employment which affords less than a full workyear or workweek. Under the present law the employee's wage for computation purposes under subdivision (c) is limited to his actual earnings, and those of like employees, working in the same or most similar employment in which the injured employee was engaged. The finding must be as to the injured employee's earning capacity in the particular employment in which he was working when injured.

The measurement of an employee's capacity to earn should not be limited to his earnings in the particular employment in which he was engaged when injured, but should be gaged by what the employee is capable of earning in all employments in which he was employed during the year prior to injury, otherwise harsh results necessarily follow. The proposed change in subsection (c) seeks to avoid such harsh results by permitting consideration of earnings of the employee not only in the employment engaged in when injured, but all other employments in which he worked during the year prior to injury, and is intended to be inclusive of the reasonable value of the employee's services if self-employed during part of such year. The change proposed is consistent with similar change made in the New York workmen's compensation law some years ago, similarly to avoid harsh results, and it is also consistent with parallel provisions in other State workingmen's compensation acts.

*Section 5*

This section of the bill would amend section 14 (m) of the act by removing therefrom the present statutory limitation of $7,500 upon total aggregate compensation for injury or death, and by substituting therefor a new over-all maximum limitation of $11,000 upon compensation for disability, with a sublimitation of $9,000 upon that particular compensation for permanent partial disability which is payable when the case is classified as one in which compensation shall be payable under section 8 (c) (21) of the act, but neither limitation would apply in respect to compensation for permanent total disability and death. The proposed change would not affect the present exclusion of medical costs from the over-all money compensation limitation.

A number of States have no maximum limitation, either as to amount or period of payment, in respect to cases involving permanent total disability and death. In such situations any such limitation is harsh and unrealistic, as it merely shifts the problem of the care of the victim or his dependents from industry (out of which the problem arose) to public or private charity. The

proper placing of the continuing obligation to care for such unfortunates is within the workmen's compensation insurance system, wherein such cases initially arise, and for whose care industry is primarily responsible. Such insurance system is already well adapted to care for such unfortunates and should continue to provide the necessary compensation during the course of permanent total disability, and in death cases for the dependents during the continuance of their dependency status, as already carefully delineated by statute.

The added cost to employers of insuring the obligation for continued compensation in such limited class of cases would be relatively small compared to the total cost of benefits in all employee cases, because of the comparatively few permanent total disability cases which arise, and because of the relatively few death cases and the many statutory features affecting the payment of death benefits (for example, the termination of death benefits upon remarriage of a widow, and the relative frequency of remarriage).

The proposed over-all limitation of $11,000 upon total compensation for disability (except as to cases determined under sec. 8 (c) (21) of the act), will provide a ceiling approximately sufficient to provide the compensation for a major amputation. For example, under the proposed new schedule an employee losing an arm would be entitled to 312 weeks' compensation. If he should be entitled to the maximum weekly compensation of $35, by reason of his wage rate, he would receive 312 times $35 or $10,920 in weekly installments. With the $11,000 ceiling only $80 would remain available to cover any period of temporary total disability in excess of the schedule set forth in section 8 (c) (21) (which in many cases would run longer than the 2⅓ weeks' loss of time which such $80 would represent).

In proposing the removal of the maximum limitation upon compensation in respect to permanent total disability cases and death cases, the committee not only considered the desirability of bringing the Longshoreman's Act into line with other Federal (the Employees' Compensation Act of September 7, 1916, which never contained any such limitation) and State workmen's compensation acts, but considered the removal of the limitation in part compensatory in nature, as to some extent offsetting the maximum weekly compensation rate, which it approved, which is at a point somewhat lower than that which perhaps could be justified by current wage and cost-of-living indexes.

If the amendments proposed for the Longshoremen's Act should be enacted, it will not be necessary to make any changes to accomplish similar revisions of the workmen's compensation laws for the District of Columbia and for employees of Government contractors working outside the continental United States. Any changes enacted in respect to the Longshoremen's Act automatically bring employees in the District of Columbia and employees of Government contractors working outside the continental United States under such law by reason of the extension of the Longshoremen's Act as the basic workmen's compensation law for such District and contractors' employees.

### EMANUEL CARINOS

The Senate proceeded to consider the bill (S. 933) for the relief of Emanuel Carinos, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "permanent", to strike out "admission." and insert "admission, upon the payment by him of the visa fee and head tax", so as to make the bill read:

*Be it enacted, etc.*, That notwithstanding any provision of the immigration laws, the temporary admission to the United States of Emanuel Carinos, a native of Greece, at the port of New York, New York, on November 25, 1925, is hereby declared a record of permanent admission, upon the payment by him of the visa fee and head tax. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Greek quota of the first year that the said Greek quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### PETER DROZD

The Senate proceeded to consider the bill (S. 660) for the relief of Peter Drozd, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the words "entered the", to strike out "United States" and insert "United States, upon the payment by him of the visa fee and head tax"; and on page 2, line 1, after the name "Drozd." to insert "upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that said quota is available", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the immigration laws, Peter Drozd shall be held and considered to have been lawfully admitted to the United States for permanent residence on the date on which he entered the United States, upon the payment by him of the visa fee and head tax.

SEC. 2. The Attorney General is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued, and to discontinue any deportation proceedings which may have been commenced, in the case of the said Peter Drozd. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that said quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### BILL PASSED OVER

The bill (H. R 5310.) to authorize the admission into the United States of persons of races indigenous to Siam and make them racially eligible for naturalization, was announced as next in order.

Mr. McCLELLAN. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. MAGNUSON. Mr. President, may I ask who it was that requested that the bill be passed over?

Mr. McCLELLAN. Mr. President, I asked that the bill go over. I did so on behalf of the Senator from Georgia [Mr. RUSSELL], who has left the Senate Chamber temporarily. He will be back in a few minutes. Does the Senator from Washington wish the bill go to the end of the calendar?

Mr. MAGNUSON. I shall wait until the Senator from Georgia returns before I ask that the bill be considered.

Mr. McCLELLAN. I made the request to accommodate the Senator from Georgia.

The PRESIDENT pro tempore. The bill has been passed over.

### JOYCE VIOLET ANGEL

The Senate proceeded to consider the bill (S. 2059) to the relief of Joyce Violet Angel, which has been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and to insert:

That, for the purpose of the Immigration and Naturalization laws, Miss Joyce Violet Angel, a resident of Alexandria, Egypt, shall be deemed to be a native of Great Britain.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### RELIEF OF CERTAIN BASQUE ALIENS

The Senate proceeded to consider the bill (S. 158) for the relief of certain Basque aliens, which has been reported from the Committee on the Judiciary with an amendment on page 2, line 4, after the words "quota is" to strike out "availiable" and insert "available", so as to make the bill read:

*Be it enacted, etc.*, That the Attorney General of the United States is hereby authorized and directed to cancel deportation proceedings in the cases of Gaspar Ybarzabal, Pedro Ybarzabal, and Antonio Monasterio, all of Ontario, Oreg., legally admitted as seamen but who have remained in the United States longer than permitted by law and regulations, and that these aliens shall be considered as having been admitted for permanent entry as of the date of their actual entry on the payment of the visa fees of $10 and head taxes of $8 per person.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the Spanish quota for the first year that the said Spanish quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### BILL PASSED OVER

The bill (S. 2589) to provide for extension of the terms of office of the present members of the Atomic Energy Commission, was announced as next in order.

Mr. BARKLEY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

### DAMAGES RESULTING FROM EXPLOSIONS AT PORT CHICAGO, CALIF.

The Senate proceeded to consider the bill (H. R. 669) to provide a method of paying all unsettled claims for damages sustained as a result of explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 12, after the word "investigated" to strike out "and settled under authority hereof in the respective amounts recommended by the Secretary of the Navy," and insert "and reported to the Congress with recommendations by the Secretary of the Navy in accordance with the provisions of said Public Law 423."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy."

CAFFEY ROBERTSON-SMITH, INC.

The bill (H. R. 350) for the relief of Caffey Robertson-Smith, Inc., was considered, ordered to a third reading, read the third time, and passed.

CONSOLIDATED STEEL CORP., OF LOS ANGELES, CALIF.

The bill (H. R. 4377) for the relief of the Consolidated Steel Corp., of Los Angeles, Calif., was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARET K. CAHN

The bill (H. R. 3526) for the relief of Mrs. Margaret K. Cahn, was considered, ordered to a third reading, read the third time, and passed.

HARBOR BOAT BUILDING CO. AND OTHERS

The bill (H. R. 4379) for the relief of the Harbor Boat Building Co., the Wilmington Welding & Boiler Works, and B & R Machine Works, of Los Angeles, Calif., was considered, ordered to a third reading, read the third time, and passed.

MRS. LULA WILSON NEVERS

The Senate proceeded to consider the bill (H. R. 1508) for the relief of Mrs. Lula Wilson Nevers, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the words "United States", to strike out "as the result of renting one Link-Belt crawler crane under equipment rental agreement No. 75, to the Iowa ordnance plant and Kansas ordnance plant of the War Department, said agreement entered into April 29, 1941," and insert "out of the rental of one Link-Belt crawler crane under rental agreement No. 75, entered into April 29, 1941, and the use and handling of such crane at and during shipment between the Iowa ordnance plant and Kansas ordnance plant of the War Department."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1508) was read the third time and passed.

WARREN H. McKENNEY

The Senate proceeded to consider the bill (S. 873) for the relief of Warren H. McKenney, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the words "sum of", to strike out "$25,000" and insert "$8,660", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren H. McKenney, of Chicago, Ill., the sum of $8,660, in full satisfaction of his claims against the United States (1) for compensation for personal injuries sustained by him as a result of an automobile accident which occurred on November 22, 1945, near Antwerp, Belgium, when the automobile in which he was a passenger was struck by a United States Army vehicle, and (2) for compensation for the death of his wife, Anita R. McKenney, as a result of such accident, and (3) for reimbursement for medical and hospital expenses incurred by him as a result of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LYDIA A. THOMPSON

The bill (S. 1303), for the relief of Lydia A. Thompson, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the requirements of sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in the case of the late William M. Thompson, formerly employed by the War Department as a construction manager at Nitro, W. Va., who died on May 10, 1918, as a result of typhoid fever contracted by him while an employee in such capacity, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim which may be filed with the Commission by Lydia A. Thompson, widow of said William M. Thomspon, within 1 year from the date of the enactment of this act, for compensation under the provisions of such act of September 7, 1916, as amended, for the death of said William M. Thompson; but compensation, if any, shall commence from and after the date of the passage of this act.

COLBERT H. CANNON

The bill (H. R. 2384) for the relief of Colbert H. Cannon, was considered, ordered to a third reading, read the third time, and passed.

FLOOD LOSSES AT MEAD, NEBR.

The bill (S. 424) for the relief of certain persons who suffered losses as the result of floodwaters in the vicinity of the Nebraska Ordnance Plant at Mead, Saunders County, Nebr., was announced as next in order.

Mr. CORDON. Mr. President, may we have an explanation of the bill, with particular reference to whether the losses were caused by action of the Government in any respect?

Mr. BUTLER. Mr. President, I do not have the details before me, but the bill presently under consideration simply authorizes those who think they have suffered damage to bring suit in the district court. We are not settling any of the claims in the Senate.

Mr. CORDON. Mr. President, the question is, Do those people claim to have been damaged by virtue of any act of negligence on the part of the Government?

Mr. BUTLER. I assume so, because there is a large Government plant located nearby. The bill simply grants jurisdiction to the Federal court there to hear claims for damages by local people.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CORDON. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the United States District Court for the District of Nebraska, to hear, determine, and render judgment upon the claims of the following-named persons, all of Saunders County, Nebr., against the United States for loss of or damage to their corn crops as a result of the flooding in April, May, and June, 1944, of the properties owned or rented by such persons as a result of an excessive flow of water in Silver Creek which followed the construction by the War Department of a drainage ditch from the Nebraska Ordnance Plant to such creek: John J. Higgins, Frank Higgins, Mrs. Agnes Kelly, Leonard G. Cameron, Dr. Daniel Dieter, Frank J. Dieter, Kenneth Rogers, Amanda Scheuneman Coderre, and Joseph Trpisovsky.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any negligent or wrongful acts or omissions of any of its officers or employees, to the same extent as if the United States were a private person in accordance with the law of the place where the acts or omissions occurred.

SEC. 3. Notwithstanding any statute of limitation or lapse of time, suit upon such claims may be instituted by the claimants within 1 year after the date of enactment of this act. Proceedings for the determination of such claim and review thereof, and payment of any judgment thereon, shall be had as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read "A bill conferring jurisdiction upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claims of John J. Higgins, and others."

SUBSTITUTE FOR JUDGE AGAINST WHOM AFFIDAVIT OF PERSONAL BIAS AND PREJUDICE HAS BEEN FILED

The bill (S. 1476) to require the designation by the senior circuit judge of another judge to sit in the place of any judge against whom an affidavit of personal bias and prejudice has been filed was announced as next in order.

Mr. CORDON. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. CORDON subsequently said: Mr. President, I objected to the consideration of Senate bill 1476, Calendar 1398, in the belief that it had to do with a matter which might possibly be covered by a comprehensive bill later to be reported. I am advised that that is not the case, and I withdraw my objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the blil, which had

been reported from the Committee on the Judiciary with an amendment on page 1, at the end of line 11, to strike out "18" and insert "13", so as to make the bill read:

*Be it enacted, etc.,* That the first sentence in section 21 of the Judicial Code (U. S. C., title 28, sec. 25) is amended to read as follows: "Whenever a party to any action or proceeding, civil or criminal, shall make and file an affidavit that the judge before whom the action or proceeding is to be tried or heard has a personal bias or prejudice either against him or in favor of any opposite party to the suit, such judge shall proceed no further therein, and another judge shall be designated in accordance with the provisions of section 13 to hear such matter."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2664) to authorize the Indian Claims Commission to hear and determine certain claims of the Indians of California was announced as next in order.

Mr. FERGUSON. Over.

The PRESIDENT pro tempore. The bill will be passed over.

FRED E. GROSS

The Senate proceeded to consider the bill (H. R. 2131) for the relief of Fred E. Gross, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear and determine on the merits and to render, in accordance therewith, judgment upon the claim of Fred E. Gross, of Lonoke, Ark., against the United States, arising under or growing out of the use by the United States in ordnance plants of a packing box for vane assemblies and bomb fuzes, which box was originated, designed, and patented (shown and described in his patent No. 2,389,358) by said Fred E. Gross. The Court of Claims is directed to hear, determine, and render judgment upon the said claim, notwithstanding any prior administrative determination, any statute of limitation, or any provision of law which would otherwise bar this action, or any provision or rule of law which would otherwise bar a Federal employee from instituting such action; and the citation for distinguished service issued Fred E. Gross is not to be considered as compensation or sufficient award or in lieu of compensation.

SEC. 2. Any suit upon such claim brought under the provisions of this act shall be instituted within 1 year from the date of enactment of this act. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JAMES M. DINGWALL, JR., AND OTHERS

The bill (H. R. 3644) for the relief of James M. Dingwall, Jr.; Aileen Reynolds; Bert Woolslayer; and Mrs. Maisie Purser Davis was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF CERTAIN DOMICILIARY FACILITIES BY THE VETERANS' BUREAU

The Senate proceeded to consider the bill (S. 1035) to provide for the acquisition of the hospital at Camp White, Medford, Oreg., for use as a domiciliary facility by the Veterans' Administration, which had been reported from the Committee on Labor and Public Welfare with an amendment, on page 1, after line 8, to insert:

SEC. 2. That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Clinton, Iowa, and known as Schick General Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

So as to make the bill read:

*Be it enacted, etc.,* That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Camp White, Medford, Oreg., and known as Camp White Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

SEC. 2. That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Clinton, Iowa, and known as Schick General Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration."

AMENDMENT OF HAWAIIAN HOMES COMMISSION ACT

The bill (H. R. 5173) to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands was announced as next in order.

Mr. MAGNUSON. Mr. President, I notice from the RECORD that apparently the same bill was passed on a previous call of the calendar.

The PRESIDENT pro tempore. The Chair is advised that was a different bill.

Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILLS AND RESOLUTION PASSED OVER

The bill (H. R. 5922) relating to the issuance of reentry permits to certain aliens was announced as next in order.

Mr. FERGUSON. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6318) to amend section 3 of the Standard Time Act of March 19, 1918, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 239) reaffirming the policy of the United States to achieve international peace and security through the United Nations and indicating certain objectives to be pursued was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The resolution will be passed over.

NATION-WIDE PRAYER FOR PEACE

The joint resolution (S. J. Res. 217) requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.,* That the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Memorial Day, 1948, by praying, each in accordance with his religious faith, for permanent peace; designating a period during such day in which all the people of the United States may unite in prayer for a permanent peace, calling upon all the people of the United States to unite in prayer at such time; and calling upon the newspapers, radio stations, and all other mediums of information to join in observing such day and period of prayer.

LIMITATION OF LIABILITY OF CERTAIN PERSONS NOT IN POSSESSION OF AIRCRAFT

The bill (S. 2455) to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft was announced as next in order.

Mr. CORDON. Mr. President, may we have an explanation of the bill?

Mr. BREWSTER. Mr. President, at the present time there is some question whether, under the laws of 10 States, one who has a mortgage on an airplane may not be liable for damages in the case of an accident or collision. Such liability seems entirely unwarranted, and the purpose of the bill is to protect such persons.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401, and the following), is further amended by inserting, immediately following section 503 thereof, the following new section:

"SEC. 504. No person having a security interest in, or security title to, any civil aircraft under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature, and no lessor of any such aircraft under a bona fide lease of 30 days or more, shall be liable by reason of such interest or title, or by reason of his interest as lessor or owner of the aircraft so leased, for any injury to or death of persons, or damage to or loss of property, on the surface of the earth (whether on land or water) caused by such aircraft, or by the ascent, descent, or flight of such aircraft or by the dropping or falling of an object

therefrom, unless such aircraft is in the actual possession or control of such person at the time of such injury, death, damage, or loss."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECORDING OF TITLE, ETC., WITH RESPECT TO CERTAIN AIRCRAFT

The Senate proceeded to consider the bill (S. 2454) to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, to strike out all after the enacting clause and insert:

That section 1 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401), is amended by changing the number of paragraph (31) to (32), and by inserting, immediately following paragraph (30), the following new paragraph (31):

"(31) 'Spare parts' means parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto."

SEC. 2. Paragraph (17) of section 1 of such act is amended to read as follows:

"(17) 'Conditional sale' means (a) any contract for the sale of an aircraft, aircraft engine, propeller, appliance, or spare part under which possession is delivered to the buyer and the property is to vest in the buyer at a subsequent time, upon the payment of part or all of the price, or upon the performance of any other condition or the happening of any contingency; or (b) any contract for the bailment or leasing of an aircraft, aircraft engine, propeller, appliance, or spare part, by which the bailee or lessee contracts to pay as compensation a sum substantially equivalent to the value thereof, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner thereof upon full compliance with the terms of the contract. The buyer, bailee, or lessee shall be deemed to be the person by whom any such contract is made or given."

SEC. 3. Section 503 of such act (U. S. C., title 49, sec. 523) is amended to read as follows:

"SEC. 503. (a) The Administrator shall establish and maintain a system for the recording of each and all of the following:

"(1) Any conveyance which affects the title to, or any interest in, any civil aircraft of the United States;

"(2) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any specifically identified aircraft engine or engines of 750 or more rated take-off horsepower for each such engine or the equivalent of such horsepower, and also any assignment or amendment thereof or supplement thereto;

"(3) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any aircraft engines, propellers, or appliances maintained by or on behalf of an air carrier certificated under section 604 (b) of this act for installation or use in aircraft, aircraft engines, or propellers, or any spare parts maintained by or on behalf of such an air carrier, which instrument need only describe generally by types the engines, propellers, appliances, and spare parts covered thereby and designate the location or locations thereof; and also any assignment or amendment thereof or supplement thereto.

"(b) The Administrator shall also record under the system provided for in subsection (a) of this section any release, cancellation, discharge, or satisfaction relating to any conveyance or other instrument recorded under said system.

"(c) No conveyance the recording of which is provided for by section 503 (a) (1) made on or after August 22, 1938, and no instrument the recording of which is provided for by section 503 (a) (2) or section 503 (a) (3) made on or after the effective date of this section, shall be valid in respect of such aircraft, aircraft engine or engines, propellers, appliances, or spare parts against any person other than the person by whom the conveyance or other instrument is made or given, his heir or devisee, or any person having actual notice thereof, until such conveyance or other instrument is filed for recordation in the office of the Administrator. For the purposes of this subsection (c), such conveyance or other instrument shall take effect from the time and date of its filing for recordation, and not from the time and date of its execution.

"(d) Each conveyance or other instrument recorded by means of or under the system provided for in subsection (a) or (b) of this section shall from the time of its filing for recordation be valid as to all persons without further or other recordation, except that an instrument recorded pursuant to section 503 (a) (3) shall be effective only with respect to those of such items which may from time to time be situated at the designated location or locations and only while so situated: *Provided,* That an instrument recorded under section 503 (a) (2) shall not be effected as to the engine or engines specifically identified therein, by any instrument theretofore or thereafter recorded pursuant to section 503 (a) (3).

"(e) No conveyance or other instrument shall be recorded unless it shall have been acknowledged before a notary public or other officer authorized by the law of the United States, or of a State, Territory, or possession thereof, or the District of Columbia, to take acknowledgement of deeds.

"(f) The Administrator shall keep a record of the time and date of the filing of conveyances and other instruments with him and of the time and date of recordation thereof. He shall record conveyances and other instruments filed with him in the order of their reception, in files to be kept for that purpose, and indexed according to—

"(1) the identifying description of the aircraft or aircraft engine, or in the case of an instrument referred to in section 503 (a) (3), the location or locations specified therein; and

"(2) the names of the parties to the conveyance or other instrument.

"(g) The Administrator is authorized to provide by regulation for the endorsement upon certificates of registration, or aircraft certificates, of information with respect to the ownership of the aircraft for which each certificate is issued, the recording of discharges and satisfactions of recorded instruments, and other transactions affecting title to or interest in aircraft, aircraft engines, propellers, appliances, or parts, and for such other records, proceedings, and details as may be necessary to facilitate the determination of the rights of parties dealing with civil aircraft of the United States, aircraft engines, propellers, appliances, or parts.

"(h) The person applying for the issuance or renewal of an airworthiness certificate for an aircraft with respect to which there has been no recordation of ownership as provided in this section shall present with his application such information with respect to the ownership of the aircraft as the Administrator shall deem necessary to show the persons who are holders of property interests in such aircraft and the nature and extent of such interests."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAUSES AND CHARACTERISTICS OF THUNDERSTORMS AS RELATED TO SAFETY IN AVIATION

The Senate proceeded to consider the bill (S. 2456) to provide safety in aviation and to direct an investigation of the causes and characteristics of thunderstorms, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 1, line 4, after the word "to" to strike out "investigate" and insert "study"; in line 5, after "thunderstorms" to insert "hurricanes, cyclones, and other severe atmospheric disturbances"; in line 8, after the word "of" to insert "updrafts and"; on page 2, line 4, after the word "Such" to strike out "investigation" and insert "study"; and in line 8, after the words "course of the" to strike out "investigation" and insert "study", so as to make the bill read:

*Be it enacted, etc.,* That the Chief of the Weather Bureau is authorized and directed to study fully and thoroughly the internal structure of thunderstorms, hurricanes, cyclones, and other severe atmospheric disturbances, particularly the degree of turbulence within such storms and the development, maintenance, and magnitude of updrafts and downdrafts with a view to establishing methods by which the characteristics of particular thunderstorms may be forecast and methods by which the characteristics of such storms may be determined on visual observation from outside of the immediate thunderstorm area. Such study shall be concluded at the earliest practicable date and a final report submitted to Congress. The Chief of the Weather Bureau shall make interim reports to Congress at least annually during the course of the study.

SEC. 2. The Chief of the Weather Bureau is empowered to make such expenditures at the seat of government and elsewhere as may be necessary to carry out the purposes of this act and as from time to time may be appropriated for by Congress, including expenditures for the development and purchase of special meteorological instruments and other equipment (including motor vehicles and aircraft), without regard to the provisions of section 3709 of the Revised Statutes. There is hereby authorized to be appropriated such sums as are necessary for the purpose of carrying out the provisions of this act.

SEC. 3. Any executive department or independent establishment is hereby authorized to cooperate with the Chief of the Weather Bureau in carrying out the purposes of this act, and for such purposes may lend or transfer to the Chief of the Weather Bureau any officer or employee of such department or establishment and any property, equipment, lands, or buildings under its control.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances."

SERVICE CREDIT TO CERTAIN COAST GUARD ENLISTED MEN

The bill (H. R. 4804) to allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941 was considered, ordered to a third reading, read the third time, and passed.

TEMPORARY APPOINTMENT OF COAST GUARD COMMISSIONED OFFICERS

The bill (H. R. 4817) to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the Eightieth Congress), was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4112) to provide for the acceptance and use of funds for support of the National Weather Service supplementing the funds appropriated for the operation of the Weather Bureau of the Department of Commerce was announced as next in order.

SEVERAL SENATORS. Over.

Mr. MAGNUSON. Mr. President, may I ask what Senator objected?

The PRESIDENT pro tempore. The Chair is not advised.

Mr. BALL. Mr. President, I was one of those who objected.

Mr. MAGNUSON. If the Senator will withhold his objection, I think I can explain the bill satisfactorily.

Mr. BALL. I prefer to have the bill go over, because, as I read it, it grants the Weather Bureau certain authority to engage in competition with private meteorologists. We heard a great deal of complaint on that score, under the present law, before the appropriations subcommittee. I certainly would want to go into the subject much more thoroughly than could be done now.

The PRESIDENT pro tempore. The bill will be passed over.

BASIC AUTHORITY FOR CERTAIN FUNCTIONS AND ACTIVITIES OF THE WEATHER BUREAU

The bill (H. R. 4426) to provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes, was announced as next in order.

Mr. BALL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. MAGNUSON. Mr. President, I think I can make a satisfactory explanation of the bill. I hope the Senator will not persist in his objection.

The House Committee on Interstate and Foreign Commerce held public hearings on this bill. It was reported favorably on January 20, 1948, and passed the House without objection on February 3, 1948. No one has offered any objection to it.

The purpose of the bill is to provide basic authority for certain functions and activities of the Weather Bureau. The report of the House committee (H. Rept. 1256), explains in detail what those functions and activities are.

The bill was drafted by the Department of Commerce and it has the approval of that Department as well as the approval of the Bureau of the Budget. It should be noted that when the Secretary of Commerce submitted a draft of this proposed legislation to the Congress he stated in his letter of transmittal, which is printed in the House committee report, that—

All the items enumerated in this proposed bill may be found in the appropriation acts for the Department of Commerce, 1947 and 1948.

The PRESIDENT pro tempore. Is there objection to the present consideration of House bill 4426?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 4427) to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes, was announced as next in order.

Mr. CORDON. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4393) to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes, was announced as next in order.

Mr. LANGER. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 162) to rescind certain orders of the Secretary of the Interior establishing Indian reservations in the Territory of Alaska was announced as next in order.

Mr. O'MAHONEY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

ESTABLISHMENT OF CIVIL AIR PATROL

The Senate proceeded to consider the bill (H. R. 5298) to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes, which had been reported from the Committee on Armed Services with amendments.

The first amendment of the Committee on Armed Services was at the top of page 2, to strike out:

(a) to make available to Civil Air Patrol by gift or by loan, sale, or otherwise, with or without charge therefor, obsolete or surplus aircraft, aircraft parts, and other matériel, supplies, equipment, and facilities of the Air Force Establishment;

(b) to permit utilization, with or without charge therefor, of supplies, matériel, equipment, and facilities of the Air Force Establishment which, in the opinion of the Secretary of the Air Force, are required by Civil Air Patrol in carrying out its mission.

And insert:

(a) to make available to Civil Air Patrol by gift or by loan, sale, or otherwise, with or without charge therefor, obsolete or surplus aircraft, aircraft parts, matériel, supplies, and equipment of the Air Force Establishment;

(b) to permit utilization of such facilities of the Air Force Establishment as, in the opinion of the Secretary of the Air Force, are required by Civil Air Patrol to carry out its mission;

(c) to furnish to Civil Air Patrol such quantities of gasoline and oil as may be required by it for the purpose of carrying out any specifically assigned mission.

The amendment was agreed to.

The next amendment was, on page 2, at the beginning of line 22, to strike out "(c)" and insert "(d)"; and on page 3, at the beginning of line 3, to strike out "(d)" and insert "(e)."

The amendment was agreed to.

The next amendment was, on page 3, line 10, after the name "Civil Air Patrol" to strike out "and to issue to Civil Air Patrol such property of the Air Force Establishment as he may deem necessary for the efficient performance of such services."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECORDING AND RELEASING OF LIENS ON MOTOR VEHICLE TITLES

The bill (S. 2406) to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940 (54 Stat. 739), as amended, is amended to read as follows:

"SEC. 12. The fee for recording liens or assignments of liens upon a certificate shall be the sum of $1 for each lien or assignment of lien on each motor vehicle or trailer contained in the instrument, which fee shall include the charge for recording the release of such lien."

SEC. 2. Notwithstanding the provisions of section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes", approved July 2, 1940, as amended by the first section of this act, there shall be a fee of 50 cents for recording the release of a lien which is recorded under the provisions of such act of July 2, 1940, as amended, prior to the date of enactment of this act and no assignment of which is recorded under the provisions of such act of July 2, 1940, as amended, after the date of enactment of this act.

DISTRICT OF COLUMBIA ARMORY BOARD

The Senate proceeded to consider the bill (H. R. 5874) to establish a District of Columbia Armory Board, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment on page 2, in line 4, after the word "Militia," to strike out "and the Architect of the Capitol." and insert "and a third person not employed by the Federal or District Governments who shall be appointed by the Chairmen of the District of Columbia Committees of the United States Senate and the United States House of Representatives for a term of 3 years."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ROMAN CATHOLIC ARCHBISHOP OF WASHINGTON

The bill (H. R. 6203) to incorporate the Roman Catholic Archbishop of Washington a corporation sole, was considered, ordered to a third reading, read the third time, and passed.

QUARTERING OF TROOPS PARTICIPITING IN INAUGURAL CEREMONIES

The joint resolution (H. J. Res. 381) to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies of 1949, was considered, ordered to a third reading, read the third time, and passed.

PROTESTANT EPISCOPAL CATHEDRAL FOUNDATION OF THE DISTRICT OF COLUMBIA

The bill (H. R. 6209) to amend an act entitled "An act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia", approved January 6, 1893, as amended, was considered, ordered to a third reading, read the third time, and passed.

GRANTING OF PERMITS BY COMMITTEE ON INAUGURAL CEREMONIES

The joint resolution (H. J. Res. 380) authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

TREATMENT OF SEXUAL PSYCHOPATHS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 6071) to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, on page 5, in line 1, after the word "convicted", to strike out "of committing any other unnatural or perverted sexual act with any other person or animal" and insert "of having carnal copulation in an opening of the body except sexual parts with another person."

The amendment was agreed to.

The next amendment was, on page 5, in line 18, after the words "may be", to insert *"Provided,* That the accused, on motion, shall be entitled to be furnished with a bill of particulars, setting forth the particular acts which constitute the offense charged."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECOURSE BY CARRIERS IN CASES OF LOSS

The bill (H. R. 3730) to amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law, was announced as next in order.

Mr. FERGUSON. Mr. President, may we have an explanation of the bill?

Mr. REED. Mr. President, at the present time, a shipper whose goods are damaged may collect the cost of the damage from either the first carrier, the initiating carrier, or the last carrier. If the damage occurs on an intermediate carrier, either the originating carrier or the terminating carrier, as the case may be, recovers from the intermediate carrier, but recovers only the actual damage. Of course, some expense is involved where a lawsuit must be brought by one carrier against another. This bill permits the originating or terminating carrier also to include the expense incurred in the course of collection of the damage.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF EASTERN AVENUE, DISTRICT OF COLUMBIA

The bill (S. 2040) to permit certain property owners to file objections and exceptions to awards of damages and assessments of benefits growing out of condemnation proceedings for the extension of Eastern Avenue in the District of Columbia, and for other purposes, was announced as next in order.

Mr. LANGER. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. McGRATH. Mr. President, may I inquire what Senator objected to consideration of the bill?

The PRESIDENT pro tempore. The Senator from North Dakota [Mr. LANGER] objected.

Mr. McGRATH. I should like to explain the bill to the Senator, if he will withhold his objection for that purpose.

The PRESIDENT pro tempore. Does the Senator from North Dakota withhold his objection.

Mr. LANGER. Yes, indeed.

The PRESIDENT pro tempore. The Senator from Rhode Island is recognized for 5 minutes.

Mr. McGRATH. Mr. President, this bill is designed to rectify certain injustices and inequities which occurred to 11 home owners in the District of Columbia as a result of the construction by the District of Columbia of Eastern Avenue.

What happened was that in 1939 the District of Columbia condemned certain property on Eastern Avenue, and an award of damages was made at that time. The award included the cost of these property owners of building retaining walls which would be necessary, inasmuch as when the cut was made, their houses would be left on very high precipices. Awards were made at that time.

Then the war came along, and the District of Columbia was unable to proceed with the construction of Eastern Avenue. After the war was over, the District of Columbia constructed the highway as originally planned, leaving these property owners with their houses up on very high banks. Obviously, the cost of building the retaining walls had doubled from the time when the property owners received the original awards. It was impossible for them to build the retaining walls until the District of Columbia built the highway, and the District of Columbia could not build the highway until the war had concluded.

It is only a matter of common justice that some recompense be made for that peculiar situation. So the committee has reported a bill which makes an appropriation of approximately $29,000, all of which is agreed to by the District of Columbia engineers as being fair, just, and equitable, in order to pay the property owners concerned for the damage their property has sustained.

I think in all fairness we should pass the bill, in order to do justice to these particular property owners.

Mr. LANGER. Mr. President, I withdraw my objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause, and insert:

That, in order to provide relief for the owners of certain properties abutting Eastern Avenue in the District of Columbia, which properties were involved in condemnation case numbered 2611 in the District Court of the United States for the District of Columbia, wherein the owners of such properties were awarded damages as a result of bringing to grade of the proposed Eastern Avenue, which damages have become inadequate because of increased construction costs during the war period, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury of the United States to the credit of the District of Columbia, upon certification by the Commissioners of the District of Columbia of the amounts payable, to the owner of each parcel of real property enumerated in section 2 of this act, an amount equal to the actual cost of constructing a retaining wall and steps in front of such parcel, not exceeding, however, the amount set forth in section 2 after the number of such parcel. Upon completion of the construction, by private contractors, of the retaining wall and steps for each parcel, the Commissioners of the District of Columbia shall certify to the Secretary the amount payable to the owner of said parcel under the provisions of this act.

SEC. 2. The parcels of real property referred to in the first section and the maximum amount payable to the owner of each parcel are as follows:

| Parcel number at condemnation | Parcel number at present time | Maximum amount to be paid to property owner |
|---|---|---|
| 127/25 | 127/42 | $3,961.00 |
| 127/27 | 127/40 | 3,600.00 |
| 127/23 | 127/38 | 3,020.00 |
| 127/7 | 127/60 | 2,620.00 |
| 116/21 | 116/46 | 4,083.60 |
| 116/28 | 116/42 | 2,103.86 |
| 116/27 | 116/40 | 2,067.86 |
| 116/22 | 116/38 | 2,741.01 |
| 116/23 | 116/47 | 2,443.00 |
| 116/25 | 116/34 | 2,487.00 |
| 116/26 | 116/32 | 400.00 |
| Total | | 29,527.33 |

SEC. 3. All walls and steps, payment for which is authorized by this act, shall be designed and constructed in accordance with applicable regulations in force in the District of Columbia, and all construction shall be performed under permit or permits issued by the appropriate officials of the Government of the District of Columbia.

SEC. 4. The authority to pay the sums authorized by this act shall expire 1 year after the date of enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia."

## EXTENSION OF TIME FOR RELEASE OF POWERS OF APPOINTMENT

The Senate proceeded to consider the joint resolution (H. J. Res. 395) to extend the time for the release, free of estate and gift tax, of powers of appointment, which had been reported from the Committee on Finance, with an amendment, at the end of the joint resolution to insert:

EXTENSION OF TIME FOR ASSESSMENT OF DEFERRED EXCESS-PROFITS TAX

SEC. 3. (a) Section 710 (a) (5) of the Internal Revenue Code is hereby amended by adding at the end thereof the following: "Notwithstanding any other provision of law or rule of law, to the extent that any amount of tax remaining unpaid pursuant to this paragraph is in excess of the reduction in tax finally determined under section 722, such excess may be assessed at any time before the expiration of 1 year after such final determination."

(b) The amendment made by this section shall be effective as if made by section 222 (b) of the Revenue Act of 1942.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment, and for other purposes."

## MAINTENANCE OF PUBLIC ORDER AT INAUGURAL CEREMONIES

The joint resolution (H. J. Res. 379) to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949 was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. That completes the calendar.

## THE ALASKA RAILROAD RETIREMENT ACT

Mr. ECTON. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar 1076, Senate bill 2326, the Alaska Railroad Retirement Act. Objection was previously made to the consideration of that measure. The Senator from Delaware [Mr. WILLIAMS] has sufficient amendments to take care of all objections from all parties concerned.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent that the Senator recur to Calendar 1076, Senate bill 2326, a bill which appears on the calendar at a point preceding the portion of the calendar covered by the unanimous-consent agreement under which the calendar has been called today.

Mr. WHERRY. Mr. President, I feel that no Senator should ask the Senate to recur to measures which appear on the calendar at a point preceding the point at which it was agreed, by unanimous consent, that the calling of the calendar would begin today, unless there is no controversy as to the proposed legislation. If this matter is controversial, then I think it is out of order, and I shall have to object to its consideration. I shall not object if the Senator can assure me that there is no controversy in regard to the measure. As I understand the situation, the Senator from Delaware was the one who raised the objection at the time when the bill was reached during a prior call of the calendar.

Mr. WILLIAMS. Mr. President, the Senator from Montana and myself have conferred in regard to this bill, and have agreed on a substitute which I shall offer. So far as I know, there is no controversy.

Mr. WHERRY. Mr. President, reserving the right to object, let me say I shall not object to the consideration of the bill at the present time; but if controversy develops regarding the bill, then I shall object to the further consideration of the bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 2326) to repeal the Alaska Railroad Retirement Act of June 29, 1936, as amended, and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such act of June 29, 1936, is applicable.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

Mr. WILLIAMS. Mr. President, I send to the desk an amendment in the nature of a substitute, which I ask to have considered at this time.

The PRESIDENT pro tempore. The Senator from Delaware submits an amendment in the nature of a substitute. Will it suffice to have the substitute printed in the RECORD without reading.

Mr. WILLIAMS. Yes.

The PRESIDENT pro tempore. Without objection, that order will be made.

The amendment submitted by Mr. WILLIAMS, in the nature of a substitute, is as follows:

That (a) the Alaska Railroad Retirement Act of June 29, 1936, as amended, is hereby repealed, and all officers and employees of the Alaska Railroad, Territory of Alaska, who are subject to the provisions of said act are hereby included within the terms of the Civil Service Retirement Act of May 29, 1930, as amended.

(b) Sections 91 to 107 (comprising art. 2 of ch. 6) of title 2 of the Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), as amended (known as the Canal Zone Retirement Act), are hereby repealed, and all officers and employees of the Panama Canal and the Panama Railroad Company, who are subject to the provisions of such sections, are hereby included within the terms of the Civil Service Retirement Act of May 29 1930, as amended.

SEC. 2. (a) The United States Civil Service Commission is hereby authorized and directed to ascertain the amount of the gross assets in the Alaska Railroad retirement and disability fund and the amount of the gross assets in the Canal Zone retirement and disability fund, and to certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to transfer such amounts on the books of the Treasury Department to the civil-service retirement and disability fund.

(b) In the case of each officer or employee described in section 1 of this act, the United States Civil Service Commission shall credit to his individual account in the civil-service retirement disability fund an amount equal to all deductions withheld from his salary and deposited or redeposited by him under the Alaska Railroad Retirement Act, as amended, or the Canal Zone Retirement Act, as amended, together with interest compounded on June 30 of each year at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter to the effective date of this act, and credit shall be allowed for the purpose of the act of May 29, 1930, as amended, for the period of service covered by said contributions.

SEC. 3. Section 4 of the act of May 29, 1930, as amended, is amended by adding at the end thereof a new subsection as follows:

"(f) In the case of an officer or employee retiring under the provisions of this act from the service of the Alaska Railroad, Territory of Alaska, and in the case of an officer or employee, who is a citizen of the United States, retiring under the provisions of this act from the service of the Panama Canal or the Panama Railroad Company on the Isthmus of Panama, the annuity computed under subsection (a) shall be increased by an amount equal to $36 multiplied by the number of years of service rendered in the Territory of Alaska between March 12, 1914, and July 1, 1923, either in the employ of the Alaska Engineering Commission or the Alaska Railroad, or on the Isthmus of Panama between May 4, 1904, and April 1, 1914, either in the employ of the Isthmian Canal Commission or the Panama Railroad Company.

SEC. 4. Section 8 of the act of May 29, 1930, as amended, is amended by adding at the end thereof a new paragraph as follows:

"In the case of any officer or employee who, prior to April 1, 1948, shall have been retired on annuity under the provisions of the Alaska Railroad Retirement Act, as amended, the Canal Zone Retirement Act, as amended, or section 8 (b) of the act of June 16, 1933, the annuity shall be increased by 25 percent or $300, whichever is the lesser: *Provided*, That each such annuitant may, prior to the expiration of 60 days following the date of enactment of this paragraph, elect to retain his or her present annuity, in lieu of the increased annuity provided by this paragraph, name his wife or her husband to receive upon his or her death one-half of his or her present annuity but not to exceed $600 per year during the remainder of the life of such survivor and upon the death of such survivor no further annuity shall be due or payable. Except as provided in this paragraph, the provisions of this act shall not apply in the case of officers and employees of the Alaska Railroad, Territory of Alaska, or officers and employees of the Panama Canal or, the Panama Railroad Company, (1) retired prior to April 1, 1948, or (2) separated prior to such date, in which case their refund or annuity rights shall be determined as though the Alaska Railroad Retirement Act and the Canal Zone Retirement Act had not been repealed: *Provided*,

That there shall be deemed applicable, as of July 29, 1942, to such officers and employees of the Panama Canal and the Panama Railroad Company the provisions of the act of July 30, 1947 (61 Stat. 521), respecting the return of amounts deducted from compensation. Any amounts payable to an officer or employee under this paragraph shall be paid from the civil-service retirement and disability fund."

SEC. 5. (a) Except as otherwise provided herein, this act shall take effect as of April 1, 1948.

(b) Section 1 (c) of the act of May 29, 1930, as amended, shall apply, as of July 1, 1947, to any person separated from employment within the coverage of the Alaska Railroad Retirement Act, as amended, or the Canal Zone Retirement Act, as amended.

(c) The third paragraph of section 5 of the act of May 29, 1930, as amended, shall apply as of September 8, 1939, to any person who left employment within the coverage of the Alaska Railroad Retirement Act, as amended, the Canal Zone Retirement Act, as amended, to enter the armed forces of the United States.

(d) The provisions of section 12 (c) of the act of May 29, 1930, as amended, shall apply as of February 28, 1948, in the case of any officer or employee within the coverage of the Alaska Railroad Retirement Act, as amended, or the Canal Zone Retirement Act, as amended, who shall have died subsequent to that date.

Mr. WILLIAMS. The amendment in the nature of a substitute which I am offering provides for the repeal of the Alaska Railroad Retirement Act of June 29, 1936, as amended, and for the repeal of sections 91 to 107 of title 2 of the Canal Zone Code approved June 19, 1934, as amended, and provides that all officers and employees who were previously subject to the provisions of these acts are hereby included within the terms of the Civil Service Act of May 29, 1930, as amended.

This substitute bill which I am offering will give to those employees all rights and benefits of the formula now provided under the present Civil Service Retirement Act for the regular civilian employees, but no more.

It does not open up any new formulas which was the basis of my original objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to repeal the provisions of the Alaska Railroad Retirement Act of June 29, 1936, as amended, and sections 91 to 107 of the Canal Zone Code and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such provisions are applicable."

### ISSUANCE OF REENTRY PERMITS TO CERTAIN ALIENS

Mr. BALDWIN. Mr. President, when the Senate reached Calendar No. 1366, Senate bill 2349, there was some discussion, and the Chair indicated it could be brought up at the end of the calendar call.

Mr. President, Senate bill 2349 is identical with House bill 5922, Calendar No. 1406. The Senator from Arkansas [Mr. MCCLELLAN] interposed an objection, which he has since told me he desires to withdraw. The Senator from West Virginia raised a point as to whether or not there was an amendment. I find that the bill reported by the Senate committee is identical with the House bill, and it appears from the file that all of the Senate bill, as originally introduced, was stricken out and the House bill substituted. So I think that takes care of the Senator's objection. I ask for immediate consideration of the House bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5922) relating to the issuance of reentry permits to certain aliens.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection, the bill (S. 2349) is indefinitely postponed.

### PUBLIC IMPROVEMENTS AT NOME, ALASKA

Mr. MALONE. Mr. President, I ask unanimous consent to revert to Calendar number 1218, Senate bill 1025. On the last calendar day, there was objection. I think the Senator from Nebraska [Mr. WHERRY] can explain it.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent to recur to Calendar 1218, Senate bill 1025. For the information of the Senate the clerk will state the bill by title.

The CHIEF CLERK. A bill to authorize public improvements at Nome, Alaska.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. WHERRY. Mr. President, reserving the right to object, I desire to make an observation for the RECORD. I have conferred with the Senator from Connecticut [Mr. MCMAHON] and I am now informed that there is no objection to the consideration of the bill. If there is no further controversy the objection will not be registered but if there is I shall ask that the bill be returned to the calendar.

Mr. MALONE. No further objection will be registered. The bill has been introduced in the interest of the national defense at the instance of the National Military Establishment. All the interested departments have favorably reported.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill (S. 1025) to authorize public improvements at Nome, Alaska, which had been reported from the Committee on Public Works with an amendment on page 1, line 8, to strike out:

Construction of a sea wall or other form of shore protection at the town of Nome, Alaska.

And insert:

Nome Harbor, Alaska, in accordance with the plan presented in the report of the Chief of Engineers, dated March 8, 1948, and subject to the conditions set forth in said report.

So as to make the bill read:

*Be it enacted, etc.*, That the following work of improvement is hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, the cost thereof to be paid from appropriations hereafter made for improvement of rivers and harbors:

Nome Harbor, Alaska, in accordance with the plan presented in the report of the Chief of Engineers, dated March 8, 1948, and subject to the conditions set forth in said report.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the construction of shore-protective works at the town of Nome, Alaska."

### ADMINISTRATIVE JURISDICTION OF PUBLIC LANDS IN THE STATE OF WASHINGTON—BILL PASSED OVER

Mr. CORDON. Mr. President, on the last call of the calendar objection was made to the consideration of Calendar 1144, Senate bill 580. I am advised no further objection will be made to that bill, and I therefore ask unanimous consent to return to it.

The PRESIDENT pro tempore. The clerk will state the title of the bill, for the information of the Senate.

The CHIEF CLERK. A bill (S. 580) relating to the administrative jurisdiction of certain public lands of the State of Washington.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon?

Mr. WHERRY. Mr. President, reserving the right to object, does the Senator recall who made the objections?

Mr. CORDON. The senior Senator from Kentucky.

Mr. WHERRY. I think that is the bill to which the Senator from Kentucky stated he had no further objection, so I shall not object to it, unless a controversy arises.

Mr. HILL. Mr. President, reserving the right to object, may I ask whether the Senator has talked to the senior Senator from Kentucky?

Mr. CORDON. Yes; on two occasions. He was on the floor today. He advised me he would not renew his objection to consideration of the bill.

Mr. LUCAS. Mr. President, if I may inquire of the Senator from Oregon, has he discussed the bill with the Senator from New Mexico [Mr. CHAVEZ]?

Mr. CORDON. No. I knew of no objection by the Senator from New Mexico. The only objection made was by the Senator from Kentucky, so far as I know.

Mr. LUCAS. It is my understanding the Senator from New Mexico [Mr. CHAVEZ] wants it to go over.

Mr. CORDON. If there is any objection, of course, I shall not press the request.

Mr. LUCAS. I think perhaps under the circumstances it should go over.

The PRESIDENT pro tempore. The request is withdrawn.

EASEMENT OVER LANDS AT FORT MYERS ARMY AIRFIELD, FLA.

Mr. GURNEY. Mr. President, on May 10, during the call of the calendar, the Senate passed Senate bill 2291, a small bill to authorize an easement over an airfield in Florida. On the same day the committee in the House reported an identical bill, the number of which is H. R. 5836. That bill has been passed by the House of Representatives. I ask for the present consideration of the bill, H. R. 5836, which is identical with Senate bill 2291, and then the Senate bill may be indefinitely postponed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota.

Mr. WHERRY. Mr. President, reserving the right to object, may I ask the distinguished Senator from South Dakota if this bill has been reported by any committee.

Mr. GURNEY. The bill was not only reported from the committee but was passed by the Senate on May 10.

Mr. WHERRY. What is the calendar number?

Mr. GURNEY. It was passed on May 10, so it is not now on the calendar.

Mr. WHERRY. Can the Senator remember the calendar number on that date?

Mr. GURNEY. No; I cannot.

Mr. WHERRY. I have no objection.

The PRESIDENT pro tempore. The Chair understands the Senator from South Dakota to request that the Chair lay before the Senate the bill, H. R. 5836.

Mr. GURNEY. That is correct.

The PRESIDENT pro tempore. It is the House bill, identical with a similar measure previously passed by the Senate.

Mr. GURNEY. That is correct.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the President pro tempore laid before the Senate the bill (H. R. 5836) to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla., which was read twice by its title.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

RETIREMENT OF COMMISSIONED OFFICERS OF THE COAST AND GEODETIC SURVEY

Mr. MAGNUSON. Mr. President, I ask unanimous consent to revert to Calendar 1420, the bill (H. R. 4393), and I ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will state the title of the bill for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4393) to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington that the Senate consider the bill?

Mr. MAGNUSON. Mr. President, I may say that the Senator from North Dakota asked that it be passed over. I have since conferred with him. He has withdrawn his objection. For the information of the Senate, the bill merely puts officers in the Coast and Geodetic Survey in the same status levels as those of the Army, Navy, and Coast Guard.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers.

The message also announced that the House insisted upon its amendment to the bill (S. 1853) to authorize the Coast Guard to establish, maintain, and operate aids to navigation, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WEICHEL, Mr. HAND, Mr. LATHAM, Mr. BLAND, and Mr. HART were appointed managers on the part of the House at the conference.

ADEQUATE BENEFITS UNDER OLD-AGE AND SURVIVORS INSURANCE—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was referred to the Committee on Finance.

(For text of President's message, see today proceedings of the House of Representatives on p. 6368.)

TRANSFER BY NAVY DEPARTMENT OF CERTAIN NAVAL VESSELS

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Department of the Navy proposes to transfer a submarine chaser to the city of Baltimore, Md., for use in harbor patrol work, and a landing craft, infantry (gunboat) to the Admiral Farragut Academy, a nonprofit corporation organized and existing under the laws of the State of New Jersey and located at Pine Beach, Toms River, N. J., for use in training boys in navigation, seamanship, and related subjects; which was referred to the Committee on Armed Services.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PETITIONS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Virginia State Junior Chamber of Commerce, at Old Point Comfort, Va., favoring strengthening of the United Nations' Charter by an amendment providing a Federal world government for the maintenance of peace; to the Committee on Foreign Relations.

A resolution adopted by the seventy-fourth annual convention of the diocese of Newark, N. J., favoring the enactment of Senate bill 866, the so-called Taft-Ellender-Wagner housing bill; ordered to lie on the table.

The petition of Robert Gibson, of Sacramento, Calif., praying for the enactment of House bill 5875, to amend the Railroad Unemployment Insurance Act, as amended, relative to the daily benefit rate under the act, and so forth; to the Committee on Labor and Public Welfare.

The petition of Manuel Cavello, of Santurce, Puerto Rico, praying for the enactment of legislation providing training-on-the-job benefits for World War I veterans; to the Committee on Finance.

A resolution adopted by the Virginia State Junior Chamber of Commerce, at Old Point Comfort, Va., favoring the enactment of House bill 2953, to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILEY, from the Committee on the Judiciary:

H. R. 1572. A bill for the relief of Basque aliens; without amendment (Rept. No. 1385).

By Mr. McGRATH, from the Committee on the Judiciary:

H. R. 5708. A bill to exempt civilian members of the permanent Joint Board on Defense, United States-Canada, from certain statutory restrictions on outside activities; without amendment (Rept. No. 1386).

By Mr. REVERCOMB, from the Committee on the Judiciary:

S. Res. 236. Resolution extending the authority for the investigation of the immigration system, and increasing the limit of expenditures therefor; without amendment (Rept. No. 1390), and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. TOBEY, from the Committee on Banking and Currency:

S. 2636. A bill to amend the Securities Act of 1933, the Securities Exchange Act of 1934, and the National Bank Act; without amendment (Rept. No. 1387).

By Mr. CAIN, from the Committee on Banking and Currency:

S. 2155. A bill to transfer jurisdiction over certain school buildings in Vanport, Oreg., to the Federal Works Administrator and to authorize an appropriation to rebuild a school building in Vanport, Oreg., which was destroyed by fire; with amendments (Rept. No. 1388).

By Mr. CORDON, from the Committee on Appropriations:

H. R. 5770. A bill making appropriations for the Treasury and Post Office Departments

for the fiscal year ending June 30, 1949, and for other purposes; with amendments (Rept. No. 1389).

By Mr. WHERRY (for Mr. CORDON), from the Committee on Interior and Insular Affairs:

S. 1243. A bill to provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes; with an amendment (Rept. No. 1391).

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 2724. A bill for the relief of Bretti Bruno; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2725. A bill for the relief of Earl B. Hochwalt; to the Committee on the Judiciary.

By Mr. LUCAS (for Mr. MCCARRAN):

S. 2726. A bill for the relief of Ellen Hudson, as administratrix of the estate of Walter R. Hudson; to the Committee on the Judiciary.

By Mr. BUTLER (for Mr. BUSHFIELD):

S. 2727. A bill to authorize and direct the Secretary of the Interior to issue to Edison Glenn a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

(Mr. WILEY (by request) introduced Senate bill 2728, to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. GURNEY:

S. 2729. A bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines; to the Committee on Armed Services.

By Mr. LANGER:

S. 2730. A bill to credit, in certain cases, military service and training preparatory thereto performed by employees of the postal service; to the Committee on Post Office and Civil Service.

S. 2731. A bill to exempt the Post Office Department from the provisions of sections 5, 7, 8, and 11 of the Administrative Procedure Act in the administration of certain laws; to the Committee on the Judiciary.

S. 2732. A bill to amend the Economic Cooperation Act of 1948; to the Committee on Foreign Relations.

By Mr. REVERCOMB (for Mr. MCCARRAN:)

S. 2733. A bill to permit the Administrator of the Housing and Home Finance Agency to sell a certain war-housing project to the Housing Authority of the city of Las Vegas, Nev.; to the Committee on Banking and Currency.

By Mr. DOWNEY:

S. 2734. A bill for the relief of Huynh Ngoc Ho; to the Committee on the Judiciary.

By Mr. YOUNG:

S. 2735. A bill to provide for the liquidation of the trusts under the transfer agreements with State rural rehabilitation corporations, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CAPEHART:

S. J. Res. 222. Joint resolution to continue until December 31, 1953, the authority of the United States Maritime Commission to make provision for certain ocean transportation services to, from, and within Alaska; to the Committee on Interstate and Foreign Commerce.

### LIMITATION OF JURISDICTION OF COURTS IN CERTAIN CASES

Mr. WILEY. Mr. President, by request I ask unanimous consent to introduce for appropriate reference a bill to define and limit the jurisdiction of the courts to regulate actions arising under certain laws of the United States and for other purposes. It is aimed at the redefinition of regular rate of pay in order to help eliminate billions of dollars of suits which are expected to be based on the Court's overtime-on-overtime misinterpretation.

I request that there be printed in the RECORD an article by Mr. Phelps Adams of the New York Sun which describes the reason for this legislation.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the article presented by the Senator from Wisconsin will be printed in the RECORD.

The bill (S. 2728) to define and limit the jurisdiction of the courts, to regulate actions arising under certain laws of the United States, and for other purposes, introduced by Mr. WILEY (by request), was received, read twice by its title, and referred to the Committee on the Judiciary.

The article presented by Mr. WILEY is as follows:

NEW LABOR DODGE THREATENS PAY SUITS AGAINST INDUSTRY — OVERTIME-ON-OVERTIME CLAIMS COULD SUBJECT BUSINESS TO THIRTY-BILLION-DOLLAR LIABILITY UNLESS CONGRESS INTERVENES

(By Phelps Adams)

Balked in their efforts to collect some $6,000,000,000 in portal-to-portal pay suits, irresponsible elements within organized labor have come up with a new dodge which threatened today to bankrupt hundreds of American businesses and to throw the Federal budget into complete disorder.

Last year, it will be recalled, the Wage-Hour Administration and the courts decided that labor was entitled to collect portal-to portal pay for several billions of hours of time during which it performed no productive work whatever. After this decision the Federal courts were swamped with suits totaling more than $6,000,000,000 when Congress stepped in and enacted a statute outlawing these claims.

This year labor—with the help of the Wage-Hour Administration and the courts—has found a new device called overtime-on-overtime which, it is estimated, could subject industry to a liability of nearly $30,000,000,000 unless Congress once again steps in and saves the day.

#### REGULAR RATE NOT DEFINED

The wage-hour law requires that employers must pay at least 1½ times the regular rate of pay for all hours worked in excess of 40 per week; but it nowhere defines the meaning of the words "regular rate of pay."

At the outset it seemed that no definition was necessary. The meaning was clear to employers and to labor alike. The regular rate was the straight-time hourly rate, and labor contracts everywhere were made in good faith on that basis. The trouble began when many industries granted contracts far more favorable in their terms than the wage-hour law required—contracts, for example, that called for a 30-hour week with time and one-half for all hours above 30, and for work done at Saturdays, Sundays, and holidays.

This seemed simple enough. If the straight-time rate was $1 per hour and a man worked 45 hours in a particular week, he got $30 for the first 30 hours he worked, and $1.50 per hour for the remaining 15 hours—or $55.50 for the entire week. That was the agreement between the employer and his workers, and both sides understood it perfectly.

#### AN UNEXPECTED RULING IS MADE

But one day, down in Louisiana, an official of the Wage and Hour Administration decided that this was all wrong. He argued that, since the worker, under the contract cited above, had earned $45 during the first 40 hours of his workweek, the "regular rate of pay" was the average rate, or $1.12½ per hour, instead of $1, and that the overtime rate must be $1.69 per hour for the remaining 5 hours, instead of $1.50.

From that day forward there has been a succession of conflicting administrative rulings, interpretations, and court decisions, until, today, no one can reasonably be expected to know what the regular rate of pay is under any contract, nor what the overtime rate should be.

The issue was brought to a head in the stevedoring industry when a group of longshoremen in the East brought suit to collect overtime on overtime as far back as the statute of limitations would permit, plus penalties of an equal amount, plus attorney's fees.

The case went to the district court before Judge Simon Rifkind, who for many years was secretary and administrative assistant to Senator WAGNER, of New York, author of the Wagner Act, the wage-hour law and other New Deal labor legislation.

#### TWO SURPRISES AT COURT TRIAL

In that court the longshoremen came in for two shattering surprises. First, Joseph P. Ryan, president of the International Longshoremen's Association, A. F. of L., testified against them, insisting that the overtime rates paid them under the contract were the true and correct overtime rates within the meaning of the law and that any other interpretation of the statute would be disastrous for both labor and industry. Second, Judge Rifkind not only decided against the longshoremen, but denounced their effort to get something for nothing.

"The application of the plaintiff's formulas to the Nation's wage bill," he said, "would create havoc with established labor relations; put collective bargaining in the category of a device for obtaining money under false pretenses, and probably strain the resources of a substantial portion of American industry."

The Court of Appeals, however, overturned the Rifkind decision. The case went to the Supreme Court last fall, but no decision has yet come down. Beyond stating that it believes the position taken by the longshoremen is the correct one within the meaning of the law, the Wage and Hour Administration has taken no part in the case. The Department of Justice, immediately representing the Federal Government, is opposing the longshoremen and supporting the Rifkind decision.

#### LONGSHOREMEN MAY WIN CASE

So the longshoremen find themselves fighting not only the employers, but the president of their own union, and the Department of Justice as well. Yet on the basis of past Supreme Court decisions in

wage cases, it is anticipated by many legal experts that they will win their suit.

Such a decision would be even more disastrous in its portent than was the Mount Clemens Pottery decision in the portal-to-portal cases, it is said. The overtime wage formula at issue in this case is even more extreme than that which was first advanced by the wage-hour administration official in Louisiana, and would, it is estimated, increase the total pay roll liabilities of employers by 10 percent or more, not only in the stevedoring business, but in every industry where contracts calling for overtime are in force.

The burden would be heaviest, moreover, in those industries where the overtime contract provisions are more favorable than those required by law, and studies made by the Department of Labor indicate that 80 percent of the contracts now in force do contain overtime provisions more favorable than the law demands.

UNIONS FILE 500 SUITS

While President Ryan of the A. F. of L. longshoremen is opposing this suit, CIO leaders on the west coast are encouraging their men to file similar claims, and today between 500 and 600 overtime-on-overtime cases have been filed in the courts.

The Federal Government's direct liability in the stevedoring field alone is estimated to be in excess of $250,000,000, while in other fields, under its war contracts, the cost could mount to many times that sum, not counting the effect of such suits on tax collections.

Where suits were filed before the passage of the Portal-to-Portal Act, moreover, the liability in all industries under different statutes of limitations runs as far back as 6 years.

Wholly apart from the disastrous effect of these suits upon the finances of American industry, business everywhere would be saddled with the almost impossible burden of calculating all overtime pay in the future at a different rate for each man each week, wherever there was any fluctuation at all in number of hours worked during the week.

The overtime-on-overtime suits have put congressional leaders in one of the hottest spots they have occupied since the session began 16 months ago. Representative A. L. GOODWIN, of Massachusetts, has introduced a bill to amend the Wage Hour Act by defining the "regular rate of pay" as the straight time contract rate of pay, and unless Congress passes this legislation before adjournment, it seems highly probable that a large segment of industry will be thrown into complete confusion before it reconvenes, no matter what the Supreme Court decision may be.

Leaders, however, have been reluctant to adopt any further restrictive labor legislation before the election.

## ADMISSION OF DISPLACED PERSONS—AMENDMENTS

Mr. McCARTHY (for himself and Mr. WILEY) submitted amendments intended to be proposed by them, jointly, to the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes, which were ordered to lie on the table and to be printed.

## ADMISSION OF DISPLACED PERSONS—AMENDMENT

Mr. BALDWIN. Mr. President, we have before the Senate S. 2242, a bill to authorize, for a limited period of time, the admission into the United States of certain European displaced persons for permanent residence, and for other purposes. It is my intention to present, at a later date, my reasons for supporting the principles contained in this proposed legislation, but at this time I ask unanimous consent to submit an amendment which I believe would justifiably strengthen the proposed legislation.

The Fellows bill, H. R. 6396, which was reported favorably by the House Judiciary Committee and which is now being considered by the Rules Committee of the House of Representatives, contains a section which deals with aliens who entered the United States as visitors prior to March 15, 1948. This would include those who entered this country as students and former government officials of certain European nations. Many of these people are indeed as much displaced persons as those still in Europe. This section 4 would allow aliens who entered the United States as visitors prior to March 15, 1948, and who cannot be admitted for permanent residence under present immigration laws, to remain in this country. This section of the House bill, however, fails to take into account the country of the person involved in all its provisions. Sometimes it deals with the country of birth, and sometimes with the country of present nationality. There are cases where no nationality, in fact, exists. The amendment, I am introducing today, would amend the Senate bill in such fashion as to eliminate inequities arising under this provision which I have pointed out section 4 of the corresponding House bill fails to do. Further than that, this amendment provides that the admission of each of these people would reduce by one, the immigration quota of the country to which his admission is chargeable as defined under the present immigration law. This would be taken from a quota for the fiscal year then current, or the next succeeding year in which a quota number is available, but not more than 50 percent of any quota could be used for this purpose in any given fiscal year. Section 4 of the House bill covers these aliens who entered this country prior to March 15. My amendment would change this date to April 1 to conform with quarterly administrative procedures. It is my understanding that this change will also be made in the House bill. The terms of this amendment restrict the total number admissible under this provision to a maximum of 15,000 persons. This figure is based on reports from executive agencies concerned with this problem.

The PRESIDENT pro tempore. Without objection, the amendment submitted by the Senator from Connecticut will be received, printed, and lie on the table.

## MUTUAL RESPONSIBILITIES OF GOVERNMENT EMPLOYEES AND THE GOVERNMENT—ADDRESS BY SENATOR CHAVEZ

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address entitled "Responsibilities of Government Employees Toward Their Government; Responsibilities of Government Toward Its Employees," delivered by him before the professional employees of the Department of Agriculture on May 20, 1948, which appears in the Appendix.]

## THE PROBLEM OF MINORITIES AND CATHOLIC ACTION—ADDRESS BY SENATOR CHAVEZ

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address entitled "The Problem of Minorities and Catholic Action," delivered by him before the Edward Douglas White Council, Knights of Columbus, Arlington, Va., May 22, 1948, which appears in the Appendix.]

## TODAY'S LEGISLATION AND TOMORROW'S INSURANCE—ADDRESS BY SENATOR McCARRAN

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Today's Legislation and Tomorrow's Insurance," prepared by Senator MCCARRAN for delivery before the annual convention of the American Association of Insurance General Agents in San Francisco, Calif., May 17, 1948, which appears in the Appendix.]

## ADDRESS BY SENATOR TOBEY BEFORE ORDER OF B'RITH ABRAHAM

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Order of B'rith Abraham, in New York City on May 23, 1948, which appears in the Appendix.]

## ADDRESS BY SENATOR LANGER TO NEW YORK FEDERATION OF POST OFFICE CLERKS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator LANGER at New York City on April 4, 1948, which appears in the Appendix.]

## MISSOURI PERSONALITIES—ADDRESS BY JOHN T. BARKER

[Mr. KEM asked and obtained leave to have printed in the RECORD a portion of an address on the subject "Missouri Personalities," delivered by John T. Barker, before the Lawyers' Association of St. Louis, April 12, 1948, which appears in the Appendix.]

## MEMORIAL DAY SERMON AT TENTH ANNUAL MILITARY MEMORIAL FIELD MASS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a Memorial Day sermon preached by the Right Reverend John Keating Cartwright at the Tenth Annual Military Memorial Field Mass on Sunday, May 23, 1948, at Arlington, Va., which appears in the Appendix.]

## THE REPUBLIC OF ISRAEL—TELEGRAM FROM JAMES F. BYRNES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD a telegram from former Secretary of State James F. Byrnes to Dr. Abba Hillel Silver, read at the "Salute to Israel" meeting in Madison Square Garden, New York City, and the Shoreham Hotel, Washington, D. C., May 16, 1948, which appears in the Appendix.]

## NEWSPAPER EDITORS' POLL OF SENATORS FOR COLLIER'S PRIZES—ARTICLE BY GEORGE E. SOKOLSKY

[Mr. MALONE asked and obtained leave to have printed in the RECORD an article entitled, "These Days," by George E. Sokolsky, published in the Washington Times-Herald, May 23, 1948, which appears in the Appendix.]

## "THE NEW MEXICO PLAN"—LETTER FROM GEN. PATRICK J. HURLEY

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a letter from Gen. Patrick J. Hurley concerning his "New Mexico Plan" and a copy of the plan, which appear in the Appendix.]

PUBLIC HOUSING—EDITORIAL AND NEWS COMMENT

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD an editorial entitled "The Stalled Housing Bill," published in the New York Herald Tribune of May 24, 1948; an article entitled, "Public Housing Barred by House GOP Chiefs," published in the Detroit News of May 21, 1948; and an article entitled "Public Housing: Congress is Expected to Reject It, in Late Gesture to Economy," published in the Wall Street Journal of May 24, 1948, which appear in the Appendix.]

BRITAIN'S POLICY IN THE HOLY LAND—FROM THE DENVER POST

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article entitled "Policy of Perfidy—Britain and Transjordan," written by Barnet Nover and published in the Denver Post of May 23, 1948, which appears in the Appendix.]

MEETING OF COMMITTEE DURING SESSION

Mr. MORSE asked and obtained consent that a subcommittee of the Committee on Armed Services considering the tin investigation be authorized to meet at 2 o'clock this afternoon.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949

The PRESIDENT pro tempore. That completes the calendar, and the Senate reverts to H. R. 5883, the appropriation bill for the Department of Agriculture.

The Senate resumed the consideration of the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

The PRESIDENT pro tempore. The pending question is on agreeing to the amendment heretofore submitted by the Senator from North Dakota [Mr. YOUNG].

Mr. BRIDGES obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Morse |
| Baldwin | Hatch | Murray |
| Ball | Hawkes | O'Conor |
| Barkley | Hayden | O'Mahoney |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Bridges | Hoey | Revercomb |
| Brooks | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Johnson, Colo. | Saltonstall |
| Cain | Johnston, S. C. | Smith |
| Capehart | Kem | Sparkman |
| Capper | Kilgore | Stennis |
| Chavez | Knowland | Stewart |
| Connally | Langer | Taft |
| Cooper | Lodge | Thomas, Okla. |
| Cordon | Lucas | Thomas, Utah |
| Donnell | McCarthy | Thye |
| Downey | McClellan | Tobey |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenburg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Feazel | Magnuson | Wiley |
| Ferguson | Malone | Williams |
| Flanders | Martin | Wilson |
| Fulbright | Maybank | Young |
| George | Millikin | |
| Green | Moore | |

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

SETTLEMENT OF DISPUTE OVER UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND OF 1947

Mr. BRIDGES. Mr. President, it has been my intention for some time to review for the Senate and the country the settlement of the dispute involving the United Mine Workers of America Welfare and Retirement Fund of 1947. An extremely busy schedule has forced me to delay that review until today.

The impossible condition to which the national economy was moving as a result of that dispute is well known to the Senate and the country. The miners had left the pits because the terms of the contract under which the welfare and retirement fund had been established had not been activated. The production of coal was cut off at a time when the National Government was entering upon commitments at home and abroad of unprecedented extent. Basic industries were crippled. Millions of workers were faced with the very definite threat of prolonged idleness. Because so much of the Nation's production is dependent upon the steady flow of coal supply, the Government's programs for foreign aid and national security were in jeopardy. From my own State of New Hampshire I was receiving message after message from industry and business, large and small, urgently appealing for constructive action which would move the miners back to the pits and keep the channels of trade open. In New Hampshire and neighbor States train service had been curtailed. Men and women could not get to work. Children could not get to school. These conditions were typical of acute developments across the country.

That was the dismal outlook on Friday, April 9, 1948, when the Speaker of the House telephoned me. He asked that I meet with him that evening to discuss some thoughts he had with reference to the stoppage of coal production that was so seriously threatening the national economy and the national security.

I met with the Speaker that evening. I found him deeply concerned lest the miners remain idle indefinitely to the further detriment of the country's welfare, deeply concerned over the failure of the administration to effect a settlement of the dispute which caused the miners to leave their work. Negotiations had broken down completely. The American people were pressing their vital need for a resumption of coal mining. Members of the Congress were mindful of their responsibility to urge some sound action which would get the miners back into the pits. That was especially true of the Speaker of the House.

The board of trustees of the UMW welfare and retirement fund of 1947 had consisted of John L. Lewis, representing the United Mine Workers of America, Ezra Van Horn, representing the coal operators, who signed the contract creating the fund, and Thomas E. Murray, known as the neutral trustee. But Mr. Murray resigned. He stated frankly that the refusal of the other trustees to agree on any point made it impossible for him to contribute anything further to the activation or administration of the fund. It was the refusal of these two men to agree on terms by which the contract between the miners and operators could be carried out that led to the idleness of the miners and the stoppage of coal production.

On Friday evening, April 9, as I talked with Speaker MARTIN he told me of his intention to invite Mr. Lewis and Mr. Van Horn to meet with him at his office the following morning. He expressed his intention to talk to the two men frankly about the devastating effects of their refusal to reason together. The Speaker discussed his intention to suggest that Lewis and Van Horn agree upon me as the third or neutral trustee as a means of working out a temporary basis upon which the issue could be resolved and the miners return to work.

Mr. LUCAS. Mr. President, will not the Senator speak a little louder? We can usually hear him when he speaks.

Mr. BRIDGES. I shall be glad to comply with the Senator's request. Whenever the Senator from Illinois asks me anything within my power to grant which does not interfere with my principles politically, I certainly shall endeavor to accommodate him.

Mr. LUCAS. The Senator has always been very kind, and I usually can hear him when he speaks in normal tones, but I was having difficulty in hearing him on this side of the aisle.

Mr. BRIDGES. Speaker MARTIN asked me if I would accept the assignment. I told him that I would if I were acceptable to Lewis and Van Horn. The Speaker reminded me that time was of the essence and that any effort undertaken in the event I were accepted as neutral trustee must be immediate in order to avoid a national economic disaster.

That same evening I left for New York in order to keep engagements of long standing the following day. Saturday morning, April 10, the Speaker talked with me by long-distance telephone. With him were Van Horn and Lewis. The Speaker informed me that both men had just agreed to accept his suggestion that I be the third or neutral trustee. He asked me if I would accept. I told him I would. The Speaker asked me how soon I could return to Washington and I told him I planned to be back Monday morning. He then insisted that it was vital that the trustees get together for a meeting to activate the fund and get the men back to work as soon as possible. He urged me to return to Washington for a meeting on Sunday. I agreed to do so and the time was set for 10 a. m.

Speaker MARTIN advised me that it was his understanding with Van Horn and Lewis that I was to serve as the third trustee for the purpose of proposing a tentative plan to activate the fund at once in order to get the miners back to work; that thereafter I would have the opportunity to avail myself of independent legal and actuarial advice with a view to proposing a permanent plan for the operation of the fund.

That Sunday morning, April 11, the Speaker met me at the National Airport and rode with me to the place of the trustees' meeting. He told me that he recognized the difficulties involved in my assignment but as a result of his meeting with Van Horn and Lewis felt that I would find agreement with whatever reasonable proposal I could make as a temporary basis for settling the dispute. He added that Van Horn and Lewis were already in agreement with him regarding the vital importance of getting the mines into operation.

On Sunday I met with Van Horn and Lewis for 2 hours. I listened to the discussion of their respective points of view and their outline of the proposals previously put forward by Mr. Murray and Mr. Lewis. Both men handed me the papers they considered most pertinent to their points of view. From that meeting with Van Horn and Lewis I gained the impression that both men were interested in accomplishing a temporary arrangement as Speaker MARTIN proposed.

Mr. Van Horn and Mr. Lewis agreed to meet with me the following morning with the understanding that I would propose at that time what I considered to be a reasonable temporary basis for the activation of the pension plan established by the contract between the operators and the miners. I told Van Horn and Lewis that I had followed the dispute with concern, that I was familiar with the basic facts. We all recognized that it would be impossible to go thoroughly into all of the details in the time allotted me. It was understood that whatever proposal I might make the following morning necessarily would be based upon a hurried examination of the case and upon what I considered a fair compromise of the profound difference of opinion.

To what will require weeks of study toward a permanent agreement I proceeded to devote hours of study toward a fair temporary agreement. At this point I want to review what I found were the basic and unchallengeable facts.

On May 28, 1946, Secretary of Interior Krug, acting for the Government of the United States and with the consent of the President of the United States, entered into a contract with the United Mine Workers of America, which established a completely new precedent in labor management relations. In that contract Secretary Krug joined with the representatives of the United Mine Workers of America in setting the formula for and spelling out the pension pattern which is in dispute. Let that fact be unmistakably clear. Let it be a reminder to those who have carelessly asserted in contradiction of the truth that in the temporary agreement which resulted in a resumption of mining operations a pension plan was established. The pension pattern or formula in dispute was originated, signed, and sealed by Secretary Krug, acting for the Government of the United States, and the representatives of the United Mine Workers of America in the contract of May 28, 1946.

The same pattern was accepted, signed, sealed, and reaffirmed on July 9, 1947, when the coal operators entered into a firm contract with the United Mine Workers of America, after full negotiations, the provisions of which clearly and irrevocably embraced a pension plan for the miners. By their agreement the operators voluntarily doubled the royalty from 5 cents to 10 cents per ton. Let these facts be made unmistakably clear. Let them be a reminder to the coal operators and others who have asserted in contradiction of the truth that the temporary agreement which resulted in a resumption of coal mining operations made a pattern for a pension plan.

Those basic facts are vitally important to an intelligent understanding of the so-called miners' pension dispute. There has been a deliberate effort on the part of some who brought the contract in question into being to avoid responsibility for the setting of the pattern which established the pension plan in question. Even if the trustees of the United Mine Workers' Welfare and Retirement Fund of 1947 were of a mind to do so they would be completely without authority to rewrite the terms of the 1947 contract between the coal operators and the coal miners or to remove from that contract the pension pattern which the operators and miners therein established.

As I undertook the assignment described to me by the Speaker of the House it was clear that if there were to be a resumption of coal mining I must direct my effort toward the activation of the fund established and patterned by an existing contract.

At this point I should like to quote from section 4 of the July 9, 1947, contract signed by the operators and the miners:

> It is hereby stipulated and agreed by the contracting parties hereto that there is hereby created a fund to be designated and known as the "United Mine Workers of America Welfare and Retirement Fund." * * *
>
> The aforesaid trustees shall designate a portion (which may be changed from time to time) of the payments herein provided, based upon proper actuarial computations, as a separate fund to be administered by the said trustees herein described and to be used for providing for pensions or annuities for the members of the United Mine Workers of America or their families or dependents and such other persons as may be properly included as beneficiaries thereunder.
>
> It is further agreed that the detailed basis upon which payments from the fund will be made shall be resolved in writing by the aforesaid trustees at the initial meeting, or at the earliest practicable date that may by them thereafter be agreed upon.

That language of the 1947 contract between the operators and miners does not merely set the pattern for miners' pensions. It clearly established the pensions plan itself. That language created a firm contractual obligation actually to pay pensions to the eligible coal miners.

Yet some 9 months had elapsed since the signing of that existing contract and nothing had been done to carry out the terms of the contract. The failure to carry out the terms of the contract resulted in the refusal of the miners to work and jeopardized the welfare of all the American people.

Efforts had been made to carry out the terms of the contract by activating the pension plan which the contract established. Proposals for the activation and administration of the pension plan were made by Trustee Lewis and Trustee Murray. I want briefly and separately to review those proposals in order that the temporary agreement which I proposed and which resulted in a return of the miners to the pits can be more clearly understood.

Mr. Lewis proposed that $20,000,000 be set aside from the 1947 fund for pension purposes and that the language of the 1947 contract should be accepted literally to the end that a pension fund should be set aside for the benefit of all members of the United Mine Workers of America. He proposed that any member of the United Mine Workers of America who had worked in the mines for a period of 20 years and had reached the age of 60 years should receive a pension of $100 per month.

Mr. Murray proposed that $20,000,000 be set aside from the 1947 fund for pension purposes but that only those members of the United Mine Workers of America who retired on or after July 1, 1942, after reaching the age of 60 years and completing 20 years of service in mining work should be considered eligible for pensions. He further proposed that the monthly pension for eligible miners should be $100. Mr. Murray stated that his plan was actuarially sound.

At this point, and with reference to the agreement between Mr. Lewis and Mr. Murray that the monthly pension should be $100 per month, I want to quote from the minutes of a meeting of the trustees of the UMW welfare and retirement fund of 1947 on September 3, 1947:

> The trustees then discussed securing an actuary for the pension plan. Trustee Van Horn reported that as yet none had been selected and asked Chairman Lewis for his ideas on the basic concept of the plan. Chairman Lewis suggested a retirement pension plan starting at the age of 60 years at $100 per month with the essential requirement being 20 years' service in the mines. It was mutually agreed that this was a fair and reasonable standard; that the selection of an actuary should be accomplished within the next few days and that Chairman Lewis' proposal be the basis of the actuarial computation.

I wanted to read the minutes of that trustees' meeting into this factual review of the miners' pension dispute because it has not been generally known that there was at one time such a unanimous agreement among Van Horn, Lewis, and Murray. Apparently it was subsequent to that particular trustees' meeting that Mr. Van Horn took his firm stand against the consideration of a $100 monthly pension for the miners.

Now I come to a brief discussion of the proposal I made at the trustees' meeting on Monday morning, April 12, which was agreed to by a majority of the trustees of the 1947 fund as a tentative basis upon which the fund could be activated and the miners return to their work.

I proposed that the controlling date for eligibility of UMW members for pensions should be May 28, 1946. Let me repeat that it was on May 28, 1946, that Secretary Krug, acting for the Government of the United States with the knowledge of the President of the United States, signed the contract with the UMW which set the formula and cut the pattern for miners' pensions. To me it is fair and reasonable that the language of the contract which Secretary Krug and the UMW signed should certainly be accepted to the extent of declaring eligible for pensions members of the UMW retiring subsequent to that contract date and meeting the other qualifications. The controlling date that I proposed constituted a complete disagreement with Trustee Lewis as to what members of the UMW should be eligible for pensions.

I proposed further that the eligible age of retirement should be 62. Both Mr. Murray and Mr. Lewis had proposed the age of 60. Although Mr. Van Horn made no formal proposal on this point, he had expressed the opinion that the eligible age of retirement should be not less than 65. On this point I took into consideration the reasonableness of a compromise between the Murray and Lewis proposal of 60 years and the accepted social-security retirement age of 65 years on the basis of the extrahazardous work of coal mining and the acknowledged excessive toll of the work on the physical endurance of the miners.

I proposed that pending the conclusion of a permanent agreement among the trustees the limited total of $5,000,000 should be set aside from the 1947 fund for pension purposes. This was $15,000,000 less than both Mr. Murray and Mr. Lewis had proposed. I felt that pending the results of the independent actuarial study I contemplated a $5,000,000 allotment for pension purposes would not constitute any serious threat to the solvency of the 1947 fund, which was then in excess of $30,000,000.

As a part of my tentative proposal, I suggested that the monthly pension to eligible miners should be $100. It was clearly understood by the other trustees that with respect to each point of my tentative proposal the way was to be left open for such adjustments as a complete and independent study of all the facts might make advisable; especially was that understood with reference to the point that the monthly pension should be $100. I should like to repeat that a monthly pension of $100 had already been officially proposed by two trustees, Mr. Murray, who was serving as the neutral trustee, and Mr. Lewis, the trustee for the miners. I should like to repeat also that in at least one official meeting of the trustees there had been unanimous agreement that a $100-per-month pension should be one of the bases for any actuarial study.

One of the points of argument raised against the Murray and Lewis proposals as well as against my tentative agreement which was accepted by a majority of the trustees is that employees of employers who are not signatory to the 1947 contract could become eligible for pensions. I should like to point out in this factual review of the settlement of the so-called pension dispute on my tentative basis that although I have requested evidence of the trustee for the operators in support of that point of argument none has ever been presented to me. I do not know yet whether the point is well taken, but I do know that there is yet no evidence in support of the point available to me. On the contrary, the information I do have relative to the point indicates that the effect of making the controlling date for eligibility May 28, 1946, to a very large degree eliminates the possibility that employees of employers who are not signatory to the 1947 contract will draw pensions from the 1947 fund. As a matter of fact, the question of who is eligible and qualified under my tentative plan has not yet been determined.

I think it bears repeating here that Mr. Murray, whose proposal for the activation of a pension fund under the clear terms of the 1947 contract was very liberal, was the neutral trustee appointed, as was I, to, in effect, protect the public interest. The evidence makes it clear that there was never any doubt in Mr. Murray's mind that under the terms of the existing contract signed on July 9, 1947, by the operators and the miners, the miners are entitled to a pension. The evidence makes it clear that there was never any doubt in the mind of Mr. Murray, the neutral trustee, that the terms of that existing contract called for the activation of a pension fund at an early date after the signing of the contract.

On March 29, 1948, Mr. Murray testified before the President's Board of Inquiry with reference to this pension dispute. During the course of his testimony on that day, Mr. Murray said:

> The United Mine Workers were entitled to a pension. The United Mine Workers had a contract entitling them to a pension. * * * The contract called for the starting of that pension at the first meeting of the trustees which took place July 15 (1947) or as soon thereafter as possible.

On Monday, April 12, when I presented to the trustees of the 1947 fund my proposal for the activation of miners' pensions and the resumption of coal mining, I made it perfectly clear that my proposal was on a tentative basis. I made it perfectly clear that it was my opinion that the compromise I proposed should be agreed to in the interest of the welfare of the American people. I made it perfectly clear that my tentative proposal was subject to any change which further study and further information should make advisable. I made it perfectly clear that it was my intention to accept independent expert legal and actuarial advice regarding all the questions in dispute. With the rank and file of the American people who were suffering from the effect of the stoppage in coal production and who were faced with acute hardships if the stoppage were allowed to continue indefinitely, I recognized that the important point was to find a reasonable basis upon which the miners could return to work and eliminate a dangerous threat to our national economy and security in a time which was everywhere acknowledged to be critical.

At this point in my remarks, I should like to insert a copy of a letter I addressed to Mr. Van Horn and Mr. Lewis on May 15, 1948.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> In the course of my statement at the meeting of the trustees of the 1947 United Mine Workers of America welfare and retirement fund on Monday, April 12, 1948, I included the following remark:
>
> "In my resolution (the resolution I moved adoption of as a tentative agreement to settle the so-called pension dispute and which resolution was adopted by majority vote of the trustees) I make no attempt to finally settle the questions involving legal or actuarial matters. In the weeks ahead I shall avail myself of expert advice in both these fields."
>
> At the time of my statement, April 12, 1948, I was of the opinion that the cost of the actuarial study contemplated could be a proper charge against the 1947 fund. I am still of that opinion. But I have been advised by competent counsel that because of the suit filed in the United States District Court for the District of Columbia on April 21, 1948, by Trustee Van Horn against Trustees Lewis and Bridges which, among other things, seeks to establish personal liability upon Trustees Lewis and Bridges for charges against the 1947 fund pending the determination of this action at law, I should have the authority of a unanimous vote of the trustees before accepting actuarial advice as a charge against the 1947 fund. I therefore have concluded that I shall not invite independent and expert advice on actuarial questions involving my duties as trustee of the 1947 fund while Trustee Van Horn's suit is pending unless the trustees unanimously agree that the cost of such independent and expert advice shall be borne by the 1947 fund and that there shall be no personal liability upon the trustees for such cost.
>
> In view of this conflict of opinion and the responsibility which is mine as third or impartial trustee, I consider it completely essential that in working toward a permanent agreement regarding the so-called pension dispute I should have the benefit of independent, expert actuarial advice. I am not in a position to personally bear the cost of such advice. In view of the competent counsel I have received with reference to the possible effect of the suit filed by Trustee Van Horn, I do not intend to seek independent, expert advice without the assurance of a unanimous vote of the trustees that the cost will be borne by the 1947 fund and that the cost will place no personal liability whatsoever upon the trustees.
>
> Therefore, the purpose of this letter is to invite such unanimous action by the trustees in order that I may proceed with my duties in a constructive way with a view to making to the trustees those suggestions which could be the basis for a permanent agreement regarding the conduct and use of the 1947 fund.
>
> I hope that I may have early word from you that I may expect your favorable action upon my request at the next meeting of the trustees.

Mr. BRIDGES. It is incredible to me that even men completely familiar with the facts of the pension dispute even some men personally familiar with the very contract they signed and which was in existence as a result of their own negotiations should seek to deny the terms of that contract which are in black and

white for all to see and read. Yet that is what some men have attempted to do. In addition some men occupying high positions of public trust who themselves failed to bring about that agreement which would protect the public welfare, have deliberately distorted the facts that constitute the settlement of the pension dispute. It has been suggested that some men in public office could have settled the dispute before it developed to the point where the welfare of the Nation was in jeopardy but chose rather to let it intensify with the purpose of gaining political favor thereby. It has been suggested that when the course they had set was abruptly ended by the action initiated by the Speaker of the House, their disappointment left them without the restraint of those polite inhibitions which should be the guide for men in high places. Their inhibitions blanked out by their disappointment over the effective settlement of a vital national problem, they proceeded to distort the truth, apparently in the hope that such a distortion would injure those who had performed a public service.

In some instances a distortion of the truth was carried through the country by those who claim that they are impartial and factual observers of the Washington scene. The words of one such carrier so strongly abuse the truth that I want to make direct reference to them today.

I have before me the Kiplinger Washington Letter for Saturday, April 17, 1948. It features a story which purports to relate the facts regarding the tentative proposal settling the pension dispute but which is actually a political smear of the cheapest sort. It is unworthy of a publication upon which many sincere American people would like to depend for truthful accounts of happenings in our National Capital. By the April 17, 1948, letter, Kiplinger goes out of his way to distort the facts and to do a grave disservice to the people who pay him a good price in the belief that he will tell them the truth. That is typical of what people all over the Nation suffer from time to time, when an organization like Kiplinger's, ostensibly established to give the people inside information as to what is occurring in Washington, proceeds to tell deliberate lies and falsehoods.

I have had correspondence with a number of subscribers to the Kiplinger Letter. Today I want to tell the Senate and the people of the country what I have already told those who have been thoughtful enough to communicate with me regarding Kiplinger's report on the pension dispute settlement. Kiplinger's story in his April 17, 1948, letter regarding that settlement is completely false. I would be more emphatic with reference to it except for my desire to keep within the bounds of dignity.

When there are vital problems for which the national welfare and security demand settlement, there must be men in public life with courage enough to tackle them. We are living in a time when the stability and the security of free peoples everywhere are in critical danger. It follows then that any problem which aggravates that danger must be approached by men in the Government without regard to political considerations. Such a problem must be approached forthrightly and with a determined will to find that settlement which can be accepted by reasonable men.

Those men in public life who are unselfish enough to put aside political considerations are well aware when they undertake the settlement of a controversial issue that they are subjecting themselves to criticism from men who lack courage and whose tongues are sometimes warped. I have been in public life long enough to know that when one succeeds with a job at which others have failed, bitter criticism must be accepted along with the thanks of those who are sincere. But I have also been in public life long enough to know that the settlement of vital problems requires action as well as talk. Most of the men who have done most of the talking in criticism of a settlement which the public welfare demands are the same men who were talking before the settlement was brought about, when they should have been engaged in action in the public interest.

I conclude with a brief summary of that action in the public interest initiated by the Speaker of the House and pursued by myself to the settlement of the coal miners' pension dispute.

First. The proposal I made to the trustees of the 1947 fund for the settlement of the coal miners' pension dispute was tentative and accepted on a tentative basis by a majority of the trustees. It was in accord with the agreement made by Mr. Van Horn and Mr. Lewis with the Speaker of the House. Let me point out here that the operators have never suggested any plan, tentative or permanent, and have rejected all plans suggested.

Second. It is a fair and reasonable compromise as a basis for the activation of a firm and existing contract between the coal operators and the coal miners. In their contract they had not only set the pattern for a miners' pension plan but by their contract they created the pension program itself. Yet not one dollar had been disbursed since the contract dated July 1, 1947.

Third. My tentative proposal, on the basis of which the pension fund was activated and the miners returned to work, set $100 as the monthly pension for eligible miners. It is a sum which can be changed if further study indicates a change is favorable. There had been at one time unanimous agreement among the three trustees that this was a reasonable basis for the actuarial study. My predecessor as the neutral trustee had officially suggested a monthly pension of $100 and had been joined in that suggestion by the trustee for the miners.

Fourth. My tentative proposal included 62 years as the eligible age for retirement. That too can be changed as study may require but, in my opinion, it is a reasonable age taking into consideration the hazards and the toll of mining work.

Fifth. My tentative proposal made the controlling date for eligibility for pensions May 28, 1946. Under the terms of the tentative agreement this point can also be changed as study may require, but at least on a tentative basis it is reasonable to make the controlling date the same date that the Government of the United States established this new precedent in management-labor relations. I also want to repeat again that by the acceptance of May 28, 1946, as the controlling date many thousands who would have been eligible under either the Lewis or Murray proposals were eliminated to further protect the solvency of the fund.

I wanted the Senate and the country to have this factual report of the settlement of an acute dispute which was jeopardizing the public interest. I am satisfied that the settlement constituted an urgently needed public service at a time when the problem was being badly handled.

I appreciate, as I know Speaker MARTIN does, the many messages from thousands of citizens throughout the country who have communicated with us to express their thanks for a reasonable solution of a problem which they recognized as a serious threat to the welfare of the country.

## DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949

The Senate resumed the consideration of the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

The PRESIDING OFFICER (Mr. THYE in the chair). The question is on agreeing to the amendment of the Senator from North Dakota [Mr. YOUNG].

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Morse |
| Baldwin | Hatch | Myers |
| Ball | Hawkes | O'Daniel |
| Barkley | Hayden | O'Mahoney |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Bridges | Hoey | Revercomb |
| Brooks | Holland | Robertson, Va. |
| Butler | Ives | Russell |
| Byrd | Johnson, Colo. | Saltonstall |
| Cain | Johnston, S. C. | Smith |
| Capehart | Kem | Sparkman |
| Capper | Kilgore | Stennis |
| Chavez | Knowland | Stewart |
| Connally | Langer | Taft |
| Cooper | Lodge | Thomas, Okla. |
| Cordon | Lucas | Thomas, Utah |
| Donnell | McCarthy | Thye |
| Downey | McClellan | Tobey |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Feazel | Magnuson | Wiley |
| Ferguson | Malone | Williams |
| Flanders | Martin | Wilson |
| Fulbright | Maybank | Young |
| George | Millikin | |
| Green | Moore | |

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

Mr. YOUNG. Mr. President, the appropriation bill of last year contained some language relative to the Federal

Crop Insurance Corporation, which provided two things: First, that the crop-insurance program would be reduced to an experimental basis, which the Department has now accomplished; secondly, that the old crop-insurance program would have to be liquidated. The head of the crop-insurance program came to me last week, after a trip through the West, and he informed me that they will not be able to completely liquidate the program during the specified period. All they are asking in this amendment is that they be allowed to go into next year, and without any additional funds, to liquidate the program and using funds now appropriated for this purpose.

Mr. BROOKS. Mr. President, I think there will be no objection to taking the amendment to conference.

Mr. YOUNG. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is now open to further amendment.

Mr. RUSSELL. Mr. President——

Mr. BROOKS. I yield.

Mr. RUSSELL. Mr. President, I know of no one who is more gracious in yielding than the Senator from Illinois, but I was seeking the floor for the purpose of offering an amendment. I shall offer an amendment when I obtain the floor in my own right.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. BROOKS. I yield the floor for the purpose of having the next amendment called up.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. RUSSELL. Mr. President, I desire to call up an amendment and have it read.

The PRESIDING OFFICER. The Clerk will read the amendment.

The CHIEF CLERK. On page 49, lines 4 and 5, it is proposed to strike out "$225,000,000" and insert in lieu thereof "$300,000,000."

Mr. RUSSELL. Mr. President, the purpose of the amendment is to provide the amount of the budget estimate for the soil-conservation and land-utilization program for the calendar year 1949. As all Senators are aware, each agricultural appropriation bill contains not only an appropriation to make soil-conservation payments for the year in which the bill is passed, but authorizes the size of the program for the coming year.

The amount proposed in the amendment, of $300,000,000, is the same amount for a 1949 conservation program as was approved by the President's budget and submitted to the Congress.

The House of Representatives has reduced the budget amount by $75,000,000. The amendment proposes to restore that reduction.

Mr. President, it should be unnecessary for a Member of the Senate of the United States to address this august body on the importance of conserving the most priceless asset of this country, the fertility of our soil. The fact that this program bears a national interest and that the national welfare is involved was recognized many years ago. It has been adopted as a national policy that the Congress of the United States should make provision for a cooperative program to attempt to stop the vast wastage of the fertility of our soil. The necessity for and the value of such a program is admitted by all intelligent people. It has long ceased to be an academic question. It is no longer even debated by high schools. Both national parties included in their campaign platforms of 1944 strong statements in support of a national policy of soil conservation in cooperation with the farmers, dealing through farmer-elected State and local committees, in order that this Nation might not go the way of most civilizations of the past and be confronted with the time when we would not be able to produce the food and the fiber with which to feed and clothe the people of this country.

Mr. President, I desire to read three brief paragraphs from the report of the Department of Agriculture on the action of the House in reducing this estimate by $75,000,000, and all that is said herein of course is applicable to the refusal of the Senate committee to make the restoration of that amount. I read:

> The reduction of the authorization for an agricultural conservation program in the crop year 1949 from $300,000,000 as requested in the budget, to $225,000,000, as provided by the House bill, will seriously impair the ability of farmers to carry out the necessary conservation work and to maintain the high production required by the world-wide shortage of agricultural products. The effect of this reduction will be to hasten the erosion of our soil and increase the inroads upon its fertility. The outlook for world supplies for the immediate future continues to point toward the starvation and near starvation of many parts of the world. For this reason the total crop goals recommended by the Department for 1948 call for continuation of the exceedingly high level of agricultural production maintained through the war years and since.
>
> These goals are too high from the standpoint of net land control and conservation, but there is no alternative. It is imperative, however, that all possible measures be taken to prevent permanent damage to the land. We cannot afford to postpone adoption of the most desirable practices to restore a proper balance between soil-conserving and soil-depleting crops. Toward that end the use of practices which will contribute toward production and, at the same time, protect the soil, must be increased. The agricultural conservation program contemplated by the authorization recommended in the budget is an integral part of such a program.

Mr. President, in my opinion, one of the most progressive measures which has been enacted in the Congress, looking to the future welfare of America, is the soil-conservation program. It was adopted in 1936 and was maintained by congressional appropriations in an adequate fashion until last year's appropriation bill. In my judgment, it has amply justified every dollar which has been expended since the institution of the program. During the war years, when we were confronted with unprecedented demands, the fact that we had taken even this small step forward in preserving this priceless asset enabled the farmers of the Nation with less labor, less fertilizer, and less machinery to set records of production that would have been impossible of achievement before the inauguration of the soil-conservation program. The demands upon the American farmer for production are even greater today than they were during the war years. The American people are eating 17 percent more food today than they ate in the period 1935 to 1939. In addition, there are more mouths to feed in the Nation. The population of the United States increased last year by 2,600,000 persons. There are heavier demands from overseas than ever before. Every shipload of food that leaves our shores on its way to Europe carries priceless minerals which have been taken from our soil. It would be the height of shortsightedness not to undertake to restore those minerals in order that we may continue to produce in case of future emergencies.

I take it to be undisputed that every segment of our population, whether in the cities or on the farms, whether working in an industrial plant or behind a plow, has a vital stake in the preservation of our soil and water resources. We must not only have adequate supplies of food and fiber for the future, but we must recognize this program as being a great national defense reserve of productive capacity. The program provides a means whereby the Government and the individual farmer may cooperate and share in the cost of the conservation program which is so vital to both the farmer and the general public.

When our forebears landed on our shores there was an average of 9 inches of topsoil on all of our croplands. We allowed a third of that fertile soil to be carried by erosion, by wind and water, into the seas, into reservoirs, and into total waste before we inaugurated any effort to prevent that tremendous loss. It is a loss which has been estimated at $3,400,000,000 annually. It is taken from the great national wealth of all the people of the United States to which they must look for sustenance in the future.

To quibble about spending the modest sum of $300,000,000 a year on a program which bears promise of success in preventing that great loss in the future seems to me to be a very poor idea of national economy. We have already lost more than 100,000,000 acres of farm lands, which are hopelessly gone from the standpoint of present production. There is another 110,000,000 acres which is badly damaged. It will take the efforts of three or four generations, as well as the expenditure of large sums of money, to restore the fertility of those lands and make them capable of production.

This program has helped immeasurably in times past. But even today we are losing the equivalent of 500,000 acres of crop lands each and every year.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. McCLELLAN. I have been very much interested in the figures which the able Senator from Georgia has mentioned with respect to the annual loss of our soil. Does the Senator have any

figures indicating an estimate of how much soil we are saving and preserving by reason of the program of soil-conservation payments?

Mr. RUSSELL. At the time we were compelled to modify the program due to the demands of war it was estimated that we were practically holding our own in connection with the loss of soil. Of course the war years, of necessity, brought about an abandonment of some of the practices. They brought about a reduction of the appropriation from $500,000,000 annually to $300,000,000 annually. We had almost reached that happy state where we were holding our own and not suffering any great loss each year. The figures I gave were based on the losses that would ensue where there was no conservation program.

Mr. McCLELLAN. Even the modest program for which we are asking would contribute greatly to preventing the loss of this great natural resource, would it not?

Mr. RUSSELL. It would contribute tremendously, because it keeps more farmers interested in the program. Of course the program is inadequate. I have always believed we could justify an expenditure of a half-billion dollars each and every year for this purpose. We did spend that amount from 1936 up until after the beginning of the war. It was a wise national investment, because it enabled us to feed and clothe our own people and our allies when our national security was in danger.

Mr. McCLELLAN. It is really an investment in the inherent, potential, and natural wealth of our country. Unless adequates measures are taken to conserve our soil, unless a program of this character is carried on, we shall continue year by year to suffer the loss of more and more topsoil. If that loss should go on continuously and indefinitely, without these measures being invoked, we should soon become impoverished so far as the fertility of our soil is concerned.

Mr. RUSSELL. The Senator from Arkansas has well stated the very point which I was undertaking to impress upon the Senate. I thank him for his contribution.

Mr. President, as I have said, the $300,000,000 is inadequate for the program, and that is particularly true when we are practically mining the soil of America today with too intensive cultivation in order to supply not only our own demands, but those that come to us from overseas.

There are in this country today only 460,000,000 acres of good cropland. That is all that is available within the confines of this Republic. Twenty-five years ago, based on that figure, there were 3½ acres of good cropland to supply the needs of every individual in the country. Today there are only 2½ acres of cropland to supply the needs of each individual in this Nation.

It is estimated that the country will reach a balanced population in the year 1980, and that after that year we will have a fairly stable population. Even if we make this appropriation, and are able each year to stop the great loss of land, we will have only 1.8 acres for each individual, and if we do not protect what we have now our people will be driven to a greatly reduced standard of living.

We may see in this country the application of the theory of Malthus. Malthus was an economist of England who about 150 years ago announced a theory that was discussed all over the world. I think it should be discussed a little more today. I think people have made a mistake in losing sight of Malthus. The Malthusian theory was that if the population of the world increased we would be unable to maintain living standards. He went on to point out that the poorer people would first bear the brunt, and that soon we would have to adjust our population, through the death of those who starved and those who were unable to find clothing with which to protect themselves from the elements, unless we either destroyed the population by starvation or conserved the sources of the production of food and clothing for the people. We know that failure to recognize the theory advanced by Malthus has brought the death of great civilizations of the past.

I had the privilege some 3 or 4 years ago of flying over north Africa, where the endless wastes of the Sahara Desert stretched forth as far as the eye of man can see. I was told that there had been found in the midst of those desert sands the ruins of old cities which had been destroyed so far back in antiquity that the conditions of their existence were not recorded. They were destroyed because the lands were unable to produce food to sustain those who lived there.

We went over the Bible lands of the Middle East, where the land was all eroded, where there were only stones where once had grown the cedars of Lebanon with which Solomon built his temple. We landed where the very Garden of Eden was supposed to have been, between the Euphrates and the Tigris Rivers. When one got 2 or 3 miles from the banks of the river, where irrigation stops, there was the most desolate land that ever met human eye.

We are not confined to the history of antiquity, for we know that the hour the Roman Empire was compelled to depend on imports of food from outside the confines of their borders marked the beginning of the decline of that great civilization.

Unless we pay attention to preserving our great resources we are sure to go the way of all the other great civilizations of the past.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LUCAS. The Senator from Georgia is, as usual, making a most interesting and valuable address on the subject of agriculture.

Mr. RUSSELL. I thank the Senator.

Mr. LUCAS. Turning to the majority report, page 12, I find this statement:

> Experiences in this country over a period of 200 years demonstrate that, without a positive program for conservation—

I lay a great deal of stress on that word "positive"—

> agricultural practices will be such as to permit destructive forces of water, wind, and cropping to destroy the productive qualities of even our most favorably located agricultural lands.

Does the Senator agree with me that even the majority who seek the cut in the soil-conservation program share the opinion with us that even the most favorably located and cared for agricultural lands, if they do not have soil-conservation practices, will ultimately erode and perhaps be destroyed?

Mr. RUSSELL. I stated that I thought that even the $300,000,000 sought in the amendment is inadequate, in view of the tremendous consequences which might follow the neglect of this program.

Mr. LUCAS. I agree with the Senator in that. My reason for reading the statement in the report is because of the next statement:

> On the other hand, the committee believes that the authorization is sufficient to encourage a large majority of farmers to adopt or continue soil-conservation practices adapted to their conditions under present conditions of relatively good farm income.

That statement is inconsistent, in my judgment, with the first. In other words, the soil-conservation program cannot be neglected and it cannot be turned over to the farmers, who, at the present time, are extremely prosperous, on the theory that the farmers are always going to take care of their land regardless of what comes. That is exactly what this statement says.

The majority say further—and this is the real reason, perhaps, why the cut is recommended:

> Furthermore, a conservation program for this purpose is less likely to meet with public disfavor in this period of heavy demands upon the Public Treasury.

I presume that may be the real reason, and nothing else, why they have cut this particular program at this time. That is the only reason I can think of, because in the judgment of the Senator from Illinois it is a short-sighted policy, insofar as the future welfare of the Nation is concerned, to cut the appropriation for the soil-conservation program at this time. As the able Senator said a moment ago, and pointed out in fact and figures. Since the world at this particular time is looking to the United States for the necessities of life to be produced here, and in view of the mining of the soil that took place during the war, we ought to have in reality an increase in the appropriation for soil-conservation purposes, rather than a decrease. I make that observation in the Senator's time, and I thank him, because I know he agrees with the position I take.

Mr. RUSSELL. Mr. President, I agree absolutely with the position of the Senator from Illinois. I think the program is inadequate, it is woefully inadequate with the appropriation of only $225,000,000. In my opinion it would not be a sufficient amount even if the Senate voted to restore the full amount of the budget estimate.

Mr. President, I have been long interested in this question of conservation. It is a national responsibility. It is something which gives the Congress an opportunity to rise to the height of real

statesmanship, to provide for generations who are to come after we have passed from the scene of action.

Mr. President, we are handing down enough burdens to the generations which are to follow us without handicapping them by leaving them land that is unable to produce the food and fiber necessary for life to exist. Due to our unhappy handling of international relations, we have gone through two great wars, and we are handing down to coming generations the most staggering national debt with which any people have ever been confronted. They undoubtedly will be paying on it for the next 150 years. We have exhausted many of the mineral resources of this country, such as lead, and a number of others I shall not undertake to enumerate. We can see the end of our petroleum resources, and the least we can do for the future generations is to hand down a fertile crop land which will be sufficient to supply food and fiber, depending on the ingenuity and the research work which will be done, to enable coming generations to use substitutes for these resources which we have spent so prodigally.

We at least have the obligation to the future to protect the fertility of the soil, in view of the prodigality with which we have dealt with all our other resources. If we do not do that there will be no forests. There will be land which will produce some foods, but it will not contain the elements of food value which are essential if we are to have a strong and virile citizenship. Today when we purchase our vegetables they are often beautiful to behold, but they sometimes have no food value, because the land from which they have come has been depleted of the iron and other essentials for building strong and healthy bodies for our citizens.

Mr. President, the program has had a most interesting history. In the early days when we appropriated $500,000,000 it was not all used. The program was new. The farmers were not familiar with it. I can remember year after year when we would have $80,000,000, $90,000,000, or $100,000,000 to carry over into the next year because the farmers had not recognized the benefits and the advantages which accrued to them from cooperating with the Government in this great national endeavor. Then the farmers came to rely upon the program and national progress in conservation started. When the war came we cut the program down because of the fact that we had to devote more crop lands to the production of soil-depleting crops to meet the demands which are made upon us. The program was cut down first to $450,000,000, then to $400,000,000, and then to $300,000,000. But last year Mr. President, was the first time that Congress did not recognize its responsibility for the maintenance of the program. The appropriation bill for the 1947 fiscal year had established a $300,000,000 program. When the matter was considered in the other body they reduced that amount. Though it was as definite a commitment to the farmers of the country as any contract for the construction of ships during the war, they reduced the amount to $160,000,000, as I now recall. I do not remember the exact amount. They absolutely did away with the program for the present calendar year, and said that the soil-conservation program to which both political parties were pledged, which had been generally accepted all over the land as being one of the most desirable activities of government, should cease absolutely on the first day of January 1948.

The Senate committee, under great pressure, was able to secure at least an appropriation for $265,000,000 to pay for last year's practices, although the farmers had been promised $300,000,000, and to establish a $150,000,000 program for this year.

It must be borne in mind, Mr. President, that the administration of a $150,000,000 program costs practically as much as the administration of a $400,000,000 or $500,000,000 program. So we were, therefore, left with only $125,000,000 to pay the farmers this year. We were able to save the skeleton of the program for this year, but it was practically stripped of all its flesh. It was a mere bare bone that we were able to salvage.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LUCAS. Am I to understand now that the smaller of the two appropriations the Senator is now talking about will be paid to the farmers the coming year?

Mr. RUSSELL. It will be paid for soil-conservation practices which were carried out this calendar year, but the farmers will not receive their checks until sometime next spring.

Mr. LUCAS. I thank the Senator.

Mr. RUSSELL. We were able to salvage the program, and incidentally, in my judgment, we salvaged the Republican Party. The Republican Party owes a debt of gratitude to the committee, to its chairman, and to the Senator from North Dakota [Mr. YOUNG], who insisted that we at least pull out and salvage these bare bones. I do not believe that the Democratic Party, if the Republicans had completely and entirely annihilated and killed the conservation program as it was contemplated when it came to the Senate, could have made such blunders as would have elected many Republican Congressmen this year.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. I wish to speak a little further about the point the Senator made that sufficient appropriations have not been made to pay the full amount agreed to be paid under the Government program. In my State the farmers had earned more than there was money to pay them, which in itself would tend to discourage them from participating in the program. I think that creates a very bad relationship between the farmers and those carrying out the whole soil-conservation program.

Mr. RUSSELL. The Senator from Arkansas has mentioned the very next point I intended to deal with, and that is that we might as well kill the program outright as to carry it on under such circumstances of confusion as obtain at the present time. Last year, after the House had cut the heart out of the appropriation for last year's payment, and had annulled any program whatever for this year, 1948, there was for 2 months a hiatus during which, under instructions from Washington, the local triple A committees would not accept any conservation practices whatever because they had no idea of what the amount of appropriation would be. The year before the Congress had established a $300,000,000 program. Here was an appropriation of $160,000,000 to pay a $300,000,000 debt. Now this year we have a little $150,000,000 program, and next year it is supposed to be, under the House figure, $225,000,000. Well, we cannot expect farmers of the country to put out their good money under such circumstances of confusion. And bear in mind that they spend nearly $2 on this soil-conservation program for every dollar the Government contributes to it.

I want to point out that in 1948 there are 1,250,000 less farms, fewer farms, connected with the soil-conservation program than there were in the year 1944. It is estimated that the number will decline much further this year, and the farmers will only be paid for about 40 percent of the soil-conserving practices they carry out as compared with payments previously made.

Mr. President, there are those who think that the $150,000,000 for this year is adequate. I am not disposed to be critical. I merely put this prediction in the RECORD. Wait until next year when the checks go out to the farmers, for about one-third of what they think they ought to be, and we will hear plenty from back home. The farmers are not yet fully aware of what the Congress has done to them in practically emasculating the soil-conservation program.

The program cannot possibly be a success in any such confusion as surrounds it at the present time with this haphazard method of approach, setting up a $300,000,000 program and then cutting the appropriation, of cutting it still further for another year, and then raising it back a little bit the next year. We should have a constant program of at least $300,000,000 if we are to hope to achieve our objective of preserving the fertility of the soil of the country. We cannot expect the farmers to continue in a cooperative measure, in a partnership with the Government when they do not know when they go to bed at night what the attitude of the other partner will be in the morning, due to the constant state of flux that has surrounded the appropriations for this endeavor in the two bodies of Congress. We will destroy the program just as surely by hopping around from one figure to another as we would by cutting it off entirely. It will not be a sudden death, but we will reach the same objective in the long run. We should eliminate this uncertainty, we should do away with this confusion, and stand by the budget estimates to carry on this great work which is so vital to our land.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LUCAS. The Senator is discussing what seems to me to be probably as

important a feature as there is in this entire program, and that is the partnership between the Government and the farmers. I can show the Senator letters in my files from farmers who are wondering what the Government is going to do next in the soil-conservation program. In other words, if the Government shows a lack of interest in the soil-conservation program, that lack of interest will be transmitted directly to the farmers. He is saying, in substance, "If the Government of the United States, powerful as it is, is not inclined to demonstrate a real interest in the soil-conservation program, I am going to follow the same path. I am going to do likewise, and slacken my interest." That is exactly what is happening throughout the country as a result of what has been going on for the past two or three years with respect to these diverging appropriations.

Mr. RUSSELL. I think there is no question that many farmers measure the importance of the program by the degree of interest which the Government shows in it. If the Government is greatly interested one year and has no interest the next, we cannot have a sustained and continuing program which will achieve the objectives for which we all devoutly hope.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TYDINGS. It is a little astounding to me to note that this proposal, which has already run the gantlet of the Appropriations Committee of the Senate, should now come before this body with the lower rather than the budget appropriation in it for this purpose, in view of this fact: As the Senator knows, there are 21 members on the Appropriations Committee. Twelve of them are Republicans and nine are Democrats. Eleven of the Republican members on the Appropriations Committee of the Senate are from agricultural States. That represents more than half the committee. Eight of the nine Democrats on the committee are from States which are predominantly either agricultural or cattle-raising States. So the significant thing is that more than half the majority membership on the Appropriations Committee comes from States which are predominantly agricultural. It is rather an anomaly that we should be in this situation, considering the background of the majority party on this committee.

Mr. RUSSELL. I thank the Senator.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DWORSHAK. The Senator is widely known as one of the real champions of agriculture and of farm legislation. As a member of the Committee on Appropriations in the Senate, he has been chairman of the agricultural subcommittee for many years. I am sure the Senator from Georgia will agree with me when I say that the Senator from Illinois [Mr. BROOKS], who is now serving as chairman, has been doing outstanding work in behalf of agriculture. A year ago, when the other body made a recommendation that all the funds for this particular program be eliminated, the chairman of the subcommittee did everything within his power in behalf of the program. As chairman of the subcommittee, of course, he has exceptional influence in shaping this particular program. I know the Senator will agree with me that our chairman did everything he could, and did an excellent job in continuing the soil-conservation program at a time when it appeared that it might be discontinued.

Mr. RUSSELL. I do not know whether the Senator from Idaho was in the Chamber a few moments ago. I stated that the Senator from Illinois had not only rendered great service to the program, but along with the Senator from North Dakota had saved the Republican Party, in my judgment, by seeing that this program was not killed completely last year. I am not discussing this question from the standpoint of partisanship. I am appealing for votes for this amendment on the broad grounds of the national welfare in building a proper America for the future.

Mr. DWORSHAK. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. DWORSHAK. I regret that I did not hear the Senator's previous remarks, because I have heard the Senator from Georgia during the deliberations of the subcommittee of the Committee on Appropriations, in connection with the agricultural appropriation bill, and I know that he recognizes, as do all the other members of that subcommittee, the sterling qualities and the exceptional service rendered by our chairman. I did not intend in any way to refer to anything the Senator from Georgia was saying on this specific item, but rather to counteract any false impressions which might result from some of the comments made by other Members of this body who probably are not intimately acquainted with the details.

Mr. RUSSELL. Mr. President, the Senator from Illinois stood as steadfast as Gibraltar in the conference last year for the position of the Senate, as determined on the floor of the Senate. I think that was the only time that there has been a unanimous record vote. As I recall, there were two unanimous roll calls on two vital phases of the agricultural appropriation bill. I hope the Senator from Illinois and the Senator from Idaho will join me in supporting this amendment.

The farm-income argument has been used. It has been pointed out by the majority report, and it has been argued in other quarters, that due to the fact that the farm income was relatively high, the Federal Government should not spend any money on a soil-conservation program. The figures which are given as to farm income are illusory. The farmer's income has increased more in proportion than that of other groups because he had so much further to go. The 1939 farm income was only about $4,500,000,000, for 20 percent of the people of the United States. Last year, despite the tremendous increases which had come about in farm prices, it was only $19,500,000,000.

Mr. President, I wish to point out further that 19 and a fraction percent of the people of the country live on farms. For the years 1946 and 1947 their income was 9.8 percent of the total. So the increase in farm income has not yet given the farmers parity with other groups in this country so far as our national income is concerned. Roughly 20 percent of the people still enjoy only 9.8 percent of the total.

I further invite attention to the fact that during the last year for which figures are available, the year 1946, the average income of the farmer was $779, whereas the average nonfarm income was $1,288. Bear in mind that the estimate of $779 as farm income includes food, housing, and everything the farmer uses which comes from the soil as well as cash from sale of crops. We cannot have a program without Federal aid. Two million one hundred thousand of the less than 6,000,000 farmers of this country, in the last year had cash incomes of less than $1,000. In addition, one-third of all the farmers are tenant farmers and sharecroppers. We cannot expect those people to make an investment in lands which they probably will not be occupying tomorrow, particularly in view of the pitiful amount of income which they enjoy.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STEWART. I very much enjoy the Senator's discussion of this problem. I am interested in it to the extent that in years gone by I have contributed to the introduction of legislation, along with the Senator from Georgia and others, touching somewhat the same question.

I particularly wish to refer to the subject which the Senator is discussing at the moment, and that is the question of farm income. While that is important, farm income is more or less incidental to this program, as I view it. It is a governmental responsibility to preserve the fertility of our soil. This Nation is being called upon now perhaps more than ever before in the past to produce food for the entire world, and we cannot do that without soil which will produce food in larger quantities. We have seen, and each year are continuing to see, the removal from cultivation of many hundreds of thousands of acres, due to erosion. Only recently, within the past year or two a severe flood and storm in the Mid-West washed down the Mississippi River hundreds of thousands of fine fertile acres of topsoil from what we call the breadbasket of the Nation, thus making necessary intensive work in rebuilding and enriching the soil there, as well as extending operations into other sections of the country. So, important as is the income, that is not the most important question. The most important thing is to conserve the rich soil, so that it may not only produce increased income, but may continue to produce the food so greatly needed not only for our own Nation, but for the entire world, which we are being called upon to help feed.

Mr. RUSSELL. And for future generations yet unborn, so that they may live and enjoy the goodly land which we have inherited. I agree completely with the Senator from Tennessee. I have never thought that the soil-conservation

program should be tied up with the question of farm income; but since the argument that the farmers were enjoying a good farm income has been brought forward, I was undertaking to show that there are tens of thousands of farmers who are unable to carry on the program on their farms. We have seen 1,250,000 farms eliminated from the program since 1944. Mr. President, 24 percent of all farmers in the country had a cash income of less than $600 last year, and we cannot expect those people to carry on any sort of comprehensive money-spending program to preserve the fertility of the soil for the future.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Having been a member of the subcommittee for many years, I commend the distinguished Senator from Georgia for his statement.

I wish to ask if it is not a fact, too, that in many sections of the country there is a great shortage of nitrates and other fertilizer materials, which adds all the more to the necessity for soil conservation.

Mr. RUSSELL. Undoubtedly; and one of the most important phases of this program is the planting of cover crops to put nitrates into the soil. There is a great shortage of such nitrates and other fertilizer materials, and that is one of the reasons why the soil is being depleted so rapidly.

Mr. McFARLAND. Mr. President, will the Senator yield to me?

Mr. RUSSELL. I yield.

Mr. McFARLAND. Is it not a fact that in the past the soil-conservation program played a great part in enabling us to provide the food and fiber needed in the war?

Mr. RUSSELL. Of course that is so. Mr. President, in my judgment it would have been impossible for us to have played such a successful part in the war and to have carried it forward so rapidly to a victorious conclusion without the food and the fiber which our farmers were able to produce by reason of the fertility gained by the soil-conservation program and practices. They not only have been most necessary in the past, but will continue to be essential in the future. Without a proper conservation of the soil, our production of food and fiber would be disastrously decreased. Mr. President, we are told that Napoleon said that an army travels on its stomach. Of course, even though we have vast numbers of airplanes, tanks, and all the other impedimenta of war, if we do not have sufficient food to feed the soldiers and sufficient clothing with which to equip them, all the other items of equipment will avail nothing.

Mr. McFARLAND. It is hard to understand why the House committee was not willing to restore the full $300,000,000 in view of the program's importance to the economy of our Nation and the important part it plays in our national defense program.

Mr. RUSSELL. The Senate did restore the $300,000,000 for 1948, with the aid of the Senator from Arizona, who supported that move. But, unfortunately, in the dealings between the House and the Senate, although the conferees on the part of the Senate stood as adamantly as they could for several days, they were compelled to agree to a reduction of that appropriation, and the amount we finally were compelled to accept was only $265,000,000, instead of the $300,000,000. That is to be paid this year on last year's program.

But the thing I am complaining about is the utter confusion that attends this program, when one House will cut out provision for it, and the other House will undertake to restore it, so as to keep faith with the farmers; and then we come to the point where it is necessary to give up something in order to obtain any legislation whatever on the subject. We should have a fixed and continuing program.

Last year we were told by the Department of Agriculture that due to the 2 months which had intervened between the time when the bill passed the House and the time when it passed the Senate, during which no plans whatever could be made, the $265,000,000 would pay for all the definite commitments which had been made to the farmers. I have heard from some sources, since then, that that is not the case; but I have not had an opportunity to go into that matter thoroughly.

Mr. President, as I see the situation, this is a mere question of conforming to the budget estimates and carrying on this work in the future on an even basis, so the farmers will know what to expect in regard to one of the most important programs which has ever been conceived as a function of the National Government.

We have appropriated some $5,300,000,000, or will appropriate it, for the European relief program, a program which will result in the shipment overseas of a great deal of the fertility of our soil. I submit that it would be better to take $75,000,000 from that appropriation, and add it to this one, rather than to see the soil-conservation program left in the confused state in which we find it today. We should not trifle with anything of such vital importance to the future of our country.

The $300,000,000 that is sought for this purpose is too little; but we cannot afford to do less. If we do not stabilize this program, we shall wreck it eventually. I hope the Senate will vote to provide the requested $75,000,000, so as to enable us to restore this program to at least a semiadequate basis, lest all that we have wrought up to now in undertaking to preserve the fertility of our soil and the sufficiency of our water resources will be lost and scattered away, through the halting method by which the Congress addresses itself to establishing a real soil-conservation program.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. McCLELLAN. I wish to read certain figures from the Agricultural Conservation Program Statistical Summary of 1946, which I hold in my hand. I did not obtain the exact figures to which the Senator referred a while ago, when he was speaking about the smaller number of farms now included in the program, as compared with the number in 1944, as I believe he said. At any rate, the number is considerably less.

Mr. RUSSELL. It has decreased by approximately 1,250,000 since 1944, in the number of farms engaged in the program.

Mr. McCLELLAN. Mr. President, if the Senator will follow me as I present these figures, I think I can point out what will occur if we cut this appropriation down to $150,000,000. The figures I am about to state come from statistical table No. 17 in this pamphlet, which is issued by the Department of Agriculture. I find that from 1946, there were 3,106,812 payees under this program. Of that total, 1,255,745 of those payees actually received $40 or less in benefit payments.

What I am emphasizing is that if this program is cut to $150,000,000, the farmers who will be removed from the program will be those who have small farms, scattered in the various communities, and who have been receiving very small payments under this program. When we reduce the total number of those payments to half or less than half of the number of payments which were made under the $300,000,000 program, the result will be that the number of farms on which farmers are engaged in carrying on the program will be much less, and the further result will be that great numbers of the small farms wil' no longer be engaged in this program.

I wish to call attention to the figures for that year for my State, and also I shall be glad to state the figures for the State of Georgia.

Mr. RUSSELL. I shall appreciate having the Senator do so.

Mr. McCLELLAN. I shall give the figures for Georgia first.

In the group of farmers receiving payments of $20 or less, there are 20,969 farmers in the Senator's State of Georgia; and of those receiving from $20 to $40, there were 13,948, or a total of approximately 34,000 in the State of Georgia, whereas the total number of payees in Georgia was 66,050. In other words, in the State of Georgia, as is true in my own State, as I shall point out in a moment, more than half of the payees under the program on a $300,000,000 appropriation basis, received $40 or less annually. If we reduce this appropriation to $150,000,000, that is the group that will suffer the loss. Small farms will cease to operate under the program. For the small farmers whose payments are cut down to a few dollars, to a point where it is not worth undertaking to comply, there will be no incentive to them whatever to stay in the program, and so, Mr. President, a far greater number of farms will go out from under the program than the figures indicate have gone out since 1944.

I wish to insert the same figures from my State. In Arkansas, there were 81,576 payees in the same year. Of that number 26,471 drew from 1 cent to $20; 20,835 drew payments between $20 and $40, the total being 47,000. Approximately 60 percent of the farmers in my State participating in the program drew less than $40 in soil-conservation benefits. I emphasize—and I believe the able Senator from Georgia will agree with me—that if we reduce the appro-

priation to half, and then have to take out of that the administrative expenses, the result will be that of the small farms to which I have referred—and the condition may be almost the same in other States; indeed it will be, in many of them—75 percent of them probably will have to cease to participate in the program.

Mr. President, that is the effect of what it is proposed to do. If we merely carry along the skeleton appropriation and program we are sabotaging the program and doing irreparable injury to our Nation and to its wealth of agricultural productive power.

Mr. RUSSELL. I thank the Senator for his contribution. Of course, this program is not essentially to help the large corporate firms. There have always been limitations on the amount that could be paid out to any one farmer, in the basic law, which was $10,000. In our extremity last year, confronted with the necessity of reducing these appropriations to $150,000,000, we put a limitation on of $500 as the maximum amount to be paid to any one person. But the future of the small farm to which the Senator refers is just as important to the Nation as the large corporate firms. Indeed, there are many people who are convinced that the foundation stone of all our institutions is found in the patriotism that comes from the small farm, the individual farmer, and that is the great tragedy about hamstringing this program and creating all this confusion and uncertainty about it. It drives the little farmer, the man who is least able to carry on the soil-conservation practices from the program, letting his land fall a prey to the processes of erosion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I am very much interested in the amendment offered by the Senator from Georgia, and I expect to support it. I have here on the floor of the Senate, and before then, in the House of Representatives, and in public gatherings of all sorts, for years sought to call attention to the prodigal waste of our soil, going all the way back to the early history of the country, when there was plenty of land and our forefathers moved from place to place, clearing up a strip here and there, and building little homes, wearing out the land and moving on, clearing up some more, and wearing that out, until they went all the way to the Pacific coast. In the meantime our population has increased until we are now a nation of about 145,000,000 people, increasing in population at the rate of about 4,000,000 annually, if I am not mistaken.

Mr. RUSSELL. I suggest to the Senator it is nearer 2,600,000.

Mr. BARKLEY. Two million six hundred thousand?

Mr. RUSSELL. That was the figure last year.

Mr. BARKLEY. That is a little less than 3,000,000. Of course that means that every year in this country, every acre of land is required to be cultivated more fully than it was the year before, so that we are confronted not only with the question of preserving the fertility of the soil we now have but of reclaiming that which has been wasted by the prodigality of our people, for reasons which I just mentioned.

I was told—I do not know whether the Senator from Georgia was on the Joint Committee on Agriculture, or the committee of the Senate, whichever it was, that went all over the country holding hearings on a farm program—I am told by some of the members who were present at the hearings that of all the farm programs which were under consideration or in progress, all the aid to agriculture which had been promulgated by the Federal Government, there was a greater degree or unanimity among the farmers in behalf of the soil-conservation program than almost any other part of it. Is that the Senator's experience?

Mr. RUSSELL. I was not a member of the committee to which the Senator from Kentucky alludes, but there can be no question in my mind that the soil-conservation program meets with the approval of the vast majority of American farmers. We have some farmers, Mr. President, for example in the State of California, where they have a peculiar and diversified agriculture and farm on a tremendous scale and make a tremendous income each year, where there is an occasional objection to the soil-conservation program on the part of some man who pays large income taxes. But by and large the soil-conservation program in my judgment meets with the approval of 95 percent of the farmers of the country, and they have shown that it meets with their approval by the wholehearted manner in which they have cooperated. Everybody is for soil conservation in the abstract. We all put it in our campaign platforms. We speak over our States about what we are doing to build up the national resources, by supporting the soil-conservation program. But, Mr. President, you cannot preserve soil with platform promises, or with campaign speeches. It takes an active soil-conservation program to preserve the fertility of the soil to stop this great waste from erosion. Such a program costs money.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. The type of fertilizer to which we frequently refer facetiously in political campaigns is not the type the farmer needs in order to produce more abundant crops.

Mr. RUSSELL. No.

Mr. BARKLEY. At this particular time, when we not only are confronted with the responsibility of feeding our own people but inevitably, indispensably required also to contribute very largely to the supply of food to peoples of other countries, we should preserve not only the fertility of the soil that now exists but reclaim it and add to it, so that we may not hand down to our children and grandchildren impoverished soil upon which they may not be able to sustain themselves.

Mr. RUSSELL. The Senator from Kentucky was called off the floor when I pointed out that we were leaving to future generations a greater burden, for which they were not responsible, than any other generation has ever assumed, and we certainly have an obligation to leave them soil that is capable of supporting life.

Mr. BARKLEY. I am sure the Senator covered that point, and I am sorry I was called off the floor.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. With respect to the question submitted by the Senator from Kentucky, I may say I was a member of the committee that made a survey of conditions throughout the country last fall. A number of the members of the full committee were appointed as a subcommittee. The subcommittee covered the United States as far west as Denver, as far south as Memphis and Alabama, and as far north as New England. There appeared before the subcommittee at the hearings representatives from practically every State in the Union—perhaps not from the far West, California or Oregon or Washington—but certainly from the Rocky Mountains east. Without exception, in the territory visited, farm lands or otherwise, hundreds of farmers came before us. It seemed that the farmers from all sections were practically unanimous in approving, first, the soil-conservation program; secondly, the support-price program; and, thirdly, the loan program. Of all the elements of the present farm program, every witness was favorable to the continuation of the soil-conservation program. The only fear they manifested was that the program might not continue.

The subcommittee asked for new suggestions. Very few of the witnesses had any new suggestions. They seemed to say, "If we can have the present program continued and made permanent we can survive." Of all the elements of the farm program, the soil-conservation element was the one which was unanimously supported.

Mr. RUSSELL. I thank the Senator for his contribution.

Mr. President, in my judgment, the two greatest steps ever taken to preserve American agriculture have been the rural electrification program and the soil-conservation program. The rural electrification program has tended to keep the farmer on the farm. The soil-conservation program has tended to help to preserve the fertility of the soil and to restore soil which has been depleted. The two go hand in hand. The program is so important to the farmer and so highly favored, as has been pointed out by the Senator from Oklahoma, that it should be relieved of all uncertainty. It should be put on a stable basis, so that the farmers will know what to expect. It is a challenge to the statesmanship of the United States to keep and preserve American civilization and to prevent it from going the way of great empires of the past which are now marked only by ruins.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CONNALLY. Mr. President, I congratulate the Senator from Georgia for leading the movement to preserve the soil-conservation program. In my State the program has obtained splendid results. Much of our soils in Texas are black land which is easily eroded. Floods wash down hillsides and absolutely destroy the fertility of the soil. I have a small farm, and I was early impressed with the necessity of taking measures to preserve its soil. As long ago as 1925, 23 years ago, I had my farm terraced. The results were absolutely astonishing in preserving fertility and increasing production. I think it is absolutely vital to agriculture and to our whole economy to rebuild the soils which have been washed away. They can be rebuilt. My experience in Texas has been that in connection with a number of different phases of the question, farms which had been practically destroyed and washed away have been terraced and, under the methods of the agricultural program, have been rebuilt and made fertile and productive.

I heartily commend the Senator from Georgia upon his remarks today.

Mr. RUSSELL. I thank the Senator from Texas.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Florida.

Mr. PEPPER. I should like to submit the brief observation that in 1945 I had the privilege of flying from Tehran to Cairo. Any one who has seen that desert country, as most Senators have, in which we are told the Garden of Eden was located, can appreciate what it means for a country not to be able to preserve the fertility of its soil, the constancy of its water flow, and the things essential to agricultural production.

At the present time it seems to me we have two very great forces working against each other. They are related to what the Senator from Georgia has pointed out today. One is the steady increase in the world's population.

It will be remembered that a few years ago we were shocked by the statement of the Malthusian doctrine that pretty soon there would be so many people in the world that they could not be fed. A great many of the alert-minded citizens of the world were very much concerned with whether the human race would vanish like some of the extinct creatures of the past which finally became so numerous that the food supply of the earth was not adequate for their sustenance.

The second thing is the rapid diminution of the soil because of being washed down into our rivers, into the sea, and being eroded, simply because we are not following wise conservation policies.

The United States has a responsibility for feeding the world. No nation has had in recent times a responsibility comparable with it. The budget has requested $300,000,000. How can we say we are spending wisely $75,000,000 when we are taking it out of the basic productivity of the country for food and clothing?

So it seems to me, Mr. President, that the Senator from Georgia has followed a very wise and salutary course by attempting to bring the soil-conservation appropriation back at least to the budget figure. As a matter of fact, we should probably, in real wisdom, make it 10 times as much as the budget requests. It would be a worth-while expenditure to every part of America. I am sorry that we are so meagerly approaching the subject, as even the budget does, but surely we can do nothing less than has been requested by the Senator from Georgia.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, the Senator from Georgia has made such an able address this afternoon that there is nothing to be added to what he has said. He has brought out all the many factors and compelling reasons why the Senate should appropriate for soil-conservation work the sum which he has requested. The Senator, as a member of the Senate Committee on Appropriations, well knows that we have voted billions of dollars, almost inconceivable sums, for our national defense, for our Army, Navy, and Air Forces. In a few days we shall have before us a bill providing for something we have never done before in the peacetime history of America, namely, to go into the homes of America, draft our youth, put the young men into uniform, and place them in our armed forces.

Is it not true that no matter how strong, efficient, or effective our armed forces may be, no army, no navy, no air force can save America if we persist in the present practice of continuing to deplete and destroy our soil? Is not the soil, after all, the fundamental basis of American life, of American civilization, all we have and all we hold in America, and must we not preserve the soil?

Mr. RUSSELL. I agree completely with the implications of the Senator's question. We know that all wealth comes from the soil. If we do not, when we gather the wheat and the other crops, undertake to replace that which is taken, our civilization will go the way of all those which have risen to heights and have fallen into obscurity in the course of the centuries.

Mr. HILL. The Senator no doubt recalls the figures of increase in population, brought out, I believe, by the Senator from Kentucky [Mr. BARKLEY], indicating that the United States is increasing in its population approximately 2,600,000 persons each year. The hearings before the Senate subcommittee showed that since Hitler started the last world war the population in Europe alone has increased approximately 20,000,000, and that the population of the world has increased approximately 200,000,000. So that when we consider the increases here and in Europe and throughout the world, we recognize the staggering burden of providing food and clothing for them.

Mr. RUSSELL. It increases the responsibility upon us to meet the shortages without destroying our future.

Mr. HILL. That is correct. We recognize the staggering burden that is placed on us, and particularly upon the soil of America. Is not that correct?

Mr. RUSSELL. That is correct.

Mr. HILL. I thank the Senator from Georgia for the speech he has made. I should like to associate myself with all the Senator has said this afternoon. He has made a great and historic speech.

Mr. STEWART. Mr. President, it is not because I think I can add anything to what the Senator from Georgia has said regarding soil conservation, but I wish to place my endorsement on the amendment which the Senator from Georgia has offered.

The soil-conservation program has perhaps been the most successful of all the agricultural programs that have been tried within the past 10 or 15 years, and we have been trying out a good many new ideas since the beginning of the advent of the so-called New Deal.

I agree with the Senator from Georgia that not only is the soil-conservation program one of the most successful, but likewise that the REA has been quite popular and successful itself. But I think it can be safely said that the most successful and the most highly desirable of all the agricultural efforts is the soil-conservation program, so far as the farmer himself is concerned. It enables him to secure the needed plant food, such as phosphate, potash, lime. Supplies and equipment available can be procured by the farmer under this program. They can carry on such erosion control practices as terracing and diversion ditches.

Under the program the farmers can seed and improve their pastures. They can contour fall crops as a protection against irreparable erosion damage. They can plant winter cover crops, including legumes and small grains, and the like, and under the program they can carry on generally.

It seems to me that the only thing we should consider is the question of whether we might appropriate an amount of money in excess of what is needed, not that we should be penurious about the matter, or question whether we should cut a few dollars off here or a few off there, but the paramount consideration it seems to me, should be, because of the importance of this program and the value it has been to the country, whether we might even appropriate more money than is necessary, as is sometimes done for the maintenance of various Government bureaus.

There is no question about the value of the conservation program. It has enabled the farmers to build up their farms and produce more crops, and, even though I repeat when I say it, it enables the farmers of the country to produce more on their farms, larger crops, at a time when we are being called upon to do just that very thing.

It is one of the most important programs we have, so far as our domestic economy is concerned, one of the most

important matters we have to consider today, namely, proper appropriations, and proper, intelligent expenditure of money for soil-conservation purposes.

The waste of the top soil in this country in the years gone by has been a crying shame. On one occasion a farmer in Tennessee made a statement which impressed me very much. He said, "When this rich top soil washes down the river it goes on a one-way trip. It is gone, and it is gone for good."

By following practices which conserve the soil, which preserve it on the farms, which keep it there, we have certainly made a contribution to the economy of the country which actually cannot be measured.

Without further ado, I should like to say that I hope the amendment may be agreed to. I am sorry it does not provide for even more money, and that we do not have a larger and more ambitious program of soil conservation than we have today, because a full soil-conservation program is so comprehensive in its benefits. Conservation of soil includes not only the things I have mentioned, but it includes the planting of trees and other activities.

I should like to relate one incident that occurred in my State of Tennessee which shows impressively the wonderful value of soil improvement, not only of conservation of soil, but of improving the soil. There is a community in my State which within the past 2 or 3 years has received considerable recognition because of the improvement that has been made in the farm area. There are some 50 to 75 families in that community, and a few short years ago it was almost a forsaken area. The houses were not painted, the fences were falling down, the gates were hanging by one hinge, the barns, if they were not actually falling, were leaning. The soil had been planted, perhaps, in cotton, corn, peas, or other crops of the kind, year in and year out, until it refused to respond, and could not produce the food necessary to feed the families in the community.

A forward-looking farm agent came into the community and struck a responsive chord when he began to discuss the building up of farms by the use of fertilizers and other soil conservation methods, rotation of crops, and what not. Within the space of a few years the whole community was rebuilt, the houses were painted, the barns had been rebuilt, new fences had been erected, the gates were hanging on two hinges, and actually within the past 2 years some of the farmers who were almost starving to death on those poor farms have been paying income taxes.

As I see it, soil conservation is something we cannot argue against. The statement has been made by some that the soil-conservation program is one which should be cast aside, that we should do away with it, that we should abandon it, because it represents a sort of subsidy to farmers and is unnecessary. Mr. President, I believe this program is so rooted in the domestic thinking of this country that the farmers themselves would rise up in considerable indignation if we should undertake to abandon it. By the same token, I think that if we maintain it, it must be fully maintained.

I am for the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. BROOKS. Mr. President, with all the speeches which have been made on the subject under discussion, I think the Senate should be reminded that there are still $225,000,000 in the soil-conservation program for next year. I think it should be pointed out again that last year, when the House of Representatives determined to cut back the $300,000,000 program to $165,000,000, it was the leadership on this side, with the help of the other side of the aisle, the minority side, which was able to restore the $265,000,000 payment.

As a matter of fact, though, of course, soil-conservation practices are valuable, they are not all entered into at one time. While it caused confusion last year to cut the program back from $300,000,000 to $265,000,000, it was testified that some of the practices which had been contemplated under the $300,000,000 program were not actually undertaken, and consequently, to a large extent, the confusion was eliminated.

With respect to the statement that next year when the farmers receive their payments it will be found that they thought they should receive more, I will say that the Agriculture Department was not authorized to undertake any program above $150,000,000. That figure was written into the law. Consequently, if there is any confusion it is because the Department went beyond the authority given to them by the Congress.

Mr. President, I completely agree that the soil-conservation program is a fundamental, an essential and a most desirable program. During the 6 years I was on the subcommittee while the distinguished Senator from Georgia was chairman of it, I supported the soil-conservation program in every vote I cast. I supported it last year, and I support it now.

I think it should be pointed out again that the House this year went over the budget by $6,000,000 in the soil conservation service, which brought the amount up to $45,000,000 to be utilized in research and action programs in the soil-conservation districts created throughout the country. Then comes the authorization of $225,000,000 for a cooperative program. When we ascertained last year that we could not possibly secure an agreement with the House to restore a $250,000,000 or a $300,000,000 program, we wrote new rules into the program. I am sorry the distinguished Senator from Arkansas is not present, but the Senator from Georgia is present, and he was here at the time that was done. The small farmer was to be protected, and we provided that that money should be distributed according to need, and there was not a small farmer who was willing to cooperate and in whose case a need existed who was deprived of the benefit of that program, and there will not be a small farmer deprived of its benefits this year under the $150,000,000 appropriation if the money is distributed according to need and if the small farmer desires to participate. We placed a limitation on the amount that could be paid to an individual farmer. Before that I believe the amount that could be paid out was $10,000. We reduced it to $500 last year so that the small farmer would have an opportunity to avail himself of this contributing soil-conservation program.

I have listened to statements which have been made concerning travels around the world and observations made. I also have had experience in traveling around the world. I traveled with the distinguished Senator from Georgia [Mr. RUSSELL]. Years ago I traveled through Europe, mostly on foot. I saw then the soil-conservation practices followed there. As one looks across the Valley of the Marne, or over the farming section in Germany one cannot see a gulley, one cannot find a ditch. They are all covered with grass. The people there have practiced soil conservation to the point where today nearly every inch of their land is preserved to its maximum. But their economy is gone.

Mr. President, we need to conserve our soil; we need to encourage our people to conserve it. The basic concept of the program is that it shall be a cooperative undertaking. The Department of Agriculture and the Soil Conservation enthusiasts throughout the country said to us last year, "Save the program for us. Keep the farmers' committees alive." That is the educational group of men who banded together and organized to encourage their neighbors to conserve their soil.

We are talking now about $75,000,000 as if failure to appropriate that amount would result in wiping out the program. It will do no such thing. We still have provided $225,000,000. If we had provided $300,000,000 a very good argument could be made along the same lines as the arguments are now being made, for the appropriation of $400,000,000. If we were to provide $400,000,000 the same arguments as are now being made for the increase of $75,000,000 could be made to increase the amount to $500,000,000. If we provided $500,000,000 again the same arguments could be made for increasing it to $600,000,000.

Mr. President, there is no limit to the amount of money which could be spent in America on soil conservation, or on rivers and harbors. We have provided in the bill, and will consider it shortly, for the survey of streams contributing to the main streams, the purpose of the survey being to establish whether work can be done, such as planting of grass, and the utilization of other means, to prevent silt from being washed down to the main rivers. The program for soil conservation and rivers and harbors is an enormous one, and there is no limit to the amount of money which could be spent in developing it. I should say that if we were to provide such unlimited amounts of money for the purposes I have described, perhaps it would be of much more benefit—time alone will tell—than will accrue from the money we are now spending in some other parts of the

world. But, Mr. President, we want to keep the program sound. We want to keep it continuous.

There has been much talk about confusion. No one on the floor of the Senate can truthfully say that I have contributed to the confusion of the program, for last year I deliberately held the line as best I could, with the help of members of the committee, in an effort to eliminate the things which tend to cause confusion. We wrote the law, and we must stand by it and see that it does not cause confusion. When we authorized $150,000,000 we did not cause confusion. It meant the cutting back of a certain amount, to be sure, but it did not cause confusion. The Department was authorized then to say to the farmers' committees and to the States, "You are authorized to go only so far as the expenditure of $150,000,000 on this cooperative program will permit."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. RUSSELL. Does the Senator from Illinois contend that cutting the program in two, and then setting up entirely new processes for soil conserving practices, did not cause any confusion, totally aside from the fact that the $150,000,000 was appropriated, for which I am just as happy as is the Senator from Illinois? There cannot be any question that the complete revision of the whole schedule of payments for every soil conserving farmer in the land on the basis of $125,000,000 to be given to the farmers, as compared with some $228,000,000 in the previous year, has caused tremendous confusion.

Mr. BROOKS. It might have caused inconvenience. It was known from the time we passed the law what the problem was, and it resulted in inconvenience, possibly, but there was no confusion about it. The officials carrying out the program were told what they could do, and they could go out and do it. If the Senator desires to interpret inconvenience as confusion, then what was done possibly did cause some confusion, but it was not confusion on our part.

Mr. RUSSELL. We as Members of Congress have to bear our share of the responsibility, much as we deplore what was done. I was talking about the fact that the constant changes in the amount of money to be available has caused great confusion, and I think that is absolutely inescapable. Here we have a program. The Department knows under that program how much money it is going to receive. Very well. The Department knows it is going to receive, let us say, $150,000,000. But when we get down to the county level, where they are changing the rate being paid the farmer for a ton of lime from one figure to another, when they are changing the amount being paid to run a terrace from 40 cents a linear foot to 18 cents a linear foot; when the amount which is paid for planting leguminous crops, such as clover, is reduced from $1 an acre to 32 cents an acre to say that that causes no confusion on the part of the farmer who is undertaking to cooperate in the program is, I think, a rather drastic statement.

Mr. BROOKS. What I had reference to, I will say to the Senator from Georgia is that there was no confusion about what the Department would receive, and they have no authority to offer the farmer any more than the law provides. They must work within the limit of the law.

Mr. RUSSELL. Yes, of course, the officials have no authority to offer more than is within the limits of the law. But let us take an actual farmer on his farm; let us say that for 5 years he has been paid so much an acre as a contribution toward the cost of the lime he distributes on his land, and this year that amount is changed, and when the farmer figures up that he is going to be paid to distribute the lime at the rate of 40 cents a ton, whereas he had been receiving $1, or if he is to receive 32 cents for planting an acre of clover whereas he had been formerly receiving $1.20, it is plain that such change is bound to result in confusion on the crop land, where the work is actually done on the farm. It may not cause confusion in Washington, but in the very nature of things it had to cause confusion to the farmers.

Mr. BROOKS. What I meant to say, and what I now say is that we proceeded with the program last year, and the Department knew exactly what it was authorized to do, and it was not authorized to agree to make any greater payments than that Congress provided. We provided a total of $150,000,000, with a limitation of $500 for the largest payment distributed on the basis of need, so we got down to where the smaller farmers were not excluded from the program, and they were protected so far as they wanted to participate.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. WILLIAMS. I merely wished to point out to the Senator from Georgia, who seems to be so much concerned with the confusion which will arise from a change in this amount, that last year we appropriated $150,000,000 for the same program. Perhaps, in order to eliminate the confusion, we should leave the figure at $150,000,000 this year.

Mr. RUSSELL. Mr. President, I did not quite hear the Senator's comment.

Mr. WILLIAMS. To eliminate the so-called confusion in changing the formula which the Secretary must establish for the farmers, perhaps we could leave the figure as it was last year, at $150,000,000, and there would not need to be any change.

Mr. RUSSELL. The Senator has a right to offer an amendment reducing the amount to $150,000,000. He would be perfectly within his rights in offering such an amendment. But I say that the House of Representatives, by its action in restoring the amount to $225,000,000, has shown conclusively that it admits that it was wrong last year in attempting to eliminate the program. The House has exhibited second sight. Members of the House have gone back home and talked to farmers, and have learned that it did not meet with the approval of the farmers of the Nation to eliminate the program. The House has shown that it believes that $150,000,000 was too low. Last year it allowed nothing. We finally secured $150,000,000 from the Senate. This year the House comes to us with a figure of $225,000,000; and I think I am within my rights in proposing to increase the amount to the amount of the budget, $300,000,000.

Mr. WILLIAMS. I was not questioning the right of the Senator from Georgia to offer his amendment. I was merely pointing out that he was not achieving his goal of simplifying the formula. His amendment would necessitate a change in the formula for payments this year, just as would the figure $225,000,000. If he wants to eliminate the confusion, as he calls it, in changing the program, the thing to do is to leave the figure at $150,000,000.

Mr. RUSSELL. That would eliminate the confusion, and it would also kill the program entirely. There would be no more confusion in the soil-conservation program, but there would be no program in operation.

Mr. REED. Mr. President, I think probably the Senator from Illinois [Mr. BROOKS] in opening the discussion must have called attention to the fact that the sum under consideration, which is a sum to make cooperative payments where cooperative practices are carried out, is not the only money available in the soil-conservation work. I invite the attention of the Senator from Illinois to a fact with which he is doubtless familiar, and which he no doubt has already discussed. There is $45,048,000 in a sum available for the Soil Conservation Service direct. So in this discussion of soil conservation our enthusiasm must not run away with our judgment. I think that fact should be considered by the Senate in disposing of this question.

Mr. BROOKS. Mr. President, I thank the Senator. For his information, a few moments ago I pointed out that that fund was set aside for the Soil Conservation Service in conjunction with the soil-conservation districts, in addition to the cooperative payments.

For the benefit of those who have been pleading for the small farmer, and who say that he will be hurt by the $150,000,000 appropriation, Mr. Dodd, in testifying before the committee said:

> Out of the $150,000,000 program that we have for this year, it is our estimate that we will have 915,796 of the very small farmers who will earn below $20.

In the 1946 program, when the appropriation was $300,000,000, there were 684,962 of the very small farmers participating. Mr. Dodd stated further:

> We will have 675,170 who will earn between $20 and $40.

As a matter of fact, when the appropriation was $300,000,000 there were only 363,714 in the same bracket, between $20 and $40. So the program has not hurt the small farmer. Those who were hurt, if anyone was hurt, were the large operators who were in above $1,000, up to $10,000.

The thought I have is that we limited payments to $500 when we found that we had to cut the amount in half, so that a greater number of small farmers would be cooperating with their own efforts.

I am a great advocate of the soil-conservation education program, and participation of the Government in it. But as I previously pointed out, it is a limitless program. We could spend all the money we could collect from every source in America without quite answering this problem, even though we did everything that could be done in soil conservation. I am in favor of a continuing, sound, cooperative program. An appropriation of $225,000,000 for such program this year is a very sound program, and I hope the amendment will be defeated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. YOUNG. Mr. President, it is not easy for me to take the opposite side from that of the Senator from Georgia, particularly on an agricultural question, because I consider the Senator from Georgia one of the outstanding Members of Congress in agricultural matters.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. YOUNG. I yield.

Mr. RUSSELL. I express my appreciation and say that I always feel much better when the Senator from North Dakota and I see matters alike. I regret very much that that is not the case in this instance.

Mr. YOUNG. In this instance I am probably for the first time opposing an increase in an agricultural appropriation. I am doing so largely because I think I am working for the best interests of the agricultural program, over the long pull, by adopting such a course. This is one of the most important programs in agriculture. I think I fought as hard as did anyone else to save it last year.

The problem involves more than soil conservation alone. It is tied up with every other agricultural program, particularly in the administration of price-support programs. To me the most important piece of legislation now pending before the Congress so far as farmers are concerned is the long-range price-support program. I very much hope that the bill sponsored by Senator AIKEN and the Senate Agriculture Committee will pass at this session.

With respect to soil conservation, I take the position that in comparatively good times appropriations should be held down to the minimum, in much the same way as we would hold down public works or public-building programs. When times are harder, appropriations should be increased.

In my judgment the chairman of the subcommittee, the Senator from Illinois [Mr. BROOKS] and the Republican majority are to be congratulated on their efforts in behalf of agriculture. The bill contains an appropriation of $575,000,000 for REA, which is approximately half as much as all the funds previously appropriated in all years. It contains more funds for agricultural research that have ever been previously appropriated. Such research involves finding new markets and new uses for agricultural products, for insect control, plant breeding, and many other important agricultural programs.

The bill contains more money for extension work than has ever been previously appropriated. I say again that I believe that the chairman of the subcommittee and the Republican majority are to be congratulated. I think they have dealt fairly with the farmers, and that the farmers will recognize it.

Mr. LUCAS. Mr. President, I should like to discuss for a moment the REA program for the fiscal year 1948. In this connection I wish to call attention to correspondence which I had earlier in the year with numerous applicants for electric service through the REA cooperatives.

My colleague the junior Senator from Illinois [Mr. BROOKS], chairman of the subcommittee now handling the measure before the Senate, has conversed with me about certain statements which I made in that correspondence. He also made public mention of the correspondence at one of the hearings of the Appropriations Committee at which I was not present, since I am not a member of that committee.

Early this year I received many inquiries from persons who were desirous of obtaining electrical service, and who had been unsuccessful in their efforts because their cooperative had not been able to get the funds necessary to extend service through the REA program.

I made inquiry of the REA on behalf of two specific cooperatives which had written to me about their program, and I was advised that their applications for loans were on file, but that the loans could not be made during the current fiscal year. I advised the applicants to this effect, and stated among other things:

> In my opinion the primary reason for your failure to obtain electricity can be traced directly to the slashing of the appropriations for rural-electrification activities by the Eightieth Congress.

I explained to the applicants the procedure by which the appropriations were reduced, advising that the REA had asked for, and the Budget Bureau had approved, a request for $250,000,000; that the House Committee on Appropriations cut the amount to $225,000,000, and the House approved that figure; and that the Agricultural Subcommittee of the Committee on Appropriations of the Senate concurred in the reduction, the Senate approving it. Perhaps I did not go into sufficient detail in explaining the procedure.

As we all know, when the agricultural appropriation bill came from the Senate committee it carried the amount of the original request, namely, $250,000,000. However, after the bill had passed the Senate in this form it went to conference, and the Senate conferees, composed of members of the Agricultural Subcommittee of the Senate Appropriations Committee, concurred in the cut of $25,000,000 made by the House, and the bill became a law with the REA appropriation reduced by that amount. Regardless of prior Senate action, the Senate conferees agreed to the reduction. The result was as I advised my constituents, a slash in REA funds which, in my opinion, was the primary reason for the failure of their cooperatives to receive loans, and for the failure to supply them with the service they needed. The best evidence of that is the fact that under this year's appropriation bill, the REA receives, as I understand, $100,000,000 more than was requested by the budget. Mr. President, that is all I care to say upon that question.

I wish to say just a few words in regard to the matter pending before the Senate. Mr. President, I support the amendment offered by the junior Senator from Georgia to restore the authorization for the triple A conservation program for the crop-year 1949 to $300,000,000, as recommended by the President of the United States in his 1949 budget message.

From the point of view of our long-time survival as a nation, there is no more important matter which we have to vote on than this question of how much money shall be authorized to be expended for the conservation of our soil.

So long as this Nation shall exist, in good times and in bad, the productivity of our land will be the principal element upon which we must depend for prosperity and security. The world position of the United States a century from now may be foretold by the manner in which we guard our resources; and our most important resource is, not our oil, not our coal, not the minerals in the ground, but the sparse few inches of topsoil on the farms of this Nation upon which each and every one of us depend for food and fiber.

In the 150 years since the American people began to sweep over the Alleghenies, across the prairies of my native Middle West, through the Rocky Mountains, and on to the Pacific Ocean, we have run through vast stocks of productive land. More than any other nation in history, we have depleted our basic wealth. If we were to go on at this rate for another century, this country could very easily become unable to feed its own people adequately.

The triple A program was a logical and statesmanlike step taken by the Government which understood deeply the truth that the future of our country depends on how well we take care of the fertile farm land in America. When the years of the war came along, it became perfectly clear how sound the triple A program was. The farmers of the country were called upon to produce great quantities of food—not only enough to feed our own people, but enough to feed millions of people abroad, as well.

Mr. President, after we in this Chamber have long been forgotten and after the people of the United States have discussed many times the deeds and activities of the late President Franklin D. Roosevelt, in my humble judgment he will be as long remembered for the inauguration of the soil-conservation program in the early days of his administration as for anything else he ever did.

Our soil has felt the effects of our amazing wartime drive for food production. Since the end of the war, the farmer has not slackened his pace. The land is being called on, year after year, to

perform miracles of production, in order to feed the hungry of Europe, as well as to provide the best diet the American people ever had. We cannot continue indefinitely to exhaust the soil without being positively sure we are putting back into it the elements it needs if it is to remain permanently productive.

For many years prior to the time when the Republican majority took over the control of the Congress, the appropriation and authorization for the soil conservation had been at least $300,000,000. It was not until the first agricultural appropriation bill was brought out under Republican auspices that it became apparent that some Members of the Congress no longer shared the general view that we could not afford to economize with the preservation of our most precious natural resource. Last year's bill slashed the authorization for the year 1948 in half, down to $150,000,000.

The report of the House Committee on Appropriations suggested that—

> Well-considered expressions of opinion were placed before the committee to the effect that soil conservation payments should be deleted entirely from the bill, but the committee believed it should be tapered off beginning with the present crop year and completely eliminated for the crop year 1948, because the question of a long-range agricultural program is a matter which must be reexamined and redetermined by the legislative Committee on Agriculture and by the Congress.

I cannot help but refer to the thinking of certain Republican Members of the Congress who, the moment they came into power, began tapering off, and finally wanted to eliminate forever the soil-conservation program of this Nation. That was the thinking of Harding and of Hoover, Mr. President, as demonstrated when they vetoed one bill after another which the farmers of the Midwest had enacted during the McNary-Haugen days. Everyone knows that at that particular time two Republicans, McNary and Haugen, introduced one bill after another, which were passed with the aid of Democrats in Congress; but when they reached the Republican President who was in office at that time they were vetoed. I cannot help but think those who attempted to destroy the soil-conservation program the moment the Republicans returned to power were still thinking in terms of yesterday, when Republican Presidents vetoed these measures.

In my considered judgment, last year's slash of the authorization by 50 percent struck a body blow at the whole soil-conservation program. The great difficulty about the program is that it involves the necessity for getting a farmer interested in soil-conservation practices for which he does not receive any immediate return in increased production. It is the public which benefits from almost all conservation work, particularly as it controls erosion and prevents floods.

On privately owned land in almost every community there are many necessary conservation jobs that farmers cannot afford to do, and should not be expected to do, because the benefits accrue primarily to the public, and not to the individual. The important job which the Government has to do is to get the farmer interested in the program and to keep up his interest in it. When the Government comes along and says, "We are reducing the authorization for this program by half," can the farmer be blamed for assuming that the Government has lost interest in the program?

This lack of interest on the part of the Government will be brought home very clearly, as has been pointed out in the course of this debate, when the checks for conservation practices are mailed out this year. The smaller size of these checks will be an ample indication to every farmer of what has happened to the soil-conservation program under the control of the Republican majority.

In spite of the sinister suggestion in the report of the House Appropriations Committee last year that perhaps the whole soil-conservation program ought to be abandoned, the report of the committee for this year blandly authorized an appropriation of $225,000,000 for the crop year of 1949, without commenting at all on the reasons for the selection of this figure or without at this time disparaging the necessity for the triple A program.

The report of the Senate committee approving an appropriation of $225,000,000 suggests that the recommended program—I use the words of the report—"is not as large as many sincere persons believe desirable." The report goes on to suggest that the authorization is sufficient to encourage a large majority of farmers to adopt or continue soil-conservation practices adaped to their conditions under present conditions of relatively good farm income.

Mr. President, we must remember that what we did last year is very important in considering what we ought to do this year. Soil conservation is not something we can start and stop like turning water on and off in a faucet. This year's increase of the authorization over that of last year will bring the total amount for the 2-year period to $375,000,000 for a 2-year period, when it is perfectly plain that for that same 2-year period the amount authorized should have been $600,000,000.

Unless we restore the authorization for the crop year 1949 to $300,000,000, I am very much afraid we will have left the triple A program in such crippled condition that it will take years to recover from the slash.

More than 3,000,000 farms are participating in the program. Many of these farms are operated by farmers who, under conditions of normal production, would now be changing the character of the crops which they raise in order to restore a better balance between the crops which exhaust the soil and those which conserve it. If we were living in a world which was not so desperately hungry for food, it would be possible and desirable for these farmers to go back to their ordinary system of raising some crops which would put back into the soil the elements it needs. Food, however, is the most important single factor in the maintenance of world peace. We must provide food at all costs for famine-threatened areas of Europe. At the same time, however, we have to be sure of maintaining our own agricultural resources. The only means yet devised for preserving these resources is for the Government and the farmer to cooperate to accomplish this through an adequate conservation program. If there ever was a time when it was important not to try to economize with the soil-conservation program, now is that time.

A second important factor which must not be overlooked is that many of the farmers who participate in the program are tenants and sharecroppers. More than one-third of the farms in this country are operated by such people. Many of these farms do not yield more than a bare subsistence to the operators, but, taken as a whole, they represent a large part of our agricultural resources which must be preserved to meet our present and future needs. But, is it not perfectly plain that a farmer who is a tenant and who does not know how long he will remain on that particular farm, or a farmer who is barely able to make a living from his land, is not in a position which will encourage him to use proper conservation methods without assistance and encouragement from the Government?

Mr. President, soil conservation cannot and should not be made a political football. It should not be made the victim of the Republican drive for economy. No more shortsighted move could be made by the Congress than to try to economize at the expense of America's farm land. That land is held by the farmer in trust for the United States of America and for generations yet unborn. We have no right to gamble with the security and prosperity of our country by abandoning the entire program for the preservation of the soil.

We have only to look about us in the world to see what can happen to nations which do not understand the basic lesson that the land must be preserved. The poverty and misery of the countless millions of people in China is due basically to the poor condition of the soil from which the Chinese farmer tries to wrest a living.

As we travel through our own country and see the waving fields of grain we may take a justifiable pride in the fertility and the productivity of the American farm land. But in that pride there must also be an element of caution that we will be able to hand on to our children and our grandchildren a country which is capable of sustaining itself out of the land. We have learned a great deal in the last 50 years concerning what we must do if we expect our land to be permanently productive. I have no doubt there is a great deal more to be learned.

Mr. President, let us reverse the trend begun last year to economize at the expense of our farm land and restore this program to the level at which it has been maintained for many many years. We cannot risk the scorn and contempt which future generations will heap upon us if we do otherwise.

Mr. FULBRIGHT. Mr. President, I desire to make only a few observations. I intend to support the amendment offered by the Senator from Georgia [Mr. RUSSELL]. With regard to a point that was raised a moment ago by the senior

Senator from Illinois, it seems to me there is the implication involved that this program is for the benefit of individual farmers primarily rather than for the benefit of the public as a whole. That has some significance, particularly with regard to the limitation of $750 on payments as now contained in the bill, representing an increase from $500. The thought seems to me to be that this is a sort of relief program for the benefit of the individual farmer, rather than an over-all program to try to build the soil from the standpoint of a national asset. It occurs to me that not only should the amount be increased to $300,000,000, as it was, but also that the limitation should be removed or greatly increased, in order that some incentive may be given to all classes of farmers regardless of the size of their farms. But, of course, the amendment under consideration now is the basic one, and the amount certainly should be increased from $225,000,000 to $300,000,000, as the senior Senator from Illinois has so eloquently expressed.

I was very much interested in the report of the Appropriations Committee. I know some excerpts have been read into the RECORD by the last two or three speakers, but I should like to read in sequence from page 12 of the report so as to give, I think, a complete idea of what was going on in the minds of the committee. I read from page 12 of the report, as follows:

> Experiences in this country over a period of 200 years demonstrate that, without a positive program for conservation, agricultural practices will be such as to permit destructive forces of water, wind, and cropping to destroy the productive qualities of even our most favorably located agricultural lands. The recommended program authorization is not as large as many sincere persons believe desirable. On the other hand, the committee believes that the authorization is sufficient to encourage a large majority of farmers to adopt or continue soil-conservation practices adapted to their conditions under present conditions of relatively good farm income. Furthermore, a conservative program for this purpose is less likely to meet with public disfavor in this period of heavy demands upon the public treasury.

This statement apparently recognizes the importance of the program and indicates, to my mind at least, that the committee itself is not at all certain that the amount is adequate.

The last sentence, reading again, is:

> Furthermore a conservative program for this purpose is less likely to meet with public disfavor in this period of heavy demands upon the public treasury.

I believe this sentence is perhaps indicative of the committee's opinion. It indicates to me that there may be more concern for "public disfavor" than with a factual determination of the adequacy or inadequacy of the program.

I do not believe the committee, nor Congress itself, needs so to concern itself about "public disfavor," in the appropriation of adequate funds for this program. I cannot testify for the entire country, of course, but I can assure the Senate that the people of Arkansas, at least, recognize the AAA soil-conservation practices program for what it is: a sound program of economy which will many times repay the investment made now in the conservation and productive capacity of our agricultural lands. The program is considered so important to the farmers of Arkansas that they held meetings all over the State and sent a representative from each congressional district to testify before the committee on behalf of the program. This is what one of the farmers said before the committee:

> I have followed the AAA program from its inception. I have watched the results of AAA practices as applied to my own soil and the land of my neighbors' farms. Without question the AAA program and its results have been of greater benefit to farm people than any other one or group of activities ever undertaken.

There is no doubt in my mind that this is the general opinion of Arkansas farmers, as well as of all those people who know the value of conservation practices. I think it may well be the opinion of all the people of the country who know, or are in a position to learn, these values.

There seems to be considerable inconsistency in the expressed opinion of the committee. The value of the program is recognized. It is termed "a positive program for conservation" to prevent "destructive forces of water, wind, and cropping to destroy the productive qualities of even our most favorably located agricultural lands." Then appearing to recognize the possible inadequacy of the program, the committee prefers to err on the side of too little. While this is no doubt a proper approach to general appropriations, there is to my mind considerable doubt that it is the wiser course where a conservation program of such importance is concerned. The committee thus favors a conservative conservation program.

If this program is of such positive value, as I am sure it is, it seems to me that this critical period of history demands that it be furnished adequate funds. We have just left a period where the productive capacities of our farms have been strained to the job of furnishing foods and fibers for war. We have just entered a period which will require an even greater productivity and a greater strain, to meet the demands of the recovery program. While it is true that farmers are in a relatively better position to accomplish soil conservation practices themselves, this fact only emphasizes the desirability of encouraging this capacity, of taking advantage of it for the maximum extension of soil conservation practices.

That point seems to me to be misunderstood or misrepresented. The very fact that farmers are in good condition now and are relatively prosperous is an excellent reason why the Government should encourage a greater expenditure, because the farmers are in better position to respond by actually spending their own money, at the rate of approximately $2 to 1 cent spent by the Government, as was mentioned a moment ago. If farmers find themselves in hard times, as they were in the 1920's, in the last administration of the Republican Party, the whole burden will fall upon the Government if nothing adequate is done. The program has been considered by some persons as sort of a relief or hand-out program for the individual farmer to keep him going. That, to my mind, is a misconception of the program. The purpose is to rebuild and to maintain the soil. It is unimportant whether the farmers who happen to perform the practices which are recommended and known to be beneficial are large or small operators, if they actually perform the service. The fact that farmers are now fairly prosperous makes them more willing and able to perform. I think it will have a great influence on sustaining the present prosperity in the field if we can keep the program operating at full strength.

Mr. LUCAS. The large farmer does not have to accept it unless he wants to.

Mr. FULBRIGHT. That is correct. The farmers do not have to participate. There is nothing compulsory about the whole program. I think there is an incentive—and that is all it is—to the farmer to spend his own money and effort in the program. We want to accomplish the objective of keeping productive soil in place where it will produce for the future. The most efficient farmers are those who have sufficiently large units to apply the most modern techniques of cultivation, who are able to secure the best machines, and who understand the most modern methods of fertilization. Recognition of the value of the program carries with it recognition of the necessity for the incentives of Government participation. This being true, it would seem to imply also that incentives are needed even more during times of relative prosperity.

There is a much more compelling reason, however, why we should now have an adequate soil-conservation program. The days when farmers could move from one depleted farm to new lands have gone. Geographical extension being no longer possible, it is absolutely essential that we protect what we now have, and that we develop what we now have to its maximum productive efficiency. We are now in effect mobilizing our military strength. We are also taking steps to insure adequate industrial productivity, stock piling materials and assuring availability of factories for war machinery. We should also simultaneously build up the lands which will produce the necessary commodities for war, in order that our armies and our industry may have the produce essential to their purposes.

Mr. President, there is another aspect of the particular program which rose in my mind when the senior Senator from Illinois was speaking a moment ago. It seems that last year some persons got the idea that the program would be tapered off and stopped.

Mr. LUCAS. Mr. President, that was a part of the suggestion made by the House of Representatives.

Mr. FULBRIGHT. Yes. It would now seem that this halfway reinstatement of the program might possibly be in response to complaints arising from that situation, and it might not be a coincidental factor that this is an election year. If there should be a Republican administration next year, there might be a proposal to eliminate the program entirely,

because there seems to be very little enthusiasm for it.

Mr. President, I certainly hope that the Senate will support the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. AIKEN. Mr. President, after listening to the argument of the Senator from Georgia [Mr. RUSSELL] the Senator from Illinois [Mr. LUCAS] and other arguments this afternoon, I find myself in the peculiar position of realizing that all the arguments are based on sound premises. Therefore we have to balance one against the other and make up our minds what we should do under the present circumstances, when two sound arguments clash with each other, as they have this afternoon.

The Senator from Georgia has rightly set forth the value of soil maintenance. Probably no program in which this Government has ever engaged is of more vital importance in the long run than the program to restore and maintain the fertility of the soil upon which the prosperity and the very existence of all of us depend. The soil-improvement work and the soil-conservation work have both been outstanding. The accomplishments have been quite remarkable. Without these programs it is a foregone conclusion that the farmers of America could not have produced the enormous crops which have been produced during the year. Without the continuance of a good, substantial program it is a foregone conclusion that the time will come when we shall be unable to meet the needs of the people of our own country, to say nothing of helping the rest of the world. The work of the Soil Conservation Service, carried on through such activities as providing for the application of lime and superphosphates directly to the soil, for water conservation, for mulching orchards, for forest practices, and for drainage of wet land, has been a mighty contributing factor toward putting American agriculture where it is today. Our soil is in the most productive condition in which it has ever been.

I agree with the Senator from Georgia that Congress made a mistake a year ago in cutting the appropriation from $265,000,000 to $150,000,000 for this year's program. As the Senator from Arkansas [Mr. MCCLELLAN] pointed out, there has been a reduction in the number of participants as a result of the reduction in the appropriation. Those who are failing to participate this year are for the most part small farmers whose land needs attention. So I think we made a mistake a year ago. But the Appropriations Committee has gone far toward remedying that mistake. When I listened to the speech of the Senator from Illinois [Mr. BROOKS] I realized that he was telling us what we should hear. The Senator from Illinois and his associates have done a very fine work in preparing the appropriation bill which is now before the Senate. I think the committee has done the most conscientious work that I have seen done by any Appropriations Committee since I have been a Member of the Senate.

It is true that the committee went along with the House in reducing to $75,000,000 the soil-conservation appropriation, the ACP appropriation, as it is called in agricultural language. But the over-all farm program which the Appropriations Committee is asking us to vote for and to appropriate for is in the aggregate much more than was requested by the Bureau of the Budget. The committee found that insufficient funds had been requested for REA, so the House authorized and the Senate concurred in additional borrowing power amounting to $100,000,000 to provide for the more rapid expansion of REA lines. The Senate committee found that insufficient money was appropriated for research work, so it added to the amount. It appropriated $11,500,000 for meat inspection. This, we must admit was not in the Budget request.

This could not have been in the Budget request, we must admit, because the law requiring it was not enacted until after the Budget sent their request to the Congress. They afforded $6,000,000 additional for soil conservation. They recommended $70,000,000 of section 32 funds for the support of agricultural prices as compared to the recommendation of $44,000,000 on the part of the Bureau of the Budget.

When I think of how much better the Committee on Appropriations has done than was done last year, or might have been done this year, I feel inclined to support their contention that the $225,000,000 is enough. However, that is not my own view. I do not thing it is sufficient. I think we should have $250,000,000 this year for the agricultural conservation appropriation. I would even support $265,000,000, putting it back to what we had for the year 1947.

I believe that in asking $300,000,000 the Senator from Georgia is asking for an amount which will not be approved by the Senate. I have a feeling that $250,000,000 would be approved, and I would rather ask for $250,000,000 to make the soil conservation improvement program better and get it, than to ask for $300,000,000 and not get it. It seems to me we have to ask ourselves whether we are going to be practical in this matter or not.

I hope the Senator from Georgia will modify his request to ask for $250,000,000 instead of $300,000,000, because I feel that amount could be obtained. I do not guarantee anything, of course, but I do feel that the chances of getting $250,000,000 are much better than getting $300,000,000, and that we would have a better soil-improvement program if we could get that.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER (Mr. BRICKER in the chair). Does the Senator from Vermont yield to the Senator from Georgia?

Mr. AIKEN. I yield.

Mr. RUSSELL. I appreciate the Senator's interest. In the event the Senate should not see fit to adopt my amendment, I trust the Senator will offer one calling for $250,000,000, and I shall be glad to support his amendment, which I gather from what he has said is more than he intends to do for mine.

The Senator's statement that this is the best appropriation bill that has ever been before us certainly cannot be true so far as soil conservation is concerned, because it is less than half the amount carried in the bill for many years for that purpose.

Mr. AIKEN. I think I amended my statement to say that it was a much better appropriation bill than we had last year.

Mr. RUSSELL. Oh, yes.

Mr. AIKEN. I said I thought the committee had been as conscientious in its work as any committee has been since I have been a Member of the Congress.

Mr. RUSSELL. It is an infinitely better bill than the bill last year, but, so far as meeting the need of soil conservation is concerned, it is less than half the amount provided for 8 or 10 years.

Mr. AIKEN. The Senator is entirely correct, but we must recall that conditions were different at that time, that farmers really did not have money to enable them to apply lime and other materials to their soils in those days. I think it has turned out to have been wise to make the large appropriations in the 30's, because they stood us in good stead during the war years, when we had to get the last possible ounce of production out of the soil.

I do not think I shall offer any amendment to make the amount $250,000,000, but as I have been listening to the arguments here this afternoon, it has seemed to me that I could discern the earmarks of a political campaign in some way. It seems to me to be much better to ask for $250,000,000 and get a better soil-improvement program than to ask for $300,000,000 and perhaps get a campaign issue out of it. It is better for the country, at least.

I do not like to see agricultural matters thrown into politics, and I would not like to see Democrats going out and saying, "We tried to get $300,000,000, and the Republicans voted it down," and the Republicans going out and saying, "The President did not ask for enough for REA by $100,000,000, and we had to put it in on the Hill." Let us eliminate both those possibilities, and get the best we can. I should like to see the appropriation $265,000,000, but if we can get $250,000,000 and the Senate will stand by its action as it did a year ago, unanimously, it seems to me that is the best we can do this year.

Mr. BROOKS. Mr. President, probably the Senate is about ready to vote, but I wish to call as one of my witnesses to the soundness of the position the chairman of the subcommittee and those supporting him are taking, the president of the American Farm Bureau Federation. I know of no organization with a greater devotion to and understanding of farm problems in America than the American Farm Bureau Federation. These are the words of the president of that federation as he testified before our committee:

> The federation supports the House authorization for the Department to plan a $225,000,000 agricultural conservation program for the fiscal year 1950 on the basis that the program will be so administered as to assure the allocation of funds to the States on the basis of need."

That is exactly what we are doing. He proceeded to say:

> If this is not done, we then urge that Congress authorize planning of the program for

the fiscal year 1950 on the basis of $300,000,000.

As I stated before, we wrote in the basis of need last year, and that carries with it the support of the American Farm Bureau. We are now asking the Senate to approve a program which the farmers' organizations themselves approve.

Mr. President, I suggest the absence of a quorum.

Mr. RUSSELL. Mr. President, will the Senator withhold his suggestion until I may make a brief statement?

Mr. BROOKS. Certainly.

Mr. RUSSELL. I wish to reply briefly to the charge of the Senator from Vermont regarding politics.

I would support soil-conservation appropriations without regard to whether there was a Democrat or a Republican in the White House, or whether the majority of the House or the Senate was Republican or Democrat. I had the honor to handle the agricultural appropriation bill for a number of years, and I never entertained or evidenced any idea of partisanship, even in the slightest degree, at the time I was piloting the bill through the Senate. I hope I have displayed no partisanship in my efforts to assist in writing two reasonable agricultural bills, the one for last year and the one for the present year.

The Senator from Vermont may make the charge if he chooses to do so, but I want to say that, so far as I am concerned, there is absolutely no politics in this matter. I have spoken on the floor in favor of larger appropriations for the soil-conservation program when such appropriations were cut by a Democratic Congress, and made exactly the same kind of fight then as I have undertaken to make today. I am surprised to hear the Senator from Vermont make such a statement as he has made.

I desire further to refer to the point which has been made that because farm income is good now, there is no necessity for making any increase in the soil conservation appropriation. I point out that the most devastating loss of soil fertility we have had in the United States was during and immediately after the First World War, when farm prices for many commodities were much higher than they are today, and when, I should think, the average was almost as high as it is today. That is when we had the dust bowl and thousands of acres of land vanished almost overnight on the wings of the wind. That was also when we mined the earth, but we had no soil-conservation program at all at that time, and that is the reason the losses were so great. We are undertaking to prevent a repetition of that great disaster which followed in the wake of war, when we had to expand our production too greatly.

Mr. President, I have been interested in this program since its inception. I have undertaken to secure adequate appropriations and to see that the money was fairly applied all over the United States. I have sought to secure increased appropriations for the Senator's State of Vermont to carry on soil conservation activities, because I believed that it was a national program which was of paramount importance, and one in which every good citizen, without regard to affiliation of political party, should concern himself.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois withhold his suggestion of the absence of a quorum?

Mr. BROOKS. I withhold the suggestion of the absence of a quorum.

Mr. AIKEN. I have enjoyed working with the Senator from Georgia for a good many years on agricultural matters, and I am willing to say here and now that no man in the Senate is more assiduous in looking after the welfare of agriculture than is the genial Senator from Georgia. But I do say that when people read the CONGRESSIONAL RECORD tomorrow, and they read the prepared speeches which were delivered on the floor of the Senate in favor of the Senator's amendment, speeches made on the Democratic side, they are going to say that there was politics involved, and I know the Senator from Georgia is not gullible enough to believe otherwise.

I also realize that when the charge is made that the Republicans have cut the soil conservation program appropriation, the Republicans are going to come back and say that the President did not ask for anywhere near enough for the REA. Both sides are going to make the most of it.

I will say, however, that no one has worked harder for American agriculture than has the Senator from Georgia. I am glad to say that for the benefit of the RECORD and for the benefit of everyone who can hear or read.

Now with regard to the income of the farmers being such today that they do not need the agricultural programs. I certainly did not mean to infer that. I certainly do not think I said that, because the farmers' parity income today is not anywhere near what it should be. It is not what it was 40 years ago when we established the parity formula. We had to go back to the years 1909 to 1913 to find a parity when farm income was in as relatively good position as the income to other people. And now when we are told how much farm income has increased those who do so go back to the years when farm income was lowest, the years when we were making large appropriations for the assistance of farmers. I have made it clear that I thought those appropriations were justified.

If we want to compare farm income today with farm expenses today and go back to the base period of 1909 to 1913, we will find that the farmers today are receiving 164 percent as much for what they sell as they did during that base period, but they are paying 247 percent as much for the things they buy. In other words, farmers are relatively worse off today than they were 40 years ago. So I do not want anyone to obtain the idea that I think we do not need any farm program today; that the farmers should go ahead and buy all kinds of lime, fertilizer, and other materials, dig ditches, build terraces and plant trees and cut out other trees, if there is no agricultural program, because they cannot afford to do it, particularly the small farmers.

Mr. President, I think that in general the Senator from Georgia and I are in agreement. I still predict that both parties will make the most of the situation in the coming election. I hope they do not have any opportunity to do so.

Mr. WILLIAMS. Mr. President, there has been so much discussion of the soil conservation program this afternoon that I thought it might be well for the Senate to know just how much the program dealing with soil conservation and use of agricultural land resources has cost the taxpayers for the past 11 years. During the past 11 years since the program was started there has been paid out $4,948,900,000 on just this one phase of the agricultural program.

I have prepared a chart dealing with the 1947 agricultural-conservation program, for the one fiscal year ending June 30, 1947. It shows a break-down of the payments by States, and the amount that each State will pay as its proportional part of the program, I ask unanimous consent to have the chart inserted in the body of the RECORD at this point as a part of my remarks.

There being no objections, the chart was ordered to be printed in the RECORD, as follows:

1947 AGRICULTURAL CONSERVATION PROGRAM

The following table shows the amount contributed by each State toward the agricultural-conservation program (according to Federal income-tax percentages) and the amount apportioned to each State by the Federal Government for this program, for fiscal year ending June 30, 1947.

| State | Percentage amount paid | Amount received [1] | Increase or decrease |
|---|---|---|---|
| Alabama | $1,244,900 | $5,274,000 | +$4,029,100 |
| Arizona | 400,900 | 1,589,000 | +1,188,100 |
| Arkansas | 527,500 | 5,008,000 | +4,480,500 |
| California | 17,555,200 | 5,815,000 | −11,740,200 |
| Colorado | 1,266,000 | 3,634,000 | +2,368,000 |
| Connecticut | 3,650,300 | 450,000 | −3,200,300 |
| Delaware | 2,088,900 | 414,000 | −1,674,900 |
| Florida | 2,046,700 | 2,311,000 | +264,300 |
| Georgia | 2,110,000 | 5,699,000 | +3,589,000 |
| Idaho | 316,500 | 1,957,000 | +1,640,500 |
| Illinois | 18,462,500 | 8,559,000 | −9,903,500 |
| Indiana | 4,768,600 | 5,593,000 | +824,400 |
| Iowa | 1,666,900 | 8,910,000 | +7,243,100 |
| Kansas | 2,025,600 | 8,317,000 | +6,291,400 |
| Kentucky | 3,692,500 | 6,895,000 | +3,202,500 |
| Louisiana | 1,793,500 | 3,463,000 | +1,669,500 |
| Maine | 696,300 | 924,000 | +227,700 |
| Maryland | 3,755,800 | 1,616,000 | −2,139,800 |
| Massachusetts | 7,553,800 | 692,000 | −6,861,800 |
| Michigan | 10,254,600 | 5,593,000 | −4,661,600 |
| Minnesota | 3,122,800 | 7,085,000 | +3,962,200 |
| Mississippi | 485,300 | 5,980,000 | +5,494,700 |
| Missouri | 5,675,900 | 8,643,000 | +2,967,100 |
| Montana | 316,500 | 4,454,000 | +4,137,500 |
| Nebraska | 1,455,900 | 7,260,000 | +5,804,100 |
| Nevada | 189,900 | 283,000 | +93,100 |
| New Hampshire | 400,900 | 387,000 | −13,900 |
| New Jersey | 6,625,400 | 900,000 | −5,725,400 |
| New Mexico | 232,100 | 2,426,000 | +2,193,900 |
| New York | 42,284,400 | 4,866,000 | −37,418,400 |
| North Carolina | 5,697,000 | 5,938,000 | +241,000 |
| North Dakota | 232,100 | 6,172,000 | +5,939,900 |
| Ohio | 13,482,900 | 6,847,000 | −6,635,900 |
| Oklahoma | 1,519,200 | 6,903,000 | +5,383,800 |
| Oregon | 1,434,800 | 2,679,000 | +1,244,200 |
| Pennsylvania | 16,690,100 | 4,417,000 | −12,273,100 |
| Rhode Island | 1,181,600 | 80,000 | −1,101,600 |
| South Carolina | 949,500 | 3,537,000 | +2,587,500 |
| South Dakota | 232,100 | 5,878,000 | +5,645,900 |
| Tennessee | 1,688,000 | 5,885,000 | +4,197,000 |
| Texas | 5,591,500 | 18,313,000 | +12,721,500 |
| Utah | 422,000 | 1,130,000 | +708,000 |
| Vermont | 232,100 | 802,000 | +569,900 |
| Virginia | 3,924,600 | 4,142,000 | +217,400 |
| Washington | 2,827,400 | 3,041,000 | +213,600 |
| West Virginia | 1,012,800 | 2,073,000 | +1,060,200 |
| Mississippi | 4,388,800 | 6,346,000 | +1,957,200 |
| Wyoming | 168,800 | 1,820,000 | +1,651,200 |
| Total | [2]208,341,400 | 211,000,000 | |

[1] P. 981, Senate Appropriations Committee hearings on agricultural appropriation bill for 1949 as of Oct. 16, 1947.

[2] Including District of Columbia percentage, column 1 would equal $211,000,000.

Mr. BROOKS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Millikin |
| Baldwin | Green | Morse |
| Ball | Gurney | Murray |
| Barkley | Hatch | O'Conor |
| Brewster | Hawkes | O'Mahoney |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Butler | Hoey | Robertson, Va. |
| Byrd | Holland | Russell |
| Cain | Ives | Saltonstall |
| Capehart | Johnson, Colo. | Smith |
| Capper | Johnston, S. C. | Sparkman |
| Chavez | Kem | Stennis |
| Connally | Kilgore | Stewart |
| Cooper | Knowland | Taft |
| Cordon | Langer | Thomas, Okla. |
| Donnell | Lucas | Thomas, Utah |
| Downey | McCarthy | Thye |
| Dworshak | McClellan | Tobey |
| Eastland | McFarland | Tydings |
| Ecton | McGrath | Vandenberg |
| Ellender | McKellar | Wherry |
| Feazel | McMahon | Wiley |
| Ferguson | Magnuson | Williams |
| Flanders | Malone | Young |
| Fulbright | Maybank | |

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. ECTON. On this vote I have a pair with the Senator from North Carolina [Mr. UMSTEAD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay."

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Utah [Mr. WATKINS] are necessarily absent. If present and voting, the Senator from South Dakota and the Senator from Utah would vote "yea."

The Senator from Indiana [Mr. JENNER] is necessarily absent and is paired with the Senator from Delaware [Mr. BUCK] who is necessarily absent. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Delaware would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business, and is paired with the Senator from Pennsylvania [Mr. MARTIN], who is absent on official State business. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Pennsylvania would vote "nay."

The Senator from Maine [Mr. WHITE] is absent because of illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent, and is paired with the Senator from Iowa [Mr. WILSON], who is absent on official committee business. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Iowa "yea."

The Senator from Oklahoma [Mr. MOORE] is detained on official committee business.

Mr. LUCAS. I announce that the Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Texas [Mr. O'DANIEL] is absent by leave of the Senate.

The Senator from Nevada [Mr. McCARRAN], the Senator from Idaho [Mr. TAYLOR], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

I announce further that if present and voting, the Senator from Pennsylvania [Mr. MYERS], the Senator from Nevada [Mr. McCARRAN], and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 41, nays 38, as follows:

YEAS—41

| | | |
|---|---|---|
| Barkley | Hoey | Morse |
| Chavez | Holland | Murray |
| Connally | Johnson, Colo. | O'Conor |
| Cooper | Johnston, S. C. | O'Mahoney |
| Downey | Kilgore | Pepper |
| Eastland | Langer | Robertson, Va. |
| Ellender | Lucas | Russell |
| Feazel | McClellan | Sparkman |
| Fulbright | McFarland | Stennis |
| George | McGrath | Stewart |
| Green | McKellar | Thomas, Okla. |
| Hatch | McMahon | Thomas, Utah |
| Hayden | Magnuson | Tydings |
| Hill | Maybank | |

NAYS—38

| | | |
|---|---|---|
| Aiken | Donnell | Reed |
| Baldwin | Dworshak | Revercomb |
| Ball | Ferguson | Saltonstall |
| Brewster | Flanders | Smith |
| Bricker | Gurney | Taft |
| Bridges | Hawkes | Thye |
| Brooks | Hickenlooper | Tobey |
| Butler | Ives | Vandenberg |
| Byrd | Kem | Wherry |
| Cain | Knowland | Wiley |
| Capehart | McCarthy | Williams |
| Capper | Malone | Young |
| Cordon | Millikin | |

NOT VOTING—17

| | | |
|---|---|---|
| Buck | Martin | Umstead |
| Bushfield | Moore | Wagner |
| Ecton | Myers | Watkins |
| Jenner | O'Daniel | White |
| Lodge | Robertson, Wyo. | Wilson |
| McCarran | Taylor | |

So Mr. RUSSELL'S amendment was agreed to.

Mr. RUSSELL. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. BARKLEY. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 59, in line 24, after the word "area," it is proposed to insert:

*Provided, however,* That the Secretary of Agriculture may authorize the Regional Agricultural Credit Corporation to reenter an area or region where an economic emergency or production disaster has occurred in conformity with the provisions of section 201 (e) of the Emergency Relief and Reconstruction Act of 1932, as amended (Title 12, U. S. C., 1148.)

Mr. MAGNUSON. Mr. President, some time ago I submitted this proposal in printed form, and as printed it now lies at the desk. However, I offer the amendment which has just been read as a substitute for it, because in the form in which I now offer it, it is somewhat milder.

I offer the amendment because of an emergency situation which recently has developed in my State, in particular, and which probably will continue this summer and next spring, as the crops are planted, in many of the Western States, particularly the States in which there are fruit-growing areas.

All this amendment does is allow the Farm Credit Administration, and in particular the Regional Agricultural Credit Corporation, to be revived in areas and regions where there is economic distress. This has been done for many years since 1932, when the Congress first passed the so-called Emergency Relief and Reconstruction Act. These regional credit corporations have had a marvelous record of achievement in so-called distress areas. They were regional in scope. The financing and the credit would be applied to areas where there might be a drought or where other conditions—perhaps the high cost of production or blight or other reasons—caused the area to become a distress area. These regional credit corporations were set up, and they went into those areas and made loans to the farmers who were unable to obtain private financing. They had a remarkable record of repayment. I think the losses over the period from 1932 to 1944, with millions of dollars loaned to farmers in distress areas, amounted to a little more than 1 percent—1.01 percent.

In 1944, the Appropriations Committee and the Committee on Agriculture and Forestry—because of the fact that during the war years and the so-called boom years for farmers, when prices and crops were good and private financing was easy to obtain—so limited the so-called credit corporations, which still exist in skeleton form, that it was impossible for them to make loans in distress areas. At that time there was no reason why they should make loans, because no such areas existed. But now we find that in certain places, particularly in my State—and the junior Senator from Washington is familiar with this matter, as is also the entire Washington delegation in Congress—there is a distress area. It exists in the apple-growing section of my State. No private financing is available in that connection. So this activity must be revived in order to give the apple growers the credit they must have, and in respect to which in the past they have had a remarkable record of repayment. Unless something of this sort is done, there will be no way by which they can secure loans on their coming crop.

Mr. President, I have changed the amendment as originally submitted, because at the outset I had intended to suggest that a strict interpretation of the loan-making provisions as set forth on page 59 under the general provisions of the bill, probably would not be desir-

able, and probably that provision, as applied to all crop and livestock loans should not be in the bill. I can appreciate the fact that the Government must be as strict as possible in this matter; so I now have submitted the amendment in the form in which it has been read by the clerk.

The amendment as now submitted provides that if and when the Secretary of Agriculture determines, upon investigation, that there is a distress area—and it may have developed because of various conditions, perhaps a flood or a drought or a blight or some other reasons beyond the control of the farmers—and that the farmers in that area are unable to obtain adequate financing for that year, he then can reenter that area in applying the provisions of the old Emergency Relief and Reconstruction Act of 1932, which still exists and which provides that the Government can finance on somewhat more liberal terms than those available from private sources. I think such a provision is only fair, because distress areas of the sort I have mentioned may develop in many parts of the United States. Certainly it looks as if one will develop in one area in our section.

So I hope the chairman of the subcommittee will agree to accept the amendment. It will not affect any of the provisions which the Appropriations Committee has placed in the bill. It merely provides an alternative procedure which may be followed by the Secretary of Agriculture if he determines that such a distress area exists.

I wish to say to the chairman of the committee that, although of course I do not like to legislate in this way, unfortunately we had no other course available to us. If we had known about this matter earlier, we would have presented it to the committee when the hearings on this bill were being held. But this matter came to our knowledge only in the past 30 days, and it was impossible to contact the committee on the matter at that time.

Mr. BROOKS. Mr. President, I agree with the Senator from Washington that I do not like this method of amending a bill, inasmuch as we have no chance of having statements made about it, except by the author of the amendment. But because the amendment is joined in by the junior Senator from Washington, we shall accept it, and shall do the best we can with it when we take it to conference.

Mr. MAGNUSON. I appreciate that very much.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, following my remarks, a statement of some additional reasons for the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WARREN G. MAGNUSON ON AMENDMENT TO SECTION 2, AGRICULTURAL APPROPRIATION BILL, FISCAL 1949—REGIONAL AGRICULTURAL CREDIT ADMINISTRATION

Mr. President, I have proposed an amendment to section 2 of this bill to provide that any loans made by the Regional Agricultural Credit Administration be made in conformity with the provisions of the Emergency Relief and Reconstruction Act of 1932, as amended. This is the act which originally authorized the creation of this farm credit program, the act under which the RACC operated from 1932 to 1944, the act under which the RACC played a most significant part in rehabilitating distressed farm areas of our Nation, and under which it achieved a remarkable record of repayment. That record of repayment, which I will cite later, represents an outstanding tribute to the integrity of the American farmer, to the sound judgment of the Congress in authorizing the program, and to the efficiency of the Department of Agriculture in administering it.

I propose this amendment as a means of permitting the Department of Agriculture, through the Regional Agricultural Credit Corporation to cope with a temporary emergency situation in the apple industry in the State of Washington. The amendment, if adopted, will simply permit RACC to do what it had been doing until 1944, provided a thorough survey of the needs of the Wenatchee area demonstrate that such action is warranted. Acceptance of the amendment does not mean the RACC will make loans in this area. Acceptance will simply clear the way for RACC action if circumstances in the area demonstrate that this supplementary credit assistance is necessary.

I will now describe the conditions which have prompted me to present this amendment. When I was in the State recently, I met with a group of responsible grower, distributor, and credit representatives of the apple industry. At that time, and in subsequent correspondence, the problem confronted by certain growers in financing the 1948 crop was presented to me. Recently I have communicated with all members of the Washington State delegation concerning the problem, and I think we are in accord that necessary legislative steps should be taken to permit RACC to operate in the area if the Department of Agriculture's on-the-ground survey substantiates the facts we have at hand.

It is estimated that from 10 to 20 percent of the growers in the Wenatchee-Okanogan area in the crop year 1948 will be unable to qualify for financing from present available sources. These sources include private and semiprivate credit agencies operating in the area.

According to reports I have received, this situation has been created by operation of the following factors:

1. Most liberal financing programs now available require that the grower have on hand 40 or 50 cents per box production in cash or equivalent in inventories or quick assets.

2. The cash cost of producing a box of apples in the 1947 pack was approximately $2; whereas, cash return to the grower per box has been 50 to 75 cents less.

3. The majority of the growers presently in difficulty are those who bought orchard tracts during the war on contract payments and have not had the benefit of wartime prices for fruit nor a reasonable number of normal crop years to complete payments on real estate and set aside reserves for credit.

One of the letters in hand states: "For the most part, they are going through a normal economic cycle that is the experience of most new and young farmers."

4. Apple prices have been below cost of production for the following reasons:

(a) Export markets are not yet reestablished.

(b) 1½ million bushels of Canadian apples hit the market at a time when our own shipments were at their peak.

(c) Consumers generally have had less money in pocket to spend for this type of food.

5. One additional factor has been cited as contributing to grower difficulties. Farmers generally pay their income tax in January. In January 1948, apple growers paid taxes on that income received from sales in 1947 of the 1946 pack. Prices prevailing in the winter and spring of 1947 were good. The cash funds from which growers paid that tax was in major part received from November and December sales of the 1947 pack. Prices began to sag in December and were declining rapidly by January. This combination of circumstances, according to some observers is at least partially responsible for the lack of cash to finance 1948 crop year operation.

NEED FOR RACC AND STEPS NECESSARY TO REVITALIZE IT

Regional Agriculture Credit Corporation was authorized in 1932 (title 12, U. S. C. 1148) as a part of the Reconstruction Finance Corporation to be "managed by officers and agents to be appointed by the Farm Credit Administration under such rules and regulations as it may prescribe. Such corporations are hereby authorized and empowered to make loans or advances to farmers and stockmen, the proceeds of which are to be used for an agricultural purpose (including crop production) or for the raising, breeding, fattening, or marketing of livestock, to charge such rates of interest or discount thereon as in their judgment are fair and equitable on it, subject to the approval of the Farm Credit Corporation, and to rediscount with the Reconstruction Finance Corporation and the various Federal Reserve banks and Federal intermediate credit banks any paper that they acquire which is eligible for such purposes. All expenses incurred in connection with the operation of such corporation shall be supervised and paid by the RFC under such rules and regulations as its Board of Directors may prescribe."

Originally, there were 12 FACC's established, each with paid up capital of $3,000,000. In 1934, the capital was increased to $44,500,000. All RACC capital stock was originally and is still held by the United States Government. During its operation the RACC's extended credit aggregating $639,825,057. Total losses for the organization to June 30, 1944, amounted to $4,317,000, or 1.03 percent of the total amount of cash advanced on loans between 1932 and June 30, 1944. Including charges for administrative expenses and interest costs, the Corporation made a net profit of $1,163,000. The net loss to the Government, therefore, taking into consideration all expenses and all earnings, totals $3,217,00.

I mention this and below outline the experience in Wenatchee, simply to show that this program has been one of the soundest ventures launched by the Federal Government.

RACC of Salt Lake City, Utah, established a branch office at Wenatchee in 1941, after a careful study by the Department of Agriculture and local land-use planning committees. Finances by the Corporation were combined with general horticultural supervision for the rehabilitation of orchards in the area. The rate of interest was 5½ percent per annum and an additional charge of one-half of 1 percent was deducted from each advance to reimburse the Corporation for a portion of the cost of horticultural supervision. Up to June 30, 1947, loans made in the Wenatchee area aggregated $34,679,581, and as of that date all grower loans had been repaid in full. On total Wenatchee loans of almost $35,000,000, RACC lost only $9,900—a remarkable record.

The record I have just cited demonstrates conclusively that RACC and the apple growers of the Wenatchee area can

be trusted by the Congress. That record demonstrates the original provisions of the act creating RACC have been and will be soundly administered.

In closing I reiterate, my amendment simply permits RACC to operate again under those provisions which were in effect at the time the majority of these loans were made—those provisions under which RACC and the farmers of the Wenatchee area achieved the remarkable record of repayment, which I have just cited. I sincerely hope the committee and the Senate will accept my proposal.

Mr. WHERRY. Mr. President, it has just come to my attention now that another amendment or two will be offered, which had not been contemplated. There is also the amendment that will be offered by the distinguished Senator from Tennessee. It provides an increase, I think, in the school lunch item, and will, I understand, take considerable time. It is now 20 minutes of 6. I should like to ask the distinguished Senator from Illinois if he would consider and accept the amendment I offered. If there is no controversy on it, I shall then move a recess until tomorrow at noon. It seems to me, with the debate that will ensue on the school-lunch amendment and on the amendment to be offered by the Senator from North Dakota, it will be impossible to conclude the consideration of the bill tonight.

Mr. President, I call up my amendment C.

The PRESIDING OFFICER. If the Senator will yield to the Chair for a moment, the question is on agreeing to the amendment submitted by the Senator from Washington [Mr. MAGNUSON], which has been accepted by the Senator from Illinois.

The amendment was agreed to.

Mr. WHERRY. Mr. President, I ask that the Senate now consider the amendment I offered on May 21. I ask that it be read.

The PRESIDING OFFICER. The clerk will read the amendment.

The CHIEF CLERK. On page 43, line 22, after the numerals "$6,000,000,000", it is proposed to insert "of which $2,070,500 shall be available for preliminary examinations and surveys, and."

Mr. BROOKS. Mr. President, let me state to the Senator from Nebraska that I have taken this matter up with several members of the committee. There will be no objection to accepting the amendment and taking it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY].

The amendment was agreed to.

Mr. WHERRY. Mr. President, I think that concludes all the amendments, except the one of the Senator from Wisconsin, the one to be offered by the Senator from North Dakota, and the amendment of the distinguished Senator from Tennessee, which will be up for consideration when the Senate convenes tomorrow.

SEVENTY AIR GROUPS

Mr. CAIN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield to the Senator from Washington.

Mr. CAIN. Mr. President, for the reason that it is necessary for the junior Senator from Washington to be absent from the Senate tomorrow afternoon, the Senator from Nebraska has very generously yielded to me for what ought to be about 20 minutes. The Senator from Nebraska has been aware of my desire to make certain observations on the 70-air-group bill which recently passed the Senate. I am extremely grateful for his willingness to keep himself and certain other Members of the Senate here at this late hour.

Mr. WHERRY. Mr. President, if the Senator will yield for a second, several Senators have just come to my desk to inquire whether the agricultural appropriation bill will go over until tomorrow. I repeat, in view of the amendments which I have mentioned, and which will be up for consideration when the Senate reconvenes, consideration of the agricultural bill will go over until tomorrow.

Mr. TOBEY. At 11 o'clock?

Mr. WHERRY. At 12 o'clock noon.

Mr. CAIN. Mr. President, in the recent past the Congress approved in magnificent fashion the 70-air-group proposal as being imperatively required to make our Nation secure and safe from attack by anyone. The President of the United States through his signature has placed his stamp of approval on the action taken by the Congress.

When the 70-air-group bill was brought to a vote in the Senate only 2 Senators out of 76 voted in the negative. They were the senior Senator from Idaho [Mr. TAYLOR] and the junior Senator from Washington [Mr. CAIN]. They made strange company because from the point of view of the Senator from Washington they have had nothing in common politically and will have less in common as the years go on. That my reasons for voting against the proposal differed from the opposition reasons advanced by the Senator from Idaho is obvious. To the satisfaction of my peace of mind I have neither read nor heard of any attempt by anyone to connect the two votes.

Mr. President, in a most modest way the junior Senator from Washington served in the armed services for several years in the late war. Almost all of this service was spent on foreign soil, from Africa to the German coast line on the Baltic Sea. As a result of this unusual and wholly worth-while experience I left the Army with military friends by the score, who serve today wherever the American flag flies throughout the world. Because of my vote against the 70 air group I have recently heard from practically every military friend who knows that I now serve in the Congress. These friends are soldiers, sailors, marines, and members of the Air Force. They have invariably asked two questions: (1) How could you, an ex-air-borne infantryman, vote against America's answer to Soviet Russia's aggression? and (2) How are things shaping up in the United States for the future?

Mr. President, neither of those two questions finds a ready or simple answer. The junior Senator from Washington can reasonably respond to the question concerning why he was one of two Members of the United States Senate to vote against a proposal which almost everybody in both Houses of the Congress, and almost everybody in America, applauded, approved, and cheered. The second question, the one directed at how our Nation is preparing to face the future, simply does not have an adequate answer as far as I am concerned.

In the next few minutes, and with the help of others who try to reflect on the future results of present-day actions, I shall endeavor to satisfy in limited fashion the natural and expected curiosity of my friends across the seas. I shall obviously neglect to touch on many things, partly because of a lack of knowledge and partly because, with the heavy work schedule before us, I should not long impose on the precious time of the Senate. I shall merely scratch the surface. I shall not get far away from the 70-air-group problem. There is headache enough in that and in closely related subjects. With any luck at all I shall cause my friends, who are properly anxious about their immediate needs and requirements, to think, as probably they have not done before, about future trends and about the Nation to which they all hope to return some day.

On May 7, when the Senate voted by a score of 74 to 2 in favor of a 70 air group, the junior Senator from Washington supported his negative vote in a very brief and verbal statement to the press.

The substance of what he said was printed accurately by many papers, among them being the Seattle Times, and I ask unanimous consent to have a news story from that newspaper included at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CAIN EXPLAINS HIS VOTE AGAINST AIR FORCE BILL

WASHINGTON, May 7.—Washington's junior Senator, HARRY P. CAIN, a former colonel with a combat record in the Second World War, was the only Senator, except GLEN H. TAYLOR, of Idaho, Vice Presidential candidate on Henry Wallace's ticket, who voted against a 70-group combat air force yesterday.

"My vote," said CAIN, "was an individual's warning to a confused—almost hysterical—Nation to stop, consider, and think as it never has done before.

"I am convinced we are trying to do too much too fast in this country. Mere appropriation of dollars will not serve its intended purpose of frightening the Soviet Union or slowing up that country's aggressive tactics.

"It seems to me that no Member of Congress can tell the American people where we are heading or what is going to happen to America domestically as a result of the authorizing from day to day.

"The greatest strength of America lies in the health of its domestic production machine. If we over-tax and wreck that machine, America can be conquered without a single shot ever having been fired.

"We benefit today from full employment and almost full production. We suffer from some shortages, yet we are asking, through the votes we cast every day, for our productive machinery to expand and produce more and more.

"We are going over the heads of the professional authorities more competent to judge our military needs than are the Members of Congress. We are running away from discussing the subject of universal military

training. We are trying to buy security with dollars—and it can't be done.

"Every informed person knows that we need a real unification of the armed services, and that we haven't got it. Everybody knows that the branches of our armed services are competing unreasonably against each other for reasons of self-interest. We ought to know that peace and understanding must reign in the Pentagon before we can expect to use wisely our manpower, our dollars, and our natural resources.

"Furthermore, there is sound reason to believe that fleets of planes produced today will be largely obsolete tomorrow."

Senator TAYLOR, commenting on CAIN'S vote, said: "Indeed, I have a strange ally."

Mr. CAIN. Mr. President, this short statement merely expressed my own personal indignation and alarm over what I considered to have been a dangerous act of ill considered haste by this body for which I have a very great respect. I am keenly conscious of the fact that every other voting Senator, save one, saw little reason for either my indignation or concern.

Mr. President, the Senate, the Congress, and the Nation have embarked on a course of unusual expenditures which is fraught with great possibilities for good or evil. We are moving along at a tremendous rate. Within the past few weeks we have passed the Marshall plan, committing ourselves to more than $5,000,000,000 a year. We have passed the bill providing for a start on the 70-group Air Force, which may eventually cost us, with its balancing forces, from twenty to thirty billions of dollars a year. We are soon to be faced with a decision on selective service. Who knows but what universal military training will be before us in a special session, or in the next session of the Congress?

Proposals are in the executive mill, we are informed by the newspapers, for a new version of lend-lease. A number of the remaining war factories, once declared surplus to our defense needs, have been hedged around with sales restrictions, which bar a valuable segment of our productive plant from making its normal contribution to our national welfare and prosperity.

On top of this we have, do we not, "working papers" for alliances of one sort and another, and the establishment of an anticominform department with cabinet status, which its principal proponent, John Foster Dulles, would call the "Department of Non-Military Defense"?

Additional schemes and expansions are being hatched daily. Our ingenuity, imaginative effort, and the scope of our ambitions in foreign affairs seem to be unlimited. All very well! But this Senator wonders if our imagination and our great plans are matched by our sense of reasonableness, prudence, and economic foresight.

We were warned, when the Marshall plan was being advanced, that some allocations of scarce materials might be necessary. It was likewise authoritatively stated that some price controls might also be necessary. If even then, with that burden, the danger of economic reaction was great enough to call forth these warnings from administration sources, what is or must be the danger of economic reaction now with an additional burden of $9,000,000,000 pending? Do we not wish, all of us, that we really knew?

Some unofficial but important studies have been made. Fortune magazine, in its current May issue, calculates the effect of a $5,000,000,000 military-expansion program during the coming year.

"It follows," Fortune predicts, "that as military orders are increased and aid to Europe continued, something will have to give. If we want more guns we shall have not only to work harder but also to give up some butter."

Then Fortune continues:

The real shortages are likely to occur in oil, steel, metals, and, finally, in power. It is worthy of note that the military is currently using up more fuel per year than the German Army and Air Force used at the peak of the war, and increased use of jet propulsion will greatly enlarge that drain. The development of jets and rockets will also affect steel. Albert Speer, Hitler's minister for munitions and armaments, was once asked whether the V–1 and V–2 rockets did more harm to England or to his own country. His answer was categorical—that they had done more harm to Germany because they used up so many critical alloys.

A stepped-up aircraft program will also use more aluminum and manganese, for which there is plenty of capacity but maybe not enough power—a factor that could put a ceiling on the whole economy. Our present capacity is about 65,000,000 kilowatts, but last year we drew on this down to 5 percent of our reserves, and in California there were brown-outs and definite restrictions on industrial use.

To meet this situation, Fortune intimates that we might have to cut out rural electrification, a step to which considerable attention was given on the floor of the Senate this afternoon. We might have to raise the prices on electrical equipment such as toasters, refrigerators, and washing machines and put a higher tax on electric power.

We would have to take "an extremely hard-boiled and practical attitude" toward our civilian economy in general. We would have to reduce the amount of installment selling, and cut the number of new homes now being constructed.

We would have to raise taxes on low-income groups to cut mass purchasing power, which is the most inflationary, and increase the gasoline tax. All this is Fortune's estimate of what may be necessary with a mere $5,000,000,000 arms-expansion program.

This gives us an idea of what the junior Senator from Massachusetts [Mr. LODGE] must have had in mind when he voted for the aircraft bill last week, but only with the frank admission that he feared it might "bleed us to death."

That is what I had partly in mind when I voted "No" on the same issue.

I have read and reread a score of times since the debate the observations made by the Senator from Massachusetts [Mr. LODGE] during the debate which led to a decision on the 70-air-group bill. I think that the Senator from Massachusetts made a magnificent contribution, not only to the CONGRESSIONAL RECORD, but more importantly to the thinking people of this country. I should like to think that in its balanced place in the few remaining observations I have to make I might have unanimous consent to have the observations of the Senator from Massachusetts printed at this point in my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. LODGE. Mr. President, the fact that we have before us today this appropriation bill calls for a few observations on just what preparation for total war under modern conditions actually involves.

I speak as one who has always been in favor of legislation for national defense. I believe I was one of the first advocates of compulsory service and of an increased Air Force before the United States entered World War II, and was the author in June last year of an amendment to the then pending appropriation bill to provide for 70 air groups. I have for a long time been convinced that aviation is the spearhead of our military strength.

But let us be accurate. It is noteworthy that 70 air groups, as proposed by me last June, and as proposed by the Finletter Commission—that is, the President's Air Policy Commission, in January, would have entailed approximately 400,000 men and about 750 additional planes. Seventy air groups today, according to the Department of the Air Force, provides for 502,000 men and, I presume, a corresponding increase in planes. The committee report does not say. In other words, an air group is a very elastic unit, which can be stretched as conditions require and it is not strictly accurate to say, as the committee report does, that this 70-group program has been supported by authorities for the past 3 years. This is a larger and more substantial 70 air groups than we have ever had before. I intend to support this appropriation, however, partly because the committee has studied all the facts and heard all the evidence and has reported it by such an overwhelming majority and partly because it is impossible in this field to say dogmatically that any one figure is too large or too small. And if the committee says 70 groups and Secretary Forrestal says 66 and the groups themselves are collapsible and expansible, it is impossible to pinpoint and get sharp focus in an argument like that.

But the same logic which impelled me last June to offer an amendment to provide for 70 air groups impels me also to point out today that we cannot achieve security simply by building airplanes. If we could, this world would be very simple. The truth is that if we thought that we were facing war this year we would do a great deal more than build 70 air groups; and if we are preparing for a possible war several years ahead, we would, above all, be sure that at the moment we went to war we had an industry which was capable of turning out the weapons which would be as modern and effective as science could design.

Our decision on this whole question can only be intelligently made in the light of two factors. The first factor is the imminence of war. On this we appear to have divided counsels from the executive branch of the Government. The second factor is the amount of governmental expenditure which must occur before economic controls become essential. On this, too, we are completely in the dark. Yet these are the two vital prerequisites to an intelligent judgment.

Think of it. The two things we need to know in order to make that decision are the two things we do not know.

The Secretary of the Air Force, for whom I have very real regard, in addition to pleading the cause of aviation which it is his specific duty to do, has, in response to questions from Members of Congress, made comments in fields regarding which he does not speak with especial or exclusive authority.

His view on the imminence of war must, of course, be matched up with that of the Secretary of Defense, the Secretary of State, and the President of the United States, and the President pro tempore of the Senate. We do not know to what extent he was speaking for any of the officials in the executive branch.

His estimate that Russia will go to war on us as soon as she has the atomic bomb involves judgments regarding which, again, he does not speak with any professional or technical authority. Here, too, the opinions of the Secretaries of the Army and Navy and of the Secretary of Defense are also to be considered, and here again the most decisive opinion of all would be that of the Secretary of State. So far as I know he has not expressed an opinion. It appears to me to be at least debatable whether Russia would automatically go to war as soon as she develops the atomic bomb. She might be much more likely to go to war once she is satisfied that we are so loaded up with obsolete equipment and that our productive capacity has so lost its elasticity because of premature drains on its manpower and natural resources that we were incapable of fighting effectively. To me it is obvious that the time for the enemy to strike may not necessarily be at the moment that they develop the bomb, but at the moment when our capacity to retaliate is at its lowest.

Every thoughtful professional military man knows very well that our prime military asset is our industrial productive power, because it is an asset which is possessed to the same degree by no other nation.

Other nations have oil; other nations have minerals; other nations have young manhood; other nations have huge geographic areas, but no nation has productive power to the same degree that we have. That is our prime military asset.

We must not load ourselves up with equipment too early and do it at such a rate that we are forced to impose controls and thereby militarize our economy in a time of relative peace. The true test of statesmanship is whether we can do the job we need to do without militarizing our economy—without spending so much that we must enact wartime controls—thereby severely hampering our capacity for industrial growth.

In addition to the normal expenditures of Government, we have just embarked on huge expenditures for foreign economic recovery. Today we decide to spend vast new amounts for our own defense. Tomorrow we may decide that we must appropriate more sums to arm certain foreign countries. Where is all this going to end? The European recovery program and our own civilian economy are, I am told, already threatened by steel shortages on account of our defense program. There must be a limit. Where is the limit?

There should, I believe, be a thoroughly scientific determination of what the point of public expenditures is at which we have to militarize our economy and go to allocation, priorities, rationing, and other controls. Perhaps the Committee on Economic Report or the Joint Committee on the Budget should give us a finding on this subject. Certain it is that we cannot legislate wisely without having a sure and definite idea of just exactly what straw it is that breaks the camel's back. We know there is one, but which one is it?

We must also develop a better system for making our large-scale military preparations. Obviously, the Secretary of Defense needs more help. Obviously, too, the Congress must approach the task with more balance and more understanding.

In fact, it has become painfully clear that no satisfactory method at present exists to resolve the differences between the armed services and to produce an intelligent and integrated plan. The services have massive staffs and long experience with which to back up their recommendations. The Secretary of Defense, although an extremely competent official, is, as the past few months have proven, so lacking in professional help that he cannot possibly resolve the differences. What happens? The controversy is passed on to Congress and we here are thus required to resolve a technical dispute between professionals. It is utterly preposterous and would be comical if the consequences were not so dangerous. Let it also be noted that this situation is subjecting the heads of our armed services to bitter criticism which, while often undeserved, shakes confidence in our military men to a degree which can be dangerous.

Clearly, we must set up an intelligent method for resolving the differences between the services in a prompt, professional and authoritative manner and we must do so without delay. I have said that we can ruin ourselves by destroying our economy just as surely as we can be ruined by atomic bombs. There is yet another way—which is due to the fact that if we had to fight a future war along the organizational lines now existing between the three services we might well be defeated without extensive enemy action. We would simply have been snarled up in our own red tape. Our preoccupation lest some of the services lose some of their prerogatives can well result in our losing a war. Let us hope that the inexpressible confusion which has shrouded the topic of preparedness in the past few weeks has finally taught us that the whole is more important than any of its parts.

Even if we take this lesson to heart and set up an intelligent method for resolving service differences, Congress will still have plenty to do insofar as the common defense is concerned. Our function is to match up the requirements of all the armed services with all the other aspects of national life which involve the common defense. For example, there is just so much manpower in the United States; our task is to prescribe policies for its use. There is just so much productive power in the United States; our task is to prescribe policies for its apportionment as between military and civilian items. There are just so many raw materials and natural resources in the United States; our task is to develop policies for their conservation and use.

In these days of total war and total foreign policy, we in Congress have enough to do without getting into the disputes between the uniformed services. Except where these disputes impinge on the broad field of national policy, these matters should be settled in the Pentagon—and they should be well and authoritatively settled.

Congress, therefore, must not ask witnesses questions which lie outside of their special province. We must proceed with balance and understanding. We must not conduct ourselves in such a way as to deserve the remark attributed to James Reston, of the New York Times, that "when you tell Congress nothing, they go fishing; but when you tell Congress the facts they go crazy." We must get some balance and some moderation in our views of these matters.

Mr. President, I hope future historians will not record that in these years Russia merely sat back and by angering the American people caused us to make such vast expenditures of money, materials, and manpower for so long a period of time that the United States, because of its so-called preparedness program actually killed the goose that laid the golden eggs. If we increase appropriations every time we get angry, we can, over a period of years, bleed ourselves to death. In matters like these, which involve the life and death of our country, I want no foreign nation to call the tune or to set the time. It is a new thought, I think, in American foreign policy, to have a foreign nation call the tune or set the time. Let us always maintain the initiative.

I object to being bullied or hornswoggled by any foreign state into weakening, if not destroying, our prime military asset—which is our productive capacity. Measures of immediate preparedness must not be of such a nature that they force us to militarize the American economy; our desire to be ready for the first blow in any future war must not force us to take steps which would make it difficult, if not impossible, for us to win the closing battle.

It is high time that professional military men, in common with Members of Congress, cease taking the narrow view that if Congress provides for one particular military activity, all will be well. They ought to be equally concerned with the maintenance of our productive capacity. In fairness, I shall say that many of them already are. They ought to be equally concerned with the vital necessity for maintaining a free economy in this country because the experience of the last war should have taught us all that this productive skill will be the decisive factor in any war of the future.

Mr. CAIN. Mr. President, Business Week, a McGraw-Hill publication, which is certainly conservative, contemplates the effect of a larger defense program in a special section, in its April 24 issue, and concludes that total mobilization would mean invoking the whole apparatus of economic and labor control.

Pointing out that we are now operating our factories and other facilities at full speed, Business Week shows that a full-scale mobilization would inevitably mean something akin to the police state. When it comes, if it does, the Government and Government contractors could not afford to "coax" participation out of the people of America. There would be no surplus to coax with. Instead, the Government would have to use "the whip." We ought to think about this as we think about where we are headed.

These are serious and disturbing statements from reliable sources and I know of no serious effort which has been made by the Congress to disprove or to deny them. These statements are doubly commanding when they are reinforced by the precise wording of such a person as Secretary Forrestal, who in his campaign for a smaller air force warned us that, were we to pass the 70-group bill, we would have to end "the making of motorcars and washing machines and refrigerators."

He may be right. None of us yet knows. We have not begun to think of how our Nation will react if he turns out to be right. At least we have not begun to tell the American people what may be required of them in the way of shortages and sacrifice.

Mr. Forrestal told the Senate Armed Services Committee on April 21, "The impact on the economy of an additional $9,000,000,000 program is a matter that deserves and will, I am sure, receive the most careful attention by both the President and the Congress." His anticipation was almost completely wrong. No full-dress study of the problem has yet been made. Can any Member of this Senate forecast with any degree of accuracy what the impact will be?

The Senator from Oregon [Mr. MORSE] a day earlier had said on the floor of this body:

We cannot preserve a capitalistic economy in this country with $20,000,000,000 of a

budget of $40,000,000,000 going to the expenses of a Military Establishment.

These implications—

He declared—

are basically questions which fall within the jurisdiction of the Foreign Relations Committee.

The administration itself, of course, is well aware of the foreign-policy implications of this arms expansion. In fact, it was that which Gen. Bedell Smith was instructed, as I understand, to explain to Mr. Molotov during the recent interview in Moscow, which has since been much publicized and argued about.

Some newspapers are keenly aware we are seemingly madly rushing into things too hastily. I hold in my hand editorials from three leading American newspapers. The Los Angeles Times, under date of April 17, has editorialized on the subject the Air Force Controversy. From the Houston Chronicle of a recent but uncertain date I have an editorial on the subject Flood of Dollars Versus Wisdom; and from the issue of May 8, I think it is, of the New York Times, is an editorial on the subject Too Much Too Soon? These points of view as presented by three typical and representative American newspapers may be wrong, but they are deserving of consideration by thoughtful people everywhere.

Mr. President, I ask unanimous consent that these three editorials be carried at this point in my remarks.

The PRESIDING OFFICER (Mr. COOPER in the chair). Is there objection?

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

THE AIR FORCE CONTROVERSY

By the astounding vote of 343 to 3 the House has authorized the Air Force to expand to 70 air groups from its present skeletonized 55. The question arises: Is this a wise decision? It is not for the Times to say whether present national security requires 55 or 70 groups—an air group corresponding roughly to an infantry regiment.

The Congress heard Defense Secretary Forrestal testify in favor of building 55 groups to full strength before embarking upon the larger program. He contended that this program will see the best expenditure of resources of money, men, and materials.

Secretary of Air Symington, whose office is subordinate to the Defense Secretary, carried his fight to the House and defeated his chief. This is a violation of the military doctrine of the command decision. The staff permits reports and urges theories, but the commanding general makes the decision—and that decision is final.

In Los Angeles two ably qualified men painted in significant brush strokes on the major picture. Air Force Chief of Staff designate VANDENBERG said he supports the 70-group program of General Spaatz, whom he succeeds next month. He says heavy bomb groups are rotated to Europe and Asia, but fighter groups are concentrated in this country. Thus he gives weight to the argument for balance among the services, for in the event of Russian attack the heavies could evacuate their personnel, but fighters would have only our pitifully thin line of doughboys to protect their bases.

Capt. Leland D. Webb, United States Navy, retired, spoke for the Aircraft Industries Association before the Air Policy Conference on the manufacturing phases of the problem. For economy and efficiency, the industry wants a program based on a 5-year plan. The action in Washington while encouraging does not appeal to him as part of a soundly conceived long-range procurement program.

Gen. Omar Bradley had tactical command of America's mightiest military effort, when ground and air arms were two coordinated fists which beat the life from the Wehrmacht. Within sight of his first field headquarters in France was an airstrip under German artillery fire, from which fighter bombers attacked the enemy while retracting landing gear. In the great drive through France tactical aircraft, and tactical aircraft alone, protected his right flank.

So when Bradley gives his advice to the Congress on national defense his experience, integrity, and the painful thought he has put on the subject should outweigh the opinions of Representative KILDAY who demands a big Air Force because the country wants a big Air Force.

Bradley wants balanced strength in the armed forces. He knows that to attack the United States effectively Russia needs bases outside her present limits. Conversely, we need extended air bases to mount effective attacks on Russia. Anything short of that would be a stunt raid. Such bases require ground troops for security and a Navy to provide supplies.

When he deals with manpower he explodes the fatuous impression that every soldier is a combat unit. We had some 5,000,000 ground troops in World War II, but only 90 divisions, and divisions do not exceed 15,000 men. The others make up supporting units, depot troops, replacements, trainees.

The Regular Army has an authorized strength of 669,000, but only 542,000 in uniform. Bradley asks for an actual strength of 822,000. These can be supported in short order by 258,000 Reservists and National Guardsmen. And all these men will make up only 18 combat divisions, a "stand-by" peace force.

---

FLOOD OF DOLLARS VERSUS WISDOM

There can be no doubt about the overwhelming sentiment in Congress for a large, modern air force to be built with all possible dispatch. The Senate has now confirmed the 70-group air force program which the House had previously voted.

Only five votes in all were cast against the proposal—three in the House and two in the Senate. An immediate outlay of an additional $3,198,000,000 for aviation is included in the congressional action.

Now President Truman will have to determine whether he thinks it better to go along with the air power advocates, or stand by those military leaders who insist that Congress is throwing the entire national defense program out of balance.

The viewpoint of the majority of the armed services was expressed on the same day that the Senate acted by Dwight D. Eisenhower, only a few days out of office as Army Chief of Staff.

"There is no such thing as mere dollar defense," said the new president of Columbia University in a New York speech. "You cannot buy security. There is no easy way for determining that security may be secured and maintained by the mere building of any particular type of machine and maintaining it in any amount, no matter how numerous."

There was a note of caution, too, expressed by Members of the Senate, One such spokesman was Senator HENRY CABOT LODGE, JR., of Massachusetts, who sponsored legislation at the last session of Congress for a 70-group air force and voted for it this time.

"I hope that future historians," said Senator LODGE, "will not record that in these years Russia merely sat back and by angering the American people caused us to make such vast expenditures of money, materials, and manpower for so long a period that the United States, because of its so-called preparedness program, actually killed the goose that laid the golden eggs.

"If we increase our appropriations every time we get angry, we can, over a period of years, bleed ourselves to death. In matters like these which involve the life or death of the country I want no foreign nation to call the tune or set the time. I object to being bullied or hornswoggled by any foreign state into weakening, if not destroying, our prime military asset—which is our productive capacity."

Senator HARRY P. CAIN, Republican, of Washington, was one of the two who voted against the measure. He aptly said that the only difference in his concept of the measure and that of Senator LODGE was that the latter voted "aye" and he voted "nay."

"This," said Senator CAIN, "was the saddest vote that I ever cast. It was cast on the basis that we are trying to do too much too fast. We must know more of what the impact of our program is going to be. It's time to define this thing in its immensity and to educate the American people as to what it means to them."

The Chronicle wants this Nation to remain strong and free. It does not believe that it can do so by draining away its strength at the rate that we are now doing. It believes that we must conserve some of our energies against the day of actual conflict, if that day ever comes.

It believes that General Eisenhower, Senator LODGE, and Senator CAIN, all three have put their fingers on the futility and danger of attempting to do blindly, and with dollars alone, what should be done with foresight and wisdom.

---

TOO MUCH, TOO SOON?

The overwhelming majority (74 to 2) by which the Senate adopted the 70-group, modern-plane air force bill leaves no doubt that Congress is going to override the recommendations of the Defense Establishment as to air needs and give the Air Force what it alone has asked for. The bill now goes to conference to iron out minor differences between it and the measure passed by the House.

A strong Air Force is the best insurance we can have against aggression. It is questionable, however, whether, in overriding the judgment of the Joint Chiefs of Staff and Defense Secretary Forrestal and embarking on a program that will require an immediate and large expansion of the aircraft industry, Congress is not providing too much, too soon. The administration plan was to increase the Air Force to 68 groups, but to do this largely through withdrawal from storage and modification of excess Second World War B–29's. Its plan called for a much slower shift-over to jet-propelled planes and aircraft-plant expansion. That appeals to us as the wiser course.

The motivation of some of the votes in both the House and the Senate may be questioned. Are some Members hoping, in this election year, thus to avoid a vote on selective service and universal military training? Those two measures are, in the opinion of Mr. Forrestal and the other services, no less necessary to the security of this country than a strong and modern air force. What will it profit us if we build a great air force but fair to provide a firm base from which it can operate?

In yielding now to the special pleading of one service arm, Congress seems to us to be as derelict in its duty to make calm and considered judgments for the security of the Nation as it was in the days immediately following victory, when it literally tore apart our defense establishment in order to make political capital of the slogan, Bring the boys home. There is a very real danger now that it will load us down with an aircraft industry that was too quickly built up at great cost, create an Air Force of untried planes that

will rapidly become obsolete and put such a strain on the industrial economy that wartime controls will have to be imposed on many critical materials. Then, when the budget pinch comes, the inclination will be again to cut it back drastically to avoid raising taxes. We urge the House and Senate conferees to take another and a more sober look at the whole picture.

Mr. CAIN. Mr. President, the New York Herald Tribune in an editorial on May 3 noted that we spent more than a year—and I like to go back to that particular emphasis of theirs—the country, the Congress, and the administration, spent more than a year—doing what? We employed the Krug, Harriman, Nourse, and Herter committees, along with the Brookings Institution, to make the most careful studies of the economic consequences of the Marshall plan, and they say that we are jumping into this program, twice as big, and twice as dangerous, on the spur of the moment.

We believe—

The Herald Tribune recommends—

it is time that something be done to investigate the probable impact of prospective defense expenditures on the economy.

The Herald Tribune has been seconded in this motion by that tax authority and chairman of the board of R. H. Macy & Co., Mr. Beardsley Ruml, who is deeply concerned about our extravagant haste in committing ourselves to defense expenditures which are potentially equivalent to more than 50 percent of the Federal Budget for an indefinite period.

On May 10, Mr. Ruml suggested the formation of a nonpolitical civilian commission to scrutinize, study, and comment upon national defense policy and its execution.

Neither the Bureau of the Budget, nor the General Accounting Office, nor any of the several committees of Congress, nor even the Cabinet is well organized or situated to meet this special need—

Mr. Ruml asserted.

All public expenditures—

He added—

should be forced to meet the severe test of necessity, urgency, and efficiency. Since defense expenditures are likely to be more than half the budget, it is reasonable that they also must meet these tests. Such a group must have the confidence and respect of both Congress and the military.

Mr. President—and I like to address the present Presiding Officer in that way this afternoon, because of his own service in foreign fields in our late war, because I am satisfied that both of us, as those who served in a simple way in that war, are desirous of making and keeping and preserving the strength and the stamina and the stability of this great country, even though on particular issues we might differ as to the way those great objectives should be achieved and made secure.

Mr. President, the Senate Armed Services Committee has already appointed a special watchdog subcommittee, on the advice of the Senator from Virginia [Mr. BYRD] to keep an eye on the cost of the Government's military program, with the thought that the money which is appropriated be spent without extravagance. I think that is desirable and excellent, and needs to be done, but something more must be done. The ever so much larger and more important question of how much we should spend in broad outline has not yet been assigned to any official, or responsible unofficial body. There is nobody in this Nation today concerning themselves with what is going to happen tomorrow as a result of what we began to do on May 7.

The time is certain to come, perhaps it is almost here today, when studies and surveys and analyses, however well done, will be futile because we cannot easily reconstruct a broken down or wrecked economic system with advice from hindsight or a piece of paper.

The Senator from Virginia [Mr. BYRD], in my considered opinion, is a very distinguished American. His conduct and service to his country have been outstanding for a long time. The other day he reflected again, as is his earnest habit, on the plight of the national budget for this and the next several years ahead. Every American ought to thoughtfully consider what he said. On Saturday last the Washington Evening Star printed a splendidly thought-provoking editorial in support of the Senator's position and undeniable logic. This editorial will upset some people, but it will be good for every American who has opportunity to read it. I should particularly like to have my service friends in foreign lands read it, Mr. President, and for that reason I ask unanimous consent that the editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BATTLE OF THE BUDGET

With public attention fixed on the latest moves in our cold war with the Russians, an address last Wednesday by Senator BYRD, of Virginia, received relatively little notice. It is deserving of more consideration, however, for it rounds out the picture of the problem with which we have come to grips and brings into focus the danger that we may win the cold war at the price of losing the struggle to stabilize our own economy.

The fiscal year 1949 begins this July 1. For the fiscal year Senator BYRD anticipates expenditures of $43,800,000,000, Federal receipts of $40,000,000,000, and a deficit of $3,800,000,000. He expects expenditures to rise in fiscal years 1950 and 1951, while receipts remain stable, with the result that the deficits for those 2 years respectively will be $7,500,000,000 and $9,600,000,000.

Senator BYRD says these estimates are conservative, and it might also be said that they are optimistic. For the mounting expenditures will go largely for national defense, and there is real danger that the actual costs will outrun the estimated costs. There is also some danger that the $40,000,000,000 figure, of course, may hold to that level, is based on a continuing annual national income of $208,000,000,000. The income figure, of course, may hold to that level, but it has to be borne in mind that if the national income should decline the Federal Government will lose in tax receipts at the ratio of $1 to each $3 of reduction in income.

Assuming, however, that Senator BYRD's estimates are substantially correct—that there will be no appreciable rise in expenditures or decline in revenues—the outlook still is grim enough. For in fiscal year 1951 we will face a Federal deficit of $10,000,000,000—a deficit greater than the entire cost of operating the Federal Government in the years immediately preceding World War II.

Manifestly, we cannot go back to deficit financing in peacetime on any such scale as this if the credit of the Government is to be preserved and if our free enterprise system is to continue to function. The question is how to bridge the gap—whether this is to be done by cutting expenditures, by increasing revenues or by a combination of the two.

Senator BYRD leans strongly, as has been the case with him for years, toward economy as the primary solution. It is extremely doubtful that Federal revenues, on the basis of a $208,000,000,000 national income, can be increased by anything like $10,000,000,000 without imposing a literally crushing burden on our national economy. For example, according to the Virginia Senator, a 3 percent Federal sales tax imposed at the retail level would bring in only $2,300,000,000. Of if the Government were to confiscate every dollar of individual income above $100,000, the net tax gain for the Treasury would be only $600,000,000—about 6 percent of the anticipated deficit.

On the face of the matter, the greater hope seems to lie in the direction of lowered expenditures. On the basis of the 1951 estimate, the cost of Government—Federal, State, and local—will be about $65,000,000,000. That represents more than 30 percent of the total national income, and is an utterly fantastic increase over what government used to cost just a few years ago. The fact has to be faced, however, that it will be just about as hard to reduce expenditures as it will be to raise revenues. For we have become so accustomed to demanding what we want from the Government without reckoning the cost, that the odds are against the regaining of our fiscal sanity before the crash comes.

Mr. CAIN. Mr. President, you and I, and I think every other Senator, know the fundamental assumptions on which the size of the 70-group air, and balancing arms, force is based. The two most important are:

A. That Russia may have the atom bomb by 1952.

B. That Russia might, at that date, have the intention and the ability to deliver it to our shores.

Nineteen hundred and fifty-two, Mr. President, is only four short years from now. But that is an assumption we accepted when we designed the future in terms of a 70-group air force. But, Mr. President, neither you nor I nor anyone else to my knowledge, has yet heard from any responsible American source what the basic assumptions are and have been regarding what effect this unprecedented peacetime arms expansion may have on our economy, and its effect on our foreign relations, including the reciprocal policy of Russia.

Mr. President, let me pose a very brief question. Can we or could we weaken ourselves in America by overpreparedness between now and 1952? Can we do that? I do not know the answer to this vital question, though the desire to secure an answer burns in me, and I know of no one in authority who is qualified to make the answer clear and understandable.

The Aircraft Industries Association estimates that the program will draw, within the next 3 years, an additional 285,000 workers from other pursuits into plants building the new war planes. But that is only a clue. It only hints at the

repercussions of this major piece of economic and political surgery which we are now performing.

We have another hint of what it may mean to our foreign relations from the official but frequently sound comment of Walter Lippmann. In a recent column, published in the Washington Post of April 29, under the heading Military Guesswork, he wrote:

It is simply inconceivable that they—

Meaning the Russians—

will remain passive, waging only a cold war, while Mr. Symington gets ready to exterminate them with atomic bombs in 1952. Therefore the adoption of his program—

Meaning Mr. Symington's program—

under present circumstances would on any prudent calculation provoke countermeasures for which, having invested everything in the Symington program and Symington strategy, we should be unprepared.

It is not safe to threaten Russia with destruction in 1952, leaving Europe undefended in the meantime. The only safe and wise thing to do is to mobilize at once a defensive and a deterrent force for the support of Europe.

Mr. President, do you know whether Mr. Lippmann is right or wrong? Does any Member of the Congress know whether Mr. Lippmann is right or wrong? But is it not an actual fact that all Members of the Congress and all responsible persons within the Government of this country ought to make it their collective and individual business to determine without delay whether Mr. Symington, through the interpretation given by Mr. Lippmann, intends to exterminate the Rusisans in 1952.

Do we actually mean through our great power to exterminate the Russians in 1952—regardless? In my opinion, of course, we do not.

But perhaps that is the impression the Russians are getting, and if it is our national signaling system, in my considered opinion, is all wrong.

Has anyone except the administration, crowded by crisis, and the Congress—you and me—too hurried and preoccupied by the rapid movement of smaller and sometimes totally insignificant, but time-consuming events, taken time out to think quietly and seriously enough of where and at what tempo our country is going?

The Senator from South Dakota [Mr. GURNEY], I think, expresses our first instinctive attitude in a time of uncertainty. He suggested the following policy priorities in his remarks in the Senate on April 20:

Let me say to the Senate that our commitee has worked diligently on the manpower problem, believing that our first objective should be security; that our second objective should be the saving of manpower; and that our third objective should be the saving of dollars.

I think most of us are completely in agreement with his scheduling. At least, the junior Senator from Washington in a very positive way is. However, there are degrees of security and phases of timing to which we seem to give but very little attention. We have an opportunity, a demanding opportunity, to make in this Nation of ours, as I see it, in the near future, a choice between trying to bring about "absolute" as opposed to "reasonable" security. We have to make in America a choice between a reasonable—which is a big effort in itself—between a reasonable effort, now with our Sunday punch in reserve, or we can utilize our Sunday punch today, with an off-balance condition for too long a time to come. That is merely one individual's impression at the present time, Mr. President.

The junior Senator from Washington has a very firm belief that our agreed upon prime objective is the security of our Nation, but that each measure taken to achieve it should and must be forced to meet the tests of degree and timing. If we pursue any other or more careless course we may find ourselves building a 1948, 1949, or 1950 Maginot line of dollars, jet planes, and bombs.

We have to live, and I for one want to live in this world for a long time. Placing too great a reliance on these military measures alone might restrict our national imagination and dry up the mental and spiritual venture capital with which we might build for the Nation new defenses of scientific and social and adequate military security progress.

In a word, to avoid the danger of overcommitment, or wrong timing, the junior Senator from Washington, speaking as deeply from inside himself as he can, hopes that something much more thorough and much more adequate and much more competent, but somewhat similar to the preparatory studies of the Marshall plan, will be undertaken by somebody in authority with energy and ambition and intelligence, and very soon.

The junior Senator from Washington possesses an earnest and a sound hope that the Members of the House of Representatives may see fit to direct the Herter committee, or any other qualified committee, to make a study of the foreign-relations aspect of our contemplated expenditures. It is my hope and my suggestion that the President reactivate the Krug committee, or appoint a new committee, and commission it to study the extent to which our new defense program will deplete out national resources. It is my hope that he will reactivate the Harriman committee, or appoint a new committee, and ask it to consider what drains this arms program will make on our prospective capacity and manpower.

It was several weeks ago, I think, when I went, as I believe any other Senator would go, to a source from which I thought I might obtain some information respecting a difficult problem and the facts—to the Secretary of Defense, Mr. Forrestal. I told him of my concern and my worry and my desire to find out whether we could accomplish what we were getting ready to pass, and he said, "I think I had better not tell you that we can or we cannot, because you might consider that to be prejudiced as coming from me, the Defense Secretary of the Nation. But," he said, "if you want to look at some figures and if you want to talk to those who put these figures together, they shall both be placed at your disposal." I did just that. I was not horrified as the result of what I determined from Mr. Forrestal's facts and figures and calculations and estimates. I was not frightened by what I saw and was able to understand. But since that conversation I have been a great deal more thoughtful than I had previously been, because the very least one could derive from an objective study of the information to which I was given access at the Pentagon is that it is obviously impossible now to provide for the military or expanding needs and requirements as being set forth by the Congress and the administration without taking what they need from sources that can hardly afford to get along without them.

My primary complaint is that, there being just so much to go around, it will be necessary to take from one to provide for another; and I am concerned that the American people, as I understand the public of this day, know so distressingly little of the shackles which are presently approaching them sight unseen.

I should like to think that the President pro tempore of the United States Senate, the distinguished senior Senator from Michigan [Mr. VANDENBERG] might be able, for example, to get the Brookings Institution to make a study of the various impacts of the aircraft and proposed draft projects on our foreign and domestic policy. The President's Council of Economic Advisers might also be willing to make a large-scale investigation of the situation, and we could hear of their recommendations through the President and the congressional Joint Committee on the Economic Report.

To reemphasize a pregnant sentence from what the Senator from Massachusetts [Mr. LODGE] said not long ago when we voted on the air-group bill:

If we increase our appropriations every time we get angry, we can, over a period of years, bleed ourselves to death.

We ought to be careful in this country that we do not misguidedly bleed too great a part of our productive capacity into armaments and too much of our talent for individual initiative into drafting manpower. We should be—and I hope we shall be—governed by that very old-fashioned, but to me very priceless, American heritage of common sense and a sense of balanced proportion, which has been our national salvation from the birth of our Nation.

I am completely confident that if we begin now with careful studies and reports from the groups which I have suggested, and from better-qualified groups to be suggested by others, we shall be enabled in due time, in the game of world power politics, to bid on the basis of knowing the strength, value, and potential of every one of our cards. In that way, and in no other, we may proceed with calm and certain assurance in spite of the difficulties of the hour.

Mr. President, I wish to express my deep appreciation to the Senator from Nebraska [Mr. WHERRY] for his indulgence in permitting me to speak so late in the afternoon. I should like to make several brief observations in conclusion.

Mr. President, I think that what I have endeavored to say can best be construed as being an open letter to my many friends overseas and in this country who

have inquired about a negative vote on the 70-air-group question. I have not endeavored in these remarks to convince them that my negative vote was correct and that 74 other Senators were wrong. That was not my attempt or purpose, nor is it my province. I have simply endeavored, with the help of others better qualified than I, to raise some questions to help the people think.

I hope to be in the United States Senate long enough to help answer constructively some of the doubts and fears which I as a simple American citizen have raised and referred to this afternoon. That every loyal and thoughtful American wants security for his Nation, and will work in order that his Nation may be secure, is an extravagant understatement. That no loyal or intelligent American wants to overdo today to the detriment of his hopes for tomorrow, is likewise true.

It seems to me that our collective task in this Nation is to know what we are doing when we do it. Having authorized a monumental obligation and burden which are only the beginning, the very least we must do now is to justify the authorizations on the basis of facts, which have yet to be laid before the Congress of the United States.

When the facts—if they do—justify the obligation we are incurring, we ought to explain every single detail to the people of the United States, who must support the program, whatever it turns out to be, and pay for it. We as a Congress, and the officials of our Nation, have told the American people almost nothing. The people are very patient. They will wait some more, as they have waited now for a long time, for the facts and for the hard truth which they have not had. But the sooner the people know where all of us are going, and at what cost—mental, spiritual, and financial, the better off our great Nation will be.

### CIVIL SERVICE RETIREMENT BENEFITS FOR ALASKA RAILROAD EMPLOYEES—BILL RESTORED TO CALENDAR

Mr. WILLIAMS. Mr. President, when Senate bill 2326, Calendar No. 1076, was under consideration earlier in the day, I made the statement that all Senators interested had agreed. At the time I made the statement I thought I was correct; but I since find that there was objection by Senators not represented on the floor at that time. I therefore ask unanimous consent that the votes by which Senate bill 2326 was ordered to be engrossed for a third reading, read the third time, and passed, be reconsidered, and that the bill be restored to the calendar, in order that interested Senators may have an opportunity to present their views.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware?

Mr. WHERRY. What is the number of the bill?

Mr. WILLIAMS. Senate bill 2326, Calendar 1076. The bill was called up for consideration by the Senator from Montana [Mr. ECTON]. He and I had agreed on the bill, but we have since learned that we were in error when we stated that there was complete agreement on the bill.

Mr. WHERRY. As I understand, there were other Senators interested besides the Senator from Delaware and the Senator from Montana. Was not the Senator from North Dakota [Mr. LANGER] also interested in the legislation?

Mr. ECTON. It is his bill.

Mr. WHERRY. Can either or both Senators now state for the RECORD that it is agreeable to the Senator from North Dakota that the bill be restored to the calendar?

Mr. ECTON. Mr. President, I have not spoken to the Senator from North Dakota in this regard; but inasmuch as it is his bill, and some of the provisions in the bill for the benefit of employees of the Alaska Railroad have been deleted from the bill, I am certain that it will be perfectly agreeable to the Senator from North Dakota to restore the bill to the calendar.

Mr. WHERRY. With that explanation and that statement, I have no objection. As I understand, the bill of the Senator from North Dakota was amended by a substitute offered by the Senator from Delaware. Is that correct?

Mr. ECTON. That is correct.

Mr. WHERRY. Now that the Senator from North Dakota finds that some of the provisions of his bill were not incorporated in the substitute, as I understand, it is agreeable to him, as well as to the Senator who reported the bill and to the Senator who offered the substitute that the bill be restored to the calendar.

Mr. ECTON. That is a correct statement, as I understand the situation.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. Without objection, the votes by which Senate bill 2326, a bill to repeal the Alaska Railroad Retirement Act of June 29, 1936, as amended, and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such act of June 29, 1936, is applicable, was ordered to be engrossed for a third reading, read the third time, and passed, will be reconsidered, and the bill will be restored to the calendar.

### RECESS

Mr. WHERRY. Mr. President, the work of the afternoon having been completed, I now move that the Senate take a recess until tomorrow, Tuesday, at noon.

The motion was agreed to; and (at 6 o'clock and 30 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 25, 1948, at 12 o'clock noon.

---

### NOMINATIONS

Executive nominations received by the Senate May 24 (legislative day of May 20), 1948.

DEPARTMENT OF AGRICULTURE

Charles Franklin Brannan, of Colorado, to be Secretary of Agriculture.

FEDERAL COMMUNICATIONS COMMISSION

Frieda B. Hennock, of New York, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1948.

# HOUSE OF REPRESENTATIVES

## MONDAY, MAY 24, 1948

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. HALLECK.

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

MAY 24, 1948.

I hereby designate the Honorable CHARLES A. HALLECK to act as Speaker pro tempore May 24 and 25, 1948.

JOSEPH W. MARTIN, Jr.

### PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou Holy Spirit, by whose command the order of time doth run its course, Thou hast poured knowledge and wisdom into this world. Make perfect that which is lacking in our faith, that it may be shown by our works and make our lives open books of good and wholesome deeds.

We praise Thee that we are American citizens, blest under our Constitution with political and religious liberty. Enjoin us to realize that eternal vigilance is the price of everything sacred to our hearts; help us ever to hold aloft freedom's holy light. We pray Thee to banish our doubts, conquer our fears, and never allow the clock of progress to be turned back. In our Redeemer's name. Amen.

The Journal of the proceedings of Thursday, May 20, 1948, was read and approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 18, 1948:

H. R. 107. An act for the acquisition and maintenance of wildlife management and control areas in the State of California, and for other purposes;

H. R. 3880. An act for the relief of Ludwig Pohoryles; and

H. R. 4068. An act to authorize the Federal Works Administrator to construct a building for the General Accounting Office on square 518 in the District of Columbia, and for other purposes.

On May 19, 1948:

H. R. 338. An act for the relief of Amin Bin Rejab;

H. R. 817. An act for the relief of Andres Quinones and Letty Perez;

H. R. 831. An act for the relief of George Chan;

H. R. 1022. An act for the relief of Peter Bednar, Francisca Bednar, Peter Walter Bednar, and William Joseph Bednar;

H. R. 1724. An act to legalize the admission to the United States of Sarah Jane Sanford Pansa;

H. R. 1749. An act to amend the act entitled "An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk";

H. R. 2000. An act for the relief of Jeffersonville Flood Control District, Jeffersonville, Ind., a municipal corporation;

H. R. 2418. An act for the relief of Luz Martin;

H. R. 3224. An act for the relief of Frank and Maria Durante;

H. R. 3608. An act for the relief of Cristeta La-Madrid Angeles;

H. R. 3787. An act for the relief of Mrs. Maria Smorczewska;

H. R. 3824. An act for the relief of Mrs. Cletus E. Todd (formerly Laura Estelle Ritter);

H. R. 4018. An act authorizing the transfer of certain real property for wildlife, or other purposes;

H. R. 4130. An act for the relief of Dennis (Dionesio) Fernandez;

H. R. 4631. An act for the relief of Antonio Villani;

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 5137. An act to amend the Immigration Act of 1924, as amended;

H. R. 5905. An act to extend the time within which application for the benefits of the Mustering-Out Payment Act of 1944 may be made by veterans discharged from the armed forces before the effective date of such act; and

H. R. 5933. An act to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

On May 20, 1948:

H. R. 3740. An act for the relief of Andrew Osiecimski Czapski;

H. R. 3998. An act to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes;

H. R. 5118. An act to authorize the sale of certain individual Indian land on the Flathead Reservation to the State or Montana; and

H. R. 5651. An act authorizing the Secretary of the Interior to convey certain lands in South Dakota for municipal or public purposes.

On May 21, 1948:

H. R. 1392. An act for the relief of Mrs. Charlotte E. Harvey;

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes;

H. R. 3505. An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carre Spillway, and for other purposes;

H. R. 4050. An act to record the lawful admission to the United States for permanent residence of Moke Tcharoutcheff, Lucie Baptistine Tcharoutcheff, Raymonde Tcharoutcheff, and Robert Tcharoutcheff;

H. R. 5543. An act granting the consent of Congress to Carolina Power & Light Co. to construct, maintain, and operate a dam in the Lumber River; and

H. R. 6226. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1948, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Laite, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1006. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation.

The message also announced that the Senate having proceeded to reconsider the bill (S. 1004) entitled "An act to amend the Atomic Energy Act of 1946 so as to grant specific authority to the Senate members of the Joint Committee on Atomic Energy to require investigations by the Federal Bureau of Investigation of the character, associations, and loyalty of persons nominated for appointment, by and with the advice and consent of the Senate, to offices established by such act," returned by the President of the United States, with his objections, to the Senate, in which it originated, it was

*Resolved*, That the bill do not pass, two-thirds of the Senators present not having voted in the affirmative.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1853) entitled "An act to authorize the Coast Guard to establish, maintain, and operate aids to navigation"; and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BREWSTER, Mr. HAWKES, Mr. CAPEHART, Mr. JOHNSON of Colorado, and Mr. MCFARLAND to be the conferees on the part of the Senate.

## FEDERAL ASSISTANCE TO STATES ON CIGARETTE TAX

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 605, Rept. No. 2006), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5645) to assist States in collecting sales and use taxes on cigarettes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## SPECIAL ORDER VACATED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order I had for today may be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

## HOW ISRAEL WAS RECOGNIZED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I have a news item of this morning which I think Members of the House would be interested in. It was in Drew Pearson's "Merry-Go-Round" column yesterday in the Washington Post. It is headed "How Israel Was Recognized" and is as follows:

HOW ISRAEL WAS RECOGNIZED

Various people played important backstage roles in switching President Truman away from his earlier Forrestal-dominated position against Palestine. One was Eddie Jacobson, Truman's old haberdashery partner in Kansas City, who was brought to Washington by Frank Goldman, of Lowell, Mass., head of B'nai B'rith. Together with Maurice Bisgyer of the same organization, they had several talks with Truman.

Another who talked with the President just one day before he recognized Israel was venerable Congressman SOL BLOOM, New York Democrat, who advised:

"Jump in fast with recognition, Mr. President. Don't wait for Russia and her satellite states to recognize. They are sure to do it, but don't let them do it first."

The next day Truman acted. In fact, he acted so fast that he had to tip off the Jewish Agency to send him a request for recognition so he could act on it. The Agency hadn't even had time to make a formal request.

Mr. Speaker, this ought to disqualify Mr. Truman from any further consideration for anything.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

## EXTENSION OF REMARKS

Mr. POTTER asked and was given permission to extend his remarks in the RECORD.

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include a statement in behalf of extending the Reciprocal Trade Agreements Act by Mr. James D. Mooney, president and chairman of the board of Willys-Overland Motor Co., at Toledo, which statement was made by Mr. Mooney on America's Town Meeting of the Air over the American Broadcasting System on May 11, 1948.

## GOVERNMENT ADVERTISING

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, it has been said that if a man runs for constable or sheriff, he may use matches in his campaign, but if you should run for Congress or President of the United States or for the Senate, it would be very undignified. There has been sent to me from Mr. Flournoy, of Toledo, a match box. Mr. Flournoy is Toledo's leading writer. He asked me to inquire if the Government pays for the match box being sent out under the name of social security. The match book contains the following:

SOCIAL-SECURITY BENEFITS FOR YOUR FAMILY

Tell your family these things about social security:

1. That your social-security account means benefits for your family if you die.

2. Where you keep your social-security account card.

The match book is put out by the Jersey Match Co., of New York. I would like to know if the taxpayers are paying for these match books. Rather that is the inquiry which my constituent asked, and I should like to have your help.

The letter and exhibit are as follows:

TOLEDO, OHIO, *May 19, 1948.*

The Honorable HOMER A. RAMEY,
*Congressman, Ninth Ohio,*
*House Office Building,*
*Washington, D. C.*

DEAR HOMER: You have been neglecting me sadly lately. When you come to town you spend your time running around with guys like Trumbull, but never look up the party of the late minority. Consequently, I ought not to give you this steer, but for old times' sake I will pass it on.

Enclosed is a match-book cover which apparently has for its purpose selling something which is already compulsory—social security. If this is put out by a private agency, all well and good. Any such agency has a right to spend its money in whatever way it chooses.

However, if the Federal Government is paying for this, it seems to me you have therein the material for a pretty good speech. It would cost quite a lot of money to supply 140,000,000 people with matches, and it was even absurd when you consider the purpose of the match cover is to sell something that John Q. Public already has and couldn't get rid of if he tried.

Regards,

LEV FLOURNOY.

SOCIAL-SECURITY BENEFITS FOR YOUR FAMILY

Tell your family these things about social security:

1. That your social-security account means benefits for your family if you die.
2. Where you keep your social-security account card.

## EXTENSION OF REMARKS

Mr. MERROW asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a résumé of New Hampshire laws affecting veterans, their dependents, and organizations.

Mr. FARRINGTON asked and was granted permission to extend his remarks in the RECORD and include a resolution adopted by the board of supervisors of the city and county of Honolulu with reference to H. R. 5004.

Mr. ELLIS asked and was granted permission to extend his remarks in the RECORD and include a newspaper item.

Mr. WOODRUFF asked and was granted permission to extend his remarks in the RECORD and include a very fine article by Samuel Pettengill, a former Member of the House.

Mr. JAVITS asked and was granted permission to extend his remarks in the Appendix of the RECORD in three instances.

Mr. ROBERTSON (at the request of Mr. H. CARL ANDERSEN) was granted permission to extend his remarks in the Appendix of the RECORD upon the subject of International Wheat Agreements.

Mr. MORTON asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Louisville Courier-Journal.

Mr. HALE asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a letter.

## LEAVE OF ABSENCE

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. ROBERTSON] may be excused for an indefinite length of time because of official business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

## MINE LOANS

Mr. MEYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MEYER. Mr. Speaker, I was sorry to see the RFC bill passed without specific provisions for mine loans. Over the war period these loans, which were not bankable but which resulted in the production of huge quantities of metals and minerals for the war effort, had a most beneficial result upon our mining economy and our war economy. Many mines which were developed through this method of financing, still are in operation. It is true that the loss taken by the RFC on small loans was considerable as only a few prospects became producing mines. The country at large benefited, however, by those mines which were fruitfully developed, out of all proportion to the loss of these small loans. We have accomplished our purpose in shrinking the functions of the RFC so that that corporation is rid of what to it may have been somewhat of a nuisance. But the mining industry now has nowhere to turn for development financing, stock selling being nearly impossible under RFC regulations as they are administered. What we need, then, Mr. Speaker, is a national exploration program on a grand scale; not, however, carried on wastefully by Government agencies, but by the expert staffs of our mining companies who know where to find ore. Such a program is provided under the Russell bill, H. R. 6623, which I am wholeheartedly supporting.

## ISRAEL ANOTHER GREECE

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. JAVITS]?

There was no objection.

Mr. JAVITS. Mr. Speaker, submission by the United Nations to British tactics of delay and befuddlement on Palestine are bringing the United States face to face with the same situation we encountered in Greece, and our action will have to be just as decisive. The refusal of the United Nations Security Council under British leadership to brand the Palestine war as a threat to the peace, and the seizure by Lebanon of American citizens from American soil, the *Marine Carp*, at Beirut, including a citizen from my district traveling to Palestine to visit relatives with an American passport and a British visa, all show that both Britain and the Arab states have lost their heads.

It is time for us to show that we are conscious of our traditions, our dignity and our interests: First, by coming to the aid of Israel as we came to the aid of Greece when she was attacked by external forces of aggression and her independence threatened, and I am introducing a bill this week for that purpose; Second, by following the lead announced by the chairman of the Appropriations Committee of the other body, to check Britain in using our money directly or indirectly to foment aggressive war by the Arab states in the Middle East; and, Third, by demanding from Lebanon the immediate release of the 40 American citizens taken off the *Marine Carp*, as well as a suitable apology and indemnity, in the spirit of Theodore Roosevelt and John Hay expressed by: "Perdicaris alive or Raisuli dead."

## SALARIES OF EMPLOYEES OF THE POSTAL DEPARTMENT

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, in the hustle and bustle to dispose of what necessary legislation we have before us, before we adjourn I trust we will not overlook the very important and vital question of adjusting the salaries of employees of the Postal Department.

That is one question that I think should by all means be given priority because of the loyalty of these individuals, because of the morale of these individuals, because of the increased cost of living, and because of many other things that are necessary to consider in this connection for a group of employees of the Government whose loyalty has never been questioned and whose excellent services are deserving of consideration. I trust they will be given consideration by the leadership so that there will be no question about this bill being reported to the House and that a permanent raise, not a temporary raise based on any presumed cost-of-living drop a year hence. The postal employees of the Nation are entitled to a permanent pay increase of $800. No other group of Government employees have given more loyal service and have been so long neglected.

Long before we had under consideration the billions of aid for Europe the question of an increase in pay for postal employees was before us.

I fully realize that there are many pressing problems demanding the attention of Congress all of which will cost many millions of dollars, but in my opinion there is none more deserving nor none that has earned our attention and speedy action more than an adequate and permanent pay increase for our

loyal and hard-working postal employees.

You have all received the same kind of appealing letters from postal employees in your districts, telling you of the difficulty many of them are having to meet the present cost of living to raise and educate their children, to pay their rent or interest on their mortgages. These appeals are from home, gentlemen, from your own constituents, not from foreign shores.

It is unfortunate the House Post Office and Civil Service Committee did not respond to the appeals to report out a bill for an $800 permanent increase. I cannot understand how they can calculate on a temporary raise in pay for 1 year. Do they know that prices will be lower next year than they are now? And if they do, how have they found that out?

I trust that when the bill for a $585 increase comes to the House that we shall have an opportunity to amend it to $800 on a permanent basis, or at least make the $585 a permanent increase, if it has to be that amount.

MEMORIAL DAY AT GETTYSBURG

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this opportunity to announce as I did once before that on next Monday, the 31st of May, the Honorable JOE MARTIN, Speaker of this House, will be the guest speaker in the National Cemetery at Gettysburg. It is going to be the ordinary annual memorial service. A thousand children will strew flowers over the flag-bedecked graves of the veterans there. Ten thousand will attend. There will be a great military parade.

I have had charge of these services for the last 8 years. Every year about 25 or 30 Congressmen and their families and friends journey to Gettysburg. Everyone is thrilled who goes there. I may say that 30 of the pages of the House will be marching in the parade. A United States military band and color guard, also a number of pieces of field equipment.

You cannot go to a place on Memorial Day where you will get a greater patriotic inspiration than you will next Monday at Gettysburg. You are all invited.

DEWEY AND STASSEN

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, in this body of ours I should not inject partisan politics; nevertheless, I have been reading the papers and notice that whenever Mr. Dewey and Mr. Stassen have met face to face any place there has been only one result. So far as the qualifications for the office of the Presidency of the United States are concerned, these two men are not in the same class.

THE FOOT-AND-MOUTH DISEASE

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIE. Mr. Speaker, I take this time to read a short article by Dr. C. R. Donham, director of veterinary medicine at Purdue University, an article on foot-and-mouth disease:

IS AMERICA HEADED FOR AGRICULTURAL PEASANTRY?

TIME IS GROWING SHORT—LIVESTOCK OWNERS MUST DECIDE NOW WHICH COURSE THEY WILL FOLLOW IN HANDLING LIVESTOCK DISEASES—FOREIGN NATIONS MADE THEIR DECISIONS LONG AGO—HERE ARE THEIR RESULTS

(By C. R. Donham)

Which will it be? Is America still a young, determined Nation with the will and the wealth to continue the type of animal-disease control which enabled our livestock industry in 11 Midwestern States to produce an estimated 68 percent of the food for freedom—or is America destined to become an old Nation like Asiatic and European countries that live with livestock diseases the best way they can?

There has never been a time in the history of civilization when so many millions of people were as conscious of where their food is coming from as during the past few months. During the war, American farmers showed the amazing ability of this country to produce that precious food and they continue to show this higher ability.

To a large degree, this outstanding production record of food—meat, eggs, and milk—is due to our philosophy of livestock-disease control, which differs radically from the philosophy employed in most of the rest of the world. In the United States farmers are raising potential food completely free from 12 to 15 of the world's most destructive diseases of livestock. We did not reach such a status merely by accident. We will not stay that way by accident.

This situation has resulted from the far-seeing wisdom of livestock owners, veterinarians, and other livestock sanitarians in the United States who developed the philosophy that we should get rid of serious animal diseases wherever possible, rather than to tolerate these toll takers as is done in South America, Europe, Asia, and in fact most of the rest of the world.

*Foot-and-mouth disease*

None of these destructive livestock diseases is more in the public eye today than foot-and-mouth disease of cattle, sheep, and swine which because of the epidemic in Mexico now threatens the vast livestock industry of America for the eighth time. The most highly contagious disease of animals known, foot-and-mouth disease, seven times has invaded the shores of this country and seven times has been eradicated. It affects all cloven hoofed animals, which means all farm animals except horses, mules, and poultry.

Millions of dollars have been spent by the United States to stamp out this disease using the slaughter method, but such costs are literally a drop in the bucket compared to financial losses incurred through lowered production where the disease is allowed to exist.

In 1924 some hogs in California were fed garbage from a ship which had come from Chile, South America. An epidemic of foot-and-mouth disease in California resulted which is said to have cost $6,000,000 to eradicate. No one will ever know the entire cost to the people of California because control measures made it necessary to prevent shipment of any agricultural produce from there for a considerable length of time. All citrus fruit and other agricultural products had to be quarantined within the State with the result that most of these foods went to waste. But in spite of the cost, the Nation had been saved many times that amount on being rid of the disease.

The present epidemic in Mexico brings into active force once more a law passed by Congress years ago which states that no animals or fresh or frozen meat products shall be imported into the United States from a country infected with foot-and-mouth disease, placing absolute quarantine on Mexico's animals and meat products. It is important to recognize that this is a law passed by Congress and no discretionary powers rest with the Bureau of Animal Industry of the United States Department of Agriculture as some people might think.

Even with the quarantine, however, the threat of an eighth outbreak of the dread disease is imminent. Sam C. Ford, Governor of Montana, issued a proclamation, effective February 1, 1947, preventing any class of livestock to be taken into the State without a permit from the Montana Livestock Sanitary Board. On February 7, Secretary of Agriculture Clinton P. Anderson requested Congress for legal authority to send suitable equipment and personnel to Mexico to combat the disease in that country rather than waiting for its appearance here.

America is worried, but America is poised, ready to stamp out this threatened blow at the livestock industry should the threat become a reality. Our philosophy of disease control which makes such high production in our country possible will be carried out should foot-and-mouth disease strike.

*Can't temporize with disease*

On occasion we have had various articles and platform speakers forcibly state that America could import fresh beef from Argentina without any danger of foot-and-mouth, thereby improving our diplomatic relations with that country and providing more beefsteak for Americans.

Such an article appeared in an editorial in Life magazine several months ago during a severe phase of the meat shortage, when it naturally hit home to many meat-hungry Americans. Later Life magazine corrected the editorial.

No one denies the existence of foot-and-mouth disease in Argentina. Contrary to the ideas of those who claim it would be perfectly safe to import their products anyway, practical experience of European countries under the necessity of importation of fresh meats from Argentina and also scientific evidence uncovered by the British Foot-and-Mouth Disease Commission have proved conclusively that animals or meat products cannot be imported from a disease-infected country without endangering the livestock of the importing nation.

It is obvious that many of our most influential people are vulnerable to such misinformation. We have many successful businessmen in New York, Chicago, and San Francisco who want a good steak at the end of a hard day, and they care little from where it comes.

People generally are prone to believe what they want to believe and such statements as, "Argentine beef is safe" fit conveniently into what they would like to believe.

Incidentally, we must be conscious of the fact that captains of industry often have tremendous influence in Congress and State legislatures. Thus it is very important that they realize the truth about dangers to our present food production and future supply from such threats as foot and mouth disease.

*Tuberculosis*

Further consideration of the United States' philosophy of livestock disease control brings us to tuberculosis in cattle. The decision to eradicate this disease from the cattle herds of America was made in 1917, in the middle of World War I. After 22 years of work and at the cost of approximately $240,000,000, all of the more than 3,000 counties of this Nation are now modified accredited tuberculosis free areas, meaning that less than one-half of 1 percent of the cattle have tuberculosis. A tremendous, costly task, but we did it.

*Hunchbacks passing from the scene*

And look what such eradication has meant. Besides the great economic asset to the cattle industry of this country, eradication of tuberculosis in cattle has meant important protection to all of our citizens, because this disease is transmissible to man causing a human tuberculosis known as Pott's disease. Pott's disease is commonly manifested by a disease of the backbone or spinal column, frequently resulting in the so-called hunchback.

Dr. J. S. Myers, of Minneapolis, Minn., one of the most famous physicians specializing in human tuberculosis in the world today, told recently of the difficulty in teaching future doctors about the cow type of tuberculosis. Today pictures are used in instruction on Pott's disease because America just does not have the actual cases. Twenty-five or thirty years ago there were all too many people suffering from this type of tuberculosis.

In contrast to America's campaign against tuberculosis in cattle between the two wars, Englishmen said in effect, we admire what you are doing in the United States about bovine tuberculosis but over here we just can't afford that sort of thing. Estimates based on our experience indicate that if England had attempted to control tuberculosis in their cattle beginning in 1917 as America did, it probably would have cost them between $50,000,000 and $100,000,000 to do the job. But British lawmakers did not believe they could afford such an expenditure for animal disease control, an amount about equal to the cost of one battleship.

*England suffers from tuberculosis*

Although they thought they could not afford to control bovine tuberculosis between the wars, they were forced to initiate some control measures during World War II. It is widely admitted that at the outbreak of the second war, England had about 40 percent tubercular cattle and further that much of the milk was consumed as raw milk. Obviously Pott's disease is not a rarity in the British Isles. During the war there was so little milk in England that only pregnant and nursing mothers and children under 12 years of age were permitted to have any milk to drink.

The strides toward control of tuberculosis in their cattle made as a war necessity as reported by representatives of the Ministry of Agriculture of Great Britain while on a visit to this country, were made necessary by the small amount of feed available for cattle and the lack of ships to bring in more. They could ill afford to allow any but healthy cows to be fed.

We in this country have a 1948 version of this big question concerning the philosophy of livestock disease control in America.

Our farmers and in fact all the people of our Nation are in the process of making a gigantic decision, a decision which will of necessity be made within the next few years. They are in the process of deciding whether or not we are going to accept brucellosis or Bang's disease as a handicap to our cattle industry and as a menace to the public health in the form of undulant fever, or whether we are going to eradicate it, as can be done, if we have the will and determination to do it. Legislation has been enacted by many States, and laws are in process of being made in others to control this disease.

*At least a $50,000,000 loss yearly*

Common estimates indicate that Bang's disease costs the American dairy farmer at least $50,000,000 annually. This disease has caused thousands of dairy farmers to be wiped out of business completely and causes thousands of others to do their milking just for exercise, the milk production is so small.

Abortion is the most spectacular loss due to Bang's disease but not the most important. Really outstanding is a 20 to 25 percent reduction in milk flow in infected cows, as compared to cows free of this disease. Other losses include increased sterility, mastitis, and death losses in new-born calves.

Undulant fever in man is no less terrifying than the losses sustained in the dairy industry due to Bang's disease. Although the death rate from undulant fever is very low, the average duration of an acute case is 13 weeks of enforced inactivity. More important are the chronic cases which persist for years, the victims showing numerous obscure symptoms including various aches and pains plus extreme weariness. Some physicians and public health officials have estimated that from 5 to 15 percent of the population are affected with undulant fever with only 1 percent of the afflicted cases being correctly diagnosed. Those who know the most about undulant fever believe that it is a far more important public health problem than this generation recognizes.

Pasteurization of milk destroys this germ and is widely recommended by public-health officers, being required by many city ordinances and State laws. However, pasteurization alone is not the answer to this problem. First, because not farm families and people in small towns and villages consume raw milk; and second, because farmers commonly contract the disease by working with diseased cattle and hogs.

Eradication or near eradication of Bang's and its partner, undulant fever, would be neither easy nor cheap but it can be done. In fact, this disease has already been practically wiped out in more than 500 counties in the Nation, and one entire State, North Carolina, is a so-called modified Bang's disease-free accredited area.

It seems obvious that the outcome of the decision as to our policy toward Bang's disease is far bigger than the disease itself, because the outcome of this decision is quite apt to influence our whole future philosophy of livestock-disease control.

So again the same question: Are we still a young, two-fisted Nation intending to continue the type of animal-disease control which has made our livestock industry capable of such tremendous production? Or, are we, too, destined to become dormant, a Nation which acquiesces to these diseases and their handicaps?

Are we "poor folks" as they thought they were in England, or are we still Americans?

I am optimistic. I believe we are still a Nation that will do business in the American way in regard to animal-disease control. We must continue to follow our proven philosophy of disease control in livestock or face the inevitable consequences. If we should become an "old" nation in our philosophy of livestock-disease control, would it not be a long step in the direction of agricultural peasantry?

The difference in the standard of living of the rural people of this country and the peasants of Europe, the peons of South America, and the coolies of China is easily recognizable. Just how much of this difference is due to our livestock-disease situation is not measurable, but no one can deny that a part of the higher standard in the United States can be accredited to our attitude on livestock diseases.

*Our wealth and health weigh in the balance*

In considering this problem as a whole, we should remember that throughout all the ages, prosperity has depended upon the amount of wealth people could create from the small crust of soil around this earth—a fact that most urban dwellers do not stop to realize. The prosperity—wealth, health—of humanity is directly related to the animal products for human food which can be produced from that soil and the crops which it grows.

So let us be sure that we do not allow the people of the old world to impress us with their philosophies and procedures, or better the lack of such, of animal disease control because we have demonstrated in this Nation that we know more about it than they do.

Let other nations have their philosophies of government, finance, religion, or politics, but do not let them impose their ideas of animal disease control upon our thinking.

The United States has shown what we can do by living without foot-and-mouth disease, tuberculosis in cattle, and many other damaging and costly livestock diseases, and the United States can and, we hope, will go on to show further that it is possible to eradicate Bang's disease and profit tremendously by such a step.

Which will it be?

## EXTENSION OF REMARKS

Mr. JOHNSON of California. Mr. Speaker, last week I obtained permission to extend my remarks in the RECORD in two instances. I am advised by the Public Printer that they exceed the limit established by the Joint Committee on Printing, that one will cost $189.34, and the other $213. Notwithstanding the excess I ask that the extensions may be made.

The SPEAKER pro tempore. Notwithstanding the excess, without objection, the extensions will be made.

There was no objection.

Mr. MASON asked and was given permission to extend his own remarks in the Appendix of the RECORD and include three short editorials.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include editorials.

Mr. DEVITT (at the request of Mr. KEATING) was given permission to extend his remarks in the Appendix of the RECORD and include editorials.

## THE TAFT-HARTLEY ACT

Mr. HARVEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY. Mr. Speaker, it has been brought out in the hearings that the leadership of the United Packing House workers have incited their membership to acts of lawlessness in their attempt to discredit the Taft-Hartley Act.

It is my opinion that this very act will strengthen the opinion of the American people that the Taft-Hartley Act is a good one.

EUROPEAN RECOVERY PLAN

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I wish to read a letter addressed to me, dated May 22, 1948, as follows:

CATHARINE CAYUTA PARISH,
*Odessa, N. Y., May 22, 1948.*

Congressman ROBERT RICH,
*House Office Building,*
*Washington, D. C.*

DEAR MR. RICH: Your questioning of Mr. Andrews in the Rules Committee meeting Thursday afternoon was right to the point. Why do not people see that the situation is terribly serious? This quotation from Friday's AP report of a statement by ERP Chairman Paul G. Hoffman should make it plain.

Mr. Hoffman said, "The financing of the program of European recovery will cost billions of dollars. In addition, for several years ahead will have to continue defense expenditures at an extremely high level, perhaps $15,000,000,000 annually or more. * * * If totalitarian rule should be imposed on western Europe, the United States would have to become a 'garrison state' " he said, "with guns, but no butter, and far more importantly, little freedom."

Well, surely, the way this group is attempting to take us, there will be little butter, oleo, or freedom. And there would be a question as to who would have the guns. As I read it now, we are giving money to England to arm the Arabs so we can give money to the Jews to buy guns to fight the Arabs so we can give arms to England to give to the Arabs to fight the Jews so we can give aid to the poor Jewish state of Israel so they can fight the Arabs to save democracy and the present administration.

One of these days a Congressman or two will get up on the floor and demand a clear, honest, and proven report on world conditions, foreign commitments, foreign policy, secret promises, refusals to conduct talks looking to better foreign relations. Some Congressman is going to get up and say, "No more money by my vote, no more men, no more power for an administration until it answers clearly and in plain language that can be understood by plain people, these questions." And that man will be rendering a real service to America.

Very cordially yours,
DUTTON S. PETERSON.

Mr. Speaker pro tempore and Majority Leader HALLECK, I hope you are the men who take the lead and render a real service to America, as stated by Mr. Peterson, and I will support you in that effort to keep America out of foreign entanglements and war.

SURVEY OF ECONOMIC SITUATION OF NATIONS IN EUROPE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, a United Nations committee having made a recent survey of the present economic situation of nations in Europe, seeking aid under the Marshall plan has made a report, a copy of which as printed, has been made available to Members of Congress.

On page 21 of the report, figures show that the present production in Belgium, Ireland, Norway, and Sweden, all scheduled to receive aid from the United States, have more commodities for home use on a per capita basis in fiscal 1947, and at the present, than they had before the war in 1938.

Of these countries, Ireland and Sweden were not in the war. Norway and Belgium suffered considerably as our allies during the war. Yet, Belgium, in particular, recovered rapidly, beginning as early as 1946, and for a year her production and income level has exceeded prewar production. Norway has made considerable recovery.

Mr. Speaker, under the Marshall plan, the administrators of ECA are asking the Appropriations Committee for American aid during this current year of 1948 to the tune of $470,500,000.

Mr. Speaker, it seems apparent now that under this plan, it is the purpose of those in charge to place the burden and expense on the American people to raise the standard of living of the people of these 16 European nations to a level higher than it was before the war.

Mr. Speaker, it would seem to me, if their available commodities had increased beginning a year ago to what they were before the war, they should be able to get along on their own, or, at least, on less help than they had previously received from outside sources during 1946 and 1947.

I do not think the hard-pressed American consumers and the taxpayers of our country should be called upon to make additional sacrifices which increase scarcities and add to inflation, so that the people in Europe whom we are helping can live on a higher level than they ever did before.

Mr. Speaker, since this plan has passed the Congress, the only protection so far as the American people are concerned, now lies with the Appropriations Committee. It is a great responsibility, and almost a crushing burden now resting upon this committee's most able and conscientious chairman the gentleman from New York, Congressman TABER, and its members.

They are to be commended for their determination to carefully consider and audit the requests coming before them. Their continuance of such a policy will meet the approval of the American people.

EXTENSION OF REMARKS

Mr. STEVENSON asked and was given permission to extend his remarks in the RECORD and include a statement which he made before the Committee on Interstate and Foreign Commerce on behalf of the bill H. R. 977, introduced by himself and entitled, "Our Government Must Cooperate With the People To Wipe Out Cancer, Infantile Paralysis and Heart Disease."

Mr. RIEHLMAN asked and was given permission to extend his remarks in the RECORD and include an outline of the progress of the city of Syracuse, N. Y., in the past 100 years.

FEDERAL PAY BOOST

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a portion of an article by Jerry Kluttz, appearing in yesterday's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, under leave to extend my own remarks in the RECORD, I am including a part of an article by Jerry Kluttz entitled, "Federal Pay Boost Seen Languishing for Want of Leader," which appeared in the Washington Post on Sunday, May 23, 1948.

To my mind it has been conclusively proven that Federal employees are entitled to a substantial wage increase. I approve most heartily what Mr. Kluttz has to say and insist that the Republican Steering Committee and the Rules Committee bring to the floor of the House for action a bill that will give the postal and other civil-service employees the wage increase to which they are entitled.

This increase, in my opinion, should not be less than $600 a year and really should be $800.

FEDERAL PAY BOOST SEEN LANGUISHING FOR WANT OF LEADER

A little aggressive leadership at this point by either the President or GOP congressional bigwigs could cinch a satisfactory pay raise for Federal workers.

That needed leadership could be supplied this week when House Speaker MARTIN and Senator TAFT, the Senate GOP leader, hold their long-promised meeting to discuss the pay and fiscal problems. However, there is good reason to believe that the two men already have talked over the matter informally.

But the President is reliably reported to have rejected a proposal that he enter the pay fight with an endorsement of specific increases. His advisers have convinced him a hands-off policy is the best strategy and the best politics. His position leaves the matter up to the GOP Congress.

The delay by Congress in acting on the pay bills has inspired all sorts of rumors. Federal employees are bewildered and confused by the many now-you-have-it-now-you-don't stories and statements. Unfortunately, the plain economics—the merits—of the pay bills appear to have been lost in the jockeying of the leaders for political positions.

In a sentence, private employees have been given a far larger percentage wage increase since prewar 1939 than Federal workers. For example:

The record shows that employees in the coal industry have been given a 218-percent increase in that period; apparel and finished textiles, 120 percent; building construction, 119 percent; electrical machinery, 103 percent; steel, 102 percent; printing and publishing, 93 percent; autos, tires, and tubes, 88 percent, and so on.

What has the Federal worker received in this same period? Not counting promotions which are not computed in the above figures, he has received an average increase of approximately 32 percent. The cost of living in the same period has shot up about 67 percent. These are the plain facts of the problem. In other words, the Federal worker needs a sizable increase to restore his 1939 buying power.

EXTENSION OF REMARKS

Mr. LANHAM asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD in two instances and include three editorials.

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include certain excerpts.

SADOWSKI DEMANDS INVESTIGATION OF POLK KILLING

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SADOWSKI. Mr. Speaker, I demand a congressional investigation of the brutal murder of George Polk, of the Columbia Broadcasting System, who was murdered in Greece.

George Polk was one of the really able correspondents in Greece, who honestly tried to give an honest report on the whole situation in that much troubled country.

He was a courageous and determined man and had served as a Navy combat flier.

If this brutal and cowardly killing had occurred in Russia or in any of the so-called satellite nations; if one of our former servicemen and outstanding correspondents had been murdered in cold blood in any of the countries behind the iron curtain, I am sure that there would be a hundred Congressmen and Senators screaming to high heaven for an investigation.

Here we have given hundreds of millions of dollars to this old reactionary government in Greece—and not a peep out of any Member of Congress to demand a full investigation. We must have the facts. If they can kill an American correspondent in cold blood in Greece—then a precedent is set. It will not be safe for our members of the press to go to any country and report the news fearlessly.

We have heard how the present government of Greece has brutally murdered hundreds of political prisoners who were in jail for the last couple of years. These were men who had fought bravely against the German Nazis and the Italian Fascists under Mussolini. Their only crime was that they were in political disagreement with the present authorities. In one day, on May the 3d, 152 persons, men and women, were shot and killed.

Likewise, we have heard how this present reactionary Government of Greece has invoked the death penalty against strikers. This shocking news has brought angry protests from many labor leaders throughout the world. It is most disgusting for Americans to know that these brutal policies are being carried out right under our own eyes and Mr. Griswold, our Director in Greece, has protested violently against these beastly acts.

Now these arrogant monarchists have become so bold as to kill in cold blood an American ex-serviceman, an outstanding newspaperman and correspondent. Every red-blooded American must cry out, "That's enough."

I call upon the State Department to give us a report immediately as to what they know about this killing and what they are doing to get the true facts. If this information is not forthcoming I shall introduce a resolution calling for such an investigation and place a petition on the Speaker's desk for signatures of the Members of Congress. I am sure that the requisite number of Members will sign the petition within 24 hours.

From all the information that we have from Polk's friends, it appears that he was killed by the old reactionaries who have been killing their own Greek brothers without mercy, now that they have the arms and the United States support. Did we give them these arms to kill Americans? Have we nothing to say in Greece after we have dumped hundreds of millions of dollars to support this reactionary gang?

Mr. Speaker, I shall introduce a resolution for investigation and shall place a petition on the Speaker's desk for signatures from the Members of Congress unless the State Department or the leadership acts immediately.

EXTENSION OF REMARKS

Mr. BONNER asked and was given permission to extend his remarks in the RECORD and include an address delivered by Col. W. T. Toyner, at Raleigh, N. C.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD in two instances and include in each excerpts.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and include in each articles.

Mr. KLEIN (at the request of Mr. PRICE of Illinois) was given permission to extend his remarks in the RECORD and include two editorials.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD in two instances and include in each editorials.

Mr. EBERHARTER asked and was given permission to extend his remarks in the RECORD in four instances; to include in one two editorials, one on the subject of reciprocal trade agreements and one on the flood-control program, and in the other a transcript of a radio interview.

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD and to include an address by Assistant Secretary of the Interior Warne.

Mr. LESINSKI. Mr. Speaker, on May 11, 1948, under the heading The Taft-Hartley Law, the CONGRESSIONAL RECORD carried an address by the Honorable EDWARD MARTIN, of Pennsylvania, on the Taft-Hartley labor law before the annual convention of the Pennsylvania Federation of Labor in Pittsburgh on Monday, May 3, 1948.

I ask unanimous consent to revise and extend my remarks in the RECORD and include a copy of an address delivered by Mr. James L. McDevitt, president of the Pennsylvania Federation of Labor, in answer to Senator MARTIN'S address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio address.

MINORITY VIEWS ON H. R. 6402

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to file a minority report on H. R. 6402 and that it be ordered printed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

RAILROAD RETIREMENT AND UNEMPLOYMENT INSURANCE ACTS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am receiving letters every day from people in the district which I have the honor to represent wanting to know how I stand on H. R. 5875 and H. R. 5993, relating to railroad retirement and unemployment insurance.

I have advised every person writing to me on the subjects that I expect to support these two bills when they come before the House for consideration.

In 1946, when the Crosser Acts were before Congress, I supported them; in fact, I presided over the Committee of the Whole House on the State of the Union when one of the most important acts affecting retired railroad workers was under consideration.

A high-ranking American clergyman, Bishop Garfield Bromley Oxnam, Methodist Church, speaking as a representative of the world's largest Protestant church, recently made an excellent point, which we, as lawmakers, would do well to consider. In speaking of the menace of communism, he pointed out that we must fight it at its roots—and its roots are poverty and economic injustice.

We have today an excellent opportunity to strike one strong blow at those twin roots of evil. There are in this country several thousand aged men and women, who represent a bulwark of our loyal citizenry. They have worked hard all their lives and, perhaps to a greater extent than any other comparable group, have gone out of their way to serve their various communities. I refer to the men and women whose working lives were spent in the railroad industry and who are now retired.

Under the American way of life, which they and we so cherish, those deserving people have somehow become caught between the switches. Prices have soared, but their retirement incomes still remain, for the most part, at a level set in 1937 when the cost-of-living picture was vastly different from what it is today. They are unquestionably the victims of economic injustice. They are certainly the victims of poverty. The average among them draws $70 a month to live on and perhaps to support a wife. Hundreds of them get $50 or less.

So far, the faith of these people in our American system has not wavered. They make no rash demands. They are not even asking anybody to put out any additional money to relieve their plight. They are asking that we take action to pass H. R. 5993, a bill introduced 2 months ago, to increase their retirement pay by modest amounts, ranging from 20 percent to 25 percent of the present figures, with the highest percentage increases going to the lowest income groups.

This modest amount will do no more than bring their incomes to subsistence levels. They are asking no more, however, because they know that amount is all their retirement fund can afford without a tax increase. Despite the hardships they are undergoing, they do not wish to add to the tax burden of working railroaders. Neither do they wish to disturb the financial stability of the retirement fund. Consequently, they are limiting their request to amounts which can be provided from moneys already available.

Certainly we could not ask for a more reasonable approach to a serious and urgent problem. The least we can do in return, it seems to me, is to act promptly to make available to these valuable and loyal citizens the money they so sorely need. To do less would be to risk an undermining of their faith in their country and their country's leaders and to render these hitherto steadfast Americans the possible prey of Communists.

### POSTAL EMPLOYEES' LEGISLATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, many Members on this side of the aisle have been wondering why it is that a rule has not been granted on legislation reported out more than a month ago by the Committee on Post Office and Civil Service to increase the pay of postal and other Federal employees. The increases authorized by these bills, in my judgment, were inadequate; but inadequate though they are, this House is still waiting for an opportunity to consider this legislation.

Evidence supporting pay increases for postal and other Government employees was overwhelming. Inadequate pay and inflationary prices are not only making it difficult for old and loyal servants of our Government to make ends meet, but what is equally important, they are making it increasingly difficult for the Post Office Department to attract the caliber of young men and women that have always sought employment in that great branch of our Federal service.

I join others in hoping that early action will be taken to bring these proposals to the floor of the House with an open rule whereby full consideration may be given to necessary amendments and to grant to the servants of our people increases in compensation sufficient to offset the increased cost of living.

### SOCIETY FOR THE PRESERVATION AND ENCOURAGEMENT OF BARBER SHOP QUARTET SINGING IN AMERICA, INC.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I have a very important announcement to make. I trust that the membership will lend me their ears and get the pitch, so that they may be attuned for a piece of melodious news concerning an international movement in which sour notes are rare and discords are practically nonexistent.

I refer to the SPEBSQSA, which alphabet, when properly interpreted, means the Society for the Preservation and Encouragement of Barber Shop Quartette Singing in America, Inc., and more particularly to call the attention of the House and of the country to the fact that the tenth annual convention of this great society is scheduled to convene in Oklahoma City on June 11 and 12, A. D. 1948.

The freedom to sing the good old-time American songs in an inimitable style of four-part male harmony was first proclaimed at Tulsa, Okla., 10 years ago, when this organization was conceived by Mr. O. C. Cash, of Tulsa. Today we find chapters of barber-shoppers in some 400 cities within and outside the continental limits of the United States. Around 1,500 organized quartets, comprising a membership of approximately 25,000 dedicated to filling the air with sweet harmony, has in the past brought, and will continue to bring, happiness to millions throughout the globe.

All roads will lead to Oklahoma City for these thousands of devotees of harmony on June 11 and 12, when the international contest to select the 1948 world champion barber-shop quartet will be held at the Municipal Auditorium.

Among more than a half hundred of quartets qualifying for this great contest will be two from Washington, D. C.—the Potomac Clippers, composed of local businessmen; and the Diplomats, made up of a lawyer, a school teacher, a GI student, and a congressional secretary.

Here is the proof that harmony can be produced and can prevail even in the Nation's Capital, and this harmony is to be shared and reproduced in the Nation's singing capital in Oklahoma, the State whose name is synonymous with the title of a great and outstanding musical show. So, in behalf of this great international organization, I extend to you, one and all, a "chord-ial" and "sing-cere" invitation to the June Harmony Convention at Oklahoma City, June 11 and 12, where all troubles and cares will vanish in a continuous 40-hour outburst of barber-shop chords such as you have never heard before.

### EXTENSION OF REMARKS

Mr. MITCHELL asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Washington News of May 15.

Mr. RIZLEY asked and was given permission to extend his remarks in the RECORD in two instances and include certain newspaper comments and information.

Mr. WEICHEL asked and was given permission to extend his remarks in the RECORD in two instances and include a newspaper item.

### PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article on the Gallup poll showing that 77 percent of the people who voted were in favor of forcing members of the Communist Party to register, 65 percent of them thought the Communists were more loyal to Russia than they were to the United States, and 80 percent of them thought that they should be removed from jobs in industry that would be important in wartime.

Mr. RICH. Reserving the right to object, Mr. Speaker, it seems to me that too many people are interested now in trying to eradicate communism in other countries and are not interested enough in eradicating it from America.

Mr. RANKIN. That is what I am going to talk about in a moment. I am for removing every Communist from the public pay roll.

Mr. RICH. Let us hear something about that.

Mr. RANKIN. Read the article I am inserting.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The matter referred to follows:

#### SEVENTY-SEVEN PERCENT OF VOTERS WANT COMMIE FILE

(By George Gallup, director, American Institute of Public Opinion)

The majority of American voters polled in a Nation-wide survey think that most members of the American Communist Party are loyal to Russia, not to the United States.

The general feeling is that something ought to be done about the Communist Party. The public is in a mood to accept almost any program which the experts think will work. For example:

One of the principal provisions of the Mundt-Nixon bill is that members of the Communist Party and officers of Communist-front organizations file their names with the Federal Government.

This proposal is approved by an overwhelming majority of voters, as follows:

Would you favor or oppose a law requiring all members of the Communist Party in this country to register (file their names) with the Justice Department in Washington?

| | *Percent* |
|---|---|
| Favor | 77 |
| Oppose | 12 |
| No opinion | 11 |

Whether outlawing the party is constitutional or feasible is a technical matter which perhaps should be left to experts. But insofar as the general principle is concerned, the last time public sentiment was tested on the subject, in December 1947, 62 percent favored outlawing the party, 23 percent were opposed, and the rest had no opinion.

Whether the Stassen-Dewey radio debate and other public discussion has changed opinion since last December will be shown in future surveys.

Institute surveys show that a slightly higher proportion of voters now believe American Communists are loyal to Russia than did last December. The trend follows:

In general, do you think most American citizens who belong to the Communist Party in this country are loyal to America or to Russia?

| | Percent |
|---|---|
| December 1947: | |
| Loyal to United States | 19 |
| Loyal to Russia | 59 |
| No opinion | 22 |
| Today: | |
| Loyal to United States | 16 |
| Loyal to Russia | 65 |
| No opinion | 19 |

Another provision of the Mundt-Nixon bill prohibits Communists from holding Government jobs. Sentiment in favor of that proposal was found overwhelming as far back as a year ago. In April 1947, the institute found the following vote:

Should American citizens who are members of the Communist Party be forbidden to hold civil-service jobs (regular Government jobs) or should they have the same rights as others to hold Government jobs?

| | Percent |
|---|---|
| Should be forbidden to hold Government jobs | 67 |
| Should be allowed to hold such jobs | 19 |
| No opinion | 14 |

Until such a proposal does become law, however, the public is in favor of giving any Government employee whose loyalty is questioned a fair hearing on the charges. In September the institute polled on the question of loyalty purges without a trial and found the following vote:

| | Percent |
|---|---|
| Employees should be fired | 24 |
| Employees should have right to present case | 68 |
| No opinion | 8 |

The present mood of the country toward Communists further is illustrated in the results of another survey completed in April.

Do you think all Communists should or should not be removed from jobs in United States industries that would be important in wartime?

| | Percent |
|---|---|
| Should | 80 |
| Should not | 12 |
| No opinion | 8 |

PALESTINE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I rise to serve notice that I am going to demand that the Committee on Un-American Activities investigate this so-called International Latex Corp. that has been spreading Communist propaganda all over the country for many years and which today spent untold thousands of dollars attacking Great Britain, a friendly nation.

Russian Communists are pouring into Palestine. Their object is to set up a Russian bridgehead there and to throw the Russian Government, if you please, the power of Russian communism, across the lifeline of Great Britain. Of course Great Britain is opposing that program. As between the English-speaking peoples of the world and jabbering Communists, of course I am for the English-speaking people of the world.

If necessary, we can develop the atomic bomb and supply it to our English-speaking allies, and put a stop to these attempts to undermine and destroy the civilization of the world.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

LEAVE OF ABSENCE

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Iowa [Mr. DOLLIVER] be granted leave of absence until June 3 on account of important business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

JOHN C. VIRDEN

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, these are days when our Government needs the services of the best men we can find in important and responsible positions. We cannot afford to lose the skill and intelligence of those people who have become experts in their work. At this moment, one of the best qualified men in our Government has submitted his resignation because his daughter has come under the influence of Communist teachings and has taken a position with the Soviet news agency. Over this past week-end scores of highly responsible thorough men and women of my home community have urged this man to reconsider his resignation. I am adding my voice to this number. John C. Virden is a man of unquestioned integrity. He has proven his complete devotion to our country over the years of his life. I am absolutely certain that he will continue in his efforts to preserve and to spread the American way of life with absolute disregard for the misguided political or economic views of his daughter. We cannot spare him from the urgent jobs before his Department. I urge the Department of Commerce to reject his resignation and to demonstrate our confidence in him by inviting him to remain at his post. Let us show the Communist world that we judge each man on his own merits; that we do not hold an established citizen accountable for the failings of others. John Virden deserves to stay in our Government. Let us keep him there.

AMENDING INTERSTATE COMMERCE ACT

Mr. WOLVERTON. Mr. Speaker, I call up the conference report on the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

CHAS. A. WOLVERTON,
CARL HINSHAW,
LEONARD W. HALL,
CLARENCE F. LEA,
VIRGIL CHAPMAN,
*Managers on the Part of the House.*

CLYDE M. REED,
A. W. HAWKES,
HOMER E. CAPEHART,
ED C. JOHNSON,
FRANCIS J. MYERS,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amended the Senate bill by striking out all after the enacting clause and inserting matter in the nature of a substitute. The committee of conference recommends that the Senate recede from its disagreement to the House amendment and agree to the same.

CHAS. A. WOLVERTON,
CARL HINSHAW,
LEONARD W. HALL,
CLARENCE F. LEA,
VIRGIL CHAPMAN,
*Managers on the Part of the House.*

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. LEA. Mr. Speaker, as a member of the conferees I approve the adoption of the conference report on Senate bill 110 known as the Bulwinkle bill. The bill as passed by the House and approved by the conferees is perhaps as good as we could expect at this time.

This bill does not in my judgment adequately meet the problems with which it deals.

The fundamental problem involved is as to the manner of affording protection to the public against intercarrier agreements that may prejudice shippers by rates, or charges, or for services involved in agreements between carriers of the same or different classes.

We commonly think of regulation of transportation rates as the established means of protecting the public against unreasonable or discriminatory rates. It is obvious that there are necessarily

many agreements or arrangements that must be made between common carriers by rail, highway, water, and the air which affect shippers and the public. Some means must be provided to protect the carrier in making these necessary agreements and at the same time afford every proper protection to the public against unjust charges, discriminatory rates, and inadequate service.

Some 2 years ago Commissioner Atchison of the Interstate Commerce Commission, testifying before the Senate committee, referred to many practices such as those affecting the classifications, weighing of commodities, or car service, which, although they do not directly affect the rate, in practical effect they do.

Further proceeding, he said:

However, there are other types of conferences, agreements, and organizations which in the public interest should be permitted under proper supervision and regulation. There are conferences and agreements as to the provisions of car service, the making of mine ratings, pooling of cars, car interchange; avoidance of wasteful routes, adoption of construction and operating standards and rules; uniform accounting practices; weighing and inspection of freight; payment of loss-and-damage claims; imposition and collection of demurrage; uniformity of classifications for freight, and rules applicable thereto, such as bills of lading, and packing requirements, in addition to the whole field of cooperative rate initiation and maintenance.

The Interstate Commerce Commission has, by law, been given full jurisdiction of all agreements and arrangements between carriers such as those enumerated by the Commissioner. Such agreements of cooperation between carriers are absolutely essential for efficient interchange and handling of traffic as between carriers, both of the same class and of different classes.

A question as to when and how the Commission shall exercise its protective power is involved in this problem. Under the law the Commission has power to initiate investigations and proceedings to require that rates and such agreements between carriers shall be reasonable and nondiscriminatory for the protection of the public. In practice, however, the Commission does not ordinarily institute such proceedings on its own account. Usually it is not until after complaint is made by some interested shipper, group, or section, before the Commission proceeds to restrain or eliminate any transgression of the Interstate Commerce Act.

The bill we have just passed, if enacted, would require the initiation of its authority to regulate these agreements and arrangements before they became effective as a relief against anti-trust prosecutions.

This bill in effect provides that if the Commission determines that any given rate or agreement within the terms specified in the bill is approved by the Commission, such approval shall relieve against prosecution by the Government under the anti-trust laws. In other words the initial action by the Commission, approving the contract prevents the prosecution of the parties to such contracts as violators of the criminal law.

The relief provided by this bill is very limited in its application and does purport to cover but few of the various agreements mentioned by Commissioner Atchison. There may well be a dispute as to what particular agreements may be in violation of the anti-trust law. Whatever may be the answer this bill does not specifically relieve any cases except those defined by its terms. Primarily the relief thus afforded between carriers of different classes is confined to through routes and joint rates.

This bill, if enacted, will leave the Commission with full jurisdiction to protect the public against unreasonable or discriminatory charges or inadequate services as to all interstate rates and contracts such as those enumerated by Commissioner Atchison. That authority of the Commission if properly exercised is ample to protect the public. It would, however, not grant relief against prosecutions where no relief is granted by the bill against anti-trust law prosecutions.

This situation still leaves the road open for one agency of the Government to prosecute its citizens for doing that which one agency has determined to be just and reasonable and which another agency proceeds to prosecute as a crime.

In recent years the Department of Justice has asserted general criminal jurisdiction over such agreements under the theory that under the antitrust acts such agreements are, or may be, in restraint of trade.

The opponents of the Bulwinkle bill insist on criminal prosecutions as a method of protecting the public against unjust, unreasonable contracts, in addition to the powers already in the hands of the Interstate Commerce Commission. They believe in this dual authority.

The motive behind these two methods are quite contrary to each other. The powers of the Commission are given to protect the public against unreasonable, unjust, or inadequate service. The powers of the prosecution under the antitrust law as advanced by the prosecution gives little or no consideration as to whether or not the contract is reasonable or unjust or adverse to the public interest. The prosecution will insist that the very fact of making such a contract is unlawful in itself; that it is not concerned as to whether it be reasonable or unreasonable, discriminatory or otherwise.

Manifestly, the protection that the public needs is not against the making of such contracts, but rather to see that they are just, reasonable, and nondiscriminatory. Such contracts serving a legitimate purpose should be protected by law. Their approval by such an agency as the Interstate Commerce Commission should be sufficient protection to serve the legitimate rights of the public. Such contracts, within the protection of the law and the approval by the Interstate Commerce Commission, should not be the subject of prosecution by another agency of the Government. In fact, the Department of Justice is not equipped nor designed to fix rates or to determine the questions of reasonableness or adequacy of the services of common carriers.

The practical situation seems to require that the provisions of the Bulwinkle bill should be broadened; that the powers of the Interstate Commerce Commission be further extended to assure definite protection to the carriers and to the public, and that the establishment of the reasonableness and fairness of such contracts shall make the parties thereto free from criminal prosecution wherever such contracts are free of fraud or corrupt purposes.

### AIDS TO NAVIGATION

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill S. 1853, an act to authorized the Coast Guard to establish, maintain, and operate aids to navigation, with a House amendment thereto, insist upon the amendment of the House, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none, and, without objection, appoints the following conferees: Messrs. WEICHEL, HAND, LATHAM, BLAND, and HART.

### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—STATEHOOD FOR ALASKA

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read and together with the accompanying papers, referred to the Committee on Public Lands and ordered to be printed:

(For text of President's message, see proceedings of the Senate for Friday, May 21, 1948, on pp. 6264–6266.)

### ALASKA-HAWAII STATEHOOD

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain editorials in connection with the message from the President of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LARCADE. Mr. Speaker, the message which has just been read to the Congress recommending that statehood be granted to Alaska is particularly interesting to me, and I wholeheartedly join the President in his message that the Congress give immediate consideration to his recommendation.

As a former member of the Committee on the Territories of the House of Representatives who served as a member of the committee which made an investigation of the subject of statehood for Alaska, and as chairman of a subcommittee of the same committee which made an exhaustive examination of the question of statehood for Hawaii, it is my confirmed judgment that Alaska and Hawaii should both be granted statehood without further delay.

It is a matter of record that since 1935 a number of committees of the House

and Senate, as well as a joint committee of the Senate and House, have visited both Alaska and Hawaii for the purpose of investigating the advisability and whether or not the Territories were qualified and competent to assume the responsibilities of statehood, and while it is true that the reports of some of the congressional committees which first held hearings in both instances qualified their recommendations for statehood for both of the Territories, later committees which made further investigations found that practically all of the objections which had been advanced by opponents of statehood had been removed, and that the Territories were prepared and qualified to assume statehood and were entitled to admittance into the Union as was the case of the other Territories who were admitted into the constellation of States of the Union under the assumption and precedent that when admitted as a Territory it would follow that the Territory would be accepted as a State of the Union. This will be borne out by reference to debate on the admission of the various Territories when the Territories were finally admitted as States.

Mr. Speaker, it is not my purpose to enter into a lengthy discussion of this question as it is my opinion that the hearings in both instances cover the matter in detail, especially the hearings held by our subcommittee of the House which last made the recommendation for immediate consideration for statehood for Hawaii, and which resulted in the House approving the question by an overwhelming majority.

Mr. Speaker, since the end of the war world developments have, in my opinion, made it more urgent and necessary that immediate statehood be granted to both Alaska and Hawaii.

Being so convinced, I am greatly disappointed at the action of the Senate taken in regard to the bill granting statehood to Hawaii, and while it is agreed that this action does not reflect the true sentiment of many of those who voted on the bill, but the vote was caused by the issue in the resolution which involved Senate custom and tradition rather than the issue of statehood for Hawaii itself, as is so well stated in an editorial in the Sunday Star of Washington of date May 23, 1948, and which editorial I ask be included in part in these remarks as follows:

There probably were many Senators who favor Hawaiian statehood who voted against Senator KNOWLAND'S resolution to discharge the Insular Affairs (formerly Public Lands) Committee from further consideration of the statehood bill. For the issue in the resolution involved Senate custom and tradition rather than statehood itself.

But failure of the resolution has killed the only remaining chance for Hawaiian statehood at this session, and that is too bad. It is too bad because it means that after years of probing, years of delay, years of investigation by congressional committees, with every conceivable objection to statehood removed, the whole tedious process of getting the admitting legislation through Congress must be begun again next year.

And begun where? With another junket to the islands, of course—another delightful voyage, another round of entertainment in hospitable Hawaii, another set of hearings, another long report. And if the Senate committee comes back in favor of immediate statehood, as it is apt to do, what about the House committee? Should it not return to the islands, too, for its own investigation in order to check up on the Senate's investigation? And should not this lead to yet a third investigation, this time the two committees joining together in their inquiry? That has happened in the long past of Hawaii's efforts for statehood, and it can happen again. Hawaii's charm as a place to visit has worked to her own disadvantage.

This time the reason for Senate delay is the fear that the Communists will take over control of the islands. Such fear, at least, is entertained by seven members of the committee, although five of them have no such trepidation. And as the seven outnumber the five, the bill, after passage by the House, is denied its right to consideration and a vote by the Senate and Hawaii, waiting 48 years for statehood, must continue to wait while Senators visit the lovely islands once more and delve pleasantly into the subject of Communist activity.

New Mexico waited 62 years and Arizona 49 for statehood. But Hawaii has long since met all the tests—population, patriotism, literacy, self-government as a Territory, support of the Federal Treasury—that could be devised. It is being unjustly denied the right it has won to become the forty-ninth State. And the reasons for this continued denial would not stand up under the test of Senate debate.

Mr. Speaker, while I have included the editorial above in full herein, I wish to say that I do not agree with, nor do I criticize the Senate or any Member of the Senate in their action or prerogative in this or any other instance as does the editorial—especially that there may be a motive for another "junket" to the Hawaiian Islands, but I do agree with most of the arguments mentioned in the editorial as regards to the unfortunate circumstances which resulted in the resolution being placed in a legislative position where it was impossible to vote on the main issue rather than the motion to discharge the Senate committee.

Mr. Speaker, in the editorial referred to it is stated that some of the opposition which has developed recently in regard to granting statehood to Hawaii is due to communistic activities in the Territory and the fear that Communists may gain control of the islands? I do not believe that this is a sound argument. I do not believe that there exists such a threat and further if such a threat did obtain—would the deprivation of statehood for Hawaii change the situation. Does not the Government have the same responsibility to deal with this question under either circumstance?

Mr. Speaker, it is my hope that the Senate will see fit to give further consideration to the resolution for statehood for Hawaii and that some means will be found whereby the resolution may yet be considered and approved before the adjournment of this session of the Congress.

### EXTENSION OF REMARKS

Mr. COLMER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ROSS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BAKEWELL asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. BUTLER asked and was given permission to extend his remarks in the RECORD.

### PHYSICALLY HANDICAPPED PERSONS IN THE CIVIL SERVICE

Mr. REES submitted conference report and statement on the bill (H. R. 4236) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service.

### PERSONS IMPROPERLY REMOVED FROM CIVIL SERVICE

Mr. REES submitted conference report and statement on the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service.

### THE POSTAL SERVICE

Mr. REES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

### CALL OF THE HOUSE

Mr. BUCK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

Mr. LEONARD W. HALL. Mr. Speaker, I move to call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 71]

| | | |
|---|---|---|
| Abbitt | Hand | Mundt |
| Anderson, Calif. | Harless, Ariz. | Murdock |
| Arends | Hartley | Murray, Wis. |
| Barden | Havenner | Nixon |
| Bell | Hébert | Nodar |
| Bolton | Heffernan | O'Hara |
| Boykin | Heselton | Owens |
| Buchanan | Holifield | Pace |
| Buckley | Hope | Pfeifer |
| Bulwinkle | Isacson | Philbin |
| Camp | Jackson, Wash. | Ploeser |
| Celler | Jenison | Powell |
| Chadwick | Johnson, Okla. | Price, Fla. |
| Clark | Johnson, Tex. | Rivers |
| Clippinger | Jones, N. C. | Robertson |
| Cole, Kans. | Kefauver | Sabath |
| Corbett | Keogh | Scoblick |
| Cotton | King | Shafer |
| Cox | Klein | Sheppard |
| Cravens | Lane | Short |
| Crow | Latham | Sikes |
| Dawson, Ill. | Lucas | Simpson, Pa. |
| Delaney | Ludlow | Smith, Maine |
| Devitt | Lusk | Somers |
| Dolliver | Lynch | Stigler |
| Douglas | McDowell | Taylor |
| Durham | McGarvey | Thomas, N. J. |
| Elsaesser | Maloney | Towe |
| Engle, Calif. | Marcantonio | Vorys |
| Flannagan | Mathews | West |
| Gallagher | Meade, Ky. | Whitaker |
| Grant, Ind. | Meade, Md. | Worley |
| Gwinn, N. Y. | Miller, Calif. | |
| Gwynne, Iowa | Multer | |

The SPEAKER pro tempore. On this roll call 327 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include an article from yesterday's Times-Herald by Tyrrell Krum.

Mr. PATTERSON asked and was given permission to extend his remarks in the RECORD and include a table of veterans benefits compiled by the VFW.

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Reader's Digest by Henry J. Taylor entitled "Is Russia Prepared to Make War?" It is possible that this article may exceed the two-page limit, but if it does, I ask unanimous consent that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BANTA asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. RUSSELL asked and was given permission to extend his remarks in the RECORD and include an article from Collier's by Robert S. Allen.

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a compilation of laws relating to the veterans of Kansas, compiled by the DAV. It may be possible that this will exceed the limit, but I ask that it be printed nevertheless.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include an address delivered by the President of China on his inauguration last week.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

CONGRESSIONAL BALL GAME

The SPEAKER pro tempore. It had been determined that no 1-minute speeches should be permitted at this time, but the Chair understands that there was some controversy about the ball game last Friday night that probably should be decided at this time. For that purpose, the Chair recognizes the gentleman from Illinois [Mr. BISHOP] for 1 minute.

Mr. BISHOP. Mr. Speaker, I take this time to pay tribute first to the fine boys on the Republican side who did such an excellent job in their own way last Friday evening, and to pay a special tribute to the Democrats, who did a much better job than we.

I also wish to congratulate the Evening Star and the press in general, together with radio and television, for making possible the large attendance. I was told a few minutes ago that as much as $6,000 was raised for the great cause of taking care of these kiddies for a vacation this summer. I am sure the entire membership of the House is grateful for the opportunity to make it their business to be a part of that fine program.

May I say to the Democrats that we have already started our scouts throughout the Nation to bring in some new material for next year.

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Speaker, I appreciate the gracious remarks of my distinguished friend from Illinois, who so magnificently managed the defeated team Friday night. It takes a real man to get up here and congratulate his enemies in the face of such an ignominious 23-to-14 defeat. I want you to know that I have no disposition to rub salt into the sore wounds of such a gracious opponent. Had his players performed as well as their manager, victory may well have perched on his banner.

Mr. Speaker, may I add my congratulations to the Evening Star newspaper, which sponsored this great game for the benefit of underprivileged children who otherwise would not get a chance to go to summer camp. I am sure each one of us will always be happy to have participated in this game when we remember the pleasure these kids got out of our labored efforts.

Now I want to say this to the Members of the House. None of you on either side can fully appreciate the trials and tribulations of managing a congressional baseball team. I do not think McGraw, Bucky Harris, Connie Mack, Griffith, or any of the other great men of the game ever at one time had so many prima donnas to contend with. You Republicans were very boastful, in view of your victory last year, and said some pretty hard things about me and the other Democratic players through the press before the game, but I remind you that "pride goeth before destruction and an haughty spirit before a fall." Of course, I said some pretty tough things about the Republicans too, but I want to say today that I really am sorry. Please attribute what I said to the heat of preparation for battle. After all, my main trouble was with the Democrats. My managerial masterminding was very little appreciated, so far as I could see, by my colleagues on this side of the aisle.

Some of my Democratic colleagues accused me of playing only men south of the Mason-Dixon line. In defense, I would say that I neither looked to the North nor the South. I simply put the best nine I could on the field. As things turned out, we had only one Yankee in the line-up. He is a great shortstop, and he started the game. I refer to the gentleman from Rhode Island [JOHN FOGARTY] an able Member of Congress, and a fine fellow.

Then, some Members on the Democratic side began to talk about the method by which I was elected manager of our team. That trouble was caused by my getting out in advance a list of the starting line-up. All of my players, some being prima donnas, wanted to start the game. One long, lean, and hungry Cassius from Texas led the onslaught against my authority when he found out he would not start. But I purged the list, and we went on the field and won a great victory, regardless of dissension from within. Those who lead this Nation may well profit by my experience.

But, Mr. Speaker, in all seriousness, I want to say that it is a fine thing when two great parties of a great Nation, the greatest Nation on the face of the earth, can drop the care and worries of Capitol Hill, forget about the heat and temporary animosities of debate, and go out at night to the baseball field where the great American game is played. It is a wonderful thing to get together and show the people of the United States that regardless of the fact that we sometimes differ on party matters, that after all we love our counry and our flag, and that like every boy in America, we love our great national game.

It was Wellington, I believe, who said that the battle of Waterloo was won on the fields of Eton. It may well be said that the battles of Okinawa, the Solomons, the Bulge, Normandy, and a thousand others, were won on the ballfields of America.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. GARY. Mr. Speaker, I want to pay my respects to our great leader, Mr. John McGraw-Connie Mack-RICHARDS.

Mr. RICHARDS. I thank the gentleman, who is one of our most skilled left-handed pitchers.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mrs. ROGERS of Massachusetts. I would like to express my great pride in the gentleman from the South. I serve on the committee with him and I know his fairness. I know what a joy it must have been to his team. I was extremely proud of both teams and would like to see it played over again.

Mr. RICHARDS. I thank the gentlewoman from Massachusetts.

The SPEAKER pro tempore. The time of the gentleman from South Carolina has expired.

Mr. RICHARDS. Mr. Speaker, may I add, in closing, that the outlook for the

Republican team next year is very dark. It appears that our pitcher, Little JOE WHEELER from Georgia, who mowed them down this year, will be back again.

THE POSTAL SERVICE

Mr. REES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 2588, with Mr. MCGREGOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Thursday, the gentleman from Kansas [Mr. REES] had 18 minutes remaining, and the gentleman from Tennessee [Mr. MURRAY] had 25 minutes remaining.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. BATTLE].

Mr. BATTLE. Mr. Chairman, Members of the House, there seems to be some misunderstanding about the provisions and the purposes of H. R. 2588.

I would like to say before I begin that this bill was passed unanimously by our committee and has the approval of both Democrats and Republicans on the committee.

Mr. Chairman, the purpose and the intent of H. R. 2588 is to require the Post Office Department to restrict the hauling of air mail to Government-owned trucks, in only the 132 cities where motor-vehicle service is already established.

The Post Office Department maintains in 132 cities a motor-vehicle service, with garages, Government-owned trucks, and trained civil-service personnel. This motor-vehicle service is responsible for carrying mail between the post office and substations, railway depots, airports, piers, and so forth.

Here I would like to make an important point. These 132 cities are the larger, heavier-populated cities of our country and must of necessity have this motor-vehicle service anyway to allow the collection of mails from the various post offices and substations, and delivery to railway depots and airports.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. BATTLE. Please let me make my statement first, and then I will yield.

Since 1914, all of the hauling of all mails, including air mail, as I understand it, has been done by motor-vehicle service up until a year or so ago. The Post Office Department recently removed the hauling of air mail from this service and gave it out to private contractors in 33 of the above-mentioned 132 cities.

As I said, these 33 cities are not small towns, that only receive a few bags of mail each day. They are large cities including Detroit, Cincinnati, Chicago, San Francisco, Washington, D. C., Boston, and New Orleans. We have been advised that there is every possibility that the hauling of all air mail in the city of New York may soon be given out to a privately owned trucking company. I am sure I do not need even to attempt to tell you of the large volume of air mail that originates in New York City every day.

Considered from an economy angle I can come to only one conclusion. In the 132 cities affected by this bill we have a garage in each city, we have the trucks which are Government-owned, we have trained civil-service personnel. We have already appropriated $8,100,000 for the purchase of new trucks and will no doubt appropriate $4,500,000 additional this year. The enactment of this bill therefore would only insure the full utilization of a service that is already in existence and that was created by Congress to provide efficient and economical hauling of all the mails.

Mr. Chairman, I should like to join the distinguished members of my committee, both Democrats and Republicans in urging the passage of H. R. 2588, and this includes Judge Almond who served on the subcommittee but who is now the distinguished Attorney General for the great State of Virginia. This gentleman I know made a thorough investigation and concurs with the committee that the bill is for the best interests of the country. I hope it will be passed.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. BATTLE. I yield.

Mr. RAMEY. I am asking the distinguished gentleman from Alabama to yield in order that I may ask him or the committee a question in regard to section 2.

The Ninth District of Ohio is composed largely of islands. At Put in Bay, Middle Bass, South Bass, North Bass Islands, Ohio, there are airports. The mail is usually transported from the post office to the island airports by bus. The island mail plane then delivers the mail to each of these islands. Will section 2 clarify that in order that the mail carrier who has his own truck and takes the mail between the airport and the post office will not be interfered with?

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. BATTLE. I yield.

Mr. REES. That is not included in this legislation.

Mr. RAMEY. I spoke with the author of the bill and he said that would be clarified.

This will not interfere with the island mail service where a truck is also in use?

Mr. REES. It will not.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BUCK].

Mr. MURRAY of Tennessee. Mr. Chairman, I also yield the gentleman from New York 5 minutes.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. BUCK. Mr. Chairman, I thank both gentlemen for their courtesy.

Mr. Chairman, in 132 cities of this country—some say 123 cities—private trucks on a competitive basis are carrying the air mail from the post office to the airport.

There are two points at issue in this bill: First. Will it actually add to the number of employees on the Government pay roll? The answer to that question is obviously "Yes." If the Government is to transport mail now being carried by private contractors, the number of persons in the employ of the Post Office Department, naturally, will have to be increased.

The second point is this: Will the provisions of this bill increase the cost of carrying this mail?

The Post Office Department says "Yes," and opposes the bill's enactment. The employees of the motor-vehicle service say "No" and submit their own self-serving figures in substantiation of their position.

The Post Office Department is in best position to know what the increased cost will be. They guess some $300,000.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Kansas.

Mr. REES. I wish to correct the statement the gentleman made. He stated at the beginning of his remarks that there are 132 airports where they are carrying the mail under contract. That statement is incorrect, because there are 33 that are carrying the mail now under contract and only 33. There were about 6 a year and a half ago, but that has increased to 33. There are, however, 132 places in the United States where there are airports and where they have the equipment with which the Government could carry its own mail. There are only 33 places now. In respect to the $300,000 the gentleman refers to, if he will read the letter he will find that letter was written when the bill was originally introduced and was not written after an amendment was adopted by the committee.

Mr. BUCK. May I ask the chairman if the Post Office Department is now in favor of the bill?

Mr. REES. Oh, no. The Post Office Department is not in favor of the bill. The Post Office Department is opposed to it. But I do want to call the gentleman's attention to some things that occurred in respect to the Appropriations Committee of the House.

Mr. BUCK. The gentleman is chairman of the committee and he is taking my time. I would like to proceed. I thank him for the correction.

Mr. REES. The Post Office Department does not favor the bill. The Post Office Department, of course, gets its appropriations through the Second Assistant Postmaster General and they would have more money to spend for its employees.

Mr. BUCK. As evidence of the cost of the bill, I read from the report that ac-

companied the Treasury-Post Office Departments appropriation bill for the fiscal year 1949. Here is what that Appropriations Subcommittee said of the motor-vehicle service:

The total truck fleet of the Department is 10,218 units, of which 7,733 are more than 10 years old, 6,856 are more than 15 years old, 189 are more than 20 years old, and 90 are more than 25 years old. Obviously, the cost of operating vehicles which have been in service for such periods of time is entirely uneconomical.

The committee is in general agreement that the entire fleet should be replaced with new vehicles in the interest of economy. However, there are many other factors in the operation of the vehicle service which need attention in the interest of economy and efficiency. The officials in charge of this service seem to be inordinately reluctant to discuss this service from a constructively critical point of view. It is well known that the vehicle service has performed in a highly commendable manner. During the war especially it had a remarkable record of maintaining difficult schedules and operating under the most trying conditions. However, the service is not operated in such manner that unit costs are ascertainable, and it is impossible without adequate cost data to eliminate inefficient operations and take advantage of modern improvements in repair and maintenance methods. The vehicle Service operates 90 service garages without the benefit of hydraulic lifts for greasing and repairs. Greasing equipment is reported to be not the most economical type.

Although funds were made available on July 1, 1947, for the purchase of approximately 2,000 trucks, no orders had been placed as of December 11, 1947, when the committee held hearings on the bill. In view of the urgent need for new vehicles, it is difficult to understand why bids were not solicited much sooner. The committee has been informed that the Department rigidly adheres to specifications which have been in effect for many years when purchasing trucks, which prevent some manufacturers who have modernized their designs from bidding. This reduces competition in the bidding on Government purchases, and denies the taxpayers price advantages inherent in a competitive system. Bids were opened in January 1948 for supplying approximately 1,400 trucks for which appropriations were available on July 1, 1947. Only one supplier bid to supply these trucks as complete units, obviously owing to the arbitrary insistence of the Department on outmoded specifications.

Now, that is the efficiency of the motor-vehicle service which, under this bill, will carry the airport mails.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from California.

Mr. HINSHAW. I called up the Post Office Department on Friday and inquired into the prospective cost of this bill, and Mr. Feimster of the Post Office Budget Bureau talked to me this morning and said that the present cost of operating 6,256,000 vehicle miles per year by contract was $198,552, and to convert that into motor-vehicle service miles would cost $1,689,000, or nearly 10 times as much.

Mr. BUCK. I thank the gentleman for that very significant contribution.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I cannot yield at present.

Mr. REES. I would like to put those figures together.

Mr. BUCK. The gentleman is the chairman of the committee, and he can have all the time he wants.

Mr. MURRAY of Tennessee. Mr. Chairman, if the gentleman will yield to the chairman of this committee, I will yield him two additional minutes.

Mr. BUCK. I thank the gentleman. I yield.

Mr. REES. It seems to me that in view of the statement the gentleman from California just made, it might be a good idea for the vehicle department to sort of rationalize the figures on this, because they proposed to us that it would cost $300,000 when there are 1,500 of these various airports taken into consideration. Now then, cutting it down to 132, it ought to be reduced accordingly. We discussed the matter with Mr. Feimster, and I would like to call attention to the very statement that the gentleman has just read from in regard to this matter. If he will go back to page 27 and read from the report of the Treasury-Post Office appropriation bill, he will find this language:

The officials in charge of this service seem to be inordinately reluctant to discuss this service from a constructively critical point of view—

And then they go on in the same paragraph—

however, the service is not operated in such manner that unit costs are ascertainable, and it is impossible without adequate cost data to eliminate inefficient operations and take advantage of modern improvements in repair and maintenance methods.

Now, there is the report on your own Post Office-Treasury appropriation bill for 1939, being the report from which the gentleman has just read. Then, when you finish that paragraph, at the end you will find this statement:

The committee will not look with favor upon deficiency or supplemental estimates for operating the vehicle service in the future unless full advantage has been taken of all possible economy.

The gentleman's own statement is exactly in line with our contention, if he will read it completely.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BUCK. Mr. Chairman, most of my time has been taken by the chairman of the committee. I do not know whether I can finish in 2 minutes or not. I now want to read from the hearings this committee held on the bill, the testimony of Mr. Bruce, special assistant in the office of the First Assistant Postmaster General:

Mr. Bruce testified:

Our costs are higher than the contract costs.

There have been a great many references to the activities of our former colleague the gentleman from Virginia, Mr. Almond, with regard to this bill. I want to read to you from page 18 of the hearings just what Mr. Almond had to say with regard to the motor vehicle service:

I made an investigation of the equipment and found most of it dates back to 1915 and 1930; the miles they can get on a gallon of gas are 5, 6, or 8, whereas they should be able to get 16 miles on a gallon of gas if the equipment were what it should be. The repair bill on that old equipment is bound to be enormous.

Let me read now from the testimony on page 17 of William C. Doherty, president of the National Association of Letter Carriers. Bear in mind that Mr. Doherty presumably favored the bill, yet he made this serious slip, and I believe he was speaking the truth. He said:

The crux of the situation is this: The motor vehicle service in the United States Post Office Department is a monstrosity; the equipment is antiquated; it is broken down almost completely. I really marvel that they can keep the trucks running. Some trucks date back to 1915, and the bulk of them are of the 1932 vintage.

That is the sort of equipment and that is the sort of operation this bill proposes to utilize in the hauling of mail to airports, as compared with utilizing efficient private contractors on a competitive basis.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield three additional minutes to the gentleman from New York.

Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Tennessee.

Mr. MURRAY of Tennessee. The gentleman from New York refers to the report of the Post Office Department which is adverse to this legislation. Does the gentleman know that that report was made on May 26, 1947, and the hearings were not held until the following June 4, 1947, 9 days later? Thereafter this bill was completely revised and amended to meet the objections of the Post Office Department. On page 28 of the hearings Mr. Miller, who is in charge of transportation for the Office of the Second Assistant Postmaster General, said that the proposed amendment would eliminate the $300,000 cost referred to in the report of the Postmaster General. On page 28 Mr. Jones, a member of the subcommittee, asked this question:

It has been suggested that this proposed amendment would eliminate $300,000 so far as your Department is concerned, Mr. Miller.

Mr. MILLER. Yes.

I think the gentleman is confused about the situation, because this report does not refer to this bill as amended, and the Post Office Department has never made a report on the amended bill.

Mr. BUCK. Will the gentleman say whether the Post Office Department favors the bill in its present form?

Mr. MURRAY of Tennessee. I would not say, but my guess is that it does not. I will say this: The Post Office has its own trucks and its own motor vehicle employees. What is going to happen to this great Department if it cannot haul its own mail by its own employees in its own trucks?

Mr. BUCK. The consideration of this bill comes down to this, Mr. Chairman. Any Member who believes in reducing the expenses of Government, any Member who believes in reducing the number of Federal employees, must, in order to

be consistent, vote against the passage of this bill.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN of Missouri. Mr. Chairman, I rise in support of H. R. 2588 and I hope it will be adopted. Under this bill mail carried between airports and post offices will be delivered by Government-owned motor vehicles if the airports and post offices are within a radius of 35 miles of the city in which a Government-owned motor vehicles service has been established.

It is my conclusion that the enactment of this legislation would promote efficiency in mail delivery and that in the end it would result in economy to the Government.

I do not think there is any question but that faster service would be possible if the Government has its own motor-vehicle service constantly available than where it has to make contracts with private carriers to transport mail. The experience of the post office deliveries in general confirms this. For distances not greater than 35 miles it would hardly ever be faster to transfer the mail to railroads or to any other common carrier.

The qualifying phrase, "if possible" in the bill would take care of any exceptional cases where due to unusual or emergency conditions transportation by Government-owned vehicle would not be practical or temporarily not available.

The bill does not provide for the establishment of Government-owned motor vehicle services where they do not exist; thus, no additional expense is involved. The bill only affects those areas within 35 miles of cities where such Government-owned vehicle services already exist.

Where the Government already has its own motor-vehicle service it is practically certain that operating costs would be lower if the vehicles in this Government-owned motor vehicle service would be used instead of other vehicles on which additional charges would have to be paid. It would mean a greater utilization of the Government-owned vehicle, particularly with the increasing volume of air mail. The expenses involved in handling would also tend to be lowered since there would be a minimum amount of transfer, most mail going in a truck directly from the plane to the post office, or branch post office, or vice versa.

Where a faster method of delivery is possible by helicopter or other similar aircraft no barrier is placed in the way of its utilization by the bill.

In the past it has been the general policy of the Government to permit the Post Office Department to utilize the means of transportation which were most efficient, fastest, and most economical. The history of the postal service is characterized by the change from the pony express to railroads, from railroads to aircraft for much mail, and the use of the motor vehicle for many supplementary delivery purposes. The use of motor vehicle delivery between airport and post office by the Government vehicle where Government-owned motor vehicle service is available is in line with the historical trend of the Post Office Department.

I hope H. R. 2588 will be passed as I believe it will promote efficiency and bring about economy to the Government.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. YOUNGBLOOD].

Mr. YOUNGBLOOD. Mr. Chairman, in reference to my statement on the floor made Friday, May 20, to the effect that I would enlighten the House on amendments to H. R. 2588 which remove the objection of the Postmaster General to the bill, I want to call attention to the report of the committee on the bill.

For the benefit of those who do not have a copy available at the moment, the committee inserted the following amendment to the original bill:

> Strike out all of section 1 and insert:
> "That all mail consigned from an airport to a post office at which there is established a Government-owned motor-vehicle service operated by driver-mechanics in the motor-vehicle service of the Post Office Department or from such a post office to an airport, shall, if possible, be transported by such Government-owned motor vehicle: *Provided*, That such mails need not be so transported when the distance between the post office and the airport is in excess of 35 miles.
> "The effect of this amendment is to more clearly set forth the purpose of this bill. The amendment specifically limits the scope of this bill to those cities where the Post Office Department operates a motor-vehicle service and where employees of the motor-vehicle service drive the vehicles.
> "In 132 of the 1,569 cities where Government-owned post office motor-vehicle service has been established the operation is staffed by employees of the motor-vehicle service, presently under the jurisdiction of the Fourth Assistant Postmaster General."

The fact that the scope of this legislation is limited by the amendment to 132 cities, which are cities already having established Government-owned post office motor-vehicle service, definitely and without question removes the objection of the Post Office Department to the bill. Because it was felt that the objection was so unequivocally removed, no further report was asked.

Now, I want to go into the merits of the bill.

On March 17 of last year, I introduced H. R. 2588. At this time, I want to take this opportunity to say that I believe that the purpose behind this bill is meritorious. Needless to say, if I had not thought so I would not have introduced the bill in the original instance. However, let me go into the matter a bit more deeply for the next few moments and say why I introduced the bill and what it will do for the people of the United States.

The legislation (H. R. 2588) is designed to require employees of the post office to transport mail between an airport and a city where they are within 35 miles of each other and to abolish the present system of letting the contracts out for this transportation to private carriers. This is not something new or novel that we are attempting to formulate. Until fairly recent times the post office always performed these functions and my bill merely provides for the reestablishment of a system which has already proved its worth.

It is to be noted that the bill was referred to the House Post Office Committee, of which I am a member, and that all the pros and cons of the matter were thoroughly discussed. Under the able and distinguished leadership of the chairman the gentleman from Kansas [Mr. REES], the bill was unanimously reported out of committee. I feel that you gentlemen of the House can thoroughly rely upon the ability and integrity of the gentleman from Kansas [Mr. REES], if upon no other factor, in deciding the course of this legislation. In any event, you can be assured that the committee has thoroughly explored the merits and demerits of the bill. I am equally sure that there will be no objections raised here today which have not been investigated fully by our committee and rejected by that same committee as not having any real merit.

It is intended that this legislation, when enacted, will serve the commendable and dual purpose of rendering to the public more efficient and more economical mail service. That will be accomplished in this way: Men of long service, men familiar with the problems of mail delivery, men conversant with the many and manyfold and sometimes complicated phases of the Postal Department can and should be assigned to this duty of transferring mail to and from airports and cities. Under the present system of letting these contracts out to private bidders, experienced personnel are not on the job to handle the mail, nor is there any incentive system for the employee, nor are his services used to best advantage.

Now, there is one feature which I want to discuss before I conclude my remarks and which is the most forceful argument yet advanced. This opinion, I am sure, will be agreed to, not only by the Members of Congress but by all taxpayers as well. That feature is that this bill will actually save the taxpayers thousands of dollars annually. There is no one here who should dispute the merit of legislation which actually saves the people of America money. Too often the emphasis is on spend. For once we have the emphasis on save, and every conscientious legislator, I am sure, will welcome the opportunity to cast his vote to help all his people. Let me prove how this bill saves money. For the purpose of this proof, I am going to use as an example my own home town of Detroit. Based upon the cost of contract service and upon actual cost figures supplied by the Post Office Department, the cost of motor-vehicle service between the city of Detroit and Willow Run Airport is $61,080 per year. By these same figures of the Post Office Department, the Government can perform this service at a cost per trip of $4.50, and at a total annual cost of $28,044 per year. The actual savings in this one city will, therefore, amount to the surprising but accurate total of $33,036 each and every year after the passage of this act, or, in other words, we are being charged more than twice as much as it would cost the Government to do the same job.

Since I am the author of this bill, it is only natural, I suppose, that I should

speak in behalf of its passage. Therefore, in order to abolish any question of pride of paternity being responsible for the bill becoming law, I am going to surrender the balance of my time to my distinguished colleagues of this Congress who, with the question of authorship removed, will convince this august body of the necessity for, the propriety of, and, yes, even the public demand for, a favorable vote on H. R. 2588.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, as a former member of the Post Office Committee it has always been my contention that the American public expects every phase of the Post Office Department to be retained and manned by civil-service employees of our Government. The Post Office Department is known throughout the length and breadth of our country as being one of the most efficient and economical governmental departments in our entire Federal structure.

This has been made possible by direct supervision over the civil-service employees who perform the operation of the post office.

Time and experience have proved that the Government-owned Motor Vehicle Service of the Post Office Department is furnishing a service both flexible and economical and at costs below that of private industry, and therefore, I feel that the tradition of performing every phase of this service by direct control should be maintained. I am certain that the passage of this bill will result in the high standards of service that the public is entitled to receive.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, as a member of the Post Office and Civil Service Committee, I have studied this bill with a great deal of attention, especially as I knew that there was some very sincere opposition to it.

I would like to say, as a preface to my remarks, that I think everyone in this House will agree that no committee has ever been more jealous of the rights of the taxpayers than this particular committee. The committee has never been given to extravagance in any of its legislation.

There is not the slightest doubt in my mind, as you have already been told by other members of the committee, this bill was voted out unanimously by both sides of the committee. I repeat, there is not the slightest doubt in my mind but what the effect of this bill will result in saving a substantial amount of the taxpayers' money.

The motor-vehicle service of the Post Office was founded many years ago, for the sole purpose of giving more efficient service at lesser cost. Previous to that time the hauling of all mail had been done by private contractors, but the Post Office Department's experience with those contractors was not only costly, but was so completely unsatisfactory that it was decided to inaugurate a branch of the postal service to be known as the motor-vehicle service.

Since the founding of this branch of the Post Office, million of dollars have been spent in erecting garages and purchasing the necessary equipment for their operation.

For the fiscal year 1946–47, the Congress appropriated $3,500,000 for the purchase of new post-office trucks, and for the fiscal year 1947–48, $4,600,000 was appropriated. This year it is expected that an additional $4,500,000 will be appropriated for the same purpose, making a grand total of $12,600,000 that has been earmarked exclusively for the purchase of new trucks.

This operation of the Post Office Department has proven over the years to be an excellent investment. All that this legislation is doing is carrying it through to its logical purpose and end, in enlarging it so that it will also take care of the air-mail service.

I would also like to make it perfectly clear that this bill applies only to those cities where there are at present post office-owned-and-operated trucks, manned and driven by postal employees.

Another advantage is that those postal employees will live up to the reputation of the United States Post Office, that the mail must and will go through under all circumstances. That cannot be guaranteed by any private contractor.

Certainly it is only good sense to utilize to the greatest extent the possible service that is already set up, that has already cost a great deal of the taxpayers' money and that is scheduled to get even greater appropriations.

I therefore hope that the House will pass H. R. 2588 as amended.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. REES. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Chairman, as a member of this subcommittee, I may say that a great deal of very interesting testimony was received, particularly the testimony which was quoted by the gentleman from Tennessee [Mr. MURRAY]. After certain amendments were made the bill satisfied the Post Office Department completely.

It appears that many of these private operators have gone from here to there carrying out their other duties of hauling passengers, traveling 70 miles an hour, stopping to pick up packages hither and yon, and carrying on in a manner that I am certain the membership of this House would not approve.

Mr. SADLAK. Mr. Chairman, will the gentleman yield?

Mr. JONES of Washington. I yield.

Mr. SADLAK. And is it not a fact that the plane is very often missed due to the fact that the driver of the private truck has to stop to pick up passengers and attend to other business before he goes to the airport, whereas the Government-owned truck has its own time schedule which insures the mail being put on the plane for which it is intended?

Mr. JONES of Washington. The gentleman is exactly right. I am sure the Members of this House will, after listening to all debate on this measure, vote to pass this bill.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. VURSELL], a member of the committee.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. VURSELL. Mr. Chairman, the House, some months ago, gave to the Committee on Post Office and Civil Service the power to make an investigation to ascertain wherein certain reforms and economies could be brought about in the Postal Department in the hope of reducing the postal deficit. We have started our study and investigation and in my judgment this committee will demonstrate before it is through with its general investigation looking towards greater efficiency and economy, that it can be pretty well trusted when it brings a bill like this to the floor of the House. This is only something that is picked up in the regular course of business as we go along. This is a committee that believes in economy, and our chairman, the gentleman from Kansas [Mr. REES] needs no recommendation along that line. Throughout the years he has stood out ruggedly for efficiency and economy in government. He is well-informed. He endorses this bill.

The new Member from Michigan [Mr. YOUNGBLOOD] who is the author of this bill, serving his first term in Congress, is a man of courage and one who is always looking to economy in government. He deserves to be highly commended for the work he has done on this bill as chairman of the subcommittee. He has made a real and worth-while contribution looking to economy and efficiency in this type of postal service.

Probably the best posted man on the committee is the gentleman from Tennessee [Mr. MURRAY], who formerly was a Solicitor in the Post Office Department. He understands matters of this kind that come before our committee and before the Congress more readily than any man on the floor of this House. Every week, every day in the weeks and months of consideration we have given to legislation, he has always advocated economy in government. I think the gentleman from Illinois now speaking to you does not need to apologize for his record in favor of economy in government. This legislation will increase efficiency yet cut the cost. The postal employees will get the work at regular postal employee salary rates, rather than the Post Office Department letting it out to private contractors.

We come now to the point where this committee brings in a bill. A report by the Department has been given to the Congress, rather unfortunately, in my opinion, that does not accurately estimate additional cost because the bill has been amended since that time until it wipes out the objection with reference to the increased cost of some $300,000. We come to you with this bill after it has been thoroughly considered and after it has been endorsed and supported very largely on the floor of the House by

members of the committee on Civil Service and Post Office who always stand for economy in government.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from New York.

Mr. BUCK. Is the Post Office Department in favor of this bill as it stands or not?

Mr. VURSELL. So far as I know it probably is not, but may I say that does not affect me because, in my judgment, we have gone far enough with certain investigations to give us the knowledge that the Post Office Department has grown up like Topsy in this country and that it needs some changes in operation brought to its attention.

I do have great confidence in the present Postmaster General. I believe he will do the best job that has been done in many years. I cannot however agree with him as to his cost estimates on this bill.

This bill, in my judgment, will save the people money. The Post Office Department and the Congress has got the postal department something like $350,000,000 in the red already. And again this charge is not made in any way against the present incumbent. We, and I am sure he wants to bring about improvement in service and if possible reduction in cost.

As long as we already have men employed, as long as we have the vehicles in these cities, certainly the Government can do this work at a lesser price which will result in a saving to the American people rather than to continue contracting it out and increase in number those contracts week after week. I believe this is worth trying. If on trial it proves to be wrong, I will favor its repeal at the earliest opportunity.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. REES. Mr. Chairman, I yield one-half minute to the gentleman from Ohio [Mr. RAMEY].

Mr. RAMEY. Mr. Chairman, in this one-half minute I wish to express my gratitude not only to the committee but to the gentleman from Michigan [Mr. YOUNGBLOOD], author of the pending bill. He has not only been zealous in behalf of economy, but he has protected the little island sections of the Great Lakes district, where it is necessary to transport mail by plane and truck to the Lake Erie islands from the airports. The original hero in air-mail service in our inland lakes region is Mr. Hirschberg.

This committee has been not only thorough and fair, but also painstaking to see that islanders are protected. Put in Bay is located on South Bass Island in Lake Erie. The decendants of Oliver H. Berry, John Brown, Owen Brown, and Peter F. Louz are among those boosters for island mail service.

George F. and Tann Louz preserve the tradition of historic Middle Bass Isle.

Mr. REES. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. HESS] may be permitted to extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HESS. Mr. Chairman, I should like to call this body's attention to a factor that I believe is most germane to the subject under discussion.

Since the motor vehicle service of the Post Office Department was inaugurated in 1914, there has never been one single instance of delay in the movement of the mails due to a strike of the employees in this service. This, for the very good reason that the employees of the Government-owned Motor Vehicle Service are civil service employees.

As a perfect demonstration of the desirability of this service, let me direct your attention to the recent truckers strike in the fall of 1947 in the city of New York. Picture if you can the chaos that would have resulted had the movement of mails in New York City at that time been confined to private contractors. Millions of dollars would have been lost by both industry and individuals because the greatest and most common manner of transmitting not only messages but packages as well, would have been completely cut off.

Let us by the passage of this bill avoid any possibility of this ever happening to the United States mail.

One more thing, during the recent railroad strike practically no one in this country suffered any great delay in the receipt of his mail, and the credit for this achievement to a great extent must be contributed to the Post Office Government-owned motor vehicle service which in a great many instances substituted its trucks to replace the railroad trains.

This bill is an excellent and much needed piece of legislation and should pass this House without any further delay.

Mr. REES. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, I am taking the remainder of this time to attempt, if I may, to clarify a considerable amount of misunderstanding with respect to this proposed legislation. As has been stated, this legislation comes to the floor with the unanimous approval of our committee of 25 members. I regret there has been a misunderstanding on two or three points. Something has been said about the shortage of motor vehicles. There was a time when there was a shortage. The Post Office Department tells us that they have on order for delivery about July 1, 1,800 new vehicles. That is in answer to the criticism of the gentleman from New York [Mr. BUCK]. And there are 1,200 more on order that they say will be delivered in the very near future.

Now, we want to go along with the Committee on Appropriations, and I am glad to observe that the chairman of the Committee on Appropriations is on the floor, because he, as I am, is interested in saving money for the people of this country. I say to him that so far as we can ascertain, this legislation would save somewhere between $80,000 and $100,000 a year, but if you will permit the Post Office Department to continue to extend the use of these contracts you will find that the cost will grow greater and greater.

I am sure the chairman of the Appropriations Committee is familiar with the difficulty in obtaining statistics from that particular service since, for the information of the Members of the House, I would like to quote from the Appropriations Committee report on the Treasury and Post Office appropriation bill for 1949. I quote from page 27:

> The officials in charge of this service seem to be inordinately reluctant to discuss this service from a constructively critical point of view. * * * However, the service is not operated in such manner that unit costs are ascertainable, and it is impossible without adequate cost data to eliminate inefficient operations and take advantage of modern improvements in repair and maintenance methods.

In view of the fact that the Appropriations Committee itself admits they cannot rely upon cost data of the service, it is hoped that they will give credit to the data developed by the committee.

As to whether this is good legislation, I would like to point out that last year, when the hearings were held on this bill, there were only 6 cities of the 132 involved where mail was being taken to and from airports by contractors rather than by post-office employees. Today, 1 year later, there are 33 such contracts.

When mail is carried by the motor-vehicle service, as it has been through the years since 1914, the cost of carrying it is charged to the Fourth Assistant Postmaster General. When mail is carried by contract, it is charged to the Second Assistant Postmaster General. It can readily be seen that by shifting to the contract procedure, as is currently being done by the Department, the costs appear in a different budget, leaving funds in the motor-vehicle service budget for operations not contemplated when the appropriations bill were approved.

I believe this is contrary to the desires of the members of the Appropriations Committee, since on page 28 of their report on the Post Office appropriations bill, they stated:

> The committee will not look with favor upon deficiency or supplemental estimates for operating the vehicle service in the future unless full advantage has been taken of all possible economies.

It is pointed out that permitting this shift to contract is allowing the Department to escape this direction of the Appropriations Committee. Perhaps this is the reason for the rapid shift to contract.

Someone said a few minutes ago it will put more people on the pay roll. I call your attention to the hearings wherein the question was asked, How many Government employees did you take off the pay roll in Detroit? And the answer right here on page 4 of the hearings is: "No regular employee lost his position as a result of the change to contract."

The CHAIRMAN. The time of the gentleman from Kansas has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That all mails consigned to an airport from a post office or branch post office, or from an airport to a post office or a branch post office, within a radius of 35 miles of a city in which there has been established a Government-owned motor vehicle service shall, if possible, be delivered by Government-owned motor vehicles.

With the following committee amendment:

Strike out all of page 1 and insert the following: "That all mail consigned from an airport to a post office at which there is established a Government-owned motor-vehicle service operated by driver-mechanics in the motor-vehicle service of the Post Office Department or from such a post office to an airport, shall, if possible, be transported by such Government-owned motor vehicle: *Provided,* That such mails need not be so transported when the distance between the post office and the airport is in excess of 35 miles."

Mr. HINSHAW. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW to the committee amendment: On page 2, line 5, after "shall", strike out "if possible", and insert after "vehicle" in line 6 and before the colon, "wherever the Postmaster General finds that such transportation by Government-owned motor vehicle will be at lesser cost than by contract transportation."

Mr. HINSHAW. Mr. Chairman, one of my colleagues a moment ago stated that he had heard no opposition at all to this bill. Of course the reason is that the only speaker that could get time in opposition to it was the gentleman from New York. I tried to get time on both sides of the aisle and was unable to do so.

I have offered this amendment for the purpose of clarifying the bill. If, as the gentlemen who have spoken for the bill say, it will save money at any specific airport, then certainly the insertion of this amendment providing that the transportation be done by Government-owned motor vehicle wherever the Postmaster General finds that such transportation by Government-owned motor vehicle will be at lesser cost than by contract transportation, is just exactly what they want. If it is agreeable to the chairman of the committee to accept the amendment, I need not say any more, but if he does not care to accept the amendment, may I point out that I talked to the Postmaster General's office on Friday and asked what the cost would be under this bill, not under the bill as originally written but under the bill as proposed now by the committee. I had a call this morning from Mr. Feamster, the budget officer for the Post Office Department, who pointed out that under the terms of the present bill, the present cost of 6,256,000 vehicle miles back and forth from the airports, covered by this bill, is $198,552 by contract. The reason for that low cost is that they use the Railway Express Agency and certain other contractors like bus people who are going back and forth to the airports anyway, and they carry this mail practically as package business.

If you convert that mileage into motor vehicle service miles, Mr. Feamster stated, the cost would be $1,689,000 per year, or nearly 10 times the present cost.

I appreciate the desire of the Committee on Post Office and Civil Service to be economical, but certainly to increase the cost nearly 10 times is not being very economical. Therefore, I suggest that if the committee would like to have what they desire, namely, that the transportation be done by the Post Office Department whenever it can be done at a lesser cost than by contract, they accept my amendment, and I now ask the gentleman from Kansas if he is willing to accept the amendment.

Mr. REES. I regret to tell the distinguished gentleman from California that we are not in position to accept his amendment. I direct his attention now to some figures that he got from a Mr. Feamster.

Mr. HINSHAW. I am not talking about that at all. I merely say if you gentlemen want a bill that will provide that when the cost is less by Government vehicle the Post Office Department will use Government-owned vehicles, and whenever it is less by contract they use contractors, then that is all you want, and I suggest that you accept the amendment.

Mr. REES. In our opinion, if the Government, owning the vehicles, having the vehicles with which to carry the mail—

Mr. HINSHAW. That has nothing to do with it. I decline to yield further. I want to have my own time. You took practically all the time of the gentleman from New York [Mr. BUCK] when he was on the floor. You say that they shall carry the mail by Government-owned vehicles if it is possible to do so. Of course it is possible to carry it by Government-owned vehicles, but there is no provision for the possibility of a lower cost. I suggest that you would do very well indeed to accept an amendment like this and let the bill go through, because I certainly would like to see the young gentleman from Michigan get his bill through.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Pennsylvania.

Mr. RICH. If they accept the gentleman's amendment, then they will know that we will have the cheapest way of handling this mail, because they can certainly determine which is the cheaper.

Mr. HINSHAW. It would be cheaper one way or the other, and whichever is the cheaper way they would naturally carry out. I can point out airports to you where there may be one plane landing at 3 o'clock in the morning and you would have to take on an employee for 8 hours paying him overtime for night work besides keeping the vehicle going for that purpose, too. It is ridiculous when you find situations like that, and, for example, where a bus is going to an airport at 3 o'clock in the morning, you have to keep a post office employee up all night in order to make a 3-o'clock-in-the-morning trip. There are some places where it may be done more cheaply by the post office and some places where it may be done more cheaply by contract. My amendment would permit it to be done by the cheaper of the two methods, and everything would be in order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REES. Mr. Chairman, I rise in opposition to the amendment.

Mr. MUHLENBERG. Mr. Chairman, I ask unanimous consent that the amendment be again reported for the information of the Committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk again read the amendment.

Mr. REES. Mr. Chairman, I regret I am not in a position to go along with the distinguished gentleman from California. Even according to his own statement, the difficulty is in trying to determine whether it is less expensive or not. He has just read some figures for you.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield briefly.

Mr. BUFFETT. Would it not be easier for the Post Office Department down town to determine whether or not it is less expensive than it would be for us to determine that on the floor of the House?

Mr. REES. I will answer that in just a moment.

Mr. Chairman, the gentleman calls attention to Mr. Feimster's statement. I do not know where they get all of their figures. At the hearings the Department told us that the cost was $300,000 if 1,532 cities were involved. Now when only 132 cities are concerned they come back with a figure of something over a million and a half dollars annually. Today he says over the telephone that they are paying on contract $198,562, as of May 24. Last March it was two-hundred-and-eleven-thousand - and - some-odd dollars.

I call attention again to the committee report on the Treasury and Post Office appropriation bill where they say that the committee will not look with favor upon deficiency or supplemental estimates for operating the vehicle service in the future unless full advantage is taken to effect all possible economies.

All we are trying to do is to close the back door so the wishes of the Appropriations Committee will not be lost just by juggling some figures.

The gentleman from California made much of the fact, and I do not want to neglect it, of carrying the mail at night. This mail is carried to and from these airports where they have night service. It is all day and all night service, 24 hours a day at these large post offices. They seem to be doing all right at the 100 post offices where they are carrying it now. The Post Office Department is not going to pay anything for a night differential in salaries any more than they do right now. They have the trucks. They have the equipment. Why not use them?

I would like to go along with the gentleman from California, but I cannot do it. He is right in principle but the circumstances point to a different conclusion.

I trust the amendment will be rejected.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. REES] has expired.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not like to take issue with the Committee on Post Office and Civil Service, but I feel that this is a situation where we are getting ourselves in for a large increased expense.

I feel that I should tell the House of two or three situations, concerning which I have some knowledge, that are involved here. I know of one place where there are about 10 planes arriving and departing from a certain airport in a day. They are strung along from 6 o'clock in the morning until 11:30 at night. The volume of mail is such that a pouch weighs from 5 to 10 or 15 pounds at the most. The mail is carried out in buses that make the 4- or 5-mile trip to each flight, at very nominal expense. If this bill were passed it would require the full-time use of one truck and at least two civil-service employees at a rate of approximately $3,000 a year, including what would have to be paid for operation of the vehicle. The total cost for the use of that vehicle and the help involved would be $8,000 or $10,000 a year for what we are at the present time paying not over $1,500 or $2,000.

I think we should adopt the amendment offered by the gentleman from California, and not try to build up the cost of the Post Office Department. It is going up too fast in any event, and there should be a reorganization of their set-up, with the idea of saving some money.

I hope this amendment will prevail and that we will be able to keep things down rather than to let them get completely out of hand.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes; I yield.

Mr. REES. Of course, we are talking of only 33 airports in this bill.

Mr. TABER. No; I think there will be many more than that.

Mr. REES. That is the thing, of course, we are trying to prevent.

Mr. TABER. This would require every airport that is served in a moderate way to maintain this additional service, and it would cost us a lot of money.

Mr. REES. But there are only 33 involved.

Mr. TABER. There must be many more than that.

Mr. REES. But only 33 are under contract now. It is so stated right in the report.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HINSHAW. There may be only 33 airports today, but as fast as motor-vehicle service is supplied to other post offices, the number will greatly increase. Meantime, this insures the lowest cost in any event, and hence the amendment should be adopted.

Mr. TABER. I think the gentleman is correct.

Mr. REES. Of course, the gentleman realizes it does give an opportunity for shifting appropriations, does it not?

Mr. TABER. Oh, it does. This bill gives just the opportunity for building up appropriations and nothing else. That is the thing that is involved whether we will build them up or try to keep them in some reasonable bounds.

Mr. REES. That is what we are trying to do.

Mr. TABER. That is what this bill will not do unless we adopt the amendment offered by the gentleman from California [Mr. HINSHAW].

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, your committee has given this matter thorough study, has held exhaustive hearings. Sixteen witnesses appeared before the committee on this legislation. I am afraid some Members who rise in opposition to this bill do not know the contents of the bill. They cite opposition from the Postmaster General. That opposition came before this bill was revised. After the Postmaster General made the report this bill was materially revised and modified so as to apply to only 132 post offices.

This bill applies only to post offices that have regular established motor-vehicle service owned by the Government, and that are operated by the regular motor-vehicle employees. It cannot possibly apply to more than 132 post offices today and of those only 33 have contract service today. This bill will affect only these 33 contractors.

If the Post Office Department cannot use its own trucks and its own motor-vehicle employees at a cheaper cost than this service can be performed by contract then the Post Office Department had just as well contract out the entire delivery of the mail. You know what has happened under the contract system in the matter of the star-route service in the Post Office Department. The contract system will be unsatisfactory and expensive and will not be in the best interests of the postal service. What will happen to the mail in the case of a strike of the employees of the private contractor? The mails must go on regardless of time or trouble or weather of any kind. I do not believe that any Member who has spoken against this bill appeared before our committee in opposition to it.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Tennessee. Not at this time.

This bill, as I said before, has the hearty approval and endorsement of every member of our committee. We think we know what we are doing. We are trying to be economical, we are trying to enable the Post Office Department to operate with greater economy. I appeal to the membership to stand by your committee.

Mr. BUCK. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am amazed that the committee will not accept the Hinshaw amendment, and I am amazed for this reason: If the contentions of the committee are correct that the post office can carry this mail at less cost than it can be carried by contract carriers, then the bill would go into effect immediately. On the other hand, if under the Hinshaw amendment the Postmaster General finds he cannot carry the mail as cheaply as private carriers, then the bill does not go into effect. In either event, the taxpayer saves, the country saves, and the post office can operate more efficiently.

I cannot see why the committee will not accept the amendment. It seems to me that the very fact that they are unfavorable to it is indication of something in the bill which does not meet the eye.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. REES. We are not seriously objecting to the gentleman's amendment. We would like to see some such plan in effect if we could only be sure that the Post Office Department were giving us the correct figures. We still do not understand why the Post Office Department with its equipment and its manpower should not carry this mail. We would like to see it spread all over the country. The trouble with the Post Office Department is that in this matter they come to us through the Fourth Assistant Postmaster General for their regular appropriations, and then they come back again under the Second Assistant Postmaster General for a deficiency appropriation. We discussed this matter quite fully the other day. At the present time it is costing more than it will under this bill.

Mr. BUCK. The gentleman is taking all of my time.

Mr. GAMBLE. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to my friend the gentleman from New York.

Mr. GAMBLE. I am sorry the chairman of the committee has not as much confidence as I have in the new Postmaster General who will be appointed next January.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Nebraska.

Mr. BUFFETT. If the Department cannot handle the mail efficiently and is so incompetent that we have to dictate to them the mechanics of operation, is not the place to start in this whole situation with the personnel at the top management level itself and not try to prescribe the specific mechanics of individual operations in the Post Office Department?

Mr. BUCK. The gentleman is entirely correct.

The distinguished gentleman from Tennessee mentioned a while ago that no one appeared in opposition to this bill at the time the hearings were held. I doubt if any of us knew the bill was on the fire and no invitations seem to have been extended to the private contractors now carrying the mail to attend the hearings. As I recall it some 12 out of 15 persons who did testify were employees of or represented employees of the Post Office service, all of whom would benefit by the bill's enactment.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, certainly I am not an expert on this subject, but I have listened carefully to the debate, and I think there has been some specious argument in it. I will go along with this House to eliminate all trucking and truck employees from the Post Office Department if we can save money for the taxpayers and the bond buyers by doing so. But if you are going to keep a great organization to operate trucks, to drive them, and to mechanize them, keep them in repair; if you are going to keep hundreds of trucks on the streets and on the highways carrying this mail, then let that organization carry the mail, and let us go ahead with this bill. To stand up here and argue that the trucks are out of date, obsolete, and worn out, and to refer to the high cost of operation of the trucks is no argument against this bill. If the Post Office Department has run-down equipment why should it want to take on additional trucking responsibilities? Let the Department refuse to haul if we give them poor equipment. If they have improper equipment to handle the present loads and to do the present jobs, let them say so.

As nonmembers of the committee, we have had insufficient time to understand this bill properly. I would like to support the committee because I believe in the committee system. I think the committee has gone into this, based on what the committeemen have said. So I am not going to run off here on a tangent and jump into something I do not know much about, thereby defying the judgment of the committee. I certainly do not take too much stock in the arguments that have been presented against the bill. The figures do not stand up, based on what the chairman of the committee said concerning those that have been telephoned up here.

If you have 3,000 new trucks coming on for delivery, 1,800 already delivered, and 1,200 more coming through, what are you going to do with those trucks? Let them stand idle and not carry the loads they are supposed to carry? Why was the money appropriated for the 3,000 trucks if they are not to carry the loads? They cost money. I have a chance to see some truck figures every day. I know what it costs to operate a truck, I know what it costs per mile, I know what the tire cost is, the maintenance, and all of the rest. Three thousand trucks need fleet managers, if you please, if you are going to run them efficiently. So I am going to stand by the committee until there is better evidence presented to the effect that the taxpayers will lose money by the operations called for under this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HINSHAW].

The question was taken; and on a division (demanded by Mr. REES) there were—ayes 40, noes 71.

So the amendment was rejected.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of this bill for mail delivery by the Government-owned motor-vehicle service to airports because I believe that it is in the best interests of both the Federal Government and the loyal postal employees involved in this work. Apparently, all of the members of the Committee on Civil Service and Post Office share this view, since the bill was reported with the full approval of that committee. I understand from the chairman that a considerable sum can be saved annually if this bill is enacted into law, and that if this bill is not passed the extra costs involved in letting contracts to private carriers are likely to go higher than they are at present. The Post Office Department is now receiving 1,800 new trucks, and the chairman has assured us that there is no reason why they should not be used to carry the mail.

I also feel that we have a responsibility to consider the effect that failure to pass this bill would have on the loyal postal employees who have carried on their work day in and day out under difficult conditions of not knowing when they would no longer have a job because of the trend toward substituting private carriers for Government-owned vehicles. These men have not been earning enough to live decently during this period of high prices, and indeed the legislation which has long been pending to give them a pay increase still has not been acted upon, despite the overwhelming evidence in favor of its passage. Certainly, it would be ungrateful, as well as unwise, for this Congress, in light of the facts, to fail to take action which will make it possible for the men involved to keep and to feel secure in their jobs.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. Nothing in this act shall be construed as prohibiting the delivery of such mails by helicopter or similar aircraft.

SEC. 3. There shall be appropriated such funds as are necessary for carrying out the provisions of this act.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: Page 2, line 12, strike out section 3.

Mr. HINSHAW. Mr. Chairman, section 3 reads as follows:

There shall be appropriated such funds as are necessary for carrying out the provisions of this act.

That is the first time that I have seen in legislation a mandate upon the Committee on Appropriations of the House or a mandate upon the House itself in respect of future legislation.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Kansas.

Mr. REES. We will accept the gentleman's amendment.

Mr. HINSHAW. I wish the gentleman would have accepted my previous amendment also, because the previous amendment was of as great value as this amendment is. But, I am very happy to have this amendment accepted. Naturally, the Post Office Department has full authority now to request appropriations, and the Committee on Appropriations has full power to recommend apppropriations to the Congress, and the Congress will continue to have full power to make or not to make appropriations.

I thank the gentleman from Kansas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HINSHAW].

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. This act shall become effective 90 days after enactment.

Mr. REES. Mr. Chairman, I ask unanimous consent that all Members who so desire may extend their remarks at this point in the RECORD

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HALLECK) having assumed the chair, Mr. MCGREGOR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles, pursuant to House Resolution 590, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BUCK) there were—ayes 123, noes 13.

So the bill was passed.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

## DISTRICT OF COLUMBIA CHARTER ACT

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 603 and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia

and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the District of Columbia, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. McMILLAN of South Carolina. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

Mr. ALLEN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72]

| | | |
|---|---|---|
| Abbitt | Gwinn, N. Y. | Meade, Ky. |
| Anderson, Calif. | Gwynne, Iowa | Miller, Calif. |
| Arends | Hand | Multer |
| Barden | Harless, Ariz. | Mundt |
| Bell | Hartley | Murray, Wis. |
| Bender | Hébert | Nixon |
| Boykin | Heffernan | Norton |
| Buchanan | Herter | O'Hara |
| Buckley | Heselton | O'Toole |
| Bulwinkle | Holifield | Owens |
| Carroll | Hope | Pace |
| Celler | Isacson | Pfeifer |
| Chadwick | Jackson, Wash. | Philbin |
| Clark | Jenison | Plumley |
| Clippinger | Johnson, Okla. | Poulson |
| Cole, Kans. | Johnson, Tex. | Price, Fla. |
| Corbett | Jones, N. C. | Robertson |
| Cotton | Kefauver | Scoblick |
| Cox | Keogh | Shafer |
| Cravens | Klein | Sheppard |
| Crosser | Kunkel | Short |
| Dawson, Ill. | Lane | Sikes |
| Delaney | Latham | Smith, Maine |
| Devitt | Lea | Somers |
| Dolliver | Lesinski | Spence |
| Donohue | Ludlow | Stigler |
| Durham | Lusk | Stratton |
| Elsaesser | Lynch | Taylor |
| Engle, Calif. | McDowell | Thomas, N. J. |
| Fellows | McGarvey | Wadsworth |
| Flannagan | Macy | West |
| Gallagher | Maloney | Whitaker |
| Gorski | Mansfield | Worley |
| Gossett | Marcantonio | |
| Grant, Ind. | Mathews | |

The SPEAKER pro tempore. On this roll call 319 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. BLOOM asked and was given permission to extend his remarks in the RECORD and include an editorial by Walter Winchell.

SPECIAL ORDER GRANTED

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISTRICT OF COLUMBIA CHARTER ACT

Mr. ALLEN of Illinois. Mr. Speaker, this resolution provides consideration for H. R. 6227, a bill to provide home rule and reorganization in the District of Columbia.

The members of the Rules Committee gave serious consideration to this bill for a period of more than a week. Some of the members of the committee—myself included—had doubts about the advisability of enacting this bill. Others had criticisms of particular provisions in the bill. One provision in the bill which was particularly criticized was that permitting dual voting privilege for certain persons residing in the District who are legal residents of another State. It was thought that this provision might create some difficult problems in the future. Another feature of this bill to which objection was made is that permitting the Joint Committee on the District of Columbia to be discharged from the consideration of a bill without requiring a discharge petition and the customary 218 signatures. It was pointed out that this provision would break a precedent of long standing in the House, and would institute a new discharge procedure.

In view of all of these objections to the bill which members of the Rules Committee had, many of you probably wonder why a rule has been granted providing for its consideration. The reason is that the Rules Committee felt that this bill deserved consideration by the House. The members of the Subcommittee on Home Rule have spent more than a year in study and research in drafting and redrafting this bill. It represents a monumental effort, and the members of the Home Rule Subcommittee deserve a great deal of credit for their diligence. The members of the Rules Committee did not think they should be denied their day in court.

Two hours of general debate on the bill is provided in this rule. In view of the pressure of other business before the House, the granting of more time for debate on this bill was deemed inadvisable. It is a long bill, and reading of it for amendment under the 55-minute rule may require a considerable amount of time. Every Member will have ample opportunity to express himself then.

As I have pointed out, this bill changes the rules of the House, a matter which is within the exclusive jurisdiction of the Rules Committee. Other provisions of the bill would ordinarily have been considered by various other committees. But these minor infringements upon the jurisdiction of other committees were necessary in order that the members of the Subcommittee on Home Rule could report a complete bill to the House. But each of these infringements might subject the bill to a point of order. Therefore, in order to permit consideration of this bill on its merits, points of order against the bill have been waived.

In view of the tremendous effort put into the writing of this bill by our colleagues on the Home Rule Subcommittee, I hope that every Member of this House—even those who expect to vote against the bill itself—will vote for the adoption of this rule, and give this bill the consideration it deserves.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Mississippi.

Mr. COLMER. As I understand the gentleman, the distinguished body known as the Committee on Rules had considerable difficulty, after several hearings on this bill, in deciding whether or not to bring it to the floor. In view of that, and the question that arises about the innovations in the bill, and so on, plus the fact that the bill alone contains 180 pages of printed matter, may I ask the gentleman if he thinks the House will in 2 hours' time, or 2 days' for that matter, be able to arrive at a proper conclusion upon this highly controversial matter? I am asking the gentleman as an experienced legislator. I have no desire to embarrass him. I am just asking the question.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Of course the answer to the gentleman from Mississippi is that ever since I have been in this House, some 16 years, there have been many bills, notably revenue bills, so complicated and containing so many abstruse formulas that it could never be said that the Members of the House understood them, yet they accepted them with a measure of faith. There is a year of study behind this bill, so the Committee on Rules was eminently justified in reporting it out and letting the House work its will thereon.

Mr. COLMER. If the gentleman will yield further, even with the usual splendid contribution the gentleman from Illinois has made to this colloquy, the fact still remains that the Committee on Rules did not have an opportunity in all of these hearings to go into the matter. There is still considerable debate in the Committee on the District of Columbia itself about the bill, and there is considerable confusion on the floor now, and will be more as this matter comes under consideration.

Mr. ALLEN of Illinois. May I say to the gentleman that I think the Committee on Rules did go into it adequately, and after so doing we thought it best to bring the bill to the floor. We thought the Members should have an opportunity to hear the debate, and that it should then be up to the Members to decide whether or not the bill would be passed.

Mr. COLMER. Of course the gentleman will agree with me I am sure, that in view of the fact that the Congress is in a drive to adjourn and has so many important matters to consider, one of the quick ways to dispose of this matter if the House sees fit to do so, is to vote down the rule.

Mr. ALLEN of Illinois. No; I am hopeful that the House will adopt the rule. I am sure that with the 2 hours of general debate everyone will have an opportunity to talk on it who desires to do so, and we will have a better understanding of the bill.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. The gentleman may have covered this point when I was out of the Chamber for a moment, but what is the reason for waiving all points of order against the bill?

Mr. DIRKSEN. If the gentleman will yield, I will cover that very fully—and I think the reasons were very persuasive—if the gentleman will just bear with me a little bit, as soon as I get time under the rule.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Illinois.

Mr. BUSBEY. Did the Committee on Rules vote this bill out unanimously?

Mr. ALLEN of Illinois. I do not remember just what the vote was, to be frank.

Mr. BUSBEY. Was the bill voted out of the Committee on the District of Columbia unanimously?

Mr. ALLEN of Illinois. I believe it was. I am not certain of that.

Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN of South Carolina. Mr. Speaker, I rise in opposition to this bill and in opposition to the rule. I regret very much that I find myself opposing my good friend the chairman of the District Committee. I know he is acting in good faith in trying in the House to do something for the District of Columbia, but I am as certain as I am standing here today that this so-called home rule bill we have before us will do nothing but create confusion here in Washington.

I am against this rule because practically every section in this bill would have been disposed of by points of order if we had not received a special rule from the Rules Committee.

I believe we could have disposed of the entire bill on the grounds that the bill was improperly placed before the House. However, since it is here, I am going to fight both the rule and the bill when it comes up for debate. I do not know who wants this bill. My good chairman has been sold a bill of goods. He believes in it, or I am certain he would not be fighting for it. I served on the subcommittee that considered this bill. At that time, the Board of Trade was against this bill. The Board of Trade is composed of the finest people in Washington. All 59 posts of the American Legion appeared against the bill. The Businessmen's Association of Washington appeared against the bill. Since this rule has been granted, I have received five petitions from the Businessmen's Association of Washington asking me to protest against the adoption of this rule and against the passage of the bill.

Now I know just about who wants this type of legislation in Washington, and I regret that they have been able to impress my good chairman, as he is usually on the right side of the fence, so far as I am concerned. But today I just cannot go along with him, and I do not believe that my good chairman of the subcommittee is as sold on this as the chairman of the full committee. But it seems that a certain crowd here in Washington would like to take over the reins of the Federal Government. We just cannot have a dual system of government here in Washington in my opinion. We tried it in 1871. In 3 years' time the Federal Government had to bail them out with a heavy debt. I cannot understand why we should want to jump into the same pool again. At the present time the Women's Voters League of Washington and the Central Southern Conference are the main sponsors of this bill. I do not know who composed these two organizations, but they are the main two who have been after me to support the legislation. I hope the House will vote down this rule. Certainly we need all the time we can get between now and June 18 if we are to get to some very important legislation and get it out of the way. There is certainly no special rush for this legislation, as the city of Washington in my opinion is getting along better than any city in the United States. Just last week we voted $18,000,000 to build a courthouse here in Washington, which is $5,000,000 more than the Supreme Court Building cost. I cannot even get a dime to put an extra post office box in my Post Office at home. Just a couple of weeks ago, we authorized an expenditure of $35,000,000 here for the erection of a medical center. The people in the city of Washington have never suffered a depression and they never will so long as the Federal Treasury is located here. We have a pay roll of approximately $500,000,000 a year in Washington, and it seems to me that that should make the people happy without their trying to take over the rest of the Federal Government.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Speaker, the bill, H. R. 6227, which this rule will make in order for debate is the product of hard work and concentrated effort. It is true that it is a pretty voluminous bill but it would be difficult to write one which included the charter for a city of 850,000 souls without covering a good many pages. However, this was a more difficult task because the problem was to revise and remodel a form of government which had been in operation for a number of years and which has grown up in a more or less haphazard manner. I feel convinced that the results of the efforts of the Subcommittee on Home Rule and Reorganization of the District Committee are on the whole splendid and merit the favorable consideration of the Congress.

In this brief time I would like to review the history of the subcommittee's work, but first of all I wish to pay my respects to the members of the subcommittee which was made up of six members, the gentleman from Pennsylvania [Mr. MCGARVEY], the gentleman from California [Mr. ALLEN], the gentleman from Washington [Mr. JONES], the gentleman from North Carolina [Mr. DEANE] the gentleman from Alabama [Mr. JONES], and the gentleman from South Carolina [Mr. MCMILLAN]. I should say in this connection, however, it is with a great deal of regret that the gentleman from South Carolina [Mr. MCMILLAN] did not attend any meetings of the subcommittee, although he was frequently asked to do so.

Mr. MCMILLAN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. AUCHINCLOSS. I yield briefly. I would like to finish my statement.

Mr. MCMILLAN of South Carolina. I know the gentleman did not intend to misrepresent the facts. I attended five of the subcommittee hearings.

Mr. AUCHINCLOSS. There was nothing personal in what I said. I just wanted to let the membership know who did the work on this committee and who did not.

These men worked long and hard and most unselfishly and applied themselves diligently to the many intricate and perplexing problems which were presented for solution. But this subcommittee's work could never have been as successful as it is if it had not been for the help of its staff—Dr. George B. Galloway and Mr. Clarence Pierce. Dr. Galloway is well known to Members of Congress because he served as staff director of the joint committee which brought out the Congressional Reorganization Act. He is considered an authority on municipal government and he brought to the deliberations of the subcommittee an experience and vision which produced an orderliness about our work which could not have been achieved without him. Mr. Pierce, who has had considerable experience in municipal problems, contributed the benefit of his studious and retentive mind, which was of inestimable value in working out the complicated and perplexing details of organization. These two men, together with an occasional stenographer, made up the subcommittee staff and we all worked together as a team, and it was a great experience for us all.

We approached our task at the outset with the resolve to learn just what the problem before us was and the staff was set to work to study the present set-up of the District government, with all its ramifications. The volume published by the Brookings Institution in 1929, written by Dr. Laurence F. Schmeckebier and Dr. W. F. Willoughby, was used as a textbook—especially the first chapter therein which set forth in detail the District government at that time. The study made by Dr. Galloway and Mr. Pierce involved not only the actual physical structure of the District government itself, but also its history and ramifications. After 5 or 6 weeks of intensive work they were ready to report, and with their report they submitted to the subcommittee a three-dimensional chart, now hanging in the House District Committee room, showing the municipal structure of the District government and its connections with the Federal Government.

When this was done the subcommittee met on two or three occasions to study

the report, and the chart was described to them by the staff, and thus a bird's-eye view was had of the entire problem. At the completion of this work the subcommittee divided itself into sub-subcommittees of not more than two members, to concentrate on different phases of our problem and residents of the city and people in the Federal Government, together with Members of Congress, were invited to appear and tesitfy on specific questions having to do with the various operations of the local government. These hearings began on June 30, 1947, and continued through the month of July, and were exhaustive in their consideration of all phases of the different problems which were presented. At that time 96 persons appeared before the subcommittee and the subcommittee received 16 communications from Members of Congress and others, presenting their views about the question under study.

At the completion of these hearings the staff was directed to prepare a report and during the summer months I had the privilege of working intimately with them in studying this interesting data which had been accumulated. To show that a good deal of time and labor was spent on drawing up this report, I would point out that six drafts were written before it took final form, which was issued on November 2, 1947. It was called a preliminary report and was released in an effort to secure the reactions and comments from individuals on the tentative recommendations made therein. At this time it was determined by the subcommittee that it would not attempt to reorganize the judicial or court system in the District. This decision was reached for two reasons: First, that it was questionable whether the committee had jurisdiction over the review of the judicial branch of the city government—that probably being the prerogative of the Judiciary Committee of the House; and, second, that the system in operation, on the whole, was working smoothly and satisfactorily. The subcommittee was very much impressed with the testimony given on this subject by Hon. Bolitha J. Laws, Chief Justice of the District Court of the United States for the District of Columbia, and Justice Harold M. Stephens, of the United States Court of Appeals for the District of Columbia.

In order to secure the best advice from as many as possible, the report was sent to about 300 different experts on local government throughout the United States, to 10 well-known lawyers on constitutional law, to the Governors of all the 48 States, and to all organizations, agencies, and individuals who could conceivably have any interest in the subject. It was received with great interest, and many constructive comments and suggestions were made. As a result of the information received, this preliminary report was rewritten, and some of the views therein were amended, and ultimately H. R. 4902 was introduced in the House on January 12, 1948, and at the same time an identical bill, S. 1968, was introduced in the Senate by the Honorable JOSEPH H. BALL, Senator from Minnesota. Joint hearings were arranged on these identical bills by the two subcommittees, and they were held for 8 days, beginning February 2, 1948, including three all-day sessions.

Eighty-two witnesses were heard of whom only 11 were generally opposed to the legislation. At the conclusion of these hearings the subcommittee of the House District Committee reviewed H. R. 4902 in detail and considered every suggestion for change which was made at the hearings. Some of these suggestions were adopted, and as a result it was decided to introduce a clean bill in the House for the consideration of the full District Committee. This is the bill which you now have under consideration, H. R. 6227. It was reported on April 15, 1948, by a vote of 6 to 1 by the subcommittee to the full committee, and after five meetings the full District Committee reported it to the House by a vote of 14 to 8 on May 6, 1948.

Too much credit cannot be given to legislative counsel in drafting this measure; at least five and sometimes as many as seven members of this staff worked on it unceasingly, and I believe it it safe to say that in its final form there has been no legislation considered by the House which has been given more expert attention than this bill. The subcommittee was particularly concerned about the constitutionality of the measure and sought the opinions of practicing constitutional lawyers in private life, in addition to the expert advice of legislative counsel. It also secured opinions from the Attorney General of the United States and legislative counsel of the Senate, and the parliamentary questions involved in this act have been carefully scrutinized by the experts of both the House and Senate.

Your committee believes that it is a sound piece of legislation, and we earnestly hope that this rule will be adopted without dissent and that the House will give favorable consideration to this important measure.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, we have before us, if this rule is adopted, 180 pages of proposed law. These 180 pages are not filled with policy statements or whereases or whereofs but 180 pages of hard law.

It is with some hesitancy that I make this statement to my colleagues, but I made it before the Rules Committee and I desire to repeat it here today. I know, of course, some reply will be made to it. With all due deference to the members of the District Committee, and I happen to be one of them, I do not believe there is a single member of the District Committee who knows too much about this bill or what it contains. When the members of the committee appeared before the Rules Committee for a rule, many questions were propounded by members of the Rules Committee. They would ask, "Mr. So-and-So, does this bill do this?" or "Does this bill do that?" And 50 percent of the time the members who were supposed to know something about the bill would turn to one of their colleagues and say, "I will let Mr. So-and-So answer that question." Or they would turn to a member of the committee staff and say, "I will let Mr. So-and-So answer that."

I respectfully submit to the Members of the House that you are about to consider 180 pages of law which the members of this committee do not know all about. It may be said that I am speaking for myself, and I confess I am, but I am also speaking for some other members whom I heard testify before the Rules Committee. I do not say that in criticism of anyone. I am just saying you have 180 pages of proposed law with which we are not too well acquainted. We have not had the time to consider such a tremendous bill.

This being true, I do not think we ought to adopt the rule and when we do come to vote it ought to be voted down.

We are just shadow boxing with home rule. There definitely is no such thing as home rule for the District of Columbia so long as the Constitution remains as is. It is absolutely impossible, with the Constitution written as it is today, to give the people of the District of Columbia the right to elect a member to represent them in this body who will have the power to vote, and he has got to have the power of vote before they have real home rule. It is absolutely impossible to give the people of the District of Columbia home rule until they have been accorded the privilege of sending electors to the electoral college or voting for President. You cannot do that with the Constitution as it is today. No one denies that. So what is this form of home rule that we have before us?

It sets up a 12-member city council for the District that will supplant the present 3 Commissioners. In other words, where they would have had 3 men doing all of the legislative work, they will under this 180 pages of law have 12.

Now, what ordinance-making powers will they have? They will not have any that are final and conclusive. A legislative proposal will be submitted to the city council, the city council may vote on it and pass it a hundred times, but still it would not be law. Oh, no, it would not be law.

Well, what would be required to make it law? It would be sent right back to the Congress of the United States where today that legislation must originate, to be dropped in the hopper here. It will then go right through the identical mill that it would have gone through had you never adopted the pending bill. Now, that is the kind of council they will have. It will be a council without authority, a straw-man council. On the other hand, it will be empowered to adopt certain legislative orders which would not require the sanction of the Congress, but the present Commissioners of the District of Columbia now have that particular authority.

Just how did this city happen to be here? This is the District of Columbia. It is not a State. How did it happen to be here? It was established here by the people of the United States. For what purpose? To set up a city government for someone? Why no. To establish a site of Federal Government, and here it was the purpose of the people of the United States to carry on their Govern-

ment and not that of someone else. If you were to move the Federal Government out of Washington, what would be left? Further, who does the Federal Government belong to? Does it belong to the people of the city of Washington, or does it belong to the people of the United States? The question answers itself. Now, since the people of the United States sent about 200,000 Federal workers to this city, what did they send them here for? They sent them here to run the Federal Government. They did not send them here for the purpose of setting up a government within a government and to have one to play with of their own. They sent them here to run the Government of the people in all of the States from Maine to California and from the Great Lakes to the Gulf, and they were not sent here for the purpose of voting for 12 straw men to constitute a city council who would have no authority whatsoever except to pass a resolution and send it up to the Congress in the hope that the Congress would pass it.

Another thing, this bill is too all-inclusive. It not only embodies a so-called form of home rule, but it entirely reorganizes the District government. It invades the jurisdiction of the Committee on Civil Service. It provides that all of the Federal employees in the District of Columbia shall be covered into the civil service, and if they run out of District jobs, then they can transfer to the Federal Government, irrespective of the quota law. It would thereby circumvent the quota law and shove some of your constituents out of the opportunity of remaining in Federal employment. That is unfair to my constituents and yours who seek Federal employment.

Another thing it does. It increases the contribution made by the Federal Government to the District of Columbia. That has been a hot issue for years. But, the people of the District of Columbia, that is, some of them, not only want you to turn the city government over to them, but they want you to keep sending the contributions down. They want to have their cake and eat it too. They cannot have both. They must take one or the other. If they want to run their own government, then they ought to be its sole support.

Furthermore, it materially amends the rules of the House and thereby invades the jurisdiction of the Committee on Rules. Had it not been for the rule waiving points of order, as the gentleman from South Carolina has stated, two-thirds of this bill would have gone out the window on a point of order. I don't have time to cover the many points involved. I trust you will vote down the rule.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, 5 minutes on a bill like this is a very limited time to try to explain my viewpoint, but I shall attempt only to tell you what I think are some of the important issues raised on this question.

First, I should like to pay tribute to the chairman of our committee [Mr. DIRKSEN], to the chairman of the subcommittee [Mr. AUCHINCLOSS], and all the members of that committee, for the untiring work they have put in on this problem for a year and a half now. They have done a magnificent job in calling to the attention of the Congress and the people of the United States the importance of an issue that means much fundamentally in our system of Government.

I regret to find myself in opposition to the majority members of the committee. I do so because I do not believe this bill will work. I regret to be in a position to say that I would deny, in fact I do not ever want to deny, the right of suffrage to any person regardless of where he or she may be, if they are citizens of the United States. But, Mr. Speaker, you have here a bill that will not work. I say so because it is not a home-rule bill, it is, as I said to the Committee on Rules, a dual-rule bill. It extends authority by this Congress to an elected council of the District of Columbia, which will legislate the affairs of the District of Columbia. Yet the Constitution states that that is the authority of the Congress of the United States. I say to you, it raises in my mind a serious question as to the constitutionality of delegating to an elected council in the District authority which says to the Congress of the United States what shall be the law and what shall not be law. That is what this bill would do. It would take from the Congress the authority to legislate except at such times as the Congress would come in and amend this bill.

We talk about the reorganization bill, what a fine bill it was, and perhaps so, but how many times has that bill been amended by acts of this Congress? Go back and look at the record.

What else will this bill do? I want to bring to your attention just a few of the impossible things that I see about this bill. You say it is a bill that extends home rule in the way of legislation on government affairs in the District. I say it cannot be done.

It provides a dual-voting provision. If you do not think that is going to pose some legal questions back home in your States and in every State in the Union you had better take it back to your district and study it a little longer.

What does this bill provide? It says you may vote for the city council if you have been in the District of Columbia as much as a year. In other words, as a Member of Congress, if you have been here in the District of Columbia as much as a year, you can walk down, qualify, and register and vote in the municipal election. You would have that authority under this bill. At the same time you go back home and under the bill you have the authority to vote as well. I say that the dual system raises a question here that is going to bring about untold numbers of lawsuits, especially where estates are involved, and you cannot get around it. It will not work, I tell you. We were admonished a long time ago about trying to serve two masters. We cannot do it here now with the District of Columbia. Why was that provision put in the bill?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HARRIS. Why was that provision put in the bill? For a very good reason. I wish time would permit me to say to you why it was put in the bill—to offset the very issue that has been with the Congress for the last several years. I say it is an important issue. Mr. Speaker, this rule should be voted down.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. HARRIS. First, I want to give the reason for putting it in, in the words of the staff. They have had a staff who have worked hard. I do not criticize them for it. They have given it a lot of study. But who wrote this bill? They talk about the fine work of Mr. Galloway and Mr. Pierce. They wrote the bill. We talked about why they are putting in this very controversial and doubtful provision. Here it is. It became such an issue in the committee among other things. Dr. Galloway writes this and says:

> The reason it should be in here was, first, that it would improve the composition of the District electorate by enfranchising 200,000 Federal employees who are actual residents here and who have an occupational acquaintance with public affairs and many of whom have a material stake in this community because they pay their taxes here.

All well and good—but what else? He continues:

> It would maximize the white element in the District electorate and so provide a double check along with city-wide elections against minority rule.

If you are going to have that issue come up on a question like this, and the proponents of the bill admit to you and to us that that is the reason, then I say that we are going to adopt precedents insofar as the Congress is concerned which will have repercussions throughout the United States. It is going a long, long way, and we should be very, very careful about it. I say this rule should be voted down and sent back to the committee for further study to give it the real chance that it should have.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, it is quite unfortunate that a matter of such magnitude and of such a controversial nature should have to come to the House at a time when we are in the throes of trying to get through with the necessary and essential work of the Congress so that we may adjourn. I am very much afraid that the Members are not going to stay on the floor enough and I am also very much afraid that you are not going to have time to consider this large piece of legislation with the care and thought that ought to be given to it, because it is indeed a matter of great importance.

I happen to be a member of both the Committee on the District of Columbia and of the Committee on Rules. I have given the bill considerable thought and study. I voted to report the bill out of the committee largely because of the stupendous amount of work that the subcommittee had put in this measure. They

have given it days and weeks and months of study and should be commended for their public spirit in doing the tremendous amount of work that they have done on it. For the same reason, as a member of the Committee on Rules, I voted to bring it to the floor of the House so that the House could determine whether we want to consider this matter at this time. In view of the rush of other matters, if the bill is taken up for consideration, I hope Members will stay on the floor and learn enough about the intricacies of this measure to vote upon it intelligently. There are going to be a thousand questions raised that have disturbed many of us. I do not have the time to discuss those questions. I am just going to mention a few of them in passing, to give you a sample of the questions you will have to decide in disposing of this bill.

As the bill comes to us today, it sets up the District of Columbia, the United States Capital, as a body corporate, and it authorizes it to sue and be sued. Now, I am wondering whether we want to put the Nation's Capital in the position where it can be sued as any other municipal corporation. That is a question for you to decide.

As the bill was presented by the subcommittee, there was no literacy test in the qualification of these voters. I offered an amendment and I offered a suggestion that people ought not to be permitted to vote to run this United States Capital for you unless they could at least read, write, and speak and understand the English language. By a divided vote that amendment was adopted. I hope it will remain in the bill if it is passed.

Mr. HARRIS. Mr. Speaker, will the gentleman yield on that point?

Mr. SMITH of Virginia. I yield.

Mr. HARRIS. The amendment that was adopted did not specify the English language, did it?

Mr. SMITH of Virginia. Well, I do not remember the exact terms of the amendment.

Mr. HARRIS. As I recall it, it says they must be able to read and write.

Mr. SMITH of Virginia. I have a number of things that I would like to call your attention to, but time will not permit.

One thing that worries me is this zoning provision. It sets up a Zoning Commission, and the Zoning Commission is prohibited from doing anything in conflict with the National Capital Park and Planning Commission. So if that be so, if the National Capital Park and Planning Commission says one thing and the Zoning Commission says something else, then the law provides that the proposition shall be sent to Capitol Hill, and you Members of Congress must be the referee as to whether the corner of this street shall be zoned commercial or industrial or residential.

There is a subject in the bill that provides that whenever the council proposes legislation and sends it up here to you, after it has lain in the joint committee for 15 days, any Member of this body may get up on the floor and, under a highly privileged motion, move to discharge the committee from further consideration of that bill and bring it to the floor immediately. Now, that is an innovation in our discharge rule. I mention that because there are many changes in the rules of the House which are so important that I hope this Congress is going to give very close and careful attention to the amendment of your rules, because those rules have borne the test of time for a great many years. I mention this discharge proposition just as an illustration, because every little ordinance that has to come to the Congress from the council could be taken up by a single motion of a single Member and forced to the floor, and keep you pretty busy deciding whether the town council was right or wrong in passing this ordinance or that ordinance.

There is a provision in the bill that where there is a conflict of authority between the Chief of Engineers, who has something to do with certain phases of your city here, and your city manager, as I read the language, the city manager becomes superior to the Chief of Engineers. That is a matter to which I think you should give very careful consideration.

This council is permitted to fix up the budget which they submit to the Congress, but if the Congress does not like it, it stands just the same. In other words, the city council, on the budget for the District, as I read the bill, is superior to your Congress in determining those things.

There are just so many of these things that I think need your attention that I hesitate to recommend to you that you consider this matter at this time when we are as busy as we are with national and international matters of great importance.

I do think that it is a matter that will require several days on the floor, because a lot of people are going to ask you a lot of questions about this bill.

The Federal contribution has been spoken of, and I will not go into that.

This matter of dual voting troubles all of us a lot. There is a good deal of merit on both sides of the dual-voting proposition. If you cut it out you cut out the votes of some of your best people in town—200,000 of them, it is said—who are good citizens but who cannot afford to keep their domicile here because it would endanger their positions.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER pro tempore. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 12 minutes.

Mr. DIRKSEN. Mr. Speaker, first let me admonish the membership that we are dealing with the rule at this time for consideration, and not for the moment with the substance.

First, why is the bill here? It is here because the Congress directed that it should come here. One day before Memorial Day in 1947, to be exact, on the 29th day of May 1947, this House approved House Resolution 195. That resolution authorized the study of home rule and reorganization for the District of Columbia. That resolution did something more, it not only authorized a study and an investigation, it directed a study and an investigation. The resolution that you approved on the 29th of May 1947 did something more. It directed the committee to report to the Congress in this session. It did something more—that resolution directed that we make the recommendations that we deemed advisable after that study. The bill that is before you is in pursuance of that resolution approved by the House; and would it not be a piece of sheer stupidity to throw $30,000 worth of work out of the window and to throw away 12 months of unselfish effort resulting from that action taken in May of 1947?

Nearly 200 witnesses appeared before the committee, and yet my good friend the gentleman from Mississippi [Mr. ABERNETHY]—and he is a diligent legislator and he talks to you in the utmost of good faith—says: "I want you to throw it out of the window before the jury has had the facts." He wants you to throw it out of the window before we have had a chance to present the case. That would be folly, that would be silly, that would be stupidity of the crassest order.

My good friend, the gentleman from Arkansas [Mr. HARRIS], for whom I have the greatest regard, because he is a good lawyer and he is a splendid legislator, comes and says, "Throw the case out of the window before the committee can present it to the jury."

What we are asking here is to give us an opportunity to present the case. We spent the people's money, and JIM AUCHINCLOSS and his subcommittee, including the gentleman from South Carolina [Mr. DEANE], have spent months and months unselfishly, in a great labor of love, that most Members of Congress will not undertake. Now, are you going to throw that work out of the window? Certainly not, because you would be recreant, I think, to your responsibility as Members of Congress if you did not give the committee a chance to make the case. Why did we ask for a waiver of the points of order? For this very good reason, and I address the answer particularly to my good friend from Missouri, Mr. COLE, who raised the question: There are so many small modifications of existing law that if we were to undertake to comply with the Ramseyer rule it would take a month and a half to complete the report and to show in brackets and italics the changes that were made. Time is running, as the gentleman from Virginia has so well said. I was a member of that special joint committee that brought the Legislative Reorganization Act of 1946 to this body. It is the act that increased your salaries, it is the act that gave you retirement pay, and if we had not then asked for the same kind of waiver, there would have been no act, there would have been no $2,500 increase in salaries, there would have been no retirement pay for Members of Congress, there would have been no easing of the legislative burdens by including

the Bridge Act and the Tort Claims Title and other matters.

We came in and said: "We ask you to waive points of order for the very good reason that it is impossible within the compass of time to comply." There is a slight modification in the Civil Service Act, which would go to the Civil Service Committee. There is an item that would have to go to the Judiciary Committee. There might have been an item that might have to go to the Rules Committee, because it deals with the rules. But this is an integrated piece of work. A hundred and eighty pages? Oh, yes. It had to be that long to do the job of reorganizing the District of Columbia from some 70 sporadic agencies that like Topsy just growed, and to give them a measure of home rule within the Constitution.

Mr. Speaker, the constitutional question has been raised. I am a lawyer, but, certainly, I do not think I would pit my constitutional judgment against the eminent John W. Davis, one-time candidate for the Presidency, or against Tom Clark, Attorney General, or against Mr. Beaman and all of the members of the Legislative Counsel, who have approved the constitutionality of this measure. So I prefer to follow them in my feeble constitutional judgment.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I would like to have the gentleman's opinion of the section which apparently is in conflict with section 8, article I, of the Constitution, part of which reads as follows: "to exercise exclusive legislation in all cases whatsoever over such District."

Mr. DIRKSEN. We have kept constitutional control and supervision in the Congress of the United States in every case. There is a pretty settled judgment that we have remained within the Constitution and given the District as much toward home rule as we constitutionally can. It is as much as many States have given to their municipalities.

Mr. Speaker, it has been said that this program will not work. That has been said before. Some time when you have a little time go up to the third floor and take another look at Howard Christy's painting The Signing of the Constitution. Look at that little accompanying chart and find figure No. 12. He is seated at a little table with a green tablecloth, just behind Benjamin Franklin. His name is Roger Sherman. He was the shoemaker from Connecticut who sat in the Constitutional Convention. While the deliberations were going on and after they had been completed it was Roger Sherman who said: "It won't work—it won't work." Long ago a signer of the Constitution said this great flexible, organic document, that has made it possible for this to be the greatest country on the face of the earth, would not work. That delegate with a dour face, sitting in the shadows, said it would not work. Thank God the people even then, one-hundred-and-fifty-eight-odd years ago, did not follow Roger Sherman.

We want to have a little democracy for our Nation's Capital if we can within the limits of the Constitution. Insofar as I know, Mr. Speaker, this is the only great capital in the world where people today do not have suffrage with respect to local matters. They had it for 75 years; then it was taken away in 1874. Why? Because the people were derelict? Oh, no. Because the chairman of the Board of Public Works, Mr. Sheppard, whose statue stands in front of the District Building, who was a presidential appointee, and who could not be reached by the ballot and by the people here, was derelict in his duty. Oh, it was not the people of the District of Columbia who failed in 1878 when the new charter was instituted and it went from a Territorial form to the present Commission form. No; indeed. I am confident that this integrated piece of legislation that represents 12 months of effort and $30,000 of expenditure, and that has the approval of the majority of the people of the District of Columbia, and by the Gallup poll taken on the fourth day of May of this year was approved by 77 percent, on the average, of all of the people, Democrats and Republicans, in all sections of the country, the North and the South, will pass. They said they ought to have a measure of home rule. I say to you in all good conscience, this is just one of the unfinished jobs of the Constitution. You know, it was that great expounder and interpreter, James Madison, who did so much to get the Constitution accepted, in his paper No. 43 in the bound copy of the Federalist, who commented upon this matter of the District of Columbia. He referred to it as intended to have a legislature for local purposes derived from their own suffrages. Yes; that is the way Mr. Madison interpreted the intention of the founding fathers and the framers of this great Government. So, it is an unfinished job that must be finished, unless we want to trample rather emptily on this thing called democracy. This is the only vulnerable thing in our armor today, and you can hear it over on the other side of the water. They say, "Why, the people within the shadow of the great dome of government are denied the right to vote, and before you attempt to extend democracy and suffrage and freedom, with all its implications, to the people in the other corners of the earth, perhaps you had better tidy your own house."

So, here is a bill reorganizing and streamlining and making efficient a sprawling labyrinthian local government and setting up a measure of home rule so that they can elect members of their own school board who preside over the destinies of the school system that their children attend, and select a city council that can enact ordinances and initiate legislation under which they must live here. The rest of it is mainly transition, mainly interpretive and some other substantive matters that we will discuss when the time comes to debate the bill.

But, are you going to throw this all out of the window before we have had an opportunity to present the case to the jury? Why, in the name of justice I could not imagine that kind of a situation. So, we ask your indulgence for 2 hours for general debate and give us a chance to read the bill under the 5-minute rule and explain it to you, and then you can work your will thereon.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired. All time has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. ALLEN of Illinois) there were—ayes 66, noes 73.

Mr. ALLEN of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 177, nays 147, not voting 107, as follows:

[Roll No. 73]

YEAS—177

| | | |
|---|---|---|
| Albert | Gore | Miller, Conn. |
| Allen, Calif. | Graham | Miller, Nebr. |
| Allen, Ill. | Granger | Mitchell |
| Andresen, August H. | Gross | Monroney |
| Andrews, N. Y. | Hale | Morgan |
| Angell | Hall, Edwin Arthur | Morton |
| Arnold | Hall, Leonard W. | Muhlenberg |
| Auchincloss | Halleck | Murdock |
| Bakewell | Harrison | Nixon |
| Bates, Mass. | Hays | O'Brien |
| Beall | Hoeven | O'Toole |
| Bender | Holmes | Patterson |
| Bennett, Mich. | Hope | Phillips, Calif. |
| Bennett, Mo. | Horan | Potter |
| Blackney | Huber | Potts |
| Blatnik | Hull | Poulson |
| Bloom | Javits | Powell |
| Boggs, Del. | Jenkins, Ohio | Price, Ill. |
| Boggs, La. | Johnson, Calif. | Ramey |
| Bolton | Jones, Wash. | Reed, Ill. |
| Bramblett | Jonkman | Rees |
| Brophy | Judd | Reeves |
| Brown, Ohio | Karsten, Mo. | Riehlman |
| Buchanan | Kean | Rockwell |
| Buck | Kearney | Rogers, Mass. |
| Buffett | Kearns | Rooney |
| Byrne, N. Y. | Keating | Ross |
| Canfield | Kee | Russell |
| Case, N. J. | Keefe | Sabath |
| Case, S. Dak. | Kelley | Sadlak |
| Chenoweth | Kennedy | Sadowski |
| Clason | Kersten, Wis. | St. George |
| Coffin | Kilburn | Sanborn |
| Cole, N. Y. | Kirwan | Sarbacher |
| Crawford | Knutson | Sasscer |
| Crosser | Lea | Scott, Hugh D., Jr. |
| Cunningham | LeCompte | Seely-Brown |
| Dague | LeFevre | Smathers |
| Davis, Wis. | Lemke | Spence |
| Dawson, Utah | Lesinski | Stanley |
| Deane | Lichtenwalter | Stefan |
| D'Ewart | Lodge | Stevenson |
| Dingell | Love | Sundstrom |
| Dirksen | Lynch | Talle |
| Dondero | McConnell | Tibbott |
| Douglas | McCormack | Tollefson |
| Engel, Mich. | McCulloch | Towe |
| Fallon | McDonough | Trimble |
| Feighan | McGarvey | Van Zandt |
| Fenton | McGregor | Vorys |
| Fletcher | McMahon | Vursell |
| Fogarty | McMillen, Ill. | Wadsworth |
| Foote | Mack | Walter |
| Fulton | Macy | Welch |
| Gamble | Madden | Wilson, Ind. |
| Gavin | Mansfield | Wolcott |
| Gearhart | Meade, Md. | Wolverton |
| Gillette | Merrow | Youngblood |
| Goodwin | Michener | |
| Gordon | | |

NAYS—147

| | | |
|---|---|---|
| Abernethy | Fuller | Norblad |
| Allen, La. | Garmatz | Norrell |
| Andersen, H. Carl | Gary | O'Konski |
| Andrews, Ala. | Gathings | Passman |
| Banta | Gillie | Patman |
| Barrett | Goff | Peden |
| Bates, Ky. | Gossett | Peterson |
| Battle | Grant, Ala. | Phillips, Tenn. |
| Beckworth | Gregory | Pickett |
| Bishop | Griffiths | Ploeser |
| Bonner | Hagen | Poage |
| Bradley | Hardy | Preston |
| Brehm | Harness, Ind. | Priest |
| Brooks | Harris | Rains |
| Brown, Ga. | Harvey | Rankin |
| Bryson | Havenner | Rayburn |
| Burke | Hedrick | Redden |
| Burleson | Hendricks | Reed, N. Y. |
| Busbey | Hess | Regan |
| Butler | Hobbs | Rich |
| Camp | Hoffman | Richards |
| Cannon | Jarman | Riley |
| Carson | Jennings | Rizley |
| Chapman | Jensen | Rogers, Fla. |
| Chelf | Johnson, Ill. | Rohrbough |
| Chiperfield | Johnson, Ind. | Schwabe, Mo. |
| Church | Jones, Ala. | Schwabe, Okla. |
| Clevenger | Kilday | Scott, Hardie |
| Cole, Mo. | King | Scrivner |
| Colmer | Landis | Simpson, Ill. |
| Cooley | Lanham | Smith, Kans. |
| Cooper | Larcade | Smith, Va. |
| Courtney | Lewis, Ohio | Smith, Wis. |
| Cravens | Lucas | Snyder |
| Curtis | Lyle | Stockman |
| Davis, Ga. | McCowen | Teague |
| Davis, Tenn. | McMillan, S. C. | Thompson |
| Domengeaux | MacKinnon | Twyman |
| Dorn | Mahon | Vail |
| Doughton | Manasco | Vinson |
| Eberharter | Martin, Iowa | Weichel |
| Elliott | Mason | Wheeler |
| Ellis | Meyer | Whitten |
| Ellsworth | Miller, Md. | Whittington |
| Elston | Mills | Williams |
| Evins | Morris | Wilson, Tex. |
| Fisher | Morrison | Winstead |
| Folger | Murray, Tenn. | Wood |
| Forand | Nicholson | |
| | Nodar | |

NOT VOTING—107

| | | |
|---|---|---|
| Abbitt | Grant, Ind. | Meade, Ky. |
| Anderson, Calif. | Gwinn, N. Y. | Miller, Calif. |
| Arends | Gwynne, Iowa | Multer |
| Barden | Hand | Mundt |
| Bell | Harless, Ariz. | Murray, Wis. |
| Bland | Hart | Norton |
| Boykin | Hartley | O'Hara |
| Buckley | Hébert | Owens |
| Bulwinkle | Heffernan | Pace |
| Byrnes, Wis. | Herter | Pfeifer |
| Carroll | Heselton | Philbin |
| Celler | Hill | Plumley |
| Chadwick | Hinshaw | Price, Fla. |
| Clark | Holifield | Rivers |
| Clippinger | Isacson | Robertson |
| Cole, Kans. | Jackson, Calif. | Scoblick |
| Combs | Jackson, Wash. | Shafer |
| Corbett | Jenison | Sheppard |
| Cotton | Jenkins, Pa. | Short |
| Coudert | Johnson, Okla. | Sikes |
| Cox | Johnson, Tex. | Simpson, Pa. |
| Crow | Jones, N. C. | Smith, Maine |
| Dawson, Ill. | Kefauver | Smith, Ohio |
| Delaney | Keogh | Somers |
| Devitt | Kerr | Stigler |
| Dolliver | Klein | Stratton |
| Donohue | Kunkel | Taber |
| Durham | Lane | Taylor |
| Eaton | Latham | Thomas, N. J. |
| Elsaesser | Lewis, Ky. | Thomas, Tex. |
| Engle, Calif. | Ludlow | West |
| Fellows | Lusk | Whitaker |
| Fernandez | McDowell | Wigglesworth |
| Flannagan | Maloney | Woodruff |
| Gallagher | Marcantonio | Worley |
| Gorski | Mathews | |

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Jenkins of Pennsylvania for, with Mr. Fellows against.

Mr. Heselton for, with Mr. Owens against.

Mr. Carroll for, with Mr. Pace against.

Mrs. Norton for, with Mr. Whitaker against.

Mr. Klein for, with Mr. Boykin against.

Mr. Crow for, with Mr. Cox against.

Mr. Hart for, with Mr. Worley against.

Mr. Harless of Arizona for, with Mr. Rivers against.

Mr. Jenison for, with Mr. Hébert against.

Mr. Devitt for, with Mr. Price of Florida against.

General pairs until further notice:

Mr. Arends with Mr. Keogh.

Mr. Anderson of California with Mr. Miller of California.

Mr. Eaton with Mr. Pfeifer.

Mr. Mathews with Mr. Dawson of Illinois.

Mr. Mundt with Mr. Delaney.

Mr. Woodruff with Mr. Gorski.

Mr. Wigglesworth with Mr. Multer.

Mrs. Smith of Maine with Mr. Sheppard.

Mr. Simpson of Pennsylvania with Mr. Donohue.

Mr. Cotton with Mr. Heffernan.

Mr. Cole of Kansas with Mr. Combs.

Mr. Grant of Indiana with Mr. Holifield.

Mr. Gwinn of New York with Mr. Lane.

Mr. Shafer with Mr. Philbin.

Mr. Hand with Mrs. Lusk.

Mr. Gwynne of Iowa with Mr. Sikes.

Mr. Byrnes of Wisconsin with Mr. Kefauver.

Mr. Corbett with Mr. Abbitt.

Mr. Coudert with Mr. Durham.

Mr. Dolliver with Mr. Fernandez.

Mr. Meade of Kentucky with Mr. Jackson of Washington.

Mr. Maloney with Mr. Buckley.

Mr. Kunkel with Mr. Bulwinkle.

Mr. Latham with Mr. Celler.

Mr. Elsaesser with Mr. Somers.

Mr. McDowell with Mr. Stigler.

Mr. Taber with Mr. Thomas of Texas.

Mr. Thomas of New Jersey with Mr. Johnson of Oklahoma.

Mr. Taylor with Mr. Barden.

The result of the vote was announced as above recorded.

The doors were opened.

FOREIGN-TRADE AGREEMENTS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 608, Rept. No. 2024), which was referred to the House Calendar and ordered to be printed:

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 6556) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

SOCIAL-SECURITY SYSTEM — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 676)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read, and referred to the Committee on Ways and Means and ordered to be printed:

*To the Congress of the United States:*

I wish to urge upon the Congress the necessity for action at this session to strengthen our system for the protection of our people from the hazards of economic insecurity. We must not let our concern with the pressing problems of postwar adjustment cause us to neglect the human needs of our people.

On several occasions during the past 3 years, I have recommended to the Congress the type of legislation which I believe should be enacted to strengthen our present social-security system. The Congress has not acted on these recommendations. Instead, it is considering legislation which would actually remove the protection of our social-security system from many persons now entitled to its benefits. I believe that instead of limiting coverage it should be expanded, and that a number of other improvements should be made.

I urge, therefore, that the Congress take early action on the following recommendations.

1. More adequate benefits under old-age and survivors insurance:

The benefits being paid under old-age and survivors insurance are seriously inadequate. They were adjusted last in 1939. Even then, the benefits in most cases replaced only a small part of the income that the worker or his survivors had lost because of his retirement or death. Earnings and the cost of living have risen sharply since that time and cannot be expected to return to prewar levels. Consequently, further adjustments in benefit rates are imperative.

People whose sole income is from social-security payments have just about reached the breaking point. Many of them are widows of workers who were insured under our social-insurance system, and others are parents in families receiving aid to dependent children. Many have retired on old-age insurance benefits; others are receiving old-age assistance. All of them face a desperate struggle in trying to procure bare necessities at present prices.

The present average payment for a retired worker is only about $25 a month, and is substantially less for dependents and survivors. If the insurance system is to prevent dependency upon public and private charity this amount is obviously far too low. I recommend that the Congress increase benefits by at least 50 percent.

I also recommend that women be made eligible for old-age benefits at 60 years, rather than the present 65 years. Wives are usually younger than their husbands. In most cases, therefore, an insured worker cannot retire at 65 because it will be some years before his wife becomes eligible for a wife's benefit, and both of

them cannot live on his benefit alone. Lowering the eligibility age is also important for women insured in their own right, for widows, and for mothers who depended on the earnings of a deceased insured worker.

The present law also works hardship by denying benefits to any person who earns $15 in any month. I recommend that this limit be raised to $40, so that the law will permit more older workers to supplement their benefits by part-time employment.

At the same time that these changes in benefits are made, I recommend that the limit on earnings taxable under the law be raised from $3,000 to $4,800, and that the date for increasing the tax rate from 1 percent to 1½ percent be moved forward from January 1, 1950, to January 1, 1949.

2. Extended coverage for old-age and survivors insurance:

The protection afforded by old-age and survivors benefits under our existing social-insurance program is unfairly and unnecessarily restricted. More than 20,000,000 persons at work in an average week are in jobs where they cannot earn any rights toward these benefits. People in these jobs are in at least as great need of insurance protection as those in jobs already covered. Many of them are in greater need because their earnings are low and uncertain or irregular.

These groups were originally excluded largely because of various special administrative problems. Simple procedures have now been worked out to collect contributions and pay benefits for these people without undue cost or administrative difficulty, and with little inconvenience to employers.

I strongly recommend that the protection of the Federal old-age and survivors insurance system be extended as rapidly as possible to the groups now excluded.

3. Extended coverage for unemployment insurance:

In the case of unemployment insurance, coverage is even more restricted than under old-age and survivors insurance. The principal difference is that under unemployment insurance employees of small firms (those firms employing less than eight persons) are not covered by the Federal law, whereas they are covered under old-age and survivors insurance.

Because of differences in the administrative problems under the two programs, it is more difficult to extend coverage under unemployment insurance. Nevertheless, we should extend coverage at this time to at least two important groups now excluded.

I recommend, therefore, that Federal legislation be amended to extend coverage to those persons who are now excluded merely because they are employed by small firms. These workers are already covered in many States, and I see no reason why they should not be covered in the others.

In addition, I recommend that legislation be enacted to provide unemployment compensation to persons employed by the Federal Government. It seems absurd that the Federal Government does not provide to its employees the same protection that private employers are required to furnish for their employees.

In unemployment insurance also, benefits should be more adequate, particularly for the unemployed person who has a family to support. Not all States have raised benefit amounts and extended duration to meet present conditions or to recognize the special needs of workers with dependents. I believe that all States should do so. In addition, the unduly harsh provisions of some State laws for disqualifying claimants should be eliminated.

4. Insurance against loss of earnings due to illness or disability:

I recommend that our social insurance system be broadened to include insurance against the loss of earnings due to temporary or extended disability.

Disability may have an even more serious effect on family income than old age or death. It may occur without warning in early or middle life when the worker has heavy responsibilities for family support and has had little time or chance to make individual savings. It usually involves medical costs as well as loss of wages.

On an average day sickness and disability keep out of the labor force three and a half to four million persons who otherwise would have been working or looking for work. Of these, more than a million and a half have been disabled for 6 months or longer.

Two States now provide insurance benefits against loss of income from temporary illness or disability. Other States are considering establishing such protection. I believe that the Federal Government should provide a strong financial inducement to all States to provide such insurance.

In the case of disability extending for 6 months or more, I recommend that insurance against loss of earnings be established in connection with the present old-age and survivors insurance program.

5. Improved public assistance for the needy.

All of the foregoing recommendations relate to measures to strengthen our contributory social-insurance system. Social insurance is a practical and tested means by which individuals can join together for self-protection. It does now, and should increasingly in the future, constitute our social-security system's first line of defense against want. Our constant aim should be to extend and improve this means for providing protection through mutual efforts by employers and employees, on a basis which emphasizes independence and self-reliance, rather than relief.

But we cannot neglect our second line of defense. Needy persons who are not yet protected adequately by insurance have to fall back on public assistance. And we may expect that there will be some who will continue to need public aid even after the desirable expansion in our social-insurance system becomes effective. We should therefore strive to make this assistance adequate throughout the United States.

The recent rise in living costs bears especially heavily on old people, fatherless children, and others who cannot earn and must depend on small fixed incomes or on savings. Many who can no longer make ends meet have been obliged to ask for public aid.

The aid now available to needy people is inadequate in many cases and in some areas of the country. This inadequacy stems in large part from three major deficiencies in the Federal Government's program for helping the States to finance public assistance.

The Social Security Act sets undesirably low maximum limits on the amount of the payment to an individual in which the Federal Government will share. The limits are even lower for aid to dependent children than for aid to the needy aged and the needy blind.

Even within the present maximum limits, the amount of the Federal grant to a State depends on the amount the State itself provides for the program. Where need is greatest, State resources are usually smallest. A needy person in a poor State therefore benefits less from Federal funds under the Social Security Act than a person in no greater need who happens to live in a rich State.

Moreover, Federal grants to States under the present act may be used only for three groups of the needy—the aged, the blind, and dependent children. Other persons in equal need do not share in these funds. Nor is there any provision under which the Federal Government shares with the States the costs of welfare services which avert or reduce the need for continued assistance.

I recommend that the act be amended to meet these deficiencies, first, by permitting the Federal Government to match more fully the higher payments which many States find necessary to meet the needs of recipients; second, by relating Federal grants more equitably to the financial resources and needs of each State; and, third, by providing Federal grants to help cover the cost of aid to persons not included in the present categories and the cost of essential welfare services which avert or reduce the need for assistance.

The measures I have recommended have had long and careful consideration, and I strongly urge their enactment without further relay.

It has long been recognized as an inescapable obligation of a democratic society to provide for every individual some measure of basic protection from hardship and want caused by factors beyond his control. In our own country, the obligation of the Federal Government in this respect has been recognized by the establishment of our social-security system.

Under this system, most of our people now enjoy some degree of protection against the insecurity resulting from old age or unemployment or the death of heads of families. But the protection that is given them is far from adequate, and there are other millions of our people who are excluded from such protection altogether.

It is especially important to strengthen our social-security system at this critical

time, when the false claim is constantly being made that democratic societies cannot protect their people from the economic and social uncertainties of modern civilization. We have studied with care and at great length the manner in which the system should be strengthened and we have the knowledge now to take many specific steps for that purpose. We should act upon that knowledge without further delay.

The passage of the Social Security Act in 1935 marked a great advance in our concept of the means by which our citizens, through their Government, can provide against common economic risks. Although this act is still under attack from some quarters, it is regarded by a vast majority of the American people as an essential and basic element of our democracy. A strong social-security system is recognized as an essential part of our national program to insure maximum levels of production and employment and to insure fair distribution of the output of our economy.

The original act was necessarily experimental in many respects, and was deliberately limited in its coverage and in the benefits provided until experience should permit its extension. In 1939, substantial amendments were made to improve the act on the basis of the experience gained by that time.

Since 1939 we have gained much further experience. Furthermore, extensive study has been given to the problem, both by the executive and legislative branches. From this experience and these studies has come a wide area of agreement concerning most of the steps needed to improve our Social Security System. Even where agreement has not been reached, the evidence and arguments have been so fully developed that nothing can be gained by further delay.

I wish to emphasize that, because of general economic conditions, this is a particularly opportune time for taking these steps. Now, when employment and earnings are at the highest levels on record, it is the most favorable time for our working people to earn protection against serious economic risks which face them and their families as a result of unemployment, disability, old age, and death. Moreover, the increased coverage and higher contribution rates which I have proposed will result in a greater excess of income over expenditures in the social insurance trust funds than is at present the case. Even when the expanded public-assistance program is taken into account, the net effect of my recommendations is still to increase substantially the excess of income over outgo. Such an excess of income over outgo is valuable to reduce present inflationary pressures and to store up purchasing power for future use.

The measures I have recommended will extend and broaden our social security system to provide protection to millions of our people now excluded and against risks now pressing heavily upon individual families. They will provide protection to our people more and more on an insurance basis, and reduce our reliance on relief and similar types of public aids. They will do much to prevent distress and to continue our progress toward the great goals of individual welfare and independence.

It would clearly be unfair to the millions of our people for whom we know how to provide better protection to delay longer these sound and practical measures.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 24, 1948.*

## EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include the amendment to the GI bill of rights, the Legion's so-called Homestead Act.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD.

## DISTRICT OF COLUMBIA CHARTER ACT

Mr. DIRKSEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia.

Mr. HARRIS. Mr. Speaker, may I make inquiry at this time as to what is planned with reference to this bill for the rest of the evening?

The SPEAKER pro tempore. The Chair will state that it is expected that general debate will continue for a while this evening and that the House will meet at 10 o'clock tomorrow morning to conclude debate and proceed with the reading of the bill.

Mr. CRAVENS. How long is it contemplated to go on tonight?

Mr. DIRKSEN. Probably three-quarters of an hour.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. DIRKSEN].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6227, with Mr. CURTIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DIRKSEN. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS.]

Mr. AUCHINCLOSS. Mr. Chairman, in my remarks during the debate on the rule I endeavored to outline briefly the study made by the subcommittee on this important subject and in the time now allotted to me I will endeavor to answer some of the objections to this bill which have been raised by its opponents during its consideration before the full District Committee as well as before the Rules Committee.

It was claimed that the city of Washington has the best form of government and was freer from waste and graft than any other government in the country. I am heartily in disagreement with these sentiments, although I may have some reservations about the question of dishonesty and graft. The government of no city in a democracy can possibly be efficient unless it is controlled by the people who live there and is responsible to them. Commissioners appointed by the President are not responsible to the people of the District and the people have no control over them. The form of government in the District of Columbia has been the subject of study many times and the conclusion reached on each occasion is that it is cumbersome, complicated and confused. I refer particularly to the following: The Bureau of Efficiency in its study covering a period of 12 years, 1921 to 1933 so reported; in 1928 to 1929 the Brookings Institution conducted a careful survey and published a book under the authorship of Dr. Laurence F. Schmeckebier and W. F. Willoughby with the same conclusion; the Economy Committee in 1934; the Citizens Efficiency Committee in 1937; the Jacobs committee in 1936; and, the Griffenhagen and Associates Report in 1939, all agreed that the District government was complicated and should be thoroughly overhauled and revised in the interest of efficiency.

Our subcommittee studied all these reports and with them as a background completed our own comprehensive survey of the situation and reached the same conclusion. The government of the District of Columbia is about as confused and as mixed up a conglomeration of bureaus and agencies as can be found anywhere. As far as graft and dishonesty are concerned neither I nor, as far as I know, the subcommittee have any opinion. We conducted no investigation along those lines because it had nothing to do with the subject assigned to us, but I do not believe there is any question in the mind of anyone, including the Commissioners, that there is room for great improvement in the organization of the District Government.

This bill transfers the powers that now rest in the District Commissioners to a District council of 12, which is elected by the vote of all eligible residents in the District of Columbia. The District council may initiate legislative proposals and if passed by the city council such proposals will not have the effect of law unless reviewed and passed by the Congress of the United States and signed by the President. It has been stated that in view of the fact that Congress will have to pass on these legislative matters as it does at present, the Members of Congress will receive little relief from the onerous duties which now are theirs. In this conclusion I heartily disagree. A great deal of time is spent today by members of the District of Columbia Committees of both Houses in holding hearings and in investigating matters having to do with the District of Columbia—many of them of little or no consequence. Under this proposed legislation all this review and research work will be done at the level of the city council and it will be the duty of the expert staff of the joint committee of Congress, provided for in this bill, to see that discussion is had on each proposal to be submitted to Congress. By this operation alone Members of Congress will be saved a great deal of time. Furthermore, criticism has been directed at the proposal that Congress shall pass its judgment on legislative proposals, received from the city council, by joint resolutions which would not permit any amendments. It is hard to understand the basis for this crit-

icism because this provision in the bill gives Congress an opportunity to say definitely yes or no without delay on any proposition that may come before it; and if the measure is not approved, then it would go back to the city council for whatever changes may seem desirable or necessary; in this way much time and effort would be saved. The bill provides, however, that any Member of Congress may introduce legislation on District matters the same as they may today, and therefore the right of Congress to express itself in matters of District concern can hardly be considered as being abridged.

I would like to make a few remarks about the matter of dual suffrage which has been loudly and strongly attacked by many people, and a great deal of misapprehension is the result. I am ready to admit that this is a novel proposition and that there might be a certain amount of hesitancy on the part of Members of Congress in accepting it. However, I submit that we are dealing with an unusual situation in the District of Columbia, and therefore if we are to secure the best results in an undertaking of this kind new methods must be considered and should be adopted if found in accordance with our American principles. In the first place, we must remember that this proposal is not mandatory; it is merely permissive. People may vote in the District for the City Council or not, as they see fit in accordance with what they consider their best interests. There is no "must" about it whatever; it is merely offering an opportunity to about 100,000 men and women employed in the Federal Government, who pay taxes here and many of whom own their own homes, to have a voice in their local government. There certainly can be nothing un-American about that.

The bill provides that in order to be eligible to vote for the local City Council an individual must be 21 years of age, sane, without criminal record, a citizen of the United States, and a resident of the District for at least 1 year. Before he can vote he must sign a statement under oath when he registers that he is all of the above, including whether he is a resident or is domiciled in the District. Now, there is a great differentiation between residents and domiciles. Residence means physically residing in a place of abode, while domiciled means the intent on the part of a person to make the District his permanent home and to have a permanent home in no other place.

The question has been raised as to the difficulty in determining a person's domicile in the matter of settlement of estates and in tax questions, but the best advice your committee could secure was that there could be no reasonable doubt about a person's residence or domicile when an affidavit is on file such as I have already described. It would be conclusive proof as to what the individual considered his domicile or his residence. In my opinion it is highly desirable to have these 100,000 people who come from every State in the Union given an opportunity to vote in the Capital City for the local city council if they so desire. These people represent a most highly educated and intelligent group and they would raise the standard of the electorate. I do not mean to suggest that the people of Washington are of a low intellectual order, because quite the opposite is true. The residents of the District are highly educated and they hold high positions of trust. In the District of Columbia 21 percent of the residents have attended some college, against 10 percent average elsewhere in the United States; 35 percent have a high-school education against 29 percent average elsewhere; 21.3 percent hold high positions as executives or are professionals, against 17.5 percent average elsewhere in the country; and, 45 percent hold white-collar jobs, compared to 24.3 percent average elsewhere. The city of Washington is not made up of "riffraff and rabble" as has been suggested, but is made up of a highly intelligent and educated class of patriotic American citizens. Furthermore, these 100,000 Federal workers, who claim their domicile elsewhere and who have lived here for a number of years, should have some measure of protection against exploitation by those who claim their domicile in the District of Columbia, and I am thinking of people who come from my district as well as people who come from the district of every other Member of Congress.

I would like to point out that residents would have only the privilege of voting for members of the city council and the board of education, while only those who are domiciled would have the right to vote for the Delegate in Congress. In that way no one could vote for two Members of Congress even if one of them were a nonvoting Member. I would point out further that no confusion about the voting would occur, because the election of the congressional Delegate would take place in the even-numbered years, while the election of the city council and the board of education would take place in the odd-numbered years. No one who is not domiciled in the District of Columbia could hold public office.

In studying this question the subcommittee went into it very thoroughly and examined the election laws of the States, as well as writing to Governors and attorneys general of all the 48 States. We found there was a precedent for dual suffrage right here in the neighboring State of Maryland, where local charter provisions are in force permitting local residents who are domiciled in other States to vote and hold office—which is more than this bill provides—but not permitting them to vote in State or National elections. It was explained that this is permitted because in the towns near Washington many Federal workers reside who do not wish to surrender their domiciles in another State, but Maryland, recognizing their intelligence and background, wants their participation in local government. The first mayor of Cheverly, Md., who held office for several years, was a State voter in Missouri, while the mayor of Brentwood, Md., claimed his domicile to be in Texas.

I have given the reasons which moved your committee to adopt this provision, and which, if adopted, will be for the best interests of the entire District of Columbia. Your committee heard from the authorities in 42 States on this subject, and in 32 cases the reply was that a person who voted for the local offices in the District of Columbia under the provisions of this act would not lose his voting rights in the State where he claimed domicile. Eight Governors, however, disagreed in this, and two of these eight stated that they would favor State legislation permitting such limited dual suffrage. Two States gave no definite opinion, and no reply was received from six. It is interesting to note that the 32 States who were favorable to this proposal represent approximately 76 percent of the entire population of the country.

Your committee adopted the 1-year rule for a resident because this is the length of residence which is required by nearly all the States in the Union. Nevertheless, criticism has been made that because of the 1-year rule it would open the opportunity for the importation of undesirables who would vote in elections. In my opinion this is a pretty far-fetched argument because first of all, 1 year is quite a period of time for a migrant to live in one place, and in the second place before a person can vote he must register and sign an affidavit about his year's residence, and if he signs this affidavit falsely he would be subject to prosecution for perjury. In addition to all this, a man to be elected to office must be voted on by all the voters in the District, and assuming that there would be 300,000 people who would vote in the District out of a population of 850,000, it is evident that there would have to be at least an importation of 150,000 people in order to swing an election. Hence my feeling that the argument is far-fetched. If fraud appeared in the District election and was permitted to go unpunished by the authorities, Congress would be interested and has the right to take whatever action might be proper under the circumstances.

The statement has been made that this plan would be an expensive experiment to the District and I regret that it is impossible to answer this question categorically. We did the best we could in studying the financial problem and in weighing the estimated comparative costs, and after considerable study my best guess is that the increased cost might be in the neighborhood of two to three hundred thousand dollars, which would represent the cost of holding an election. It is my belief, based on some practical experience in municipal government, that after the plan is in operation the operating cost of the city government would become less than it is today.

Now, there are two arguments which opponents to this measure make which are contradictory. One is that under this measure Congress loses control over the District affairs which they must retain under the Constitution of the United States, and in the same breath the opponents state that the bill does not give home rule to the District. Now, both of these statements cannot be true, because if the bill does not give home rule to the District, then the control must rest in Congress. All that is claimed is that this bill will give the right to the people in the District of Columbia to elect their own city council, which in turn will exercise

all the privileges and duties of government possible under the Constitution of the United States, which requires that Congress retain control over District affairs. It may be said in fairness that this bill is as much home rule as can be extended to the District of Columbia under the Constitution. It will bring the city of Washington under a form of government based on the American theory of Democracy, which provides that people who are taxed by their government shall have a voice in its operation.

I may say frankly, my colleagues, that that is the main reason that prompted me to devote so much time and study to this interesting problem. The United States of America today is the greatest Democracy on earth, but the Capitol of the greatest Democracy on earth is the only city in any nation which has ever claimed to be a Democracy where the residents do not have a voice in their own affairs. This measure will rectify that terrible mistake and I urge your enthusiastic support.

Mr. HARRIS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it had not been my intention to take any time on the bill this evening in view of the lateness of the hour. However, due to the legislative situation and the desire of the leadership to proceed insofar as we may do so without too much burden upon the Members, we want to utilize as much time as we can conveniently and objectively this evening. It will not be my purpose to have much to say about the bill in these 5 minutes, but I do wish to say something about some of the statements that have been made by the proponents of the bill.

In the first place, it has been stated a number of times that this measure was brought out of the Committee on the District of Columbia by a vote of 14 to 8. I think the RECORD should show clearly, Mr. Chairman, just what the situation was. The District Committee considered this matter in executive session for several days; as has been stated, I think 5 days. The matter was brought to a vote at a time when a bare majority of the members of the committee was present, and in view of the statements that have been made I think this statement should be in the RECORD that there were present when a vote was taken on this measure 7 who voted to report the bill and 5 who voted against it. One voted "present". There were 3 members who left their proxies to vote against the bill, and there were 7 members who left their proxies with the chairman of the committee to vote in favor of the bill. Then as the bill was reported out, there were present 7 members of the committee who voted for the bill and 5 who voted to not report it. The others, as they were talking about the division and the majority who voted this bill out of the committee, were not present and voting after the full discussion of it, but who left their proxies. I think that should be stated in view of the fact that something has been made of the question on how many committee members voted to report it and how many voted to not report it.

Now, I would like to make this statement. I think everyone will recognize that the board of trade of the District of Columbia is composed of the leading citizens of the District of Columbia. I do not want anyone to get the idea that I indicate by that others in the District of Columbia are not leading citizens, too, but it is a well-known and established fact, I think, that the board of trade of the District of Columbia is composed of many of the substantial and outstanding citizens of the District. The board of trade considered this matter over a long period of time. The very genial, very able, and very lovable chairman of this committee has had much to say about the great number of organizations that appeared before the committee, and how many witnesses appeared before the committee in favor of this bill, but I say to you that the members of the board of trade, who have as much interest in the District of Columbia as anybody, organization or groups, considered this matter for a long time and finally came to the conclusion that they did not believe this was the type of a bill to provide home rule that should pass the Congress. That is what that organization said.

My esteemed friend will say, "Sure, there are divisions in all organizations. There are divisions in the board of trade. Some said they were favorable to it and some said they were unfavorable to it." Because there were some who were favorable to it, I assume he would take the position that the board of trade should also be registered as in favor of it. If that is the case, why not take the five who were present at the District Committee that voted against it, and say that their opinion should prevail. Certainly a majority of any organization in this country should prevail.

I think Members of this House would do well to stop and ponder a long time before we adopt a measure like this, with as many questionable provisions as there are in this bill. I think it is a matter that deserves serious consideration. As I have said repeatedly, I do not ever want to be in a position to deny suffrage to a citizen of this country if he puts himself or herself in a position of being entitled to suffrage. I am not opposed to suffrage, the kind of suffrage that I think the people of the District could constitutionally and otherwise have and that they should have.

Mr. DIRKSEN. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. ALLEN].

Mr. ALLEN of California. Mr. Chairman, I wish to address myself to two phases of the bill in particular, that phase which involves the city manager form of government and that phase which concerns the system of elections which is proposed.

I want first to say a few words about the city manager plan of local government. I speak with some personal knowledge of this form of government, for there are 44 cities within the State of California which have it. Among them is my own home city of Oakland, with a population of something over 400,000, where the plan was adopted by charter in 1931 and where it has worked well ever since. The cities of San Diego, Long Beach, and Berkeley have also had the city manager plan for many years. We in California think that the manager plan is the best form of city government the United States has produced, and I believe it will work well in Washington.

It is rather interesting to note that the county of Alameda, in which my district lies, is now considering a merger plan of organization for the county. In the county there are the cities of Oakland, Berkeley, Alameda, and San Leandro, having a total population in the neighborhood of 800,000, in each of which the manager plan is being used. After the experience of those cities, in which about 90 percent of the population of the county resides, it is now being contemplated that the county itself might adopt the plan.

Under the manager plan there is a unification of powers in the city council but a separation of functions as between the council and the manager. The council formulates local policies and enacts them, the manager and the departments execute these policies.

The manager form of government is modeled upon the internal structure of the most successful private business corporations. It was first adopted in Staunton, Va., in 1908 and has now spread to more than 800 cities and towns in the United States. It is embodied in the model city charter of the National Municipal League.

It is interesting to note, Mr. Chairman, that the Father of our Country favored the manager plan in principle. In a letter to Benjamin Stoddert in 1792 George Washington said in part:

> It has always been my opinion, and still is so, that the administration of the affairs of the Federal city ought to be under the immediate direction of a judicious and skillful superintendent * * * one in whom is united knowledge of men and things, industry, integrity, impartiality, and firmness; and that this person should reside on the spot.

As we know him in California, the ctiy manager is a trained and experienced administrator whose role is that of business manager of the public corporation in which the governing board is the council and the electors are the stockholders. He is appointed by the council for an indefinite term on the basis of ability and is removable by council. He appoints all the department heads, supervises and disciplines employees, prepares the annual budget, attends meetings of council to make recommendations, give advice, answer questions, and meet criticism, and directs the entire city administration under the constant control of the council. He is taken as a rule from a field of business or the engineering profession.

Secondly, I wish to speak about the type and method of election provided for in this bill. The bill provides for nonpartisan elections with no party designation appearing on the ballots. Eighty-three percent of the council-manager cities in the United States have nonpartisan elections.

The separation of municipal elections from partisan politics seems to work well in city government and seems to give the electorate more direct control over its elected officials.

This bill also provides for the election of all the councilmen and school board members at large. The committee believes that it is better to elect councilmen at large rather than by wards because, under the at-large method, first, abler men are more likely to be chosen; second, ward boundaries are wiped out; third, gerrymandering becomes impossible; fourth, groups can put forward their best men no matter where they may live in the city; and, fifth, this is most important, election at large leads councilmen to stress general city-wide problems, both in the campaign and in office, rather than the special needs of little districts. Seventy-three percent of all the council-manager cities today employ the at-large method of election; 16 percent of them elect their councilmen by wards; and 11 percent use a combination of the two methods.

House Resolution 6227 provides for a three-member Board of Elections, appointed by the President in the first instance, to conduct the permanent registration of voters and nonpartisan elections. Under the bill the first election would be held on February 8, 1949. Thereafter, the councilmanic and school board elections would be held in November of the odd-numbered years. Elections for the Delegate in Congress and to fill vacancies would be held in November of the even-numbered years.

Qualified electors would have to be United States citizens, 21 years old or older, who have resided or been domiciled in the District of Columbia for 1 year, who are able to read and write English, are mentally competent, and have not been convicted of a felony.

Only persons domiciled in the District could run for office or vote for the Delegate.

Nomination would be by petition signed by 100 qualified electors. Candidates must deposit a filing fee amounting to $39 for candidates for council, $25 for candidates for the school board, and $125 for candidates for delegate.

Positions on the council would be numbered from 1 to 12; and on the school board from 1 to 8; and candidates will run for numbered positions. There will be primary and general elections. Any candidate who obtains a majority of all the votes cast for a particular position in the primary would be declared elected to it. If no candidate obtains a majority vote in the primary, the two top candidates for the position will compete in the final election.

Mr. Chairman, I sincerely hope that the House will approve of this bill upon which we have labored so hard and long.

Mr. DIRKSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. HALLECK having assumed the chair as Speaker pro tempore, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 6227, had come to no resolution thereon.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HESELTON (at the request of Mr. CASE of New Jersey), for 3 days, on account of illness.

To Mr. MURRAY of Wisconsin (at the request of Mr. HULL), for an indefinite time, on account of official business.

To Mr. DEVITT (at the request of Mr. KEATING), on account of illness.

To Mr. COTTON (at the request of Mr. PLUMLEY), for 1 week, on account of a death in his family.

### HOUR OF MEETING TOMORROW

Mr. LEONARD W. HALL. Mr. Speaker, I ask unanimous consent that when the House adjourn today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. HALL]?

There was no objection.

### EXTENSION OF REMARKS

Mr. MORRIS asked and was granted permission to extend his remarks in the RECORD and include a resolution by the American Pension Club No. 1 of Minneapolis, Minn.

Mr. GORE (at the request of Mr. HARRIS) was granted permission to extend his remarks in the RECORD and include two items.

### ADJOURNMENT

Mr. LEONARD W. HALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p. m.) under its previous order, the House adjourned until tomorrow, Tuesday, May 25, 1948, at 10 o'clock a. m.

---

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1578. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to authorize the Administrator of Veterans' Affairs to prescribe the rates of pay for certain positions at field installations; to the Committee on Veterans' Affairs.

1579. A letter from the Acting Secretary of the Navy, transmitting a report of proposed transfers of vessels to the city of Baltimore, Md., and to the Admiral Farragut Academy; to the Committee on Armed Services.

1580. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines; to the Committee on Armed Services.

1581. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $310,122,000 for the Veterans' Administration (H. Doc. No. 673); to the Committee on Appropriations and ordered to be printed.

1582. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $100,000 for the Department of Commerce (H. Doc. No. 674); to the Committee on Appropriations and ordered to be printed.

1583. A letter from Charles E. Bohlen, counselor, for the Secretary of State, transmitting a copy of a letter, dated February 10, 1948, from Mr. George Th. Bacopoulos, member of the Greek Chamber of Deputies for Athens and president of the board of a new Greek parliamentary group established for the promotion of Greek-American friendship, also a copy of a booklet describing a ceremony which took place on the occasion of the presentation to the Greek Parliament of a picture of the American Shrine of Democracy; to the Committee on Foreign Affairs.

1584. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1948 in the amount of $1,000,000 and proposed contract authorizations in the amount of $37,725,000 (H. Doc. No. 675); to the Committee on Appropriations and ordered to be printed.

---

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PRICE of Illinois. Joint Committee on Atomic Energy. H. R. 6402. A bill to provide for extension of the terms of office of the present members of the Atomic Energy Commission; without amendment (Rept. No. 1973, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois. Committee on Rules. H. Res. 605. Resolution providing for the consideration of H. R. 5645, a bill to assist States in collecting sales and use taxes on cigarettes; without amendment (Rept. No. 2006). Referred to the House Calendar.

Mr. REES. Committee on Post Office and Civil Service. H. R. 5189. A bill to provide for a research and development program in the Post Office Department; with an amendment (Rept. No. 2007). Referred to the Committee on the Whole House on the State of the Union.

Mr. BULWINKLE. Committee on Interstate and Foreign Commerce. H. R. 3934. A bill to amend the Public Health Service Act with respect to venereal disease rapid treatment centers, and for other purposes; without amendment (Rept. No. 2008). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEARHART. Committee on Ways and Means. H. R. 6556. A bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; without amendment (Rept. No. 2009). Referred to the Committee of the Whole House on the State of the Union.

Mr. JENNINGS. Committee on the Judiciary. H. R. 4531. A bill for the relief of the city and county of San Francisco; without amendment (Rept. No. 2018). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE. Committee on Agriculture. H. R. 1043. A bill authorizing additional research and investigation into problems and methods relating to the eradication of cattle grubs, and for other purposes; without amendment (Rept. No. 2020). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE. Committee on Agriculture. H. Res. 452. Resolution to request the Secretary of Agriculture to take action to prevent damage to valuable crops as a result of the use of the weed killer known as "2,4–D"; without amendment (Rept. No. 2021). Referred to the House Calendar.

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 6659. A bill to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; without amendment (Rept. No. 2022). Referred to the

Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 5111. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to change the base period for determination of parity for Maryland tobacco from August 1919 to July 1929 to the period from January 1936 to December 1945; with amendments (Rept. No. 2023). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 608. Resolution providing for the consideration of H. R. 6556, a bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; without amendment (Rept. No. 2024). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. H. R. 2142. A bill for the relief of Eleanor P. Simmonds; with an amendment (Rept. No. 2012). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2551. A bill for the relief of William R. Ramsey; with an amendment (Rept. No. 2013). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2552. A bill for the relief of Thomas A. Hanley; with amendments (Rept. No. 2014). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4261. A bill to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska; without amendment (Rept. No. 2015). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4298. A bill for the relief of Henry Hill; without amendment (Rept. No. 2016). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4516. A bill for the relief of the Moore Dry Dock Co., of Oakland, Calif.; with amendments (Rept. No. 2017). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 5169. A bill for the relief of Mrs. Harriett Patterson Rogers; without amendment (Rept. No. 2019). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows.

By Mr. TOLLEFSON:

H. R. 6647. A bill to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on Education and Labor.

By Mr. ANDREWS of New York:

H. R. 6648. A bill to change the titles of the Secretaries of the Army, Navy, and Air Force to Under Secretaries of Defense for the Army, Navy, and Air Force, respectively, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. BARRETT:

H. R. 6649. A bill to grant certain interests in mineral rights, including oil and gas rights, to persons who have acquired or hereafter acquire land pursuant to homestead entry; to the Committee on Public Lands.

By Mr. BLATNIK:

H. R. 6650. A bill to authorize the Secretary of Agriculture to convey and exchange certain lands and improvements in Grand Rapids, Minn., for lands in the State of Minnesota, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 6651. A bill to withhold from Great Britain any assistance under the Foreign Assistance Act of 1948; to the Committee on Foreign Affairs.

By Mr. FELLOWS:

H. R. 6652. A bill to amend the act of June 11, 1946, as amended; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. R. 6653. A bill to amend the Public Health Service Act to improve the leprosy situation in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMEY:

H. R. 6654. A bill to grant retirement with pay to certain disabled emergency officers of World War I; to the Committee on Veterans' Affairs.

By Mr. HENDRICKS:

H. R. 6655. A bill to provide for the advancement of one grade on the retired list of certain officers who were decorated and recommended for promotion during World War II but who have not attained the rank to which recommended; to the Committee on Armed Services.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 6656. A bill to authorize the Administrator of Veterans' Affairs to prescribe the rates of pay for certain positions at field installations; to the Committee on Veterans' Affairs.

By Mr. CASE of New Jersey:

H. R. 6657. A bill to amend section 77 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. MURDOCK:

H. R. 6658. A bill to authorize the reimbursement of the reclamation fund for the cost of the construction and certain costs of operation and maintenance of the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California; to the Committee on Public Lands.

By Mr. WOLCOTT:

H. R. 6659. A bill to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; to the Committee on Banking and Currency.

By Mr. D'EWART:

H. R. 6660. A bill to improve conditions among the Navajo Indians; to the Committee on Public Lands.

H. R. 6661. A bill declaring certain Crow Indians to be competent members of the Crow Tribe; to the Committee on Public Lands.

H. R. 6662. A bill to authorize the sale of certain allotted inherited land on the Flathead Indian Reservation, Mont.; to the Committee on Public Lands.

By Mr. HINSHAW:

H. R. 6663. A bill to provide for a new post office at North Hollywood, Calif.; to the Committee on Public Works.

H. R. 6664. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Tujunga, Calif.; to the Committee on Public Works.

H. R. 6665. A bill to provide for the alteration, extension, and remodeling of the post-office building in Pasadena, Calif.; to the Committee on Public Works.

H. R. 6666. A bill to provide for the improvement of post-office facilities at Van Nuys, Calif.; to the Committee on Public Works.

H. R. 6667. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Verdugo City, Calif.; to the Committee on Public Works.

H. R. 6668. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Sepulveda, Calif.; to the Committee on Public Works.

H. R. 6669. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Sierra Madre, Calif.; to the Committee on Public Works.

H. R. 6670. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Sunland, Calif.; to the Committee on Public Works.

H. R. 6671. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Tarzana, Calif.; to the Committee on Public Works.

H. R. 6672. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Montrose, Calif.; to the Committee on Public Works.

H. R. 6673. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Pacoima, Calif.; to the Committee on Public Works.

H. R. 6674. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Reseda, Calif.; to the Committee on Public Works.

H. R. 6675. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Roscoe, Calif.; to the Committee on Public Works.

H. R. 6676. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Altadena, Calif; to the Committee on Public Works.

H. R. 6677. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at La Canada, Calif.; to the Committee on Public Works.

H. R. 6678. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at La Crescenta, Calif.; to the Committee on Public Works.

H. R. 6679. A bill to provide for the acquisition of a site and for the construction of a suitable building thereon for the use and accommodation of the United States post office at Encino, Calif.; to the Committee on Public Works.

By Mr. SADLAK:

H. R. 6680. A bill to authorize the incorporation of the Polish Legion of American

Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. R. 6681. A bill to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. JENNINGS:

H. R. 6682. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. ENGLE of California:

H. R. 6683. A bill to amend the act of May 18, 1928, as amended (45 Stat. 602), to revise the roll of the Indians of California and to provide for a per capita payment; to the Committee on Public Lands.

By Mr. JENNINGS:

H. Res. 606. Resolution referring the bill H. R. 1171 to the Court of Claims; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. Res. 607. Resolution providing for the consideration of H. R. 6448; to the Committee on Rules.

By Mrs. BOLTON:

H. Res. 609. Resolution authorizing a reprint of supplement III (A) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs entitled "The Strategy and Tactics of World Communism—Country Studies, A. The Coup d'Etat in Prague"; to the Committee on House Administration.

H. Res. 610. Resolution authorizing a reprint of supplement III (B) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism—Country Studies, B. Communism in the Near East"; to the Committee on House Administration.

H. Res. 611. Resolution authorizing a reprint of supplement IV of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism—Five Hundred Leading Communists (in the Eastern Hemisphere, Excluding the U. S. S. R.)"; to the Committee on House Administration.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislative Assembly of the Virgin Islands, memorializing the President and the Congress of the United States relative to establishing and promoting a social insurance program for the islands; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 6684. A bill conferring jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of the McCullough Coal Corp. against the United States; to the Committee on the Judiciary.

By Mr. BUFFETT:

H. R. 6685. A bill for the relief of John and Lillie Schneider; to the Committee on the Judiciary.

By Mr. BYRNE of New York:

H. R. 6686. A bill for the relief of the estate of James B. Stirling, deceased; to the Committee on the Judiciary.

By Mr. DEANE:

H. R. 6687. A bill for the relief of Marie E. Wright; to the Committee on the Judiciary.

By Mr. KENNEDY:

H. R. 6688. A bill for the relief of Frances L. Marshall; to the Committee on the Judiciary.

By Mr. PHILLIPS of Tennessee:

H. R. 6689. A bill for the relief of Arthur Holbert; Ernest L. Gass and the estate of James L. Thomas, deceased; to the Committee on the Judiciary.

By Mr. RAMEY (by request):

H. R. 6690. A bill for the relief of Graphic Arts Corp. of Ohio, Toledo, Ohio; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 6691. A bill for the relief of Anita Bloom; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1984. By Mr. DIRKSEN: Petitions of Peoria Post No. 2, Inc., the American Legion, Peoria, Ill., in support of H. R. 4482; to the Committee on Un-American Activities.

1985. By Mr. PLUMLEY: Resolution of Putney Grange, No. 502, Putney, Vt., favoring legislation to permit admission to the United States of certain displaced persons in Europe who are trained professionally or skilled workers who could be self-supporting in this country; to the Committee on the Judiciary.

1986. By Mr. McGREGOR: Petition of the citizens of Mount Vernon, Ohio, urging passage of legislation that will again permit nonsectarian religious training on a voluntary basis in our public schools; to the Committee on Education and Labor.

1987. By Mr. REED of Illinois: Petition of W. Harvel Tracy and 42 residents of Elgin, Ill., urging favorable consideration of H. R. 5213; to the Committee on Veterans' Affairs.

1988. By the SPEAKER: Petition of Mariam Harkness and others, urging consideration of their resolution with reference to the defeat of the universal military training bill; to the Committee on Armed Services.

1989. Also, petition of the Buncombe County Republican Club, Asheville, N. C., urging consideration of their resolution with reference to endorsement of a substantial increase in salary for postal workers; to the Committee on Post Office and Civil Service.

1990. Also, petition of Pauline Smith, of Fall River, Mass., and others, urging consideration of their resolution with reference to endorsement of House bill 3825, to repeal the excise tax on toilet preparations; to the Committee on Ways and Means.

1991. Also, petition of Rosaland Golembe and others, urging consideration of their resolution with reference to endorsement of the Taft-Ellender-Wagner housing bill; to the Committee on Banking and Currency.

1992. Also, petition of Edmond C. Fletcher, urging consideration of the resolution with reference to impeachment of the Honorable Alfred D. Barksdale, judge of the District Court of the United States for the Western District of Virginia, for gross misbehavior in office; to the Committee on the Judiciary.

1993. Also, petition of John Zubon and others, urging consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1994. Also, petition of A. H. Hammond, Sarasota, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

1995. Also, petition of J. Bennan, Miami, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

1996. Also, petition of Eugene Hiens, Miami, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

1997. Also, petition of Miss Annie E. McElroy, Miami, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

1998. Also petition of W. A. Bloom, Tampa, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

1999. Also, petition of W. D. Hulme, Sarasota, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2000. Also, petition of Raymond A. Nadean and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2001. Also, petition of L. C. Pixley and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2002. Also, petition of Miss Katie H. Kerce and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2003. Also, petition of Mrs. W. A. Naumann, Orlando, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2004. Also, petition of Mrs. Albina Bibeau, St. Petersburg, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2005. Also, petition of Miss Faith B. Barbere, Orlando, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2006. Also, petition of O. C. Baker, Miami, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

2007. Also, petition of C. F. Bloodworth, Miami, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

# SENATE

## TUESDAY, MAY 25, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father, sometimes we are discouraged and disappointed in the Government of this Nation, and the common people of other lands, hungry for peace, cannot understand the difference between what we say and what we do.

We have an uneasy feeling that we have not been right or consistent and have risked the peace of the world for lesser gains at home. Only if Thy Spirit guide our spokesmen and shape our policies can this Nation regain the respect of

the world and merit Thy blessing. Winning peace in the world must become more important than winning votes in America.

God, direct our Senators to do what is right for Jesus' sake and the sake of peace and good conscience. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of Monday, May 24, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on today, May 25, 1948, the President had approved and signed the following act:

S. 2287. An act to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles, in which it requested the concurrence of the Senate.

NOTICE OF HEARING ON NOMINATION OF EDWARD A. TOWSE TO BE SECOND JUDGE OF THE FIRST CIRCUIT, CIRCUIT COURTS OF HAWAII

Mr. WILEY. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Wednesday, June 2, 1948, at 10 a. m., in the Senate Judiciary Committee room, room 424, Senate Office Building, upon the nomination of Edward A. Towse, of Hawaii, to be second judge of the First Circuit, Circuit Courts of Hawaii, vice Hon. Albert M. Cristy, elevated. At the indicated time and place, all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from North Dakota [Mr. LANGER], chairman, the Senator from Oklahoma [Mr. MOORE], and the Senator from Mississippi [Mr. EASTLAND].

PROTECTION OF THE UNITED STATES AGAINST UN-AMERICAN AND SUBVERSIVE ACTIVITIES—NOTICE OF HEARING

Mr. WILEY. Mr. President, on behalf of the Committee on the Judiciary, I give notice that a public hearing on House bill 5852 has been scheduled for 9 o'clock a. m., Thursday, May 27, 1948, for the proponents, 9 o'clock a. m., Friday, May 28, and 9 o'clock a. m., Saturday, May 29, for the opponents of the bill. It is a bill to protect the United States against un-American and subversive activities. The hearing will be in the room of the Senate Committee on the Judiciary, room 424, Senate Office Building. At the designated times, persons interested in the bill may make such representations as may be pertinent. I suggest that there is a rule that those who mean to testify might well have their statements in writing and filed with the committee.

Mr. HATCH. Mr. President, is the bill to which the Senator has just referred the House bill called the "Mundt bill"?

Mr. WILEY. It is. It is the so-called Mundt-Nixon bill.

HEARING ON NOMINATION OF CHARLES F. BRANNAN TO BE SECRETARY OF AGRICULTURE

Mr. THYE. I ask unanimous consent to have it shown in the RECORD that the Senate Committee on Agriculture and Forestry will hold a meeting Thursday morning, May 27, at 10 o'clock a. m., for the purpose of discussing approval of the nomination of Charles Franklin Brannan to be Secretary of Agriculture.

ONE HUNDREDTH ANNIVERSARY OF ADMISSION OF WISCONSIN INTO THE UNION

Mr. WILEY. Mr. President, on Saturday, May 29, my State of Wisconsin will celebrate the one hundredth anniversary of its admission into the Union as our thirtieth State. Celebrations will be occurring throughout the Badger State, principally, of course, in the State capitol at Madison, as well as in Milwaukee and all the other cities, towns, and hamlets, large and small, as the people of Wisconsin commemorate 100 years of progress and pioneering.

In that connection, Mr. President, the Library of Congress has made splendid arrangements for the opening of a gala exhibit on May 29 at 3 p. m. That afternoon it will be my pleasure to open the celebration in Coolidge Auditorium with an address on Wisconsin history. The Library has invited all Members of Congress to that occasion and to the exhibit, and I add my own warm invitation, in addition to inviting all folks from Wisconsin who are located in or around Washington.

Mr. President, at this time I ask unanimous consent that there be printed in the RECORD following my remarks a press release sent out by the information office of the Library of Congress describing the exhibits which the Library will make available beginning next Saturday.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

[The Library of Congress, Washington, D. C., Information Office, No. 489]

ADDRESS BY SENATOR WILEY TO OPEN LIBRARY OF CONGRESS EXHIBITION IN OBSERVANCE OF THE ONE HUNDREDTH ANNIVERSARY OF WISCONSIN'S STATEHOOD

An exhibition to commemorate the one hundredth anniversary of the admission of the State of Wisconsin into the Union will open in the Library of Congress on Saturday, May 29. In accordance with the custom for State exhibitions at the Library, the Wisconsin Centennial Exhibition will be opened to the public by a ceremony in the Coolidge Auditorium at 3 p. m. on the day of opening. At that time, the Honorable ALEXANDER WILEY, Senator from Wisconsin, will deliver an historical address tracing the development of the State.

The Wisconsin Centennial Exhibition will be the seventh in a series of State exhibitions at the Library of Congress. The National Archives, the National Gallery of Art and the United States Forest Service have collaborated in its preparation. Following the general arrangement of previous exhibitions, the display will be presented in two sections—historical and photographic. Both will be located in the exhibition galleries on the first floor of the main building, surrounding the grand stairways, and in front of the entrance to the main reading room. The exhibition will remain on view until August 23.

During the opening week of the exhibition, May 29 to June 4, the Library's "Exhibit-of-the-week" will feature a booklet which helped greatly to popularize Wisconsin's nickname, "the Badger State." This is Josiah Bushnell Grinnell's The Home of the Badgers, or a Sketch of the Early History of Wisconsin, published at Milwaukee in 1845. Grinnell (1821–91), who wrote this booklet under the pseudonym "Oculus" (the eye), was a Congregational minister, born in Vermont and educated in New York State. He became interested in the Territory of Wisconsin while travelling there in 1844, as an agent of the American Tract Society. Ten years later he went to Iowa, where he helped to found the town of Grinnell and Grinnell College.

The booklet was based largely upon information gleaned from personal relations with the hospitable pioneers of Wisconsin. Its vivid description did much to aid the rapid settlement of the Badger State. In adopting the name, "Badger," Grinnell was using a long familiar term applied to some of the lead miners of southwestern Wisconsin, who used to spend the winter in caves which they dug in the hillsides, like the badger, a burrowing animal of the region.

Grouped around the exhibit of the week, near the entrance to the main reading room, will be a collection of 84 photographs, presenting a review of Wisconsin's architecture, scenery, recreational areas, forest products, agriculture, and agriculture education, dairying, manufacturing and mining industries, and war production. These photographs have been selected from the collections of the United States Forest Service and from the Library's collections of negatives made for the Historic American Buildings Survey, the Farm Security Administration, and the Office of War Information.

In these photographs one may see the deep forests, lakes, and rich rolling farm country of Wisconsin; people enjoying the fishing, hunting, ski trails and toboggan slides of her parks; the growth of her architecture, from the log cabin of the fur trapper and pioneer farmer, to the modern buildings designed by her own architectural genius, Frank Lloyd Wright; and the multiple products of her farms, canneries, dairies, forests, iron mines, and factories. The photographs of agriculture and industry have been chosen and arranged to illustrate the healthy economic balance which Wisconsin has attained, and some of her contributions to the Nation's defense preparations in the Second World War.

Following the close of the exhibition in the Library, on August 23, the photographic section will be sent on tour to institutions in Wisconsin.

The historical portion of the exhibition will consist of some 230 items displayed in 22 cases, arranged in the exhibition halls in front of and surrounding the grand stairways, on the first floor. It will begin with a case displaying the original engrossed Act of Congress, admitting Wisconsin to the Union as a State, signed May 29, 1848, by President James K. Polk. This has been loaned to the Library of Congress for the occasion, by the National Archives.

The succeeding cases will contain prints, portraits, maps, rare books, manuscripts, music, and water colors from the Index of American Design, loaned to the Library by the National Gallery of Art. These have been selected to symbolize the State in pictorial review; the history of its chief Indian tribes; the adventures of the explorers, fur traders and missionaries; the creation of the Territory of Wisconsin, 1836–48; the building of a new State, 1848–65; the coming of the various groups of pioneers from the older States and from Europe; portraits and brief biographical sketches of some of Wisconsin's leaders; and the history of education and literature.

The introductory panels will briefly introduce the chief topics of the exhibition, and summarize Wisconsin's history in a pictorial map, prepared under the auspices of the State's own scholars. Another fine, contemporary map will show the Michigan and Wisconsin Territories in 1836, when the latter was about to be created by Congress. A series of views will present some of the principal cities, as they emerged from the pioneer period into the life of modern Wisconsin as a center of industry, commerce, political leadership, and learning. Some of these were lithographed in Milwaukee. Original, signed copies of prints by Wisconsin artists, and a sample of pioneer art, will symbolize the people's home arts and crafts, and suggest the State's leadership in realizing the abundant riches in the natural resources of its earth and waters.

When Jean Nicolet, the first French explorer of Wisconsin, reached Green Bay in 1634, he was met not by the Orientals he expected, but by the Winnebago Indians. With them, he made the first of a long series of treaties with the white man. Some of the Wisconsin Indian treaties will appear in the exhibition. As the advancing white traders and settlers demanded more room, the Indian had to leave Wisconsin or be content with mere remnants of his vast hunting grounds. That the retreat was not always peaceful is shown by documents illustrating Wisconsin's Black Hawk War of 1832. Portraits by American artists will show the leaders of the Chippewas, Sauks and Foxes, Winnebagoes and Pottawatomis in their barbaric finery. The Indians' homes, daily life, culture, and religion are to be symbolized by two fine manuscript maps of Indian reservations, illustrations of their occupations and wars, books printed for them by Christian missionaries, and records of their poetry and legends, gathered by the patient research of the great ethnologist and explorer, Henry Rowe Schoolcraft, whose papers are in the Manuscripts Division of the Library of Congress.

The exploration of Wisconsin was the work of three heroic groups of adventurers. Voyageurs and soldiers risked their lives to enlarge the bounds of New France or of the United States. Fur traders ranged the awesome and dangerous wilderness to bargain with Indians and gather pelts for their companies. Missionaries made a great venture of faith to convert the Indian to Christianity and gather the white pioneers into churches. These were the pathfinders, the men who knew primitive Wisconsin, the land of the Indian lodge, the trading post, the fort, and the log cabin.

They all left their records, in the maps of explorations, printed and manuscript journals, quaint engravings, and pictures of the posts and churches they founded in the wilderness. Some of them are nameless, like the voyageur who dictated the manuscript memoirs which will appear in this section of the exhibition.

For 50 years after the organization of the Old Northwest Territory in 1787, Wisconsin was shifted from one Territory to another—to Indiana in 1800, Illinois in 1809, and Michigan in 1818, under the rule of the noted explorer and military chieftain, Lewis Cass. The increasing population soon demanded a separate government, and in 1836 Congress responded by creating the new Territory of Wisconsin, with its own governor and legislature. Its vast original area included Iowa, Minnesota, and the Dakotas. A case, devoted to this period, will include drawings of the forts built to guard Wisconsin's frontiers, the printed proceedings of the first legislature, and maps through which the Territory became known to the Nation and to Europe.

While the settlers streamed in, they began to long for statehood, and in August 1846 Congress passed an act enabling them to call a convention and draft a constitution. The people rejected the document offered to them by the first convention, and elected a second body, whose work was accepted by an overwhelming majority and has stood the test of time to the present day. Congress accepted it, and the people learned its provisions through scanning the printed copy shown in the exhibition. The people had scarcely become adjusted to it, however, when they were summoned to test whether or not the democracy it represented could endure. This section will show the schoolhouse at Ripon, where some of them met in 1854 to organize the Republican Party to save the Union and check the expansion of slavery. The State sent over 91,000 men to the Civil War, and many of them drilled in camps shown in lithographs made in the State.

Many of the men who went to the war were new Americans—Germans, Norwegians, Swedes, Irish, Dutch, and others. There is significance in the fact that the members of the constitutional convention of 1848, who had come mostly from New York and New England, thought it necessary to print the constitution in foreign languages. One of these texts, in Norwegian, will appear in the exhibition, and was printed by Nordlyset, the first Norwegian newspaper in the United States, published at Norway in Racine County.

More than any previously admitted State, Wisconsin made intelligent and efficient efforts to attract the immigrant and to give him advice and help to save him from the sharpers in the seaports. The reports of the Commissioner of Emigration, and the many guidebooks in English and other languages, will be represented in the exhibition. They hit Europe and the eastern States just when various causes of discontent were coming to a head, and so were largely responsible for Wisconsin's present quilt of national colors. The newcomers were not the defeated and hopeless, but the ambitious farmer and mechanic, who wanted land, a home, and the vote. Their hopes and ambitions, their occupations and arts, will be illustrated by the guidebooks they read, with their attractive colored maps and their engravings; by rare plans of pioneer settlements; by examples of occupations and inventions; and selections from the rich collection of water colors made in Wisconsin for the Index of American Design.

The pioneers of Wisconsin were a tried and sifted stock. Their epic story is that of the marvelous capacity of a free society to develop the talents of a new and mingled race of men and women. The new land demanded great energy, and offered great challenges and rich rewards. There were fertile lands to be cleared, forests to be cut to furnish homes for pioneers and ties for railroads, ore ranges to be mined to supply rails and farm machinery. Then men with statesmanlike vision and ability had to organize a new Commonwealth, govern it, and represent its interests in the National Capital.

Wisconsin's people rose to the occasion, and produced the leaders demanded by the great adventure. Their activities ranged from the primitive fur trade, Wisconsin's first organized industry, to the modern manufacturing plant. A portrait gallery in the exhibition, together with portraits scattered through the other sections, will represent some of the men who helped to build American industry and government—jurists, Senators, Cabinet officers, financiers and railroad builders, lumbermen, industrialists, inventors, packers, and promoters of scientific agriculture and dairying.

Most of the early settlers came from cultured and highly literate classes in the older States and in Europe. They were avid readers of books and newspapers. Even before they attained a territorial government, they had the second newspaper west of Lake Michigan, the Green Bay Intelligencer, established at Navarino in 1833. About the same time, and from the same press, appeared the first book known to have been printed in Wisconsin, an almanac in the Menominee language, compiled by the veteran missionary, the Reverend Samuel Mazzuchelli. Both these rare imprints will appear in the section of the exhibition devoted to education and literature.

Together with them will be the petition of 1836 to Congress, by the trustees of the University of Wisconsin, destined to become the head of one of the finest State public educational systems and to attract a virtually unrivalled band of scholars, including renowned historians and researchers, whose portraits will be features of this section. In the university have studied or taught some of the State's nationally famous, native authors. They have not been outside reporters, but grew up in the State's small towns or on its farms, and drew their inspiration, their scenes, and their characters from them. As examples will be included such outstanding figures as James G. Percival, the poet who was also State geologist of Wisconsin; Ella Wheeler Wilcox, Hamlin Garland, August Derleth, Glenway Wescott, William Ellery Leonard, Zona Gale, and the humorist, George W. Peck, creator of the inimitable Peck's Bad Boy. Their poetry, dramas, stories and novels together form an epic of the growth of a great commonwealth devoted to human freedom—Wisconsin, now about to enter upon the second century of statehood.

The library's series of State exhibitions began with the celebration, on March 3, 1945, of the centennial of the admission of Florida into the Union. The others have been in observance of the centennial of the admission of Texas, December 28, 1945; the sesquicentennial of the admission of Tennessee, June 1, 1946; the centennial of the admission of Iowa, December 29, 1946; the centennial of the settlement of Utah, June 7, 1947; and the two hundred and fifteenth anniversary of the founding of Georgia, February 14, 1948. Catalogs of these exhibitions are available from the Superintendent of Documents, United States Government Printing Office, Washington 25, D. C. and at the Library of Congress from the sales desk on the first floor of the main building.

## BOOKS IN WORLD REHABILITATION

Mr. SMITH. Mr. President, in connection with the so-called Voice of America program and the objectives of the United States Information and Exchange Act of 1948, I have had called to my attention a most interesting and illuminating memorandum entitled "Books in World Rehabilitation," which is addressed to Members of the Congress of the United States, the Department of State, the Department of the Army, and the Department of Commerce, from the American Textbook Publishers Institute, the American Book Publishers Council, Inc., and the Association of American University Presses.

This memorandum stresses the need for American books abroad as important in the long-range interpretation of

America. It goes on to review the world situation and the effect our publications can have in foreign countries, and then discusses the complicated problem of dollar exchange. It points out that Russia today is supplying about eight books per pupil in its zone of occupation in Germany, whereas we of the United States are supplying only one and one-half books per pupil. It also points out that both Great Britain and France have gone much further than we have in furnishing books to the pupils in their respective zones.

I ask unanimous consent at this point in my remarks to publish this memorandum, which is brief but very pertinent to this whole subject, and accompanying the memorandum to publish the names of the American publishers who joined in the presentation of the matter.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BOOKS IN WORLD REHABILITATION

(A memorandum for Members of the Congress of the United States Department of State, Department of the Army, Department of Commerce. The American Textbook Publishers Institute, American Book Publishers Council, Inc., Association of American University Press)

I. THE PURPOSE OF THIS MEMORANDUM

The American Textbook Publishers Institute, representing 46 publishers primarily in the educational field; the American Book Publishers Council, representing 80 educational and general publishers; and the Association of American University Presses, representing the publishing units of 28 institutions of higher learning, have prepared this memorandum to supply a statement of facts regarding the place of American books in world rehabilitation.

II. THE NEED FOR AMERICAN BOOKS

The United States is embarked on a policy of helping the nations of the world to help themselves. Food, seed, machinery, and industrial raw materials are essential for survival, and are so recognized under the terms of emergency aid already granted and in prospect. At the same time there is an insistent demand throughout the world for books, which are tools of reconstruction in as real a sense as material equipment. United States educational, technical, agricultural, and scientific books are desperately needed, and can carry to other countries the practical knowledge essential to their rehabilitation.

Books also reflect the culture and ideals of a people, and we believe it is essential to make an adequate picture of American democracy available to all countries with which we will have close association in the future. We submit that the picture is not adequate unless the lasting record provided by books for general reading is available to them.

It is often forgotten that, without books, civilization as the world knows it must cease to exist. Only books can record in imperishable form the knowledge future generations must utilize, not only to progress, but even to maintain their technological and cultural inheritance. The intellectual and material products of the classroom and the factory spring with equal dependency from the same source—the book.

For both practical and informational reasons, therefore, we believe that books play a major part in world reconstruction and in American foreign relations, though as commodities their bulk and dollar value are negligible compared with other materials in foreign trade.

III. REVIEW OF THE WORLD SITUATION

At the conclusion of active hostilities, when nations had an opportunity to take a long view of their requirements, provision was made for the acquisition of books. As postwar problems have deepened, the day-to-day requirements of food and raw materials have forced many countries to ignore long-range plans in their desperate concern with problems of the moment. The acquisition of books, even those of the most positive practical value, has been hindered more and more by restrictions. The countries most needing our assistance, not only in short-term items such as flour and clothing but in long-term items such as books and lathes, are almost completely unable to obtain our books because of their need for the immediate necessities of existence. These are the so-called soft currency countries, where there are often no dollars for book purchases, and where the American idea is usually available only through radio programs heard by the limited few with adequate receiving sets. In such countries, both within and without the iron curtain, Russian books in many languages, including English, are found in great quantities. The distribution of books, not only in Europe but also in Asia and Latin America, is obviously part of Russian policy. The result is that the Russian story is available to the reading public, with all the implications which that story may have for us, and that our story, for the most part, is not available to those people who most want to know it and who can most profit by it.

Before the war, Germany was acutely aware of the fact that a language to some degree carries its own ideology, and even more acutely aware that books are the ideal instruments of ideological and commercial penetration. The Nazi regime saw to it that scientific and technical books in German were distributed everywhere. For great sections of the world, German represented a second language of education and technology.

At the close of the war, many nations were prepared to substitute English for German as their second language. In Holland, for instance, there was a strong movement to displace German as a language of instruction in the sciences and in schools of higher education, thus giving the opportunity to replace German with English. Great Britain has understood this. The phrase "trade follows the book" originated in England, and, within the limits of great shortages of materials and lack of plant capacity, Great Britain has done her best to see that the English language has had a fair competitive chance in the postwar world.

Statistical data furnished by our Government clearly reveals that between two wars less than 3 percent of the total book production of the United States was shipped abroad, while British figures indicate that in the same period Great Britain exported 30 percent of her book production. The foregoing relationships have not materially changed in the present postwar period. But England alone, because of her shortages, is in no way able to fill the void caused by the complete cessation of German export publishing and the disruption of normal publishing activity throughout Europe. The Argentine scientist and the Dutch engineer, who once looked to Leipzig for their reference works, now look to the United States as the leader in technical literature. At present they look in vain, because their governments have not been able to allocate a sufficient number of dollars for the purchase of American books.

IV. DOLLAR EXCHANGE

In virtually all countries of the world, acquisition of American books has been curtailed by the lack of dollar exchange at the very moment when these books are most desperately needed. This is true of England and the Commonwealth, continental Europe, Latin America, China, and other areas. As dollar exchange has run out, the various governments have imposed controls which limit the flow of materials from the United States. In the case of books, these regulations take different forms and have different effects; the full picture of restrictions against American books is suggested in appendix C.

To indicate the attitude of the foreign countries themselves, we quote the following excerpts of letters recently received from prominent European bookmen:

Greece: "To our regret, our efforts had to be checked when the Currency Committee decided * * * to suspend the free grant of exchange for importations of American books. * * * We have been working up to this moment on the basis of credits which the American publishing firms kindly granted us, thus risking the prestige of our firm in order that the complete interruption of the importation of the American editions in Greece might be avoided. * * * Unfortunately, we permit ourselves to express our opinion, the members of the committee have failed to consider this subject from its far more important political than simply financial point of view."

Finland: "Thanks to the enormous increase of interest in the English language and to the no longer existing output of German publications, there is in Finland an unprecedented and ever increasing demand for American books. * * * We are able to import (British books) practically without restrictions; the situation with regard to the American books is unfortunately entirely different, owing to the lack of dollar currency. * * * Book sellers in Finland are actually not in the position to maintain any stock whatsoever of American books in their book shops."

Italy: "American publications are urgently desired on Italian market and it is hard to fetch them. * * * Book sellers report growing demand for American books, particularly scientific and technical. * * * Italy needs American publications but fiscal bureaucratic difficulties disturb import."

Great Britain: "This association strongly opposes all barriers to the full and free exchange of books between United States of America and Great Britain at a time when western civilization is threatened with collapse and can hope to repair the ravages of war and to reestablish those values and that prosperity upon which its continued existence depends only through the mutual understanding and technical efficiency made possible by the printed word."

V. GERMANY, AUSTRIA, JAPAN, AND KOREA

In Germany and Japan, the importation of books through normal channels is contrary to military regulations, a situation receiving insufficient attention. The peoples in these countries are eager to know about the United States and to discover how our American civilization functions. They wish to utilize our educational, medical, professional, technical, and cultural books for the reeducation of their peoples. In line with this desire, our Army maintains information centers containing a limited selection of books in many of the principal cities of the occupied areas; to be truly effective, all such projects must be tremendously increased in scope.

Current newspaper reports indicate that the United States lags behind Great Britain, France, and Russia in supplying textbooks to Germany as follows:

| Zone of occupation | Number of pupils | Number of books reported supplied |
|---|---|---|
| Soviet | 3,300,000 | 27,000,000 |
| British | 3,700,000 | 13,000,000 |
| French | 900,000 | 6,000,000 |
| United States | 2,700,000 | 4,400,000 |

The Russians supply eight books per pupil; we supply one and one-half books per pupil.

The Reorientation Branch of the Civil Affairs Division, Department of the Army, through its procurement agent, the Infantry Journal, has secured the translation rights of 440 American titles for Germany and Austria, and approximately 100 titles for Japan and Korea. Despite this sizable backlog of titles secured, it has been possible to have published to date only 35 titles in Germany, 10 in Austria, and none in Japan and Korea.

By contrast, England has made information on English life and culture more freely available. To quote from the English Bookseller (January 10, 1948), "One of the most important arrangements for translations of (British) Council publications was made through the Control Commission for the publication of German editions of titles in the British Life and Thought and Science in Britain series by a Berlin publisher. There is an increasing use of brochures in English classes and in discussion groups in schools and British institutes." "* * * the provision for expenditure by the British Council which was made in the civil estimates 1947–48 [is] as follows: British Council, £2,913,000; Colonial and Middle Eastern Services, £500,000; and Burma, £87,000."

VI. UNITED STATES INFORMATION LIBRARIES

The overseas libraries of the United States Information Service are not now sufficiently supplied with books to take care of reference and circulation needs.

For the fiscal year 1947–48, the Department of State made available about $40,000 for the purchase of books. The figure requested for 1948 is reported to be $250,000. While the sum is perhaps sufficient for the annual replenishment of the 80 USIS libraries now planned, it should be made a matter of record that none of the libraries has a collection of books in any way adequate to merit being called a library. To increase the collections to requisite size, 600,000 volumes would be required, involving a capital outlay, at present prices, of not less than $3,000,000.

Report No. 855 of the United States Senate Committee on Foreign Relations, pursuant to Senate Resolution 161, states the need, observed by certain Members of Congress at first hand, of an adequate program of supplying American books at accessible points where they will do the most good.

VII. RECOMMENDATIONS

In 1946 the book-publishing industry produced an estimated total sales volume of $350,000,000, of which only $19,000,000, or 6 percent, represented export sales. The percentage, while of some value as a contribution to the stability of employment in the industry, is not so large as to represent a major factor in book publishing. Many publishers are therefore frankly uninterested in the purely business aspects of foreign trade, and have engaged in it from a sense of obligation in view of the world-wide need for American books. Such efforts on the part of the industry cannot meet with a real measure of success until publishers are placed in a far better position to fulfill the demand.

In the belief that due recognition should be given to the contribution books can make to the building of new generations throughout the world, the book industry of the United States, represented by the undersigned major associations, respectfully submits the following recommendations to the Government as a means of strengthening permanently the long-range policy of world rehabilitation and national self-defense:

1. Foreign nations, insofar as possible, should be enabled to secure those United States informational, educational, scientific, and technical books which are of value to the education, culture, and economy of the individual country by means of a program providing adequate dollar payments to the American publishers involved, such transactions to take place to the greatest possible extent through normal channels of commercial intercourse.

2. The word "informational" should be broadly interpreted to include books which provide an adequate picture of life, achievement, and habits of thought and action in the United States, each country being free, however, to stipulate those books which it wants for purposes of rehabilitation.

3. Most careful consideration should be given to the lasting value of the United States Information Service libraries; long-term program should be worked out in consultation with the publishing industry and library services, with a view to determining the sum of money properly expendable for the future effectiveness of those libraries in giving access to American thought.

4. Steps should be taken to broaden the reeducation program in Germany, Japan, and Korea by permitting the interchange of library materials with these areas in such a way that books become more readily available to the civilian populations; in addition, every effort should be made to expedite the publication of translations of works of United States origin in all occupied areas.

5. As a part of any program involving books, adequate information should be supplied to consular officers, commercial attachés, and other interested personnel concerning the desirability of commerce in books, the complexities of book distribution outside the United States, and the great value of assisting educators and others abroad in acquiring informational books and materials of American origin.

6. The United States, in cooperation with other countries through the trade-agreements program and the proposed International Trade Organization, should press for the reduction of governmental trade barriers hampering the free flow of books.

7. A commission, including adequate representation of the book industry, should be formed to study the means of implementing any legislation touching on the communications problem, and the Government should avail itself of the facilities of the American Book Publishers Council, the American Textbook Publishers Institute, and the Association of American University Presses in drafting programs involving the use abroad of books of United States origin.

Respectfully submitted.

AMERICAN TEXTBOOK PUBLISHERS INSTITUTE,
AMERICAN BOOK PUBLISHERS COUNCIL, INC.,
ASSOCIATION OF AMERICAN UNIVERSITY PRESSES.

The American Textbook Publishers Institute: American Book Co.; American Technical Society; A. S. Barnes & Co., Inc.; W. S. Benson & Co.; the Bobbs Merrill Co.; P. F. Collier & Son Corp.; F. E. Compton & Co.; the Economy Co.; Encyclopaedia Britannica; Encyclopedia Americana; Ginn & Co.; the Gregg Publishing Co.; the Grolier Society, Inc.; E. M. Hale & Co.; Harcourt, Brace & Co., Inc.; Harper & Bros.; D. C. Heath & Co.; Henry Holt & Co., Inc.; Houghton Mifflin Co.; Loyola University Press; the Macmillan Co.; the Manual Arts Press; McCormack-Mathers Publishing Co.; McGraw-Hill Book Co., Inc.; Charles E. Merrill Co., Inc.; Newson & Co.; Pitman Publishing Co.; Prentice-Hall, Inc.; the Quarrie Corp.; Rand McNally & Co.; Row, Peterson & Co.; William H. Sadler, Inc.; Benj. H. Sanborn & Co.; Science Research Associates; Scott, Foresman & Co.; Silver Burdett Co.; the L. W. Singer Co.; South-Western Publishing Co.; the Steck Co.; the United Educators, Inc; University of Chicago Press; the University Publishing Co.; D. Van Nostrand Co., Inc.; Webster Publishing Co.; the John C. Winston Co.; and World Book Co.

American Book Publishers Council, Inc: Abingdon-Cokesbury Press; Allen, Towne & Heath, Inc.; Appleton-Century-Crofts, Inc.; Bantam Brooks, Inc.; A. S. Barnes & Co., Inc.; M. Barrows & Co., Inc.; The Bethany Press; Walter J. Black, Inc.; The Bobbs-Merrill Co.; Book-of-the-Month Club, Inc.; R. R. Bowker, Co.; The Caxton Printers Ltd.; Chanticleer Press, Inc.; Columbia University Press; Coward-McCann, Inc.; Creative Age Press, Inc.; Thomas Y. Crowell Co.; Crown Publishers; Dal[illegible] Publishing Co.; The John Day Co., Inc.; The Devin-Adair Co.; The Dial Press, Inc.; Dodd Mead & Co., Inc.; Doubleday & Co., Inc.; Duell, Sloan & Pearce, Inc.; E. P. Dutton & Co., Inc.; Farrar, Straus & Co., Inc.; Greenberg: Publisher; Grosset & Dunlap, Inc.; Harcourt, Brace & Co., Inc.; Harper & Brothers; Hart Publishing Co.; Harvard University Press; Hastings House, Publishers, Inc.; Henry Holt & Co., Inc.; Houghton Mifflin Co.; Infantry Journal, Inc.; Interscience Publishers, Inc.; Alfred A. Knopf, Inc.; Albert A. Lampl; Little, Brown & Co.; Longmans, Green & Co., Inc.; McGraw-Hill Book Co., Inc.; The Macmillan Co.; Macrae-Smith Co.; William Morrow & Co., Inc.; Thomas Nelson & Sons; The New American Library of World Literature, Inc; W. W. Norton & Co., Inc.; The Odyssey Press, Inc.; Oxford University Press, Inc.; Pantheon Books, Inc.; Pocket Books, Inc.; Popular Library; Prentice-Hall, Inc.; Princeton University Press; G. P. Putnam's Sons; Random House, Inc.; Reinhold Publishing Corp.; Rhinehart & Co., Inc.; Roy Publishers, a. n.; W. B. Saunders Co.; Charles Scribner's Sons; Simon & Schuster, Inc.; William Sloane Associates, Inc; Stanford University Press; University of California Press; University of Minnesota Press; University of Oklahoma Press; University of Pennsylvania Press; Vanguard Press, Inc.; D. Van Nostrand Co., Inc.; The Viking Press, Inc.; Franklin Watts, Inc.; John Wiley & Sons, Inc.; The John C. Winston Co.; William H. Wise & Co., Inc.; The World Publishing Co.; A. A. Wyn, Inc.; Yale University Press.

Association of American University Presses: University of California Press, Catholic University of America Press, Columbia University Press, Cornell University Press, Duke University Press, University of Georgia Press, Harvard University Press, Iowa State College Press, University of Kansas Press, University of Kentucky Press, Louisiana State University Press, Loyola University Press, University of Michigan Press, University of Minnesota Press, University of Nebraska Press, New York University Press, University of North Carolina Press, University of Oklahoma Press, University of Pennsylvania Press, University of Pittsburgh Press, Princeton University Press, Rutgers University Press, Stanford University Press, Syracuse University Press, University Press in Dallas, University of Washington Press, University of Wisconsin Press, Yale University Press.

The University of Chicago Press dissents from the foregoing recommendations.

Mr. SMITH. Mr. President, accompanying the memorandum are a number of appendixes of which the following are the titles and their contents:

Appendix A, Statements From Prominent Educators Concerning the Need Abroad for American Books. These statements are from Dr. Isaiah Bowman, president of the Johns Hopkins University; Prof. Paul R. Hanna, of Stanford University; Dr. Harold W. Dodds, president of Princeton University; and Dr. Charles Seymour, president of Yale University.

Appendix B, United States Book Export, Based on Department of Commerce FT 410 Reports. This report makes a very important preliminary statement and contains book export

figures of all the important foreign countries broken down into so-called Marshall plan countries and non-Marshall plan countries, and gives the following total figures:

| Year: | *Amount* |
|---|---|
| 1937 | $5,514,063 |
| 1938 | 5,543,646 |
| 1946 | 19,406,151 |
| 1947 | 24,294,851 |

These figures are followed by the following statement:

The foregoing figures, through 1947, present a picture of an expanding export trade in books and hence an increasing dissemination of American culture and technology overseas. Such a favorable situation, however, will not continue to exist during 1948, due to important economic and political considerations. Appendix C (which immediately follows) presents a prognosis of what may be expected to occur in American book exportation in 1948 unless remedial measures are applied.

Appendix C, An Outline of the Economic and Political Forces Affecting the Circulation of Books Throughout the World. In this appendix conditions affecting the exportation of books are discussed on a country-by-country basis.

I feel that it would unduly encumber the pages of the CONGRESSIONAL RECORD to insert these appendixes in full, but it is my earnest hope that my colleagues, who are interested in this extremely important problem of the interpretation of America abroad, will study this report of American publishers and will consider ways and means by which the Assistant Secretary of State, Mr. George V. Allen, who is in charge of this important work, may be assisted in developing the general policies of his program.

The Senate will recall that the subcommittee of the Foreign Relations Committee, which last summer investigated that status of American information in Europe, did not overlook nor underestimate the great contribution which American books can make toward better understanding and to the world-wide flow of knowledge. Our literature—our fiction, our works of comment, our technical and scientific literature—constitute a permanent and mature distillation of our civilization. Books have long exerted a powerful influence in national and international affairs. The recent hearings on the European recovery program touched upon the fact that through American publications we can share experience and know-how which could assist considerably the processes of recovery and reconstruction. Recovery needs intellectual and moral factors as well as commodities.

It is also important to us that as this country faces increasing world responsibility, the American book industry should appraise its own special obligations and problems.

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

### SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 25 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on the Judiciary.

### WITHDRAWAL OF VOLUNTARY PLAN FOR CONSERVATION OF GRAIN BY BAKING INDUSTRY

A letter from the Attorney General, transmitting a copy of a letter from the Secretary of Agriculture, withdrawing his request for compliance with the voluntary plan for the conservation of grain by the baking industry, proposed under Public Law No. 395 (with accompanying papers); to the Committee on Banking and Currency.

### REPORT ON FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

A letter from the Board of Trustees of the Federal old-age and survivors insurance trust fund, transmitting pursuant to law, the eighth annual report of that Board (with an accompanying report); to the Committee on Finance and ordered to be printed with illustrations.

## MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following memorials, which were referred to the Committee on the Judiciary:

A memorial of several citizens of Rock Creek, Ohio, remonstrating against the enactment of the so-called Mundt un-American activities bill.

A letter in the nature of a memorial from William B. Spofford, Jr., executive secretary, the Episcopal League for Social Action, Detroit, Mich., remonstrating against the enactment of the so-called Mundt un-American activities bill.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAIN, from the Committee on Banking and Currency:

S. 2495. A bill to authorize adjustments of rentals paid for premises leased for 10 or more years for use as post offices; with amendments (Rept. No. 1394).

By Mr. TOBEY, from the Committee on Banking and Currency:

S. 2417. A bill to adjust the premium charge of the Federal Savings and Loan Insurance Corporation; without amendment (Rept. No. 1393).

By Mr. BRICKER, from the Committee on Banking and Currency:

H. R. 2798. A bill to amend section 5, Home Owners' Loan Act of 1933, and for other purposes; with an amendment (Rept. No. 1392).

By Mr. BUCK, from the Committee on the District of Columbia:

S. 2642. A bill to amend the District of Columbia Motor Vehicle Park Facility Act of 1942, approved February 16, 1942; with amendments (Rept. No. 1395); and

S. 2643. A bill to amend the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939; without amendment (Rept. No. 1396).

## LONG-RANGE AGRICULTURAL PROGRAM—AMENDMENTS REPORTED

Mr. AIKEN, from the Committee on Agriculture and Forestry, reported certain amendments to the bill (S. 2318) to provide for a coordinated agricultural program, heretofore reported from that committee, which were ordered to be printed.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. TOBEY, from the Committee on Banking and Currency:

Paul R. Rowen, of Massachusetts, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1950.

By Mr. GURNEY, from the Committee on Armed Services:

Col. Charles Parsons Nicholas, Army of the United States (major, U. S. Army), to be professor of mathematics at the United States Military Academy, with rank from date of appointment;

John S. Oartel, and sundry other persons for appointment in the Regular Army of the United States;

Howard Edward Adams, and sundry other cadets for appointment in the Regular Army and Regular Air Force of the United States;

Maj. Gen. Muir Stephen Fairchild, United States Air Force, to be Vice Chief of Staff, United States Air Force, with the rank of general;

Hugh D. Adair, Jr., and sundry other persons for appointment in the Marine Corps; and

Lewis H. Cameron, and sundry other midshipmen and citizens to be second lieutenants in the Marine Corps.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOBEY:

S. 2736. A bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. GURNEY:

S. 2737. A bill to authorize the Secretary of the Navy to convey to the city of New York a perpetual easement in, over, and upon a .29-acre parcel of land at New York Naval Shipyard; to the Committee on Armed Services.

By Mr. MYERS:

S. 2738. A bill for the relief of Jerzy Dzieciol; to the Committee on the Judiciary.

By Mr. BYRD:

S. 2739. A bill to authorize the issuance of a stamp commemorative of the two hundredth anniversay of the founding of the city of Alexandria, Va.; to the Committee on Post Office and Civil Service.

By Mr. TYDINGS (by request):

S. 2740. A bill to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. PEPPER (for himself and Mr. MORSE):

S. 2741. A bill to amend certain provisions of the Social Security Act and the Internal Revenue Code in order to bring within the scope thereof industrial operations performed on agricultural commodities and to confine exemptions to farming and related activities; to the Committee on Finance.

By Mr. SALTONSTALL (by request):

S. 2742. A bill for the relief of Carlton Hotel, Inc.; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for Mr. WATKINS, Mr. MILLIKIN, and Mr. JOHNSON of Colorado):

S. 2743. A bill providing for the more expeditious determination of certain claims

filed by Ute Indians; to the Committee on Interior and Insular Affairs.

By Mr. IVES:

S. 2744. A bill for the relief of Valeriu Constantin Georgescu and wife, Lygia Maria Georgescu; to the Committee on the Judiciary.

(Mr. SPARKMAN introduced Senate bill (S. 2745) to provide for recall to active duty of Reserve and other officers for hospitalization, medical treatment or for consideration for retirement and to provide for pay and allowances during such active duty, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. O'CONOR:

S. J. Res. 223. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.; to the Committee on Post Office and Civil Service.

RECALL TO ACTIVE DUTY OF RESERVE AND OTHER OFFICERS FOR HOSPITALIZATION, ETC.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide for recall to active duty of Reserve and other officers for hospitalization, and so forth.

I should like to say that the purpose of the bill is to provide for recall to active duty of Reserve and other officers for hospitalization, medical treatment or for consideration for retirement, and to provide for pay and allowances during such active duty.

Mr. President, in introducing the bill, I do so with the hope that the Committee on Armed Services will give prompt consideration and attention to it.

Senators may have noticed in the press the last day or two that because of a ruling of the Comptroller General, a great number of civilian officers who have been called back because they were disabled and had to be hospitalized, had been held not entitled to receive pay and allowances during the time that they had been called back to active duty. I think it was clearly the intent of Congress to authorize such pay and allowances, but the Comptroller General has ruled that the law was not sufficient to make such provision. During the time that this order for recall has been in effect—that is, since August 8, 1946, there have been 3,890 such officers recalled to duty for physical evaluation. On the 12th of March 1948 the Comptroller General gave his decision. At that time there were 236 officers still in Army hospitals. On the 1st of May there were 53 still in hospitals. It is estimated that on the 1st of June 43 will be released, leaving 10 still in the Army hospitals for further evaluation.

It is only right and fair, Mr. President, that these officers still in the service of their country should receive pay and allowances. I believe that Congress intended that they should have such pay and allowances.

I should like particularly to address my remarks to the acting majority leader, the Senator from Massachusetts [Mr. SALTONSTALL], who is an able member of the Committee on the Armed Services, and ask that he do what he can to see to it that these officers who served so well in time of war and who are still paying for that service, may have the relief to which they are clearly entitled.

Mr. SALTONSTALL. Mr. President, I may say to the Senator from Alabama that I know that the members of the Armed Services Committee have read in the newspapers the story of the plight of the Reserve officers, and I am confident that the committee will give the matter its close attention.

There being no objection, the bill (S. 2745) to provide for recall to active duty of Reserve and other officers for hospitalization, medical treatment, or for consideration for retirement and to provide for pay and allowances during such active duty, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Armed Services.

REPEAL OF OLEOMARGARINE TAXES—AMENDMENT

Mr. BALL. Mr. President, I ask unanimous consent to submit an amendment in the nature of a substitute intended to be proposed by me to the bill (H. R. 2245) to repeal the tax on oleomargarine, and request that it be referred to the Committee on Finance.

The effect of the amendment would be, briefly, to continue the 10-cent-a-pound tax on yellow-colored oleomargarine, to repeal the one-fourth of a cent a pound tax on uncolored oleomargarine, which the House bill maintains, and to repeal the present heavy license fees on manufacturers and distributors, and replace them with a nominal $1 a year license.

The PRESIDENT pro tempore. Without objection, the amendment will be received, printed, and referred to the Committee on Finance.

HOUSE BILL REFERRED

The bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be delivered by Government-owned vehicles, was read twice by its title, and referred to the Committee on Post Office and Civil Service.

TVA NEW JOHNSONVILLE STEAM PLANT—STATEMENT BY SENATOR STEWART

[Mr. STEWART asked and obtained leave to have printed in the RECORD a statement by him on the TVA new Johnsonville steam plant before a subcommittee of the Committee on Appropriations on May 25, 1948, which appears in the Appendix.]

THE ROOSEVELT-TRUMAN GOLDEN ERA OF RECLAMATION—ARTICLE BY SENATOR O'MAHONEY

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "The Roosevelt-Truman Golden Era of Reclamation," written by Senator O'MAHONEY and published in the Democratic Digest for May 1948, which appears in the Appendix.]

HEARING BEFORE UNITED STATES MARITIME COMMISSION RESPECTING REMOVAL OF CERTAIN SHIPS FROM OLYMPIA, WASH., TO CATHLAMET BAY, OREG.

[Mr. MORSE asked and obtained leave to have printed in the RECORD the transcript of proceedings before the United States Maritime Commission in the matter of decision of the United States Maritime Commission to remove its permanent reserve type ships from temporary anchorage at Olympia, Wash., and to proceed with developing permanent site at Cathlamet Bay, Oreg., which appears in the Appendix.]

PERSECUTION OF RELIGIOUS ORDERS—ARTICLE FROM WASHINGTON POST

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an article entitled "Priesthood Decimated in Albania," published in the Washington Post of Tuesday, May 25, 1948, which appears in the Appendix.]

HEALTH AND FREE ENTERPRISE—EDITORIAL FROM THE MACHINIST

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an editorial discussing the relation between a healthier nation and the preservation of free enterprise, from the Machinist for May 20, 1948, which appears in the Appendix.]

LEAVES OF ABSENCE

Mr. CAIN asked and obtained consent to be absent from the Senate from 2:30 o'clock this afternoon through the session of the Senate tomorrow.

Mr. MCCLELLAN asked and obtained consent to be absent from the Senate tomorrow on important business.

COMMITTEE MEETINGS DURING SENATE SESSIONS

Mr. IVES asked and obtained consent for the Subcommittee on Health of the Senate Committee on Labor and Public Welfare to continue its hearings this afternoon.

Mr. WHERRY asked and obtained consent for the Committee on Finance considering veterans' legislation to meet during the sessions of the Senate today and tomorrow.

He also asked and obtained consent for the Committee on Interstate and Foreign Commerce to hold a meeting during the session of the Senate this afternoon.

Mr. SALTONSTALL asked and obtained consent that members of the Committee on Appropriations and of subcommittees thereof be permitted to meet this afternoon.

Mr. WILEY asked and obtained consent for the Committee on the Judiciary to meet immediately.

DIVISION OF WATERS OF SNAKE RIVER AND TRIBUTARIES

Mr. BUTLER. Mr. President, on yesterday the Senate amended and passed Senate bill 1445, granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other.

There is pending before the Committee on Interior and Insular Affairs, however, a House bill—H. R. 3603—which is identical with the Senate bill as amended. In order to expedite the enactment of the legislation, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of the House bill, with a view to its passage by the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska that the Committee on Interior and Insular Affairs

be discharged from the further consideration of House bill 3603? The Chair hears none, and the committee is discharged from the further consideration of the bill.

Mr. BUTLER. I now ask unanimous consent that the vote on the passage of Senate bill 1445 be reconsidered, and later I shall ask that the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. Without objection the vote whereby Senate bill 1445 was passed is reconsidered.

Mr. BUTLER. I now ask unanimous consent for the consideration of House bill 3603.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska for the present consideration of House bill 3603, which is similar to Senate bill 1445, which was passed yesterday?

There being no objection, the bill (H. R. 3603) granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1445 is indefinitely postponed.

## CONSTRUCTION AT MILITARY INSTALLATIONS BY ARMY

The PRESIDENT pro tempore laid before the Senate the following amendments of the House of Representatives to the bill (S. 1676) to authorize the Secretary of War to proceed with construction at military installations, and for other purposes, together with a message from the House insisting upon its amendments and requesting a conference with the Senate thereon:

Strike out all after the enacting clause and insert:

"That the Secretary of the Army and the Secretary of the Air Force are hereby authorized to establish or develop military installations and facilities by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities; or by the completion of such construction, installation, or equipment specifically approved by the Secretary of the Army or the Secretary of the Air Force and heretofore undertaken as follows:

"CONTINENTAL UNITED STATES

"Alamogordo Army Airfield, N. Mex.: Family quarters, rocket-firing facilities, and utilities; $1,622,720.

"Andrews Field, Md.: Family quarters and utilities; $3,143,630.

"Army and Navy General Hospital, Hot Springs, Ark.: Family quarters, barracks, and utilities; $852,100.

"Army and Navy Medical Procurement Office, Engineering and Development Division, Fort Totten, N. Y.: Medical equipment laboratory; $390,000.

"Anniston Ordnance Depot, Ala.: Waste disposal facilities; $60,000.

"Fort Belvoir, Va.: Family quarters and utilities; $792,380.

"Fort Benning, Ga.: Family quarters and utilities; $1,466,050.

"Bergstrom Field, Tex.: Family quarters and utilities; $1,501,970.

"Fort Bliss, Tex.: Family quarters and utilities; $1,113,000.

"Fort Bragg, N. C.: Family quarters and utilities; $1,778,400.

"California Institute of Technology, California: Completion of supersonic wind tunnel; $410,700.

"Chanute Field, Ill.: Family quarters and utilities; $1,310,800.

"Craig Field, Ala.: Crash station; $26,370.

"Camp Detrick, Md.: Family quarters, munitions-loading building, crop research, and utilities; $862,830.

"Edgewood Arsenal, Md. (including Technical Command, Army Chemical center, and Chemical Corps School): Family quarters, chemical laboratory facilities, and utilities; $959,950.

"Fitzsimons General Hospital, Denver, Colo.: Family quarters and utilities; $449,050.

"Forest Glen, Md.: Complete plans and specifications for construction of an Army Institute of Pathology Building including all necessary auxiliary facilities; $600,000.

"Hamilton Field, Calif.: Family quarters and utilities; $61,800.

"Fort Hamilton, New York Port of Embarkation, N. Y.: Family quarters and utilities; $575,230.

"Camp Hood, Tex.: Family quarters and utilities; $4,455,950.

"Fort Sam Houston, Tex. (including Brooke Army Medical Center): Family quarters and utilities; $1,288,900.

"Huntsville Arsenal, Ala.: Reservation fencing; $20,600.

"Fort Jay, N. Y.: Family quarters and utilities: $382,500.

"Kearney Army Airfield, Nebr.: Family quarters and utilities; $1,511,840.

"Keesler Field, Miss.: Family quarters and utilities; $1,356,700.

"Kelly Field, Tex.: Helicopter engine testing facilities; $152,000.

"Fort Knox, Ky.: Family quarters and utilities; $2,833,380.

"Fort Leavenworth, Kans.: Printing plant, library addition, electrical supply and distribution facilities; $1,161,500.

"Camp Lee, Va.: Family quarters, bachelor quarters, barracks, and utilities; $2,902,870.

"Letterman General Hospital, San Francisco, Calif.: Complete plans and specifications for construction of a new 1,500-bed general hospital, including all necessary auxiliary facilities; $940,000.

"Fort Lewis, Wash.: Family quarters and utilities; $2,647,500.

"Lexington Signal Depot, Ky.: Garage and equipment storage facilities; $25,000.

"Lowry Field, Colo.: Family quarters and utilities; $1,310,800.

"MacDill Field, Fla.: Family quarters, control tower, crash station, and utilities; $1,030,380.

"Madigan General Hospital, Fort Lewis, Wash.: Family quarters and utilities; $369,600.

"Malta Test Station, New York: Hydraulic test laboratory; $205,000.

"Marietta Army Airfield, Ga.: Control tower; $54,500.

"Fort McPherson, Ga.: Family quarters and utilities; $360,900.

"Fort George G. Meade, Md.: Family quarters and utilities; $995,800.

"Mountain Home Army Airfield, Idaho: Family quarters and utilities; $940,880.

"Muroc Army Airfield, Calif.: Rocket static test facilities, control tower, all-altitude speed course; $2,746,500.

"Fort Myer, Va.: Replace field commissary refrigerator facilities, $108,000.

"Oakland Army Base, San Francisco Port of Embarkation, Calif.: Family quarters, barracks, and utilities: $907,580.

"Oliver General Hospital, Augusta, Ga.: Family quarters and utilities, $231,000.

"Percy Jones General Hospital, Battle Creek, Mich.: Family quarters and utilities; $231,000.

"Picatinny Arsenal, N. J.: Research and development facilities for high explosives, completed bombs, rockets and rocket powders; laundry; $1,978,800, of which $1,228,800 is authorized to be expended during the fiscal year 1948.

"Presidio of San Francisco, Calif.: Family quarters and utilities; $360,900.

"Randolph Field, Tex.: Family quarters, control tower, and utilities; $1,465,300.

"Rapid City Army Airfield, S. Dak.: Development of facilities for VVHB; $5,000,000.

"Fort Riley, Kans.: Family quarters and utilities; $720,800.

"Roswell Army Airfield, N. Mex.: Training facilities; $95,790.

"Sacramento Signal Depot, Calif.: Irrigation and sprinkling; $47,970.

"San Antonio Army Airfield, Military Training Center, Tex.: Family quarters and utilities; $1,310,800.

"Scott Field, Ill.: Family quarters and utilities; $1,316,500.

"Selfridge Field, Mich.: Family quarters, crash-truck station, and utilities; $800,840.

"Fort Sheridan, Ill.: Family quarters and utilities; $360,900.

"Fort Sill, Okla.: Family quarters and utilities; $573,500.

"Camp Stoneman, San Francisco Port of Embarkation, Calif.: Family quarters and utilities; $878,570.

"Tinker Field, Okla. (including Oklahoma City Air Depot): Jet engine test facilities; $362,000.

"Two Rock Ranch Station, California: Family quarters, water pipe line, and utilities; $149,800.

"United States Military Academy, West Point, N. Y.: Family quarters and utilities; complete plans and specifications for a new academic building; $3,249,750.

"Valley Forge General Hospital, Phoenixville, Pa.: Family quarters and utilities; $231,000.

"Vint Hill Farms Station, Va.: Family quarters and utilities; $782,300.

"Watertown Arsenal, Mass.: Magnesium shop building; $87,000.

"White Sands Proving Ground, N. Mex.: Family quarters, laboratory, storage and testing facilities for rocket development, administration facilities, central fire station, hospital expansion, and utilities; $3,887,430.

"Williams Field, Ariz.: Single engine gunnery range; $51,500.

"Wingate Ordnance Depot, N. Mex.: Additional well; $20,000.

"Carswell Air Force Base, Tex.: Family quarters, ammunition storage, training facilities, and utilities; $2,394,770.

"Wright Field, Ohio: Rotor wing testing facilities, armament laboratory test facilities, and scavenging building for wind tunnels; $1,687,000.

"Yuma Test Branch of the Engineer Board, Arizona: Family quarters, bachelor quarters, infirmary, post exchange, and utilities; $389,620.

"Various Air Force stations: Removal of flight hazards, and construction of night-lighting systems, low approach instrument landing systems, high frequency direction-finding systems, radio range stations, sprinkler systems and fire prevention facilities; $5,085,500.

"OUTSIDE CONTINENTAL UNITED STATES

"Whittier, Alaska: Development of port facilities; $5,332,277.

"Army Airfield at Mile 26, near Fairbanks, Alaska: Family quarters, barracks, and utilities; $2,021,118.

"Ladd Field, Alaska: Family quarters, bachelor quarters, barracks, operational facilities, hospital, community facilities, and utilities; $20,694,850, of which $11,694,850 is authorized to be expended during the fiscal year 1948.

"Fort Richardson-Elmendorf Field, Alaska: Family quarters, bachelor quarters, barracks, storage facilities, communication facilities, school, motor pool facilities, and utilities; $10,190,375.

"Adak Army Base and Airfield, Aleutian Islands: Family quarters, barracks, com-

munication facilities, and utilities; $4,834,600.

"Army Airfield, Fort Yukon, Alaska: Establishment of fighter field with necessary operational facilities, bachelor quarters, barracks, mess hall, and utilities; $4,160,950.

"Army Airfield, Nenana, Alaska: Operational facilities, barracks, and utilities; $505,000.

"Adak, ACS Station, Aleutian Islands: Family quarters, operational buildings, garages, and utilities; $950,050.

"Anchorage ACS Station, Alaska: Family quarters and utilities; $514,280.

"Big Delta ACS Station, Alaska: Family quarters and utilities; $57,410.

"Ketchikan ACS Station, Alaska: Family quarters, operational buildings, and utilities; $114,160.

"Cathedral Bluff ACS Station, Alaska: Family quarters and utilities; $56,160.

"Fort Randall ACS Station (Cold Bay), Alaska: Family quarters and utilities; $57,410.

"Juneau ACS Station, Alaska: Family quarters and utilities; $56,160.

"Northway ACS Station, Alaska: Family quarters and utilities; $56,160.

"Naknek ACS Station, Alaska: Family quarters, operational buildings, garage, and utilities; $79,760.

"Skagway ACS Station, Alaska: Family quarters, operational buildings, and utilities; $107,750.

"Lena Point ACS Station, Alaska: Operational buildings, quarters and utilities; $46,000.

"ACS Station between Haines and Juneau, Alaska (location to be determined): Operational buildings, quarters, and utilities; $46,000.

"Bethel ACS Station, Alaska: Operational buildings; $30,000.

"Kodiak ACS Station, Alaska: Operational buildings; $14,420.

"Nome ACS Station, Alaska: Family quarters, operational building, and utilities; $77,944.

"Sitka ACS Station, Alaska: Operational building, and garage; $8,600.

"New Tripler General Hospital, Territory of Hawaii: Family quarters, bachelor quarters, and utilities; $3,472,960.

"Hickam Field, T. H.: Family quarters (conversions) and barracks (reconstruction); $2,242,200.

"Fort Armstrong, T. H.: Telephone exchange building, $55,000.

"Helemano, T. H.: Family quarters and utilities, $473,415.

"Waipio, Territory of Hawaii: Family quarters and utilities; $207,760.

"Fort DeRussey, Territory of Hawaii: Family quarters and utilities; $528,220.

"Army Ground Force Bases, Marianas: Housing, storage, and utilities; $3,803,940.

"Air Force bases, Marianas: Barracks, storage, and utilities; $5,376,708.

"Clark-Stotsenberg area, Philippine Islands (Army Security Agency): Barracks and utilities; $669,300.

"Albrook Field, Canal Zone: Sewerage; $276,000.

"Fort Brooke, Puerto Rico: Family quarters, water storage, and utilities; $324,100.

"Fort Buchanan, P. R.: Bachelor quarters, water storage, and utilities; $466,500.

"Borinquen Field, P. R.: Water storage and distribution facilities; $165,000.

"Henry Barracks, P. R.: Barracks and utilities; $561,200.

"Keflavik Airport, Iceland: Development of Keflavik Airport; $10,352,100.

"Harmon Field, Newfoundland: Family quarters, operational facilities, laundry and dry-cleaning facilities, warehouses, and utilities; $12,087,100.

"Frobisher Bay (Upper Frobisher), Canada: Family quarters and utilities; $396,905.

"Fort Chimo, Canada: Family quarters and utilities; $214,570.

"Kindley Field—Fort Bell, Bermuda: Family quarters (including conversions), water evaporation building, and utilities; $2,359,938.

"Alaska: Classified installation for the Air Force; $5,000,000.

"Newfoundland: Two classified installations for the Air Force; $3,500,00.

"SEC. 2. To accomplish the above-authorized construction the Secretary of the Army and the Secretary of the Air Force are authorized to acquire lands and rights pertaining thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended.

"SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary toward meeting the purposes of this act, but not to exceed $92,846,000 for public works in the continental United States during the fiscal year 1948, which includes $5,000,000 for emergency projects within the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force, and $122,200,000 for public works outside continental United States during fiscal year 1948, which includes $20,000,000 for emergency projects outside the United States as may be authorized by the Secretary of the Army or the Secretary of the Air Force. With respect to projects within and without continental United States, the approximate partial cost for each project enumerated and authorized in section 1 of this act may, in the discretion of the Secretary of the Army or the Secretary of the Air Force, be varied upward or downward 10 percent, but the total cost of the work on the projects in continental United States authorized by this act shall not exceed $85,886,000 and the total cost of the work outside continental United States authorized by this act shall not exceed $122,044,350. Any such appropriation shall be available under the direction of the Secretary of the Army or the Secretary of the Air Force for expenses incident to construction, including administration, overhead, planning, and surveys, and shall be available until expended: *Provided*, That any work undertaken under this authorization may be prosecuted by direct appropriations, or by both direct appropriations and continuing contracts subject to the availability of subsequent appropriations: *Provided further*, That no money from current or future appropriations for the Army or the Air Force shall be expended for the construction of family quarters for personnel of the Army or the Air Force of greater net floor area in square feet per unit than the following:

"For enlisted men, 1,080.

"For warrant officers, flight officers, and commissioned officers of and below the rank of captain, 1,250.

"For majors and lieutenant colonels, 1,400.

"For colonels, 1,670.

"For general officers, 2,100.

"For the purpose of this act, net floor area is defined as the space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches: *Provided*, That these areas may be increased not to exceed 10 percent at activities outside the continental United States, and not to exceed 10 percent for quarters of commanding officers of stations, bases, or installations based on the normal rank of such officers: *Provided further*, That quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility, rating, and pay as determined by the Secretary of the Army or the Secretary of the Air Force to be appropriate: *Provided further*, That no family quarters for personnel of the Army or the Air Force shall be constructed with the funds authorized for appropriation herein in excess of a net floor area of 1,080 square feet per unit: *Provided further*, That family quarters so constructed shall be of the multiple type (generally eight families to a unit) or apartment type (generally six families to a unit) except where tropical or desert climates render the use of multiple-type dwellings deleterious to health and welfare and except where one, two, or three two-family units are necessary to provide the exact number of family quarters authorized herein for construction at a station.

"SEC. 4. The following laws and parts of laws are hereby repealed: That part of the act of March 2, 1905 (33 Stat. 836; 10 U. S. C. 1331), reading as follows: 'No military post within the United States shall be established without the express authority of Congress'; that part of the act of May 12, 1917 (40 Stat. 74; 10 U. S. C. 1333), reading as follows: '*Provided further*, That hereafter no expenditure exceeding $5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War, upon detailed estimates submitted to him'; that part of the act of February 27, 1893 (27 Stat. 484; 10 U. S. C. 1336), reading as follows: 'The erection, construction, and repair of all buildings and other public structures in the Quartermaster Corps shall, as far as may be practicable, be made by contract, after due legal advertisement'; and that part of the act of May 12, 1917 (40 Stat. 58; 24 U. S. C. 21), reading as follows: '*Provided*, That no building or structure of a permanent nature, the cost of which shall hereafter exceed $30,000, shall be erected for use as an Army hospital unless by special authority of Congress.' Revised Statutes 1136, as amended by section 1 of the act of February 27, 1877 (19 Stat. 242; 10 U. S. C. 1339), is hereby further amended by deleting the figure '$20,000' and inserting the figure '$100,000.' The following parts of acts are hereby repealed, and shall not be applicable to contracts or expenditures under the appropriations 'Engineer Service, Army,' contained in the Military Appropriation Acts, 1946 and 1947: That part of section 1 of the act of June 25, 1910 (36 Stat. 721), which reads as follows: '*Provided*, That hereafter no money appropriated for military posts shall be expended for the construction of quarters for officers of the Army, or for barracks and quarters for the artillery the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed, in the case of quarters of a general officer, the sum of $15,000, of a colonel or an officer above the rank of captain, $12,000, and of an officer of and below the rank of captain, $9,000,' as modified by section 1 of the act of February 25, 1927 (44 Stat. 1235), which reads as follows: '*And provided further*, That hereafter no part of this appropriation or any appropriation hereafter made shall be expended for the construction of quarters for officers of the Army in the United States or its possessions the total cost of which, including heating and plumbing apparatus, wiring and fixtures, shall exceed, in the case of an officer above the rank of captain, $14,500, and of an officer of and below the rank of captain, $12,500.'"

Amend the title so as to read: "An act to authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes."

Mr. GURNEY. Mr. President, I move that the Senate disagree to the amendments of the House, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. GURNEY, Mr. SALTONSTALL, Mr. MORSE, Mr. TYDINGS, and Mr. RUSSELL conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1949

The Senate resumed the consideration of the bill (H. R. 5883) making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

The PRESIDENT pro tempore. The appropriation bill is before the Senate and open to amendment.

Mr. WILEY obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield to me in order that I may suggest the absence of a quorum?

Mr. WILEY. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Murray |
| Baldwin | Hawkes | Myers |
| Ball | Hayden | O'Conor |
| Barkley | Hickenlooper | O'Mahoney |
| Bricker | Hill | Pepper |
| Bridges | Hoey | Reed |
| Brooks | Holland | Revercomb |
| Buck | Ives | Robertson, Va. |
| Butler | Johnson, Colo. | Russell |
| Byrd | Johnston, S. C. | Saltonstall |
| Cain | Kem | Smith |
| Capehart | Kilgore | Sparkman |
| Capper | Knowland | Stennis |
| Chavez | Langer | Stewart |
| Connally | Lodge | Taft |
| Cooper | Lucas | Thomas, Okla. |
| Cordon | McCarthy | Thomas, Utah |
| Donnell | McClellan | Thye |
| Dworshak | McFarland | Tobey |
| Eastland | McGrath | Tydings |
| Ecton | McKellar | Vandenberg |
| Ellender | McMahon | Wherry |
| Feazel | Magnuson | White |
| Ferguson | Malone | Wiley |
| Flanders | Martin | Williams |
| Fulbright | Maybank | Wilson |
| George | Millikin | Young |
| Green | Moore | |
| Gurney | Morse | |

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. JENNER], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

Mr. LUCAS. I announce that the Senator from Texas [Mr. O'DANIEL] is absent by leave of the Senate.

The Senator from Idaho [Mr. TAYLOR] is absent on public business.

The Senator from California [Mr. DOWNEY], the Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

Mr. STEWART. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. Mr. President, I understand that the distinguished Senator from Tennessee has an amendment to the bill which will be accepted by the Senator from Illinois [Mr. BROOKS]. In view of that situation, I am glad to yield to the Senator. If, on the other hand, it develops into a contested matter, I want it understood that I shall proceed.

Mr. STEWART. I think we shall require only 2 or 3 minutes.

Mr. President, I call up the amendment which I previously sent to the desk, and I ask to have the amendment stated. It increases the appropriation for the school-lunch program.

The PRESIDENT pro tempore. The amendment offered by the Senator from Tennessee will be stated.

The CHIEF CLERK. On page 52, line 15, after the word "available", it is proposed to strike out "$65,000,000" and insert "$100,000,000."

Mr. STEWART. Mr. President, I wish to modify my amendment so as to insert the figure "$75,000,000" instead of "$100,000,000."

The PRESIDENT pro tempore. The Senator is entitled to modify his amendment.

Mr. STEWART. Inasmuch as the Senators from South Carolina [Mr. MAYBANK and Mr. JOHNSTON], the Senator from Alabama [Mr. HILL], and the Senator from North Carolina [Mr. HOEY] join me in this amendment, I should like to have their names added as sponsors of the proposal to increase the school-lunch appropriation.

I have an agreement with the Senator from Illinois, in charge of the bill, to make this alteration; and, as I understand, he is willing to accept the amendment.

Mr. BROOKS. Mr. President, for the information of the Senate, the budget request for this year's school-lunch program was $65,000,000. Last year Congress allowed $65,000,000, and an additional appropriation of $5,000,000 was finally agreed upon. So there was actually available last year for the school-lunch program $70,000,000.

This year the budget asked for $65,000,000, and there is now pending before the Congress, in a supplemental budget estimate of appropriations and contract authorizations, which should be before our committee soon, requesting an additional $10,000,000.

I am willing to accept the supplemental budget estimate and add it to this bill, making the total $75,000,000.

The report from the Bureau of the Budget states:

> The $10,000,000 recommended, which is in addition to the sum of $65,000,000 originally included in the 1949 budget and at present contained in the Department of Agriculture appropriation bill as passed by the House, would provide sufficient funds for 1949 to make the maximum reimbursements to the States specified in the National School Lunch Act, at the present level of participation.

In view of those circumstances, I am willing to accept the amendment as modified.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. STEWART] as modified.

Mr. MAYBANK. Mr. President, I wish to express my appreciation to the distinguished Senator from Tennessee for adding my name to the list of sponsors of his amendment. I congratulate him on the excellent work he has done as a member of the Committee on Agriculture and Forestry, not only in connection with matters of this kind, but in connection with cotton and other worth-while agricultural developments of the South.

Mr. STEWART. I thank the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I appreciate the action of the Senator from Tennessee in including my name as one of the sponsors of the amendment. As I see it, most of the credit should go to the Senator from Tennessee. He has been working hard for this increase. My colleague [Mr. MAYBANK], the senior Senator from Alabama [Mr. HILL], the senior Senator from North Carolina [Mr. HOEY], and I submitted a similar amendment, but most of the credit should go to the Senator from Tennessee.

The PRESIDENT pro tempore. The question is on agreeing to the modified amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself, the senior Senator from South Carolina [Mr. MAYBANK], the junior Senator from South Carolina [Mr. JOHNSTON], the Senator from Alabama [Mr. HILL], and the Senator from North Carolina [Mr. HOEY].

The amendment as modified was agreed to.

Mr. WILEY. Mr. President, last Friday while I was on my way to Washington from Wisconsin, the Senate adopted a committee amendment on page 40 of the bill, inserting in place of the sum $1,000,000, the sum $1,125,000. I wish to ask that the vote by which the amendment was adopted be reconsidered; but before doing so, if the Senator from Illinois [Mr. BROOKS] will not consent to having that done, I desire to make a brief statement concerning this matter.

First, I wish it understood that the institution known as the Forest Products Laboratory is a Federal institution, operated by the Federal Government. For every dollar the Federal Government has put into that institution, $100 has been returned to the Federal Government.

I should like to compliment the committee which has reported this bill, in that the total appropriations it has recommended amount approximately to only $34,000,000 more than the appropriations carried in the bill as passed by the House. I have listened to a great deal of talk on the floor of the Senate in relation to the high cost of government, and so forth, and so I compliment the committee because, although today our dollars are worth only 50 cents—and 50-cent dollars mean that it costs many more dollars to operate all our institutions and projects, as compared with the time when dollars were worth 100 cents—nevertheless the bill as reported by the Senate committee calls for increased appropriations in the amount of approximately only $34,000,000.

Mr. President, what is this institution known as the Forest Products Laboratory? I have already said that it returns to the Federal Government, in the form of income from new industries and savings, $100 for every dollar the Federal Government has spent on it. In a short time I shall demonstrate the correctness of that statement.

The present age, Mr. President, is an age of laboratories, an age when we

spend as much as $150,000,000 for one ship. In this atomic age we have delved into the science of matter and we have sensed that, after all, there is no matter, but the atom is made up of electric charges, negative and positive. Here is a laboratory which the Government built some years ago, and it has been found, as I have said, to be one institution which returns to the Government, in the form of taxes and in other ways, $100 for every dollar the Federal Government puts into it.

Last year the Congress appropriated for this purpose $1,250,000, as I recall. Since that time the dollar has been decreasing in purchasing power and in ability to perform, and in this case, in ability to carry on work to find new methods and means in relation to wood products. For some reason or other, the House this year voted to reduce the appropriation for this purpose to $1,000,000. Mr. President, up and down the Mississippi Valley, and up and down the east and west coasts of the United States, we apportion hundreds of millions for the building, repairing, or improvement of harbors and rivers. When in this atomic age and this age of laboratories we have an institution which builds wealth and creates new means of wealth, obviously we must not reduce the appropriations for it. I shall point out what will occur if this appropriation is reduced.

I appeared before the committee and called attention to this matter. I thought certainly the committee would increase the amount of this appropriation from $1,000,000 to $1,250,000, which is the amount appropriated for this purpose last year. However, instead of doing that, the committee cut in two the increase I requested. I should have requested approximately $3,000,000, in view of the 50-cent dollar which we have today. But the committee forgot that this institution is one of those which are delving into the unknown, creating new values, building America strong within, and making economic returns.

As I have said, as a result of the work of this institution and discoveries made by it the Government receives every year, in the form of income taxes, more than $1,250,000, which is all that we propose to have the Government pay for operation of this laboratory.

Mr. President, unless we restore this appropriation to the amount of $1,250,000, as I have indicated, and send such an amendment to conference, the dismissal of approximately 30 trained experts in forest-products research will be necessary. Where will those experts be laid off? There will be lay-offs not only in Madison, Wis., but also in forest-products utilization stations in Philadelphia, Asheville, New Orleans, Columbus, Missoula, Portland, and Berkeley. Such action will result in a real limitation of the effectiveness of the wood-products research which is being conducted at Madison, Wis., and is being reported to all branches of the lumber industry and related industries.

Mr. President, I do not believe it is necessary for me to go into great detail in regard to the absolute importance of forest-products research at the present time. We already have embarked on a foreign-aid program to the extent of more than $6,000,000,000. In this instance I am asking for an increase of $125,000 over the amount provided in the bill. We have voted for a 70-group air force, and we shall spend untold billions of dollars on the Army and Navy for defense. This institution will provide added defense for those forces, and I shall demonstrate what it has done heretofore in that respect.

It would be impossible to tell to what extent the foreign-aid program and the domestic-defense program will involve the use of wood materials and how much will be saved as a result of previous investigations made by the Forest Products Laboratory. Indeed, the record of this research institution is so outstanding in terms of saving hundreds of millions of dollars to the Federal Government and to private industry that I hardly need elaborate upon it. I need only cite the fact that during World War II the laboratory developed indispensable information in regard to the strength of certain woods and plywoods in connection with Army and Navy aircraft and gliders. For ordnance alone it reduced by 20 percent the shipping space required by packages. That means that as a result of the successful research carried on by this laboratory, only four ships are needed to transport material which heretofore would have required five ships for its transportation. In 1 year alone, the laboratory has reduced by millions of board feet the quantity of lumber needed for military packages. It has developed a vast variety of processes for the utilization of wood waste. It has developed indispensable processes in connection with the better use of wood in ships.

I have presented to the Senate Appropriations Committee testimony which indicates that in eight categories alone, such as wood painting, wood gluing, kiln drying, and so forth, the total amount of saving to the American people from the forest products research work, which has been done in this connection, has been $70,000,000 a year.

Mr. President, I believe my colleagues know that I am as deeply interested in assuring actual Government economy as is any other Member of the Senate. But here we are considering an institution which, for a fact, repays Uncle Sam's investment manyfold.

Therefore, I respectfully request that the amendment I propose to the committee amendment be adopted, when it comes up, and that the full $1,250,000 be assured for this purpose for the next fiscal year.

It had been hoped that there would be an appropriation for this purpose in the amount of $1,500,000, which would constitute the peacetime level of appropriations. Since then, the dollar has decreased in value to 50 cents, which is far below the wartime level.

I am not however asking for the full $1,500,000, but only for $1,250,000. I do not feel that the request is excessive. This matter affects industries in every one of the 48 States, and I believe that our decision today will have an important effect on the entire lumber industry and all related industries in the years to come.

Mr. President, I ask at this time that excerpts from a letter which I wrote to the Senator from New Hampshire [Mr. BRIDGES] last year, outlining some of the savings of the Forest Products Laboratory, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

JUNE 5, 1947.

Hon. STYLES BRIDGES,
*Chairman, Senate Appropriations Committee, Washington, D. C.*

* * * * *

May I point out but a few of the accomplishments of the laboratory during the war.

Wood in aircraft: Furnished the basis information on the strength of wood, plywood and modified wood necessary for the design and manufacture of Army and Navy planes and gliders.

Packaging: For Army Ordnance, Army Air Forces, Army Service Forces, War Food Administration, lend-lease, and industry. For Army Ordnance alone reduced shipping space by 20 percent, permitting four ships to do the work of five; reduced damage beyond repair at destination points from 50 percent to 3 percent; developed production line procedures in packaging factories, depots, and arsenals; reduced lumber needed in 1 year alone by over 1,500,000,000 board feet; and trained some 12,000 inspectors for services at depots and factories.

Wood waste utilization: Developed a process for producing industrial alcohol from wood waste.

Laminated timbers: Developed procedures for the production of laminated keels, ribs, and other structural members for military boats.

Land mine: Developed a nonmetallic antitank mine for Army Ordnance.

Ship decking: Developed a new kind of decking for airplane carriers to alleviate a shortage of teak.

Plastic: Developed a paper base plastic that was used for ammunition boxes, gun turret assemblies, airplane flooring, etc.

I would like to prove statistically my contention that every research dollar expended repays itself to the American public. Here are some of the achievements of the laboratory in terms of annual savings to the people:

*Estimated annual savings*

| | |
|---|---|
| Developed good painting practices for houses, buildings, and other wood structures | $1,000,000 |
| Gluing of wood changed from a rule-of-thumb practice to an exact process | 1,000,000 |
| Improved treating methods for protecting ties, poles, posts, bridges and other wood structures against decay | 2,500,000 |
| Improved the methods of kiln drying lumber | 10,000,000 |
| Pulpwood supply broadened by adapting wide diversity of species to pulping | 15,000,000 |
| Solved the many problems attending the use of small dimension stock for use in furniture, agricultural implements, refrigerators, etc. | 1,250,000 |
| Developed simple methods for reducing decay in pulpwood and pulp | 1,000,000 |
| Lowered costs, reduced weight and improved serviceability of shipping containers | [2] 20,000,000<br>[1] 10,000,000<br>[2] 12,000,000 |

[1] Loss and damage.
[2] Material cost.
[3] Freight and handling charge.

I know how determined your committee is to effect every reasonable economy. I assure you that I share your determination. I

do feel, however, that in this instance this Government unit is not requesting money in a greater amount than it expended during the war but that, exactly to the contrary, it is requesting far less than its wartime budget, unlike many other Government units. Moreover, every dollar for which it is asking will come back to the American people as I have suggested above.

* * * * *

I would appreciate it if your committee would advise me as to the date and time at which I may present these views in person.

With kindest personal regards, I am

Sincerely yours,

ALEXANDER WILEY.

Mr. WILEY. Mr. President, my colleagues will note that, unlike virtually any other Federal appropriation, that for the Forest Products Laboratory results in a savings of millions of dollars for Uncle Sam, rather than their spending. Through every single cent which we appropriate to this Federal institution, Uncle Sam gets back untold amounts in terms of tax revenues, arising from new industries, new products, new jobs, and new wealth. That is why I ask for the restoration, Mr. President, of this amount.

In the letter which I addressed to the Senator from New Hampshire [Mr. BRIDGES], of which I have placed excerpts in the RECORD, I have set forth among other things statistics showing how every research dollar expended repays itself to the American public. Here are some of the achievements of the laboratory in terms of annual savings:

Developed good painting practices for houses, buildings, and other wood structures, $1,000,000.

Gluing of wood was changed from a rule of thumb to an exact process, $1,000,000.

Improved treating methods for protecting ties, poles, posts, bridges, and other wooden structures against decay, $2,500,000.

Improved methods of kiln-drying lumber, $10,000,000.

Pulpwood supplies, broadened by adapting wide diversity of species to pulping, $15,000,000.

Solved the many problems attending the use of small dimension stock for use in furniture, agricultural implements, refrigerators, and so forth, $1,250,000.

Developed simple methods of reducing decay in pulpwood and pulp, $1,000,000.

Lowered costs, reduced weight, and improved serviceability of shipping containers, $12,000,000.

I know, Mr. President, that the committee has a terrifically arduous job. I know what they did in this instance. They thought that I asked for $250,000, and they would slice it in two.

I want to make it clear that this is not a Wisconsin institution. As I look over the rivers and harbors bill, not one penny of it goes to Wisconsin. You would think, Mr. President, that I would have a little bit of nerve to ask this for Wisconsin. I am not asking it for Wisconsin. We can stand on our own feet. We can build our own State. We can look after our own institute. I am asking it for our country. If we should lose that vision without which the people perish—and that is what we would be doing if we should cripple institutions such as this, which create wealth and build up the Nation—we would be not only penny-wise and pound-foolish, but we would be most unwise in our approach to the larger problem, world-wide in its scope.

This institution belongs to Oregon, it belongs to Philadelphia, it belongs to the southern pineries, it belongs to every State of the Union. It has returned to every State of the Union wealth 100 to 1, and it is returning it every day. I repeat, there are businesses in this country that pay an income tax to the Federal Government more than the Federal Government pays to this institution a year, because of this institution's findings and creations and discoveries.

Mr. President, we are living in a wonderful age. Whether it shall be more wonderful depends upon us and the approach we take. We added yesterday by consent, through the action of the Senate, some $50,000,000 to the appropriations carried by the bill. All I am asking, Mr. President, is that we go forward and recognize that this is an age of delving into the unseen and the unknown and the undiscovered. America was built by men who went beyond the present horizon, who saw the need of looking over the other range, who were not satisfied simply with present-day limits. This is the kind of institution that helped make possible the inventive genius and bring into full bloom what I call the American viking spirit that reaches out beyond the known horizon.

This institution, considering the amount of money invested in it, has returned in wealth, in jobs, in industrial health, in savings to America, in war and in peace, more, I think, than has any other similar institution in America.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. FULBRIGHT. I should like personally to confirm what the Senator said about this not being a Wisconsin institution. In my State I have been all my life associated with the woodworking industry. I know we rely very materially upon the Forest Products Laboratory for information. In fact, it is the only institution I know of in America to which manufacturers may write for information about problems confronting the woodwork industry. I know that the small plant in Fayetteville, Ark., with which I have been associated, has many times written to the laboratory asking about new methods, such as those to which the Senator has referred, gluing, mending, and so on. It is a very practical matter.

I hope very much the Senate will adopt the Senator's amendment. In fact, I am sorry it is not $1,500,000, which it used to be, and which was not too much. In the 1930's, before the war, it served many industries. It is unique in the whole United States. It certainly is a national institution. I know that throughout the South, and I am quite sure throughout the East, various industries make use of this laboratory just as if it were their own. They write to it for information and they get excellent service. I very much hope the Senate will adopt the amendment. I also went before the committee and asked for $1,250,000. I thank the Senator from Wisconsin for offering this amendment.

Mr. WILEY. Mr. President, I have nearly completed my remarks. I want again to call attention to what a failure to appropriate an additional $125,000 will mean. It has come directly to me that it would mean a lay-off of persons not only in Madison, Wis., but also in forest products utilization stations in Philadelphia, Asheville, New Orleans, Columbus, Missoula, Portland, and Berkeley. So it will be seen that it is almost a mortal blow, and involves serious damage to the great institution which expresses the national spirit of discovery and invention.

Recently we learned that Donald Nelson, whom we all knew during the war, had gone to New York heading an organization which, through discovery of the utilization of either electric energy or some type of atomic energy, has devised a process whereby foods can be preserved without refrigeration and a flower can be preserved so that it will remain intact for years to come. It is possible to put a piece of steak through the process, then place it on a desk in an ordinary room and let it remain for 6 months. Afterward, when it is opened, it will be found as fresh as it was when it was first cut. I am no expert on the subject, but it is an indication of the wonderful age in which we are living.

A few years ago General Smuts, of South Africa, said:

We are living in an age in which I cannot see beyond the horizon, but I can sense the gleam of a new and wonderful era.

If that be true, we do not want to reduce small appropriations such as the one in question. We do not want to spend billions for other purposes and fail to see that this is the thing which will make the future come alight in the present.

So, Mr. President, I should like to ask the Senator from Illinois to agree to a reconsideration of the action taken by the Senate on this committeee amendment item, in order that I may move an amendment that the appropriation be increased by $125,000.

The PRESIDENT pro tempore. Is there objection to the reconsideration of the vote by which the committee amendment on line 8, page 40 of the bill was agreed to?

Mr. BROOKS. Mr. President, reserving the right to object, I should like the Senate to know that the laboratory in question is perhaps the best-advertised laboratory in the world. I am sure we are all convinced that it is not merely a Wisconsin laboratory; it is a national laboratory, and it has done great work. Last year the committee was responsible for restoring $250,000 to the appropriation for this laboratory's activities. The testimony was fully considered. Most of what has been said here today was presented to the committee at that time. The committee unanimously considered it and approved an appropriation of $1,125,000. With that in view, there is nothing I can do except to object to a reconsideration of the action taken by the Senate. I object.

Mr. WILEY. Then I move, Mr. President, that the Senate reconsider the vote by which the Senate adopted the com-

mittee amendment on line 8, page 40, of the bill.

The motion was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin, which he will state for the information of the Senate.

Mr. WILEY. On page 40, line 8, I move to strike out "$1,125,000" and to insert in lieu thereof "$1,250,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. FULBRIGHT. Mr. President, the Senator from Wisconsin has covered the subject very well. I think the Senate should consider that it passed not long ago the science research bill, which has not been implemented and probably will not be, but it contemplates a much greater sum of money than is here involved. Here is an organization already in existence. A very small amount, relatively speaking, is asked. I am unable to understand the strenuous objection to this kind of project, in view of the very able statement made by the Senator from Wisconsin.

Another aspect of the question is the effort to create a bureau in the Department of Commerce for the aid not only of small businesses but also of large businesses. The House eliminated an appropriation for that purpose. The Senate reinstated it. The ultimate result of the controversy is not yet known. I cannot understand why the Senate is not willing to accept the amendment providing for the Forest Products Laboratory, which has a long and well-established record of success. I hope the Senate will look with favor upon the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. CAIN. Mr. President, I should like to address a question, if I may, to the Senator from Wisconsin. Is there any prohibition in the bill against donations, grants, or gifts being provided for this laboratory by private industry?

Mr. WILEY. I am not informed as to that.

Mr. CAIN. I wonder if any other Senator knows whether there is a prohibition against the desirable functions of the laboratory being aided by both the Government and those who may well benefit from the research conducted by the laboratory.

Mr. WILEY. Mr. President, I do not know whether the distinguished Senator from Washington was present when I spoke on the subject. It is true that the item involved is $125,000, but there are jobs involved for persons in all parts of the country, including Portland, Oreg. This institution is one of the great producers of wealth. It has brought about great savings to the Federal Government itself; so much so that because of processes worked out by it during the war, four ships could carry what would otherwise have required five ships to transport. That is only one item.

I repeat, Mr. President, that in spite of the remarks made by the distinguished Senator from Illinois, spoken, I believe, in rather an ironic way, that it is the best advertised laboratory in the United States, it is a laboratory which produces more per dollar expended and produces greater results for the Federal Government than any other laboratory in the United States. I should like to hear someone dispute that by presenting figures. The mere fact that we can appropriate billions of dollars for many other purposes but contest a proposition such as this to me seems the height of the ridiculous. We can play ball on a "pork barrel" proposition, and because I have not any "pork" to trade I suppose my plea should be disregarded. As I said in the beginning, I am speaking for the country, not for my State, because the State has gotten no "pork."

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. WILEY. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I point out to the Senator from Washington, if he was not in the Chamber during the earlier debate, that the project under consideration is a research project, and the amount of money recommended is very important to this kind of a project and the continuity of this kind of a project is of importance. Starting and stopping it destroys its effectiveness. Such projects are long-term projects, and either increasing or lowering the appropriation is very bad for such a project. The amount is small, and the project should go along continuously on about the same level. The minimum would be a million and a quarter dollars, it seems to me.

Mr. CAIN. Mr. President, the junior Senator from Washington is thoroughly familiar with the value of the laboratory under discussion and the splendid results it has produced. The State of Washington, which I am delighted and very proud to represent in part, is one of the very great lumber States of the Nation, as nearly everyone knows. But I raised the question for a very practical reason. Because of the importance of this laboratory, is there a prohibition against permitting private enterprise, particularly with the appropriation being as small as it is, to contribute the difference and a great deal more, if it is the wish of the Senate to support the hard work which has been done by the Senator from Illinois and his associates on the committee? I am trying to anticipate the future, in which, it seems to me, the time will certainly come when the Federal Government, however much it may want to do fine things, cannot do everything it desires to do, so I ask can or cannot private industry make up the differentials when it wants laboratories of this character to continue?

Mr. EASTLAND. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. Let me say first that in the very bill we are considering we have appropriated millions of dollars for highways in the forests, we have appropriated millions of dollars to be used in looking after the forest industry, and have refused $125,000 to study the utilization of products of the forests. Plans are now under way for investigations because of the great challenge in the matter of heat production units, coal, and so forth. There is the question of investigating the utilization of refuse. There have been reports from laboratories on the utilization of southern pine, which a few years ago could not be used for paper, but now it is being made into paper.

Permitting private enterprise to contribute in my mind seems very questionable when the institution is a public institution; but I have not gone into that. The major portion of the results achieved by the laboratory have gone directly to the benefit of the public, and in cases where new industries have gotten ideas, the public has received tax revenue, which has returned a hundredfold every dollar invested. That is the situation as we find it.

The suggestion is no reflection on the committee. A few moments ago the committee accepted a recommendation for the appropriation of millions of dollars more for school lunches. Yesterday it was overridden in relation to another project involving $50,000,000. In my opinion it is only common sense that the committee should accept the proposal of $125,000, and strive for it in conference, because it would be furthering the national welfare, not simply working for a little industry in my State.

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield that I may suggest the absence of a quorum?

Mr. WILEY. I yield.

Mr. FULBRIGHT. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Morse |
| Baldwin | Hawkes | Murray |
| Ball | Hayden | Myers |
| Barkley | Hickenlooper | O'Conor |
| Bricker | Hill | O'Mahoney |
| Bridges | Hoey | Pepper |
| Brooks | Holland | Reed |
| Buck | Ives | Revercomb |
| Butler | Johnson, Colo. | Robertson, Va. |
| Byrd | Johnston, S. C. | Russell |
| Cain | Kem | Saltonstall |
| Capehart | Kilgore | Smith |
| Capper | Knowland | Sparkman |
| Connally | Langer | Stennis |
| Cooper | Lodge | Stewart |
| Cordon | Lucas | Taft |
| Donnell | McCarthy | Thomas, Okla. |
| Dworshak | McClellan | Thomas, Utah |
| Eastland | McFarland | Thye |
| Ecton | McGrath | Tobey |
| Ellender | McKellar | Tydings |
| Feazel | McMahon | Vandenberg |
| Ferguson | Magnuson | Wherry |
| Flanders | Malone | Wiley |
| Fulbright | Martin | Williams |
| George | Maybank | Wilson |
| Green | Millikin | Young |
| Gurney | Moore | |

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment submitted by the Senator from Wisconsin [Mr. WILEY] to the committee amendment, on page 40, line 8, to strike out "$1,125,000" and insert "$1,250,000."

Mr. WILEY and Mr. EASTLAND asked for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] and the Senator from South Dakota [Mr. BUSHFIELD] are necessarily absent. If present and voting, the Senator from South Dakota would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business, and is paired with the Senator from Indiana [Mr. JENNER], who is necessarily absent. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from Utah [Mr. WATKINS] is necessarily absent. If present and voting, the Senator from Utah would vote "yea."

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. The Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained on official business.

I announce that the Senator from Texas [Mr. O'DANIEL] is absent by leave of the Senate.

The Senator from Idaho [Mr. TAYLOR] is absent on public business.

The Senator from California [Mr. DOWNEY], the Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 44, nays 39, as follows:

YEAS—44

| | | |
|---|---|---|
| Aiken | Holland | Murray |
| Barkley | Johnson, Colo. | Myers |
| Connally | Johnston, S. C. | O'Conor |
| Cooper | Kilgore | Pepper |
| Eastland | Langer | Robertson, Va. |
| Ellender | Lucas | Sparkman |
| Feazel | McCarthy | Stennis |
| Flanders | McClellan | Stewart |
| Fulbright | McFarland | Thomas, Okla. |
| George | McGrath | Thomas, Utah |
| Green | McKellar | Thye |
| Gurney | McMahon | Tydings |
| Hatch | Magnuson | Wiley |
| Hill | Maybank | Wilson |
| Hoey | Morse | |

NAYS—39

| | | |
|---|---|---|
| Baldwin | Dworshak | Moore |
| Ball | Ecton | O'Mahoney |
| Bricker | Ferguson | Reed |
| Bridges | Hawkes | Revercomb |
| Brooks | Hayden | Russell |
| Buck | Hickenlooper | Saltonstall |
| Butler | Ives | Smith |
| Byrd | Kem | Taft |
| Cain | Knowland | Tobey |
| Capehart | Lodge | Vandenberg |
| Capper | Malone | Wherry |
| Cordon | Martin | Williams |
| Donnell | Millikin | Young |

NOT VOTING—13

| | | |
|---|---|---|
| Brewster | McCarran | Wagner |
| Bushfield | O'Daniel | Watkins |
| Chavez | Robertson, Wyo. | White |
| Downey | Taylor | |
| Jenner | Umstead | |

So Mr. WILEY's amendment to the committee amendment was agreed to.

Mr. BARKLEY. Mr. President, I do not propose to offer an amendment, but I have received a telegram from Mr. Clyde T. Ellis, executive manager of the National Rural Electric Cooperative Association, with reference to a statement contained in the report on this bill a year ago. I ask that the telegram be read at the desk

The PRESIDENT pro tempore. Without objection, the telegram will be read.

The Chief Clerk read as follows:

WASHINGTON, D. C., *May 25, 1948.*

Senator ALBEN W. BARKLEY,
*Senate Office Building:*

We note on page 6277 of Friday's CONGRESSIONAL RECORD Senator AIKEN asked Senator BROOKS whether it was the committee's intention to discontinue the proviso contained in its committee report of last year requiring REA to file generation applications with the House Appropriations Committee of the House and Senate before making such loans. Senator BROOKS replied that the committee had no intention to discontinue the practice and said "We have had no protest of any kind against the continuance of practice." Please see the Senate committee hearings and note my testimony and that of several of our members of the legislative committee representing different regions of the country protesting this 30-day requirement and urging that it not be continued because it works a hardship on our systems. Hope you can get Senator BROOKS in the debates today to agree to discontinue the practice.

CLYDE T. ELLIS,
*Executive Manager, National Rural Electric Cooperative Association.*

Mr. BARKLEY. Mr. President, there is no provision in the law requiring the REA to file with the Appropriations Committees of the House and Senate a 30-day notice with respect to loans which that agency proposes to make with reference to the generation of power. But because of a statement contained in the report a year ago, it has been the practice to require that the REA file with the two Appropriations Committees information with respect to such applications.

It is a rather unusual situation to find an executive agency required—not by any law, but because of a statement in a report—to file such reports with the two Appropriations Committees. As I say, this is not a requirement of law, but is a practice which has arisen because of a statement contained in the report. I can very well understand the irksome inconvenience involved in filing such reports with the Appropriations Committees, which apparently do nothing about them. They take no action upon them. So far as I know, they have taken no action, and I do not know what action they could take.

What is the view of the committee, may I ask the Senator from Illinois, as to the need for further requiring that the REA in Washington file notice with the Appropriations Committees of any application with regard to making loans in furtherance of the creation of power to carry out the functions of the REA?

Mr. BROOKS. Mr. President, at the time this language was written into the report there was considerable discussion in the committee about the use of funds for creating generating plants. A motion was made in the committee to write into the law a provision requiring the REA to notify the Appropriations Committees. Finally, after discussion, we decided not to write it into the law, but to write it into the report.

I believe the reason was that it was not desired to have the REA build generating plants in competition with existing plants. If an attempt were made to do so, the requirement for filing a report would allow at least 30 days for any interested person to present his views.

I have heard of no complaints. I do not say that Mr. Clyde Ellis did not protest the practice; but I am talking about the REA itself. That is what I meant when I said that the REA had made no objection to filing such reports. As a matter of fact, when representatives of the REA were before the committee I asked the Secretary, Mr. Wickard, if his report was up to date. He said that it was, within 60 days. I asked him if he would bring it up to date, and he said he would.

There has been no objection that I know of from the REA. Consequently, it was our intention, because of the discussion, and because it was a concession to those who wanted to write it into the law, to put it in the report. In the absence of some real objection from the REA itself, it was my understanding that we would continue the relationship as it now is.

Mr. BARKLEY. Then, as I understand, the committee considered that the objection of the National Rural Electric Cooperative Association was not sufficient to justify the committee in eliminating the practice, or eliminating the language from the report; and that any objection would have to come from the REA itself, and not from the cooperatives organized as a part of the REA system.

Mr. BROOKS. That is as accurate a statement as I could make of the situation.

Mr. BARKLEY. In other words, the Senator does not now propose to recommend that the practice be discontinued.

Mr. BROOKS. I did not so intend, because I knew that if I did so I would have to report to the full committee, and the discussion would start all over again, as to whether such a provision should be written into the law.

Mr. BARKLEY. Let me ask the Senator if in the case of any other agency created by Congress there is a requirement by practice—not by law, but merely because of the dictum of a report—that the agency shall report periodically, every 30 days or any other period, applications for the administration of the act as Congress has authorized it.

Mr. BROOKS. I will say frankly that I do not know whether there are any other examples or not. I am not familiar with any such.

Mr. BARKLEY. I do not know the background of the requirement. I am not a member of the committee. It seems a little strange that an agency authorized to make loans to cooperatives from funds provided by Congress should be required, not by law, but by practice, because of certain language in a report, to report every 30 days, or give 30 days' notice to the Appropriations Committees of Congress, of applications for funds with which to build generating plants. It would seem to be a little out of the ordinary executive and legislative procedure.

Mr. THYE. Mr. President, if the Senator will yield to me for a moment on this particular point, let me say that in my opinion one reason why this provision

is wise is that if in a particular community there is all the current that is necessary to energize the transmission line, then if an application is made for the construction of an additional generating unit in the community and the application is acted on favorably, the result will be to tie up a considerable amount of money which otherwise would be available for allocation to some other community, to permit it to construct a needed unit. So the purpose of the restriction, if any, was primarily to prevent the tying up or dissipation of a considerable amount of the funds of the Rural Electrification Administration available for the construction of generating plants. The restriction would prevent the construction of additional generating plants in a community which has available sufficient generating plants properly to energize the line.

The other day I asked the committee whether the Rural Electrification Administration had rejected applications for generating plants. I am informed that none have been rejected.

So the situation is that if certain communities have all the generating facilities they need, they can get along very well for another year without having additional generating facilities and, thus, without depriving other communities of the use of the funds they require for the construction of power lines.

So I say there is a sound reason for the provision.

Mr. BARKLEY. Mr. President, has there been any rejection by the Rural Electrification Administration of applications of that sort, simply because of what might be called this obiter dictum on the part of the committee report, the requirement for the filing of these applications with the committee? In any event, what could the committee do about the matter, even if it disapproved?

Mr. BRIDGES. Mr. President, let me suggest that the situation has been substantially as the Senator from Illinois [Mr. BROOKS] and the Senator from Minnesota [Mr. THYE] have explained it.

The first thought was to write such a provision into the bill. Then I think there was almost unanimous agreement to place the provision in the report. The provisions of the report have been lived up to in the past, and there has been no hardship on anyone.

The evidence the Senator has presented is the first evidence of dissatisfaction or hardship of any sort I have heard of in this connection. It seems to me that the arrangement has not worked a hardship on anyone, and probably it has done considerable good, because it has had a salutary effect in probably making the Rural Electrification Administration a little more careful about its procedure. This provision may not have caused the REA to reject any more applications or to accept any more applications, but certainly it has more carefully surveyed applications of this kind.

I think the Rural Electrification Administration will state generally, as it has stated to the committee, that it has not arbitrarily rejected applications; but in some cases it has slowed up applications or caused the postponement of construction until perhaps it was more fully justified and would be of more help to the persons affected.

So I think the provision is a healthy one to have. When it comes to counting the specific number of additional applications or rejections, of course I cannot tell the Senator as to that.

Mr. BARKLEY. Of course I do not know the details of this matter. The telegram which has been read was sent to me on behalf of certain cooperatives, not on behalf of the Rural Electrification Administration officially. It occurred to me, upon receipt of this information, that it was somewhat extraordinary for an administrative agency to be required to file with two congressional committees notice of applications for loans. I myself do not know that any rejections of applications have occurred because of that provision or that any inconvenience has resulted in any particular case. I have no particular case in mind. But it struck me as a little unusual for an executive agency to be required by the provisions of a report, not by the provisions of a law—for I would be opposed to such a provision if it were included in the law—to make such a report to congressional committees. I suppose the provision was placed in the report for whatever moral effect it might have, even though it would be without any legal effect.

Mr. BRIDGES. It certainly does not do any harm.

Mr. HILL. Mr. President, if the Senator will yield to me, let me say that I am sure he recalls that when the Lucas Electrification Planning Act was passed in 1945, there was a proposal to limit the REA specifically to the construction of lines and to loans for that purpose, and to prevent it from placing any money into the construction of generating plants. However, that proposal was rejected by Congress. Again in 1946 we fought out on the floor of the Senate an amendment, as perhaps the Senator recalls, which was offered, as I remember, by the Senator from South Dakota [Mr. GURNEY], perhaps jointly with the Senator from Kansas [Mr. REED]. That amendment would have prohibited the REA from constructing any generating facilities. The amendment was rejected, as I recall, by a vote of 50 to 22.

My impression is that the RECORD shows that only approximately 2 percent of the total funds of the REA which have been loaned up to date have been loaned for the construction of generating facilities.

As I understand this provision, which we may call an obiter dictum—

Mr. WHERRY. A recommendation, perhaps.

Mr. HILL. The Senator from Nebraska suggests that it is a recommendation. Under it, the REA files with the respective committees of the two Houses statements in regard to the applications which have been filed. As I understand the matter—and if I am in error, I wish to have the Senator correct me—the committees do not themselves seek to pass on the merits or demerits of the applications or as to whether the applications should be granted, rejected, modified, or changed. The committees do not seek to determine what action should be taken on the applications; but the purpose is merely that there shall be a 30-day notice, during which 30-day period the interested parties may have an opportunity to present any matters which they wish to present in regard to the applications. But the committees themselves do not seek in any way to pass on the applications. That is a correct statement, is it not?

Mr. BRIDGES. The Senator has stated the matter very well.

Mr. BARKLEY. But is such an arrangement really necessary?

Mr. BRIDGES. Otherwise there would be no notice. In the past, in many cases complaints have been made after the applications have been approved and the work has been begun. When complaints were made thereafter, the complaining parties were asked, "Why didn't you protest?" Their reply was, "We did not have any notice."

The procedure now under consideration will result in the giving of advance notice, so that an opportunity will be afforded to present objections.

Under the practice, I do not think there is any question of the provision being used; but it does cause advance notice to be given.

Mr. HILL. And that is the purpose of the recommendation—not that the committees shall pass on the matter in any way whatsoever or shall attempt to inject themselves into the operations of the REA, but simply that there shall be a 30-day notice.

Mr. BRIDGES. That is correct.

Mr. WHERRY. Mr. President, inasmuch as the minority leader has raised the question of the force or effect of the recommendation and what it may mean when it is carried in the committee report, let me state that its principle might apply to a similar recommendation which was adopted by the Interior Department subcommittee of the Appropriation Committee and also by the full Appropriations Committee.

Let me suggest to the distinguished minority leader where such an arrangement is helpful. The Appropriations Committee felt that, inasmuch as it is responsible, in a way, for the appropriations which are made for the construction of such projects—for the Bureau more or less holds the committee responsible for the allocation of such funds—it is absolutely necessary, therefore, that it be kept advised in regard to the construction of the various reclamation projects. Until last year we did not know how the construction of such projects was progressing; we had no information on that point. In some cases we would come to the end of a contract and possibly find that the funds had been exhausted before the fiscal year had terminated. Today we have an apportionment statute, and the Bureau of the Budget is supposed to enforce it. But it was our opinion that, inasmuch as Congress is responsible for the appropriations, it is necessary that the Bureau of Reclamation keep the legislative committees advised. In the report last year

we adopted language very similar in principle to the language recommended this year by the committee. That was done for informational purposes and primarily for the same purposes which have just been outlined by the Senator from Alabama [Mr. HILL]. I hope the Senator will not in any way in this colloquy indicate it is unnecessary for a bureau to conform to that recommendation, because I think its effect is wholesome. I certainly should not want the Bureau of Reclamation to get the idea that because it is not in the law and because we could not write it into the law it should be disregarded.

The Senator well knows that if such an amendment were proposed a point of order would be made against it, and it could not be placed in the bill. But I hope the Senator will not lessen in any way the compulsion which I think should go along with it. Although it is merely a recommendation, I hope at least the Bureau of Reclamation will continue to make reports. The reports have been very helpful. They have been made, possibly, not because required by the law, but because it was felt that, inasmuch as the committee unanimously recommended it, it was, in force and effect, almost as good as a law, and that, therefore, they should conform to it. I hope from this colloquy the Bureau of Reclamation will not get an idea it is unnecessary to comply with the recommendation of the committee, which is in principle and in practice the same as this one, which applies to the REA.

Mr. BARKLEY. Nothing I have said is to be interpreted as asking or recommending that any agency ignore any recommendation of the Congress with respect to making reports to Congress. We all know we need information constantly from these agencies as to their operations. I think the telegram I had read was based on the assumption that what the Senator from Illinois said yesterday was that nobody protested against the recommendation heretofore made, whereas the Senator has now indicated that what he meant to say was that the REA itself, as a governmental agency, did not protest. It seems from the telegram and the other facts that the representative of the cooperatives did object to a continuance of this practice. But I am not suggesting, so long as the Congress and the committee feel the way they do about it—and I suppose the contrary would be indicated by some action—that the agencies in question violate the good faith involved in the recommendation that they make these reports.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. Possibly I can clarify the situation a little bit. I asked this question on the floor the other day, of the Senator from Illinois, because REA had asked me to have it made clear for the RECORD, whether they were expected to continue to make the reports to the Appropriations Committees of the two Houses. The officials of REA had noticed that this proviso or request in last year's report of the Appropriations Committee had been omitted from this year's report, and they wanted to have it made clear whether that meant that the Congress felt that such reports were no longer necessary, or whether the Appropriations Committee felt that, having included the provision 1 year, the REA would continue to submit reports from year to year.

The REA stated that unless an explanation to the contrary were made, they should expect to continue making the reports to the Appropriations Committees of the House and Senate in accordance with the suggestion contained in last year's report. They did not indicate whether such a provision was harming them in any way. In fact, I think if it had been harming them they probably would have so indicated. But that was the sole purpose of my asking the question of the Senator from Illinois the other day, to make it clear for the RECORD whether the REA was expected or invited to continue making the reports when money was to be loaned for the purpose of establishing generating facilities.

Mr. BARKLEY. I appreciate the statements of the Senator from Vermont and other Senators. They seem to have clarified the situation to some extent. I presume we can assume that until and unless Congress or the committee in a subsequent report changes its attitude it feels that this practice should continue.

Mr. BROOKS. That would be my understanding. To explain further to the Senator, I felt that when the question was asked me, since we did not discuss it in committee this year, and the REA had made no request that we change it, and because of the rather extended discussion we had when we wrote it into the report, that, as the chairman, I should assume we had not changed the rules of the game.

Mr. BARKLEY. I shall not pursue the matter further at this time. I thank the Senator.

The PRESIDENT pro tempore. The Senate having agreed to the amendment of the Senator from Wisconsin amending the committee amendment on page 40, line 8, the question now is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. YOUNG. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDENT pro tempore. The Senator from North Dakota submits an amendment, which the clerk will read.

The CHIEF CLERK. On page 49, line 7, beginning with the word "there", it is proposed to strike out all down to and including the word "than," in line 11, and to insert in lieu thereof the following: "the method of distribution of funds used in connection with the 1947 programs: *Provided further*, That no participant shall receive more than."

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from North Dakota.

Mr. YOUNG. Mr. President, the Senate will recall that last year, after a long struggle, many of us representing agricultural interests were able to secure reinstatement of the soil-conservation and land-use program this year in the amount of $150,000,000. At that time an amendment was offered by the distinguished Senator from Georgia to change the basis of distribution of the funds. For several years previously the Department of Agriculture had followed a basis of distribution which I believe was equitable to all States concerned. The new amendment changed that basis. I was able at that time to have an amendment to the amendment adopted, which required that there could be no loss to any State of more than 15 percent. This saved North Dakota and some other States from sustaining greatly reduced loss in funds.

The general effect of the Russell amendment was to lower the payments to Northern and Western States. In my opinion, there is no place in the United States that needs soil-conservation practices more than the Middle West, known in the drought years of the thirties as the Dust Bowl, but more recently as the "bread basket," not only of the United States but of the world.

To give you some indication, Mr. President, of how the amendment affected some of the States, I should like to read certain figures. But first, Mr. President, I may state that I would ask that the conferees not accept the amendment I have just proposed, unless appropriations go back to $300,000,000 or thereabouts, because if the appropriations are small the present distribution method supported by the Senator from Georgia is, I think, quite fair. But if we are going back to appropriations of $300,000,000 or more for this program, then I believe the old distribution system, which the Department of Agriculture used for years, should be used.

Mr. President, to give some indication as to how the new formula has affected the various States—I do not have figures for all the States but I do have, for a few, including Georgia, Oklahoma, Kansas, and North Dakota, for example—on the basis of a $300,000,000 program those States would be affected in this way: Under the old formula, Georgia would receive $6,646,000. Under the new formula, Georgia would get $7,920,000, or a gain of $1,274,000.

In Kansas there is little change. Oklahoma would gain approximately $1,000,000. North Dakota would lose $1,222,000.

For the rest of the States I have no figures which are up to date. I received these figures from the Department of Agriculture this morning. They are all the department was able to work out this morning to show what distribution among the States would be under a $300,000,000 program under the old and new formulas, respectively.

Last year the Appropriations Committee was given some figures for several States for the purpose of showing how the States represented by the various Appropriations Committee members would be affected. Under those figures Oregon would lose more than $500,000; Idaho, more than $300,000; Arizona, approximately $400,000; Michigan, approxi-

mately $1,000,000; Wyoming, approximately $300,000. Nevada and several other States would also lose.

Mr. President, I have no punitive objective in mind. I have worked very closely with the representatives of Southern States. I find them very close and sympathetic to the problems of agriculture. I have tried to understand their problems and have voted with them many times. I want the Senate to understand that I am sincerely trying to make up for the Dust Bowl States for some of the losses sustained by previous authorizations.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG].

Mr. RUSSELL. Mr. President, I doubt whether there will be any other amendment discussed in connection with the bill which would have a greater effect on the future of soil conservation than would the pending amendment. I regret very much to find myself in disagreement with my good friend from North Dakota.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HILL. Would the Senator like me to suggest the absence of a quorum? It is a very important subject he is about to discuss.

Mr. RUSSELL. It is an important issue, but I would not care to yield for a quorum call at this time, because no doubt absent Senators are having their lunch.

The Senator from North Dakota has truly stated that on the basis of the $250,000,000 appropriation, under the new formula, his State would lose approximately $600,000, as compared with the $265,000,000 appropriation under the old formula. The appropriation which was voted yesterday contains $300,000,000, so that in the case of North Dakota, if the $300,000,000 appropriation is retained in the bill, the farmers of that State will receive more funds than they received under the 1947 program and under the old formula. So it is merely a question, as the Senator has indicated, as to how much should be appropriated.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. YOUNG. I have figures compiled by Mr. Wells, of the Department of Agriculture. According to those figures, North Dakota would receive, under the old formula, $7,187,000; under the new formula, $5,975,000.

Mr. RUSSELL. I have the figures which were submitted to the members of the subcommittee when the subject was under consideration this year. They were prepared, as I understand, by Mr. Dodd, the man who was actually handling the program.

Mr. YOUNG. Mr. President, will the Senator further yield?

Mr. RUSSELL. Yes.

Mr. YOUNG. Do those figures take into consideration the 15-percent limitation?

Mr. RUSSELL. Yes. The 1948 program operates under the 15-percent limitation which the Senator from North Dakota offered last year. Under the figures I have, which were supplied by the Department of Agriculture, the State of North Dakota, under the 1947 formula—no; I have made a mistake. I was considering the State of Kansas which precedes the State of North Dakota. The figures were compiled to show each member of the subcommittee how his State would fare under the two programs. The State of North Dakota would have a decrease under this program, by adopting the new formula.

Mr. YOUNG. I believe the decrease would be approximately a million dollars, would it not?

Mr. RUSSELL. Yes; I think it would be almost that much. The Senator has some figures with which I am not familiar. I was trying to estimate, roughly, in my mind on the basis of the figures I have. They apply only to the $265,000,000 figure under the old formula, $225,000,000 under the old formula, $225,000,000 under the new formula, and the sum of $250,000,000 under the new formula. The distribution under the $300,000,000 appropriation is not given under either formula.

Mr. President, I should like to recite briefly the history of the program

When the processing taxes were originally imposed they were imposed on three great basic commodities—wheat, corn, and cotton. At that time it was the theory of the tax to pay back to the States in which those commodities were produced an acreage payment, allowing so much for each acre taken from production, in order to be able to relieve the great surplus which was depressing agricultural prices. The legislation was prepared rather hastily, I assume, because no one had ever heard of a processing tax prior to that time. It developed that the processing tax on wheat produced a great deal more money for the Treasury than did the processing tax on corn or on cotton. The processing tax on corn brought in considerably more than did the tax on cotton. For that reason the wheat-producing States received larger payments for their reduction in acreage than did the States producing corn and cotton.

That program was invalidated by the Supreme Court; it was declared unconstitutional. Whereupon, Congress enacted the so-called Soil Conservation Act of 1936. As I recall, the decision of the Supreme Court was handed down sometime in January or February 1936. The soil-conservation law was enacted in the spring. It established a soil-conservation program which was not based upon processing taxes, but was to be supported by direct contributions which were made from the Federal Treasury for the purpose of encouraging soil conservation. When the distribution was made, for some reason, though the processing taxes had expired, some element was retained in the program which caused the funds to be allocated in part as they had been under the old processing-tax proposal. That was manifestly unfair to a great many States; for example, the States of Vermont and Maine, and a number of other Eastern States. The dairy States were, in the first instance, unable to secure their fair share of any just allotments of soil-conservation payments. The defects of the program were remedied from time to time. Different formulas were adopted. A formula was adopted which took into consideration range lands, for example, so that States such as Nevada and Wyoming might be able to participate in the farm program.

I can understand the reason why the Senator from North Dakota would like to go back to the old system. However, I do not think it is wise. I do not believe it is a sound public policy to have a soil-conservation formula based upon other than soil-conservation needs in the areas where the program is to be applied. I am sure that many persons would be surprised to know that last year was the first time Congress had a program of soil conservation based upon conservation needs. As a matter of fact, last year was the first year the program was made to apply directly to soil conservation on a basis of need.

Mr. President, I regret that the Senator has offered this amendment. I realize that it is offered in the utmost good faith because the Senator feels that his State will lose funds to which it should be entitled. I do not think it can be disputed, on the basis of sound legislation, that conservation need is the fundamental we should observe in applying a national conservation program.

Mr. THYE. Mr. President——

The PRESIDING OFFICER (Mr. ECTON in the chair). Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. RUSSELL. I yield.

Mr. THYE. Some of the major farm organizations do not support the Senator in his contention.

Mr. RUSSELL. That may be. I have never been bound by the views of any farm organization. I undertake to give the views of the Senator from Georgia, though, of course, I consider the recommendations of farm groups.

Mr. THYE. If I may interrupt further, I would say that the amendment of the junior Senator from North Dakota is absolutely sound in view of the fact that there are now $300,000,000 for soil-conservation purposes.

I wish to state my position in order that all may know before the vote is taken that I shall support the amendment of the Senator from North Dakota because the recommendations of the farm organizations uphold the position of the Senator from North Dakota and are against that of the Senator from Georgia.

Mr. RUSSELL. Of course, the Senator is completely entitled to hold that view, and I have no dispute with him for holding it. I simply have to differ with him. The fact that his view is buttressed by farm organizations carries no great conviction with me, because I have my own ideas as to what is a proper soil-conservation program, and I do not believe we can justify continuing to appropriate these large sums from the Federal Treasury for a soil-conservation program that is based on anything other than conservation needs. I think that is a fairer way of applying federally appropriated funds, rather than applying

them on the basis of the number of members of certain farm organizations located in certain States who would be desirous of having a money formula which would be more agreeable to them.

Of course, Mr. President, the effect of the Young amendment will be to take away some funds from the eastern seaboard and Southern States. There can be no question about that. It may be that some of us in the South who have fought constantly for the soil-conservation program will be taken to the woodshed and spanked because of our temerity yesterday in differing with the leadership and voicing our convictions and in voting for the larger amount for soil conservation. But this is one time when the southern Democrats will not be spanked alone, because when the spanking is administered to us it will also take to the woodshed the distinguished chairman of the Committee on Agriculture, along with the Senators from New Hampshire and the State of Maine, and will apply the paddle to them with much more vigor than to the southern Democrats. It so happens that when we base the program on need, the States which have been farmed for the longest time, the States which contain a large number of small farms, will feel the paddle a great deal more than will the States represented by the southern Democrats who had the temerity to vote for the $300,000,000 appropriation yesterday. It will be bitter irony for the farmers of stalwart Republican States in New England, such as Maine and Vermont, to be the real victims of reprisals directed at Dixie.

Mr. YOUNG. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from North Dakota.

Mr. YOUNG. The program that was followed in every year previous to 1948 was a program mapped out by the Department of Agriculture itself under a Democratic administration.

Mr. RUSSELL. That may be. I have never been one of those who contended that every action of a Democratic administration was perfect. I have seen some of the most horrible blunders committed by a Democratic administration that could have been made. I served in the Senate but 2 months while the Republicans were in power, but certainly the Senator from North Dakota would never get me to defend everything a Democratic administration has done. I have bitterly opposed a great many things which were done by a Democratic administration and have not hesitated to express my disapproval on this floor.

Mr. YOUNG. That probably is one of the reasons why I have so great admiration for the Senator from Georgia. He always has his own mind, in regard to appropriations and every other matter.

Mr. RUSSELL. I endeavor to. I think that is the proper function of a Senator. A Senator occupies a peculiar position in our scheme of government. If there is any one public servant who should not be slavish to a party policy, but should consider the national welfare, it is a Member of this great body, a body established, as it was, as one which has peculiar prerogatives, which is endowed with peculiar functions. I do not think any Member of the Senate should be slavish to party when he thinks that the public welfare runs counter to the demands of a political party.

As I have said, Mr. President, there is something in the hearings on this program, and I wish to read it into the record so that Senators will know the effect the amendment will have on the program which has been in operation heretofore. I read from the testimony of Mr. Dodd before the House committee as it appears on page 174 of the House committee hearings, in discussing the formula for distribution of soil-conservation funds:

> Now, we found that if we went entirely to the cropland needs, that is, on a cropland formula—States with large acres of cropland and relatively small acres of range or pasture land would get more, perhaps, than their share should be.
>
> If you put too much emphasis on the basis of range land, or the privately owned timber land, or the privately owned pasture land, you could take a State like Wyoming or a State like Nevada, which have great acreages of open land, and they would get more than they were entitled to.

Here is significant language which I call to the attention of my friends who live along the Atlantic seaboard, in the so-called Eastern States:

> If you put it strictly on the basis of the needs you have to come to the extreme eastern areas of the United States where the land has been farmed longer, and where perhaps some of it was poorer to begin with.

That is a statement as to the effect a need formula has in the Eastern States. As a matter of fact, there was in process of application, as the testimony shows, a change in this formula in the Department of Agriculture at the time last year when we were driven by extremity to put these new provisions in the appropriation bill. I read further from the testimony:

> So a combination was developed of so much per acre of cropland, so much per acre of range land, and timber, and so much on the basis of the actual needs, and then we finally arrived at a total for each State.

Mr. Dodd further testified that they submitted the program to me—at that time I happened to be serving as chairman of the subcommittee having charge of agricultural appropriations—and I told them that if the changes were made to adopt a true conservation formula, too severe to be put into effect in 1 year, and that they should be applied over a period of years.

Mr. President, I further invite the attention of the Members of the Senate to the fact that Mr. Dodd testified, as appears on page 176, as follows:

> Although, of course, there may be criticism of individual figures, the net effect shows that the East and the Southeast generally had the greatest needs for conservation practices.

So, as I have said, Mr. President, if this is to be a punitive expedtition against those who on yesterday followed their convictions and voted for the increase in appropriations, it is one time the punishment cannot be applied solely to the southern Democrats. The amendment adversely affects some of the Western States, it adversely affects all the Eastern States.

I called Mr. Dodd this morning and discussed the matter with him, and he told me that the elimination of this provision would operate more to the detriment of the New England States than to the States in the Southeast, that it would take away from them more in proportion of the amount they had been receiving for soil conservation payments than it would take away from the Southern States.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. YOUNG. As a matter of fact, the New England States do not get very much under the program.

Mr. RUSSELL. I suppose the Senator is proceeding according to the old biblical injunction, which always seemed to me to be very unfair, about giving to him who hath and taking away from him who hath not even the little he has. So, because he finds that the Eastern States have a very small amount of money, he says that the change does not make any difference, just take it away from them. My purpose in working for this new method was to give those States which did not share in the processing tax a better break in the distribution of the conservation funds. I cannot imagine that Republican Senators from New England will enthuse over the prospect of losing some of their conservation allotments merely because they are already small.

Mr. President, I submit to the judgment of the Senate and to the judgment of the country the question whether there can be justification for taking from the National Treasury funds which are provided for a soil-conservation program, and applying them otherwise than on the basis of need all over the Nation.

I appreciate the attitude of the Senator from North Dakota when he states the need factor should be left in the bill if the amendment adopted on yesterday should be finally rejected or greatly reduced in amount. Frankly I was somewhat surprised that the amendment was adopted. I was earnestly supporting it as well as I knew how, and hoping and praying that the Senate would see the light and adopt the amendment, but I was extremely pleased at the outcome of the vote, because, since so many of my colleagues on the other side thought the appropriation should not be increased at this time, I had apprehended that it might be defeated, but the amendment is in the bill. It has not gone into the law yet, however. The amendment still has a number of hazards to encounter before it can possibly become law.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LANGER. The Senator, I am sure, will agree with me that the amendments under consideration yesterday were more thoroughly debated than have any provisions having to do with agricultural programs in the years since the Senator and I have been in the Senate.

Mr. RUSSELL. I will say they were given most careful attention.

Mr. LANGER. And less sectionalism was shown in their consideration than has ever been shown before to my knowledge, and I hope that attitude will continue.

Mr. RUSSELL. I shall welcome the coming of the day when there will be none shown.

Mr. President, the Senator from North Dakota has mentioned sectionalism. A man who does not sit in this body under stigma of being "one of these southern Democrats" cannot appreciate the yearning in the heart of each of us who undertakes to represent a State that happens to be in the Southeast for the day when we will be accepted into this body individually as "just another Senator," instead of being thought of as one of the peculiar animals who happens to represent the unusual people of a State which is located in the southeastern area of the Nation which was in the southern Confederacy. I welcome the day when we shall be received as "just another Senator," representing a sovereign State. I should like to serve in this body when we are accepted as are Senators from other parts of the country, at a time when we will not have to read in the press that "The southern Democrats have done this," or have done the other. For years we have been discussed in the press as though we were some peculiar breed of humanity, a type of individuals who had ideas so dissimilar from those of people in other parts of the country, that we have nothing in common with the people of the rest of the country. That day cannot come too soon for the Senator from Georgia when we are recognized as Americans, with the same high ideals and patriotic impulses which these critics concede those not from the South.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. YOUNG. Mr. President, I will say that there is no thought of sectionalism on my part in the actions I have taken in the Senate. I have voted with the Senator from Georgia [Mr. RUSSELL] on a good many occasions. I have received a considerable amount of criticism from my own State for taking part in some matters when I could just as well have stayed out of them.

Mr. RUSSELL. I trust the junior Senator from North Dakota did not think that anything I said was critical of him. He knows the warm affection and great admiration I have for him. We can differ over a matter of this kind without any personalities. I would not blame the Senator from North Dakota for having the views he has, and I am sure he would not criticize me for holding the views I have undertaken to express on his amendment. I have a very profound affection for the junior Senator from North Dakota, in addition to a great admiration for him. He is a very valuable Senator, not only in championing agricultural legislation, but he is sound and helpful in all legislation. I particularly admire his forthrightness and courage.

Mr. President, I do not believe we should take the proposed step merely because the Senate saw fit yesterday to vote for the adoption of an appropriation of $300,000,000. That is no sound reason to go back to the old formulas. I do not believe the adoption of the pending amendment will take us back to the old formula. It was fundamentally unsound. As I have read from the hearings, the formula was in process of change at the time the bill came before the House last year, before the appropriations were cut so deeply. Adjustments were being made. I am glad that the record which was made on that hearing shows that at that time, when I had some little measure of responsibility here, I indicated that the change should be made gradually and not drastically respecting any new formula, so that it would not work any hardship on any section of the country. It is true that the adoption of the pending amendment would greatly reduce the allotment to my State from the amount we would receive under a formula based on conservation need. Based on the amount that is appropriated it would take even a larger amount from the New England States, not in total, but in the proportion of the sum that is allotted to those States.

Mr. President, we cannot go wrong if we stand four-square on a basis of need in the distribution of these funds. I do not like to see the amount provided for any State reduced. For my part I would be willing to vote for an adequate appropriation to provide that no State should lose one dollar below the highest amount it has ever received from an equal appropriation of $300,000,000. But certainly it would be unwise for the Senate to be placed in the position of appropriating a substantial sum of money for soil conservation purposes—and those are the only purposes of the appropriation—but distributing it without regard to the need for which the sums were appropriated. In other words, it would certainly seem to me to be the course of prudence and the course of wisdom to say that if we are to have a soil conservation program we should emphasize it more greatly in the area where the need is greatest and where the erosion is taking the heaviest toll from the soil, which is the common heritage of all the American people.

Mr. President, the amendment should be rejected.

Mr. LANGER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Dworshak | Ives |
| Baldwin | Eastland | Johnson, Colo. |
| Ball | Ecton | Johnston, S. C. |
| Barkley | Ellender | Kem |
| Bricker | Feazel | Kilgore |
| Bridges | Ferguson | Knowland |
| Brooks | Flanders | Langer |
| Buck | Fulbright | Lodge |
| Butler | George | Lucas |
| Byrd | Green | McCarthy |
| Cain | Gurney | McClellan |
| Capehart | Hatch | McFarland |
| Capper | Hawkes | McGrath |
| Chavez | Hayden | McKellar |
| Connally | Hickenlooper | McMahon |
| Cooper | Hill | Magnuson |
| Cordon | Hoey | Martin |
| Donnell | Holland | Maybank |
| Millikin | Robertson, Va. | Thomas, Utah |
| Moore | Russell | Thye |
| Morse | Saltonstall | Tydings |
| Murray | Smith | Vandenberg |
| Myers | Sparkman | Wherry |
| O'Conor | Stennis | Williams |
| O'Mahoney | Stewart | Wilson |
| Pepper | Taft | Young |
| Revercomb | Thomas, Okla. | |

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG], on page 49, beginning in line 7.

Mr. BROOKS. Mr. President, over the course of years the Department of Agriculture has placed in operation the soil-conservation program, outlining the individual activities under which various farmers could participate. The formula was based upon such individual activities.

Last year, when we were forced to reduce the program to $150,000,000, we adopted a philosophy based upon need. That was necessary because of the small amount of the appropriation. If we are going to provide a $300,000,000 appropriation, we must determine what we want from soil conservation. In the program of trying to feed the world we are taking fertility out of the soil. It is not only a question of wind and water erosion. It is a question of the depletion of the fertility of the soil of America. Erosion is only a part of it.

It is my firm conviction that if we are entering upon a $300,000,000 program, we ought to open the door to the old formula again; and anyone who wishes to produce more from his land and adopt the practices prescribed by the Department of Agriculture should be able to participate to the extent that he is willing to participate under the formula.

I believe that the amendment of the Senator from North Dakota should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. YOUNG], on page 49, beginning in line 7.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] is necessarily absent.

The Senator from South Dakota [Mr. BUSHFIELD] is necessarily absent, and is paired with the Senator from Nevada [Mr. MCCARRAN]. If present and voting, the Senator from South Dakota would vote "yea" and the Senator from Nevada would vote "nay."

The Senator from Nevada [Mr. MALONE] is necessarily absent, and is paired with the Senator from Indiana [Mr. JENNER], who is necessarily absent. If present and voting, the Senator from Nevada would vote "nay", and the Senator from Indiana would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business, and is paired with the Senator from California [Mr. DOWNEY]. If present and voting, the Senator from Wyoming would vote "yea", and the Senator from California would vote "nay."

The Senator from Utah [Mr. WATKINS] is necessarily absent, and is paired with the Senator from North Carolina [Mr. UMSTEAD]. If present and voting, the Senator from Utah would vote "yea", and the Senator from North Carolina would vote "nay."

The Senator from Kansas [Mr. REED], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Wisconsin [Mr. WILEY] are detained on official committee business.

The Senator from Maine [Mr. WHITE] is absent because of illness.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY], the Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Texas [Mr. O'DANIEL] is absent by leave of the Senate.

The Senator from Idaho [Mr. TAYLOR] is absent on public business.

On this vote the Senator from California [Mr. DOWNEY] is paired with the Senator from Wyoming [Mr. ROBERTSON]. If present and voting, the Senator from California would vote "nay", and the Senator from Wyoming would vote "yea."

The Senator from Nevada [Mr. MCCARRAN] is paired on this vote with the Senator from South Dakota [Mr. BUSHFIELD]. If present and voting, the Senator from Nevada would vote "nay", and the Senator from South Dakota would vote "yea."

On this vote the Senator from North Carolina [Mr. UMSTEAD] is paired with the Senator from Utah [Mr. WATKINS]. If present and voting, the Senator from North Carolina would vote "nay", and the Senator from Utah would vote "yea."

I announce further that if present and voting, the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 38, nays 42, as follows:

YEAS—38

| | | |
|---|---|---|
| Baldwin | Ferguson | Moore |
| Ball | Flanders | Morse |
| Bricker | Gurney | Revercomb |
| Brooks | Hawkes | Saltonstall |
| Buck | Hickenlooper | Smith |
| Butler | Ives | Taft |
| Cain | Kem | Thye |
| Capehart | Knowland | Vandenberg |
| Capper | Langer | Wherry |
| Cordon | Lodge | Williams |
| Donnell | McCarthy | Wilson |
| Dworshak | Martin | Young |
| Ecton | Millikin | |

NAYS—42

| | | |
|---|---|---|
| Aiken | Hayden | Maybank |
| Barkley | Hill | Murray |
| Bridges | Hoey | Myers |
| Byrd | Holland | O'Conor |
| Chavez | Johnson, Colo. | O'Mahoney |
| Connally | Johnston, S. C. | Pepper |
| Cooper | Kilgore | Robertson, Va. |
| Eastland | Lucas | Russell |
| Ellender | McClellan | Sparkman |
| Feazel | McFarland | Stennis |
| Fulbright | McGrath | Stewart |
| George | McKellar | Thomas, Okla. |
| Green | McMahon | Thomas, Utah |
| Hatch | Magnuson | Tydings |

NOT VOTING—16

| | | |
|---|---|---|
| Brewster | O'Daniel | Wagner |
| Bushfield | Reed | Watkins |
| Downey | Robertson, Wyo. | White |
| Jenner | Taylor | Wiley |
| McCarran | Tobey | |
| Malone | Umstead | |

So, Mr. YOUNG's amendment was rejected.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question now is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 5883) was passed.

Mr. BROOKS. Mr. President, I move that the Senate insist on its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BROOKS, Mr. GURNEY, Mr. REED, Mr. BUSHFIELD, Mr. RUSSELL, Mr. HAYDEN, and Mr. TYDINGS the conferees on the part of the Senate.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from West Virginia [Mr. REVERCOMB].

## ORDER OF BUSINESS

Mr. WHERRY. Mr. President, let me make a statement before we proceed with the unfinished business. Under the chairmanship of the senior Senator from Oregon, there has been reported and is ready for consideration the bill making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949. It is my understanding that the bill comes from the committee by unanimous action. Am I correct about that?

Mr. CORDON. The Senator is correct.

Mr. WHERRY. I am suggesting to the distinguished Senator from West Virginia, who is in charge of the displaced-persons legislation, that possibly now would be a better time to take up the appropriation bill. I have been informed the Senator from Oregon feels it can be expedited and can be concluded in about 45 minutes.

I know it is a hardship and, I think, a disadvantage, to displace the unfinished business at any time. In my opinion, when we begin the consideration of a bill it should be completed, and I have attempted to have that done in the short time I have been acting majority leader of the Senate.

On the other hand, conference reports of course have the right-of-way, and also appropriation bills, as they are brought to the Senate. They have been accorded precedence.

I am asking the distinguished Senator from West Virginia, in view of the fact that the appropriation bill is ready, whether it would not be better if we took it up now, before resuming consideration of the displaced persons bill, and then resumed the debate on the displaced persons measure when action on the appropriation bill is completed. I ask the Senator whether that would not be better than to resume consideration of the displaced persons bill now, and then again ask to have it set aside for the appropriation bill. I ask the distinguished Senator from West Virginia how he feels about it.

Mr. REVERCOMB. Already the discussion of the bill dealing with displaced persons has been interrupted not only by one bill, but by two bills intervening, as I recall, or two matters of business.

Mr. WHERRY. That is correct. One was the veto, the other the appropriation bill, both of which were of course privileged.

Mr. REVERCOMB. I understand the Senator to say it will take 45 minutes to dispose of the appropriation bill if the displaced-persons bill is further temporarily laid aside. I realize that 45 minutes is frequently extended in this Chamber, but inasmuch as there has been this interruption up to this time, I shall not object, if I may understand that the appropriation bill can be disposed of today. With that understanding I make no objection.

Mr. WHERRY. I thank the distinguished Senator from West Virginia. I believe I can assure him—at least it is the intention of the chairman of the subcommittee of the Appropriations Committee—that the appropriation bill will be concluded before the close of the session today. Am I correct?

Mr. CORDON. The Senator is correct. The Senator from Oregon knows of no objection to any item of the bill. Of course, there can be no guaranty that debate will not ensue.

Mr. WHERRY. Mr. President, then I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of calendar 1438, the bill (H. R. 5770) making appropriations for the Treasury and Post Office Departments for the fical year ending June 30, 1949, and for other purposes.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS. Mr. President, reserving the right to object, I hesitate to object to the request, and I shall not object to it, if the acting majority leader insists upon taking up the appropriation bill at this time. However, I should like the appropriations bill to be held over at least until tomorrow. I have a statement I want to make on one phase of the bill.

Mr. WHERRY. Of course, we are confronted with the dilemma that if we proceed with the displaced-persons bill, and the appropriation bill then comes up, of course there will be pressure to set it aside. Does the Senator from Delaware feel he cannot possibly have his speech ready today, or that he would rather not proceed with it today?

Mr. WILLIAMS. If it is desired to take up the appropriations bill later in the day, I shall try to be ready.

Mr. WHERRY. Mr. President, may I urge then that we proceed with the appropriations bill, because if we cannot start on it and finish it by tonight, I should be disposed not to proceed further with it, but to go ahead with the displaced-persons bill and conclude it before taking up the appropriation bill.

The PRESIDING OFFICER. Does the Senator from Delaware withdraw his objection?

Mr. REVERCOMB. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, if we proceed at this time with the displaced-persons bill, I certainly shall object to interruption after we once start upon it. I want that understood before we begin. It is agreeable to me to proceed with the appropriation bill, because I understand it can be finished this afternoon, but I do not want to be placed in the position of proceeding now for a while upon the pending order of business, and then laying it aside and having another interruption in it. I want to make that perfectly clear, because I intend to object if there are other interruptions after this.

Mr. WHERRY. Mr. President, I may say to the distinguished Senator from West Virginia that I totally agree with his attitude, and the statement he has just made. I think if it is not opportune now to proceed with the appropriation bill in accordance with my request for a unanimous-consent agreement, the thing to do is to proceed with the displaced-persons bill until it is concluded. So I again ask unanimous consent that the unfinished business be temporarily set aside, and that the Senate proceed to the consideration of the Treasury and Post Office appropriation bill, the number of which has already been stated, with the idea it is to be concluded today if possible. Of course, if it is necessary to carry it over for further debate tomorrow, possibly it would be up to the Senator from West Virginia to decide whether or not we should proceed with it then.

It seems to me from the statement made by the distinguished Senator from Oregon, we could conclude consideration of the appropriation bill this afternoon. Every Senator knows we are working on a crowded schedule, and it is necessary that legislation be disposed of as quickly as possible. I again ask unanimous consent that the appropriation bill be considered on that basis.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. WILLIAMS. Mr. President, reserving the right to object, I should like to ask the chairman of the committee reporting the appropriation bill whether he intends to insist upon the committee amendment authorizing an increase in appropriations for the personnel of the Internal Revenue Bureau?

Mr. CORDON. Mr. President, if I heard the Senator correctly, his inquiry was whether, as chairman, I would present and insist upon an amendment providing an increase in the personnel of the Internal Revenue Bureau.

Mr. WILLIAMS. That is correct.

Mr. CORDON. There is such an amendment in the bill. It was unanimously adopted by the committee, and the chairman can do nothing else but insist upon it. He would insist upon it in his own right, and in any event.

Mr. WILLIAMS. Mr. President, in view of that, I hesitate to object, but I wonder if the Senator from Nebraska will not withdraw his request at least for today?

Mr. WHERRY. The order has not yet been made. It is up to the Senator; if he wants to object, he has a perfect right to do so. The order has not yet been made on the unanimous-consent request.

Mr. WILLIAMS. Mr. President, I object.

Mr. WHERRY. Mr. President, I want to state now that if we proceed with the consideration of the displaced persons bill, we should proceed with it until it is concluded.

### RESCISSION OF ORDER REFERRING A CERTAIN REORT TO THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. BUTLER. Mr. President, I ask unanimous consent that the order of the Senate agreed to on February 9, 1948, whereby a report made to the Secretary of the Interior on May 3, 1947, was referred to the Committee on Rules and Administration for printing, be rescinded, and the report be returned to me by the Secretary of the Senate.

The PRESIDING OFFICER. Is there objection to the request?

Mr. MORSE. Mr. President, I want the record to show my very sincere appreciation of the request the Senator from Nebraska [Mr. BUTLER] is now making, and I want the record also to show that the Senator from Nebraska has at all times been exceedingly cooperative with the junior Senator from Oregon in regard to this matter. I think, in fairness to the Senator from Nebraska, this very brief statement should be made by the junior Senator from Oregon, because there is involved a parliamentary tangle which must be worked out in the very fine manner in which the Senator from Nebraska is now seeking to work it out.

It involves a report which seeks to rectify an injustice which has been done to one of the most beloved citizens of the State of Oregon. For a great many years the late Senator McNary sought to have the matter cleared up by having this particular report printed as a Senate document. I obtained the report from Archives this year and signed a receipt therefor. It was decided that it could not be printed as a Senate document. I was so informed. I understood and appreciated the reasons given to me by the Senator from Nebraska. I explained, however, that it was a report which would call for a rather extended speech on my part before adjournment, because I feel that I am bound, not only out of personal conviction but also out of my responsibility to the people of my State, to do whatever I can to make a historic record in regard to the matter. That requires a statement of the facts concerning the false charges made against this beloved citizen of my State many years ago in another report of Congress which did become a public document.

The Senator from Nebraska very kindly suggested that the matter be looked into again by way of reconsideration on the part of his committee, to see if possibly a digest of the report might suffice. I explained to him that it was doubtful that that course would possibly suffice to correct the injustice. I made the report available again and he very properly referred it to the Committee on Rules and Administration. But, under one of the rules of the Senate, the report, having been referred to that committee, now rests in its files. The only way I can get the report in my possession is through the unanimous-consent arrangement which the Senator from Nebraska now is offering the Senate. I need the report in order to discuss the false charges and the injustice done in the previous report which this particular report corrects.

Naturally I regret that the report will not be printed as a Senate document. I understand, however, the reason why the committee has decided against it. I have been informed that it is not contemplated to print the report as a Senate document. Hence, I need to have it back. It is a lengthy report. I intend to make it a matter of historic record in the CONGRESSIONAL RECORD before adjournment on June 19, because I happen to be the type of person who, once convinced that an injustice has been done any interest or any person in my State, will use all the power of his office to see that the injustice is corrected. The only way in which the injustice in this instance can be corrected is for the report to be read into the CONGRESSIONAL RECORD, and I propose to read it into the RECORD when I regain possession of it.

The PRESIDING OFFICER. Without objection, the request of the Senator from Nebraska is granted.

### PROGRAM FOR SENATE SESSIONS

Mr. WHERRY. Mr. President, I should like to make an announcement. It has been determined, in order to expedite the program required to be given consideration between now and the contemplated date of adjournment, June 19, that, beginning the day following Decoration Day, when the Senate convenes it will convene, until further notice, at 11 o'clock in the morning and continue until at least 6 o'clock, or along toward evening.

I should like also to point out that the reason we were delaying starting the session at 11 o'clock was to enable committees to continue hearings which had been set. After next Tuesday, if committees are to hold hearings, they should be scheduled between 9 and 11 o'clock in the morning.

I should like to suggest that when a quorum call is made, when the Senate convenes at 11 a. m., Senators be present to answer the quorum call, so that less

time will be consumed. If I can receive that cooperation, I am satisfied that we shall proceed in a highly satisfactory manner without having to hold night sessions, at least for a time. But if we cannot proceed on that basis, and a great deal of debate occurs, the Senate will hold itself in readiness for night sessions, starting, if necessary, next Tuesday.

ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. FERGUSON obtained the floor.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Mr. President, I think it is proper to state that on last Thursday, May 20, I made the opening statement upon this subject and spoke at some length. In my statement I covered the background of facts which brought about inquiry into the subject of displaced persons, and the work of the committee in bringing about and offering the proposed legislation which is now before the Senate. My remarks will be found in the CONGRESSIONAL RECORD of May 20, 1948. After that opening statement, Mr. President, as we well know, the displaced-persons bill was laid aside for two other matters of business coming before the Senate. After a week's interruption we are again beginning a discussion of the displaced-persons bill.

I make this statement so that there may be some connection, through reference, between the opening statement upon the subject and the debate which now continues.

I thank the Senator from Michigan for yielding.

Mr. FERGUSON. The Senator from West Virginia is entirely welcome. I think the RECORD of today should show that the Senator addressed the Senate on this subject last week and discussed it ably and at considerable length.

Mr. President, the plight of the displaced persons of Europe is one of the darkest clouds hanging over mankind.

They are the human flotsam and jetsam cast up by the cruelest war in history. More than 3 years after the cessation of hostilities in Europe there remain hundreds of thousands of these people who have no homes to which they can return, or are unable to return to their homes for fear of political recrimination or religious persecution.

My colleague, the senior Senator from Michigan [Mr. VANDENBERG], pointedly stated the case for displaced persons. He said: "The ultimate answer to the displaced-persons problem obviously is the resettlement of displaced persons."

There are, of course, other possibilities.

There is, first, the possibility of forced repatriation. To their everlasting credit, our occupying forces and military governments in Europe have not permitted themselves to be parties to such a course. The thought of exposing these people to past or possible persecutors I am sure is repugnant to every American.

There is the possibility of closing the displaced-persons camps and assembly centers and turning them out upon the countries in which they have been interned. Such a course is wholly undesirable, first, because of the antipathies between the host people and their erstwhile victims, and, secondly, because of the already devastated economies of those countries which make absorption improbable.

There is, finally, the possibility of maintaining these people indefinitely in existing camps and assembly centers. But that course, aside from the burden of maintenance which is no small consideration to the governments which sponsor the International Refugee Organization or are otherwise responsible for the care of displaced persons, is to accept as a normal phenomenon that which presently exists to the shame of all humanity.

As the senior Senator from Michigan has said, the one answer is resettlement. And resettlement is the collective responsibility of all nations, our own included. The conscience of mankind cries out that we must do our fair share. That is the question we face today. That is the measure before the Senate.

There are obvious considerations that must be given attention in the admission of immigrants to any country, such as factors of security, employment opportunity, housing opportunity, and social impacts.

As for security, I can say of the political characteristics of these people as another American has said, "They represent the hard core of people who have demonstrated their dislike for dictatorship; not only the nazi kind of dictatorship but the red kind of dictatorship which we know as communism."

I can further say that there would not be anticipated anything but the most thorough screening of these people, and I can dwell on that in a discussion of the proposed legislation for the relief of displaced persons by admitting them to this country. At the same time I shall go into considerable detail regarding the safeguards as to employment and housing which the proposed legislation would provide.

I think that much too much has been said about the economic and social impact which might result from the admission of any considerable number of these people to the United States. The most eloquent testimony in support of that statement is the line-up of the various groups and organizations which have placed themselves on record as supporting legislation for the relief of these displaced persons. They are groups which, by their breadth and their responsibilities, should be able to gage adverse effects if such there be. Let me list a very few of the organizations that support this type of legislation: The Federal Council of Churches of Christ in America, the National Catholic Welfare Conference, the United Council of American Veteran Organizations, the American Farm Bureau, the National Conference of Union Labor Legionnaires, the American Federation of Labor, and the Congress of Industrial Organizations.

To dwell on the possible adverse effects of admitting a limited number of displaced persons to this country is wholly to overlook that in the past America has always been a haven for those who have been persecuted for political and religious activities and those who have sought the opportunities of freedom.

Those to whom haven and opportunity have been granted have added beyond measure to the virility and wealth of our Nation, and to the strength of our representative government. I consider it our duty today not only to tell those people that we have not forgotten them, but to show that there is still a haven in a safe land, a land where liberty is not only a word but a living thing to be enjoyed by mankind.

And one thought more: With peace so insecure today I am sure that it will give our own people, and men the world over, faith in the peace we are seeking if we were to provide that shelter.

Mr. President, as I indicated before, I intend to speak later on some amendments which the junior Senator from Michigan, with other Members of the Senate, has proposed, but I am sure there are those who desire to discuss the general nature of the bill. I have set forth merely a brief outline of my feeling on the question of the admission of displaced persons into the United States of America.

Mr. SMITH obtained the floor.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from New Jersey yield for that purpose?

Mr. SMITH. I do.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Murray |
| Baldwin | Hawkes | Myers |
| Ball | Hayden | O'Conor |
| Barkley | Hickenlooper | O'Mahoney |
| Bricker | Hill | Pepper |
| Bridges | Hoey | Reed |
| Brooks | Holland | Revercomb |
| Buck | Ives | Robertson, Va. |
| Butler | Johnson, Colo. | Russell |
| Byrd | Johnston, S. C. | Saltonstall |
| Cain | Kem | Smith |
| Capehart | Kilgore | Sparkman |
| Capper | Knowland | Stennis |
| Chavez | Langer | Stewart |
| Connally | Lodge | Taft |
| Cooper | Lucas | Thomas, Okla. |
| Cordon | McCarthy | Thomas, Utah |
| Donnell | McClellan | Thye |
| Dworshak | McFarland | Tobey |
| Eastland | McGrath | Tydings |
| Ecton | McKellar | Vandenberg |
| Ellender | McMahon | Wherry |
| Feazel | Magnuson | White |
| Ferguson | Malone | Wiley |
| Flanders | Martin | Williams |
| Fulbright | Maybank | Wilson |
| George | Millikin | Young |
| Green | Moore | |
| Gurney | Morse | |

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

Mr. SMITH. Mr. President, in opening my remarks on the subject of displaced persons I wish first of all to pay tribute to the Judiciary Committee, and especially to the subcommittee of which the Senator from West Virginia [Mr. REVERCOMB] was chairman, not only for

the excellent work done by that subcommittee in studying this subject, but also for the fine presentation made by the Senator from West Virginia as to the over-all picture, when he opened this debate last week.

It is my purpose today to endeavor to give another approach to the over-all picture from my own experience, and also to lay a foundation to support the amendments of the Senator from Michigan [Mr. FERGUSON], and other Senators with whom I have collaborated, because we felt that there were certain areas in which the pending bill, which we are supporting, needs elaboration and expansion if we are to meet the responsibilities imposed upon us by the present situation of displaced persons who are now in our zones in Germany and Austria. We have a very special problem; and unless we face this very special problem as something unique in history, and something which, while closely related to, is separate from the ordinary immigration problem, in my judgment we cannot get the right perspective of the subject with which we have to deal.

Going back a little into the history of the proposed legislation, on July 26, 1947, the Senate passed Senate Resolution 137, providing, among other things, for the investigation by a subcommittee of the Senate Committee of the Judiciary "of the situation with respect to displaced persons in Europe and all aspects of the displaced persons problem."

It had thertofore been pointed out by the Secretary of State in vigorous language that there were aspects of the displaced persons problem which vitally affected the foreign relations of the United States. The presence in the western zones in Germany of nearly a million uprooted displaced persons, with the inevitable hostilities growing out of the wrongs done them, constitutes a continuing obstacle to a peace settlement in Germany itself. They also constitute a constant bone of contention with an eastern power, Russia, which has claimed that they should be forcibly sent back to the areas to the east from which they had come, but to which, by reason of the changed political and economic systems, they were unwilling or feared to return. I hope that all the way through this discussion we can keep in mind the unique situation in which we find ourselves.

Recognizing the natural concern of the Foreign Relations Committee with this situation—and I happen to be a member of the Committee on Foreign Relations—the Judiciary Committee courteously invited a representative of the Foreign Relations Committee to participate in their investigations and sit with them in their deliberations. At the request of the Senator from Michigan [Mr. VANDENBERG] I served as the representative of the Foreign Relations Committee in this capacity.

At the outset, I wish to express my deep appreciation of the courtesies extended me by the Judiciary Committee and its subcommittee—and especially by the chairman, the Senator from West Virginia [Mr. REVERCOMB]—and the opportunity which it gave me of sharing in the study of the problem. As my colleagues are aware, I went to Europe last summer with the so-called Smith-Mundt committee, which investigated the Voice of America program. While in Europe on this mission I took occasion to visit what I have every reason to believe were typical assembly centers of displaced persons now under the control of this Government in our zones of occupation in Germany and Austria.

I wish to emphasize again the point that these people are in our zones in Germany and Austria, and they are our problem. We cannot put the problem aside. We have a problem with which we must deal in some way or other.

I talked with the commanding general of our European theater, General Clay, with officers of the military government concerned in economic conditions in Germany, and with the officers of the army of occupation particularly concerned with the affairs of the displaced persons. Our headquarters for this work was in Frankfort, and I was there for some time with the officers in charge. I also took occasion to visit Geneva and consult with Mr. W. Hallam Tuck and his staff. Mr. Tuck is a gentleman whom I have known for years. In fact, I think I have some share of responsibility in urging Mr. Tuck to take this important assignment. He has been doing a perfectly wonderful job representing the United States, but fundamentally representing the United Nations, as executive secretary of the International Refugee Organization. Mr. Tuck is the executive secretary of the Preparatory Commission of the International Refugee Organization, which performs for our commanding general services in the administration of displaced persons' centers in our zone, furnishes that part of the food not derived from indigenous sources, and administers such resettlement of displaced persons to other countries as it has been possible to arrange for.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. The Senator from New Jersey has just entered upon a discussion of the International Refugee Organization, generally referred to as IRO. Is it not a fact that the International Refugee Organization, which according to its constitution must be subscribed to by 15 governments, has in fact never come into being?

Mr. SMITH. That is correct. It is now operating under what is called the Preparatory Commission of the IRO—known as the PCIRO.

Mr. REVERCOMB. Although more than 60 countries have subscribed to the United Nations Charter, less than 15 have subscribed to IRO, and the organization is proceeding under what is known as PCIRO.

Mr. SMITH. That is correct.

Mr. REVERCOMB. When this Government became a member of IRO—which at the present time is operating under PCIRO—I believe it was expressly stated in the charter that the money which was to be contributed by the United States should not be in excess of 39 percent of the cost of administration, and 45 percent of the amount used for the benefit of persons to be looked after under IRO.

Mr. SMITH. That was the quota assigned to us.

Mr. REVERCOMB. Let me state to the Senator that the State Department of the United States has contributed to the maintenance of PCIRO in excess of 79 percent of the money which has been spent. Will the Senator please tell the Senate by what authority and right the American State Department could exceed the percentage fixed for this country expressly in the resolution making the United States a party to IRO? How could the State Department legally or rightfully spend in excess of the quota fixed for this Government?

Mr. SMITH. I think the answer is that the United States paid its quota, and some of the other nations which had quotas assigned to them had paid a part, but had not paid in full. Therefore the amount actually paid in does show a higher percentage for us. But I point out to the distinguished Senator that if we had not paid our quota and cleared it through the PCIRO, we would have paid vastly larger sums in taking care of those people as we had been taking care of them. Up to the present time we have paid between $75,000,000 and $80,000,000; but previously we had been paying in the neighborhood of $130,000,000 to take care of those people in our zones in Germany. So the payment might be looked upon as "six of one and half a dozen of the other"—either paying our share of the preparatory administration, which I understand was agreed to pending the establishment of the regular organization, or else staying as the caretakers of those poor people, as we had them under our charge today.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. I am quite sure the Senator does not intend to make the argument that the expenditure of money by the State Department in excess of the amount fixed by the joint resolution passed by the Congress can be excused by the fact that it would have cost more to have proceeded under some other plan. I think it proper in this debate to call attention to the fact that the State Department has exceeded its authority—a situation with which we have been faced all too frequently in recent years when considering the actions of the administrative branch of the Government—for the State Department went beyond the amount and limit specified in the joint resolution passed by the Congress.

At this point I wish to state the exact proportion of the payments, as subscribed to by this country. For administrative expenses, this country was to contribute 39.89 percent of the cost; for operational expenses, except for large-scale resettlement, the United States was limited to the payment of 45.75 percent of the cost.

I state again that instead of staying within that limitation our State Department has spent in excess of 79 percent of the cost, as contributed to the maintenance of the IRO.

Mr. SMITH. Mr. President, I may say to the distinguished Senator that I have before me the figures as to the amounts paid by the United States in the fiscal year 1946–47 and in the fiscal year 1947–48. In this connection we must bear in mind that we had the responsibility of keeping these people from starving to death. During the fiscal year 1946–47 it cost the United States $130,000,000 to take care of and feed the displaced persons in the American zones in Germany and Austria, and perhaps also in Italy. During the fiscal year 1947–48 the displaced-persons camps were taken over by the International Refugee Organization.

The contribution made by the United States during the fiscal year 1947–48 was $71,000,000. Other countries contributed $44,000,000. Miscellaneous funds from other sources, such as the balance in UNRRA, accounted for $4,000,000 more. That made a total of $119,000,000 available to the International Relief Organization in 1948, which compelled the IRO to cut down on rations, and so forth, and otherwise economize in order to take care of the problem.

I am simply stating that although I agree that percentagewise the amount we paid was larger than the amount we expected to pay, nevertheless in 1947–48 we actually paid $71,000,000, whereas in 1946–47 we paid $130,000,000—nearly twice the amount we paid in 1947–48 when other countries contributed $44,000,000. I understand that matter is being adjusted now and collections are being obtained from the other countries in order to make up their share for this fiscal year. Of course, whether those collections will be made is another question.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. HATCH. I do not wish the RECORD to stand—and I am sure the Senator from West Virginia does not, either—as showing that the State Department has illegally spent money. If I state the matter incorrectly, I wish the Senator from New Jersey to correct me. Our percentage contribution is based upon the total cost. Under the resolution we are limited to approximately 39 percent of the total cost. We have not paid 79 percent of the total cost. The 79 percent relates to the total amount that has been paid in.

Mr. SMITH. That is exactly correct.

Mr. HATCH. We are still within the limitations of the resolution, and money has not been spent illegally, either actually or technically. It is unfortunate that the other countries have not made their required contributions; but in view of the contributions the have made, our total payments constitute the percentage the Senator from West Virginia has stated. I believe that explanation is correct; is it not?

Mr. SMITH. The Senator from New Mexico has stated the facts as I understand them to be.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. If I correctly understand the agreement which was made under the joint resolution passed by the Congress, it was that in connection with the expenses incurred in the operation of the IRO, there was to be placed upon this country a limit of 39.89 percent for administration and 45.75 percent for operational expenses. As a matter of fact, the PCIRO has been operative, and I cannot see that there is any difference between the idea advanced by the Senator as to the 79 percent of the amount expended and what might have been expended. We did not say we were placing those limitations on our Government's expenditures in terms of what it might cost. That limitation was placed upon the amount spent for the maintenance of the International Refugee Organization. Up to this time the maintenance of the IRO has cost this Government 79 percent of the actual expenses. That is the amount spent by our Government through the operations by our State Department.

Mr. HATCH. Mr. President, will the Senator yield for a further observation?

Mr. SMITH. I yield.

Mr. HATCH. Again I am sure the Senator from West Virginia does not mean to be unfair, but I think the conclusions he has reached are unfair, in that the situation is as I described it in the first instance. It is always to be remembered that the ratification by other nations of the International Refugee Organization agreement occurred during the formative period. As other nations come in and as the nations that are now behind in their payments make their payments, the percentage which the United States has paid, with relation to the total amount paid by other nations, will decrease. When those payments are made in full, as we hope they will be, it will eventually be shown that the 39 percent limitation and the other limitation have been observed, and that no money has been illegally spent.

That is the process we are going through now. Although I realize the correctness of what the Senator has said about the amount we have paid, in terms of percentage to the total payments, nevertheless we are still within the requirements as to total costs.

Mr. REVERCOMB. Mr. President, if the Senator will yield to me, I wish to say that I do not think any department of the Government has a right to spend in excess of the limitations provided in the resolution. That is my judgment, and it is inescapable to me.

Mr. HATCH. Mr. President, will the Senator yield at this point?

Mr. REVERCOMB. I ask the Senator to permit me to finish my statement.

I make the point here because I think it should be before the Senate. The able Senator has a perfect right to arrive at the deductions he has stated, but I take the view that when we place a limitation as to the percentage of the amount which may be spent by our country, that limitation and requirement must be adhered to.

Mr. HATCH. Mr. President, I wish to say to the Senator from West Virginia that both the Senator from New Jersey [Mr. SMITH] and I are members of the Foreign Relations Committee which considered this resolution and had it thoroughly explained. Both of us voted enthusiastically and strongly for the limitation. We wish to have it observed; but we realize the situation we are in, and we believe those limitations are being met within the law, and certainly must be. There is no disagreement at all between the Senator from West Virginia and us as to the meaning of the resolution, and we certainly want it observed.

Mr. COOPER. Mr. President, will the Senator yield to me?

Mr. SMITH. I yield.

Mr. COOPER. I do not wish to interrupt the Senator's presentation of this matter, but I should like to comment briefly upon the statement made by the distinguished Senator from West Virginia.

I wish to preface my remarks by saying that I agree completely with him that no agency of the Government has the right to disobey, either directly or indirectly, the law, no matter how worthy may be the objective the agency has in mind.

I desire to point out these facts in connection with the statement which has been made. First, Public Law 146, passed by the Eightieth Congress—which authorized the appropriation of money to the International Refugee Organization—did not fix in terms of percentage the sum to be contributed by the United States to the International Refugee Organization.

Section 3 of the act states simply that "such sums, not to exceed $73,325,000, for the fiscal year beginning July 1, 1947," are appropriated for this purpose. I point out, and I believe that the Senator from West Virginia will agree with me, that contributions exceeding $73,325,000 have not been made to the International Refugee Organization by this country. Is that not correct?

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. In answer to the Senator from Kentucky I must say that I am absolutely in disagreement with him. Of course the resolution adopting the constitution of the International Refugee Organization said nothing about proportions. It simply authorized the expenditure of $73,000,000. But what did the resolution do? It made us adherents to the constitution of the International Refugee Organization. If the Senator wants to know what we agreed to, and if he goes to the terms of the International Refugee Organization constitution, he will find——

Mr. COOPER. Mr. President, will the Senator yield for a moment?

Mr. REVERCOMB. May I finish my statement?

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. REVERCOMB. May I finish my statement?

Mr. COOPER. Yes; that is perfectly agreeable to me.

Mr. REVERCOMB. If the able Senator will turn to annex II, a part of the constitution of IRO to which the resolution made us a party, he will find especially set forth there for each nation the

percentage of contribution to be made and the top limit of contribution. That will be found on page 69 of Senate report 950, dealing with the bill that is before the Senate.

On page 69, as a part of annex II of the Constitution, the Senator will find that the United States was limited in percentage payments for administrative expenses to 39.89 percent, and for operational expenses, except for large-scale resettlement, to 45.75 percent. So notwithstanding the fact that those percentage limitations did not appear in the resolution that made us parties to the constitution, it is a fact that we entered into an agreement placing that limitation upon our expenditures for those purposes.

Mr. COOPER. Mr. President, I have tried to make it clear that the total amount of funds thus far contributed to the International Refugee Organization do not exceed the appropriation authorized by Congress and that the law has not been violated in that respect. Now turning to the question of the percentage of the total assets of the IRO advanced by this country, I call the attention of the Senate to the fact that Public Law 146, section 5, provides:

> The Secretary of State is authorized from appropriations made pursuant to paragraph (a) of section 3, to make advance contributions to the Preparatory Commission for the International Refugee Organization, established pursuant to an agreement dated December 15, 1946, between the governments signatory to the constitution of the Organization, at a rate not to exceed one-twelfth per month to the United States contribution to the Organization contemplated by paragraph (a) of section 3 hereof.

The committee's report states that as of October 13, 1947, the United States had paid 79 percent of the funds of IRO.

I point out that if the United States was the first Nation or among the first to pay into the fund a considerable sum of money, it is entirely posible, and quite natural, that for a time our percentage would be in excess of the percentage which we agreed to pay for the entire year.

I have no doubt that such was the case on October 13, 1947, but I just wonder if it is true today. I have been informed that it is not true today, and that at the close of the fiscal year there will be no violation of the agreement either in the total sum paid and appropriated or in the percentages paid to the fund.

Mr. REVERCOMB. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. I should be very glad to have the Senator from Kentucky advise me of any information he may have, and the source of it, if he will, to the effect that there will be no excess of expenditures beyond the limit placed upon the United States by the constitution of IRO.

Mr. COOPER. Can we agree, that as of today, there has been no violation in terms of total funds paid into the International Refugee Organization?

Mr. REVERCOMB. I cannot agree to that, because I think, when there is a limit fixed and there is a payment in excess, there is a violation. If the Senator can bring me down to date to show that there is not a payment in excess of the figures placed in the International Refugee Organization's constitution, then I shall be ready to say I am in error. I want to know.

Mr. COOPER. If we can agree on the issue, I think I can answer. I make the proposition first that there has been no violation of the provision of the law which authorized the appropriation of $73,325,000. I agree with the Senator's statement that on October 13, 1947, this country had paid into the International Refugee Organization a disproportionate percentage of the funds held at that time by the IRO. But I am informed, and my information comes from the Department of State, that as of May 1, 1948, 59 percent had been contributed by the United States. I think the Senator must agree with me that his percentage figures are based upon October 13, 1947.

Mr. REVERCOMB. That is correct, and up to that time the excess over the maximum was so great that I think we are warranted in saying that the State Department went quite far in making contributions to expenses, even up to that date, of 79 percent, when they had a top limit of 45 percent. I am glad to have the new figures furnished by the Senator from Kentucky. The contribution up to this time, or up to May 1, 1948, is 58 percent, is it not?

Mr. COOPER. I want to make it clear that these figures have been handed me by representatives of the Department of State. This statement is made, "as of April 5, 1948. Sixty-two percent of the funds received by the PCIRO have been contributed by the United States"——

Mr. REVERCOMB. Sixty-two percent?

Mr. COOPER. Yes, and "as of May 1948, 59 percent had been contributed by the United States."

I am simply making the point that as we approach the end of this fiscal year, the lower percentage figures which I have quoted indicate that we are moving toward the percentage fixed in the IRO budget.

Mr. SMITH. Mr. President, I want to call a matter to the attention of both Senators.

Mr. REVERCOMB. Mr. President, will the Senator yield for one further comment? After that, I shall take my seat.

Mr. SMITH. I yield to the Senator.

Mr. REVERCOMB. A limitation is placed upon each country, and each one is supposed to contribute as the work progresses. The letter from which the able Senator from Kentucky has just read, written by the State Department, as of May 1, 1948, shows excess payments beyond the limit. It indicates to me there have been from time to time expenditures on the part of the State Department in excess of the contributions they were authorized to make.

Mr. SMITH. I may say to the Senator from West Virginia, I hope before the debate is over to have up to date the figures which he has requested, because I think he is laboring under a misapprehension. I call to his attention the report of his committee, pages 5 and 6. At the bottom of page 5, it has to do with the budget of the IRO for the first fiscal year. It points out that they had a budget of $160,860,500. It then goes on to explain that the budget was not raised, and cites certain of the difficulties they encountered. I call attention to the third paragraph on page 6, which reads:

> Public Law 146 of the Eightieth Congress (approved July 1, 1947) authorized the Secretary of State to make advance contributions to the Preparatory Commission for the International Refugee Organization from appropriations made for the payment of the United States annual contribution of $73,325,999 to the Organization. Such advance contributions are for the interim period between July 1, 1947, and the coming into force of the constitution of the International Refugee Organization and are to be deducted from the United States contribution to the Organization as provided for in the agreement on interim measures.

I merely call attention to the fact that that appears in the report of the Senator's committee. Then it is pointed out that the actual amounts which were put into the revised budget, because the full amounts were not paid, amounted to $115,645,000, as against $160,000,000.

On page 7 of the report is the breakdown by countries of percentages allotted by quota, the total contributions due, and the amounts actually received. The total contributions due up to October 13, 1947, were more than $122,000,000, whereas the amounts received were approximately $22,000,000. Then the report says:

> The United States had contributed approximately 79 percent of the total contributions received by PCIRO. It should also be noted that the total annual contribution due is exclusive of amounts for large-scale resettlement.

In other words, this is one of the problems we have had from the beginning. We have passed a special law making it possible for us to make an advance payment to guard against the ultimate amount due, because we have to keep these persons alive.

It seems to me that is a perfectly reasonable explanation and a perfectly proper way in which to deal with the matter.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SMITH. I shall be glad to yield.

Mr. SALTONSTALL. There is one thing I cannot quite understand, namely, why this discussion is particularly pertinent at this time. The displaced persons in the American zones in Germany and Austria, and formerly in Italy, are our responsibility to feed and house. It was formerly done by the Army. Then the administration was taken over by the IRO; but we continue to be responsible for them. So, whether the money comes via the State Department through the IRO, or whether it comes from the Army, through Army appropriations, for feeding in our zones in Austria and Germany, I do not see that it makes any difference. We are responsible for feeding those people so long as they are in our zones. Is not that correct?

Mr. SMITH. I agree with the Senator; but I think it was proper for the Senator from West Virginia to bring up the point as to whether the State Department had exceeded its authority. I

do not think it will be difficult, before the debate is concluded, to get an exact, up-to-date statement showing what has been paid both by our Government and by other countries, and the extent, if any, to which advantage has been taken of the situation to relieve us from the heavy burden we have to bear if we continue to carry the full load of feeding the displaced persons.

Mr. SALTONSTALL. If the Senator will yield, I should like to ask the Senator from West Virginia a question.

Mr. SMITH. I yield.

Mr. SALTONSTALL. Is it not correct that we are responsible for feeding the displaced persons in our zones?

Mr. REVERCOMB. The Senate of the United States passed the law providing for the IRO, and the Senator from Massachusetts supported it, I believe, as did the Senator from West Virginia. It was understood when we entered into the IRO that it was an agreement between the several nations that the refugees should be fed and that the contributions should be made upon fixed maximum allocations which I have read into the RECORD. I make the further statement that whatever the duty which was fixed by the agreement as to the payment out of the funds of the particular appropriation, I do not think it is an answer to say that it was our duty to look after the persons in those zones. We have assumed that duty from the start, and have met it since that time.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SMITH. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I am very anxious that the Senator from New Jersey be permitted to proceed with his address on the general subject, but I should like to say that it finally appears to me, from all that has been said, that the State Department has operated in strict conformity with the law passed by the Congress and the authority granted to make advances. It has not been the sense of the Congress that we should depart from the limitations placed in the resolution. As soon as the formative period, or period of preparation, is passed and we have received credit for the advances which have been made, as is contemplated and explained in the report, the limitations prescribed in the resolution will come back into play, and it will be shown that the State Department has not acted illegally. I think that is a fair conclusion, is it not?

Mr. SMITH. I thank the Senator for his statement. I think it sums up the situation.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. SMITH. I will yield, but I hope I may be permitted to continue with my remarks.

Mr. REVERCOMB. I thank the Senator for yielding. As I said before, we draw our own deductions. I know the Senator from New Mexico is in earnest when he says there has not been a violation of the agreement. When there is a limitation placed upon the expenditures, that does not mean that we can reach into the future and later bring about a balancing of the payment; it means the contributions from time to time must be within the percentage limitation of the agreement. That was the view which I expressed. If it varies from the view of the Senator from New Mexico, the disagreement stands in the RECORD for whatever value it may have.

Mr. SMITH. Mr. President, the funds for carrying on operations are primarily furnished by the United States under our appropriation for membership in the International Refugee Organization. Unless we were prepared forcibly to turn over these displaced persons to the eastern European countries, it would be necessary, in the absence of this appropriation to the IRO for their indirect support, for the United Nations to appropriate funds directly of at least equal amounts for their maintenance in our own zones or under our bizonal arrangements.

That statement has been elaborated upon in the debate we have had.

I have further informed myself by a study of the report of the subcommittee of the Senate Judiciary Committee and also of the report of a subcommittee of the House Foreign Affairs Committee, which made a thorough study and report on this matter.

FUNDAMENTAL FACTS AND CONCLUSIONS AS TO THE DISPLACED-PERSONS PROBLEM

From the reports of the subcommittee of the Senate Judiciary Committee and of the subcommittee of the House Committee on Foreign Affairs, and from the testimony of the Secretary of State and the then Secretary of War and their assistants and advisers engaged directly on the displaced-persons problem, and from my own observations, the following basic facts and conclusions appear to be inescapable:

I have tried to sum up 8 points to bring out the situation in which we find ourselves. I think most of the points would be readily agreed to by the Senator from West Virginia [Mr. REVERCOMB]. Inasmuch as he covered some of them in his recent speech, I am simply bringing them all together and summing them up so as to get down to the issues of the whole debate.

First. Nearly 8,000,000 displaced persons were forcibly brought by the Nazi armies into Germany and fell into the hands of the advancing armies of the western Allies. Along with them were some refugees, particularly from the Baltic countries, who fled before the advancing Russians.

That is, some were brought in and some fled before the advancing Russians.

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. SMITH. I shall be glad to yield.

Mr. REVERCOMB. The 8,000,000 persons referred to were not, as I understand, all slave laborers. If I am wrong, I shall be glad to be corrected. Some of them were slave laborers; others were refugees after hostilities had ceased. Many of them came after that time. I do not think the Senator means that the whole 8,000,000 were persons forcibly moved from their homes into the German area.

Mr. SMITH. That is pretty close to the figure of those who were either moved or fled before the advancing Russian armies. I received the information from the State Department, and I have no reason to question it.

Mr. REVERCOMB. Will the Senator further yield?

Mr. SMITH. I yield.

Mr. REVERCOMB. Many millions of those persons have returned. Is not that correct?

Mr. SMITH. I intended to state that presently. I am stating that the overall problem involved as many as 8,000,000 persons. Along with them, as I have said, were some refugees from the Baltic countries who fled before the advancing Russians.

Since the end of 1945 probably close to 200,000 persons, primarily Jews, fleeing from eastern countries of Europe, for the most part after the Kielce pogrom in Poland, have also been received by our armies. They have been given the same status of displaced persons by our armies given those who were brought forcibly into Germany and Austria during the war by the Nazis.

That date, 1945, I merely mention in passing, because the question will rise again when we are discussing an amendment which we will present with regard to the date we should fix as the guiding point in determining where eligible displaced persons are for the application of the legislation.

The second point is, as the Senator from West Virginia has just said, that 7,000,000 of the displaced persons so coming into our hands have voluntarily returned to their native countries, for the most part French, Belgians, Dutch, and Russians, with a substantial number of Poles. That is the repatriation problem. Some of them went back right away.

Third. There remain about 1,000,000 displaced persons in the western zones of Germany and Austria and in Italy who have been taken over by the American, British, and French Armies. I am using round figures so that we can think in terms of our problem. There is a wide range of skills and professions found among these people. In the main, they are of sturdy stock, decent life, and of a character to make a contribution to the citizenry of any country. There are some examples to the contrary. There has been an opportunity for some to work in the local economy and remain out of camp. But for the great majority this has not been practicable with the return of German prisoners of war and the influx of millions of Germans expelled from the eastern areas into a shattered economy.

The pressure on Germany, of course, is making it difficult for Germany to absorb these people who are now living under our care. We cannot think in terms of leaving them there in the settlement of our problem.

Fourth. In origin these displaced persons are almost entirely from the Baltic countries now occupied by Russia, from that part of old Poland which is east of the Curzon Line and now held by Russia, from that part of old Poland which lies west of the Curzon Line, and from Yugoslavia. By religion, the largest single element, probably 60 percent, are Catholics, something over 20 percent are Jews,

and the remainder are Protestants and Greek Orthodox. In number, by country of origin, former residents of old Poland predominate. Former residents of the Baltic countries of Lithuania, Latvia, and Estonia constitute the next largest group; and former residents of Yugoslavia, the next. Most of these persons are in the American zones and are under our ultimate governmental authority. What disposition is to be made of these people? That is, for us, the displaced-persons question. There is a problem we have right at our doorstep, and it is the problem we are discussing here.

Fifth. These displaced persons will not willingly return to their eastern areas, with their changed governments and economic systems to which they are opposed or fear. We will never return them forcibly. That would be an unthinkable departure from American traditions.

Sixth. It is not an economically practicable nor a humanly decent solution of the situation for us to turn these victims of the Germans, in the aggregate, back to the Germans against their will.

Seventh. It is not a tolerable solution of the problem for us to continue to maintain these displaced persons in a segregated life in the camps in the western zones of Germany indefinitely at the expense of the American taxpayer. They do not want support; they want an opportunity to earn a living and rebuild their lives.

So I come to my eighth point, which seems to me the position we are led to by the consideration of the previous points.

Eighth. The only solution of the problem which will remove the obstacle to a German peace settlement and the constant source of friction in Germany and with other countries constituted by the continued presence of these displaced persons in Germany, which will remove the present and prospective burden on the American taxpayer and which will give these uprooted victims of the war a chance to rebuild their lives, is the resettlement of from 800,000 to 1,000,000 of these people in countries which may be willing to receive them.

The over-all problem is resettlement. We have done all the repatriation that seems to be possible. We cannot leave them where they are. We cannot maintain them in the camps in the different zones, at the expense of the American taxpayer, so the important problem is resettlement.

THE FUNDAMENTAL DECISION ON PRINCIPLE MADE BY THE BILL REPORTED BY THE SENATE JUDICIARY COMMITTEE

In light of these basic facts and considerations, the Judiciary Committee has now reported to the Senate the pending bill, S. 2242, designed to make possible the resettlement in the United States during the next 2 years of 100,000 of these displaced persons. This, to my mind, is a vitally important and constructive action.

The first step in this whole matter was to get a fundamental determination on principle. The action of the Judiciary Committee recognizes that forcible repatriation is not the answer. Further, to keep them in cold storage in camps in Germany at the expense of the American taxpayer is no solution to them or for us. The only solution is resettlement; and to effect this solution, it is necessary and in our interest that we should take a part.

With this conclusion of the committee I am heartily in accord. No other solution has been, or, I believe, can be suggested as to the disposition of these people who came into the hands of our conquering armies and who, for the most part, are now under our own direct governmental authority. I emphasize the point that for the most part they are under our own direct governmental authority.

So I come to the question of the over-all coverage of the bill, its philosophy, and also the important matters of detail in the bill on which differences of opinion developed, and the reason why the Senator from Michigan and a few others of us, the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kentucky [Mr. COOPER], the Senator from Rhode Island [Mr. MCGRATH], and myself offered amendments, as we saw the matter, to implement the pending bill, which we are supporting, by meeting the problem as it faces the United States today, with the responsibility we have.

IMPORTANT MATTERS OF DETAIL IN THE SENATE BILL ON WHICH DIFFERENCES OF OPINION DEVELOPED

With the fundamental principle established that the United States should participate in resettlement, it becomes a matter of establishing a sound administration to deal with this resettlement in the United States and of determining the details of numbers, conditions, and period of admission. On these matters there is room for, and there is, a difference of opinion. There were such differences within the subcommittee and within the Senate Judiciary Committee as a whole. The committee faced a dead line for its report to the Senate. The time for consideration of these matters was limited, and in my opinion, the committee took the sound course of reporting out a bill to the Senate which established the principle, knowing that these differences in detail in the application of the principle would ultimately, in any event, have to be resolved by the membership of the Senate as a whole.

The bill is before the Senate, and the amendments offered by those of us who do not agree fully with the committee report will bring out areas in which we believe the bill needs implementation.

It may be of use to the Members of the Senate if I outline briefly the principal matters on which differences of viewpoint have developed, which differences are reflected in the pending Ferguson amendments. Certain of these have a definite bearing on our foreign relations, and therefore, of course, I am vitally interested, as a member of the Committee on Foreign Relations.

ADMINISTRATION

Let us first consider the administration of the program. At the outset it must be recognized that we are dealing here with a type of situation that we have never dealt with before in connection with immigration into the United States. This is a brand new area we are exploring. It is related to the immigration problem, but it is not a problem represented by the conditions in Germany, which makes it a special problem to be treated in a special way.

The displaced persons, by nature of the situation, are destitute and can make no arrangements for coming into the United States themselves. In other words, the ordinary immigrant has some plans when he comes to America. He has some relatives or somebody to whom to go, but in the present case the individuals are without aid of that sort, and some organization must be created to bring them in and to resettle them here.

If they are to be resettled in this country, opportunities for employment and for housing must be explored. We are all agreed on that. The bill provides that that must be taken care of. When and as such opportunities are found, they must be matched up with the abilities and characteristics of the displaced persons in camps abroad. In other words, there must be a process of exploration for opportunities and selection of those who fit in with those opportunities. This requires an over-all administration of a different nature from that which now exists in any agency of the Government concerned with this matter.

Those of us who have been studying the problem cannot conceive of our turning it over to any existing department of Government by itself. It must be a combination of the operations of a number of departments.

The pending bill makes a constructive suggestion based on the unique and temporary character of this problem. It proposes the appointment of a commission of three by the President, to be confirmed by the Senate, with power to make rules and regulations, and required to report to Congress. This is highly constructive. But it is the view of some who have studied the subject, a view which I share, that it falls short of its full possibilities and the needs of the situation. A number of the agencies of the Government will be concerned in the handling of this problem—the Department of the Army, through its occupying forces and Intelligence Service in the occupied zones; the State Department, through the direction which it is assuming of the government of these areas and through its agencies in those areas; the United States Employment Service, in ascertaining opportunities for employment in the United States; the Public Health Service, in performing its duties of health inspection; and, of course, the Immigration Service itself. It would be an undesirable duplication to attempt to build up a new service to handle the displaced persons' resettlement; but for successful administration there would seem to be necessary a central direction and coordination of the activities of the various agencies of the Government involved. That could be supplied by giving the proposed commission such a general administrative duty. Or, as has been proposed by some, it would seem to be a more efficient method to provide for a single administrator, appointed by the President and subject to confirmation by the

Senate, with an advisory committee composed of representatives of various governmental agencies involved and of interested organizations of the public, such as the Council of Governors, Council of Mayors, and the veteran, labor, and welfare organizations.

I may add that one of the amendments we are going to offer will cover the question of administration by giving a larger power to the proposed commission to take the initiative.

CEILING ON NUMBER TO BE ADMITTED

My next point, Mr. President, is the question of the number to be admitted. When I speak of the number to be admitted I am not speaking of the number of persons we will admit in any event. I am speaking of what ceiling we should establish on the admission of these people, and where they qualify, give authority to bring them in up to that ceiling.

It is important that the proposed emergency legislation should place a ceiling upon the number of displaced persons authorized to be admitted. Otherwise, the impression might be created among the displaced persons that all of them would be able to come into the United States and their own willingness to go to other countries and the willingness of other countries to receive them would be adversely affected. But in fixing any figure, as I stated a moment ago, it must be remembered that the figure is a ceiling. It by no means follows that the number fixed will actually be admitted into this country because, as we all realize, those who are brought here must be qualified and must be properly placed so they will not be a burden upon our economy.

Under a proper administration of such an act as this, displaced persons will not be selected at the camps or embarked for the United States at the ports until it has already been ascertained that they meet the tests for admissibility and that they are going to destinations in the United States where they can be resettled with the necessary employment and physical surroundings to make such resettlement desirable both for them and for the United States.

There has been much discussion among people on this subject indicating that they think the proposal is merely to dump a great number of persons here without making previous preparation for them. Such is not the case, and the bill under consideration would not permit it to be the case. There has got to be a careful matching of individuals for jobs before they start from abroad.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. TYDINGS. The Senator from New Jersey has been very diligent and has put in a great deal of time on this important question. I have just been glancing over the report. I should like to ask the Senator whether he recalls any place in the report where the nationality of origin is set forth affecting the displaced persons.

Mr. SMITH. I may say to the Senator from Maryland that not being a member of the Committee on the Judiciary I had no part in the preparation of this particular report, but I have read the report, and I think the Senator will find a table showing the origin and nationalities properly set forth. I know I have seen such a table, and I am reasonably sure it is contained in the report itself.

Mr. TYDINGS. I have seen it noted in the index, but I see there are some tables in the back of the report, and probably one of them contains what I have in mind.

Mr. SMITH. I think that is covered in the report.

No one has ever suggested simply picking up any specified number from the camps abroad and dumping them at the port of disembarkation in the United States to fend for themselves, as used to happen in our early immigration days.

The foregoing being the situation, it would seem that the ceiling should be set at a figure which, together with the resettlement which can be expected to take place in other countries of the world, will actually solve our displaced persons problem and make it unnecessary for the American taxpayer further to contribute to their support in Germany and Austria.

I emphasize that particularly as I go along, because unless we think in terms of a solution of this problem we are going to be left in another year or two with some unplaced persons abroad who have not been placed in other countries, and have not been placed in our country, and we cannot place them here because of the limitation on the number, and we shall still have the problem of feeding the destitute people. I am thinking in terms of the over-all problem, and not of a temporary expedient by letting in a few persons.

There is, however, nothing in the report of the Senate Judiciary Committee or the subcommittee of the House Foreign Relations Committee, or in the evidence of the Secretary of State and his assistants, or in the reports from the International Refugee Organization, which is engaged in promoting resettlement, that would indicate that the numbers which are being, or will be, admitted for resettlement by other countries will, with the 100,000 proposed by the pending bill to be admittable here, solve the problem. Informed opinion is to the contrary.

I simply mention that in passing, Mr. President, because an amendment will be proposed by the junior Senator from Michigan [Mr. FERGUSON] as we proceed further in the debate, the purpose of which is to increase the number, and which will go more into details respecting why we should think in terms of a larger number than the 100,000.

It must be remembered that while a number of the countries in Latin-America and in Europe are admitting displaced persons for resettlement and, in some cases, in numbers far greater proportionately to their own populations than the 100,000 proposed by this bill, these other countries are not in the same situation that we are. While they may have the same self-interest that we have in securing desirable persons for immigration and the same humanitarian interest in the matter that we have of affording them an opportunity to rebuild their lives, they do not, as we do, already have them on their hands. We have them on our hands. We have got to face that fact. They are not now exercising governmental authority over them, with the obligations which that implies with regard to their support, where, as in the situation in Germany, they do not have opportunity to support themselves. These people cannot support themselves in Germany. We are supporting them now. There is, therefore, absent from their determination—that is the determination of other countries that may take these persons in—as to how many they will admit, an important element of self-interest which exists in our own case. For these reasons, it is my view that the almost even difference of opinion in the Senate Judiciary Committee as to the ceiling which should be set should be resolved by naming a ceiling and I emphasize again the word "ceiling"—that is substantially above that proposed in the pending bill and more in accord with the realities of the situation and our own interest in getting this problem quickly disposed of.

Views as to the ceiling to be set are influenced no doubt by differences in views as to the number of such displaced persons that can be successfully resettled in the United States in employment and in housing. I suggest that these differences in opinion could only be resolved by actual experience and that we should not unduly limit the possibilities in that direction by setting a ceiling on the basis of estimates which many believe will turn out to be far too low.

As I stated a moment ago, we propose to offer an amendment, which will increase the ceiling, and will go more into detail as to the reasons why it is wise, from the standpoint of the United States, to have a larger area in which to operate.

OPPORTUNITIES FOR RESETTLEMENT

I feel that I should invite the attention of the Senate to some admirable and inspiring efforts which are being made to explore the opportunities for resettlement in the United States for displaced persons, and to aid in effectuating them, that are being made by the great religious organizations of the United States. Protestant, Catholic, and Jewish organizations have united on a national scale to work on this problem. They are also making joint efforts on a local scale in the various parishes and communities all over the United States to explore on the ground the opportunities for employment and for housing and for enlisting the efforts of the local communities in making welcome, assimilating, and Americanizing the displaced persons who may be admitted for resettlement under the pending bill. Let me say to my colleagues that one of the most inspiring experiences I have had has been in talking with representatives of organizations all over the country which are already working to meet the problem of not having these people congested in the big urban centers at the seacoast, but to see that they are dispersed throughout the United States. That is being done by voluntary groups. They raise their own funds, and they are helping in every

way possible to cooperate with us in the development of this plan.

This is an effort made in the best and finest tradition of the United States. It should not be dampened by a ceiling set so low that it will tend to deter rather than stimulate efforts along these lines, as it is only by such efforts that we can effect the wide distribution of displaced persons over the whole of the United States in numbers in each community which can be readily assimilated that is the objective of all supporters of this bill. These organizations must have the challenge of a task which they can sink their teeth into if they are to be effective.

While opinions naturally differ and it is impossible until the effort has been made to determine which opinion will prove correct, in the opinion of those most closely engaged in this work, it appears that there exists in the country a wide demand for agricultural labor, a wide demand for domestic servants, a wide demand in the sewing trades, a wide demand in the forests, and in many small crafts, as well as in the nursing profession, for the type of labor which those who are familiar with the camps feel is abundant in them. There are also opportunities here for trained minds and professional skills which also are found abundantly in the camps.

CHARACTERISTICS OF THE DISPLACED PERSONS

One word as to the characteristics of the displaced persons as I have observed them. Let me emphasize the first point. They are prevailingly of a young age group. They were selected by the Germans for their ability to work. The fact that they have survived what they have survived indicates their physical stamina and determination of spirit. They have preserved the decencies of family life under conditions which, with less good stock, would have resulted in moral deterioration. Where they have had a chance to work they have, in the main, made the most of the opportunities. In some cases I have observed a surprising degree of success, in view of the difficulty of securing either material or equipment on which to work. It was quite amazing to see some of the actual handiwork done in the camps, where they had any kind of scrap material with which to work. The ingenuity which was evidenced was striking. They have had training in the democratic way of life through the fact that the camps are conducted on a self-governing basis. They have had training in organizing for sanitation, for police, for education, and for religious and other community activities. The vital thing which they lack is the opportunity to rebuild their own lives on an economic basis of self-support. Wherever we talked with them, that was the one thing they wanted. They said, "Give us a chance to show what we can do."

In view of some loose adverse statements which have been made as to the characteristics of the displaced persons and the emphasis which has been laid on sporadic instances which have occurred, which are of a depressing and shocking character, it is interesting to note that the wider the opportunity of those who have visited Germany to make an intimate inspection of a large number of camps, the more convinced they are that the prevailing type of displaced persons is that of which good Americans have been and always will be made. It is also interesting to note that one of the most sincere and vigorous opponents of the admission of any displaced persons to this country in the hearings before the House Subcommittee on Immigration, a former commander of the American Legion, changed his views after actual study of the displaced persons on the ground, and now recognizes it as a case for emergency legislation and the admission of substantial numbers into the United States.

I had occasion to talk with this gentleman when I was abroad, and before he had visited the camps. He was impressed with the fact that we had a problem. He stated that if he discovered that his views had to be changed, he would make a public announcement to that effect, which he ultimately did. I was glad to have an opportunity to talk with him. I met him in Italy on his way from there to the camps.

SPECIFIC TESTS AND RESTRICTIONS

The pending bill sets up certain tests and restrictions for the admission of displaced persons which go beyond the wholesome tests proposed by the general immigration law. At no time have any of us proposed that any of these people to be admitted should be exempt from the ordinary provisions of our immigration law; but certain tests have been laid down in the bill which go beyond the general requirements of the immigration law. It is fundamental that persons who are likely to become public charges, persons convicted of crimes involving moral turpitude, the insane and feebleminded, and persons afflicted with contagious diseases should not be admitted into the United States, whether or not they are displaced persons. That test is in our immigration law. That test will be applied to all these people. But there seems no reason for going beyond these fundamental tests and making it more difficult for an otherwise qualified displaced person to be admitted under this law than for nationals of those countries, as to which there are not limitations on the number to be admitted to the United States, or citizens of those countries as to which there are quotas. Under the pending bill, the displaced person could not be admitted if he were to displace in employment even a temporary immigrant brought in for emergency labor needs. But nationals of other countries can be admitted, though they displace American citizens in employment and though there is not "decent, safe, and sanitary housing" available for them, or though they displace American citizens from such housing. The position we are taking is that we should not give them any privilege over any other immigrants, but we should not place more severe restrictions upon them than are placed upon other immigrants at the present time.

By admitting into the United States a displaced person who will not become a public charge, we are admitting a person to whose support our taxpayers are now contributing and also tending to relieve by that much a situation which creates a strain on our foreign relations and an obstacle to peace in Europe. We are making it possible for an uprooted person again to become self-supporting, whereas in the case of immigrants from other countries of the world we are merely letting them come in from countries where they are already established in their homes and in their lives and are presumably coming to the United States merely to better their condition. In both cases we expect the person admitted to be an asset to the United States through the work he will do and what he brings with him of initiative and effort. But it is suggested that, so far as the interest of the United States goes, we should prefer those whose resettlement in the United States relieves us from a burden and who are themselves in greater need of an opportunity than are those who are migrating from their own homes—if any distinction whatever is to be made. I am not arguing for any distinction, but I am saying that no distinction should be made against displaced persons in comparing them with other immigrants whom we admit under our quota system.

RECOGNITION OF THE ANNEXATION OF BALTIC STATES

There is a provision in the pending bill which limits the admission of people from certain areas. There is another provision in the bill with which the Senate is particularly and directly concerned. I say the Senate, because we are particularly concerned with our foreign policy, due to the responsibility for ratifying treaties, and so forth. I refer to a provision which gives a 50-percent priority to displaced persons "whose place of origin or country of nationality has been annexed by a foreign power." The report of the committee makes it clear that this provision is intended to apply to Estonians, Lithuanians, and Latvians. The executive branch of our Government has never recognized the extinction of the nations of Estonia, Latvia, and Lithuania by annexation to Russia. The proposed form of this provision, taken in conjunction with the committee's report, might well be taken to constitute recognition of this annexation by Congress and by the Executive if the bill became law in its present form. That involves a question of foreign relations of first importance. Our group has an amendment to cover this particular point; and I am hopeful that the proponents of the bill will be willing to accept the amendment.

DATES AS A TEST OF ELIGIBILITY

The bill proposes to determine the eligibility of a displaced person by the test of whether or not he came into Germany between September 1, 1939, and December 22, 1945. This presents a problem of difficulty which, in my judgment, should be carefully considered. About 200,000 persecuted people fled into our western zones after the Kielce pogrom in Poland in the spring of 1946. Of course they were Jewish people who

fled before that pogrom. They were received in our zone and were treated as other displaced persons, and were admitted to the displaced-persons' camps until April 21, 1947. We are now contributing to their support, and they are under our governmental authority. The pending bill, with its present provision for a deadline of December 22, 1945, would therefore effectively exclude substantially all of these 20 percent of displaced persons in the western zones from admission into the United States. If not resettled elsewhere, they will still present a problem for us.

This deadline of December 22, 1945, appears from the report of the Judiciary Committee to have been adopted because it was a deadline used originally in the President's executive order of 1945, which gave a preference under quotas to displaced persons. That deadline was severely criticized by the subcommittee of the House Foreign Affairs Committee in its report. It has since been changed, by administrative direction, to April 21, 1947. It would seem appropriate to make a similar change in the deadline of the pending bill, in light of the problem presented by this group of people who came into the American zones between 1945 and 1947.

It would seem to be of the essence of this legislation that the opportunities for admission for resettlement should, insofar as practicable, be distributed proportionately to numbers among the various groups and elements that make up the displaced-persons population of the western zones who otherwise are qualified and equipped to avail themselves of those opportunities, without discrimination for or against on account of race, color, or creed.

Mr. President, this is a matter on which we also have an amendment to offer, and it will be discussed more fully when the amendment comes up.

In conclusion, Mr. President, in calling attention to the particular matters of detail mentioned above, I do not wish to be understood as not recognizing the constructive and important step forward which this bill represents. I am supporting the bill, but am simply suggesting these areas of amendment. The bill is in the interest of the United States, and it definitely gives voice to the conscience of the people of the United States; but in light of the observations I have made, I have joined with my other colleagues, as mentioned above, in offering appropriate amendments to the bill. These will be taken up in order; and as they are presented, my colleagues and I shall comment on them further.

We must not forget that this problem is one which grows out of our victory in the war. Our Chief of Staff during the war, who is our present Secretary of State, has summed up this problem succinctly in his testimony:

> I urge prompt decision and action by Congress on this question. We must not continue these allies of ours, these captives of the Germans, indefinitely in the camps—prolonging their abnormal existence and killing their hope.
>
> The tasks that are imposed by a declaration of war are not completed when the guns cease fire. This is one of the tasks we have not completed. It is for you—

He is referring to the Congress—

> to determine how it is to be completed.

So, Mr. President, I submit this overall picture of the problem in the hope and with the suggestion that our colleagues will get together and will consider the amendments we are offering to implement this bill, both to the end that the United States, which today has the responsibility for these people, may meet that responsibility and may solve this problem, and that one of the greatest humanitarian efforts of history may be consummated in the spirit of the great American tradition.

Mr. HATCH. Mr. President, I am sorry the Senator from West Virginia is not now on the floor of the Senate. If he is in the cloakroom, I wish he would be called. I have some additional information on the question which I think was disturbing him. I believe this information clarifies the situation entirely.

I shall proceed to read from the report by the Foreign Relations Committee, filed on Senate Joint Resolution 77, the report having been prepared by the chairman of the committee, the Senator from Michigan [Mr. VANDENBERG]. A part of the report is entitled "Cost of the International Refugee Organization to the United States," and the following reference is made to percentages and expenditures:

> Participation in the International Refugee Organization would involve an expenditure by the United States of $73,500,000 for the first year of operations. This total is based on a contribution of 39.89 percent to the administrative budget ($1,915,000), 45.75 percent to the operating budget ($69,110,000), and to the large-scale resettlement operations ($2,300,000); and the estimated costs of United States representation in the International Refugee Organization ($175,000). Contributions to the large-scale resettlement program are on a voluntary basis.

This is particularly important, Mr. President:

> The percentages of contributions for the administrative and operating budgets are based on the assumption that all the members of the United Nations will participate in the work of the International Refugee Organization.

Mr. President, I see that the Senator from West Virginia has just entered the Chamber. I say to him that I was just reading from the report of the Foreign Relations Committee in regard to the exact question which he raised, and I thought this quotation might throw some light on the matter.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. REVERCOMB. Word was sent to me in committee meeting that the Senator from New Mexico was speaking on the subject, and I am glad to return to the floor of the Senate to hear his discussion.

Mr. HATCH. Yes; I understand that the Senator was engaged in the work of the Judiciary Committee.

It will take me only a moment to finish this quotation from the report of the Foreign Relations Committee. I shall go back to the beginning of the paragraph:

> The percentages of contributions for the administrative and operating budgets are based on the assumption that all the members of the United Nations will participate in the work of the International Refugee Organization. Since some states are not expected to join, it follows that the percentage contribution of the United States will rise accordingly, even though our total dollar expenditure will remain the same. Thus, if there is 85 percent participation, for example, the United States contribution would amount to 54 percent of the total. In any event, our contribution would remain at the $73,500,000 figure.

That ends the quotation, and it comes from the report of the Foreign Relations Committee. I think it shows clearly that the situation which now arises was within the contemplation of the committee at the time when the percentage figures were fixed, and also at the time when the appropriation of $73,000,000 was authorized.

Mr. President, I think that is all I care to say at this particular time. I am very anxious that the Senate proceed as quickly as possible to vote on the various amendments and to get this bill in final shape as soon as that can be done, for I realize that time is passing very quickly, and if we are to have any legislation at all on this subject at this session of Congress, we must take some action soon. So I do not wish to delay the Senate this afternoon, although in the course of the debate, later on, it may be necessary for me to make some remarks.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me?

Mr. HATCH. I yield.

Mr. SALTONSTALL. I wish to say to the Senator, in that connection, that I think it is the feeling of all Members of the Senate on this side of the aisle that the Senate should begin as soon as possible to vote on the amendments and the bill. I understand the procedure will be that after the Senator from Florida [Mr. PEPPER] makes a brief address, the Senator from Wisconsin will make some general remarks, and then the Senator from Michigan will offer his next amendment; and perhaps early tomorrow we shall begin to vote on the amendments.

Mr. HATCH. It is now about 20 minutes to 5. If we might possibly finish these discussions this afternoon and proceed to the voting tomorrow, it would be a very happy result.

Mr. SALTONSTALL. That is the hope.

Mr. FERGUSON. Mr. President, I merely offer the suggestion that after the Senator from Wisconsin speaks, the Senator from West Virginia might ask that his amendment be agreed to by the Senate. I am sure, as I gather the sentiment of Senators, there will be no objection to the amendment submitted by the able Senator from West Virginia.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from West Virginia.

Mr. REVERCOMB. In due time, of course, I want a vote upon the amendment, which is the pending question.

However, the statements which are being made on the bill are of a general nature. Moreover, a number of amendments have been printed but not yet called up, because it is not yet in order to call them up. At the proper time, I shall move the adoption of my amendment. It is not my purpose to do so today.

Mr. PEPPER obtained the floor.

Mr. HATCH. Mr. President, will the Senator, who I think intends to discuss another subject, yield to me for one more remark before he proceeds?

Mr. PEPPER. I yield.

Mr. HATCH. Mr. President, if I may say so to the distinguished members of the Judiciary Committee, I was very much surprised when I turned to the report and read that part of the appendix relating to the homestead laws of the United States. An explanation is given of why the lands of the United States are not now available to displaced persons. I suggest that the distinguished members of the Judiciary Committee refer to later acts of the Congress, which have practically prohibited homesteading within the United States by any person, displaced or otherwise. The appendix of the report would clearly give an erroneous impression. It goes back to laws which are obsolete, having been replaced long since by other legislation.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. REVERCOMB. I am merely looking at the particular subject referred to. I want an opportunity to read it and discuss it later with the Senator, if he cares to do so.

Mr. HATCH. I want to say this is merely a friendly criticism. I quite agree with what is said in the report, that the homesteading of public lands in the United States is not now available to displaced persons, or to anybody else, not even ourselves. That is quite certain.

Mr. REVERCOMB. That is a correct statement.

Mr. HATCH. If anybody is relying on the ability of a displaced person to get a homestead on public land, the reliance is entirely misplaced. There is none.

Mr. REVERCOMB. I may say to the able Senator, that is what the report says in its first sentence, that none of the public lands are available to displaced persons.

Mr. HATCH. I agree with that, but I do not agree with the citation of the laws. The laws cited are obsolete.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 217) requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

## GREAT BRITAIN AND THE REPUBLIC OF ISRAEL

Mr. PEPPER. Mr. President, I think all of us are encouraged by the news which is now beginning to be received in respect to a peaceful solution of the tragic conflict in Palestine. If I understand correctly, last night the President of the Republic of Israel, reborn after two milleniums, was the official guest of the Government of the United States, and slept in Blair House. Today this great man had an official audience with the President of the United States.

The afternoon newspaper, the Evening Star, carries the news that the United Nations Security Council last night extended until 1 p. m., eastern daylight time, tomorrow—that is, until Wednesday—the dead line for a cease-fire order in the Arab-Jewish warfare. Egypt and Syria asked a 48-hour extension, and no delegates opposed it. The Associated Press dispatch of this afternoon proceeds:

> The Arabs are under pressure from the British to stop fighting. A Foreign Office spokesman in London said Britain had warned the Arab states she expects them to observe the UN request.
>
> Failure to comply—

The article continues—

> might lead to suspension of treaty commitments to the Arab states—

That means, of course, by the British Government—

> such as the supplying of arms and military training to King Abdullah's Transjordan Arab Legion, government sources in London said.
>
> The Jews had accepted the UN request with its original deadline of 1 p. m. yesterday.

On the front page of the same newspaper, the Evening Star, the following headline appears:

BEVIN MEETS DOUGLAS ON PLAN FOR PALESTINE

The article, dated May 25, by Associated Press, proceeds:

> Foreign Secretary Bevin and American Ambassador Lewis Douglas met again today to seek a joint Anglo-American plan for producing peace in Palestine.
>
> A Foreign Office spokesman told a news conference the United States and Britain are seeking "a common approach to the solution of the Palestine problem."
>
> It was the third meeting of Mr. Bevin and Mr. Douglas in 4 days.
>
> The Foreign Office spokesmen told reporters that, in the British view, "a common Anglo-American policy on Palestine would be the most likely way of settling the problem."
>
> The spokesman confirmed that the position of approximately 40 British officers serving with King Abdullah's Transjordan Arab Legion in Palestine is "under consideration."
>
> A Government source said yesterday that if the Arab states, including Transjordan, rejected the United Nations cease-fire order, Britain may withdraw the officers on loan to the Arab Legion.

Mr. President, a little while ago the United Nations, through the Assembly, provided for the partition of Palestine and demarked an area that belonged of right to the Jewish people. A little while later the Government of the United States recognized the state of Israel as the de facto government in the area indicated by the United Nations Assembly as belonging historically and of right to the courageous and heroic Jewish people.

Subsequently the Soviet Union recognized the de facto Jewish State of Israel upon this same area, approved of as belonging of right to the Jewish people in Palestine by the Assembly of the United Nations organization previously recognized by the Government of the United States.

The stumbling block to peace was the concurring action of the British Government. The British Government was known to have been aiding in what the Arab invasion was accomplishing in Palestine, through arms and leadership and funds being provided to the army of the invading Abdullah. It is only natural to expect that the Government of the United States must have addressed the most earnest appeal to the Government of Great Britain beseeching that government to withhold its hand from the aggressive forces that were bearing down upon this pitiable and persecuted people which after all these millenniums has arisen again to a status and stature of an independent among the nations and peoples of the world.

Surely the British Government, so recently the victim of aggression itself, could not raise its hand to strike down another helpless people, Mr. President, and claim that it was fulfilling its obligations under the United Nations Charter and living in accord with the peaceful sentiments of mankind.

Surely, Mr. President, if the heart of the British were so callous, if it were so much right-resistant stone-deaf that it could not hear the plaintive cry of the Jewish people, it could not refuse the entreaty of the American Government, which went so readily to its salvation from totalitarian attack in two wars and has now aided it in what might be called a generous manner in its rather tragic devastations of the recent war.

Mr. President, for a long time we have all had a feeling that whenever the British Government determined to stop the invasion of the Arabs who are being aided by British matériel, the Arabs would comply. Especially, Mr. President, we felt that to be true if the British Government were disposed to let the Arab nations know that she would exact and expect of them the observance of the United Nations' request, if they were to continue to be beneficiaries of British bounty and aid.

The future begins to brighten, the dawn begins to appear, the night lightened by some rays of gleaming hope for those people who have been the victims of pogroms and persecution, who have been massacred and butchered in every century, if not in every decade, for 2,000 years of history, and at long last they are not only to have their independence, but the right to live in peace and to be secure against any invasion or any recurring dispersal.

All we need to do, Mr. President, is to continue the courageous policy of the President. I cannot too warmly commend the policy of the President of the United States in his courageous recognition of the first State of Israel. I am sure the President of the United States is determined to pursue that policy, to call upon our friends in the world to support us, and to call upon the United Nations organization to live up to the obligation of the Charter and to see to

it that this aggression shall cease. We cannot be consistent, Mr. President, and mobilize our might and money to resist invasion in one part of the world and be calloused to it in another part of the earth. No situation could be more challenging to our conscience and our humanitarian instinct than that in troubled Palestine.

So let us proceed, Mr. President. If the British stop the invasion by the Arabs, let the British join us in recognition of Israel as a state come to life again in the family of nations. Then, Mr. President, let the British, the Soviet, and the American Governments, and all others who will, sponsor the petition of Israel for membership in the United Nations organization, so that at long last she will have achieved her full stature in the family of the nations of the earth.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I hesitate to interrupt the Senator from Florida, but if he will permit me I should like to supplement his remarks by this interruption. I wish to associate myself with the observations which have been made by the Senator up to this point in his speech. I say it as one who, by his voting record in the Senate ever since he has been a Member of the Senate, has demonstrated time and time again his sincere friendship for Great Britain and the British people. I have been well aware of the great part they played during World War II in helping to keep alive the fight for freedom in the world.

I should be untrue to myself, Mr. President, if I did not let the RECORD show at this time that the conduct of Great Britain in the handling of the Palestinian issue is a matter of deep disappointment and regret to the junior Senator from Oregon. There is no doubt in my mind, if we take the record and let it speak for itself, that Great Britain today stands before the world as a great power which is not living up to the peaceful objectives of the United Nations. She stands self-convicted, in my opinion, before the people of the world as a great power behind the present breach of peace in the world as we find it in Palestine today. We should not ignore the fact that the world today is not at peace. There is a war going on. The United Nations has called upon the parties to that war to enter into a truce. One party has agreed. The record is perfectly clear that Great Britain has not supplied her moral or official support to the carrying out of that requested truce. In my opinion, she stands today with one hand dripping with blood and the other hand dripping with oil.

This is not a time to mince words. I want to say, as one Member of this body, that I think the time has come to call upon Great Britain to make it crystal clear whether she will join with the United States in seeing to it that the peaceful objectives of the United Nations are lived up to, or whether, behind the scenes, she intends to scuttle the objectives of that great Charter.

Preceding World War II there was a Manchurian incident and an Ethiopian incident. On top of those incidents we found Hitler taking advantage of the failure of the United States and Great Britain to take effective steps against Japan and Italy who in those incidents breached the peace of the world. Those two incidents led to war on a world-wide basis. They gave Hitler the encouragement he needed for his aggressive march against freedom. I am not taking a position as to whether the Arabs are right or wrong or whether the Jews are right or wrong on the Palestine question. I have said on the floor of the Senate that if partition is to be reconsidered, let it be reconsidered on the merits, not on the basis of expediency. I submit that expediency is the only basis on which it has been reconsidered to date. Now we find a war arising in Palestine because Great Britain and the United States have failed to join forces in the United Nations.

I want to say, Mr. President, that the time has come for Great Britain and the United States to join forces as the two powerful nations capable of preserving the peace of the world in line with the true objectives of the United Nations. They should see to it that the Palestine issue shall not become another Manchurian incident or another Ethiopian incident. This war in Palestine can be settled very quickly if Great Britain will make clear to the United States that she will join with us in demanding that the armed forces of the Arabs and Jews stop their fighting in Palestine. Undoubtedly the Arabs will quit when Great Britain stops giving them, behind the scenes, the supplies with which the war is being carried on. I am willing to let the historic facts speak for themselves as to the part Great Britain is playing in this war. I do not think our country and England can let the blood bath continue in the Holy Land and, at the same time, delude ourselves into thinking it will produce peace. The leaders of these two great nations need to consult quickly in the interest of stopping this great threat to the peace of the world. It can be stopped by united action through the United Nations if Great Britain and the United States will live up to the clear intent and objectives of the San Francisco Charter. Not only is the United Nations future endangered but so is the peace of the world.

Mr. PEPPER. I thank the able Senator for his observations and his very piercing comment on the subject.

Mr. President, I am no enemy of the British people. I was hanged in effigy on an oak tree in front of the Capitol for being the first to defend lend-lease in connection with a distressed Britain, because I knew she was essential to our own security and stood for things that must not be permitted to be destroyed by totalitarian aggression and conquest. I believe some Associated Press reporter remarked that the senior Senator from Florida was the first to favor a British loan. I shall always be among the first to aid that great people in meeting their challenging problems, because the world would be unspeakably poorer and less secure without the great British Nation in full strength among the nations of the earth. But, Mr. President, I knew, as we all knew, that the British people would not countenance the policy of the British Government in Palestine. A British labor government responsive to the instincts of humanity could not free India and Burma and try to dignify free men, and still preserve in the chains of bondage and servitude the people of Palestine. We knew that the British Government's policy had to change, even if it were stubbornly pursued. I now speak not words of condemnation or criticism, but words of hope, that the morrow is dawning more encouragingly for the people of persecuted Palestine than in two millenniums past.

Mr. President, when the recognition of Israel is accorded by the British Government, when the United Nations lends its full strength and power to the preservation of peace in Israel and in Palestine, then let us show ourselves, as members of the United Nations organization, and as a Government of the United States, and as a great free people, not less determined to help this new, struggling state to rehabilitate itself, and to acquire the strength it needs, than we have been to help other nations and peoples of the world. If lend-lease would not be appropriate, then let there be an Israel recovery program to assist this state to start auspiciously upon its glorious passage down the long voyage of its encouraging future.

Mr. President, I should like to say one last thing. I would like to have the people of the Middle East who are not Jews know that we are not their enemies. I should like to have them know that we pursue no selfish design; that we are not out to do them harm or hurt; that we want only what is right for the Jewish people of Palestine, and that we are in favor of extending our aid and our recovery program to the Arabs of the Middle East, as well as to peoples of other parts of the earth. They need help and immeasurable assistance, Mr. President. Their standard and level of living is not consonant with the standards of the present day. They need great projects of irrigation and development. They need electric power; they need to rejuvenate their soil; they need all manner of new things they cannot otherwise procure.

It seems to me that the present situation is an auspicious one, that it is indicative of the future. We are giving new freedoms to old peoples long oppressed, giving new hope to new states, and at the same time we are giving new hope to that great people whose star once dazzled, in the firmament of history, the Arabs of the Middle East. Let the Arabs know that when they desist from their aggression upon the Jewish people of Palestine, and take their peaceful part in the development of the Middle East, we shall be just as anxious and ready to help them as to help the Jews, and that it will be the common obligation of all the member states of the United Nations organization to help them all to progress to a longer peace and a higher prosperity than they have ever known in their long past.

### ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into

the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. WILEY. Mr. President, I had intended to speak this evening on the displaced persons bill, and my remarks would not be lengthy, but in view of the scant attendance at present, in view of the fact that I am chairman of the Committee on the Judiciary and responsible for the appointment of the subcommittee, under a general resolution of the Senate, to investigate the displaced persons situation, in view of the fact that I personally went to Europe at my own expense and saw some of the conditions there, and in view of the further fact that I have some convictions on the subject which I feel I should give to the Senate, I am going to ask that immediately after the quorum call tomorrow I may be recognized to address the Senate on this subject.

Mr. HATCH. Is the Senator submitting a unanimous-consent request?

Mr. WILEY. Yes.

Mr. HATCH. I do not wish to object; I merely want to make the observation that I had hoped that Senators might complete their addresses on the displaced persons bill this evening and begin voting tomorrow, but, as the Senator has pointed out, the attendance at present is very small, to say the least. The chairman of the Committee on the Judiciary is entitled to a better audience than it would be possible to obtain this evening, and as one who is greatly interested in the pending measure I hope that Senators will be present tomorrow not only to hear the Senator from Wisconsin, but to consider the amendments and hear the discussion of them, for I know of no more humanitarian measure that will come to our attention at this session than the one we are now considering.

Mr. SALTONSTALL. Mr. President, I agree entirely with the Senator from New Mexico, and it is my understanding and hope, as I sit for the time being in the place of the majority leader, that immediately after the Senator from Wisconsin shall have concluded his remarks tomorrow, which he is entitled to make, of course, the Senate will take up the amendments one by one and vote on them. The junior Senator from Michigan [Mr. FERGUSON] has just entered the Chamber, and I believe he will be ready to offer one of his amendments tomorrow as soon as the Senator from Wisconsin concludes his discussion.

Mr. FERGUSON. Mr. President, I think the pending question is on agreeing to the amendment offered by the able Senator from West Virginia [Mr. REVERCOMB]. Another amendment cannot be offered and considered until that is acted upon.

Mr. REVERCOMB. Mr. President, earlier this afternoon the question was raised, and I made the statement that as soon as might well be done tomorrow I would ask that my amendment be brought up for a vote.

The PRESIDING OFFICER. The Chair will state that the question now pending before the Senate is the amendment offered by the Senator from West Virginia [Mr. REVERCOMB].

Mr. WILEY. Mr. President, I repeat my request for unanimous consent that I may be recognized immediately after a quorum call has been had tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

### THE PALESTINE SITUATION

Mr. WILEY. Mr. President, as I previously said, I shall not discuss the displaced persons issue tonight.

I listened with interest to the almost impassioned statements of the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Florida [Mr. PEPPER], and I join with them in the statement that hope and new light appear on the horizon. I must say that I never lost hope. We all know that it is always darkest just before dawn, and that the lowest ebb of the tide is the turn thereof.

However, the mere fact that at present there appears in Palestine and, on what might be called the international horizon, a new hope for an international agreement in relation to Palestine, should not operate to close our eyes to what is contained in the so-called Mundt-Nixon bill. We have seen how far every little incident on the international horizon generally precedes some move in the other direction on the part of our Russian friends. It is well that we do not accept this token, so to speak, of a complete turn-about in the world affairs or world currents.

I, too, join with all those who have hoped that the land of Palestine, the land of David, the great songster, the land where The Master trod along the Sea of Galilee, will once more become a land of peace. But, Mr. President, it cannot become a land of peace by legislation, nor can it become a land of peace by speechmaking. It must become such a land of peace by a rebirth in the minds and souls of men.

Mr. President, the flare-up which has occurred between the nationalities in Palestine is simply symbolical of what it seems to me is continually in operation on the continent of Europe. When we talk about the United Nations functioning we must realize that the nations of Europe themselves have to cleanse themselves of the hates of a thousand years of war, and have to get rid of a thousand years of fears which they have generated by that very warring process. When that is done, not only will hope return, but the dove of peace itself will appear over the horizon.

Let us not take it for granted, however, that this little change on the Palestine horizon indicates that the full-blown dove of peace is ready to come into the picture. Our problems are manifold, and what we must do is to keep our own minds balanced and not lose our mental equilibrium, so we can see through the mists and find our way, and thus lend strength and guidance to the nations.

I join in the hope expressed by both of the distinguished Senators who preceded me, that there will be a rebirth in the United Nations, a rebirth of unity whereby they will, in the language of the street, play ball together instead of playing in opposite directions. If that takes place, Mr. President, then we can feel a great hope, then there will be a resurgence of belief within our hearts that perhaps the dawn of a better tomorrow is really here.

### HOUR OF MEETING—RECESS

Mr. SALTONSTALL. Mr. President, at the request of the acting floor leader, the Senator from Nebraska [Mr. WHERRY] I repeat for the benefit of the RECORD and for the benefit of Members who are present, that beginning a week from today, next Tuesday, the acting floor leader, the Senator from Nebraska, hopes to have the sessions of the Senate begin at 11 o'clock in the morning.

I now move that the Senate take a recess until the hour of 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 19 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 26, 1948, at 12 o'clock noon.

---

### NOMINATIONS

Executive nominations received by the Senate May 25 (legislative day of May 20), 1948:

#### UNITED STATES MARSHAL

Harold K. Claypool of Ohio to be United States marshal for the southern district of Ohio. Mr. Claypool is now serving in this office under an appointment which expired May 9, 1948.

#### UNITED STATES COAST GUARD

Commodore Raymond Thomas McElligott, United States Coast Guard, to be a rear admiral in the Coast Guard, to rank as such from June 1, 1948.

#### IN THE NAVY

The following retired officers for advancement on the retired list of the Navy to the rank of Vice Admiral in accordance with the provisions of section 414 of the Officer Personnel Act of 1947:

John H. Dayton
Clarence S. Kempff
Charles A. Blakely
Ferdinand L. Reichmuth
William W. Smith
Howard F. Kingman

---

# HOUSE OF REPRESENTATIVES

## TUESDAY, MAY 25, 1948

The House met at 10 o'clock a. m., and was called to order by the Speaker pro tempore, Mr. HALLECK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art all in all, we praise Thee that neither height nor depth nor any other creature can separate us from the love of God. As our natures are teeming with tendencies, desires, and ambitions, do Thou come richly into our hearts that we may be wisely directed. Help us to guide our wandering wills and subdue threatening passions that our minds may mingle with quietness, restraint, and courage. So fill the higher ranges of our being that we may tranquilly accept our place and adjust ourselves to the call of our obligations. Keep us free from the discontented heart, lest it cheat us of the

marvelous opportunities of real service for our Republic. Through Jesus Christ our Lord. Amen.

The Journal of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 183. An act to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska;

H. R. 350. An act for the relief of Caffey Robertson-Smith, Inc.;

H. R. 892. An act for the relief of Michel Ferapontow;

H. R. 926. An act for the relief of Doda Greenbaum (Brenner);

H. R. 1608. An act to amend an act entitled "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes," approved August 10, 1939 (53 Stat. 1338);

H. R. 1916. An act for the relief of Filiberto A. Bonaventura;

H. R. 2218. An act for the relief of Lawrence Edgar Edwards;

H. R. 2384. An act for the relief of Colbert H. Cannon;

H. R. 2760. An act for the relief of Thomas Camarda;

H. R. 3344. An act to amend the fourth paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended;

H. R. 3358. An act for the relief of Dr. Timothy C. H. Liang and Dr. Esther Chang Liang;

H. R. 3526. An act for the relief of Mrs. Margaret K. Cahn;

H. R. 3578. An act to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes;

H. R. 3603. An act granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other;

H. R. 3633. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 3635. An act to ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947;

H. R. 3640. An act for the relief of Mrs. Charlotte D. Wang, Harvey S. P. Wang, and Arthur Y. P. Wang;

H. R. 3644. An act for the relief of James M. Dingwall, Jr.; Aileen Reynolds; Bert Woolslayer; and Mrs. Maisie Purser Davis;

H. R. 3730. An act to amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law;

H. R. 3954. An act to approve act No. 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii," and act No. 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds";

H. R. 3965. An act for the relief of John H. Schmitt and Mrs. Mildred Schmitt;

H. R. 4091. An act to ratify Act 237 of the Session Laws of Hawaii, 1947;

H. R. 4201. An act to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project;

H. R. 4377. An act for the relief of the Consolidated Steel Corp., of Los Angeles, Calif.;

H. R. 4379. An act for the relief of the Harbor Boat Building Co.; the Wilmington Welding & Boiler Works; and B & R Machine Works, of Los Angeles, Calif.;

H. R. 4393. An act to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes;

H. R. 4426. An act to provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes;

H. R. 4443. An act for the relief of Jacob Cohen;

H. R. 4484. An act for the relief of Theodore Loetsch;

H. R. 4512. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State College, at Tahlequah, Okla.;

H. R. 4513. An act to eliminate the requirement of oaths in certain land matters, and for other purposes;

H. R. 4551. An act to provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes;

H. R. 4593. An act for the relief of Abraham Spevak;

H. R. 4672. An act for the relief of John Cameron Henry;

H. R. 4804. An act to allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941;

H. R. 4817. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 4823. An act to provide adequate school facilities within Yellowstone National Park, and for other purposes;

H. R. 5122. An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512);

H. R. 5173. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 5175. An act to confirm and ratify Act 205 of the Session Laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds;

H. R. 5244. An act to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II";

H. R. 5836. An act to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.;

H. R. 5839. An act to authorize the conveyance to States or political subdivisions of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes;

H. R. 5870. An act to amend the act of May 16, 1946 (Public Law 383, 79th Cong.), as amended, to provide increased allowances for the escorts of repatriated war dead;

H. R. 5901. An act to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriation for said purposes from the Colorado River Development Fund;

H. R. 5922. An act relating to the issuance of reentry permits to certain aliens;

H. R. 6203. An act to incorporate the Roman Catholic Archbishop of Washington a corporation sole;

H. R. 6209. An act to amend an act entitled "An act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia," approved January 6, 1893, as amended;

H. R. 6302. An act to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950;

H. J. Res. 339. Joint resolution to provide for the issuance of a special postage stamp series in honor of volunteer firemen;

H. J. Res. 371. Joint resolution to authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City;

H. J. Res. 379. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949;

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes; and

H. J. Res. 381. Joint resolution to provide for the quartering in certain public buildings in the District of Columbia of troops participating in the inaugural ceremonies of 1949.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 669. An act to provide a method of paying all unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 703. An act for the relief of Leon Nikolaivich Volkov;

H. R. 1508. An act for the relief of Mrs. Lula Wilson Nevers;

H. R. 2131. An act for the relief of Fred E. Gross;

H. R. 2878. An act to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein;

H. R. 3731. An act authorizing modifications in the repayment contracts with the Lower Yellowstone irrigation district No. 1 and the Lower Yellowstone irrigation district No. 2;

H. R. 3785. An act to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes.

H. R. 3805. An act for the relief of Thomas A. W. Elder;

H. R. 4461. An act approving the performance in the field of certain functions relating to the public lands;

H. R. 5298. An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes;

H. R. 5716. An act to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz;

H. R. 5874. An act to establish a District of Columbia Armory Board, and for other purposes;

H. R. 6071. An act to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes; and

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 83. An act authorizing the naturalization of Elizabeth Pickering Winn;

S. 107. An act for the relief of William B. Buol;

S. 158. An act for the relief of certain Basque aliens;

S. 424. An act conferring jurisdiction upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claims of John J. Higgins, and others;

S. 660. An act for the relief of Peter Drozd;

S. 709. An act for the relief of Carlos Riggenbach;

S. 765. An act for the relief of Santiago Solabarrieta;

S. 873. An act for the relief of Warren H. McKenney;

S. 933. An act for the relief of Emanual Carinos;

S. 1025. An act to provide for the construction of shore protective works at the town of Nome, Alaska;

S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration;

S. 1303. An act for the relief of Lydia A. Thompson;

S. 1337. An act for the relief of Hou Chung Chay;

S. 1364. An act for the relief of Kihei Matsuo;

S. 1409. An act for the relief of Markoto Iwamatsu, Atsushi Jun Iwamatsu, and Tomoe Iwamatsu;

S. 1476. An act to require the designation by the senior circuit judge of another judge to sit in the place of any judge against whom an affidavit of personal bias and prejudice has been filed;

S. 1504. An act to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036);

S. 1573. An act for the relief of Marcella Kosterman;

S. 1606. An act for the relief of Wladyslav Plywacki;

S. 1730. An act for the relief of Mrs. Anna V. Reyer, Alexander A. Reyer, and Vitaly A. Reyer;

S. 1747. An act to authorize credit in certain accounts of United States property and disbursing officers under the War Department, and for other purposes;

S. 1835. An act for the relief of Harry Daniels;

S. 1964. An act for the relief of Walter Werner Tech;

S. 1987. An act to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws;

S. 2040. An act for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia;

S. 2059. An act for the relief of Joyce Violet Angel;

S. 2215. An act to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes;

S. 2237. An act to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act;

S. 2251. An act to authorize the Army and Navy Union, United States of America, department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Ill.;

S. 2254. An act authorizing the transfer of a certain tract of land in the Fort Robinson Military Reservation to the city of Crawford, Nebr., and for other purposes;

S. 2406. An act to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended;

S. 2440. An act for the relief of Charles Duncan Montieth;

S. 2454. An act to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of titles to, interests in, and encumbrances upon certain aircraft, and for other purposes;

S. 2455. An act to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft;

S. 2456. An act to provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances;

S. 2496. An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described;

S. 2508. An act relating to salaries of certain officers and employees of the United States and certain officers and employees of Puerto Rico;

S. 2592. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico, in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings;

S. 2593. An act to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Va.;

S. J. Res. 193. Joint resolution to grant free postage to members of the armed forces while confined for treatment in a military or naval hospital, and to veterans while being furnished hospital treatment or institutional care in institutions operated by or under contract with the Veterans' Administration;

S. J. Res. 203. Joint resolution providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians; and

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

## EXTENSION OF REMARKS

Mr. VURSELL asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. RICH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Bristol Courier of Thursday evening, May 20, entitled "Reciprocity."

## THE CAPONE GANGSTERS

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, today in a very brief statement I want to refer to what, in my opinion, is the greatest miscarriage of justice through the United States Prison and Parole Board located here in Washington that has happened since this country become a Nation. The results of this miscarriage of justice has turned loose to prey on the public the remnants of the old Capone gang which, through the years past wrote a lawless record of kidnaping, murder, and extortion which for years had shocked the Nation.

The law finally caught up with these Chicago gangsters when Paul Ricca, Louis Campagna, Charles Gigoe, and Phil A'Andrea were convicted for the extortion of about $1,800,000 against the motion-picture industry. They were sentenced to 10 years in the penitentiary. When about one-third of the time was served they made application for parole.

Before they could be turned loose on the streets, a little matter of another indictment for using the mails to defraud the public in the amount of over $1,000,000 was hanging over them in New York. It became necessary to get this case stricken from the docket, otherwise if they were paroled they would immediately have been rearrested to stand trial on that charge. To remove this rather formidable obstacle, in some strange manner, Maury Hughes, of Texas, quite a long way from Washington and Chicago, who is a personal friend of the United States Attorney General, Tom C. Clark, was employed as their attorney to see what could be done about the mail fraud case. That proved to be a very light and simple obstruction. Mr. Hughes was able to have this case dismissed.

There was another little matter against their record in the fact that two of them owed the Federal Government on an income tax evasion lien some $670,000. This matter was so promptly and successfully negotiated that it was settled at about 20 cents on the dollar.

Now, through what appears to have been a well-developed plan, the skids were all properly greased to speed this hoodlum gentry out of the penitentiary back to the streets of Chicago. With the plans ready for execution these hoodlums were released from the penitentiary in a matter of hours almost as by the wave of a magic wand.

Mr. Speaker, the gentleman from Michigan, Congressman HOFFMAN, chairman of the Committee on Expenditures in the Executive Departments, assisted by the gentleman from Illinois, Congressman BUSBEY, and others, started an investigation and took volumes of sworn testimony in an effort to get the facts, all of which proves their release on parole was unwarranted. The testimony given indicates in their well-planned moves that these hoodlums spent very large attorney fees rather lavishly. For instance, when Mr. Hughes, of Texas, was called before the committee he testified that a mysterious person by the name of Ryan, whom he did not know, paid him an attorney's fee of $15,000 for helping to get the mail fraud charge in New York of over a million dollars dismissed for these hoodlums.

The committee which has had great difficulty in securing information they

say, partially by reason of the lack of cooperation of the United States Attorney General, has for the past number of weeks demanded that the least that could be done now would be to revoke their paroles and return them to the penitentiary to continue serving their sentences.

No one can read the testimony and come to the conclusion they should have ever been paroled. They should be compelled to serve the maximum of their sentence. It is to be hoped that the officials who have the power, including the parole board, will speedily move to revoke these paroles so that the public may know that even millionaire gangsters who have flaunted the law can be held in the penitentiary to serve their sentences, when finally convicted, just as the ordinary man must forfeit his liberty for lesser crimes. It is to be hoped the parole board will act without further delay.

CALL OF THE HOUSE

Mr. LEONARD W. HALL. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently no quorum is present.

Mr. LEONARD W. HALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 74]

| | | |
|---|---|---|
| Abbitt | Gwynne, Iowa | Mundt |
| Anderson, Calif. | Hagen | Murdock |
| Andresen, August H. | Hall, Edwin Arthur | Murray, Wis. |
| Andrews, N. Y. | Hand | Norrell |
| Arends | Harless, Ariz | Norton |
| Barden | Harness, Ind. | O'Hara |
| Barrett | Hart | Owens |
| Bell | Hartley | Pfeifer |
| Boggs, La. | Heffernan | Ploeser |
| Bonner | Hendricks | Poulson |
| Boykin | Herter | Powell |
| Brooks | Holifield | Price, Fla. |
| Buckley | Isacson | Priest |
| Bulwinkle | Jenison | Ramey |
| Byrnes, Wis. | Jenkins, Pa. | Reeves |
| Carroll | Johnson, Okla. | Richards |
| Chapman | Johnson, Tex. | Rivers |
| Chiperfield | Jones, N. C. | Robertson |
| Clark | Jones, Wash. | Rooney |
| Clason | Kefauver | Sabath |
| Clippinger | Kelley | Sarbacher |
| Cole, Kans. | Kennedy | Scoblick |
| Cole, N. Y. | Keogh | Scott, Hardie |
| Colmer | Kersten, Wis. | Shafer |
| Cotton | King | Sheppard |
| Cox | Klein | Short |
| Dawson, Ill. | Landis | Sikes |
| Devitt | Lane | Simpson, Ill. |
| Dingell | Lea | Smathers |
| Dolliver | Lesinski | Smith, Maine |
| Durham | Ludlow | Somers |
| Elston | Lusk | Stigler |
| Engle, Calif. | Lyle | Stratton |
| Fellows | McDowell | Taylor |
| Fuller | Maloney | Thomas, N. J. |
| Gallagher | Manasco | Wadsworth |
| Gearhart | Mansfield | West |
| Gorski | Marcantonio | Whitaker |
| Granger | Meade, Ky. | Wilson, Ind. |
| Grant, Ala. | Miller, Calif. | Wood |
| Grant, Ind. | Mitchell | Worley |
| Gwinn, N. Y. | Morton | |

The SPEAKER pro tempore. On this roll call, 301 Members have answered "Present," a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE OF COMMITTEE ON DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that one of the subcommittees of the Committee on the District of Columbia may sit for an hour this morning during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

PAY RAISE FOR POSTAL EMPLOYEES

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I am in receipt of numerous letters, telegrams, and personal calls from postal employees in my district, and from many other citizens, urging us to take action upon legislation now before Congress granting postal employees a pay increase. This legislation was reported to the House of Representatives on April 13.

I am at a loss to give my people a real explanation as to why action has not been taken. Certainly, the need has been clearly demonstrated. The Members of the House are anxious to act. Two hundred and forty-three individual Members appeared before the committee urging such legislation.

I want to ask the members of the Rules Committee why they have not granted a rule for consideration of this most urgent and meritorious legislation. I want to urge the leadership on the other side of the aisle to take instant steps so that we can have an opportunity to vote on this much-needed increase.

FEDERAL AID TO EDUCATION

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, on the day after the Senate passed S. 472, the bill providing Federal aid to the States for the education of their children, I urged the leadership of the House and the Rules Comimttee to grant a rule providing for the consideration of the bill in the House.

The second session of the Eightieth Congress is drawing toward its close and nothing has been done about this bill which, in my opinion, is of vital importance not only to the States who do not have sufficient income to give their children the education they should have, but to the country as a whole.

There are no State barriers against the youth of our land. We in the South are furnishing a large majority of the Anglo-Saxon children of America. It is just as true that great numbers of these children migrate to the States in the North, the East and the West. So the problem is not at all a local problem, but is one that affects the destiny of our country.

Consequently, I again urge with all the power at my command that the House be permitted to debate and pass upon this bill already passed by the Senate, which will place a minimum floor under education, guaranteeing at least a fair minimum of education for the young people of each of our great States.

I am including with my remarks an editorial which appeared in the Washington Post this morning, May 25, about this same subject. This editorial I respectfully call to the attention of the leadership of the House and heartily approve.

UP TO THE HOUSE

The House of Representatives canot continue to ignore the Federal aid-to-education bill, passed overwhelmingly by the Senate, without grave injury to its own prestige and to the national interest. It can be safely said that no other pending legislation has been so carefully reviewed or so widely endorsed by appropriately interested national organizations and by distinguished citizens from every walk of life. This measure, in more or less its present form, has been before Congress for no less than 5 years. Urgent as the need for it was in 1943, the increase in living costs and the deterioration in the country's public education system has now made its adoption altogether imperative. Without Federal aid, the public schools of many States face imminent break-down.

The measure awaiting action by the House had bipartisan sponsorship led by Senator TAFT in the Senate. It provides for a simple grant-in-aid program on an equalization basis to enable States lacking adequate financial resources of their own to improve their school facilities and especially to increase the scandalously low rates of pay which have been responsible for a tragic exodus from the teaching profession. Under its terms, the Federal Government would make available to the States $300,000,000 a year so that children everywhere in America may have a fair chance in the competition of American life.

It is argued by opponents of this measure that the Federal Government cannot now afford to spend $300,000,000. The sum is a substantial one. It amounts, for example, to a little less than the sum which Congress has decided the country can afford to spend each week for military defense. It amounts to slightly more than the cost of building two of the proposed superaircraft carriers. Perhaps the economy-minded Members of the House ought to think of education as an adjunct to national security. The prevalence of illiteracy and ignorance among the young men of America proved very costly, indeed, from the point of view of selective service during the war. Can the country afford, viewing the matter strictly from the standpoint of security, to neglect the education of its youngsters?

Viewing the matter from the more general standpoint of the Nation's welfare in peace, can any society consecrated to the concept of self-government afford to let its youth grow to maturity incapable of intelligent participation in the democratic process? Federal aid to education is in itself an economy measure—a measure, this is to say, designed to economize and conserve the richest resources of the country. Enactment of this vital measure is now a direct responsibility of the Republican leadership in the House. That leadership will stand convicted of the most profligate sort of parsimony if it fails to act, before the Eightieth Congress adjourns, for the protection of American children.

EXTENSION OF REMARKS

Mr. PATTERSON asked and was given permission to extend his remarks in the

RECORD and include a copy of the rehabilitation program of the VFW.

Mr. JENNINGS asked and was given permission to extend his remarks in the Appendix of the RECORD and include two editorials.

Mr. BATTLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement on Federal aid to education.

Mr. DEANE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD in two separate instances and include editorials.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD in two separate instances and to include two letters.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD and include letters and telegrams.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD on two subjects.

Mr. JAVITS asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances.

### NAZI LOOTED GOLD

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER: Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SADOWSKI. Mr. Speaker, on March 11 of this year, I raised the problem of the Nazi loot hidden in Switzerland. I stated at the time that in all decency and fairness to the victims of nazism, the gold should be turned over to the victims of World War II. I raised this question at a time when we were about to vote billions of dollars for the recovery of Europe and it appeared to me then, as it appears to me today, that we must not be the only ones to pay for the recovery of Europe, and that the Germans who have unleashed two wars in this century should also contribute their share to redress the grievances they caused in Europe.

In support of my thesis, I quoted an article by Dr. Jean Pajus entitled "The Pot of Gold," in which he stated for the first time, to the best of my knowledge, one of the real scandals of our postwar era—the fact that we had made a most disastrous agreement with the Swiss, in which we agreed to accept $58,140,000 in final payment for all the looted gold shipped to Switzerland during the war by the German Government. The article cited all the evidence to show that the sum agreed upon by the representatives of Britain, the United States, and France was most ludicrous, since all the evidence shows that the Germans had looted over $700,000,000 from their victims. This article showed, also, conclusively, that the money was accepted by Switzerland, although both the Swiss banks and the Swiss Government were warned by our Government that the German gold acquired by them was looted.

I was particularly interested in the role played by the Bank of International Settlements of Basle, Switzerland. This bank was established to service the Dawes and the Young plans. Since its establishment it was known to the insiders that it was used by the Germans as a means to dominate the economies of Europe. On April the 11th, 1948, I stated that the Bank of International Settlements received a large quantity of looted gold, which prior to its placement in the bank was resmelted in Germany and subsequently sent to Basle. I also stated that the BIS officials knew about the origin of the gold. Nevertheless, these bank officials, who throughout World War II negotiated and sat at the same table with the Germans and the Fascist bankers in Switzerland, consistently denied that there was anything unethical in their wartime gold transactions. Apparently, the reason they denied it was that to them the gold had no odor, and their main purpose was to protect the stockholders of the bank, who, as I understand it, were the very same financial interests that helped Germany prepare for World War II.

On May 15 I was delighted to read on the financial sheet of the New York Times that the Bank of International Settlements has agreed to deliver to the United States, United Kingdom, and France, gold valued at $4,200,000. What strikes me in this article of the New York Times is the description of the gold. I quote from the paper:

> The gold, it was found, had been looted by Germany and inadvertently acquired by the bank which is in Basle, Switzerland. The decision to deliver it to the three governments was made as a result of discussions here that were confirmed by an exchange of letters.

Now, I am thoroughly delighted that finally the conscience of the bank has spoken, but what I cannot understand is why did not the New York Times describe the meaning of the word "inadvertently"? Was the word "inadvertently" not known to the bank prior to March 11, 1948, when I first raised the question of the looted gold in Switzerland on the floor of this House? What is more, I would like to know whose word was taken as to the final figures of the gold "inadvertently" purchased by the Basle bank? Did we take the word of the bank's officials that the total sum was only $4,200,000? Did the bank officials open the books to the representatives of the United States, the United Kingdom, and France? Since these officials stoutly maintained for more than 2 years that they had no part in acquiring looted gold from the Germans during World War II, it is fair to assume—to say the least—that the real sum is far larger than $4,200,000 that we have accepted from the bank.

Mr. Speaker, I submit that there was much more involved than the sum mentioned in the New York Times, and accordingly I submit that the real story of the looted gold shipped to the Bank for International Settlements and to the other Swiss banks has not been told to the American people. I believe that it is about time that the Germans also contribute something to the recovery of Europe, especially since the gold deposited in Switzerland did not belong to them, anyhow. I think the DP's, the refugees, and indeed, all the victims of the German wars of aggression, have certainly earned the right to fair treatment. I also believe that American taxpayers have earned the right to better treatment.

### DISTRICT OF COLUMBIA CHARTER ACT

Mr. DIRKSEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6227, with Mr. CURTIS in the chair.

The Clerk read the title of the bill.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, I am tremendously disappointed after a careful study of this bill. Far from the design which appears evident in the drafting of the bill, it is still hopelessly unconstitutional. I have heard in the remarks of the chairman of the Committee on the District of Columbia the use of distinguished names supporting or alleged to support the constitutionality of this measure, but I have yet to see any expression from any of them on the subject.

When the Honorable John W. Davis was a member of the Committee on the Judiciary he had no such belief. He then felt that the Constitution means what it says, and that his oath of office bound him to support and defend it.

Each of us is bound by that same oath.

Each of us knows:

First. The Constitution itself limits the power of Congress.

Anyone who honestly seeks to answer the question of the constitutionality of any legislation, must remember that the Constitution itself, in its very first article, first section, denies to Congress the unlimited grant of power it gives to the other two branches of the Government it created.

> The executive power shall be vested in the President of the United States of America (art. II, sec. 1).
>
> "The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish (art. III, sec. 1)."

But—

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives (art. I, sec. 1).

So, unless granted in the Constitution, there is no power to legislate.

Second. The Constitution provides:

> The Congress shall have power to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States.

Third. The Constitution grants no power whatever to Congress to delegate any part of its power over the District. Far worse, however, this bill proposes that Congress create a substitute for itself, so that Congress may ease its burden and shirk its duty.

Fourth. Every power carries with it a corresponding duty. This power conferred by the Constitution on Congress is "to exercise exclusive legislation in all cases whatsoever, over such District," and Congress is the only legislative branch of the Government of the United States.

The Supreme Court has held always: "There are no dead words in the Constitution."

Much has been said about the burden this duty imposes on Congress, and yet we have no trouble in manning our Committee on the District of Columbia. I understand there were six applications for the latest vacancy. Aside from that, whether it is onerous or not, you cannot escape the mandate of the Constitution, and here we have, by the guise of dual voting, an attempt to remedy the wrong that is being perpetrated by this bill. I favor the dual-voting provision very cordially because it is an attempt to dilute the poison of running your government of the district by the dregs of society here, and that is why I would that you would extend the privilege of voting even further. Still I cannot conceive of any Member of this House ignoring what the Constitution of the United States says. And why? For the simple reason that we passed a resolution last year for the Committee on the District of Columbia to investigate and report. That pledge is not binding above the pledge that we have to support the Constitution.

Let me call your attention to the fact that the argument which is perennially made and has been made ever since this Government began, of the injustice to the voteless citizens of the District, and to give home rule to the poor abused people here, is utterly untenable. I submit that the States of Maryland and Virginia made a pretty good trade. It was not a bad one for them. They were anxious to cede the area of the District for the benefits that would accrue.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. HOBBS. Thank you, sir. The Constitution was written in 1787, long before there was a District. The offer was made by the Constitution that if and when the cession of territory of 10 miles square was made, or might be made, by any State and accepted by Congress, that would be the seat of government. That was the sole purpose of its creation. At the time of the cession by Maryland and Virginia of that territory, the District of Columbia was a swamp. It was almost impassible even on horseback. It was of very small population and of very little value, and yet we saw a couple of years ago a part of one block of the land that was ceded to make this the seat of government sold for more money than the Nation received from the sale of all the rest of the land. So, it was not such a bad real-estate deal, and from the standpoint of businessmen who came in with full knowledge of the restrictions, they have been richly rewarded. Nobody gainsays that.

So having come here before there was a District, for the manifest benefits that would accrue from having the seat of government established here, and which have accrued, it is perfectly preposterous to argue seriously that there is any injustice done anyone. They came here with full knowledge of the fact that they were not to have the vote, nor any voice in the control of this area.

Aside from that, this bill excludes from the rulership of the District, except that partially the dual voting clause, where you give a man two votes, helps to some extent, the seven most enlightened and moral groups of the citizenship of the District. To my mind, that is just the reverse of what real citizenship and rulership ought to be. If we are to shirk our duty, the District should be ruled by those who are fit to rule. The dual voting provisions of this bill are but a confession that the proponents wish to dilute the poison that they are approving for their own death.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. DEANE].

Mr. DIRKSEN. Mr. Chairman, I yield 7 minutes to the gentleman from North Carolina.

Mr. DEANE. Mr. Chairman, when the initial hearings were started many months ago to explore the ramifications of the organizational structure of the District of Columbia which might include some type of home rule I was impressed with the idea, but I was not convinced that changes were necessary.

However, as the lengthy hearings proceeded month by month, week by week, and at times day by day, one fact has clearly emerged after these many weeks of study that the government of the District of Columbia is in a mess and the responsibility for this situation rests primarily upon the Congress.

I recognize the right of the other minority members of the committee to differ with my views, but I am just as sincere in espousing the cause of this legislation because I think it has been evolved correctly and is fundamentally sound.

It may be contended that the District government is free from scandal, graft, or corruption, so leave good enough alone. My colleagues, that is not the issue. The issue is, Does Congress believe in and want efficient and economical government and is the will of the majority of the people to have a voice in our democracy?

In the limited time given me this morning, to go into the many details of this legislation is impossible. If you will read the RECORD of yesterday afternoon you will find many fine points concerning this legislation raised by previous speakers, and you will hear others during the day. At this time I should like to go into a few general observations.

On yesterday my dear friend the gentleman from Mississippi [Mr. ABERNETHY], and I thought he was a little unkind, charged members of the subcommittee, who have labored so faithfully and so long upon this legislation, with not knowing what the legislation contains. I admit that I cannot quote the bill chapter by chapter and verse by verse, but such a charge, I think, is unfair, and I believe as you seriously study the legislation you will find that it is practical and that it will work.

Based upon my own research and the opinion of older Members of this body, I seriously doubt if any piece of legislation ever to come before the House has been given more painstaking time and careful study.

For 15 months this legislation has been the sole concern of our subcommittee. Every section and every line of the bill has been the subject of discussion on the part of the committee not once but several times.

Many days were given to exploratory hearings to determine the ramifications of the structure of the District government before a bill was ever drafted.

Following the introduction of H. R. 6227 we held 28 separate hearings. Many of the hearings lasted the entire day. They ran from June 30 to July 25, 1947, and from February 2 to February 10, 1948.

I feel certain that the subcommittee has met formally on provisions of this bill for at least 50 times.

One hundred and seventy-eight witnesses were heard and numerous written statements were introduced into the record. We had the best technical advice available. Every suggestion made by every witness has been carefully considered.

I admit that it is a complicated bill, but I submit that there are no booby traps hidden away in its pages. It has received the careful and critical study of experts in governmental affairs. Every important feature and all controversial items in the bill have received a full and exacting review by the press, to the end that the committee today is able to present a sound piece of legislation. If enacted into law, it will bring to the people living here in the Capital City of our land a new vision of their responsibilities as citizens, and this Eightieth Congress will be proud to have been the sponsor.

Every member of the subcommittee must agree that the legislation was developed in a complete objective, nonpartisan manner.

One would be most remiss if he did not bespeak most sincere words of praise for the chairman of our subcommittee the gentleman from New Jersey, JIM AUCHINCLOSS, for his unselfish and praiseworthy efforts in behalf of this legislation. These sentiments certainly would include the other members of the subcommittee, along with the technical staff and the legislative counsel, who have given so much time and their best thought and efforts in the drafting of this legislation.

The House would be interested to know that at the start of our hearings our distinguished Speaker gave his blessings to the work of the subcommittee by a written statement which appears in the RECORD. The minority whip, the gentleman from Massachusetts, Hon. JOHN W. MCCORMACK, appeared before the subcommittee and urged the development of a sound plan of government for the dis-

trict. Forty-seven Members of the House from both sides of the aisle expressed their special interest in the work of the subcommittee by statements included in the RECORD and through letters addressed to the committee, the great majority of whom favored the general principles of this legislation.

With this encouragement from many distinguished Members of the House, the subcommittee has enthusiastically labored in the interests of this Congress and the District of Columbia in trying to formulate legislation which would meet with general approval, not only by the Congress but by the people of the District of Columbia, the large majority of whom wish to see this legislation enacted into law.

Mr. Chairman, if you will only look at the large chart attached to the front part of the chart, I cannot but feel that you will agree with the statement that I made at the outset—that the governmental structure of the District of Columbia is in a mess.

If the organizational structure of the District of Columbia was compared with that of our present methods of transportation in this country, one would certainly have to agree that it is as outmoded as the airplane is over the oxcart.

I invite you to study this chart. It reveals that some 75 agencies can be identified as District agencies, and, in addition, some 48 Federal agencies provide direct services to the District.

Under the present organizational structure of the District government, you will find endless complications as to the source of funds, administrative control, conflicting boards and commissions, and so forth.

As the hearings proceeded and this confusion became known, a general agreement was reached—in which I feel those who oppose the legislation will agree—that the reorganization of the District of Columbia government was imperative. Not a single witness before the subcommittee refuted this necessity.

The District government has grown so rapidly that there is plenty of evidence to show that it is not possible for three Commissioners to administer the affairs of the District government. The Commissioners are being asked to direct the affairs of a unit of government, which we call the District of Columbia, which in size is larger than 13 of our States.

Evidence has been given that certain institutions with the District have not had a visit from any of the Commissioners within the past 2 years. I am not critical of the Commissioners. They are being ask to perform a task which is not humanly possible.

When the Board of Commissioners was first established in 1874, it was understood to be a temporary measure. They were charged with two principal tasks—to liquidate the preceding Territorial government and to suggest a new government for the District.

These early Commissioners did not proceed with the liquidation as was expected and 4 years later the Congress made the Commissioner form of government permanent. So actually, as one witness well stated, we have here in the District what might be called a receivership government.

The government of the District is really an agency of the Federal Government. The government here in the District is no different than that provided the Indian wards of the Federal Government.

Today, when all District legislation must be initiated by Congress, when all appropriations must be passed by Congress, the Congress cannot escape responsibility. The Congress knows that the local government is not representative of the will of the residents, so Congress must exercise its judgment in the absence of any authoritative local voice.

Every honest legislator and student of government must agree, it would seem to me, that if any reorganization of the District government is divorced from home rule, little can be accomplished.

It is a well-established principle that the efficiency of government is related directly to the interest and activity of the governed, plus their capacity to make their influence felt.

Wherever there are taxes involved, there is interest in government. If activity can be directed to no constructive end, if only advice can be given, I contend the steam is taken out of local activity.

Our subcommittee is convinced that any economies which will result from reorganization will depend completely upon District officials who are responsible to the electorate.

Thus, I contend it is not sound or feasible to have reorganization without home rule.

The legislation before us, as you have been advised, provides that if the Congress passes the legislation, it must first be submitted to the voters of Washington to determine whether or not they desire reorganization of the District and home rule.

In that connection, I have heard a great deal of discussion as to whether the residents of the District really want local home rule. All the scientific polls, as well as the two plebiscites held on this subject, have shown that the residents of the District want home rule by a substantial majority of 7 to 3. For the past several months, I have personally sounded out Washington residents on the question of home rule. These people have included outstanding businessmen, leading ministers, men and women in the various professions, laborers, and people in all walks of life. The great majority of these individuals want to see the District government reorganized and want to have a voice through the electorate. There were some honest people who seemed to be opposed to home rule. When pressed for the reasons of their opposition, they were usually vague and evasive, and if pressed still further, it was revealed that their opposition was based upon misinformation and they have fears of minority control.

I would like to stress that some of the most ardent advocates of home rule were substantial business and professional leaders. My conclusion was that, if given a free choice between home rule or the lack of it, an overwhelming majority of those residents in Washington would vote to govern themselves. At this point I submit that the dual-voting system gives to these folks a reassurance and should to those who oppose the bill on the floor.

Concerning these fears expressed by some opponents of home rule in the district, that there is a possibility that minorities might control the government of the Capital City. That is a phase of this legislation which was the subject of more study and discussion than any other. The committee members were just as concerned as anyone in this House that that would not happen.

I can assure the Members that, under the provisions of this bill, there is no possibility of minority control of the local government, either now or in the predictable future, and anyone who says anything to the contrary, does not possess the facts.

Under the bill, every elected officer would have to be elected by a majority of the votes of all the voters of the District in every election.

No minority or combination of minorities exist in the District in sufficient number to command a majority of the votes. The issues in the District are too acute to permit such apathy on the part of the best citizenship of Washington to allow any kind of minority control.

Instead of permitting minority rule, this bill is designed to eliminate minority rule in District government which has been going on for years. It is the Washington Board of Trade which now rules Washington. This organization, a glorified chamber of commerce, represents the business, banking, and, to some extent, the professional interests in Washington. It has a membership of about 8,000, only about 1 percent of the population of the District. A substantial number of this membership live outside the District. The board of trade, by any standard of measurement, is the most powerful single organization in Washington. Its board of directors, numbering 40 powerful men, determine its policies and actions. Occasional issues are referred to the membership for their opinions, but such referenda are not binding on the board of directors.

Please do not misinterpret my remarks. I have no objections to the board of trade as an organization. It does fine and useful work. Businessmen have a perfect right to organize to protect their interests and take such ethical action as may be necessary to protect and foster those interests. What I do object to is that the board of trade has no competition in Washington in its influence on local government. Members of its board of directors have openly bragged that they run Washington. With due allowance for bragging, the facts will demonstrate that when the board of trade cracks the whip, District government jumps. Their influence on the appointment of Commissioners and Department heads is proverbial. Their influence with Members of Congress, while legitimate, is certainly greater than any other group in Washington, perhaps greater than all other groups combined. Officers of the board of trade have and do hold national and local offices in the

major political parties. These offices are not without their benefits to the interests the board of trade represent.

Quite naturally, the board of trade is against this bill, and for obvious reasons. In any locally elected government, they would have to share their influence with the various citizens associations, and with the unorganized electorate. That is the situation which exists elsewhere in the country. But in this process, the board of trade would lose some of its present power and prestige, and it knows it. Thus, its opposition to H. R. 6227. I suggest to the Members of this House that they read the testimony given by the president of the board of trade printed in our joint hearings. I suggest this because you would read the same words and phrases you will hear from Members of the opposition to this bill in this Chamber today. I think it is fair to state that, if the board of trade did not oppose this bill, there would be no organized opposition to this bill in the District and much less in Congress. Certainly, no other opposition group has been as articulate, as active, or as well financed.

Some of the reasons advanced by the advocates of home rule go to the roots of our American way of life. I remember one witness, an outstanding local citizen, who endorsed the bill and gave as his reasons the following. I quote from page 255 of the published joint hearings:

I have been here for 21 years. I have for all that time been a taxpayer. I have paid real estate taxes, I pay personal property taxes, and I have paid income taxes. I feel that I would like very much to have some kind of vote or say as to how those taxes are used. I happen to be the father of three sons; the youngest is 21. And I find it very difficult to inculcate into them the necessity of civic responsibility, living in voteless Washington.

Another prominent local citizen stated on page 247:

During this past war I was with the Army that invaded in 1943 a country where all decisions had been removed from the people for a period of 22 years. We found the people apathetic toward government, and that same criticism has been made of the people of the District. The reason is exactly the same in each instance. In the other country the people at least on occasions could vote for one party. We can't vote even for one party. It seemed, as we tried to teach and inculcate in those people the idea of voting and taking an interest in their governmental affairs, at least as far as I was concerned, that it was rather hypocritical, coming from a place where I had been permanently disfranchised.

I do not believe any Member of this House can quarrel with the reasons why those witnesses wanted home rule. To do so would be to quarrel with the very basis upon which the Government of this country was founded. I believe the real tragedy of voteless Washington is its loss of community consciousness. That is what the witnesses I quoted were groping for.

As you know, any faculty of the human body or mind which is not used withers away. The same is true of any social faculty. The strength of any community in this country, and consequently the strength of the country is the cooperative way the people work together to handle their mutual problems. The highest expression of such cooperation is democratic government.

For 74 years there has been no opportunity in Washington for its residents to work together in any formal fashion for the solution of their mutual problems. A benevolent, but nevertheless despotic Congress made the decisions—and the feeling has grown, "Leave it to Congress. We have no say in it anyway." Such an attitude is pernicious and it spreads like a cancerous growth into all kinds of community activities.

The apathy of Washington residents about anything is a recognized phenomenon. This apathy stems directly from the fact that the most significant group activity in life—self-government—has been denied them. In my opinion, this apathy is directly responsible for the failure of successive community chest campaigns, the failure of at least two campaigns for the national symphony. There are other manifestations of failure to pull themselves together for group actions which, in a normal community, are taken for granted. Washington is losing the capacity to act as a community on anything and, in my opinion, it will not again possess that capacity until self-government is restored so that it may again develop the faculty of cooperative community effort.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DEANE] has expired.

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MCGARVEY].

Mr. McGARVEY. Mr. Chairman, I rise to express my support of the home-rule bill for the District of Columbia. As a member of the subcommittee that drafted this legislation, I believe that this is the best city charter that has ever been devised for our National Capital city. Coming as I do from Philadelphia, where our Federal Constitution was born, I recall that James Madison—chief architect of that immortal document—promised the inhabitants of the Federal city that they would have a voice in the selection of the government which was to exercise authority over them. And he went on to assure them that "a municipal legislature, derived from their own suffrages, will of course be allowed them." This promise was fulfilled and, during the first half of their history, the people of Washington were allowed to elect their own mayor and city council.

Even after Governor Shepherd, who was an appointed official, had plunged the city into virtual bankruptcy in 1874, Congress apparently had no intention of abolishing suffrage here. In the bill creating a new District government the House proposed and elected council and the Senate favored and elected delegate in Congress. Their failure to agree as the end of the session approached resulted in the elimination of all provisions for the exercise of suffrage rights here, and that shabby, un-American compromise has been allowed to stand for 74 years.

Today the House has a chance to undo that mistake and to welcome the District back into the circle of American voting communities.

This bill would not only restore the National Capital to the American commonwealth of self-governing units, it would also provide for economical and efficient administration of the local government. Since the regime of Governor Shepherd was abolished, great advances have been made by American cities in the organization and administration of municipal services. In the last 40 years more than 800 American cities and towns have adopted the council-manager system, which combines democratic control with expert administration largely divorced from partisan politics. Thirty-six cities in my own State of Pennsylvania have adopted this best form of local government.

But Washington has had no part in this progressive movement. It is still operating under the old defective charter that was set up as a makeshift three quarters of a century ago. At least six groups of experts have condemned this incredibly confused and cumbersome hodgepodge in recent years. Their conclusions have been verified by those of the subcommittee on which I serve.

The bill before us, Mr. Chairman, is the result of long and intensive study. It embodies an up-to-date program for administrative reform and as much home rule as the Constitution allows. It creates a new joint committee as watchdog over District affairs. It gives the District a Delegate in Congress like Alaska and Hawaii have. It provides the city-manager plan of local government. It modernizes the obsolete administrative structure of the city government. It provides a simple, fair, and automatic fiscal formula. It contains adequate safeguards of the Federal interests here. It permits a popular referendum on the charter.

Mr. Chairman, I greatly hope that the House will approve of this measure today, without damaging amendments. Great gains will result from its passage.

First, it will relieve Congress of an onerous burden which it ought not to bear in these perilous times.

Second, it will streamline the outmoded structure of the local government.

Third, it will restore local self-government here after a lapse of 74 years.

Let us raise our sights, rebuke those who would confuse and mislead us, and pass this statesmanlike bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I was not on the subcommittee of the District Committee which considered this bill. I did not, therefore, attend the hearings which were held by the subcommittee. I did attend a number of hearings of the full committee after the subcommittee had completed its work. I want to state at the outset that I also, as other speakers who have preceded me, desire to pay my respects to the distinguished chairman of the District Committee. He is very eloquent and I regret very much to find myself differing from him regarding this legislation. All of us down in Georgia think a lot

of the able chairman of the District Committee. We have invited him to make the principal address to the Georgia Bar Association within a few days and I hope it will be my privilege to hear him there. I also want to pay my respects to the distinguished chairman of the subcommittee and state that I realize, as everyone else does, that he has been very diligent in performing the duties devolving upon him as chairman of that subcommittee, and he deserves a lot of credit for the work he has done. So in what I say hereafter which differs from the views of these gentlemen, I want it to be thoroughly understood that I hold the same high respect for them that every other Member who has preceded me expressed.

Mr. Chairman, we are asked in this short time to approve one of the most complicated pieces of legislation that has been brought before this House during the present session. I am not going to read all of these documents I brought down here with me, but here is an example of what we are asked to thresh out and approve in the short time permitted for discussion of this bill.

The legislation began here in the form of H. R. 4902—this is it—introduced on January 12, 1948. That bill followed the usual routine and there was a committee report. This is it. The same arguments, of course, could have been advanced here now had H. R. 4902 been placed on passage, that is, that they had worked hard, that they had been diligent, that they had threshed it out thoroughly, and so forth. The committee report gave all of the details in analysis of it. However, it was a bungled piece of legislation. After the Members began to examine and analyze it they decided that they better go back and lick the calf all over again. Which they did.

Then on April 14 they came out with H. R. 6227—this is it—and here is another committee report. This is it. This is the bill that is now before us with 180 pages. That is not all. There was another H. R. 6227 which came out before this one. This one has amendments printed in it which were adopted after the original H. R. 6227 was printed.

So we have had three bills of about the same size, finally winding up with the pending H. R. 6227.

I was very glad yesterday when the chairman of the Rules Committee made his explanatory statement in which he said:

> Some of the members of the committee—

That means the Rules Committee—

> myself included, have doubts about the advisability of enacting this bill.

I was glad to hear that statement from the chairman of the Rules Committee and at the conclusion of his remarks he said:

> I hope that every Member of the House, even those who expect to vote against the bill itself, will vote for the adoption of this rule and give the bill the consideration it deserves.

So I feel that a number of the Members followed the suggestion of the chairman of the Committee on Rules and although feeling, as he did, that the advisability of passing this legislation was doubtful, and that they would vote against the bill on its passage, nevertheless complied with his request to vote the rule out and let the House consider it. So, it is here to be considered.

Our eloquent chairman, to whom I paid my profound respects during his absence—and I see he is back now—made one of his usual eloquent statements on the floor about it, and I listened to it with much interest. I read it again this morning with much interest. Boiled down, about all that he offered us in the way of inducement to vote for this bill was that the House in 1947 had ordered and directed that this study be made, and that the capitals of Europe all had home rule, and that we were about the only Capital in the world that did not have it; at least, he mentioned the capitals of Europe having it and he mentioned that Roger Sherman, who was described as figure No. 12 in a portrait, had sat in the shadows and said of the proposed Constitution of the United States, "it won't work." Now, having been a member of a State legislature, and having seen the tactics that are used when someone wants to amend a State constitution and plant something in it which will not stand the searchlight of close investigation, I always noticed that they would begin in this way: They would say to the legislature, "Now, you do not want to set yourself up as being a dictator and keep the people of your State from voting on something. So, whether you are for this or not, let us just pass it on out so the people can have a chance to vote on it." And, if that was successful, they would immediately go to the people then in the general election and say, "Well, now, that amendment has already been considered by your legislature and they have approved it, so you follow their lead and vote for it." It is the old custom of working both ends against the middle.

I was here last year when the House ordered this investigation which was referred to by the distinguished chairman, and it was ordered on May 29, 1947, which was a Thursday. There was not a roll call the entire day as I see from looking over the RECORD of that date. The House was considering District legislation, and you know what the custom is when the House is considering District legislation. There are very few Members on the floor, but even at that, this is all that took place when that resolution was under consideration ordering this study to be made:

> Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 195 and ask for its immediate consideration.
>
> The Clerk read the resolution as follows.

And then follows the resolution:

> The SPEAKER. The question is on the resolution.
>
> The resolution was agreed to.
>
> A motion to reconsider was laid on the table.

Now, that is all that occurred in the House when that resolution was passed, and so far as that being any argument that we have committed ourselves and obligated ourselves to this legislation, why that is certainly not correct. It was passed through here as a matter of routine. And, how many commissions were created by this House in 1947 for the purpose of investigating things? I expect 100 or more. What does it matter, and what reason does that present to vote for this bill?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. DAVIS of Georgia. That is an example, gentlemen, of what it means to undertake to discuss and look at and inspect legislation of this kind. You cannot begin to scratch the surface of it in the short time that is allowed for argument.

There has been talk here about polls on this question. Here are two volumes of testimony that were offered on this bill. I call your attention to just two polls. The board of trade, which was referred to by the distinguished gentleman from North Carolina [Mr. DEANE], a member of the subcommittee, conducted a poll of some of its members on the home-rule bill, and that result is shown on page 434 of the joint hearings. It shows that the board of trade received answers from 2,252 of its members on the question of whether or not they were in favor of the Auchincloss bill, and of that number 654 said "Yes," and 1,456 said "No." These are substantial people. They are the people who do the business in the District. They are the people who pay the taxes. They are the people who are fitted and qualified to say what kind of government is good for this District.

I also call your attention to a poll that was taken by the Federation of Business Men's Associations, Inc. It is found on page 146 of the joint hearings. The witness, Mr. Louis F. Frick, secretary of that federation, said this:

> This federation, at a special meeting held on January 30, 1948, called for the purpose of considering H. R. 4902, the proposed home-rule bill—

That was the first bill—

> voted with one dissenting vote, in opposition to the proposed legislation.

Who compose this federation? Mr. Frick said:

> I am secretary of the Federation of Businessmen's Associations, which is the parent body of 26 constituent small business associations located in various sections of the District, like Southeast, Northeast, Georgetown, Connecticut Avenue; and including some special organizations of a particular type of business, like the hairdressers and funeral directors.

So those are two of the polls that have been conducted, and they are overwhelmingly against this legislation.

Mr. DIRKSEN. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, I want to express my full support for the measure now before the House, establishing home rule for the District of Columbia. As the result of my 15 years of service in this House, I long ago came to the conclusion that the residents of the District had very little to say about the government of the District. To correct this situation, I introduced a bill in 1945, providing for a District delegate who would serve in the House of Representatives.

I am glad to see that this suggestion has been incorporated in the present home-rule bill.

Mr. Chairman, the present bill is a lengthy bill and deals with an extremely technical subject. It is nothing more or less than a municipal charter, and all of my colleagues who have served in their State and municipal legislatures are familiar with how complicated a municipal charter can be. Mr. Chairman, I am not familiar with all these technical provisions of the bill. I do not think that the present debate should concern itself with the good or bad aspects of these particular technical features. These technical features have been carefully prepared during the entire life of this Eightieth Congress. The best advice was received in preparing them, not only from the District Committee's own staff, but the Legislative Reference Service of the Library of Congress, numerous agencies of the Federal Government, and experts in municipal government throughout the country. The comments of District residents were sought and received during extensive hearings. I am informed that every technical suggestion presented during these hearings has been carefully considered by the committee and the great majority of them have been incorporated in the bill.

As I have said, Mr. Chairman, we should not concern ourselves too long with these technical features of the bill. If any of them are defective they can be corrected at a later date in the light of practical experience. The important thing for us to decide is whether we want to give the people of the District a chance to govern themselves.

With all due respect to the opponents of this bill, I venture to suggest that my colleagues who are singling out and attacking particular technical features of the bill are fundamentally opposed to home rule itself. I ask them, in all sincerity, whether they would vote for the bill if the claimed technical defects were corrected. Unless they reply in the affirmative, they are not being frank with this House when they take up our time to argue about technicalities.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. HARRIS. Would the gentleman refer to the provision of the Constitution which provides that the Congress shall have power to exercise exclusive legislation in all cases whatsoever over such District?

Mr. WALTER. Yes; that provision has given me considerable concern. But I think it all revolves on the question of general and special legislation. There are many decisions relating to those types of legislation. The most recent one, as I recall it, arose in the State of New York where a statute related to housing in the city of New York. Significantly enough, there were five separate and distinct opinions upholding the statute. But it seems to me that when we get into that field, the Congress can very well distinguish the difference between general and special legislation. I think that provision of the Constitution considered in the light of what James Madison said means general legislation.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. DIRKSEN. The word "exclusively," I believe, is quite generally interpreted to mean exclusive as against the States.

Mr. WALTER. Yes; I think there are decisions holding that to be the intent.

Mr. Chairman, many of my colleagues who are opposed to letting the District residents run their own affairs say that it would be unconstitutional for this Congress to create a municipal legislature elected by the people of this District. Nothing could be further from the truth. The very framers of the Constitution took it for granted that the Congress would establish a municipal legislature for the District. James Madison took up this question specifically in the Federalist Papers when he discussed article 1, section 8, clause 17, giving the Congress the power to exercise legislative power in the District to the exclusion of the States. In discussing how this power would affect the residents of the District, Madison said:

> A municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them. (The Federalist Papers, No. 43.)

Mr. Chairman, it is about time that this 150-year-old promise is carried out.

In my opinion, there are three major purposes to be served by enacting this legislation.

The first major purpose is to relieve the Congress of a large part of the burden of the District's municipal affairs. All of us here have enough to do—and little enough time in which to do it—without having to consider the merits of bills to handle the startling problem in the District of Columbia or to require cellophane covers on drinking straws in soda fountains, as we have been asked to do during this session of Congress. The Congress spends thousands of man-hours every year on District problems which could be better handled by the residents of the District themselves. For my part, I would prefer to see those man-hours spent on national defense, education, housing, and the other problems which directly affect my own constituents in Pennsylvania. I think the problems of the District should be primarily handled by a District legislature as proposed in this bill and that the District's case should be presented to Congress by a District delegate, elected for that purpose. It is hard enough for me today to see all of my own constituents who come to visit me. When District residents come to see me I would be glad to send them to the District's own delegate and let him worry about their problems.

The second major purpose is to allow problems of District affairs to be settled on the basis of District issues—and not on the basis of national issues. It is perfectly absurd, for example, to have the issue of daylight saving time in the District of Columbia decided by Congressmen from Minnesota and Louisiana, who can and do vote on this issue, according to the preferences of their own constituents for or against daylight saving time in their own home districts. What difference can it possibly make to the people of Minnesota and Louisiana if the city of Washington runs on daylight saving time? Similarly, important local problems like the issue of the sales tax, improvements in the public school system, and problems of race relations, ought to be decided on local lines by the local people concerned, subject to necessary congressional oversight. We let the people of Puerto Rico, Alaska, and the Hawaiian Islands handle their own municipal affairs—why not the people of the District?

The third major purpose is to make better American citizens out of the people of the District of Columbia, by teaching them to practice the democracy we preach. Democracy and a republican form of government mean responsibility for the citizens who live under it. Citizens must manage their own public affairs in order to retain the benefits of free government. When civic consciousness is replaced by apathy, democracy is often replaced by tyranny. The people of the District of Columbia have forgotten what it is to govern themselves and have become naturally apathetic about their own municipal government. That is a bad thing for the District and for the country. People of the District will be better American citizens when they have the responsibility of governing themselves.

Finally, I would like to say a word about the dual voting provisions which have come under such violent attack from opponents of the bill. These provisions allow District residents who vote in their home States to vote in the District on municipal issues and municipal issues alone. What is wrong with that? There is certainly no serious legal objection since most of the State governments have already advised the District Committee that District residents who vote here will not lose their vote back home. There can certainly be no moral objection since there are hundreds of thousands of faithful Government workers and their families who live a large part of their lives in the District, but who still vote back home and hope to return some day. Why should not they vote on municipal issues while they live here? Their children will be going to District schools, they will be paying District real-estate taxes and, if the people of the District so decide in the future and the Congress approves, they will be paying District income taxes. I would not want to deprive any Pennsylvanian who lives in Washington and works for the Federal Government of the right to vote on District matters, and I do not see why any Congressman should want to deny his own constituent that privilege.

As I have suggested before, the objection to dual voting is really an objection to home rule. The people who want home rule will vote for it whether dual voting is part of the bill or not. The people who are against home rule will vote against it whether dual voting is part of the bill or not. The dual voting issue is a plain red herring and should be treated accordingly.

Mr. Chairman, I urge that the bill be passed.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 8 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, the District of Columbia is the seat of the Capital of the United States. It was erected for the purpose of making it the seat of the National Government. The people of all the States send their Representatives here to legislate for the Nation and for the District of Columbia. It is difficult to comprehend the farseeing wisdom of the men who drafted the Constitution of this country. It is my belief that no abler body of men ever gathered upon this earth for the performance of a governmental task than the men who composed the Constitutional Convention. They were familiar with every experiment in human government from the dawn of history to their day. They thought in terms of government. When it came to providing for the District of Columbia and how it should be managed and how its laws should be made, they wrote into the Constitution the provision that I am about to read. This is the legislative power vested in the Congress. It is the only power vested in anybody to legislate for the District of Columbia.

I read:

SEC. 8. The Congress shall have power to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals—

And so forth. Then, we have the further provision:

This Constitution and the laws of the United States made pursuant to it shall be the supreme law of the land.

Now, here is a 180-page charter which erects a government within a government; a government to which it is undertaking to delegate powers that I do not think we have any right to delegate to this new government set up in the District. We lose sight of all our bearings when we undertake thus to have the tip of the dog's tail wag the dog, as is done in this instance. I do not believe there is a competent lawyer in the United States, in the short time that has been allotted to this House to examine the provisions of this charter, who could understand and explain the different powers that are sought to be set up and the far-reaching results and implications which are embodied in this measure. You might as well try to hatch chickens out of scrambled eggs. Of course, you could do it by feeding the eggs back to the old hen and let her lay them over again. That is what we ought to do with this bill. We ought to feed it back to the committee. This is no reflection on the committee. There are limitations to human intelligence. There are limitations to the human brain. I think these gentlemen have just gone so far afield that I do not propose to follow them, as far as I am concerned. I cannot conscientiously do it. I come back to that other proposition that this is the seat of government.

Here are the polls of these men who carry on the business of the city, an overwhelming majority in the one case, a unanimous vote in another; and you cannot whistle them down the wind by saying that they are the big- and little-business men of Washington. It may be that they have been guilty of the crime of success and I am not prepared to sit in judgment upon them here today, and denounce them for expressing opposition to this far-reaching untried proposal. I come back again to the thought that this is the seat of Government. The men sent here from every section of the country are charged with the constitutional duty of legislating with respect to the seat of the people's Government.

Nobody is disfranchised. A great number of these people whom we undertake to enfranchise here with respect to local affairs are citizens and voters of the States from which they came when they received their appointments to these Federal offices they now hold.

I do not believe we have the right to create a dual system of government under which a citizen of some State can vote not only in the State from which he came but also in the District of Columbia.

To split an infinitive is bad enough, but to split citizenship is to create a hyphenated individual beyond my comprehension.

The men who come to Washington to represent the people should not divest themselves of the duties with which the Constitution clothes them.

Here are 180 pages of abstruse law. I do not profess to understand this so-called charter, it has too many ramifications, too many angles, too many provisions; and I do not believe there is a lawyer in the United States who could understand it in the brief time we have had to study it.

Mr. BANTA. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. BANTA. A former Speaker of the House made the statement that under the provisions of this bill seven different groups are excluded from participating in the home-rule features. Does the gentleman know what those seven groups are?

Mr. JENNINGS. No; I do not. I have read this legislation and it is like a Chinese puzzle, I just could not grasp it, I could not digest it; I have been unable to assimilate it. I do not know who wrote it. I do not believe it is the work of any Member of Congress. It is the product of some legal staff they got together. They evolved it out of their own inner conscience, like a spider weaves his web. To me it is unintelligible. I just want to be frank about it, I cannot understand it and I am not going to vote for something that I am not able to comprehend because I might be called to account on it, and I would say: "Well, it was brought in, 180 pages, with a little report, and I voted for it."

"Well, why did you vote for it?"

"Well, I do not know."

Now, let us just be frank with ourselves. There is no hurry about this thing. Let us take our time and, as we say down in our country when we go to a shooting match, "Let's take a lying-down rest at it," and see if we cannot sometime if we want to take a shot at this thing drive center and not come in here with a blunderbuss and a scatter gun and shoot all over the side of the house.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I was hoping yesterday that the House would vote down this rule on the pending bill so that we could spend this precious time on some of the pending legislation vitally affecting every person in the United States. However, the Members of the House, in their wisdom, voted to call this bill to the floor of the House for debate and I shall try to give you as much correct information as time will permit on this all-inclusive bill.

Never during my 10 years of service in the House of Representatives have I read a bill that covers so much territory. We are encroaching on the constitutional rights of the House of Representatives. We are trying to take over the prerogatives assigned to the Civil Service Committee. We are trying to abolish standing House committees over which the District Committee has no jurisdiction whatsoever. We are also trying to set up a definite formula for Federal contribution to the District of Columbia, which, in my opinion, is a dangerous precedent.

We will have a new Congress next year and I think they should be able to express their opinion on how much they think the Federal Government should contribute to the operation of the District government.

I certainly can see nothing to be gained by enacting into a law the pending bill. The proponents of the bill admit that the proposed city council will have no more authority to enact legislation than the present Commissioners. It will still be the duty of the House of Representatives to enact legislation for the District of Columbia.

I can see nothing the Members of Congress could gain in this bill other than additional headaches. We will be trying to operate dual governments here within the confines of 10 square miles. A site was set aside by our forefathers for our Federal Government. Our forefathers made an effort to transact the business of the National Government in Philadelphia and in New York, where it was proven that the Federal Government could not satisfactorily transact this business and at the same time be operating with a municipal government. Hence, that is the reason 10 square miles were set aside for the site of the National Government. I certainly think that with the millions of acres of land we have in the United States we could set aside a few miles for the site of the greatest government in the world, which is, in actuality, the capital of the world at the present time.

I was chairman of the House District Committee during the Seventy-ninth Congress and pressure was brought on

me by the same group who are now bringing pressure on the present chairman of the District Committee to enact legislation of this nature.

It is my sincere opinion that property owners of the District of Columbia, who will be vitally affected by this type of legislation, do not want the present bill to become a law.

This bill, if enacted into a law, will create anything but home rule for the District of Columbia. I certainly can see no reason for having dual government here in Washington when, at the present time, we have a well organized commissioner form of Government operating as economically as any other city in the United States.

I do hope the Members of the House will think this matter over thoroughly before they cast their votes.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, I would like to point out to the Members that there was a marked division in the Committee on the District of Columbia with reference to this legislation. There was a division among the Republicans, there was a division among the Democrats. One of those who strongly opposed the bill on the Republican side is out of town this week and is unable to be here. I wish that he were present because I am sure he could enlighten the membership more particularly with regard to the so-called dual voting provisions in the bill.

There also is quite a division among the people of the District of Columbia on this bill. It has been pointed out that many organizations and groups of people in the District of Columbia support it. It is likewise true that many in those particular organizations oppose it. But, the group which I think is the most outstanding group in the District of Columbia, the board of trade, by a very, very large majority oppose the bill; at least, they so stated before the Committee on the District of Columbia. On the other hand, there is a very, very large segment of the people in the District of Columbia that has taken no interest one way or another in the home-rule proposal.

After much fanfare and publicity on November 5, 1946, the Washington Board of Trade conducted a plebiscite in the District, and only about 30 percent of the people participated therein. In other words, 70 percent of the adult people of the District, who ordinarily would be qualified electors under the home-rule bill, refused to go to the polls after the matter had been aired in the papers and over the radio week after week and day after day. The plebiscite, therefore, proved one thing and one only, that there was a considerable lack of interest in the District of Columbia on this particular question.

After the first home-rule bill was introduced and the subcommittee scheduled its hearings, I went over to listen to the testimony. From the first witness down to the last they did not direct their testimony to any particular provision of the bill but simply stated in general terms that they favored home rule.

They did not direct their testimony specifically to any provision of this bill. There were few exceptions, I confess, but generally speaking they simply stated, "We want home rule." And, mark you, very few businessmen of Washington were present or appeared.

Now, it has already been pointed out by the gentleman from Tennessee, Judge JENNINGS, and several others that true home rule is an impossible form of government in the District of Columbia under the present verbiage of the Constitution. The bill provides for a very limited form of home rule, I agree. It sets up 12 straw men down in the District Building who will have no authority whatsoever to legislate, only to propose. Its legislative proposals will be ineffective until passed by the House of Representatives and Senate and signed by the President. Therefore, instead of expediting the legislative business of the District of Columbia, this bill will tend to slow it down. It will add an additional step to the legislative processes for the District. That is exactly what it will do.

On page 3 of the report you will find in a paragraph or so under the subject Purpose of the Bill—there you will find set forth three objectives of the bill. The first is—now listen to this:

> Relieving Congress as much as possible of the burdensome housekeeping functions of the District of Columbia while still retaining essential control in Congress as required by the Constitution.

As I understand the bill H. R. 6227, it does not relieve the Congress of a single housekeeping function. It retains the District Committee, only in a different form. It retains legislative authority in the Congress. No member of the committee or of the House will be relieved of the housekeeping functions which he now has over the legislative processes of the District of Columbia.

I do not know of any Member of the House who is burdened with District of Columbia legislation. More specifically, I do not know of any members of the Committee on the District of Columbia who are overburdened with District matters. If they feel that their duties are too heavy or that they cannot render the proper service to the people of the District of Columbia, all they have to do is to present themselves before the Speaker and submit a simple statement, "Mr. Speaker, I hereby tender my resignation as a member of the Committee on the District of Columbia." I did not see a line form here this morning or at any time during this session by members of the Committee on the District of Columbia who desire to be relieved of their duties on the committee.

The second purpose of the bill, according to the report, is to create a representative local government for the District chosen by qualified electors. I have already pointed out that the District council will be without power to legislate. They will be nothing more nor less than straw men. All they could do would be to propose something to the Congress, and it would not become law unless and until it was adopted by the Congress. Therefore the second purpose will not be accomplished by the bill.

The third purpose, the report states, is to provide an efficient and economical government for the District of Columbia. Let us see about the economy of this government as compared with that proposed in the home-rule bill. Today the legislative functions and the executive functions of the District of Columbia are carried on by 3 commissioners. In this bill it is proposed to have not 3 but 12, all of whom would draw large salaries. The Council will then retain a city manager who will also draw a large salary. The bill will add a considerable number of high-salaried officials to the District government. So far as officials are concerned there is no economy in the form of government proposed by the bill. It will be an expensive government.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from North Carolina.

Mr. BONNER. I am greatly interested in the dual voting. The gentleman passed over that very quickly. Do I correctly understand that a man could vote in the District and then go out in some State and vote?

Mr. ABERNETHY. Certainly, that is what the bill provides. I do not have time to discuss that now, but I shall discuss it under the 5-minute rule. In other words, he will have two votes.

Mr. BONNER. Are the proponents of this bill in favor of this dual voting?

Mr. ABERNETHY. Apparently so.

Mr. BONNER. It is a very interesting matter to Members of Congress to be able to have two votes on one question.

Mr. ABERNETHY. An effort was made in the District Committee to eliminate that feature, and the effort failed, so I would presume that the proponents still favor it.

In conclusion, what is wrong with the District government? It is economical, it functions well, it is free of scandal, they have given the residents a beautiful and clean city. Personally, I see nothing wrong with it.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I was much interested in hearing about this legislation. I am interested in the people of the District of Columbia having every opportunity that this country can afford. But I cannot help going back to the time when I studied American history in public school. I knew then that our forefathers laid aside an area 10 miles square for the seat of government. So they formed the District of Columbia. That was put under the sole and exclusive jurisdiction of the Federal Government and was operated by the Federal Government. I came to the conclusion since I came to Congress that our forefathers knew a great deal about setting up this country of ours, and they did a mighty fine job. So I am very reluctant about this legislation and I wonder whether the Congress in the last 10 years has improved our Government a great deal. I am sincerely interested in trying to help the people in the District of Columbia, but I wonder, if we put this back in their hands, whether we are going to

help them. If the District of Columbia is to be operated as was intended, and that is by the Federal Government, then I question whether you ought to turn it over to the people of the District for home rule as they would like to run it, because the people of the District are going to be interested more in the government of the District of Columbia than they will be in looking after the welfare and interests of the whole people of the United States. For that reason, therefore, I am greatly opposed to this legislation.

Another reason why I am opposed to this legislation is the one that was mentioned here a while ago. This bill gives opportunity to the people of the District who work here and who have come from the States of the Union, to vote in the District as well as to vote in their own States back home. Now I have heard about dual voting, but they do not have it up in my district. I never knew anybody up in my district who was ever permitted to vote but once at the same election. I think that is a mighty good thing for them. I have heard of certain sections in Pennsylvania where they have tried to vote twice. I have heard of other States where they have tried to vote and vote and vote the people, but I am not going to give my sanction to anybody having more than one vote at any one election, be it in the District or any State. I am opposed to this legislation on that ground as well. I think it is not Democratic, nor Republican, and not American, and for the reasons that I have mentioned, I am going to vote against the bill.

If the people of the District of Columbia think that the District is not operated as it should be, or if they have reason to make complaints, they can go to the District Commissioners and have things adjusted.

So far as economy is concerned, I think we are going to get economy in the District government as we now have it, but if you put this in the hands of the District commission of 12, who are going to want everything under the sun for the people of the District, then it is going to cost the Government much more money than it is at present.

I am opposed to the bill for the reason if a person votes here and in the State from which he comes, how does he choose his voting residence? He could select either. That privilege is not given to other citizens.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. SMITH of Ohio. I am informed that the proponents of this bill claim that it is going to cost the taxpayers of the United States less money. I think on that ground alone we would be justified in voting against the bill, because when they promise us that it is going to save money, you can be pretty certain that it is going to be the other way, and cost more.

Mr. RICH. I do not have any idea that by the adoption of this measure you will save any money for the taxpayers. I am going to vote for economy, and I am going to try to save money and vote against the bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DIRKSEN. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, first let me say to my colleagues that the fundamental idea embodied here is not going to be killed by ridicule. It is too fundamental for that. The gentleman from Tennessee argued about the constitutionality of the measure and quoted that section of the Constitution which vests exclusive legislative power in the Congress. Good lawyer that he is, if he would bother to search the precedents he would find that section has been interpreted to exclude the States from having any voice in the District, because it was by cession of Maryland and Virginia that the District of Columbia was created. This bill which is now before us, if not enacted now, will be enacted later, and I venture my reputation on that statement. It will not be killed by any such frothy argument as you have just heard from the gentleman from Mississippi, that we have been so burdened that there has been a line march up to get off the District of Columbia Committee. It will not be killed by the frothy argument as to how many people voted in a poll. The fact is that in the Fourth District of Mississippi, which the gentleman represents, in 1946 there were 10,017 votes out of a population of 201,000. They have the vote there. One hundred and seventy thousand balloted here voluntarily and by sacrifice in the Washington Post poll of 1946, where they have no vote.

Oh, the gentleman does not state his whole case and the real reason for his opposition. The real reason is that there is a fear of minority control here. I could dress it up, but it is not necessary. You know what I mean. You see the nature of the opposition to this bill. It rests upon that silent fear. Minorities vote in Chicago. Why should they not vote here? They vote in Williamsport, Pa., the home of the gentleman from Pennsylvania [Mr. RICH]. Why should they not vote here? Minorities vote across the Potomac. Why should they not vote on this side of the Potomac? Minorities vote in Maryland. Why should they not vote in the District of Columbia?

Now, make up your minds, if you kill this bill, that you are going to kill something very fundamental. You are going to be saying to the people of Washington that you do not want them to vote because you do not trust them. That is what you are going to say. By implication, you will be saying that you do not trust minorities back home, irrespective of their color.

Now, let us get at the heart of this thing. There are more colored people in Richmond, Va., than there are in Washington, D. C., percentage-wise. They just voted themselves a brand new charter, incorporating fundamentally the same form of government as we are proposing here today. But the opponents of this bill are secretly fearful of the social implications of self-government for the people of Washington.

It has been said, "There are 180 pages of law. We do not understand it." I have voted on tax bills that had 300 pages in them and I did not understand them either. With a book of logarithms I could not solve some of the formulas and equations that they had in some of those bills. I accepted it in part on faith.

Oh, you can find ghosts under the bed, but do not fool yourselves as to the fundamental issue involved here. In a city like Washington where the percentage of college graduates is higher than in any jurisdiction in the United States, are you going to say now that they have no capacity for self-government? Are you going to say it back in your constituencies? You realize the basis of the opposition. But it has not been brought out in the open. Is that why so many youngsters died a few years ago when we were troubled about freedom and democracy in the world, when young men of dark color riding in heated tanks were losing their lives, only to come back home and be denied a share in the responsibility of government? You say it is all right to serve your country on the field of battle, but it is not all right to pull aside a curtain of a polling booth and vote for somebody who shall give you a measure of home rule.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I am sorry, I would rather not.

Mr. HARRIS. The gentleman has indicated that fraud was practised by those who were opposed to the legislation.

Mr. DIRKSEN. Oh, I am sure I did not. If I did, I would apologize to the gentleman.

Mr. HARRIS. I trust the gentleman will strike that from the RECORD, when he posed the issue and said it had not been brought out in the open. And if the gentleman would yield, I would like to show him that it was brought out.

Mr. DIRKSEN. Well, I did not hear it. I have accused nobody of fraud. Seventy years ago we took the right to vote away from the people here, all because of the derelictions in office of one man, Governor Shepherd, who was a presidential appointee. They could have cleaned it up if they had the vote. They could not reach him because there was no way of removing him from office by popular vote.

The United States Attorney has stated in the papers that there is a $100,000,000 gambling racket in Washington. What fine news for the people back home whose youngsters serve the government in the District, but they have no power to clean it up. What would you say if that kind of allegation were made about your home town and there were no responsible primary popular force in the hands of the people to clean up conditions there?

We have been at this sort of business for quite a while. We have had six studies in the last 27 years. I take my hat off to JIM AUCHINCLOSS and his subcommittee for the unselfish way in which they have worked on this thing. What have we done here? Number 1, we have proposed to reorganize this government. There is overlapping, there is duplication in the different bureaus of the District, duplication between the District and the Federal Government. It is a hodgepodge. So it has to be reorganized. We

have taken the studies made by the National Municipal League set forth in the model municipal charter and we tried to reorganize the local services so as to have 12 departments here with responsibility at the top. We have tried to departmentalize this government and do a good job in the interest of efficiency and economy. Nobody quarrels much about that. We have also tried to remain within the constitutional interdictions.

Now, Mr. Chairman, will you take the constitutional judgment of the gentleman from Tennessee or will you take the judgment of Mr. Beaman, who has served this House for more than a quarter of a century as its legislative counsel, to whom we go as suppliant children every time we have a legislative problem, a constitutional difficulty? Will you accept Mr. RICH'S constitutional judgment or do you prefer Dr. Corwin, of Princeton? Will you accept Mr. JENNINGS' judgment on constitutionality or do you prefer the judgment of the Attorney General of the United States after a careful study of the matter? Would you prefer Mr. RICH'S constitutional judgment or would you take the judgment of the legislative counsel staff of both the Senate and the House?

We have been pretty careful about this thing. So we would reorganize the District government and do a good job. We remain within the constitutional framework and keep the power here through a joint committee of the House and Senate. We provide for a Delegate. That is the substance of this thing. Then in addition thereto we provide for a city council of 12 to select their own mayor as the ceremonial officer of the city, and to select a District manager. That is the growing form of government for municipalities of the country; more than 800 cities have adopted it in the last 40 years, including only recently Richmond, Va.

That is the plan that we followed, 12 men to be elected at large, 8 members of the school board to be elected at large. Do you know who appoints members of the school board today? The judges of the District court. That is the way they are selected. The people do not select them. The fathers and mothers of the thousands of children in the schools of the District of Columbia have nothing to say about picking the school trustees; they are picked by the justices.

We provide that the people of the District of Columbia who have an interest in curricula, in the schools, in sanitation, in the textbooks, will have a voice in the conduct of these services. Dr. Miller spent a lot of time over in the District Committee holding a hearing on the textbooks in the District schools. There was no other place for the people to come if they had some ideas on the things that ought to be taught or that would develop new loyalties to our form of government, because the people have no voice in the management of the public schools.

Mr. Chairman, that is the substance of what is involved here. I think we have done a good job, and I do not want to see this bill thrown out of court. Into it has gone 12 months of endeavor and $30,000 that we got from the Accounts Committee. If in the arduous duties that you pursue here for your own constituents and in the interest of the national welfare you cannot take that time to go through all the pages of the bill, is that a reason why it should be thrown out? It is so easy to get up here and wave a bill in front of the Members and say "One hundred and eighty pages of law." Yes. Much of it is transition, much of it is detail and routine in order to accomplish the transfer of powers to a new setup; much is definitions and that sort of thing; things that have been adopted from the model city charter. Is there anything so amazing or so mystifying about that? Now, when all is said and done we cannot get away from this fundamental: It is a question whether or not these people of Washington shall be the beneficiaries of an implied promise that was also an express promise made by a great founding father of the country who, along with Alexander Hamilton, interpreted the Constitution. In the Federalist Paper No. 43, James Madison said:

"A municipal legislature for local purposes, derived from their own suffrages, will, of course, be allowed them."

That was the language that Madison left for us. So this is one of those uncompleted jobs of the Constitution. Are we going to permit it to languish another 7 years all because of the dereliction of one man 74 years ago; because the Congress reexamined this matter, then let it fall into a makeshift state because the House and Senate could not get together at the end of the session when the matter was being concluded? Strange that inertia would do that.

This is the only jurisdiction in the United States where the people cannot select their own local officers. That is as far as we go in this bill. They will select their local officers in the council, the people who serve on the Board of Education, and the District Delegate shall be selected by locally domiciled voters. They had a Delegate before under the Territorial system from 1871 to 1874. He was so good and Congress regarded him so highly that even after they changed the government of the District they let him serve out his term. They liked him for the job he did.

Mr. BANTA. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Missouri.

Mr. BANTA. Who are the domiciled voters? Are there any groups excluded?

Mr. DIRKSEN. There are about 250,000 Washingtonians, people who were born here, whose legal domicile is here as distinguished from a resident whose legal domicile is in some other jurisdiction.

Mr. BANTA. But if they have a legal residence in some other jurisdiction, are they eligible to vote here?

Mr. DIRKSEN. They can vote here if they have the qualifications specified in the bill. To vote for Delegate one must also be domiciled here. If a person is domiciled in your State and he resides here, he can still vote for you for Congress. It would not be fair to have him vote for two people who sit in this Congress.

Mr. BANTA. Does this apply to all civil-service employees?

Mr. DIRKSEN. It will apply to everybody who has residence here for a year and the other qualifications.

Mr. BANTA. It likewise would apply to the employees of the Congress?

Mr. DIRKSEN. Oh, yes, if they are resident here and qualify.

Mr. Chairman, I want to say a word about this dual voting system. So much has been made of it. Over at Cheverly, Md., they had a mayor for 7 years who was a legal resident of Texas. They permit them to vote in local elections over there and maintain their legal domicile for all other purposes back home. In Brentwood, Md., the mayor for 3 years was a legally domiciled resident of the State of Missouri.

They have found no difficulty with it. The reason we have put it in here, in part at least, is this: Here are people who have been sharing the burdens of government, who have lived here for 10, 20, 30, or 40 years, who do not get back home but maintain their legal residence back home. Why should they not have a voice as to whether or not a stop-and-go sign should be placed upon a hazardous corner? Why should they not have a voice as to whether a certain broken street ought to be repaved? Why should there not be a place for them to go to ventilate their views? So we say to them: "You have lived here all these years. You are a servant of the Government. Is there any reason why you should not have a vote in local affairs?"

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. I understand that Indians on reservations are not entitled to vote. Is that so?

Mr. DIRKSEN. I expect that question ought to be referred to one of the gentlemen who represents a constituency that contains a good many Indians.

Mr. NICHOLSON. It is my understanding that on reservations they are not allowed to vote.

Mr. DIRKSEN. Frankly, I do not know what the rule is with respect to those who are actually in residence on reservations. But here are 861,000 people in the District. When this last charter was devised in 1878 there were 178,000. We have come a long way since then. There is a consciousness today, and I believe, gentlemen, in my heart, that this bill is one of the finest safety valves that the Congress can devise to meet that social unrest that is moving people everywhere in the world. Until we remedy this matter and say to a man who may be brilliant and have a string of degrees, that the accidental fact of geography is not going to deprive him of a vote on local affairs if he has been a resident here for a year, there will be no abatement of this restiveness. Is that too much to ask? Well, that is all we are asking after 12 months of effort, after 170 or 180 witnesses appeared before this committee. After the best brains we could get to pass on the constitutionality of the matter, are we now going to throw it so lightly overboard? If they object to dual voting—and I

would like to see it included and retained in the bill—should the whole bill be destroyed on that account? The time has come to make a start. We have been derelict too long in our responsibility to the Nation's Capital and the time is now, while the ferment of freedom is in the air on every horizon in the world, for us to do a little something for our own National Capital.

I have been on the hustings in 30 States of the Union; in the 1944 campaign, in the 1940 campaign, in the congressional campaigns. I lifted my voice and devoted my feeble talents to the principles of freedom, democracy, and self-determination, because it is a religion with me. I feel it. And if there is one vulnerable thing in our armor it is the lack of local self-rule in the capital of the world's greatest democracy. Oh, I admonish you with all the earnestness in my soul, do not be misled by prejudice and confusion and do not throw this bill overboard. There is a fundamental issue here that must be solved. If the Eightieth Congress does not do it, there will be another Congress to do it, because it involves one of the basic purposes, one of the great causes, for which America was born. It was born out of the crucible of freedom and self-determination. So, I ask you to be forebearing as we go through this bill and not accept any damaging amendments that may be advanced here.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That this act, divided into titles and sections according to the following Table of Contents, may be cited as the "District of Columbia Charter Act."

TABLE OF CONTENTS


TITLE I—DEFINITIONS

Sec. 101. Definitions.

TITLE II—INCORPORATION OF THE DISTRICT OF COLUMBIA

Sec. 201. Incorporation of the District of Columbia.

TITLE III—JOINT COMMITTEE ON THE DISTRICT OF COLUMBIA

Sec. 301. Creation and functions.
Sec. 302. Chairmanship.
Sec. 303. Duties in relation to the District.
Sec. 304. Rules of the Senate and House.

TITLE IV—DELEGATE TO CONGRESS

Sec. 401. Creation.
Sec. 402. Functions.
Sec. 403. Qualifications for holding office.
Sec. 404. Changes in Federal law.

TITLE V—THE DISTRICT COUNCIL

*Part 1—Creation of District Council*

Sec. 501. Creation and membership.
Sec. 502. Qualifications for holding office.
Sec. 503. Compensation.

*Part 2—Principal functions of the District Council*

Sec. 521. Functions heretofore exercised by the Board of Commissioners.
Sec. 522. Functions relating to zoning.
Sec. 523. Certain delegated functions.
Sec. 524. Ordinances.
Sec. 525. Legislative proposals.
Sec. 526. Limitations on powers of District Council.
Sec. 527. Creation and abolition of advisory boards and commissions.

*Part 3—Organization and procedure of the District Council*

Sec. 531. The mayor.
Sec. 532. District Council staff; records and documents.
Sec. 533. Meetings.
Sec. 534. Conduct of business.
Sec. 535. Procedure for legislative proposals and for ordinances other than zoning ordinances.
Sec. 536. Procedure for zoning ordinances.

TITLE VI—ACTION BY CONGRESS AND THE PRESIDENT ON LEGISLATIVE PROPOSALS AND ZONING ORDINANCES

*Part 1—Taking effect as law*

Sec. 601. Definition.
Sec. 602. Deposit and publication.
Sec. 603. Taking effect as law.
Sec. 604. Printing in statutes at large.

*Part 2—Rules of the Senate and House*

Sec. 621. Rule-making power of Senate and House.
Sec. 622. District day in the House of Representatives.
Sec. 623. Definition of "joint resolution."
Sec. 624. Discharge of joint committee.
Sec. 625. Consideration of joint resolution.
Sec. 626. Motions to postpone, and so forth.
Sec. 627. Appeals from decision of Chair.
Sec. 628. Joint resolutions received from other House.

TITLE VII—THE DISTRICT MANAGER

Sec. 701. Appointment, qualifications, and salary.
Sec. 702. Removal.
Sec. 702. Powers and duties.
Sec. 704. Acting District Manager.
Sec. 705. Assistants to the District Manager.
Sec. 706. Executive Office of the District Manager.
Sec. 707. Office of the Archivist; District Archives Commission.

TITLE VIII—THE DISTRICT BUDGET

Sec. 801. Fiscal year.
Sec. 802. Preparation and submission of budget.
Sec. 803. Budget a public record.
Sec. 804. Publication of notice of public hearing.
Sec. 805. Public hearing on budget.
Sec. 806. Further consideration of budget.
Sec. 807. Revision of estimates by Board of Education.
Sec. 808. Adoption of budget; deposit with Joint Committee.
Sec. 809. Action by Joint Committee.
Sec. 810. Final action by District Council.
Sec. 811. Certification and copies of budget.
Sec. 812. Budget establishes appropriations.
Sec. 813. Budget message—current operations.
Sec. 814. Budget message—capital improvements.
Sec. 815. Budget message—capital program.
Sec. 816. Budget message—supporting schedules.
Sec. 817. Contents of the budget.
Sec. 818. Anticipated revenues.
Sec. 819. Anticipated revenues compared with other years.
Sec. 820. Surplus.
Sec. 821. Miscellaneous revenues.
Sec. 822. Miscellaneous revenues—anticipated surpluses from public-service enterprises.
Sec. 823. Miscellaneous revenues—measure of estimates.
Sec. 824. Miscellaneous revenues—receipts from special assessments.
Sec. 825. Miscellaneous revenues—from new sources.
Sec. 826. Federal contribution for general support of the District.
Sec. 827. Proposed expenditures.
Sec. 828. Proposed expenditures—independent agencies.
Sec. 829. Down payments on capital projects.
Sec. 830. Budget summary.
Sec. 831. Appropriations for emergency purposes.

TITLE IX—BORROWING FOR CAPITAL IMPROVEMENTS

Sec. 901. Borrowing power; debt limitation.
Sec. 902. Legislative proposal authorizing the issuance of bonds.
Sec. 903. Contents of legislative proposal.
Sec. 904. Title of legislative proposal; citation.
Sec. 905. Form and content when two or more projects are combined.
Sec. 906. Form and content; average period of usefulness.
Sec. 907. Publication of legislative proposal.
Sec. 908. Legislative proposal not to be passed unless appropriation made for down payment.
Sec. 909. Down payment not required in certain cases.
Sec. 910. Other proceedings by resolution.
Sec. 911. Special debt statement.
Sec. 912. Special debt statement presumed to be accurate.
Sec. 913. Legal effect of special debt statement.
Sec. 914. All bonds paid in annual installments.
Sec. 915. First annual installment.
Sec. 916. Last annual installment.
Sec. 917. Computation of period of usefulness.
Sec. 918. Period of usefulness.
Sec. 919. Determination of period of usefulness.
Sec. 920. Determination of District Council conclusive.
Sec. 921. Public sale.
Sec. 922. Short period of limitations.
Sec. 923. Payment of bonds.

TITLE X—FINANCIAL AFFAIRS OF THE DISTRICT

*Part 1—Financial administration*

Sec. 1001. Surety bonds.
Sec. 1002. Director of the Department of Finance; powers and duties.
Sec. 1003. Work programs; allotments.
Sec. 1004. Allotments constitute basis of expenditure and are subject to revision.
Sec. 1005. Transfer of appropriations.
Sec. 1006. Accounting supervision and control.
Sec. 1007. When contracts and expenditures prohibited.
Sec. 1008. Lapse of appropriations.
Sec. 1009. General fund.
Sec. 1010. Accounting control of purchases.
Sec. 1011. No contract executed until bond legislative proposal effective.
Sec. 1012. Borrowing to meet emergency appropriations.
Sec. 1013. Borrowing in anticipation of revenues.
Sec. 1014. Notes redeemable prior to maturity.
Sec. 1015. Sale of notes.
Sec. 1016. Payment of notes.
Sec. 1017. Contracts extending beyond 1 year.

*Part 2—Annual post audit by General Accounting Office*

Sec. 1021. Independent annual post audit.
Sec. 1022. Cost of audit.

TITLE XI—THE EXECUTIVE DEPARTMENTS

Sec. 1101. General provisions.
Sec. 1102. Department of Health.
Sec. 1103. Department of Welfare.
Sec. 1104. Department of Recreation.
Sec. 1105. Department of Public Safety.
Sec. 1106. Department of Finance.
Sec. 1107. Department of Law.
Sec. 1108. Department of Public Works.
Sec. 1109. Department of Libraries.
Sec. 1110. Department of Labor.
Sec. 1111. Department of Commerce.
Sec. 1112. Department of Professional and Occupational Standards.
Sec. 1113. Department of Corrections.

TITLE XII—BOARD OF EDUCATION
Sec. 1201. Creation and membership.
Sec. 1202. Transfer of functions.
Sec. 1203. Functions and limitations.
Sec. 1204. Qualifications for holding office.
Sec. 1205. Compensation of members.
Sec. 1206. President of the Board of Education.
Sec. 1207. Staff of the Board of Education; records.
Sec. 1208. Meetings.
Sec. 1209. Conduct of business.
Sec. 1210. Free instruction for nonresident pupils denied.

TITLE XIII—CERTAIN AGENCIES NOT UNDER THE DIRECTION AND SUPERVISION OF THE DISTRICT MANAGER
Sec. 1301. Zoning Adjustment Board.
Sec. 1302. Public Utilities Commission.
Sec. 1303. Board of Tax Appeals.
Sec. 1304. Redevelopment Land Agency.
Sec. 1305. Executive officers.

TITLE XIV—APPOINTMENT, CLASSIFICATION, AND RETIREMENT OF OFFICERS AND EMPLOYEES
*Part 1—Appointment and classification*
Sec. 1401. Application of the Civil Service Act.
Sec. 1402. Status of officers and employees of the District in the Federal classified civil service.
Sec. 1403. Selection of District employees.
Sec. 1404. Noncompliance of the District with requirements of the Civil Service Commission.
Sec. 1405. Application of the Classification Act of 1923 to officers and employees of the District.
Sec. 1406. Compensation of certain employees of the District.
Sec. 1407. Payment for services rendered by Civil Service Commission.
Sec. 1408. District personnel officer.
*Part 2—Retirement*
Sec. 1421. Liability of District.
Sec. 1422. Payment for services rendered by Civil Service Commission.
Sec. 1423. Investigation by District Manager with respect to administration of retirement system.
Sec. 1421. Increase in rate of contribution to policemen and firemen's relief fund.

TITLE XV—ELECTIONS IN THE DISTRICT
Sec. 1501. Board of Elections.
Sec. 1502. What elections shall be held.
Sec. 1503. Offices to be filled; terms of office.
Sec. 1504. Vacancies.
Sec. 1505. What candidates are elected.
Sec. 1506. Qualified electors.
Sec. 1507. Registration.
Sec. 1508. Qualified candidates.
Sec. 1509. Nominations.
Sec. 1510. Nonpartisan elections.
Sec. 1511. Method of voting.
Sec. 1512. Recount.
Sec. 1513. Interference with registration or voting.
Sec. 1514. Violations.

TITLE XVI—INITIATIVE, REFERENDUM, AND RECALL
Sec. 1601. Definition.
Sec. 1602. Initiative.
Sec. 1603. Referendum.
Sec. 1604. Recall.
Sec. 1605. Voting in case of initiative, referendum, or recall.
Sec. 1606. Power to prescribe regulations.

TITLE XVII—AGREEMENTS WITH UNITED STATES AND STATES
Sec. 1701. Agreements with United States.
Sec. 1702. Agreements with States.

TITLE XVIII—GENERAL PROVISIONS
Sec. 1801. Oath of office.
Sec. 1802. Publicity of records.
Sec. 1803. Personal interest in contracts or transactions.
Sec. 1804. Investigations by District Council or District Manager.
Sec. 1805. Amendment of Budget and Accounting Act.
Sec. 1806. Review of proposed legislation by Bureau of the Budget.

TITLE XIX—MISCELLANEOUS PROVISIONS
Sec. 1901. Saint Elizabeths Hospital.
Sec. 1902. Crediting of certain fees and fines.
Sec. 1903. Register of Wills and Clerk of Probate Court.
Sec. 1904. National Capital Park and Planning Commission.
Sec. 1905. Certain functions now administered by Federal agencies.
Sec. 1906. National Capital Housing Authority.
Sec. 1907. Compensation from more than one source.

TITLE XX—SUCCESSION IN GOVERNMENT
Sec. 2001. Transfer of personnel, property, and funds.
Sec. 2002. Existing statutes, regulations, and so forth.
Sec. 2003. Pending actions and proceedings.
Sec. 2004. Vacancies resulting from abolition of Board of Commissioners.

TITLE XXI—SEPARABILITY OF PROVISIONS
Sec. 2101. Separability of provisions.

TITLE XXII—TEMPORARY PROVISIONS
Sec. 2201. Powers of the President during transition period.
Sec. 2202. Reimbursable appropriation for the District for the period ending June 30, 1949.

TITLE XXIII—EFFECTIVE DATES
Sec. 2301. Effective dates.

TITLE XXIV—SUBMISSION OF CHARTER FOR REFERENDUM
Sec. 2401. Charter referendum.
Sec. 2402. Charter Referendum Board.
Sec. 2403. Registration.
Sec. 2404. Charter referendum ballot; notice of voting.
Sec. 2405. Method of voting.
Sec. 2406. Acceptance or nonacceptance of charter.
Sec. 2407. Interference with registration or voting.
Sec. 2408. Violations.

With the following committee amendments:

On page 3 strike out "Sec. 826. Federal contribution for general support of the District." and insert "Sec. 826. Adjustment of Federal and District expenses."

Page 5, strike out "Sec. 1421. Increase in rate of contribution to policemen and firemen's relief fund."

Page 7, insert a new title as follows:

"TITLE XXV—FEDERAL CONTRIBUTION

"Sec. 2501. Authorization of appropriations."

The committee amendments were agreed to.

The Clerk read as follows:

TITLE I—DEFINITIONS

DEFINITIONS

SECTION 101. For the purposes of this act—

(1) The term "Joint Committee" means the Joint Committee on the District of Columbia provided for by title III.

(2) The term "District" means the District of Columbia.

(3) The term "District Council" means the Council of the District of Columbia provided for by title V.

(4) The term "Mayor" means the Mayor of the city of Washington, provided for by title V.

(5) The term "District Manager" means the District Manager appointed by the District Council, as provided in title VII.

(6) The term "qualified elector" means a qualified elector of the District as specified in section 1506.

(7) The term "expenditure", when applied to any period of time, includes an obligation to expend incurred during such period, but does not include a disbursement made in such period if the obligation to make such disbursement was incurred in a prior period.

(8) The term "metropolitan area of the District" includes, in addition to the District of Columbia, Montgomery and Prince Georges Counties, Md.; Arlington and Fairfax Counties, Va.; and the city of Alexandria, Va.

(9) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(10) The term "budget year" means the fiscal year for which any particular budget becomes effective and in which such budget is administered.

(11) The term "capital project", or "project," means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(12) The term "pending", when applied to any capital project, means authorized but not yet completed.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. HARRIS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 75]

| | | |
|---|---|---|
| Anderson, Calif. | Gorski | Miller, Conn. |
| Andresen, August H. | Granger | Morton |
| | Grant, Ind. | Mundt |
| Andrews, N. Y. | Gwinn, N. Y. | Murray, Wis. |
| Arends | Gwynne, Iowa | O'Hara |
| Bell | Harless, Ariz. | O'Toole |
| Bloom | Hartley | Owens |
| Boykin | Heffernan | Peden |
| Buckley | Holifield | Pfeifer |
| Bulwinkle | Isacson | Plumley |
| Bryne, N. Y. | Jenison | Price, Fla. |
| Carson | Jenkins, Pa. | Rains |
| Celler | Jennings | Reeves |
| Clark | Johnson, Okla. | Robertson |
| Clippinger | Johnson, Tex. | Rooney |
| Cole, Kans. | Jones, N. C. | Scoblick |
| Cotton | Jones, Wash. | Scott, Hardie |
| Cox | Kefauver | Short |
| Cunningham | King | Smathers |
| Dawson, Ill. | Landis | Smith, Maine |
| Dawson, Utah | Lane | Somers |
| Devitt | Lemke | Stigler |
| Dolliver | Ludlow | Taylor |
| Durham | Lusk | Thomas, N. J. |
| Engle, Calif. | Lynch | West |
| Fellows | Mack | Whitaker |
| Gallagher | Meade, Ky. | Wigglesworth |
| Gearhart | Miller, Calif. | Worley |

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HALLECK) having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 6227, and finding itself without a quorum, he had directed the roll to be called, when 347 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Georgia [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS of Georgia. Mr. Chairman, in the short time which was allotted to me during the 2 hours of general debate I did not have time to complete the remarks I wanted to make on the merits of the bill, and I have asked for this additional time in order to complete my remarks.

The proponents of this legislation have advanced as the two principal reasons for the enactment of this bill that it is very desirable to give the District residents home rule, and that it is also desirable to save the time of Congress which is now and has been taken up in enacting legislation for the District of Columbia. Those are two great fallacies.

This bill will not give home rule to the District of Columbia residents, and no proponent of the bill, I believe, will advance the argument that the terms of this bill will actually grant home rule to the residents of the District of Columbia.

Insofar as legislative jurisdiction is concerned, this bill specifically provides that the 12 Commissioners will have only such legislative authority as is now possessed by the three Commissioners of the District, with a few frills here and there, which, as far as legislative authority is concerned, are of no real consequence.

Further pursuing that thought, at one point in the hearings before the full committee the question was asked by a member of the committee of a member of the legislative staff as to whether or not this new council or city commission which is provided in this bill would actually have authority to change the name of a street. The member of the legislative staff answered at that time that it would not have authority to change the name of a street, and that that would be left to the Members of Congress, as it is at the present time. Then at a later meeting the question came up again, and the same question was asked of the legislative staff, and the answer was given at that time, "Yes; the newly created Commission, if this bill is enacted, would have authority to change the name of a street." That is indicative of the confusion which exists in the minds of everyone connected with this legislation, not only Members of Congress but the legislative staff, the experts also.

Pursuing that thought still further, when this matter was being considered by the Committee on Rules, the distinguished gentleman whose name appears on the bill as its author was testifying before the Rules Committee and was asked by a member of the Rules Committee, "Under this bill, will the city commission have authority to enact a sales tax?" The author of the bill answered "Yes," but he was immediately corrected by some other members of the committee. That indicates the confusion that exists in everybody's mind in connection with this bill.

Will it save the time of Congress? That is a question that should be seriously considered in connection with our action today. Will it actually save Congress any time? What does the bill provide? The bill provides the same procedure that now exists, and two legislative days are set apart, as at present, for the consideration of District of Columbia business by the Congress. As was said this morning, it not only will not save the time of Congress, but very likely will require more time of the Congress, because the bill provides that the city council may propose legislation to be considered by the Congress, but that Congress will not have the right to change that proposal by amendment, but must either accept or reject it. If it should be rejected, it must go back to the council, make a new start, and come back to Congress the second time for congressional action.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, you have just heard the first section of the bill read. Those of you who heard the Clerk as he went through the section title by title and section by section and who heard the great number of sections containing legislative proposals now have an idea of how complicated this problem is. There seems to be some feeling among some of the proponents of this measure, Mr. Chairman, and I wish to refer to that for a moment. So far as I am concerned personally, I have no feeling in this matter at all. I do have a conscientious conviction with reference to it. I grant to those who feel the other way the same honest conviction. So far as I know there have been no implications, there have been no accusations, and there have been no feelings expressed by any of us on this side or on the other side of the aisle who are opposing the bill that we have any personal feelings regarding it. I am sure the gentleman from Illinois, the very fine and able, esteemed and lovable chairman of the committee did not mean to indicate in his enthusiasm a little while ago during the debate that because some of us oppose this legislation we were using certain means in trying to propose our own viewpoints. The gentleman tried to tell you there was one main purpose for this. "Let us get to the heart of it," he says. "Let us not beat around the bush; let us not dodge the issue, but let us bring it out in the open." But I say to you that in the debate on the rule, I brought up that proposal and read you the language of Dr. Galloway, your own staff member. He wrote a letter to us and proposed the issue. He told you that was the crux of this thing and you were raising the issue yourselves. I say let us be fair in dealing with a problem which does have so many ramifications as a matter of this kind. I do not contend that the time the committee spent has been wasted—no, not at all. I do not contend that the money has been wasted. I say, Mr. Chairman, the time, the effort, and money spent in the study of this situation have been of tremendous importance. It will be of invaluable assistance to the Congress in the consideration of this problem in the future.

Certainly it gives a working basis to try to bring to the people of the District of Columbia—and they are not the only people who have something at stake—I say even to the constituency of the gentleman from Illinois and the gentleman's own district and every other State in the United States has an interest in the welfare of their National Capital. They are helping to pay the expense. This work of the committee will be the foundation of a study and report that certainly would give the Congress an opportunity, in considering this matter further—and I hope it will be considered further—and that these very complicated and difficult problems with which we are faced may be resolved in a way that will be for the best interests of your Nation's Capital.

These are things, I say to you, Mr. Chairman, in discussing this problem, that we should consider. I would not want to indulge in extraneous implications, trying to say that those who may be considering this matter one way or the other are doing so for any other reasons than their own honest convictions on it. Everyone here, every Member of this House, has a right to express his convictions and bring to the attention of the Congress and the people his honest views regarding the issue involved.

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. HARRIS] has expired.

Mr. SMITH of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. SMITH of Ohio moves that the Committee do now rise and report the bill, H. R. 6227, back to the House with the recommendation that the enacting clause be stricken out.

Mr. SMITH of Ohio. Mr. Chairman, this is a dangerous bill and ought to be defeated pronto.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I should like to ask the gentleman from Ohio [Mr. SMITH] whether he has read this bill, and I would like to have a fair answer.

Mr. SMITH of Ohio. I have read what I believe to be the important provisions of this bill. I have read the table of contents. I have followed this movement for some time, and I believe I know what the bill contains.

Mr. DIRKSEN. Mr. Chairman, I would like to have an answer to my question, whether the gentleman has read the bill other than the table of contents and what he regards as the pertinent sections. It is a little presumptuous to come here without having read the bill and then move to strike out the enacting clause.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CASE of South Dakota. Is it not a fact that this bill gives an opportunity for the people of the District of Columbia to have a referendum upon the adoption of its provisions?

Mr. DIRKSEN. Very definitely so. They can accept it or reject it, as they like. That is the last title of the bill.

Mr. CASE of South Dakota. Does the gentleman know any way in which the Members of this body can defend the idea of self-determination for other people of the globe unless we offer it to the people of the District of Columbia?

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 47, noes 53.

Mr. SMITH of Ohio and Mr. McMILLAN of South Carolina demanded tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. SMITH of Ohio and Mr. DIRKSEN.

The Committee again divided; and the tellers reported that there were—ayes 80, noes 70.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HALLECK] having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia, directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER pro tempore. The question is, Shall the enacting clause be stricken out?

Mr. DIRKSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 182, not voting 86, as follows:

[Roll No. 76]

YEAS—163

| | | |
|---|---|---|
| Abbitt | Fuller | Norblad |
| Abernethy | Garmatz | Norrell |
| Allen, La. | Gillette | O'Konski |
| Andersen, H. Carl | Gillie | Pace |
| | Goff | Passman |
| Andrews, Ala. | Gore | Patman |
| Barden | Gossett | Peterson |
| Bates, Ky. | Grant, Ala. | Phillips, Tenn. |
| Battle | Gregory | Pickett |
| Beckworth | Griffiths | Ploeser |
| Bishop | Hagen | Poage |
| Bland | Hardy | Preston |
| Bolton | Harness, Ind. | Priest |
| Bonner | Harris | Rains |
| Boykin | Harrison | Rankin |
| Bradley | Harvey | Redden |
| Bramblett | Havenner | Reed, N. Y. |
| Brehm | Hébert | Regan |
| Brooks | Hedrick | Rich |
| Brown, Ga. | Hendricks | Richards |
| Brown, Ohio | Hess | Riley |
| Bryson | Hill | Rizley |
| Burke | Hobbs | Rogers, Fla. |
| Burleson | Hoeven | Rohrbough |
| Busbey | Hoffman | Sanborn |
| Butler | Jarman | Schwabe, Mo. |
| Byrnes, Wis. | Jennings | Schwabe, Okla. |
| Camp | Jensen | Scrivner |
| Cannon | Johnson, Ill. | Sikes |
| Carson | Johnson, Ind. | Simpson, Ill. |
| Chapman | Jones, Ala. | Smith, Kans. |
| Chelf | Jonkman | Smith, Ohio |
| Chenoweth | Kee | Smith, Va. |
| Chiperfield | Kerr | Smith, Wis. |
| Church | Kilday | Spence |
| Clevenger | Lanham | Stanley |
| Cole, Mo. | Larcade | Stefan |
| Colmer | Lea | Stockman |
| Cooley | Lewis, Ohio | Stratton |
| Cooper | Lucas | Teague |
| Coudert | McCowen | Thomas, Tex |
| Courtney | McMillan, S. C. | Thompson |
| Cravens | McMillen, Ill. | Twyman |
| Davis, Ga. | Mahon | Vail |
| Davis, Tenn. | Manasco | Vinson |
| Domengeaux | Martin, Iowa | Weichel |
| Dorn | Mason | Wheeler |
| Eberharter | Meyer | Whitten |
| Elliott | Miller, Md. | Whittington |
| Elston | Mills | Williams |
| Evins | Morris | Wilson, Tex. |
| Fisher | Morrison | Winstead |
| Flannagan | Murdock | Wood |
| Folger | Murray, Tenn. | Woodruff |
| Forand | Nicholson | |

NAYS—182

| | | |
|---|---|---|
| Albert | Gross | Mathews |
| Allen, Calif. | Hale | Meade, Md. |
| Andrews, N. Y. | Hall, Edwin Arthur | Merrow |
| | | Michener |
| Angell | Hall, Leonard W. | Miller, Conn. |
| Arnold | | Miller, Nebr. |
| Auchincloss | Halleck | Mitchell |
| Bakewell | Hand | Monroney |
| Banta | Hart | Morgan |
| Barrett | Hays | Muhlenberg |
| Bates, Mass. | Herter | Nixon |
| Beall | Heselton | Nodar |
| Bennett, Mich. | Hinshaw | Norton |
| Bennett, Mo. | Holmes | O'Brien |
| Blackney | Hope | Patterson |
| Blatnik | Horan | Philbin |
| Bloom | Huber | Phillips, Calif. |
| Boggs, Del. | Hull | Plumley |
| Boggs, La. | Isacson | Potter |
| Brophy | Jackson, Calif. | Potts |
| Buchanan | Jackson, Wash. | Powell |
| Buck | Javits | Price, Ill. |
| Buffett | Jenkins, Ohio | Ramey |
| Canfield | Johnson, Calif. | Reed, Ill. |
| Carroll | Jones, Wash. | Rees |
| Case, N. J. | Judd | Reeves |
| Case, S. Dak. | Karsten, Mo. | Riehlman |
| Chadwick | Kean | Rockwell |
| Clason | Kearney | Rogers, Mass. |
| Coffin | Kearns | Ross |
| Cole, N. Y. | Keating | Russell |
| Corbett | Keefe | Sabath |
| Crosser | Kelley | Sadlak |
| Crow | Kennedy | Sadowski |
| Curtis | Keogh | St. George |
| Dague | Kilburn | Sarbacher |
| Davis, Wis. | Kirwan | Sasscer |
| Dawson, Utah | Klein | Scott, Hugh D., Jr. |
| Deane | Knutson | |
| Delaney | Kunkel | Seely-Brown |
| D'Ewart | Latham | Shafer |
| Dingell | LeCompte | Simpson, Pa. |
| Dirksen | LeFevre | Smathers |
| Dondero | Lemke | Snyder |
| Donohue | Lesinski | Stevenson |
| Douglas | Lichtenwalter | Sundstrom |
| Eaton | Lodge | Taber |
| Ellsworth | Love | Talle |
| Elsaesser | McConnell | Tibbott |
| Fallon | McCormack | Tollefson |
| Feighan | McCulloch | Towe |
| Fenton | McDonough | Van Zandt |
| Fletcher | McGarvey | Vorys |
| Fogarty | McGregor | Vursell |
| Foote | McMahon | Wadsworth |
| Fulton | Mack | Welch |
| Gamble | MacKinnon | Wigglesworth |
| Gary | Macy | Wilson, Ind. |
| Gavin | Madden | Wolcott |
| Gearhart | Maloney | Wolverton |
| Goodwin | Mansfield | Youngblood |
| Gordon | Marcantonio | |
| Graham | | |

NOT VOTING—86

| | | |
|---|---|---|
| Allen, Ill. | Gallagher | Morton |
| Anderson, Calif. | Gathings | Multer |
| Andresen, August H. | Gorski | Mundt |
| | Granger | Murray, Wis. |
| Arends | Grant, Ind. | O'Hara |
| Bell | Gwinn, N. Y. | O'Toole |
| Bender | Gwynne, Iowa | Owens |
| Buckley | Harless, Ariz. | Peden |
| Bulwinkle | Hartley | Pfeifer |
| Byrne, N. Y. | Heffernan | Poulson |
| Celler | Holifield | Price, Fla. |
| Clark | Jenison | Rayburn |
| Clippinger | Jenkins, Pa. | Rivers |
| Cole, Kans. | Johnson, Okla. | Robertson |
| Combs | Johnson, Tex. | Rooney |
| Cotton | Jones, N. C. | Scoblick |
| Cox | Kefauver | Scott, Hardie |
| Crawford | Kersten, Wis. | Sheppard |
| Cunningham | King | Short |
| Dawson, Ill. | Landis | Smith, Maine |
| Devitt | Lane | Somers |
| Dolliver | Lewis, Ky. | Stigler |
| Doughton | Ludlow | Taylor |
| Durham | Lusk | Thomas, N. J. |
| Ellis | Lyle | Trimble |
| Engel, Mich. | Lynch | Walter |
| Engle, Calif. | McDowell | West |
| Fellows | Meade, Ky. | Whitaker |
| Fernandez | Miller, Calif. | Worley |

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Whitaker for, with Mr. Harless of Arizona against.

Mr. Cox for, with Mr. Jenkins of Pennsylvania against.

Mr. Worley for, with Mr. Jenison against.

Mr. Owens for, with Mrs. Smith of Maine against.

Mr. Fellows for, with Mr. Bender against.

Mr. Rivers for, with Mr. Kefauver against.

Mr. Jones of North Carolina for, with Mr. Devitt against.

Mr. Gathings for, with Mr. King against.

Mr. Clark for, with Mr. August H. Andresen against.

Mr. Peden for, with Mr. Pfeifer against.

Mr. Price of Florida for, with Mr. Heffernan against.

General pairs until further notice:

Mr. Allen of Illinois with Mr. Byrne of New York.

Mr. Cole of Kansas with Mr. Lane.

Mr. Arends with Mr. Miller of California.

Mr. Anderson of California with Mr. Celler.

Mr. Hardie Scott with Mr. Engle of California.

Mr. Short with Mr. Dawson of Illinois.

Mr. Thomas of New Jersey with Mr. Gorski.

Mr. O'Hara with Mr. Sheppard.

Mr. Morton with Mr. Rooney.

Mr. Hartley with Mr. Buckley.

Mr. Gwynne of Iowa with Mr. Holifield.

Mr. Cotton with Mr. Johnson of Oklahoma.

Mr. Gwinn of New York with Mr. Bell.

Mr. Landis with Mr. Johnson of Texas.

Mr. Meade of Kentucky with Mr. Fernandez.

Mr. Mundt with Mr. Durham.

Mr. Taylor with Mr. Granger.

Mr. Grant of Indiana with Mr. Multer.

Mr. Engel of Michigan with Mr. Trimble.

Mr. WEICHEL changed his vote from "no" to "aye."

Mr. ALBERT changed his vote from "aye" to "no."

Mr. GATHINGS. Mr. Speaker, I was in the Chamber about the middle of the first roll call, went to answer the telephone, and on returning to the floor the Clerk had passed my name. I do not qualify.

The SPEAKER pro tempore. As the Chair understands it the gentleman was not present, did not vote, and cannot qualify by reason of the circumstances?

Mr. GATHINGS. I was not inside the Chamber when my name was called.

The SPEAKER pro tempore. The gentleman does not qualify, and cannot be recorded.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The House automatically resolves itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6227.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6227, with Mr. CURTIS in the chair.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one of the sacred privileges that our Constitution gives to each and every one of our citizens is the privilege of voting. In civics class when I was in my first year of high school and studying the various subdivisions of this great Government, I well recall in going over the situation State by State we finally came to the District of Columbia. The question was asked, Do the citizens of the District of Columbia have the franchise. The answer, of course, was "No."

This created a question in my mind at the time that it was basically unfair to deprive well-nigh a million citizens of

this land the privilege of voting in the District of Columbia and when I came to Congress one of the things which I have stood for ever since I was first elected has been the principle of every citizen in the land, regardless of race, creed, or color, having the privilege according to the Constitution of the United States to vote and to vote for the candidate of his choice.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Oklahoma.

Mr. RIZLEY. Does the gentleman from New York believe in giving a citizen two votes—one in the District of Columbia and one in New York State?

Mr. EDWIN ARTHUR HALL. I suppose that could be classified as a facetious question.

Mr. RIZLEY. Oh, no.

Mr. EDWIN ARTHUR HALL. If he wants to vote back home it is perfectly all right, but I presume that every citizen of the land should be qualified to vote where his residence is. For this reason I am going to continue the stand I have taken for the question of home rule for the District of Columbia. I was on the floor and spoke in favor of this bill last year when it came up. There is nothing to be lost by passing this bill so that the people of the District of Columbia can decide for themselves whether or not they want to adopt home rule. I do not think there will be any question in their minds as to whether to give themselves the franchise or disfranchise themselves. I think they will choose the opportunity to be represented by their votes.

Mr. Chairman, this goes much deeper than just the idea of home rule for the District of Columbia. It seems to me it is the fundamental premise upon which the whole American system is founded. It embraces the idea of the ability and the privilege of every citizen of the land having the power to express himself and to decide what position he shall take so far as the general fundamental policies of his Government are concerned.

I confess that I was ignorant of the history of the District of Columbia. We learn something every day, they say. When the gentleman from Illinois pointed out yesterday that up until 1878 the District had a franchise, I did not realize that home rule existed until that time. I am sorry that they ever took it away. I believe the time has come to restore it so that no section of this great land will be without the power of the ballot.

If we criticize what goes on behind the iron curtain, if we are to impress the peoples of Europe and Asia who have been downtrodden under the heels of the aggressors and the tyrants for centuries, groping in darkness for the light, it seems to me that we must not let any section of this land proceed as the District of Columbia has for so many years. They must have the right to govern themselves, to have the privilege of the ballot so that constitutional government shall prevail.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mrs. NORTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, since I first came to Congress in 1924, one of my major interests has been the promotion of sound municipal government for the Capital City of the Nation. As a new Member, my first assignment was to the District of Columbia Committee. From 1930 to 1937 I served as chairman of that committee. During this 6-year period there was scarcely a phase of our national municipal government—education, hospitals, highways, police and fire protection—which was not a matter of my daily life and official concern.

Throughout this period our committee, which always included a number of conscientious members, sponsored legislation which made noteworthy reform in the District. But one of our great handicaps was that Congress, by the very nature of things, being immersed in national and international problems, always regarded the municipal problems of the District as secondary. Frequently on District Day the calendars were so long that worth-while legislation which had been the subject of careful consideration in committee, had to be shelved because of an unexpected controversy over some minor bill.

One of the conclusions which I drew from this experience was that Congress should delegate more of its power with respect to the local government of the District. For that reason, I have always favored legislation which would relieve Congress of various bills of purely local nature and yet assure to the people of the Nation that Congress had not abdicated its responsibility of seeing to it that the affairs of our national city should be well run. The essence of any such delegation of power requires that the residents of the District should be willing and prepared to take on such responsibility.

In my own thinking about the matter therefore, I have fe't that any legislation designed to accomplish this result should meet three standards:

First. Machinery which would ascertain whether or not the residents of the District wished to share the responsibility for municipal government.

Second. A municipal charter patterned after the most successful experience of American cities.

Third. The reservation of the right of Congress to review major policy decisions affecting the concern of the whole Nation in the District of Columbia affairs.

In my judgment this bill, H. R. 6227, would satisfy these tests.

I welcome this opportunity to speak in support of this worth-while piece of legislation. With all due candor, there are few of us, not members of the District Committee, who can say that we have not looked upon District Day as a day when we could well afford to be absent from the floor to attend to other business. Seventy-four years ago Congress established a territorial form of government for the District of Columbia as a temporary expedient, and this temporary expedient is still with us today. Seventy-four years ago Congress did not have the multitudinous duties that it has today and it could serve adequately as a local legislature for the District of Columbia. I need hardly tell you that today we cannot so serve.

As the needs of the Nation have become more complex, so have the needs of the District of Columbia. Seventy-four years ago Washington had approximately 170,000 residents. Today the population is approaching one million, and the District matters on which the Congress has had to legislate have multiplied proportionately. Today we must spend a great deal of time on local matters, time we can ill afford to take from matters of more general application, and, as a consequence, both local and national issues often suffer from our attempts to serve two masters, the electorate of the Nation and the residents of the District of Columbia.

In that connection I recall the case of Oscar Keller, of Minnesota, a Republican, who was a very active and conscientious member of the District Committee, a man who could always be depended upon to carry out assignments given to him on the committee. He was defeated in Congress and he told me that his opponent had defeated him on the issue that he had spent more time on the District of Columbia program than he had in serving his own district. Of course, this was not true but the argument used very cleverly had the effect of defeating him.

A very important result of the passage of this bill would be that it would bring a measure of democracy to the only corner of our country where democracy in local matters does not exist today. A young friend of mine who was born here in Washington told me recently that he was stationed in Paris in 1945 when the women of France were given a vote for the first time in history. He was amazed at the morale boost that the act of voting gave to a people who had suffered the privations of a long war, but not nearly so amazed as were the French people to discover that this soldier, an American citizen 30 years of age, had never had the right to vote for anything.

We are currently spending billions of dollars abroad to speed European recovery and demonstrate that democracy is the best form of government for the people of the world. I have given my wholehearted support to this program and shall continue to do so. However, I suggest that we are being little hypocritical in preaching democracy abroad without first practicing democracy in the Capital of our own Nation.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that all debate on title I and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

TITLE II—INCORPORATION OF THE DISTRICT OF COLUMBIA

INCORPORATION OF THE DISTRICT OF COLUMBIA

SEC. 201. The inhabitants of the territory within the District of Columbia are hereby incorporated and declared to be a body politic and corporate in perpetuity for governmental purposes under the name of "District of Columbia," and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and

corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia (D. C. Code, 1940 ed., sec. 1–102). So far as is consistent with the provisions of this act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

Mr. MONRONEY. Mr. Chairman, I move to strike out the last word.

Mr. MONRONEY. Mr. Chairman, I want at this time to pay my respects and compliments to the subcommittee and its distinguished chairman the gentleman from New Jersey, Representative AUCHINCLOSS, as well as the full Committee on the District of Columbia for bringing such a carefully studied and considered bill to the floor of the House.

I have been particularly interested in self-rule for the District of Columbia since the time that I served on the Committee on the Reorganization of Congress. I must admit in my early days in Congress I had adopted many of the arguments I have heard on the floor against home rule for the District.

But in studying ways and means to try to lift the terrific and ever-increasing work-load that has come upon the Congress, I came to the conclusion that we must find ways of decreasing nonessential legislative load on the Congress. That has been my principal interest in trying to give self-rule to the District of Columbia. I simply do not feel that with our present work-load we can accept and fulfill the job of being city council for the District of Columbia.

I grant you that we can make all kinds of arguments for the right of people living in the Nation's Capital to have some degree of self-rule, and the right to exercise the franchise. These are minimum rights of citizenship.

But as a Member of Congress, I would like to urge upon you, as Members of Congress, to dispense and dispose of the terrific job that the government of the District of Columbia entails upon the membership of the House. For 1 day every 2 weeks our action on the floor must be devoted to District of Columbia legislation. I feel that if this plan works as the framers of this charter have planned, we will be able to dispense with a great deal, if not virtually all, of this detailed job of legislating for the District.

I feel that we will save much time of many Members who now devote long and tiresome hours on the committee to handle the affairs of the District of Columbia.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. ABERNETHY. Is it not a fact under this bill that any legislative proposal of the city council will have to come right back to the Congress and go through the mill in the usual way as it would have to go through if there were no city council?

Mr. MONRONEY. I do not quite agree with the gentleman, because in practice I think that when this has been well established and has proven its worth you will have a merely supervisory committee which will take proposed legislation and authorize it merely in order to comply with the constitutional requirement, and that the proposals will go through the Congress without long debate. Furthermore, there will be more time for the consideration of these local measures, because they will first be carefully screened by a group elected by the people of the District, testimony taken, and legislation shaped up.

I have been disappointed, as I know you Members have, to sit here on the floor of the House and see appropriations for the District of Columbia amounting to many, many millions of dollars with less than four or eight Members here considering that legislation.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. HARRIS. The gentleman does not contend that this bill takes away the authority and responsibility of the Congress for making appropriations for the District of Columbia, does he?

Mr. MONRONEY. What I am saying is that you will have these proposals carefully screened by an elected group and that it will be reviewable by the Congress. These matters will have the consideration of the people's representatives, and they will be heard by their representatives and not only by Members representing absentee government.

Mr. HARRIS. But is the gentleman telling the Members of the Congress that the Committee on Appropriations of the Congress is not going to have the continued responsibility of making appropriations from year to year?

Mr. MONRONEY. I certainly am not telling the gentleman that, but I am telling him that you will have these proposals carefully reviewed by elected officials of the District of Columbia, and that the work of the Congress will be materially lessened. I think it is highly important that if we are going to lighten the work of the Congress you are going to have to cut down on this extraneous work. When we had the British loan before the Congress, which was one of the most important items considered by the last Congress, we had to cut out one entire day of debate while the House considered a District measure to decide whether rockfish, I believe it was, 10 or 12 inches long should be allowed to be sold in the District of Columbia.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. ABERNETHY. Is it not a fact that under this bill you will go through the same process?

Mr. MONRONEY. If the Congress wishes to completely distrust the legislative body elected by the people, yes. But I say, if we believe in democracy, if we believe in the right of the people to have elected officials of their own choice, then the time has come to give the people of the Nation's Capital some chance to exercise that right.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. MONRONEY] has expired.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. HARRIS. I did this for the purpose of trying to clarify what the bill actually does toward relieving the responsibility of Members of Congress. Is it not a fact that this bill provides that any legislation proposed by the elected city council shall go before the joint committee as provided in this bill, and the joint committee must act, and whatever action that committee takes with reference to legislation must be considered by this House, the same as it is today?

Mr. MONRONEY. I disagree with the gentleman in his statement, "the same as it is today," because this Congress having voted self-rule to the District of Columbia, having respect for the elected representatives of the people of the District of Columbia, is not going to be considering this legislation de novo; not going to be considering it on the basis that it has not met the test of fire of the people that are being represented. It will relieve the Congress of 80 or 90 percent of the onerous job of legislating through an absentee government for the 800,000 or 1,000,000 people in the District of Columbia.

Mr. HARRIS. The gentleman has read the bill, I suppose?

Mr. MONRONEY. I have read the bill.

Mr. HARRIS. He has read the provision as to the requirements of the city council, and as to the joint committee?

Mr. MONRONEY. Yes.

Mr. HARRIS. The gentleman still contends that the Congress will be relieved of that responsibility?

Mr. MONRONEY. I contend that the Congress will accept its delegation to the elected city council to originate, screen, and pass its ordinances, and that our job will be minimized to a very great degree.

I heard Members yesterday take this floor and talk against the right of self-government on this side of the Potomac River and assume that the people who live on the west side of the river are able to govern themselves.

I cannot square that with my thought. I cannot square that with the fact that every little village in my district and in the gentleman's district is able to handle its municipal affairs without getting them all gummed up and confused or tied up in corruption or other problems.

If we believe in democracy down to the lower levels for other municipal governments, then we should believe in it for the people of the Nation's Capital.

If this experiment in self-government should go wrong, the Congress can correct it at two levels. One, in their double check on the legislation of the city council; and, second, this entire bill, if the whole thing goes bad, can be re-

pealed, and the present archaic, topsy-turvy system can be reestablished.

There are no other municipal governments in this country that have these additional safeguards.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that all debate on this title, and all amendments thereto, do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. HARRIS. Mr. Chairman, reserving the right to object, I notice the gentleman from Michigan [Mr. HOFFMAN] has been on his feet for some time. Perhaps there are others. I think they should be permitted to express themselves.

Mr. DIRKSEN. This is a rather short title.

Mr. HARRIS. The other was a short title, too, and there will be other short titles.

Mr. DIRKSEN. I have indicated to the gentleman from Michigan that there would be abundant opportunity for him to get time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

TITLE III—JOINT COMMITTEE ON THE DISTRICT OF COLUMBIA

CREATION AND FUNCTIONS

SEC. 301. (a) There is hereby created a joint congressional committee known as the Joint Committee on the District of Columbia (referred to in this act as the "joint committee"), to be composed of (1) 16 members as follows: 7 members who are Members of the Senate (of whom 1 shall be a member of the Committee on Appropriations of the Senate) to be elected by the Senate, and 9 members who are Members of the House of Representatives (of whom 2 shall be members of the Committee on Appropriations of the House of Representatives) to be elected by the House of Representatives, and (2) an additional member who shall be the Delegate from the District of Columbia. Such Delegate shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider.

(b) (1) Except as provided in paragraph (2) of this subsection, no person who, at the time of his election to the joint committee, is a member of the Committee on Appropriations of the Senate or of the House of Representatives shall continue to serve as a member of the joint committee after he has ceased to be a member of such Committee on Appropriations.

(2) The members of the joint committee elected by the House of Representatives who have been reelected to the House of Representatives may continue to serve as members of the joint committee notwithstanding the expiration of the Congress.

A vacancy in the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as the original selection.

(d) The joint committee, or any subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena (to be issued under the signature of the chairman or any member designated by him) or otherwise, the attendance of such witnesses and the production of such books, papers, documents, and tangible things, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this subsection.

(e) (1) There shall be an executive officer of the joint committee who shall be appointed by a majority vote of the joint committee on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; but the joint committee is authorized to terminate, by a majority vote of the committee, the services of such executive officer. The executive officer shall perform such duties as are assigned to him by this act and such other duties as may be assigned to him by the chairman of the joint committee with the approval of the joint committee. The executive officer shall not engage in any work other than committee business and no other duties may be assigned to him. The executive officer shall receive compensation at the basic rate of $8,000 per annum.

(2) The joint committee shall have power to appoint and fix the compensation of such experts and such clerical, stenographic, and other assistants as it deems advisable.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: Page 10, line 2, strike out "16" and insert "24."

Page 10, line 3, strike out "7" and insert "11."

Page 10, line 6, strike out "9" and insert "13."

Page 11, after line 2 add a new subsection as follows:

"(c) A majority of the individuals (other than the Delegate from the District of Columbia) then serving as members of the joint committee shall constitute a quorum of the joint committee.

The committee amendments were agreed to.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: Strike out all of title III.

Mr. ABERNETHY. Mr. Chairman, the purpose of this amendment is to strike out title III, which would have the effect of continuing the two District committees.

I would like to call attention to the fact that when the resolution was adopted last year authorizing the House District Committee to make this study and investigation, the committee was empowered and directed to do two things only. One, to provide for a system of home rule, and, two, to reorganize the District Government.

The committee was not given the authority in the resolution to change or even recommend a change in the rules of the House. It was because of this particular title in the bill, as well as several others, that a rule was requested waiving points of order on the bill, otherwise this particular title, as I am informed, would have been subject to a point of order. This title definitely invades the functions of the Rules Committee of the House. You will recall that on yesterday the gentleman from Virginia [Mr. SMITH], in discussing the rule, called attention to the fact that this is one of the things which you would want to study in the consideration of this bill.

Candidly, I really do not know whether it would be advisable to set up a joint committee in the Congress for the District of Columbia. I do say, however, that if it is advisable to establish a joint committee for the District of Columbia, then I see no reason why it would not be just as advisable to establish a joint committee for agriculture or labor or education or commerce.

I just like the idea of making haste slowly. The object of the joint committee is to accelerate and expedite legislation through the Congress; in other words, one committee and one committee only will consider a legislative proposal submitted by the District Council, or a legislative bill offered by a Member of the Congress, whether he be in the Senate or in the House. A legislative proposal offered by a Member of the Senate or the House will be referred to a joint committee of the two Houses. It will not go through the processes that we exercised today; that is, through the House committee, then the House, then the Senate committee, and then the Senate, or vice versa, if the legislation originates in the Senate.

Now, this is a far-reaching title. It changes entirely the legislative processes which have been standardized over the years. Maybe it will be all right, but I fear it will not. It constitutes such a material change in the rules of the House and the Senate that it ought to be further studied by the Committee on Rules.

Mr. HORAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Illinois.

Mr. DIRKSEN. In answer to the gentleman from Mississippi, in the first place, there is precedent for a joint committee with legislative authority because today we have the Joint Atomic Energy Committee, and it is working very well. In the second place, the joint committee in this title has been carefully examined by the legislative counsel and the parliamentarians of both the House and the Senate have been consulted thereon. In the third place, the Senate Committee on Expenditures has unanimously voted out a bill to set up a joint District committee. In the fourth place, I might add that almost all of the important policy work we have done for the District of Columbia for the last year and this year has been worked out by committees jointly with the Senate. So, there is abundant reason for the joint committee proposed in the bill, and the amendment therefore should be voted down.

Mr. HORAN. Mr. Chairman, I think the Congress is indebted to the gentleman from Mississippi, however, for posing an amendment that brings up the very nub of this thing, and that is the relationship of this Federal Congress

made up today of the Representatives and Senators of the 48 States and the residents who live within the environs of this Nation's Capital. Never before in history did a young nation propose to establish a seat of government, and since that time we have tried to maintain that as a Federal reservation. It was not too difficult in the beginning because the people came here for short periods of time. As late as 1846, when we ceded Arlington and Fairfax Counties back to the State of Virginia, the statement was made on this floor that, "surely we would never need those counties because the population of the District of Columbia is today 60,000, and it beggars imagination to think that it can ever be more than double that." So we did cede it back. But today we have in the environs of what should be in the District of Columbia about a million and a third population. Our municipal problems have grown by leaps and bounds. The filled galleries and the filled streets and the traffic jams that you gentlemen run into are part and parcel of a responsibility and a job that we cannot escape. Believe me, from the vantage point of being chairman of the subcommittee on appropriations for the District of Columbia, this Nation's Capital, I run smack dab into them, and I am frank with you that I want help within the constitutional boundaries. So in replying to and opposing the amendment offered by my dear friend, the gentleman from Mississippi, I should like to ask the chairman of this committee certain pertinent questions.

The first is, would Congress relinquish its authority over the District of Columbia?

Mr. DIRKSEN. The answer is definitely "No."

Mr. HORAN. Would the same end-controls that we now have be retained?

Mr. DIRKSEN. Yes; they would.

Mr. HORAN. There would be no change?

Mr. DIRKSEN. No change.

Mr. HORAN. What would the duties of this joint standing committee of Congress be?

Mr. DIRKSEN. I can express it best this way: The ordinance powers, the making of ordinances, would be in the District council. That council would also have authority to propose general legislation. After it had been screened at the local level, it would come up here. Most of the background work and screening work would have been done. Then it would be the function of the joint committee to consider the proposal, and if it approved, to report out a joint resolution. The right of any Member to introduce legislation relating to the District of Columbia is not impaired, but the proposed procedure would certainly streamline that process. It would make for better screening and greater efficiency. It would also substitute the 25 members of the new joint District Committee who would devote time to the District of Columbia for the 52 who now do so in both the House and the Senate.

Mr. HORAN. In addition, I suppose we must bear in mind always that in the matter of the government of the District of Columbia we are dealing not with a Federal government but with a local municipality in many ways.

Mr. DIRKSEN. That is right.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Would the bill end what I think is the most serious charge that exists today, that there is taxation here without representation?

Mr. DIRKSEN. I believe it would to a very considerable extent. That charge has been made ever since I have been a Member of Congress, and it is not without foundation.

Mr. HORAN. How would the bill correct this?

Mr. DIRKSEN. By allowing the elected District Council to initiate local tax bills. It provides a home-rule system whereby their own tax moneys are appropriated by the city council. They have representation on their council that has all local ordinance powers, including, of course, the appropriating of their own funds and the disbursement of those funds.

Mr. HORAN. What changes would be made in the preparation of the District budget as we do it today?

Mr. DIRKSEN. The budget would be formulated and adopted by the District Council with the aid of the District manager. They would appropriate their own funds. The essential difference, which is a matter that ought to be kept fairly in mind, is that they would have no authority over the amount of money that Congress would appropriate in the form of a Federal payment by the formula that is set out in the present bill, namely, 14 percent of the general revenues of the District of Columbia, not to exceed, however, $15,000,000. Over that, of course, we always maintain control. But at the local level, so far as their own appropriations are concerned, they would have a plenary voice.

Mr. HORAN. How would that contribution be arrived at?

Mr. DIRKSEN. The formula is expressed in the bill and is 14 percent of the general local revenues, but not to exceed $15,000,000. Incidentally, I might say that that would work out pretty nearly at the level at which we make the Federal contribution today, or perhaps a little more.

Mr. HORAN. In my work on the Subcommitee on Appropriations for the District of Columbia, we have stressed the use of budget officers. Obviously neither the joint committee nor any subcommittee of the House Committee on Appropriations can control the administration except through the support and backing up of budget officers and auditors in the various administrations who recognize and respect the intent of Congress. That we have tried religiously to do with regard to the District government. I believe that the assertion that today we have a good government is partly due to the fact that we have good personnel in the District government such as the budget officer, Walter Fowler, and our auditor, Mr. Pilkerton. I want to know how the amounts would be controlled under this bill.

Mr. DIRKSEN. There would be no essential difference in principle from what takes place at the present time. There is provision for auditing and also for post-auditing.

Mr. HORAN. I notice the bill carries a new department called the Director of Finance. I mention this because while it is not pertinent and is not in the title that we are now considering, it is part of our relationship with the people of the District of Columbia. What are the duties of the Director of Finance?

Mr. DIRKSEN. All those officers with which the gentleman from Washington is familiar now, namely, the auditor, the assessor, the collector's office, and all those in any way connected with the financial operations of the District of Columbia at the present time would be consolidated in this new Department of Finance under a responsible head.

Mr. HORAN. In addition to that, I suppose this would give the people of the District of Columbia the right that every other municipality has and exercises, namely, the right to borrow money?

Mr. DIRKSEN. That is correct.

Mr. HORAN. What are the safeguards, so far as the borrowing of money is concerned?

Mr. DIRKSEN. First, there is a percentage limitation as to the amount that they can borrow in relation to the assessed value of property in the District of Columbia, which I believe is 3 percent, and the over-all amount that may be borrowed, I think, is around $48,000,000. But it follows in essence, of course, the same safeguards found in the constitutions of a good many States and also in the budgetary systems of larger cities in the country. Moreover, the incurrence of debt would require the approval of three-fourths of the Council, of Congress by joint resolution, and of a majority vote in a popular referendum.

Mr. HORAN. Might I say, in conclusion, in reply to what I think is a very valid point made by the gentleman from Mississippi, that until about 25 years ago it was the practice of the congressional committees, as I understand it, to append riders to their policy bills and appropriate certain amounts of moneys. But it was found that certain committees, because of their position or leadership, got an unfair advantage, and that was the reason, as I understand it, for the creation of a separate committee to appropriate money to implement policy bills brought in by other committees of the Congress. I have studied that quite fully because in the matter of local government I feel that that responsibility should be embodied in one committee. For instance, I know something of the real needs of the District of Columbia. I want to tell you that 40-hour-week laws and wage boosts voted by this Congress have in 3 years increased the budget of the District of Columbia better than $20,000,000.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed for an additional minute.

There was no objection.

Mr. HORAN. That being true, this Congress has a dual responsibility with regard to the local people of the District of Columbia—that is, if our actions add burdens to the people of the District of Columbia, we should implement and facilitate every means of equalizing, if for no other reason, the effect of our work.

I trust that the amendment will be voted down. I have no particular affection for any other section of this bill than that of fiscal affairs, but I trust we will have more light than heat as we propose amendments and get this bill through the Congress.

I trust that finally it will be passed.

The CHAIRMAN. The time of the gentleman from Washington [Mr. HORAN] has again expired.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the colloquy that we have just listened to, to my mind is a clear example of just how confused this whole problem is. It is a rather unusual situation when we find very able men in this Congress who will come before you and argue one thing, as the gentleman from Oklahoma [Mr. MONRONEY] did a moment ago, in pressing for his viewpoint that it will relieve Members of Congress of a great responsibility and the overburden brought on by the District of Columbia business. He argues that the reason this bill should prevail is because it would delegate this work to someone else, and let them do it and take that burden from our shoulders. Then, the gentleman from Washington [Mr. HORAN] asks the chairman of the committee in just what sense will the fiscal affairs, insofar as legislation and administration of this bill is concerned, relieve that situation, and he answered him, if I remember correctly, "Not substantially different from what it is today."

Mr. DIRKSEN. I am sure that was not the purport of the question.

Mr. HARRIS. I yield to the gentleman for such explanation as he may desire to make.

Mr. DIRKSEN. The question of the gentleman from Washington was, What did we do as far as the financial agencies of the District of Columbia are concerned? and the answer was simply that we have taken the assessor's office, the collector's office, the budget office, and all the others, and put them under one head, instead of letting them roam around as separate offices in a great wilderness, consisting of some 70 agencies. We have placed them under one responsible head. That is the same as they do in every responsible city that I know anything about.

Mr. HARRIS. All right. Now we have had the gentleman's explanation. But I say the gentleman from Washington [Mr. HORAN] asked the gentleman from Illinois, chairman of this committee, just what authority does this bill delegate to the city council and what responsibility remained in the Congress, and what was the gentleman's answer? I will let him answer.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. HORAN. At present we have to go into every detail of all the appropriations that are made with strictly District of Columbia funds. They have to be covered into the Treasury and appropriated out by us in detail. This bill relieves the Congress of that detail.

Mr. HARRIS. The gentleman misses the point. He preceded that colloquy with another question. The gentleman said, "Does this in any way take from the Congress authority for the affairs of the District of Columbia?"

The gentleman rose and said, "Definitely not."

Then, the gentleman asked him another question: "Does this reserve the authority in Congress to determine these matters finally?" And he said, "Definitely it does."

The gentleman then asked him just how differently, under this bill, would the affairs of financing and budget and appropriations be, insofar as the Congress is concerned; and, as I recall the gentleman's answer, he said, "Not substantially different from what it is today."

Mr. DIRKSEN. Frankly, that observation is not correct. I think I stated this, that we start with the District Council and the Ordinance Board. There is lodged the authority and the power to propose legislation to the joint committee for proposal to Congress. Now, all the screening work, all the detail work, all the background, all the research in the field of policy is done at that level. Then it comes to a joint committee of both Houses adequately implemented and needing no further screening and revision. If that is not timesaving and economical I do not know what is, I cannot say.

Mr. HARRIS. I should like to ask the gentleman who does the screening today.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Who does the screening today?

Mr. DIRKSEN. First of all there is a kind of perfunctory screening at the hands of the Commissioners to see if it is consonant with policy.

Mr. HARRIS. But does not the gentleman know that the Commissioners and the heads of the different departments of the municipal government do the screening initially?

Mr. DIRKSEN. Yes; but does not the gentleman from Arkansas know that no witnesses are called except in very rare instances to find out what the viewpoint of the people of the District of Columbia is and what their welfare may be? That is done by the Commissioners and the people have no voice in it whatsoever. That is what takes place and that is why we have to have so many hearings. There are six subcommittees taking testimony constantly, listening to witnesses; and it accounts for the fact that probably the subcommittee chairmaned by the gentleman from Washington [Mr. HORAN] will have taken testimony for 7 or 8 weeks, 5 and 6 days a week on purely local matters relating to purely local revenues and to things that are done with moneys derived from the District of Columbia. Then the same process must take place over the Senate side.

Mr. HARRIS. I cannot yield further. I should like to use a little of my own time if the gentleman will permit me.

I should like to ask the Members of the House if they believe for one moment that the Appropriations Committee is going to approve a budget for the District of Columbia on an annual basis of over $100,000,000? And do they think the committee is going to appropriate out of the Federal Treasury $15,000,000 as the Federal contribution to District expenses without the same careful screening and consideration? The gentleman knows that the gentleman from New York, chairman of the Appropriations Committee, is not going to permit a bill like that to come before this Congress appropriating that large sum of money without the same careful consideration and screening and hearings which are given now.

I say, Mr. Chairman, that the argument that the gentlemen have made here for this joint committee, in my opinion, should not be considered in the light that they are trying to submit it. They are talking about one committee, one joint legislative committee. Why was it that the Congress provided one legislative committee, the Atomic Energy Committee; the only one we have for a precedent in the history of this Congress? It was because of the secret nature of the activities of the committee dealing with problems that they necessarily had to keep secret.

Are you going to base the activity for the District of Columbia the same as you would the information of the Atomic Energy Committee? The first thing you know we will have joint committees set up all around here. Maybe it will be better; I do not know, I am not sure. I am not arguing that it should not be, but are we going to make joint committees out of the legislative committees? If so, let us do it and not start because in our enthusiasm we want to extend something to somebody where we can say to all the world: "Look at what we are doing. Look at what we are doing for democracy." I think with all due respect to those who are so ardently supporting this that the measure had better be sent back for further consideration in order that we can eliminate those provisions about which so many, including myself, argue seriously over the question of constitutionality, matters that will bring entangling legal issues, and that cannot be resolved in any district.

This matter does not affect the District of Columbia only, it certainly does not. The first thing you know you are going to have to set up a Joint Appropriations Committee, a Joint Tax Committee, a Legislative Committee, and other joint committees. If you are willing to do that I say all right, this is opening the door. You did not provide that in

the reorganization bill, did you? Why did you not do it there? Why did you not set up joint committees in the reorganization bill? Because neither the House nor the Senate would have even considered such a proposal.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. DIRKSEN. As a matter of fact, the special joint committee did include in the Legislative Reorganization Act of 1946 provision with respect to certain phases of this.

Mr. HARRIS. What committee?

Mr. DIRKSEN. As I remember, in the title that they originally carried in the bill with respect to the District of Columbia we provided for a joint committee.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the gentleman from Arkansas ought to be fair. The reference just now is to the Legislative Reorganization Act of 1946 that carries some seven or eight diversified titles. It is more than 2 years ago that we brought this in on the floor. Obviously the gentleman from Illinois could not be expected to carry all those items in his mind for a 2-year period even though he assumed one of the laboring oars on this matter along with the gentleman from Oklahoma [Mr. MONRONEY]. I am sure the gentleman will be fair and take that allusion out of the RECORD.

Mr. Chairman, where the gentleman makes a mistake is simply in this: The power over District funds is in the hands of the city council. It is given custody of those funds. With respect to the money we take out of the Federal Treasury under the fiscal formula, obviously Congress must have control if we are going to meet the test of constitutionality. And how strangely the question of constitutionality is on one side, then on the other. All the while we have been contending, and I think rightly so, that we remain within the framework of the Constitution in accomplishing not only the fiscal aspects of this bill but all others.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The amendment was rejected.

The Clerk read as follows:

CHAIRMANSHIP

SEC. 302. The chairman of the joint committee shall be elected by the committee from among the members of one House serving thereon, and the vice chairman shall be elected by the committee from among the members of the other House serving thereon. Until the beginning of the Eighty-second Congress the chairman shall be a Member of the House of Representatives. Thereafter, during each even-numbered Congress the chairman shall be a Member of the Senate and during each odd-numbered Congress the chairman shall be a Member of the House of Representatives.

DUTIES IN RELATION TO THE DISTRICT

SEC. 303. The joint committee shall make continuing studies and investigations of the government of the District and the conduct of its affairs. For such purposes the joint committee or any member or representative thereof designated by the committee shall have access to all buildings and other places, books, papers, documents, and tangible things, owned by or under the control of the District. The joint committee shall from time to time report the results of its studies and investigations, together with its recommendations, to the Senate and to the House of Representatives.

RULES OF THE SENATE AND HOUSE

SEC. 304. (a) The provisions of this section are enacted by the Congress—

(1) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) All bills, resolutions, and other matters in the Senate and House of Representatives, relating to the District, shall be referred to the Joint Committee on the District of Columbia. Bills, resolutions, and other matters so referred shall not be reported to the Senate or to the House of Representatives by the joint committee as such or as a result of any vote in the joint committee as such; but members of the joint committee who are Members of the Senate shall from time to time report to the Senate, and members of the joint committee who are Members of the House of Representatives shall from time to time report to the House, together with their recommendations, bills, resolutions, or other matters within the jurisdiction of their respective Houses which are referred to the joint committee. Any such action by the Senate members or by the House members shall be taken only if approved by a majority vote of a quorum of such respective group of members, a quorum in the case of each group being a majority of the members thereof then serving as members of the joint committee.

(c) Rule XXV (1) of the Standing Rules of the Senate is hereby amended by striking out paragraph (f) thereof.

(d) Rule XXV (4) of the Standing Rules of the Senate is hereby amended by striking out "of the Committee on the District of Columbia or."

(e) Rule XVI 6 (a) of the Standing Rules of the Senate is hereby amended by striking out "Committee on the District of Columbia—For the District of Columbia."

(f) Rule X (a) of the Rules of the House of Representatives is hereby amended by striking out "6. Committee on the District of Columbia, to consist of 25 Members."

(g) Rule X (b) (3) of the Rules of the House of Representatives is hereby amended by striking out "on the Committee on the District of Columbia or."

(h) Rule XI (1) of the Rules of the House of Representatives is hereby amended by striking out paragraph (f) thereof.

TITLE IV—DELEGATE TO CONGRESS

CREATION

SEC. 401. The people of the District shall be represented by a Delegate in the House of Representatives of the United States, to be elected as provided in title XV and to be designated "Delegate from the District of Columbia."

FUNCTIONS

SEC. 402. The Delegate from the District of Columbia shall have a seat in the House of Representatives, with the right of debate, but not of voting.

QUALIFICATIONS FOR HOLDING OFFICE

SEC. 403. No person shall hold the office of Delegate from the District of Columbia unless he (1) was qualified to vote for a candidate for such office in the election at which such person was elected, (2) resides and is domiciled in the District, (3) is a citizen of the United States, (4) has never been convicted of a felony in the United States or, if has been so convicted, has been pardoned, (5) is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) holds no other public office.

With the following committee amendment:

Page 16, line 15, strike out "and (6)" and insert "(6) is at least 25 years old, and."

The committee amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I offer a clarifying amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 16, line 13, after the word "if", insert "he."

The amendment was agreed to.

The Clerk read as follows:

CHANGES IN FEDERAL LAW

SEC. 404. (a) Subsections (a) and (b) of section 601 of the Legislative Reorganization Act of 1946, as amended, are hereby amended by striking out "from the Territories."

(b) Paragraph (10) of section 3A of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby amended by striking out "from a Territory."

(c) The second paragraph under the heading "House of Representatives" in the act of July 16, 1914 (U. S. C., 1946 edition, title 2, sec. 37) is hereby amended by striking out "from Territories."

(d) Paragraph (1) of section 302 of the Federal Corrupt Practices Act, 1925, as amended, is hereby amended by inserting after "United States" the following: "and the District of Columbia."

(e) Section 1 of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, is hereby amended by inserting after "insular possessions" the following: "or the District of Columbia." Section 2 of such act is hereby amended by inserting after "insular possession" the following: "or the District of Columbia."

Mr. HARRIS. Mr. Chairman, I move to strike out the last word. I do this for the purpose of asking the chairman of the committee to explain just how this amends the Corrupt Practices Act of 1925, referring to subparagraph (d) on page 17.

Mr. DIRKSEN. The District of Columbia is not presently included in the Federal Corrupt Practices Act, but would be included by virtue of the fact that you have an election here. That would be true also, I think, of subparagraph (e) with relation to the Hatch Act to curb pernicious political activity.

Mr. HARRIS. In other words, as I understand, when the Hatch Act was originally enacted, it excluded Federal employees in the District of Columbia.

Mr. DIRKSEN. But now, of course, in the preceding section, you will recall that we provide for the election of a Delegate here.

Mr. HARRIS. And, consequently, this brings the Federal employees of the District of Columbia under the Corrupt Practices Act and the so-called Hatch Act.

Mr. DIRKSEN. Yes; with respect to the election of a Delegate.

Mr. HARRIS. Yes, but not so insofar as the election of a member of the school board is concerned?

Mr. DIRKSEN. That is right.

Mr. HARRIS. What about the city council?

Mr. DIRKSEN. The same thing.

Mr. HARRIS. It would not apply, then, to that.

The Clerk read as follows:

TITLE V—THE DISTRICT COUNCIL

PART 1—CREATION OF DISTRICT COUNCIL

*Creation and membership*

SEC. 501. There is hereby created a Council of the District of Columbia (referred to in this act as the "District Council") consisting of 12 members elected as provided in title XV.

*Qualifications for holding office*

SEC. 502. No person shall hold the office of member of the District Council unless he (1) was a qualified elector with respect to the election at which he was elected, (2) resides and is domiciled in the District, (3) is a citizen of the United States, (4) has never been convicted of a felony in the United States or, if he has been so convicted, has been pardoned, (5) is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) holds no other elective public office and no appointive office for which compensation is provided out of District funds.

Mr. DIRKSEN. Mr. Chairman, I offer a clarifying amendment to section 502.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 18, line 4, after "if" insert "he."

The amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the remainder of title V be considered as read and open for amendment.

Mr. HARRIS. Mr. Chairman, I will have to object.

The Clerk read as follows:

*Compensation*

SEC. 503. (a) Each member of the District Council shall receive compensation at the rate of $3,000 per annum, payable in equal monthly installments.

(b) A member of the District Council duly acting as mayor shall be paid, in addition, all expenses incident to his duties of mayor, except that payments shall not aggregate more than $5,000 for expenses incurred in any one calendar year. Payments shall be made only upon expense vouchers certified by the mayor and audited and approved by the Director of the Department of Finance.

PART 2—PRINCIPAL FUNCTIONS OF THE DISTRICT COUNCIL

*Functions heretofore exercised by the Board of Commissioners*

SEC. 521. (a) Except as otherwise provided in this act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council.

(b) The Board of Commissioners of the District is hereby abolished.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. POWELL: Title V, after section 521, page 19, line 4, insert a new section entitled "Functions relating to civil rights."

"That within the District of Columbia any person, natural or corporate, who shall make any distinction, discrimination, or restriction on account of race, color, or creed or for any reason not sanctioned by law and not applicable alike to persons generally, in the admission of any person to, or the accommodation or service of any person in any place of public education, accommodation, resort, entertainment, or amusement, whether licensed or not, or any public conveyance, or any public meeting or assemblage, or who shall aid, incite, or cause the making of such distinction, discrimination, or restriction, shall for each such act or denial be liable to penalty of not less than $100 or more than $500, to be recovered by the person aggrieved thereby, or by his assignee, in a civil action in the municipal court of the District of Columbia; and shall also for every such offense be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia shall be punished by a fine of not less than $10 or more than $100, or by imprisonment for not less than 10 days or more than 100 days, or by both such fine and such imprisonment.

"SEC. 2. (a) Places of public education, accommodation, resort, entertainment, or amusement shall be deemed to include schools, hotels, restaurants, stores, or shops where foodstuffs, drinks, goods, or wares are sold or offered, advertised, or displayed for sale to the public, hospitals, clinics, theaters, motion-picture houses, concert halls, amusement parks, and public parks and public buildings under the jurisdiction of the national or municipal government: *Provided*, That the foregoing enumeration shall not be construed as limiting in any way the meaning of the general phrase 'places of public education, accommodations, resort, entertainment, or amusement.'

"(b) The publication of any order, notice, or advertisement reasonably calculated to prevent or discourage the patronage or custom of persons of any race, color, or creed, as well as the actual exclusion or segregation of or discrimination against any person on account of race, color, or creed shall be deemed an unlawful distinction, discrimination, and restriction within the meaning of this section. The production of any such order, notice, or advertisement purporting to be made by any person being the owner, lessee, operator, proprietor, manager, agent, or employee engaged in or exercising control over the operation of any public conveyance or any place of public education, accommodation, resort, entertainment, or amusement, shall be prima facie evidence in any civil or criminal action that the same was authorized and published by such person.

"(c) The provisions and requirements of this section shall bind and obligate every owner, lessee, operator, proprietor, manager, agent, and employee, whether natural person, corporation, or unincorporated association, engaged in or exercising control over the operation of any public conveyance or any place of public education, accommodation, resort, entertainment, or amusement: *Provided*, That whenever any agent or employee shall so exercise any function or employ any power with which he is charged or entrusted as to violate any provision of this section, both he and his principal or employer shall be held equally responsible and liable: *Provided further*, That the provisions of section 251 of chapter 9 of title 24 of the Code of the District of Columbia shall be applicable to the enforcement of the civil penalty provided in section 1 of this section wherever two or more persons shall be charged with legal responsibility for the act or denial complained of.

"(d) Nothing in this section shall be deemed to prohibit the providing of separate accommodations or facilities for persons of different sex.

"SEC. 3. The City Council of the District of the District of Columbia shall revoke any license issued pursuant to the provisions and requirements of part 9 of chapter 4 of title 20 of the Code of the District of Columbia whenever it shall have been judicially determined that the licensee or person operating or doing business under said license has violated this act in the course of such operation or business two times or more within any 12-month period. No similar license shall be issued to the offending person or for the use of the place where said violations shall have occurred for a period of 60 days following such revocation. The provisions of this section may be enforced by an action of mandamus filed against the said city council by any citizen of the District of Columbia.

"SEC. 4. The provisions of this section are hereby declared to be separable. If any provision of this section, or the application thereof to any person or circumstances, is held invalid, the remainder of the section, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"SEC. 5. This section may be cited as the 'Equal Rights Section of the District of Columbia.'"

Mr. DIRKSEN. Mr. Chairman, I regret that I must make a point of order against the amendment offered by the gentleman from New York. First of all the amendment is not germane to the bill. What we are seeking to do here is to set up a machinery of government and not to express rights as seems to be the purpose of the amendment. The very purpose of the bill is to effectuate the machinery and contrivances of home rule with which to express, if it is so desired, the substances of what the gentleman from New York proposes. Therefore, Mr. Chairman, the amendment is not germane.

The CHAIRMAN. Does the gentleman from New York [Mr. POWELL] desire to be heard on the point of order?

Mr. POWELL. I do, Mr. Chairman.

Mr. Chairman, I differ with my esteemed colleague. I quote the gentleman's own words of yesterday when he said:

> This is the only vulnerable thing in our armor today, and you can hear it over on the other side of the water. They say, "Why, the people within the shadow of the great dome of government are denied the right to vote, and before you attempt to extend democracy and suffrage and freedom, with all its implications, to the people in the other corners of the earth, perhaps you had better tidy your own house.

I agree with the chairman of the committee that we should examine this home rule bill with all of its implications—and one of the major implications of the bill is that democracy shall be practiced here. I believe that I have offered the amendment to the proper section of the bill under the functions of the city council in order to provide that it shall be the function of the city council of the District of Columbia to see that democracy is practiced here.

The CHAIRMAN. For what purpose does the gentleman from New York [Mr. MARCANTONIO] rise?

Mr. MARCANTONIO. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman will proceed.

Mr. MARCANTONIO. Mr. Chairman, I submit that the amendment is germane. The amendment deals with certain rights of citizens in the District of

Columbia. This bill sets up not only a government for the District of Columbia, but regulates by law the rights and privileges of the people of the District of Columbia. It goes so far as to provide even for a Representative in Congress for the District of Columbia. It deals with budgets. It deals with zoning and education and miscellaneous revenues. In other words, it deals with practically every form of civil life in a municipality.

This amendment offered by the gentleman from New York [Mr. POWELL] specifically refers to the civil rights of citizens of the District of Columbia.

In view of the scope of the bill, certainly the amendment is germane.

The CHAIRMAN (Mr. CURTIS). The Chair is ready to rule. It is the opinion the Chair that the amendment before the Committee is not germane to the bill.

The point of order is sustained.

The Clerk read as follows:

*Functions relating to zoning*

SEC. 522. (a) The functions of the Zoning Commission created by the first section of the act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D. C. Code, 1940 ed., sec. 5–412), are, to the extent not inconsistent with section 1904 (c), hereby transferred to the District Council.

(b) The Zoning Commission created by the first section of such act of March 1, 1920, and the Zoning Advisory Council created by section 5 of the act of June 20, 1938, providing for the zoning of the District (D. C. Code, 1940 ed., sec. 5–417) are hereby abolished.

Mr. DIRKSEN. Mr. Chairman, I offer a clarifying amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment offered by Mr. DIRKSEN:

On page 19, line 6, strike out the words "The functions" and in line 9, before the word "are" insert "is hereby abolished and its functions."

Strike out lines 12 through 16 and insert in lieu thereof the following:

"(b) The Zoning Advisory Council created by section 5 of the act of June 20, 1938, providing for the zoning of the District (D. C. Code, 1940 ed., sec. 5–417) is hereby abolished and its functions are transferred to the National Capital Park and Planning Commission."

The amendment was agreed to.

The Clerk read as follows:

*Certain delegated functions*

SEC. 523. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall, for the purposes of section 521, be considered as a function granted to or imposed upon the Board. Except as otherwise provided in section 1112 (a), each such function is hereby transferred to the officer or agency to whom or to which it was delegated.

*Ordinances*

SEC. 524. (a) The District Council—

(1) subject to the provisions of this title, may pass ordinances to carry out those functions of a legislative character transferred to it by section 521;

(2) subject to the provisions of this title and title VI, may pass ordinances (hereinafter referred to as "zoning ordinances") to carry out those functions of a legislative character transferred to it by section 522;

(3) subject to the provisions of this title, may pass ordinances providing for the exercise, otherwise than by the District Council itself, of functions (other than functions of a legislative character) transferred to it by sections 521 and 522; and

(4) subject to the provisions of this title, may pass ordinances in accordance with any provision of this act, or of any provision of law hereafter enacted, authorizing or directing it to act by ordinance.

(b) An ordinance (other than a zoning ordinance) authorized by subsection (a) shall take effect as law upon passage by the District Council.

(c) A zoning ordinance shall take effect as law only as provided in section 536 and title VI.

*Legislative proposals*

SEC. 525. (a) Subject to the provisions of this title, the District Council may pass legislative proposals on any subject coming within the scope of the power of Congress in its capacity as legislature for the District of Columbia, as distinguished from its capacity as the national legislature.

(b) A legislative proposal passed by the District Council shall take effect as law only as provided in title VI.

*Limitations on powers of District Council*

SEC. 526. (a) The District Council may not pass any legislative proposal or ordinance—

(1) imposing any tax on property of the United States;

(2) granting an exclusive privilege, immunity, or franchise;

(3) authorizing any lottery or the sale of lottery tickets or authorizing any form of gambling;

(4) authorizing the use of public money in support of any sectarian, denominational, or private school;

(5) lending the public credit for support of any private undertaking; or

(6) amending title III, title IV, section 521, 522, 524, 525, or 536, title VI, this subsection, or subsection (b) or (c) of this section.

(b) Any legislative proposal (not prohibited by subsection (a)) amending any provision of title II, V, VII (except sections 706 and 707), XII, XV, or XVI may be passed by the District Council only by the affirmative vote of at least three-fourths of the members then holding office.

(c) Any legislative proposal (not prohibited by subsection (a)) authorizing the issuance of bonds may be passed only in compliance with the provisions of title IX, and only by the affirmative vote of at least three-fourths of the members of the District Council then holding office.

(d) Except for the purpose of investigation or of obtaining information, the District Council or any member thereof shall deal with a subordinate of the District Manager, the Board of Education, the Board of Elections, or any agency created or continued by title XIII, solely through the District Manager, or such board or agency, as the case may be, and neither the District Council nor any of its members shall give orders to any such subordinate, either publicly or privately.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman in connection with section 525. I want to ascertain and have the record show, if it is a fact, that none of the provisions of this bill or any section thereof will authorize a change in the taxing laws of the District of Columbia in reference to exemption from taxation enjoyed under present law by religious, educational, and charitable institutions. Is my understanding correct?

Mr. DIRKSEN. We do not deal specifically with it. The gentleman is correct in the sense that since that is a legislative proposal it might be memorialized to the Congress by the Council but always subject to screening, scanning, and to review.

Mr. McCORMACK. The gentleman will remember that some years ago we had a very unfortunate situation arise here. As I remember the gentleman from Illinois helped the gentleman from Massachusetts who is speaking, in adjusting it. That was a situation where one of the District Commissioners put on the tax rolls property that should not have been put on the tax rolls, the property of certain religious institutions. It happened to apply to all denominations and creeds. The District Committee acted very promptly in that case and reported out legislation to meet the situation, and the Congress passed and the President signed it. I just want to be certain that so far as power to change any exemptions are concerned that no such authority is contained in this bill.

Mr. DIRKSEN. This does not alter the status of a taxpayer or a nontaxpayer and will not affect the situation to which the gentleman alludes.

The Clerk read as follows:

*Creation and abolition of advisory boards and commissions*

SEC. 527. (a) The District Council may by ordinance create such advisory boards and commissions as it deems necessary or appropriate for the proper functioning of the District government, and fix the compensation of the members thereof.

(b) Any board or commission created pursuant to subsection (a) within (1) the executive office of the District Manager, (2) any executive department of the District, or (3) any agency created or continued by title XIII, shall, in addition to its advisory functions, perform such functions as the District Manager, the director of the executive department, or the agency, as the case may be, may delegate to it. Any such delegated function shall be exercised under the direction and supervision of the officer or agency delegating it.

(c) The members of any board or commission created pursuant to subsection (a) within (1) the executive office of the District Manager, (2) any executive department of the District, or (3) any agency created or continued by title XIII, shall be appointed, and may at any time be removed, by the District Manager, by the director of the executive department with the approval of the District Manager, or by the agency, as the case may be. The members of all other boards and commissions created pursuant to subsection (a) shall be appointed, and may at any time be removed, by the Mayor with the approval of the District Council. No member of the District Council may be appointed to any board or commission created pursuant to subsection (a).

(d) The District Council may by ordinance reorganize or abolish any advisory board or commission created pursuant to subsection (a).

PART 3—ORGANIZATION AND PROCEDURE OF THE DISTRICT COUNCIL

*The Mayor*

SEC. 531. (a) At its first meeting after this part takes effect, and thereafter at its first meeting in each even-numbered year commencing with 1952, the District Council shall elect from among its members a presiding officer. The officer so elected shall be known as the "Mayor of the city of Washington" and shall be official spokesman for the Dis-

trict and its head for ceremonial purposes. The term of the first such presiding officer shall expire at the close of December 31, 1951. The term of each of his successors (except an individual elected to fill an unexpired term) shall expire at the close of December 31 of the first odd-numbered year following the year in which such successor is elected. The District Council may by resolution remove the mayor from his office as such.

(b) If the District Council fails to elect a presiding officer by the close of the day on which is convened a meeting at which, as provided in subsection (a), it is to elect a presiding officer, the President of the United States shall designate a member of the District Council to act as presiding officer. The member so designated shall act as presiding officer, and as mayor, until the District Council has elected a presiding officer.

(c) The mayor shall designate a member of the District Council to act as mayor during his absence or disability. If a vacancy occurs in the office of mayor, the District Council shall elect from among its members a presiding officer, who shall be the Mayor for the unexpired term.

*District Council staff; records and documents*

SEC. 532. (a) The District Council shall appoint a secretary who shall serve at the pleasure of the District Council as its chief administrative officer. The secretary shall receive a salary at a rate to be fixed by the District Council by ordinance.

(b) The secretary shall designate a qualified member of the staff of the District Council to act as secretary during the absence or disability of the secretary.

(c) The person duly acting as secretary shall have the authority vested by law in the secretary and assistant secretary of the Board of Commissioners of the District, and shall (1) keep a full record of the proceedings of the District Council, (2) keep a journal showing the text of all legislative proposals and ordinances introduced, the substance of the debates, and the ayes and noes of each vote, (3) authenticate by his signature and record in full, in a book kept for the purpose, all legislative proposals, ordinances, and resolutions passed by the District Council, and (4) as custodian, use and authenticate the corporate seal of the District, in accordance with the rules of the District Council.

(d) The District Council may by ordinance create additional positions appropriate for the conduct of its business. The secretary shall fill such positions by appointment.

*Meetings*

SEC. 533. (a) The first meeting of the District Council after this part takes effect shall be called by the chairman of the joint committee. He shall preside until a presiding officer is elected or designated as provided in section 531. The first meeting of the District Council in each even-numbered year, commencing with 1952, shall be called by the secretary of the District Council for a date not later than January 7 of such year. The secretary shall preside at such meeting until a presiding officer is elected or designated as provided in section 531.

(b) The District Council shall by resolution provide for the time and place of its regular meetings. Regular meetings shall be held not less frequently than once a week, except that during July and August they shall be held not less frequently than once every 2 weeks.

(c) The Mayor, or any three members of the District Council, acting jointly, may at any time call a special meeting of the District Council. Adequate notice of a special meeting shall be given in the manner provided by the District Council by resolution, and shall state the business to be transacted. No other business shall be transacted at the meeting except by unanimous consent of all members of the District Council then holding office.

(d) Meetings of the District Council shall be open to the public, except when the District Council is in executive session. The District Council or the Mayor may at any time authorize an executive session of the District Council, to be held at any regular or special meeting. Members of the joint committee and its authorized agents may attend any session of the District Council or of any of its committees.

(e) (1) At any meeting of the District Council open to the public (and, with the permission of the District Council, during any executive session) the District Manager and such other officers of the District as the District Council may designate shall be entitled to seats in the District Council and to take part in the discussion of all matters relating to their respective functions. Neither the District Manager nor any such designated officer shall have any vote in the District Council.

(2) At any meeting of a committee of the District Council open to the public (and, with the permission of the presiding officer of any executive session of such a committee, during any such session) the Distric Manager and such other officers of the District as such committee may designate shall be entitled to seats in such committee and to take part in the discussion of all matters relating to their respective functions. Neither the District Manager nor any such designated officer shall have any vote in any committee of the District Council.

*Conduct of business*

SEC. 534. (a) The District Council shall adopt rules of procedure.

(b) The District Council shall establish such permanent and special committees of its members as it considers appropriate.

(c) At an executive session, no action shall be taken by the District Council except on a motion to open the meeting to the public.

(d) Except on a motion to recess or adjourn, no action shall be taken by the District Council unless a majority of the members then holding office are present and vote in favor of it.

(e) All voting in the Distrct Council, except on purely procedural motions, shall be by roll call.

(f) Each legislative proposal and ordinance shall be introduced in writing in the form in which it is intended to be passed and shall be sponsored by a member of the District Council. It may be referred to committee for study or considered by a committee of the whole.

(g) (1) The enacting clause of all legislative proposals passed by the District Council shall be, *"Be it enacted by the Council of the District of Columbia."*

(2) The ordaining clause of all ordinances passed by the District Council shall be, *"The Council of the District of Columbia hereby ordains."*

(3) The resolving clause of all resolutions passed by the District Council shall be, *"The Council of the District of Columbia hereby resolves,"*

*Procedure for legislative proposals and for ordinances other than zoning ordinances*

SEC. 535. The District Council shall not pass any legislative proposal or ordinance other than a zoning ordinance before the 13th day following the day on which it is introduced; except that the District Council may take earlier final action at a regular meeting, or at a special meeting for which adequate notice has been given, upon unanimous vote of the members present.

*Procedure for zoning ordinances*

SEC. 536. (a) Before any zoning ordinance for the District is passed by the District Council—

(1) The District Council shall deposit the ordinance, in its introduced form, with the National Capital Park and Planning Commission. Such Commission shall, within 30 days after the date of such deposit, report to the District Council whether the interests of the Federal Government would best be served by passing the ordinance in its introduced form, by passing it in an amended form suggested by the Commission, or by its rejection. The District Council may not pass the ordinance unless it has received such report or the Commission has failed to report within the 30-day period above specified.

(2) The District Council (or an appropriate committee thereof) shall hold a public hearing on the ordinance. At least 30 days' notice of the hearing shall be published in a daily newspaper of general circulation in the District of Columbia. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the ordinance. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given a reasonable opportunity to be heard. The hearings may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Park and Planning Commission each zoning ordinance passed by it. If in the opinion of the Commission such ordinance, as passed, would adversely affect the interests of the Federal Government, the Commission shall within 10 days after the date of such deposit certify to the District Council its disapproval of such ordinance. If such certification of disapproval is not made within such 10-day period, the zoning ordinance shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the 10-day period above specified, the zoning ordinance shall take effect as law only as provided in title VI.

Mr. DIRKSEN (interrupting the reading). Mr. Chairman, a good deal of the contents of title V now being read is procedural in nature and I ask unanimous consent that title V be considered as read and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: Page 29, line 5, after "be," insert *"Be it enacted by the Council of the District of Columbia."*

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 29, line 8, after "be", add the following: *"The Council of the District of Columbia hereby ordains."*

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 29, line 11, after "be", add the following: *"The Council of the District of Columbia hereby resolves."*

The committee amendment was agreed to.

The CHAIRMAN. Are there further amendments to title V? If not the Clerk will read title VI.

The Clerk read as follows:

TITLE VI—ACTION BY CONGRESS AND THE PRESIDENT ON LEGISLATIVE PROPOSALS AND ZONING ORDINANCES

PART 1—TAKING EFFECT AS LAW

*Definition*

SEC. 601. As used in this title of the term "proposed District enactment" means (1) a legislative proposal passed by the District Council, (2) a zoning ordinance passed by the District Council the disapproval of which has been certified by the National Capital Park and Planning Commission as provided in section 536 (b), or (3) an initiated legislative proposal approved by a referendum vote as provided in section 1603.

*Deposit and publication*

SEC. 602. (a) Each legislative proposal passed by the District Council, and each zoning ordnance passed by the District Council the disapproval of which has been certified by the National Capital Park and Planning Commission as provided in section 536 (b), shall be deposited by the District Council with the joint committee and each initiated legislative proposal adopted by referendum vote as provided in section 1603 shall be deposited with the Joint Committee by the Board of Elections.

(b) The joint committee shall assign to each proposed District enactment so deposited an identifying number, with a separate series of numbers for each class.

(c) After such number has been so assigned such proposed District enactment shall promptly be published in the CONGRESSIONAL RECORD, and shall also be published as a House or Senate document as may be determined under regulations prescribed by the Joint Committee on Printing.

*Taking effect as law*

SEC. 603. (a) No proposed District enactment (as defined in sec. 601) shall take effect as law unless—

(1) it is authorized by this act to be passed by the District Council or to be initiated under section 1602, as the case may be; and

(2) it has been deposited with the joint committee as provided in section 602 (a); and

(3) after such deposit there has been enacted, by the Congress during which the deposit is made or by the next succeeding Congress, a statute expressing approval of the taking effect as law of such proposed District enactment, as so deposited.

Upon the enactment of such statute the proposed District enactment, as so deposited, shall, on the following day, take effect as a legislative enactment of the District and as law of the District, except as provided in subsection (b) of this section.

(b) A legislative proposal passed by the District Council to which section 526 (b) or (c) applies shall not so take effect unless, after the enactment of such statute, such legislative proposal has been approved by the qualified electors in the manner and at the time provided in section 1603; in which case it shall so take effect at the time provided in such section.

*Printing in Statutes at Large*

SEC. 604. Each proposed District enactment (other than a zoning ordinance) which takes effect as law under section 603 shall be printed in the United States Statutes at Large in the same volume as the public laws.

PART B—RULES OF THE SENATE AND HOUSE

*Rule-making power of Senate and House*

SEC. 621. The provisions of this part are enacted by the Congress—

(1) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

*District day in the House of Representatives*

SEC. 622. Paragraph 8 of rule XXIV of the Rules of the House of Representatives is hereby amended to read as follows:

"8. The second and fourth Mondays in each month, after the disposition of motions to discharge committees under rule XXVII and after the disposal of such business on the Speaker's table as requires reference only, shall be set apart for the consideration of bills and resolutions referred to the joint committee on the District of Columbia, which have been reported to the House by the House members of such joint committee, or from the further consideration of which such joint committee has been discharged; and for the consideration of such business relating to the District of Columbia as may be presented by the House members of such joint committee."

*Definition of "joint resolution"*

SEC. 623. As used in this part the term "joint resolution" means only a joint resolution the matter after the resolving clause of which is as follows: "That the Congress hereby approves the taking effect as law of the _____ numbered ____, as deposited with the joint committee on the District of Columbia on _____, 19____.". The first blank space shall be filled by inserting one of the following: (1) If the proposed District enactment (as defined in section 601) to which the joint resolution is to refer is a legislative proposal of the District Council—the words "legislative proposal of the Council of the District of Columbia"; (2) if the proposed District enactment is a zoning ordinance—the words "zoning ordinance of the Council of the District of Columbia;" or (3) if the proposed District enactment is an initiated legislative proposal—the words "legislative proposal initiated by the people of the District of Columbia." The remaining blank spaces shall be appropriately filled. The term "joint resolution," as used in this part, does not include a joint resolution which specifies more than one proposed District enactment.

*Discharge of joint committee*

SEC. 624. (a) If a joint resolution (as defined in section 623) with respect to a proposed District enactment (as defined in section 601) has been referred to the joint committee, and if the Members of the Senate who are members of the joint committee or the Members of the House of Representatives who are members of the joint committee, as the case may be, have not reported such joint resolution before the expiration of 15 calendar days after its introduction (or, in the case of a joint resolution received by one House from the other House, 15 calendar days after such receipt), it shall then (but not before) be in order (in the Senate on the first or third Monday in a month, and in the House of Representatives on the second or fourth Monday in a month) to move either to discharge the joint committee from further consideration of such joint resolution, to to discharge the joint committee from further consideration of any other joint resolution with respect to such proposed District enactment which has been referred to the joint committee.

(b) Such motion may be made only by a person favoring the joint resolution, shall be highly privileged (except that it may not be made after there has been reported a joint resolution with respect to the same proposed District enactment), and shall have preference over motions under section 625 to proceed to the consideration of joint resolutions. Debate thereon shall be limited to not to exceed 40 minutes, to be equally divided between those favoring and those opposing the joint resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the joint committee be made with respect to any other joint resolution with respect to the same proposed District enactment.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: Pages 36 and 37, strike out all of section 624.

Mr. ABERNETHY. Mr. Chairman, I offer this amendment in all seriousness.

Mr. BROOKS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Obviously a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 77]

| | | |
|---|---|---|
| Allen, Ill. | Gamble | Miller, Calif. |
| Anderson, Calif. | Gore | Mitchell |
| Andresen, August H. | Gorski | Morton |
| | Granger | Mundt |
| Andrews, N. Y. | Grant, Ind. | Murray, Wis. |
| Arends | Gwinn, N. Y. | O'Hara |
| Bates, Mass. | Gwynne, Iowa | Owens |
| Bell | Hall, Leonard W. | Pfeifer |
| Bloom | | Ploeser |
| Boykin | Harless, Ariz. | Potter |
| Buckley | Hart | Price, Fla. |
| Bulwinkle | Hartley | Priest |
| Carroll | Heffernan | Rains |
| Celler | Holifield | Rivers |
| Clark | Jenison | Robertson |
| Clippinger | Jenkins, Pa. | Rooney |
| Cole, Kans. | Jennings | Sabath |
| Combs | Johnson, Okla. | Sasscer |
| Corbett | Johnson, Tex. | Scoblick |
| Cotton | Jones, N. C. | Scott, Hardie |
| Courtney | Kearney | Shafer |
| Cox | Kefauver | Sheppard |
| Crawford | Kersten, Wis. | Short |
| Davis, Tenn. | King | Smith, Maine |
| Dawson, Ill. | Landis | Somers |
| Devitt | Lane | Stigler |
| Dolliver | Lea | Taylor |
| Durham | Lewis, Ky. | Thomas, N. J. |
| Ellis | Lodge | Trimble |
| Ellsworth | Ludlow | Wadsworth |
| Engle, Calif. | Lusk | West |
| Fellows | Lyle | Whitaker |
| Flannagan | McConnell | Worley |
| Fogarty | McDowell | Youngblood |
| Gallagher | Meade, Ky. | |

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HALLECK] having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 6227, and finding itself without a quorum, he had directed the roll to be called, when 328 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER pro tempore. The Committee will resume its sitting.

The CHAIRMAN. The gentleman from Mississippi [Mr. ABERNETHY] is recognized.

Mr. ABERNETHY. Mr. Chairman, just before the point of no quorum was made I had offered an amendment to strike out section 624 of the bill. The amendment applies to section 624 on page 36. Under the present rules of the House the only means whereby a committee of the House may be discharged is by a peti-

tion placed on the Clerk's desk and signed by a majority of the membership of the House, meaning that at least 218 Members of the House must sign the petition.

Now, that is a rule which has for years been well guarded by the House of Representatives. The Members of the House have in years gone by and until this day been very reluctant to discharge a committee, yet this bill provides that any single Member of the House may some morning rise on the floor and offer a simple motion to discharge the District Committee. It will permit the discharge of a committee on the simple motion of a single Member. That is the extent to which section 624 goes in tampering with the long-established and time-tested rules of the House.

Furthermore, this section provides that there shall be no amendment to the motion and that no motion may be made to reconsider the vote. If it be the will of this Committee to now amend its rules in such a far-reaching manner that is your privilege, but I warn you to go slow. Personally, I am not willing for a section as far reaching as this to be adopted by the House and thus become a pattern for similar amendments to House rules. I think the District Committee has gone just a little bit too far in incorporating this hop, skip, and jump method of forcing legislation before the House, even though it applies only to the Committee on the District of Columbia.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if this were an ordinary discharge proceeding then, of course, there would be substance to the argument made by my good friend, the gentleman from Mississippi [Mr. ABERNETHY], but that is not the case. In the first place, what we have in this bill is not an innovation. We have lifted it bodily from title II of the Reorganization Act of 1945 which deals with the reorganization of the executive branch. There the same procedure is used, except that they use a concurrent resolution instead of this resolution as we propose here, and the time limit before which it can be called up is 10 days there as distinguished from 15 days here. This does not exactly apply to legislative proposals as such. Here is the mechanics of the matter. A legislative proposal initiates in the District Council. It comes up to the joint committee. It may be a matter of budget; it may have considerable detail in it. It will be screened by the staff and by the committee, and then there comes an accompanying joint resolution to vote the matter up or down, because that is the prerogative of Congress, and the legislative power is still retained here. Now then, that is a far better procedure than anything else that can be devised, because it keeps the responsibility for the detail and the screening in the District Council, and it preserves the home rule aspect. So, it is a joint resolution that accompanies the legislative proposal, and in addition thereto it is a tremendous time saver.

It has been argued on a number of occasions that it could not be seen wherein time for the Congress would be saved in the consideration of District affairs. Here is one that saves time, because you vote it up or down after 40 minutes of debate, and you send that back, if it carries Congress' disapproval, to the place where it is originated, and you say in essence to those who originate the proposal, "We do not favor it. You put it in order in accord with the recommendations that we might make and then the matter can be reconsidered at a future time." So it is no innovation. It was used in this Congress in 1945, in connection with every proposal for the reorganization of the executive branch, and this identical procedure has already had the approval of both branches of the Congress.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Could not the gentleman conceive of this situation: The District Council might send up say 25 legislative proposals at one time. Those 25 legislative proposals would be referred to the joint committee. In 15 days' time, if the joint committee had not acted on that proposal, then, irrespective of what they might be or how important they might be, one single Member of the House of Representatives could rise on the floor and move to discharge the District Joint Committee. Is not that true?

Mr. DIRKSEN. Yes; that would be after 15 days. The fact is that it is the same procedure that we have employed before. In other words, we forsake no rights. We do not prejudice the District Council in any way whatsoever. We simply say in essence, "We do not approve of the thing you sent us, so we disapprove it and we send it back." It is in the interest of expedition and time-saving.

Mr. ABERNETHY. Is there any other legislative committee of the House of Representatives to which that procedure now applies?

Mr. DIRKSEN. None that I know. We had to find something with which a proper comparison could be made. The only thing with which you could compare it is the kind of procedure with which we have handled these various reorganization plans, and I think it is in that general field. I hope, therefore, because of the careful study this thing has had, because it has been based on experience by this House and by the Senate under the Reorganization Act of 1945, and because it is in the interest of expedition, that the amendment now pending will not prevail and will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The amendment was rejected.

The Clerk read as follows:

*Consideration of joint resolution*

SEC. 625. (a) When a joint resolution has been reported, or when the joint committee has been discharged from further consideration of a joint resolution, it shall thereafter (in the Senate on the first or third Monday in a month, and in the House of Representatives on the second or fourth Monday in a month) be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such joint resolution. Such motion shall be highly privileged (preference being given to motions for the consideration of joint resolutions from the further consideration of which the joint committee has been discharged) and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the joint resolution shall be limited to not to exceed 2 hours, which shall be equally divided between those favoring and those opposing the joint resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the joint resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the joint resolution is agreed to or disagreed to.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: On page 37, strike out all of section 625.

Mr. ABERNETHY. Mr. Chairman, I would like seriously to direct the attention of the members of the committee to lines 16, 17, 18, and 19 on page 38 of the bill, which are as follows:

No amendment to or motion to recommit the joint resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the joint resolution is agreed to, or disagreed to.

You have been told over and over again today that the Congress will still retain control. If you can show me how the Congress can still retail control and at the same time be prevented from offering amendments, or motions to recommit, or motions to reconsider, then I will withdraw my amendment. This section ties the hands of the House. You will not even be permitted to offer an amendment to recommit. In other words, you are going to have to take it or leave it just as is. I have in my feeble way endeavored to admonish the House of Representatives time and time again today that you are tampering with rules of the House which have stood the test of time for decades. If you want to accept this kind of rule, and tie your hands, then you may do so. But I tell you you are going a long way. May I again suggest that you read the lines just referred to. They go entirely too far. They ought to come out of the bill.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, frankly I lament my feeble talent in not being

able to make this whole matter clear. But let me make one more endeavor. The proposal for a piece of legislation initiates in the District Council. It is transmitted to Capitol Hill to the joint committee set up in this bill. The joint committee then attaches, after it goes over the matter, a joint resolution. The text of that joint resolution is set out in the bill itself. On page 35 it says:

That the Congress hereby approves the taking effect as law of the ——— proposal No. —, as deposited with the Joint Committee on the District of Columbia on ———, —.

What is there to amend in that resolution? Nothing. You vote it up or down. There is no occasion for amendment. What is there to recommit? Nothing. You vote it up or down. You either approve it or disapprove it. If you approve it, it becomes law when approved by both bodies. If you disapprove it, it goes back to the District Council where it began. So what is there to amend? What is there to recommit? Nothing. That has been the burden of the argument of my friend, the gentleman from Mississippi. Mr. Chairman, this is a well-devised plan that Congress has used in connection with legislative reorganization acts many, many times, and it has worked both with expedition and with felicity. So I ask that the amendment be voted down.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. ABERNETHY. It is not at all impossible that the District Council could send up a legislative proposal longer than the bill we are now considering of 180 pages, is it?

Mr. DIRKSEN. It is entirely possible.

Mr. ABERNETHY. Therefore the House would have to take that 180-page bill or nothing would it not?

Mr. DIRKSEN. Exactly so, and for this very good reason: First it is a time saver, and secondly we provide a staff for the joint committee. Their business will be to explore and research and see what is in the bill. Then they will report to the joint committee which will determine whether or not it is good, bad, or indifferent. And it is the very fact of screening and holding hearings and taking testimony that you avoid by this process and save the time of the membership of both bodies.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield further?

Mr. DIRKSEN. I yield.

Mr. ABERNETHY. But the House of Representatives is precluded from perfecting the proposal so that it would take the form which it thinks would be to the best interests of the District of Columbia?

Mr. DIRKSEN. Exactly so, and for a very good reason. The whole purpose, if you are going to have a little home rule here is not to constantly box the ears of the city council and say, "You cannot do this, and you cannot do that; and you have to modify this legislation in this respect or some other respect." If you are going to give them home rule, let us not be using a club over them.

That is the very purpose of this provision in the act.

So I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The amendment was rejected.

The Clerk read as follows:

*Motions to postpone, and so forth*

SEC. 626. All motions to postpone, made with respect to the discharge from the joint committee, or the consideration, of a joint resolution, and all motions to proceed to the consideration of other business, shall be decided without debate.

*Appeals from decision of chair*

SEC. 627. All appeals from the decision of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

*Joint resolutions received from other House*

SEC. 628. If, prior to the passage by one House of a joint resolution of that House with respect to a proposed District enactment, such House receives from the other House a joint resolution with respect to the same proposed District enactment, then—

(1) if no joint resolution of the first House with respect to such proposed District enactment has been referred to the joint committee, no other joint resolution with respect to the same proposed District enactment may be reported or (despite the provisions of section 624 (a)) be made the subject of a motion to discharge;

(2) if a joint resolution of the first House with respect to such proposed District enactment has been referred to the joint committee—

(A) the procedure with respect to that or other joint resolutions of such House with respect to such proposed District enactment which have been referred to the joint committee shall be the same as if no joint resolution from the other House with respect to such proposed District enactment had been received; but

(B) on any vote on the final passage of a joint resolution of the first House with respect to such proposed District enactment the joint resolution from the other House with respect to such proposed District enactment shall be automatically substituted for the joint resolution of the first House.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word foi the purpose of directing an inquiry to the gentleman from South Carolina [Mr. McMILLAN], the gentleman from Arkansas [Mr. HARRIS], and the gentleman from Mississippi [Mr. ABERNETHY].

The succeeding titles, namely, titles VII, VIII, IX, X, XI, down to and including title XIV, relate to the reorganization features of the bill and the reorganiatizon of the District government. There is a great deal of detail, most of which is written.

I would like to ask unanimous consent that the bill down to title XV be considered as read and be subject to amendment. I make that request because in our deliberations on this bill, both in the subcommittee and in the full committee, there was reasonable unanimity with respect to the reorganization of the District government.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. HARRIS. Mr. Chairman, reserving the right to object, I understand the gentleman had moved to strike out the last word for the purpose of explaining what he was about to do.

Mr. DIRKSEN. The gentleman is correct.

Mr. HARRIS. I did not understand the gentleman had already asked unanimous consent that the bill be considered as read through those titles.

Mr. DIRKSEN. No. But I would now ask unanimous consent that we consider as read down to and including title XIV. I may say in that respect that these controversial provisions relating to dual voting start with title XV.

Mr. HARRIS. Mr. Chairman, reserving the right to object, I certainly do not want to be in the position of delaying consideration of this measure in any way at all. I realize the necessity of trying to get along as expeditiously as we can to the other matter confronting the Congress. Nevertheless, there is much interest in this bill.

The titles which the gentleman seeks to pass over relate to the District Manager. Certainly every Member of this Congress should know something about the District Manager and his activities and who he is and what his qualifications are.

The District budget. There can be no question in the bill that could be more important to this Congress than the District budget.

Borrowing for capital improvements. Certainly, the gentleman from Massachusetts [Mr. BATES] who has labored long with this problem, would not want to pass over that subject without some consideration being given to it.

Financial affairs of the District; the executive department. They are talking about departments here in this bill. The gentleman wants to pass over that part.

Then there is the Board of Education. Certainly I think every Member of this House should have an opportunity for the consideration of this item.

Then there is procedure with reference to the election of the members of the board, how the schools are to be carried on; consequently I am constrained to object.

Mr. DIRKSEN. Mr. Chairman, before my friend objects, let me say that first this is so adequately covered in the report where it can be read in a brief compass; secondly, as I indicated before, there has been unanimity in the committee with respect to the reorganization features; and I do hope sincerely that in the interest of expedition the gentleman will not object to the consent request to consider the bill as read down to title XV because there is where the controversy really begins.

Mr. HARRIS. Mr. Chairman, I am deeply sympathetic with the appeal of the chairman of the committee but I am still constrained to object.

Mr. DIRKSEN. Mr. Chairman, let me amend the request, and I ask the gentleman from Arkansas to bear with me.

Mr. Chairman, I now ask that we consider title VII as read and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. DAVIS of Georgia. Mr. Chairman, I object.

The Clerk read as follows:

TITLE VII—THE DISTRICT MANAGER

*Appointment, qualifications, and salary*

SEC. 701. The District Council shall appoint a District Manager, who shall be chosen solely on the basis of his executive and administrative qualifications, with special reference to his experience in, or his knowledge of, the administration of the affairs of local government. No member of the District Council shall be appointed District Manager during the term for which he shall have been elected or appointed, nor within 1 year after the exipration of such term. The District Manager shall receive a salary at a rate to be fixed by the District Council by ordinance, and shall reside in the District during his tenure of office.

*Removal*

SEC. 702. The District Council may by resolution remove the District Manager. If the District Manager is removed, he shall be paid, in addition to the unpaid balance of his salary up to and including the date of his removal, such severance allowance (not to exceed 50 percent of his annual salary) as the District Council shall by resolution prescribe.

*Powers and duties*

SEC. 703. (a) The District Manager shall be the chief executive officer of the District Government. He shall be responsible to the District Council for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following functions:

(1) Subject to the provisions of title XIV, he shall appoint, and may remove, each officer and employee, (A) of the executive office of the District Manager, and (B) of the executive departments of the District (other than members of boards and commissions created within such departments pursuant to section 527 (a) or transferred to such departments pursuant to section 1101 (d)).

(2) He shall, through the directors of the several executive departments, supervise and direct the activities of such departments.

(3) He shall, at the end of each fiscal year, prepare reports for such year of (A) the finances of the District, and (B) the administrative activities of the executive office of the District Manager and the executive departments of the District. He shall submit such reports to the District Council as soon as possible thereafter.

(4) He shall keep the District Council advised of the financial condition and future needs of the District, make recommendations to the District Council with respect to the rates of compensation to be fixed under section 1406, and make such other recommendations to the District Council as may seem to him desirable.

(5) He may, and, when they are submitted to him pursuant to section 1107 (b), he shall submit drafts of legislative proposals and ordinances to the District Council.

(6) He shall perform such other duties as the District Council, consistently with the provisions of this act, may by ordinances or resolution direct.

(b) The District Manager may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 1701) of any officer, employee, or agency of the executive office of the District Manager, or to any director of an executive department.

*Acting District Manager*

SEC. 704. To exercise his functions during his temporary absence or disability, the District Manager may designate one of the assistants to the District Manager or a director of an executive department as Acting District Manager. If the District Manager fails to make such designation, or in case of a vacancy in the office of District Manager or of suspension from duty of the District Manager, the District Council may by resolution designate one of the assistants to the District Manager or a director of an executive department as Acting District Manager.

*Assistants to the District Manager*

SEC. 705. The District Council, by ordinance, shall (1) authorize the District Manager to appoint as many assistants to the District Manager as it deems necessary to assist him in the exercise of his functions, and (2) fix the compensation of each. Each assistant to the District Manager shall perform such duties as the District Manager may prescribe and shall serve at the pleasure of the District Manager.

*Executive office of the District Manager*

SEC. 706. (a) The functions of the following agencies of the District government are hereby transferred to the District Manager: The Purchasing Division, the Division of Services to Veterans and War Workers, the Office of Administrator of Rent Control, the Board of Parole, the Office of the Budget Officer (including the Personnel Unit), the Division of Printing and Publications, the Police and Firemen's Retiring and Relief Board, the Automobile Board, the Wage Board, and the trial boards of the Metropolitan Police force and the Fire Department. The functions of the Bureau of Federal Supply, in the Department of the Treasury, with respect to the purchase of material, supplies, and equipment for the District are hereby transferred to the District Manager. For the purposes of this subsection, the functions of an agency include (1) the functions of the head of such agency, and (2) the functions, if any, transferred to such agency or head by section 523.

(b) The agencies of the District government referred to in subsection (a) are hereby transferred to the executive office of the District Manager. Any vacancy occurring in any board transferred by this subsection (other than a vacancy occurring in an ex officio position) shall be filled by appointment by the District Manager. Any member of any such board (other than an ex officio member) may at any time be removed from his position as a member of such board by the District Manager.

(c) Whenever the District Manager deems it appropriate for the administration of his functions, he may—

(1) reorganize or abolish any agency (other than a board) transferred by subsection (b);

(2) create new agencies in the executive office of the District Manager, and reorganize or abolish any agency so created;

(3) abolish the office or position of any officer or employee (other than a member of a board) transferred to the executive office of the District Manager by section 1901; and

(4) create new offices and positions within the executive office of the District Manager, and abolish any office or position so created.

(d) The District Council may by ordinance reorganize or abolish any board transferred by subsection (b).

*Office of the Archivist; District Archives Commission*

SEC. 707. (a) There is hereby created within the executive office of the District Manager the Office of Archivist of the District of Columbia. The District Manager shall appoint the Archivist on the basis of his archival experience and qualifications. The Archivist shall receive a salary at a rate fixed by the District Council by ordinance.

(b) The Archivist shall have the final functions:

(1) to inspect, survey, and appraise the records of the District government and of former District governments;

(2) to advise the District agencies in the maintenance and disposition of their records;

(3) to make recommendations and plans for an archives repository;

(4) to accession noncurrent records of enduring value and other historical papers relating to the District which are determined by the District Archives Commission (created by subsection (d) of this section) to be eligible for transfer to the custody of the Archivist;

(5) to make available for inspection by Members of Congress, district officers, and the public the records in his custody except those records the use of which has been restricted at the request of the head of a District agency, made in the public interest at the time of transfer to the custody of the Archivist;

(6) to establish adequate facilities for the appropriate care and use of the records in his custody for their repair and rehabilitation, and for their photographic reproduction; and

(7) to submit from time to time to the District Council, in accordance with regulations prescribed by the District Archives Commission, lists of records which do not have sufficient administrative legal, research, or other value to warrant continued preservation, together with recommendations for their disposition.

(c) The Office of the Archivist shall have an official seal which shall be noticed judicially.

(d) There is hereby created a District Archives Commission, to be composed of the District Manager, who shall serve as chairman, the secretary of the District Council, the Director of the Department of Finance, the Director of the Department of Law, the secretary of the Board of Education, the president of the Columbia Historical Society, and two representatives of institutions of higher learning in the District to be appointed by the mayor with the approval of the District Council for such terms as the District Council shall by ordinance prescribe. No member shall receive compensation for his services as such. Each member may appoint an alternate.

(e) Five members or their alternates shall constitute a quorum. Any vacancy in the Commission shall be filled for the duration of the unexpired term in the manner provided for original appointment.

(f) The Commission shall determine the classes of records and related material to be preserved in the custody of the Archivist, and shall prescribe rules and regulations for the transfer of records to his custody.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that title VIII be considered as read and that it be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Title VIII follows:

TITLE VIII—THE DISTRICT BUDGET

*Fiscal year*

SEC. 801. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

*Preparation and submission of budget*

SEC. 802. (a) The District Manager shall submit annually to the District Council at its first regular meeting in March (beginning with the year 1950) a budget and an explanatory budget message in the form and with the contents provided by sections 813 to 816.

(b) For such purpose—

(1) the head of each agency other than the Board of Education shall prepare estimates of revenue and expenditure of that agency, detailed by organization units and character and object of expenditure, and such supporting data as the District Manager may request, together with an estimate

of all capital projects pending or which such agency head believes should be undertaken within the budget year and within the five next succeeding years; and

(2) The Chief of Engineers shall prepare estimates of revenue and expenditure with respect to the Washington Aqueduct, and such supporting data as the District Manager may request; together with an estimate of capital projects pending or which the Chief of Engineers believes should be undertaken within the budget year and within the five next succeeding years.

Such estimates and data shall be submitted to the District Manager at such time as the District Manager shall prescribe. In preparing the budget the District Manager shall review each such estimate, and may, after hearing the officer who submitted it, revise any such estimate.

(c) The Board of Education shall prepare estimates of its revenue and expenditures, detailed by organization units and character and object of expenditure, and such other supporting data as the District Council may request; together with an estimate of all capital projects pending or which the Board of Education believes should be undertaken within the budget year and within the 5 next succeeding years. The President of the Board shall, on or before the date specified by the District Council, submit the estimates and data prescribed by this subsection to the District Council, which shall transmit such estimates to the District Manager for inclusion, without revision by him, in the budget. The District Manager may, at the request of the District Council, review such estimates and submit to the District Council recommendations for changes therein.

*Budget a public record*

SEC. 803. The budget and budget message and all supporting schedules shall be a public record in the office of the secretary of the District Council, open to inspection by anyone. The District Manager shall cause sufficient copies of the budget and budget message to be prepared for distribution to interested persons.

*Publication of notice of public hearing*

SEC. 804. At the meeting of the District Council at which the budget and budget message are submitted, the District Council shall determine the place and time of the public hearing on the budget, and shall cause to be published in a daily newspaper of general circulation in the District a notice of the place and time, not less than 7 days after date of publication, at which the District Council will hold a public hearing.

*Public hearing on budget*

SEC. 805. At the time and place so advertised, or at any time and place to which such public hearing shall from time to time be adjourned, the District Council shall hold a public hearing on the budget as submitted, at which all interested persons shall be given an opportunity to be heard, for or against the estimates or any item thereof.

*Further consideration of budget*

SEC. 806. After the conclusion of such public hearing, the District Council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law or prescribed by paragraphs (1) to (8), inclusive, of section 827 (a). Before inserting any additional item or increasing any item of appropriation, it must cause to be published a notice setting forth the nature of the proposed increases and fixing a place and time, not less than 5 days after publication, at which the District Council will hold a public hearing thereon. After such further hearing, the District Council may insert the additional item or items, and make the increase or increases, to the amount in each case indicated by the published notice, or to a lesser amount.

*Revision of estimates by Board of Education*

SEC. 807. If any change is made by the District Council in the proposed expenditures of the Board of Education, the Board shall revise its estimates of proposed expenditures to conform to the total aggregate amount of its proposed expenditures as fixed by the District Council, and the President of the Board shall submit such revised estimates to the District Council for inclusion, without further change, in the budget as deposited with the joint committee.

*Adoption of budget; deposit with joint committee*

SEC. 808. The District Council shall by resolution adopt the budget not later than April 30. Should the District Council not adopt the budget on or prior to such date, the budget, as submitted, shall be deemed to have been adopted on such date by the District Council. The District Council shall on or before May 1 deposit the budget with the joint committee.

*Action by joint committee*

SEC. 809. The joint committee may, on or before May 31, return the budget to the District Council together with such recommendations and comments as it deems advisable.

*Final action by District Council*

SEC. 810. (a) If the budget is returned by the joint committee to the District Council on or before May 31, the District Council may by resolution, on or before June 15, make any change in the budget recommended by the joint committee, except that it may not decrease an item of proposed expenditure fixed by law or prescribed by any provision of paragraphs (1) to (8), inclusive, of section 827 (a).

(b) If the joint committee does not return the budget to the District Council on or before May 31, or if the District Council on or before June 15 does not change the budget after it has been returned by the joint committee, the budget shall take effect as deposited with the joint committee.

(c) If the District Council on or before June 15 changes any item of proposed expenditure in the budget after the budget has been returned to it by the joint committee, the budget shall take effect subject to all changes so made.

(d) The effective date of the budget shall be the following July 1.

*Certification and copies of budget*

SEC. 811. A copy of the budget, in the form in which it is to become effective, shall be certified by the District Manager and the secretary of the District Council and filed in the office of the Director of the Department of Finance. The budget so certified shall be printed, mimeographed, or otherwise reproduced and sufficient copies thereof shall be made available for the use of all agencies concerned and for the use of interested persons and civic organizations.

*Budget establishes appropriations*

SEC. 812. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

*Budget message—current operations*

SEC. 813. The budget message submitted by the District Manager to the District Council shall be explanatory of the budget, shall contain an outline of the proposed financial policies of the District for the budget year and shall describe in connection therewith the important features of the budget plan. It shall set forth the reasons for salient changes from the previous year in revenue and expenditure items and shall explain any major changes in financial policy.

*Budget message—capital improvements*

SEC. 814. As a part of the budget message, with relation to the proposed expenditures for down payments and other proposed expenditures for capital projects stated in the budget, the District Manager shall include a statement of pending capital projects and proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts, if any, proposed to be raised therefor by the issuance of bonds during the budget year.

*Budget message—capital program*

SEC. 815. The District Manager shall also include in the budget message, or attach thereto, a capital program of proposed capital projects for the five fiscal years next succeeding the budget year, together with his comments thereon and his estimates of their costs.

*Budget message—Supporting schedules*

SEC. 816. Attached to the budget message shall be such supporting schedules, exhibits, and other explanatory material, in respect to both current operations and capital improvements, as the District Manager shall believe useful to the District Council.

*Contents of the budget*

SEC. 817. (a) The budget shall provide a complete financial plan for the budget year. It shall contain in tabular form—

(1) a general summary;

(2) detailed estimates of all anticipated revenues; and

(3) all proposed expenditures.

The total of such anticipated revenues shall equal or exceed the total of such proposed expenditures.

(b) Except as otherwise provided by this act, the budget shall not contain any proposed expenditure for the support in whole or in part of—

(1) any private corporation or agency; any charitable, religious, or sectarian society or group; any club, fraternity, or brotherhood; or any other organization or group similar to any of the foregoing; or

(2) any Federal agency, except with respect to the Washington Aqueduct; or

(3) the National Zoological Park or any other park or recreational area owned by the United States except the land area over or immediately adjoining reservoirs which are part of the water system of the District.

For the purposes of this subsection and for the purpose of obtaining appropriations the following shall be considered to be Federal agencies: the Temporary Home for Former Soldiers and Sailors, the National Guard of the District of Columbia, the National Capital Park and Planning Commission, and all courts other than the Municipal Court of Appeals for the District of Columbia, the Municipal Court for the District of Columbia, and the Juvenile Court. The office of the register of wills and clerk of the probate court shall not be considered to be a Federal agency for the purposes of this subsection.

(c) The budget shall contain, on a memorandum basis, detailed estimates of the cost to the United States of furnishing services to each agency of the District for which the United States is to be reimbursed under section 826.

*Anticipated revenues*

SEC. 818. Anticipated revenues shall be classified as (1) surplus, (2) miscellaneous revenues, (3) amount to be raised by property tax, and (4) the Federal contribution certified to the District Manager by the Director of the Bureau of the Budget as provided in section 826. Miscellaneous revenues shall be subclassified by sources and shall be estimated as prescribed in sections 821 to 825.

*Anticipated revenues compared with other years*

SEC. 819. In parallel columns in the budget opposite the several items of anticipated revenues, there shall be placed the amount of each such item in the budget of the last completed fiscal year, the amounts of such items actually received during the year, the amount of each such item in the budget of the current fiscal year and the amount actually received to the time of preparing the budget plus receipts for the remainder of the current fiscal year estimated as accurately as may be.

*Surplus*

SEC. 820. Surplus shall include—

(1) revenue receipts made available by the lapsing of unencumbered appropriation balances at the beginning of the budget year;

(2) receipts from unanticipated miscellaneous revenues of the preceding fiscal year;

(3) receipts from anticipated miscellaneous revenues of the preceding fiscal year in excess of the estimates in the budget;

(4) receipts during the previous fiscal year from taxes or liens against which a complete reserve has been established.

*Miscellaneous revenues*

SEC. 821. Miscellaneous revenues shall include anticipated revenues from (1) the collection of taxes other than the general property tax, (2) the amount of aid to be received by the District from the United States under Federal-aid programs applicable to the States and the District, and (3) the amounts estimated to be received from services and sales, fines and forfeitures, pension and retirement assessments, special assessments, and any other special or nonrecurring sources.

*Miscellaneous revenues — Anticipated surpluses from public-service enterprises*

SEC. 822. The anticipated revenues and proposed expenditures of each public-service enterprise (including utilities) owned or operated by the District shall be stated in the budget in a separate section bearing the name of the enterprise; and as to each such enterprise an anticipated surplus, if legally available for general purposes, shall be stated as an item of miscellaneous revenues in the budget.

*Miscellaneous revenues—measure of estimates*

SEC. 823. No miscellaneous revenue from any source shall be included as an anticipated revenue in the budget in an amount in excess of the average of the amount actually received in cash from the same source in the next preceding fiscal year, and that actually received in the first 3 months of the current fiscal year plus that to be received in the remaining 9 months of the year estimated as accurately as may be, unless the District Manager shall determine that the facts clearly warrant the expectation that such excess amount will actually be received in cash during the budget year and shall certify such determination in writing to the District Council.

*Miscellaneous revenues—receipts from special assessments*

SEC. 824. Revenues from the collection of special assessments on property specially benefited shall not be stated in an amount which is in excess of the amount of the receipts so derived which it is estimated will be held in cash on the first day of the budget year.

*Miscellaneous revenues—from new sources*

SEC. 825. No revenue from a new source not previously stated in the budget shall be included unless the District Manager shall determine that the facts clearly warrant the expectation that such revenue will be actually realized in cash during the budget year in the amount stated and shall certify such determination in writing to the District Council. If the new revenue is to be received from the United States, the anticipated amount shall not exceed the amount which the proper officer of the United States shall declare in writing to be the amount which may reasonably be anticipated in the budget year.

*Federal contribution for general support of the District*

SEC. 826. (a) After June 30 and on or before December 31 of each year, beginning with the calendar year 1949, there shall be certified to the District Manager by the Director of the Bureau of the Budget the amount determined by such Director as the contribution to be made by the United States for the general support of the District (hereinafter called Federal contribution) during the next fiscal year. The amount of such contribution shall be determined as follows:

(1) There shall first be ascertained the amount of the basic Federal contribution, which shall be whichever of the two following amounts is the smaller: (A) 14 percent of the total amount of revenue received by the District (from all sources except the United States) during the fiscal year preceding such certification, or (B) $15,000,000.

(2) From the amount ascertained under paragraph (1) there shall be subtracted the sum of the following:

(A) the estimated cost, during the fiscal year for which the contribution is to be made, of—

(i) auditing the financial transactions of the District by the General Accounting Office as provided in section 1021,

(ii) services to be furnished by the Civil Service Commission to which sections 1407 and 1422 apply, and

(iii) the care and custody of District inmates in Federal institutions the cost of which under sections 1113 (b) (3) and 1901 is to be borne by the District; plus

(B) the estimated liability of the District under section 1421 to reimburse the United States (for the fiscal year for which the contribution is to be made) with respect to retirement of officers and employees of the District; plus

(C) the following percentages of the estimated expenditures, during the fiscal year for which the contribution is to be made, for purposes of the following courts and offices:

(i) 60 percent in the case of the District Court of the United States for the District of Columbia,

(ii) 30 percent in the case of the United States Court of Appeals for the District of Columbia, and

(iii) 60 percent in the case of the office of the United States district attorney for the District of Columbia and of the office of the United States marshal for the District of Columbia.

(3) To the difference ascertained under paragraph (2) there shall be added the sum of the following:

(A) the estimated cost, during the fiscal year for which the contribution is to be made, of the care and custody of Federal prisoners in District institutions the cost of which under section 1113 (b) (3) is to be borne by the United States; plus

(B) the following percentages of the estimated collections of the fees and fines to be collected, during the fiscal year for which the contribution is to be made, by the following courts and offices:

(i) 60 percent in the case of the District Court of the United States for the District of Columbia,

(ii) 30 percent in the case of the United States Court of Appeals for the District of Columbia, and

(iii) 60 percent in the case of the office of the United States District Attorney for the District of Columbia and of the office of the United States Marshal for the District of Columbia; plus

(C) $1,000,000, with respect to supplying water from the District water system to the United States.

(4) The sum ascertained under paragraph (3) shall be reduced or increased, as the case may be, by any amount by which the Director of the Bureau of the Budget finds that the estimates under paragraphs (2) and (3) for preceding fiscal years were too large or too small, except to the extent that such correction has already been made in connection with the certification of the Federal contribution for another fiscal year.

(b) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1951, and for each fiscal year thereafter (in lieu of the authorization contained in article VI of the District of Columbia Revenue Act of 1947) the amount certified under subsection (a) of this section as the Federal contribution. Any amount appropriated under this authorization shall (on or before July 31 of the fiscal year for which the contribution is made) be paid by the Secretary of the Treasury to the Director of the Department of Finance.

*Proposed expenditures*

SEC. 827. (a) The proposed expenditures shall be itemized in such form and to such extent as shall be provided by the District Council by ordinance. Separate provision shall be included in the budget for at least—

(1) interest, amortization, and redemption charges on the public debt for which the faith and credit of the District is pledged;

(2) other statutory expenditures;

(3) the payment of all judgments;

(4) the amount by which the total receipts of miscellaneous revenues in the last completed fiscal year failed to equal the total of the budget estimates of receipts from miscellaneous revenues in that year;

(5) an amount equal to the aggregate of all taxes levied for the third fiscal year prior to the budget year which are delinquent and outstanding on the 60th day prior to the beginning of the budget year, except to the extent the District may have made provision therefor by reserving the full amount of said delinquent taxes;

(6) an amount equal to the aggregate of all cancellations, remissions, abatements, and refunds of taxes that have been made during the current fiscal year;

(7) an amount equal to the aggregate of all emergency notes which it is estimated will be outstanding at the end of the current fiscal year;

(8) if the District is required to make up the deficit arising from the operations of public service enterprises, an amount equal to the deficit from such operations during the last completed fiscal year, separately stated for each public service enterprise which appears in a separate section of the budget;

(9) administration, operation, and maintenance of each agency of the District itemized by character and object of expenditure;

(10) contingent expenditure in an amount not more than 3 per centum of the total amount stated pursuant to paragraph (9); and

(11) expenditures proposed for capital projects, including provisions for down payments on capital projects, as required by section 829.

(b) The budget shall include such data prescribed by the District Manager as will permit ready comparison with expenditures for the current and next preceding fiscal years.

*Proposed expenditures—independent agencies*

SEC. 828. In any case in which an item of proposed expenditure submitted by the juvenile court, the Municipal Court for the District of Columbia, the Municipal Court of Appeals for the District of Columbia, the Board of Elections, or any agency created or continued by title XIII is reduced by the

District Manager, the budget shall contain, on a memorandum basis, the item of proposed expenditure as submitted.

*Down payments on capital projects*

SEC. 829. In the budget, under the special caption of "down payments on capital projects", there shall be separately stated as to each capital project for which it is expected that bonds will be authorized during the budget year, a sum which is not less than 5 per centum of the amount of bonds to be authorized for that project. For purposes of the down payments, all street improvements expected to be partly financed by the issuance of bonds during the budget year may be considered a single project; so also may all proposed extensions of the water system, and likewise all extensions of the sewer system. Such an appropriation for a down payment shall not be required before the issuance of bonds to finance any capital expenditure which is the result of fire, flood or other disaster, or which is for a utility or other public service enterprise owned or operated by the District, or which is to be met in part in cash, labor, or materials by any Federal agency.

*Budget summary*

SEC. 830. At the head of the budget there shall appear a summary of the budget, which need not be itemized further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and by departments and kinds of expenditures, in such a manner as to present to taxpayers a simple and clear summary of the detailed estimates of the budget.

*Appropriations for emergency purposes*

SEC. 831. (a) Subject to the provisions of subsection (b), the District Council, when in its opinion there exists an emergency which threatens the health or safety of the people of the District, may by ordinance appropriate funds for the purpose of dealing with such emergency, to the extent unobligated funds are available; and for such purpose unobligated funds may include those borrowed in accordance with the provisions of section 1012.

(b) An ordinance appropriating funds as provided in subsection (a) shall not be valid unless, at least 48 hours prior to its passage, the District Council shall have adopted a resolution declaring the existence and nature of such emergency and declaring that it is necessary to appropriate funds for the purpose of dealing with such emergency.

The CHAIRMAN. Are there any amendments to title VIII?

Mr. DIRKSEN. Mr. Chairman, there are committee amendments.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 56, line 2, strike out "Aqueduct; or" and insert "Aqueduct."

Page 56, strike out lines 3 to 6, inclusive.

Page 57, line 2, strike out "826" and insert "2501 (c)."

Page 60, strike out lines 4 to 23, inclusive, and insert the following:

"ADJUSTMENT OF FEDERAL AND DISTRICT EXPENSES

"SEC. 826. (a) After June 30 and on or before December 31 of each year, beginning with the calendar year 1949, the Director of the Bureau of the Budget shall certify to the District Manager the amount determined by the Director as the payment to be made pursuant to this section by the United States to the District, or by the District to the United States, as the case may be, for the next fiscal year. The amount of such payment (and by and to whom it shall be paid) shall be determined as follows:

"(1) There shall first be ascertained the sum of the following."

Page 61, line 12, strike out "contribution" and insert "payment."

Page 62, line 1, strike out "contribution" and insert "payment."

Page 62, line 6, strike out "contribution" and insert "payment."

Page 62, strike out lines 19 and 20 and insert the following:

"There shall then be ascertained the sum of the following."

Page 62, line 24, strike out "contribution" and insert "payment."

Page 63, line 5, strike out "contribution" and insert "payment."

Page 63, line 18, strike out "Columbia; plus" and insert "Columbia."

Page 63, strike out lines 19 to 25, inclusive, and on page 64, strike out lines 1 to 5, inclusive, and insert the following:

"(3) The sums ascertained under paragraphs (1) and (2) shall be reduced or increased, as the case may be, by any amount by which the Director of the Bureau of the Budget finds that the estimates under such paragraphs for preceding fiscal years were too large or too small, except to the extent that such correction has already been made in connection with payments under this section for another fiscal year.

"(4) After the adjustments required by paragraph (3) have been made the smaller of the two sums shall be subtracted from the larger sum. If the adjusted sum ascertained under paragraph (2) is the larger, then the difference shall be paid by the United States to the District. If the adjusted sum ascertained under paragraph (1) is the larger, then the difference shall be paid by the District to the United States."

Page 64, strike out lines 22 to 25, inclusive, and on page 65 strike out lines 1 to 6, inclusive, and insert the following:

"(b) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1951, and for each fiscal year thereafter the amount, if any, certified under subsection (a) of this section as payable by the United States to the District. Any amount appropriated under this authorization shall (on or before July 31 of the fiscal year for which the payment is made) be paid by the Secretary of the Treasury to the Director of the Department of Finance.

"(c) The District budget shall include provision for payment by the District to the United States of the amount, if any, certified under subsection (a) of this section as payable by the District to the United States. Such amount shall (on or before July 31 of the fiscal year for which the payment is made) be paid by the Director of the Department of Finance to the Secretary of the Treasury."

The committee amendments were agreed to.

Mr. DIRKSEN. Mr. Chairman, I offer a clarifying amendment.

The Clerk read as follows:

Committee amendment offered by Mr. DIRKSEN: Page 56, lines 7 and 8, strike out the words "and for the purpose of obtaining appropriations", and insert after the period at the end of line 17, the following: "Appropriations for the agencies and establishments so considered to be Federal agencies shall hereafter be made in the same manner as for other Federal agencies and establishments."

The committee amendment was agreed to.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

On page 60 of the bill as originally proposed there was a provision for Federal contributions for the general support of the District of Columbia. I think it should be noted here that section 826 was stricken by the committee, and the language with reference to the formula and the amount of contribution by the Federal Government was stricken, eliminating it at this point. That is correct, is it not?

Mr. DIRKSEN. That is correct. It appears subsequently in the bill.

Mr. HARRIS. It appears at another place, in fact, on page 179 of the bill.

Mr. DIRKSEN. Title XXV. Of course, the reason it was stricken out on page 56, to which the gentleman alludes, is that the question was raised concerning its inclusion in the matter that will be submitted for referendum by the people of the District of Columbia, so to eliminate it from the referendum it was deleted at this point and included as a separate title in the bill.

Mr. HARRIS. We will get to that later on, but in order that the RECORD may be clear on it at this point, that will not be submitted as a part of the referendum?

Mr. DIRKSEN. That is correct, and the bill so provides.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. HALLECK] having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6227) to provide for home rule and reorganization in the District of Columbia, had come to no resolution thereon.

NATIONAL MEMORIAL DAY

Mr. MICHENER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 217) requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for Nationwide prayer for peace.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

*Resolved, etc.*, That the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Memorial Day, 1948, by praying, each in accordance with his religious faith, for permanent peace; designating a period during such day in which all the people of the United States may unite in prayer for a permanent peace, calling upon all the people of the United States to unite in prayer at such time; and calling upon the newspapers, radio stations, and all other mediums of information to join in observing such day and period of prayer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, on May 18 I introduced House Joint Resolution 406, requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nationwide prayer for peace. On the same date Senator FERGUSON introduced Senate Joint Resolution 217. On May 24 the Senate unanimously passed the Fergu-

son resolution, and it is now on the Speaker's table.

Today the House Committee on the Judiciary reported favorably House Joint Resolution 406. These resolutions are exactly alike.

National Memorial Day will be observed this year as in the past. The only thing these resolutions do is to request the President in his Memorial Day proclamation to ask that the people of all faiths, for such time as the President may suggest, pray for permanent peace. Certainly no one can object to any such request by the Congress or any such action by the President. The American people do believe in God. They do believe in prayer. They do realize that it takes more than prayer as a rule to accomplish objectives. As a nation we are today doing those things which we think are most likely to avoid war. A moment of even silent prayer on the part of all of our people will again call the attention of the world to the fact that we are a Christian nation.

Mr. Speaker, I include a dispatch appearing in the Jackson Citizen Patriot, of Jackson, Mich., on May 19, which is as follows:

PRAYER GREATER THAN BOMBS, SAYS HOOVER

WASHINGTON.—J. Edgar Hoover, Director of the Federal Bureau of Investigation, joined Wednesday in the enthusiastic approval given the proposal that a period of Memorial Day be designated nationally to pray for peace. The suggestion originally was made by the Jackson Citizen Patriot in its editorial columns.

Said Director Hoover:

"The spectacle of a nation praying is more awe-inspiring than the explosion of an atomic bomb. The force of prayer is greater than any possible combination of man-made or man-controlled powers. Because prayer is man's greatest means of tapping the infinite resources of God, invoking by prayer the might and mercy of God is our most efficacious means of guaranteeing peace and security for the harassed and helpless peoples of the earth."

Be it remembered that the effectuation of this resolution will cost the Government nothing and will not add another holiday or day of celebration. It will simply supplement by suggesting the moment of prayer requested.

The SPEAKER pro tempore. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 406) was laid on the table.

ELECTION TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 613) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That TOBY MORRIS, of Oklahoma, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Public Lands.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD in two instances and include in one editorials, excerpts, and a telegram regarding the reciprocal trade agreements, and in the other an article appearing in the Detroit News.

Mr. KARSTEN of Missouri asked and was given permission to extend his remarks in the RECORD and include excerpts from certain newspaper articles.

Mr. BONNER. Mr. Speaker, on yesterday I was granted permission to extend my remarks in the RECORD and include certain extraneous matter. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $177.50, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. BRADLEY asked and was given permission to extend his remarks in the RECORD and include an address delivered by him at Savannah, Ga., on Maritime Day.

Mr. LATHAM asked and was given permission to extend his remarks in the RECORD and include an address by Admiral Denfeld.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD and include an editorial from the Columbia Daily Tribune.

Mr. O'KONSKI asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. GEARHART asked and was given permission to extend his remarks in the RECORD.

SPECIAL ORDER GRANTED

Mr. BAKEWELL. Mr. Speaker, on behalf of my colleague the gentleman from Louisiana [Mr. BROOKS] who has a special order for 30 minutes today, I ask unanimous consent that that special order be vacated, and in lieu thereof that on tomorrow after the disposition of business on the Speaker's desk and following the conclusion of special orders heretofore granted, he may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. BAKEWELL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADJOURNMENT

Mr. BAKEWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 22 minutes p. m.) pursuant to its previous order, the House adjourned until tomorrow, Wednesday, May 26, 1948, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1585. A letter from the Attorney General, transmitting a copy of a letter from the Secretary of Agriculture advising the withdrawal of the voluntary plan for the conservation of grain by the baking industry; to the Committee on Banking and Currency.

1586. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to convey to the city of New York a perpetual easement in, over, and upon a 0.29-acre parcel of land at New York Naval Shipyard; to the Committee on Armed Services.

1587. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 25 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General; to the Committee on the Judiciary.

1588. A letter from the Secretary of the Treasury, the Secretary of Labor, and the Administrator, Federal Security Agency, transmitting the Eighth Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund; to the Committee on Ways and Means.

---

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. AUGUST H. ANDRESEN: Select Committee to Investigate Commodity Transactions. H. Res. 404. Resolution authorizing preliminary survey of speculative commodity transactions on United States futures markets by resident and nonresident aliens; without amendment (Rept. No. 2025). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. J. Res. 406. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace; without amendment (Rept. No. 2026). Referred to the House Calendar.

Mr. WELCH: Committee on Public Lands. H. R. 3807. A bill to provide for the operation of the recreational facilities within the Catoctin recreational demonstration area, near Thurmont, Md., by the Secretary of the Interior through the National Park Service, and for other purposes; without amendment (Rept. No. 2027). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 5313. A bill to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws; with an amendment (Rept. No. 2028). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6028. A bill to authorize appropriations for the Bureau of Reclamation for payments to school districts on certain projects during their construction status; with an amendment (Rept. No. 2029). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6090. A bill authorizing the Secretary of the Interior to issue patents for lands held under color of title; with an amendment (Rept. No. 2030). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6233. A bill to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described; with amendments (Rept. No. 2031). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6239. A bill to provide for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska; without amendment (Rept. No. 2032). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6335. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States; without amendment (Rept. No. 2033). Referred to the Committee of the Whole House on the State of the Union.

Mr. LOVE: Committee on Post Office and Civil Service. H. R. 6454. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain Federal employees who have rendered at least 20 years' service in the investigation and apprehension of persons suspected or convicted of offenses against the United States; with amendments (Rept. No. 2034). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6502. A bill to amend the Organic Act of Puerto Rico; without amendment (Rept. No. 2035). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. S. 1925. An act to convey certain land to the city of Pierre, S. Dak.; without amendment (Rept. No. 2036). Referred to the Committee of the Whole House on the State of the Union.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GOFF:

H. R. 6692. A bill to advance knowledge on the history and culture of the American Indian through the acquisition and preservation of irreplaceable artifacts and relics; to the Committee on Public Lands.

By Mr. HAGEN:

H. R. 6693. A bill to authorize an appropriation for the reconstruction and repair of roads and other public facilities in the States of Minnesota and North Dakota which were destroyed or damaged by recent floods; to the Committee on Public Works.

By Mr. BROOKS:

H. R. 6694. A bill to provide for equalization of flight pay for Navy and Marine Corps officers and former officers who did not receive flight pay equal to that paid to Army officers engaged in regular and frequent aerial flights; to the Committee on Armed Services.

By Mr. REES:

H. R. 6695. A bill to amend the act of August 1, 1947, to authorize the creation of 10 professional and scientific positions in the headquarters and research stations of the National Advisory Committee for Aeronautics; to the Committee on Post Office and Civil Service.

By Mr. BENNETT of Missouri:

H. R. 6696. A bill to amend part I of the Interstate Commerce Act, with respect to standards of safety and sanitation in the case of certain cars and equipment used in the movement of express traffic or baggage; to the Committee on Interstate and Foreign Commerce.

By Mr. POULSON:

H. R. 6697. A bill to authorize the sale and grant to the city of Los Angeles, Calif., of certain interests in public lands, and repealing a certain act; to the Committee on Public Lands.

By Mr. ANDREWS of New York:

H. R. 6698. A bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines; to the Committee on Armed Services.

H. R. 6699. A bill to amend the act of August 1, 1947, to clarify the position of the Department of the Air Force, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HEFFERNAN:

H. R. 6700. A bill to authorize the erection of a United States naval hospital at the naval shipyard at Brooklyn, N. Y.; to the Committee on Armed Services.

By Mr. TEAGUE:

H. R. 6701. A bill to provide for the recall of officers to active duty for purposes of rehospitalization and evaluation; to the Committee on Armed Services.

By Mr. BAKEWELL (by request):

H. J. Res. 410. Joint resolution authorizing and requesting the President to proclaim an annual national wear-a-flower week; to the Committee on the Judiciary.

By Mr. REES:

H. J. Res. 411. Joint resolution to authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature; to the Committee on Post Office and Civil Service.

By Mr. WEICHEL:

H. J. Res. 412. Joint resolution to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities; to the Committee on Merchant Marine and Fisheries.

H. J. Res. 413. Joint resolution to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BUCHANAN:

H. J. Res. 414. Joint resolution designating March 30 of each year as Shut-In's Day; to the Committee on the Judiciary.

By Mr. SANBORN:

H. Con. Res. 205. Concurrent resolution providing for the printing of 25,000 copies of document entitled "Money Makes the Mare Go," jacket No. 94829; to the Committee on House Administration.

By Mr. CORBETT:

H. Con. Res. 206. Concurrent resolution authorizing the printing of Memorial Masterpieces as a House document and authorizing the printing of 2,190 additional copies; to the Committee on House Administration.

By Mr. BARRETT:

H. Res. 612. Resolution to provide funds for the expenses of the investigation authorized by House Resolution 604 of the Eightieth Congress; to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H. Res. 614. Resolution to authorize the Committee on Veterans' Affairs to investigate the hospitalization of veterans; to the Committee on Rules.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LODGE:

H. R. 6702. A bill for the relief of First Lt. Harry S. Watcke; to the Committee on the Judiciary.

By Mr. SOMERS:

H. R. 6703. A bill for the relief of Peter D. Orahovats and Velislava Orahovats; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2008. By Mr. CLASON: Petition of Amherst Grange, No. 16, of Amherst, Mass., urging our National Government to adopt a long-term agricultural policy which will provide for conservation of soil, water, forests, and wildlife; for proper land use; for maintenance of soil fertility; and for production of an adequate nutritious diet for its citizens; to the Committee on Agriculture.

2009. Also, petition of residents of western Massachusetts, urging the enactment of the Taft-Ellender-Wagner housing bill; to the Committee on Banking and Currency.

2010. By Mr. ELSTON: Petition of George Meixner and 61 other residents of Cincinnati, Ohio, and vicinity, urging passage of House bill 6397, to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

2011. Also, petition of Jacob Scholl and 113 other residents of Cincinnati, Ohio, and vicinity, in support of House bill 5993, to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

2012. By Mr. LYNCH: Petition of the general convention of the Episcopal Church, urging the admission of 400,000 displaced persons; to the Committee on the Judiciary.

2013. Also, petition of the general convention of the Episcopal Church, urging the formation of a true federal union, either by amendment of the United Nations or through the formation of a regional defense pact under the provisions of chapter 8, paragraph 52, of the present Charter; to the Committee on Foreign Affairs.

2014. By Mr. SMITH of Wisconsin: Resolution of the Woman's Society of Christian Service of Yorkville Methodist Church, Yorkville, Wis., protesting against peacetime military conscription; to the Committee on Armed Services.

2015. By the SPEAKER: Petition of Morris Hankin and others, urging consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act," to the Committee on Un-American Activities.

2016. Also, petition of Mrs. A. C. Rhudy, Sr., Tampa, Fla., and others, urging consideration of their resolution with reference to endorsement of the Townsend plan (H. R. 16); to the Committee on Ways and Means.

## SENATE

### WEDNESDAY, MAY 26, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, have pity upon us, who have so little pity in our hearts.

We give, but not in kindness.

We give because the sound of crying disturbs us and we want to be free to look after the things that concern ourselves.

We want peace without pain and security without sacrifice.

We had to accept the responsibilities of war, but we do not want to accept the responsibilities of peace.

O Lord, be patient with us.

Give us yet more time to learn what love is, and how love should act, and how love can change us as individuals and as a nation.

We pray in the name of Him who loves us all. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of Tuesday, May 25, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 25, 1948, the President had approved and signed the following acts:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 315. An act for the relief of Reginald Mitchell;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1365. An act for the relief of Lowe Way Yuen and Dang Chee;

S. 1451. An act for the relief of Perfecto M. Biason and Joan Biason;

S. 1483. An act for the relief of Guy Cheng;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1651. An act to amend the General Bridge Act of 1946; and

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2878) to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WELCH, Mr. CRAWFORD, Mr. D'EWART, Mr. MURDOCK, and Mr. PETERSON were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 3731. An act authorizing modifications in the repayment contracts with the Lower Yellowstone Irrigation District No. 1 and the Lower Yellowstone Irrigation District No. 2; and

H. R. 3785. An act to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5298) to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 1006. An act to amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes;

S. 2256. An act relating to the meat-inspection service of the Department of Agriculture;

H. R. 183. An act to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska;

H. R. 350. An act for the relief of Caffey Robertson-Smith, Inc.;

H. R. 892. An act for the relief of Michel Ferapontow;

H. R. 926. An act for the relief of Doda Greenbaum (Brenner);

H. R. 1608. An act to amend an act entitled "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes," approved August 10, 1939 (53 Stat. 1338);

H. R. 1916. An act for the relief of Filiberto A. Bonaventura;

H. R. 2218. An act for the relief of Lawrence Edgar Edwards;

H. R. 2384. An act for the relief of Colbert H. Cannon;

H. R. 2760. An act for the relief of Thomas Camarda;

H. R. 3344. An act to amend the fourth paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C. sec. 101), as amended;

H. R. 3358. An act for the relief of Dr. Timothy C. H. Liang and Dr. Esther Chang Liang;

H. R. 3526. An act for the relief of Mrs. Margaret K. Cahn;

H. R. 3578. An act to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes;

H. R. 3603. An act granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other;

H. R. 3633. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 3635. An act to ratify sections 1 and 2 of Joint Resolution 7 enacted by the Legislature of the Territory of Hawaii in its regular session of 1947;

H. R. 3640. An act for the relief of Mrs. Charlotte D. Wang, Harvey S. P. Wang, and Arthur Y. P. Wang;

H. R. 3644. An act for the relief of James M. Dingwall, Jr.; Aileen Reynolds; Bert Woolslayer; and Mrs. Maisie Purser Davis;

H. R. 3730. An act to amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law;

H. R. 3954. An act to approve Act No. 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii," and Act No. 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds";

H. R. 3965. An act for the relief of John H. Schmitt and Mrs. Mildred Schmitt;

H. R. 4091. An act to ratify Act 237 of the Session Laws of Hawaii, 1947;

H. R. 4201. An act to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project;

H. R. 4377. An act for the relief of the Consolidated Steel Corp., of Los Angeles, Calif.;

H. R. 4379. An act for the relief of the Harbor Boat Building Co.; the Wilmington Welding & Boiler Works; and B & R Machine Works, of Los Angeles, Calif.;

H. R. 4393. An act to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes;

H. R. 4426. An act to provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes;

H. R. 4443. An act for the relief of Jacob Cohen;

H. R. 4484. An act for the relief of Theodore Loetsch;

H. R. 4512. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State College, at Tahlequah, Okla.;

H. R. 4513. An act to eliminate the requirement of oaths in certain land matters, and for other purposes;

H. R. 4551. An act to provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes;

H. R. 4593. An act for the relief of Abraham Spevak;

H. R. 4672. An act for the relief of John Cameron Henry;

H. R. 4804. An act to allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941;

H. R. 4817. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 4823. An act to provide adequate school facilities within Yellowstone National Park, and for other purposes;

H. R. 5122. An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512);

H. R. 5173. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 5175. An act to confirm and ratify Act 205 of the Session Laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds;

H. R. 5244. An act to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II";

H. R. 5836. An act to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.;

H. R. 5839. An act to authorize the conveyance to States or political subdivisions of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes;

H. R. 5870. An act to amend the act of May 16, 1946 (Public Law 383, 79th Cong.), as amended, to provide increased allowances for the escorts of repatriated war dead;

H. R. 5901. An act to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of the States of the Colorado River Basin in addition to appropriation for said purposes from the Colorado River Development Fund;

H. R. 5922. An act relating to the issuance of reentry permits to certain aliens;

H. R. 6203. An act to incorporate the Roman Catholic Archbishop of Washington a corporation sole;

H. R. 6209. An act to amend an act entitled "An act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia," approved January 6, 1893, as amended;

H. R. 6302. An act to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950;

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace;

H. J. Res. 339. Joint resolution to provide for the issuance of a special postage stamp series in honor of volunteer firemen;

H. J. Res. 371. Joint resolution to authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City;

H. J. Res. 379. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949;

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes; and

H. J. Res. 381. Joint resolution to provide for the quartering in certain public buildings in the District of Columbia of troops participating in the inaugural ceremonies of 1949.

## LEAVE OF ABSENCE

Mr. AIKEN. Mr. President, I ask permission of the Senate for the Senator from New Hampshire [Mr. TOBEY] to be absent from the Senate until Monday, June 7, on strictly unofficial business. The Senator from New Hampshire is being married this afternoon. I am sure the Senator from New Hampshire has the congratulations of all his colleagues in the Senate.

The PRESIDENT pro tempore. Without objection, the order is entered, and the congratulations are endorsed.

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. DONNELL asked and obtained consent that the subcommittee of the Committee on the Judiciary which is engaged in hearing testimony with respect to the nomination of Roy W. Harper for appointment to the Federal bench in Missouri may be permitted to hold a session this afternoon during the session of the Senate.

Mr. WHERRY asked and obtained consent that the subcommittee of the Small Business Committee investigating the shortage of oil and petroleum products may continue to sit during the session this afternoon.

He also asked and obtained consent that the subcommittee of the Committee on the Judiciary considering the nomination of Samuel Hamilton Kaufman to be United States district judge for the southern district of New York be permitted to meet during the session of the Senate today.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. WHERRY. Mr. President, I believe the RECORD will disclose that the distinguished senior Senator from Wisconsin [Mr. WILEY] was to be recognized when the Senate convened today, under a unanimous-consent order.

The PRESIDENT pro tempore. The Senator is correct.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Moore |
| Baldwin | Green | Morse |
| Ball | Gurney | Murray |
| Barkley | Hatch | Myers |
| Brewster | Hawkes | O'Conor |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Buck | Hoey | Robertson, Va. |
| Butler | Holland | Russell |
| Byrd | Ives | Saltonstall |
| Capehart | Johnson, Colo. | Smith |
| Capper | Johnston, S. C. | Sparkman |
| Chavez | Kem | Stennis |
| Connally | Kilgore | Stewart |
| Cooper | Knowland | Taft |
| Cordon | Langer | Thomas, Okla. |
| Donnell | Lodge | Thomas, Utah |
| Downey | McFarland | Thye |
| Dworshak | McGrath | Tydings |
| Eastland | McKellar | Vandenberg |
| Ecton | McMahon | Wherry |
| Ellender | Magnuson | White |
| Feazel | Malone | Wiley |
| Ferguson | Martin | Williams |
| Flanders | Maybank | Wilson |
| Fulbright | Millikin | Young |

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. JENNER], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate on official business.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate.

Mr. BARKLEY. I announce that the Senator from Illinois [Mr. LUCAS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Arkansas [Mr. MCCLELLAN] and the Senator from Texas [Mr. O'DANIEL] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present.

The business before the Senate is Senate bill 2242, and the question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. REVERCOMB]. Under the unanimous-consent order of yesterday, the Chair recognizes the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, I rise to speak to Senate bill 2242, which relates to the admission into the United States of a total of 100,000 displaced persons during the next two fiscal years. In approaching the subject I wish to say that there has been a great deal of misunderstanding as to what might be called the general over-all immigration situation, as is evidenced by the mail received by Senators and my statements of groups which have appeared in Washington in our offices and elsewhere.

Mr. President, pursuant to the resolution agreed to on July 26, 1947, known as Senate Resolution 137, there was set up under the Committee on the Judiciary a subcommittee. To head that subcommittee I appointed the Senator from West Virginia [Mr. REVERCOMB]. The subcommittee had as its function, first, a study and analysis of the whole immigration problem; and second, a study and analysis of the displaced persons problem.

The members of the so-called displaced persons subcommittee, besides the chairman, were the Senator from Missouri [Mr. DONNELL], the Senator from Kentucky [Mr. COOPER], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Rhode Island [Mr. MCGRATH]. As has been stated on the floor, under the plan of organization of the Judiciary Committee, I, as chairman of the committee, am ex officio a member of every subcommittee.

The subcommittee was joined by the Senator from New Jersey [Mr. SMITH] and the Senator from Virginia [Mr. BYRD], the Senator from New Jersey representing the Committee on Foreign Relations and the Senator from Virginia representing the Committee on Armed Services, both acting in an advisory capacity to the subcommittee. A staff was activated, and a program of study and investigation inaugurated in relation to the problem of displaced persons.

A number of members of the subcommittee went to Europe, as did a part of the staff. I did not accompany the subcommittee. However, I preceded the subcommittee on my own account and responsibility.

The subcommittee returned and held a number of hearings. It was my priv-

ilege to attend several of them. At those hearings I became aware of the fact that the members of the subcommittee were not agreed as to what the bill to be reported from the committee should contain. Let me say parenthetically that this is a committee bill. I had nothing to do with drafting the bill; yet through some fortuitous circumstance my name became attached to it, and I became the very pleasant target of all America. Pamphlets were published by the hundreds of thousands criticizing me and criticizing the bill. I have no apology to make for the bill, because I am speaking in favor of it today. It is the result of the work of three members of the subcommittee, namely, the Senator from West Virginia [Mr. REVERCOMB], the Senator from Missouri [Mr. DONNELL], and the Senator from Nevada [Mr. MCCARRAN]. As I understand, the other two members of the subcommittee have introduced a substitute bill.

As I stated at the beginning, pursuant to the resolution of this body the subcommittee was constituted with two great functions. We cannot devote all our attention to one and disregard the other.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. COOPER. I should like to make a comment on the statement made a few moments ago by my good friend the distinguished senior Senator from Wisconsin. He stated that when the bill came from the committee it was a committee bill, and that as chairman of the Committee on the Judiciary his name was attached to the bill. He stated that the bill has been the subject of criticism. He knows that I have not agreed with all the provisions of the bill. But, as one member of the subcommittee, I should like to say that those who criticize the bill ignore entirely the fact that it is the first bill in the interest of displaced persons which has actually reached the stage of debate and decision.

Second, it announces the policy that this country will treat the problem as a problem entirely separate from immigration policy and that we will resettle a certain number of displaced persons.

A third great principle which it enunciates is that we do not accept displaced persons solely upon the ground of the self-interest of this country. It does not propose that displaced persons be selected solely upon the basis of the tasks which they might perform in this country. It accepts family groups and if this bill is passed I believe that we will be the first nation to select displaced persons in family groups.

Although as one member of the subcommittee I have not agreed with all the provisions of the bill, and have joined in amendments which I think improve it. I must emphasize that it enunciates great principles. I do not believe that the critics and the newspapers have sensed and taken into account this fundamental fact.

Mr. WILEY. I thank my good friend from Kentucky. I appreciate his words. So far as I am personally concerned, the criticisms have rolled off me like water off a duck's back. But, Mr. President, I know what the subcommittee has done. I know that before the immigration subcommittee have come hundreds of bills, some relating to very questionable characters in connection with immigration into this country.

The subcommittee has sweated week in and week out at the job of formulating a great policy. The only reason I mention the criticism is that the other day in the city of Washington I happened to be among a group of businessmen, I bring this point into the open because it is so important for all America to understand it. At various sessions of the Chamber of Commerce of the United States talks were made by Senators and by businessmen. Following one of these sessions there was a luncheon around a small table. The subject under discussion was not idle gossip. The question was, "What can I do when I go back home." One of the answers was, "I will not indulge in curbstone advice or snap judgment. I will get all the facts, and I will not condemn or criticise on the basis of superficial knowledge." I wish to God that that attitude could be adopted throughout America, and that groups which have selfish interests could follow the Biblical injunction, "Judge not, that ye be not judged." I am not speaking about myself. I am speaking about the subcommittee, which has labored and got results.

Mr. President, I have said that we cannot discuss one phase of the immigration problem—and, after all, the question of displaced persons is an immigration problem—without understanding the general over-all problem. The United States for many years has had an immigration policy which has been established by the legislative branch of the Government. It has been a wise policy. I am not criticizing those who say that under this bill 200,000 persons, instead of 100,000, should be admitted. If they have arrived at that honest conclusion, that is their right. But, Mr. President, under the quota allotted to Europe, 150,000 persons are allowed to enter the United States each year. I am not now talking about displaced persons; I am talking about the immigration quota, and I say that under the quota 150,000 persons from Europe are allowed to enter the United States each year. In addition to those who are admitted under the quota, there is the group of persons who are admitted on a nonquota basis. Last year, 76,000 more persons entered the United States on a nonquota basis. So, instead of having a total of 150,000 persons admitted to the United States from Europe during one year under the quota, as many as 300,000 persons in addition could be admitted on a nonquota basis.

Now we are asked to pass a bill relating to displaced persons which would permit, in addition to the present quota and nonquota number, the entry of 50,000 displaced persons each year for 2 years, or a total of 100,000. Let me make that clear: We have a quota for Europe of 150,000 persons a year. Last year we had, in addition to that, an actual immigration into the United States on a nonquota basis of 76,000 persons. Now it is desired to add, on top of that, another 100,000, or 50,000 displaced persons for each of the 2 years 1949 and 1950.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. ELLENDER. Will the Senator tell us more about the 76,000 persons coming from Europe last year, in addition to the 150,000?

Mr. WILEY. Of course, it is necessary to understand the nonquota provisions. The nonquota provisions apply to relatives, such as a husband, a wife, or a child under 21 years of age. As I have said, 76,000 persons in that group entered the United States last year. A large number of them were the wives of American soldiers.

Mr. ELLENDER. Under the nonquota system, would there be any way by which the displaced persons could be taken care of to some extent?

Mr. WILEY. As a matter of fact, under the Presidential order of December 22, 1945—and in referring to the nonquota group, I am not referring to displaced persons—90 percent of the visas issued in Germany and Austria were allocated to displaced persons.

Mr. ELLENDER. Mr. President, does the Senator have any figures to indicate the number of displaced persons who have entered the United States since the end of the war?

Mr. WILEY. By June 30 there will be approximately 50,000, even though the displaced-persons law is not yet on the statute books.

Mr. President, I have stated these figures for the reason that there is a general misunderstanding about this matter. It is believed that we are being asked to pass a general immigration law and that we are trying to restrict the entrance of people into the United States. However, that is not true. This committee is not ready to report, and will not be ready to report until next year, on any of the plans in relation to a revision of the general immigration laws or in relation to the quotas.

All this bill does, as has been stated dynamically by my dear friend, the Senator from Kentucky, is for the first time in history, by the action of the Government of the United States, to lead the way, by legislative means, in beginning to handle the problem presented by displaced persons—in this case, 1,300,000 of them. When the war was over, there were approximately 8,000,000 displaced persons, and now that number has been reduced to 1,300,000. So the job which has been done in that respect is not at all a bad one. When we hear statements about the terrible conditions of the displaced persons today, such statements are not at all correct. The people in the displaced-persons camps are being fed better than are the Germans who are outside the camps. The record shows that those who are in the camps are receiving approximately 250 to 500 more calories a day than are the people who live outside the camps in those countries. Obviously, Mr. President, a great deal that is said about this entire situation is not correct.

But we are facing this problem: Under the United Nations, as will be remembered, an attempt was made to create an International Refugee Organization. In view of the fact that it has not come

into being, because the requisite number of nations have not consented to it, there has been set up a PCIRO, or Preparatory Commission of the International Refugee Organization. That is the group which is undertaking to feed and look after the displaced persons. So, Mr. President, we are faced with the necessity of determining how many displaced persons shall be admitted into the United States, in addition to the other persons who are being admitted, as I have stated. We must decide how many we can handle in this country during the next year.

I wish to state generally that, as suggested by the Senator from Kentucky when he spoke a few moments ago, this is an experiment; it is a new step. We are dealing with the displaced-person problem at a time when we know that all over the world Communists wish to enter the United States; we are dealing with it when this afternoon the Judiciary Committee will consider again, in executive session, the Mundt bill, which provides for the handling of the Communist situation, so far as possible, in the United States.

I should like to refer to what the committee has said about the Communist problem. I refer now to page 20 of the report. We considered the possibility that Communists would infiltrate the displaced-persons' camps and eventually would gain entrance into the United States; and we discussed the matter with some of the consular officials. The opinion was expressed that the situation was tailor-made for effecting illegal entry into the United States on false documents, because it is difficult to verify identifying data or to check the proof of nationality. Attention was called to one or two cases in which Communists had presented false documents and had been caught. The testimony shows that 40 percent of the applications for visas were forged by persons wishing to enter the United States.

Mr. President, it will not be my purpose at this time to comment at great length on the proposed legislation which now is pending. Senate bill 2242 represents, as I have stated, very long and arduous work on the part of the Immigration Subcommittee of the Senate Judiciary Committee, under the able chairmanship of our distinguished colleague, the Senator from West Virginia [Mr. REVERCOMB]. At the request of the full committee, I reported the bill to the Senate. It is a committee bill, and there was only one dissenting vote in the committee at that time. Although this proposed legislation bears my name, as I have already stated it is the committee bill. I had nothing to do with the drafting of the bill. However, I adopt it. It is a subcommittee bill, having been written in the first instance by the subcommittee and then adopted by the full committee. It was reported to the floor of the Senate by the committee. I personally voted for the bill in the full committee because I believed it to be a practical measure.

Beyond the quota and nonquota entries to which I have already referred, 50,000 additional persons can be siphoned into the United States, if they are properly screened to protect our national interests, to say nothing of what are our needs in this country, and where those persons are to be placed. I have had group after group come to my office and suggest the rules which should apply, but when I asked them, "How many will you take?" not one of them said, "I will take one." When I asked, "How many will you guarantee?" not one of them said, "I will take them, or give a guaranty."

Mr. President, some fine work has been done by resettlement commissions in various States. The other day I telegraphed to the Wisconsin Committee on Resettlement of Displaced Persons, which had been set up by Governor Rennebohm, regarding facilities that might be available in my own State for DP's. I have received the following telegram in response:

MADISON, WIS., *May 25, 1948.*

Senator ALEXANDER WILEY,
*Senate Chamber, Washington, D. C.:*

Based on survey conducted by governor's committee, Wisconsin will have no difficulty in finding suitable employment and housing for about 3,000 families or in terms of individuals upward of 10,000. Rural Wisconsin offers more employment opportunities and housing than urban areas. Survey encountered no significant opposition to proposal of resettlement of displaced persons and in contrast found sufficient individuals and groups of people enthusiastically in favor of proposal so there is no question about Wisconsin's ability to absorb its share and more of the admissions authorized in your Senate bill. Letter follows.

Prof. GEORGE W. HILL,
*Chairman, Wisconsin Committee on Resettlement of Displaced Persons.*

Mr. President, I have not yet received the letter. Today I am personally very happy that the members of that committee feel Wisconsin will absorb some farmers. The bill provides that 50 percent of the quota should go to the farms, where they are needed. The farmers all over America need help. But the strange thing is, during all these months, no communication has been sent to me indicating who will take immigrants who are in the displaced persons category. Many committees came to Washington. If I had accepted the generalities of those who came to my office, Mr. President, I could have reached the conclusion that this country was ready to take millions of displaced persons and absorb them and house them.

Mr. President, where are we to put the displaced persons who may come to our shores? Two million or more veterans coming out of college must have jobs. Our young folks are growing up. A housing problem exists in every community in the United States. Two million married couples in America are now sharing small quarters with others. These are facts we must consider, over and above the lot of the displaced persons in Europe. This is America, our home. We want good blood to come to this country. But we do not want any "rats"—we have enough of them. We want to be careful how we handle the problem, because it is dynamite. Every time we have fooled around with Joe Stalin, as the facts show, we have generally been taken for a ride. There is no need of our opening up the gates, in this world crisis, to an influx of immigrants, if there is any question about their character and their ability to be absorbed into our way of life.

Yes, Mr. President, there has been widespread criticism of some of the provisions of the bill. Some have felt that the number of displaced persons to be allowed into our country is too small. Others have protested against the preference provision for agricultural workers or from DP's from the Baltic lands and from Poland east of the Curzon line. Others have protested against the provisions which prevent displacement of our own American people from jobs and housing and any elaborate assurance in advance that such will not occur.

Let me say here, that displaced persons are being looked after, and we are paying the major portion of the bill. But they are being looked after in Europe. If there are jobs for them here, and if, after a trial period, we can put 50,000 of them through the screening process between now and next January, and can get our mechanism in shape so it will operate, and there are jobs and houses in this country for a greater number, there is no reason why, at that time, we should not increase the allotment. But that does not suit certain groups in this country.

Mr. President, I call attention to those who are in favor of the suggested number of 50,000. I shall mention first the Senator from Nevada [Mr. MCCARRAN], with the chairman of the subcommittee, the Senator from West Virginia [Mr. REVERCOMB], and then the Senator from Missouri [Mr. DONNELL]. The 50,000 provision was the result of much discussion, I can understand. There are those who say it should be 100,000.

Let it be demonstrated on the floor of the Senate, Mr. President, that jobs are available, and that there are those who have houses who will take these people. Let us not indulge in mere generalities. Many committees have been working on this question now for many months, and some of them have been paid very good sums to head up organizations to disseminate propaganda, as in the case of oleomargarine. One committee, organized for purposes of propaganda, as shown by the record, had a pay roll of $152,000, with which to endeavor to influence the Senate group.

Each of these matters will be handled by amendments that are expected to be submitted from the Senate floor. The merits of the amendments will be debated, and I shall not at this time attempt to evaluate their merits, beyond what I have already said.

I do, however, want to make the point that I believe the work of the Immigration Sucommittee should be recognized in analyzing this problem on an objective basis and over a long period of time with testimony from the most informed sources available on this tremendous problem. The judgment of the subcommittee on any of these counts should not lightly be rejected. While neither I nor any of my colleagues will take that judgment as the final word on the situation, I believe that we should give it our most careful consideration.

At the same time, while bearing in mind our humanitarian obligations to

the stricken displaced persons in Europe, we must also remember our obligations to this dear land of ours. I call to the attention of my colleagues the fact that 40 percent of the applications for visas to our country from DP's have been fraudulent, and that entry into our land by DP's provides a golden opportunity for agents of Soviet Russia to enter America.

These facts should not be forgotten. We should not, in our zeal to fulfill our humanitarian responsibilities, forget our responsibilities to our own land and to our own people.

We are paying most of the bill over there. A problem is involved which needs care and attention. It must not be solved through an emotional approach. When I say that, I am not condemning those who want their relatives, persons of their own kin and blood, to come to this country. I know the ties which exist. I am a son of immigrants. My mother came to this country at the age of 3 years, before the Civil War. But, Mr. President, I am first, last, and always an American. I know that in these troublous times we should not let our emotions divert us from the real job in which we are engaged, which is protecting the people of America.

Let me repeat, Mr. President, the facts which I have stated should not be forgotten. We should not, in our zeal to fulfill our humanitarian responsibilities, forget our responsibilities to our own land and to our own people.

I am hoping that some DP legislation will pass, but it is obvious that if we here attempt to write an impractical and visionary formula for such legislation, it definitely will not succeed, and we will place an impossible task upon whoever is charged with administering the DP program.

The question, therefore, is how to reconcile our action with our obligations to our own people and our obligations to the displaced persons. I do not believe these obligations are inconsistent or contradictory. I know that we will be adequate to the purpose of working out an equitable formula.

I think this bill provides for that. It is an experiment, Mr. President. We speak of adding to the existing quota and nonquota list 50,000 more displaced persons who have to be screened. We are putting that additional work on the Immigration Bureau, or whatever department of the Government is to handle the question. We do not want it done in any lax way, and I hope that none of us here will be carried away by emotion, by false charges or prejudice, or any similar phony claim.

We all know that we are all descendants of immigrants who came to the new world and found in it a paradise of opportunity. I know that there are other potential immigrants now in Europe who could render wonderful account of themselves and could make real contributions to our land, but there are also in Europe Soviet agents and others of extremely questionable loyalty and extremely questionable value to our land.

For the sake of the worthy DP's whose name would be tarnished by the other group to which I have referred, for the sake of our own country, I ask that my colleagues give their very careful consideration to this legislation and arrive at their judgment on the basis of the facts and the merits of the case.

I think I have a particular reason for special interest in this bill, because at this time plans are under way for the embarking of 4 ships in what is known as the Wisconsin Centennial Friendship Fleet. The first of these will leave for Norway tomorrow. These ships will carry with them the gifts and good wishes of Americans of Wisconsin to the lands of their forefathers—the Scandinavian and the Low Countries. On the return trip, these friendship fleet boats are expected to bring back immigrants who might not otherwise have been able to come to our shores because of the terrific lack of passenger ship facilities. Later on this summer, it is possible that a friendship fleet boat may go to western Germany, from which come so many of our finest Wisconsin people.

The whole State of Wisconsin is particularly a vast combination of foreign cultures and peoples blended into a new race of men—the American race.

Yes, no one can say that we of Wisconsin lack sympathy with the problems of the displaced persons.

AMERICA'S CHRISTIAN OBLIGATIONS

We recognize, too, that not only must we, as Americans, extend the hand of friendship to these displaced persons, but we who profess to be Christians, and who profess to follow the creed of the Master of Galilee, must, in the great American tradition, extend our hand and our haven to the footsore, the weary, the persecuted, the downtrodden. We recognize our humanitarian obligations. We recognize, too, that America has been propelled to leadership among the nations of earth and that all the other countries are watching America and the way in which we proceed with this displaced-persons problem.

As Americans, therefore—and I speak of Christians in terms of the spirit of nobility, of generosity, of charity, of help, rather than in terms of any one particular faith—we must approach this bill with the most sympathetic understanding.

SAFEGUARDS AGAINST RECKLESSNESS

At the same time, Mr. President, we must all be aware of the real practicalities in this situation. Let me emphasize a few:

First. As reported in the committee report on displaced persons, more than 40 percent of the applications for visas to our country have been found to be fraudulent. The reason for this is that obviously the displaced persons group provides a wonderful opportunity for Soviet agents and saboteurs to infiltrate the ranks. Unless we set up careful screening machinery, we shall find that our land will have been further invaded by Russian agents, who will not only seek to "termite" our institutions, but who will tarnish the name of the displaced persons themselves. We in the Judiciary Committee are now considering the Mundt-Nixon bill to control subversive activities. It would be ridiculous for us to report any legislation such as this and at the same time to seek special legislation which would merely permit a flood of Russian agents to enter our land.

Second. The processing of displaced persons is a tremendous and complicated job. It will take a considerable number of men and a considerable amount of time. If we set the figure in this bill too high, then we will have set an unattainable and unreachable goal which simply cannot be fulfilled within a period of 12 months or 24 months. Why fool displaced persons abroad into believing that we can process a tremendous number of them within a short period of time? Why break their hearts and break our promises by setting up unattainable goals?

Third. The Judiciary Committee adopted certain preference provisions for agricultural individuals, of whom we have a terrific need in our land, and for other folks who would not displace Americans from jobs or housing. Would it not be cruel to bring displaced persons into our land into already overfilled occupations and overfilled areas? Is it not wiser to make advance preparations for them and to make sure that they will be adequately taken care of rather than simply allow them to pour into our land and then suffer the consequences of lack of preparations?

Mr. President, some fine work has been done by resettlement commissions in various States. I have already placed in the RECORD the telegram which I received from Prof. George W. Hill, chairman of the Wisconsin Committee on Resettlement of Displaced Persons. Wisconsin, a State of 3,300,000 people, is confronted with the question of whether it can absorb 3,000 heads of families. We need something more definite than the information we have received. I shall telegraph Professor Hill again and ask him for the names and addresses of persons who will, if this bill shall become law, actually take in DP's.

I am satisfied that there are certain industries which can use additional help. I know that American tailors could use foreign tailors. There should be no problem in that regard. If the people in New York and elsewhere want tailors, and the foreign tailors pass the test and jobs can be provided which will not displace Americans, they should be taken care of.

Mr. President, there is another provision of the bill which should bear real scrutiny from the standpoint of merit. The record discloses that there are between 5,000,000 and 6,000,000 noncitizens in this country. When they came here in the past they had a tendency to settle in the large cities. There they form a whirlpool of foreign isms and create many of our problems. We do not want to add to that whirlpool. There are those abroad who seek homes and havens and jobs here, and want to work and produce and become Americans. On the broad prairies, in the villages and cities throughout the land, without going into the large metropolitan centers, there is plenty of room for them. The problem then arises whether there are houses for them, whether there are those who will guarantee to look after them, or whether

we will get them over here and turn them loose, and perhaps open up displaced persons camps on this continent.

Mr. President, it is not as simple a problem as some of our emotional friends would make it out to be. Wisconsin, of course, is but one State in the Union which has made surveys and studies, and I trust that those who are going to argue for the hundred thousand a year will have gotten what I have been unable to get up to date, namely, a summation of the studies of the various State groups, not mere generalities, but actual, concrete results, and will place them before this body. If that is done, and it can be demonstrated that we should change the figure in the bill to 100,000, and it can be proved that jobs are available, that the displaced persons will not be turned loose on the communities, and that there are houses available, I am sure the subcommittee and the committee itself will be the first to say "Amen." But such demonstration is lacking.

Mr. President, I wish to repeat, mere promises will not make houses or jobs. What we need are guaranties in order to insure that these immigrants will not be left out in the cold, helpless and friendless, when they arrive on our shores, and will not become public charges and a drain on the already overstrained capacity of our congested cities, villages, and homesteads.

Mr. President, I stand ready to abide by the wishes of my colleagues in regard to the pending legislation. I shall respect their opinions. I think the present situation is such that no man can claim that he is omniscient. I merely ask my colleagues to bear in mind the realities which I have mentioned, rather than allow themselves to be swept away, or pressured away, if you please.

Mr. President, to give an example of pressure, the Mundt bill had not even come to the Senate, or been assigned by the President pro tempore to the Committee on the Judiciary before telegrams and letters began to come to the committee from all over the country. We had not even gotten the bill, but someone had told certain groups to put on the pressure. One hundred and fifty-two thousand dollars was spent by one committee pressuring Members of Congress on this subject in 1 year, as appears from figures in the clerk's office.

For the sake of our own land, for the sake of the displaced persons themselves, we have to make sure that if we are to proceed along this line we shall go forward with calmness and judgment, with practicality and a realistic appraisal of the facts involved in the performance of our Christian and humanitarian obligations.

Mr. President, something was said the other day about this being a dark cloud on American conduct, or something to that effect. I deny that. I say one can search the annals of mankind from the dawn of history, and no record can be found of a people having done what we are doing, of a people having contributed as we have contributed. Never have people reached out to help their enemies as we have done. During the coming year we will spend $450,000,000 in Germany, plus $800,000,000, to help rehabilitate those people.

Mr. President, that is all the more reason, as we proceed along these lines to give of our sustenance, that we proceed with caution, to the end that the termites may not be permitted to begin their work. And by that term I do not mean to infer that the displaced persons are termites. Some might not believe me when I say that in the camps I visited the people were happy, they were out from under the influence of Joe Stalin, they were producing, they were even building, they had shops and were creating things, and they were well fed. All I urge is that we proceed to carry forward whatever plan we develop, and let it be with a song in our hearts and a light in our eyes, with a prayer on our lips that we will do the job and do it well, if we are going to help the displaced persons and not injure our own country.

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## COMMITTEE SERVICE

On motion of Mr. BARKLEY, and by unanimous consent, it was

*Ordered*, That the Senator from New Mexico [Mr. CHAVEZ] be excused from further service as a member of the Committee on Post Office and Civil Service and assigned to service on the Committee on Appropriations; that the Senator from Alabama [Mr. SPARKMAN] be excused from further service as a member of the Committee on the District of Columbia and assigned to service on the Committee on Public Works; that the Senator from Mississippi [Mr. STENNIS] be excused from further service as a member of the Committee on the District of Columbia and assigned to service on the Committee on Post Office and Civil Service; and that the Senator from Louisiana [Mr. FEAZEL] be assigned to service on the Committee on the District of Columbia.

## TRANSFER OF PORTION OF VETERANS' ADMINISTRATION CENTER AT LOS ANGELES FOR USE OF UNIVERSITY OF CALIFORNIA

The PRESIDENT pro tempore laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration Center at Los Angeles, Calif., to the State of California for the use of the University of California, which, with the accompanying papers, was referred to the Committee on Finance.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Armed Services:

S. 1560. A bill to facilitate the performance of research and development work by and on behalf of the War and Navy Departments, and for other purposes; with amendments (Rept. No. 1397).

By Mr. GURNEY, from the Committee on Armed Services:

S. 2554. A bill to promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes; with amendments (Rept. No. 1409).

By Mr. MAYBANK, from the Committee on Armed Services:

S. 2174. A bill to amend further sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 110 and 112), relating to allowances; with an amendment (Rept. No. 1398).

By Mr. KILGORE, from the Committee on Armed Services:

S. 2553. A bill to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Mass.; without amendment (Rept. No. 1399).

By Mr. RUSSELL, from the Committee on Armed Services:

S. 2622. A bill to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as Reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes; without amendment (Rept. No. 1400).

By Mr. TYDINGS, from the Committee on Armed Services:

S. 2505. A bill to amend the act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such act, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes; with amendments (Rept. No. 1408).

By Mr. BYRD, from the Committee on Armed Services:

H. R. 5283. A bill to provide for the disposal of surplus sand at Fort Story, Va.; without amendment (Rept. No. 1402).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 1183. A bill to incorporate the Virgin Islands Corporation, and for other purposes; with amendments (Rept. No. 1410);

S. 1274. A bill confirming the claim of A. B. Learned to certain lands in the State of Mississippi, county of Wilkinson; with amendments (Rept. No. 1411);

S. 1275. A bill confirming the claim of Miss Lucille Romano to certain lands in the State of Mississippi, county of Warren; with amendments (Rept. No. 1412);

H. R. 3680. A bill to amend sections 207, 213, 215, 216, 220, 222, and 225 of title 2 of the Hawaiian Homes Commission Act, 1920, as amended; without amendment (Rept. No. 1403);

H. R. 4954. A bill to authorize the construction, operation, and maintenance under Federal reclamation laws of the Kennewick division of the Yakima project, Washington; without amendment (Rept. No. 1404);

H. R. 6056. A bill to amend an act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, N. Y.; without amendment (Rept. No. 1405); and

H. R. 6091. A bill to withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii; without amendment (Rept. No. 1406).

By Mr. FLANDERS, from the Committee on Banking and Currency:

S. 2746. A bill to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; with amendments (Rept. No. 1407).

By Mr. COOPER, from the Committee on the Judiciary:

S. 1260. A bill to provide for the settlement and payment to certain motor carriers of

claims against the United States for damages resulting from Federal possession, control, and operation in time of war of the carriers' transportation systems and properties; to provide for just compensation to such carriers for the use of such transportation systems and properties during such possession, control, and operation; and for other purposes; with an amendment (Rept. No. 1414).

INCORPORATION OF THE PANAMA RAILROAD COMPANY—REPORT OF A COMMITTEE

Mr. MORSE. Mr. President, from the Committee on Armed Services, I ask unanimous consent to report an original bill to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company, and I submit a report (No. 1401) thereon.

The PRESIDENT pro tempore. Without objection, the bill and report will be received, and the bill will be placed on the calendar.

The bill (S. 2747) to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company was read twice by its title and ordered to be placed on the calendar.

PROCUREMENT, ETC., OF GOVERNMENT PROPERTY—REPORT OF A COMMITTEE

Mr. AIKEN. Mr. President, from the Committee on Expenditures in the Executive Departments, I ask unanimous consent to report an original bill to organize and simplify the procurement, utilization, and disposal of Government property, and for other purposes, and I submit a report (No. 1413) thereon.

The PRESIDENT pro tempore. Without objection, the bill and report will be received, and the bill will be placed on the calendar.

The bill (S. 2754) to reorganize and simplify the procurement, utilization, and disposal of Government property, and for other purposes, was read twice by its title, and ordered to be placed on the calendar.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 26, 1948, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1006. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, so as to increase the acreage of sodium leases which may be issued in any State to a person, association, or corporation;

S. 2256. An act relating to the meat-inspection service of the Department of Agriculture; and

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAYBANK:

S. 2746. A bill to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; to the Committee on Banking and Currency.

(Mr. MORSE, from the Committee on Armed Services, reported an original bill (S. 2747) to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company, which was ordered to be placed on the calendar, and appears under a separate heading.)

By Mr. BUTLER (for Mr. BUSHFIELD):

S. 2748. A bill to authorize and direct the Secretary of the Interior to issue Katherine Nelson a patent in fee to certain land; and

S. 2749. A bill to authorize and direct the Secretary of the Interior to issue to Kate Charging Cloud Bear Doctor a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

By Mr. DOWNEY:

S. 2750. A bill for the relief of Lee Wee and Chan Suey; and

S. 2751. A bill for the relief of Peter I. Tirbak and his family; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 2752. A bill to provide for the establishment and operation of an experiment station in the Appalachian region for research on the production, refining, transportation, and use of petroleum and natural gas; to the Committee on Interior and Insular Affairs.

By Mr. AIKEN (for himself, Mr. BALL, Mr. BREWSTER, Mr. BUTLER, Mr. CAPEHART, Mr. COOPER, Mr. EASTLAND, Mr. FLANDERS, Mr. FULBRIGHT, Mr. GEORGE, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. JENNER, Mr. LANGER, Mr. PEPPER, Mr. REED, Mr. RUSSELL, Mr. THYE, Mr. WHERRY, and Mr. YOUNG):

S. 2753. A bill to authorize the Federal Works Administrator to provide emergency aid and coordinate the activities of Federal agencies in disaster areas, and for other purposes; to the Committee on Public Works.

(Mr. AIKEN, from the Committee on Expenditures in the Executive Departments, reported an original bill (S. 2754) to reorganize and simplify the procurement, utilization, and disposal of Government property, and for other purposes, which was ordered to be placed on the calendar, and appears under a separate heading.)

By Mr. REVERCOMB (by request):

S. 2755. A bill to amend the act of June 11, 1946, as amended; to the Committee on the Judiciary.

(Mr. MALONE (for himself, Mr. BUTLER, Mr. WILEY, Mr. ECTON, Mr. CAIN, Mr. WATKINS, Mr. THOMAS of Utah, Mr. HATCH, Mr. MCFARLAND, and Mr. CHAVEZ) introduced Senate bill 2756, to stimulate the production and conservation of strategic and critical ores, metals, and minerals in the interest of national defense and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

INCREASE IN LIMIT OF EXPENDITURES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. BUTLER submitted the following resolution (S. Res. 244), which was referred to the Committee on Interior and Insular Affairs:

*Resolved*, That the limit of expenditures authorized under Senate Resolution 148, Eightieth Congress, agreed to July 25, 1947, authorizing the Committee on Public Lands (now the Committee on Interior and Insular Affairs) to make a study and investigation of any matter referred to it, is hereby increased by $25,000.

ADMISSION OF DISPLACED PERSONS—AMENDMENT

Mr. IVES submitted an amendment intended to be proposed by him to the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes, which was ordered to lie on the table and to be printed.

APPROPRIATIONS FOR GOVERNMENT CORPORATIONS AND INDEPENDENT EXECUTIVE AGENCIES, 1949—AMENDMENT

Mr. BARKLEY (for Mr. LUCAS) submitted an amendment intended to be proposed by Mr. LUCAS to the bill (H. R. 6481) making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes, which was referred to the Committee on Appropriations, and ordered to be printed, as follows:

Strike out the proviso on page 3, beginning on line 20 and ending on line 25.

NAVIGATION AND FLOOD-CONTROL WORK ON RIVERS AND HARBORS—AMENDMENT

Mr. PEPPER (for himself and Mr. HOLLAND) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 6419) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control, which was referred to the Committee on Public Works, and ordered to be printed.

COUNTING OF ELECTORAL VOTES—ARTICLE BY THOMAS L. STOKES

Mr. LODGE. Mr. President, the noted columnist and writer, Thomas L. Stokes, writing in the Boston Traveler, and the other newspapers which carry his column, has written an article on the subject of Senate Joint Resolution 200, the joint resolution proposing a constitutional amendment to provide that in the election of President and Vice President of the United States electoral votes be counted in proportion to the popular vote.

As Senators know, three times in our history the candidate who received the greatest number of popular votes for President did not become President. The proposed amendment would correct that very obvious and dangerous defect in our system of electing the President of the United States.

I ask unanimous consent that Mr. Stokes' article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"NATIONAL AFFAIRS"

(By Thomas L. Stokes)

WASHINGTON, May 20.—Congress has a splendid chance at this session to start a long-needed reform on its way. This is abolition of the antique and outmoded electoral-college system and substitution of popular election of our Presidents.

The opportunity is offered in a proposed constitutional amendment which has been reported favorably from the Judiciary Committees of both House and Senate and is waiting on the calendar. Passage by the necessary two-thirds of each branch would send it to the States, of which approval by three-fourths is needed for ratification.

The amendment would abolish the electoral college but retain the electoral votes. Under it, each candidate would receive the proportion of the electoral vote of each State to which his popular vote entitled him. For example, if the Republican candidate received 60 percent of the popular vote in Ohio and the Democratic candidate 40 percent, the Republican would get 15 electoral

votes and the Democrat 10. As it is now, the Republican would get all 25. And so on with every State.

Congress not only has the opportunity to do something now, but it also has today a glaring example of how the electoral system might be abused. This is in the South where, as we are aware, plans are afoot among Democratic organizations in a few States to withhold the electoral vote from President Truman because of his civil-rights program.

There is no certainty that these States will go through with their plan, but if they do, the result will be to place in the hands of a few men the right to cast the vote of the State, no matter how the people vote. The people would be voting blind. Many might vote for President Truman. He might get a majority. But, if the plot goes through, these votes wouldn't count.

There's another possibility in the South this year. Because of southern resentment against the President, there is a chance that a Republican might carry one or more of the States that used this device—rather remote, it is true. But unless the electors decided to cast their votes for the Republican candidate in such an event, which they would hardly be likely to do, the people who voted for the Republican would be disfranchised. If the electors decided to cast their votes for a third candidate, then the people's votes for neither the Democrat nor the Republican would count.

This is merely cited as an example of what could happen. The proposed amendment would not apply to the 1948 election. But it does have application to the future and to such a contingency as has occurred three times in our history, when the candidate who got the biggest popular vote lost the Presidency through the electoral system. The amendment would also open the way for giving us still more democracy and for strengthening our two-party system.

Under the electoral system, many voters do not get any recognition or representation, since the candidate who wins a majority in a State gets the entire electoral vote. A proportionate allotment would recognize the minority in the electoral count. We would not have had the lopsided electoral votes of the last few national elections had such a system been in effect.

The proposed change would help the two parties to build up their strength in sections where elections now almost go by default—as with Republicans, for example, in the South. Recognition of their votes in the proportional-electoral-vote method would induce Republican Presidential candidates to campaign in the South.

Senator LODGE (Republican, of Massachusetts), sponsor of the proposed constitutional amendment in the Senate, pointed out that Governor Dewey, of New York, would have received 28.906 electoral votes in the South in 1944 under a proportional electoral system. Instead, he received none. LODGE suggested that, had the amendment been in effect in 1944, Republicans would have campaigned in the South and Governor Dewey might have got a million more popular votes there.

The Senator also explained that the proposed change would prevent concentration of Presidential campaigning in the State of big populations with the big electoral prizes that go to the majority—and often a thin one. This would eliminate the desperate angling for votes in those areas, the use of all sorts of issues that stir up passions and prejudice, as is often done to appeal to minorities of various kinds, and the intensity that contributes to corruption.

## WAINWRIGHT SHIPYARD, PANAMA CITY, FLA.—ARTICLE FROM PANAMA CITY HERALD

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article from the Panama City (Fla.) Herald relating to a Senate committee report on the Wainwright Shipyard, of Panama City, Fla., which appears in the Appendix.]

## AMENDMENT OF SURPLUS PROPERTY ACT OF 1944—CONFERENCE REPORT

Mr. SALTONSTALL. Mr. President, I submit a conference report on Senate bill 2277, to amend section 13 of the Surplus Property Act of 1944, and so forth, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 4, and 5.

That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2; and agree to the same.

Amendment numbered 6: That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "*Provided*, That no property shall be determined under this paragraph to be suitable or desirable for use as an historic-monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled 'An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (49 Stat. 666), and no property shall be so determined to be suitable or desirable for such use if (A) its area exceeds that necessary for the preservation and proper observation of the historic-monument situated thereon, or (B) it was acquired by the United States at any time subsequent to January 1, 1900."

And amend the Senate engrossed bill as follows:

On page 3, line 16, strike out the semicolon and insert in lieu thereof ", and."

On page 3, line 17, strike out the semicolon and all thereafter to and including "(61 Stat. 202)" in line 21, page 3.

On page 4 strike out all in lines 7–21, inclusive, and insert in lieu thereof:

"SEC. 3. Section 18 (e) of the Surplus Property Act of 1944, as amended, is hereby repealed."

And the House agree to the same.

That the House recede from its amendment to the title.

LEVERETT SALTONSTALL,
WAYNE MORSE,
HARRY F. BYRD,
*Managers on the Part of the Senate.*
JAMES W. WADSWORTH,
MELVIN C. SNYDER,
CARTER MANASCO,
*Managers on the Part of the House.*

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. SALTONSTALL. Mr. President, this is a conference report on the bill providing for the disposal of surplus property. The conferees agreed substantially on the bill as it passed the Senate. There are only two changes in the bill as it was passed by this body. One defines a little more accurately what is a historic monument, and puts it up to the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, to advise the Secretary of the Interior as to what in their opinion is a historic monument.

The only other change is a technical one, made necessary by the passage by the Congress and the signature by the President of a bill extending the Reconstruction Finance Corporation. The passage of that bill made necessary the elimination of one section of Senate bill 2277, which concerns the RFC disposing of property to small business.

Mr. President, those are the only two changes in the conference report from the bill as it passed the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. COOPER obtained the floor.

Mr. SMITH. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield to the Senator from New Jersey.

Mr. SMITH. Mr. President, yesterday, during the course of the debate on the displaced persons legislation the question was raised as to the amount of money already contributed by the United States to the Preparatory Commission for the International Refugee Organization, and the percentages to be paid by the different participating countries. In order to clarify the record I have had an investigation made and a statement prepared which I desire to present for the RECORD at this time, pointing out, I think accurately, what the exact situation is, both as to the participation by our country and by other countries, and the understanding with regard to the matter.

In order to clarify this question, I have examined the legislative history of Public Law 146, which authorized the United States to participate in the International Refugee Organization. I have also secured from the Department of State the latest available figures on the amounts contributed by various countries, including the United States, to the PCIRO.

In the light of this informaton, it is clear that the Congress never intended to limit the United States contribution to IRO, or PCIRO, to any particular percentage of the amount actually contributed by member governments at any given time. Obviously, if the United States happened to make the first contribution to IRO—even a token payment—this would represent 100 percent of the contributions received until other members made their contributions.

I find from the record that this question was first considered during the hearings before the Committee on Foreign Relations of the Senate on Senate Joint Resolution 77, a joint resolution providing for membership and participation by the United States in the IRO and authorizing an appropriation therefor. The Under Secretary of State, Mr. Acheson, stated—page 10:

The United States has 39.89 percent of the administrative budget, and of the operational budget it has 45.75 percent. That, of course, is based on the theory that all these people will join. If they do not, then the percentage of those who join would be increased, because there would be fewer people.

On pages 43 and 44 of the same hearing, Assistant Secretary Hilldring stated as follows:

Our participation in the International Refugee Organization will involve a financial expenditure by the United States of $73,500,000 for the first year of operations. This sum is based on a contribution of 39.89 percent to the administrative budget ($1,915,000); or 45.75 percent to the operating budget ($69,110,000) and to the large-scale resettlement operations ($2,300,000); and the estimated cost of United States representation in the IRO ($175,000). It should be noted that contributions to large-scale resettlement may be on a voluntary basis; but we propose to contribute the same percent as for operational expenses. Since the percentages of contributions which I have mentioned are based on a full participation, the United States percentage of contribution would accordingly rise even though our total dollar expenditure would remain the same. If there is 85-percent participation, the United States contribution would amount to 54 percent of the total. At least 75 percent of the operational expenses must be contributed by 15 countries to bring the IRO into being. At that point the United States percent would be 61 percent. The estimated requirement of $73,500,000 was included in the Executive budget which has been submitted to the Congress by the President.

As the Senator from New Mexico [Mr. HATCH] pointed out yesterday, the report of the Committee on Foreign Relations presented by the Senator from Michigan [Mr. VANDENBERG] further recognized this principle. The following appears in Report No. 51, dealing with the International Refugee Organization, on pages 2 and 3:

Participation in the International Refugee Organization would involve an expenditure by the United States of $73,500,000 for the first year of operations. This total is based on a contribution of 39.89 percent to the administrative budget ($1,915,000), 45.75 percent to the operating budget ($69,110,000), and to the large-scale resettlement operations ($2,300,000); and the estimated cost of United States representation in the International Refugee Organization ($175,000).

Those are the same figures which appeared in the previously quoted statement by Assistant Secretary Hildring.

Contributions to the large-scale resettlement program are on a voluntary basis. The percentages of contributions for the administrative and operating budgets are based on the assumption that all the members of the United Nations will participate in the work of the International Refugee Organization. Since some states are not expected to join, it follows that the percentage contribution of the United States will rise accordingly even though our total dollar expenditure will remain the same. Thus if there is 85-percent participation, for example, the United States contribution would amount to 54 percent of the total. In any event our contribution would remain at the $73,500,000 figure.

I will not burden the Senate with further quotations. I do wish to point out, however, that the question was also fully considered by the other body of Congress and that exactly the same interpretation was placed by it upon our Government's position as by the Senate. For the benefit of those who might wish to examine this in more detail, I would refer them to hearings before a special subcommittee of the Committee on Foreign Affairs of the House of Representatives, Eightieth Congress, first session, on House Joint Resolution 207, page 11; Report No. 464 of the Committee on Foreign Affairs, May 26, 1947, page 3; and hearings before the subcommittee of the Committee on Appropriations, House of Representatives, Eightieth Congress, first session, on the supplemental appropriation bill for 1948, page 1508.

It is important to bear in mind that to the extent that there is less than full participation by all members of the United Nations in the International Refugee Organization, the percentage of contribution of every member government participating in and contributing to the IRO is necessarily higher than the percentage allotted to such government in annex II of the IRO constitution. For instance—and I am applying this to other countries—the percentage allotted in annex II to the United Kingdom is 14.75 percent, whereas the actual percentage of their contribution at present to PCIRO is 25 percent. Canada's present percentage is 6 percent, compared to the allotted percentage of 3.50 percent. Australia's actual present percentage is 4, in contrast to the 1.76 percent mentioned in annex II. Thus, it is clear that the percentages specified in annex II referred to the share of the provisional budget set forth in paragraph 1 of the annex, and not to any proportionate relationship among member governments, except in the unlikely event that all members of the United Nations simultaneously became paying members of the IRO.

On May 25, 1948, 14 governments had ratified the constitution of the IRO. That is 14 out of the required 15. Their contributions to the Preparatory Commission as of that date totaled $89,549,338. Of this total, the United States Government had contributed $53,268,674, or 59 percent of the total. That is, on May 25, 1948, the most recent date for which we have the figures. The figures are up to date. As other governments which have already ratified the constitution of IRO, such as Belgium and Argentina, and governments which are expected to ratify the constitution, such as Brazil, Venezuela, Denmark, and Sweden, make their contributions to IRO, the percentage which the United States contribution will bear to the total contributions will drop proportionately.

As of May 20, 1948, the member governments of IRO had contributed as follows—expressed in dollars. Mr. President, without reading the table, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD at this point the list of the nations participating and the exact amount which they have contributed up to this time, including, of course, the United States contribution of $53,268,674, which I mentioned before.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

| | |
|---|---|
| Austrialia | $2,753,225 |
| Belgium | 1,021,369 |
| Canada | 5,440,717 |
| China | 2,032,256 |
| Dominican Republic | 15,706 |
| France | 925,838 |
| Guatemala | 600 |
| Iceland | 8,033 |
| Netherlands | 377,880 |
| New Zealand | 688,666 |
| Norway | 183,910 |
| United Kingdom | 22,832,464 |
| United States of America | 53,268,674 |
| Total | 89,549,338 |

Mr. SMITH. I thank the Senator from Kentucky for yielding to me.

Does the Senator from West Virginia wish to make any inquiry on this subject?

Mr. COOPER. I shall be glad to yield to the Senator from West Virginia for that purpose.

Mr. REVERCOMB. I thank the Senator.

Mr. President, as I followed the reasoning of the able Senator from New Jersey, it is that $73,500,000 was appropriated, that that sum should be spent, regardless of whether or not other countries contribute to what is known as the International Refugee Organization. If the thought and reasoning of my able friend from New Jersey were carried out, it would simply mean that, had the United States alone signed the international agreement, it would have had to contribute 100 percent of the PCIRO expenses, when the constitution itself expressly says that 39 percent is the limit to be paid by this country for administrative expenses, and 45 percent for operational expenses. I merely wish to make that point. I think we have both made our position clear, and I am willing that the RECORD stand with respect to the viewpoints which we have expressed.

Mr. SMITH. I thank the Senator; and I thank the Senator from Kentucky for yielding.

Mr. COOPER. Mr. President, at a later time in the course of the debate upon this measure, in association with other Senators, I intend to propose an amendment to the bill relating to the question of administration. I had not intended to make any general statement upon the bill, but because of certain statements which have been made, and because of my own interest in this problem, I desire comment upon some of the facts which have prompted the formulation of the bill.

Three years have passed since the close of the war in Europe. Even before that time we had heard a great deal about displaced persons. It is rather surprising to note today, in the face of the great interest which has been expressed throughout the country in the

solution of this problem, that we have done little toward its solution.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. I am compelled to challenge in a most friendly way the statement that this country has done nothing about the problem.

Mr. COOPER. I am sure that our division will always be friendly.

Mr. REVERCOMB. It is estimated that by July 1 of this year 50,000 displaced persons will have entered the United States. I ask the Senator, What other country in the world has allowed that many to enter? Not one. I cannot agree with the statement of the Senator that we have done nothing to meet the problem.

Mr. COOPER. I hope the Senator will remember that I did not say that we had done nothing toward the solution of the problem. I said that we had done little toward its solution. I do not know that 50,000 have been admitted into the United States. It is my information that approximately 30,000 have been admitted. In proportion to our population and our resources, we have done less than have some other countries.

Mr. REVERCOMB. Mr. President, will the Senator further yield, so that there may be no misunderstanding?

The PRESIDING OFFICER (Mr. ECTON in the chair). Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. COOPER. I yield.

Mr. REVERCOMB. My statement was that it was estimated that by July 1 of this year 50,000 will have entered. The Senator is correct as to the 30,000 who have already entered, up to some date in past months.

Mr. COOPER. I have been surprised by the misconceptions which are held concerning this problem. I realize, as was so well expressed by my good friend the distinguished senior Senator from Wisconsin [Mr. WILEY], that they have arisen in part from emotional attitudes toward the problem. Because of the fact that human beings are involved, and because of the circumstances which brought them into Germany and Austria, it is impossible to dissociate the human factor from the problem.

I compliment the distinguished senior Senator from West Virginia for his leadership of the subcommittee. His subcommittee has done an admirable job in preparing for the benefit of the Senate a factual statement of the many aspects of the displaced-persons problem. I have not agreed with all the conclusions which may be drawn from the factual statement, but I believe that it is an accurate and fair statement of many facts concerned with this great question.

I do not have any special information which should be made available to the Senate; but as a member of the subcommittee which considered the problem, I shall state my views.

I do not want to bring into the debate a personal matter; but I think I should say that I believe that, with the exception of the distinguished junior Senator from Washington [Mr. CAIN] and the distinguished junior Senator from Massachusetts [Mr. LODGE], I have probably seen this problem at closer range than has any other Member of this body. It was because of that experience that my first interest in the people was aroused. It was aroused long before I became a Member of the Senate, and before I thought I would ever be a Member of this body.

In March 1944 I had the experience of entering Germany with the armies of the United States. For the first time we saw streaming back along the roads, at times almost closing the roads to the requirements of military travel, great numbers of displaced persons. I shall never forget one of the most dramatic and moving spectacles I have ever seen, that of thousands of men, women, and children, ill-clad, without adequate food, and without means of transportation, trudging along the roads, yet happy and joyful in their liberation.

At the close of the war I was assigned for a time in Munich as legal adviser to the officer in the Third United States Army, Maj. Philip Schaefer, who was charged with making arrangements for the repatriation of approximately 3,000,000 displaced persons in that zone. In that capacity I had the opportunity to see and hear some of the representatives of other nations who came there to make arrangements for the repatriations of their nationals, and I had the opportunity to visit many of the displaced persons' camps and talk with the occupants of those camps. For whatever it may be worth, I state these facts so that the Senate may know some of the reasons upon which I base the conclusions I have reached.

I think it would be worth while to make clear again to this body the groups of persons with whom we are concerned in the consideration of this problem.

There were some 8,000,000 persons who were actually displaced because of the war. As the Nazi armies swept across western Europe, Poland, and the Balkan States, and then into Russia, they tore thousands of such persons forcibly from their homes and from their farms and from their families, and drove them into Germany, there to work in their fields and factories, or, if they had political or religious influence, to be placed in the concentration camps at Buchenwald, Dachau, Flossenburg, Auschwitz, or the other places of horror about which we have heard.

Second, there is another group of persons who cannot properly be called, in the technical sense, displaced persons. They were residents of Germany and of Austria, but because of their political opposition to the Nazi regime or because of the fact that they were Jews upon whom had been imposed the hateful Nuremburg law, they were forced into the concentration camps. They were not displaced persons in the sense that they were taken from their homes in other countries, but they were displaced from their social and political and religious life in Germany.

There is a third group. In the closing days of the war there came sweeping back toward Germany, from the Baltic states—from Esthonia, Latvia, and Lithuania—thousands of persons fleeing before the advance of the armies of one of our allies, Russia. I talked to many of those people—Latvians, Lithuanians, and Esthonians. They were people whose countries suffered two occupations. They were occupied by the Russian armies in the early days of the war. Later they were occupied by the German armies, as they moved into Russia. Those with whom I talked stated that the German occupation, bad as it was, did not compare in horror with the Russian occupation; thousands of these people fled from the Russian armies as they moved to join the United States armies in Germany. This group of persons constitutes a considerable part of the total number of displaced persons.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. EASTLAND. During what years did such persons flee from the Baltic countries?

Mr. COOPER. The class of persons I am talking about fled from Estonia, Latvia, Lithuania, and the eastern part of Poland in the spring of 1945, before the Germans surrendered.

Mr. EASTLAND. These countries have immigration quotas. Have the displaced persons from those countries been coming into the United States each year under the quotas of those countries?

Mr. COOPER. These countries have very small quotas. I think the quotas amount to only a few hundred for each, whereas the total number of such persons in Germany and Austria is approximately 200,000.

Mr. EASTLAND. Mr. President, does not the bill provide that 50 percent of the 100,000 persons must come from those particular countries?

Mr. COOPER. The bill now before the Senate—the bill reported by the committee—does so provide.

Mr. REVERCOMB. Mr. President, will the Senator yield to me?

Mr. COOPER. I yield, if the Senator from Mississippi has finished.

Mr. EASTLAND. I am glad to have the Senator proceed.

Mr. REVERCOMB. I simply wish to make a statement apropos of the point raised by the Senator from Mississippi. The bill provides that 50 percent of the quotas shall be available to the people who have suffered in the way the Senator has described, and who are, in truth, genuine displaced persons, and are persons whose lands have been annexed by another country.

Mr. COOPER. Yes.

Mr. REVERCOMB. One of the reasons for that is that the people in the Baltic states and in the portion of Poland east of the Curzon line have had their lands taken from them, and they cannot return. So 50 percent of the quotas are set aside for their benefit. However, most of them have not been able to enter this country, because the quotas for their countries are so small, as compared with the quotas for larger countries. For that reason, we thought the provision was a fair one, in order that the persons whose plight has been so eloquently described by the Senator from Kentucky might have a chance to enter the United States.

Mr. EASTLAND. Mr. President, will the Senator yield to me for a question at this point?

Mr. COOPER. I yield.

Mr. EASTLAND. I notice in the committee hearings a statement that 40 percent of the persons who have entered the United States have entered under forged documents.

Mr. REVERCOMB. Mr. President, that is not quite correct.

Mr. EASTLAND. What is the fact?

Mr. REVERCOMB. Forty percent of the documents offered to our consuls abroad, in connection with the making of applications for visas for entrance into the United States, were found to be forged. It is not correct to say that the persons presenting those forged documents were admitted to the United States. Those persons were applying for visas to enter the United States under quotas under the Presidential directive of December 22, 1945, which gives a preference to displaced persons, under the quotas.

Very few of the people of the Baltic states could enter the United States under such an arrangement, because they had to come here under the small quotas which applied to their countries. On the other hand, Poland has a fairly large quota—more than 5,000.

The evidence in respect to 40 percent of the persons having forged documents applies to the supporting evidence and applications and other documents which had to be offered when persons applied for visas.

Mr. EASTLAND. The point I wish to make is that no system to screen the applicants is provided. There are no facilities to detect fraud or forgery.

Under the bill now pending, what is the system of screening which will be set up?

Mr. REVERCOMB. Under the bill there will be a commission which will prescribe rules and regulations. But actually the administration will be through the consular offices, just as is the case today. In other words, the displaced persons will enter the United States under visas, as all other immigrants do.

Mr. EASTLAND. How can it be determined whether their papers are forged or are genuine?

Mr. REVERCOMB. When the offices of the United States consulates are properly staffed with good investigators, such detections are made. It is in that way that any false documents are identified. As a matter of fact, I hope that in connection with the program under this bill the consulates will have more investigators and more competent staffs.

Mr. EASTLAND. Does the bill contain any provision for improving the screening process?

Mr. REVERCOMB. Oh, yes.

Mr. EASTLAND. What is provided by the bill in that respect?

Mr. REVERCOMB. A complete investigation must be made. I shall be glad to read that part of the bill. Section 6 provides:

SEC. 6. No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this act. The burden of proof shall be upon the person who seeks to establish his eligibility under this act.

And so forth.

Mr. EASTLAND. It is true that that provision is in the bill; but does the Senator from West Virginia think for one moment that because that provision is in the bill, a proper investigation will be made? Does the Senator think there will be adequate screening; or does he think that in the future, as has been the case in the past—and to be perfectly frank about the matter, we know that in the past the screening has been a joke——

Mr. REVERCOMB. Of course, all of us know that all that can be undertaken by a legislative body is to make a declaration of the law and of the principles which shall apply. A legislative body has no power of enforcement.

Mr. EASTLAND. That is correct.

Mr. REVERCOMB. The enforcement must be made by the administrative branch of the Government.

Mr. EASTLAND. Yes. But we should consider the power of enforcement, and we should consider whether it will be possible to enforce properly the provisions of the law, so as to attain the objectives we have in mind when we pass the law. In other words, if the law is not going to be properly enforced, that is another matter. If it is not going to be properly enforced it seem to me that is one of the reasons why the bill should not be enacted.

Mr. REVERCOMB. I say to the able Senator that the bill declares very clearly that there shall be what is generally termed a screening; in other words, an investigation. Today that is being done through some of the consular offices. Of course, they should be better equipped. Today they have assigned to them, in some instances, men who have been trained in the work of investigation. Many of them have served in the Army of the United States.

Mr. EASTLAND. Mr. President, will the Senator from Kentucky yield once more?

Mr. COOPER. I yield.

Mr. EASTLAND. Does the Senator from West Virginia think there has been in the past a proper investigation of applicants?

Mr. REVERCOMB. In some instances I doubt that there has been. That is my own view.

Mr. EASTLAND. What does the Senator think about screening and the system which has been used in the past?

Mr. REVERCOMB. If the Senator wants my own impression, I think that in the past it has been rather lax.

Mr. EASTLAND. The Senator went to Europe and studied the question at first hand, did he not?

Mr. REVERCOMB. Yes, and I may say that in some of the offices I visited I became thoroughly convinced that the processes were tightening and that greater care is being exercised. With better equipment and increased personnel they are detecting the attempts wrongfully to obtain visas, and it was through such an investigation as that that the 40 percent of forged documents was found. I think if they can find 40 percent of forged documents, it indicates they are tightening up and applying a method of invesigation which seems to be worth while and which gets results to that extent at least.

Mr. EASTLAND. Does the Senator think there has been a really bona fide attempt made in the past?

Mr. REVERCOMB. With respect to the consular offices?

Mr. EASTLAND. That is, an attempt to detect forged documents and to prevent black marketeers from coming into this country.

Mr. REVERCOMB. I may say to the Senator from Mississippi, I am convinced with respect to the consular offices I visited that there is a very earnest attempt being made at this time.

Mr. EASTLAND. But they do not have adequate facilities, do they?

Mr. REVERCOMB. They have facilities. I think they ought to be better staffed with investigators.

Mr. EASTLAND. But how are we going to remedy that situation by means of this bill?

Mr. REVERCOMB. It is remedied by requiring it to be done, and it is then up to the administrative office to furnish the equipment with which to do it. That is their duty.

Mr. EASTLAND. Yes; but there is no provision that would require them to do that.

Mr. REVERCOMB. Oh, yes.

Mr. EASTLAND. The point is, if they are not going to do it, why should we pass this bill?

Mr. REVERCOMB. I may say to the Senator I do not see how it could be more directly required than by the language of section 6 which I have just read.

Mr. EASTLAND. The Senator's hope is apparently very much more fervent than mine. Personally, I think it will be a task in the future, as it has been in the past. In certain quarters I do not think there is any desire to uphold the immigration laws of this country.

Mr. REVERCOMB. Of course, if that charge is correct, it is the fault of the administrators of the law.

Mr. EASTLAND. That is true.

Mr. REVERCOMB. I am hopeful they will heed the law passed by Congress and will enforce it according to the directions of the law.

Mr. COOPER. Mr. President, commenting for a moment on questions which have been raised by the distinguished Senator from Mississippi, it seems to me that if we prescribe definite standards and provide adequate and efficient administrative machinery, we cannot assume that the men who will be charged with responsibility under the act will not attempt to follow the dictates of the Congress.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. EASTLAND. What the Senator from Kentucky says is true. That is well and good. But if there is going to be no desire to enforce the law, I do not think we should pass it. That is the

point I make. The machinery is provided, but if there is not a desire that it be used and that the terms of the bill be enforced as contemplated by Congress, it does no good to vote for the bill. That is one of the reasons for my opposition to the bill.

Mr. COOPER. The bill provides that the members of the Commission must be approved by the Senate.

Resuming the statement I had begun a short time ago, I was attempting to name the groups which constitute the displaced-persons population in Germany, Austria, and Italy. I said one group was made up of people who had been displaced from countries of their own nationality; the second group was composed of persecutees in Germany, and a third group was composed of persons who fled from the Baltic states before the armies of our then ally, Russia. A fourth group came after the war from Poland and the Baltic states, as political or religious refugees.

The times and places at which the four groups found themselves in the category of displaced persons may differ, but all groups have common attributes. They are displaced persons because of force exercised by the Nazis, and they are displaced because of their political and religious beliefs. About 8,000,000 have been repatriated to their own countries. But more than a million remain in Germany, Austria, and Italy. About 850,000 of them are in the zones of the Allies, the United States, Great Britain, and France. So we are finally faced with this problem: What shall be done with these persons? What responsibility shall the United States assume? To what extent shall we assume responsibility, if we declare we do have responsibility?

Several courses could be taken with respect to these people. The first is that they could be repatriated forcibly to their own countries. Before the war closed, the United States had entered into an agreement with its Allies at Yalta that no national of the United Nations who was a displaced person in Europe would be forced to return to the country of his nationality against his will. There was one exception, an exception was made in the case of Russia. We agreed at Yalta that every Russian could be required to return to Russia. I remember that after the war closed, Russians were forced into boxcars and trucks under guard and were compelled against their will to return to Russia. I am sorry that this happened. I have heard it said several times upon the floor of the Senate that it is the tradition of America that we will not force a national to return to his country against his will. I do not say that in the instance mentioned we did so willingly; I know that it was done unwillingly; but I do know that for a time after the war we compelled Russians to return to Russia against their will.

Later, at Potsdam, it was agreed that we would accelerate the repatriation of displaced persons to Russia. Russia has continued to insist that her nationals and Baltic nationals should be required to return. I remember that upon one occasion a question arose concerning the spouses of Russians. During their several years' stay in Germany, many Russians had married displaced persons of other nationalities, French, Italian, Belgian, and Dutch, and the Russian representative said to us, "We will take our own people, but we will not take their wives. If they are women, we will not take their husbands. And we will not take their children." I am very happy to say that the problem was solved simply by refusing to send Russians back. Repatriation of such people against their will is not consistent with our traditions or consistent with the statements made so many times by our own Government, and even by our Representatives in Congress.

A second possibility would be to encourage settlement of displaced persons in Germany, to encourage Balts, Yugoslavs, and Poles to find a home there. It will be remembered that prior to the last war one of the main grounds upon which Germany based her case was overpopulation and the need for living room. Germany's area has been constricted, and at the same time its population has been increased by the entry of the volksdeutsche from Czechoslovakia. It would be very difficult from an economic standpoint to insist that hundreds of thousands of persons should be placed upon the economy of Germany. From a human standpoint, I do not believe we should require persons from other countries, who were brought into Germany against their will, and natives of Germany who have suffered indignities and persecution at the hands of their own Government to stay in the land which is responsible for their mistreatment. It is said that the American occupying forces are present and the people can have the assurance that so long as our forces are there the people will be protected. That is true. But I am sure that there arise day after day in the minds of these people doubts and fears about their status when our armies leave. I think that as a matter of decency it would be wrong to say to those people, "You must stay against your wishes in this land which is responsible for your condition."

A third possibility is that we continue to care for them in their camps. I shall not argue the question of expense. An enormous expense to this country would be involved. I agree with the statement made by the distinguished Senator from West Virginia [Mr. REVERCOMB] and the statement of the distinguished Senator from Wisconsin [Mr. WILEY] that the stories which have been told about the treatment of displaced persons are untrue. They are receiving more food than the Germans are receiving. They are receiving adequate housing, and they are enjoying, as a whole, better living conditions than are the people of Germany or of Austria. But that is not sufficient. Whatever food, clothing, and housing they have, they cannot be expected to live under present conditions indefinitely and without hope. I think it is very timely to recall that fact to the minds of many people in the country who proclaim that economic welfare is the supreme objective of democracy in our country and in all other countries. The displaced persons are, from an economic standpoint, well cared for, but they are not happy or satisfied, because they are not free. It should be a good lesson to those who argue the supremacy of the theory of economic welfare.

The only alternative which is correct is resettlement. The countries which have subscribed to the IRO, with its prime objective of resettlement, should carry into principle and action their objective.

A few moments ago the Senator from West Virginia stated that there had already been brought to this country approximately 30,000 displaced persons under the President's directive of December 1945. That statement is true. I should like to say that other nations have also accepted displaced persons. Judging from the latest reports of IRO, approximately 115,000 have been resettled. Some countries have done more, in proportion to their populations and resources, than has the United States.

Objections have been made to the resettlement of displaced persons in America. I want to make it very clear that I agree that the admittance of displaced persons must be considered in the light of our own economic condition and our security. In the consideration of this bill we must keep in mind our ability to care for the displaced persons we admit.

On the other hand, I do not agree with many arguments which have been made against the admission of displaced persons. The first argument, and one most commonly used, is that the United States is not able to assimilate 100,000 displaced persons each year. When this debate started a few days ago it was pointed out that but for the war we would have received in this country, in the four war years, almost as many people as we are proposing to receive under an amendment which provides for 200,000 persons in 2 years. I point out, in answer to the argument made by my good friend, the Senator from Wisconsin, who fears that we may bring into this country more persons than can be provided with housing and employment, that according to the terms of the bill itself, no person could be brought here until housing and employment had been made certain.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. COOPER. In a moment.

The figure of 100,000 a year is merely a ceiling. If employment and housing can be provided, we shall meet it. If employment and housing cannot be provided, only those persons will be admitted who can be provided with employment and housing.

I now yield to the Senator from Wisconsin.

Mr. WILEY. Do I correctly understand that the distinguished Senator agrees that whatever number may be agreed upon by the Senate, it should be conditioned on whether America has employment and housing to take care of them?

Mr. COOPER. I think we must first take into consideration our own security. I should certainly make that an indispensable condition. I think also that we must take into consideration our own resources. But in considering our re-

sources I would say that we can make some sacrifice.

Mr. WILEY. I do not think my question was answered. My question was whether the Senator felt that as a condition precedent to whatever number of persons come in, there should be definite employment and housing for them.

Mr. COOPER. I think it would be best for the displaced persons themselves. I agree with the proposition advanced by the Senator from Wisconsin.

Mr. WILEY. I should like to say to the distinguished Senator from Kentucky that whenever he takes the floor he makes a very cogent argument. I cannot disagree with much that he has said. I think, however, that if he will analyze his argument he will realize that it comes pretty close to an emotional appeal. I honor him for that. I sense definitely that this country owes an obligation to the displaced persons, and my thought is that if we can screen 50,000 the first year and can get the machinery put into operation effectively to do the job in accordance with the law, so that we shall not be holding out false promises for the admission of a larger number, we will in a way gear ourselves to the challenge which is included in taking care of more of them in the time ahead.

If the Senator will yield further——

Mr. COOPER. I yield.

Mr. WILEY. I merely wish to bring out this one thought, because it seemed to me that in the opening of the Senator's argument there was somewhat of an overstatement to the effect that nothing had been done in relation to this whole matter of displaced persons.

Mr. COOPER. Before the Senator makes an argument, will he permit me to correct him?

Mr. WILEY. Certainly.

Mr. COOPER. If the Senator will remember what I said, he will recall that I did not make the statement that nothing had been done.

Mr. WILEY. Very little, the Senator said.

Mr. COOPER. I said very little had been done in comparison to that done by other countries of smaller population and poorer resources. I stand upon that statement.

Mr. WILEY. I accept the amendment, and I wish to call the attention of the Senator to the fact that he said that at the end of the war there were 8,000,000 people included in this category, and that there are now virtually only 1,300,000 who would be characterized as displaced persons.

I call his attention to page 23 of the record produced by the Committee on the Judiciary showing that up to January 1 apparently out of this number 133,000 had been resettled in countries from Argentina to Venezuela, and including the United States, and that the figure in the United States was only 29,000, whereas we now understand that by July 1 we will have absorbed 50,000 of these displaced persons.

The only point I wish to make is that I think that giving Europe $30,000,000,000, seeing to it that her displaced persons are better off, as the Senator has said, than the Germans and the people outside of displaced-persons camps, having resettled approximately 150,000, and having reduced the total number from 8,000,000 down to 1,300,000, it seems to me indicates that a pretty good job has been done.

I do not wish to discount what has been done, nor do I say that is a sufficient answer to what we should do. I think the challenge is present, and I agree with the Senator that we are attempting to meet the challenge practically alone. We are not doing this in conjunction with other nations. Whatever we are doing, we are doing it under our own statutory enactment. We are not proceeding under IRO, we are proceeding by another individual effort of our country. So let us not discount the great efforts of our great country too much, when we are about the only people in the world who are doing things.

Mr. COOPER. I thank the Senator for his very kind remarks. I shall always appreciate the tremendous sacrifices being made by our people in every field. I reply, first, that if my statement has seemed to him to be based upon emotion, I am sorry, because I did not intend it to be. I will add, however, that the human element is implicit in the problem. It certainly would appeal to the conscience of this country to take whatever steps it could reasonably take to meet the problem. To that extent, I shall not discount even the human side of the problem.

I stated a few minutes ago that the argument had been made that we should not take 200,000 displaced persons because we could not assimilate them. I answer that by saying that the bill itself provides that they cannot enter the United States until housing and employment have been furnished, and that any figure fixed is merely a ceiling. If housing and employment can be furnished, that ceiling will be reached; if they are not provided, it will not be reached.

A second argument which has been made against the admission of these persons is that they are not the type we should permit to enter this country. I was very much interested in hearing the Senator from Wisconsin say in his speech that when he visited the displaced persons camps he found the inmates working, clean, happy, joyful, and creative. I think that if we read the record made by the committee we will find that the same conclusion was reached by the committee.

The reports of the International Refugee Organization indicate that these people have been able to maintain their family groups, even in the camps. The fact that they have held to their family groups, are engaging in such employment as is available, and their ability to hold morale during the years, indicate that they have stability of character.

I do not believe such stability would be harmful if assimilated in our own country.

Perhaps the argument which stirs the greater number of people is the statement that the entrance of these people would permit the infiltration of subversive elements. I say again that an indispensable condition is the security of this country must be protected. It can be protected by proper safeguards as to investigation, and screening safeguards which have been provided in the bill. Let us look to the character of the people, and consider why they are displaced persons. Two hundred thousand are Balts who fled before the advance of the Russian Army because they did not want to live under Communist domination.

Mr. EASTLAND. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator spoke of the conduct of the Russian soldiers. What was their conduct?

Mr. COOPER. I do not think it is particularly relevant to this argument, but if the Senator asks me to state what I was told, I shall be glad to do so.

I talked to occupants of the displaced persons camps of the Baltic nations. They told the same story, a story that was presented orally and in the form of memorials or petitions which came to the American military authorities. That story was that after these countries had been overrun by the Russian armies in the early days of the war their leadership was exterminated; within a short time the leaders of the church, the political leaders, and the so-called intelligentsia, professors, teachers, and artists were purged. They stated that provisional governments were formed, and that there were placed at the head of the provisional governments persons who were the tools of the Russian occupying forces. In a short time democratic government, as we understand it, and freedom and liberty disappeared. When they saw that a second occupation by the Russian forces was imminent they fled into Germany.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. EASTLAND. I have read in the New York Times articles charging that Russian agents were in those camps. Did the Senator secure any such information when he was in Europe?

Mr. COOPER. I have no information to that effect, and I think a study of the committee's report does not support the statement. I have referred to the Baltic people, that among those displaced persons are Poles who also fled before the advance of the Russian Army.

Mr. EASTLAND. I agree with the Senator.

Mr. COOPER. There are Yugoslavs who cannot go back to Yugoslavia because they are not willing to live in Yugoslavia under the regime of Tito.

Mr. EASTLAND. Mr. President, will the Senator again yield?

Mr. COOPER. I yield.

Mr. EASTLAND. I notice in the State Department report on the Marshall plan the statement that there exists a shortage of labor in Europe, and that if the Marshall plan industries are set up as contemplated in the plan there will be a shortage of more than 600,000 workers. Is there any reason why displaced workers should not stay in Europe and become part of the life there and take their place

in the economy which is being established there?

Mr. COOPER. If they willingly do so there is certainly no reason, but if they do not desire to do so because of the fact that they were drawn by force into Germany or Austria, or because of the fact that they were residents of those countries and became persecutees, then I think I can understand their unwillingness to remain there.

Mr. EASTLAND. If there is a place for them in Europe, if there is a need for them in Europe, why should we take them into this country?

Mr. COOPER. I think the Senator's question expresses a very hopeful opinion, because if such opportunities are made available there, aided and supplemented by the admission of some of these persons into other countries, we could solve the entire displaced persons problem.

Mr. EASTLAND. Figures of European governments show that there is a great need for more than 600,000 workers in Europe. Why is it that they cannot stay there and work and rebuild the devastated cities of that continent?

Mr. COOPER. They can if they desire, but we have been pointing out all along that we cannot force them to stay.

Mr. EASTLAND. If they do not desire to stay there and work, why should we take them into the United States?

Mr. COOPER. I have tried to point out to the distinguished Senator in my argument that many of these people were uprooted from their homes and caused by force to go into Germany or Austria and others were political or religious persecutees in Germany or Austria.

Mr. EASTLAND. They do not have to go back to the countries behind the iron curtain. The countries I speak of are under the Marshall plan, and under the Marshall plan there exists a shortage of 600,000 workers. If these people do not want to work, do we want them in our country?

Mr. COOPER. I do not think we can base the proposition upon the ground that they do not want to work. I think there is a fundamental difference between our viewpoints upon this problem. The Senator's argument is in effect that we will force them to stay there even against their will. We cannot make of them freed laborers. They came into Germany as free laborers. My position is that they have valid grounds for not wishing to stay in a country which is responsible for their condition.

Mr. EASTLAND. Does the Senator mean, to stay in Germany?

Mr. COOPER. Yes.

Mr. EASTLAND. What about other countries in Europe where a labor shortage exists?

Mr. COOPER. Other countries are now taking displaced persons for work, notably Great Britain, Belgium, France, and if we will take a fair share it is probable that the entire problem can be solved.

Mr. EASTLAND. We are giving to the Marshall plan countries aid and assistance to the tune of $17,000,000,000. I agree with the Senator from Kentucky that there are many good people in the camps in Europe, but there is a grave shortage of labor in Europe. Figures furnished by the Marshall plan countries show that those countries need some of the displaced persons as workers. As one illustration, France is importing a great number of laborers from Italy and from other countries. The need for workers is as great as there are refugees in the camps. If they do not want to go to another country to work, if they do not want to become a part of the peoples of Europe, what obligation is there upon us to take them into the United States?

Mr. COOPER. The Senator is assuming that all the 1,200,000 displaced persons in the three countries, or the 850,000 which are in the western zones, will find occupation and employment in Europe. I cannot agree that that assumption is correct. I do not believe the Senator can assume that it is true. I am simply saying that if we take 200,000 and lead the way it will give hope and promise that perhaps the remainder of the displaced persons can be resettled in other countries in Europe or throughout the world.

Mr. EASTLAND. The Senator speaks of 200,000. Is the Senator opposed to the bill?

Mr. COOPER. The bill proposes 100,000. I have joined with several other Senators, the Senator from Michigan [Mr. FERGUSON], the Senator from New Jersey [Mr. SMITH], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Oregon [Mr. MORSE], in offering an amendment to the bill to permit the entry of 200,000 persons.

Mr. EASTLAND. The Senator said, "If we will lead the way." How many refugees have come into the United States since 1933?

Mr. COOPER. According to the reports, I believe 30,000 displaced persons have entered the United States.

Mr. EASTLAND. Since 1933?

Mr. COOPER. Oh, since 1933—I do not know about that. I say 30,000 displaced person have entered the United States.

Mr. EASTLAND. A refugee is a displaced person.

Mr. COOPER. I do not agree with that statement.

Mr. EASTLAND. Some of them are displaced persons.

Mr. COOPER. Yes; some refugees are displaced persons.

Mr. EASTLAND. Very well. Now, how many have we taken into this country since 1933?

Mr. COOPER. I do not know.

Mr. EASTLAND. We have taken in hundreds of thousands. How can the Senator say that we should lead the way and imply that we are not doing our part when we have taken into our country more than all the other countries combined have admitted.

Mr. COOPER. We can confuse this question by general statements. The Senator said that since 1933 we have taken in hundreds of thousands of refugees.

Mr. EASTLAND. We have.

Mr. COOPER. Have we not taken them under our immigration quotas and under law?

Mr. EASTLAND. Some of them, yes.

Mr. COOPER. Have we taken any outside our immigration quotas?

Mr. EASTLAND. Thousands and thousands.

Mr. COOPER. Who are they?

Mr. EASTLAND. The Senator would not tell the Senate, would he, that thousands and thousands do not enter this country illegally every year?

Mr. COOPER. I have no knowledge of that fact. I have heard it stated again and again. We know that quota and nonquota immigrants come into this country. We know that persons come into this country as visitors and as students. I assume there are some who enter illegally. But I have no information as to the thousands that have come in illegally.

Mr. EASTLAND. I can tell the Senator that students and other nonquota immigrants have come into this country. Thousands and thousands of them have come here.

Mr. COOPER. Students and visitors are permitted by law, but my information to the number is probably as general as I believe the Senator's information is.

Mr. EASTLAND. The Senator is mistaken. I am going to give the figures later in the debate which I hope will convert the Senator.

Mr. COOPER. I shall be glad to hear the figures.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. The question being discussed by the Senator is very interesting. I have certain figures which might answer some of the questions which have been raised in this discussion.

In the past 7 years 1,111,244 nonimmigrants arrived in this country. During the same period 843,957 nonimmigrants departed from this country, leaving a difference in the country of 267,287, who apparently are still here, unless they have died. Those are nonimmigrants—visitors, treaty merchants, and such others as may come. It would seem from those figures, by a process of simple arithmetic, that certainly a substantial portion of the 267,287 are still in this country illegally.

Mr. COOPER. Mr. President, I appreciate the Senator's statement, but it is a general statement. All the Senator has said is that nonimmigrants are in this country. He has not said that they are here illegally. Will he say so?

Mr. REVERCOMB. They are visitors, and they have not left the country.

Mr. COOPER. But will the Senator say that they are here illegally?

Mr. REVERCOMB. Yes. Those who have come here for a limited visit, and whose time has not been extended, but who have remained beyond the time they were supposed to visit in the country, certainly are here illegally.

Mr. COOPER. I do not agree with that conclusion. I understood the Senator to say that there were about 267,000 nonimmigrants in the country. I ask

the Senator, how many of the 267,000 are here illegally, having overstayed the period of time for which they were admitted to this country?

Mr. REVERCOMB. Certainly a very substantial number of them.

Mr. COOPER. Does the Senator know that to be true of a single one of them?

Mr. REVERCOMB. Certainly. It is fair to deduce that many thousands of them are here illegally. These figures are furnished by the Immigration Bureau itself. Furthermore, with respect to the displaced persons, a proposed substitute to be offered, providing that approximately 15,000 in that category be permitted to stay in this country. They came in as nonimmigrants. Can the Senator see any reason for a substitute of that nature unless there are some here illegally?

Mr. COOPER. I do not favor the substitute, because I believe that a displaced person should come in under the provisions of law which we establish. I do not follow the Senator's argument, because the 15,000 displaced persons in this country may well have entered under permits. Is the Senator able to say that they are here illegally?

Mr. REVERCOMB. Of course they entered under permits, and of course they are here as visitors. So long as a visitor's permit continues, he is here legally. But the point I am getting at is this: Are the 15,000 displaced persons who have come here as visitors to be given permanent residence?

Mr. COOPER. I do not agree that they should be.

Mr. REVERCOMB. I am very glad to hear the Senator say that, because they ought to be kept within the displaced persons category.

Mr. COOPER. I agree entirely.

Mr. REVERCOMB. Let us go back to the original figure. Can the able Senator escape the conclusion that if during the course of the past 7 years 1,111,244 came in, and 843,957 left the country, and 267,287 remained, a substantial number are here illegally?

Mr. COOPER. I have no doubt that included in that number are persons who are not here legally; but I cannot say whether the number is 100, 100,000, or 10,000. When the Senator makes the statement that 267,287 nonimmigrants are in this country, we cannot draw from that statement any definite conclusion that all of them or any number are here illegally.

Mr. REVERCOMB. I do not say that all of them are here illegally. Some may have died during the course of their visit.

Mr. EASTLAND. Mr. President, will the Senator yield to me so that I may ask the Senator from West Virginia a question?

Mr. COOPER. I agree absolutely with the Senator from West Virginia that no person who is in this country illegally ought to be permitted to remain. I think those in that category should be deported. I do not believe in any evasion of law.

Secondly, I do not believe that the 15,000 displaced persons now in this country should be given permanent residence under special dispensation. They should be placed upon the same basis as all others who come in under permits. When their time expires they should be returned. Then if they can qualify under a displaced persons bill, let them come. I do not believe that there should be any evasion of the law, either directly or indirectly, at any time.

Mr. REVERCOMB. The only value in discussing these figures is to show how many are here, so that we can then arrive at some conclusion as to how many ought to be allowed to come in.

Mr. COOPER. I think the discussion has value.

Mr. REVERCOMB. The able Senator heard the discussion the other day, when it was said that 336,000 nonimmigrants—that is, visitors—came into this country last year. That is 60 percent more than ever came in in any previous year. We can use those figures in arriving at the correct figure under this bill.

Mr. COOPER. I know that the Senator is the chairman of the Immigration Subcommittee of the Committee on the Judiciary. I do not know of anyone who knows more about immigration law than does the distinguished Senator from West Virginia. But I am sure he will agree with me that if these people have come into this country as nonimmigrants they came under statutes enacted by the Congress. There is nothing wrong in their being here legally under the statutes. The only wrong is that if they stay here longer than the period for which they were admitted then they are here illegally.

Mr. REVERCOMB. Certainly, there is no wrong in their coming here and remaining here in accordance with a statute. However, I am saying again that these figures throw light on the number who are remaining here illegally. We must use those figures when we arrive at a conclusion as to the provisions of the bill.

Mr. COOPER. I do not believe that any figures should be used except figures as to those who are here illegally. Those who are here legally are here because we permitted them to come here legally.

Mr. President, I wish to hasten along and conclude my argument.

Mr. EASTLAND. Mr. President, will the Senator yield so that I may ask the Senator from West Virginia a question?

Mr. COOPER. I yield.

Mr. EASTLAND. The Senator from West Virginia stated that 260,000 more aliens had come into this country than had gone out.

Mr. REVERCOMB. No. The statement is that there remain in the country 267,287 nonimmigrants. Those are people who do not even come under the quotas. We arrive at that figure by deducting from the number who have come in as nonimmigrants the number who have departed.

Mr. EASTLAND. The point I am making is that those who have come into this country legally, as nonquota immigrants——

Mr. REVERCOMB. They are nonimmigrants, not nonquota immigrants. The nonimmigrants represent a third category.

Mr. EASTLAND. Whatever the category, it does not include those who came into this country illegally.

Mr. REVERCOMB. No; it does not.

Mr. EASTLAND. The Senator has investigated the entire subject. What is the Senator's information as to the number who have illegally entered the country, in addition to the 268,287 of whom the Senator spoke?

Mr. REVERCOMB. I have no figures, and the immigration authorities cannot furnish figures, as to the number who have entered illegally. They do not know.

Mr. EASTLAND. What information did they give the Senator?

Mr. REVERCOMB. They have given us the information that they are approximately 150,000 cases behind in their investigations as to whether or not certain persons are here legally.

Mr. EASTLAND. Those represent only the cases with respect to which they have received information. They are 150,000 cases behind.

Mr. REVERCOMB. They are investigating them to see whether or not they are here illegally. We are advised by the immigration authorities that in New York City alone they are 32,000 cases behind in their investigations.

Mr. McMAHON. Mr. President, will the Senator yield so that I may ask the Senator from West Virginia a question?

Mr. COOPER. I yield.

Mr. McMAHON. How many nonquota immigrants came in last year?

Mr. REVERCOMB. Seventy-six thousand nonquota immigrants came in. The Senator understands that there are three categories, namely, quota immigrants, nonquota immigrants, and nonimmigrants. Seventy-six thousand nonquota immigrants came in last year.

Mr. McMAHON. How many displaced persons came in?

Mr. REVERCOMB. We do not know that.

Mr. McMAHON. I was told the other day that the displaced persons who did not come in under the quota numbered only in the hundreds.

Mr. REVERCOMB. I am not advised as to the number. I have no breakdown as between nonquota immigrants, displaced persons, and other immigrants.

Mr. COOPER. Mr. President, I have talked too long. I hasten to conclude.

In the time in which I have addressed the Senate I have tried to point out the groups of persons who may be classified as displaced persons, and some of their characteristics. In view of the action we already have taken in this field, we should take the further action which is now proposed. We became adherents to the International Refugee Organization, whose sole objective was the resettlement of refugees, among whom are included the displaced persons. It is my opinion that unless we act in this connection, our adherence to that organization will be absolutely meaningless. The committee which, under the resolution, was appointed to make an investigation of this problem and to report to the Senate, has

taken a position which, it seems to me, demands action. Despite all the criticism which has been leveled against the committee—it is clear that the committee has laid down some fundamental propositions or principles. The first is that we should solve this problem by resettlement. This is the first time such a decision has been made by any legislative group in this country.

In the second place, the committee has laid down the proposition that the families of workers should be admitted with the workers. Other countries have taken workers, but usually have not taken their families.

A great many persons have overlooked the fundamental principles which are laid down in the bill prepared by the subcommittee under the leadership of the distinguished Senator from West Virginia [Mr. REVERCOMB].

I have disagreed with some of the details of the bill; and I have joined with some of my colleagues in offering certain amendments. We believe, first, that 200,000 persons should be admitted in 2 years.

In the second place, we believe priority should not be given to a particular group of these unfortunate people, but that the total number to be admitted should be decided, and then apportionment should be made as between the various groups, in the proportion that their number bears to the total number of displaced persons.

In the third place, we would extend until April 22, 1945, the time in which these people can be considered as displaced persons. It was on April 22, 1945, that the camps were closed by General Clay to further entrance by displaced persons.

In the fourth place, we believe that the administrative machinery provided by the bill is not adequate to meet the needs and objectives of the bill, and to carry out the full task of selection, transportation, and resettlement.

I believe it is our responsibility to help solve this problem. I am happy to join with those who believe that it is our responsibility. I hope the Congress will take action promptly, and that we will confirm our practical responsibility and our humanitarian and Christian tradition.

## AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO CERTAIN AGREEMENTS BETWEEN CARRIERS—CONFERENCE REPORT

Mr. REED. Mr. President, I submit a conference report on Senate bill 110, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

CLYDE M. REED,
A. W. HAWKES,
HOMER E. CAPEHART,
ED C. JOHNSON,
FRANCIS J. MYERS,
*Managers on the Part of the Senate.*
CHAS. A. WOLVERTON,
CARL HINSHAW,
LEONARD W. HALL,
CLARENCE F. LEA,
VIRGIL CHAPMAN,
*Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the conference report?

Mr. WHERRY. Mr. President, will the Senator from Kansas yield, to permit me to suggest the absence of a quorum?

Mr. RUSSELL. Mr. President, I was about to make the same request.

Mr. REED. I yield.

Mr. WHERRY. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Moore |
| Baldwin | Green | Morse |
| Ball | Gurney | Murray |
| Barkley | Hatch | Myers |
| Brewster | Hawkes | O'Conor |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Buck | Hoey | Robertson, Va. |
| Butler | Holland | Russell |
| Byrd | Ives | Saltonstall |
| Capehart | Johnson, Colo. | Smith |
| Capper | Johnston, S. C. | Sparkman |
| Chavez | Kem | Stennis |
| Connally | Kilgore | Stewart |
| Cooper | Knowland | Taft |
| Cordon | Langer | Thomas, Okla. |
| Donnell | Lodge | Thomas, Utah |
| Downey | McFarland | Thye |
| Dworshak | McGrath | Tydings |
| Eastland | McKellar | Vandenberg |
| Ecton | McMahon | Wherry |
| Ellender | Magnuson | White |
| Feazel | Malone | Wiley |
| Ferguson | Martin | Williams |
| Flanders | Maybank | Wilson |
| Fulbright | Millikin | Young |

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

Is there objection to the consideration of the conference report?

Mr. BARKLEY. Mr. President, I realize that day before yesterday the Senator from Kansas announced he would seek to take up the conference report today. I realize it is a privileged matter. I do not see that there is any virtue in taking it up one day as against another, because it is privileged and can be brought up. Unfortunately one of the Members of the Senate who was very active in the consideration of the bill when it was before the Senate and who offered and secured the adoption of important amendments to it, is absent today. He will be here tomorrow. I hope the Senator from Kansas will agree not to press the conference report today, because it will be just as privileged tomorrow as it is today. I do not see any point in trying to force its consideration today. I think time will be saved by letting it go over until tomorrow. Frequently, Members of the Senate announce their intention or desire to take up a certain matter on a certain day, and when the time comes there are conditions which justify its going over for a day. There would be no inconsistency, as I see it, between the announcement of the Senator from Kansas, day before yesterday, and an agreement that the report might go over until tomorrow. I hope the Senator will not object, but will let that action take place.

Mr. REED. Mr. President, I always like to accommodate my colleagues in the Senate. I thought that 48 hours notice, which I had given to the Senator from Georgia [Mr. RUSSELL], who was the leader of the opposition to the bill generally, would be satisfactory. I did not know anything about the Senator from Wyoming [Mr. O'MAHONEY] being absent. It is true that he was active in the first consideration of the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. WHERRY. Mr. President, I suggest, in view of the fact that we are hard pressed for time, if the distinguished Senator from Kansas will permit the conference report to go over until tomorrow, I am satisfied it will expedite matters considerably. I urge him to do that, in view of the statements which have been made by the minority leader. However, the Senator from Kansas did serve notice to the Senate. I am sure it will be taken in the proper spirit when I say that if the Senate is to expedite the program for the remainder of the session it will be necessary for Senators to be on the floor and to be ready at any time to consider important measures.

Mr. BARKLEY. I agree with the Senator's statement.

Mr. WHERRY. I should like to make an announcement with regard to the importance of Senators being on the floor at all times, on both sides of the aisle. We have a program which we can complete without any difficulty or question by the 19th of June. I have been promised cooperation from both sides of the aisle in completing the program. I suggest that if the distinguished Senator from Kansas will accede to the request of the minority leader, it would help the Senator from Wyoming [Mr. O'MAHONEY] who is necessarily absent and who would like to discuss some amendments.

Mr. BARKLEY. Mr. President, I suggest that I am not making any unreasonable request. No time will be lost. There is no virtue in action today as against action tomorrow. The Senator from Wyoming, who is unavoidably absent, took a prominent part in the debate and secured the adoption of what he thought were important and vital amendments.

Mr. REED. Mr. President, last year, when the bill was passed, it had been before the Senate and subject to debate for 5 days, when action should have been completed in 5 hours or less. If we are likely to run into a situation of that kind, I should like to get the conference report considered and disposed of as soon as possible.

Mr. BARKLEY. If the Senator will yield, I do not think there will be any such prolonged discussion on the conference report as was indulged in on the bill itself. I do not know how long the discussion will take, but I certainly should not think it would take very much time. I see no reason why it cannot be disposed of tomorrow.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. REED. May we have an understanding, possibly through a unanimous-consent request, that debate be limited? So far as the proponents are concerned, they can say their say in less than an hour. If the opponents do not require more than 2 hours——

Mr. BARKLEY. Personally, I do not expect to occupy much time, not more than 15 or 20 minutes.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. REED. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I have no intention of speaking at any great length on the conference report. The bill comes to us drastically changed, and I desire to point out some of its dangers. The bill is of great consequence to the people of my State, but I think that perhaps 15 or 20 minutes will be all that I shall require.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. REED. I yield.

Mr. BARKLEY. Mr. President, I think we can dispose of the conference report tomorrow within a reasonable time. We are all trying our best to cooperate and to facilitate the completion of the work of this session of Congress in order to adjourn on the 19th of June. If we had to recess during the Republican Convention and come back between the two conventions and recess again, there would be nothing but politics discussed in the Senate during that time. I am anxious that we conclude our work and relieve the country of our presence here.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. HAWKES. Mr. President, I should like to say to the Senator from Kansas that I am a member of the conference committee. I am present today, having canceled an engagement in order to be present. I have an engagement tomorrow which will put me in the same position tomorrow afternoon as that which the distinguished Senator from Wyoming occupies today. I shall not object to postponement of consideration of the conference report, but I agree with the acting majority leader, the Senator from Nebraska, that the thing to do is to stay on the job, so far as we can. When we endeavor to adjust matters after a program has been established, we are likely to change the whole plan.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. BARKLEY. I realize that it is impossible to have every Member present every day. We all take liberties in leaving the Senate whenever it suits our convenience. There is no rule by which we can compel Senators to be present. There are occasions when a Senator is justified in departing for a day. I should not ask this concession except for the fact that the Senator from Wyoming was one of the outstanding Senators who participated in the debate on the bill and who secured the adoption of important and vital amendments.

Mr. WHERRY. Mr. President, will the Senator from Kansas yield?

Mr. REED. I yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, in view of the statement made by the distinguished Senator from New Jersey, who is a member of the conference committee, that he is here to discuss the conference report this afternoon, and in view of the statement made by the minority leader, I now ask unanimous consent that the hour of 2 o'clock on Friday next be set for the consideration of the conference report, that a vote be had at 4 o'clock in the afternoon, that the time be equally divided between the proponents and opponents, and that the Senator from Kansas [Mr. REED] be in charge of the division of the time allotted to the proponents, and the minority leader [Mr. BARKLEY] be in charge of the division of the time allotted to the opponents.

Mr. BARKLEY. We are talking about beginning the consideration at 2 o'clock and voting at 4 o'clock. That is subject to roll-calls and other things that might interfere.

Mr. WHERRY. It is a conference report. There will be no amendments offered.

Mr. BARKLEY. I understand that. But why not take up the report at 1 o'clock?

Mr. WHERRY. The only way we can propose a unanimous-consent request is to try to start with something. I shall be glad to suggest that the report be taken up at noon and the vote be had at 2 or 3 o'clock, if that is satisfactory. But I think, in view of the fact that we are asking the Senator from Kansas [Mr. REED] to vacate an order which was made, in view of the fact that the distinguished Senator from New Jersey [Mr. HAWKES] is present and cannot be present tomorrow, and that we are asked to accommodate the minority leader in his request, an hour should be fixed at which time the Senate can debate and vote the report up or down, at the convenience of the Senate.

Mr. BARKLEY. We can take it up when the Senate meets on Friday, and can vote at 3 o'clock.

Mr. WHERRY. Mr. President, I renew the request that when the Senate convenes on Friday at noon——

Mr. BARKLEY. I shall have to consult other Members with reference to it. The Senator does not need to be impatient about it.

Mr. WHERRY. I am never impatient.

Mr. BARKLEY. The Senator shook his head rather impatiently.

Mr. RUSSELL. Mr. President, do I correctly understand that the time allowed for debate will be an hour and a half to each side?

Mr. WHERRY. Yes.

Mr. RUSSELL. There have been statements in the press and it has been broadly hinted on the floor that Senators from Southern States, usually referred to as Southern Democrats, for ulterior reasons have delayed action on matters of legislation and have slowed down the work of the Senate. That charge is false. The RECORD will show that we have cooperated with the Republican leadership in every possible manner to expedite the business of this body. It is true we live under a cloud and are subjected to daily threats of all kinds of legislation which is most offensive to us. We are threatened with legislative riders of all kinds if we attempt to function as Senators. Nevertheless, we have cooperated in transacting the business of the Senate and of the country though we shall, of course, oppose all sectional legislation to the limit of our strength and ability.

Mr. WHERRY. Mr. President, I assure the distinguished Senator that any remarks of that kind did not come from me, and I wish to say for the RECORD that I could not ask for finer cooperation in the legislative program than we have had from those on the other side of the aisle.

Mr. RUSSELL. I appreciate that statement, and I am glad to state that in my opinion the Senator from Nebraska has done a perfectly magnificent job in expediting the business of the Senate.

Mr. WHERRY. I thank the Senator.

Mr. RUSSELL. I have read about the Senate being hopelessly involved in a log jam of legislation, but though I sit on this side of the aisle, I wish to say that during this session the legislative program has been expedited as well as I have ever seen done during my service in the Senate. There has been as little time wasted as I have ever seen. The program has been exceedingly well handled. We have made fine progress on the floor and in the important work of the committees.

Mr. WHERRY. I again thank the Senator.

Mr. RUSSELL. With that preliminary statement, Mr. President, I may say that I think that those opposed to the conference report bill ought to have a bit more than 1½ hours, because of the fact that the bill affects a number of States, and even though the cause may be hopeless, due to the fact that the Senator from New Jersey and the Senator from Kansas seem to have the votes, whether the Senator from New Jersey is here or not, we should like to state for the RECORD, briefly, at least, our reasons for opposing the conference report, and we will hope to have an opportunity to vote on it again after a Presidential veto. We shall make every effort to sustain the veto of this bill which we have reason to hope the Chief Executive will exercise when it is presented to him.

Mr. WHERRY. I amend the unanimous-consent request, and ask that

when the Senate convenes at noon Friday the conference report be laid down for the immediate consideration of the Senate, that a vote be had at 3 o'clock, that 1 hour be allowed to the proponents of the measure and 2 hours to the opponents, the time of the proponents be in charge of the junior Senator from Kansas [Mr. REED], the time for the opponents in charge of the distinguished minority leader, the Senator from Kentucky [Mr. BARKLEY]. I say to the distinguished minority leader that I propose this order not impatiently, but with a great deal of optimism that he will accept the proposal.

Mr. BARKLEY. Mr. President, so far as I am concerned, I have already announced that it is acceptable to me; but there are other Senators involved in the matter, and after conference I express the hope that the proposal may be agreeable. I hope I did not do the Senator an injustice when I described the shake of his head. Being familiar with cattle as he is, he knows that when an animal shakes his head in a certain manner, in the barnyard or in the field, it shows there is opposition indicated, and if I attributed to the Senator qualities of the steer, I apologize.

Mr. WHERRY. Let me say, in reply, that he would better watch the animal's heels and not their heads.

Mr. JOHNSTON of South Carolina. Mr. President, I know one or two Senators who are not present today who would like to say something on the conference report. If the Senator from Nebraska will make the hour 3:30 o'clock and give us 2½ hours, I will agree.

Mr. HILL. Mr. President, I wish to cooperate in every way possible. The Senator from Kentucky has suggested that roll calls and other business may intervene, so that if we meet at 12 o'clock it may take 15 minutes to get a quorum. So allowing 2½ hours would not mean that we would get 2½ hours. In other words, if it takes 10 or 15 minutes in order to get a quorum, we will not have that much time.

Mr. WHERRY. I will guarantee that the Senators will get the full time, and the quorum call can be had exactly at 3:30 o'clock.

Mr. HILL. I am speaking about the roll call when the Senate meets.

Mr. WHERRY. That will be charged to the proponents and opponents of the motion, if both sides agree that they would like to have a quorum call.

Mr. BARKLEY. We have to take into consideration the fact that any Senator can make a point of no quorum at any time.

Mr. WHERRY. The time would be charged to both sides in the same proportion.

Mr. BARKLEY. That is correct.

Mr. WHERRY. I will submit the unanimous-consent request again, and change the time. I include the same provisions, with the exception that the time for the vote will be 3:30, and that 1 hour be allotted to the proponents and 2½ hours to the opponents, to be controlled as I have suggested.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as reduced to writing, is as follows:

*Ordered*, That on the calendar day of Friday, May 28, 1948, at the hour of 12 o'clock noon, the Senate proceed to the consideration of the conference report on the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, and that at the hour of 3:30 o'clock on said day a vote be taken on the question of agreeing to the report.

*Ordered further*, That of the intervening time 1 hour be allotted to those favoring the conference report, to be controlled by the Senator from Kansas [Mr. REED] and 2½ hours be allotted to those opposing the said report, to be controlled by the Senator from Kentucky [Mr. BARKLEY].

## BROADENING OF SOCIAL-SECURITY COVERAGE

Mr. REVERCOMB. Mr. President, the pending business has been interrupted with the discussion to which we have listened, and which we have enjoyed. At this time I wish to speak very briefly on a subject which does not have any connection with the pending order of business.

Mr. President, Congress has been asked by the President of the United States to broaden the social-security laws. Although it seems to me this request is a strangely belated one, I am happy that upon this subject I find common ground of agreement with the Chief Executive. In fact, two of the basic changes which we are asked to make are almost duplications of the expansion of benefits I proposed more than 3 months ago in a bill which I introduced, Senate bill 2269.

Among other things, the President finally has seen fit to suggest that we consider the lowering of the age for social-security retirement pensions, but he suggests it for women only, and that the age be lowered from 65 to 60 for women.

It is my proposal, as set forth in Senate bill 2269, that lowering of the age for retirement benefits should not be extended to women alone, but that pensions should be made available to both men and women workers who have reached the age of 60, many of them after experiencing long years of arduous employment.

My bill includes another proposal, which I consider to be of major importance. My bill would provide payment of insurance benefits in the event a worker is totally disabled by injury or disease. It will be noted that the message from the President has included this request in his version of the proposed changes in the law.

Experience in the administration of the old-age and survivors' insurance provisions of the Social Security Act has shown that the law must be made more flexible if it is to provide real insurance against destitution for all persons it covers. There has been a steadily increasing demand from individuals, and from employers and labor from all sections of the United States, that the present retirement age of 65 be reduced to provide for cases of early superannuation.

I can see no valid reason why the lowering of the age should be confined to women. Certainly it is difficult for women to hold employment or obtain new jobs in their later years, but the age of 60 for men, in many cases, finds them worn and spent after a lifetime of toil.

It is significant, I think, that the much discussed pension plan for the coal miners, who number around 100,000 in my own State, has tentatively set the retirement age at 62.

I have said before, and I repeat, that while many workers are capable of continuing work past the age of 60, or even 65, there are others less sturdy who may be unable at a much lower age to hold onto a job or to find a new one.

A coal miner, a steel worker, or a timber cutter at 60 usually does not have the agility or the strength required to perform his full share of the work. A man of that age deserves the right to cease laboring, and spend the rest of his time in comfortable living.

Mr. President, there is nothing in S. 2269 which would make retirement mandatory at 60, but it would allow those who desire to stop work to do so. About 900,000 older men and women at the present time have retired and are drawing benefits. If the age is lowered to 60, almost a million more would be eligible immediately for old-age pensions.

I might say that not all of these would hasten to give up their jobs. At the present time, I am advised, about 925,000 men and women are eligible for immediate payments, but they have not filed applications. This is because they prefer to stay at their jobs as long as they are able. Almost every American, if he has an opportunity, would rather work and gain substantial earnings; would rather "work out than rust out."

This lowering of the general retirement age is one way of making our social-insurance system flexible enough to meet the basic needs of its members.

But I think the second, and by far the most important change needed, is the provision of insurance benefits for workers who are totally disabled by disease or accidents at ages under 60. Crippling diseases and accidents respect no age.

Most cases of heart disease and arthritis attack men before they reach the age of 65. As a matter of fact, statistics show the onset of about half of all cases of total disability occurs before that age.

The worker who becomes disabled in middle or early life needs insurance benefits at least as much as does the worker who has been retired from employment because of age.

I wonder how many of us actually take time to try to understand what it means in terms of heartbreak, sacrifice, and poverty to have a husband or young father become totally unable to work. Income stops. Sometimes the employer continues the weekly check for a few payments, but eventually that sort of charity comes to an end. There are doctor bills. Perhaps there are expensive drugs to buy, such as streptomycin for tuberculosis, which costs several hundred dollars for full treatment.

To illustrate the effect of prolonged disability on old-age and survivors' insurance rights, let us take as an example the case of a newspaper linotype operator who became permanently disabled in March of this year at the age of 52. This particular individual entered covered employment in April 1939, at the

time he sold his own printing shop to take the job he held until recently.

His earnings averaged $200 per month for the 9 years he worked for wages and he has paid $216 as his share of the social-security taxes. If this man continued to work at the same wage rate until 1961 when he would reach age 65, he would be eligible for a benefit of $40.71, and his wife at 65 would draw an additional $20.20.

However, since disability prevents his ever meeting the full insured status requirements for retirement benefits, I am advised there will be no return on his money if he lives to be 65 or over. Every cent he has paid into the social-security fund will be lost.

The example I have cited is not an isolated case. There are thousands of them. Disability is the chief single case of poverty and dependency in our Nation. At any one time about 1,600,000 members of the civilian labor force have been disabled for 6 months or more, and approximately 1,000,000 of them have been disabled for longer than a year. It is estimated that during 1947 workers lost a billion or more workdays because of a permanent disability.

The loss of wages and the costs that come with disablement result in widespread dependence on public aid. Even in a year of high employment like 1947, the public assistance costs resulting from disability borne by States, municipalities, and the Federal Government are enormous.

The cost of a disability insurance program are extremely small when measured against the gains in security it would provide for men, women, and children throughout the entire Nation.

An extended disability insurance program would eliminate the certain liquidation of family income and resources which now occurs when this hazard strikes; it would help keep families together and would permit mothers to remain at home to care for their children instead of being forced into outside employment; it would remove the stigma and humiliation of having to accept relief; it would substantially reduce the assistance costs of local units of government; and it would preserve the old-age and survivors' insurance rights of insured workers.

Mr. President, this is a subject in which I have been long interested, and which has long appealed to me. I am hopeful that the Senate will give early, careful, and favorable consideration to the bill I have introduced, Senate bill 2269.

I ask that the bill to which I referred in my remarks on old age pensions be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill S. 2269 to amend title II of the Social Security Act in order to reduce the qualifying age for old-age and survivors insurance benefits to 60 and broaden the old-age and survivors' insurance system to include benefits on account of disability, was ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That this act may be cited as the "Federal Old-Age, Survivors, and Extended Disability Insurance Amendments of 1948."

AGE OF BENEFICIARIES LOWERED

SEC. 2. (a) Clause (2) of subsection (a) of section 202 of the Social Security Act is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(b) Effective only with respect to applications filed prior to July 1, 1949, and after the end of the third calendar month which begins after enactment of this act, clause (A) of paragraph (1) of subsection (b) of such section 202 is amended to read as follows: "(A) has attained the age of sixty."

(c) Clause (B) of paragraph (1) of subsection (d) of such section 202 is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(d) Clause (A) of paragraph (1) of subsection (f) of such section 202 is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(e) Paragraph (1) of subsection (g) of section 209 of such act is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(f) The amendments made by subsections (a), (c), (d), and (e) of this section shall be applicable only in cases of applications for benefits filed under title II of the Social Security Act after the end of the third calendar month which begins after the enactment of this act.

BENEFITS ON ACCOUNT OF TOTAL DISABILITY

SEC. 3. (a) Subsection (a) of section 202 of the Social Security Act (as amended by section 2 of this act) is amended by redesignating clauses (1), (2), and (3) thereof as clauses (A), (B), and (C), respectively, by inserting "(1)" after "(a)", and by adding at the end thereof the following new paragraphs:

"(2) Every individual who (A) is not entitled to benefits under paragraph (1) of this subsection, (B) has filed application for primary insurance benefits, (C) is under a disability (as defined in section 209 (s)) which has continued for six consecutive calendar months after December 31, 1948, (D) was a currently insured individual on any day during such 6 months period and had 20 quarters of coverage within the 40 calendar quarter period ending with any quarter which includes any month in such 6 months period, shall be entitled to receive a primary insurance benefit for each month after June 30, 1949, beginning with the first month in which he becomes so entitled to such insurance benefits and ending with the month immediately preceding the first month in which any of the following occurs: He ceases to be under a disability, becomes entitled to benefits under paragraph (1) of this subsection, or dies.

"(3) For purposes of paragraph (2), an individual shall be deemed to be a currently insured individual on any day if, had he died on such day, he would have died a currently insured individual (as defined in section 209 (h)).

"(4) Any individual who ceases, by reason of entitlement to benefits under paragraph (2) hereof, to be entitled to benefits under any other subsection of this section shall, if no other event has occurred which would terminate his entitlement to benefits under such other subsection, be entitled to benefits under such other subsection for each month, beginning with the month following the month in which his entitlement to benefits under paragraph (2) of this subsection ceases."

(b) Effective with respect to applications for benefits filed after June 30, 1949, clause (A) of paragraph (1) of subsection (b) of such section 202 is amended to read as follows: "(A) has attained the age of 60, or in the case of a wife whose husband is entitled to benefits under paragraph (2) of subsection (a), had at the time of filing her application for wife's insurance benefits, in her care (individually or jointly with her husband) a child of her husband entitled to receive a child's insurance benefit,".

(c) Paragraph (1) of subsection (b) of such section 202 is further amended by inserting therein after "they are divorced a vinculo matrimonii," the following: "her husband ceases to be entitled to primary insurance benefits by reason of his recovery from a disability, no child of her husband is entitled to receive a child's insurance benefit and she has not attained the age of 60,".

(d) Paragraph (1) of subsection (c) of such section 202 is amended by striking out "or attains the age of 18" and inserting in lieu thereof "such insured individual ceases to be entitled to primary insurance benefits by reason of recovery from a disability, such child attains the age of 18".

(e) Subsection (d) of section 203 of such act is amended by inserting between paragraphs (1) and (3) thereof the following new paragraph:

"(2) if a wife under age 60 entitled to a wife's insurance benefit, did not have in her care (individually or jointly with her husband) a child of her husband entitled to receive a child's insurance benefit; or".

(f) Such section 203 is further amended by adding at the end thereof the following new subsection:

"(i) Deductions, in such amounts and at such time or times as the Administrator shall determine, shall be made from any benefits payable under this section with respect to the wages of an individual until the total of such deductions equals such benefits for any month, during a period of disability, in which such individual failed to submit himself for examination in accordance with regulations of the Administrator, and for any month thereafter until the month in which he does so submit himself for examination."

(g) Subsection (m) of section 205 of such act is amended to read as follows:

"(m) No application for any benefit under paragraph (2) of subsection (a) of section 202 filed prior to 7 months before the first month for which the applicant becomes entitled to receive such benefit shall be accepted as an application for purposes of this title; and no application for any benefit under any other provisions of such section filed prior to 3 months before the first month for which the applicant becomes entitled to receive such benefit shall be accepted as an application for purposes of this title."

(h) Subsection (f) of section 209 of such act is amended to read as follows:

"(f) The term 'average monthly wage' means the quotient obtained by dividing the total wages paid an individual before the quarter in which he died or became entitled to receive primary insurance benefits, whichever first occurred (excluding any wages paid him during a period of disability), by three times the number of quarters elapsing after 1936 and before such quarter in which he died or became so entitled, excluding any quarter prior to the quarter in which he attained the age of 22 during which he was paid less than $50 of wages, any quarter in a period of disability, and any quarter, after the quarter in which he attained age 65, occurring prior to 1939."

(i) Paragraph (1) of subsection (g) of such section 209 is amended by inserting therein after "whichever first occurred" the following: "(excluding from such elapsed quarters any quarter in a period of disability (as defined in subsection (t))".

(j) Such subsection (g) is further amended by striking out "As used in this subsection, and in subsection (h) of this section," and inserting in lieu thereof "As used in this subsection, in subsection (h) of this section, and in subsection (a) of section 202,".

(k) Subsection (h) of such section 209 is amended by inserting before the period at

the end thereof ", excluding from the count of such 12 calendar quarters any quarter in a period of disability".

(l) Such section 209 is further amended by adding at the end thereof the following new subsections:

"(s) The term 'disability' means total inability to work by reason of illness, injury, or other impairment. An individual is totally unable to work when he is afflicted with any impairment which renders it impossible for him to engage in any substantially gainful work, as defined in regulations of the Administrator.

"(t) An individual's 'period of disability' means all quarters for any month of which he is entitled to benefits under section 202 (a) (2) and the two quarters immediately preceding the first such quarter.

"(u) (1) The Administrator shall by regulation provide for such examinations of individuals as he deems necessary for purposes of determining entitlement to benefits under section 202 (a) (2). In accordance with regulations prescribed by him, the Administrator may find, solely because an individual refuses to submit to such an examination, that such individual is not under a disability or that his disability, previously determined to exist, has ceased.

"(2) The Administrator may make provision for furnishing medical, surgical, institutional, rehabilitation, or other services to individuals entitled to receive benefits under section 202 (a) (2) if he believes such services may aid in enabling such individuals to return to gainful work. For the purpose of this paragraph there shall be available, for each calendar year beginning with the calendar year 1951, an amount equal to 2 percent of the total amount expended from the trust fund during the preceding fiscal year for the payment of benefits with respect to the wages of individuals entitled to benefits under section 202 (a) (2). For the calendar years 1949 and 1950, there shall be available for such purpose 2 percent of the estimated expenditures from the trust fund during such years for the payment of benefits with respect to the wages of such individuals. The managing trustee shall make payments from the trust fund to carry out the purposes of this paragraph when certified to him by the Administrator.

"(3) The Administrator may enter into agreements with any agency of the United States, of any State, or of any political subdivision of any State for the provision of the services or examinations under paragraphs (1) and (2), and may when necessary, without regard to the civil service laws or the Classification Act of 1923, as amended, and without regard to section 3709 of the Revised Statutes, enter into contracts with qualified persons for providing such services or examinations."

## MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5298) to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes, and it was signed by the President pro tempore.

## VOICE OF AMERICA

Mr. CAPEHART. Mr. President, I think every Member of the Senate will be interested in what I am about to say and to read.

Mr. REVERCOMB. Mr. President, will the Senator yield to me?

Mr. CAPEHART. I shall be happy to yield to the Senator from West Virginia.

Mr. REVERCOMB. I understand the Senator from Indiana is going to speak on a subject of very great interest and one which I believe all Senators will want to hear. If the Senator will yield to me for the purpose I shall suggest the absence of a quorum.

Mr. CAPEHART. I have no objection to that. I want it understood, however, that I am not personally suggesting the absence of a quorum, but will yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Moore |
| Baldwin | Green | Morse |
| Ball | Gurney | Murray |
| Barkley | Hatch | Myers |
| Brewster | Hawkes | O'Conor |
| Bricker | Hayden | Pepper |
| Bridges | Hickenlooper | Reed |
| Brooks | Hill | Revercomb |
| Buck | Hoey | Robertson, Va. |
| Butler | Holland | Russell |
| Byrd | Ives | Saltonstall |
| Capehart | Johnson, Colo. | Smith |
| Capper | Johnston, S. C. | Sparkman |
| Chavez | Kem | Stennis |
| Connally | Kilgore | Stewart |
| Cooper | Knowland | Taft |
| Cordon | Langer | Thomas, Okla. |
| Donnell | Lodge | Thomas, Utah |
| Downey | McFarland | Thye |
| Dworshak | McGrath | Tydings |
| Eastland | McKellar | Vandenberg |
| Ecton | McMahon | Wherry |
| Ellender | Magnuson | White |
| Feazel | Malone | Wiley |
| Ferguson | Martin | Williams |
| Flanders | Maybank | Wilson |
| Fulbright | Millikin | Young |

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. CAPEHART. Mr. President, notwithstanding the fact that we have had a quorum call, I find about as few Senators present as were present before the quorum call. However, I appreciate that Senators are busy in committee meetings.

This year the Congress voted an appropriation of $27,000,000, as I recall the figure, to support the Voice of America. I do not know how many millions we have voted in the past. It was my understanding that it was to be a means of educating the peoples of the world as to our way of life and the good things about our country. I hold in my hand a script of one of the broadcasts, covering the States of Nevada and Utah. I have on my desk scripts relating to Alabama, Texas, and Pennsylvania.

If I correctly understand, the Voice of America, which is under the jurisdiction of the office of the Secretary of State, has had a young man and a young woman traveling over the United States. In these broadcasts they have been telling the world about our respective 48 States.

As I stated a moment ago, the broadcast which I hold in my hand, covers Nevada and Utah. It is unfortunate that we have no music here today; and it is unfortunate that we have no sound effects or voices in the background, because, not being an actor and not being accustomed to speaking on the radio, I may not do a very good job.

However, I wish to read the broadcast as sent out by our Government at the taxpayers' expense to the Central and South American countries. This broadcast was originally done in Spanish. I hold the English translation. The script which I hold in my hand was given to me by those in charge of the Voice of America programs. It is entitled, "English Translation—Know North America." I call particular attention to that. The title is "Know North America."

The caption reads further:

Script broadcast in Spanish to Latin America by National Broadcasting Co. on February 2, 1948.

Mr. President, when I say "music," I mean that music was heard at that point in the broadcast. Of course, in this instance it means that we should hear music, although we shall not. When I say "announcer," that refers to one of the two persons who, in the broadcast, were supposed to be traveling over the United States in an effort to educate the world in regard to our 48 States. The narrator was supposed to be one of those two persons. "Voice II" means one of the two persons talking to the narrator.

Now here is the broadcast:

Music: Theme up and under.

Announcer: The National Broadcasting Co. presents: Know North America, a weekly program in which we relate the adventures of two travelers who continue to discover the many wonders of historical and present life in the U. S. A.

Please notice that it says "historical and present life in the United States."

Then—

Music: Up and out plane, establish, then under.

That is the background.

Then—

Voice: Let me see—Oh—This immense expanse of white, is it Nevada?

Narrator: Yes—one of the biggest States in the Union, and it has only 110,000 inhabitants.

Voice: Then how can it be a State?

Narrator: One hundred thousand is the minimum.

Does anyone know of any law in the United States that requires that before a new State can be admitted into the Union, a minimum of 100,000 people must be living within its area?

Voice II: Is it possible that there is so much snow here? This doesn't seem like the West, but like a Siberian steppe.

Comparing it to Russia—

Narrator: But it's quite the opposite. The immense white expanse is a desert.

Voice II: Really?

Narrator: Of course it is. The Spanish conquerors were also deceived by the mirage, when Gaspar de Portola's soldiers saw this desert from the peak of that mountain, they shouted, "What a lot of snow!"

Voice: But they were disappointed.

Narrator: And what a disappointment! When they came down, the snow had turned to scorching sand. So it is that every time

they referred to these regions, they talked about the big snowy country.

Voice II: Is this historical?

Narrator: Absolutely.

Voice II: Does this mean that Nevada owes its name to an optical illusion?

Narrator: Exactly.

Voice II: That's right, you're handsome.

Narrator: His name is.

Laughter.

Music, Up and out.

Still in the plane.

Mr. President, I presume they were flying over Nevada.

Then—

Voice (more or less alarmed)—

Note this, Mr. President; I suppose I should be more or less alarmed—

Listen, are we leaving Nevada behind?

Narrator: Yes; the plane flies directly from San Francisco to Salt Lake City.

Voice: What a shame.

Narrator: Why? Nevada has no interest in itself:

Listen to this:

Nevada has no interest in itself; it's a land of cowboys, and its two principal cities are in competition. In Las Vegas people get married, and in Reno they get divorced.

Mr. President, this is enlightening. We are supposed to be enlightening the world in this way—and we are spending millions of dollars of the taxpayers' money on these programs.

Voice: Yes, but you are forgetting that Nevada is the only State where you can play roulette. And, if we passed through Reno, I could get a divorce.

That is most enlightening; is it not? I am sure the people of Nevada appreciated that.

Then—

Narrator: You? From whom?

Voice: From you?

Laughter.

Voice: If he and I continue alone, we will get to know North America better.

The people of South America must have enjoyed listening to that.

Then—

Narrator: Oh, yes; getting up at four in the afternoon and leading a night life.

Voice: Well, what about it? All the self-respecting animals, the tiger, the lion, and the panther, sleep in the daytime and hunt at night. The hens are the only ones that go to bed at six in the evening.

Mr. President, the taxpayers are the ones who are paying to send that sort of trash over the radio to the people of Central America and South America.

Then—

Narrator: Don't you worry, we'll go back to Nevada, but first we have to stop in Salt Lake City.

Voice: What for?

Voice II: Utah is a very interesting State.

Voice: Oh, Utah. That's where men have as many wives as they can support?

Mind you, Mr. President, this is going over the radio to the peoples of the world.

Then—

Voice II: There's a gleam in your eye.

Narrator: But, man, you can't even support one.

Laughter into, up, and out. Light traffic. Three pairs of feet on pavement; stop.

Voice II: What a monumental piece of work.

Narrator: That's the famous Mormon Tabernacle. It was built by Brigham Young, one of the greatest colonizers in American history.

Voice II: How the Mormons suffered in their Odyssey from New York to Utah.

Narrator: In that period of deep religious feeling, people persisted in believing that the Mormons were trying to revive paganism. Joseph Smith, the prophet of the new religion, was assassinated by the people, and then Brigham Young took charge of the tribe and led it across deserts and mountains in search of the promised land.

Voice: Like Moses?

Narrator: Moses knew where he was going, but the Mormons did not. When they reached this spot and discovered that the water in the lake was salty, Young raised his eyes to heaven and said: "Jehova, I will build the New Zion on the borders of this new lake, because its waters are salty."

Voice II: And what a beautiful city they built.

Brigham Young governed the Mormons for 30 years with an iron hand, like an absolute emperor. When Mark Twain, the great humorist, visited this city in 1860, he said that the only thing which resembled the discipline of the Mormons was the Prussian Army.

[Laughter.]

Leaving the impression that they are still disciplined along those lines. Mind you, Mr. President, these broadcasts are sent out to people all over the world.

Then the script shows that there was laughter—that the persons giving the broadcast were laughing in an attempt to show they thought that was funny.

Then—

Voice II: Young used to carry a bottle of whisky in one pocket and a cut of chewing tobacco in the other.

Mr. President, I am sure that those of us in the Senate who voted to appropriate $27,000,000 for these broadcasts are proud of that statement, and are proud that we appropriated so much money to have some fool broadcast that sort of information to the people throughout the the world.

Voice: How is that? Aren't the Mormons supposed to be very strict?

Narrator: Certainly, and that is why Young did it. Two or three times a day he pulled out the liquor and tobacco, smelled them, and put them back in the pocket.

Voice: So as not waste them?

Narrator: No; to prove that he was stronger than vice.

Voice: That is what is called having will power.

Narrator: Brigham Young was a primitive priest, who didn't counsel virtue, but imposed it.

Voice: How about the story that he had 40 wives; is that a lie?

Narrator: No. The Mormons were polygamous, but not for want of morality.

Voice: And what do you call it?

Narrator: I have no opinion, but they say that the Mormons instituted polygamy to defend themselves against their enemies.

Note this, Mr. President:

Voice: Those are excuses.

So, Mr. President, we have spent $27,000,000 of the taxpayers' money in order to have such broadcasts made to the people of the world.

Then—

Narrator: They were very few in number, and had to increase the population rapidly.

Voice II: And did they succeed?

Narrator: Of course, so far nobody has succeeded in dislodging the Mormon dynasty in Utah.

Voice: Not even politically?

Narrator: Eighty percent of the population is Mormon, and the Governor, Senators, Representatives, etc., etc., belong to to the sect.

Voice: So Utah is a kind of oyster?

That was a great contribution to the enlightenment of the world—to say that Utah is a kind of oyster.

Then—

Narrator: This is the only people in the world which is governed by religion, and legally so, because the citizens vote.

Voice II: But they vote for Mormons.

Voice: Of course, the day they vote for someone else they will lose control.

Music. Up and out.

Voice II: What a strange church.

Narrator: That is the secret church, which only the prophet and the 12 apostles enter.

Voice (laughs): Is that what they are called?

Narrator: Yes; they are the ones who govern the sect.

Voice II: Does this mean that no one can enter?

Narrator: Only a chosen group, the highest directors of the tribe.

Imagine referring to the people of Utah today as a tribe.

Voice: This seems to me neither Christian nor democratic.

That statement went out, if you please, all over the world—"This seems to be neither Christian nor democratic."

Narrator: When they are subjected to criticism they ask frankly: "Do all the Catholics reach the Pope?"

Voice: It's true, they aren't entirely wrong. There must be a distinction in rank.

Narrator: The symbol of Utah is the beehive, and these are the Mormons, tireless and faithful bees. The sect, whose capital is truly fabulous, controls all the business in the State.

Voice: And who are the stockholders?

Narrator: There aren't any.

Apparently that is trying to prove that Utah is a communistic or socialistic State.

Everyone is obliged to give 10 percent to the State in perpetuity.

I want to read that again:

Everyone is obliged to give 10 percent to the State, in perpetuity.

That is not a true statement.

Voice II: Very well, and what do they do with so much money?

Voice: I suppose that the Twelve Apostles will manage it.

Narrator: They manage it, but they do not touch it. They spend it all on the community, in public works, hospitals, charitable institutions, and, above all, in schools, which are numerous and very fine in Utah.

That is an example of broadcasting to the world at the expense of the taxpayers that Utah—and it is not true; it is a lie to begin with—is some sort of socialistic State in which everybody contributes 10 percent to the State.

Voice II: Does this mean that no Mormon has the right to ask for an accounting?

Narrator: He doesn't ask for any and they don't give him any. The church is sacred, and distributes funds as it pleases.

Voice: And suppose a Mormon decides not to continue giving up one-tenth?

Narrator: Ah, for this the sect has a little army, called the avenging angels.

Voice II: Which assume the task of convincing those who do not pay?

Narrator: Naturally.

Voice II: In what manner?

Narrator: With convincing arguments.

Voice: Made of rubber or wood?

[Laughter.]

That would leave the impression that there is a secret organization called the avenging angels, and that if a person does not pay 10 percent to the State, as stated in the script, they have a way of making him do it. The narrator wants to know if that convincing argument is made of rubber or wood, leaving the impression I presume that they take him out into the woodshed and proceed to pound him either with a rubber or a wooden substance. I ask Senators, are they not proud to have had a part in contributing $27,000,000 to that sort of thing?

Music. Bridge.

Voice II: This hotel is as luxurious as the Waldorf Astoria.

Voice: Does it belong to the church also?

Narrator: Of course. Don't you see the beehive on the door? The sect owns 60 percent of the business houses in the State: this hotel and the Temple Square Hotel, 3 daily papers and several reviews, a radio station, 2 banks, the Utah State National Bank and the Zion Savings Bank and Trust Co., the Utah-Idaho Sugar Co., the Beneficial Life Insurance Co., and hundreds of houses, buildings, farms, etc., etc.

Voice (whistles): And what does not belong to them?

Narrator: Hardly anything; but you can rest assured that the money that comes in is used entirely for the common good. You will already have observed that this city, without any exaggeration, is the cleanest and most orderly city in the United States.

The common folks own everything, they say.

Voice II: That is true

Narrator: And that is because the church is efficient and honorable. The Mormons claim—

Mr. President, listen to this. Listen to this:

The Mormons claim that if the whole world were to adopt their methods there would no longer be economic problems.

Up to this point apparently it was endeavored by this broadcast to show that there is some sort of socialistic state in Utah, to which the people contribute 10 percent, and that the State owns everything. Let me read that again:

Narrator: And that is because the church is efficient and honorable. The Mormons claim that if the whole world were to adopt their methods there would no longer be economic problems.

That is an insult to the United States Senate, to the people of the Nation, and particularly to the people of Utah, because the people of Utah are the same as the people of every other State of the Union.

Voice: They all say that.

Narrator: The sect does not oblige anybody to do anything, but everyone does his duty, and if they don't drink or smoke, it is not because of hypocrisy, but because they have a tremendous responsibility toward God to care for their bodies as well as their souls.

Voice: I don't understand it. Give me a lecture.

Narrator: The Mormons believe firmly in the resurrection of the flesh, and that is why they treat their bodies with the greatest possible respect.

Voice II: Naturally, since they only have one.

Voice: That is foolish; the body can stand anything.

Narrator: And the souls also, but according to the Mormons, he who dies with a perfect body and a clean soul will have a right to reincarnate in full youth on the final judgment day.

Voice: What for?

One of the two wants to know why, and what for.

Narrator: They hope to go on living in the next world.

Voice: With the cooperative and everything else?

That is insulting, Mr. President. It is an insult to their religion—"with the cooperative and everything else."

Narrator: No, but——

Voice II: Then why do they die?

Voice: So that they can have a new body, and on with the fiesta.

That is what the taxpayers are paying money for.

Mr. President, do Senators appreciate the significance of that statement, asking the question, with respect to people in Utah, "Then why do they die?" And the voice says:

So that they can have a new body, and on with the fiesta.

Narrator: What seems strange and even funny to us, has achieved great practical results.

Voice II: For instance?

Narrator: In Utah there are neither strikes nor political disturbances and they work as hard as anywhere. Furthermore, this State is at the head in public instruction. The Mormons are expert in languages. During the war, many of the translators and interpreters came from here to work for the Government and the Army.

Voice II: Now you know it, so don't talk so loud.

Voice: A fine time to tell me.

Narrator: Just imagine that Senator ELBERT D. THOMAS, one of the best educated Members of the Congress, once wrote a book on Mormonism and in Japanese, and during the war he always talked on short wave to the Japanese, urging them to surrender.

Music. Up and out.

Street noises.

Voice II: Why do people greet us so politely?

Voice: They think that we have faces like Mormons.

Imagine sending that out on the radio—evidently insinuating that Mormons have different faces from those of other persons. That would be one reason for making that statement.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. FERGUSON. Does the Senator have the names of the persons who wrote this and actually broadcast it?

Mr. CAPEHART. Yes.

Mr. FERGUSON. Does the Senator intend to put the information into the RECORD?

Mr. CAPEHART. Yes; I intend to put in a considerable amount of it. When I get through I think I shall offer a suggestion as to what I think the Senate should do.

Mr. FERGUSON. Does the Senator have information as to who supervises it?

Mr. CAPEHART. Yes.

Mr. FERGUSON. The Senator has not stated the date of that broadcast.

Mr. CAPEHART. The date of this broadcast is February 2, 1948.

Narrator: No; they know that we are strangers, and they want to instruct us in the faith.

Voice II: What for?

Voice: For the 10 percent?

Can the Senate imagine anything so insulting as that? It leaves the impression that everyone who visits Salt Lake City is subject to having 10 percent taken from him by the people.

Narrator: They are too rich and noble to think about that. They do it because their great and only fear is to lose their majority. At present, 80 percent of the population is Mormon, and if strangers continue moving in——

Voice II: The 80 percent will decrease, and they will lose their power?

Voice: Now I understand.

I can understand that they do not want 10 percent of the money, but they want to keep their power. But the Senators can see how insidious the whole thing is when we weave it together.

Voice: Now I understand. It is now they would need polygamy.

Narrator: Yes; but it won't come back.

Voice: Why?

Narrator: While Utah was a Territory they could do what they wanted, but in order to become a State they had to comply with the Constitution——

Voice II: And give up polygamy?

Narrator: Of course.

Voice: This little matter cost them plenty.

What was the little matter that "cost them plenty," according to this broadcast? Coming into the United States and obeying our Constitution.

Then there is laughter indicated. I assume they laughed at great length.

Voice II: Look, the tabernacle is closed.

Narrator: Naturally, today is Sunday.

Voice: How naturally, since it is on Sunday that all the churches are open?

Narrator: But not here; Sunday is a day of rest. Nobody does anything.

Voice: They don't even pray, do they?

Narrator: Yes, in their thoughts.

Voice II: What intelligent people. On Sunday they don't even give their lips any work. But I suppose that they eat, don't they?

Can the Senate imagine such silly stuff being broadcast? It is unbelievable, to me; I do not know how the Senate may feel about it.

Voice: Naturally, one has to care for one's body.

Music: Up and under.

Narrator: The biblical and social experiment of Brigham Young has been a resounding success; in Utah there are neither taxes nor political struggles nor any kind of speculations, because the morality of the church stands above all personal egotisms.

That does not require any comment from me. There are taxes in Utah. There are Federal taxes. To say the State of Utah is different from any other

State is insulting. So I shall not even mention it; it is so ridiculous.

When Brigham Young planted his tents on the shores of Salt Lake he shouted to the legions of his enemies: "Give me a truce of 10 years and you will be astonished at my work." The prophet kept his word; today Utah is the cleanest and loveliest dwelling place in the immense palace of the United States.

Music: Up and out.

Announcer: You have just heard Know the United States, a weekly program in which we relate the adventure of two travelers who continue to discover the marvels of the historical and present life in the United States. The participants in this program were * * *.

Production and artistic effects were under the direction of Juan José Vasquez.

Music up and. * * *

That was Utah. I have some more here. Senators will understand that these two persons have been traveling all over the United States, going into the 48 States.

The next is a broadcast on Alabama. I hope the Senators from that State are present. I do not know whether I have all of the broadcast on Alabama, but I have sufficient to disgust anyone. It opens with comments on Mobile, as follows:

Narrator: I want to show you something original, or shall I say "ironic"? Take a look at the name of this street.

Two: Jefferson Davis Avenue.

One: Wasn't that the president of the Southern Confederation?

Narrator: Exactly.

Two: And what is ironic about that?

Narrator: On this avenue, as you can see, only Negroes live.

Two: And he defended slavery and was the most bitter enemy of Lincoln's ideals.

One: That will show you that the dead do not return, because if they did the spirit of Davis would have removed the signs from this street.

Mr. President, that is what we appropriated $27,000,000 for, evidently. That represents some of the silly things we do in Congress from time to time. Unfortunately we have no control over what these people do with the money which we appropriate. We are getting a little example of it at the moment.

Laughter is indicated. They all laughed about it.

Narrator: We are at Birmingham, the Pittsburgh of the South and the most important city in Alabama. It has a population of 300,000, and its principal industries are iron and steel.

One: And this city is like those two metals, hard and poorly made.

We appropriated $27,000,000 for the purpose, I thought, of telling the peoples of the world at least some of the good things about this country. I shall read that statement again:

And this city is like those two metals, hard and poorly made.

Narrator: That is true. It was constructed in a hurry and they have not had time to improve it.

Can the Senators imagine that? The taxpayers money has been appropriated to tell the world about wonderful America, supposedly to educate the world in what we have here and for what we stand, our historical background, and our form, kind, and type of government; and this is how it is spent!

Two: Alabama is not a State of stupendous cities of brilliant history, but it has the importance of being the darkest of all.

One: The darkest? What are you referring to?

Narrator: In no other part of the United States has the colored race struggled and suffered so much as here.

I am certain that the people of Alabama who pay State taxes and Federal taxes will appreciate the fact that their money is being used to advertise them to the peoples throughout the world in such a light.

One: The darkest? What are you referring to?

Narrator: In no other part of the United States has the colored race struggled and suffered so much as here.

Two: Oh, I understand.

Narrator: And since there are more Negroes than whites in Alabama——

Which is a lie—

their contribution to progress has been very important.

(Narrator continues.) And do not think that the descendants of the slave continue to be laborers only. Since slavery was more intense here, it is only logical that liberty should also be more intense despite certain absurd laws that have not been eliminated.

We are advertising to the world about what a wonderful country we are, that we have a representative form of government, democracy and liberty, yet this sort of thing goes out.

The script moves to Montgomery, Ala., State capitol.

One: See what was holding up the traffic.

That must have sounded fine over the radio to the people down there. One narrator says to the other, "See what was holding up the traffic."

Two: An oxcart.

Narrator: That is a symbol of the spirit of Montgomery.

I am certain that the people of Alabama are happy over the description of Birmingham and the description of Montgomery, Ala. I shall read that again, because it seems to me that it would be almost impossible for anyone to be so silly as to put this sort of thing out.

The script moves to Montgomery, Ala., State Capital.

One: See what was holding up the traffic.

Two: An oxcart.

Then the narrator said:

That is a symbol of the spirit of Montgomery.

Mind you, this went out on February 2, 1948.

Narrator: Alabama has wanted to show the rest of the world that even though it used to be the most determined in favor of slavery, today it is the most democratic of all.

One: Well, that is quite something.

Two: You who are looking for a place to establish your home, why not settle here? They give you the land free.

Mind you, Mr. President, this is going out to the world. They say, "You who are looking for a place to establish your home, why not settle here? They give you the land free."

One: Thank you. I do not like the cities where Mondays are the same as Sundays. Let us continue the tour.

"I do not like the cities where Mondays are the same as Sundays."

What is the inference, and what would that mean to the Spanish-speaking people of South America?

Now we will go to Pennsylvania.

Mr. EASTLAND. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield to the Senator from Mississippi.

Mr. EASTLAND. I should like to comment on the broadcast about the State of Alabama. I do not come from Alabama, but I went to school in that State, and I know many people there. Alabama is a great State, and the people are a great people. Those people have been slandered by the expenditure of money appropriated by the American Congress, and I brand those statements for what they are, as merely contemptible, damnable lies.

Mr. CAPEHART. I might say that Alabama is going to be no exception in being slandered, because I think the Senator will find that every State in the Union has been slandered.

Mr. EASTLAND. Alabama is a State I know much about, and I think I am qualified to make the statement I have made.

Mr. CAPEHART. I agree with the Senator.

Now let us move to Pennsylvania.

Voice: So this is Philadelphia.

Narrator: Yes; the city of fraternal love.

Voice: What kind of love?

Mr. President, that appears here, and it is paid for by the taxpayers' money.

Narrator: Fraternal. William Penn was head of a religious sect, Quakerism. Founded by a shoemaker and——

Voice: They must have been people of low class, considering the status of the founder.

Let me read that again:

They must have been people of low class, considering the status of the founder.

Narrator: On the contrary, they were and continue to be a social problem.

Voice: Why?

Narrator: The Quakers never take oath before any court of justice and they oppose military service because they believe that war is a struggle of monsters.

Voice: Of course it is. And what kind of religion is this religion?

Narrator: The most simple and original of all. The Quakers meet in halls devoid of ornaments and they wait in concentration the arrival of the Holy Spirit.

Narrator: That is Constitution Square and according to municipal ordinance you can only talk about liberty, equality, and fraternity there.

Voice: Splendid. If every country had a square like that the world would not be what it is today.

Narrator: Here the signing of the Declaration of Independence took place and here two great men of opposite tendencies, Jefferson and Hamilton, debated to the end. In this square the violent scenes of the French Revolution were repeated and the

multitude cried: "Down with the aristocrats—down with Washington."

Voice: Washington?

Narrator. Yes. There was so much confusion that they even forgot his sacrifices. But these injustices and these struggles were useful. The civic and the philosophical experiment was not the failure that Hamilton predicted but the success that Jefferson upheld. The Republic and the democracy survive to this day.

Voice: And forever.

Traffic up. Sound of horn, truck suddenly stops. Voices, yells, etc.

Narrator: Say, what is happening to you.

Voice (nervous): Nothing; nothing.

Narrator: You almost got killed by that bus. Did you go to sleep in the midst of traffic?

Sound: Girls' laughter.

Voice: No; it was that——

Narrator: You stopped to look at the girls.

Voice: Say, do you think they could be Quakers?

Narrator (laughs): No. The Quakers live outside Philadelphia.

Voice: What a pity.

Narrator: Why?

Voice: Because I would like to talk familiarly with all of them.

[Laughter.]

Mr. President, that is what we are paying for. That was broadcast throughout the world. I know my colleagues are just as much ashamed as I am. I think I voted against that $27,000,000, although I am not certain.

I continue the reading:

State of program:

Voice: What time did we leave New York?

Narrator: At 2:30.

Voice: What State is this?

Narrator: Pennsylvania.

Voice: Is that the name of an Indian city or some Indian chief?

Narrator: No. The word "Pennsylvania" is made up of two words. Penn, the name of the first governor, and sylvania, derived from the Latin word meaning forest. In other words, this State is called Penn's forest.

Voice: And who was Penn?

Narrator: An English gentleman to whom His Majesty owed 25,000 pounds, a rather large sum in the seventeenth century, hence the King could not pay him.

Voice: Is that possible?

Narrator: Of course it is. The English monarchs were not always rich. Charles II once appeared at court with a torn stocking.

Voice: (Laughs).

Mr. President, that is really something for us to be telling the people of the world, is it not? We appropriate $27,000,000 to tell that the King of England in the seventeenth century owed Penn 25,000 pounds, and once went to court with a torn stocking. Then they all laughed, because it says "Laughs."

Narrator: According to chronicles William Penn was one of those hard creditors who tried to collect by letter and in person.

Voice: Don't talk to me about that. I know them quite well.

Narrator: Besides being persistent, Penn was a practical man and one day he arrived at the conclusion that a king who had holes in his stocking would never be able to pay him the $80,000 debt.

Voice: Naturally.

Narrator: The Quakers have rather strange customs. They never take off their hats, and they speak familiarly to everybody.

Then the voice says:

How fresh!

The narrator says:

Nothing of the sort. They are respectful and charitable.

Mr. President and Members of the Senate, I have also a program on Texas, or at least a part of one. This is:

Texas, December 5, 1947.

Sounds: Cowboys yip, yipping.

Narrator: This is the traditional yell of the man of the plains, the true civilizer of Texas.

Hoof beats. Yells. Music into Home on the Range.

Narrator: Texas is one of nature's disturbing experiments. Its area is infinite * * * its beauty varied and its history has been a succession of tempests.

Man II: Do you mean to say that bandits really exist here?

Narrator: I have told you that Texas is the State of miracles. An American writer has made the statement—

Listen to this, Mr. President, Senators from New England will enjoy this. I am glad to see the Senator from Massachusetts [Mr. SALTONSTALL] in the Chamber.

New England was founded by hypocrisy and Texas * * * by sin. [Laughter.]

Senators would hardly believe that such a thing would be sent out.

New England was founded by hypocrisy and Texas * * * by sin.

Man II: How is that? Were not the missionaries the ones who—

Narrator (chuckle): The Indians from Texas were so difficult to convert that a Franciscan priest wrote to the bishop that "these savages have to be converted to Christianity by force of arms." [Laughter.]

Narrator: Texas, individual in everything, was not conquered by soldiers nor by priests.

Man I: By whom then?

And listen to this:

Narrator. By 600 cows with their respective bulls.

(Narrator then relates how Don Juan de Onate arrived in El Paso in 1598 with a large entourage and herd of cattle.)

Then the narrator goes on and says:

In less than 80 years the cows, with the help of the bulls, of course—

Mr. President, I am reading from this script—

with the help of the bulls, of course, transformed Texas into the center of the cattle industry.

Man II: Are Texans today as independent as the first settlers?

Narrator: They are really and completely different from the rest of America. They continue being first of all citizens of Texas * * * and after that, of the United States.

Mr. President, I have one on Colorado. It is rather long, and I believe I shall not take the time of the Senate to read it.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HATCH. Does not the Senator from Indiana think he has gone far enough? I am afraid he will come to a broadcast concerning New Mexico.

Mr. CAPEHART. I am certain that those who did the broadcasting would be just as insulting respecting New Mexico as they were respecting Alabama, Texas, Utah, Nevada, and other States.

Mr. HATCH. Mr. President, in all seriousness, I want to say that what the Senator from Indiana has said this afternoon, though there has been laughter throughout the Chamber over it, amounts to a downright tragedy.

I regret deeply that any agency of Government has used any funds or any facilities procured from such funds to portray to any nation features respecting any State such as have been read here this afternoon. I hope that what the Senator has read, together with the revelation of other bad features I have heard concerning the Voice of America program—and I have been one of the strong supporters for the right kind of a program—will have the effect of stopping such drivel, nonsense, and downright falsehoods as have been set forth in these broadcasts.

I should say that Mr. Allen, who has recently been confirmed, should have a copy of these broadcasts, and I hope that his agency will call the CONGRESSIONAL RECORD of today to his attention, and that such drivel as is contained in these broadcasts will be stopped now, and that no other State will be subject to the insults and the utterly nonsensical pictures which these broadcasts have given. They cannot be too severely condemned.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. SALTONSTALL. I agree with what the Senator from New Mexico has said. I agree with what the Senator from Indiana has said concerning the implications that must be drawn from the broadcasts. While I feel that it would be a tragedy to have the program continue in this way, I would add to what the Senator from New Mexico has said, that that is no reason for stopping it. I am confident that the Senator from Indiana will agree with me, whether or not he voted for the Voice of America measure, that what we have in this country is worth talking about, worth doing something about, and worth trying to spread. I feel very sincerely that the Senator from Indiana has done a public service in informing the Senate as to the character of this "stuff."

I agree that possibly there was some hypocrisy in the founding of New England. I am confident that the Senators from Texas will not agree that there was any sin in the founding of Texas. All of that stuff is baloney. But what we are trying to do through the medium of this agency is to render a service to our country and to the peace and security of the world. I am confident the Senator from Indiana will agree with me in that statement.

Mr. CAPEHART. Does not the Senator agree with me that it seems almost incredible that such programs should have been sent over the Voice of America? Does he not agree with me that it is almost impossible to believe that such programs could be broadcast, if anyone having to do with them had the least bit of common horse sense or judgment? One would think that any 10-year-old child, if he had picked up that script and read it in advance of its being broadcast, would have said that it should not have been used.

Mr. SALTONSTALL. I agree with the Senator. What we have heard respect-

ing Mr. Allen and his background, his intelligence, and his knowledge of the world, should make us believe that he will prevent anything of that kind being continued in the future.

I think we can commend the Senator from Indiana for making this scene, if we may call it a scene, this afternoon, but I hope that he will not permit the impression to go out from this body that the Voice of America program should not be continued, and should not be improved, and that our effort to spread knowledge of the opportunities existing in our country should not be continued. What the country is and what it stands for is something which should be made known to the people throughout the world, who are crying for such knowledge, if we can believe what we read in the newspapers.

Mr. CAPEHART. I agree with the able Senator from Massachusetts, but my opinion is that such broadcasts as those I have read will do the Nation more harm than good. I agree that it should be very simple to employ American citizens who would prepare stories about our Nation which would be valuable and informative to the peoples of the world. We certainly have had sufficient instances of success, and there are so many good things about our Nation to tell the peoples of the world that they should be the subjects of these broadcasts, rather than the trash I have read on the floor of the Senate this afternoon.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more statement?

Mr. CAPEHART. Yes.

Mr. SALTONSTALL. If the Voice of America would give, as one example of what this country has stood for, and the possibilities there are for its people to succeed, it could do no better than to describe the life of the Senator from Indiana, who addressed the Senate this afternoon.

Mr. SMITH and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and if so, to whom?

Mr. CAPEHART. I yield first to the Senator from New Jersey, and then I shall yield to the Senator from Michigan.

Mr. SMITH. The Senator from Indiana mentioned to me yesterday that he was going to bring up the matter he has discussed today. As the Senator from New Mexico has said, he and I have high hopes respecting the value of the Voice of America program. I made inquiries as to how it came to happen that such programs as the Senator has read were broadcast. I called the State Department only this afternoon, and I said I hoped they would send to me at the earliest possible moment a statement of the situation; how it could have happened, and where the script came from.

The preliminary statement I have—and I merely mention it subject to correction—is that the broadcasts were made under one of the contracts entered into with the National Broadcasting Co. and that the broadcasting was done under the provisions of last year's contract when the State Department was limited in its funds in providing supervision, which is one of the difficulties encountered in connection with the programs.

I am not saying this in defense of what has happened, because those in charge of the program are entirely responsible for it. What has happened should not have happened. But the fact remains that today, in considering the remaking of contracts, the question of supervision is a primary one. I have insisted that something be done so that such a result as this cannot happen. It is no alibi to say that "We did not have anyone to read the scripts, and therefore we are not responsible for them." The State Department is responsible, and it will have to take the responsibility. I have asked the Department to make a very clear statement to us, so that we shall know how this happened. A contract was farmed out to the National Broadcasting Co. The scripts were not written by any member of the State Department, but the State Department has a responsibility.

Mr. REVERCOMB. Mr. President, does the Senator from New Jersey mean to say that the State Department of this Government farmed out the writing of scripts broadcast abroad, without any power of supervision over them?

Mr. SMITH. Apparently last year, when it was insisted that the Department should let contracts for some of this work, it made contracts, under general directions, for example, that the broadcasts should be statements of fact with regard to the States of the United States, without any expressions of opinion. What has happened is that, because of the lack of supervision—and there is no excuse for it—this terrible kind of material has gone out. I am not defending it, but I am trying to give the facts. I propose to have a statement by tomorrow which I shall read into the RECORD.

Mr. CAPEHART. Mr. President, my first intention was to introduce a bill amending the act under which we appropriated this money so as to require that every broadcast be printed in the Federal Register in English within 10 days after it was made. I had to give up that idea. I have given it up temporarily, for the reason that I now find that 300,000 words are broadcast each day. I do not say that they are words similar to the words which I have read. I am sure that not all the broadcasts are of that character. However, 300,000 words a day are broadcast, and, of course, it is a problem for the Secretary of State and his staff properly to supervise 300,000 words a day. I am aware of the difficulty. Mistakes will happen; but what I read this afternoon were not particularly mistakes; the scripts were written that way.

The only suggestion I can offer, unless we wish to require that the 300,000 words be printed each day so that the public may see what is being said, is that under the existing law the Secretary of State be required to make available to the Senate and to the House, as well as to the Library of Congress, translations in English of everything that is said each day by the Voice of America.

I am offering this suggestion for the benefit of the leadership of the Senate. I am suggesting that we ask the Secretary of State, under the existing law, to furnish to the Secretary of the Senate, the Secretary of the House, and the Library of Congress, a copy of every word that is broadcast each day, thereby making the broadcasts available to any one who cares to look at them, making them available to the Senate and to the House of Representatives. Perhaps that is one practical way of handling the problem. There may be a better way; but I must say that we owe a responsibility to the taxpayers of America to see that this sort of thing is stopped, and that the money is used for the purpose for which it was intended.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. FERGUSON. I think what the Senator from Indiana has revealed as having taken place in the broadcasting to South America and Central America is tragic. The most serious aspect is that those words can never be retracted. They have gone forth on the airways, and it is impossible to recall them.

I am bound to say that we have had similar experience respecting previous broadcasts. No department of the Government—particularly the State Department, which supervises and is really responsible for the foreign relations of the United States has any right to allow words to go out to the nations of the world—300,000 or any other number—without strict supervision. I cannot understand how the Department could defend itself against the charge of lack of supervision. Our foreign relations in the world are at stake. This is a part of our foreign relations.

Mr. President, I think the time has come when the Congress must supervise these broadcasts. We should immediately revoke this appropriation until we know that every word is supervised by responsible persons in the State Department.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HATCH. I could not quite hear all that the Senator from New Jersey [Mr. SMITH] said a while ago. Am I to understand that these broadcasts, so far as the private contracts are concerned, were produced by the National Broadcasting Co.?

Mr. SMITH. As I understand—and I shall have an official statement later to place in the RECORD, so as to keep the RECORD straight—last year when it was insisted that private agencies be used for these broadcasts, an arrangement was made with the National Broadcasting Co. to prepare a series of statements covering the facts with regard to the States of the United States. A contract was made, and this was the result. There is no possible defense for it; but being limited in funds, the Department did not have the proper personnel, according to its story, to check up on all these programs. It felt that the National Broadcasting Co. would itself do some censoring. Here we see the result.

The only answer is to eliminate these broadcasts entirely or to have an adequate staff, as suggested by the Senator from Michigan, so that every word can

be supervised before it is released. It is a problem.

Mr. CAPEHART. Mr. President, I do not care how large or how small a staff the Department has. Are we to understand that no one in the State Department read the scripts which were broadcast, and which I have read this afternoon? Even an 8-year-old child, if he had read them, would have condemned them. In my opinion anyone in the State Department who was honest and had the best interests of America at heart would have blue-penciled them. It may well be that no one in the State Department read them.

Mr. SMITH. I have asked that very question. I have asked the Department whether or not anyone censored the scripts.

Mr. CAPEHART. If no one in the State Department saw the scripts before they were broadcast, in my opinion the State Department should be even more severely criticized.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HATCH. I thank the Senator for yielding. I shall withhold further questions until I hear the report which the Senator from New Jersey is to make tomorrow.

We had quite a conflict in the committee and on the floor of the Senate as to how much supervision should be exercised by the State Department and how much should be exercised by private companies. There were those who took the position that the State Department should have had no right of supervision whatever, and that the entire program should be turned over to private broadcasting companies. What I am anxious to find out is what are the facts. I understand that the Senator from New Jersey will present them to us tomorrow.

Mr. CAPEHART. Mr. President, I think we must have the facts. I shall introduce a resolution tomorrow authorizing a committee to ascertain the facts and report back to the Senate.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. CAPEHART. I am happy to yield to the Senator from Utah.

Mr. THOMAS of Utah. I thank the Senator from Indiana for yielding.

Mr. President, when I first heard about the broadcast concerning Utah, I paid no more attention to it than I have paid to things which I have heard all my life about Utah. But when I realized, as the Senator went on with his story, that this broadcast covered the entire country, and that the entire country is considered in exactly the same light manner that the State of Utah and the people of Utah are used to being considered, I wondered about it.

Now I am wondering very seriously how a great organization such as the National Broadcasting System could take money from the Government of the United States for what it has given out to the world about the country which sustains it, and about the people who pay good money to keep that great corporation alive.

Another thing I wonder about is whether anyone in the State Department who is responsible for the administration of the law affecting that Department can so thoughtlessly make a contract without providing for any sort of follow-up—as has been proved to have been the case in this instance. If, for example, the persons who are gathering intelligence throughout the world for the United States, so that the United States can be informed about what the world is thinking and doing, are so ignorant as to accept as true the statements made in the broadcasts which have just been read to us—this drivel, as it has been called—and accept it as the true story of American history and of American geography and of American life, can we depend upon them for anything? If, for example, as the Senator from Indiana has pointed out, in the program relating to the State of Utah the broadcast presents a description of it as a State which, according to the broadcast story, is idealistically practicing what we call communism, and if, according to the broadcast, there is no government in Utah that is run by the people, and if it is said that taxation there is a matter of donation, and that a single will controls the entire State—if the representatives of the State Department have that notion of communism—how in the wide world can we believe anything they say about communism in Russia or anywhere else?

Mr. President, certainly the members of the State Department who advise us in regard to foreign matters cannot be depended upon if they do things or permit the doing of things such as those we have heard about in connection with these broadcasts—a performance based upon ignorance. If such ignorance is manifested again and again, how in the wide world can the Senate of the United States and the people of the United States have any faith at all in what they learn from such sources about any other country?

Mr. CAPEHART. In other words, the Senator's point or observation is that if the State Department knows no more about what is occurring in other countries in the world than it does about what is occurring in the State of Utah or the State of Alabama or the State of Texas—as indicated by these broadcasts—then how can we believe anything they tell us? Is that the Senator's point?

Mr. THOMAS of Utah. Of course. If those upon whom we depend engage in such activities, then the whole foundation we have in regard to accepting anything from them on trust falls. That is the serious aspect of this matter.

Mr. President, the Voice of America was established upon a platform of idealism based upon the notion that millions of American people have found in this country what they want in the way of government, and that in the United States we have more or less made a success in achieving the things the people of the world have striven to accomplish. But now we find that we have told them in words of this kind what we have done.

Mr. President, I wonder whether anyone in a foreign country who is debating whether he should join the Communist Party—someone in Italy, or perhaps a person in some other country—has heard programs such as the one we have learned about today, and I wonder whether such persons believe that what they are told in such programs are correct statements about how democracy works in the United States—as told by America itself, as told by one of our great corporations, as told by our own State Department. If so, how in the world could such a person fail to decide to be a Communist under those circumstances, and can we doubt that anyone who believed such statements would decide to have nothing to do with the kind of democracy which is reflected by such broadcasts?

Mr. President, the saddest part of this matter is not only that the broadcasts are based upon ignorance, not only that they are untrue, but that the State Department itself makes an excuse, saying, "The Congress of the United States insisted that we use the going facilities of the country."

What businessman would sponsor a program of that sort and pay out money for advertising his own business if that sort of stuff were used as the advertising? The Senator from Indiana represents a great concern that advertises to a very large extent. Would the Senator from Indiana like to be a sponsor of such a program and pay $1,000 a minute for it?

But, Mr. President, the sad part of all this is that every man, woman, and child in the United States is hurt by such programs, which supposedly are sent out to benefit our country and to make democracy more secure, and $27,000,000 has been spent for these purposes. Yet today the House of Representatives is holding up a Federal aid-to-education bill because it is claimed that it costs too much.

Are there not some minds in the State Department or some minds in the National Broadcasting Co., if that company is responsible for these programs, with a sound feeling of responsibility for carrying out a contract and not wasting the money of all the people of the United States and at the same time blackmailing millions upon millions of people?

Mr. President, the Voice of America program, which was established on a basis of realism, has suffered tremendously from this accidental issuing of a contract to what has been considered to be a great and responsible concern. Yet that concern states as an answer and as an excuse that the Congress insisted that the going facilities of the country be used.

It was long ago that the Senator from Utah asked questions about these programs, because he heard about them. It was long ago that representatives of the group responsible for the programs talked to me about them. But it did not dawn on me how serious the situation was.

Mr. President, those of us who have been trained to be teachers—and the Voice of America should be handled by teachers—have been taught from the very beginning that the attempt to mold the minds and thoughts of young people is a very serious undertaking. If there is not enough psychology and not enough pedagogy and not enough understanding of American history in the State

Department to enable it properly to supervise such matters, then all we are doing and all we are spending and all that our people are sacrificing in keeping components of our Army abroad will be useless. What will the people of any foreign country think of an American soldier after listening to a program of that kind? What will they think he is trying to represent? What will they think of one of the diplomatic or other representatives of our country anywhere? Mr. President, we simply cannot believe that any agency of the United States Government would allow such a thing to happen.

I trust that what the Senator from Indiana has done will result in having those who are concerned with these programs obtain a clear understanding of the intent of Congress and in having corrections made, so that the Voice of America will no longer be used for such useless expenditures of money, but henceforth will be used for the purpose for which it was created.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I am happy to yield to the Senator from Michigan.

Mr. FERGUSON. Mr. President, what has occurred on the floor of the Senate today—the reading of the transcript of these broadcasts; this tragic event for the United States—is not a reflection upon the Congress of the United States or upon the Foreign Relations Committee of the Senate or upon its staff. The details of these contracts are not a part of its work. It is the responsibility of the State Department.

Last fall I had occasion to look critically at some broadcasts to Europe. They reflected upon the State Department. I talked over the matter with members of the organization concerned, and they assured me that the State Department set the pattern for these broadcasts and established the broad policy, and that the broadcasting companies were compelled to follow the directions of the State Department.

Today we learn that in February the broadcasts which have been read by the Senator from Indiana were made. When I first interrupted the Senator from Indiana, to ask a question about the broadcasts, my purpose was to ascertain the names of the persons or the supervisors who were responsible for them, so as to learn whether the State Department, through its facilities, monitors these broadcasts and knows what is going on.

Mr. President, when this matter is called to the attention of the State Department there are many questions that must necessarily be answered by it to the Senate and the House of Representatives.

Mr. President, when the Voice of America was under consideration in the House on January 19, 1948, and the question arose as to what Congress had a right to expect would be done in foreign broadcasts through the Voice of America, Mr. MUNDT, speaking in the House, said, as appears from page 316 of the RECORD:

> Mr. MUNDT. These voices, as you call them, will be selected by the Department of State under the Secretary of State, Mr. Marshall, and the program will be administered by personnel cleared and checked by the FBI before it is utilized. The so-called Mundt loyalty amendment which we have put in all of our foreign-aid and assistance bills, since our unfortunate experiences with UNRRA, is made an inherent part of H. R. 3342. I made sure of that before I ever introduced the legislation.

Mr. MUNDT further said:

> And for the first time, too, when and where we need to use it we shall have an arm of our Government able and adequate to answer and refute slanderous falsehoods about us and to expose the fallacies and motives of vicious propaganda directed against us and our way of life. We will now be prepared to wage a peace just as we must be prepared to wage a war should necessity arise.

Mr. CAPEHART. Mr. President, I wish to repeat briefly for the benefit of the able senior Senator from Texas [Mr. CONNALLY], the Voice of America broadcast about his State.

Mr. BARKLEY. Mr. President, will the Senator yield to me at this point?

Mr. CAPEHART. I yield.

Mr. BARKLEY. Before the Senator repeats the broadcast about Texas, I should like to ask a question. I entered the Chamber during the course of this discussion, and I did not hear the early part of it. I should like to inquire whether the broadcasts which have been referred to took place prior to the appointment and confirmation of Mr. Allen, the present supervisor of these programs.

Mr. CAPEHART. The one on Utah was dated February 2, 1948, the one on Colorado, February 9, 1948. The one I am about to repeat for the benefit of the able Senator from Texas was dated December 15, 1947. The others were made within the last 4 or 5 months.

Mr. BARKLEY. Of course, no excuse can be offered for any ridiculous, unjustified broadcast going out of the State Department or going out of any agency with which it has a contract. We had many complaints last fall and during the winter in regard to the Voice of America program. Growing out of those things, a joint congressional committee was appointed, which visited all over Europe last September and October in an effort to correct the situation and to justify an authorization for an increased appropriation.

The State Department brought back Mr. Allen, who was, I think, our Ambassador to Iran at the time, and put him in charge of the work. It was generally agreed by everybody that in view of his experience he was probably the best qualified man to do this.

I think the broadcasts to which the Senator refers were made prior to the taking over of this function in the State Department by Mr. Allen. I do not say that by way of justification, but I do say it in view of the fact that he undertook and has undertaken since he took charge to correct the situation. I do not know on just what day he took charge, but it was since February, because his appointment was confirmed by this session of the Congress, I think, the latter part of February or March. I do not recall the date, and I am not sure just when he came back and took charge of that work in the State Department.

I think he has made a sincere effort since he has been in charge to correct whatever deficiencies or mistakes may have developed in the service prior to his appointment. All of which, though, I repeat, offers no justification for any such broadcasts, which seek to belittle the States of the United States, to be carried either by the State Department direct or by the National Broadcasting Co., or by any other company, when we are making an effort to educate the people of the world in regard to democracy in America.

Mr. CAPEHART. Mr. President, I shall repeat the portion of the Texas broadcast for the benefit of the able Senator from Texas. This was broadcast on December 15, 1947:

> Sounds: Cowboys yip, yipping.
>
> Narrator: This is the traditional yell of the man of the plains, the true civilizer of Texas!
>
> Voice II: Do you mean to say that bandits really exist here?
>
> Narrator: I have told you that Texas is the State of miracles. An American writer has made this statement: "New England was founded by hypocrisy and Texas * * * by sin."

Mr. President, that was broadcast to the peoples throughout the world.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. CAPEHART. I am very happy to yield.

Mr. CONNALLY. Does the Senator know the name of the author of that script?

Mr. CAPEHART. I do not know, but it was prepared under the auspices of the Secretary of State's office, and broadcast by NBC, as the Voice of America program, for which the Congress appropriated $27,000,000. While the Senator was out of the Chamber, I read in their entirety broadcasts on Utah, Nevada, Alabama, and Pennsylvania. Thus far I have failed to find a single State that has not been slandered, or a single State as to which uncomplimentary remarks have not been made.

Mr. CONNALLY. Let me say to the Senator, the State Department, or the National Broadcasting Co., or whatever little insignificant tool of either one of them uttered that sentence has libeled and slandered a State that during World War II furnished proportionately more volunteers than any other State in the Union and contributed as much as any other State toward the national defense in the prosecution of the war.

The author, who evidently knows nothing about the history of Texas, slandered and libeled the great Commonwealth from which I come. Let him read the history of Texas. It reads like a romance, and is a romance. American pioneers moved into Mexico and settled there, building their homes. They did not go there to foment revolution. The revolution in Texas was headed by Stephen F. Austin and others. One of their battle cries expressed a desire to live under Mexican rule. They demanded that Santa Anna, the dictator who had taken over the reins of the Mexican Government, abide by the Mexican constitution of 1824. They wanted to

live under the republic to which they had immigrated, but they wanted their constitutional rights. When they were unable to secure those rights and were invaded by hostile armies they drew their swords and fought valiantly and bravely until they attained their independence, after shedding their blood and pouring out their scanty treasure in a great conflict.

What has been the history of Texas since that time? For 9 years it was an independent republic. It had its ambassadors in Washington and in foreign countries. It held its head high for 9 long years and maintained its independence, though attacked on two occasions by Mexico and invaded by hostile armies. The Texans repelled them, driving them back. Finally they joined the Union in 1845.

What contribution did Texas make then to the Union? As a result of the admission of the State of Texas there followed the Mexican War, whose results brought within the domain of the Union that great territory stretching all the way to California and up the Pacific Coast to the place where the waters of the Columbia mingle with the waters of the Pacific. Thus there was brought under the flag of the Union a vast region dedicated to Anglo-Saxon civilization and to the constitutional concept of free government and democracy and the parliamentary system.

That, Mr. President, is the story of Texas. Why did not the author base his script on that, instead of digging up filth and falsehood?

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CAPEHART. Let me read the Senator two or three more paragraphs. [Laughter.]

Mr. CONNALLY. Very well.

Mr. CAPEHART. The narrator says:

> Texas, individual in everything, was not conquered by soldiers nor by priests.
>
> Man I: By whom, then?
>
> Narrator: By 600 cows with their respective bulls.
>
> (Narrator then relates how Don Juan de Onate arrived in El Paso in 1598 with a large entourage and herd of cattle.) In less than 80 years the cows, with the help of the bulls—

Now, mind you, Mr. President, this was broadcast in Spanish throughout the world.

> In less than 80 years the cows, with the help of the bulls, of course, transformed Texas into the center of the cattle industry.

Now, how could the State be slandered in a worse way than by those statements, I ask the able Senator from Texas?

Mr. CONNALLY. I will say to the Senator that the entire script, evidently—I have not read it all—is a libel on the State of Texas. I thank the Senator for calling it to my attention.

Mr. CAPEHART. Let me say, please, I have read into the RECORD the Voice of America broadcasts on three or four States, and each of the States has been libeled. The States have been laughed at, they have been made to seem ridiculous, just as has the State of Texas. For example, Alabama—I do not have the broadcast here, but the State of Alabama was possibly more wantonly libeled than was the State of Texas. The statement concerning the State of Alabama, the city of Birmingham, and the capital, the city of Montgomery, was a ridiculous one.

Mr. CONNALLY. If the Senator will introduce a resolution and have it referred to the Committee on Foreign Relations, I shall be very much pleased, as a member of the committee, to consider it.

Mr. CAPEHART. I know the Senator from Texas dislikes this sort of thing as much as I do. He would not, by any stretch of the imagination, willingly permit any such programs to be broadcast.

Mr. CONNALLY. Let me say to the Senator that when the question first arose in the Committee on Foreign Relations as to the establishment of the Voice of America, the distinguished Senator from Maine [Mr. WHITE] and the senior Senator from Texas expressed very serious doubts about giving this tremendous power to any bureau of the Government. We did not anticipate such vile and baseless slanders as those which the Senator has revealed today. We did fear irresponsible broadcasts by some little two-by-four employee of some department who might think he had to write something and broadcast it to the world. Our worst fears have been more than realized with respect to this program. They had better not send anything than to send such trash as this. They had better close up their doors and keep quiet than to plaster all over the world these slanderous, outrageous stories regarding the different States of the Union. I do not know who the individual is who wrote it, but I will say that he has my utter contempt, and, I am sure, the contempt of the Senate for writing such matter.

Mr. CAPEHART. I shall introduce a resolution tomorrow calling for an inquiry, and I hope it will be referred to the Foreign Relations Committee.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Maine.

Mr. BREWSTER. I think the Senator read a sentence which said that New England was founded in hypocrisy.

Mr. CAPEHART. I did.

Mr. BREWSTER. Have any representatives from New England had an opportunity to comment on that broadcast?

Mr. CAPEHART. Yes; the senior Senator from Massachusetts [Mr. SALTONSTALL]. The statement was that New England was founded in hypocrisy and Texas in sin.

Mr. BREWSTER. I should like to supplement what has been said by observing that we shall need to redecorate the Capitol, because in the rotunda there is a very impressive mural showing the Founding Fathers assembled on the deck of the *Speedwell*, which is an historic error. They finally arrived on the *Mayflower*. But they are conducting a church service and reading the Bible.

On one side of the President's robing room there will be found a mural depicting the founders of America, the leader of the Pilgrim Fathers bearing a somewhat distinguished name. They are shown reading the Holy Bible.

I should suggest that if this characterization be correct, we might ask the same gentlemen to rewrite our history and to redecorate our Capitol accordingly.

The leader of the Pilgrim Fathers left England because he would have been hanged for his religious beliefs if he had remained. He was ready to sacrifice life itself for the things in which he believed. He was a refugee for some time, but finally escaped from England in the *Mayflower* and landed on what were at that time the inhospitable shores of New England, in search of religious liberty. Those who characterize as hypocrites those men and women, many of whom laid down their lives in the first winter of their residence in New England, are worthy of language which I think this Chamber would not deem it best to entertain.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I do not think any Senator needs to defend his State against these charges. A thought occurs to me which has not been brought out. As I have listened to the reading of the so-called broadcasts affecting each State I could not escape the opinion that either some wit wanted to have some fun at the expense of the United States Government, or someone deliberately wanted to present the United States Government to foreign countries in a very bad light. What interests me about it is that it is not merely a "happenstance"; it looks like a calculated attempt to portray the United States in the most degrading way that radio technique would permit.

I shall be very much interested in knowing who prepared the script. I do not think we need to defend our States in the Senate, but I should be interested in knowing who sat down deliberately and prepared such a script, unless he was a consummate joker or a person who did not believe in America.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. CAPEHART. I promised to yield to the Senator from Alabama.

Mr. HILL. Mr. President, I was present at a meeting of the subcommittee of the Committee on Appropriations when the Senator from Indiana read the broadcast relating to the State of Alabama. I did not hear the contents of the broadcast, but they have been brought to my attention since I left the committee and returned to the floor. I simply want to characterize that broadcast, its contents, and its statements, as base slander. The entire broadcast is such a tissue of falsehoods that I shall not dignify it by any detailed answer. As one who has the honor in part of representing the people of the State of Alabama in this body, I do want to express my deep resentment over this broadcast and to express my profound contempt for the author of it.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in

the body of the RECORD the broadcast on the State of Colorado, because I shall not take the time to read it. I shall introduce a resolution tomorrow asking that it be referred to the Foreign Relations Committee to make a thorough inquiry into how such a ridiculous thing could happen in one of the departments of the Government.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

KNOW NORTH AMERICA—COLORADO

Music: Theme, up and under.

Announcer: The National Broadcasting Co. presents Know North America, a weekly program in which we narrate the spiritual adventures of two travelers as they discover the numerous miracles of the historical and present-day life of the United States.

Train whistle, sounds, etc.

Voice: (Yawns.)

Narrator: What is the matter; are you bored?

Voice: Naturally.

Narrator: You have nothing to complain about; you are traveling like royalty.

Voice: Yes, that is true, but, the trouble is that we do not stop at any place.

Voice II: We are like three errant Jews.

Voice: Who are not even Jews.

Voice II: We are living the life of an air-mail letter.

Voice: Without a definite address.

Narrator (laughs): And what would you like—spend a season in each State?

Voice II: Not that, but it's trying to see everything and yet not be able to fully enjoy anything.

Narrator: Does that mean that you are not satisfied?

Voice: Where the captain commands, the sailor has no say.

Voice II: Do you think it was right that we only spent 2 days in Hollywood?

Narrator: No; but I believe I showed you everything; the only thing you did not see was the cemetery of Forest Lawn, where there are no tombstones, only trees with names.

Voice: What do I care about such artistic cemeteries!

Voice II: The quickest journey that we have made, a real record, was the one through Nevada.

[Laughter.]

Voice: You delivered the historic lecture to us on the plane and we did not stop.

Voice II: Don't you think that the State is going to resent it?

Narrator: Perhaps, but it was not my fault. The plane took another route. But don't worry, remember what John Barrymore said: "In the world there are two cities which every civilized man should visit, even though only once—Paris and Reno."

Voice: I have not visited either of them.

Voice II: Because you are not civilized.

Sound, train up and again in background.

Voice: What magnificent forests.

Voice II: They are endless.

Narrator: In the West 70 percent of the land is forests and deserts.

Voice: And yet the United States has 140,000,000 inhabitants.

Narrator: They could have 500——

Voice II: Look, we have entered Colorado.

Voice (reading): Mesa Verde, Colo.

Narrator: Prepare yourself to see the most admirable landscapes in the world. There are no equals, not even in Switzerland.

Voice: This looks like one of those Christmas cards.

Voice II: A forest of blue pines.

Narrator: Mesa Verde is a national park where the ruins of the prehistoric cities of the cavemen are preserved. In these virgin lands there are buffalo, deer, mountain goats, and bears——

Voice (suddenly): What a coincidence; there are two there.

Voice II: With what interest they look at the train.

Narrator: They are so tame that they stop the tourists' automobiles and beg for bread.

Voice: Rather dangerous beggars.

Narrator: Yes; one must be careful because with the bread they might take your arm.

(Train up and down again.)

Narrator: Nothing in the United States is comparable to Colorado.

Voice II: I won't know with regard to other things, but as far as picturesqueness, this is unique.

Narrator: In the State of Colorado there are 1,500 peaks over 10,000 feet above sea level; and of the 66 in the United States higher than 14,000 feet, 55 are in Colorado.

Voice: Then, this is nothing but mountains?

Narrator: No; on the other side are the plains and the deserts. That peak, covered with fog, is Lookout Mountain. Buffalo Bill, one of the most interesting characters in the history of the West, is buried there. His tomb looks toward the east, toward the vast plains where he was the terror of the redskins and the buffalo * * *.

Voice: When I was young I never liked Buffalo Bill.

Narrator: That is strange, because his adventures are enthusiastically read by all youngsters.

Voice: I always took the side of the Indians and the buffalo.

Voice II: Both suffered tremendously, but that's progress: It destroys in order to build.

Narrator: You may not believe it, but today, according to statistics, there are more Indians than before colonization.

Voice II: But there are no more buffalo.

Voice: Of course, since no one eats Indians.

(Train into.)

(Man calling "Denver—Denver." Station sounds.)

Narrator: We have arrived. Don't forget the suitcase.

Voice: I suppose we will rest here.

Narrator: Only what is strictly necessary to continue the trip.

(Sounds up and under.)

Narrator: Denver, the capital of Colorado, is situated at the foothills of the Rocky Mountains. It is the highest city in the country, and its air, clear and clean, gives life and optimism to the inhabitants. Colorado no doubt is the most spectacular State in the United States. Its principal sources of wealth are cattle in all its ramifications—gold, silver, beet sugar—even tourists.

(Street noises, voices, etc., in background).

Voice II: What a large number of Mexicans we see here.

Narrator: In Denver alone there are 25,000.

Voice: This belonged to Mexico, isn't that true?

Narrator: And to France and to Texas, when the audacity of Sam Houston made him decide to extend his republic.

Voice: Where does the State take its name from?

Narrator: From the most important of its rivers, which the Spanish Conquistadores called the Colorado because of the reddish color of its waters.

Voice II: The gold and the silver rush began here after the one in California. Am I right?

Narrator: Yes, in 1860. But it was not until 1900 that the adventure became an industry, maintaining its splendor throughout the First World War.

Voice II: What history of the West: extravagant, heroic, and cruel.

Narrator: The strangest thing is that the furtherest States, like California and Nevada, were the ones that were colonized first.

Voice: Why would that be?

Narrator: The adventurers saw the great plains and rushed toward them until the Pacific stopped them.

Voice II: Those who followed in their footsteps were probably more conservative.

Narrator: That is it exactly, according to historian James Truslow Adams, who says: "The men on horseback would swallow the horizon but the families traveled in ox-drawn carts and slowly were strewn along the way."

(Electric street car, very noisy, voices, etc.)

Narrator: The people from Colorado feel great pride in saying that Denver is the summit of the United States.

Voice II: Geographically?

Narrator: Naturally. Can you notice how distinctly you can hear the noises?

Voice: Yes; especially the one that the electric street cars make.

Narrator (laughs): They belong to an English company.

Voice: I thought so.

Voice II: For the rest, Denver is a quiet city.

Narrator: But don't think that it was always like this: it had its days of glory and scandal.

Voice: When the gold rush broke the thermometer?

Narrator: Yes. At that time it was an international coquette. Nevertheless, when gold disappeared it recovered its former calm and became a moderate industrial community.

Voice II: What it is today.

Narrator: When gold was exhausted miners continued to dig the earth desperately and instead of the golden or silver metal they found the most common and blackest mineral.

Voice II: Coal?

Narrator: Yes. According to statistics, there is enough coal in Colorado for 7,000 years.

Voice: They better consume it now because by that time people will get heat from atomic radiations.

Music: Up and under. Somewhat sad.

(A burro brays.)

Voice: Listen, what a cordial greeting! It has been a long time since I have seen one of those compatriots!

[Laughter.]

Voice: Compatriot? Colleague!

Voice II: Is this a city?

Narrator: It was; and not just any city but a real metropolis.

Voice: Metropolis, when almost all the houses are made of wood?

Narrator: What does that matter? There was more gold here than in many marble palaces.

Voice II: Modern ruins, are they not?

Narrator: Truly a paradox!

Voice: You know what this looks like? One of those studio sets that we saw in Hollywood.

Voice II: That's true.

Narrator: And it really had much of that. It was so fantastic and transitory!

(Suddenly.) Look out!

(Heavy board falls.)

Voice: That wall almost flattened me!

Narrator: You should thank God that it is made of wood.

Voice: Yes; but I am made of bone and flesh.

Voice II: More bone than flesh.

(Steps on stone.)

Voice: (Echo.) Hello! This used to be a theater. Isn't that right?

Narrator: And what a theater. The most famous opera and dramatic companies used to come here. On this stage Gladys Swarthout sang the Merry Widow and Walter Houston and Ruth Gordon presented Othello and the Doll House.

Voice: Then the miners were not so ignorant if they appreciated Shakespeare and Ibsen!

(Steps.)

Narrator (off): Come and see the legend.

Voice: What is happening to you? Are you forgetting Spanish? Legends are read or they are told.

Narrator: But the one that I want to show you, you can see.

(Door opens.)

Voice: This is very old.

Voice II: It has the odor of centuries.

Narrator: And yet this city was founded 70 years ago, when the mine of Central City was discovered—and a few days after it was born it began to die, little by little.

(Steps on wood.)

Voice II (reading): The Teller House.

Narrator: This used to be a hotel and very famous cabaret.

Voice: Well, where is the legend?

Narrator: On the floor. Look at it.

Voice: A woman's head.

Narrator: One night, during the golden great days, a vagabond entered here and, with a piece of chalk, painted that face.

Voice II: Oh, I remember the legend. I saw it in a movie.

Narrator: The man, once he had finished, screamed, and fell dead on his work.

Voice: Then that is authentic?

Narrator: Naturally. A newspaperman wrote a ballad, famous and in poor taste, entitled "The Face on the Bar Room Floor."

Music: Music, nostalgic. Sound of car running.

Voice II: What a magnificent type of Indian. He looks like a prince.

Narrator: And probably he is. The Utes, the aristocrats of the Indian tribes of Colorado, live in this region.

Voice II: Oh, those are the indomitable.

Narrator: Yes; the Utes, like the Araucanos in Chile, were never conquered either by the Spaniards or the French.

Voice: Nor by the Texans?

Narrator: Not by them either. Nevertheless, the fact that they would not submit to anyone isolated them and therefore they do not form part of the active life in Colorado, like other tribes which, surrendering to the conquerers, acquired their defects and virtues.

Voice II: In a way they are a monument.

Narrator. Yes. They are not taken into consideration but they are respected as a symbol of the heroism of the race.

Voice II: Which in this region is formidable. Isn't that right?

Narrator: Of course it is. The prototype is Jack Dempsey, terrible mixtures of Irish, Indian, and Mexican.

Music. Grandiose. Car running, up and to BG.

Voice II: What activity one sees everywhere.

Narrator: Colorado is one of the richest States in the Union, but it is only now, after the war, that it has started its progress on a large scale because most of the capital is in the hands of the daughters, granddaughters or great-granddaughters of the miners of the past century.

Voice II: And of course, the ladies are conservative and they don't wish to let go of what they have.

Voice: Like all women.

Music: Up and under.

Narrator: To the natives, Colorado is not just a State. It is something like a religion and, to a certain extent, their pride is justified since geographically it has no equal in the United States; and in few parts of the world. Colorado is half mountain and half plain. The peaks erupt rugged, violent from the plains and at some places there is not more than 100 kilometers between the most arid desert and the summit of the Rocky Mountains. Colorado has not only produced gold, silver, and coal, but also great artists like Harold Lloyd, Ernest Truex, Frederic March, and the unforgettable Douglas Fairbanks.

Music: Up and out.

Announcer: You have just heard Know North America, a weekly program in which we narrate the spiritual adventures of two travelers as they discover the numerous miracles of the historical and present-day life of the United States. Participating in this program were * * *. Juan José Vasquez was in charge of production and direction.

Music: Up and out.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CAPEHART. I shall be happy to yield to the Senator from Kentucky.

Mr. BARKLEY. Since my colloquy I have learned that Mr. Allen, the present head of the division of the State Department having to do with this subject, was confirmed by the Senate on the 31st of March of this year and took office sometime after that date.

The Senator from Nebraska [Mr. WHERRY] hands me a document which indicates that Mr. Allen was confirmed on the 25th of February. I think he took office sometime after the 1st of April, which would indicate——

Mr. CAPEHART. Mr. President, I did not want to leave the impression that these broadcasts happened since Mr. Allen took office.

Mr. BARKLEY. I am very much interested, because I was a member of the joint committee which visited Europe and looked into the broadcasts from America. We came back convinced that the service was needed in order to combat the propaganda against the United States in that quarter of the world. I recall that when the hearings were in progress before the Committee on Foreign Relations and the question of using existing facilities instead of broadcasting directly from the State Department was under consideration, the question arose as to the extent of supervision which should be exercised by the State Department over the broadcasting companies.

It was represented, I recall, that the broadcasting companies objected to State Department supervision on the ground that they would not be free agents to send out over their systems this information as they themselves prepared it.

I do not know, but I should like to know, and I hope the Senator from New Jersey in his inquiry of the State Department will ascertain, to what extent they exercised supervision and control over these private companies which disseminated this misinformation, and to what extent, if at all, there has been any change in the method of supervision, or any change in the type of contract made between the State Department and these broadcasting companies, any one or all of them.

I am sure that the Senator from New Jersey will undertake, even without a resolution or any action on the part of the Committee on Foreign Relations, to obtain every detail of the information so that the Senate and the country may know.

Mr. SMITH. Mr. President, I will say to the Senator from Kentucky that I have requested that information, and if it is not adequate when it is received, we will get more information, so that every last corner of this distressful situation will be explored.

Mr. CAPEHART. In the inquiry we should make we should call in the writers and the authors and those who prepared the script, and ascertain under what circumstances the scripts were prepared.

Mr. SMITH. I agree with the Senator completely, because the tone of those broadcasts indicates that there certainly was a malicious intent in putting out information of that kind. I cannot condemn it too severely, and I thank the Senator from Indiana for bringing the matter to our attention.

Mr. CAPEHART. I have a copy of the letter of one of the authors of the script, which I am not at liberty at the moment to place in the RECORD, in which she in substance says that she was forced to write this sort of thing.

Mr. SMITH. I think we should investigate that very promptly.

Mr. CAPEHART. I may get permission later to put the letter in the RECORD.

Mr. CONNALLY. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield to the Senator from Texas.

Mr. CONNALLY. Permit me to say to the Senator from Indiana that if and when his resolution is offered, and it comes to the Committee on Foreign Relations——

Mr. CAPEHART. I shall present it tomorrow.

Mr. CONNALLY. As one member of that committee, I shall insist not only that we have the officials of the State Department before us, but that we have the National Broadcasting Co. representative called.

Mr. CAPEHART. That is right, as well as the persons who wrote the copy.

Mr. CONNALLY. So that we can put our fingers on the copy and identify the source of it. It seems to me, as suggested by the Senator from New Jersey, that this whole matter is saturated with malice, with malice aforethought, in order to vent the spleen and pour out the venom of the authors of this stuff upon certain States and sections of the country. The idea that anyone, even one with a distorted mind, would conceive of sending out that kind of material to the detriment of the United States. These people are paid out of the Treasury of the United States. They are supposed to serve their country. They are supposed to wear the uniform of the United States. Yet they are saboteurs, they are traitors to their country and to the cause which they are supposed to represent.

Mr. CAPEHART. I hope the inquiry will go into every phase of the situation.

Mr. McMAHON. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield to the Senator from Connecticut.

Mr. McMAHON. I have asked the Senator to yield because I looked up the date when Mr. Allen actually took over this program, and I find it to have been March 30, 1948.

I might say to the Senator that only those who so deeply believe, as I believe, in the necessity of America's voice, the true voice of America, being known to the world, could feel as deeply shamed and abashed at the kind of statements which have been voiced in the scripts

which the Senator from Indiana has read. I am one of those who have heretofore voiced my belief that unless the United States of America succeeds in putting its case—and a great case it has—to the rest of the world, we will inevitably lose the battle for men's minds that is going on between us and the Soviet Union.

Mr. President, that is why I, perhaps as much as any other Member of the Senate, deplore this kind of broadcast, because I am afraid that the malfeasance in this office, if you please, might result in such condemnation as to result in the abolition of the office itself, which I think would be a very bad thing for the United States.

What we must do is to see that this does not happen again, but we must also resolve that we shall go forward to place America's case, what America stands for, the freedom it stands for, what America lives by, and what America is willing to die by, before the people of the world.

Mr. CAPEHART. What a tragedy it would have been had someone not called the attention of the Senate to the kind and type of broadcasts which are being made, and if it had been continued in foreign languages over a period of months and months and years and years.

Mr. AIKEN. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield to the Senator from Vermont.

Mr. AIKEN. I suggest that ascertaining the author of the script and perhaps reprimanding the author or securing his dismissal from the Government service will amount to very little, and will probably correct nothing. The State Department, and the State Department alone, is responsible for the type of broadcasts which go out over the world under this program. I think the Congress has spent too much time in running down subordinates, getting sensational stories about subordinates, and then doing nothing about the department heads who are responsible for the subordinates. That is why I wish to point out that just so long as we devote our effort to running down subordinates of a department and do not take any action against the heads of the departments who are responsible for the acts of the employees, just so long will we have contributed very little toward better government. I hope that in this case at least action may be taken. I think we have to hold the department heads responsible if we are to get good Government service.

I realize that we have circumscribed the scope of the department heads in some cases by legislation so that they cannot function properly. If that be true, we should correct that situation, too. But, above all else, if we do not hold the department top levels themselves responsible, we will never correct the evil things which happen on the lower levels.

Mr. CAPEHART. Mr. President, I am certain that public hearings will be held by the Committee on Foreign Relations on this question and on the resolution which I shall offer tomorrow.

Mr. REVERCOMB. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. REVERCOMB. I feel that the Senator from Vermont has very clearly stated a point I had intended to mention, namely, that, regardless of who may have written the particular scripts which have been laid before the Senate, which have revealed a situation which is deplorable, and, I may say, tragic—regardless of who may have written them, the State Department, under whose direction and guidance they were written, is the responsible Government agency, and must answer for the acts. I think it is very well indeed to ascertain what individual may have written the scripts, and find from that individual why they were written and who authorized their writing.

Much has been said about the time Mr. Allen took office and began to perform his duties in charge of the Voice of America program. From the information given us today it appears he took office on March 30 of this year. That is not the question, however. Some one was there in that department before March 30, responsible, and solely responsible, I feel, for the conduct of the program. Inquiry should be made as to why this kind of broadcast was made; what motivated it. There could have been no good motive behind it. Why then should anyone in the Government service direct broadcasts or statements so injurious to the country? That ought to be the real purpose of the investigation. I hope it will proceed at once.

Mr. MALONE obtained the floor.

Mr. GURNEY. Mr. President, will the Senator yield to me for the purpose of submitting a conference report?

Mr. MALONE. I yield.

Mr. GURNEY. I may say to the Senator from Nevada that I am sure consideration of it will require but a few minutes.

Mr. MALONE. I am glad to yield to the Senator from South Dakota for that purpose.

## WOMEN'S CORPS IN THE ARMED SERVICES—CONFERENCE REPORT

Mr. GURNEY. Mr. President, I submit a conference report on Senate bill 1641, to establish the Women's Army Corps in the Regular Army, and so forth, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read for the information of the Senate.

The report was read.

(For conference report, see p. 6958 of the House proceedings in the RECORD.)

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. GURNEY. Mr. President, the conference report is unanimous on the part of the managers of the Senate and of the House. It deals with a bill passed by the Senate last year, on July 27, 1947, authorizing a regular enlistment in the WAVES, the WAC, and the Marines. The bill as it has been agreed to in conference comes so near to the Senate version that I do not think it will require a long explanation. The passage of the Unification Act and the Promotion Act, after the passage of this bill, made necessary quite a number of amendments so as to make the bill in harmony with those two laws. None of the changes made necessary in terminology and procedure actually affect the substance of the Senate bill as it was originally passed. The original House version did not provide for any regular corps of women officers or enlisted women in any of the three services. That was an integral part of the Senate bill as we passed it.

As a result of the conference the regular corps remains at the same strength as originally approved by the Senate. The bill, as amended in conference, however, requires that the full enlistment in the regular corps shall be attained in a time period of 2 years rather than all at once. I believe this to be an entirely sound procedure which is intended to apply to the three services, because full enlistment could not be taken care of administratively all at once. Therefore the Senate conferees have agreed on the changes made in the bill.

I can assure the Senate that the bill as it now is is identical with the substance and intent of the Senate version.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

## ORDER OF BUSINESS

Mr. WHERRY. Mr. President, I should like to say for the RECORD and for the information of Senators present that it is our hope to finish action on the displaced-persons bill tomorrow.

Further, it has already been agreed, by unanimous consent, to set aside the time from 12 o'clock to 3:30 p. m. on Friday next to deal with the conference report on what is commonly known as the Reed-Bulwinkle bill.

Following action on that measure it is our hope to take up the Treasury and Post Office Departments appropriation bill.

I appeal to Members of the Senate to be present tomorrow, and let us vote on the amendments proposed to the displaced-persons bill, and get that legislation out of the way if possible by tomorrow night.

## REVISION OF ROLL OF INDIANS OF CALIFORNIA

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives anouncing its disagreement to the amendments of the Senate to the bill (H. R. 2878) to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BUTLER. This being a bill which came from the Committee on Interior and Insular Affairs, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appoint Mr. BUTLER,

Mr. WATKINS, Mr. ECTON, Mr. HATCH, and Mr. MURRAY conferees on the part of the Senate.

FOOT-AND-MOUTH DISEASE

Mr. WHERRY. Mr. President, I should like to call the attention of the Senate to a telegram I received this afternoon from Mr. Richard Kleberg, familiarly known as Dick Kleberg, of the King ranch in Texas. I think possibly he sent it to the chairman of the Small Business Committee because of the interest we took a year ago in the question of OPA controls. He also knows we were very much interested, together with the Department of Agriculture and the distinguished Senator from Texas [Mr. CONNALLY] and other Senators, in the matter of the appropriations which were made for the control of foot-and-mouth disease, as it related to cattle across the border. I read the telegram for the information of Senators because Mr. Kleberg asked that I read it in full. I have made protest to the Department of Agriculture in connection with it, but I think the matter is of so much importance that Senators from the livestock areas of the United States should be informed respecting its contents. Mr. Kleberg's telegram says:

Carl Svarverud, address Roswell Hotel, Del Rio, Tex., sent me the following telegram—

Which in turn was sent on to me—

Boston wool buyers bidding on 1,000,000 pounds Coahuila wool. BAI will permit entrance through Eagle Pass.

Following is part of the telegram I do not understand. It is:

Relative to Aftosa quarantine.

I am told that that means the hoof-and-mouth-disease quarantine, but it is a code word I am not able to understand. However, I have referred the telegram, as I said, to the Department of Agriculture. Mr. Kleberg says further:

These shipments are a definite threat to the livestock industry. Twenty-two carloads of meat scraps partially cooked, three carloads of dry bones consigned to Consolidated Chemical Co., of San Francisco, are contemplated to be shipped through Eagle Pass.

The telegram continues:

Suggest that you and other Senators file protest immediately demanding embargo on such shipments.

Before calling this matter to the attention of the Senate I took it up with the section in the Department of Agriculture which has charge of enforcing the quarantine in connection with the foot-and-mouth disease as it relates to the restricted areas. I talked to a Dr. Seher, who I think is well informed respecting the provisions of the act. He said that Coahuila wool comes from live sheep and is processed in transit in such manner as to render it safe. Of course I am not pitting my judgment against his, but I have taken the matter up with Mr. Kleberg and he says the difficulty is that the wool is being collected in regions which are outside districts which have been freed from the disease in Mexico, and that there is a great chance that in this million pounds of wool there will be found wool which has come from an infected area.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HATCH. Like the Senator from Nebraska, I am not an expert on the subject. Did the individual to whom the Senator referred say the wool itself was processed?

Mr. WHERRY. He said that the wool from live sheep is processed in transit. How that is done I do not know. But between the time it leaves its point of origin and until it arrives at Boston, if there is any processing to be done it is done in transit, and the wool is supposed to be free from any foot-and-mouth infection.

Possibly it is true that wool could be safely released from quarantine and imported into this country if it came only from the areas which are free from foot-and-mouth disease. But Mr. Kleberg says that there is a question in the minds of many as to whether it can be processed and made free from disease which might spread in this country. Furthermore, he states that to his knowledge this wool is not being assembled only in districts freed from foot-and-mouth disease, but that it comes from all districts, and is then shipped as Coahuila wool. He feels that it is a dangerous threat to the livestock industry of the country.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CONNALLY. I am not an expert on that particular disease, but my information is that the germ or virus, or whatever it is, can be transmitted on clothing, or any other article.

Mr. WHERRY. That is correct.

Mr. CONNALLY. If that be true, there is great danger in permitting this wool to come across the border. It may bring the germ with it.

Mr. WHERRY. When I called with reference to the meat scraps, I was told that they were partially cooked. I understand that if they have gone through a heat process, that is supposed to destroy the germs; yet I am told that much of this meat is only partially cooked, and that it is not free from disease. Those who have been employed to investigate the question are apprehensive that scrap meat infested with foot-and-mouth disease is being imported by the carload. I asked how these shipments were sent through, and was told that they are sent through consular agents on the border between Mexico and Texas. Let us say for the sake of argument that the consular agents are doing the best job they can, according to the specifications laid down. If the handling of imports into this country is anything like the handling of merchandise exported from this country, it is almost a superhuman task to supervise it adequately.

We have already appropriated $42,000,000 to control the foot-and-mouth disease in Mexico and elsewhere; and no doubt this Congress would be liberal and continue to appropriate, because everyone in the livestock areas knows, as do the distinguished Senator from New Mexico [Mr. HATCH] and the distinguished Senator from Texas [Mr. CONNALLY], and other Senators, what a dread disease it is, and what a loss it is to those whose herds must be slaughtered to eliminate the disease to keep it from spreading to our farms.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HATCH. I believe the Senator stated that he had already protested to the Department of Agriculture.

Mr. WHERRY. That is true.

Mr. HATCH. I wish to say for myself—and I feel sure that the same thought would be expressed by all Senators from livestock-producing States—that we are not in a position to pass upon the sufficiency of what should be done. But I am positively of the opinion that if there is any question whatever, these importations should not be allowed.

Mr. WHERRY. That is correct.

Mr. HATCH. I join the Senator in that attitude.

Mr. WHERRY. I thank the Senator for his contribution. I am merely putting the Senate on notice, and especially Senators from States along the border, as to what is happening. I can think of no better way to make a protest than to bring the subject to the attention not only of the Department, but also of the Senators who are interested. The protest is made only in that light. I hope that from now on, if the rules are not sufficiently rigid, they will be made so. A protest has already been made. It is important that appropriations which are made to halt this disease be used judiciously. Certainly we should take no chance on importations of wool or scrap meat or bones, in view of the fact that the foot-and-mouth disease is such a dread disease, and will cause such great financial loss in the event that it is spread through shipments of this kind.

I thank the Senator from Nevada for yielding to me.

Mr. MALONE. I am happy to yield.

LEGISLATIVE PROGRAM

Mr. WHERRY. Mr. President, I again invite the attention of the Senate to the program for tomorrow and Friday. I hope that we can expeditiously take care of the pending legislation and conclude consideration of the Post Office-Treasury appropriation bill and the conference report on the Bulwinkle bill, which will be before us for consideration on Friday at noon, by unanimous-consent agreement.

THE MINING INDUSTRY AND NATIONAL SECURITY

Mr. MALONE. Mr. President, many factors are responsible for the deplorable state of the mining industry at the present time.

First, unwise taxes—the siphoning off of the capital and incomes of the people of the Nation to the point that there is little venture capital left for investment in the hazardous business of mining. Mining is definitely a venture business.

Second, the Securities and Exchange Commission is retarding such investments through trying to determine the feasibility of mining ventures instead of determining the facts for the benefit of the public, relative to a stock issue.

Third, tariffs and import fees have been reduced to the point where little

protection for the workers and investors in the industry is afforded.

Fourth, the atmosphere of the "have not" nation radiated from many Government departments in Washington tends to discourage activity in the mining field.

Fifth, the announced policy of the Army and Navy Munitions Board and other bureaus responsible for the stock piling of strategic and critical minerals of favoring the purchase of foreign mineral supplies over domestic ores has further discouraged expenditure of time and money in the mining field.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. REVERCOMB. I am interested in the Senator's bill—certainly in its purpose. Does the Senator expect the bill to bring about an expansion in the number of domestic producing mines?

Mr. MALONE. If some stability is afforded the mining industry mining men expect that venture capital will again enter the field and develop prospects, prospectors will again be searching the mineralized area and will find more prospects, many new mines will come in, and old ones will be reopened for production.

Mr. REVERCOMB. With the intended increase in mining activity, is it the purpose of the bill to encourage stock piling of ores for defense purposes?

Mr. MALONE. That is the principal purpose. The administration is talking war. We are in a very unsettled condition. As a matter of fact, the Second World War has not as yet been declared officially over, and a large proportion of our mines have closed down. We cannot possibly stock-pile enough material with which to fight a war. We must have producing mines to augment the supply. That was proved in World War II, as a result of the submarine menace. For the first year or two of any war it is not possible to get cargoes of minerals through in sufficient amount to fight a war. About 75 percent of the cargoes in the last war were lost during the first year through submarine attack.

Mr. REVERCOMB. Then the idea is to have going mines which are kept alive and working.

Mr. MALONE. That is the principal purpose.

Mr. REVERCOMB. If production is greater than need, then the idea is to stock-pile it for eventual use. Is that another purpose?

Mr. MALONE. That is entirely correct. I thank my colleague from West Virginia.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. BUTLER. I, like the Senator from West Virginia, am interested in the bill the Senator proposes to introduce, and I am more or less familiar with its contents. It is my impression that one of the purposes of the bill is to carry out what was the intent of the Stockpiling Act of 1946.

Mr. MALONE. One particular purpose of the bill is to see that the Stockpiling Act of 1946 is carried out, and that is provided for through the RFC.

Mr. President, these and many other factors have combined to dangerously curtail the mining industry at a critical period in our history. Definite moves are under way at the present time to correct these factors, but they cannot be made effective in time to preserve the mining industry or to meet any emergency.

This, then, is not the time to discuss these policies in detail, but they will be taken up in order at a later date.

So, Mr. President, I now introduce the bill and ask that it be printed in the RECORD at this point. In introducing this proposed legislation I am joined by the Senator from Nebraska [Mr. BUTLER], the Senator from Wisconsin [Mr. WILEY], the Senator from Montana [Mr. ECTON], the Senator from Washington [Mr. CAIN], the Senator from Utah [Mr. WATKINS], the Senator from Utah [Mr. THOMAS], the Senator from New Mexico [Mr. HATCH], the Senator from Arizona [Mr. MCFARLAND], and the Senator from New Mexico [Mr. CHAVEZ].

The purpose of the proposed legislation is to stimulate the production and conservation of strategic and critical ores, metals, and minerals in the interest of national defense and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and will be printed in the RECORD, as requested by the Senator from Nevada.

The bill (S. 2756) to stimulate the production and conservation of strategic and critical ores, metals, and minerals in the interest of national defense and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes, introduced by Mr. MALONE (for himself, Mr. BUTLER, Mr. WILEY, Mr. ECTON, Mr. CAIN, Mr. WATKINS, Mr. THOMAS of Utah, Mr. HATCH, Mr. MCFARLAND, and Mr. CHAVEZ), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That this act may be cited as the "National Minerals Development and Conservation Act of 1948."

STATEMENT OF POLICY

SEC. 2. It is the policy of the Congress that every effort be made to stimulate the exploration, development, mining, and production of strategic and critical metals and minerals by private enterprise to supply the industrial, military, and naval needs of the United States by providing for the development and conservation of these materials in order to decrease and prevent, wherever possible, a dangerous and costly dependence of the United States upon foreign nations for supplies of such materials. To this end it is the further policy of the Congress that every effort be made to stimulate, stabilize, and maintain a sound and active mining industry within the United States and to coordinate the programs now provided for or to be provided for by law for making scientific, technologic, and economic investigations concerning the extent and mode of occurrence; the development, mining preparation, treatment, and utilization of ores and other mineral substances found in the United States or its Territories or insular possessions which are essential to the common defense or the industrial needs of the United States; and to stimulate the commercial extraction and production of the same.

SEC. 3. (a) There is hereby created within the Department of the Interior a Mine Incentive Payments Division, hereinafter called the "Division."

(b) The administrative officers of the Division shall be a Director, suitably qualified in actual administrative and mining experience, and an Assistant Director. The salaries of the Director and Assistant Director shall be $12,000 per annum and $10,000 per annum, respectively. In the absence of the Director his duties shall be performed by the Assistant Director.

(c) It shall be the duty of the Director, and he is hereby authorized and directed, (1) to perform the functions hereinafter specifically authorized, and (2) to prescribe rules and regulations for carrying out the provisions of this act in the simplest manner.

(d) The Director may select, employ, and fix the compensation of such engineers and other experts as may be necessary to carry out the purposes of this act without regard to the civil-service laws and the Classification Act of 1923 and shall employ such other staff as he may deem necessary.

SEC. 4. All of the functions of the Office of Premium Price Plan for Copper, Lead, and Zinc, pertaining to the administration of said plan, are hereby transferred to the Division, together with all pertinent records and equipment.

SEC. 5. (a) To carry out the purposes of this act, development and conservation payments shall be made hereunder for all ores, metals, and minerals determined to be strategic or critical, pursuant to section 2 (a), Public Law 520 (79th Cong., ch. 590, 2d sess.), and included in group A of the Munitions Board list of strategic and critical materials, dated January 1948, together with any minerals or metals that subsequently may be added thereto, produced from ores, dumps, tailings, slag piles, and residues (excluding scrap materials), except that in the event that the Munitions Board shall find that further purchases of particular ores, metals, or minerals for national security stock-pile purposes are no longer necessary or shall within 1 year of the date of finding cease to be necessary, then (1) if such finding is made within 30 days after the effective date of this act, no payments shall be made under the authority of this act except in cases of small mines as hereinafter provided with respect to such ores, metals, or minerals, and (2) if such finding is made more than 30 days after the effective date of this act, no payments under the authority of this act shall be made with respect to such ores, metals, or minerals, produced after 6 months from the date of such finding, except in cases of small mines as hereinafter provided: *Provided,* That in the event any such findings are amended by the Munitions Board to the effect that purchases of such ores, metals, or minerals have again become necessary for national security stock-pile purposes the payment provisions of this act shall again become applicable subject to the limitations of this paragraph. Such payments shall be made at such rates within the limitations defined in this act so as to encourage exploration and development, increase production, and effect conservation and make reasonable allowances for depreciation and depletion and shall include a reasonable profit to the producer based upon the values of all recoverable metals and minerals contained in the ores. And in cases of small mines where production in any calendar year is less than 300 tons of recoverable metal, maximum payments shall be made on total production therefrom on application and none of the restrictions other than those

of maximum-payment limitations shall govern in such cases. Exploration payments shall be made in addition to development and conservation payments without regard to payment limitations provided in this act on the following basis, viz: Maximum exploration payments shall be based on production of recoverable metal produced from each mine operation at the rate of 7 cents per pound for the first 250 tons or fraction thereof of metal produced during any calendar year; at the rate of 6 cents per pound for the second 250 tons of metal or fraction thereof; 5 cents per pound for the third 250 tons of metal or fraction thereof; 4 cents per pound for the fourth 250 tons of metal or fraction thereof; 3 cents per pound for the fifth 250 tons of metal or fraction thereof; 2 cents per pound for the sixth 250 tons of metal or fraction thereof; and 1½ cents per pound for all metals produced during any calendar year in excess of 1,500 tons and less than 2,000 tons. Exploration payments shall be made monthly, provided expenditures for such work are made prior to the end of the calendar year following the year in which such allowances accrue. Exploration payments received by an operator shall be deemed gross income within the meaning of section 22, Internal Revenue Code, and all expenditures by such operator for exploration work for which exploration payments are received under this act shall be allowable as deductions under section 23, Internal Revenue Code. It shall be a condition of the making of all such payments that recipients thereof shall pay no royalties on exploration payments or on such portion of the amount received by the producer as is in excess of market prices, except where landowners share in the expense of transportation, milling, and smelting of ores.

(b) In addition to the other powers and duties created by this act, the Director may authorize the Reconstruction Finance Corporation to enter into such contracts as would aid in effectuating the policies of this act.

SEC. 6 (a) Development and conservation payments for any particular metals or minerals shall be in addition to the amount received per unit from other sources by the producer of the metal or mineral. Such payments shall not exceed the difference between the current market price and (1) in the case of metals produced under the premium-price plan, an amount equal to the highest market price plus the production premiums received by any domestic producer during the years 1942 to 1946, inclusive, and (2) in the case of other ores, metals, and minerals an amount equal to the highest amount paid any domestic producer for such metals and minerals during the years 1942 to 1946, inclusive, by the Reconstruction Finance Corporation or its subsidiaries or by other Government departments or agencies, such amounts specified in clauses (1) and (2) hereof to be adjusted by the Director in proportion to the changes in the Bureau of Labor Statistics wholesale price index of all commodities (1926 equals 100) since such highest sums or amounts were first offered or paid. Hereafter all maximum development and conservation payments limitations provided in this section shall be adjusted by the Director in proportion to each five-point change in the Bureau of Labor Statistics wholesale commodity price index of all commodities (1926 equals 100). These maximum limitations shall apply unless in the opinion of the Director special consideration is necessary for further stimulation of development or production of a particular metal or mineral. All ores, concentrates, metals, and minerals on which payments are made shall meet previously established minimum industrial specifications or minimum specifications determined by the Munitions Board for the national security stock pile.

(b) All additional ores, metals, and minerals or the equivalent thereof resulting from incentive payments and which comply with Munitions Board minimum stock-pile specifications, shall be purchased by the Reconstruction Finance Corporation. The Reconstruction Finance Corporation shall transfer such ores, metals, and minerals to the national security stock pile established pursuant to Public Law 520 (79th Cong., ch. 590, 2d sess.): *Provided*, That any producer may deliver an equivalent quantity of recoverable metal in form and grade satisfactory to the Reconstruction Finance Corporation in lieu of the particular metal or mineral resulting from payments hereunder.

(c) The Bureau of Federal Supply of the Treasury Department shall reimburse the Reconstruction Finance Corporation to the extent of the current market price for all metals, minerals, and ores placed in the national security stock pile under this section and such credits may be expended for purchases and development and conservation payments over and above the limitations imposed in section 7 (a) hereof.

(d) Each producer shall at all times have access to a complete file of all copies of all calculations and analyses and all other information or determinations used as a basis for his individual assignment, revision, or denial of development and conservation payments or prices and exploration premiums.

(e) Copies of all rules, regulations, and policies and changes therein shall be furnished to each producer registered with the Division and shall be published in the Federal Register.

SEC. 7. (a) All disbursements for exploration and development and conservation payments as authorized by this act shall be made by the Reconstruction Finance Corporation and shall not exceed $80,000,000 in any 1 year.

(b) The provisions of paragraph (a) of this section shall expire June 30, 1952.

(c) There is hereby authorized to be appropriated sums sufficient to carry out the provisions of this act.

NATIONAL DEFENSE

Mr. MALONE. Mr. President, this bill is an emergency national defense measure. It is necessary for the continued domestic production of such strategic materials as may be required to augment the stockpiles in case of emergency. It is patently not feasible to stockpile enough of such materials for an extended emergency, and World War II demonstrated the tremendous costs involved if we are caught short in our supply of necessary metals.

The cost of the necessary naval convoy protection alone was fantastic, as well as being uncertain and dangerous. In addition, we had the loss of many men and ships engaged in obtaining needed materials from foreign nations.

The loss of cargoes alone, in the case of chromite, manganese, tungsten, and other indispensable minerals ran as high as 75 percent. Large amounts of strategic materials were flown in by air, to escape the submarine menace, and the costs were fantastic.

Mr. President, every nation in the world is now national-defense conscious.

The recipient nations of the Marshall gift-loan plan now have the money—the dollar exchange—to purchase the necessary strategic materials for peacetime and wartime uses.

STOCKPILING ALONE NOT ENOUGH

Stockpiling alone for an emergency is not enough. No one can accurately forecast the length of any future war. Some say that the atomic bomb will make it of short duration. Other competent authorities say that certainly Russia can take the Middle East within a few weeks, whenever they are ready to do so, under present conditions. Many believe that they can take the most of Europe before we are ready.

The same authorities agree that we would win world war III, but that the time element is uncertain and that such a conflict could last from 5 to 20 years.

Mr. President, under the existing conditions of world affairs, we cannot jeopardize the welfare of the United States by depending solely upon foreign sources or upon stockpiles for the minerals and materials which we must have in our peacetime economy, or to wage a war. We must have at all times a healthy and productive domestic mining industry which can be expanded in times of need.

If a real conflict were to be waged in Europe and even if we were not a party to it—the sea lanes would be closely patrolled by submarines and airplanes to prevent any assistance from us—and we could be isolated and our industries ruined unless we were able to produce a reasonable part of our needed supplies in this country.

Mr. President, at this point, I ask unanimous consent to have printed in the RECORD a digest of the bill I have just introduced.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

Section 1: The purpose of the bill is to stimulate the production and conservation of strategic and critical ores, metals, and minerals in the interest of national defense, and to establish a Mine Incentive Payments Division within the Department of the Interior.

Section 2: The policy is:

(a) To stimulate exploration, development, mining, and production of strategic and critical metals and minerals by private enterprise.

(b) To supply United States national and industrial defense needs.

(c) To reduce dependence on foreign sources maintaining an active mining industry; by coordinating and furthering investigations to stimulate new discoveries and through stimulation of the development and utilization of domestic ores.

Section 3: (a) Creates a Mine Incentive Payments Division within the Department of the Interior.

(b) Provides for a director and an assistant director of the division.

(c) Authorizes the director to perform the necessary functions and duties to carry out the provisions of the act.

(d) Permits the director to select and employ engineers, experts, and a staff necessary to achieve the purposes of the act.

Section 4: Transfers the functions, records, and equipment of the office of premium price plan for copper, lead, and zinc to the division.

Section 5: (a) Defines the ores, minerals, and metals for which development and conservation payments are to be made, and provides for the conditions under which supplies for stock piling may be purchased. In addition, a sliding scale of payments for exploration, depending on the output of the mine, is provided, the size of the payments decreasing with the increase in production. As a condition of making such payments, no royalties may be paid to landowners not actively engaged in sharing expenses of transportation, milling, and smelting.

(b) Provides for the Reconstruction Finance Corporation to enter into contracts to effectuate this act.

Section 6: (a) Payments for development and conservation are to be in addition to the amounts received from other sources, and sets the maximum limits to be adjusted in accordance with changes in the wholesale commodity price index of the Bureau of Labor Statistics.

(b) Provides for the RFC to purchase for the national security stock pile all additional ores, minerals, and metals produced as a result of incentive payments.

(c) Provides for the Bureau of Federal Supply to reimburse the RFC at current market prices for the metals, minerals, and ores purchased for the stock pile.

(d) Producers shall have access to all files of analyses used as a basis for determining denial, revision of, or assignment of payments.

(e) Provides that all rules, regulations, policies, and changes thereof shall be furnished to all producers and be published in the Federal Register.

Section 7: (a) The total amount to be expended by the RFC under this act is not to exceed $80,000,000 per annum.

(b) Effective expiration date to be June 30, 1952.

(c) Authorizes funds to be appropriated to carry out the provisions of this act.

Mr. MALONE. Mr. President, in referring to volume 1 of the National Resources Economic Committee reports entitled "The Mineral Position of the United States," and to subsequent evidence collected by the committee, it is clear that the mineral position of this country is far from healthy.

THE PRESENT SITUATION

A study completed shortly after the close of World War II indicates that 13,000 mines have been closed down in the United States since 1930. These mines involved 776,000 stockholders, and $377,000,000 of capital.

Since the end of World War II, hundreds of additional mines have shut down in various parts of the country, particularly those operated by marginal or small producers of lead, copper, zinc, manganese, and other important strategic metals and minerals.

Of 51 lead mines in operation in southern Wisconsin in 1946, only 4 are in operation today. In Colorado, the number of lead and zinc mines in operation has fallen from 313 in 1939 to 70 at the present time. More than 52 lead and zinc mines shut down within 6 months after the termination of the price-premium plan on July 1, 1947.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. BUTLER. In listening to the Senator's presentation of the statistics as to mines which have been closed, I am prompted to ask whether we are or are not a "have-not nation," so far as minerals are concerned?

Mr. MALONE. We are not a "have-not nation"; definitely, we are not. But the policies that have been initiated and carried out through our Government bureaus and departments have not been conducive to the development of our own mineral resources. In other words, we have slowly removed the tariffs and import duties from minerals such as copper, lead, zinc, manganese, tungsten, and other important minerals without which we cannot live either in peace or fight a war, and therefore there is no stable encouragement or no principle upon which the producers of those metals can depend, and as a result there is no incentive for the investment of money and time in the search for these metals and in making such developments.

There are plenty of mines yet to be discovered in the United States, if the incentive for their discovery exists. It must be understood that a mine cannot be developed overnight even after a good prospect is developed, after reviewing hundreds of such prospects—it requires from 2 to 5 years and the expenditure of a large amount of money to develop a real producing mine.

Mr. President, in Montana the number of lode mines producing gold, silver, copper, lead, and zinc has declined from 687 in 1940 to 250 in 1947, while the number of placer mines during the same interval declined from 285 to 44.

Similar declines in recent years in the number of mines operating could be cited for many other States. In Utah, for example, the number of mines producing gold, silver, copper, lead, zinc, and manganese declined from 191 in 1940 to 112 in 1947, while placer mines and manganese mines during the same period declined from 19 to 1.

In Arizona the number of active mines declined from approximately 950 before World War II to only 276 on October 1, 1947. In my own State of Nevada, 297 mines closed down within 2 months after President Truman vetoed the price-premium bill in July 1947. This number represents more than 90 percent of all the mines in the State.

In California, of 2,000 gold mines in operation before 1940, only 350 are in operation today, including dredges. Of 32 lead, copper, and zinc mines operating in 1946, over 80 percent have shut down. The number of mercury mines in California has dropped from 102 mines in 1940 to 20 in early 1947, and one or two in early 1948. Tungsten mines have dropped from 38 in 1944 to 12 in 1947, and practically all are closed now, while chrome and manganese show even more drastic curtailment. Manganese mines in 1944 numbered 65, as compared to 3 in 1947, while chromite mines have fallen from 101 in 1944 to 2 mines in operation in 1947.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. MALONE. I shall be glad to yield.

Mr. WHERRY. I was called off the floor a moment ago. I wish to say that the Small Business Committee is very much interested in strategic materials. Does the bill under discussion include most of the metals and minerals listed as strategic materials by the War Department?

Mr. MALONE. It includes 33 of such minerals which is practically all that are listed as strategic.

Mr. WHERRY. And is that provided for in the legislation under discussion?

Mr. MALONE. That is correct.

Mr. WHERRY. The Senator has made a rather exhaustive study, in committee, of the minerals. Is the Senator satisfied that the list is comprehensive, and that the metals about which we are so greatly worried will be included in the legislation? How does the Senator feel about that?

Mr. MALONE. I am satisfied the necessary minerals are included in the list.

Mr. WHERRY. I want to thank the Senator for his statement, because I know he has made a thorough and exhustive research in connection with these materials that are so vital to the United States. I wanted to have the statement of the Senator whether he felt satisfied in his own mind that the pending measure would take care of the situation.

Mr. MALONE. I thank the Senator from Nebraska. I may say further that I am satisfied that such legislation is required to get the necessary domestic production to supplement the stock pile for any future emergency.

Mr. WHERRY. On that point I would ask the Senator whether he thinks private capital will get behind the pending legislation? That is another thing in which we are intensely interested. First, we are greatly interested in the preservation of the free-enterprise system that we have in America. Does the Senator feel private capital can be depended upon to assist in the exploration and development outlined in the pending measure?

Mr. MALONE. I have no doubt of it, I may say to the Senator, for the simple reason that it will establish a principle of development payments for mines of certain sizes, and as the production increases, the payments are less, and the larger mines must meet the amount. In other words, they will know what to depend on, and that is exactly what is needed as an encouragement for the expenditure of the necessary time and money in advance in order to develop producing properties.

Mr. HATCH. Mr. President, if the Senator will yield, I may suggest that unquestionably, if mining can be made profitable, there will be no question about enlisting private capital in it.

Mr. MALONE. I thank the Senator. I heartily agree with him. There is no question about securing private capital for the highly venturesome mining business, provided there is a principle upon which returns can be based, so that those engaging in the mining business may know what they can depend upon.

Mr. HATCH. On the contrary, if mines must be continually operated at a loss, private capital is certain to lose a considerable amount of its interest.

Mr. MALONE. They have been operating at a loss, many of them, in the Senator's own State, and in my State and many others. I might mention the tri-State district in Missouri, and other places in Wisconsin. They are hanging on, but there is a limit beyond which they cannot go. In other words, the pending measure will save many operating mines, open many properties now shut down through low-wage foreign competition, and will stimulate the expenditure of time and money in searching for new properties.

Mr. WHERRY. Mr. President, if the Senator will yield further, our Small

Business Committee has a section devoted to the very subject matter the Senator is so ably discussing this afternoon. It involves fundamental questions, and if the matter can be handled in the pending measure, we should be very happy. Our committee does not legislate, it simply recommends. If the bill covers the subject in the field we have studied exhaustively, I think it is meritorious, it should be given consideration by Members of the Senate.

Mr. MALONE. I thank the Senator from Nebraska. I may say further that I think the Small Business Committee has made a very valuable contribution to this subject.

DANGEROUS SITUATION

This is a very dangerous situation from a national-defense standpoint. When the events at Pearl Harbor precipitated us into World War II we were producing about 45 percent of our domestic consumption requirements of tungsten, which was about 8.5 percent of the world production. Pearl Harbor cut us off from China and Burma, where 67 percent of the world supply of tungsten was being produced. We could have lost the war if our mines had not been in production with trained personnel and with the know-how to increase production. Molybdenum was also used as a substitute in the manufacture of certain steel items used in armament. We were able to increase the production of this indispensable metal until the sea lanes were opened up again.

I may say in regard to that important metal, tungsten, for example, we were in the business and had the trained personnel, and within 6 months, through raising the price so our domestic wages could be paid, we became practically self-sufficient in the production of tungsten in the space of a few months, which would have been impossible if the mines had been shut down and the personnel scattered. Tungsten is such a critical material that a war could be lost in the event we were unable to obtain the metal through a comparatively short period of time.

But if our mines had been shut down, we could not have met the emergency requirements. We need both a stock pile and a producing mining industry.

With war threats and actual war in many areas throughout the world, and with our own State Department and President warning the Congress and the public that war may be imminent, this Nation cannot afford to face the immediate future with such a large segment of our metal mines closed.

We need an increase in the production of these strategic materials if we are to carry out the national-defense program and have the necessary materials for a peacetime economy.

The costs involved in bringing about an increase in the production of the strategic materials should be considered as a necessary security investment in our future welfare. Of what use is an armed force unless we can provide the guns and ammunition that present-day warfare requires? In fact, such an investment will add to our national income in any case and will be recovered from increased Federal revenue.

EXCESSIVE REGULATION

Excessive regulations and red tape retard the development of reserve supplies of minerals and materials from underground sources. The way to increase reserves is to develop new ore bodies by proper exploration of mineralized zones. To obtain this exploration and development a proper price structure must be maintained and assured, free from executive order, so that private funds can be safely invested. The unit price of strategic materials should be stabilized and protected with import fees to assure the domestic mining industry that they will have a market and at a price commensurate with their cost of production.

The bill which I have introduced is designed to carry out the policy of Congress as set out in Public Law 520, namely "to provide for the acquisition and retention of stocks of these materials and to encourage the conservation and development of sources of these materials within the United States, and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency."

Public Law 520 was enacted in 1946. Yet, today, after 2 years, we have practically no stock pile and we have permitted the very source of these strategic materials to be cut off with the closing of hundreds of our own mines. This almost tragic situation is due primarily to two factors.

First. We have not had a policy to carry out a program of exploration and development of our domestic ore deposits.

Second. We have failed to provide a price structure which furnishes an incentive to bring about exploration and development.

PROSPECTORS, WILDCATTERS, AND DEVELOPERS

The prospectors and wildcatters have continually increased the reserves of minerals and fuels over a long period of years; however, an incentive-unit price which is not subject to change by Executive order is necessary to keep them risking their labor and money in barren drifts and dry holes in the process of developing new areas.

Successive legislation and regulation have effectively dimmed any hope of recovering past losses through future successes in the hazardous business of mining, and unless this trend can be corrected, and soon, it is believed by many authorities that our reserves will progressively decrease.

An occurrence of mineral in an outcrop or ledge is a prospect until development shows ore in paying quantities. Only one out of scores of such occurrences or prospects shows promise as a result of development.

Following a vein in solid rock is an expensive process, and thousands of dollars are expended in barren tunnels, shafts, cross cuts, and trenching for every prospect that shows promise of becoming a producer.

It requires men of courage to expend their time and money in finding the prospects, select, cut, and pan the necessary samples until a ledge is found that will attract an engineer representing enough capital to do the exploration work, should he recommend such expenditures.

Engineers do not find prospects—they examine them and make recommendations—generally unfavorable. They expect to make many examinations to find a deposit which will justify exploration work, and to make many explorations before a mine is developed.

Mining is a hazardous, expensive business; therefore, there must be an incentive reward to keep the prospectors, the engineers, and capital searching for minerals to maintain the necessary reserves. There must be an opportunity to make up past losses through future successes.

The investors must be encouraged through such legislation to back the prospectors, if we are to keep up the Nation's reserves of minerals and fuels. Our reserves of minerals depleted during the war must be rebuilt by not only stock piling critical and strategic metals and minerals but also by providing incentives which will bring about continuous production from a healthy, and productive domestic mining industry.

The system of incentive payments provided by this bill for developing domestic production of strategic minerals will result in a large increase in the number of domestic mines producing such metals and minerals as lead, copper, zinc, manganese, chromite, beryl, cobalt, graphite, kyanite, mica, nickel, tantalite, tungsten, mercury, and possibly others.

DEVELOPMENT INCENTIVE

In many instances, the adoption of a system of payments for exploration is likely to lead to the discovery of large new sources of supply, thus greatly reducing our dependence on distant foreign sources. Within the past few months, a large new source of supply of zircon has been discovered in Florida, making possible its early removal from the list of scarce, strategic metals. Exploration payments can be expected to stimulate the search for and discovery of important new deposits of many other scarce metals.

In addition to incentive and exploration payments to expand domestic production and reduce dependence on foreign countries, a program of research should be vigorously undertaken to accomplish the following two things. First, metallurgical research should be expanded in order to improve methods of extracting and preparing ores for marketing so that costs of production may be lowered. Second, an adequately financed program of research to find substitutes for scarce strategic metals and minerals should be undertaken. Already considerable progress in this field has been achieved.

SUBSTITUTES AND SYNTHETICS

The possibilities of using substitutes and synthetics to reduce our dependence on foreign sources are evident in the case of such minerals, for example, as asbestos, chromite, corundum, lead, manganese, and sapphires and rubies.

Among the German technical documents recently seized is one describing a process for making synthetic asbestos. This deserves further investigation and development. Some uses of lead can be taken over by titanium. For example, titanium can be used in place of white lead in the making of paints. The recent rapid growth in the use of aluminum in place of copper for producing cables is well known. Recently, synthetics have been developed which take the place of sapphires and rubies in many of their uses.

STOCK PILES AND CONTINUOUS PRODUCTION

Finally, domestic production from our own resources is the only safe and dependable supply in case of an emergency. A stock pile of strategic materials and a producing mining industry in time of war are worth more than all the gold in the vaults in Kentucky. For example, we must have manganese to produce steel. We need copper, lead, zinc, and all the other materials in either a peacetime economy or for national defense. We have the deposits if we will but explore and develop them. We cannot afford to neglect them any longer.

Mr. President, I wish to submit for the RECORD two tables which present a brief statistical analysis of the 33 strategic minerals eligible for benefit payments under my proposed bill.

The first table compares the 1939 market price of each metal or mineral with the current 1948 price. In the case of some of the metals, the price has risen as much as costs have in recent years. In other instances, however, current market prices are below prewar prices, as in mercury, nickel, zircon, and rutile, while in other instances current prices are only moderately above prewar and not sufficient to cover increases in labor and other costs during the past 9 years. Tungsten, tantalite, manganese, columbite, cobalt, and celestite are examples. In the case of vanadium, the present price of 27½ cents per pound is exactly the same as in 1939.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Comparison of 1939 and present prices of group A strategic minerals*

| Mineral | Grade | Unit | Average price, 1939 | Quoted price, 1948 | |
|---|---|---|---|---|---|
| | | | | Month | Price |
| Antimony | 99½ percent | Pound | 12.36 cents | May | 36.17 cents. |
| Asbestos | Rhodesian | Short ton | $300 | February | $896 to $960. |
| Do | South African | do | $260 | do | $350 to $545. |
| Bauxite | 48.52 percent | Long ton | $4.50 to $5 | May | $6.25 to $6.50. |
| Beryl | 10 to 12 percent, $B_eO$ | 1 percent ton | $3 to $3.50 | do | $16 to $18. |
| Bismuth | None | Pound | $1.05 to $1.25 | do | $2. |
| Cadmium | do | do | 64.1 cents | do | $1.75. |
| Celestite | 92 percent strontium sulphate | Short ton | $37.49 | do | $45. |
| Chromite, metallurgical | 48 percent (3 to 1) | Long ton | $23.50 to $27 | do | $38 to $39. |
| Cobalt | 97 to 99 percent | Pound | $1.36 to $1.50 | do | $1.65. |
| Columbite | 65 percent (10 to 1) | do | 49 cents | January | 58 cents. |
| Copper | Electrolytic | do | 11.07 cents | April | 21.2 cents. |
| Corundum | None | Short ton | $53 | May | $90 to $100 (estimated). |
| Industrial diamonds | do | Per carat | $2.73 | February | $1 to $18. |
| Graphite | Ceylon lump | Short ton | $50 to $70 | May | $215. |
| Do | Flake | do | $90 to $125 | do | $180. |
| Kyanite | None | Short ton | $14 | do | $45 to $65. |
| Lead | do | Pound | 5.05 cents | April | 17.2 cents. |
| Manganese, metallurgical | 48 to 50 percent | Long ton | 30 to 50 cents | May | 67½ to 72½ cents. |
| Mercury | None | Flask | $103.94 | do | $74 to $76. |
| Mica | Muscovite, sheet and film | Pound | 30 cents to $10 | do | $2 to $15. |
| Do | Splittings | do | 22 cents | do | 65 cents to $1.25. |
| Do | Phlogopite splittings | do | do | do | 95 cents. |
| Monazite | None | Short ton | $75 | do | $175 to $185. |
| Nickel | Electrolytic | Pound | 35 cents | do | 33¾ cents. |
| Platinum | None | Troy ounce | $36 | do | $101. |
| Quartz crystal | 100 to 10 M gram size | Pound | | do | $2.50 to $36. |
| Rutile | 94 percent concentrate | do | 10 cents | do | 8 to 10 cents. |
| Talc, steatite | Block or lava | Short ton | $64 to $78 | | Not available. |
| Tantalite | 60 percent concentrate | Pound | $1.50 to $2.50 | May | $2 to $2.50. |
| Tin | Grade A | do | 50.2 cents | do | 94 cents. |
| Tungsten | 65 percent $WO_3$ | Short ton unit of 20 pounds | $17.11 | do | $27 to $28. |
| Vanadium | $V_2O_5$ | Pound | 27½ cents | do | 27½ cents. |
| Zinc | Prime western, East St. Louis | do | 5.12 cents | April | 12 cents. |
| Zircon | 55 percent $ZrO_2$ | Short ton | $55 | May | $45 to $47. |

Source: Bureau of Mines, U. S. Department of the Interior, May 25, 1948.

Mr. MALONE. Mr. President, the second table submitted shows prewar 1938 figures of production and of imports of the strategic minerals for which figures are published by the Bureau of Mines and compares these with current postwar figures of production and imports. The postwar figures are the latest made available by the Bureau of Mines.

It will be noted that in the case of several of the minerals, the imports have increased much more rapidly than domestic production, while in some instances domestic production has actually declined while imports were rapidly expanding.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Prewar and postwar United States production and imports of group A strategic minerals*

| Name and unit | Domestic production | Imports |
|---|---|---|
| Antimony (content, in short tons): | | |
| 1938 | 650 | 9,143 |
| 1946 | 2,505 | 5,905 |
| Asbestos (in short tons): | | |
| 1938 | [1] 9,471 | 179,490 |
| 1946 | [1] 14,075 | 456,688 |
| Bauxite (in long tons): | | |
| 1938 | 323,818 | 455,693 |
| 1946 | 1,018,774 | 852,005 |
| Beryl (in short tons of ore): | | |
| 1939 | 95 | 459 |
| 1945 | 39 | 1,201 |
| Bismuth (in pounds): | | |
| 1938 | [2] | 92,298 |
| 1946 | [2] | [3] |

Footnotes at end of table.

TABLE 2.—*Prewar and postwar United States production and imports of group A strategic minerals*—Continued

| Name and unit | Domestic production | Imports |
|---|---|---|
| Cadmium (in pounds): | | |
| 1938 | 4,184,000 | 22,582 |
| 1946 | 5,300,000 | [3] |
| Celestite (in short tons): | | |
| 1938 | [4] | 276 |
| 1944 | 3,005 | 3,691 |
| Chromite (in short tons): | | |
| 1938 | 909 | 394,335 |
| 1947 | 984 | 1,104,981 |
| Cobalt (in pounds): | | |
| 1938 | 1,075 | [5] 500,000<br>[6] 938,500<br>[7] 373,215 |
| 1944 | 828,515 | [8] 3,801,441 |
| Columbite (in pounds): | | |
| 1938 | 2,000 | 645,141 |
| 1945 | 1,149 | 4,277,152 |

Footnotes at end of table.

TABLE 2.—*Prewar and postwar United States production and imports of group A strategic minerals*—Continued

| Name and unit | Domestic production | Imports |
|---|---|---|
| Copper (in short tons): | | |
| 1938 | 557,763 | 252,164 |
| 1947 | 846,389 | 292,562 |
| Corundum (no domestic production except some synthetic made from bauxite). | | |
| Diamonds, industrial (all but a fraction imported). | | |
| Graphite, natural (in short tons) (crystalline only): | | |
| 1942 | 7,120 | 10,183 |
| 1946 | 5,575 | 3,393 |
| Kyanite, Indian (United States kyanite is not equal to the Indian product): | | |
| 1938 | [3] | 3,964 |
| 1946 | [3] | 10,782 |
| Lead (in short tons): | | |
| 1938 | 369,726 | 112,371 |
| 1947 | [9] 346,210 | [10] 211,773 |
| Manganese (in short tons of ore, containing 35 percent or more of manganese): | | |
| 1938 | [11] 28,359 | [12] 541,616 |
| 1947 | 116,671 | 1,378,859 |
| Mercury (in flasks of 76 pounds): | | |
| 1938 | 17,991 | 2,362 |
| 1947 | 23,200 | 10,228 |
| Mica (pounds of uncut sheet and punch): | | |
| 1938 | 939,507 | 391,125 |
| 1946 | 1,078,867 | 4,499,562 |
| Monazite (in short tons) (commercial quantities are imported): | | |
| 1938 | [3] | 456 |
| 1945 | [3] | 549 |
| Nickel (in short tons): | | |
| 1938 | 416 | 29,546 |
| 1946 | 352 | 92,500 |
| Platinum group metals (in troy ounces): | | |
| 1938 | 36,213 | 161,189 |
| 1946 | 101,778 | 407,210 |
| Quartz crystals (in pounds) (strategic quartz): | | |
| 1940 | [3] | 126,521 |
| 1945 | [3] | 1,329,798 |
| Rutile (short tons): | | |
| 1939 | [3] | 442 |
| 1945 | 7,179 | 10,602 |
| Sapphire and ruby | [13] | ---------- |
| Talc (black type talc) | [14] | ---------- |
| Tantalite | [15] | ---------- |
| Tin | [16] | ---------- |
| Tungsten (in short tons of ore containing 60 percent of $WO_3$): | | |
| 1938 | 4,000 | 171 |
| 1947 | 3,200 | 6,300 |
| Vanadium (in pounds): | | |
| 1938 | 1,613,155 | 1,384,320 |
| 1946 | 1,272,148 | 791,057 |
| Zinc (in short tons): | | |
| 1938 | 516,703 | 25,813 |
| 1947 | [17] 624,809 | [18] 369,005 |
| Zirconium ores (no accurate statistics available, baddeleyite is not found in the United States). | | |

[1] Sold or used.
[2] Not published.
[3] Not available.
[4] None listed.
[5] Ore.
[6] Metal.
[7] Oxide.
[8] In oxides, metal, and ore.
[9] 1947 figure from domestic ores and base bullion at primary refineries.
[10] Ore, base bullion, etc.
[11] Shipments.
[12] For consumption.
[13] No total production figures available. Some sapphires are mined domestically; no rubies are mined in the United States.
[14] Is not found in the United States.
[15] Found with columbium together; no separate statistics available.
[16] Not domestically produced.
[17] Mine production of recoverable zinc.
[18] Zinc in ore, pigs, slabs, and blocks.

PRODUCTION AND COSTS UNSTABLE

Mr. MALONE. Mr. President, in the case of beryl, columbite, lead, nickel, and tungsten, postwar domestic production figures show a decline from prewar levels while imports have greatly expanded. In the case of other minerals, domestic production has increased over prewar but imports have increased much more rapidly. In the case of chromite, for example, domestic production is about 8 percent above 1938, while imports have increased nearly 200 percent during the same period. A similar situation holds for mercury where domestic production increased only about 35 percent between 1938 and 1947 while imports increased by 400 percent during the same interval. Asbestos and other minerals show the same general picture.

The failure of some postwar metal prices to keep abreast of domestic increases in the cost of production, where labor costs alone have risen over 100 percent, is partly the result of reductions in tariffs under the present administration of the Trade Agreements Acts, and could be remedied by new legislation providing for a flexible import fee system to bring foreign metals prices in line with those in the United States.

Mr. President, I should like to submit a list of 33 minerals recommended for stock piling by the Army and Navy Munitions Board, for which stock piling and active domestic production are deemed the only satisfactory methods of insuring an adequate supply for a future emergency.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

A LIST OF 33 MINERALS RECOMMENDED FOR STOCK PILING BY ARMY AND NAVY MUNITIONS BOARD

GROUP A—MATERIALS FOR WHICH STOCK PILING AND ACTIVE DOMESTIC PRODUCTION ARE DEEMED THE ONLY SATISFACTORY METHODS OF INSURING AN ADEQUATE SUPPLY FOR A FUTURE EMERGENCY

Antimony.
Asbestos.
Bauxite.
Beryl.
Bismuth.
Cadmium.
Celestite.
Chromite.
Cobalt.
Columbite.
Copper.
Corundum.
Diamonds, industrial.
Graphite.
Kyanite, Indian.
Lead.
Manganese ore.
Mercury.
Mica.
Phlogopite splittings.
Monazite.
Nickel.
Platinum group metals.
Quartz crystals.
Rutile.
Sapphire and ruby.
Talc.
Tantalite.
Tin.
Tungsten.
Vanadium.
Zinc.
Zirconium ores.

Mr. MALONE. Mr. President, I should like to submit for the RECORD at this point another list of the 33 minerals, describing the principal uses of Group "A" of the strategic minerals recommended to be stock-piled by the Army and Navy Munitions Board.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PRINCIPAL USES OF 33 MINERALS MAKING UP THE GROUP A OF STRATEGIC MINERALS RECOMMENDED TO BE STOCK-PILED BY THE ARMY AND NAVY MUNITIONS BOARD

ANTIMONY

Antimony has important military uses as well as industrial uses. The trichloride is used as a bronzing solution for gun barrels and as a caustic in medicine, while antimony salts are used in dyeing. One of the major wartime uses was the fireproofing of canvas used by the Army. Antimony oxide is also used extensively as an ingredient of noninflammable paint, particularly for naval and cargo ships. Standard military applications include detonating caps, shrapnel balls, and bullet cores. About 75 percent of antimony production is employed in antimonial lead. During the war a major application of antimonial lead was in the manufacture of storage batteries and bearing material.

ASBESTOS

Asbestos is of major importance in making building materials and various types of insulating products. Military construction requires large quantities of asbestos products: Aircraft, tanks, army trucks, jeeps, mobile artillery, and other military equipment have needed large tonnages of asbestos. Asbestos is also used for brake bands, clutch facings, and for insulating electric conductors. Its short fibers mixed with cement are used for building products (asbestos-cement shingles, siding, roofing, tile, and wallboard), various heat-insulation and fireproof materials, pipe covering, gaskets, packing, and chemical filters.

BAUXITE

Bauxite is of major importance in the making of aircraft and is also used in the manufacture of chemicals, abrasives, refractories, cement, as well as oil refining. It is also used as a flux in the steel and ferroalloy industries.

Of total shipments of domestic bauxite in 1940, the aluminum industry used 48 percent; aluminum abrasives and refractories manufactured in the United States and Canada used 28 percent; and the manufacture of alumina and aluminum salts by the chemical industry required 18 percent.

BERYL

Beryllium was of strategic importance in World War II due to its use in relatively small percentages for the purpose of improving physical properties of certain alloys, particularly in springs, cams, gears, precision bearings and bushings, and contact brushes. The main application is in copper-base alloys for increasing tensile strength—particularly the elastic limit, hardness, and fatigue strengths, of springs and diaphragms of delicate instruments, and especially in sensitive fire-control mechanisms for large guns. The addition of 3 percent or less of beryllium to copper makes an alloy that can be heat-treated.

BISMUTH

Bismuth and bismuth alloys are important in pattern metals and fuses in fire sprinklers. There are no effective substitutes for the major uses of bismuth.

Considerable bismuth and bismuth alloys were used during the war in the production of atomic bombs, radar equipment, and other war uses not yet made public. Bismuth is used in aluminum alloys from which the forged cylinder heads of air-cooled aviation engines are made in order to increase machinability of the forgings. The property of increased machinability of castings is also secured by additions of bismuth to malleable irons, manganese steel, and stainless steel.

Bismuth alloys are employed in the production of spotting, checking, and erection fixtures for the aviation and automotive industries; in dies for drop hammer and press forming of thin sheet metals; as fusible cores in the manufacture of electroformed hollow articles; for anchoring fragile materials during machining, grinding, and testing; as a heat-transfer medium, and for molds and patterns in precision casting.

CADMIUM

The major normal use of cadmium is the protective electroplating of steel parts for airplanes, ordnance, automobiles, ships, and electrical and communications equipment. Yellow and red pigments, bearings, solders, copper alloys and fuse metal are other applications. A recent development is the use of cadmium barriers to control atomic fission.

CELESTITE

Celestite has important military uses, particularly in tracer bullets to control the burning rate of the tracer composition. It is essential for military flares, rockets, and shells. Military flares, Very pistols, and aviation, marine, railroad, and highway signals also require celestite (strontium salts, particularly strontium nitrate).

Ground celestite is used for purifying caustic soda for the rayon industry. It is also a substitute for barite as a weighting agent in oil well drilling fluid. The petroleum industry has been the main consumer of domestic celestite.

CHROMITE

The steel industry takes the greater part of the chromite used in this country; the largest amount is consumed in making ferrochromium for use in the manufacture of stainless and other alloy steels. Some ore is used directly in the steel bath. Chromium increases hardness and shock resistance and imparts high tensile strength and ductility to steel. Other metallurgical uses include the manufacture of certain cast-iron and nonferrous alloys. The addition of chromium to cast iron reduces the grain size greatly, increases its resistance to wear and corrosion, and reduces oxidation at high temperatures. Refractory grade, as crude ore, as a plastic cement, and as brick, is used largely in steelmaking furnaces. Chemical ore is used for the production of chromium chemicals which are used in tanning leather, pigments, chromium plating, and other applications.

All stainless steels contain more than 11 percent of chromium, some of it as high as 35 percent. There is no known substitute for chrome in treating steel and other alloys. No satisfactory substitute has been found for chrome in tanning chrome leather.

COBALT

The largest use of cobalt is in stellite alloys which are used for high-speed, heavy-duty, high-temperature cutting and die materials. The second largest use of cobalt is in magnets and magnet steels. Other important applications are in high-speed steels and other cutting-tool materials, valve steel, welding rod, and carbide-type alloys. Smaller quantities of cobalt are employed in the ceramic industry, in the preparation of driers, in electroplating, as a catalyst, and for a variety of minor uses. Cobalt is an important constituent in the alloys used in jet-propulsion gas turbine and turbo-superchargers. The demand for these products may greatly increase the demand for cobalt in the future. There are no satisfactory substitutes for the metal in its principal uses.

COLUMBITE

The metallic element columbium is employed in increasing quantity to prevent intergranular corrosion of stainless steel. It is important for inhibiting the air-hardening property in 4 to 6 percent chromium steels of low carbon content. Corrosion-resistant steels containing 0.5 to 0.8 percent of columbium are used in aircraft exhaust systems, supercharger systems, and engine parts exposed to temperatures exceeding 800° F. and subject to severe corrosion or conditions likely to result in fatigue failures.

COPPER

Copper is used in hundreds of industries, but more than one-third of domestic consumption goes into electrical uses. Electrical industry uses copper in the manufacture of generators, motors, electric locomotives, switchboard, telephone, and telegraphic equipment, and light and power lines. Most of the remainder is employed by the alloy industry in manufacturing brass, bronze, and other copper alloys that are used ultimately in building construction, automobile manufacture, ammunition, shipbuilding, and a wide variety of other purposes.

In 1940, rod and wire required 120,000 tons of copper; automobiles, 103,000; buildings, 102,000; light and power lines, 74,000; and telephones and telegraphs, 49,000.

CORUNDUM

Corundum is one of the principal industrial abrasives and is a key product filling important needs in aircraft manufacture and in the production of many specialized items for mechanization of the armed forces, particularly in grinding and polishing high precision lenses for optical instruments used by the Army and Navy.

In powdered form as loose grain, this abrasive makes possible the smooth surfaces required for the accurate performance of optical lenses. For other purposes, it is used on paper and cloth in the form of abrasive wheels, cylinders, blocks, and files of varying size and shape. Grinding-wheel manufacturers use coarser grain sizes; optical-lens makers use finer size products; the fine dust that remains from the two strategic uses is purchased by retail opticians.

DIAMONDS, INDUSTRIAL

Industrial diamonds are highly useful for purposes of grinding, polishing, and drilling. Without the diamond, satisfactory precision tools, truing wheels, and wire-drawing dies cannot be produced, as no adequate substitutes have been found. Greater need for abrasive diamonds was developed in the manufacture of war materials through the development of harder metal alloys and the need for greater accuracy and higher working speeds.

Greater efficiency has resulted from the new technique of mechanically setting stones in core bits, reaming shells, and various matrices, particularly powdered metal, plastics, and ceramic bonds. Diamond dust, formerly a waste product, is added to powdered metal or bonded compositions to make abrasive wheels employed in shaping extremely hard alloys that have an essential place in industry. Diamonds are vitally needed, in addition to abrasive uses, because of abrasion-resistant qualities which make them essential as dies in drawing wires or filaments of copper, tungsten, and brass, and as atomizers in oil-burning equipment.

GRAPHITE

Graphite is used in a wide range of products. Only the coarser crystalline varieties—lump, chip, and flake graphite—are suitable for certain strategic uses. They are employed chiefly in the manufacture of crucibles and other metallurgical equipment, dry batteries, lubricants, and packings. Natural "amorphous" graphite is used extensively in carbon brushes, foundry faces, car washes, pencils and crayons, lubricants, paints, dry batteries, shoe and stove polishes, and many other commodities.

Artificial "amorphous" graphite is manufactured on a large scale in the United States, and is used chiefly in electrodes for electric furnaces. It is also used in many cases in place of the natural product.

Graphite, for use as a "moderator" in slowing down the action of neutrons of uranium, was a primary material used in research leading to the construction of the atom bomb.

Crucibles containing about 50 percent graphite were a wartime necessity in making special casings used in building naval and merchant vessels and for retorts used in recovering secondary zinc.

KYANITE, INDIAN

The capacity to withstand high temperatures makes kyanite useful as a refractory. The metallurgical industries account for about half the total kyanite refractories used in the United States. Kyanite refractories have special properties of strategic importance, particularly the ability to bear high loads at high temperatures and to resist thermal shock. These refractories are made in prefabricated and burned shapes, such as brick, tile and block. They are also employed in making plastics, cements, ramming mixes, and mortars.

Kyanite is employed in burner blocks in the superstructures of glass tanks; for plungers, rings, and tubes for feeding molten glass to forming machines; for saggers and other kiln furniture for the chinaware and pottery trade. It is also used in porcelain.

LEAD

Lead is used principally in storage batteries, pigments, cable covering, in the building trade in the form of sheets, pipes, traps, calking lead and solder, in ammunition, as foil for packaging, as tetraethyl lead for blending in gasoline manufacture, and in numerous other ways. There is no satisfactory substitute for lead in its major uses principally because the physical properties and relative cheapness of lead make it unique in its field and encouraged its substitution for other materials.

Under war conditions, lead was widely adopted as a substitute for more critical metals. It replaced tin in solders, babbitts, bearing metals, foils, and collapsible tubes; copper, zinc, and iron were replaced in certain plumbing supplies in the construction of industrial plant and equipment.

Normal uses of lead were not disturbed by the war to any extent. These uses include storage batteries, castings, bearing metals, solders, lead wool, cable covering, foil pigments, and oxides for paint, pipe metal, calking, and lead pipe. Postwar demand has remained strong, especially for storage batteries, paints, and electrical insulation. Annual consumption of more than 500,000 tons of lead is expected by the Bureau of Mines to continue for some years.

MANGANESE

About 95 percent of the manganese consumed in the United States is used in the steel industry and 5 percent in the manufacture of dry batteries and chemicals. There are no satisfactory substitutes for manganese in its important uses, such as deoxidizing, desulfurizing, and recarbonizing steels.

Manganese, when used in steel making, is employed chiefly in the form of ferromanganese, as an alloying metal, and as a purifying agent.

Manganese steel, tough and resistant to abrasion, is used extensively in the electrical industry. Compared with ordinary steel, it is a much poorer conductor of heat and electricity. Manganin, a copper-manganese-nickel alloy, is widely used in heating coils and electric furnaces, owning to its high resistance to electricity. In steel rails, manganese increases the life of ordinary carbon steel 5 to 6 times.

MERCURY

The principal wartime uses of mercury include pharmaceuticals, catalysts in connection with chemical warfare, fulminate for detonating high explosives, antifouling paint for ship bottoms, dental amalgams, electrical apparatus, barometers, gages, other instruments, and calomel for tracer bullets.

Peacetime uses of mercury are the same as wartime uses except mercury in tracer bullets. Additional peacetime uses include mercury employed for agricultural purposes, in amalgamation of gold ores, in boilers for the generation of power, in vermilion pigment, in neon lights, and in other applications.

A new dry-cell battery using mercury proved of great strategic value during World War II and promises to be of great value in the current postwar period. Certain medical uses of mercury during the war have been largely superseded by the substitution of sulfa drugs, and penicillin.

MICA

Mica is a strategic mineral in waging modern wars because of its unique value as an insulator in all forms of electrical equipment and appliances, particularly for aircraft, automobiles, and radio. Increasing application is reported as an insulator in electronics equipment; limited application of flawless sheets is made in marine compass dials, boiler gages, and iconoscopes of television transmitters. Major strategic applications were in aviation spark plugs, radio and condenser films, and bridges in radio tubes.

The principal strategic uses of sheet mica are in making radio tubes and in other communication equipment, magneto condensers, radar equipment, and airplane spark plugs. It is also used in television. About 65 percent of the strategic mica used in 1944 was employed in condensers, tubes, and other applications in radio and radar equipment.

PHLOGOPITE SPLITTINGS

Phlogopite is one of the two varieties of commercial sheet mica. (See "Mica" above.)

MONAZITE

Monazite sand is the only commercial source of thorium, cerium, and other rare earth oxides. Cerium and the cerium group were essential to many war industries. They are employed chiefly as fluorides, to stabilize the cores of arc carbons of "flaming arc" lights as stabilizers, to increase lighting intensity in searchlight cores and motion-picture projectors, as a component of flashlight powder, and for therapeutic lamps. These applications accounted for about 50 percent of consumption in 1944.

Cerium acetate has important use as a waterproof and mildewproof compound. The cerium group is also essential in the manufacture of pyrophoric (sparking) and other alloys, chiefly ferrocerium (mix metal) for sparking flints of pocket lighters and other ignition devices. This application accounted for about 25 percent of total consumption in 1944.

In prewar years, 50 percent of cerium consumption was for arc-light electrodes, 25 percent for pyrophoric alloys, and the balance for mildewproofing, ceramics, and miscellaneous uses. The other major use was in the manufacture of special optical glassware.

NICKEL

Of the total refined nickel delivered in 1945, about 60 percent was used by the steel industry in the United States. The industry used it for alloying metals. Next in volume of use were the iron and steel and nonferrous foundries, manufacturers of alloys, and the electroplating and chemical industries.

Low-nickel steels (0.5 to 0.7 percent of nickel) are essential in aircraft, automobile, and railway construction for such parts as frames, connecting rods, and axles. The use of nickel is required in many types of heavy-duty machinery and in construction shapes. High-nickel steels (7 to 35 percent of nickel) are important in shipbuilding, chemical apparatus, furnace parts, cooking utensils, and various other equipment. Precision instruments require high-nickel-steel alloys, which are also essential for controls subjected to electric current and high temperature. Nickel steels are vital in the manufacturing of armor plate, gun forgings, rotating and driving bands in shells, bullet jackets, and recoil springs.

Many peacetime applications of nickel include hardware, slide fasteners, and silver-plated flatware. Nickel electroplating has been resumed since the war, using thicker nickel coatings, particularly for automobiles and trucks.

Monel metal (nickel 67 percent; copper 28 percent; minor amounts of ferromanganese, silicon, and carbon) is widely employed in shipbuilding, for hospital and laundry equipment, and for a wide range of materials used by industry. The nickel-plating industry requires a substantial tonnage of nickel metal.

In high-speed aircraft motors, in Diesel engines, and in the moving parts of heavy-duty transportation equipment which is of vital importance in military operations nickel steel is of first importance. Worn-down parts of machinery and equipment are built up by means of nickel plating. The radio industry employs rolled nickel in the manufacture of vacuum tubes. The alloy kovar, a product of the induction furnace, contains nickel-iron-cobalt. Its unusual property of expanding with temperature at the same rate as hard glass makes possible permanent, gas-tight seals of metal to glass. This property was of major consequence in high-quantity production of radio, radar, and other military electronic tubes.

PLATINUM

During World War II platinum metal was utilized in many military and industrial applications, particularly in the construction of aircraft, ships, guns, and tanks, and in the manufacture of various types of instruments, including numerous electrical and electronic devices and radio equipment required by warfare on land, sea, and in the air. Very fine wires are used for telescope and microscope cross hairs and for electric fuses.

Platinum and platinum alloys are vital in the chemical industry and are used in the production of strategics, such as explosives and electrochemicals. One important use is as a catalyst. The chemical industry, largely as a consequence of catalytic activity, has used about 13 percent of the platinum consumed during the past 30 years.

Since 1918 the jewelry industry has taken 60 percent of the platinum used in the United States, particularly for setting gems. Platinum is also beaten into foil for use in the decorative arts. Dentistry has used about 9 percent. Platinum-base alloys are used in the finest type of dental restorations, and platinum-foil matrices for producing porcelain crowns and inlays.

Industries during World War II employed platinum and platinum alloys for producing fiber glass and rayon and in a variety of corrosion-resisting equipment.

QUARTZ CRYSTALS

Quartz crystals for many years were used principally in ornaments and in making lenses and prisms for some optical instruments. Since 1921, however, the most important use has been in the radio industry. Large quantities in recent years have been used in making special devices to control the wave frequency in electric circuits, particularly in telephonic and radio-communications systems, and in such precision instruments as range and direction finders, sound-detection devices, and seismographs.

In detection devices, ocean cables, and local and long-distance telephone transmission equipment, quartz crystal makes possible the simultaneous transmission of hundreds of independent messages over the same wire at the same time.

Current uses of quartz crystal include radios, radar, and television.

RUTILE

Rutile ($TiO_2$) contains 54 to 60 percent of titanium. It is the ore of titanium metal. During 1943 about 70 percent of rutile was for welding-rod coatings and over 29 percent for alloys.

Rutile and brookite have been used in the manufacture of titanium tetrachloride for making smoke clouds to cover war movements, and in ceramics. Rutile is employed in enamels and as a welding flux for use in electric welding.

A dense paint having good hiding quality results from the use of $TiO_2$. Strategic uses of titanium include smoke screens, bombs, pigments, ferroalloys, hard-cutting and other non-ferrous alloys. Metallic titanium is essential to the manufacture of radio tubes. Its light weight and high strength recommend it for use in aircraft construction in competition with both aluminum and magnesium.

SAPPHIRE AND RUBY

During World War II sapphires had many strategic uses by the military. Every bomber was equipped with almost 100 sapphires in various instruments. A battleship requires some 4,000 jewel bearings. Jewel bearings are required in a wide range of military instruments, particularly range-finders.

Industry employs sapphire bearings to combat wear in precision gages, Diesel injector nozzles, cutting tools, dies for drawing wire from soft metal, machining tools for soft metals, thread guides for textile mills, barometers, compasses and watches. Sapphire gauges offer closer tolerances and are of longer life than those of steel. Synthetic sapphire is used for phonograph needles.

TALC, STEATITE, BLOCK OR LAVA

The strategic steatitic lava talc is used to produce fired shapes for radio insulators, as grid spacers in high-frequency radio transmitters for ships and tanks, and for the cores, bushings, and resistors in radio, radar and other electronic equipment.

The paint industry was one of the leading markets for talc during World War II. Talc is used in paint as an inert extender. Fibrous talc used in nonreflecting paints for ship camouflage was in critically short supply in 1944.

The ceramic industry increased requirements of powdered talc in 1940 to 18 percent of total output. Ceramic talc is now a standard material for electrical and other porcelains, porcelain enamels, wall and floor tile, and refractories. Talc is also essential for certain plastics, and is employed in pharmaceuticals, soaps and cleaners, insecticides and polishes.

TANTALITE

Pure tantalite contains 70 percent of tantalum. Tantalum and tantalum alloy competes with the diamond and tungsten carbide as the hardest known substances.

Metallic tantalum is almost indispensable for large power tubes used in radios, tantalum-nickel and tantalum-tungsten being used in the manufacture of radio and electronic tubes and fountain pens. Half the 1943 consumption was for radio and electronic tubes.

Since the war tantalum, because of its high melting point, is being used to cover the external parts of jet-propulsion engines, in gas turbines and for certain furnace developments.

Other uses of tantalum include its use as a catalyst in the manufacture of synthetic rubber, and its use in making aerial camera lenses, corrosion-resistant chemical equipment, and surgical wire and skull plates.

TIN

Tin is one of the most highly strategic of metals because of its many essential uses and the fact that the United States, which consumes half the world's output, is almost wholly dependent on distant foreign sources of supply.

The major use of tin is as a protective coating for other metals, especially on steel in tin plate, from which are formed the tin cans in which processed foods and a host of other products are packed.

In the 5-year period just prior to World War II the percentage distribution of the consumption of newly mined tin in the United States was as follows: tin and terne plate 52 percent; solder, 16 percent; tubes and foil, 9 percent; babbitt, 6 percent; bronze, 5 percent; tinning, 4 percent; and other, 8 percent.

TUNGSTEN

The military importance of tungsten is indicated by the fact that during the Sec-

ond World War it was used in about 15,000 different types of war items. Tungsten is used in tungsten filament in almost every electric lamp and electric tube. In the field of hard alloys, tungsten has essential uses in armor plate, gun barrels, and the cores of small arms and large caliber armor-piercing projectiles. Tungsten alloys are employed on a large scale in making armor plate.

The chief metallurgical use is in the production of high-speed tool steels having a tungsten content of 15 to 20 percent. High-tungsten steel is used in the manufacture of valve seats for internal combustion engines, for valves, and permanent magnets, and for razor blades, knife blades, hack saws, files, drills, and many other products.

Other tungsten alloys are employed in the filaments of radio tubes, electrical-contact points, and electrodes.

VANADIUM

Vanadium is used chiefly as an alloying metal in the steel industry, where it imparts toughness, hardness, strength, and fatigue resistance to alloy steels. More than 60 percent of total vanadium consumption in 1942 was in tool steel. Chromium-vanadium steel is widely used in ordnance as well as in railway, bus, and truck parts because of its resistance to failure from fatigue.

Vanadium is mixed with other metals in alloys used for aircraft bushings, ship propellers, drills, excavating machinery, various tools, and surgical instruments. A minor quantity of vanadium is used as a catalyst in making certain organic chemicals. Other uses are in the glass, ceramic, and color industries.

ZINC

Strategic uses of zinc include the coating of steel, manufacture of brass, zinc-alloy die castings, and rolled zinc. During World War II major uses were in making brass and bronze products for galvanizing, and die casting, in zinc oxide, and in dry batteries for radios and flashlights.

The galvanizing industry in prewar years was the major consumer of zinc. The second largest consumption normally is for brass and castings, followed by uses of rolled zinc.

Zinc oxide is indispensable as a filler in compounding rubber and in the manufacture of glass. Zinc paint is one of the most durable of surface finishes. Increased use of zinc oxide is occurring as a pigment in the manufacture of paint, floor coverings, ceramics, and other materials. It is also an important pharmaceutical compound.

ZIRCONIUM

Zirconium was widely used in steel for war materials. During the war the metal was employed for fabricating wire used in the manufacture of radio tubes, for zirconium-silicon and zirconium-ferrosilicon in the steel industry, and as sheet metal for the manufacture of spinneret cups for rayon. The corrosive-resistant properties of ductile zirconium make it useful in electronic tubes, lamp filaments and welding rods in spot welding.

As an alloy, zirconium increases the strength of copper by the addition of 7 percent of the metal, and it improves the high-temperature conductivity and tensile strength of cast nickel-copper alloys. Metallic zirconium is used in the manufacture of ammunition primers, electrodes, and radio-transmitter tubes.

In the production of steel ferro-zirconium is used as an agent to remove oxygen, nitrogen, and nonmetallic impurities. Some alloys of zirconium and nickel may be substituted for tungsten in armor-piercing bullets and in cutting tools.

Zircon, which is a zirconium ore, is used in the glass and porcelain industry, and for refractories. It is also used as sand for foundry operations. Oxides, and other compounds of zirconium, are added to rubber, white leather, and resins; they are used as a substitute for zinc in weighting silk, as dye extenders, water repellents, and catalysts.

Zircon stones are used, in addition to diamonds and sapphires, as bearings for instruments.

Mr. MALONE. Mr. President, I should like to submit one more list of the same 33 strategic materials, group A, and the sources of supply of such minerals. This lists in the case of each mineral and material the foreign nation where it is available, and which is included in our source of supply at this time.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

GROUP "A" LIST OF STRATEGIC AND CRITICAL MINERALS AND THE SOURCES OF SUPPLY OF SUCH MATERIALS

Antimony: Bolivia, Argentina, Chile, Peru, Mexico, China, Yugoslavia, Czechoslovakia, Turkey, Algeria, Australia, United States, Italy.

Asbestos: Rhodesian chrysotile, South Rhodesia; South African amosite, Union of South Africa.

Bauxite: United States, British Guiana, Surinam, Hungary, France, Union of Soviet Socialist Republics, Greece, Italy, Yugoslavia, Netherlands Indies, Malaya.

Beryl: United States, Argentina, Brazil, Australia, India, Union of South Africa, Portugal.

Bismuth: United States, Canada, Mexico, Peru.

Cadmium: United States, Mexico, Canada, Australia, Germany, France, Belgium, Belgian Congo, Argentina.

Celestite: United States, Mexico, British Isles, Spain.

Chromite:

Metallurgical—United States, French Oceana, South Rhodesia, India, Turkey, Union of South Africa, New Caledonia, Canada, Cuba, Union of Soviet Socialist Republics.

Refractory Rhodesian: South Rhodesia.

Other origin: Cuba, Philippines, India, Union of South Africa, Greece.

Cobalt: United States, Canada, Germany, Finland, Belgian Congo, French Morocco, North Rhodesia, Burma.

Columbite: Nigeria, Brazil, South Africa, Argentina.

Copper: United States, United States (secondary), Chile, Mexico, Canada, Rhodesia, Union of Soviet Socialist Republics, Peru.

Corundum: Union of South Africa, South Rhodesia.

Diamonds, industrial: Belgium, Belgian Congo, British Isles, Union of South Africa, Netherlands, Gold Coast, Canada, Brazil.

Graphite:

Amorphous lump: Ceylon.

Flake: Madagascar, United States.

Kyanite, Indian: India.

Lead: United States, United States (secondary), Canada, Mexico, Peru, Australia, Germany, Belgium, Italy.

Manganese ore: United States.

Battery grade: French Morocco, Gold Coast, India, Union of South Africa.

Metallurgical grade: United States, Cuba, Mexico, Brazil, Union of Soviet Socialist Republics, Gold Coast, India, Union of South Africa.

Mercury: United States, Mexico, Canada, Chile, Italy, Spain, U. S. S. R.

Mica:

Muscovite block and film (good, stained, and better): United States, Canada, Argentina, Brazil, India.

Muscovite splittings: India.

Phlogopite splittings: Canada, Mexico, India.

Monazite: Brazil, British Isles, Netherland East Indies, India.

Nickel: United States, Canada, Cuba, New Caledonia, U. S. S. R., Burma.

Platinum group metals:

Iridium: United States (including secondary), Canada, United Kingdom, Norway, Columbia, U. S. S. R.

Platinum: United States (including secondary), Canada, Columbia, British Isles, U. S. S. R., Union of South Africa.

Quartz crystals: Brazil.

Rutile: United States, Brazil, Australia, French Cameroons, India, Nigeria, Norway.

Sapphire and ruby: United States, Switzerland.

Talc, steatite (block or lava): United States, India, Manchuria, Italy.

Tantalite: United States, Brazil, Belgian Congo, British East Africa, Netherlands, Australia, South Rhodesia.

Tin: British Malaya, Netherlands East Indies, Bolivia, Belgian Congo, Nigeria, China, Thailand, Portugal, United States (sec.)

Tungsten: United States, Mexico, Brazil, Bolivia, Peru, Argentina, Netherlands East Indies, China, Burma, Chosen, Portugal.

Vanadium: United States, Mexico, Peru, Argentine, Union of South Africa, North Rhodesia.

Zinc: United States, Canada, Newfoundland, Mexico, Argentina, Chile, Peru, France, Belgium, Belgian Congo, Great Britain, Germany, Poland, Australia, U. S. S. R.

Zirconium ores:

Baddeleyite: Brazil.

Zircon: United States, Brazil, Australia, India.

Mr. MALONE. Mr. President, I suggest that it will be realized immediately, from an inspection of the list of foreign sources of these indispensable minerals, that the expense and danger in keeping the necessary sea lanes open in time of emergency is almost prohibitive.

Mr. COOPER. Mr. President, I should like to ask the Senator from Nevada a question. From my service with him on the Committee on Public Works I know the great amount of time he has been giving to the subject he has been discussing. I know also that there is probably no one else in the Senate who has the engineering background to make this study. It is my opinion that it has been done practically single handed by the able and distinguished Senator from Nevada. I am not very well qualified, because of my lack of technical knowledge, to question the Senator, but I should like to ask him upon what ground he believes that this program of payments he has spoken of so ably would stimulate and bring about the production of the important and essential strategic materials he has mentioned.

Mr. MALONE. I thank the Senator from Kentucky. My reason for believing that it will stimulate production is that the lack of production has been occasioned by lack of stability of unit prices. In other words, with labor costing $8 or $10 a day in the mining industry, we are competing directly, without tariff or import fees, with 40- or 50-cent a day labor in China on tungsten, and $1.50 to $2 labor in Spain on mercury, with similar comparative costs of other metals in the low-wage competitive countries. In other words, it is impossible for our producers to compete with the lower wage-living costs in competitive foreign nations. Practically all of these minerals are produced in one or more of the lower living standard foreign nations, and of course the labor and costs of

mining being lower, it is impossible for producers here to compete.

The proposed legislation makes up the difference to a reasonable degree, so that a private investor or prospector who is spending his time and money looking for mines, or engineers and developers, can be reasonably assured that if they do find a mine they can sell the minerals for enough to pay the labor, including the costs of mining, and secure a reasonable return.

Mr. COOPER. I hope the Government and the Senate will give to the bill the consideration which the Senator's long work and study of this problem deserve.

Mr. MALONE. I thank the Senator from Kentucky.

### EXECUTIVE SESSION

Mr. WHERRY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ECTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports were submitted:

By Mr. SMITH, from the Committee on Foreign Relations:

Executive A, Eightieth Congress, first session, and Executive G, Eightieth Congress, second session. A convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two governments relating to income taxation signed at Paris on July 25, 1939; without reservation (Ex. Rept. No. 7).

By Mr. THOMAS of Utah, from the Committee on Foreign Relations:

Executive E, Eightieth Congress, second session. A treaty of friendship, commerce, and navigation between the United States of America and the Italian Republic, together with a protocol and an additional protocol relating thereto, signed at Rome on February 2, 1948; without reservation (Ex. Rept. No. 6); and

Executive J, Eightieth Congress, second session. A treaty of friendship, commerce, and navigation between the United States of America and the Republic of China, together with a protocol thereto, signed at Nanking on November 4, 1946; with a reservation (Ex. Rept. No. 8).

The PRESIDING OFFICER. If there be no further reports of committees, the Executive Calendar is in order.

Mr. WHERRY. Mr. President, I ask that the treaty on the calendar be passed over.

The PRESIDING OFFICER. Without objection, the treaty will be passed over.

The clerk will proceed to state the nominations on the calendar.

### SECURITIES AND EXCHANGE COMMISSION

The Chief Clerk read the nomination of Paul R. Rowen to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

### THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. WHERRY. I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

### THE AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Air Force.

Mr. WHERRY. I ask unanimous consent that the nominations be confirmed en bloc.

### THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WHERRY. I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

### THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. WHERRY. I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. WHERRY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

### RECESS

Mr. WHERRY. I move that the Senate take a recess until tomorrow at noon.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 27, 1948, at 12 o'clock noon.

---

## NOMINATIONS

Executive nominations received by the Senate May 26 (legislative day of May 20), 1948:

### ASSISTANT COMMISSIONER OF INTERNAL REVENUE

Fred S. Martin, of New York, to be Assistant Commissioner of Internal Revenue, in place of William T. Sherwood, resigned.

### IN THE ARMY

The following-named officers for advancement on the retired list and to be placed on the retired list under the provisions of subsection 504 (d) of the Officer Personnel Act of 1947:

#### TO BE GENERAL

Maj. Gen. Brehon Burke Somervell, O3665, United States Army, retired.

#### TO BE LIEUTENANT GENERAL

Maj. Gen. Levin Hicks Campbell, Jr., O3194, United States Army, retired.

Maj. Gen. John Lesesne DeWitt, O742, United States Army, retired.

Col. Troy Houston Middleton, O3476, United States Army, retired.

Maj. Gen. Eugene Reybold, O2448, United States Army, retired.

Maj. Gen. Wilhelm Delp Styer, O4415, United States Army, retired.

Brig. Gen. Leslie Richard Groves, O12043, United States Army, retired.

Lt. Gen. Raymond Albert Wheeler, O3064, Army of the United States, Chief of Engineers (major general, U. S. Army).

The following-named officers for appointment to the positions indicated under the provisions of section 504 of the Officer Personnel Act of 1947:

Gen. Lucius DuBignon Clay, O9318, Army of the United States (major general, U. S. Army), to be Commander in Chief and Military Governor, United States Zone, Germany, with the rank of general.

Lt. Gen. Clarence Ralph Huebner, O4552, Army of the United States (major general, U. S. Army), to be Deputy Commander in Chief, United States Zone, Germany, and Commanding General, United States Army, Europe, with the rank of lieutenant general.

Lt. Gen. Willis Dale Crittenberger, O3548, Army of the United States (major general, U. S. Army), to be Senior United States Army member of the military staff committee of the United Nations with the rank of lieutenant general, vice Lt. Gen. Matthew Bunker Ridgway.

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947, with dates of rank to be as established under the provisions of the aforementioned title:

#### TO BE MAJOR GENERAL

Maj. Gen. Ray Edison Porter, O7168, Army of the United States (colonel, U. S. Army).

Maj. Gen. John Wilson O'Daniel, O7342, Army of the United States (colonel, U. S. Army).

#### TO BE BRIGADIER GENERAL

Col. David Lewis Ruffner, O6997, United States Army.

---

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 26 (legislative day of May 20), 1948:

### SECURITIES AND EXCHANGE COMMISSION

Paul R. Rowen to be a member of the Securities and Exchange Commission for the term expiring June 5, 1950.

### IN THE ARMY

#### APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

Col. Charles Parsons Nicholas to be professor of mathematics at the United States Military Academy, with rank from date of appointment.

Appointments in the Regular Army of the United States, in the grade and corps specified, with dates of rank to be determined by the Secretary of the Army, under the provisions of section 506 of the Officer Personnel Act of 1947 and title II of the act of August 5, 1947 (Public Law 365, 80th Cong.):

*To be lieutenant colonel*

John S. Oartel

*To be majors*

| | |
|---|---|
| Robert F. Corwin | Samuel J. Newson |
| Frederick M. Jacobs | Carl J. Welge |

*To be captains*

| | |
|---|---|
| Herbert M. Alston | John C. Patterson |
| Michael J. Eyen | Alfred G. Siege |
| Peter M. Margetis | Justin S. Zack |
| Evan W. Molyneaux | |

*To be first lieutenants*

| | |
|---|---|
| John C. Adam | Irvin C. Plough |
| Glenn R. Carwell | Raymond E. Ponath |
| Alvin Cohen | Stanley D. Rapinchuk |
| Lyle H. Edelblute | Irwin E. Rosen |
| Oliver C. Hood | Wilson R. Scott |
| James H. Johnson | Henry A. Segal |
| Frederick F. Krauskopf | Donald J. Strand |
| Sidney L. Marvin | Julius W. Taylor |
| Revere A. Nielsen | Robert S. Tolmach |
| Horace H. Osborne | Lewis F. Townsend, Jr. |
| Richard M. Paddison | Harvey H. Waldo |
| Alexander C. Peat | Donald M. Wright |

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 8, 1948, for appointment as second lieutenants in the Regular Army of the United States, under the provisions of section 506, Officer Personnel Act of 1947, date of rank to be determined by the Secretary of the Army:

*To be second lieutenants, Regular Army*

Howard Edward Adams
Harry Thomas Adkins, Jr.
Albert Feleciano Alfonso
Reuben Livingston Anderson, Jr.
Louis Leland Anthis
David Wesley Armstrong
Joel David Aron
Neil Rice Ayer
William Reid Bandeen
James William Barnett, Jr.
Hayden Julian Bayer
Walter Beinke
Daniel Randall Beirne
John Bellinger Bellinger, Jr.
Sidney Bryan Berry, Jr.
Edward Hiltner Bertram, Jr.
Eugene Stanton Bierer
James Arthur Blakeslee
Raymond Urban Bloom
Charles Arthur Borg, Jr.
Keith Alden Boss
Thomas Willard Bowen
Walker Syer Bradshaw
Joseph Key Bratton
John William Brennan
Harry Augustine Buckley, Jr.
William Claiborne Buckner
William Curoe Burns
William Edmund Byers
William Burns Caldwell
Edward Francis Callanan
Francis Paul Cancelliere
Jack Lee Capps
Leslie Dillon Carter, Jr.
Donald Albert Cerow
Lewis Chandler
John Howell Chitty, Jr.
Lake George Churchill, Jr.
Joseph Phillip Cimo
Thomas Ryan Clark
Carter Weldon Clarke, Jr.
Sam Grady Cockerham
Roger Frankland Conover
William Loch Cook II
Richmond James Cooper
Thomas Bledsoe Cormack
Charles Lanham Crouch
Robert Hamilton Cushing
Philip Stevens Day, Jr.
Donald Edward Deehan
James Webster Dingeman
John Joseph Doody
Joseph Pembroke Dorsey
Mercer McConnico Doty
Lee Thomas Doyle
Raymond Cameron Drury, Jr.
John Spier Egbert
Duane Lee Emerson
Wallace Owens Enderle
Robert Richard Finnegan
Eugene Calvin Fleming, Jr.
Ashby Minor Foote, Jr.
Eugene Priest Forrester
Charles Nelson French, Jr.
James Clyde Fry, Jr.
Pierce Horatio Gaver, Jr.
Lowell Burke Genebach, Jr.
Robert Elwood Graf
Stephen Murray Griffith
James Burnus Hall
Robert Francis Hallahan
John Duncan Hamilton
Richard Stanley Harsh
George William Hartnell
Louis William Haskell, Jr.
Jay Allan Hatch
Thomas William Hazard, Jr.
Jess Byrd Hendricks, Jr.
Joseph Shindler Herbets
Hugh French Thomason Hoffman, Jr.
Sam Cromwell Holliday
James Frank Hooker, Jr.
Charles Samuel Horn
Lawrence Vinton Hoyt
Wallace Henley Hubbard
John Bell Hughes, Jr.
Douglas Theodore Huie
Rufus Johnston Hyman
Benedict Ralph Jacobellis
James Lloyd Jones
J. Wesley Jones, Jr.
Louis Raymond Jones
Rees Jones
Thomas Tytherleigh Jones
William Mason Kaula
John Patrick Kean
Jesse Tompkins Kelsey
Joseph Mortimer Kiernan, Jr.
Robert Lee Kirwan
Edward Thomas Klett, Jr.
Oscar Frederick Kochtitzky, Jr.
Harvey Robinson Livesay, Jr.
Norman Bertram Lovejoy
James Edgar Macklin, Jr.
David Saltonstall Mallett
John Calvin Maple
Walter Frank Marciniec
Robert Wiley Marshall
Frank Lee McClaflin
Don Stuart McClelland
James Gordon McCray
John Joachim McCuen
John Winn McEnery
Charles Frederick McGee
Donald Charles McGraw
Houston Moore McMurray
David William McNeely
Garland Ray McSpadden
Gerald William Medsger
Walter Edwin Meinzen
Joseph Henry Meyer
Jack Rowland Miller
John McKenna Milton
Edwin Blakely Nelson
John Martin Nelson
Kenneth William Olson
John Luke Osteen, Jr.
Alfred Arthur Pabst
Donald Flint Packard
William Ashbrook Patch
Edwin Dennis Patterson
Ralph Winston Pearson
Harrison Perry
Hugh Wiston Perry
Robert James Petersen
Walter William Plummer, Jr.
Kenneth Irving Pressman
Saul Martin Resnick
James Warren Richardson, Jr.
Claron Atherton Robertson, Jr.
Lem Frank Robinson, Jr.
Norman Leander Robinson, Jr.
Tenney Kutz Ross
Edwin A. Rudd
James Cornelius Ruddell, Jr.
Kenneth Edward Ruddy
William Thomas Ryan
Arnold Melville Sargeant, Jr.
William Francis Schless
Walter Burns Schlotterbeck
Carl Walter Schmidt
Willard Warren Scott, Jr.
Merle Gardner Sheffield
Charles Harwood Shook
William Alvin Shuster II
Harwell Fitzhugh Smith, Jr.
Donn Albert Starry
Harry John Sternburg
Charles Henry Sunder
George Alvis Swearengen
Edward Parry Sykes, Jr.
J. Robert Taylor
William Gwyn Thomas, Jr.
Frederick Edwin Tibbetts III
William Harrison Travis
James Gates Tuthill
Thomas Burdick Tyree
Elmer Cornelius Vreeland, Jr.
John Baker Wadsworth, Jr.
John Garnett Waggener
Fred Emerson Wagoner, Jr.
James Frederick Walk
Lyle Edward Walter
Robert Marion Ward
Thomas Allen Ware, Jr.
Richard Lauren Warren
John Elliott Watkins
Kenneth Eugene Webber, Jr.
Richard Glenn Weber
Edward Ansel White
Ennis Clement Whitehead, Jr.
Robert Allison Whitfield
Arthur Langley Whitley
Philip McIlvaine Whitney, Jr.
William Wallace Whitson
Glenn Castle Wilhide, Jr.
Walworth Forman Williams
Andrew Benedict Witko

IN THE AIR FORCE

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 8, 1948, for appointment as second lieutenants in the Regular Air Force of the United States, under the provisions of section 506, Officer Personnel Act of 1947, date of rank to be determined by the Secretary of the Air Force:

*To be second lieutenants, Regular Air Force of the United States*

Andrew Broadus Anderson, Jr.
Carl Andrew Anderson
Russell Conwell Ball, Jr.
Kenneth Hawthorne Barber
Arthur deRohan Barondes
Carey Bishop Barrineau
Raymond Oscar Barton, Jr.
Richard Parks Berry
Waldo Emmerson Bertoni
Harry Moody Bettis, Jr.
Arnold Webb Braswell
Jay Richard Brill
John Joseph Buckley, Jr.
Theodore Bruce Buechler
William Claude Burrows
Blaine Raymond Butler, Jr.
Fred Isaac Chanatry
Charles Eads Coons
John Francis Creed
William J. Crosby
Richard Dickson Cudahy
Robert Carroll Davis
Daniel De Foe
Walter Albert della Chiesa
John Francis Dent, Jr.
Sims Gerald Dildy
Benjamin Joseph Di Loreto
William Pinkerton Dougherty
Benjamin Wynn Eakins
George Martin Edwards, Jr.
John Arnold Edwards
Clarence Couch Elebash
David Draper Garrison
Patteson Gilliam
Harold Sherwood Gillogly
Joseph Eugene Gorrell
Warren Reed Graves
William Comstock Hayden
Wilho Richard Heikkinen
Joseph William Huey
Samuel Fuqua Hurt
Floyd Allan Johnston
Jay Silverman Josephs
John Kastris, Jr.
Donal Denis Kavanagh
Alfred Henry Kerth, Jr.

Donald Charles Kipfer
Edward Anderton Kritzer
George Adelbert La Pointe
George Newton Leitner
Vincent Paul Lewando
Louis LoConte, Jr.
W. Grim Locke
Denman Murray Long
William Henry Lynch
William Meredith Lyon
Gaylord MacCartney
William James Madden
Nasor John Mansour, Jr.
Robert Couth Mathis
William Thornton McGinness
Francis William McInerney, Jr.
James Clifford McManaway, Jr.
Richard Lee Miner
Otis Corcoran Moore
Rhonel Earl Morgan
William Donald Mounger
James Allen Muehlenweg
Morton Claire Mumma III
William Charles Ocker
William Thomas O'Connell, Jr.
Robert Edwin Pater
Jack Francis Peppers
Thomas Albert Phillips, Jr.
John Charles Pickering
Robert Murray Pomeroy
Jacob Barnard Pompan
Philip Steven Porter
Alton Harold Quanbeck
Donald Hood Reynolds
Evan William Rosencrans
George Warren Rutter
James Gage Sandman
Rodman Saville
Louis Wellington Schalk
Irving Bernard Schoenberg
Edward Leigh Scott
Richard James Seguin
Ivan Morange Selig
James Cole Shively, Jr.
Richard Ingram Skinner
Charles Peter Skouras, Jr.
William Young Smith
Arthur Snyder, Jr.
Richard Neil Stein
Henry Barthold Stelling, Jr.
Donald Brunhoff Swenholt
Michael Joseph Tashjian
Stanley Edward Thevenet
George Selby Thomas
Robert Armes Van Arsdall
James Alward Van Fleet, Jr.
Walton Vernon Waller
Paul Elwood Weaver
Samuel White, Jr.
Francis Marion Williams
Odell Wynne Williamson, Jr.
John Kesson Withers
Charles Anderson Wurster
Stewart Young

*To be Vice Chief of Staff, United States Air Force, with the rank of general*

Maj. Gen. Muir Stephen Fairchild AO10555, United States Air Force.

IN THE MARINE CORPS

APPOINTMENTS IN THE MARINE CORPS

*To be second lieutenants*

Lewis H. Cameron
Elisha G. Cloud
William G. Crocker
Loren T. Erickson
Mack R. McClure
Sherman L. Prosser
John E. Rudder
Nicholas M. Trapnell, Jr.
William F. Trisler
James R. Young
Simon I. Degulis
Joseph P. B. Franklin
James R. Gallman, Jr.
Philip J. Garm
Jack E. Harlan
James E. Harrell
Francis R. Hittinger, Jr.
Floyd G. Hudson
Arthur R. Mansfield, Jr.
Edwin A. Pollock, Jr.
Jack L. Selk

*To be second lieutenants from June 4, 1948*

Hugh D. Adair, Jr.
Richard T. F. Ambrogi
George T. Balzer
Robert R. Carson
Leamon R. Cooke
Robert R. Dickey III
Lucius V. diLorenzo
Edward F. Duncan
Richard N. Hall 2d
Henry C. Hamilton, Jr.
Dean B. Hansen
Lee R. Howard
Charles J. Kelly
Floyd M. McCurdy, Jr.
Ben A. Moore, Jr.
Richard C. Morrow
Merrill L. Norton
Keith O'Keefe
Orlo C. Paciulli, Jr.
John M. Perkins
Robert D. Reem
Jack W. Robbins
Edwin M. Rudzis
Roy K. Russell
Richard D. Schneider
Robert N. Smith
James W. Strother
Robert G. Tobin, Jr.

IN THE NAVY

APPOINTMENTS IN THE NAVY

*To be ensigns in the Supply Corps of the Navy*

Roger C. Bliss
Leonard E. Brock
Robert T. Broili
Ramon L. Burke
LeRoy T. Carter
Homer Fults
Andrew Khourie
William J. McMordie
James R. Martin
Roy D. Monnie
Dean O. Powell
Ben R. Schmidt
Robert G. Whitman
Fred I. Woodworth, Jr.

*To be lieutenant (junior grade) in the Chaplain Corps of the Navy*

Joseph G. Power.

*To be ensigns in the Civil Engineer Corps of the Navy*

Herbert L. Baker
Philip S. Birnbaum, Jr.
Charles Blutzo
John L. Dixon
Albert H. Gallaher
Howard D. Graessle II
Wayne C. Hall, Jr.
Jerry D. Harshman
Theodore R. Howell
Jack H. McDonald

*To be ensigns in the Nurse Corps of the Navy*

Frances J. Bombriant
Ruth L. Brenner
Eleanor M. Budinsky
Frances S. Czegely
Helen Daroska
Barbara Ellis
Norma J. Geho
Ruth L. Grass
Julie E. Kell
Helen A. Kenyon
Elsie M. Lovely
Elizabeth M. McLaughlin
Virginia R. Mussen
Cecile R. Normandin
Mary E. H. O'Brien
Kathleen J. O'Kane
Jean B. Pieczarka
Marie L. Rios
Dorothy L. Rowe
Margaret Russell
Sara A. Sims
Edith A. Smith
Mary R. Thames
Evelyn M. Vejvoda
Gloria J. Vesper

---

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, MAY 26, 1948

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

In Thy holy name, O blessed Saviour, we would offer our prayer at our Father's throne. We beseech Thee to teach us how to pray. Do Thou open our eyes to see the right; reveal unto us Thy will and purpose; clothe us with the virtue of the will to wait and with the patience of unanswered prayer.

Today we are mindful of the countless boys and girls who, with bounding hopes, are leaving our schools. As upon them rests the foundations of the future on which we are to live or die, we earnestly pray for them. Inspire them to love our historic past, with its toil and sacrifice, and to consecrate themselves at the altar of our country, that their liberty and personal rights may be secure and they be an inspiration and blessing to all the world. In Jesus' name. Amen.

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 5883. An act making appropriations for the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROOKS, Mr. GURNEY, Mr. REED, Mr. BUSHFIELD, Mr. RUSSELL, Mr. HAYDEN, and Mr. TYDINGS to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1676) entitled "An act to authorize the Secretary of War to proceed with construction at military installations, and for other purposes," and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. SALTONSTALL, Mr. MORSE, Mr. TYDINGS, and Mr. RUSSELL to be the conferees on the part of the Senate.

### EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. WOODRUFF asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include an editorial and in the other a newspaper article.

Mr. LYNCH, Mr. COOPER, and Mr. DOUGHTON asked and were given permission to revise and extend the remarks they expect to make in the Committee of the Whole today and include excerpts, quotations, and extraneous material.

### SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the legislative business of the day and any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

### TAX SLAVES FOR ERP

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, there will be no rest for the weary American taxpayer. Since the fighting came to an end 3 years ago he has been asked to underwrite the world. First came UNRRA, next Bretton Woods, then the British loan, and more later. The foreign relief bills have been coming so fast it is hard to keep up with them. We get so we do not remember those that cost only a few hundred million dollars. We think only of those which run into the billions. In almost every case we have been told that the proposal being

considered at the moment was the final one; if passed and passed quickly, it would produce world recovery.

A great deal of this session has been taken up with the nebulous theory behind the so-called European recovery plan. It was sold on a basis that it would help stop the spread of communism, yet we find that its basic premise rests on increased trade across or under the iron curtain. We are now told that without this trade western Europe will collapse. The sponsors of this plan now contemplate that this 4½-year European recovery program is only the beginning and after it comes the rest of the world. For my authority I quote Monsieur Marjolin, secretary general of the Organization for European Economic Cooperation, successor to the Bevin committee. On May 13, M. Marjolin told the American Club in Paris that the immediate aim, of course, was to restore Europe so that she could dispense with outside help, but that the development of Africa, South America, and Asia would demand the combined efforts of the United States with a rehabilitated Europe. That was a long-range aim.

And so, my colleagues, if you think there is going to be any rest for our poor taxpayers in 4 or 5 years, you are mistaken. Mr. Speaker, if we are to support foreign economies in the style to which they would like to become accustomed, we had better get ready to foot the bill for increased taxes.

### VETERANS' HOUSING

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to remind the House, and the leadership especially, that the House Committee on Veterans' Affairs passed a very fine amendment to the GI bill of rights, the so-called American Legion Homestead Act. It is the only bill which is entirely for veterans and, so far as I can find out, it is the only bill that will provide houses for veterans. It passed the Committee on Veterans' Affairs unanimously. I understand that in about 4 weeks the Congress will adjourn. This bill providing houses for veterans should pass if any bill passes. It should pass immediately. The Committee on Veterans' Affairs has asked for a rule, and, as chairman of that committee, I have asked the leadership of the House to bring the bill up for action in any way possible. The bill is self-liquidating and will provide low-cost housing and rentals for veterans. The loans will be made at a low interest rate. What will many Members say to the veterans if this bill be not passed?

### THE TOMBIGBEE INLAND WATERWAY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, 2 years ago the Congress authorized the construction of the Tennessee-Tombigbee inland waterway, which will give a slack-water route, or what amounts to a slack-water route, from the Gulf of Mexico to the Great Lakes, as well as to Pittsburgh, Pa., on the Ohio, Minneapolis and St. Paul on the Mississippi, and still leave the swift current of the Mississippi for downstream traffic. It will also shorten the distance between our atomic-bomb plant at Oak Ridge, Tenn., and the Gulf by about 800 miles, and contribute greatly to our national defense.

It will save untold millions of dollars to the shippers along the Missouri, the Mississippi, the Ohio, the Illinois, the Great Lakes, the Tennessee, and the Tombigbee—to say nothing of what it will mean as a means of ingress and egress to our Oak Ridge plant, the greatest defense project on earth.

The Senate has approved an appropriation of $1,500,000 to begin this work. The Army engineers are ready, they have their machinery ready, they are not only ready but they are anxious to begin this work.

I am making this appeal now to the conferees on that bill to go ahead and approve that appropriation. If we can pour billions of dollars into Europe, Asia, and Africa to improve the streams of foreign countries and rebuild their hydroelectric power plants, surely we can appropriate this small amount to begin development of our own inland waterways transportation system, and to aid the defense of our country.

### FEDERAL AID TO EDUCATION

Mr. WHEELER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WHEELER. Mr. Speaker, I rise this morning to announce the filing of petition No. 19 at the Clerk's desk for the discharge of the Committee on Education and Labor from consideration of the bill (S. 472) to provide Federal aid for education. Less than 4 weeks remain of the present session of Congress with increasing probability that the Federal aid to education bill will not be passed. That would be a national tragedy. I would like to ask that all of those who are interested in this particular measure sign the petition as quickly as possible. Time is short.

The SPEAKER. The time of the gentleman from Georgia has expired.

### EXTENSION OF REMARKS

Mr. KEOGH (at the request of Mr. CELLER) was given permission to extend his remarks in the RECORD and include an editorial from the New York Sun.

Mr. KLEIN asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances.

### SEIZURE OF AMERICAN CITIZENS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I read with amazement of the seizure by the Government of Lebanon of 41 American citizens after forcibly, at bayonet point, taking them from the steamship *Marine Corps*. This is followed up by the audacity of Syria and Egypt declaring a blockade and the mining of its waters, making it highly dangerous for American ships to proceed therein. We went to war for interference of our ships in 1917. These irritating and aggressive acts of the Arabs are, in common parlance, "socks in the jaw" that America should not take lying down.

I believe that we should divert some of our destroyers and mine sweepers now in the Mediterranean, let them proceed to the ports of Alexandria, Tyre, and Beirut, and show the Arabs our naval guns and let them hear their salvos.

In 1904, when I was a lad, Raisuli, a Riff bandit, seized an American citizen in Morocco. Perdicaris was his name. Secretary Hay, under the instruction of Theodore Roosevelt, President, sent a very strong protest to the Sultan of Morocco, demanding the immediate release of that American citizen, Perdicaris. I recall the famous phrase that Hay used: "It shall be Perdicaris alive or Raisuli dead." In addition to the warning we sent warships to the coast of Morocco and landed marines to guard our consulate. Our American citizen was released. We maintained our prestige and honor then. Can we do any less now? Then one citizen was in danger. Now there are 41 citizens. The action of Syria and Egypt is contemptuous of us. Assuredly, some show of force is essential. Are those in control of policy at the State Department men or mice? They should have no inhibitions to protect our honor.

The SPEAKER. The time of the gentleman from New York has expired.

### AID TO GREAT BRITAIN

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, it will be recalled that about a week ago I took the floor and suggested that Great Britain be cut off from aid under the European recovery plan because of the fact that England is encouraging the Arab states and supplying money to them for the continuation of the Arab war against the new state of Israel.

It will be noted from the newspapers that in another body the Appropriations Committee has inquired into whether money advanced under the Marshall plan is being used to purchase arms for the Arabs. The point should be, and I hope the gentleman from New York [Mr. TABER] will give some thought to this phase, that if Great Britain can afford to use $8,000,000 to give to the Arab states and to supply them with arms,

then the question should certainly come up as to whether she needs any aid under the European recovery plan. It is outrageous that the money we are giving them is being dissipated in such manner, and I hope that the gentlemen of the Appropriations Committee will look into it very carefully.

Certain British officials have pointed out that thus far there have been no benefits to Great Britain from the Economic Cooperation Administration. This is quibbling. The allocations are now being worked out, and in any case Great Britain has benefited hugely from the British loans, from lend-lease operations, and from the Greek and Turkish aid programs.

As a matter of fact, there is a whole broad field opened up here for the scrutiny of the Committee on Appropriations.

Has military aid furnished to Turkey been used in aggressive warfare against Israel, directly or through secret connivance among the Arab states? Has lend-lease material given to Great Britain and Egypt been used to attack the new democracy in Palestine?

Without the American subsidies, could Great Britain have afforded the lavish bribes of money, matériel, and manpower given to the members of the Arab League?

In short, Mr. Speaker, the committee could justifiably ask, Have not American loans and gifts propped up a dying empire without any benefit to civilization? And why should we continue those subsidies against our own national interests?

### FEDERAL AID TO EDUCATION

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I was very much interested in the remarks of the distinguished gentleman from Georgia [Mr. WHEELER] in reference to the Federal-aid-to-education bill. I hope the House will act on that bill before the close of the present session of Congress.

If I understand correctly, $500,000,000 was voted to Portugal under the so-called Marshall plan, better known to myself and others as the Bevin plan. Five hundred million dollars to Portugal, a nation that never fought in either World War I or World War II, yet we cannot get $300,000,000 to help educate the boys and girls of this country.

The answer to the problems of this Nation today and to the problems of the world is a moral, spiritual, and educational uplifting of its standards. This can only be accomplished by more attention to our youth through education.

I say, gentlemen of the House, I hope that in this session of the Congress we will do something about this Federal aid-to-education bill. Certainly it is needed, and if we are to prevent any kind of ism, we need to educate our own people.

The best way to have better education is to raise the standard of living of those entrusted with the training of our young people. Every teacher in every State of this Union should have a minimum salary of at least $2,400 a year. This type of investment in our youth will pay more dividends in the future than any other activity of our Government. It is with pleasure that I sign among the very first this discharge petition No. 19 to force the Federal aid-to-education bill on the floor of this House before we recess for the summer.

### EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to revise and extend the remarks he expects to make in Committee of the Whole today and include extraneous matter.

Mr. REES asked and was given permission to extend his remarks in the RECORD.

### GOVERNMENT PROPAGANDA

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, I want to concur in the statement made by our chairman, the gentlewoman from Massachusetts [Mrs. ROGERS] and also those made by the gentleman from Georgia [Mr. WHEELER] and the gentleman from South Carolina [Mr. DORN] in regard to veterans' legislation. However, I ask for this 1 minute in order to address my remarks to the gentleman from New York [Mr. REED], by reason of his statement in regard to spending. It has been charged on the floor of this House that there are two or three unusually large lobbies, but I will say to the gentleman from New York it seems to me that the greatest and most dangerous "ism" that we have in this country is governmentism itself that asks us to spend. The greatest pressure that we have is from the groups in government, the agencies themselves, telling thousands of people in your district to write you to pass this and that—to spend—to surrender individual liberty to Government control, thus again to spend more money, and more money, and more money. It has been charged here that there is a real-estate lobby. I doubt whether anyone has heard from a realtor. However, how many letters have been sent from Government agencies asking the people to write—and write—for you to spend and spend.

Home builders have been smeared by Government "isms" who in reality if their ways were realized would soon have our Government in reality communism in action.

Some speculative builders and investors do not care to meet the urgent need for decent shelter for low-income families, therefore, Government may have to fill this gap by the T-E-W legislation. But it must not be another Wilson Wyatt experience. That blundering was the Communist manifesto in action on a small scale. The tragedy was it fooled even some intelligent groups by its propaganda.

There is a difference between speculative builders and home builders. The former are the wrecking crew—the latter the construction gang.

### INDIANS OF CALIFORNIA

Mr. WELCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2878) to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WELCH, CRAWFORD, D'EWART, MURDOCK, and PETERSON.

### LOWER YELLOWSTONE IRRIGATION DISTRICTS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3731) authorizing modifications in the repayment contracts with the lower Yellowstone irrigation district No. 1 and the lower Yellowstone irrigation district No. 2, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, line 10, strike out "modification" and insert "modifications."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

### AUTHORIZING STATE OF MINNESOTA TO CONDEMN LANDS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3785) to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 24, strike out "47" and insert "27."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

### AMENDMENT OF SURPLUS PROPERTY ACT

Mr. WADSWORTH submitted the following conference report and statement

on the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 4, and 5.

That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2, and agree to the same.

Amendment numbered 6: That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: *"Provided,* That no property shall be determined under this paragraph to be suitable or desirable for use as an historic monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled 'An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (49 Stat. 666), and no property shall be so determined to be suitable or desirable for such use if (A) its area exceeds that necessary for the preservation and proper observation of the historic monument situated thereon, or (B) it was acquired by the United States at any time subsequent to January 1, 1900", and amend the Senate engrossed bill as follows:

On page 3, line 16, strike out the semicolon and insert in lieu thereof ", and."

On page 3, line 17, strike out the semicolon and all thereafter to and including "(61 Stat. 202)" in line 21, page 3.

On page 4 strike out all in lines 7-21, inclusive, and insert in lieu thereof:

"SEC. 3. Section 18 (e) of the Surplus Property Act of 1944, as amended, is hereby repealed."

And the House agree to the same.

That the House recede from its amendment to the title.

JAMES W. WADSWORTH,
MELVIN C. SNYDER,
CARTER MANASCO,
*Managers on the Part of the House.*

LEVERETT SALTONSTALL,
WAYNE MORSE,
HARRY F. BYRD,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments Nos. 1 and 2: These are clerical amendments. The Senate recedes.

Amendment No. 3: The Senate bill contained no limitation upon the area of any tract of land which could be conveyed to a State, political subdivision, or municipality for use as a public park, public recreational area, or historic monument. The House amendment would limit any tract conveyed for any such purpose to an area not in excess of 500 acres. The House recedes.

Amendments Nos. 4 and 5: The Senate bill permitted the conveyance of land to States, political subdivisions, and municipalities only for use "as a public park, public recreational area, or historic monument, for the benefit of the public." The House amendment would permit such conveyances to be made also for use in connection with any of the other governmental functions of any State, political subdivision, or municipality. The House recedes.

Amendment No. 6: The Senate bill contained no limitation upon the authority of the Secretary of the Interior to determine that property is suitable and desirable for historic monument use. The House amendment added a proviso which would, in general terms, require the Secretary, in determining that any tract of land is suitable or desirable for use for historic-monument purposes, to give due consideration to the period of time during which the United States has enjoyed continuous ownership thereof. The conference agreement retains the substance of this proviso, but amends its language in such manner as to (1) provide that no property shall be determined by the Secretary to be suitable and desirable for historic monument use unless such determination is supported by an affirmative recommendation made by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, and (2) prohibit the conveyance of any land for historic monument use if the area thereof exceeds that necessary for the preservation and proper observation of the historic monument situated thereon, or if such land was acquired by the United States at any time after January 1, 1900.

As passed by both Houses, S. 2277 contained provisions which would amend existing law conferring upon the Reconstruction Finance Corporation the right to purchase surplus real property for resale to small business, and defining the priority granted to the Corporation for that purpose. The conferees found that such provisions of S. 2277, if enacted into law, would be in conflict with section 7 of S. 2287, entitled "An act to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes," which was passed by the House on May 12 and by the Senate on May 13, and which has been forwarded to the President for his signature. That section of S. 2287 repeals section 208 of title II of a joint resolution approved June 30, 1947 (Public Law 132, 80th Cong.), which established the right of the Reconstruction Finance Corporation to purchase surplus property for resale to small business and prescribed its priority. In consequence, the enactment of S. 2277 in the form in which it was passed by both Houses would, in part, amount to the amendment of a provision of law which will not be in existence after the approval of S. 2287 by the President. Accordingly, the conference agreement amends S. 2277 to conform to the provisions of S. 2287 by (1) striking out the text of section 3 of S. 2277, (2) deleting from the amendment to be made by section 2 of S. 2277 the reference contained therein to the priority of the Reconstruction Finance Corporation in the purchase of surplus property for resale to small business, and (3) adding as the new text of section 3 of S. 2277 a provision repealing section 18 (e) of the Surplus Property Act of 1944, as amended, under which the power to purchase surplus property for resale to small business was first conferred upon the Smaller War Plants Corporation, and later provided in part the authority for the exercise of such right by the Reconstruction Finance Corporation.

The House amended the title of the bill to conform to the broader purpose expressed in House amendments Nos. 4 and 5. The House recedes.

JAMES W. WADSWORTH,
MELVIN C. SNYDER,
CARTER MANASCO,
*Managers on the Part of the House.*

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill S. 2277.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the conference report.

Mr. WADSWORTH. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, the conference report that you have just heard read is farther reaching in its implications than you realize unless you have studied this entire situation. This is the first time an attempt has been made to give blanket authority for the transfer of Government-owned lands to the States or the political subdivisions thereof. A casual glance at the calendar will show that matters of this sort are always disposed of according to each individual project.

Under this legislation the armed forces have declared as surplus land acquired during the war. This property is now in the custody of the Surplus Property Administration. If this conference report is adopted, it will be possible for the Governors of every State to go to the Surplus Property Administration with a request for any amount of land that they desire, at the same time criticizing the Government for wasting money. It certainly seems to me we ought not to depart from the well-established practice of considering each individual project on its own merits. At the time the bill came here from the other body and was on the Unanimous Consent Calendar, certainly a measure of sufficient importance to justify its being considered under a rule, it was represented that there were four or five historical sites in the United States that should be transferred to States or to cities in order to preserve their historical value. But this bill goes infinitely farther than that. I cannot understand why our objectors as diligent and as careful as they have always been in matters of great importance, permitted this bill to pass on the Consent Calendar. After unanimous consent had been given for its consideration, I offered an amendment which would have limited the amount of land that could be given to a State or political subdivision thereof to 500 acres. It seems to me that that should be the very limit of our largesse. I trust that this conference report is voted down so that every project that is worth while and has merit can be considered in an individual bill so that we will have an opportunity to know just exactly how far-reaching this legislation is.

I ask the House to vote the conference report down. By so doing, we are not going to eliminate the possibility that

these historical sites will be transferred to the States. Of course not. We have done that right along throughout the entire history of the Congress. But that is the old-established practice, and it seems to me that it ought not to be departed from at this time.

Mr. Speaker, I yield back the balance of my time.

Mr. WADSWORTH. Mr. Speaker, I yield myself such time as may seem to be sufficient.

Mr. Speaker, just a word about the history of this legislation. The Committee on Armed Services of the House of Representatives reported and the House passed four or five special bills authorizing the War Assets Administration to turn over to States or municipalities certain specified areas. The bill went to the other body, and the Committee on Armed Services of the other body came to the conclusion that instead of doing this work piecemeal, with each turn-over of property being dependent upon a separate bill, it would be better to establish a general policy. So the other body passed the bill, S. 2277. First let me say that these properties with certain exceptions are not to be turned over as gifts. The bill provides as passed by the other body that the States or municipalities shall pay 50 percent of the appraised value of the property. Furthermore, they may only be turned over at that rate of payment for use as recreational or park purposes, and not for industrial or municipal administration purposes. On the floor of the House the gentleman from Pennsylvania offered an amendment to which no objection at that time was made to the effect that property in excess of 500 acres should be thus sold to a municipality or a State. The conferees on the part of the House did their best in conference to support that proposal. It turned out, however, that there are many, many instances throughout the country where the 500-acre limitation would certainly cramp the legitimate desires of a State or municipality to acquire at 50 percent of its appraised value a tract of land for recreational or park purposes. Particularly is that true in the West, where there are portions of real estate far in excess of 500 acres and not worth much for any other purpose but park or recreational purposes. So the House conferees finally yielded on that point.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. COMBS. If I understand the gentleman, the bill would simply authorize the transfer to the States of the land at 50 percent of its assessed value, for use for parks and recreational purposes.

Mr. WADSWORTH. That is correct.

Mr. COMBS. Is there any requirement in the bill that would forbid a State to sell this land, so that it might be used for private purposes?

Mr. WADSWORTH. Under the terms of the bill, the States may not dispose of them for any other purpose except park or recreational purposes.

Mr. COMBS. In other words, the purpose of the bill would be to authorize the establishing of parks under State supervision rather than Federal. Is that correct?

Mr. WADSWORTH. Yes, in a sense, that is correct. At present, the Federal Government is not operating these parks or recreational facilities, but the States may do so if they purchase the land from the Federal Government.

Mr. COMBS. Would there be any requirement that the State operate them?

Mr. WADSWORTH. If they cease to operate for the purposes outlined in this bill, they must turn them back.

Mr. COMBS. Then, it would be a very limited authority that would be conferred; simply to permit the use of these parks by the States for recreational purposes?

Mr. WADSWORTH. That is correct.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. McCORMACK. Was there not something in the bill that they had to use them for recreational or park purposes for a period of 20 or more years? I had a recollection there was something like that in the bill.

Mr. WADSWORTH. I have no present recollection of the 20-year period.

Mr. McCORMACK. Or some such period of time. Did I understand my friend to answer the question, asked by the gentleman from Texas, that when the State did take the land——

Mr. WADSWORTH. Yes; that is true. The gentleman is correct.

Mr. McCORMACK. Will the gentleman explain that? I am correct in what respect, that for all time they have to be used for recreational purposes?

Mr. WADSWORTH. That is the intent of the act.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. WALTER. Does not this bill apply particularly to the vast acreage acquired during the war for military purposes, and if this bill in its present form is enacted into law, will it not be impossible for private owners of that land to ever acquire it back again, and it will not be possible to ever use that land for any purpose other than recreational purposes?

Mr. WADSWORTH. That is true.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. BATES of Massachusetts. The thing that disturbs me in regard to a bill of this kind, if we are placing limitations on properties acquired shortly before or during the war period, that sometime we will run up against a situation, particularly in the older sections of the country where we have national historic battle monuments—the question has come up before the committee of which I happen to be chairman over a period of several years, and we find that these old monuments, old battlegrounds, old forts, and areas of that kind that were taken over by the Government a century ago, particularly in our part of the country, as well as in the Midwest and in the South—if we are going to force the States to pay half the cost of the appraised value we are probably going to run those States into a lot of money.

Mr. WADSWORTH. The gentleman from Massachusetts is mistaken with respect to the treatment to be given to States and municipalities in connection with monuments or historic sites. In that instance, the property is to go without charge to the State or municipality.

Mr. BATES of Massachusetts. If that is clearly understood.

Mr. WADSWORTH. That is expressly provided.

Mr. BATES of Massachusetts. I recall that in my own district for a period of 2 or 3 years we have been trying to get a transfer of property back to a community where it has been declared surplus, and that little community had to pay for the land.

Mr. WADSWORTH. Very well. That cannot happen under this bill.

Mr. BATES of Massachusetts. If those national historic monuments are safeguarded in the public interest, that is satisfactory.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is it possible that after we give this land to the States or the municipalities that they will then come in and make application for public parks, for national parks, and expect the Federal Government to take care of them? This has happened in many instances in the past in the case of lands that went to these various States. They then want the Federal Government to assume the responsibility of taking charge of them. What is there in the bill to prevent that?

Mr. WADSWORTH. This bill was reported from the Committee on Expenditures, of which the gentleman from Pennsylvania is a member. This bill would have no effect whatsoever on the Federal operation of parks and recreational areas. If anything is to be turned over to the States at all, the States must operate them.

Mr. RICH. I just want to drive that home so that the States and municipalities that purchase them do not come back and say that the Federal Government has got to take care of them. There is nothing in the bill that is supposed to permit that, and we want those people to realize that they have got to take care of them.

Mr. WADSWORTH. There is nothing in the bill that approaches any such thing.

Mr. ANDREWS of New York. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. ANDREWS of New York. And I might say in the absence of the gentleman from Ohio [Mr. ELSTON], who is chairman of the legal subcommittee of the Armed Services Committee, that within the provisions of this bill are five or six projects on which the Armed Services Committee spent many days examining the transfer, for example, Fort Anthony Wayne, outside of Detroit, and many similar situations. Those bills all went to the Senate and the Senate saw fit as a result of that situation in order to cut out a lot of red tape and simplify the matter to bring in this resolution affecting all of these.

I may say also that our committee and the gentleman from Ohio [Mr. ELSTON], and members of the legal subcommittee, which did so much work on these projects are wholeheartedly in accord with the bill as it passed the Senate.

Mr. WADSWORTH. May I make it perfectly clear that the objection of the gentleman from Pennsylvania [Mr. WALTER] has nothing whatsoever to do with historical sites or monuments. Apparently there is no objection about them at all, and without the adoption of this conference report or the passage of legislation closely paralleling it, none of them can be turned over.

Mr. WALTER. Mr. Speaker, will the gentleman yield for a question?

Mr. WADSWORTH. I yield.

Mr. WALTER. Then why did not the conferees insist on keeping the amendment in this bill so that these five little worth-while projects could be dealt with together?

Mr. WADSWORTH. The conferees representing the House did their best on that question but the Senate would not yield, citing the fact that in several parts of the country the 500-acre limitation as to parks and recreational areas would absolutely nullify the bill.

Mr. LYNCH. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. LYNCH. The House passed a bill some time ago whereby Fort Schuyler, which is presently used by the National Merchant Marine Academy would be transferred from Federal ownership to State ownership. It is now leased by the Federal Government to the State, and the Federal Government wanted to get back part of that territory for naval purposes. As I understand this bill, however such property that is to be turned over must be turned over for park or recreational purposes.

Mr. WADSWORTH. Or as a historical monument or site.

Mr. LYNCH. This is neither a historical monument nor site; it is a Merchant Marine Academy and I am wondering whether or not although the Senate refused to report out this particular bill on the ground that it was included in this conference report, in view of the fact that it is neither a historical site nor a monument and will not be used for park or recreational purposes, it would be covered by this report?

Mr. WADSWORTH. It must be shown to be suitable for park or recreational purposes. If so shown the municipality or the State may purchase it at 50 percent of its appraised value. If not so shown it is not covered under this bill and would fall under the usual provision that permits sale of property at full value.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. WALTER. Is it not a fact that on many reservations that would come within the purview of this act if the conference report were adopted, there are improvements that cost the taxpayers of the United States millions of dollars? Among them are hospitals that should be used today by the Veterans' Administration instead of constructing new ones.

Mr. WADSWORTH. Certainly the Veterans' Administration has the opportunity and will have the opportunity to buy those hospitals. There is nothing in this bill to prevent that.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

## EXTENSION OF REMARKS

Mr. KELLEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address given by Mr. EBERHARTER.

Mr. COURTNEY asked and was given permission to extend his remarks in the RECORD and include a letter from an official of the American Legion post in his district.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the Appendix of the RECORD in five instances and include excerpts.

Mr. ROONEY asked and was given permission to extend his remarks in the Appendix of the RECORD.

## CIVIL AIR PATROL

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5298) to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out lines 3 to 12, inclusive, and insert:

"(a) to make available to Civil Air Patrol by gift or by loan, sale or otherwise, with or without charge therefor, obsolete or surplus aircraft, aircraft parts, matériel, supplies, and equipment of the Air Force Establishment;

"(b) to permit utilization of such facilities of the Air Force Establishment as, in the opinion of the Secretary of the Air Force, are required by the Civil Air Patrol to carry out its mission;

"(c) to furnish to Civil Air Patrol such quantities of gasoline and oil as may be required by it for the purpose of carrying out any specifically assigned mission."

Page 2, line 13, strike out "(c)" and insert "(d)."

Page 2, line 18, strike out "(d)" and insert "(e)."

Page 2, line 25, strike out all after "Patrol" over to and including "services" in line 2 on page 3.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I believe in the reciprocal trade agreement principle. We are today proposing an extension of 1 year in the Reciprocal Trade Agreements Act. In this bill we make one innovation, which I think is worth a trial and may prove highly successful.

Heretofore the information on which reciprocal trade agreements are based has been gathered by the Committee for Reciprocity Information. It consists of persons from various Government agencies. It is not a statutory body and changes from year to year. On it are members from the State Department. Hearings are held on proposed agreements. Interested parties are permitted to appear and testify. However, the very ones who hear this testimony and weigh the economic impact of a proposed tariff change by agreement on any particular commodity, say almonds, also are the ones who are interested in diplomacy and in building good will throughout the world. It seems to me that those two functions should be separated, or there is danger that some economic group—and I will again refer to almonds—may be traded out of their domestic market in order to build good will and perhaps develop a market for some other product. To protect our standard of living and the investment of our citizens—especially in small competitive enterprises—there must be some protection against low-wage products from countries with the low standards of living.

Consequently in this bill it is provided that the Tariff Commission hold the hearings and make the economic appraisal of what any suggested change may do. It is engaged in that sort of work now. Its members are statutory officers, with definite terms. It is a continuing and permanent body. Under this act it will have only one function, that is to advise the President of what the floor on reductions in tariff should be and what the ceiling should be and what any proposal would do to the economy of the product under consideration. I have the utmost faith that this body will make an objective and scholarly study and form independent judgments that will be realistic. Their conclusions will not be colored by what they think the effect of any particular recommendation will be on good will which we are trying to build. They wil not measure the conclusions they make by what effect it will have in building or hurting some other items which we wish to import or export.

I do not believe this will hurt, on the contrary I believe that it will strengthen, the reciprocal-trade principle. It will make agreements based on dispassionate studies which will clearly indicate whether or not any proposed agreement will be damaging or even ruinous to the business or product involved. We have need for such objective deductions in connection with the specialty crops of California. We also want to extend our

trade, but not in a manner that will unnecessarily injure any group or industry.

The extension is for a year. If it works as I expect it to, it will be continued. If not, I am positive that Congress will modify it but I also am sure that in no event will the reciprocal trade-agreement principle be abandoned.

HOUSING

Mrs. DOUGLAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DOUGLAS. Mr. Speaker, I wish again to call to the attention of Members of the House petition No. 6 which I placed on the Speaker's desk early last year. It will bring to the floor of the House for consideration the long-range housing bill which has been worked on by both Republicans and Democrats, and which is sponsored by both Republicans and Democrats.

We have well over 100 signatures on the petition to date. I hope that all those who are aware of the critical shortage of homes in America will add their names to this petition so that the House may vote on this issue. Surely we have an obligation to the voters to be recorded in this matter. Mr. Speaker, I am fearful if housing is not passed in this session it will be another 3 years before we can begin to think of a housing program. There will be many new Members in the Eighty-first Congress. It will certainly not consider this long-range housing bill in the first year and probably not in the second year. In the meantime the population is increasing. I beg the Members to consider, Mr. Speaker, what the lack of homes today means in terms of family life. I ask the House to give consideration to this petition.

MEN ARE BORN FREE AND EQUAL

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, on May 21, 1948, the State Department released an historical document. It is the agreement reached at the Ninth International Conference of American States at which 21 nations, the United Nations and the Pan-American Union were represented. I am not going to attempt to read all of the agreement, although I commend it to your attention in its entirety. I will merely read a part of the preamble and some of the articles of the first chapter.

The preamble starts with these significant words:

"All men are born free and equal, in dignity and in rights, and, being endowed by nature with reason and conscience, they should conduct themselves as brothers one to another."

The first four articles are as follows:

Every human being has the right to life, liberty, and the security of his person.

All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed, or any other factor.

Every person has the right freely to profess a religious faith, and to manifest and practice it both in public and in private.

Every person has the right to freedom of investigation, of opinion, and of the expression and dissemination of thought, by any medium whatsoever.

Article 22 is as follows:

Every person has the right to associate with others to promote, exercise, and protect his legitimate interests of a political, economic, religious, social, cultural, professional, trade-union, or other nature.

The second part of article 26 is as follows:

Every person accused of an offense has the right to be given an impartial and public hearing, and to be tried by courts previously established in accordance with preexisting laws, and not to receive cruel, infamous, or unusual punishment.

I wonder if it was purely coincidental that the agreement was released for publication in this country during the week when the portion of the Bible read in every synagogue throughout the world was from the Book of Leviticus, dealing with the command of the Lord that all men are equal before the law and that the law must be the same for all.

EXTENSION OF REMARKS

Mr. HARDY asked and was given permission to extend his remarks in the RECORD in two instances, to include in one an article on Okinawa and in the other a resolution.

COMMITTEE ON PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF CERTAIN PROVISIONS OF SECOND DECONTROL ACT

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6659) to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. RICH. Mr. Speaker, reserving the right to object, what does the bill provide?

Mr. WOLCOTT. It continues certain of the temporary war powers under the Second War Powers Act. It will be recalled that about 90 days ago we continued it until May 31, with the idea that we might be able to get rid of some of the controls. This is a bill which continues controls on tin and tin products, antimony, fats and oils, rice and rice products, and nitrogenous fertilizer. It did, before the committee worked on the bill, continue controls on cinchona bark, quinine, and quinidine. We felt that the situation was such that we could very well take controls off of those, so we have eliminated them. At the present time the controls would be continued, if this bill is passed, on tin and tin products, antimony, fats and oils, rice and rice products, and certain other materials. The only controversy in the bill was with reference to fertilizer. We have made it possible, under this bill, for the American farmer, the domestic producer, indirectly to get a good portion, quite a large part of the fertilizer, nitrogenous fertilizers, which are being manufactured by the Department of the Army.

Mr. RICH. Has it not been demonstrated that the fertilizer industry of this country will be able to take care of our own domestic needs if we would not ship so much out of the country? I think it is about time that we get these decontrols out of the hands of the President. It seems to me the quicker we eliminate the power of control by the President on everything in this country, the better it is going to be. I am for it, and I want to do it, and I hate like everything to give him any extension of time, because I think we will work this thing out if we get this Government off of the necks of the people of this country.

Mr. WOLCOTT. I might say that the committee was in wholehearted accord with the gentleman's position, and we did just about that.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That subsection (b) of section 1501 of the Second War Powers Act, 1942, as amended by the Second Decontrol Act of 1947 (Public Law 188, 80th Cong.), and as further amended by the act of February 28, 1948 (Public Law 427, 80th Cong.), is hereby amended by striking out "May 31, 1948" and inserting in lieu thereof "February 28, 1949." Subsection (b) (1) (C) of such section 1501 is hereby repealed. Subsection (b) (1) (E) of such section 1501 is hereby amended by inserting before the semicolon at the end thereof a comma and the following: "and nitrogenous compounds (including anhydrous ammonia), in any form, necessary for the manufacture and delivery of the nitrogenous fertilizer materials required for such export: *Provided, however*, That 50 percent of the export requirements of nitrogenous fertilizer materials to nonoccupied areas shall be supplied out of nitrogenous fertilizer materials produced in plants operated by the Department of the Army, and notwithstanding any other provision of law the Department of the Army is authorized to produce such nitrogenous fertilizer materials to fill such 50 percent of such export requirements." Subsection (c) of such section 1501 is hereby amended by striking out "May 31, 1948" and inserting in lieu thereof "February 28, 1949."

SEC. 2. Subsection (b) of section 3 of the act entitled "An act to aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes," approved December 30, 1947, is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and I ask that they be printed in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. McCORMACK addressed the House. His remarks appear in the Appendix].

FOREIGN TRADE AGREEMENTS

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 608 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 6556) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

CALL OF THE HOUSE

Mr. GORE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 78]

| | | |
|---|---|---|
| Anderson, Calif. | Ellsworth | Jenison |
| Bell | Engle, Calif. | Jennings |
| Bland | Fellows | Johnson, Okla. |
| Buckley | Gallagher | Johnson, Tex. |
| Bulwinkle | Gamble | Jones, N. C. |
| Clark | Grant, Ind. | Kefauver |
| Clason | Gwinn, N. Y. | Kennedy |
| Clippinger | Gwynne, Iowa | Kerr |
| Cole, Kans. | Hall, | Kersten, Wis. |
| Cotton | Edwin Arthur | Kilday |
| Davis, Tenn. | Hart | King |
| Dawson, Ill. | Hartley | Landis |
| Dolliver | Heffernan | Lane |
| Domengeaux | Hendricks | Lesinski |
| Durham | Holifield | Lusk |
| Lyle | Owens | Snyder |
| Mansfield | Pfeifer | Somers |
| Mason | Potter | Stigler |
| Meade, Ky. | Rayburn | Stockman |
| Miller, Calif. | Rivers | Stratton |
| Morrison | Robertson | Thomas, N. J. |
| Mundt | Scoblick | Thompson |
| Murray, Wis. | Sheppard | West |
| Norton | Short | Wilson, Tex. |
| O'Hara | Smathers | Youngblood |
| O'Toole | Smith, Maine | |

The SPEAKER. On this roll call 350 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1949

Mr. JENSEN, from the Committee on Appropriations, reported the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes (Rept. No. 2038), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. KIRWAN reserved all points of order on the bill.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a speech made by Harvey W. Brown.

FOREIGN TRADE AGREEMENTS

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself as much time as I may require.

Mr. Speaker, this rule provides for 3 hours of general debate. It waives all points of order, and amendments are limited to those offered by direction of the Committee on Ways and Means. The rule also provides for one motion to recommit.

I know that before long our good friends of the minority will have plenty to say about the Committee on Rules bringing in what they will call a gag rule. To you new Members, I would say that for many years under the able leadership of the former Speaker of the House, the gentleman from Texas [Mr. RAYBURN], and my good friend the gentleman from Massachusetts [Mr. McCORMACK], we really did have gag rules. I remember the days when legislation was brought on the floor of this House and Members were not even able to cross a "t" or dot an "i." During the thirties we passed bills, and those bills were interpreted by the Chief Executive as he saw fit, and he was backed by a packed Supreme Court. So I say to you that although we are going to hear plenty today about gag rules, if you will look at the record you will find listed in a speech I made last year 37 rules that really were gag rules, that were brought out during sessions in the thirties.

The fact remains in regard to this bill that this is not a gag rule. There is only one question involved in the bill, and that is whether we should extend the reciprocal trade-agreements program for 1 year or 3 years. This rule provides for one motion to recommit. At the proper time the minority probably will offer a motion to recommit this bill, instructing the Committee on Ways and Means to bring in a 3-year extension. Therefore, the only issue involved here is whether the extension should be 1 or 3 years, and the minority will have the opportunity to express their views in the motion to recommit.

I want to compliment the members of the Committee on Ways and Means, especially our distinguished chairman [Mr. KNUTSON], and also Mr. DOUGHTON, Mr. COOPER, Mr. WOODRUFF, Mr. REED of New York, Mr. JENKINS of Ohio, Mr. MASON, Mr. GEARHART, and the others on the splendid work and thorough study they have given to every bill that has come out of that distinguished committee.

I hope, Mr. Speaker, that the Members of the House will vote to adopt this rule and that the bill itself, extending the reciprocal trade-agreements program for 1 year, will be passed.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. HARRIS. Is it not a fact that any rule which prevents amendments being offered to a bill is considered a gag rule?

Mr. ALLEN of Illinois. There has been much talk about a gag rule, but if the gentleman will go back to the 1930's, you will find some real gag rules where you could not even cross a "t" or dot an "i."

Mr. HARRIS. But does one sin justify another?

Mr. ALLEN of Illinois. Perhaps in some instances, yes.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. COOPER. Does the distinguished chairman of the Committee on Rules know how he could draw any tighter or more closed rule than the one presented here today?

Mr. ALLEN of Illinois. I do not presently know unless I were to go back to the 1930's and study some of the rules brought out in those days, and then I would probably be in a better position to do so.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. McCORMACK. The gentleman knows, of course, that whenever a reciprocal trade-agreements law or the extension of such agreements was brought up, we never had a gag rule or a closed rule, but they were all considered under the general rules of the House?

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. MICHENER. This is the situation about this rule. We have heard this line of argument down through the years. I have served on the Rules Committee for many years when Republicans as well as Democrats were in power. The party in power has often been accused by the minority, of bringing in a gag rule. You cannot write a good bill of

this kind or a tax bill or a tariff bill on the floor of the House. Everybody knows that. Under a rule such as this, what can happen? The majority has presented its bill. There will be a chance to vote "yes" or "no" on it. The minority who are opposed may offer a motion to recommit in which motion they can embody their philosophy and their version of a desirable bill. Thus there may be a vote between the two philosophies, one on the motion to recommit which may be called a minority bill, and the other on the majority philosophy which is contained in the bill reported by the majority. Therefore the House may work its will. There is an opportunity for a clean-cut vote between the philosophies of the two groups concerning the extension of the Trade Agreements Act.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. EBERHARTER. It seems to me that the gentleman from Illinois, the chairman of the Committee on Rules, is devoting his entire time defending himself. He is the first one who has spoken on the rule, and he is on the defensive from the beginning. So you must have something on your mind when you are on the defensive.

Mr. ALLEN of Illinois. I probably have in mind the tactics of a few of the minority members who are experts in the art of gag rule.

Mr. McCORMACK. My friend has a little guilty conscience there.

Mr. ALLEN of Illinois. I would not say that, sir.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield further?

Mr. ALLEN of Illinois. I yield.

Mr. McCORMACK. In reply to the gentleman from Michigan who says that you cannot write a bill of this kind on the floor, the fact is that every time such a bill as the present one has been considered heretofore, it was considered without a closed rule.

Mr. MICHENER. Mr. Speaker, if the gentleman will yield, is it not true that before these bills were considered, your party, the then majority party, held a caucus, and you bound your Members to come to the floor and vote for the bill?

Mr. McCORMACK. No, that is not true. The gentleman is a skillful and great legislator, but he can be mistaken.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me for the purpose of propounding an inquiry to my good friend the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. ALLEN of Illinois. I yield.

Mr. HALLECK. I would like to ask the gentleman from Massachusetts [Mr. McCORMACK], just what amendments he is in favor of in respect to the pending bill.

Mr. McCORMACK. What amendments?

Mr. HALLECK. Yes.

Mr. McCORMACK. I am in favor of an extension of the existing law as it now stands.

Mr. HALLECK. That is for 3 years?

Mr. McCORMACK. I am in favor of the recommendation of the President for a 3-year extension.

Mr. HALLECK. Then may I say in response to the gentleman from Massachusetts, the gentleman from Illinois having yielded to me for that purpose, that the answer of the gentleman from Massachusetts [Mr. McCORMACK], makes it perfectly apparent that there is no one on the minority side who is interested in any amendment to the pending bill. The only thing you are interested in is an extension for 3 years without crossing a "t" or dotting an "i".

Why all this cry-baby stuff about this rule? We are trying to expedite the business of the House of Representatives. You do not care about individual provisions of this bill. All you want to do is to do what the people downtown ask you to do, which is a 3-year extension, without any change. Now you are going to have that opportunity under a motion to recommit. That ought to be enough to satisfy you.

Mr. ALLEN of Illinois. Mr. Speaker, I thank the gentleman from Indiana [Mr. HALLECK], for those most appropriate remarks.

I now yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the chairman of the Rules Committee, the gentleman from Illinois [Mr. ALLEN], states that we should go back to the thirties as to the closed rule. Has he reference to the gag rule that was brought in in the thirties on the Smoot-Hawley tariff bill—the bill that really brought about the greatest disaster to our country? That was a tariff bill. The Republicans brought it in under a gag rule. I concede that on tariff and revenue bills, when the Ways and Means Committee has agreed and asked unanimously for a closed rule, that it has been granted. But this is not a tariff bill. This is not a revenue bill. This is a bill that has been considered by the House four times without a closed rule. At all times it was considered under an open rule, giving the Members an opportunity to familiarize themselves with the bill and to vote for or against any provision in the bill.

I have been a member of the Rules Committee for a great many years, and a Member of this House for a great many years. This is the worst of all the closed rules I have ever observed.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I regret I cannot yield at this time.

This rule will not even permit that the bill be read. It is a 7-page bill. You have to take it as is, without it even being read. It precludes any amendments.

The rule provides for 3 hours of debate, but that is the only privilege you have under the rule.

Now, I want to say, especially to the newer Members, I sympathize with a great many of you on that side, because you are being forced and driven and coaxed to vote for this rule against your own convictions, because you know that under this rule your privilege as Members, your rights, are being taken away, very likely on the theory that you new Members do not know anything about legislation and you should leave it to the big six on the Republican side under the direction and influence of the National Manufacturers Association, an association which at this time does not represent the business of the country, because the business and the country are 95 percent for the extension of this legislation that has worked so well in the interest of our country, and under which we have been able to increase our exports and our business. A recent Gallup poll shows that 80 percent of the people are for and only 8 percent against the extension of the present law; that all the large metropolitan newspapers, with the exception of three of them, are for it; and that businessmen throughout the country are for its continuation for 3 years and without change. Labor and consumer organizations also approve the continuation of the present law.

The large combines seek special tariff consideration, and like to maintain the fiction that their growth is the result of free enterprise. Perhaps it will benefit them if legislation of this nature is passed, but the majority of American businesses cannot benefit.

A great Secretary of State, Secretary Cordell Hull, lifted this question out of politics, to the benefit of the Nation as a whole. To pass legislation of this nature will be to sabotage the effort and work of a great many years.

Mr. Speaker, I insert at this point as part of my remarks a letter received from Mr. H. P. Stewart, an outstanding businessman, of Chicago, which is one of the hundreds which I have received urging the extension of the law without change for a period of 3 years. Mr. Stewart gives most effective reasons for the continuation of the law. His letter is as follows:

RECIPROCAL TRADE AGREEMENTS

CHICAGO, ILL., *May 19, 1948.*

Hon. ADOLPH J. SABATH,
*House Office Building,*
*Washington, D. C.*

DEAR SIR: We believe you should know that those of us who have devoted years furthering our foreign trade feel that there has never been a piece of legislation so helpful to our trade as that provided under the reciprocal trade-agreements program.

Now that the United States is the only solvent creditor nation, it is incumbent upon us to see that the well-conceived and proven Reciprocal Trade Act is renewed without amendments and for the full 3-year period. This latter is all the more important if the billions of dollars for foreign aid do not become an idle gesture, and we lose the necessary expansion of world trade, without which other nations cannot reach economic stability. Those of us in the country will lose the results of our years of effort in catering to the needs of other countries, and the vital benefits of foreign trade will be lost to the United States.

This country has a new role to act on the world stage; it is and must be the unquestioned leader. Any change whatsoever in the reciprocal-agreements program at this time would be ill-advised and most certainly spoil the show.

Your support of this program in Congress will be appreciated.

Yours very truly,

H. P. STEWART.

Every man who is not seeking special privilege under a high tariff is for the extension of this legislation as it is for 3 years, because under the present law our foreign economic structure has ex-

panded and our foreign business has increased tremendously. This bill, if enacted, will impair our foreign economic policy and make a political football out of this vital, all-important policy that will destroy our world economic leadership.

This bill has not even been considered by the Ways and Means Committee. The minority members of the Ways and Means Committee did not even have the privilege of sitting in during the 6 days the Republican members of the Ways and Means Committee were considering it behind closed doors. I know some of you believe in that kind of practice, but you will not be able to explain it to the public and to the people at home. I actually am sorry for some of you newer Members, because, as I have stated, you will not be able to explain it to your constituency. I know that if you were not forced and clubbed into submission at least 15 to 20 percent of the Republican membership would vote against the rule and against the bill, and for the extension for 3 years.

In view of the importance of this matter, I feel, Mr. Speaker, that we should vote down the previous question. By voting down the previous question you will have an opportunity to vote on the provisions of the bill that you in your heart feel should be eliminated, and will have the right to extend this splendid legislation for an additional 3 years.

In case we should not succeed in defeating the previous question, I, of course, am going to ask all those who believe in fair play and who have the interest of the people at heart to vote against the rule and thus give the Members of this body an opportunity, which is theirs under the Constitution, to vote on this important legislation according to their conscience and dictates of their hearts.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Illinois has consumed 7 minutes.

Mr. ALLEN of Illinois. Mr. Speaker, I have only one more request for time. Will the gentleman use more of his time?

Mr. SABATH. Is that all the gentleman has on that side who are willing to speak on this gag rule?

Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, it is unfortunate that a serious effort should be made to force consideration of this important legislation under this type of closed or gag rule. No such effort has ever been made before. This is the fifth time that this type of legislation has been considered here in the House. There has never been a closed rule on this type of bill, there has never been any rule for this type of legislation except on one occasion which was to fix time for general debate. On every other occasion this legislation has been presented to the House for consideration under an open rule and under the general rules of the House of Representatives. Next to the last time that this legislation was considered, as the designated parliamentarian of the Ways and Means Committee, I made 10 points of order against important amendments offered from the floor, most of them from the other side of the House.

The last time it was under consideration I made perhaps a greater number of points of order against amendments offered. Each time every Member of this House had full and ample opportunity to offer any amendment to the legislation that he saw fit. There never has been a closed rule for the consideration of legislation of this type.

Mr. Speaker, what is the majority afraid of? Are you afraid of this Democratic minority? No; that is not it. You are afraid to give your own Members an opportunity to express their views in an effort to amend this important legislation. It is the same thing that happened during consideration of the Smoot-Hawley tariff bill in 1930. I sat here and saw the Republican leadership at that time bring in a closed rule like the present rule presented here today, not allowing a single Member of their own party to offer an amendment to that measure. Fifteen Republican members of the Ways and Means Committee had met behind closed doors and drafted the legislation, excluding all other members of their party and all Democratic members. The then Republican leader of the House, the distinguished gentleman from Connecticut, Mr. John Tilson, publicly stated that the Republican leadership did not propose to allow every Tom, Dick, and Harry an opportunity to offer amendments to the legislation. You are repeating that performance today.

What happened? The very next time the authors of the bill came before the people they were defeated. You know the results to the country and to the trade of this Nation of the Smoot-Hawley tariff bill.

The question is presented here today: Shall the House have the opportunity of considering this legislation as it has on every occasion in the past, and will the Members have a chance to offer amendments that they think should be offered to this bill? This program has been successful for the last 14 years. It has the most overwhelming support of the American people, of the press, of business organizations, of labor organizations, of consumer groups, of every segment of the people of this country, of almost any legislation that has been passed.

In its far-reaching consequences to the future welfare and the interests of the people of this country, this is in many respects the most important legislation to be considered during this Congress.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. COOPER. Mr. Speaker, I submit that the previous question should be voted down, and we can then offer an amendment to the rule making it an open one like it has always been in the past, giving all Members the opportunity to offer amendments. If the previous question is ordered, then the rule should be voted down so that we may consider this legislation under the general rules of the House, in fairness to every Member here, so that he may be given an opportunity to offer amendments and to express his views in reference to this legislation.

So I submit in all fairness that this rule should be voted down and the Members given the opportunity to express their views, and at least have a chance to vote on important amendments to improve this legislation.

The statement has been made here by the distinguished gentleman from Michigan that tariff and tax legislation cannot be considered under an open rule. Well, the facts stand out in bold relief that this legislation has been considered on four different occasions under an open rule, and the will of the House was expressed.

Mr. GEARHART. Mr. Speaker, if the gentleman will yield, when it was considered under an open rule the Democratic Party had a rubber-stamp majority. Those were the days of rubber-stamping, when "must" legislation came down from the White House and they just voted it out.

Mr. COOPER. The question is: Are you afraid of your own Members? Are you afraid to give the men on your side of the House a chance to offer amendments to your bill?

Mr. GEARHART. We have no rubber-stamping on this side of the House.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Speaker, whatever action is taken by the House today will be broadcast to the four corners of the world. Should this House pass H. R. 6556 we will be telling the world that the United States of America has decided to change its policy insofar as trade with the world is concerned. We shall be telling the world that we are backtracking, that we intend to go back to the old days of that scandalous log-rolling practice of writing tariffs, that we are going back into isolationism, and that we intend to build high-tariff walls. We have condemned other countries because they have erected trade barriers against us in the past, and now we will invite them, by this bill, to do the same thing over again.

Now, perhaps many of you will say, "Well, this man is not talking on the rule. He is talking on the bill." That is true, Mr. Speaker, but I do so because I want to bring to your attention the fact that under the rule now being considered the result will be disastrous to our country.

I am sorry to note that the distinguished chairman of the Committee on Rules said—and I am sure he did not mean to say what he did—that this legislation posed only one question, the question of extension of time from 1 to 3 years, because if he will look at page 2 of the report he will see that there are eight different points listed where changes are provided. To adopt the rule means just what has been said by the previous speakers; it is a gag.

I sympathize with my friends on the left for being whipped into line, for being kept under the lash, because I know that many of you feel, as we on this side

feel, that there should be a 3-year extension in this bill, because you realize, as we do, that the Reciprocal Trade Agreements Act is the pivot for our world-recovery program. You realize also, I am sure, that this is not only sabotage of the Reciprocal Trade Agreements Act, it is killing the act outright. But apparently you do not have the courage to let this act expire. If you want to do that, why not come out like men and say, "We are opposed to it definitely." But, oh, no, you say, "We are in favor of the reciprocal trade agreements program, but"; and oh, my, what that "but" means.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I call attention to the fact that no Members other than those on the Committee on Ways and Means will have an opportunity to debate this bill on the floor because there will be no debate under the 5-minute rule. If the 180 minutes of general debate are evenly divided among the members of the Committee on Ways and Means, they will have only 7 minutes apiece to debate this most important piece of legislation, and no other Member will have an opportunity to say a word.

Mr. FORAND. I thank my friend for that comment. The reason I am speaking on the rule instead of on the bill is to make it possible for others to get a chance to say a word. I am pleading, I am begging all of you who believe in fair play and honesty to vote against the motion for the previous question on this rule so that there may be an opportunity to consider the bill under the general rules of the House, as has been done in the past. If you do not do that, then the world will fully recognize how true is what the newspaper editorials of this country have been saying right along, that the Republican Party, following its historic practice, is opposed to the reciprocal trade agreements program, and that this is just administering a slow death to the program. General Marshall in his letter which many of you have seen, I am sure, tells you the same thing. It is better to have no bill at all, no reciprocal trade agreements extension at all, than to have this legislation.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, a vote for this rule is a vote to extend the reciprocal trade agreements program, and make no mistake about it. The Eightieth Congress has been one of the busiest Congresses in the history of this Republic. There has been labor legislation and all manner of broad, sweeping legislation. We are undertaking currently to consider a home-rule bill for the District of Columbia. Our work this session has been local, national, and international. More legislation has been before this Congress than any other Congress in a long time.

The trade-agreements law expires on June 12. Next Tuesday is June 1. The Republican majority of this Congress has taken this procedure to extend the trade-agreements program. It must go through with expedition; it must go through without crippling amendments, and it must go through now. If you are for the extension of the reciprocal trade-agreements program you must be for this rule and must be against voting down the previous question.

If the previous question is voted down, a substitute rule will be considered under which considerable latitude will be given to bring in all manner of amendments relating to the tariff. It involves quotas, it involves rates, it involves other matters. I say to the gentlemen on my right, if you want the trade-agreements program extended, then vote for the rule that will make it possible to extend it and get it through the other body and have it signed by the President before June 12.

There has been all sort of loose talk around the country about this program. It has been said that no hearings were held. There were 7 weeks of open hearings. The hearings were published, and no one was denied the right to come and say what he wanted to say in reference to this program. This program is being extended. True, some minor corrective amendments are inserted. It cannot be said that any unreasonable amendments have been attached to this bill. The program continues. Then what is the issue between the minority and the majority? Apparently it is a question of time. As a matter of fact, I doubt very much if the minority will offer a motion to recommit extending this program for 3 years because they have established a precedent that each Congress gets a chance to look at this program. Their last extension was for 2 years. I do not think the Members on the minority side will vote to take this out of the hands of the Eighty-first Congress.

Why has the majority recommended an extension of a little over a year? There are very good reasons for that. In the first place, if the next Congress is to look at this, they ought to look at it early in the session. It should not be one of those hurried matters just before an adjournment in an election year. So far as I am concerned, I think all of this legislation that expires periodically should be so timed that it expires in the odd-numbered years. I think that would be orderly procedure. There are other very important reasons why this law should be extended only for about a year and 20 days. One reason is that it is related to the European recovery program. The Congress has already proceded on the basis that ERP shall be looked at each year beginning the end of June. It may turn out as that program develops that you will want some changes, some additions to or some subtractions from the program. The two should be handled together. They should be considered next year. There is another and larger reason why this program should be considered next year: Congress will have before it the charter of the International Trade Organization. It is a composite, far-reaching trade agreement, if you please. What the Congress will do with it, I do not know. I do not know whether it has been ascertained what committee will have jurisdiction of it. But it will be here—a major feature in our whole international program. It will be before the Congress for consideration. Certainly our general reciprocal trade agreements program should coincide with ITO. Certainly Congress should deal with both matters. I am sure that every person in the land who has throughout the years made a study of the reciprocal trade-agreements program, who is familiar with the law, and who has investigated the agreements that have been entered into, realizes that the reciprocal trade-agreements program is part and parcel of our foreign relief program. The two should be considered together.

It is unfortunate that in the closing days of this Congress, when we are trying to extend the reciprocal-trade-agreement program for another year, that partisan efforts to harass, delay, and bring in amendments of all sorts should be carried on on this floor.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. COMBS. A moment ago reference was made to the fact that this is the 26th day of May, and the Trade Agreement Act expires on the 12th of June. Why is it we waited from the beginning of this Congress until now to bring it up?

Mr. CURTIS. The gentleman knows that we have had a very heavy program in this House. The Committee on Ways and Means has been very busy considering trade agreements, taxes, and social security.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. DINGELL. I know the gentleman wants to keep the RECORD straight.

Mr. CURTIS. Very much so.

Mr. DINGELL. Let me remind the gentleman that the President had sent three previous messages during this session with regard to social security amendments.

Mr. CURTIS. The gentleman from Nebraska made a mistake in mentioning social security, because we do not want to sidetrack the issue. The fact remains that you have a chance to extend the reciprocal trade agreements program today. If you vote down the previous question, you vote for harassing delays.

The SPEAKER. The time of the gentleman from Nebraska [Mr. CURTIS] has expired.

Mr. SABATH. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. Yes, I yield.

Mr. ALLEN of Illinois. I understood the gentleman had just received permission to revise and extend his remarks.

Mr. MCCORMACK. Yes.

Mr. ALLEN of Illinois. Would the gentleman include the 37 gag rules that the gentleman reported?

Mr. MCCORMACK. Does the gentleman consider that a wise or constructive contribution?

Mr. Speaker, let us have no misunderstanding about the question of closed rules. The gentleman from Illinois [Mr. ALLEN], himself is the one who used the phrase "gag rule." The Ways

and Means Committee, under Democratic control, never asked for a closed rule unless all members of the committee joined in the request. Get that, now. I served on that committee for 10 years. We never asked for a closed rule unless the Democrats and Republicans on the committee voted to direct the chairman of the committee to request such a rule from the Committee on Rules.

This matter has been before the Congress five times. We never asked for a closed rule. The gentleman from California [Mr. GEARHART] whom I like very well, but who impulsively makes statements such as offended the good woman's organization of this country, a moment ago referred to the landslide majority of the Democratic Party in past Congresses.

That certainly is not a reason and is a far-fetched justification. But, in 1945, we had about the same membership in this branch as the Republican Party has now. We did not ask for a closed rule then.

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield briefly for a question, not a speech.

Mr. GEARHART. I will state it then in the form of a question. The Democratic Party has a caucus system which binds its members to vote.

Mr. McCORMACK. The gentleman is absolutely mistaken in the fact that the Democratic Party has ever exercised a binding upon its members. In my 20 years of experience, on one occasion only—and that was about 18 years ago—did the Democratic Party use it; and the Democratic Party releases a man if a binding is contrary to a campaign promise.

Mr. GEARHART. The gentleman will admit that the Republican Party has no caucuses under any conditions. They only hold conferences and every member of the Republican Party is free to vote his own particular viewpoint; and he always does.

Mr. McCORMACK. Is that so?

Mr. GEARHART. That is so.

Mr. McCORMACK. Does the gentleman want that for the RECORD? Does he think he can fool everybody?

Mr. GEARHART. I have said it.

Mr. McCORMACK. The gentleman's idea of being able to josh everybody is a very strong one. The gentleman had better consult himself and develop in such statements as that a little more intellectual honesty.

Mr. GEARHART. I have been a Member of Congress for 14 years and have never been asked or told to vote on any question any particular way.

Mr. McCORMACK. The gentleman from California does not have to be told; he follows like a sheep.

Mr. GEARHART. That statement, coming from a Democrat, seems silly.

Mr. McCORMACK. Now, Mr. Speaker, the 1-year proposition is not the question involved here. If that were the only question involved we could get together on it. If extending the law 1 year or 3 years were the issue involved there is no question but what we could get together. What is involved here is a repudiation of the whole reciprocal trade agreements program; that is what is involved. Not long ago the New York Times in an editorial tersely presented the issue. It said:

> The coming contest will provide an interesting and particularly timely answer to the question of how far the Republican Party has emerged from prewar isolationism in its thinking on international economic issues in this election year.

Some years ago there came from the State of Tennessee a man who will go down in history as one of the great Americans of all time and one of the outstanding Secretaries of State not only of our constitutional history to date but for all time to come. I refer to Cordell Hull. Cordell Hull served as a Member of this body; he served as a Member of the United States Senate for many years with outstanding distinction; he served as Secretary of State. In this body, in the other body, and as Secretary of State, he recognized the evils of high protective tariffs, and he fought for years in an effort to remedy those evils. He saw his years of effort consummated successfully some 12 to 14 years ago when the first reciprocal trade agreements law passed Congress and became law. He has seen it in successful operation during those years.

Cordell Hull is now on his sickbed and has been for about 2 years. He now sees his effort and great contributions of the last 12 to 14 years now threatened with destruction. Yesterday I received, written from his sickbed at the naval hospital in Bethesda, a letter coming from the fighter, Cordell Hull, the fighter in this body, the fighter in the Senate, the fighter as Secretary of State, and now on his sickbed still fighting for this great program of his that years ago was only a dream.

Yesterday Cordell Hull from his sickbed sent me the following letter:

MAY 25, 1948.

> DEAR MR. MCCORMACK: I have your note informing me that the House of Representatives will debate tomorrow the renewal of the Reciprocal Trade Agreements Act. It is my firm belief that the present act as it stands upon the statute books should be renewed for the 3-year period without crippling amendments. The reasons for this conviction are set forth in a statement which I prepared only a short time ago, a copy of which I am making available to you. From the inception of this program, in the enactment of the Reciprocal Trade Agreements Act in 1934, both I and my associates, Democrats and Republicans alike who have supported this program, have kept it entirely free from partisan, political considerations.

That is the letter from Cordell Hull, the fighter of years, speaking to you and me from his sickbed, urging that the present program be continued for 3 years. All we ask is what we gave you my Republican colleagues, on this question. Five different times this bill has been before the House. We always gave to the Republican Party an open rule. That is all we are asking for, nothing more, and we think we are entitled to nothing less. Decency, if nothing else, calls for that, and I rest my case on the ground of decency, that what we have given to the Republican Party in the consideration of this bill on five different occasions we are entitled to on this occasion, so that when the House resolves itself into the Committee of the Whole and it comes to the consideration of this bill under the 5-minute rule, we might have the opportunity under the rules of the House and the Committee of the Whole to offer germane amendments and to have the Committee of the Whole pass upon those amendments. We are asking only that which we gave.

Mr. Speaker, I submit, based not only upon judgment and conscience, but based upon decency we are entitled to that consideration.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remaining time on this side to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I have listened with great interest to the statements of the gentleman from Massachusetts [Mr. MCCORMACK] about decency, and I suppose he means we are not being very decent to them in this proposed procedure. Well, I first came to Congress in 1935 and the other side of the aisle gave me a little education on this type of procedure. I just looked up the record.

We had a closed rule on the work relief appropriation bill and the extension of NRA, which was considered one of the great accomplishments of that time. We had a closed rule on the Merchant Marine Act of 1936, and even on the Blue Ridge Parkway. In the Seventy-sixth Congress there was a closed rule on amendments to the Fair Labor Standards Act, and they brought in a closed rule in connection with extension of the Sugar Act. As recent as the last Congress they had us consider the Social Security Act amendments under a closed rule.

I did not mean to be harsh when I said a moment ago, "Let us quit the crybaby stuff." We all know that this rule is not at all unusual. Everyone understands that we are trying to expedite the business of the House of Representatives. We are going to nominate the next President of the United States in June in Philadelphia. Mark you me, I said June. In July the Democrats are going to nominate somebody who will run but not get to be the next President. Everyone wants the Congress to complete its program as soon as possible, and that is what we are trying to do.

But now, apart from all of this talk about closed rules, what is the true situation? From what has been said here today I conclude that there is no one on the Democratic side of the aisle who has any interest in amending any particular provision of this bill. There may be some such interest on this side, but I think by and large our side of the aisle is pretty well agreed on this proposal. We think the proposal presented here is a good one.

I understand that you gentlemen on the other side of the aisle held a conference, or had some sort of a steering committee meeting, and you did not talk about amending this bill, which we would be doing under a wide open rule. You just met and agreed that you were going to take the administration's proposal without crossing a "t" or dotting an

"1." You are for a 3-year extension and nothing else. Now you are going to have a chance to bring that matter to a vote under the motion to recommit. So why try to fool the people and the country about what is going on here? I do not think it comes with very good grace.

Now, what about this bill? As the gentleman from Nebraska has so well said, it is an extension of the Reciprocal Trade Agreements Act. I have heard some reckless statements made here today, and I have heard some reckless statements made by people who are important in the conduct of the foreign affairs of this country, utterly reckless and irresponsible, when they say they would rather have nothing at all than this extension. Such statements also come with poor grace with respect to a Republican Congress that has cooperated with a Democratic administration and a Democratic Secretary of State in carrying forward the foreign affairs program of this country. I, for one, resent it, and I want, as far as I am concerned, the people to understand that those statements are reckless.

Now then, if you have any question about it, turn to page 2 of the report and you will see there side by side in columns the operation under the present method and the operation under the proposed method. About all that is done in the way of change is that we substitute the Tariff Commission for this Committee for Reciprocity Information, and then provide that the President shall pay some attention in the final negotiations to the recommendations of the Tariff Commission. The Tariff Commission is an independent agency of the Government. The members are appointed by the President, so I assume he has confidence in them. He certainly ought to have confidence in them, and you people on that side of the aisle ought to have confidence in them.

A lot of people in the country thought that the Republican Congress, when we convened here a year ago last January, ought to work over the Reciprocal Trade Agreements Act. That was not done, but there were negotiations made, I guess it is proper to say now, with the State Department, looking to some sort of betterment of the operations for the protection of our own national self-interest, recognizing as we do our responsibility to promote trade in the world. What were those negotiations? Why, they had to do with escape clauses to be written into these agreements. Yes; that had to do with an added responsibility of the Tariff Commission. So, there again, why all this dragging of the red herring across the trail and this attempt to say that this is a complete sabotage of the Reciprocal Trade Agreements Act? It just is not true, and anyone with any understanding ought to know that.

As far as I am concerned, I think this is a good bill. It is probably fair to say that there are some Members on both sides of the aisle, who if they were just voting their individual convictions with no recognition to the fact that all legislation is a matter of compromise, that would not want to extend the Reciprocal Trade Agreements Act at all. Others would like just to throw the door wide open.

I think the Committee on Ways and Means has worked out a fair and effective compromise that will carry forward the idea of true reciprocity, which is what the Republicans adhere to, and doubtless a lot of Democrats also. This bill will carry forward that sort of program; but, at the same time, it will afford to the people of this country some measure of protection. The little business people in your own districts have just as much right to live as anyone else any place in the world. This will give them some measure of protection, this will give them some opportunity to be heard, and it will assure the carrying forward of the program.

One year or three years? What should be the period of extension? Why, you would have us believe that if the act is not extended for 3 years the world is going to come to an end, yet you just extended it for 2 years the last time. What sort of double talk is that? If it is extended for 1 year they will go on to make these agreements. However, some well-informed people have told me that after all this is probably an academic matter, that except for a few loose ends here and there the whole trade-agreement program has been perfected and carried out. They say that there is very little more to be done, if anything. Whether that is true or not, this is an extension for a year, and that ought to be sufficient. I know it is sufficient.

I know that maybe we are a little overzealous in pressing this cause. The previous question is not going to be voted down. This rule will be adopted and we will proceed to the debate on the measure. You will have your motion to recommit, you folks, who, as I say, would not cross a "t" or dot an "i" to what the administration suggests. We have had too much of that sort of legislating in the past. For the first time in a long time the people of this country have a Congress that is responsive to the will of the people and is not taking dictation from the Executive or from the bureaucrats down town or from any segment of the population or any pressure group anywhere. This is a Congress that is doing a good job for the American people. We are doing a good job for the American people, yes, and for the world, in this action that is here proposed today. Do not have any fear about it. This proposed bill is sound in every respect.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The SPEAKER. The question is, Shall the previous question be ordered?

The question was taken; and on a division (demanded by Mr. McCORMACK) there were—ayes 154, noes 102.

Mr. McCORMACK. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 212, nays 156, answered "present" 3, not voting 60, as follows:

[Roll No. 79]

YEAS—212

| | | |
|---|---|---|
| Allen, Calif. | Andresen, August H. | Arends |
| Allen, Ill. | Andrews, N. Y. | Arnold |
| Andersen, H. Carl | Angell | Auchincloss |
| Banta | Hall, Edwin Arthur | Nicholson |
| Barrett | Hall, Leonard W. | Nixon |
| Bates, Mass. | Hand | Nodar |
| Beall | Harness, Ind. | Norblad |
| Bender | Harvey | O'Konski |
| Bennett, Mich. | Herter | Patterson |
| Bennett, Mo. | Heselton | Phillips, Calif. |
| Bishop | Hess | Phillips, Tenn. |
| Blackney | Hill | Ploeser |
| Boggs, Del. | Hinshaw | Plumley |
| Bolton | Hoeven | Potts |
| Bradley | Hoffman | Poulson |
| Bramblett | Holmes | Ramey |
| Brehm | Hope | Reed, Ill. |
| Brophy | Jackson, Calif. | Reed, N. Y. |
| Brown, Ohio | Jenkins, Ohio | Reeves |
| Buck | Jenkins, Pa. | Rich |
| Buffett | Jennings | Riehlman |
| Burke | Jensen | Rizley |
| Busbey | Johnson, Calif. | Rockwell |
| Butler | Johnson, Ill. | Rogers, Mass. |
| Byrnes, Wis. | Johnson, Ind. | Rohrbough |
| Canfield | Jones, Wash. | Ross |
| Carson | Jonkman | Russell |
| Case, N. J. | Judd | Sadlak |
| Case, S. Dak. | Kean | St. George |
| Chenoweth | Kearney | Sanborn |
| Chiperfield | Kearns | Sarbacher |
| Church | Keating | Schwabe, Mo. |
| Clason | Keefe | Schwabe, Okla. |
| Clevenger | Kilburn | Scott, Hardie |
| Coffin | Knutson | Scott, Hugh D., Jr. |
| Cole, Mo. | Kunkel | Scrivner |
| Cole, N. Y. | Latham | Seely-Brown |
| Corbett | LeCompte | Shafer |
| Coudert | LeFevre | Simpson, Ill. |
| Crawford | Lemke | Simpson, Pa. |
| Crow | Lewis, Ky. | Smith, Kans. |
| Cunningham | Lewis, Ohio | Smith, Ohio |
| Curtis | Lichtenwalter | Smith, Wis. |
| Dague | Lodge | Snyder |
| Davis, Wis. | Love | Stefan |
| Dawson, Utah | McConnell | Stevenson |
| Devitt | McCowen | Stockman |
| D'Ewart | McCulloch | Stratton |
| Dondero | McDonough | Sundstrom |
| Eaton | McDowell | Taber |
| Ellis | McGarvey | Talle |
| Ellsworth | McGregor | Taylor |
| Elsaesser | McMahon | Tibbott |
| Elston | McMillen, Ill. | Tollefson |
| Engel, Mich. | Mack | Towe |
| Fenton | MacKinnon | Twyman |
| Fletcher | Macy | Vail |
| Foote | Maloney | Van Zandt |
| Fuller | Martin, Iowa | Vorys |
| Fulton | Mason | Vursell |
| Gallagher | Mathews | Wadsworth |
| Gavin | Merrow | Weichel |
| Gearhart | Meyer | Welch |
| Gillette | Michener | Wigglesworth |
| Gillie | Miller, Conn. | Wilson, Ind. |
| Goff | Miller, Md. | Wolcott |
| Goodwin | Miller, Nebr. | Wolverton |
| Graham | Mitchell | Woodruff |
| Griffiths | Morton | Youngblood |
| Gross | Muhlenberg | |
| Hagen | | |
| Hale | | |

NAYS—156

| | | |
|---|---|---|
| Abbitt | Cox | Harless, Ariz. |
| Abernethy | Cravens | Harris |
| Albert | Crosser | Harrison |
| Allen, La. | Davis, Ga. | Hart |
| Andrews, Ala. | Davis, Tenn | Havenner |
| Barden | Deane | Hays |
| Bates, Ky. | Delaney | Hébert |
| Battle | Dingell | Hedrick |
| Beckworth | Domengeaux | Hobbs |
| Bland | Donohue | Huber |
| Blatnik | Dorn | Isacson |
| Bloom | Doughton | Jackson, Wash. |
| Boggs, La. | Douglas | Jones, Ala. |
| Bonner | Eberharter | Karsten, Mo. |
| Boykin | Elliott | Kee |
| Brooks | Evins | Kelley |
| Brown, Ga. | Fallon | Kennedy |
| Bryson | Feighan | Keogh |
| Buchanan | Fernandez | Kerr |
| Buckley | Fisher | Kirwan |
| Burleson | Flannagan | Klein |
| Byrne, N. Y. | Fogarty | Lanham |
| Camp | Folger | Larcade |
| Cannon | Forand | Lea |
| Carroll | Garmatz | Lesinski |
| Celler | Gary | Lucas |
| Chapman | Gathings | Ludlow |
| Chelf | Gordon | Lynch |
| Clark | Gore | McCormack |
| Colmer | Gorski | McMillan, S. C. |
| Combs | Gossett | Madden |
| Cooley | Grant, Ala. | Mahon |
| Cooper | Gregory | Manasco |
| Courtney | Hardy | Mansfield |

| | | |
|---|---|---|
| Marcantonio | Philbin | Smathers |
| Meade, Md. | Pickett | Smith, Va. |
| Mills | Poage | Spence |
| Monroney | Powell | Stanley |
| Morgan | Preston | Teague |
| Morris | Price, Fla. | Thomas, Tex. |
| Multer | Price, Ill. | Thompson |
| Murdock | Priest | Trimble |
| Murray, Tenn. | Rankin | Vinson |
| Norrell | Redden | Walter |
| Norton | Regan | Wheeler |
| O'Brien | Richards | Whitaker |
| O'Toole | Rogers, Fla. | Whitten |
| Pace | Rooney | Whittington |
| Passman | Sabath | Williams |
| Patman | Sadowski | Winstead |
| Peden | Sasscer | Wood |
| Peterson | Sikes | Worley |

ANSWERED "PRESENT"—3

| | | |
|---|---|---|
| Chadwick | Halleck | Hull |

NOT VOTING—60

| | | |
|---|---|---|
| Anderson, Calif. | Holifield | Murray, Wis. |
| Bell | Horan | O'Hara |
| Bulwinkle | Jarman | Owens |
| Clippinger | Javits | Pfeifer |
| Cole, Kans. | Jenison | Potter |
| Cotton | Johnson, Okla. | Rains |
| Dawson, Ill. | Johnson, Tex. | Rayburn |
| Dirksen | Jones, N. C. | Rees |
| Dolliver | Kefauver | Riley |
| Durham | Kersten, Wis. | Rivers |
| Engle, Calif. | Kilday | Robertson |
| Fellows | King | Scoblick |
| Gamble | Landis | Sheppard |
| Granger | Lane | Short |
| Grant, Ind. | Lusk | Smith, Maine |
| Gwinn, N. Y. | Lyle | Somers |
| Gwynne, Iowa | Meade, Ky. | Stigler |
| Hartley | Miller, Calif. | Thomas, N. J. |
| Heffernan | Morrison | West |
| Hendricks | Mundt | Wilson, Tex. |

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Halleck for, with Mr. Rayburn against.

Mrs. Smith of Maine for, with Mr. King against.

Mr. Thomas of New Jersey for, with Mr. Miller of California against.

Mr. Anderson of California for, with Mr. Kefauver against.

Mr. O'Hara for, with Mr. Holifield against.

Mr. Gwinn of New York for, with Mrs. Lusk against.

Mr. Dolliver for, with Mr. Pfeifer against.

Mr. Potter for, with Mr. Heffernan against.

Mr. Scoblick for, with Mr. Johnson of Oklahoma against.

Mr. Clippinger for, with Mr. Stigler against.

Mr. Gwynne of Iowa for, with Mr. Morrison against.

Mr. Cotton for, with Mr. Rivers against.

Mr. Fellows for, with Mr. Granger against.

Mr. Grant of Indiana for, with Mr. Dawson of Illinois against.

Mr. Jenison for, with Mr. Kilday against.

Mr. Owens for, with Mr. Bell against.

Mr. Hartley for, with Mr. Somers against.

Mr. Meade of Kentucky for, with Mr. Riley against.

Mr. Short for, with Mr. Wilson of Texas against.

General pairs until further notice:

Mr. Cole of Kansas with Mr. Lane.

Mr. Horan with Mr. Lyle.

Mr. Mundt with Mr. Rains.

Mr. Dirksen with Mr. Sheppard.

Mr. Landis with Mr. Durham.

Mr. HALLECK. Mr. Speaker, on this vote I have a pair with the gentleman from Texas, Mr. RAYBURN, who is necessarily detained. If he were present, he would have voted "nay." I voted "yea." I, therefore, withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

Mr. McCORMACK. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 197, nays 166, answered "present" 5, not voting 63, as follows:

[Roll No. 80]

YEAS—197

| | | |
|---|---|---|
| Allen, Calif. | Gallagher | Merrow |
| Allen, Ill. | Gavin | Meyer |
| Andersen, H. Carl | Gearhart | Michener |
| | Gillette | Miller, Md. |
| Andresen, August H. | Gillie | Miller, Nebr. |
| | Goff | Mitchell |
| Andrews, N. Y. | Goodwin | Muhlenberg |
| Angell | Graham | Nicholson |
| Arends | Griffiths | Nodar |
| Arnold | Gross | Norblad |
| Auchincloss | Hagen | O'Konski |
| Banta | Hall, | Patterson |
| Barrett | Edwin Arthur | Phillips, Calif. |
| Bates, Mass. | Hall, | Phillips, Tenn. |
| Beall | Leonard W. | Ploeser |
| Bender | Harness, Ind. | Plumley |
| Bennett, Mich. | Harvey | Potts |
| Bennett, Mo. | Herter | Ramey |
| Bishop | Hess | Reed, Ill. |
| Blackney | Hill | Reed, N. Y. |
| Boggs, Del. | Hinshaw | Rees |
| Bolton | Hoeven | Reeves |
| Bradley | Hoffman | Rich |
| Bramblett | Holmes | Riehlman |
| Brehm | Hope | Rizley |
| Brophy | Horan | Rockwell |
| Brown, Ohio | Jackson, Calif. | Rogers, Mass. |
| Buck | Jenkins, Ohio | Rohrbough |
| Buffett | Jennings | Ross |
| Burke | Jensen | Russell |
| Busbey | Johnson, Calif. | Sadlak |
| Butler | Johnson, Ill. | St. George |
| Byrnes, Wis. | Johnson, Ind. | Sanborn |
| Canfield | Jones, Wash. | Sarbacher |
| Carson | Jonkman | Schwabe, Mo. |
| Case, S. Dak. | Kean | Schwabe, Okla. |
| Chenoweth | Kearney | Scott, Hardie |
| Chiperfield | Kearns | Scrivner |
| Church | Keefe | Seely-Brown |
| Clason | Kilburn | Shafer |
| Clevenger | Knutson | Simpson, Ill. |
| Coffin | Kunkel | Simpson, Pa. |
| Cole, Mo. | Latham | Smith, Kans. |
| Cole, N. Y. | Lea | Smith, Ohio |
| Corbett | LeCompte | Smith, Wis. |
| Coudert | LeFevre | Snyder |
| Crawford | Lemke | Stevenson |
| Crow | Lewis, Ky. | Stockman |
| Cunningham | Lewis, Ohio | Stratton |
| Curtis | Lichtenwalter | Sundstrom |
| Dague | Love | Taber |
| Davis, Wis. | McConnell | Talle |
| Dawson, Utah | McCowen | Taylor |
| D'Ewart | McCulloch | Tibbott |
| Dondero | McDonough | Tollefson |
| Eaton | McDowell | Towe |
| Elliott | McGarvey | Twyman |
| Ellis | McGregor | Vail |
| Ellsworth | McMahon | Van Zandt |
| Elsaesser | McMillen, Ill. | Vursell |
| Elston | Mack | Wadsworth |
| Engel, Mich. | MacKinnon | Welch |
| Fenton | Macy | Wigglesworth |
| Fletcher | Maloney | Wilson, Ind. |
| Foote | Martin, Iowa | Wolcott |
| Fuller | Mason | Wolverton |
| Fulton | Mathews | Woodruff |

NAYS—166

| | | |
|---|---|---|
| Abbitt | Case, N. J. | Durham |
| Abernethy | Celler | Eberharter |
| Albert | Chapman | Evins |
| Allen, La. | Chelf | Feighan |
| Andrews, Ala. | Clark | Fernandez |
| Bakewell | Colmer | Fisher |
| Barden | Combs | Flannagan |
| Bates, Ky. | Cooley | Fogarty |
| Battle | Cooper | Folger |
| Beckworth | Courtney | Forand |
| Bland | Cox | Garmatz |
| Blatnik | Cravens | Gary |
| Bloom | Crosser | Gathings |
| Boggs, La. | Davis, Ga. | Gordon |
| Bonner | Davis, Tenn. | Gore |
| Brooks | Deane | Gorski |
| Brown, Ga. | Delaney | Gossett |
| Bryson | Devitt | Granger |
| Buchanan | Dingell | Grant, Ala. |
| Buckley | Domengeaux | Gregory |
| Byrne, N. Y. | Donohue | Hale |
| Camp | Dorn | Hand |
| Cannon | Doughton | Hardy |
| Carroll | Douglas | Harless, Ariz. |
| Harris | McMillan, S. C. | Priest |
| Harrison | Madden | Rains |
| Hart | Mahon | Rankin |
| Havenner | Manasco | Redden |
| Hays | Mansfield | Regan |
| Hedrick | Marcantonio | Richards |
| Hendricks | Meade, Md. | Rogers, Fla. |
| Heselton | Miller, Conn. | Rooney |
| Hobbs | Mills | Sabath |
| Huber | Monroney | Sadowski |
| Isacson | Morgan | Sasscer |
| Jackson, Wash. | Morris | Sikes |
| Jarman | Morton | Smathers |
| Jones, Ala. | Multer | Smith, Va. |
| Judd | Murdock | Spence |
| Karsten, Mo. | Murray, Tenn. | Stanley |
| Keating | Norrell | Teague |
| Kee | Norton | Thomas, Tex. |
| Kelley | O'Brien | Thompson |
| Kennedy | O'Toole | Trimble |
| Keogh | Pace | Vinson |
| Kerr | Passman | Walter |
| Kirwan | Patman | Weichel |
| Klein | Peden | Wheeler |
| Lanham | Peterson | Whitten |
| Larcade | Philbin | Whittington |
| Lesinski | Pickett | Williams |
| Lodge | Poage | Winstead |
| Lucas | Powell | Wood |
| Ludlow | Preston | Worley |
| Lynch | Price, Fla. | |
| McCormack | Price, Ill. | |

ANSWERED "PRESENT"—5

| | | |
|---|---|---|
| Chadwick | Hull | Vorys |
| Halleck | Jenkins, Pa. | |

NOT VOTING—63

| | | |
|---|---|---|
| Anderson, Calif. | Javits | Potter |
| Bell | Jenison | Poulson |
| Boykin | Johnson, Okla. | Rayburn |
| Bulwinkle | Johnson, Tex. | Riley |
| Burleson | Jones, N. C. | Rivers |
| Clippinger | Kefauver | Robertson |
| Cole, Kans. | Kersten, Wis. | Scoblick |
| Cotton | Kilday | Scott, Hugh D., Jr. |
| Dawson, Ill. | King | Sheppard |
| Dirksen | Landis | Short |
| Dolliver | Lane | Smith, Maine |
| Engle, Calif. | Lusk | Somers |
| Fallon | Lyle | Stefan |
| Fellows | Meade, Ky. | Stigler |
| Gamble | Miller, Calif. | Thomas, N. J. |
| Grant, Ind. | Morrison | West |
| Gwinn, N. Y. | Mundt | Whitaker |
| Gwynne, Iowa | Murray, Wis. | Wilson, Tex. |
| Hartley | Nixon | Youngblood |
| Hébert | O'Hara | |
| Heffernan | Owens | |
| Holifield | Pfeifer | |

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Halleck for, with Mr. Rayburn against.

Mrs. Smith of Maine for, with Mr. King against.

Mr. Thomas of New Jersey for, with Mr. Miller of California against.

Mr. Gamble for, with Mr. Kefauver against.

Mr. O'Hara for, with Mr. Holifield against.

Mr. Potter for, with Mr. Vorys against.

Mr. Gwinn of New York for, with Mr. Pfeifer against.

Mr. Anderson of California for, with Mr. Heffernan against.

Mr. Gwynne of Iowa for, with Mrs. Lusk against.

Mr. Hugh D. Scott, Jr., for, with Mr. Morrison against.

Mr. Grant of Indiana for, with Mr. Burleson against.

Mr. Fellows for, with Mr. Fallon against.

Mr. Dolliver for, with Mr. Somers against.

Mr. Owens for, with Mr. Stigler against.

Mr. Scoblick for, with Mr. Riley against.

Mr. Short for, with Mr. Rivers against.

Mr. Jenison for, with Mr. Johnson of Oklahoma against.

Mr. Hartley for, with Mr. Bell against.

Mr. Clippinger for, with Mr. Sheppard against.

Mr. Meade of Kentucky for, with Mr. Whitaker against.

Additional general pairs:

Mr. Dirksen with Mr. Lyle.

Mr. Meyer with Mr. Boykin.

Mr. Mundt with Mr. Lane.
Mr. Nixon with Mr. Bulwinkle.
Mr. Youngblood with Mr. Dawson of Illinois.
Mr. Stefan with Mr. Hébert.
Mr. Cole of Kansas with Mr. Kilday.

Mr. VORYS. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. POTTER. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. HALLECK. Mr. Speaker, on this vote I have a pair with the gentleman from Texas, Mr. RAYBURN, who is unavoidably detained. If he were present he would have voted "nay." I voted "yea." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey (at the request of Mr. McDOWELL) was given permission to extend his remarks in the RECORD on the occasion of the tenth anniversary of the Committee on Un-American Activities.

FOREIGN-TRADE AGREEMENTS

Mr. WOODRUFF. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6556) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6556, with Mr. COLE of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUFF. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, after conducting what must be regarded as the most painstaking investigation into the administration and operations of the Trade Agreements Act, an investigation which extended over 7 weeks of open public hearings, to which everyone interested was invited and at which every interested person in the United States who desired to be heard was heard, and 6 days of intensive executive sessions with the advice and guidance of acknowledged experts on foreign trade, the Committee on Ways and Means has presented to this Congress this bill we have under consideration, a bill for the extension of the trade agreements program, with certain definite, constructive, and improving amendments, devised in the light of 14 years' experience in the administration of the Trade Agreements Act.

In my years of membership in this body, my attention has never been called to a more careful study of a legislative subject under investigation by any legislative committee of the Congress. I feel confident, in tendering this bill to the Congress and to the American people, we are offering a legislative procedure governing the execution of trade agreements which will result in better agreements and a more enthusiastic support of the program during the days that lie ahead. The first, and one of the most important consequences of the enactment of this bill will be the removal of the program from the sphere of partisanship under which it has been manipulated down through the years and convert it into a nonpartisan American procedure. That is very important.

The Republican Party, sacrificing its views in many, many instances, has given its support to the administration in its foreign policy. In the main, they have gone along hand in hand with the administration, accepting administration leadership adjourning politics at the water's edge as we have faced the outside world. I am sorry the administration did not see fit to reciprocate just a little and go along with the Members of Congress who have presented these constructive amendments. But for reasons of their own, the administration has chosen to demand the extension of the program for 3 years without the dotting of an "i" or the crossing of a "t." Certainly, almost anyone will agree that in 14 years of administration of any act, imperfections will be revealed, imperfections which will require the application of the amendatory process.

After 14 years painstaking study of the program we have become convinced that imperfections have been revealed which require the attention of the Congress. One of these imperfections which has been revealed in a flagrant way is to be found in the operations of the Committee on Reciprocity Information, which is the committee which, under the President's Executive order, is charged with the responsibility of conducting public hearings upon a contemplated trade agreement which is about to be negotiated. The Committee on Reciprocity Information is a nonscientific, nontechnical, nonexpert body composed of representatives of various executive agencies of the Government. In the performance of this function this Committee on Reciprocity Information has never had a permanent personnel. At hearings conducted on the trade agreements program different faces have successively appeared, only to serve temporarily, and, according to rumors supported substantially by statements of those who know whereof they speak, that committee has never done anything other than to exhibit itself, sit at the bench, look wise, and listen to expressions, or pretend to, from representatives of American business, agriculture, industry, and labor.

So far as is known, the testimony taken before that committee has never been written up. In my personal experience, under permission to revise and extend the remarks made before that committee, I have never been able to get my hands upon a stenographic transcript of my testimony. Repeated requests have always met with the same answer: "It has not been transcribed as yet."

Former members of this strange aggregation who have served as members of this committee, members who are now in retirement from public service, have assured me that they were never under any direction other than to appear at the hearings and to sit upon the bench; that they were never asked for any advice; that they never gave any advice; that they were never asked to offer any recommendations, not even to prepare a report. I think that such a procedure is a cruel travesty, a sad commentary upon the whole program. It is a cruelty inflicted upon every conscientious American businessman, every representative of labor, every representative of agriculture who has laid aside his personal pursuits and journeyed to Washington to present the case for his principal in the belief that that which he would have to say would receive the sympathetic consideration of a competent and responsible official of his Government, this in the hope that he might win by his presentation some concessions for the industry whose case he pleaded.

So, what did the Ways and Means Committee do to correct this pious fraud? Regarding the Committee on Reciprocity Information's irresponsibility as an imperfection in the program, we merely suggest in this bill that for the irresponsible Committee on Reciprocity Information, an impartial, nonpartisan, independent, scientific, technical organization of experts known as the Tariff Commission be substituted.

The United States Tariff Commission has the confidence of the American people. Regardless of party, regardless of political philosophy, during the years of its existence the Tariff Commission has been praised by everyone who knows anything about its operations as an organization that knows what it is doing; that it performs its functions in a thoroughly disinterested and purely professional way. So, is it not better, is it not an improvement, to offer the Tariff Commission as a substitute for this now thoroughly discredited Committee on Reciprocity Information? It is a constructive amendment which the American people will accept when they understand it and observe its operation with enthusiastic approval; of this I am most certain. When orators paint the wonderful word picture of the success of this program, real and imaginary, let me point out, as the iconoclast that I am, that there are many people who have raised their voices in bitter criticism of the trade-agreements program and its administration. There are certain American industries that have been very seriously injured in the carrying on of their businesses, the promotion of agriculture, and the protection of labor's right to work.

Some industries which were once very important in the American scheme of things, because of the unwise tariff treatment, are today practically nonexistent, this insofar as the business they were carrying on when the trade-agreements program was enacted is concerned.

I call your attention to the jewel-watch industry in the United States. There were in 1934 22 great jewel-watch manufacturers in the United States who were in that day supplying the American market with 79 percent of its requirements. Today, there are only three American jewel-watch manufacturers left, and they are supplying the American market with only 7 percent of the jewel watches that

this country requires. That is what can happen to an American industry that is not so fortunate as to employ the favor of those who make these agreements.

I might go on and tell you the story of wool and the story of chinaware and the story of glassware, shoes, and pottery; stories of innumerable American industries which have substantially suffered as a consequence of the blind slashing of the tariffs, the acceleration of imports which followed.

Because of this oft-demonstrated lack of understanding of their job, the certain consequences of their blind slashing of tariff walls those people who are being injured because of unwise treatement of the tariff affecting their respective industries should have the protection of a scientific body, a technical body of experts, experts who can comprehend what figures reflect and what statistics mean; scientists who can define a realm of safety in which they can operate their businesses with a reasonable sense of security.

So, we are suggesting that the Tariff Commission shall not only conduct public hearings and listen attentively and sympathetically to the American people as they present their respective cases but that, after it has completed its public hearings, it shall go on and make a technical study of the various problems presented in the light of the evidence taken at those hearings, including the technical testimony of the experts, both those of the Commission's staff and those who appear to testify in behalf of private industry, agriculture, and American labor. It is not only an economic balance of imports and exports which we all are seeking, but a deeper concern for the national defense of our country which we would promote. Any further blind cuts in tariffs which would depress, perhaps destroy, such strategic industries as the wool industry, must be prevented lest our country, as the Bard of Avon recites, be left naked unto its enemies. Without an accessible supply of wool, a third world war would find us helpless in a conflict of long duration. A subsidy for our wool-growers in the place of a tariff may save the wool-growers from financial destruction but not serve the cause of national defense; neither will the shifting of tariff duties from the shoulders of importers to those of the taxpayers help out in the long run. That is another consequence which the Tariff Commission would consider.

People say that we have become a Nation of such high tariff laws that all the rest of the world is worried about it. Just let me give you some figures to prove how untrue that is. The United Kingdom, which is composed of England, Scotland, Northern Ireland, and Wales, collects $3,164,000,000 from its customs; and when you consider that collosal figure bear in mind that England has only one-third of the population of the United States. The United States, a country with three times the population of England, collects only $494,000,000 from customs. In England they collect in customs $64.16 per capita. In the United States, in this country which is supposed to have prohibitive tariffs, we collect only $3.41 per capita. This simple recitation ought to be very illuminating to the American people when they consider whether or not the State Department, acting in the name of the President, has been technical, and scientific in the slashing of the tariffs during the course of the 14 years of administration of the Trade Agreements Act.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WOODRUFF. Mr. Chairman, I yield three additional minutes to the gentleman from California.

Mr. GEARHART. Mr. Chairman, this bill is not a bill containing crippling amendments. Whenever the proponents of extension, without the dotting of an "i" or the crossing of a "t," attack the bill on that ground you can rest assured that they have no reasons which they can cite why the bill is bad. If there were any sound reasons why this bill should not be enacted they would be cited, argued over and over again, and the smear word "crippling" would never be uttered. Because there is no real reason why the bill is bad, all we hear from the critics of the measure is that it is a crippling amendment which, if adopted, will, in some way, render the enforcement of the Trade Agreements Act impossible. So I inquire, Mr. Chairman, whom and how would it cripple? Would it cripple the program to substitute scientific tariff making for nonexpert bungling? Would it cripple the program to substitute business considerations for diplomatic trades? Why all the secrecy? Is it not time for someone to point out what is crippling about the Gearhart bill?

Everybody has confidence in the Tariff Commission; very few people who know anything about it have any confidence at all in the Committee for Reciprocity Information. So in substituting the Tariff Commission, an independent, impartial, nonpartisan agency trusted by everybody of all political persuasions, we are substituting a commission which will bring great prestige to our international trade negotiations, a prestige which it has conspicuously lacked in the days gone by. This commission then has an additional responsibility to perform under the bill and that is to fix the field in which the President can safely negotiate, a ceiling, so to speak, over which he cannot raise the tariff without injury to domestic economy or impairing the national defense, and a floor below which he cannot slash a tariff schedule without endangering domestic economy or impairing the national defense. Within that range the President will have a large, wide latitude in which to negotiate and conclude agreements.

If, however, the President believes the Tariff Commission is wrong, and he desires to fix a tariff schedule in an agreement above or below the limits fixed by the Tariff Commission he may still do so. He is free to disregard the Tariff Commission's recommendations if he wants to. But if he does, then it becomes the duty of the Congress to decide whether the President is right or the Tariff Commission, our legislative right arm, is right. It will make that decision by following the procedure of the reorganization act that has worked so well since its adoption several years ago.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I am pleased to yield to the distinguished gentleman from Michigan, chairman of the House Judiciary Committee.

Mr. MICHENER. At the risk of repetition but because it is very important to some of us here, will the gentleman state briefly just what the Committee on Reciprocity Information is, who constitutes it, how it is set up, how it operates, and to whom it reports. This bill substitutes the Tariff Commission for this committee. We all know what the tariff is.

Mr. GEARHART. The Trade Agreements Act does not set up very much in detail. It merely says that whenever the President believes he can expand American opportunities in foreign markets he shall have the right to enter into trade agreements to achieve that objective, and in the pursuit thereof may grant corresponding concessions in the American market, all this for the purpose of improving our national trade relations. That is practically all the act lays down. There are lots of other limitations in the Trade Agreements Act that are not so important. So it became necessary for the President to issue an Executive order setting up the machinery for the consummation of these agreements. He did, under Executive order, set up a negotiating committee called the Trade Agreements Committee. It has various subcommittees, for instance a Committee on Countries, a Committee on Items, a Committee on Rates; many subcommittees of that kind. Though I cannot call attention to it with any enthusiasm, the Executive order also sets up another committee, one called the Committee on Reciprocity Information, which is charged with the duty of holding public hearings and listening to such complaints or criticisms as the American people desire to present. This committee, in my estimation, is nothing more nor less than a Punch and Judy show. It makes no report, it offers no recommendations, it is not consulted by any other Trade Agreements Agency, least of all the agreement negotiators. The Committee on Trade Agreements, with a gay abandon and complete disregard of the Committee on Reciprocity Information, proceeds to its negotiations with foreign powers as if the CRI did not exist, eventually working out its trade agreements in its own nontechnical, nonscientific, diplomatic way.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman from Michigan asked who were on this committee.

Mr. GEARHART. The Committee on Reciprocity Information?

Mr. KNUTSON. A representative of the State Department, a representative of the Department of Agriculture and several others.

Mr. GEARHART. Representatives of the Departments of State, Commerce,

Treasury, Agriculture, and one representative of the Tariff Commission but those members are not permanent in nature. There is no continuity of service. New faces appear at every succeeding hearing. There is no use pretending otherwise—this committee is just so much window dressing, nothing more. Their very existence, their petty pretensions are a continuing insult to the intelligence of the American people. The transfer of their theoretical functions to the practical, scientific worded Tariff Commission is the best feature of the Gearhart bill. Mr. Chairman, I urge its adoption.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman and members of the committee. I listened with much interest to the address delivered by my good friend the gentleman from California [Mr. GEARHART], chairman of the subcommittee, regarding the bill that is now before us for consideration. I have, of course, profound respect for his opinion and his views, but I regret that I am not in accord with his conclusions or his views touching this most important matter. I would not mislead anyone under any circumstances, but the truth is that I try not to be an extremist on any subject or on any occasion, especially on the subject of reciprocity. The gentleman from California has alleged again and again that some of us are so extreme that we would not concede anything, or would not agree to any compromise that we would not change the crossing of a "t" or the dotting of an "i." I believe the present reciprocal trade program has justified itself, and that it is the most practical, feasible, and successful method that has ever been devised for dealing with tariffs and foreign trade. However, I realize that we are in the minority, and if we cannot get what we want, we will be glad to take less if it is something that we can take, but we do not want to be told that we must take stone when what we ask for is bread.

Now, I believe that the title of this bill is a misnomer, and I think if the first three letters were eliminated from the title it would be an appropriate title. The title reads, "To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes." If it would read "To end the authority of the President under section 350," and so forth, why I think it would be more accurate. But as presently stated, I think it is a misleading title, because I think the practical effect of it will be the death knell of the Reciprocal Trade Agreements Act.

I have respect for the Tariff Commission, but I should like to ask somebody to tell me under the old method what weight and consideration was given to the Tariff Commission when the Smoot-Hawley Tariff Act was written. It was just as much in existence then as it is now. It advised the Congress and the party in power and the country to write a different tariff bill than the Smoot-Hawley bill, and why were its views not followed then? I do not understand why they were not.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to my friend the distinguished chairman of our committee. He is one of my best friends. I cannot always agree with him about everything, but the gentleman always interests me, although he may not convince me.

Mr. KNUTSON. The gentleman is always both edifying and informative, but he is also quite partisan at times. Will the gentleman tell the House why his party has not lived up to the promise they made in 1932 to repeal the Hawley-Smoot Act? You have had 16 years to do it in. Now, why have you not done it? Tell the country why.

Mr. DOUGHTON. Why has not the gentleman's party kept all the promises it has ever made in its platforms?

Mr. KNUTSON. I was asking the gentleman to tell the country why you have not lived up to your promise to repeal the Smoot-Hawley Act.

Mr. DOUGHTON. We adopted a better method—the reciprocal-trade program. We learn something from experience, but the gentleman and his party never seems to forget anything. The gentleman is a devoted apostle of protection.

Mr. KNUTSON. I thank the gentleman for that fine compliment.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. The gentleman and those who think like him have been complaining and charging in other years that the reciprocal-trade agreements program did repeal the Smoot-Hawley Tariff Act.

Mr. DOUGHTON. Mr. Chairman, we do not have time to debate the merits of this bill. The time is too short. They would not give us time to consider it in committee and now we do not have time to properly discuss it on the floor and do not have an opportunity to offer amendments. They say it is just a question of the extension of the present law. I want to say to you that if you had brought this in under an open rule, some Members from your own side might have offered some convincing, constructive, remedial, and helpful amendments.

Mr. Chairman, I introduced the first bill and opened the debate on the original Trade Agreements Act in 1934. This is the fifth time I have taken the floor on the extension of this act. Being a member of the minority at this time does not lessen my concern for the reciprocal trade program.

I regret that I am unable to give my support to the pending bill for the reasons that I shall try to state as briefly as possible.

The author of this bill has been opposed to the reciprocal trade-agreements program since its inception in 1934. In fact, not once in 1934, 1937, 1940, 1943, or 1945, if I am not mistaken, has any of the six ranking majority members of the Committee on Ways and Means voted for it.

For the gentleman from California, therefore, to sponsor a bill to extend the reciprocal trade program is like an unbeliever trying to revise the Bible. The opponents of the present law fear adverse public reaction if they kill the Trade Agreements Act with a single electric shock by refusing to extend it in any form. They have found it expedient to accomplish the same result with an overdose of chloroform.

The question before the House, as I see it, is twofold: Whether the Congress desires to continue in effect a policy which has been the keystone of our foreign economic relation for the past 14 years and which has proven itself as a fair, flexible, and feasible and successful method of dealing with tariff problems; or whether it will substitute the bill now under consideration which, in my opinion, would sabotage and nullify the trade agreements program.

I. PURPOSES OF RECIPROCAL TRADE PROGRAM

On March 2, 1934, President Roosevelt sent to the Congress a request for authority to enter into executive commercial agreements with foreign nations. He referred to the startling decline in the world trade which had meant "idle hands, still machines, ships tied to their docks, despairing farm households and hungry industrial families. It has made infinitely more difficult the planning for economic readjustment in which the Government is now engaged." Much of the responsibility for the decline in the foreign trade of the United States was attributable to the almost insurmountable tariff barriers in the Hawley-Smoot tariff Act of 1930 and its counterpart, or retaliatory tariffs by foreign countries.

Congress responded promptly to the President's request for early action by sending to him on June 7, 1934, the Reciprocal Trade Agreements Act, giving him the authority to enter into foreign trade agreements "for the purpose of expanding foreign markets for the products of the United States, as a means of assisting in the present emergency and restoring the American standard of living, and overcoming domestic unemployment, and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce."

II. ACCOMPLISHMENTS OF THE RECIPROCAL TRADE PROGRAM

Prior to October 30, 1947, mutually beneficial trade agreements had been concluded between the United States and 29 foreign countries. We find that before World War II and its dislocation of world trade, the trade-agreements program had made important strides toward the expansion of our foreign trade with trade-agreement countries. The annual averages for the 2 years 1938–39, as compared with the 2 years 1934–35, indicate that United States exports to trade-agreement countries increased 63 percent as against an increase of only 32 percent to nonagreement countries. United States imports increased 27 percent from agreement countries, as against an increase of only 12½ percent in imports from nonagreement countries. Total United States foreign trade aver-

aged 30 percent higher in the latter period than in the former.

The recent report of the United States Tariff Commission on the operation of the trade-agreements program also lends support to this conclusion. In terms of annual dutiable imports for all of the principal agreement countries, except Cuba, the average was 85 percent greater in 1937–38 than in 1932 to 1934. The increase for all other countries was 78 percent. With respect to United States exports, the Tariff Commission data show that the increase for the principal trade-agreement countries was materially greater than that for nonagreement countries—93 percent as compared with 71 percent. I maintain, therefore, that the Reciprocal Trade Act played a major part in our prewar economic recovery. It is also significant that we did not go to war against a single nation with which a trade agreement had been concluded. Although domestic unemployment and economic depression are not now problems, we must recognize the long-range dependence of the United States on foreign markets. We normally export dried fruits, wheat, leather, cotton, tobacco, industrial machinery, automobiles, and many other products of a mass-production economy. Of course, other countries can continue to buy only if they can sell to us products that we need. The avenue of foreign trade must be a two-way street.

The President, therefore, is on firm ground in saying that "the importance of the act is greater today than it has ever been." Certainly it would be foolish to lend our assistance to rebuilding the war-torn countries, only to nullify our efforts by erecting and maintaining barriers to world trade. The United States must continue its leadership in world economic affairs through effective exercise of the reciprocal trade authority, if it is to do so at all.

### III. PROCEDURES UNDER PRESENT LAW AND UNDER H. R. 6556 COMPARED

The bill under consideration purports to extend the reciprocal trade authority of the President for 1 year. In reality, this authority would be meaningless, for lack of time if for no other reason. The basic policy and procedure of the program would be drastically changed.

The present law emphasizes broad national purposes in the expansion of our foreign trade. American producers are protected, however, by insertion of an escape clause in trade agreements under which the United States is free to withdraw a concession if it results in causing or threatening serious injury to any domestic business or industry. This policy would be abandoned in the present bill for one that fails to recognize the practical impossibility of determining in advance of actual experience the minimum rate of tariff required in every instance to prevent dislocation of American industry. Under the Gearhart bill, therefore, the broad national interest is subordinated to the maintenance of an advance guaranty to a few domestic producers. Much as I should deplore to see the present reciprocal trade program ended, this would be better, in my opinion, than to accept for only 1 year a counterfeit and sham that cannot work. I shall briefly compare the present law with the pending bill:

First. Under existing law, an interdepartmental committee on trade agreements acts as the agency through which the President seeks information and advice before negotiating a trade agreement. The over-all interest of American industry, labor, and farmers, and American military, financial and foreign policy are represented on the Trade Agreements Committee by a member of the Tariff Commission and by persons designated by the Secretaries of State, Treasury, War, Navy, Agriculture, Commerce, and Labor. The information and advice submitted to the Trade Agreements Committee are derived from three principal sources:

(a) Interested persons, including of course domestic producers, may either submit statements or briefs or appear at public hearings.

(b) The Tariff Commission makes a study of the imports and the effect of possible concessions.

(c) The Department of Commerce makes a similar study with respect to each export item, which considered for inclusion in a trade agreement. The Trade Agreements Committee then makes its recommendations to the President, who makes the final decision respecting the items included for negotiation and the extent of concessions to be offered. If any member of the Trade Agreements Committee dissents, the President is provided with a full report giving the reasons for the dissent.

The foregoing procedure provides an adequate opportunity for all interested parties to be heard before a trade agreement is negotiated. I heard of no complaint in the volumes of hearings of the Committee on Ways and Means, that interested parties have been denied courteous and impartial treatment. The interest of specific producers is balanced against and considered along with the over-all interest first of the general public, then of industry, labor, and agriculture and our military, financial, and foreign policies.

Under the pending bill however, primary consideration is given to a small segment of domestic producers. No foreign trade agreement could be entered into until the Tariff Commission reports to the President its findings as to the so-called peril-point below which tariffs may not be cut on any article; the extent to which additional tariffs may be imposed; or the maximum periods for which a tariff rate on an article may be bound at existing rates or on the free list.

Second. The Tariff Commission under the pending bill would not consider the benefit to domestic procedures from any possible concessions from foreign countries. The procedure is suggestive of horse-swapping without seeing the other fellow's horse. In addition to the one-sided emphasis in favor of a few domestic producers and against the over-all national self-interest, the proposed procedure raises the following procedural questions, which I call upon my colleagues on the other side of the aisle to answer:

(a) Does the Tariff Commission, as now constituted, have a sufficiently large number of qualified personnel to undertake the responsibilities which would be imposed by H. R. 6556? According to the most recent annual report of the Tariff Commission, "a larger staff is essential if the Commission is to continue to fulfill adequately and promptly the duties already laid upon it by existing law."

(b) How long would it take the Tariff Commission, as now constituted, to conduct public hearings, make the findings required by section 2 of H. R. 6556, and report to the President on the average number of articles contained in a bilateral trade agreement—or in a multilateral agreement like the one recently negotiated at Geneva?

(c) What would happen in the event the Tariff Commission, composed of six members—three Democrats and three Republicans—was equally divided, or had three or more minority views, respecting the findings required by section 2 of the bill? Or for some reason or other was unable to make such findings? The Chairman of the Tariff Commission, in response to my inquiry, gave me his personal views and offhand interpretation "that if the Commission should divide three to three on an article, no concession could be made on that article, whatever power the President might hold regarding it. The same result apparently would occur if three Commissioners held one view and each of the other three Commissioners held views differing from the three and differing from each other, or if for any other reason the Commission was not able to make a finding."

(d) Does the bill contemplate that the Tariff Commission would be required under H. R. 6556 to conduct extensive costs of production studies, not only of domestic but foreign producers as well?

I have raised these obvious questions in order to point out how utterly impossible it is that any new trade agreements could be negotiated within the 1-year extension so grudgingly granted by H. R. 6556.

The proponents have the burden of answering those questions in order for the Congress, the people of the United States, and representatives of foreign nations to accept this legislation in lieu of the present law.

Mr. Chairman, the letter dated May 17, 1948, from Hon. Oscar B. Ryder, Chairman, United States Tariff Commission, which I will insert in the RECORD, indicates very clearly, in my opinion, the doubts, complexities, confusion, and delay that would beset and stifle the reciprocal-trade program if the pending legislation were enacted.

Third. If the President enters into a trade agreement which goes beyond the recommendation of the Tariff Commission, he would be required to transmit such an agreement to the Congress for veto within a 60-day period by a concurrent resolution of the two Houses. If Congress is not in session, then approval will have to wait. The Commit-

tee on Ways and Means and the Committee on Finance would have the job of considering not only the tariff rates upon the article in disagreement between the President and the Tariff Commission, but also the rates upon all other articles included in the trade agreement. All of the domestic producers of all of the articles upon which reduction in tariff rates are made in a trade agreement would descend upon the Congress like the swarms of the tariff lobbies of 1930.

Fourth. Under the pending bill, no member of the Tariff Commission or of its staff could assist in the actual negotiation of a trade agreement, which would deprive the President of assistance of competent, trusted officers in negotiating the best bargain for the United States. Likewise, placing upon the Tariff Commission the sole responsibility for determining limits below which a cut may not be made without threatening injury to a domestic producers, or impairing the national defense, deprives other Government agencies of the opportunity to exercise the influence which their responsibilities and knowledge of the subjects would seem to justify. The Tariff Commission's judgment, for example, should not be preeminent in the field of agriculture over that of the Department of Agriculture or in the field of national defense over that of the Military Establishment.

Fifth. Perhaps as much as any other provision, section 5 of H. R. 6556 suggests a basic change in policy. Under existing law no tariff rate may be increased or decreased under a trade agreement by more than 50 percent of any rate of duty existing on January 1, 1945, but this bill would authorize the increase of any rate of duty by as much as 50 percent of any rate existing on June 12, 1934, which seems an authorization to increase Smoot-Hawley rates, the highest in history, by 50 percent. This seems to be a definite return toward Smoot-Hawleyism and the stagnation of trade and commerce.

IV. STRONG PUBLIC SUPPORT FOR HOUSE JOINT RESOLUTION 335 FOR EXTENSION OF RECIPROCAL TRADE ACT FOR 3 YEARS WITHOUT AMENDMENT

Whatever this Congress may do, it is demonstrably clear that the overwhelming desire of the American people is to continue unimpaired the reciprocal trade program. They seem to appreciate and understand—

First. Secretary of State Marshall's warning that "any serious weakening of the Trade Agreements Act at this critical period in world affairs would almost certainly be regarded by other countries not only as a surrender of our leadership in the international economic field, but as a repudiation of much that has been accomplished under our leadership in that field."

Mr. Chairman, I shall read into the RECORD a letter dated May 21, 1948, addressed by me to the Secretary of State and the reply by the Secretary dated May 24, 1948, on the question whether the best interests of the Nation would be better served if the Reciprocal Trade Agreements Act were permitted to expire than for H. R. 6556 to be enacted in its present form:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., May 21, 1948.*

Hon. GEORGE C. MARSHALL,
*Secretary of State, State Department,*
*Washington, D. C.*

MY DEAR MR. SECRETARY: As you know, H. R. 6556, which provides for an extension of the Trade Agreements Act for 1 year, makes drastic changes in the procedure for negotiation of reciprocal trade agreements.

In your opinion, in view of the scope of the proposed changes, would the best interests of the Nation be better served if the Reciprocal Trade Agreements Act were permitted to expire than for H. R. 6556 to be enacted in its present form?

Your expeditious reply to this inquiry will be of great value to, and much appreciated by the minority Members in their consideration of the bill in the House of Representatives. It is now contemplated that the bill will be debated in the House on Wednesday, May 26, 1948.

With expressions of high esteem, I am
Sincerely yours,

R. L. DOUGHTON.

---

THE SECRETARY OF STATE,
*Washington, May 24, 1948.*

The Honorable ROBERT L. DOUGHTON,
*House of Representatives.*

DEAR MR. DOUGHTON: I have your letter of May 21 asking my opinion whether our national interests would be better served by permitting the expiration of the Trade Agreements Act than by the passage of H. R. 6556 with its drastic changes in procedure.

The trade agreements program has been a cornerstone of our foreign economic policy for 14 years. Through it we have exercised a significant part of our leadership in world economic affairs.

The principle of the trade agreements program is incorporated in the European Cooperation Act of 1948. The present Congress so provided because it recognized that European recovery waits upon a great expansion in European production for which there must be markets and that markets in turn wait upon a lowering of barriers to trade among the European countries and between such countries and other nations.

Although H. R. 6556 extends the Trade Agreements Act for 1 year, it does so with such crippling amendments that only a shadow of the original act is preserved while its substance is destroyed.

H. R. 6556 provides for a cumbersome procedure which would involve interminable delays and serious questions of responsibility.

It substitutes a single agency—Tariff Commission—for the present Trade Agreements Committee composed of representatives of seven Government agencies all directly interested in the tariff, as the body responsible for investigation and recommendation to the President.

Most serious of all it, in effect, makes pure protection the sole criterion for tariff action and forbids the Tariff Commission from participating in the deliberations of the Trade Agreements Committee, in which, under the present system, other important aspects of the national interest are also taken into account.

In my judgment enactment of H. R. 6556 would make the reciprocal trade agreements program unworkable.

Under the circumstances I think our national interests would be better served to permit the Trade Agreements Act to expire than for H. R. 6556 to be enacted. But it is my earnest hope that this Congress will extend the Reciprocal Trade Agreements Act for 3 years without the proposed crippling amendments.

Faithfully yours,

G. C. MARSHALL.

Second. Secretary of Defense Forrestal's advice that renewal of the Reciprocal Trade Agreements Act "is in the interest of our national security, both in the immediate and in the long-term sense." And the statement prepared by the Munitions Board that—

In war, the safety of the Nation is dependent on an industrial capacity, great enough in size and of the appropriate type, that can be mobilized quickly and effectively for the production of supplies and equipment needed by the armed forces. The trade agreement program places in the Nation's hands a flexible instrument which adds to the industrial capacity of the Nation through the development of foreign markets, and permits the strengthening of those industries which will be most needed if war should strike.

Third. The opinion of Under Secretary of Commerce Foster that renewal of the act is of great importance to the European recovery program and that—

The importance to the United States of maintaining a large volume of foreign trade will increase as time goes on. Many of our most valuable raw material resources are approaching exhaustion, and we will have to import more and more, if we are to maintain our industries in operation.

At present the United States has no problem in obtaining the purchasing power for the imports we need. But surely every country in the world, and this is particularly true of raw material producing countries, is determined to industrialize, both in order to reduce its dependence on manufactured imports and to obtain for itself all of the profits from the processing of its raw materials.

Unless we use our bargaining power to its fullest extent, we can expect a growing body of restrictions against our exports. The future strength and prosperity of the United States depend upon our ability to maintain a maximum flow of trade with the rest of the world, in both directions.

Fourth. The assurance of Secretary of Agriculture Brannan that his study of the effects of trade agreements from 1936 until the outbreak of Word War II "showed a consistent advantage to American agriculture. Our farm exports to the countries with which we had trade agreements fared better than did our farm exports to other countries; the items on which tariff reductions were made fared better than did others. The commodities which received benefits were typically those—such as wheat and other grains, lard and pork products, citrus fruits and apples, fresh vegetables, canned fruits, and nuts—which were at that time suffering from heavy domestic surpluses. On the import side there was also an increase, the agricultural commodities involved were chiefly those not produced in the United States or those imported in only small volume, insignificant in relation to our own production. Imports of items directly in competition with American agricultural products increased relatively little."

Fifth. The statement by Mr. James B. Carey, representing the Congress of Industrial Organizations, that—

One of the means of attaining our goal of full employment at a fair wage and full

production is through international trade encouraged by reciprocal trade agreements. The philosophy of the old Smoot-Hawley Tariff Act passed in 1930, at the beginning of the greatest depression we have ever had, was to protect American products by eliminating foreign competition. This was done by placing high tariffs on imports to keep them out of the country. This philosophy presupposes foreign competition adversely affects American production and employment and that we increase production and employment by restricting foreign markets. This is fallacious.

A sound economic foreign policy must seek to encourage high levels of production and employment. Maintaining foreign markets for our goods and importing vital materials necessary for our industrial production will play an essential part in keeping our industrial potential operating at full employment and full production levels.

Sixth. The recommendation of Mr. Charles P. Taft, vice chairman of the citizens' committee for reciprocal world trade that—

Congress should certainly renew the Reciprocal Trade Agreements Act without change. Nothing could damage our interests more than a crippling of this policy as we put the Marshall plan into effect, which calls for just the principles of trade established under this act.

Seventh. The viewpoint of Mr. Earl O. Shreve, president of the Chamber of Commerce of the United States, that—

From the point of view of practical operation, I cannot see advantage in changing the present basic legislation in such ways as would restrict the flexibility of administrative procedure which has characterized the program since its inception.

Congress in renewing the legislation for 3 years should oppose any amendment to the act which will nullify the advantages in the present system of negotiation and administration.

Eighth. The warning of Mr. John Abbink, representing the National Foreign Trade Council "that other nations are waiting only for a signal from the United States to embark on nationalistic programs which would make trade barriers of the thirties seem inconsequential."

Ninth. The appeal for a 3-year extension made by Mr. Morris Rosenthal, president, National Council of American Importers, as "an essential part of a bipartisan American foreign policy."

Tenth. The reminder by Mr. H. J. Heinz II, chairman, United States Associates of the International Chamber of Commerce that—

Negotiation of trade agreements is a lengthy process. As a practical measure, it would be extremely difficult to either negotiate new agreements or renegotiate old agreements if the present reciprocal trade program is extended for a period shorter than 3 years.

Eleventh. The opinion of Dr. Mildred Northrup, Bryn Mawr professor of economics, that—

The method of tariff negotiation is one of the aspects of the Reciprocal Trade Agreements Act which is most often the subject of attack. And it is the method of arriving at tariff agreements that I as an economist—a social scientist—find peculiarly satisfactory in the Reciprocal Trade Agreements Act. The tariff has been removed as a plaything of special interest groups and placed upon a scientific basis of specific rate determination. After full and open hearings possible tariff concessions are determined and each concession is judged, as it should be, in terms of the general welfare of the whole economy.

In this procedure, there is no room for special pressures—for special interests that will not stand up to an economic judgment rendered in terms of the economic prosperity for the whole country rather than for a privileged few.

Many other statements in support were made either in testimony before the Ways and Means Subcommittee or in documents filed for the RECORD.

That the foregoing quotations are not the utterances of a highly-paid well-organized lobby is shown by the most recent Gallup poll which reports that 80 percent of informed people favor continuation of trade agreements, as against 8 percent of such persons who oppose such agreements.

Mr. Chairman, under unanimous consent, I insert at this point in the RECORD the following Gallup poll reported in the Washington Post of May 13, 1948:

OPINION OF INFORMED VOTERS IS 4 TO 1 FOR TRADE TREATIES

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., May 12.—President Truman's request for renewal of the Trade Agreements Act is overwhelmingly approved by voters informed about the purpose of reciprocal trade treaties. People who know about the treaties vote better than eight to one to retain them.

But it may come as a shock to educators and national leaders to realize that, after 14 years of debate over Cordell Hull's trade treaty program, the vast majority of voters—two out of three—do not know what "reciprocal trade treaties" are.

Since the whole question of tariff rates is complicated, the institute used its method of question design which makes it possible to analyze every facet of opinion and to sort out the views of the informed and uninformed voters.

Of the representative voters surveyed, 34 percent said they know what reciprocal trade treaties are. While relatively few could give exact definitions, most grasped the general idea that such pacts give signatory countries mutual trade concessions. Under the Trade Agreements Act, Congress granted the President power to work out agreements with other countries to adjust tariff rates on individual items on a reciprocal give-and-take basis.

To those knowing about the treaties, field reporters for the institute put this question:

Some people say that because the United States is planning to spend $6,000,000,000 in the next year on the Marshall plan it is no longer necessary to continue reciprocal trade agreements. Other people say that the Marshall plan makes the need for trade agreements greater than ever. Do you think the trade agreements should or should not be continued?

The answers:

| | Percent |
|---|---|
| Should be continued | 80 |
| Should not be continued | 8 |
| No opinion | 12 |

To test the intensity of voters' views, the institute asked, How strongly do you feel about this—very strongly, fairly strongly, or not at all strongly? Half of those favoring retention said they felt very strongly, slightly less than half, fairly strongly; and less than 1 in 10 not strongly at all.

No major differences between Republican and Democratic voters arise in regard to continuation of the treaties. Eight out of 10 in each party support the treaties, and the same proportion exists among voters who call themselves independent of any party allegiance.

A House of Representatives committee has held hearings on a bill to extend the trade act for 3 years beyond next month's expiration date. Originally passed in 1934, the act has been renewed by several Congresses since then. An institute poll in 1945, when the act was last extended, showed 75 percent of the informed voters favoring renewal at that time.

Supporters of the legislation point out that the European Cooperation Act calls for participating countries to sign treaties with the United States to reduce trade barriers among themselves and other countries.

V. CONCLUSION

In conclusion, I want it clearly understood that I am not a free trader. I do not want a tariff so low as to throttle or prevent the growth and expansion of legitimate industry, nor one so high as to stifle competition and to breed, nourish, and shelter monopoly. In my opinion, the Reciprocal Trade Agreements Act, notwithstanding the disruptions of the war years, has demonstrated its effectiveness. I am convinced that it is the most feasible, satisfactory and practical way of handling the foreign trade problem. The present law is such an improvement over the old log-rolling, back-slapping, monopoly-breeding, enemy-making method of dealing with the tariff. The 1-year extension would be nullified by red tape which would make it impossible to negotiate any new agreements within that limit. The majority apparently desire to kill the program without assuming responsibility for its death.

My final appeal, in the words of the esteemed and revered elder statesman, Hon. Cordell Hull, is:

Today our Nation and all nations need more than ever before to cooperate wholeheartedly in establishing, in as large an area of the world as possible, the conditions of political liberty, economic progress, and enduring peace.

The attainment of these conditions of civilized life especially requires that the peoples of the world have an opportunity to trade with one another to their mutual benefit and with a minimum of stultifying restrictions. The trade agreements program provides the most effective framework for the realization of that opportunity. The continued existence of the program is indispensable if our Nation and all nations are to look confidently to a brighter future.

Under leave already granted, I insert the following letter from the Chairman of the United States Tariff Commission:

UNITED STATES TARIFF COMMISSION,
*Washington, May 17, 1948.*

The Honorable ROBERT L. DOUGHTON,
*House of Representatives.*

DEAR MR. DOUGHTON: I have your letter of May 14 asking that I give you my personal views on certain questions which you ask regarding H. R. 6556.

This bill would alter existing procedures in the negotiation of trade agreements by vesting in the Tariff Commission statutory responsibility for investigating and reporting to the President regarding what modifications could be made in duties on imported articles without causing or threatening to cause serious injury to domestic producers of like or similar articles, or impairing the national defense. For this purpose the Commission would be required to hold

hearings and afford reasonable opportunity for persons interested to be present, to produce evidence, and to be heard at such hearings.

Because of your desire for a prompt response to your questions, I shall not have an opportunity to give them lengthy consideration or to discuss them in advance with my colleagues on the Commission. I am, therefore, giving you only my offhand personal views. Your questions and my answers to them are as follows:

"1. Does the Tariff Commission as now constituted have a sufficiently large number of qualified personnel to undertake the responsibilities which would be imposed by H. R. 6556?"

The Commission's staff is highly qualified for the type of work in question, but at present totals only about 220. This staff is not adequate even for the present duties of the Commission. Should H. R. 6556 become law and should trade-agreement negotiations become active, additional staff would be required to meet the new responsibilities entailed by the act. How large an increase in staff would be needed would depend upon the interpretation given to section 2 of the bill. This section requires the Commission to make an investigation and report to the President regarding the concessions which may be made, without injury to domestic producers, on each of the articles which are listed for inclusion in the negotiations. It would be one thing if investigation by the Commission were to be limited, as it has been in connection with most articles covered by the trade agreements so far made, to assembling and analyzing the readily available information on the various articles. It would be quite another thing if section 2 should be construed to require special investigations with respect to all, or most of the articles included in the negotiations. Of course, an interpretation intermediate between these two extremes might be adopted, whereby such special investigations could be confined to a limited number of commodities as to which particularly difficult problems were present.

By the term "readily available information," I mean information already in the possession of the Commission, whether or not previously published, and such additional information as can readily be obtained from other Government agencies or from private sources, without special investigation. By "special investigation" I mean an inquiry of the type which involves field work or questionnaires, or both. I have in mind investigations of such scope as those the Commission conducts under section 22 of the Agricultural Adjustment Act and as those which the Commission will make in cases arising under the escape clause in trade agreements.

"2. What would be the estimated period of time required to conduct public hearings, make the findings required by section 2 of H. R. 6556, and report to the President on the average number of articles contained in a bilateral trade agreement?"

Here again the answer is dependent upon whether extensive special investigations would be required under section 2 of the bill or whether the Commission could proceed, in general, on the basis of the analysis of readily available information. If the Commission could proceed on the basis of readily available information, it could with adequate staff probably conduct hearings and make its recommendations as to an average trade agreement in 4 to 6 months, assuming that the Commission were free to concentrate largely on trade-agreement work. If, however, special investigations should be required or if the Commission's work on trade agreements should be substantially interrupted by other assignments, then the time required would be longer. How much longer would depend upon the proportion of commodities as to which special investigations were deemed necessary.

"3. What would have been the estimated time for performing the same functions in respect of the articles upon which negotiations were recently conducted at the Geneva conference?"

The answer to this question hinges largely upon the same imponderables as the answer to the preceding question. Additional questions would, however, arise. For example, would it be necessary for the whole Commission to sit in the hearings or could the Commission be divided into panels, as was done by the Committee for Reciprocity Information in the hearings on the Geneva negotiations? If the Commission could divide into panels for the hearings, if it could proceed on the basis of readily available information, and if it could concentrate almost exclusively on the trade agreements, then the Commission might complete making recommendations under H. R. 6556 with respect to as many articles as were included in the Geneva negotiations in about a year. Unless all these conditions could be satisfied, however, it would take longer. If none of them were satisfied, as much as 2 years or more would probably be required, depending again on the proportion of commodities as to which special investigations were made.

"4. What would happen in the event (a) the Tariff Commission were equally divided or had three or more minority views respecting the findings required by section 2 of H. R. 6556, or (b) the Commission for some reason or other was unable to make such findings?"

My offhand interpretation of the bill is that if the Commission should divide 3 to 3 on an article, no concession could be made on that article, whatever view the President might hold regarding it. The same result apparently would occur if three Commissioners held one view and each of the other three Commissioners held views differing from the three and differing from each other, or if for any other reason the Commission was not able to make a finding.

This point is important in view of the fact that the Commission is composed of an even number of Commissioners (three Democrats and three Republicans). It is also important because of the nature of the findings required by section 2 of H. R. 6556. Even under normal conditions, it is difficult to predict with much assurance the effect of any given change in duty. Under the abnormal conditions now existing in the world, the difficulty is greatly intensified. All that the Commissioners could do would be to analyze all the available facts and arrive at judgments largely based on assumptions regarding various general factors such as the rate of rehabilitation of industries in war-torn countries, the course of price levels in the United States and foreign countries, and the movements of foreign exchange rates. The room for differences in opinion is obviously great and as the Commission is composed of six men whose tariff views are by no means uniform, their judgments on contentious items might very well differ, at least in degree. There are no objective methods by which such differences in judgment could be resolved.

"5. What would be the minimum increase in staff and appropriations required by the Tariff Commission in order to insure that the responsibilities imposed by H. R. 6556 with respect to the average number of dutiable articles considered in bilateral trade agreements could be fulfilled within 6 months after such list is submitted to the Tariff Commission?"

Again the answer must depend upon the factors mentioned in reply to questions 1, 2, and 3 above. If the Commission could proceed on the basis of readily available information and could virtually exclude other work while engaged in making investigations regarding trade agreements, then an increase in staff of about 50 percent might suffice. If, however, many special investigations were deemed necessary and if the Commission were obliged to do considerable work on other assignments, then a much larger increase would be required—as much as 100 percent or more.

6. In your opinion would the Commission be required under H. R. 6556 to conduct extensive cost of production studies? Would you have much confidence in these studies?

It is, of course, impossible for me to predict whether the Commission would decide under H. R. 6556 to make extensive cost of production studies. I should think, however, that it would decide against making such studies if only because of the additional time required. If, however, the Commission were to decide that extensive cost investigations were necessary, then the estimates made in response to questions 2, 3, and 5 would all have to be increased substantially.

Time is not available to state in any detail my views regarding differences in costs of production as a criterion for adjusting tariff rates. Suffice it to say that in my opinion cost studies are, as a practical matter, of somewhat limited usefulness in tariff making, not only because of the time required to make such studies, but also because of the character of the decisions which have to be made in resolving the complex questions which arise regarding the comparability of the domestic and imported products, the allocation of general and overhead costs to particular joint products or byproducts, the method of averaging costs of different producers, the appropriate markets to which to compute costs of transportation, and other matters. Such cost studies as are feasible, however, do supply valuable information regarding conditions of competition between domestic and foreign producers. Whether cost studies, by themselves, usually afford an adequate basis for determining the proper protective tariff rate may be doubted.

"7. Do you think the procedure established by H. R. 6556 would enable the Commission to render a better public service than it now performs?"

I can answer this question only by giving you my entirely personal views on the question of the proper functions for the Tariff Commission.

The Commission was established in 1916 in order that the Congress and the Executive might have a reliable source of objective information on tariff matters, information which could be accepted as authentic by all sides in any tariff controversy. Thus, from the very beginning its primary function has been to find the facts, leaving policy decisions to the Congress and the President. I doubt the advisability of transforming the Commission into a policy-making agency and thus subjecting it, more than in the past, to political vicissitudes.

My fear is that the attempt to determine the degree to which duties may be reduced without injury to domestic producers or impairment of the national defense would require the making of such difficult and fundamental judgments that the Commission would, in effect, be making major policy decisions. The element of judgment, of course, enters into the various phases of the Commission's present work. This is especially true of the duties which have been assigned to it under the escape clause in trade agreements. In cases under that clause, however, its findings as to whether serious injury to domestic producers has occurred or is threatened will be based upon actual observation of imports and domestic production after the trade agreement concession in question has come into force. In contrast the findings required under H. R. 6556 would have to be based to a large extent, especially under present abnormal conditions, on assumptions and estimates as to future probabilities.

"8. Are there any additional comments on H. R. 6556 that you would care to make?"

I have not had an opportunity to study the bill sufficiently to make further comments at this time. I can only hope that I have answered your other questions sufficiently. In any circumstance I want you and the other members of the Committee on Ways and Means to know that I and the other members of the Tariff Commission will always endeavor to the best of our ability to assist in carrying out any functions which the Congress shall assign to the Commission.

Respectfully yours,

OSCAR B. RYDER,
*Chairman.*

Now, I yield to my distinguished friend. He says this is a New Deal measure. I want to read to him what Governor Landon, the Republican candidate for President of the United States in 1936, says about it. He is not a New Dealer.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DOUGHTON] has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself two additional minutes, in order to answer my friend.

Mr. KNUTSON. Will the gentleman tell us for our information in what way the Gearhart bill would cripple the present program?

Mr. DOUGHTON. In every way. That is the best answer I can give. It would—I will not say cripple it—it will mortally and fatally wound it; that is what it will do, because it will be impractical and unworkable and through that method of indirection the very purpose of those opposed to the program will be accomplished.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. DOUGHTON. Mr. Chairman, I yield myself two additional minutes. I have here an article regarding the position of ex-Governor Landon on the pending bill. Alf Landon said the proposed revisions are contrary to the tariff plank of the 1944 Republican Convention.

Then he says something in which I agree with him, that the gentleman from Massachusetts, JOE MARTIN, is the best qualified Republican for the Republican nomination. I agree with everything Mr. Landon says in that statement, absolutely.

Under leave already granted, I insert the Landon article at this point in the RECORD:

LANDON SUPPORTS RECIPROCITY LAW

Alf Landon, GOP standard bearer in 1936, yesterday assailed House Republican proposals for revision of the reciprocal trade law. Instead, he called for a 3-year extension of the act without changes, as requested by President Truman.

The proposed revisions, he said, are contrary to the tariff plank of the 1944 Republican Convention, as interpreted by Dewey, the Republican Presidential nominee that year.

The Kansan boosted House Speaker MARTIN, of Massachusetts, for the Republican Presidential nomination. "We couldn't do better than Joe," he said.

Reporters met Landon when he called at MARTIN'S office.

While discussing a wide range of subjects, the Kansan put greatest weight on the tariff issue.

"The Republican tariff bill," Landon said, "endangers the reciprocal trade program and endangers the whole policy of postwar economic reconstruction of the world. It threatens to waste the money we are advancing for foreign relief."

Take the columnists from the newspapers of the country. They unanimously support the present law and condemn the bill now before the House. Of the columnists not more than 1 in 20 are against the reciprocal trade agreement program.

Take the magazines of the country. The overwhelming preponderance of enlightened and intelligent judgment in this country is in favor of a continuance of the reciprocal trade law.

In my opinion, my humble, honest opinion—I may be wrong, but I doubt it—in my opinion if this Republican trade agreements program were the only issue between the Republicans and the Democrats in the next campaign the Republicans would not carry one State in the Union. That is my honest opinion because North and South, East and West, civic organizations, religious organizations, business organizations, the United States Chamber of Commerce, the CIO, the A. F. of L., all favor the present law and are opposed to the program that would be provided by this bill.

Mr. GEARHART. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Chairman, I would like to clarify my position on this legislation. We have been working for months to develop a program for the rehabilitation economically of 16 nations in Europe. The essence of that rehabilitation program, or one of the very important parts of it, was the breaking down of economic barriers between those nations so that their economy could begin to develop so far as practicable by the interchange of commodities and goods. I feel it would be a great calamity to our European enterprise, involving billions of the taxpayers' money and a great American business administration, if we announced to the world that while we are asking those conditions of a free economic exchange to be established in Europe and paying for having such an establishment of them, we should now enter upon an attempt to give up reciprocal trade agreements that have been in force for so many years. I recognize that this reciprocal trade legislation ends on the last day of this month. I believe it would be a great calamity to have it end then, and since the only legislation we have for its extension carries it forward only for 1 year I am anxious to have it carried forward for that length of time because I hope in that time we will again have one government here. While it may sound like a dream, I would not be surprised if it turned out to be entirely Republican, both here on the Hill and downtown. If that be so, then the one party in power will have to assume responsibility for continuing the reciprocal trade agreements or diminishing them or abandoning them altogether. For that reason I am going to vote for this extension of 1 year, which is all we can vote for.

Mr. Chairman, I would like to say a word now on the subject of tariffs, about which I am in pretty nearly as deep ignorance as some of my colleagues. When the Smoot-Hawley tariff bill was before the House I made a very careful study of our foreign trade and found a few remarkable facts. First of all, Canada, with ten or eleven million people, was our best customer. Canada bought more from this country in 1 year than all of North and South America put together, including the West Indian Islands, more than any other nation in the world across the Atlantic or anywhere else. I inquired why, and I found the reason was that the Canadian level of wages approximated ours; so that there was a very broad diffusion of buying power among the Canadian people and that approximation in their level of wages reduced the competition against our own workers and made it possible for the Canadian people to be the largest purchasers of our output.

I studied Czechoslovakia also. They sent people over here to learn the shoe business, then went back and set up that business over there and were very successful. They paid a starvation wage, I think in some cases 30 cents a day. Czechoslovakia, with more people, or as many as Canada, just purchased a handful of commodities from the United States. The reason was the low level of their wages. They had no buying power among the masses of the people.

So I proposed, and it was somewhat of a serious thing for a man as badly equipped as I was on such matters to make the proposal, that we have a new kind of tariff, that we base our tariff upon the wage level or the buying power of other countries, and that where their wage level approximated ours we would have a low tariff, and where the wage level was on a starvation basis we would have a high tariff, and as their wage level rose and their buying power increased, and their competition against us diminished, we would reduce the tariff. I submitted that to all the tariff experts of both Houses and met with unanimous disapproval, which convinced me that for once in my life I was right. I now submit it to you for your future consideration when the tariff question comes up under a Republican administration.

I am going to vote for this legislation because I want reciprocal trade to continue until the Republicans come into legislative and executive power, at which time they will have the responsibility of disposing of it one way or the other.

Mr. GEARHART. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. KNUTSON], the chairman of the Committee on Ways and Means.

Mr. KNUTSON. Mr. Chairman and Members of the Committee, at the outset of my remarks, I wish to compliment the chairman of the subcommittee, the able gentleman from California [Mr. GEARHART], and the equally able Republican members of the Subcommittee on Reciprocal Trade, for the very fine job that they have done; a job that was long overdue and very necessary. I was a little bit amused and somewhat surprised, though not edified, by the remarks made by my good and dear friend, the gentleman from North Carolina [Mr. DOUGHTON]. I have always known that he was adroit. I have always suspected that he

could work both sides of the street without violating any traffic regulations. He denounced the Smoot-Hawley bill in no temperate language. Of course, he should be proficient in that line, for as far back as I can recall he has consistently held that view. He is against tariffs, but he does not say a word about being against embargoes. Oh, the gentleman from North Carolina is an embargoist.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Why, certainly.

Mr. DOUGHTON. I did not get to it in my speech; I did not have time to state my position on the tariff. I am not always against tariffs, and I am not always for embargoes. I am not a free-trader that would stifle small, struggling industries or prevent their growth or expansion. On the other hand, I am against a monopoly-breeding tariff that protects a few interests at the expense of all the people of the country. That is my position on the tariff.

Mr. KNUTSON. I am glad to have the gentleman's declaration of political faith, although I am sorry to say that it was hardly necessary. Let me ask, Has he ever protested against the embargo on the importation of short-staple cotton? We are told by the State Department that embargoes and excessively high tariffs not only breed ill-feeling among nations, but promote wars. Has the gentleman in his zeal to preserve peace ever protested against the embargo on cotton imports?

Mr. DOUGHTON. I do not know as I have.

Mr. KNUTSON. No; I did not think so.

Mr. DOUGHTON. I do not know as I ever favored it, either, and I do not know that it has been an issue with me, either.

Mr. KNUTSON. Of course not.

Mr. DOUGHTON. They do not grow any long staple cotton in my district.

Mr. KNUTSON. I am talking about short staple cotton.

Mr. DOUGHTON. And I am not a fanatic one way or the other on any tariff so far as that is concerned.

Mr. KNUTSON. The gentleman reminds me of the story of the housemaid. It seems that after she had worked for the family a while, the wife one day said to the husband, "What do you think of Mary, John? I hear that she isn't all that she should be." "Well," said John, "I will talk to her about it." So he did, and Mary very indignantly denied any improper conduct. "But," she said, "I'm not fanatical on the subject."

I think that is the position my friend from North Carolina is in. He is not fanatical on the subject of protection. It is so sweet to hear the faithful watchdog bay as we draw near home on election day. I think the gentleman had something to do with putting an embargo against the exportation of tobacco seed, and I compliment him on it. The gentleman shakes his head in denial. I cannot think of any other Democrat who would have the forethought to put an embargo on the exportation of burley tobacco seed. Far be it from me to question the propriety of what was done.

The gentleman read a letter from Secretary Marshall. As Chief of Staff, Marshall may have been quite a fellow: I do not know. They tell us that under his direction the war cost us three times as much as it should have, that there had never been a war fought by this country where there was more waste and inefficiency than in the late war. But probably Marshall was not responsible for it, although he was Chief of Staff.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from California.

Mr. GEARHART. This General Marshall, of course, is the one who did not know where he was the night before Pearl Harbor.

Mr. KNUTSON. Has he known where he has been since? He went to China to patch things up, and only made matters worse. If you do not believe me, ask the Chinese. Then he started to fix up the Palestine question and, like my good friend from North Carolina, he worked both sides of the street on that problem. One day he recommended partition and the next day he repudiated it. So the gentleman from North Carolina will have to excuse me if I refuse to accept General Marshall as an authority on the matter before us.

Mr. DOUGHTON. What about Governor Landon?

Mr. KNUTSON. They seduced him with a lot of attention since the New Deal came in. He is like other Americans I know, he has an ambition to sleep in the Abraham Lincoln bed at the White House. There is more than one way of leading one astray.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I assume the gentleman is still strongly opposed to the European recovery plan and to every suggestion that the State Department makes for international cooperation?

Mr. DINGELL. Answer the question "Yes" or "No."

Mr. KNUTSON. I suppose the gentleman wants either "Yes" or "No" for an answer.

Mr. EBERHARTER. The gentleman can answer it as he pleases.

Mr. KNUTSON. Our friend from Michigan thinks it can be answered in one word.

Mr. EBERHARTER. The gentleman can answer it as he pleases, and in his own time.

Mr. KNUTSON. I thank the gentleman for his generosity and the latitude he affords me. The Marshall plan for world-wide recovery is nothing but a glorified UNRRA. The only difference between the Marshall plan and UNRRA is that UNRRA cost us a little less than $3,000,000,000, while the Marshall plan will cost us in the neighborhood of eighteen or twenty billion dollars. However, the Marshall plan has the advantage that it will provide many more soft berths for the faithful. Have I answered the gentleman's question?

Mr. EBERHARTER. Faithful what?

Mr. KNUTSON. Faithful followers of the New Deal. I am sorry I have to lay it out in detail.

Mr. EBERHARTER. The man in charge of the ERP certainly is not a New Dealer. Paul Hoffman is a Republican, is he not? He is a faithful Republican.

Mr. KNUTSON. I did not know that he was.

Mr. EBERHARTER. And throughout the State Department there are many faithful Republicans.

Mr. KNUTSON. We have as many varieties of Republicans as you have Democrats—not quite as many varieties as there are of Heinz pickles, but we do have too many kinds. For instance, the gentleman from Pennsylvania is one variety of Democrat. My good friend from North Carolina is another brand of Democrat, and my good friend from Massachusetts is yet another brand. I would say he is the happy medium between the two extremes.

The gentleman from North Carolina read from Secretary Marshall's letter. Frankly, I did not get any information from the letter. I had no more information when he got through reading it than when he began. I want to read from another distinguished American whose reputation for having a broad grasp of foreign affairs is fully as great as that of Mr. Marshall. I refer to the able gentleman from Massachusetts, Congressman HERTER, who did a splendid job in relief work under Herbert Hoover, a Republican.

Mrs. DOUGLAS. What variety of Republican is he?

Mr. KNUTSON. Will the gentlewoman please get recognition from the Chairman when she wishes to interrogate a speaker? That is the rule of the House.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield?

Mr. KNUTSON. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. Three minutes.

Mr. KNUTSON. Mr. Chairman, I cannot possibly yield with only 3 minutes remaining.

I quote from the New York Times of Thursday morning, where there appeared a synopsis of a very able speech by the gentleman from Massachusetts [Mr. HERTER], delivered the night before to the World Trade Association meeting in that city:

> Congressmen HERTER, who, as vice chairman of the House Select Committee on Foreign Aid, headed a special delegation of Congress to Europe whose report played a major role in the legislation for the European recovery program, said:
>
> "In my opinion, there is no need of fear on the part of those who favor the principles of the reciprocal trade agreements with respect to the new House proposals.
>
> "In effect, three changes have been made in existing procedure. The first calls for studies and hearings on a given set of commodities to be made by the Tariff Commission instead of the Committee on Reciprocity Information, which is an interdepartmental committee. The views of every department of the Government can, of course, be given

to the Tariff Commission, but the Commission has been created as a bipartisan technical commission whose responsibility it is to give the kind of advice provided for in the new proposals. I do not feel too concerned over substitution of this body for an interdepartmental committee.

"The second change has to do with the submission of certain agreements to the Congress. The President is free to negotiate tariff changes within the brackets reported to him in secret by the Tariff Commission as being the upper and lower limits to which the Tariff Commission believes he can properly go without serious injury to American business.

"Should an agreement stay within these limits, then that agreement becomes effective immediately. Should the President go beyond the upper or lower limits set by the Tariff Commission, he is then required to submit the agreements to Congress together with the Tariff Commission report and his own reasons for having gone beyond the recommendations made to him. Congress then has the privilege by a concurrent resolution of both branches to negative the entire agreement provided it does so within 60 days. If it does not act at all within that period, the agreement then becomes effective."

Touching upon the proposed 1-year limitation, Representative HERTER described this as proper for the reason that a newly elected administration coming into office next January ought to have the right to make its own recommendations in the setting of a pattern for its term of office.

All should be in agreement with that statement.

The gentleman from California [Mr. GEARHART] has told you what the procedure would be under his bill. Frankly, I do not see how any group in this House could possibly improve on what the gentleman from California has brought in here.

It is deplorable that this blind partisanship should have arisen over such an important issue as this.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. KNUTSON] has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, as I have said on other occasions when discussing this legislation, it is my conviction that in its far-reaching consequences to the happiness and welfare of the people of this country, it is the most important legislation in many respects that this Congress could consider.

In 1934, the Reciprocal Trade Agreements Act was first passed. In the intervening period of 14 years, we have negotiated 51 trade agreements with 41 different countries. They have resulted in great benefit to the people of this country, and there has never been any evidence presented of any serious injury to any American industry or interest during all that period of time. The record shows that our foreign trade with trade-agreement countries has more than doubled that of our foreign trade with countries with which we did not have trade agreements.

The program has been successful during the most difficult period in all the world's history. The President of the United States on March 1 of this year, in a special message to the Congress, recommended the extension of this program for the customary period of 3 years. The distinguished gentleman from North Carolina [Mr. DOUGHTON], former chairman of the Ways and Means Committee, promptly introduced a bill or resolution carrying forward that recommendation of the President. Although all the month of March and all the month of April passed, the Ways and Means Committee under Republican control gave no consideration to that subject. Then, during this month, they rushed in and, with 6 days of closed hearings before a subcommittee, called themselves, considering this vital and all-important question. But the fact remains that not 1 day, not 1 hour, of public hearings was devoted to the bill here presented for consideration of the House.

The fact of the matter is that the real practical effect, and I think the real purpose, of the pending bill is to kill the trade agreements program. In that connection I should like to invite attention to the statement contained in the letter from the Secretary of State to which the gentleman from North Carolina referred; but there was some confusion in the chamber at the time and there is a question as to whether Members caught the real significance of that statement in the Secretary's letter. Among other things Secretary Marshall stated:

> In my judgment, enactment of H. R. 6556 would make the reciprocal trade agreements program unworkable. Under the circumstances I think our national interest would be better served to permit the Trade Agreements Act to expire than for H. R. 6556 to be enacted. but it is my earnest hope that this Congress will extend the Reciprocal Trade Agreements Act for 3 years without the proposed crippling amendments.

Mr. Chairman, I should like especially to invite attention to what I consider one of the most important phases of this question presented today. Time will not permit a discussion of all the phases of this program that I should like to present on this occasion but I should like especially to emphasize the fact that right at this particular time the extension of this program in its present form for the customary period of time of 3 years is more important than it has ever been before. We know that under the European Recovery Program Act passed by this Congress during this session that these European countries to benefit under that program must carry on reciprocal trade relations between themselves and with other countries of the world. I simply invite your attention to the language of the act itself. In the declaration of policy it is stated:

> The accomplishment of these objectives calls for a plan of European recovery, open to all such nations which cooperate in such plan, based upon a strong production effort, the expansion of foreign trade, the creation and maintenance of internal financial stability, and the development of economic cooperation, including all possible steps to establish and maintain equitable rates of exchange and to bring about the progressive elimination of trade barriers.

Then on page 17 in the body of the act itself this language is to be found under section 115 with the heading "Bilateral and Multilateral Undertakings":

> Such agreement shall provide for the adherence of such country to the purposes of this title, and shall, where applicable, make appropriate provision among others for—

And then subsection (3)—

> Cooperating with other participating countries in facilitating and stimulating an increasing interchange of goods and services among the participating countries and with other countries and cooperating to reduce barriers to trade among themselves and with other countries.

So in effect we provide by law here that these countries participating in the European recovery program shall carry forward this type of reciprocal trade. For us to hesitate in extending our program to make it possible for us to continue the type of leadership that has brought us to the place we occupy today would be a serious mistake.

In this connection I invite your attention to the following statement made by the Secretary of State when he appeared before the subcommittee which handled this bill.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COOPER. Mr. Chairman, I yield myself two additional minutes.

Mr. Chairman, this is part of the statement of the Secretary of State:

> The statute establishing the ERP provides that bilateral agreements shall be made with the participating nations. The statute states as one of the prime conditions that the participating nations must agree to cooperate in facilitating and stimulating the interchange of goods among themselves and between themselves and other nations, and must cooperate to reduce barriers to trade among themselves and between themselves and other nations. In effect, we require these 16 nations to enter into reciprocal-trade agreements among themselves and between themselves and other nations. This is a wise provision because the recovery of Europe depends upon a great increase in the production of goods; and markets for these goods wait upon a lowering of barriers to the exchange of such goods.
>
> The ERP was a vital step; but only a first step. We must now follow through with measures to make ourselves and the other free nations stronger. We must work closer together in commerce. No economic bond is closer than the friendly ties of mutually satisfactory trade. No force is more devisive than the introduction or maintenance of unnecessary barriers to such trade.

I submit, this being such a vital and important part of the foreign policy of this Government, and constituting the very foundation of our foreign economic policy, it would be a serious mistake for us to not at this time follow the customary procedure and extend the trade-agreements program in present form for the customary period of 3 years. There can be no doubt about the beneficial effects of this program up to now, but just at this critical point in the history of the world it is more important than ever before that we have this instrument to make it possible to trade with other countries of the world. You cannot always expect your neighbor to buy from you unless you sometimes buy something from him.

This program was provided for the purpose of expanding our foreign markets and making it possible for us to dispose of the vast surpluses we had of

industrial production and of agricultural products, in this country. With the enormous agricultural surpluses that we normally produce, unless we have markets at some other place in the world for the disposition of those surpluses, it could have only one effect and that is to hang over the American market as a threat and beat down the prices that our farmers receive for their products.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the frantic plea for straight extension of the Reciprocal Trade Agreements Act indicated by the minority in the Ways and Means Committee report would be more impressive if it could not be traced to one or two central sources. The facts are, however, that the apparently spontaneous support is the synthetic product of a centrally directed control of organized pressure groups.

Within the Government, the drive for unrestricted power comes naturally from those who would wield it, the State Department and the Executive. They are not to be blamed for wanting all the power they can get; this is normal and was foreseen by the founding fathers who deliberately instituted a system of checks and balances in our governmental structure. Congress is performing a normal part of its functions when it checks this continual grabbing for unrestricted and unreviewable power by the Executive.

Outside the Government, the building up of support for Executive power in this instance comes from a group that has finally appeared under the name of the Citizens Committee for Reciprocal World Trade. The public-relations firm of Baldwin & Mermey, hired by this committee to organize the campaign, specializes in the setting up and the education of pressure groups. In its publications it insists that this is on behalf of noncommercial citizens or community groups. In effect, logrolling is fine as long as it is on the side of the internationalists.

In April 1947, this firm began the publication of a news letter called Resolved. The announcement gave the following information about Mr. Baldwin and the purpose of the news letter:

> Mr. Baldwin states that "citizen organizations can become increasingly effective in their special fields if they are kept advised as to each other's policies, program techniques, and performance. The collective information in Resolved will have an impact on general public opinion that separate activities cannot hope to achieve. It is the belief of our firm that this flow of information can contribute to mutual understanding and cooperation between business and public-affairs agencies." * * *
>
> Publication of Resolved has been undertaken by Baldwin & Mermey to fill a long-felt need for regular interchange of news among citizen organizations and to help advance better understanding and cooperation between these organizations and the business world from both of which this firm, as public-relations counsel, draws its clients.

The September 1947 issue of this news letter contained the following:

> Citizen organizations are reexamining political-action techniques in light of record of Eightieth Congress. Letters and visits to Congressmen, testimony at committee hearings did not produce results they desired. Many large membership groups will shift focus to local precincts where members can influence grass-roots political machines. Headquarters representatives of citizen organizations are studying legislative strategy through joint action." * * *
>
> Support for ITO Charter and Geneva trade agreements will get top priority in organizations' fall programs. Some 48 labor, farm, business, and citizen groups, including CIO Political Action Committee, National Council of Farmer Cooperatives, National Foreign Trade Council, and American Veterans' Committee have declared their support for expanded world trade. Some specialized business associations favor protectionist policies.
>
> Nine regional 2-day conferences, September 23 to October 29, will prepare representatives of local branches of the League of Women Voters of the United States to carry on fight for ITO and renewal of Reciprocal Trade Agreements Act. Conferences in cities from New York to Los Angeles will dig into world trade facts and will stress community education techniques.
>
> Some 2,000 communities will feel impact of world-trade advertising campaign this fall. Local drives will begin about November 1, 1947, will be led by international relations committee of United States Junior Chamber of Commerce (Akdar Building, Tulsa 3, Okla.). Advertising council will supply action manual, news releases, radio kit, campaign guide, proof sheets of ads, list of films, etc. Junior chambers will spark formation of committees of civic organizations to arrange with local advertisers for sponsorship of ads and to merchandise ads in group meetings.

Having as Mr. Baldwin says, both citizens organizations and business firms among its clients, the firm of Baldwin and Mermey is in an admirable position to obtain citizens organization backing for any of its programs. The firm has received a retainer of $21,000 to June 15, plus expenses, to muster support and lobby a flat 3-year extension through this Congress. In this connection, I would like to cite some business organizations the sponsors of this lobby are identified with. Some of the officers and members of this firm's Citizens Committee for Reciprocal World Trade come from International General Electric Co., International Business Machines Corp., Borg-Warner International Corp., International Telephone & Telegraph Co., International Petroleum Co. Ltd.

That will give you an idea of the private big business that is backing the Baldwin and Mermey Citizens Committee campaign. These firms can of course take care of themselves, moving their operations about the world as they choose. Small business, farmers, and American workingmen adversely affected by the program have no such facility.

Again, Mr. Chairman, may I say that I would be much more impressed with the display of support for simple extension of the act shown in the minority section of the Ways and Means Committee report on this bill if I were not confronted with the single origin of so much of it in the firm of Baldwin and Mermey, with its unidentified private business clients and advertised group of educated citizens organizations.

The export craze, which before the war supplied our enemies with almost unlimited amounts of war materials, is apparently to continue in spite of the lesson we learned. The large organizations which continually press for more exports find that we must take anything we can get in return to supply dollars to the foreign countries. In 1946, we imported well over 10,000,000 gallons of whisky and this amount was exceeded in 1947. This was not sufficient. Our exporters demanded more imports to pay for their exported products, so our obliging State Department again reduced the duty on liquors and where as we had an original duty of $5 per gallon, we now in 1948 have a duty of $1.50 per gallon. This was reduced in the hope that our imports of liquor would increase. Similar treatment was given to other spirituous liquors, and we are told that we must drink more foreign liquor, so these huge industries may export more goods from this country. The American small businessman, the American taxpayer is footing the bill and is asked to drown his sorrows in more foreign liquor. I hope this high-pressure lobby which has been paid $21,000 plus expenses for deceiving the American public will be brought out into the open where every American citizen can see it.

It was through the power of false propaganda that the iniquitous Trade Agreement Act was passed. Countries were on the verge of war. Our people, 80 percent of them, wanted peace. The advocates of the trade-agreement program knew this and immediately set to work to take advantage of the distraught mind of our people. Why not, said the sponsors of the trade-agreement program, couple foreign trade and peace as a means of putting over the trade-agreement program. This was done. The country was blanketed with propaganda to the effect that the trade-agreement program would make for peace. Women's organizations were propagandized to the limit. The theme song in the press, over the radio, in the movies, and through a deluge of literature all paid for by the taxpayers, was to the effect that peace could come only through foreign trade. Naturally, the mothers of the country were for anything that would keep this Nation out of war. The trade-agreement program was the only true road to universal peace and brotherly love. It was stressed in a Nation-wide appeal to every mother in the land that if she would save her son from the horrors of war nothing must stand in the way of the enactment of the trade-agreement bill. Emotionalism on this issue of peace by trade agreements was raised to hysterical heights. It worked. The trade-agreement bill was enacted into law in 1934. Did it keep us out of war? It did not. Instead it ushered in and contributed to one of the most destructive wars in all history.

What other appeal was made to bring support to the trade-agreement program? It was urged by the New Deal proponents of this scheme, that if adopted, the trade agreements would be

the means of increasing our exports. Did it increase exports? No; the New Deal advocates soon found to their consternation that our exports did not increase under the low-tariff policy of the Trade Agreement Act. Thus, the New Dealers in the State Department were faced with the dilemma that their program did not prevent war and the further fact that it did not increase exports. They realized that they could only save face by developing at all costs, whether in American blood or money, an increase in our exports. To meet their desperate problem, the free-trade internationalists in the State Department went into a huddle to see if they could find a solution for their diminishing exports. World conditions were in their favor. The dictators, Mussolini, Hitler, and Hirohito, were in desperate need of war materials.

This was manna from heaven for the State Department free-traders. Here was an opportunity to build up exports by the sale and shipment of vast quantities of war materials to the aggressors. Thus the trade-agreement program was to be saved by exporting raw cotton, petroleum, aviation gasoline, iron and steel scrap, steel ingots, tin plate, tin-plate scrap, refined copper, copper scrap, motortrucks, aircraft and parts, machine tools, firearms and ammunition.

Here was a demonstration of the good-neighbor policy with a bloody vengeance. These exports, the New Dealers felt confident, would convince the public that the trade-agreement policy had fulfilled the promise of increased exports. Where were these war materials shipped? They were shipped to Germany, Italy, and Japan during the years 1936, 1937, 1938, 1939, and 1940. If there were any virtue in the trade-agreement program, then with all these countless tons of war materials our exports ought not to have been 20 percent less under so-called reciprocity than under the American tariff system, but such was the result. I may add that this arming of aggressors with war materials herein mentioned, and more, to build up a case for the trade-agreement program, did not square with the good-neighbor policy and the peace policy so piously enunciated as a reason for enacting the program in 1934 and for the subsequent extensions of the Trade Agreements Act.

I may add further that if the State Department officials were not aware that they were depleting our national resources to supply aggressor nations with vital war materials, their combined astuteness was far behind that of the average American citizen.

The gruesome fact is that millions of our boys had to face the impact of these war materials which the New Deal trade agreement proponents caused to be shipped to the stock piles of the aggressors. The loss of the battleship *Arizona* and seven others damaged can be charged to the trade-agreement policy of shipping 8,000,000 tons of scrap iron, steel, and other materials to Japan in a wild effort to build up exports.

Those of you who have read Wendell Willkie's One World no doubt found a reference to this question of shipping scrap iron to Japan. What did the trade-agreement sponsors care about the use that would be made of these war materials as long as it built up a fake case for their promised exports under the trade-agreement program? Would they listen to the protest of those who saw in this stock pile of war material the murder of men, women, and children? No. The program of deception must be carried out regardless of its cost in human lives. The casualties at Pearl Harbor alone were 2,117 killed in the Navy and Marine Corps with 900 missing. Does it not matter to the trade-agreement advocates and the internationalists that this fake export program furnished our enemies with the materials they needed to accomplish that dastardly act and that our enemies bragged about it as indicative of their superior diplomacy? The same group is again shouting peace, brotherly love, increased exports through free trade, as an inducement to the emotional and the selfish to support a further reduction of the tariffs.

All that is required to create a utopian world of unlimited international trade and prosperity, so the American people are told by the internationalists, is to lend and lend billions and billions of our taxpayers' money to foreign nations with which to buy our automobiles and other American products. This prosperity will last just so long and no longer than the American taxpayer can lend the money to the foreigners to buy our products. This artificial stimulation, this needling of the arm of normal trade, can bring us nothing but headaches and obligations that will weigh heaviest upon us when we can least afford to meet them.

This effort to deceive the American people on the subject of increased exports had other serious repercussions. This typical New Deal subterfuge, this double dealing with the American people, contributed to the death of thousands of our boys. It caused thousands of them to be blinded and crippled for life. To reveal the entire ghastly picture of the trade-agreement program would require volumes. Without fear of successful contradiction it can be truthfully said that the trade-agreement program did not tend to appease or stabilize or contribute to world peace. It did, however, add to the fury of the fight and the wholesale slaughter of our boys. Those of us who opposed the arming of our potential enemies protested these shipments; but to no avail. On numerous occasions in 1938, 1939, and 1940, I stood upon this floor and warned the country of what the export-hungry State Department was doing to us. Today I deplore the fact that after such a record of New Deal treachery we find the same group now operating behind the iron curtain of the State Department, again seeking to plague our national economy by advocating a further reduction in our tariff duties.

What do these free-trade experts and exponents now urge as a reason for again lowering tariff rates? Some of them still insist that a further reduction of tariffs will insure future peace. Others take it for granted that the people have forgotten what was said in 1934 with reference to stimulating our exports, which the trade agreements have deplorably failed to do. Whether the people who were swindled during the trade-agreement era, with reference to the promised exports and the prevention of war have had enough of this double dealing I do not know. I am sure that they have not forgotten what the program cost the United States in blood, suffering, and wealth as a result of arming Japan, Germany, and Italy. It is enough to say at this point that had it not been for these shipments of war materials it is quite possible that there would have been no Pearl Harbor and probably no war of consequence in the Pacific.

In another speech which I made I reduced these shipments to airplanes, tanks, submarines, and battleships, and it is the most astounding picture, at a time when we lacked the materials to get ready for war. I will go into that just a little later.

Thousands of mothers today are without the sons who died gloriously to protect the American way of life. Those boys were killed, many of them, by the very metals and other materials our State Department shipped so frantically to support its ill-considered theory.

But we are again confronted with the same old appeal that the lowering of duties on imported goods will increase our exports, create good will, prevent war, and thus enrich our Nation. I want to call attention to a very significant fact with reference to this question of exports. The record shows that during the last 5-year prewar peacetime period of prosperity in the United States—that is from 1925 to 1929—our national revenue from customs duties averaged almost $600,000,000 per annum. To be exact, $580,748,055. Now then, here is the contrast: During the 5-year period under reciprocal-trade agreements preceding World War II, that is from 1935 to 1939 inclusive, our national revenue from custom duties averaged considerably less than $400,000,000 annually. To be exact, $378,909,157. What about our loss of revenue over a period of 10 years under the trade-agreement program? The fact is that the decrease in national revenue under the trade-agreement program has exceeded $200,000,000 annually or the equivalent of $2,000,000,000 in a period of 10 years.

I would say that this is a considerable sacrifice in national revenue incident to an unrealistic, experimental change in economic policy, and again may I add, it failed to keep us out of war or to increase our exports. Moreover, when the year 1939 is compared with 1929, the decrease in revenue is from $600,000,000 to $300,000,000, a decrease of 50 percent. I do not like to use statistics when addressing my colleagues, but it is of the utmost importance that this whole free-trade program should be debunked. We have suffered enough from listening to false statements and emotional appeals on this question of increased exports as a means of building up our prosperity. This decrease in revenue during the reciprocal trade program is no small matter in view of the terrific burden of national debt

which hangs like a cloud over our economy. The decrease in revenue to which I have referred cannot be accounted for as a result of a falling off in the quantity of imports. It is only necessary in this connection to compare the imports during the 5-year period from 1925 to 1929 with the recent 5-year period from 1935 to 1939. Not only this, but the physical quantity of imports in 1937 was exactly the same as the physical quantity of imports during the most prosperous year of all, 1929. It is significant, too, that the average physical quantity of imports during the two 5-year periods, namely, 1925–29 and 1935–39, did not vary more than 5 percent.

Let me repeat for emphasis that the physical volume of exports was actually 20 percent less under reciprocity than under the American system of prosperity at home. Not only was the physical quantity of exports 20 percent less under reciprocity than during 1925–29, but the exports under reciprocity included huge quantities of scrap iron and steel, petroleum products for military purposes, trucks, tractors, and other vehicles, machinery for making war implements, and stock piles of cotton, grain, tobacco, and other products.

To put this whole matter bluntly, our concession as to tariff rates merely meant loss of revenue and injury to the domestic market, while such foreign concessions as were claimed to have been made to us not only did not build up our export trade but merely made it possible for foreign enemy governments to equip themselves for World War II.

It is interesting to go back and look at the record. When the appeal was being made to get the farmers to support the trade-agreement program, I recall that when Secretary Hull appeared before the Ways and Means Committee in 1937 urging an extension of the trade-agreement program, he stated:

> A primary purpose of this trade-agreement program, and it has no more paramount purpose, is to restore as far as possible the foreign markets for American agriculture.

I do not regard it impertinent to ask at this point whether the trade agreements did restore the foreign market for American agriculture. I can say definitely that it did not. Instead, when the New Deal administration realized that the reciprocal-trade program was not increasing our exports of farm surpluses it embarked in July 1938 on a major export subsidy program. To be more specific, the men behind the iron curtain in the State Department saw no objection to our dumping our goods upon the market of other nations. In an effort to prove that the trade agreements would open foreign markets for agriculture, 116,293,000 bushels of wheat were subsidized for export between July 1938 and November 1939 at a cost of approximately $32,871,000 in subsidies. It is true also that from July 27, 1939, through November 1939, 4,340,297 bales of cotton were exported at a cost, for the subsidy alone, of approximately $34,844,000.

Thus, through the failure of the reciprocal trade-agreement program to move our agricultural surpluses, it cost our taxpayers in subsidies $67,715,000 during the period of 16 months, August 1938 through November 1939.

The advocates of the trade-agreement program, as a means of removing our surplus farm commodities, were becoming desperate. Something had to be done. They even went so far as to bring the Federal Surplus Commodities Corporation into action in the fiscal year 1938 and 1939 and through it spent $30,479,112 for the surplus removal operations of 20 commodities while imports of these same commodities during the same period were valued at $92,298,000. This shows clearly that our surplus commodities were not removed by the low-tariff program.

I may say that dumping is the practice of selling goods in the foreign market at a price below that charged for the same goods in the domestic market, and often at a price below the cost of production and shipment abroad.

Needless to say, dumping is an unfair international trade practice, and has been vigorously condemned as such by our Government. Now then, closely akin to dumping is the practice of governments in subsidizing in one way and another the export of goods by their nationals so that the product may be sold in foreign markets below the domestic price. Furthermore, dumping has always been fruitful of international resentment and discord. Thus, the international ethics and idealism, of which the New Deal administration prates so often and so loudly, were and are deliberately violated by this subsidy, dumping program.

For example, some of our free-trade friends made rash promises abroad about dismantling our synthetic rubber plants and have apparently never dreamed of using surplus crops to make the rubber that we dare not be without again. We have hundreds of millions of dollars invested in synthetic rubber plants, some designed to use alcohol, some for petroleum. If the Government, which now operates those plants, used grain, or even potatoes, to make alcohol for those plants we would be making use of the bounties of nature and not destroying them or dumping them on foreign markets. With grain at 25 to 35 cents a bushel, rubber can be made as cheaply as from petroleum, and if we must do that rather than destroy the grain or dump it on foreign markets at the expense of the good will of foreign countries, then why not try it out? We could do a lot of things if we paid a little attention to tidying up our own house before we begin telling other nations how the world should be run.

I am not surprised that our laboring men as well as our farmers are beginning to realize the danger that confronts them under the trade-agreement program. The friends of labor have striven for many years to build up sound immigration laws which of course are being undermined by the lowering of the duties on products made by cheap labor abroad. There is no surer way of destroying the pay rolls of this country than to transfer them to other countries under a low-tariff policy. Is it wise for the United States to continue a policy that will ultimately weaken the social protection and security programs built up by the National Government and States for the promotion of production and security of the great mass of individuals privately employed? I do not want to see the United States continue an international trade policy under the trade-agreements program that will nullify our anti-child-labor legislation, the laws eliminating sweatshops, laws prescribing sanitary and health conditions, both in places of employment and in residential districts. I know that it is an unwise public policy to throw those, who labor on farms and in factories, in competition in our market with the people of those areas abroad where conditions are so bad as a result of poor sanitary conditions and disease that the average span of life is 25 to 30 years. This, however, is what the men now supporting the trade-agreement program would have us do.

A glance at the record of statutory enactments during the last half century and longer will show that the people of the United States under a system of representative republican States and national governments have been aware of the importance of protecting all individuals, producers, consumers, and all special groups against any and all forms of unfair public practices. One of the purposes of the Federal Trade Commission is to provide for legal action in the courts of the land to protect our people from such unfair trade practices. Why destroy all of this security by opening our market to foreign producers who are not required to meet the standards we require of our producers? I maintain that it is just as essential to protect our people from the unfair practices of foreign governments as it is to protect them from the unfair practices of domestic concerns.

I believe our people are fully aware that a multitude of different forms of unfair methods of competition such as dumping, quotas, licenses, and many foreign discriminations were introduced or resulted from the so-called reciprocal trade agreements entered into by the United States with foreign countries and between foreign countries.

The thought never entered the minds of the trade agreement negotiators of our State Department as to the importance of the child-labor laws, minimum hours of labor for adults, comparable to ours in countries competing in our market. I had always supposed that social legislation had a tendency to increase the price of our manufactured product, and therefor placed in a position of disadvantage the home industry subjected to all such laws unless similar laws were in force in all competing countries, but the trade agreements experts disagree. It would be interesting to know how many nations with which we have trade agreements have minimum hours of labor comparable to ours.

Do the nations with whom we have trade agreements have to meet our standards affecting health and safety, such as sanitation, lighting, safeguards from dangerous machinery and chemicals, compensation for injuries sustained while at work, insurance of health, insurance against unemployment, pensions or insurance against old age, extra pay

for night work, special provisions prohibiting, limiting, or regulating child labor and special laws to protect working women? Laws and regulations such as those I have enumerated enter into the cost of production in the United States. I know of no other nation with comparable requirements. These wholesome laws will have little effect in protecting our labor standards if importing nations can ignore them.

I am firmly convinced that instead of the vast maze of confusing schemes to dominate or to overplay our part of leader throughout the world it would be a much wiser policy for commercial economic treaties to include all such reciprocal concessions as may meet the judgment of the legislative branches of the different countries in which the people make their own policies.

The Congress of the United States should express the mature judgment of the people.

We have had much talk during the last decade or more about tariff rates under the act of 1930. Yet, twice as many items or commodities were placed upon the free list as were made subject to duty. One more reduction, such as is contemplated, and this with the action planned at Geneva in April will bring free trade to the United States. It has been well demonstrated that unless the cost of production here and abroad of articles entering our market is taken into consideration and adequate protection provided for our producers against low production costs abroad there will be a steady decline in the production of those articles here.

I claim it is folly to ignore the items of cost that enter into our production in this country as against the cost of production of competitive articles abroad.

For instance, postal service here is operating at a deficit, an item which enters into the cost of production. The same is true of good roads, education, health, and sanitation and a host of other expenses which other countries do not have to meet at the same high level of cost as we do here.

Is it to the interest of our Republic to entrust the State Department, in view of its infiltration by Communists, with negotiations relating to our trade with 18 foreign nations?

I believe in the sanctity of our constitutional principles in the conduct of both our domestic and our foreign relations. I did not come here as a horse trader, but as a legislator sworn to preserve, protect, and defend our Constitution. The jurisdiction of trade agreements relating to revenue is a subject of legislation that must originate in the House, unless and until what are now passed off as trade agreements are raised to the dignity of treaties.

If it is to our benefit to lower a tariff rate here or there, and if it can be shown that it would really benefit us, and that such reduction would in no way injure domestic producers or interfere with the American right of free enterprise, then let Republicans and Democrats alike combine to reduce that rate. Let it be done in good order and with dignity, with all the facts on the table. If flexible tariffs are required, then let them be adjusted by experts and after a full and proper investigation. This petty bargaining by men who know nothing of commodities and too much of secret diplomatic horse trading cannot possibly result in anything but the creation of world-wide barriers erected solely or largely for the purpose of betting them against those of other countries.

Can it be to the interest of our Republic to entrust the future of hundreds of domestic industries, many of them founded in blood and sweat, to a handful of Communist-minded self-admitted internationalists? Surely it has become evident by this time that the further this country departs from our traditional foreign policy of nonintervention in the political affairs of other countries, the greater will be the cost in lives, industry, and prestige.

Many of the 18 foreign nations at the proposed meeting in Geneva will represent ideologies in utter conflict with the philosophy of our Republic. Is it this fact that has finally caused the Chief Executive to finally awaken to the fact that all the trade agreements entered into, except one, contained no safety provision to prevent the wiping out of a vital domestic industry? He has said that anyone who thinks he has the power to limit or stop imports that may be destroying an American industry and putting American labor out of work is "laboring under a fundamental misapprehension." To paraphrase, "Your cause may be just, but I can do nothing for you." And all this time vital information concerning our trade-agreement program is kept from the public, which is being propagandized and misled, while the information it cannot get is handed out to foreign nations.

I claim for myself and for the people of this great country the right to vote on such a vital issue as whether we shall have absolutely free trade, the obvious object of this whole program—so obvious, in fact, that they flaunt it in our faces. I quote the exact words of one of the panel members hearing testimony for the Committee for Reciprocity Information. Discussing the present program, he said:

> The answer in the ultimate would be no tariffs at all, complete freedom from controls. It is just one part of a whole pattern and working toward trade freedom and free enterprise in trade.

Gentleman, I warn you as I have done before, that the industries of this country are hanging by a thread, and that thread is being frayed more and more as these trade agreements are forced upon us and upon other nations by a group which admittedly would sacrifice the sanctity of the American way of life for a mess of foreign-brewed pottage.

I want to call your attention to another very vital proposition now before this country. In my comments about copper shipped to Japan, at a time when we should have had all of those resources here to build up for the war that was coming, there were sent out of this country over 358,623 tons of copper. Now, let us see how these silly, stupid theorists and Communists down in the State Department acted, urging exports to build up a fake program, and what that has done to our country at the present time. When I mention that amount of copper I am not mentioning the amount that was shipped to Germany, and I traveled abroad on a ship that was loaded as heavily as they could load it with copper for Germany 6 weeks before the war. Then there was what we sent to Italy, but that which was sunk at sea, has not been mentioned.

You members of the Ways and Means Committee will recall when we wanted to get ready for war we were so stripped of all these essential war materials. Take scrap iron alone. The State Department came before our committee and wanted us to remove the tariffs so they could send junk dealers down to Central America, down into the Caribbean Sea area and into South America to tear up old sugar mills, abandoned sugar mills, and other steel scrap to be shipped here so that we could begin to really prepare for our own entrance into the war that we saw coming.

Now in regard to the copper. You will recall that the school children of this country were required to contribute copper pennies for war purposes. The people are still flooded with iron pennies because the copper had been exported to our enemies. Today, according to all the reports that are pouring in from industries, as the Members of the House know, copper is reduced to the vanishing point. Every industry of consequence in this country may soon be slowed down for want of copper. Some are slowing down now. Now, we have to get away from this group down in the State Department who have done such a disservice to our country. We would not have been short; we would have had enough to take care of ourselves and our Allies and still enough to run our factories at full employment for many months hence if they had not ignored the vital interests of our country. Our automobile concerns and others are desperately short of copper. They are not in shape to go ahead without copper. This Congress, if it has the vision, which I believe it has, will have to come to the relief of industry and labor. A supply of copper will have to be found or our country will take a nose dive. There is no bureaucrat wise enough to meet the problems of the Nation. He may have the highest degree in his college, a Phi Beta Kappa key, or what not; yet when he comes out of college and goes to the bureau, perhaps saturated with communism, and starts to formulate the industrial policy, the economic policy of this country, and also attempts to run our foreign affairs, the ultimate result is too dangerous to contemplate.

Copper is holding up the housing for our veterans. We all know now, of course, that the housing program that was brought in here and passed has been a failure. But even so, neither free enterprise nor the Government has copper. Pipes and plumbing and the various articles which are needed are not available. We are paying the price of bureaucratic bungling and we are bound to pay a price and a serious price which is now endangering and will continue to endanger our

Nation. Time and again the businessmen have come here, like the people who need copper, for relief only to find shortages from bureaucratic ineptitude. Congress can hear the evidence and act for our citizens but for them to seek relief from bureaucracy is fatal to their business. But what do they do behind the iron curtain down at the State Department? The time has come when we should speak for the sovereign people who, in the aggregate, know what is best for this country.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. Mr. Chairman, the gentleman from New York [Mr. REED] has given us some very shocking information. It will startle the people of this country when they learn that many of the half-truths and misleading statements they have heard regarding the question before us were paid for by a high-pressure professional registered lobby.

One cannot blame an honest American citizen, who believes in world peace and a maximum of beneficial world trade, for supporting legislation which he believes would promote those interests. He will not be happy when he learns that he has been misled by a high-pressure lobby employed by those who are more interested in profits of huge exports than in a well-balanced American economy.

Most of the industries supporting the pseudo Trade Agreement Act and its long-term extension are enjoying huge profits because of their exports. That the American taxpayer and the small-business man of the country are paying "through the nose" for those shipments abroad seems not to stop their clamor for more exports and more profits.

I call attention to the firms behind the highly paid professional lobby which is endeavoring to continue the President's autocratic power. International this—and international that—all through the list of supporters you will find huge American companies operating internationally. It makes little difference to them whether they support American labor or foreign labor as long as they reap their profits.

Now, what about the average small business man? I am sure there are some who support the administration's plan for an unimproved, unlimited extension of the President's power to make trade agreements. Undoubtedly the big majority of those who do happen to favor outright extension have been misled by this lobby into the belief that it is necessary for the peace and prosperity of this country.

The bill before you, rather than being a hindrance to the peace and prosperity of this country, is an affirmative step in the direction of a more secure world and a more prosperous economy for our own country. No high-pressure lobby can prove the contrary.

Our President, like his predecessor, continues a drive for unlimited, unrestricted, autocratic power. Just where small-business interests fit into the picture rests completely in his hands. A large proportion of the fabulous exports from this country consist of unnecessary and unneeded items shipped to various countries. Bear in mind that you and I and the small-business man are paying through the nose for those exports. We are not exporting in the real sense of the word, for although these huge international companies reap greater harvest, the money came from our own tax collector.

The Tariff Commission has always considered the interests of the domestic consumer, the domestic producer, and importer and the exporter. Its reports have been unbiased and favored no particular class. There is no Government agency better qualified than the Tariff Commission to indicate how low a tariff may be cut without endangering our domestic industry. Small business cannot be blamed for mistrusting our State Department. They have been on the giving end for 14 years and have given up hope of receiving anything from our diplomatic negotiators who are so involved in international affairs that they seem to have forgotten there is a United States.

It is shameful that the American people can be open to the propaganda devised by a professional highly-paid lobby supported by a few international industrial firms which believe in free trade and which desire to continue their abnormal exports at the American taxpayer's, worker's, and producer's expense. The disclosure of Mr. REED is timely indeed.

If we are to continue to be a diversified country, where man may labor at the profession of his choice; if our economy is not to be regimented, then we must vote for this bill.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Chairman, what this House is faced with now is a choice of one of three things: We either can do nothing at all by defeating all the legislation that is before us, an act that I think would be completely irresponsible, and one which I hope very much that this House will not take; or, we can vote for the motion which undoubtedly will be made for recommittal to extend the existing law for 3 years exactly as is; or, we can vote for the bill as proposed by the Committee on Ways and Means.

During this discussion it seems to me that many statements have been made, particularly on the minority side with respect to this proposal that is now before us, which are entirely beside the point. The point is whether or not we are going to extend reciprocal trade agreements for a period of 1 year, and to what extent, if any, we are going to change the machinery for the initiation of those agreements. That machinery, as I see it in this proposal, is changed in very minor particulars, but in particulars that in my opinion will allow the policy enunciated therein to become perhaps a permanent policy of this Government. During the last 14 years the Executive has been given by the Congress complete power within brackets set by the Congress to initiate any type of trade agreement that he has seen fit. We extended those brackets from 50 percent, which existed between 1934 and 1945, to an additional 50 percent of the 1945 rates only 2 years ago. During that period trade agreements have been negotiated with almost every country in the world. There are only a few left with which such agreements have not been negotiated. Apparently the administration itself feels that we have gone as far down in cutting tariffs as it itself would like to go. Hence, why this worry in regard to this new procedure which makes only two changes. One, it substitutes by law the Tariff Commission as the committee which recommends to the President how safely he can change the existing tariff rates up or down, without doing one of two things, namely, seriously injuring or threatening to injure American business or injuring our national defense. That is the first change. Secondly, the President initiates agreements exactly as he does today, but if he goes beyond the limits recommended by the Tariff Commission—and I think every friend of reciprocal trade agreements will admit that we have practically gone to the limit already—if he exceeds the limit recommended by the Tariff Commission, he submits the matter to the Congress with his reasons for doing so—and presumably they would be very good reasons if he has done so—and then we would have the opportunity of vetoing the agreement, as I think we properly should. Otherwise, if we do not act within 60 days the agreement becomes law.

My friends on the right side of the aisle here have been talking about the effect of this on our relations with peoples overseas. In my opinion there has been a tremendous exaggeration as to the effect of the change that is proposed here on our friends overseas. It is only if they are told what is not the truth from the document that we have before us, that this country is shifting entirely its policy of negotiating trade agreements, that there might be some effect, and what disturbs me most in this entire debate is the position taken by our Democratic friends that we are doing irreparable damage as far as the world itself is concerned. If one reads the text of the document there is absolutely no justification for that position. I regret, therefore, that this has become a partisan matter, since I think by and large the proposal that has been recommended here by the Committee on Ways and Means is one not only in our interest but in the interest of maintaining a stable policy which the Congress, I hope, will go along with for many years to come.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. CHAPMAN].

Mr. CHAPMAN. Mr. Chairman, I am opposed to this bill, which is the death warrant of the reciprocal trade agreements program. It is the handiwork of those who have always been against this great program, the continuance of which is vital to the prosperity, peace, and general welfare of the United States. The reciprocal-trade program is the monumental accomplishment of an illustrious former Member of this body, the emi-

nent former Secretary of State, Cordell Hull. It was of great importance when it was recommended by a Democratic President and enacted by a Democratic Congress in 1934. It is much more important and necessary now. The program has been continued by act of Congress four times since the original enactment, and every time except in 1943, in the midst of world war, a large majority of the Republicans have voted against this vital measure for international trade and friendship..

The enemies of reciprocal trade agreements do not have the courage to kill this great program outright. They dare not formally terminate it. They are afraid to let it expire June 12, as it will unless renewed. The country will not be deceived by this delusion and sham. Its enactment in this form would be only a nominal extension with hamstringing limitations that would render it ineffective as the basis of world trade and international good will. It would practically nullify this great program as an instrumentality of prosperity and peace.

Our Republican friends are deceiving only themselves if they think they can deceive the American people by this flimsy pretext of continuing the reciprocal trade program. It is apparent that they are acting in bad faith. If they were not they would support the bill introduced by the gentleman from North Carolina [Mr. DOUGHTON], favored by all of the Democrats on the committee, for a 3-year extension. If they were acting in good faith with the American people they would not propose this unworkable plan. They would not have held a star-chamber hearing, and they would not have adopted this gag rule forbidding amendments, if they did not intend to render virtually impossible the negotiation of reciprocal trade agreements.

BACK TO LOGROLLING IN TARIFFS

It is obvious that the present isolationist, reactionary national leadership of the Republican Party—those who dominate its councils and dictate its policies—are still living in the era of Mark Hanna and McKinley, and have not learned a lesson from two devastating world wars and a never-to-be-forgotten depression. This is a sample of what they would do if they were entrusted with a long lease on power. They would go back to the "good old days"; back to "normalcy"; back to logrolling in tariff making; back to the methods of the Hawley-Smoot tariff, the schedules of which were dictated largely by the chief lobbyist of the tariff barons and noted gatherer of Republican campaign funds, their "Uncle Joe" Grundy, who brazenly stated to a senatorial committee that his purpose was to write such a bill as would return a profit to large contributors to the Hoover campaign chest of 1928.

MY SPEECH 16 YEARS AGO

On January 9, 1932, in a speech in this Chamber, I said:

> Foreign trade is a system of barter. If we sell, we must also buy. By enacting into law the prohibitive rates of the Hawley-Smoot tariff they erected a Chinese wall around American ports, which constitutes an insuperable barrier to our profitable foreign commerce. They closed our markets to friendly foreign customers, and month by month our favorable balance of trade, which Mr. Hoover said was the basis of our prosperity, is slipping away. In return 40 nations have raised tariff walls against American products, and many of them are undisguisedly intended as measures of reprisal. They have closed their doors in our faces.
>
> Those countries to which we said by this act of legislative folly: "We do not want to trade with you", those to which we said, in the words of President Hoover, "We are able in considerable degree to free ourselves of world influence and make a large measure of independent recovery because we are so remarkably self-contained"—those countries have ceased to purchase the surplus products of American farms.
>
> * * * * *
>
> This law which has wrought havoc in industry, driven hundreds of factories from American soil, augmented the ranks of the unemployed, and destroyed the farmers' markets is recognized generally as a colossal economic blunder. * * *
>
> America is a peace-loving nation and cherishes the laudable aspiration to avoid future wars, with all the suffering and horror that accompany them and their aftermath. Most wars have been economic wars, and who can be so blind as not to see that there are germs of war in economic reprisals such as are involved in retaliatory tariffs of the kind being levied against us by more than 40 nations as the direct result of this legislative iniquity—the Grundy-Hoover tariff?

REPUBLICAN TARIFF DESTROYED DARK TOBACCO MARKETS

A striking example of the effect on American agriculture of a liberal dose of Hawley-Smoot tariff tonic is the calamity it inflicted on dark and burley tobacco growers of Kentucky and other States. The principal money crop in western Kentucky and Tennessee for generations has been dark tobacco, largely an export product. The district that has long honored me with membership in this House is the greatest burley tobacco producing district in the world, and Lexington, its center and metropolis, is the largest loose-leaf tobacco market in the world. Burley tobacco is also the principal money crop of a part of Tennessee, Virginia, North Carolina, Missouri, Indiana, Ohio, and West Virginia. Burley is, and was then, used largely for domestic manufacture. When the Hawley-Smoot tariff caused the collapse of American commerce, and closed the American markets to the countries that were the more important purchasers of dark air-cured and fire-cured tobacco, it also virtually destroyed the foreign market for those types of tobacco and prostrated the dark tobacco industry in America. Those farmers, accustomed for generations to depend on tobacco as their money crop, with their markets destroyed, knew no alternative except to resort to the cultivation of burley tobacco, for which there was a domestic market, with the result that every pound of burley grown in the dark tobacco area diminished the price of every pound grown in the burley area, and depreciated the value of every acre of land in the great burley belt, as a consequence of which both burley and dark tobacco sold for less than the cost of production and thousands of farmers in Kentucky, Tennessee, and other tobacco-growing States were unable even to pay their taxes.

This bill authorizes tariff schedules even 50 percent higher than the rates of the Hawley-Smoot Tariff Act of 1930, which paralyzed American industry, wrecked American commerce and impoverished American agriculture.

In that same speech in the House of Representatives on January 9, 1932, I advocated an international economic conference which I said I believed "would go far in promoting friendly reciprocal trade agreements, in lowering discriminatory and prohibitive tariff walls, in bringing a return of prosperity to our country, and in advancing America to practical realization of the Jeffersonian conception, expressed in his immortal first inaugural address, of 'peace, commerce, and honest friendship with all nations.' "

THIS BILL IS RETREAT FROM LEADERSHIP IN PEACE

The reciprocal trade agreements program is vital and essential to our plan of international cooperation and fundamental in our aspiration for world peace. We recently participated at Habana with 52 other nations in the United Nations Conference on Trade and Employment. We are 1 of 23 nations, representing two-thirds of all the foreign commerce in the world, that negotiated trade agreements at Geneva last year, the most far-reaching trade program in history. We have adopted the Marshall plan for the rehabilitation of the industry, the employment of the people, and the economic recovery of the free nations of western Europe, so recently seared by the flames and riven by the plowshare of war. It is a great forward movement for enlightened and peaceful international cooperation. We must continue to go forward. Under the terms of this bill we would beat a hasty and ignominious retreat. If it becomes a law the news will be flashed around the world that this great Republic has abdicated its exalted position of leadership in striving for friendly commerce and international good will.

Mr. DOUGHTON. Mr. Chairman, I yield 9 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I think it might be proper to go over this situation generally and in review to drift back to the period of 1928 to 1932 and bring it up to date. You remember the hilarious era of 1928 to 1932, that Hooverian era of the economic joyride sponspored by the Grundyites, the Smoot-Hawley adherents, and the sanctimonious Tariff League. The plunder bund at that time ran riot and brought ruin and left a trail of broken hearts and suicides from one end of the country to the other. You remember those days: Bankruptcy on all sides and among all classes, banks closed, factories boarded up, sheriffs' sales of farms in every State in the Union, and apples, instead of being sold in bulk in foreign markets, were peddled piecemeal by the unfortunate workers on the street corners of our big cities. Apples once again became a symbol of weakness and desperation. Those were the days when the rank and file both among individuals and business

were down and out, but the plunder-bund, thanks to the Tariff League credo, were prosperous, they were, in fact, bloated, they were satisfied under the Smoot-Hawley Tariff Act.

Then in 1932 the people of the United States were fed up. They got wise, and they voted and they turned the rascals out. In 1933 the Democrats came in, Roosevelt and the great Cordell Hull, from the rugged hills of Tennessee, at his side. What an inspiration that man was in his advocacy of the trade agreements. He took on all comers before our committee. He smacked down the opposition one at a time. They were no match for him at anytime. It got so that not one of them dared to challenge him when he spoke because he had the right answer for everyone who dared question his wisdom.

We revived stagnant trade and industry by way of the trade agreements, and prosperity returned to America. Our products, the products of the farm and of the mine and of the bill, as the barriers were reduced, were sold in the markets of the world in ever-increasing quantities. That brought prosperity to all. But the plunder-bund, the Tariff League, the Smoot-Hawley boys, and the Grundyites, of Pennsylvania, were a sullen, sorry, disappointed bunch. So they wormed their way in once again, and in 1946, after a cleverly concocted scheme whereby the people of the land were misled, they succeeded in electing a majority of both Houses.

How this was brought about is a matter of history. You remember that we had a dozen or more unofficial Republican smelling committees going all over the Nation raising Cain about the high prices of food and the shortage of sugar and the lack of this, that, and something else, and they talked about the housing shortage. Why, bless your heart, they even sent a spokesman for the American Legion into Detroit to carry on some kind of hearings there during the last campaign. He charged the administration with all the sins of omission and commission that you could think of. He charged even that we were hoarding building supplies because somewhere or other someone discovered 10 kegs of nails in a Government warehouse. They misled the people into believing that the shortages and high prices were all the fault of the administration then in power, and that the salvation of the people lay in the hands of the solicitous Republicans. These committees held unauthorized, fake, partisan hearings. I presume these were financed by the Republican National Committee, because they traveled all over the country and for impressiveness held their spurious meetings in courthouses and the like and made the people believe that they were carrying on a bona fide investigation. It was just a lot of bunk and propaganda to mislead the people. At any rate, they succeeded in pulling the wool over the people's eyes. Then, after they came into power and killed the OPA, raised prices, gutted the Housing Act, and otherwise wrecked the set-up hereabout, they are now out for big stakes. The plunder-bund must be satisfied right down to the last dime and nickel in the pocket of the American public. The trusting people are now being led to the slaughter by a Judas goat. But this frolic is not going to last forever. Once the American public get wise to the direction in which they are being led, there will be another day of reckoning. Once again the tide will turn and the situation will be corrected. It appears as ridiculous to me that the majority report covers scarcely more than one page actually dealing with the move before us, while the minority report covers comprehensively the remainder of the 18 pages of the report or 13 pages of sound reasoning applied as to why the bill should be killed and the trade agreements extended for the full period of 3 years.

This report contains a list of newspaper articles and refers to a large number of intelligent, able, and well-known commentators, all of whom are in favor of extension of the trade agreements. For the most part, these people are writing for Republican newspapers. There is one paper that very few people know about; it is conspicuously absent from the list; it doubtlessly carries an awful lot of weight—not in its own environs, not in its own home State, not in its own great metropolitan area of 2,916 population, and you probably never heard about it—it is the Wadena (Minn.) Pioneer Journal.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LYNCH. Mr. Chairman, I yield an additional 3 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. This paper is published by the distinguished chairman of the Ways and Means Committee. It does not cut much of a figure in its own home town, but evidently carries a lot of influence in this chamber, particularly with the majority members of the Committee on Ways and Means who had the courage to bring this bill before the House.

Seemingly, the majority members of the Ways and Means Committee and the well-whipped and well-disciplined members of the majority who attended yesterday's Republican caucus—I am surprised that any of them can be sitting down today after the lashing they got yesterday to get into line—it does not make any difference to them, I say; but the preponderance of evidence presented before the committee over the question of extension of the trade agreements every time it came up, and presented by consumers, producers, merchant, manufacturers, bankers, shippers, farmers, workers, publishers, chambers of commerce, trade and business organizations, labor organizations, all of those representing billions in investment and millions in employed, in overwhelming numbers favored the extension of the Trade Agreements Act. But evidence did not cut any ice. The word went down from the plunder-bund that "We have had enough of restriction. We want to be free henceforth."

Mr. Chairman, the bill now before us, H. R. 6556, is strictly a one-way high-tariff bill. Section by section it points toward tariff levels even higher than the iniquitous Smoot-Hawley tariff of 1930 which helped to bring on and intensify the worst depression this country has ever seen. It is part and parcel of the tariff policy which, in the early 1930's, drove workers from jobs to bread lines, wrecked American foreign commerce, and bankrupted American farmers by the thousands.

Brought here under the flimsy disguise of a measure for extending the reciprocal trade-agreements program, it is actually and brazenly a weapon for killing the program. To enact this bill would amount to handing the old high-tariff crowd a set of loaded dice and telling them the sky is the limit.

This bill is designed solely to pacify, shelter, and cherish a minor segment of the American economy which wants to shut out all competition from abroad. It is designed to do this without regard to the welfare of a much larger portion of our national productive capacity, which would eventually find both its domestic and its foreign markets drastically curtailed if the bill should pass.

More than two and one-third million American industrial workers depend, for their jobs, directly or indirectly, on exports. This bill would do nothing whatever to enlarge or maintain the foreign markets for their products. Many of the most important agricultural enterprises in the United States—wheat, cotton, tobacco, corn, and hogs, and fruit, for example—must have foreign markets to absorb their full production and give decent prices to farmers. This bill would do nothing toward maintaining or improving those markets. Under the provisions of this bill a few enterprises of comparatively small importance in relation to the national plant as a whole would be given excessive tariff protection at the expense of consumers, farmers, and efficient manufacturing industries which give employment, pay the highest wages, and create buying power in our great domestic market.

This is a vital, dollar-and-cents matter to every citizen of my own State of Michigan—whether he is an industrial worker, a farmer, or a businessman. Foreign trade is of major importance to Michigan. The automobile industry's stake in foreign markets goes back many years. One out of every 10 automobiles manufactured in the United States has been sold abroad. The most important Michigan economic enterprises, in addition to the automobile industry, produce goods of the kinds which the United States exports. In this list we include our iron and steel products, electrical and other machinery, meat products, wheat and flour, fruits, wood and wood products, and many others.

In 1939 Michigan enterprises of the type I have described produced goods to the value of more than $3,500,000,000; they employed more than half a million people; and they paid out $813,000,000 in wages and salaries. The pending bill would not benefit these industries nor the people they employ and support. It would injure them, threaten their domestic and foreign markets and their jobs.

American exports are now running to more than twice the value of imports, but the whole philosophy of this bill is to cut down still further the imports. The bill totally ignores the fact that if Ameri-

can producers are to be paid for the things they are sending abroad it will have to be in the form of imports from abroad. Otherwise it will be a case of giving away our goods. This simple fact does not penetrate the consciousness of the authors of this piece of legislation.

The high-tariff apostles have forgotten, if they ever understood, what happened under the Smoot-Hawley tariff policy, but they want to go back to that policy. They have steadfastly refused to face the fact that the reciprocal trade-agreements program is an effective means of getting away from the conditions into which we were plunged by the 1930 tariff act. For the sake of a few, at the cost of the many, they want now to kill the trade-agreements program. If this bill becomes a law, they will have succeeded.

The first provision in H. R. 6556 purports to extend the authority of the President for negotiating trade agreements by 1 year only instead of for the 3 years which have become customary. The framers of this bill put in that provision simply because they were well aware that in 1 year it would be almost impossible to gather the data, make the investigations, and carry out the negotiations involved in a trade agreement of any importance. They know that under past procedure most agreements required a full year or more to formulate and negotiate.

But to make sure of their objective, they have piled up new, cumbersome, and confusing procedures. They have required that the Tariff Commission hold extensive hearings on lists of items on which concessions are to be considered, and that it report to the President how far and for how long he might reduce tariff rates on those items. At the same time the bill specifically prohibits the Tariff Commission from taking part, as it always has, in decisions or negotiations. That prohibition deprives the interdepartmental trade-agreements organization and the President of the highly expert help of the Commission.

In prescribing the hearings and the report which will be required from the Tariff Commission the bill takes no account of any interest in the national economy except those enterprises that are seeking to maintain or increase their tariff protection. Export industries would have no place at these hearings to suggest concessions which might be obtained from foreign countries for the benefit of American trade. All that the Commission could consider and report on is the maximum change in import restrictions which could be made in the agreement. The Commission would have no chance to suggest any tariff cut which it might consider reasonable and desirable. The six other Government agencies in the trade-agreements organization would have no opportunity to question witnesses at the Tariff Commission hearings or hear the reasons they might offer for opposing tariff reductions. The Tariff Commission alone, instead of the seven executive agencies which now participate in formulating the agreements, would have to take the whole brunt of the tariff-lobby attacks. High protectionists would like this opportunity to press for their own advantage, but the general welfare of the country would suffer.

The Committee on Reciprocity Information, representing all the trade-agreement agencies, holds public hearings that implement the requirement in the Trade Agreements Act to give full opportunity for any interested person—consumer, exporter, importer, or producer—to give his views on a proposed agreement. In providing for separate hearings by the Tariff Commission, H. R. 6556 would duplicate in large part the CRI hearings. Thus it would double the burden and confusion of businessmen and others who wished to offer their views on a given agreement.

Section 5 of the pending bill is a revealing and an important example of the direction in which the authors of the bill would like to go. It provides that a tariff could be increased in a trade agreement to as high as one and one-half times the 1930 Smoot-Hawley rate. On the other hand, a tariff reduction cannot be more than 50 percent of the rate in effect on January 1, 1945. It would be possible, under these provisions, for some existing tariff rates to be raised by 500 percent, to six times what they are now. The only purpose of pointing out these facts is to show where the wishful thinking of the authors of the bill would lead them.

If all this were not enough to show this up as a high-tariff bill and nothing else, that old and threadbare proposal of the congressional veto is dragged in again. This congressional veto proposal is deliberately intended to be the straw to break the camel's back when it is piled on top of the 1-year extension, the Tariff Commission veto power, and the new and awkward procedures. Opponents of the trade-agreements program want to kill it and any other program for reduction of barriers to international trade. If one device does not do the job they hope another one will.

The Tariff Commission is an executive agency, its members appointed by the President. Under the provisions of the pending bill the President, if he decided, in the national interest, not to accept the recommendations of his own appointees, would have to let Congress decide between him and them. That is not good administration nor good government.

It is doubtful whether any trade agreement containing substantial concessions, once laid before the Congress, could be put into effect. But there is no doubt about what would happen here the moment the agreement reached Congress. The instant result would be a swarm of special-interest lobbyists descending on Congress and an avalanche of demands that the agreement be turned down. The old logrolling and tariff bickering would move back into the capitol.

There is far more at stake in this bill than the reciprocal trade-agreements program. This Congress has authorized the pouring of billions of dollars into the European recovery program. The ERP legislation requires the countries which share in American assistance to lower their barriers to trade among themselves and with other countries. But H. R. 6556 would make it difficult if not impossible for the United States itself to do the very thing which it demands that the European countries do. Unless ERP money is to be poured down a rat hole, sound commercial trade in Europe and with this country must be restored and expanded. A workable trade-agreements program will bring this about and thereby make it possible for us to be repaid, in part at least, for what we are sending to Europe. H. R. 6556 does not provide for any such program. The policy and philosophy behind H. R. 6556 would make expansion of world trade impossible.

This bill is not a bill to extend the reciprocal trade-agreements program as a continuing means of sound international cooperation toward expanding sound world trade through reduction of trade barriers. It is a sham and a repudiation of our economic foreign policy which will cost us dear.

Foreign countries are watching to see what we do. Only by a genuine and effective extension of the reciprocal trade-agreements program for a full 3-year term, without these amendments in H. R. 6556 which so obviously render it unworkable, can we retain their confidence and cooperation in a policy which, for 14 years, has served us well.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, I am very fond of my good friend, my distinguished colleague the gentleman from Michigan [Mr. DINGELL]. I do not agree with him today; however, our personal relations are such that we can honestly disagree without being disagreeable. Former tariff debates, between those who believe in a protective tariff and free-traders, have no place in this argument.

The so-called Reciprocal Trade Act has been in force for approximately 14 years. This legislation in no way attempts to destroy or repeal that act. When this act was placed on the statute books our Government embarked upon an unknown sea. We had no landmarks, bell buoys, or fog signals placed to guide our course. The administration was given carte blanche authority with very few limitations to enter into these agreements. The whole thing in the beginning was an experiment and only proposed as such. Its proponents did not ask for permanency but only a period of trial. On different occasions the trial period has been extended, the last time in 1943. I voted for that extension.

True, world conditions have been abnormal. Ordinary economic policies have not prevailed. Things have been unsettled and unstable and the necessities of war have controlled not only in this country but in every nation on earth. The present trade agreement law will expire on June 12 next and, unless some action is taken by the Congress, all trade

agreement authority will cease. Personally, I do not want that to happen.

I realize that the House is divided into three groups: First, the free-traders who would wipe out all legislation involving any protective tariff principle. Mr. Chairman, I believe there are few in this group at the moment.

Second, there is the group that would return to the highest protective tariff ever prevailing in this country. This group is negligible.

In between there are those who realize that our country cannot always sell and never buy from our competitors. We want international trade but we do not want this trade badly enough to give any political group authority to destroy American industry for the express purpose of developing temporary commerce with other nations. I am confident that a majority of our Membership belongs to this third group. Let us keep the good provisions of this act and improve the law.

Mr. Chairman, there are not enough votes in the Congress to continue the present authority of the Executive to make these agreements without further limitation, and by the same token there are not enough votes in the Congress to repeal the present law. In short, unless there is some compromise there will be no extension of this act. A vote against any change is a vote to kill the law. It would therefore, seem to me that common sense dictates the early adoption of the pending bill—admittedly a compromise, yet a wholesome and a safe one.

The real change proposed, is in the administrative machinery provided. This has been fully and adequately explained by members of the Ways and Means Committee. To me the really fundamental change is the elimination of the Committee of Reciprocity Information and the transfer of the functions performed by that committee to the Tariff Commission.

The CRI is a political group operating within the executive departments, the committee members being named by the Executive or the heads of the respective executive departments, without confirmation by the Senate and, in fact, without public notice. They may be purely political appointments. A Republican administration, happening to be in favor of high tariffs, might have one group of political negotiators, while a Democratic administration, opposed to all protective tariffs, would have another type of politicians.

Now, on the other hand, the Tariff Commission is an established agency and has the respect and confidence of the people of the Nation. Created by law a number of years ago, it is nonpartisan or entirely bipartisan. The members of the Commission are named by the President and confirmed by the Senate. There must be three Democrats and three Republicans on the Commission. This is a scientific group and has never been accused of being politically partisan. We all have faith in the findings of the Tariff Commission. Now, if this is true, then why should there be objection to having these proposed agreements investigated by the Tariff Commission and approved or disapproved rather than by the purely political Committee on Reciprocity Information? To me there is but one logical answer. The report of the Commitee on Ways and Means gives in parallel columns the exact changes made in the present act by the pending bill. This illustration should be most helpful and is as follows:

| OPERATION UNDER PRESENT METHOD | OPERATION UNDER PROPOSED METHOD |
|---|---|
| 1. State Department announces intention to negotiate an agreement and the items to be considered. | 1. No change. |
| 2. CRI, established by Executive order, composed of representatives of interested executive departments, announces hearings. | 2. President transmits list of items to Tariff Commission and directs that agency to make a study of each item. Tariff Commission announces hearings. |
| 3. Hearings before CRI. | 3. Hearings before the Tariff Commission. |
| 4. Trade agreements (interdepartmental). Committee formed by Executive order considers evidence, item by item, and reports to the President. | 4. Tariff Commission considers evidence and transmits report of findings to the President. No Tariff Commission members to be on Trade Agreements Committee, but Commission required to cooperate fully throughout negotiations. |
| 5. President approves or modifies Trade Agreements Committee recommendations. | 5. President approves or modifies Tariff Commission recommendations. |
| 6. Negotiations by State Department. | 6. No change. |
| 7. Agreement signed. | 7. No change. |
| 8. President proclaims new rates. | 8. If the rates in the tentative agreement fall within the competitive area found by the Tariff Commission, the President may immediately proclaim them. If the Tariff Commission report is not followed, then the President may not proclaim the new rates until Congress has had opportunity, within 60 days, to object by concurrent resolution. |

Mr. Chairman, it is easy for the demagogue to shout "crippling amendments." Those amendments are not crippling. They are strengthening and perfecting instead.

We live in a new era so far as tariffs and export and import duties are concerned, and we might as well face the realities as they are. I am satisfied that our country could not have attained its present dominant place in the world, with the highest standard of living of any people on earth, without our protective tariffs during the development of our industries and our country. These aids and safeguards should not be scrapped. Amendments and changes should be made where conditions and times warrant. Is there anyone here who takes issue with this statement? Of course not.

Carping criticism and political maneuvering have no place in this debate. I do not think that reciprocal trade agreements made under existing law or the proposed law will be very vital during the life of the European recovery program. That law gives the President much authority so far as exports and imports are concerned. That law will be subject to reappraisal on June 30, 1949. Reason and logic convince me that it will be sensible to extend the act we are now discussing so that it will expire about the same time. In the interim, there will either be a stabilization of world economic conditions or we will be in war, and reciprocal trade agreements, peacetime relief, recovery efforts, and all of that, will be subjugated to the necessities of war.

In short, I am persuaded that the Reciprocal Trade Agreements Act should be extended in some form for a limited period and this bill, which will pass the House today, is the best solution of a difficult problem. We must all give and take. As I have so often said on the floor of the House, we would have had no Constitution if the framers had resorted to petty personal differences and sought political advantage rather than the best compromise obtainable. As a practical matter, a vote against this bill is a vote to let the present law die on June 12. I do not want that.

Mr. Chairman, I shall vote for this bill as reported by the committee, and in so doing feel that I am unquestionably acting in the best interests of my country and the world.

Mr. JENKINS of Ohio. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the question of the levying of tariffs is the oldest of all our political issues. It has been an issue ever since the Constitution was adopted—yes, it was really an issue before the Constitution was adopted. The question of levying duties was a very vital one even before the Constitution because the different colonies levied duties on imports from the other colonies. The fact that they did levy these duties was a source of considerable discord between and among the colonies and the matter of relieving this situation was one of the principal reasons for the adoption of the Constitution.

When our founding fathers gave us the Constitution, they decided that tariffs and all matters connected therewith should be placed under the control and within the jurisdiction of the Congress of the United States. The Constitution says, "The Congress shall have power to lay and collect taxes, duties, imposts and excises."

As I have already stated, the levying of tariffs is exclusively a prerogative of Congress. The amount of the tariffs to be levied is a matter within the jurisdiction of Congress. Also the selection of the articles upon which the tariffs are to be levied is left exclusively to Congress. Across the years many a political campaign has been waged on what articles should be subject to

tariffs and what the amounts should be and also what should be done with the money collected. This gave rise to the important issues of "protective tariff" and "tariff for revenue only."

There came a time when the tariff and its ramifications became so important and so widespread that the Republicans took the position many years ago that Congress should delegate some of the details of the collections of tariffs to the Executive Department. The matter of reciprocity in the levying of tariffs was distinctly of Republican origin. In our early history the Democrats were usually always opposed to tariffs and in favor of free trade. So it is rather unusual to find the Democrats and the New Dealers today so anxious with reference to the matter of levying tariffs and import duties.

James G. Blaine and William McKinley were pioneers in introducing reciprocity into the tariffs and trade agreements. The Republican Party always insisted that the right to levy tariffs should be retained by the Congress. When the Republicans were in power reciprocal trade agreements were made but they were subject to final approval by the Congress. The Congress set forth a yardstick by providing limits below which tariffs should not be reduced and above which they should not be raised. During the Republican administrations these limitations were observed and Congress reserved the right to give its approval. The President could only make agreements within certain limitations.

When the New Deal came into power, Mr. Rosevelt and his gang decided that the matter of levying tariffs would be a great advantage to the Executive so they decided to take it over. It was at that time that Cordell Hull came forward with his plan which has become known as Reciprocal Trade Agreements. The only new principle involved in his plan was that he, having always been a free trader, was ready and willing to take away from Congress the function of collecting tariffs. He and Mr. Roosevelt decided that they would do this job themselves. They would do it by the appointment of what they now call a Committee on Reciprocity Information. They decided that the matter of levying tariffs would become a function of the State Department. It has become a function of the State Department. Everything that has been done in the last 12 or 14 years with reference to tariffs has been done by the State Department. The Committee on Reciprocity Information is in effect a travesty. There is no justification for it from a constitutional basis nor from an economical basis. Its only justification is that it is an arm of the Executive and does exactly what the State Department wants it to do. I challenge any one to show where the Committee on Reciprocity Information has ever done anything with the idea in mind of serving the public or where it ever has done anything of its own initiative or where it has ever done anything except what the State Department desired that it should do. One striking fact proves my statement. For instance, the Committee on Reciprocity Information is not a continuing committee—no one knows its personnel from day to day. No person who ever appeared before it was given any report or any decision of any kind. The personnel of this committee was made up at the whim of the Secretary of State. The membership served at his appointment and no doubt were advised as to what they were expected to do and what decisions they were expected to make.

Mr. Chairman, I have always felt that this situation was strange enough to be ludicrous but when I contemplate the power that these functionaries have had, I consider the situation to be more than ludicrous. It is simply awful. When we stop to think that this constitutional function is footballed around in this fashion then we can see why we ought to come back to the Constitution. I fail to see why anyone would hesitate a minute in his desire to get rid of these bureaucrats and put in their places the regularly constituted Tariff Commission which has always been a highly respected body. Ever since Roosevelt and Hull took over, the jurisdiction of the Tariff Commission has been practically nullified.

To my mind the Tariff Commission is immeasurably preferable to this uncertain unauthorized Committee on Reciprocity Information.

I am sorry I do not have time to go further into this matter. I wish to take up another matter where the New Dealers have deceived the public shamefully. I refer to their failure to give aggrieved parties a chance for their day in court. It is a great American principle of law that every wrong has a remedy. Through all of the tariff laws there runs the right of innocent parties to present their grievances. They have had a right to be heard. Under the present practices they are given the right to be heard but they are never given a decision. Countless persons and corporations have presented their views and their grievances but they are never given a report as to why their grievances have not been considered. The New Dealers have in effect represented to the country that all parties have a right for their day in court but the fact remains that not for a number of years has any aggrieved party been able to get his grievance considered by any court anywhere. In other words, as a part of this free trade New Deal program the Chief Executive and the State Department have seen to it that the matter of fixing tariffs is altogether within the power and province of the Chief Executive and the State Department and that their decision is final in every respect and that no one, regardless of how he has been mistreated, can find his way into any court anywhere.

Therefore I say that in practical effect none of the thousands of aggrieved persons who have felt that injustices have been perpetrated upon them, have been able to get any redress in any court. In this result the Chief Executive and the Secretary of State have also invaded the jurisdiction of the courts. A complete dictatorship has been established under the New Deal in its handling of the matter of levying tariff duties.

The Geneva Conference was an invasion of the rights of the Congress by the Executive. Apparently, no good has ever come of the Geneva Conference which cost our country many millions. The conference at Habana, Cuba, during the early months of this year was practically another invasion of the rights of Congress by the Executive.

So I repeat that the present legislation which we are now considering will do away with this autocratic assumption of power by the Executive and will bring back to Congress some of the rights which the Constitution reposed in it.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. LYNCH. Does the gentleman believe that this legislation which has been proposed here today will in anywise restore to the Congress the right to write a tariff bill?

Mr. JENKINS of Ohio. Yes, it will, and I will just take time to explain that a little. For instance, at the present time the law provides a sliding scale beyond and below which the President cannot go. We fixed a yardstick, as it were. If we pass the pending bill it will bring us back to that particular yardstick, it will absolutely fix a yardstick beyond which the President cannot go either up or down, and if he seeks to go up or down beyond the yardstick fixed by the Tariff Commission then he must come back to Congress for approval.

I am glad the gentleman asked that question because it proves my point exactly, and that is that this law does bring it back to Congress and I challenge anybody to show in the last 14 years where the Congress has had anything to do with these matters. The Executive has taken charge.

Mr. LYNCH. And if Congress does not act, the same situation prevails.

Mr. JENKINS of Ohio. Exactly.

Mr. LYNCH. The President writes the reciprocal trade agreements.

Mr. JENKINS of Ohio. Exactly. He enters into the agreements through his assistants and if he complies with the law then the agreement is made.

Mr. LYNCH. So that insofar as the gentleman's argument is concerned, the bill does not eliminate the evil he says exists.

Mr. JENKINS of Ohio. It does eliminate it, completely, and brings the President's proposed agreements back to the Congress so that the Congress, if he has attempted to go beyond what Congress by law has fixed as a limit, can say: "You cannot go higher, you cannot go lower." The Republican viewpoint is that Congress has full control over tariffs and that when Congress has set a limit within which the President can act, that when he goes beyond that limit it comes back to Congress for action. Nothing has come back to Congress for acceptance since the Roosevelt days.

In my section of the country the manufacturers of pottery, glassware, and china have suffered by reason of these free-trade and unfair and unjust practices. When a New Dealer blatantly proclaims that no industry has ever suffered by reason of the injustices of the reciprocal-trade agreements as carried out by the Roosevelt administration, we need but to inquire of the manufacturers

of these commodities. The owners of these industries are loud in their condemnation of these practices and likewise the employees of these industries, who have repeatedly appeared before the Ways and Means Committee to make their protests. In this period of inflation and high prices, the dangers of these reciprocal trade agreements are not easily discerned. Let the time come when production falls off again and the foreign countries have been rehabilitated so that they have regained their place as producers, then we will find that we must protect ourselves against foreign importations by the levying of protective tariffs.

I leave off as I began—that the levying of tariffs is a function of the Congress and that I shall be glad to see the day come again when Congress will be able to exercise its constitutional functions.

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. COUDERT].

Mr. COUDERT. Mr. Chairman, not being a member of the Ways and Means Committee I naturally knew very little about this bill until the report came out and the bill came on the floor. I am one of those Members who would certainly not vote for this measure if he believed all of the catastrophic predictions made by members of the minority. If this bill should effectively destroy the Reciprocal Trade Treaty Act I should not be able to vote for it. The assurances of the distinguished sponsor of the bill, the gentleman from California [Mr. GEARHART], and his colleagues, of course, have sufficiently convinced me that this is not so.

It is not necessary, however, for any Member to rely solely upon the assertion of the majority sponsors of the bill. Fortunately, a minority report was written. The minority report is more convincing, if anything could be, than even the majority statements, of the phoniness, the utter and complete phoniness of the attacks made on the floor upon this bill by the minority Members. If you will examine the report you will find that the primary reason assigned by the minority for their opposition is the intervention of the Tariff Commission. And they are opposed to that, why? Because the Commission would be required "to analyze all of the available facts and arrive at a judgment based upon such facts and on assumptions regarding such imponderables, price levels, and so forth, in the United States," precisely what the State Department is trying to do or pretending to do at the present time.

Then to cap the climax the minority report very fortunately calls our attention to the fact that the President has already brought the Tariff Commission into this procedure by the Executive order of February 1947. But the trouble with the way the President brought it in is that he has put the cart before the horse. He has put it in in such a way as to attempt to close the stable door after the horse has fled. In other words, under the Executive order, the minority report recalls, an escape clause is to be included in the reciprocal trade treaties and concessions may be withdrawn if serious injury is threatened to or done to an American industry, and the Tariff Commission is set up as the agency to investigate, to report and to recommend to the President what remedial action is to be taken to cure that injury.

Mr. Chairman, all this bill does is to put the horse before the cart where it belongs. It authorizes and directs the Tariff Commission to make that investigation before serious injury is done, not afterward.

I am satisfied that this bill is sound, that no injury is done to American foreign trade, and that the apprehensions aroused by the intemperate attacks of the minority are without foundation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GEARHART. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, I am supporting this bill. I believe it is wise and sound legislation. My only regret is that we are considering it under gag rule.

I find myself in a peculiar position on this matter. I believe that the gentleman from California [Mr. GEARHART] has brought out from his subcommittee a good bill, and that free debate and full consideration of amendments would demonstrate to the Congress and to the country its fundamental soundness. On the other hand, the leadership of the Ways and Means Committee saw fit to insist upon a gag rule, which is considered by the press and public as a confession of weakness. For myself, I have never been able to understand the psychology of a committee leadership which asks the House to consider a bill, but not to consider amendments to it. I have never been able to decide whether this is caused by an inferiority complex based on a fear that the committee cannot defend its bill or a superiority complex based on the assumption that the committee is wiser than the rest of the House. In the present instance, when for the first time in the many extensions of the Reciprocal Trade Extension Agreements Act a closed rule has been demanded, the result is to injure the prospects of final approval of a good bill by giving the impression that the closed rule was demanded to bolster up a bad bill.

I could not vote for such a rule, but I urge support of this good bill on its merits, in spite of the unfortunate circumstances surrounding its consideration. The most unfortunate of these circumstances is not the rule, but the all-or-nothing demand of Secretary Marshall as reported in the press. Let me remind the House that action on this bill will have world-wide significance, but that significance will depend ultimately upon what the bill provides, not what someone says about it, or the procedure by which it becomes law. Earlier this year the papers carried a somewhat similar all-or-nothing demand by Secretary Marshall in connection with the economic-aid bill. Congress turned down his demand and gave him neither all nor nothing, but the whole world has acclaimed the bill which Congress finally passed with the President's approval.

The present bill continues the authority of the President to make trade agreements with other countries, through the use of the Tariff Commission, a bipartisan, independent, public agency instead of the Committee on Reciprocal Information, a partisan, secret agency controlled by the President. The agreements go into effect unless there has been an independent, bipartisan determination that they cause or threaten serious injury to domestic producers of like or similar articles or impair the national defense. Even under such circumstances, the agreements go into effect unless both Houses of Congress within 60 days by a majority vote veto such agreements.

This 60-day review procedure follows precisely the Reorganization Act procedure, which had the support of the minority floor leader, the gentleman from Texas [Mr. RAYBURN], the gentleman from Massachusetts [Mr. MCCORMACK], the gentleman from North Carolina [Mr. DOUGHTON], and the gentleman from Tennessee [Mr. COOPER], and many others who are now opposing it when it is to be applied to agreements of the President which may have more far-reaching effects on our country than any change in Government agencies. I proposed this same procedure for reciprocal trade extension in 1943 and my amendment was defeated by a partisan vote. Under the circumstances, the objections to review of these agreements by the bipartisan Tariff Commission and by the Democrat-sponsored limited congressional review procedure can only be based upon partisanship of a misunderstanding of what is involved.

The tariff as a means of controlling foreign trade has little meaning in these days of export-import controls, distorted currencies, embargoes and subsidies. Extension of the reciprocal-trade law will, however, be considered as a symbol of our intention to continue to participate in the adjustment of trade regulations consistent with maximum beneficial foreign trade. After the sound and fury of debate in Congress, and editorial and radio comment outside have subsided, other countries will study the terms of the extension to determine its significance as a symbol. I want these countries to see:

First. That our country intends a bipartisan, independent determination of the economic facts involved.

Second. A review of the agreements, in case of controversy, by the elected representatives of the people, as is now the case in the overwhelming majority of the other countries with which we have trade agreements. By passing this bill we will tell the world one fact of life about our Republic: that our international cooperation depends not alone upon the President, but upon the continued cooperation of the President with Congress in protecting our own economy and our national security.

Mr. DOUGHTON. Mr. Chairman, I yield 9 minutes to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, if the issues were as simple as they appear to be after listening to some of my Republican

colleagues, I perhaps would not be speaking; certainly I would not be concerned about the Gearhart bill, H. R. 6556.

The issue here is not whether the program initiated by Mr. Cordell Hull will be continued for 1 year or whether it shall be continued for a longer period of time. The issue here is whether or not we shall for any period of time continue the reciprocal trade agreements program or depart upon a new, entirely different program through which we hope to initiate some economic agreements with countries abroad.

The gentleman from California, chairman of the subcommittee, along with the other five ranking Republican members of the Ways and Means Committee, have not, in my opinion, become converted since 1945 to the Hull reciprocal trade agreements program. I see some of them on the floor. If I am incorrect, I will be glad to yield for a correction. It is my understanding that none of the six top ranking Republican members of the Ways and Means Committee has ever voted for the Hull reciprocal trade agreements program. Is it not logical to assume then, Mr. Chairman, that this which they bring to us today in the guise of the Hull program is something entirely different, else they would not be supporting it?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As a matter of fact, in 1943, in the middle of the war, was the only time any of the Republican leaders in the House voted to extend it, and the gentleman's statement is correct. On that occasion the only Members of the Republican leadership who voted for it were the gentleman from Massachusetts [Mr. MARTIN], now Speaker, and the gentleman from Indiana [Mr. HALLECK] now the majority leader. They voted against it every other time, and the gentleman's statement in every other respect is absolutely correct.

Mr. MILLS. I thank the gentleman. Of course, when I read the bill—though not a member of the subcommittee, but when it was referred to the full committee—I began to wonder just a little bit if I could understand the bill from a simple reading of it. It did not appear illogical that they were giving me that which I wanted, and that the only compromise was one between 3 years and 1 year, so I tried to analyze the bill as best I could, and to compare it with procedures under existing law.

Comparison of the present procedure in preparing and negotiating reciprocal trade agreements with that proposed in H. R. 6556, the Gearhart bill now before the House, shows clearly that here is an attempt to trade a well-tested and effective procedure which protects all American citizens in exchange for an unknown, untried, and unworkable scheme which is obviously for the benefit of a comparatively limited number of American producers.

THE ESTABLISHED PROCEDURE

The established procedure in negotiating trade agreements derives in part from specific directives in the act itself; partly from Executive orders, the latest of which are No. 9647 of October 1945 and No. 9832 of February 1947; and partly from experience gained since 1934.

COMMITTEE FOR RECIPROCITY INFORMATION

In preparing to negotiate agreements, the main link between the public and the Government officials who are to do the actual negotiating, is the Committee for Reciprocity Information, an interdepartmental committee set up by Executive order. This Committee's membership is substantially the same as that of the Committee on Trade Agreements. It was created to carry out the requirement in the Trade Agreements Act that after reasonable public notice of intention to negotiate an agreement has been given, any interested person must have an opportunity to present his views on the agreement.

Through the present process all interested parties, and I want to emphasize all—exporters, importers, producers, consumers, and others with an interest in the proposed agreement—have opportunity to submit information and views. Summaries of the hearings, all briefs and digests of briefs or of correspondence, and correspondence itself when appropriate, are transmitted by the Committee for Reciprocity Information to all interested governmental agencies and officers.

Written statements were received from some 1,000 individuals, firms, and organizations before the opening of the recent Geneva negotiations, and nearly 700 persons appeared at the public hearings before those negotiations.

Under this procedure American producers and consumers have just as ample opportunity to be heard as they have before a congressional committee.

H. R. 6556, the Gearhart bill, makes no provision for any such hearings or collection of views and information. Of course, it does not prohibit them. If they are to be continued and all segments of the national economy are to have an opportunity to be heard, the Gearhart bill demands a costly, cumbersome, and burdensome duplication of procedure.

What does the bill really do? The bill permits the President to negotiate agreements that may reduce the rate of tariff which we maintain in return for reductions abroad after certain things have occurred. What are those things? First of all, the Tariff Commission must conduct a hearing at which everybody who is interested in the question of the tariff being raised or lowered, if he has an industry being protected, may appear, give testimony, and be heard. The sole purpose of the investigations and hearings provided for in the bill now before us is to determine the margin of protection which must be maintained for the benefit of certain domestic producers who fear foreign competition. There is no place in those hearings for consumers or industries who are burdened with excessive costs because of excessive tariffs. There is no place there for American exporters who wish to ask for concessions which will enlarge their foreign markets. These American economic groups are far more numerous and more important than those who are interested solely in tariff protection for themselves.

The Tariff Commission is made up of six individuals; three Democrats and three Republicans.

The only conclusions reached by the Tariff Commission after its hearings under H. R. 6556 would relate to—I quote:

> (1) the extent to which duties and other import restrictions on the articles included in the list may be modified; or (2) the extent to which additional import restrictions on the articles included in the list may be imposed; or (3) the maximum periods (if any) for which obligations may be undertaken to continue existing customs or excise treatment of articles included in the list.

It is most noteworthy that the Tariff Commission, under the pending bill, is given no voice whatever, such as it now has, in selecting the articles to be placed on the list which is subject to negotiation.

One result of this arrangement would be that a domestic producer wishing to register opposition to a certain tariff concession would have to make duplicate presentations of his case before the Tariff Commission in connection with its report to the President, and to the Committee for Reciprocity Information in connection with the negotiations. Businessmen have frequently complained about the burden of presenting their cases to the Committee for Reciprocity Information. For many of them, H. R. 6556 would simply double this burden.

Under existing procedure the Tariff Commission participates fully in hearing and considering the views of importers, exporters, consumers, and other parties at interest. In fact, the Committee for Reciprocity Information is headed by the vice chairman of the Tariff Commission. Under the proposed bill the Tariff Commission would be strictly debarred from participating in any decision on any matter other than the maximum reduction in tariff which might be made on articles in a list which the Commission has had no hand in preparing.

The six other agencies represented on the present Committee for Reciprocity Information would have no opportunity to examine witnesses giving views and information before the Tariff Commission. All they would get from the Tariff Commission hearings would be an iron curtain, beyond which they could not go. That, of course, would please many enemies of the trade-agreements program.

INTERDEPARTMENTAL TRADE AGREEMENTS COMMITTEE

Under the Trade Agreements Act, the President, before concluding an agreement, must seek advice from the Tariff Commission, the Departments of State, Agriculture, and Commerce, the National Military Establishment, and such other sources as he may deem appropriate. Under an Executive order of February 25, 1947, this advice is obtained through an interdepartmental Committee on Trade Agreements consisting of representatives of agencies named in the act and also representatives of the Treasury and Labor Departments.

The Committee on Trade Agreements directs all necessary trade and commodity studies, reviews the reports and

recommendations of its numerous subcommittees, and submits to the President its recommendations regarding the provisions of the trade agreement of which negotiation is contemplated. The most important of the subcommittees of the Trade Agreements Committee are the country committees set up for each country with which an agreement is contemplated. The country committees are made up of experts from the United States Government agencies represented on the Trade Agreements Committee. From time to time special subcommittees on special problems may be set up by the Committee on Trade Agreements.

Under the Gearhart bill the role of the Tariff Commission in this preparatory work would be sharply curtailed. The Commission would be explicitly prohibited from doing anything on country or other committees except to answer questions. The expert advice of the Tariff Commission members in directing studies and assisting the rest of the trade-agreements organization in reaching sound decisions would no longer be available to either country committees or the Trade Agreements Committee itself. The Tariff Commission would have no voice in recommending to the President what should be done—only what should not be done—a purely negative function.

Such an arrangement is cumbersome and it makes possible a complete deadlock. The President could act only after he had had the report from the Tariff Commission.

The President can enter into no negotiations with any country for the purpose of reducing tariffs until a peril point for each article has been established by the Tariff Commission. It is not a question of going below or staying above the peril point, but under the bill itself he has no authority to attempt to negotiate until the Tariff Commission has reached a decision as to the peril point. Where would the President be with a divided Commission—three on one side and three on the other—or with six separate recommendations from each of six Commissioners? Obviously, he could do nothing, which is the clear desire of the opponents of the trade-agreements program and the true aim of this bill.

Now, remember, Mr. Chairman, that every one of these trade agreements contemplates many, many articles; hundreds of articles, if you please. It is not a question of negotiating in regard to one tariff rate. It is a question of deliberating in regard to any number of tariff rates; six men, three Democrats and three Republicans. Certainly, it is conceivable that in regard to the articles proposed to be contained in a trade agreement that the Tariff Commission would not be able to get together on what the peril point is regarding one of those articles.

If the Tariff Commission could not get together on 1 of them, even though they could get together on 999, the President could not include that article in his negotiations; either that or he would have to drop the entire negotiations.

First of all, then, there must be the establishment of a peril point. How do you think the members of the Tariff Commission would arrive at a conclusion concerning the peril point? I will tell you how they would do it. The important factor in arriving at a peril point would be the consideration of cost of production in the United States versus the cost of production abroad, yet on a cursory reading of the bill you do not find the fact that now the sponsors of this bill have injected into it the very thing the gentleman from California [Mr. GEARHART] has always advocated, that is, cost of production in the United States versus cost of production abroad.

Mr. GEARHART. If the gentleman will yield, of course when he says I have advocated cost of production all the time it is his assertion, because I do not do that.

Mr. MILLS. If I have misstated the gentleman, I am sorry. I certainly understood the gentleman in the committee on numerous occasions to favor cost of production as a criterion.

Mr. GEARHART. I fear the gentleman has confused me with somebody else.

Mr. MILLS. I will withdraw that, then.

Mr. GEARHART. A point I should like to comment on and have the gentleman's further comment on is this. The gentleman stated it would take the Tariff Commission an unreasonable length of time to do the thing the bill would require. May I inquire of the gentleman how that same operation is handled under the present system?

Mr. MILLS. Under the present system it is not necessary to determine cost of production in the United States versus cost of production abroad. I would suggest to the gentleman, since he is the author of the bill, that he had better reread it, because the Tariff Commission cannot determine peril points, points below which tariffs cannot be reduced, without knowing something about the cost of production in the United States versus cost of production abroad. I know that during the consideration of this measure, since I have been in the Congress, that has been one of the proposals that those belonging to the gentleman's party have advocated in the past. If that becomes the law, if it is necessary for that to be determined before the peril point can be determined, the gentleman knows there could not be a reciprocal trade agreement entered into if this act should be extended 3 years, let alone 1 year. The procedure is entirely changed.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Michigan.

Mr. MICHENER. I came in just a moment ago, in time to hear the gentleman's last statement. I want to be put right, that is all. Is it the gentleman's contention that those negotiating the reciprocal trade agreements should under no conditions consider the cost of production of similar articles in the United States and in the country with which we are negotiating?

Mr. MILLS. If my good friend from Michigan understood me to say that, I hasten to say that he misunderstood me entirely, because that is not the point I was making. Certainly the cost of producing an item in the United States is considered as best it can be considered on the basis of information available to the Committee for Reciprocity Information and the Trade Agreements Committee, but there is no scientific method of determining such costs for the purpose of establishing the peril point, as this bill attempts to do. This makes a science of determining the cost of production and the peril point, which I say cannot be done on the basis of the staff that the Tariff Commission now has or with a staff double or triple the one the Commission has.

Mr. MICHENER. I thank the gentleman.

ACTUAL INTERNATIONAL NEGOTIATIONS

Mr. MILLS. Mr. Chairman, after the President has approved the recommendations of the Trade Agreements Committee regarding the provisions of the proposed agreement, actual negotiations, on a product-by-product basis, are begun with representatives of the other country or countries. In these negotiations, the United States under existing arrangements is represented by officers of all the various agencies, including the Tariff Commission, represented in the Committee on Trade Agreements and its subcommittees under the leadership of Department of State officers. These negotiators can offer concessions only within the limits which have been approved by the President and only in exchange for concessions of comparable value by other countries. Before they can agree to additional offers in the course of negotiations, these changes must be studied and recommended by the interdepartmental committee and approved by the President.

Among the shrewdest bargainers and most skillful negotiators on the American side in the past have been the representatives of the Tariff Commission. This bill shuts them out of the negotiations entirely. They are not allowed, under this bill, to sit at the table with the negotiators of foreign countries. They are not allowed to give the representatives of the other Government agencies the benefit of their knowledge. They have been required to say, in advance, "thus far shalt thou go and no farther." They are not allowed even to suggest that a little more relaxation here or a little more firmness there is permissible. Without them at the negotiating table the representatives of the six other national agencies will be most severely handicapped.

This bill, on the surface, purports to give greater effectiveness to the participation of the Tariff Commission in the trade-agreements program. Actually, it does nothing but circumscribe and limit the usefulness of that body. Presumably, the idea is that the Tariff Commission will be subservient to the political will of a new administration which the proponents of the bill hope will be of a different political complexion. That has not been the record of the Tariff Commission in past years. As a bipartisan body, it has borne a splendid and objective part in carrying out a sound and effective program of tariff reform for 14 years. So

far as the cramping limitations of this bill permit, it may be expected to continue to do so in the future.

SAFEGUARDING CLAUSES

Experience under the Trade Agreements Act has shown that agreements seldom, if ever, threaten serious injury to domestic producers of goods on which import duties have been modified. If any such case should arise, however, the means for adjustment are readily available. Under Executive Order 9832 of February 1947 every future trade agreement must include a comprehensive safeguarding clause like that first included in the 1942 trade agreement with Mexico. This clause provided that if, as a result of unforeseen developments and of the concession granted by the United States on any article, that article is imported in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like articles, the United States shall be free to withdraw the concession or to modify it as may be necessary.

The Executive order requires that the Tariff Commission is to make investigations to determine whether invocation of the clause is justified. Such investigation is to be undertaken either upon request of the President, upon motion of the Tariff Commission, or upon application of any interested party when in the Commission's judgment there is good and sufficient reason therefor. Public hearings are to be held in connection with these investigations, and the recommendations of the Commission are to be presented to the President for his consideration, decision, and action in the light of the public interest.

It should be emphasized that this escape clause is not a statutory provision. It is a safeguard which the executive branch of the Government has found desirable. It should likewise be emphasized that no such provision is contained in H. R. 6556, the Gearhart bill, which wholly omits any such provision or requirement. The pending bill, in other words, leaves domestic industry wholly bare of the effective emergency protective measure which is, by existing Executive order, included in every trade agreement which can be made under present procedure. Under this escape clause, now required by Executive order, the United States can modify or withdraw a tariff concession which, through unforeseen circumstances, may jeopardize an American industry. Under this pending bill the Tariff Commission must guess, in advance, what the consequences might be. Under the bill there is complete rigidity—no opportunity to reconsider. It is easily understandable that under such circumstances the Commission may be far more than conservative in setting the limits beyond which tariff concessions may not go.

Various means of reviewing agreements have been developed in order to make sure that the agreements liberalize trade conditions and promote an increased exchange of goods without serious injury to domestic industry. The Executive order of February 1947, requires that the Tariff Commission make an annual report to the President and Congress on the operation of the trade-agreements program. In addition, the Commission is required by the order to keep informed at all times concerning the operation and effect of trade-agreement provisions relating to import restrictions of the United States. Other interested agencies, too, including the National Military Establishment and the Departments of Agriculture, Commerce, State, Labor, and the Treasury, constantly watch over developments at home and abroad as they affect our trade. Our Foreign Service officers report currently all actions by foreign governments and developments in foreign countries affecting trade agreements. Finally, the Committee for Reciprocity Information at all times receives and circulates to the entire trade-agreements organizations the trade-agreement problems reported by interested persons.

The late Dr. Thomas Walker Page, long-time Tariff Commissioner and outstanding tariff authority of the United States, said of the preparation for trade agreements:

> In the preparation of the trade agreements, there has been less secrecy and there has been more opportunity for interested parties to present their views than there has been in any tariff revision for more than a hundred years.

I wish to quote also from Mr. William L. Monro, former president of the American Tariff League, which has consistently opposed the trade-agreements program from its inception:

> I will also stress the fact that in carrying out the trade-agreement policy by Mr. Hull, great credit should be given to the fact there has been no suspicion of political influence regarding the reduction in duties on any article placed on the reciprocal trading list. I believe that everyone who has had occasion to contact the staff that makes up the schedules must admit that regardless of whether we approve of the policy or not, the agreements are prepared solely from the viewpoint of endeavoring to increase foreign trade with the least injury to domestic industries.

Why should it now be proposed that this effective machinery be scrapped for a will-o'-the-wisp conjured up for political reasons?

The Gearhart bill says that if the President, having in mind the general public welfare, decides that tariff concessions exceeding those laid down by the Tariff Commission as the maximum permissible are desirable, and concludes a trade agreement embodying such concessions, he shall lay the agreement before the Congress subject to congressional veto within 60 days. Since every agreement will presumably be before Congress, we will return to the Republican log-rolling tariff policy, under the bill.

There is a far longer range and far more widespread reaction. If the United States today repudiates its stand in favor of a more liberalized and expanded world trade; if it shows its hesitancy and indecision by renewing the Trade Agreements Act for only 1 year instead of the customary 3; if it hedges its actions by quibbling, crippling, and obviously isolationist acts such as the pending Gearhart bill, the United States will lose the confidence of the world in its good faith, in the sincerity of its protestations about expanding world trade. It will have abandoned its international leadership toward a world of better living standards, of prosperity, and of peace.

Western Europe recently received hope of further economic cooperation from us when we passed ERP. Shall we now destroy that hope by admitting our return to economic isolationism? I trust we will say by our vote that further economic cooperation is to occur, that we are now prepared to open the way for greater world prosperity and understanding, higher standards of living for all, and the complete elimination of some of the causes of war. Your support of the motion to recommit means this.

Mr. GEARHART. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, if this cannot be done promptly by the Tariff Commission, as the bill would require it to act, then I ask, by whom are these studies being made now? If it is not done by any agency of the Government at the moment, then it must be taken as admitted that our tariffs are being slashed blindly, unscientifically, and without any idea as to the highly technical matters they are dealing with.

The gentleman has focused our attention upon the most flagrant weakness of the present system—a reckless, unscientific, nontechnical dealing with a complicated problem which requires the most expert technical understanding to comprehend.

The thousands of unemployed shoemakers of Massachusetts, those who now walk the streets looking for work because of the unequal competition of the Czechoslovakians, can attribute their unhappy situation entirely to the unscientific, nontechnical knowledge of those who slashed the tariff on shoes without consideration of the effect of their reckless disregard of our competitive position. The bill provides in plain words that the Tariff Commission should determine whether or not a business is threatened with injury or whether the national defense capacity of the Nation is impaired. It has nothing to do with and says nothing about the question of cost of production. Upon reflection, I am sure that the distinguished gentleman from Arkansas will agree.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GEARHART. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Chairman, I am one of those who thoroughly believe in the principles behind the reciprocal trade treaties.

I am one of those who believe that under changed world conditions it is essential to the welfare of the United States that we import much more than we have in the past.

I am one of those who believe that unless we agree to take these imports and fit them in with our economy it will be very difficult to carry out the objectives of the European recovery program.

I am one of those who have always voted for renewal of the reciprocal trade

agreements and have voted against what I considered crippling amendments.

With this background should I, and those who feel as I do, vote for this bill? I believe that we should.

Does this bill in any way cripple the program? The answer is certainly "No." It provides for scientific study by the nonpartisan Tariff Commission in place of hearings by that haphazard group known as the Committee on Reciprocity Information.

The State Department will negotiate as they have in the past, and if they observe the safety limits set by this nonpartisan technical body, whatever changes they have negotiated will go into effect.

It is only if the negotiators exceed these safety limits that the matter has to be presented to Congress. Then the agreement negotiated still goes into effect unless Congress by vote of both Houses within 60 days decides that the treaty which has been made is not to the best interest of the United States.

Certainly there is nothing crippling; nothing which interferes with honest attempts to seek the most advantageous reciprocal agreements in this provision.

Some of the public have been led to believe that the 1 year's extension provided by this bill would mean that agreements already negotiated would expire at the end of 1 year. But of course all Members of Congress know that this is not so.

Those in the administration who have been most closely connected with the program seem to have no great objection to the provisions of this bill except they say: "Can't you make this renewal for 2 years instead of 1?" Let us consider this question for a moment.

It is quite possible that next year we will have a new administration. In order to make this reciprocal trade program a permanent part of our law, would it not be better to have the subject of renewal come before us in the so-called "honeymoon period" of a new administration?

Certainly the whole subject would be considered at that time in a more scientific manner with nothing but the best interest of the country in mind, than it would at a time close to an election when political implications could not fail but to have much weight.

All in all a 1-year renewal now seems to be for the best interest of continuation of true reciprocal trade as our permanent policy.

I believe that leaders of the administration are disappointed in this bill. Disappointed not because it is a bad bill, but because it is such a good bill. They had hoped to have as one of their chief campaign issues what they hoped to call "economic isolation." There is no economic isolation in this bill. The opposition to this good legislation is an attempt by administration followers to make a political issue for their own benefit.

Mr. Chairman, I hope that our friends on my right will forget politics and that many of them will consider this bill on its merits and join with me in voting for it.

Mr. DOUGHTON. Mr. Chairman, I yield 9 minutes to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, if the Democrats were not imbued with a deep feeling of Christian charity, we would without hindrance let you Republicans ride the Smoot-Hawley Act down the road to political perdition. But we are trying to save you. We are trying to bring before your eyes the evils of this bill; and, for the life of me, I cannot understand how you Republicans became converted so rapidly to the idea of reciprocal-trade agreements. Of all those who have spoken in favor of this bill, only one, the gentleman from New Jersey [Mr. KEAN], who just preceded me, has ever in his life, except during the war years 1943, voted for reciprocal-trade agreements.

In 1934, just two Republicans voted for reciprocal-trade agreements. In 1937, three Republicans voted for the extension. In 1940, it increased from three to five. In 1943, while the war was going on, there were 145 who placed the welfare of their country above politics. In 1945, there were only 33 Republicans who voted for the extension of the reciprocal-trade agreements.

Now, when I hear you Republicans get up and say how you are now for reciprocity, how you are for the extension of the Reciprocal Trade Agreement Act as set forth in this bill, I am just completely overwhelmed. The change has been so great that I think I might very well read an editorial which appeared in the New York Times this morning, which is entitled "Republican Folly":

REPUBLICAN FOLLY

If the Republican leadership of the House of Representatives had stayed up nights for a month, trying to think up ways of giving the country a stunning exhibition of provincialism and partisanship at their unexampled worst, it could not possibly have hit upon a more successful means of doing so than in the position it has taken on renewal of the Reciprocal Trade Agreements Act, an issue due for a test vote today.

Here, in the Trade Agreements Act, sponsored and developed under the wise statesmanship of Cordell Hull, is the most constructive contribution made by the United States in the last generation to the cause of sound international economics. The Hull program recognizes that international trade, like any other trade, is necessarily a two-way process. It recognizes that we cannot hope to sell abroad unless we buy abroad. It recognizes that a creditor nation (and the United States is the greatest of all creditor nations) cannot expect to be repaid on the loans it makes abroad unless it is willing to accept payment in the only form in which payment can be made in the long run—that is, in terms of goods. It recognizes that the Hull trade program is the indispensable other half of the Marshall plan. It recognizes that the American consumer is entitled, particularly in a time of inflation that is playing hob with living costs, to go to foreign markets for the goods he needs, if these goods are offered to him at more reasonable prices, and that it is an outrage to force him to pay on such goods a tariff which is designed to protect a domestic monopoly. It recognizes that a thriving two-way trade among democratic nations is the best possible assurance of an expanding economy, the soundest possible basis for maintenance of the free enterprise system and the bast possible antidote to endless regimentation and controls of American production.

This is the Hull trade program. Under the powers which Congress thus granted to the administration, 28 mutually beneficial agreements with foreign nations were reached in the first decade of its operation. In the letter and the spirit of the same legislation, more recently, the most ambitious general trade agreement ever to be negotiated was brought to a successful conclusion at Habana by the representatives of no fewer than 53 nations, our own included.

This is the Hull program. It will expire on the 12th of next month unless it is renewed. And what do the Republican House leaders propose to do about it?

They propose to renew it for a single year, but meantime to amend the life out of it. We agree with the pungent comment of Secretary of State Marshall that the Republican bill to be voted upon today carries such crippling amendments that only a shadow of the original act is preserved, while its substance is destroyed. This Republican measure would set up the Tariff Commission, now an integral and smoothly working part of the whole trade-agreement-making process, as a censor over the authority of the President to exercise the powers which have hitherto been delegated to him in this field by Congress. It would make protection a guiding principle of the Commission's action. It would provide that any action of the President which did not conform to the Commission's views could be vetoed by Congress, acting within the next succeeding 60 days—and the 60 days would not mean 60 days merely by the calendar but 60 days of continuous legislative session. This would be the new set-up, and the uncertainties and obstacles resulting from it would heavily, and in many cases fatally, handicap the President in his tariff negotiations with other countries. No foreign country would know whether or not the President's word would stick.

Nor is this all. Having contrived this scheme to knife the Hull trade program while appearing to befriend it, the Republican leaders have brought their plan into the House under a closed rule actually forbidding any attempt whatever to change it on the floor. The House may talk—for a limit of 3 hours. It may vote. But it may vote only for or against this ingenious bit of sabotage. It is either this or nothing. No change permitted. No revision possible. No amendment from the floor. This is gag rule at its worst. In this case the House leaders are making a mockery of the legislative process.

The Senate leaders may have better judgment. They may have a more realistic understanding of what is happening in the world today. They may also have a better guess as to just how many thousands of independent votes this combination of high-tariff provincialism and partisan gag rule will cost the next Republican Presidential candidate if this is to be the program. But the House leaders are set to go. It remains to be seen whether the Senate leaders can ultimately save the party, and the country, from the consequences of this almost incredible folly.

The press of the country is overwhelmingly in favor of the extension of the present act. I understand from the Gallup poll that 80 or 85 percent of the people, who are familiar with the Reciprocal Trade Agreements Act and who have been polled with respect to this particular act, are in favor of the extension of the act as is.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. I will be glad to yield to the distinguished chairman of the Ways and Means Committee.

Mr. KNUTSON. It is my recollection that the Gallup poll showed that two-thirds of those polled stated they did not know anything about it.

Mr. LYNCH. Well, the gentleman and I have been reading two different Gallup polls, because I am quite certain that I am correct in the statement that I have made.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. Yes; I yield to the gentleman.

Mr. GEARHART. I will read a paragraph from the Gallup poll to which the gentleman referred:

> But it may come as a shock to the educators and the national leaders to realize that after 14 years of debate over Cordell Hull's trade-agreement program the vast majority of the voters, 2 out of 3, do not know what the reciprocal trade treaties are.

Mr. LYNCH. That does not contradict in anywise what I have said. Not only do not the vast number of voters know what the reciprocal trade agreements are but after the exhibition of those who have spoken in favor of this bill I am quite convinced that there are a vast number of people on the Republican side who do not know what the reciprocal trade agreements are. What I said was that 80 to 85 percent of those who are familiar with the bill, have indicated that they were in favor of extension, as is.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. DOUGHTON. The percentage it said was of the informed people on the subject.

Mr. LYNCH. That is quite correct.

Mr. DOUGHTON. Moreover, it shows that the vote was 50–50 as between Democrats and Republicans. As many Republicans favored it as Democrats. It was a 50–50 division.

Mr. LYNCH. But if my memory serves me correctly, of the informed people, those who knew about the reciprocal-trade agreements, 80 or 85 percent were for extension.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. McCORMACK. The uninformed represented probably the old-guard Republicans.

Mr. LYNCH. The other percentage was recorded as not being in favor of reciprocal-trade agreements in the first place. But, Mr. Chairman, it does seem to me that when our Republican colleagues say they are in favor of the Reciprocal Trade Agreements Act, when you look back over the record that the Republican Party has established, from the huge number of 2 in 1934, to 33 in 1945, who voted in favor of the reciprocal trade agreements program, I do not think it is quite cricket for you to come here and try to tell the American people that you are in favor of extending the reciprocal trade agreements program.

The gentleman from Massachusetts [Mr. HERTER], who addressed us earlier today, stated likewise that he was for this bill. I would like to know when he was converted. He opposed the Reciprocal Trade Agreements Act in 1945 and voted against the Reciprocal Trade Extension Act of 1945. When was he converted? When have all you Republicans been converted to the idea of the reciprocal-trade agreements? I know that in your platform you have spoken about it. I know that some of the leaders of your party, like Mr. Stassen, Governor Dewey, and Senator TAFT, have spoken in favor of the extension of the reciprocal-trade agreements, but for some unknown reason the Republican Members of this House have turned their backs upon their party platform, they have turned their backs upon the men who have stood for republicanism in the past, and they are now endeavoring to say they are at this present writing in favor of the reciprocal-trade agreements when you know very well that what you are trying to do is to scuttle the whole act because you know that it is not workable under this bill that has been proposed by our distinguished friend from California.

This bill, H. R. 6556, is objectionable in almost every respect. It gives only lip service to true reciprocity. It is reciprocity in form without substance. Such a proposal is a dagger in the back of real reciprocity. It is a hypocritical device which makes it a meaningless gesture. It proposes to extend a questionable and restrictive authorization for the President for only 1 year; this is insufficient time for gathering data and information to carry through any possible negotiations; the bill serves notice to the rest of the world that the United States has grave doubts about the value of continuing this important economic foreign policy in existence for 14 years. The bill places upon the Tariff Commission, in effect though not in definite terms, the sole responsibility for determining how far a tariff rate may be cut. This follows from the obligation imposed upon the Commission to determine in each case the so-called peril point, below which a cut may not be made. This is a limitation within the present limitation of 50 percent of the rates in effect January 1, 1945.

This procedure will inevitably concentrate upon the Tariff Commission alone the full weight of all of the pressures of special interests, and imposes an unnecessary burden upon the Commission because it is required, in the case of each product, to determine the maximum tariff concession which could be made without injury. This restriction will inevitably entail serious delays. The Tariff Commission will have to decide in advance any possible future injury to domestic interests.

The obligations placed upon the Tariff Commission, composed of six Commissioners, three of each major political party, plus the requirement of the bill, that no agreement may be entered into until the Commission, as such, has reported to the President, plus the limitation of the President's authority to 1 year, is a guaranty of no action. Placing upon the Tariff Commission the sole responsibility for determining limits below which a cut may not be made without threatening injury to a domestic producer or impairing the national defense deprives other governmental agencies of the opportunity to exercise the influence which their responsibilities would seem to justify. For example, the Tariff Commission's judgment should not be preeminent in the field of national defense over that of the Military Establishment. Under the present procedure, that is why other agencies are now represented in the interdepartmental trade-agreements committee. The authority which seems to have been given to the President for a year is wholly nullified by red tape.

On the other hand the requirement that Tariff Commission officers or employees should not participate in the recommendations to the President with respect to the extent of any cut, and should not participate in the negotiation of any agreement, deprives the President of trusted and competent counselors and an effective aid in negotiating the best possible bargains for the United States. It tends to set one governmental agency off against all others.

This bill tends to destroy the entire interdepartmental cooperative efforts of the past 14 years. For example, requirement that the Tariff Commission alone shall hold public hearings deprives other interested Government departments from participating in such hearings and the right of cross-examining witnesses, aspects of the hearings which have been of the utmost value in the past. The provision that the President may disregard the recommendation of the Tariff Commission, but only by submitting the entire agreement for congressional veto, is nothing more than window dressing meant to nullify any independent Presidential authority. The Congress would undoubtedly follow the recommendation of the Tariff Commission, if that agency could ever agree on the extent of any cuts. This sort of confused and divided authority is improper because it puts the President in the position of having to submit to the Congress a disagreement between himself and an agency which is administered by his own appointees.

Since recent polls show that from 70 to 80 precent of the people favor the present program irrespective of party it is politically unpopular to oppose reciprocity as such, so everyone wants to at least appear in favor of it. These amendments are innocent enough looking but they are devised to kill the effective program successfully operated for 14 years under the act. During every past renewal there have been offered amendments, any one of which would give us "reciprocity in form" but an act without any substance whatever. That is exactly what H. R. 6556 provides. We are all familiar with the common practice of defeating legislation by amendments, when the originators of such amendments can evade the responsibility for defeat. That is exactly the kind of amendment we have to the Reciprocal Trade Agreements Act. Let us not try to fool the American people with this back-door sabotage. This amendment has been craftily drawn to give the form of reciprocity; that is not enough.

In my estimation this act should be renewed in a workable form for the following principal reasons:

First. Without such authority as is contained in the present act the President could not conclude new agreements with several countries, which were not

present at Geneva and the expansion of whose trade would be advantageous to world recovery. Such agreements with these countries would be concomitant with objectives of the charter for an International Trade Organization, if the charter is accepted by the United States and other major trading countries of the world.

Second. Without the act there will be uncertainty regarding Presidential authority to withhold benefits even from nonagreement countries which might flagrantly discriminate against the commerce of the United States. The authority may become more important for this purpose in the future.

Third. This Government might be prevented, without the trade agreement authority, from making broad and necessary modifications in agreements such as now being undertaken with Mexico. Since some of the older agreements do not have the standard escape clause contained in the Geneva agreement it would not be possible to make certain other desirable adjustments.

Fourth. For the sake of world stability the trade program should be continued. The United States will lose world leadership toward reductions in world trade barriers, which it has maintained since 1934. Through that leadership there was concluded last October at Geneva an agreement covering half of the commerce of the world, termed by the President "a landmark in the history of international economic relations."

I believe the majority of the American people are well convinced that neither economic nor political isolation is possible for any country in this modern world. To depend on the possibility of such isolation is to defeat the trends of modern industrial forces which bring the world closer together day by day. We might well ponder the words of Cordell Hull, as a warning at this moment, when he said in a broadcast as early as July 23, 1942:

> After the last war too many nations, including our own, tolerated or participated in attempts to advance their own interests at the expense of any system of collective security and of opportunity for all. Too many of us were blind to the evil which, thus loosed, created growing cancers within and among nations—political suspicions and hatred; the race of armaments, first stealthy and then the subject of flagrant boasts; economic nationalism and its train of economic depression and misery; and, finally, the emergence from their dark places of the looters and thugs who found their opportunity in disorder and disaster.

In this new postwar situation we need to indicate in a positive manner that we are sincere in our efforts to work out, as far as can be done without injury to any substantial domestic industry, a sound approach to the solution of world economic problems. The reciprocal trade agreements are a partial solution.

We can hold the confidence of the people of the world with a consistent foreign policy. We should not, after 14 years of hard work and accomplishment, abandon or weaken the reciprocal trade agreements program. This long-established program is the economic counterpart of the political phases of our bipartisan foreign policy. This country cannot afford to falter in its long-time leadership of a world movement to lower trade barriers by mutual agreement among trading nations.

I want to read, in conclusion, a letter I received today from a New York businessman, H. V. Whelan, vice president of Nuodex International, Inc.:

> NUODEX INTERNATIONAL, INC.,
> *New York, N. Y., May 24, 1948.*
> The Honorable WALTER A. LYNCH,
> *Congress of the United States,*
> *House of Representatives,*
> *Washington, D. C.*
>
> HONORABLE SIR: Many of your constituents are closely watching congressional action on the renewal of the President's authority to negotiate trade agreements. Our keen interest in this issue is not because we have an axe to grind, for we do not, but because of the fundamental principles of economy involved.
>
> Gaged by its effect on the economy of our country, one of the most detrimental pieces of legislature ever concoted by a United States Congress was the Smoot-Hawley Tariff Act. Immediately after legislating prohibitive tariffs against the large community of nations with which we had been trading for many years, retaliatory tariffs were imposed against the automobiles, typewriters, electrical equipment, tires, farm machinery, chemical products, proprietary articles, and so forth, which for years had been produced by skilled American workmen in Detroit, Toledo, Cleveland, Wilmington, Syracuse, Buffalo, and so forth. What was the net result of the imposition of the Smoot-Hawley Tariff Act? Being unable to continue shipping the products enumerated above (and many others) to customers overseas who were ready and eager to buy them, the manufacturers packed up the machinery and special equipment with which they were made, and shipped entire factories to Argentina, Mexico, Cuba, Brazil, South Africa, and many other countries. The same machines made the same products, but the pay rolls were in Buenos Aires, Mexico City, Havana, Sao Paulo, Durban, and so forth, instead of in the American cities mentioned above. Wages for millions of man-hours were transferred from American industrial centers to foreign countries. And why—to protect the jobs—and the profits of the management—of a few thousand workers in a few industries producing something that could be produced more economically somewhere else. American consumer products were made in foreign factories by foreign labor. Large areas in foreign countries were planted with crops which previously had been purchased from the United States of America. Foreign industry in the broader sense, was given an effective incentive to compete against American industry.
>
> There is a parallel between the Smoot-Hawley Tariff Act and the agitation which is becoming vocal against continuation of the policy of negotiating trade agreements with foreign countries to permit a two-way flow of trade.
>
> Those who want to buy what this country can produce more economically, or better, than anyone else, cannot do so unless we buy what the other countries produce. One-way trade is as impossible as is up-hill travel of water. Water can be forced up hill, but unless it is allowed to to run down again, there ceases to be travel. It becomes stagnant, as does international trade when our customers run out of funds with which to buy.
>
> We, as a creditor Nation with most of the gold in the world, are treading on dangerous ground if we restrict trade still further by imposing artificial barriers against the products of the countries which wish to buy from us. Much progress has been made during the past few years in leveling these barriers and letting water seek its own level. If this and similar issues were decided entirely on the basis of the economic factors involved without any personalities, pressure groups, or vested interests "pulling strings," there is no doubt how they would be decided as the principles involved are so clearcut and simple. Congressmen who place the welfare of the country above the welfare of a few individuals will refuse to be influenced by pressure groups, and will join in renewing the President's power to negotiate international trade agreements and will confirm the ITO charter.
>
> We are anxious to see which side of the fence you are on.
>
> Respectfully,
> NUODEX INTERNATIONAL, INC.,
> H. V. WHELAN, *Vice President.*

Mr. Chairman, that is the opinion of a practical businessman and I think it is thoroughly sound. I hope that this bill which has for its object the wrecking of the Hull reciprocal trade program will be defeated.

Mr. GEARHART. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, in the 6 years since I began my service in Congress this question of reviewing the Reciprocal Trade Agreements Act and determining whether to extend it and, if so, in what form and for how long, has been before us twice. On each occasion I have voted for the extension and against every amendment that conceivably would cripple or weaken it. I think the gentleman from New York [Mr. LYNCH] will not deny that my record is clear and consistent in that regard.

I am going to vote for this bill. I am convinced that if people will examine the bill itself and study the program in terms of our present foreign trade situation, instead of taking for fact the propaganda against it that has been put out so recklessly and indiscriminately, they will find that the bill does not emasculate or endanger or sabotage or threaten the reciprocal trade agreements program, as has been charged. If I felt otherwise I would vote against it because I do not want to see the program weakened. I personally had thought it would be better to extend it for a longer period, but I recognize that with the review next spring of ERP, which will dominate so much of our foreign trade, and the coming into being of the International Trade Organization program, there are valid reasons for a 1-year extension. Furthermore, the charges to use the Tariff Commission should improve the actual operations in terms of our over-all economy and our national security. So, as between those who would have no program at all and those who would extend it for 3 years as is, I believe that this is a fair and workable middle ground and will give the program wider support than ever before.

I voted against the rule because I have been against all such rules in the past except on tax matters. I suspect that a closed rule will be misinterpreted as meaning there is something in the bill that will not bear the light of day, or cannot be defended against amendments. I thought an open rule should have been brought in, and if amendments could be offered that would improve the bill, adopt them. But I am convinced that the basic soundness of the bill is such that any

amendments I have heard proposed, except perhaps longer extension would be voted down. We should have debated and voted on all proposals openly before the country and thus educated people as to what actually is in it. I believe it can be shown that the bill does not cripple but in fact it is perhaps the best reciprocal trade agreement extension bill that has come before us since the program began.

Mr. GEARHART. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, first and foremost, I am in favor of an extension of the reciprocal trade agreements program as an essential element in the bipartisan foreign policy of the United States. Second, I believe we should not inaugurate new arrangements in any bill against which arrangements protectionism could be charged, especially in a year when we are likely to have a new administration which should have an opportunity to recommend changes, if any, as its own.

Mr. Chairman, this is really a foreign affairs bill and not just a measure dealing with revenues or imports. The impact of this bill on the foreign policy of the United States will be great. Reciprocal trade agreements are essential to the success of the European recovery program and to our whole bipartisan foreign policy. This bill is designed either as a caretaker bill to keep the idea of reciprocal trade agreements alive, or by separating the Tariff Commission from the Interdepartmental Trade Agreements Committee and giving the Congress veto power when the President deviates from the commission's recommendations bringing the program closer to protectionism.

The development of our country and our freedoms has always demanded a vigorous and effective private economy in the United States, and so in the days of our industrial infancy when it was necessary to enable productive enterprise in various fields to get out of its swaddling clothes in order to do an adult economic job here in the United States, protection in many industries could be adequately justified. But today when the United States is the greatest exporter of goods in the world, when the whole world hungers for our goods, when our costs of production in principal exports like machine tools and automobiles enables us to undersell foreign competition, and when our tobacco, cotton, and wheat are in great demand due to shortages in the world's export markets, we must reconsider our whole position. There is likely still to be room for tariff protection in some items, but our great productive power and our need for export markets must turn our emphasis toward trade rather than protection.

We are shipping goods overseas at the annual rate of $15,000,000,000 or five times the average of years 1936–38. Our gross national product has risen from $85,000,000,000 in 1938 to about $225,000,000,000 currently, while our exports are running at the rate of over 12 percent of our total production. Without question the most significant characteristic of our foreign trade is the high degree of unbalance between exports and imports with imports running at the annual rate of about $6,000,000,000 and exports at about $15,000,000,000. We had better have another good look and revise our whole concept of what is good business. As I see good business now it is to stabilize and assure our markets for exports and to increase our imports. This is the surest way to vitalize our own American industry on a competitive basis and to vastly improve the likelihood of stabilized prosperity for American business for the future; and when I say American business I include the investor, the manager, the worker, the farmer, and the consumer.

We have just made a major commitment in the ERP with respect to our whole foreign economic policy. This commitment is contained in section 102 (b) of title I of the Foreign Assistance Act of 1948 in which we declare it to be one of the purposes of the ERP to facilitate and strengthen the growth of international trade of participating countries with one another and with other countries—and that obviously includes us—by appropriate measures including reduction of barriers which may hamper such trade. If that were not enough, substantially the same provision is contained in section 115 (a) (3) as a commitment required to be made by each participating country in the agreement for assistance with the United States. Progressive reduction of trade barriers is also contemplated by the Inter-American Treaty just negotiated at the Bogota Conference. The charter for the International Trade Organization, which we ourselves brought into being through the original provisions in the lend-lease agreements looking towards the reduction of trade barriers, carries an obligation "to enter into and carry out with such other member or members as the organization may specify, negotiations directed to the susbtantial reduction of tariffs and other charges on exports and imports."

The continuance of the reciprocal trade agreements program is, therefore, the obligation of a whole series of international commitments on our part. The economics of the ERP show that a great increase in exports by the participating countries will be required and especially to dollar countries in order to absorb the very large balance-of-trade deficit in dollars which forms the very basis of the problems sought to be answered by the ERP. It has been estimated that an increase from approximately $6,000,000,000 to $9,000,000,000 in the value of our imports would go far toward redressing the adverse trade balance in dollars which now faces the nations of the world, and that this increase is a normal one when compared with the increase of 85 percent in our own aggregate production above the 1935–39 level. The impact of such an increase in imports in decreasing our cost of living is bound to be great. This is especially true in the household and consumer items like china and clothing where we have seen the greatest price increases and even scarcity. We should not interfere with this expected increase of imports.

Now let us consider the bill actually before us. It extends the trade-agreements program for 1 year, and if that were the only thing it does though important, I do not believe that the objection would be so great, because, though it would hamper negotiations they could be continued and it leaves freedom for review of the whole program under the auspices of a new administration. The difficulty in the bill, however, is in the procedural barriers which it sets up and which are bound to emphasize protection instead of reciprocity, and to delay the negotiation of reciprocal trade agreements. For by this bill, if the Tariff Commission finds in advance that a proposed tariff reduction will cause or threaten serious injury to domestic producers of like or similar articles, then the President's agreement is subject to congressional veto, while the present standard enables us to take a calculated risk in advance that there might be some injury to domestic producers, but with an escape clause if it becomes serious according to Tariff Commission findings, as a result of "unforeseen developments and the concession granted." Obviously where the decision is made in advance rather than by the trial and error of performance, there will be much more tendency to encourage pure protectionism. Also, the time factor in submittal of an agreement to the Congress when in session and the uncertainty of its approval depreciates the negotiating ability of the President and makes it doubtful that any agreements can in fact be negotiated during the year of this extension.

Some eggs must be broken to serve the broad national policy to enable the nations of Europe to recover their solvency and to get them out of the position of being our dependents. A 1-year extension hedged in with the conditions of this bill introduces doubts in the minds of foreign peoples as to whether we intend ourselves to be bound by the very provisions for economic recovery through self-help and mutual cooperation which we have insisted on for the ERP, and in our agreements with the 16 European nations concerned.

It seems to me that by writing a bill of this character which is a departure from existing policy and sets up new methods for handling reciprocal-trade agreements, we are prejudicing not facilitating a new administration, for we are binding it on the one hand to the policy and on the other hand to a new way of effecting it without giving a new administration freedom to agree or disagree. Faced with a closed rule, it is likely that many Members, including myself, will seek to get a straight extension first, but will then vote for this bill only in order to get the renewal of this act on its legislative way, in the expectation that after the other body has considered it, and it has come through conference it will come back to us in proper shape. That is the path of responsibility in view of the urgent necessity in the interest of our whole foreign policy, for not letting the reciprocal-trade-agreements program die in this Congress.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, I have in my hand a news item only a few days old of a statement made to members of the press by a former Republican governor, a former candidate for President on the Republican ticket, made in the office of the Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MARTIN]. I ask that that background be visualized, then to interpret what was said by the former Republican Presidential candidate, former Gov. Alf M. Landon, who ran for the office of President on the Republican ticket in 1936.

He was asked about the tariff bill approved by the House Ways and Means Committee—of course, that is the Republican members—and here is what former Governor, former Republican Presidential candidate Alf Landon is quoted as having said:

> The bill endangers the reciprocal trade program and endangers the whole policy of postwar economic reconstruction of the world. It threatens to waste the money we are advancing for foreign relief.

You have listened today to the gentleman from Minnesota [Mr. KNUTSON] make a most unnecessary and unwarranted attack upon one of the greatest Americans of all times, General Marshall. I wonder who he thinks he is fooling? I wonder if the gentleman from Minnesota thinks that he can, in the well of this Chamber, without resentment by the American people, make unjustified attacks upon a man of the character of General Marshall? It is one thing to disagree with a man, and I recognize the right of anyone to disagree and to express himsef in disagreement, but when I listened to the attack that he made and the manner in which he made it my blood boiled within me. The people of America know that General Marshall was the Chief of Staff during the war. Twelve million Americans wore the uniform under him—men and women, officers and enlisted men—and he was their Chief of Staff, and it was under his leadership that we won the war. The gentleman from Minnesota and many others voted against every bill that passed this Chamber prior to Pearl Harbor, bills necessary to save the liberty and the independence of our country. That is the type of argument you have, constant smearing and constant attacks upon outstanding men, the attack being directed because Chief of Staff Marshall, now Secretary of State, wrote the letter that he did to the gentleman from North Carolina [Mr. DOUGHTON]. I can understand disagreement with the letter; I can appreciate argument being made contrary to the views expressed by Secretary Marshall, but I cannot understand at all the nature of the attack made upon him. The American people will resent it.

No, this bill means nothing more than a return to the Smoot-Hawley days; do not let us get away from that. This means that the iniquitous conditions that existed under the Smoot-Hawley Tariff Act, and the preceding ones passed by Republican Congresses, are going to come back. Why even former President Hoover signed that bill with his tongue in his cheek, and when he did he made an accompanying statement apologizing for signing the Smoot-Hawley bill. I would admire the Republican Party more if they would have the courage to do directly what they are now doing indirectly by this bill, scuttling the Hull tariff program completely. The passage of this bill is a return to isolationism on the part of America. It shows what is going to happen if the Republicans ever get control of the White House. This bill is advance notice to the American people and it is advance notice to the nations of the world that if the Republicans by any chance should get control of the White House as a result of the election next fall, that our country is going to go back to isolationism. The American people might just as well realize that now. This, the high cost of living, and the rental situation are going to be major issues in the next campaign, because the Republican Party has made them issues.

If you wanted to put through an extension for 2 years, for example, without crippling amendments, that is one thing, or if you had the decency to come in and continue it for 1 year without crippling amendments, but you have crippling amendments in this bill that destroy it, without having the courage to do it directly. That is the thing to which we object, and which the American people will resent, and which will constitute bringing back the iniquitous days that existed under the Smoot-Hawley bill, and be a message to the world that under Republican control, despite what the leaders and Presidential candidates say one way, the Republican Party in Congress is bringing our country back to the days of isolationism. Let there be no misunderstanding on the part of the people in that regard. The Trade Agreements Act has been the keystone of our foreign policy for 14 years. The principle of the trade-agreement program is written into the European Cooperation Act of 1948. While we appropriate from year to year, that is a 4-year program. The passage of this bill is a violation or a contradiction of the provisions of the European Cooperation Act of 1948.

There we have the situation. We know that the true nature of this iniquitous document is revealed in section 52, wherein the President is authorized to raise tariffs to the level of 50 percent in excess of those prevailing under the Smoot-Hawley Act. Again, for all practical purposes, this delegates the power to make reciprocal trade agreements not as during the past 14 years to the President but to the Tariff Commission, because for all practical purposes under this bill nothing can be done unless the President agrees with the recommendations or the action of the Tariff Commission. Any time the President disagrees with any of the recommendations of the Tariff Commission the reciprocal trade agreement cannot become operative, and Congress within 60 days can overturn any such agreement. What country do you think is going to negotiate with us under these circumstances? The passage of this bill is a complete repudiation of the Hull reciprocal-trade program, and means a return to isolationism by the United States.

Mr. DOUGHTON. Mr. Chairman, I yield 6 minutes to the gentleman from Georgia [Mr. CAMP].

Mr. CAMP. Mr. Chairman, I regret exceedingly that what in my opinion is the most important matter which has come before this Congress this session will result, as indications now seem to be, in the end of one of the greatest programs the country has engaged upon in the last quarter of a century.

When the Reciprocal Trade Agreements Act was passed in 1934 our country was in the worst condition economically, as far as exports and imports were concerned, in its entire history. Through the past 14 years, by the hardest of work, the most careful nurture, we have built a foreign trade, not what we should have, but one growing year by year in its importance. To disrupt this great program now will be one of the saddest things that has happened at this session.

I should like to read an excerpt from one of Mr. Hull's last messages to the Congress:

> We shall soon have another chance to make a peace. This time we propose to make one that will last. We know that it cannot be lasting unless it embraces not only political and military affairs but also arrangements to provide the essential prerequisites to economic prosperity and to maintaining and improving standards of living in our own and in all countries. The trade-agreements program is one of these essentials. Its purpose has always been—and must continue to be—to bring about a reduction or elimination, on a reciprocal basis of mutual benefit, of excessive barriers to trade which impair the well-being of all countries and thus undermine peaceful and friendly relations among nations.

Some people have an erroneous idea of the meaning of foreign or world trade. They seem to cling to the idea that trading with the world means selling the rest of the world our goods without buying any of theirs. Trading means the exchange of goods for goods—just as the farmer takes his produce to town and exchanges it for the supplies he needs, as the trapper on the frontier used to exchange his furs for food and clothing. So we see that if we will have world trade we must take the goods and products of other countries in exchange for ours. We must buy as well as sell. To revive this trading this administration devised these reciprocal trade agreements. These agreements make it easier for the foreign buyers of our goods to find a market for their goods here. Each one provides increased opportunities for a country to expand its purchases of our goods, provides that the trade of one country shall be treated fairly by the other country to the agreement relative to the trade of a third country, thereby preventing discrimination.

These trade treaties became necessary because as we built high tariff walls in this country, other countries of the world retaliated by building high tariff walls against our goods and these tariffs became formidable barriers to world trade. It was found to be impossible to get rid of all these trade barriers at once, but these trade agreements, by reducing our tariffs on some goods in exchange for an agreement on the part of another

country to reduce its tariffs and other restrictions on our goods, encouraged trade instead of discouraging it.

These trade agreements are openly and fairly made. Mr. Noble, Under Secretary of Commerce, has given a clear description of the method of their negotiation, as follows:

Before we enter into trade-agreement negotiations with a country, public announcement is made of our intention to do so. The trade-agreements work is conducted by the Trade Agreements Committee, an interdepartmental undertaking in which participate the Departments of State, Treasury, Agriculture, and Commerce, and the Tariff Commission. This committee is made up of nonpartisan experts, men of experience and judgment in foreign trade, who have no interest in anything except what is best for the country as a whole.

As a result of study of the trade and products of the two countries, there is published at the time announcement is made of intention to negotiate a trade agreement a list of products in respect of which we will consider making concessions to the other country.

When these products have been announced in this open and aboveboard manner, so that everybody who produces or deals in these products may know about it, then a date is set when all interested persons may be heard. If you don't think a product in which you are interested should be included in these negotiations, you have a full chance to say so. You can appear before the Committee for Reciprocity Information at public hearings in Washington and state your case, or you can file a written brief of your arguments and have them carefully considered. In one way or another everybody affected has a chance to be heard—an equal chance. There are no back-door methods; no chances for lobbyists to exert political pressure; no secret deals or swaps.

Normally the United States can and does produce more of a great number of farm and industrial products than can profitably be sold in the American market. When large quantities of such goods cannot be exported, our agricultural products pile up in unmarketable surpluses and our industrial production slows down. The result is felt throughout the country in depressed prices, unemployment, reduced wages, and poorer home markets for American producers.

Trade between nations declined sharply after 1929, largely because most nations, including the United States, set up excessive barriers against imports. By thus making it difficult for its people to buy things they needed and desired from other countries, each country made it difficult—in many cases impossible—for its own producers to sell their exportable surpluses in other countries.

The Trade Agreements Act was then set up and our foreign trade began to expand. A market gradually was being made for our surplus production. The United States was on its way to taking its proper place in the world. This country emerged from the war as the No. 1 Nation, but it has one strong rival. Now we must lead whether we will or not. Our course may determine the future of the world.

BENEFITS OF FOREIGN TRADE

Expansion of our trade with foreign countries benefits the whole country:

First. It benefits directly the great branches of American agriculture and the many industries, large and small, that have products to sell in foreign markets.

Second. It benefits directly American producers who use imported raw materials or semi-manufactured products in making their finished products.

Third. It benefits many workers dependent upon these branches of agriculture and industry essential for their livelihood.

Fourth. It improves domestic markets for American producers not directly interested in export or import trade; American farmers and manufacturers who can sell more of their goods in foreign markets—and their employees as well—are better customers for the goods and services of Americans not in the business of exporting or importing.

Fifth. It raises living standards by providing more employment, more purchasing power, and more goods for American consumers at reasonable prices; it increases, to our mutual advantage, the exchange of products we grow or manufacture to better advantage than other countries, for products that other countries can grow or manufacture to better advantage than we can.

FOREIGN TRADE IS TWO-WAY TRADE

Foreign trade necessarily is two-way trade. We cannot export unless we import; we cannot import unless we export. Our exports provide purchasing power for the things we import; our imports provide purchasing power to foreign countries for the things they buy from us. People in foreign countries can buy our products only to the extent that they can acquire United States dollars to pay for them, and the only way they can acquire dollars is through the sale in this country of their products (including gold and silver) and services, or by borrowing. Loans, even if available to them, merely postpone the ultimate necessity for payment in the form of commodities or services. If such payment is prevented, defaulted debts are inevitable.

It is deplorable that this great program is to be destroyed before peace is restored to the world.

The people of America want this program continued—their disappointment will find expression in the days ahead.

Mr. GEARHART. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Chairman, as is so often the case, we lose sight of what the real issue is before us, sometimes as the result of an honest misconception of the bill, and sometimes as a result of deliberate political maneuvering, and criticism of the bill which is inspired for political purposes.

The issue in this case is not at all whether—as you might suppose from hearing some of the preceding speakers—we are going to extend the Reciprocal Trade Agreements Act. This bill does extend the reciprocal trade-agreements program. The question merely is a matter of administration, and that is whether this reciprocal-trade program is going to continue to be administered by the Committee on Reciprocity Information, which it seems to me has shown very little regard for the welfare of industry and very little knowledge of tariff questions, or whether we are going to substitute for that committee, which has done its work badly, the Tariff Commission, which is the normal and appropriate body in our Government to handle tariff questions. It seems to me it is as simple as that.

As a matter of fact, in many instances the State Department has handled this matter very badly, indeed. One of the most shocking examples of their inept handling of it was revealed in the month of April, when, a couple of weeks after Czechoslovakia had given up to communism and had disappeared behind the iron curtain, the President, through his advisers in the Department, put into effect by proclamation a trade agreement with Czechoslovakia. In that trade agreement there were drastic cuts on dozens of items of glassware, for example. I speak of glassware, because that is a matter of considerable importance in my district. I was a little surprised to hear the gentleman from Arkansas [Mr. MILLS] imply that the cost of production should not be considered very much in these problems. Just last week I had the privilege of being in a very large glass factory in my district. I saw people working there, men who were getting $1.70 an hour and getting as much as 30- and 35-percent bonus for doing effective work. I saw girls 18 and 19 years old making $200 a month. If we do not consider that cost of production, if we do not consider this American standard of living, it seems to me we are on the wrong track. We have been on the wrong track. So the issue is very simple. We are merely substituting for the State Department, which has revealed itself incompetent to do this job, the Tariff Commission.

Furthermore, we are doing one more thing which is exceedingly important, and that is that if the President concludes to execute a tariff agreement, notwithstanding the objections and study made by the Tariff Commission, then, finally, under this bill, that agreement cannot be effective until it comes before the Congress and lies before the Congress for a period of 60 days, during which period we have a right to denounce that agreement. That is exactly what I have been fighting for; fighting to restore to Congress its constitutional right and duty to deal with any mistakes which may have been made by the President.

This bill has been subjected to the usual smear technique by the Administration, which has been yelping with anguish at the prospect of the State Department having its unlimited powers over tariff matters curtailed.

The reciprocal trade program has heretofore been handled entirely by the State Department, and has been used extensively as an instrument in carrying out a confused and inept foreign policy. Concessions have been made without due regard to the effect on domestic industry; in fact, as I have said, it has been handled by a group that had little knowledge of the need of domestic industry and a vast indifference to its welfare.

The trouble with reciprocal trade, as handled by the State Department, has been that there has not been too much

trade, and it certainly has not been reciprocal. Trade is an exchange, and reciprocal means on an equitable basis, with some benefits moving to both parties. But what has been happening is that we have continuously reduced our tariffs to encourage the imports of foreign goods at a time when we could not export for money or trade. We have been exporting, but for the most part, we have been exporting only gifts. The program has been on a one-way street in which all of the concessions have been made by the United States, and none of any consequence by any foreign countries. The cry is to reduce or eliminate barriers against trade, and I agree—but the trouble is that the barriers that have been reduced have been ours, while foreign barriers, including export and import quotas, and licenses, have been strengthened and increased.

The immediate effect of the ridiculous concessions made to the Czechs will largely be felt by workers in handmade glassware, but the ultimate effect, if the program is not sensibly supervised, will constitute a serious threat to the whole glass industry in my district employing over 9,000 workers. Why this great industry and these workers should be subjected to such economic hazards for the benefit of Czechoslovaks is one of the major mysteries in the chaotic conduct of our foreign affairs.

Notwithstanding the cries of those who hate to let go of any of their power, the present legislation does not, by any means, impair our policy of reciprocal trade. It extends the program for a year, but it does substitute, as it should, the Tariff Commission as the proper body to study these tariff questions instead of the diplomats of the Department of State.

The power of Congress to veto a bad agreement is what I have been seeking to restore for a long time, and is almost precisely modeled after the bill I introduced in April 1947. If such provision had been in effect, you can rest assured the further concessions recently made to Czechoslovakia would not have been made.

I am for reciprocal trade, but I want it to be reciprocal. When we make the vast concessions that we have, for example to Great Britain, and when we loan and give billions of dollars worth of commodities to Great Britain, I do not want to see Great Britain pay us back for our generosity by monopolizing the market in cocoa, and forcing up the price of cocoa, thereby exacting tribute from every person in America, who buys a piece of chocolate. That is precisely what is happening today.

Mr. Chairman, I have made a considerable study of this problem nationally, and I have made a particularly intense study of the question as it affects my district, more particularly the glass workers and glass industry of my district. In that connection, I have consulted extensively with Mr. Harry Cook, President of the American Flint Glass Workers Union, with Mr. Lee Minton, President of the Glass Bottle Blowers Union, and with many local officials of local unions, including the American Plate Glass Workers. I have talked on numerous occasions with the leaders and management of the industry. This program in the hands of the State Department constitutes a threat to the whole industry; but the extension of the program, with the safeguards that have been provided does not.

I voted against this program before. I am glad to support this bill, with the changes that have been made. I congratulate the committee on the excellent job they have done to continue the program, but at the same time, to set up proper protection for local industry.

Mr. GEARHART. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, in supporting this bill, I hope it will be clearly understood that I do not oppose the economic philosophy of the Reciprocal Agreement Act. As a matter of fact, I have supported in the past all renewals of that act that have come before the House. Frankly, I believe in the program. But I cannot for one moment believe that this bill, if enacted, spells the death of the program. If I so believed I would be against it. I am not panic-stricken by some of the assertions made by the opponents to this bill that its passage will wreck the whole thing and incidentally wreck all of our economic relations the world over and make impossible the successful operation of ECA. I cannot bring myself to any such belief as I read the terms of this bill. For many years I have been a very firm admirer of the present Secretary of State. I have no sympathy whatsoever with some of the suggestions that have been made on the floor today to the effect that the last war cost three times as much under his military leadership as it should have cost, or any other aspersions upon his record. I may say at this point that it is my view and conviction that General Marshall headed the finest army the world has ever known, the best fed, the best clothed, the best equipped, and led with the greatest brilliancy. It achieved a victory seldom if ever equaled in the history of the world. So let us put aside the suggestion that this man is not an able man.

At the same time, I regret that the Secretary of State wrote such a letter as was read to us in part, I believe—perhaps in its entirety—by the gentleman from North Carolina. The people across the seas, reading a letter of that sort from the American Secretary of State, are apt to come to the belief, and I fear some of them may, that this bill means the abandonment of the reciprocal trade agreements policy of the United States Government. It may be impertinent upon my part to observe at this point that I doubt the Secretary of State would have written such a letter or expressed such an opinion had he consulted some of the Members of this House.

Now, looking toward the future—and I know that prophecy is a risky business—none of us know exactly how the next administration of this Government will be composed. I am not going to talk politics or suggest any political conditions in the months to come; but, however the next administration is composed and under whatever party leadership, I cannot believe for one moment that that administration will deliberately wreck the reciprocal trade-agreement program. I do not think it will be as grossly partisan as that. The next administration, whoever is at the head of it, Democrat or Republican, will have ample time to study, for example, the then apparent effects of the ECA program which must be reported to the Congress early in the next session; and also it will have ample time to study the suggestions which will be contained in and submitted to the Congress under what is known as the ITO program. Those two things, and I shall not go into detail about them, are intimately connected with the ultimate objectives, we will say, of the reciprocity program. They should all be considered together and weighed together.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GEARHART. Mr. Chairman, I yield the gentleman one additional minute.

Mr. WADSWORTH. Mr. Chairman, I have absolute confidence that they will be considered together and thus weighed. Not for one moment do I believe or have any confidence in these prophecies uttered upon this floor in this debate to the effect that the passage of this bill will end the reciprocal trade-agreements philosophy. I believe we are living in a modern world where conditions are not the same as they were 20, 30, or 40 years ago; that there must be more cooperation amongst the nations. I think the administrations to come will agree with that. That being my belief, I am not frightened by the passage of this bill. If it does not pass my dread is that there will be no renewal at all; and that, to my mind, would be a catastrophe.

Mr. GEARHART. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, the time set under the rule for discussion of this bill is drawing to a close. I regret exceedingly that the minority during the entire debate this afternoon, with one exception, has completely ignored the resolution under consideration and has completely ignored any reference to specific ways in which this legislation, if passed, would create the terrible conditions which they picture. I said there was one exception; that was the gentleman from Arkansas, who did present to this House his judgment of the matter. You will recall he outlined wherein he felt that the Tariff Commission as a body could not accomplish the task which was being assigned it under this legislation. I have a high regard for the opinions of that gentleman, but I wonder whether he and the Members of the House are acquainted with the fact that the Tariff Commission today is doing basically just exactly what we are now asking them to do by this resolution in the future.

I want to call his attention to studies made by the Tariff Commission prior to the negotiations that were entered into in Geneva. I think it would be wise for every Member of the House who has any question on this score to examine those studies. I hold in my hand 1 out of 16 volumes prepared by the Tariff Commission, called the Trade Agreements Digest. It contains complete factual

information with regard to all of the commodities that were under discussion at Geneva. It was prepared for use of the negotiators. Now this is public information and does not contain an additional recommendation made by the Tariff Commission to the negotiators. The additional recommendation is a secret one setting forth to the negotiators what the Commission itself feels is a reasonable limit to which the negotiators can go in establishing new duties.

Since we are not imposing any new system which has been untried as far as being impracticable from the standpoint of the Tariff Commission is concerned, it certainly cannot be claimed that the trade program is crippled because of the provision requiring findings by the Tariff Commission. Yet if you will read the debates that have transpired this afternoon, the remarks of the minority, you will find that they have discussed the personality of practically all of the majority members of the Ways and Means Committee; they have discussed the question of whether we should have a high tariff or low tariff; the question of internationalism and isolationism, but nowhere have they attacked the basic principle involved in the resolution here being considered except in vague generalities. Therefore, I suppose they have no such argument against it and must confine themselves to generalities.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GEARHART. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. GOODWIN].

Mr. GOODWIN. Mr. Chairman, many people seem to be of the opinion that it is unthinkable that the Congress should fail to rubber stamp the request of the President for a 3-year extension without amendment. The administration is of course within its rights in making such a request. By the same token we are within our rights in extending the act for a shorter period and with administrative changes which we believe will be an improvement. I regret that responsible officials of the State Department in criticizing our contemplated action have made statements so obviously extravagant that I fear public confidence in the Department will not be enhanced.

We are told that if we pass this bill it will be said in the other countries that we have reverted to isolationism. With the knowledge abroad of the billions we are sending over to help our sister nations and with the knowledge that we are the largest trading Nation in the world it is hard to imagine that our friends in foreign lands will call us isolationists.

We are extending the Trade Agreements Act and that is the story that will go abroad. I doubt if there is any magic in the figure 3 or that American leadership will be imperiled because we fail to use it. We are extending the act.

There is abundant logic in extending the act to June 30, 1949. That is the date which marks the end of the base period provided for ERP. Just as the Congress anticipated that it would be wise to have an opportunity to review the administration and working of ERP at the end of 15 months so will we be wise today when we so legislate that the succeeding Congress, the Eighty-first, will have a chance to review the administration of the Foreign Assistance Act and the extended Trade Agreements Act at the same time.

There is also abundant logic in setting up the Tariff Commission as the board to make a study of items submitted by the President and after hearings report to him. This Commission, trained in tariff matters, should certainly make a more satisfactory fact-finding body than the Committee on Reciprocity Information which it will replace. Criticism currently leveled at the administrative machinery of the act will be reduced. The making of trade agreements will be put on a business basis and removed from fear or suspicion that the domestic welfare is being subordinated to considerations of international policy.

Many important segments of American industry, agriculture, and labor are justifiably apprehensive in the present situation in the light of the experience with the trade-agreements program as administered for the past 14 years. These basic elements of our economy will take renewed confidence when this bill is passed.

Many well-intentioned groups and individuals not versed in the intricacies of tariffs and trade but relying upon the representations of others in asking Congress to extend the act without change are worrying about the wrong thing. Instead of being alarmed about failure of our leadership in world affairs they should be evidencing real concern about our domestic welfare.

I doubt the wisdom of too much too-free trading with nations whose wage standards are notoriously lower than our own. It would be disastrous indeed if the standard of living of American workers should be forced down to the lower level prevailing in other lands.

Under our Constitution the only authority to deal with tariffs is vested in the Congress. Whatever authority the President or the State Department are now exercising in the matter of trade agreements was delegated to them by the Congress. In this sweeping delegation of power, never intended by the framers of the Constitution, we have departed pretty far from the ancient landmarks. I am satisfied that the American people will applaud our action in writing into this extension bill the reasonable provision for having the President seek advice on contemplated changes from a board trained in tariff matters and allowing the Congress to pass upon his action if he fails to follow that advice.

I believe in the principle of reciprocal trade. Reciprocity has been good American doctrine and good Republican doctrine since the days of McKinley. But reciprocity has been overlooked in some of the trade agreements thus far entered into. Concessions have been granted which leave reciprocity out. The danger is that the State Department charged with the responsibilities of diplomacy, in its zeal to promote international good will may enter into trade agreements with other nations without full consideration of the possible impact upon our own domestic economy.

Our Government was designed to be a government of checks and balances. We will help to keep it so when we write the proposed procedure into this bill today.

Mr. GEARHART. Mr. Chairman, I yield 4 minutes to the gentleman from West Virginia [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, the details and operation of the proposals made under H. R. 6556 have been thoroughly and ably discussed by some of the majority members of the committee. Consequently, any additional discussion of the technicalities of this bill will serve no useful purpose. I would like to make a few observations.

There is not a Member of this body who does not believe in and support economic progress. The function of our whole economic activity is to produce food, shelter, clothing, and other goods and services essential for the material welfare of a people.

Since the dawn of the history of mankind there has never been wholly adequate supplies and distribution of these goods and services.

Economic progress consists in making these supplies more abundant and doing this in such a manner that all people have a full opportunity to participate in this progress. All economic systems are concerned with producing, distribution and consumption—getting goods produced and making equitable distribution and consumption.

Nations have tried, or are trying, various patterns. The method in the United States is a system of free, private enterprise which is intimately related to our basic freedom of the individual and his individual rights.

The United States through its system of free, private enterprise has enabled our people to achieve a degree of economic well-being that has no parallel in all history.

We want to enjoy and share our economic progress with honorable people throughout the world.

There is not a member of this committee, or of this Congress, who does not want to develop international trade to the fullest; who does not want to export our products and materials, and import the products and materials of other nations in a manner that will promote the economic progress and well-being of all concerned. Our enormous production machine is geared to many necessary imports.

We are not a high protective country and have not been for some years. Experts listed us about sixth in the order of height-protection duties before the recent war, but now few countries have less tariff protection than does the United States. Possibly ours will, under the Geneva agreement, be lower than any competing country.

Referring to the remarks of the gentleman from Ohio [Mr. JENKINS], the decreases agreed to at Geneva affect more items in the tariff than has ever been the case before. About 3,600 rates are affected. It is the first time any major tariff changes have been made at one time in which no elected representatives of the people in Congress assembled had

any direct part. Between 1934 and the Geneva Conference about 1,200 item changes in the Tariff Act of 1930 had been made. In this also Congress had no direct part.

Since the beginning of lend-lease, and with the $17,000,000,000 proposed for the Marshall plan, this country will have given away approximately $85,000,000,000 in supplies—consumer and durable goods. All this out of American production.

It appears that a vast majority of the opponents of this measure give credit to the reciprocal trade agreements for the tremendous export business they have enjoyed in this period. This assumption is obviously completely without foundation. And the assumption is more than likely responsible for the favorable sentiment expressed by the gentleman from North Carolina a moment ago.

Many editorials and letters received indicate that some of the opposition is firm in the belief that if this legislation is approved, all export and import trade will immediately terminate.

This belief has been expounded by administration spokesmen. Of course, the statement is a gross misstatement of facts and the conclusions are wholly erroneous.

No existing agreement will be disturbed, and provisions remain for the orderly negotiation of other agreements. And to say that the prescribed preliminary procedures would involve undue delay is to confess a lack of understanding of the provisions.

And to say the proposal will sabotage the reciprocal trade program is too ridiculous to be discussed. No responsible person could make the statement and be serious about it. If the reciprocal trade program is wrecked under this bill, the administration will have to wreck it.

There has been so much recent emphasis on the volume of foreign trade that many have lost sight of the essential objects of such trade.

There are many who seem to believe that if only international trade can somehow be made big enough, the present economic inequalities between nations will be wiped out. This is wishful thinking.

The prosperity of a nation, or an area, depends upon the quantity of goods and services which that nation or area can produce and consume not upon the percentage of those goods which are shipped in international trade.

No matter how much is first exchanged with other nations the total available for a nation itself to consume is, over a period, equal to the amount produced and no more.

Some nations find it difficult or uneconomic to produce certain items. These they seek abroad and they endeavor to produce in excess of their own needs enough other goods to pay for the things they want to import.

Their foreign trade, be it large or small, is based upon what they need to import, and the quantity they can afford to import, that is the quantity they can afford to pay for by means of exports. The prime purpose of foreign trade is to allow nations to obtain things they do not have.

This is simple to understand but the matter has been confused by the propaganda of the State Department which, since 1934, has sought to prove that increased foreign trade is the cure for all of the world's ills.

Rabid proponents of undeviating blind adherence to the administration's course of action in the Geneva Conference with 18 foreign nations profess to believe that there no middle ground on this trade-agreement question; that opponents to the extreme lengths to which the administration intends to go, are advocates of economic isolationism.

In other words, if you are not lily white you must be per se inky black. That is nothing but Simon-pure political clap-trap.

Our people have every reason to be apprehensive regarding the result of foreign trade when world economic conditions approach an even keel and the operation of the Geneva agreements become fully effective.

They will find that we have made all the sacrifices and that is the very reason they will welcome the safeguards provided in this measure.

Mr. COOPER. Mr. Chairman, I yield such time as she may desire to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Chairman, I am opposed to this bill. May I say to the Members on the opposite side of the aisle who are so astonished that the Democrats are opposing this bill and so astonished that the Democrats have contended that this bill is the beginning of the end of our reciprocal trade program, that if they read the newspapers they would find that we Democrats today are expressing the popular opinion of the American people in their opposition to the bill offered by the gentleman from California [Mr. GEARHART].

I refer the Members, Mr. Chairman, to such newspapers as the New York Herald Tribune, the New York Times, the Boston Herald, the Washington Post, the Washington Evening Star, the Washington Daily News, the Denver Post, the St. Louis Post-Dispatch, the San Francisco Chronicle, the Christian Science Monitor, and so forth. Newspaper after newspaper from New York to Texas and from California to Georgia is opposed to this bill and rightly. It is the beginning of the same ruinous program that helped bring on the depression in 1929.

Yesterday I inserted in the RECORD editorial comment from other newspapers, expressing their concern of the program offered by Republican leadership in the House as a substitute for our reciprocal trade agreements program. As the New York Post said on May 7:

> Any refusal to extend the act (trade agreements) unamended for the full 3 years requested will be the tip-off that many Republicans are reverting to type. A type which can scarcely be trusted to guide America to responsible world leadership in the demanding days to come.

The policy followed under Secretary of State Hull and President Roosevelt in building up a sound and equitable trade program throughout the world has been endorsed by the great majority of both parties because it has benefited the business interests, the farmers, and the working people of this country.

We are the richest Nation in the world today, and one of the most important factors which contributes to our prosperity is the fact that trade barriers do not shut off commerce between the States. This rule holds good for the community of nations. We have supported it and have assumed world leadership in the international economic field.

As the San Francisco Chronicle said on April 7:

> Reciprocal trade has been the ruling policy of the United States in its foreign economic relations for 14 years. It is part and parcel of our whole tariff structure; it is at work right now in a vast, complex world pattern of exchange of goods and there is no justification at all for the apparent determination of a few strategically placed foes of this policy to strangle it. * * * Passage of the European recovery program has given a wholly new significance to the Reciprocal Trade Agreements Act. * * * What kind of sense would it make for the United States now to reject the very course for which we have exacted their pledges? Failure to extend the reciprocal-trade policy would be taken by the world as a signal of American retreat into economic isolationism.

The reason that this bill before us is destructive of the whole reciprocal trade agreements program is that it opens the door to logrolling, which shows that the Republican leadership which has endorsed this bill either does not believe in reciprocal trade agreements or does not understand them. Those who are honestly opposed to the reciprocal trade-agreement program are for this bill because it does just what they want. No wonder they think that turning over our whole trade program to the Tariff Commission is a good idea.

The Tariff Commission is an agency which protects the interests of those who want tariffs. This group has a right to representation, but it has not the right to the sole representation in this program. Under the present arrangement the Tariff Commission is one of seven Government agencies representing various phases of the American economy. For instance, the Department of Agriculture protects the interests of the farmer; the Department of Labor protects the interests of the worker; the Department of Commerce, that of all industry—not just high tariff industry; the Department of Interior, our basic resources; the Department of Defense represents the security interests. Under the Republican bill, the Tariff Commission would be made superior to all other interests in our economic life and would be made the final word, with added pressure from Congressmen who represent districts with specific interests.

The pages of history show plenty of examples of the way such logrolling works out. One of the Members today referred to a declaration of political faith. I think this bill is a declaration of Republican political faith—a faith that dates back to pre-McKinley days. It is a retreat to isolationism. It is an indication of what we can expect if the Government of this country is to be

turned over to people who practice this philosophy.

If that wing of the Republican Party, which has voted with some international vision in the past, expects to have its votes count in the future, it had better vote with the Democrats today.

Mr. Chairman, there has been much criticism of the subcommittee of the House Ways and Means Committee for not having held open hearings on this very important bill which is the core of sound international economic policy. I shall include in the Appendix of the RECORD today a press release of the protests made by many organizations whose knowledge of the reciprocal-trade program is of long standing.

To quote another editorial—that which appeared in the Washington Evening Star on April 29:

> In this issue the Republican Party * * * faces a critical test of its fitness for the momentous responsibilities of the next 4 years.

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, the reciprocal trade agreements program has been the keystone of America's foreign commercial policy since 1934, and its adoption was one of the major accomplishments of the Roosevelt administration. This forward-looking and progressive program is based upon two major premises: one, that world peace and foreign trade are inseparable, and that a thriving international trade is one of the economic cornerstones of world peace; and two, that America's prosperity requires the expansion of our foreign trade, especially, our export trade, with other nations. In other words, the trade-agreements program was an integral part of the Roosevelt foreign policy of international cooperation and his domestic program of full employment and his economic bill of rights.

The immediate objective of this program was to expand American export trade by authorizing the President to conclude trade agreements with other countries in which the United States tariff rates are lowered on noncompetitive commodities in exchange for trade concessions in the trade-agreement country. The effect of such agreements has been to stimulate American exports by providing to foreign countries more dollar purchasing power to buy American goods. The record shows that the program has been a successful operation. Following the enactment of the Reciprocal Trade Act in 1934, the value of American exports increased steadily. During 1935 our exports exceeded those of 1934 by $150,000,000; during 1936 they increased by $173,000,000 over 1935; and during 1937 they increased by $893,000,000 over 1936. American exports during 1938 and 1939 were well above the 1936 figure.

The economic consequences of this program of expanding foreign trade has been more employment, greater production, higher per capita incomes, and better living standards for the people of our Nation. This is especially true for my State of Minnesota. The pattern of Minnesota's economy is most sensitive to changes in the level of foreign trade, and her prosperity is dependent upon a sound and thriving international commerce. The State's agricultural, mining, transportation, and manufacturing industries all benefit from any increase in export sales, and have benefited directly from the reciprocal trade-agreements program.

For example, considerable amounts of Minnesota meat, corn, wheat, and flour finds its way into the channels of foreign trade. Our State produces the iron ore needed to produce farm and other machinery, trucks, tractors, and automobiles which are shipped abroad. Minnesota's railroad and shipping industries are vital links in our foreign commerce and the volume of tonnage handled varies directly with foreign trade flucutations. Among the industrial commodities produced in Minnesota for export are condensed milk, asphalt roofing, dental equipment, sporting goods, rubber goods, and many others.

Thus, I can say with certainty that Minnesota has benefited greatly from the expansion of foreign trade resulting from the trade-agreements program. This program has meant expanded pay rolls, better pay and more production in our iron mines, and our manufacturing industries—it has meant a greater income for Minnesota's farmers, and a greater flow of tonnage over our railroad and transportation system. My State has an important stake in the trade-agreements program and the maintenance of high levels of production and employment will depend greatly on exports in the years ahead.

Because of the importance of the reciprocal trade agreements program to the people of my district and my State, I must protest against the measure now under consideration (H. R. 6556) to emasculate the Trade Agreements Act. The Republican-sponsored bill would destroy the trade-agreements program by setting up complicated and unworkable procedures to prevent the President from negotiating new agreements. The provision which permits the Congress to override the Chief Executive in making tariff reductions can have only that effect.

By vesting the power to determine minimum tariff rates in the Tariff Commission instead of the Committee for Reciprocity Information, our tariff rates are certain to be manipulated for the benefit of various selfish and monopoly interests in the United States without regard for the interests of the workers, farmers, consumers, and businessmen of America. H. R. 6556 will make possible the imposition of tariff rates 50 percent higher than those authorized by the unsound Smoot-Hawley Tariff Act of 1930, which resulted in tariff wars, the stagnation of international trade and which contributed to world depression. Expansion of the program for only 1 year creates doubts as to United States future commercial policy, and will be a serious blow to America's leadership in the field of world economic cooperation.

In my opinion, this proposal reflects the reactionary and eighteenth-century philosophy of the Republican Party which has proved so unworkable in practice. Its enactment will tend to undermine international economic cooperation and retard the establishment of the economic foundation for world peace. It will tend to make the heavy burdens placed on our economy by the ERP heavier still. For this reason, I want to go on record as opposing this unwise proposal. I also want to say that I am in full support of the minority proposal to extend the present Reciprocal Trade Agreements Act in its present form for another 3 years. In supporting the 3-year extension substitute amendment, I know that I am speaking in the best interests of Minnesota and the Nation.

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I have always favored international cooperation to stabilize trade, reduce artificial barriers, adjust monetary exchange differentials, and thus encourage the flow of healthy commercial intercourse between nations. But these measures must be executed, I submit, without jeopardizing the high prevailing American standards of wages and living to which our own labor, industry, and agriculture have become accustomed.

I have the honor to represent a district which is to a large extent industrial. It is a district of many factories, large and small, producing a truly tremendous quantity of diversified products. A high level of wages prevails in general. Reasonable hours and wholesome conditions of work are in effect. The health, safety, and welfare of our faithful workers are protected to as generous a degree as any place in the country. Our farms and homes are for the most part well-built, modernized and equipped with up-to-date comforts and conveniences.

These high standards did not come out of the clear sky. They are the result of generations of struggle, effort, sacrifice, and initiative by both labor and industry. They represent the progress of America in the arts and sciences of production and enlightened, forward-looking government. They are not only unprecedented but unequaled in any other nation in the world. These high standards of wages and living must be zealously conserved and protected. It must be abundantly clear that if we would retain the integrity of these great and most beneficent social gains which have redounded to the betterment of our people and Nation, we cannot permit an influx of cheaply produced foreign goods to glut the American market, imperil our industries and create widespread industrial unemployment.

This does not mean that we shall turn our backs on the rest of the world and refuse to trade with friendly nations. To the contrary we must seek to build our foreign trade encouraging the importation of goods we need without dislocating our own industries and encouraging export of goods other nations need without injuring their internal productive economies. Let us trade with others when we

can do so to our advantage and when we can do so without inflicting harm, damage, and detriment to American industries. By the same token, let other nations trade with us when they profitably can, although frankly I can see nothing but temporary transient gain and ultimately a great deal of harm in the current situation wherein the United States is giving billions of dollars to foreign nations to enable them to purchase American goods. Such a policy may be justified in order to try to expedite economic and social recovery of the so-called democratic world but it can never be the basis for enduring and mutually profitable trade relations between ourselves and other nations.

Under this bill our choices are limited. We can vote for the motion to recommit which in effect, if sustained, would continue the present reciprocity program without change or amendment for 3 years. This course is entirely repugnant. We can vote against the bill in its entirety, and this course, since it would inflict a crushing blow to the whole recovery program, is undesirable and to my mind unwise. We can vote for the present bill with its obvious infirmities but with its assurance of some discoverable protection for our working people and our industries in a world of shattered, broken standards and values for 1 year. At the expiration of this time we should, and probably will have to, revise and revamp our trade policies in keeping with domestic and foreign developments.

This bill gives to the Congress more definite control over our commercial relations and tariff needs. It continues for only 1 year. It makes, I think, for stability and order in our own productive system as well as in our foreign trade relations and assists the foreign recovery program. I will therefore vote for this bill.

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, the principles of the trade-agreements program that has been carried out over the past few years, in my opinion, has not only created good relations with other countries but it has been as Secretary Marshall so well said "a cornerstone of our foreign economic policy." It is my definite opinion that this measure will seriously handicap our stock-piling program here in America, and this program, at the present time, is in a very critical state. I am hopeful that before this measure becomes law we will be able to work out a bill that will extend the trade agreements for at least 3 years, and I am opposed to this measure in its present form.

Mr. COOPER. Mr. Chairman, I yield the remaining time on this side to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, the gentleman from New Jersey made some mention of the United States State Department recognizing an agreement made with Czechoslovakia. I call the attention of the Members to the fact that the agreement was made in concert with more than 20 other nations before the Czech Government went behind the iron curtain, that we still have diplomatic relations with that country, and that we were in duty bound to honor that agreement the same as all other nations signatory to that agreement have done. So do not let that have any effect upon your judgment in this case.

Now let me refer to the remarks of the gentleman from New York who mentioned the letter of the Secretary of State. We all have the highest respect for that gentleman. But I am sure we must recognize it is the duty of the Secretary of State when an inquiry is made of him as to his opinion of the effect of a particular measure up for consideration by the Congress to give his opinion as he sees it. That is what the Secretary of State did in this instance when he stated that this bill would be worse than no law at all. I also wish I had the same confidence as the gentleman from New York with respect to the attitude of the next Congress, whether it be Republican or Democratic. He said he had all the faith in the world that the Republican Congress would continue this reciprocal trade agreements program—and he believed it. But, Mr. Chairman, the record of the Republican Congress certainly does not bear that out. Attention has been called repeatedly on the floor of the House to the record of the Republican Members of the House to the vote initiating this program and the vote on the question of renewing it. Republicans voted 30 and 40 to 1 against the program. I also call attention to the fact that the ranking members of the majority party on the Ways and Means Committee have repeatedly voted against this program. Therefore, I think the confidence of the gentleman from New York is very much misplaced when he says he believes that the next Congress, if it be Republican, will continue this program of reciprocal trade agreements in full force and effect.

Mr. Chairman, why this sudden change on the part of these Members who heretofore opposed this program? Why these protestations that this is only an extension with minor alterations? Why these declarations of support for an extension? I believe those Members who are saying that to you today have the same opinion in certain respects, as I have. They know it will be practically impossible to negotiate a single program within the next year during the life of this extension because of the restrictions imposed, because of the red tape imposed, and because of the change in the body which will make recommendations to the Congress. A question was asked of the chairman of the present Tariff Commission, how much time it would take the Tariff Commission to do the same job as was done at Geneva by the body which had charge of these matters, and he said it would require 2 years or more. That is the answer of the present chairman of the Tariff Commission. In the 1947 report the Tariff Commission said it did not now have the number of employees they need to take care of the work they already are obligated to do.

Mr. Chairman, even under the most favorable circumstances, with no study, survey, or investigation, it will take 1 year for the Tariff Commission to make a report. By that time, the law will have expired. Remember, the President can only start to negotiate with foreign countries after he gets this report. Does that agree with the statements that have been made, to the effect that there are only minor alterations contained in this bill?

Mr. COLMER. Mr. Chairman, will the gentlemen yield?

Mr. EBERHARTER. I yield.

Mr. COLMER. I call the attention of the gentleman to the fact that I have talked with Mr. Will Clayton, who has made a very careful and thorough study of this matter. He tells me, as the gentleman has just said, that they cannot operate under this program.

Mr. EBERHARTER. I thank the gentleman.

Mr. Chairman, it has been said here and in the report that the Tariff Commission will make a study of the effect of proposed negotiations on the domestic economy. There is nothing in the bill about that. The only reference is to domestic producers. It does not say a word about domestic economy in this bill. I hope the membership will vote the bill down.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD on the pending bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LEMKE. Mr. Chairman, I have voted against the reciprocal trade agreements on every occasion. I voted against them at their inception. I knew then, and I know now that these trade agreements were born in the fertile brain of our international manufacturers and bankers—the economic royalists.

When these reciprocal trade agreements were brought up for the first time in Congress in 1934, the international bankers and manufacturers were out in the open. They boldly proclaimed that in order to collect what foreign nations owed us, we would have to surrender our local market to these nations until these foreign debts were liquidated. They did not, however, tell us that they were to make a profit. They did not tell us that the farmer, the laborer, and the small producers would be made the shock absorbers.

Every reciprocal trade agreement that has been made since the inception of these laws was made in favor of the international bankers and manufacturers. In every such agreement the farmer, the laborer, and the small-business man was sold down the river.

These agreements were the forerunner of the international conference held recently, where the foreign horse traders, with the consent and acquiescence of our Government, decided that the farmer's maximum price on wheat should be $1.10 per bushel. In other words, the farmer's throat was cut by some 31 foreign nations fixing the price at which his product was to be sold to them.

I find no fault with the Members representing General Motors, the automobile manufacturers, General Electric, and other international manufacturers, and

those representing the international bankers, for feeling that they must vote for some kind of reciprocal trade agreement. These agreements are in line with the present policy of our executive department of depleting America of its resources. They are in line with the slogan, "Foreigners preferred—Americans forgotten."

I shall vote against the motion to recommit, which would continue the present un-American policy, and then I shall vote against even 1 year's extension. I think this un-American legislation—legislation the object of which is to reduce the American standard of living—should be allowed to die a disgraceful death on June 30.

Mr. KEATING. Mr. Chairman, I shall support this bill. I would not do so for 1 minute, however, if I believed that it meant the scuttling of the reciprocal trade program.

Although I realize that there are those in Congress who are not in sympathy with the basic program, I feel that it has become an integral part of our foreign policy and that it is decidedly in our economic, as well as our international interest to continue it.

For that reason it seems to me extremely unfortunate that the Secretary of State, under whose distinguished military leadership I was privileged and proud to serve, has seen fit to make a statement in substance that he would rather have nothing, than the bill now proposed. His statement gives support to those who, for political motives only, argue that the passage of this bill evidences an intention on the part of the majority party to pursue a policy of isolationism. There are many on this side who would oppose at every juncture any such move. It is simply not realistic in the face of modern conditions, and constantly improving methods of communication, resulting in shrunken oceans and contracted plains.

Although I can see the practical necessity for speeding up the legislative process at this late date, it is a matter of regret to me that this bill was brought before us under a closed rule, thus barring the discussion of proposed amendments, some of which might, in my judgment, substantially improve the measure. I felt it necessary to vote against the rule.

Under the situation which we now face, however, we must choose whether we will vote to continue this program for a little over a year with certain amendments, or vote to end it now. Let there be no mistake on that point. If this bill is defeated, it means the end of the entire reciprocal trade program on the 12th day of next June. I am unwilling to cast a vote which would have that result.

I would have been happy to see a 2-year extension of this program. Certainly it seems to me we should not depart from the policy pursued by the present minority party when it was in power, to have each Congress take a new look at the operations of the act and make such changes and improvements as appear desirable in the light of newly developed facts. Their about-face in this respect lends additional weight to the purely partisan character of the opposition.

On the whole, I incline toward the view that a 2-year extension would also give a greater opportunity for negotiation with foreign countries. On the other hand, there is much to commend the principle of a 1-year extension in two respects. In the first place, under the European recovery program, with which the principle of reciprocal trade is correlated, the so-called watchdog committee, which has been set up to survey the operations of the Economic Cooperation Administration, report to the Congress on its operations and make recommendations for changes, will presumably complete its first survey and file its findings during the next session of Congress. Thus the termination of the extended Reciprocal Trade Agreements Act will coincide in time with the report to the Congress on this matter, so intimately tied up with the questions involved in international trade—a most natural and fortunate result.

In addition, the next Congress is to consider the charter of the International Trade Organization which, if adopted, will require legislation of a permanent character relating to our trade with other nations. At that time it will be essential that we review completely our present trade program and policies.

There have been abuses in the administration of the reciprocal trade program. Anyone who blinds himself to this fact shuts his eyes to reality. That it can be improved no one can doubt. It is to be hoped that such improvement will result from the terms of this bill. If that is not the result when the matter comes before Congress the next time, appropriate adjustment should be made.

In the meantime, it is suggested that those who are groping so frantically for a campaign issue, regrettably at the expense of presenting to the world an entirely false picture of the foreign policy envisioned in this legislation, ponder on the fact that it will be supported by many who have been in the forefront of those who recognize the international responsibilities of this Nation and advocate their fullest discharge.

Mr. CARROLL. Mr. Chairman, the debate on the rule and in favor of the passage of this resolution has convinced me, beyond doubt, that the Republican leadership of the House intends to sabotage the reciprocal trade program next year. They would do so now if it were not for the impending election.

All of the Republican leaders who advocate passage of this resolution are confirmed foes of the Reciprocal Trade Act which has been in operation some 14 years. Their voting record is clear proof of their hostility. Why then should we now assume that it is their present intention to strengthen existing law? Is this our first experience with the majority leadership in the crippling and emasculating of legislation?

This course of action has been repeated so often in the Eightieth Congress that only the uninformed can be misled. This is the same old pattern of doing by indirection that which they do not have the courage to do directly. Republican leaders are aware that the great majority of the American people are in favor of extending the reciprocal-trade program for another 2 or 3 years. With that knowledge Republican leaders, serving special interests, dare not take too drastic action before the coming election. Therefore we have before us the present resolution extending the time period until just a few months after election.

I say to you that this is booby-trap legislation and that the time bomb is set to explode after election. An aroused press and radio should so inform the public. Under proper leadership an aroused people will give their answer in clear and unmistakable terms next November. Mr. Chairman, at long last the majority leadership has overreached itself.

Mr. GEARHART. Mr. Chairman, I yield the remainder of the time to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Chairman, we come now to the close of the debate on this bill, debate which is based upon these hearings, this voluminous book of hearings, held before our committee, starting in March 1947; hearings which are most complete with respect to both sides of this question of reciprocity agreements.

At the moment the House has before it a measure which will, for time to come, take from its present partisan administration this great question of foreign trade. Hereafter both great political parties will approve it as a permanent policy.

This bill presently considered represents the position of the Republican Party, a policy which, incidentally, is based upon the policy of reciprocity in foreign trade agreements, dating from away back in the twenties.

Anyone who says that the proposal made in the Gearhart bill cannot work is, in effect, saying that only one man in this country has the ability or power to effect proper foreign trade agreements, for all we do basically in this bill is to take back from the Executive the authority to, under any and all circumstances, make trade agreements. All we do is to say that under certain clearly defined circumstances, you, Mr. President, must come back to the Congress, and the Congress then determines whether to follow your plan or not.

The Tariff Commission, a highly respected organization and representative of the legislative branch of the Government, will have authority to set the limits within which the President may act. That, I believe, is a highly desirable condition, and does give protection to industry.

The only possible argument made today which might have substantial weight or raise a question in the minds of some of us, is the effect of this bill upon the international picture, specifically, as to whether or not the European recovery program can properly operate under this bill. I can point to statements made before our committee in executive session by Secretary Marshall and by Mr. Clayton, that there is nothing whatever

in the European Recovery Act, presently the law of this land, which says that the international trade agreements must be based upon this particular legislation. Specifically, the act says that the countries shall seek agreements to eliminate barriers. There is no specific requirement as to method. I urge complete approval of this bill. Vote for this legislation and you will assure the continuance of a true reciprocal trade policy.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield.

Mr. KNUTSON. Nothing that we do today will affect any existing treaties?

Mr. SIMPSON of Pennsylvania. Every present agreement will continue, regardless of what we do here today.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

All time has expired.

Mr. GEARHART. Mr. Chairman, I ask unanimous consent that all Members who have spoken may be permitted to revise and extend their remarks and that all Members who have not spoken but who desire to extend their remarks may have five legislative days within which to do so.

The CHAIRMAN. The latter part of the gentleman's request must be made in the House. The first part of the gentleman's request has already been granted.

The bill (H. R. 6556) is as follows:

*Be it enacted, etc.*, That the period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended (U. S. C., 1946 ed., title 19, sec. 1351), is hereby extended until the close of June 30, 1949.

SEC. 2. Before entering into negotiations concerning any proposed foreign-trade agreement authorized by section 350 of the Tariff Act of 1930, as amended, the President shall furnish the United States Tariff Commission (hereinafter in this act referred to as the "Commission") with a list of all articles imported into the United States to be considered for the possible granting of concessions in the agreement and shall request the Commission to make an investigation and to report to him the findings of the Commission as to—

(1) the extent to which duties and other import restrictions on the articles included in the list may be modified; or

(2) the extent to which additional import restrictions on the articles included in the list may be imposed; or

(3) the maximum periods (if any) for which obligations may be undertaken to continue existing customs or excise treatment of articles included in the list,

in order to carry out the purpose of such section 350 without causing or threatening serious injury to domestic producers of like or similar articles or impairing the national defense. No such foreign trade agreement shall be entered into until the Commission has made its report to the President.

SEC. 3. (a) The Commission shall furnish facts, statistics, and other information at its command to officers and employees of the United States preparing for or participating in the negotiation of any foreign trade agreement; but neither the Commission nor any member, officer, or employee of the Commission shall participate in any manner (except to furnish information) in the making of decisions with respect to proposed terms of any foreign trade agreement or in the negotiation of any such agreement.

(b) In the course of any investigation pursuant to a request of the President under subsection (a) of this section the Commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings.

(c) Section 4 of the act entitled "An act to amend the Tariff Act of 1930", approved June 12, 1934, as amended (U. S. C., 1946 ed., title 19, sec. 1354), is hereby amended by striking out "the United States Tariff Commission,", by striking out "War, Navy,", and by inserting "the National Military Establishment," after "Commerce,".

SEC. 4. (a) If the President enters into any foreign trade agreement with any foreign government or instrumentality thereof under section 350 of the Tariff Act of 1930, as amended, which requires, or pursuant to which it would be appropriate for, him to make a proclamation modifying any existing duty or other import restriction or imposing any additional import restriction to an extent greater than that reported to him by the Commission pursuant to section 2, or continuing existing customs or excise treatment of articles beyond the time specified by the Commission in its report to him pursuant to section 2—

(1) the President shall transmit such agreement (bearing an identifying number) to the Congress, together with a message which shall include his views with respect to the provisions of such agreement which require, or pursuant to which it would be appropriate for, him to make such a proclamation. The delivery to both Houses shall be on the same day and shall be made to each House while it is in session;

(2) the Commission shall deposit with the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, a copy of its report to the President with respect to such foreign trade agreement;

(3) such foreign trade agreement shall not take effect before the expiration of the first period of sixty calendar days, of continuous session of the Congress, following the date on which the foreign trade agreement is transmitted to it; and such foreign trade agreement shall thereafter take effect only if, between the date of transmittal and the expiration of such 60-day period there has not been passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the foreign trade agreement.

(b) For the purposes of subsection (a) (3)—

(1) continuity of session shall be considered as broken only by an adjournement of the Congress sine die; but

(2) in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain; except that if a resolution (as defined in section 202) with respect to such foreign trade agreement has been passed by one House and sent to the other, no exclusion under this paragraph shall be made by reason of adjournments of the first House taken thereafter.

SEC. 5. (a) The second sentence of section 350 (a) (2) of the Tariff Act of 1930, as amended, is hereby amended to read as follows: "No proclamation shall be made (A) decreasing by more than 50 percent any rate of duty, however established, existing on January 1, 1945 (even though temporarily suspended by act of Congress), (B) increasing by more than 50 percent any rate of duty, however established, existing on June 12, 1934 (even though temporarily suspended by act of Congress), or (C) transferring any article between the dutiable and free lists."

(b) The proviso of subsection (b) of such section is hereby amended to read as follows: "*Provided*, That the duties on such an article shall in no case (1) be decreased by more than 50 percent of the duties, however established, existing on January 1, 1945 (even though temporarily suspended by act of Congress), or (2) be increased by more than 50 percent of the duties, however established, existing on June 12, 1934 (even though temporarily suspended by act of Congress)".

(c) Subsection (d) of such section is hereby amended by striking out "increased or" and by striking out "increase or".

SEC. 6. Title II of the Reorganization Act of 1945 (Public Law 263, Seventy-ninth Congress) shall apply with respect to concurrent resolutions expressing disapproval of foreign trade agreements transmitted to the Congress by the President pursuant to section 4 of this act in the same manner and to the same extent as such title applies with respect to concurrent resolutions expressing disapproval of reorganization plans transmitted to the Congress by the President; but references in such title to "reorganization plan" or "plan" shall, for the purpose of this section, be considered to refer to "foreign trade agreement" or "agreement", respectively.

The CHAIRMAN. Permit the Chair to inquire if the Committee on Ways and Means has any amendments to offer to the bill.

Mr. KNUTSON. There are no amendments, Mr. Chairman.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6556) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, pursuant to House Resolution 608, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill.

Mr. DOUGHTON. In its present form, I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DOUGHTON moves to recommit the bill (H. R. 6556) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, to the Committee on Ways and Means, with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert the following: "That the period during which the President is author-

ized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended and extended, is hereby extended for a further period of 3 years from June 12, 1948."

Mr. KNUTSON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. COOPER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 168, nays 211, answering "present" 1, not voting 51, as follows:

[Roll No. 81]

YEAS—168

| | | |
|---|---|---|
| Abbitt | Fallon | Manasco |
| Abernethy | Feighan | Mansfield |
| Albert | Fernandez | Marcantonio |
| Allen, La | Flannagan | Meade, Md. |
| Andrews, Ala. | Fogarty | Merrow |
| Bakewell | Folger | Mills |
| Barden | Forand | Monroney |
| Bates, Ky. | Fulton | Morgan |
| Battle | Garmatz | Morris |
| Beckworth | Gary | Morton |
| Bland | Gathings | Multer |
| Blatnik | Gordon | Murdock |
| Bloom | Gore | Murray, Tenn. |
| Boggs, La. | Gorski | Norrell |
| Bonner | Grant, Ala. | Norton |
| Boykin | Gregory | O'Brien |
| Brooks | Hardy | O'Toole |
| Brown, Ga. | Harless, Ariz. | Pace |
| Bryson | Harris | Passman |
| Buchanan | Harrison | Patman |
| Buckley | Hart | Peden |
| Burleson | Havenner | Pickett |
| Byrne, N. Y. | Hays | Poage |
| Camp | Hébert | Poulson |
| Cannon | Hedrick | Powell |
| Carroll | Hendricks | Preston |
| Celler | Heselton | Price, Fla. |
| Chadwick | Hobbs | Price, Ill. |
| Chapman | Huber | Priest |
| Chelf | Isacson | Rains |
| Clark | Jackson, Calif. | Rankin |
| Clason | Jackson, Wash. | Redden |
| Colmer | Jarman | Richards |
| Combs | Javits | Rooney |
| Cooley | Jenkins, Pa. | Sabath |
| Cooper | Jones, Ala. | Sadowski |
| Corbett | Judd | Sasscer |
| Courtney | Karsten, Mo. | Sikes |
| Cox | Kee | Smathers |
| Cravens | Kelley | Smith, Va. |
| Crosser | Kennedy | Spence |
| Davis, Ga. | Keogh | Stanley |
| Davis, Tenn. | Kerr | Teague |
| Deane | Kirwan | Thomas, Tex. |
| Delaney | Klein | Thompson |
| Devitt | Lanham | Trimble |
| Dingell | Lesinski | Vinson |
| Domengeaux | Lodge | Walter |
| Donohue | Lucas | Welch |
| Dorn | Ludlow | Wheeler |
| Doughton | Lynch | Whitaker |
| Douglas | McCormack | Whitten |
| Durham | McDonough | Whittington |
| Eberharter | McMillan, S. C. | Winstead |
| Elliott | Madden | Wood |
| Evins | Mahon | Worley |

NAYS—211

| | | |
|---|---|---|
| Allen, Calif. | Bolton | Cole, Kans. |
| Allen, Ill. | Bradley | Cole, Mo. |
| Andersen, H. Carl | Bramblett | Cole, N. Y. |
| | Brehm | Coudert |
| Andresen, August H. | Brophy | Crawford |
| | Brown, Ohio | Crow |
| Andrews, N. Y. | Buck | Cunningham |
| Angell | Buffett | Curtis |
| Arends | Burke | Dague |
| Arnold | Busbey | Davis, Wis. |
| Auchincloss | Butler | Dawson, Utah |
| Banta | Byrnes, Wis. | D'Ewart |
| Barrett | Canfield | Dirksen |
| Bates, Mass. | Carson | Dondero |
| Beall | Case, N. J. | Eaton |
| Bender | Case, S. Dak. | Ellis |
| Bennett, Mich. | Chenoweth | Ellsworth |
| Bennett, Mo. | Chiperfield | Elsaesser |
| Bishop | Church | Elston |
| Blackney | Clevenger | Engel, Mich. |
| Boggs, Del. | Coffin | Fellows |
| Fenton | Kilburn | Rich |
| Fisher | Knutson | Riehlman |
| Fletcher | Kunkel | Rizley |
| Foote | Latham | Rockwell |
| Fuller | Lea | Rogers, Fla. |
| Gallagher | LeCompte | Rogers, Mass. |
| Gavin | LeFevre | Rohrbough |
| Gearhart | Lemke | Ross |
| Gillette | Lewis, Ky. | Russell |
| Gillie | Lewis, Ohio | Sadlak |
| Goff | Lichtenwalter | St. George |
| Goodwin | Love | Sanborn |
| Gossett | McConnell | Sarbacher |
| Graham | McCowen | Schwabe, Mo. |
| Granger | McCulloch | Schwabe, Okla. |
| Grant, Ind. | McDowell | Scott, Hardie |
| Griffiths | McGarvey | Scott, Hugh D., Jr. |
| Gross | McGregor | |
| Hagen | McMahon | Scrivner |
| Hale | McMillen, Ill. | Seely-Brown |
| Hall, Edwin Arthur | Mack | Shafer |
| | MacKinnon | Simpson, Ill. |
| Hall, Leonard W. | Macy | Simpson, Pa. |
| | Maloney | Smith, Kans. |
| Hand | Martin, Iowa | Smith, Ohio |
| Harness, Ind. | Mason | Smith, Wis. |
| Harvey | Mathews | Snyder |
| Herter | Meyer | Stefan |
| Hess | Michener | Stevenson |
| Hill | Miller, Conn. | Stockman |
| Hinshaw | Miller, Md. | Stratton |
| Hoeven | Miller, Nebr. | Sundstrom |
| Hoffman | Mitchell | Taber |
| Holmes | Muhlenberg | Talle |
| Hope | Nicholson | Taylor |
| Horan | Nixon | Tibbott |
| Hull | Nodar | Tollefson |
| Jenison | Norblad | Towe |
| Jenkins, Ohio | O'Konski | Twyman |
| Jennings | Patterson | Vail |
| Jensen | Philbin | Van Zandt |
| Johnson, Calif. | Phillips, Calif. | Vorys |
| Johnson, Ill. | Phillips, Tenn. | Vursell |
| Johnson, Ind. | Ploeser | Wadsworth |
| Jones, Wash. | Plumley | Weichel |
| Jonkman | Potts | Wigglesworth |
| Kean | Ramey | Wilson, Ind. |
| Kearney | Reed, Ill. | Wolcott |
| Kearns | Reed, N. Y. | Wolverton |
| Keating | Rees | Woodruff |
| Keefe | Reeves | Youngblood |

ANSWERING "PRESENT"—1

Halleck

NOT VOTING—51

| | | |
|---|---|---|
| Anderson, Calif. | Kefauver | Pfeifer |
| Bell | Kersten, Wis. | Potter |
| Bulwinkle | Kilday | Rayburn |
| Clippinger | King | Regan |
| Cotton | Landis | Riley |
| Dawson, Ill. | Lane | Rivers |
| Dolliver | Larcade | Robertson |
| Engle, Calif. | Lusk | Scoblick |
| Gamble | Lyle | Sheppard |
| Gwinn, N. Y. | Meade, Ky. | Short |
| Gwynne, Iowa | Miller, Calif. | Smith, Maine |
| Hartley | Morrison | Somers |
| Heffernan | Mundt | Stigler |
| Holifield | Murray, Wis. | Thomas, N. J. |
| Johnson, Okla. | O'Hara | West |
| Johnson, Tex. | Owens | Williams |
| Jones N. C. | Peterson | Wilson, Tex. |

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Rayburn for, with Mr. Halleck against.

Mr. King for, with Mrs. Smith of Maine against.

Mr. Miller of California for, with Mr. Thomas of New Jersey against.

Mr. Kefauver for, with Mr. Murray of Wisconsin against.

Mr. Holifield for, with Mr. Dolliver against.

Mr. Pfeifer for, with Mr. Gamble against.

Mr. Heffernan for, with Mr. Gwinn of New York against.

Mr. Rivers for, with Mr. Anderson of California against.

Mr. Bell for, with Mr. Potter against.

Mr. Wilson of Texas for, with Mr. Short against.

Mr. Johnson of Texas for, with Mr. Owens against.

Mr. Williams for, with Mr. Cotton against.

Mr. Stigler for, with Mr. O'Hara against.

Mr. Somers for, with Mr. Scoblick against.

Mrs. Lusk for, with Mr. Meade of Kentucky against.

Additional general pairs:

Mr. Hartley with Mr. Kilday.

Mr. Mundt with Mr. Riley.

Mr. Landis with Mr. Morrison.

Mr. Kersten of Wisconsin with Mr. Lyle.

Mr. VURSELL changed his vote from "aye" to "no."

Mr. CANNON changed his vote from "no" to "aye."

Mr. HALLECK. Mr. Speaker, on this vote I have a pair with the gentleman from Texas, Mr. RAYBURN, who is unavoidably detained. If he were present, he would have voted "aye." I have voted "no." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GEARHART. Mr. Speaker, on that we demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 149, answering "present" 1, not voting 47, as follows:

[Roll No. 82]

YEAS—234

| | | |
|---|---|---|
| Allen, Calif. | Eaton | Keating |
| Allen, Ill. | Elliott | Keefe |
| Andersen, H. Carl | Ellis | Kilburn |
| | Ellsworth | Knutson |
| Andresen, August H. | Elsaesser | Kunkel |
| | Elston | Larcade |
| Andrews, N. Y. | Engel, Mich. | Latham |
| Angell | Fellows | Lea |
| Arends | Fenton | LeCompte |
| Arnold | Fisher | LeFevre |
| Auchincloss | Fletcher | Lewis, Ky. |
| Bakewell | Foote | Lewis, Ohio |
| Banta | Fuller | Lichtenwalter |
| Barrett | Fulton | Lodge |
| Bates, Mass. | Gallagher | Love |
| Beall | Gathings | McConnell |
| Bender | Gavin | McCowen |
| Bennett, Mich. | Gearhart | McCulloch |
| Bennett, Mo. | Gillette | McDonough |
| Bishop | Gillie | McDowell |
| Blackney | Goff | McGarvey |
| Bland | Goodwin | McGregor |
| Boggs, Del. | Gossett | McMahon |
| Bolton | Graham | McMillen, Ill. |
| Bradley | Granger | Mack |
| Bramblett | Grant, Ind. | MacKinnon |
| Brehm | Griffiths | Macy |
| Brophy | Gross | Maloney |
| Brown, Ohio | Hagen | Martin, Iowa |
| Buck | Hale | Mason |
| Buffett | Hall, Edwin Arthur | Mathews |
| Burke | | Meade, Md. |
| Busbey | Hall, Leonard W. | Merrow |
| Butler | | Meyer |
| Byrnes, Wis. | Hand | Michener |
| Canfield | Harness, Ind. | Miller, Conn. |
| Carson | Harvey | Miller, Md. |
| Case, N. J | Hébert | Miller, Nebr. |
| Case, S. Dak. | Herter | Mitchell |
| Chadwick | Heselton | Morton |
| Chenoweth | Hess | Muhlenberg |
| Chiperfield | Hill | Nicholson |
| Church | Hinshaw | Nixon |
| Clason | Hoeven | Nodar |
| Clevenger | Hoffman | Norblad |
| Coffin | Holmes | Passman |
| Cole, Kans. | Hope | Patterson |
| Cole, Mo. | Horan | Philbin |
| Cole, N. Y. | Jackson, Calif. | Phillips, Calif. |
| Corbett | Javits | Phillips, Tenn. |
| Coudert | Jenison | Ploeser |
| Crawford | Jenkins, Ohio | Plumley |
| Crow | Jenkins, Pa. | Potts |
| Cunningham | Jennings | Poulson |
| Curtis | Jensen | Ramey |
| Dague | Johnson, Calif. | Reed, Ill. |
| Davis, Wis. | Johnson, Ill. | Reed, N. Y. |
| Dawson, Utah | Johnson, Ind. | Rees |
| Devitt | Jones, Wash. | Reeves |
| D'Ewart | Jonkman | Rich |
| Dirksen | Judd | Riehlman |
| Domengeaux | Kean | Rizley |
| Dondero | Kearney | Rockwell |
| Donohue | Kearns | Rogers, Mass. |

| | | |
|---|---|---|
| Rohrbough | Simpson, Ill. | Twyman |
| Ross | Simpson, Pa. | Vail |
| Russell | Smith, Kans. | Van Zandt |
| Sadlak | Smith, Wis. | Vorys |
| St. George | Snyder | Vursell |
| Sanborn | Stefan | Wadsworth |
| Sarbacher | Stevenson | Welch |
| Schwabe, Mo. | Stockman | Whitten |
| Schwabe, Okla. | Stratton | Wigglesworth |
| Scoblick | Sundstrom | Wilson, Ind. |
| Scott, Hardie | Taber | Winstead |
| Scott, Hugh D., Jr. | Talle | Wolcott |
| | Taylor | Wolverton |
| Scrivner | Tibbott | Woodruff |
| Seely-Brown | Tollefson | Youngblood |
| Shafer | Towe | |

NAYS—149

| | | |
|---|---|---|
| Abbitt | Flannagan | Morgan |
| Abernethy | Fogarty | Morris |
| Albert | Folger | Multer |
| Allen, La. | Forand | Murdock |
| Andrews, Ala. | Garmatz | Murray, Tenn. |
| Barden | Gary | Norrell |
| Bates, Ky. | Gordon | Norton |
| Battle | Gore | O'Brien |
| Beckworth | Gorski | O'Konski |
| Blatnik | Grant, Ala. | O'Toole |
| Bloom | Gregory | Pace |
| Boggs, La. | Hardy | Patman |
| Bonner | Harless, Ariz. | Peden |
| Boykin | Harris | Peterson |
| Brooks | Harrison | Pickett |
| Brown, Ga. | Hart | Poage |
| Bryson | Havenner | Powell |
| Buchanan | Hays | Preston |
| Buckley | Hedrick | Price, Fla. |
| Burleson | Hendricks | Price, Ill. |
| Byrne, N. Y. | Hobbs | Priest |
| Camp | Huber | Rains |
| Cannon | Hull | Rankin |
| Carroll | Isacson | Redden |
| Celler | Jackson, Wash. | Regan |
| Chapman | Jarman | Richards |
| Chelf | Jones, Ala. | Rogers, Fla. |
| Clark | Karsten, Mo. | Rooney |
| Colmer | Kee | Sabath |
| Combs | Kelley | Sadowski |
| Cooley | Kennedy | Sasscer |
| Cooper | Keogh | Sikes |
| Courtney | Kerr | Smathers |
| Cox | Kirwan | Smith, Ohio |
| Cravens | Klein | Smith, Va. |
| Crosser | Lanham | Spence |
| Davis, Ga. | Lemke | Stanley |
| Davis, Tenn. | Lesinski | Teague |
| Deane | Lucas | Thomas, Tex. |
| Delaney | Ludlow | Thompson |
| Dingell | Lynch | Trimble |
| Dorn | McCormack | Vinson |
| Doughton | McMillan, S. C. | Walter |
| Douglas | Madden | Weichel |
| Durham | Mahon | Wheeler |
| Eberharter | Manasco | Whitaker |
| Evins | Mansfield | Whittington |
| Fallon | Marcantonio | Wood |
| Feighan | Mills | Worley |
| Fernandez | Monroney | |

ANSWERING "PRESENT"—1

Halleck

NOT VOTING—47

| | | |
|---|---|---|
| Anderson, Calif. | Jones, N. C. | Pfeifer |
| Bell | Kefauver | Potter |
| Bulwinkle | Kersten, Wis. | Rayburn |
| Clippinger | Kilday | Riley |
| Cotton | King | Rivers |
| Dawson, Ill. | Landis | Robertson |
| Dolliver | Lane | Sheppard |
| Engle, Calif. | Lusk | Short |
| Gamble | Lyle | Smith, Maine |
| Gwinn, N. Y. | Meade, Ky. | Somers |
| Gwynne, Iowa | Miller, Calif. | Stigler |
| Hartley | Morrison | Thomas, N. J. |
| Heffernan | Mundt | West |
| Holifield | Murray, Wis. | Williams |
| Johnson, Okla. | O'Hara | Wilson, Tex. |
| Johnson, Tex. | Owens | |

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Halleck for, with Mr. Rayburn against.

Mr. Lyle for, with Mr. Pfeifer against.

Mrs. Smith of Maine for, with Mr. Kefauver against.

Mr. Gwynne of Iowa for, with Mrs. Lusk against.

Mr. Wilson of Texas for, with Mr. Somers against.

Mr. Gwinn of New York for, with Mr. Heffernan against.

Mr. Cotton for, with Mr. Dawson of Illinois against.

Mr. Potter for, with Mr. Holifield against.

Mr. Gamble for, with Mr. Rivers against.

Mr. Williams for, with Mr. Riley against.

Mr. Anderson of California for, with Mr. Stigler against.

Mr. Dolliver for, with Mr. King against.

Mr. Thomas of New Jersey for, with Mr. Jones of North Carolina against.

Mr. Murray of Wisconsin for, with Mr. Morrison against.

Mr. O'Hara for, with Mr. Sheppard against.

Mr. Short for, with Mr. Miller of California against.

Additional general pairs:

Mr. Hartley with Mr. Lane.

Mr. Clippinger with Mr. Kilday.

Mr. Mundt with Mr. West.

Mr. Landis with Mr. Bell.

Mr. Owens with Mr. Johnson of Texas.

Mr. Kersten of Wisconsin with Mr. Bulwinkle.

Mr. BROOKS changed his vote from "yea" to "nay."

Mr. HALLECK. Mr. Speaker, on this vote I have a pair with the gentleman from Texas, Mr. RAYBURN, who is unavoidably detained. I voted "yea." I understand if the gentleman from Texas had been present he would have voted "nay." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, on Friday we are going to bring up the tax-revision bill. For the information of the House, I desire to ask unanimous consent to insert in the RECORD a synopsis of the measure, which contains 150 pages.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1949

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5883) making appropriations for the Department of Agriculture, exclusive of the Farm Credit Administration, for the fiscal year ending June 30, 1949, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CANNON. Mr. Speaker, I offer a motion, which I send to the desk.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. CANNON moves to instruct the managers on the part of the House to agree in conference to Senate amendment No. 33——

Mr. DIRKSEN. Mr. Speaker, I withdraw my request.

The SPEAKER. The gentleman from Michigan——

Mr. CANNON. Mr. Speaker, I object to the withdrawal of the motion.

The SPEAKER. The gentleman's objection comes too late. The Chair had already recognized the gentleman from Michigan [Mr. WOODRUFF.]

EXTENSION OF REMARKS

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Michigan [Mr. BENNETT] may extend his remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEAVE OF ABSENCE

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that leave of absence be granted to the gentleman from Michigan [Mr. BENNETT] for 4 days, to attend the funeral of a relative.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTERNATIONAL AIR TRANSPORT SYSTEM

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WOLVERTON, HINSHAW, LEONARD W. HALL, LEA, and PRIEST.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1641) entitled "An act to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the foregoing bill, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. BALDWIN, Mr. SALTONSTALL, Mr. TYDINGS, and Mr. HILL to be the conferees on the part of the Senate.

WOMEN'S CORPS IN THE ARMED SERVICES

Mr. SHAFER submitted a conference report and statement on the bill (S. 1641) to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes.

EXTENSION OF REMARKS

Mr. REED of New York (at the request of Mr. GEARHART) was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include extraneous matter.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include extraneous matter notwithstanding the fact that it may exceed the limit fixed by the Joint Committee on Printing.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. LANE (at the request of Mr. RUSSELL) was given permission to extend his remarks in the Appendix of the RECORD and include a radio address delivered by him.

PARLIAMENTARY INQUIRY ON AGRICULTURE APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. What is the status of the agricultural appropriation bill, messaged over from the Senate with Senate amendments?

The SPEAKER. The bill is now on the Speaker's table awaiting action.

The Chair wishes to state that the Chair has been given assurance by Members on both sides of the House that nothing of a controversial character would be taken up during the balance of the day. When the gentleman from Missouri offered his motion, it was obvious there was to be controversy concerning it and the Chair therefore had the gentleman from Illinois withdraw his request.

Mr. CANNON. But, Mr. Speaker, a conference had already been granted; the House had disagreed to the Senate amendments and agreed to the conference asked by the Senate. The Speaker had handed the names of the conferees to the Clerk.

The SPEAKER. The gentleman from Illinois asked that his request be withdrawn and nobody objected. The request was withdrawn.

The Chair recognizes the gentleman from Pennsylvania [Mr. TIBBOTT].

EXTENSION OF REMARKS

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address by United States Senator EDWARD MARTIN, of Pennsylvania, before the Republican State Committee of Pennsylvania at Philadelphia last Saturday.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PHILBIN asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein letters from the Attorney General, the Secretary of the Interior, and documents; and I ask that I may include these matters even though they should exceed the limit fixed by the Joint Committee on Printing.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEA asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. HOPE asked and was given permission to extend his remarks in the Appendix of the RECORD and include certain newspaper excerpts.

Mr. KEFAUVER (at the request of Mr. HARLESS of Arizona) was given permission to extend his remarks in the Appendix of the RECORD.

Mr. WOLVERTON asked and was given permission to extend his remarks in the Appendix of the RECORD on the subject of railroad retirement pensions.

SPECIAL ORDER GRANTED

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that I may address the House for 30 minutes today following the other special orders heretofore entered for today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report on House Joint Resolutions 412 and 413.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow?

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DISTRICT OF COLUMBIA ARMORY BOARD

Mr. ALLEN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5874) to establish a District of Columbia Armory Board, and for other purposes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 4 and 5, strike out "and the Architect of the Capitol." and insert "and a third person not employed by the Federal or District Governments who shall be appointed by the Chairman of the District of Columbia Committees of the United States Senate and the United States House of Representatives for a term of 3 years."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to consider was laid on the table.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1949

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 615, Rept. No. 2052), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That during the consideration of the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

GOVERNMENT-OWNED ALCOHOL PLANTS AT MUSCATINE, IOWA, KANSAS CITY, MO., AND OMAHA, NEBR.

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 597 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6096) to provide for making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Mo., and Omaha, Nebr., for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution provides consideration for H. R. 6096, a bill making certain Government-owned alcohol plants available to the Department of Agriculture. The plants concerned are located at Muscatine, Iowa; Kansas City, Mo.; and Omaha, Nebr.

These plants, which manufacture alcohol from grain and other agricultural products, were built by the Government during the war, and they played an important part in providing industrial alcohol for synthetic rubber and for other essential war uses. The War Production Board continued to operate the plants until 1946, when they were turned over

to the Department of Agriculture, which operated the plants until the middle of last year. In March 1947, however, the Department of Agriculture notified the Reconstruction Finance Corporation that it had no objection to the termination of the alcohol-feed leases of the two largest plants—at Kansas City and Omaha. And in July 1947, both plants were formally declared surplus. The War Assets Administration received bids on the plants. But while negotiations for sale were in progress, the Committee on Agriculture asked that disposal of the plants be deferred until June 30, 1948.

Last January, the Secretary submitted a bill to authorize the transfer of the plant at Muscatine, Iowa, to the Department of Agriculture. He did not ask to have the two larger plants retained—but the Committee on Agriculture thought the best interests of the country could be served by retaining Government ownership of all three of the plants—and the commitee reported this bill for that purpose.

This is a simple rule, which merely provides consideration of, and 1 hour of debate on the bill. In view of the present unsettled world conditions, the Rules Committee thought this bill was of sufficient urgency to warrant immediate consideration. Unless the bill is acted upon by June 30, the plants will be sold as surplus. Therefore, it is important that we adopt this resolution, and proceed to the immediate consideration of the bill.

Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. We have no requests for time, Mr. Speaker.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HOPE. Mr. Speaker, I ask unanimous consent that the bill (H. R. 6096) be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection?

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That for the purpose of assuring their operation for the production of products from agriculture commodities in order to provide a means of discharging the responsibility of the Department of Agriculture in connection with surplus agricultural commodities, research, and other authorized activities, and to assist in providing an adequate supply of alcohol and other products produced from agricultural commodities necessary for the national defense, (1) the Reconstruction Finance Corporation, as successor to Defense Plant Corporation, shall transfer, without regard to the provisions of the Surplus Property Act of 1944 and without reimbursement or transfer of funds, to the Secretary of Agriculture all of its right, title, and interest in and to the alcohol plant established and constructed by Defense Plant Corporation at Muscatine, Iowa, the property, together with the equipment, records, facilities, and other property appurtenant thereto; and (2) the War Assets Administration shall transfer to the Secretary of Agriculture without regard to the provisions of the Surplus Property Act of 1944 and without reimbursement or transfer of funds the alcohol plants at Kansas City, Mo,, and Omaha, Nebr., together with the land, equipment, facilities, and other property appurtenant thereto.

SEC. 2. In carrying out the purposes of this act the Secretary is authorized, upon such terms and conditions as he deems reasonable, and notwithstanding the provisions of any other law—

(a) to provide for the operation of such plants by lease or other arrangement;

(b) to operate such plants, where disposal to, or operation by, others will not, in the judgment of the Secretary, accomplish the purpose of this act.

Such plants may be operated in the furtherance of any authorized activities of the Department of Agriculture, and any sale, lease, or other arrangement may be upon such terms and conditions as to result in the plant being operated for such purposes.

SEC. 3. Whenever the Secretary finds that the operation of any plant or plants as provided in this act is no longer necessary or desirable, he shall report such fact to Congress with his recommendations for the disposition thereof.

SEC. 4. For the purposes of this act, the Secretary of Agriculture is authorized (a) to construct and provide additional facilities and equipment necessary to the operation of such plants, and to maintain, repair, and alter such plants; (b) to acquire property or rights or interest therein by purchase, lease, gift, transfer, condemnation, or otherwise; (c) to incur necessary administrative expenses, including personal services; and (d) to make such rules and regulations as may be necessary to carry out the purposes of this act.

SEC. 5. The Secretary of Agriculture shall assume all obligations of the Reconstruction Finance Corporation covering operations of the Muscatine, Iowa, plant, equipment, facilities, and appurtenant property outstanding at the date of transfer.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this act such sums as the Congress may from time to time determine to be necessary.

With the following committee amendments:

Page 3, line 1, strike out "disposal to, or."

Page 3, line 2, after the word "by", strike out the comma.

Page 3, line 6, strike out the word "sale."

The committee amendments were agreed to.

Mr. JOHNSON of Illinois. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a subject that I have followed since before the war and I am well informed on it. I am sure that by reading a brief statement it will cover the subject matter. However, I shall be glad to answer any questions any Member desires to ask.

The three alcohol plants are the result of a congressional objective to provide the United States with, first, a strategic material for the manufacture of synthetic rubber, munitions, and supplemental fuels; second, facilities to use surplus or deteriorating agricultural commodities by converting them into storable materials and feeds; and third, demonstration and research units to ultimately expand the industrial use of farm products and to show that a farm program based on expanded economic use is much better than an acreage reduction or scarcity program.

These objectives are set out in various documents including the report of Bernard Baruch to the President of the United States (1942), Senate Document No. 240, Seventy-eighth Congress, Second session, Senate Document No. 167, Seventy-ninth Congress, United States Department of Agriculture Miscellaneous Publication 327, and many others. All of the objectives which were involved in the authorization for construction of these plants are valid today—even more so for it was thought then when peace arrived, there would be little for these plants to do except to be available for handling agricultural surpluses and perishables. Now that World War II is history and we try to look into the future, we find the possibility of more international entanglements, shortages of fuels—of rubber—of alcohol for synthetic rubber and munitions plus the certainty that if war comes again, agriculture will have to step into the supply of these materials, just as now it is the No. 1 industry in providing foods to make the peoples of the world peace makes the peoples of the world peace-

Yet only a few weeks ago two of these plants were about to be disposed of through the War Assets Administration and at least two of the bids offered contemplated the dismantling and junking of these plants allocation. The House Committee on Agriculture on January 16, 1948, requested that these bids be rejected and that no sale of these plants be made until after June 30, 1948. At that time the committee made inquiry of the Munitions Board concerning the interest of this board in these plants and asked if perchance it might want to exercis the so-called national-security clause which creates in all sales made by WAA in which this right is claimed, a dormant estate for the Government which would require the purchaser to maintain the plant for 20 years so that production of goods as produced for the war could be resumed in 120 days. The Board advised the committee it had no such interest, although recently it notified the RFC and the WAA that it was exercising the national-security clause provision. Thus, the Munitions Board now merely approves the action taken by the House Agriculture Committee unanimously and strengthens the reasons why the committee thought all three plants should be maintained in the Government.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield to the gentleman from Nebraska.

Mr. CURTIS. As one who has been intensely interested in this entire program throughout the years, may I say that I think the measure should pass. I believe it is a wise move, and I am in favor of it.

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield to the gentleman from Iowa.

Mr. MARTIN of Iowa. I wish to commend the gentleman from Illinois [Mr. JOHNSON] on his watchfulness on this important measure, and the good work of the Committee on Agriculture in taking the action contemplated in this proposed legislation, particularly in the interest of national defense.

Mr. JOHNSON of Illinois. I thank the gentleman.

Mr. Speaker, just today the Committee on Armed Services in the other body reported out a bill entitled, "To promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes." That is right along the lines of this bill. I have heard no objection from any source, and there just has not been any objection, so I shall not take further time now. This bill is well merited.

Mr. HOPE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOPE: On page 4, line 5, after the period add the following: "Also, the Secretary is authorized to use such sums from other appropriations or funds available to the bureaus, corporations, or agencies of the Department of Agriculture as he may deem necessary for expenses in connection with maintaining these plants in stand-by condition while not under lease."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BROOKS] is recognized for 30 minutes.

FLOOD CONTROL

Mr. BROOKS Mr. Speaker, I am here by the command of a voice now stilled. Senator John Holmes Overton came to Washington in 1932 to represent the Eighth Congressional District of Louisiana in the House of Representatives and a year later he came to Washington to represent in the Senate the entire State of Louisiana. He slipped out of this life into the Great Beyond in the early hours of Friday morning, May 14, following an operation at the Naval Medical Center at Bethesda, Md.

Senator Overton was my uncle. I knew him as a father. I saw him at work and at play, with his family and in public. I knew his secret hopes and his ambitions and I felt the vibrant enthusiasm of the joy of his successes. I was with him in the last hours of his life as he lay stricken in the hospital. I saw and talked to him immediately before the operation which was to lead to his death. I was the last person who talked business with him prior to his death. I know of his deep and fervent interest in flood control and river and harbor development which he maintained, with an unchecked zeal, even unto the hour of his death.

Senator Overton lived a vigorous, dynamic life and literally died, as he would have had it, with his boots on. There can be no doubt that the vigor with which he pushed his work in the United States hastened the end; but with a contagicus enthusiasm for his work, he pushed on toward the goals of safety and progress which he had set for those who dwell in the valleys of the Nation.

I was summoned to his bedside by the word of an emergency operation to be performed "within the hour." I arrived at the Naval Medical Center as he was about to be taken from his hospital bed to be removed to the operating room. A short delay in this procedure occurred as I stood beside his bed; and this gave me the opportunity of talking to our late friend and my uncle about the status of his work in the Senate. He was game and courageous to the last. As he faced the operation which he surely knew would bring on the end, he talked of flood control and of river development—the subjects of his constant work in the Senate. I tried to bring comfort to him with talk that this session of the Congress would soon end and that not a great deal of additional work would be handled before we adjourned. He quickly answered by referring to the fact that he would not be present when the Army Civil Functions bill containing moneys for flood control and for river development came up on the floor of the Senate. He referred to the fight which he thought must inevitably occur when the bill, after being adopted by the Senate, was sent to conference. He especially referred to the fact that he would be a conferee and that it was urgently important to be there to protect those projects which might, being perhaps not fully understood, become the subject of dispute. Whether they be works along the Ohio, the Sacramento, Missouri, Colorado, the Mississippi, or in any other part of the country, he was equally interested in them.

The last thing about which he talked was the Overton Red River lateral canal. It was his hope and dream for the development of the great southwestern empire in the valley of the Red River; and he said, "I want to live to carry on this work. Who is going to do this when I am not there?"

Of course, this was a most natural question, "Who is going to carry on—to push the work of river and valley development?" I am not discouraged or despondent, I know that this program is so vast and so appealing that champions of the cause of valle,· development will arise; and, in fact, some have already arisen to carry forward this age-old fight for the development of our natural resources.

The question, of course, is what is going to happen to the program and who is going to take the leadership in pushing it to consummation? Soon, Mr. Speaker, the House and Senate conferees meet in session to decide upon the fate of the civil functions bill. They meet without Senator John Overton; but I cannot but believe that, while he will be absent in person, he will be there among those conferees and with his flood control in spirit as they meet and talk and decide these questions for submission back to the House and the Senate.

The fight in conference revolves about the question of whether we accept the figures of the Senate which are higher or whether we return to the lower figures of the House. The sum of about one hundred million dollars separates the two versions of this bill. All projects provided for in either version of the bill have been fully approved by the Congress and they all stand tiptoe at the door of the Appropriations Committee awaiting the allocations of funds with which to begin work.

At this juncture come the opponents of valley development and refer to the bill as a logrolling piece of legislation. Yes, opponents have come forward against even this fine type of constructive legislation. They arise to fight all progress, all effort to change and all effort to improve. They are the reactionaries of mankind. They stand in the way of all progress. They are the iconoclasts of the ages. They malign and tear down both the progressive project and those who sponsor it. Such it is in this case.

This bill as written by the Senate has been referred to as a "pork barrel" piece of legislation. Those there are who severely criticize it when they know each and every project for which money is provided has already received the sanction and approval of the Congress of the United States after a careful investigation by the Army engineers, committees of Congress, and the two bodies of Congress themselves. Not a single dollar for construction purposes is provided save for those projects which bear the stamp of legislative approval and approval by the Army engineers. We should therefore adopt the amendments added by the Senate and allow these development projects to proceed in an orderly manner to completion.

I, of course, am interested in the Red River Valley. It is the last great valley in the United States which has not claimed the attention of your Congress for extensive development. It is a valley which extends through four States and flanks the twelve-hundred-mile course of the Red River from the Colorado borders of Texas to its confluence with the Atchafalaya and Mississippi Rivers at Angola, La. It is in need of immediate and marked attention from this Congress. The waters of the Red River move downstream year after year from the far upper reaches to flood our people and destroy our property. They need the help of modern engineering that they may be curbed and kept within channel. We have such projects in this bill, and they are meritorious. I shall not list them here, as they are well-known to most of us.

Then, there is another project—the Overton Red River lateral canal project. This project is to take the devastating and unruly waters of the Red River and put them to the usual purpose of service to mankind. Yes, the project is to construct a lateral canal on the west bank of the Red River for use by barges and small boats. It will give access by water to the heart of the Southwest. It will provide a means whereby products such as oil, lumber, and other badly needed merchandise may be brought to the markets of the East and the West, relieving shortages and eliminating great transportation charges. This project has received the approval of the Army engineers, who show it is thoroughly justified economically and will pay out in a short time.

This project is worthy and meritorious. It should stand on its own merits. But more than this, the project should be

built as a monument to the work of Senator Overton. This is the time to begin the project; and when dedication comes, all of those communities throughout this Nation which have received the benefits of projects begun and constructed either in whole or in part by the efforts, energies, abilities, and genius of the late senior Senator from Louisiana should have part in its dedication.

But while I feel especially that this is the important time to begin the Overton Red River lateral canal, it is not this project alone for which I plead. I urge the approval by this Congress of all of those items placed by the Senate in the civil functions bill. I urge the approval of projects along the Mississippi River in the vicinity of New Orleans, Vicksburg, Memphis, and St. Louis. I urge the continuation of work along the Calcasieu, the Ohio, and in the Missouri River Valley, along the Sabine-Neches, Arkansas, and White Rivers, in New England, in the Pacific area and, in fact, throughout the country where such projects have been approved by the Army engineers and endorsed by this Congress. The great Mississippi Valley, the most fertile and perhaps the most populous valley in the entire world, bears a tremendous burden of water to the sea. In accordance with the volume of the water have come great problems which arise for solution. I make this plea that our program for flood control and rivers and harbors development may go forward without abatement; and that it may be pushed fast enough that we may see the fruition of our work during our lifetime and while the present generation may enjoy the benefits of them.

They tell us that this program of internal development is too costly. They tell us that we must cut from the bill projects which are very worthy, highly desirable and are badly needed by the peoples of this country. They make this statement in the face of the fact that we have expended billions of dollars to rehabilitate Europe and the Orient and have set up a 5-year program for continued expenditures reaching astronomical proportions. In this bill we ask only for $708,000,000 which, if need be, could be taken from the foreign program without seriously jeopardizing it. But, Mr. Speaker, it is not necessary to do this. Ample funds can be found among our own revenues dedicated to internal development and rehabilitation. Money thus expended is used for the building up and the increasing of the resources of this Nation. It is not money thrown away or improvidently expended. It is in effect money placed in the bank of national welfare subject to withdrawal when hard times come and a rainy day faces the Nation.

Mr. Speaker, the cause of flood control and navigation has been dealt a heavy blow—but it is not a mortal blow. It is a program so vast and complicated that it will require years—perhaps a hundred years—for its completion. It is a program which goes back for its beginning to the shades of history. Ancient Babylon and Egypt saw the waters of the Euphrates and the Nile Rivers annually overflow, destroying crops, people, and cities. These people determined even at this early date in the annals of history to take national action to curb this annual menace and harness these flood waters to a useful purpose. Year by year this program advanced, forming, as far as I know, the first major programs of flood control in the history of the world. The ancient civilizations of both of these countries are gone; but the great cause of flood control and valley developments, ruing the effects of time and tide, moves on down through the ages to the Eightieth Congress. It is one of the real benefactors of mankind.

Mr. Speaker, I feel that I have a deathbed mandate from John Overton to discharge. In all humility, I feel the paucity of my ability to meet this responsibility; but the cause for which I fight gives me the strength and the temerity to carry on and emboldens me to urge that this Congress accept the full recommendations of the Senate bill with its increases for old projects and its addition of new ones. Let us march forward in a spirit of confidence and not in the attitude of defeatism.

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from Pennsylvania [Mr. BUCHANAN] for 30 minutes.

### HOUSING OR LOG JAMMING?

Mr. BUCHANAN. Mr. Speaker, since May 3 my colleagues and I on the Banking and Currency Committee have been hearing testimony and giving consideration to the Taft-Ellender-Wagner bill, S. 866, the comprehensive housing bill which came over to us on April 26 after passage by the Senate. At the outset of those hearings I was gratified and encouraged when the chairman, the gentleman from Michigan [Mr. WOLCOTT], assured the members of the committee that it was his purpose to get a bill reported out as quickly as possible in order to insure enactment before Congress adjourns. Here, at least, after 4 years of exhaustive study by Congress, it appeared that this House would have an opportunity to vote on comprehensive housing legislation, the need for which has been emphasized time and again in the findings of bipartisan committees of Congress and which, on two different occasions, has been passed by the Senate.

I quote from the statement of the chairman opening the hearings:

> It is our purpose to have adequate hearings, though not prolonged to the point where they will defeat our purpose by delaying action. It is not our purpose to delay action on this bill. It is our purpose to get a bill reported out just as quickly as we possibly can in order to insure that it might be enacted before Congress adjourns.

It is now the last of May. Where is the Taft-Ellender-Wagner bill today? It is still bottled up in committee.

On Monday, May 24, when the Banking and Currency Committee resumed its hearings after a lapse of a week, members sought without success to secure an agreement from the chairman on a firm date to close the hearings and to start executive sessions on the bill so as to act on it and report the measure to the House in ample time for consideration before the adjournment. Despite his previous assurances of prompt action, the chairman declined to make such an agreement. In fact, he even declined to give any assurance that the members of the committee themselves would have an opportunity to vote in executive session on whether to report the bill out. When he was questioned on this point, the chairman replied:

> I am not in a position to state at this moment what the procedure is going to be because I do not know myself.

And at another point, the chairman stated:

> I think we should in all fairness to the opposition, if we are not going to report out this bill, give them notice soon enough so that those who desire to get a petition to discharge the committee will have a reasonable opportunity to do so.

I am sure that most of the Members of this body have read the numerous newspaper stories published during the past few days to the effect that the Republican leadership of the House has decided to kill the public housing title of the Taft-Ellender-Wagner bill and has served notice that no bill containing public housing will come to a vote in the House at this session.

Are these stories true? I do not know, for the Republican leadership has not taken me into its confidence. But I will say that all these events have an ominous and familiar ring of plausibility. It is not beyond reason to believe that the Republican leadership of the House is against public housing. And it is not beyond reason that the leadership is fearful that if public housing is permitted to come to a vote on the floor of the House, a majority of the Members of the House would support it and would pass it. Faced with the acute housing shortage and with the necessity for confronting the electorate this fall, many Republican Members might well vote for public housing if they were given the opportunity of doing so, particularly since the only real opponent of public housing is the real-estate lobby. And while the real-estate lobby has plenty of money, it does not control many votes among the electorate.

I note that the distinguished Speaker of the House is quoted in yesterday's Washington Post as having stated in Chicago that housing legislation will be passed at this session of Congress. But what kind of housing legislation? Apparently the Speaker did not elucidate. Did he have in mind the kind of housing legislation sought by the real-estate lobby to underwrite the profits of speculative builders on overpriced houses? Or did he have in mind housing legislation such as the Taft-Ellender-Wagner bill which would give hope to the millions of veterans and other families, now living in slums or crowded in with in-laws, that eventually they may secure decent homes in which they can bring up their families with some degree of security and self-respect?

I think the Members of this body are entitled to know what the plans of the leadership are on housing legislation.

There will be claim that this House has already done all that is essential and can be done to assure maximum production of housing. I should like to examine the

record as to what needs to be done, as to what this House has done, and as to what would be possible of attainment under the Taft-Ellender-Wagner bill.

The issue before us is not how much housing will be produced this year or even next year—we have had short periods of high building activity before, but our housing problem remains unsolved. The issue is whether this Nation is now going to lay the foundation for the kind of a sustained home-construction program that eventually will assure all Americans at least the minimum requirements for decent home life. This means not just a million new homes this year or next year, but a sustained production averaging 1,250,000 to 1,500,000 a year for the next 10 to 15 years. This means two and one-half to three times as much new housing as was produced during the average year before the war.

This kind of production will not be sustained by merely letting the cream be lapped off of today's market—that has been tried before, with disastrous results to the domestic economy and the American people. It will only be achieved by embarking now on long-term housing measures to alleviate the conditions which, in the past, have created the extreme fluctuations in housing production.

The requirements of a long-term housing program are measures which will help the building industry reduce costs, assure a steadily expanding flow of credit, provide aid to local communities for the clearance of slums and the provision of decent housing for low-income families and make available loans and subsidies for the improvement of farm housing. There is nothing new or mysterious about these principles, except to the real-estate lobby and apparently the majority members of the Banking and Currency Committee.

These principles have been outlined as the result of every congressional investigation of the housing problem over the past 4 years. And I call the attention of the House to the fact that every one of the 16 legislative recommendations of the Joint Committee on Housing in its final report to the Congress is incorporated in the Taft-Ellender-Wagner bill. In fact, that bill in the revised form in which it passed the Senate is in essence the legislative expression of the Joint Committee on Housing's recommendations.

The Congress has a $100,000 investment in the Joint Committee on Housing. When the resolution establishing that committee was being debated last July, the chairman of the Banking and Currency Committee supported it strongly and said:

> We will know from now on, we hope, where we are going in respect to housing and how we can lick the housing shortage.

Well, the $100,000 has been spent, the joint committee has completed an exhaustive investigation of housing, it has submitted its report to the Congress, and all its legislative recommendations are embodied in the Taft-Ellender-Wagner bill now bottled up in the Banking and Currency Committee.

The joint committee, I am advised, was practically unanimous about the effects of costs on the housing problem. The principal reason that we do not have enough decent homes today is that not enough people have been able to afford the dwellings that were produced. This was as true in 1928 and 1938 at different general price levels as it is in 1948. The joint committee found many reasons for this situation, such as building codes and restrictive practices, but they all add up to the primary fact that housing is still produced by handicraft methods which have prevailed for generations, without the benefits of modern technology. The committee decided that a rapid conversion to modern industrial methods could be accomplished only with Government aids in the form of financing of research and special forms of credit for those employing mass-production methods.

This House has followed some of these recommendations in voting to extend title VI of the National Housing Act until March 31, 1949, with certain amendments.

These provisions which are also a part of the Taft-Ellender-Wagner bill, are helpful, but they omit what the joint committee reported as the greatest possibility for the progressive reduction of housing costs—technical research. Title III of the Taft-Ellender-Wagner bill would provide such a program under direction of the Administrator of the Housing and Home Finance Agency. This title conveys broad authority for technical and market research; the extent to which this authority could be used would be determined annually by the Congress through its control of appropriations. On the technical side, the Administrator would be authorized to undertake a research program with respect to research to develop, demonstrate, and promote new and improved techniques, materials, and methods which would permit progressive reductions in cost. I am confident that the memory of Hiroshima and Nagasaki is fresh enough in our minds to illustrate what can be done with a program which coordinates the knowledge on a subject and seeks its definite application. The same principles would apply on an infinitely smaller scale in housing, in which there is presently a lack of any central agency, outside of Government, of sufficient size or scope to utilize the research method effectively. The credit aids provided elsewhere in this bill will bring much more effective results if producers, prefabricators, and mass builders have the benefits of sustained programs of technical research and have the facilities in which their own developments can be tested.

As a member of the Banking and Currency Committee, I have heard a great deal of concern about inflationary sources of credit. So I am rather amazed with the indications that the majority leadership, therefore, may be seeking to limit the entire housing legislation program for this session to the extension of title VI mortgage insurance already voted by the House in H. R. 5854. This is an emergency measure originally enacted to stimulate war housing. The joint committee has reported and administration leaders have testified that it should be discontinued as quickly as the transition to more permanent credit aids can be effected. It is a type of Government credit assistance which has come in for considerable criticism in the majority report by the Joint Committee on the Economic Report, signed by the chairman of the House Banking and Currency Committee. It is true that some inflationary aspects have been modified in H. R. 5854, such as the elimination of the "necessary current cost" basis for determining insurable loans on housing built for sale and, on urgently needed rental housing, the pegging of mortgage insurance to costs as of December 31, 1947. But no benchmarks of permanent credit aids to which home building and home finance can be adjusted during this transition period are provided. Furthermore, no credit aids responsive to the growing interest of veterans in cooperative housing enterprises would be made available.

The Taft-Ellender-Wagner bill would establish these benchmarks. It would provide liberal credit aids for veterans' and other cooperatives. Furthermore, it would further encourage rental housing and, in line with the joint committee's recommendations to stimulate production at lower costs, would offer incentives, in addition to those to mass producers I have already enumerated, for the financing of housing in the lower-price ranges.

Thus, title I of the Taft-Ellender-Wagner bill would not only extend title VI of the National Housing Act until March 31 next year with certain amendments to limit its inflationary effects, but it would also bring the permanent title II mortgage insurance provisions of this act, which have been largely inoperative with respect to new housing since the beginning of the war, up to date by revising the cost limitations in line with present realities. At the same time it would further encourage production of homes for lower-income families by permitting insurance of 30-year, 4-percent mortgages covering 90 percent of the value, if the principal does not exceed $6,000, and up to 95 percent of the value if this would not contribute to inflationary pressures.

Under title IV of the Taft-Ellender-Wagner bill, further encouragement would be given to the production of rental housing for the large segment of our population which does not find it feasible to enter into home ownership. The lack of an adequate supply of rental housing has contributed to inflationary pressures by forcing thousands of families into involuntary ownership under prices and terms they can ill afford. Under this title, mortgage insurance would be available for 40-year, 4-percent rental housing loans covering 90 percent of value. Similar terms would be available to cooperatives and, in the case of veterans' groups, mortgage insurance could cover 95 percent of the value of the property. Veterans who have been unable to find adequate housing at prices they can afford are becoming increasingly interested in forming cooperatives by which they can take care of their own housing problems under the advantages of large-scale production. This title would assure liberal financing for such cooperative ventures.

Another source of investment funds for the provision of rental housing would be tapped under title IV of the Taft-Ellender-Wagner bill, through its provisions for insurance of yield on debt-free investment. Under this plan, the FHA would insure a net return, after allowance for amortization, of 2¾ percent on the outstanding investment in projects undertaken under this plan, but rents would be established to permit a return of 3½ to 5 percent. This plan has been developed for sources of capital, such as insurance companies and trust funds, which are interested in obtaining an assured long-term return on investments rather than speculative profits. I have heard criticisms to the effect that the yield insurance provisions will not be used. These are largely the same voices that said that FHA mortgage insurance would not be used when it was first made available in 1934. Experience has established FHA mortgage insurance as a permanent part of our home-financing system, and I am convinced experience will do the same with yield insurance.

One more thing is needed to assure a steady flow of investment funds for the provision of privately financed housing—an adequate secondary market within Government for insured or guaranteed mortgages. Here again this House has taken halfway measures by extending the Federal National Mortgage Association for another year within the Reconstruction Finance Corporation. This agency performed a useful function, at a subsequent profit to the Government, in the early days of the FHA, before its type of financing obtained wide acceptance, by purchasing insured mortgages made by local lending institutions. It has recently resumed activity with the tightening of the money market. But there no longer exists within Government a secondary market for GI loans guaranteed by the Veterans' Administration. Without the liquidity provided by a secondary market, lending institutions are refusing to make GI loans in many parts of the country.

Title II of the Taft-Ellender-Wagner bill fills this gap by providing, within the Housing and Home Finance Agency, a National Home Mortgage Corporation which would take over the functions of the FNMA and also have authority to purchase GI guaranteed loans. The borrowing power of this corporation would be limited to a maximum of $500,000,000 and its operations would be carefully limited to cases where a Government secondary market is necessary in order to maintain housing construction and where such a market would not contribute to inflationary pressures.

In the major areas of the housing problem on which I have thus far spoken, the problems of cost and credit, I think I have demonstrated the differences between the stopgap piecemeal measures which have been reported out of the Banking and Currency Committee and acted upon by the House and the well-rounded program contained in the Taft-Ellender-Wagner bill.

This House has passed bills that might continue for a time, a moderately high level of building at prices beyond the paying ability of most Americans. It has not had the chance to consider legislation which will assure the development of a sustained private building program that will begin to serve American housing needs and contribute to a stable home-building industry.

Now I turn to those equally basic phases of the housing problem, which have not been touched by legislative proposals on which this House has acted. Their solution is essential to any comprehensive legislation; they are provided for in the Taft-Ellender-Wagner bill.

First is the problem of urban slums. I am not going to repeat what all of you know about the evils of the slums. I am going to say that it is time this country does something effective about eliminating these conditions which drag down the health and morale of our citizens and threaten the economic solvency of our cities. I know what can be done, for I have seen what slum clearance and well-planned rebuilding have done on the hills of Pittsburgh.

The Taft-Ellender-Wagner bill would tackle the problem of slums and bad housing through two separate but related programs. The first would be the provision of loans and grants to local communities for slum clearance. The other would be the extension of annual subsidies to local communities for the provision of decent housing for low-income families who cannot by any stretch of the imagination afford decent private housing.

The Federal participation in slum clearance provided in title V would be loans to help local communities finance such undertakings, and grants on a 2-to-1 matching basis, to help them absorb the difference between the cost of slum land, with its old improvements, and its value for redevelopment on sound planning principles. A 5-year program calling for $1,000,000,000 in repayable loans and $500,000,000 in grants is provided in title V. Adequate provision for the rehousing of families moved from the sites would be required.

The removal of slums alone will not provide good housing for low-income families unable to afford anything better. All of us hope and expect that eventually private enterprise, with the aids provided elsewhere in this bill, will be able to take care of a greater part of the housing need. But there is no prospect that private enterprise will be able to provide decent housing for low-income families now residing in slums. So, in title VI of the Taft-Ellender-Wagner bill, the successful public-housing program started under the United States Housing Act of 1937 would be extended to 500,000 additional families. Federal participation would be limited to the annual contributions which, with local tax exemption, are necessary to reduce rents to the level which low-income families can afford to pay. No additional loan funds are provided, since it is anticipated that with the financing amendments contained in this bill local housing authorities would be able to raise all capital funds in the private bond market. The increase in annual subsidies which would be authorized under the Taft-Ellender-Wagner bill would amount to a maximum of $160,000,000 after 5 years, payable for a period not exceeding 40 years.

Furthermore, in recognition of the particularly pressing housing needs of veterans, first preference in occupancy of this low-rent housing would be extended to veterans of World War II, and particularly to disabled veterans.

Under title VII of the Taft-Ellender-Wagner bill, Congress, for the first time in American history, would direct its attention specifically to alleviating the bad housing conditions on the farm. This problem in rural areas is complicated by the relationship of the house to the farm as a unit of production. I think comprehensive housing legislation should deal with rural housing, and bolstered by the advice of my rural colleagues, I am persuaded that this program developed with the cooperation of the Department of Agriculture establishes a reasonable basis for tackling the problem.

This program is directed principally to the provision of decent housing on farms which are presently or potentially capable of providing adequate incomes. The Secretary of Agriculture would be authorized to make 33-year 4-percent loans. On potentially adequate farms, contributions in the form of a credit not to exceed the interest and half the annual payment of principal, would be permitted for 10 years. Loans and grants, not to exceed $1,000 per unit, would be available for minor improvements to housing located on farms not eligible for the other provisions of this act when necessary to bring them up to minimum health standards.

The loan authorization is $250,000,000 for 4 years, the maximum rate of contributions is $5,000,000 per year and the grants for minor repairs may not exceed $12,500,000.

Mr. Speaker, I think it has been clearly demonstrated that the only real housing program which is before the Congress is that contained in the Taft-Ellender-Wagner bill. It is the only program which provides adequate incentives and tools by which private enterprise can do a more effective job of serving America's housing needs, not only this year and next year, but over the next 10 to 15 years. It is the only program that promises to do anything about the unspeakable living conditions of the slums. It is the only program that offers any hope to the low-income families in our cities and towns and on the farms for decent homes in which to live and rear children.

This is basically the same program that has been before this Congress for nearly 3 years. It is basically the same program that has been recommended by the Joint Committee on Housing, in which Congress invested $100,000 of the taxpayers' money, after hearings held in Washington and 32 other cities. The 3 weeks of testimony held by the Banking and Currency Committee have produced no testimony either for or against this program which has not already been repeated time and time again in the thousands of words of testimony and exhibits available to the Members of this Congress.

The citizens of the United States who are going through the heartbreaking search for a place to live, who daily face the task of extracting some decency out of indecent places in which to live, have a right to know what this Congress expects to do about housing. They have a right to know whether this Congress intends to embark on a housing program that will meet the needs of the American people, or whether it will continue to do only what the powerful but short-sighted real estate lobby wants it to do.

There is still ample time for the Congress to act before this session adjourns. The Banking and Currency Committee can quickly conclude its hearings on S. 866. It can utilize the wealth of material already available to it for the preparation of a report so that this House, in accordance with the pledge given by its chairman, will have an opportunity to debate this bill and vote it up or down. In view of the statement quoted at the beginning of this speech, and of other public statements of the chairman, I think this House and the people of the United States have a right to know today when and if this committee expects to report on this matter.

But I must express serious misgivings about the intentions of the chairman of the committee and of the Republican leadership of the House on this matter. Last week, the committee held only 1 day of hearings on the Taft-Ellender-Wagner bill. This week, the committee held hearings Monday morning but the further hearings scheduled for Tuesday and Wednesday were canceled. Of course there are excuses—the House was meeting early or there were other measures which the committee had to consider. But if there were a real resolve or intention on the part of the leadership to get this vitally important measure on the floor for a vote, ways could be found to expedite and complete the hearings, without further delay.

There is a positive way by which the Members of this House can get an opportunity to express their will on this matter. That is to discharge this committee, and bring the matter directly to the floor for action. Many Members of this House already have signed discharge petition No. 6 now on the rostrum which would bring the Taft-Ellender-Wagner bill to the floor. I know that other Members have hesitated to sign until there has been a full opportunity for consideration and a report by the committee. But the time is late and the events I have recited have thrown serious doubt on whether the House will ever be permitted to vote on this measure at this session through the normal committee procedures. It is time for every Member of this House who really wants to vote on comprehensive housing legislation this year to get his name on that petition. The American people will not be fooled. They will interpret every name which is not on that petition as a vote against the only legislation that gives assurance of decent homes within the paying ability of all American families.

In conclusion, I would like to read to the House a brief editorial which appeared in the May 25 issue of the New York Times, a conservative and highly respected newspaper if there ever was one. It is very much to the point of this discussion and it reads as follows:

LET'S HAVE A VOTE ON HOUSING

There are disturbing reports from Washington that measures embodying a comprehensive long-range housing program again may be lost in the shuffle of last-minute legislative deliberations. There is danger that all of the debates, hearings, and studies which have been inspired by the so-called Taft-Ellender-Wagner bill may go for naught, and that the measure may not even be reported out of committee unless some congressional leaders cease their filibustering and delaying tactics. A group of influential Members have been quoted as saying at this late hour that they will not support the bill unless all its provisions relating to public housing are eliminated.

In their zeal for the cause of private enterprise, these legislators appear to have overlooked the obvious fact that speculative builders and investors never have met, and never will meet, the urgent need for decent shelter for millions of low-income families, and that Government aid to fill this gap has become a recognized social and economic necessity.

In this election year, and in the face of a continued shortage, it is deplorable that housing should have become a political football. No worthy purpose could be served by further delay. It is high time that Members of Congress should have an opportunity to show how they stand on this important question.

Mr. Speaker, under unanimous consent, I include an article entitled "Housing," appearing in the American Legion National Legionnaire for May 1948, to be included along with my remarks:

HOUSING

INDIANAPOLIS, IND.—Having agreed to support the amended Taft-Ellender-Wagner bill, now that it provides definite priorities for veterans, the American Legion was moving to add its own amendments to the legislation to make it a real veterans' housing measure.

Endorsement of the bill was voted by the national executive committee of the American Legion on the recommendation of Walter E. Alessandroni, of Philadelphia, Pa., chairman of the National Housing Committee.

The favorable action came after National Commander James F. O'Neil personally took the floor and made a dramatic plea for adoption of Chairman Alessandroni's report.

In its resolution on the TEW bill, the NEC directed that the American Legion, through its national legislative director, immediately present to Congress further amendments to the measure to incorporate in it all the provisions of its own Veterans' Homestead Act of 1948.

Chairman Alessandroni told the NEC that the TEW bill (S. 866) as amended by Senator RALPH E. FLANDERS, of Vermont, and passed by the Senate on April 22, provided definite priorities for veterans and thus removed the chief ground for American Legion objections to the measure.

RESOLUTION ADOPTED

The NEC adopted the following resolution on the TEW bill as submitted by Chairman Alessandroni:

"Whereas for 2 years veterans have desperately needed adequate, reasonably priced housing; and

"Whereas the Congress, public agencies, and private enterprise have been unsuccessful in providing sufficient quantities of such housing for veterans; and

"Whereas the American Legion Veterans' Homestead Act of 1948 (H. R. 4488) provides the best means of providing such housing for veterans; and

"Whereas, the TEW bill, as amended by Senator FLANDERS in conformance with the report of the Joint Congressional Investigation Committee on Housing, has cured many of the objectionable defects of the previous TEW bill; and

"Whereas the Flanders amendments do not provide the aid for veterans' housing as contemplated by the Veterans' Homestead Act of 1948 and therefore the measure is deficient as an omnibus housing bill by failing to provide sufficiently for the veterans: Now, therefore, be it

"*Resolved*, That the Director of the National Legislative Commission be directed to present to the Congress further amendments to Senator FLANDERS' amendments to the TEW bill to incorporate therein the provisions of the Veterans' Homestead Act as modified by the House Veterans' Affairs Committee print, dated March 28, 1948, and; be it finally

"*Resolved*, That the national executive committee of the American Legion, in meeting duly assembled * * * hereby goes on record in support of the action contained in the first resolving clause above set forth and orders specific compliance."

O'NEIL STATEMENT

National Commander O'Neil vigorously supported Chairman Alessandroni. He said, in part:

"I have traveled some 83,000 miles since September 1. I have had an opportunity to talk with thousands of veterans, Legionnaires and non-Legionnaires, about this subject of housing. I have made it a point to do so. This is the most urgent issue before the country today, as it affects veterans.

"I don't think we can ever stand in very good grace before anybody if we are willing to accept Federal subsidies for ourselves and indicate we want them denied to anybody else. I don't think we want to stand in that position.

"I find myself in accord with the report of your housing committee as submitted through your National Economic Commission in this resolution. I say to you this is a critical period and if you delay it, and continue to delay it, in the hopes you are going to postpone the day, you are only kidding yourself. Very frankly, you are kidding yourself and the Legion if you assume that position. This is critical to the veteran who is in need of housing. Some of them have been forced to double up. All of us here are in comfortable circumstances, or most of us are, but I want you to think about the veteran who is forced to double up with others. He finds himself, because of economic conditions, looking to rental housing. He can't get it. He is looking to the American Legion for assistance and we want to duck behind something that is not really the issue. I say to you, in my opinion we can take action here without violating any of the resolutions or mandates of the national organization as they relate to housing."

## SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 83. An act authorizing the naturalization of Elizabeth Pickering Winn; to the Committee on the Judiciary.

S. 107. An act for the relief of William B. Buol; to the Committee on the Judiciary.

S. 158. An act for the relief of certain Basque aliens; to the Committee on the Judiciary.

S. 424. An act conferring jurisdiction upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claims of John J. Higgins, and others; to the Committee on the Judiciary.

S. 660. An act for the relief of Peter Drozd; to the Committee on the Judiciary.

S. 709. An act for the relief of Carlos Riggenbach; to the Committee on the Judiciary.

S. 765. An act for the relief of Santiago Solabarrieta; to the Committee on the Judiciary.

S. 873. An act for the relief of Warren H. McKenney; to the Committee on the Judiciary.

S. 933. An act for the relief of Emanual Carinos; to the Committee on the Judiciary.

S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration; to the Committee on Veterans' Affairs.

S. 1303. An act for the relief of Lydia A. Thompson; to the Committee on the Judiciary.

S. 1337. An act for the relief of Hou Chung Chay; to the Committee on the Judiciary.

S. 1364. An act for the relief of Kihei Matsuo; to the Committee on the Judiciary.

S. 1409. An act for the relief of Markoto Iwamatsu, Atsushi Jun Iwamatsu, and Tomoe Iwamatsu; to the Committee on the Judiciary.

S. 1476. An act to require the designation by the senior circuit judge of another judge to sit in the place of any judge against whom an affidavit of personal bias and prejudice has been filed; to the Committee on the Judiciary.

S. 1504. An act to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others", approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036); to the Committee on Public Lands.

S. 1573. An act for the relief of Marcella Kosterman; to the Committe on the Judiciary.

S. 1606. An act for the relief of Wladyslav Plywacki; to the Committee on the Judiciary.

S. 1730. An act for the relief of Mrs. Anna V. Reyer, Alexander A. Reyer, and Vitaly A. Reyer; to the Committee on the Judiciary.

S. 1747. An act to authorize credit in certain accounts of United States property and disbursing officers under the War Department, and for other purposes; to the Committee on Expenditures in the Executive Departments.

S. 1835. An act for the relief of Harry Daniels; to the Committee on the Judiciary.

S. 1964. An act for the relief of Walter Werner Tech; to the Committee on the Judiciary.

S. 1987. An act to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws; to the Committee on Public Lands.

S. 2040; an act for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia; to the Committee on the District of Columbia.

S. 2059. An act for the relief of Joyce Violet Angel; to the Committee on the Judiciary.

S. 2215. An act to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 2237. An act to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on Education and Labor.

S. 2251. An act to authorize the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Ill; to the Committee on Armed Services.

S. 2254. An act authorizing the transfer of a certain tract of land in the Fort Robinson Military Reservation to the city of Crawford, Nebr., and for other purposes; to the Committee on Armed Services.

S. 2406. An act to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended; to the Committee on the District of Columbia.

S. 2440. An act for the relief of Charles Duncan Montieth; to the Committee on the Judiciary.

S. 2454. An act to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 2455. An act to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft; to the Committee on Interstate and Foreign Commerce.

S. 2456. An act to provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances; to the Committee on Interstate and Foreign Commerce.

S. 2496. An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described; to the Committee on Public Lands.

S. 2508. An act relating to salaries of certain officers and employees of the United States and certain officers and employees of Puerto Rico; to the Committee on Public Lands.

S. 2592. An act to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico, in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings; to the Committee on Armed Services.

S. 2593. An act to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Va.; to the Committee on Armed Services.

S. J. Res. 193. Joint resolution to grant free postage to members of the armed forces while confined for treatment in a military or naval hospital, and to veterans while being furnished hospital treatment or institutional care in institutions operated by or under contract with the Veterans' Administration; to the Committee on Post Office and Civil Service.

## ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 183. An act to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska.

H. R. 350. An act for the relief of Caffey Robertson-Smith, Inc.

H. R. 892. An act for the relief of Michel Ferapontow;

H. R. 926. An act for the relief of Dora Greenbaum (Brenner);

H. R. 1608. An act to amend an act entitled "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes," approved August 10, 1939 (53 Stat. 1338);

H. R. 1916. An act for the relief of Filiberto A. Bonaventura;

H. R. 2218. An act for the relief of Lawrence Edgar Edwards;

H. R. 2384. An act for the relief of Colbert H. Cannon;

H. R. 2760. An act for relief of Thomas Camarda;

H. R. 3344. An act to amend the fourth paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322); 48 U. S. C. sec. 101, as amended;

H. R. 3358. An act for the relief of Dr. Timothy C. H. Liang and Dr. Esther Chang Liang;

H. R. 3526. An act for the relief of Mrs. Margaret K. Cahn;

H. R. 3578. An act to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes;

H. R. 3603. An act granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other;

H. R. 3633. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 3635. An act to ratify sections 1 and 2 of Joint Resolution 7, enacted by the Legislature of the Territory of Hawaii in its regular session of 1947;

H. R. 3640. An act for the relief of Mrs. Charlotte D. Wang, Harvey S. P. Wang, and Arthur Y. P. Wang.

H. R. 3644. An act for the relief of James M. Dingwall, Jr.; Aileen Reynolds; Bert Woolslayer; and Mrs. Maisie Purser Davis;

H. R. 3730. An act to amend section 20 (12) of the Interstate Commerce Act, with respect to recourse, by an initial or delivering carrier, against the carrier on whose line loss of, or damage or injury to, property is sustained, on account of expense incurred in defending actions at law.

H. R. 3954. An act to approve Act No. 74 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to revenue bonds of the Territory of Hawaii," and Act No. 95 of the Session Laws of 1947 of the Territory of Hawaii, entitled "An act relating to Territorial and county public improvements and the financing thereof by the issuance of revenue bonds";

H. R. 3965. An act for the relief of John H. Schmitt and Mrs. Mildred Schmitt;

H. R. 4091. An act to ratify Act 237 of the Session Laws of Hawaii, 1947;

H. R. 4201. An act to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project;

H. R. 4377. An act for the relief of the Consolidated Steel Corp. of Los Angeles, Calif.;

H. R. 4379. An act for the relief of the Harbor Boat Building Co.; the Wilmington Welding & Boiler Works; and the B & R Machine Works, of Los Angeles, Calif.;

H. R. 4393. An act to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey, and for other purposes;

H. R. 4426. An act to provide basic authority for certain functions and activities of the Weather Bureau, and for other purposes;

H. R. 4443. An act for the relief of Jacob Cohen;

H. R. 4484. An act for the relief of Theodore Loetsch;

H. R. 4512. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Northeastern State Teachers College at Tahlequah, Okla.;

H. R. 4513. An act to eliminate the requirement of oaths in certain land matters, and for other purposes;

H. R. 4551. An act to provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes;

H. R. 4593. An act for the relief of Abraham Spevak;

H. R. 4672. An act for the relief of John Cameron Henry;

H. R. 4804. An act to allow service credit for certain enlisted men of the Coast Guard who acted as policemen and guards at the Ivigtut Cryolite Mine, Greenland, during 1940 and 1941;

H. R. 4817. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 4823. An act to provide adequate school facilities within Yellowstone National Park, and for other purposes;

H. R. 5122. An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512);

H. R. 5173. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 5175. An act to confirm and ratify Act 205 of the session laws of 1947 of the Territory of Hawaii, relating to the issuance of public-improvement bonds;

H. R. 5244. An act to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II";

H. R. 5298. An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes;

H. R. 5836. An act to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Meyers Army Airfield, Fla.;

H. R. 5839. An act to authorize the conveyance to States, or political subdivisions, of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes;

H. R. 5870. An act to amend the act of May 16, 1946 (Public Law 383, 79th Cong.), as amended, to provide increased allowances for the escorts of repatriated war dead;

H. R. 5901. An act to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigtion and construction of projects in any of the States of Colorado River Basin in addition to appropriations for said purposes from the Colorado River Development Fund;

H. R. 5922. An act relating to the issuance of reentry permits, to certain aliens;

H. R. 6203. An act to incorporate the Roman Catholic Archbishop of Washington in corporation sole;

H. R. 6209. An act to amend an act entitled "An act to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia", approved January 6, 1893, as amended;

H. R. 6302. An act to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950;

H. J. Res. 339. Joint resolution to provide for the issuance of a special postage stamp series in honor of volunteer firemen;

H. J. Res. 371. Joint resolution to authorize the issuance of a stamp commemorative of the golden anniversary of the consolidation of the Boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond, which boroughs now comprise New York City;

H. J. Res. 379. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1949;

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1949, and for other purposes; and

H. J. Res. 381. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies of 1949.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1006. An act to amend the Mineral Leasing Act of February 25, 1920, and the Potassium Act of February 7, 1927, in order to promote the development of certain minerals on the public domain; and for other purposes;

S. 2256. An act relating to the meat-inspection service of the Department of Agriculture; and

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

## BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 183. An act to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska;

H. R. 350. An act for relief of Caffey-Robertson-Smith, Inc.;

H. R. 892. An act for relief of Michel Ferapontow;

H. R. 926. An act for relief of Dora Greenbaum (Brenner).

H. R. 1608. An act to amend "An act to authorize the Postmaster General to contract for certain powerboat service in Alaska";

H. R. 1916. An act for relief of Filiberto A. Bonventura;

H. R. 2218. An act for relief of Lawrence Edgar Edwards;

H. R. 2384. An act for relief of Colbert H. Cannon;

H. R. 2760. An act for relief of Thomas Camarda;

H. R. 3344. An act to amend Alaska civil government act, as amended;

H. R. 3358. An act for relief of Drs. Timothy C. H. Liang and Esther Chang Liang;

H. R. 3526. An act for relief of Mrs. Margaret K. Cahn.

H. R. 3578. An act to reduce in area the Parker River National Wildlife Refuge, Mass.

H. R. 3603. An act granting consent to Idaho and Wyoming to enter into Snake River compact;

H. R. 3633. An act to amend section 203 of the Hawaiian Homes Commission Act, designating certain public lands as available home lands;

H. R. 3635. An act to ratify sections 1 and 2 of Joint Resolution 7 enacted by Hawaii Legislature;

H. R. 3640. An act for relief of Mrs. Charlotte D. Wang and others;

H. R. 3644. An act for relief of James M. Dingwall and others.

H. R. 3730. An act to amend section 20 (12) of the Interstate Commerce Act;

H. R. 3954. An act to approve Act No. 74 and Act. No. 95 of the Session Laws of 1947 of the Territory of Hawaii;

H. R. 3965. An act for relief of John H. Schmitt and Mrs. Mildred Schmitt;

H. R. 4091. An act to ratify Act 237 of the Session Laws of Hawaii 1947;

H. R. 4201. An act to authorize payments to public school districts serving Fort Peck;

H. R. 4377. An act for relief of Consolidated Steel Corp., Los Angeles, Calif.;

H. R. 4379. An act for relief of Harbor Boat Building Co.; the Wilmington Welding and Boiler Works; and B. & R. Machine Works, of Los Angeles, Calif.;

H. R. 4393. An act to provide for the distribution, promotion, separation, and retirement of commissioned officers of the Coast and Geodetic Survey;

H. R. 4426. An act to provide basic authority for certain functions of the Weather Bureau;

H. R. 4443. An act for relief of Jacob Cohen.

H. R. 4484. An act for relief of Theodore Loetsch;

H. R. 4512. An act to convey certain Oklahoma lands to Northeastern State College, Tahlequah;

H. R. 4513. An act to eliminate the requirement of oaths in certain land matters, and for other purposes;

H. R. 4551. An act to provide for addition of surplus Government lands to Cape Hatteras project;

H. R. 4593. An act for relief of Abraham Spevak;

H. R. 4672. An act for relief of John Cameron Henry.

H. R. 4804. An act to allow service credit for certain enlisted men of Coast Guard who acted as policemen at Ivigtut Cryolite Mine, Greenland, in 1940 and 1941.

H. R. 4817. An act to amend act of July 23, 1947 (61 Stat. 409);

H. R. 4823. An act to provide adequate school facilities within Yellowstone Park.

H. R. 5122. An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512);

H. R. 5173. An act to amend section 203 of Hawaiian Homes Commission Act;

H. R. 5175. An act to ratify Act 205 of 1947 Hawaii Session Laws;

H. R. 5244. An act to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II";

H. R. 5836. An act to authorize Secretary of Army to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.;

H. R. 5839. An act to authorize conveyance to States of roads leading to certain historical areas administered by Interior Department;

H. R. 5870. An act to amend act of May 16, 1946 (Public, 383, 79th Cong.);

H. R. 5901. An act to provide for distribution of receipts of the Colorado River Development Fund;

H. R. 5922. An act relating to the issuance of reentry permits to certain aliens;

H. R. 6203. An act to incorporate the Roman Catholic Archbishop of Washington;

H. R. 6209. An act to amend Protestant Episcopal Cathedral Foundation Incorporation Act;

H. R. 6302. An act to amend Mineral Leasing Act of 1920;

H. J. Res. 339. Joint resolution on issuance of special postage stamp series in honor of volunteer firemen;

H. J. Res. 371. Joint resolution on special stamp commemorative of golden anniversary of consolidation of the five boroughs comprising Greater New York.

H. J. Res. 379. Joint resolution to provide for maintenance of public order during 1949 inaugural;

H. J. Res. 380. Joint resolution to grant permits to Committee on Inaugural Ceremonies for January 1949; and

H. J. Res. 381. Joint resolution to provide for quartering in certain public buildings in

the District of Columbia, of troops participating in the inaugural ceremonies of 1949.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 27, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1589. A communication from the President of the United States, expressing his earnest hope that the House of Representatives will take favorable action at this session upon legislation providing Federal aid for elementary and secondary schools (H. Doc. No. 677); to the Committee on Education and Labor and ordered to be printed.

1590. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949, in the amount of $19,155,000, for care, handling, and disposal of surplus property abroad (H. Doc. No. 678); to the Committee on Appropriations and ordered to be printed.

1591. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1949 in the amount of $158,686,100 for the Post Office Department (H. Doc. No. 679); to the Committee on Appropriations and ordered to be printed.

1592. A letter from the Acting Secretary of the Navy, transmitting a report of a proposed transfer of a submarine chaser for use in the Valley Forge Military Academy; to the Committee on Armed Services.

1593. A letter from the Secretary of the Army, transmitting a contract by and between the United States and the Indians of the Fort Berthold Reservation as provided for by Public Law 296, Eightieth Congress, first session; to the Committee on Public Lands.

1594. A letter from the Administrator of the Veterans' Administration, transmitting a draft of a proposed bill to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, Calif., to the State of California for the use of the University of California; to the Committee on Veterans' Affairs.

1595. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated January 30, 1948, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of St. Marys River, Ga., and Fla., and North River, Ga., authorized by the River and Harbor Act approved on March 2, 1945, and also authorized under the provisions of House Document No. 308, Sixty-ninth Congress, first session, which was enacted into law, with modifications, in section 1 of the River and Harbor Act approved on January 21, 1927 (H. Doc. No. 680); to the Committee on Public Works and ordered to be printed with five illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENSEN: Committee on Appropriations. H. R. 6705. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2038). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 3685. A bill authorizing the Wyandotte Tribe of Oklahoma, through its business committee, to sell and convey, subject to the approval of the Secretary of the Interior, the Wyandotte Indian public burial ground in Kansas City, Kans.; without amendment (Rept. No. 2039). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6623. A bill to stimulate the production and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes; without amendment (Rept. No. 2041). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. S. 1871. An act to restore certain lands to the town site of Wadsworth, Nev.; with amendments (Rept. No. 2042). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. S. 1933. An act to authorize the Secretary of the Interior to convey certain lands in the State of Montana to school district 55, Roosevelt County, Mont.; without amendment (Rept. No. 2043). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 6457. A bill to provide for disposition of lands on the Cabazon, Augustine, and Torres-Martenez Indian Reservations; with amendments (Rept. No. 2045). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOFFMAN: Twelfth intermediate report of the Committee on Expenditures in the Executive Departments, to ascertain scope of interpretation by general counsel of the National Labor Relations Board; without amendment (Rept. No. 2050). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 615. Resolution waiving points of order against H. R. 6705, a bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2052). Referred to the House Calendar.

Mr. MILLER of Connecticut: Committee on Interstate and Foreign Commerce. H. R. 6696. A bill to amend part I of the Interstate Commerce Act, with respect to standards of safety and sanitation in the case of certain cars and equipment used in the movement of express traffic or baggage; without amendment (Rept. No. 2053). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. J. Res. 412. Joint resolution to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities; without amendment (Rept. No. 2054). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. J. Res. 413. Joint resolution to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes; without amendment (Rept. No. 2055). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 5147. A bill authorizing the Secretary of the Interior to issue a patent in fee to Florence A. W. Arens; with an amendment (Rept. No. 2040). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. S. 1941. An act to authorize and direct the Secretary of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land; without amendment (Rept. No. 2044). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. Res. 606. Resolution referring the bill H. R. 1171 to the Court of Claims; without amendment (Rept. No. 204 , . Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 4702. A bill for the relief of J. W. Greenwood, Jr.; without amendment (Rept. No. 2047). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 4830. A bill for the relief of Cooperative for American Remittances to Europe, Inc.; without amendment (Rept. No. 2048). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 5421. A bill for the relief of the estate of James Patrick Hackett and Charles L. Stover; with an amendment (Rept. No. 2049). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOLVERTON:

H. R. 6704. A bill to amend the Railroad Retirement Act of 1937, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JENSEN:

H. R. 6705. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

By Mr. BATES of Kentucky:

H. R. 6706. A bill for the relief of certain veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. ANDREWS of New York:

H. R. 6707. A bill to amend the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), and for other purposes; to the Committee on Armed Services.

By Mr. LEMKE:

H. R. 6708. A bill authorizing the construction of flood-control work on the Red River of the North, Minn., and N. Dak.; to the Committee on Public Works.

By Mr. ANDREWS of New York:

H. R. 6709. A bill to authorize the Secretary of the Navy to convey to the city of New York a perpetual easement in, over, and upon a 0.29-acre parcel of land at New York Naval Shipyard; to the Committee on Armed Services.

By Mr. EBERHARTER:

H. R. 6710. A bill to extend to January 1, 1950, certain provisions of the Internal Revenue Code relating to the compensation of military and naval personnel; to the Committee on Ways and Means.

By Mr. KLEIN:

H. R. 6711. A bill to amend Public Law 195, Eightieth Congress (ch. 258, 1st sess.), entitled "An act to provide revenue for the

District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

By Mr. KNUTSON:

H. R. 6712. A bill to provide for revenue revision, to correct tax inequities, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 6713. A bill to authorize a further preliminary examination and a new survey of the Spring Creek, North and South Branches, which flows into the Marsh River, a tributary of the Red River of the North, Norman County, State of Minnesota, for flood control, for run-off and water-flow retardation, and soil-erosion prevention; to the Committee on Public Works.

By Mr. JONES of Washington:

H. R. 6714. A bill to amend the District of Columbia Teachers' Salary Act of 1947; to the Committee on the District of Columbia.

By Mr. JAVITS:

H. R. 6715. A bill to amend the Foreign Assistance Act of 1948 to include the State of Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. ROGERS (by request):

H. R. 6716. A bill to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, Calif., to the State of California for the use of the University of California; to the Committee on Veterans' Affairs.

By Mr. HARLESS of Arizona:

H. R. 6717. A bill to authorize the reimbursement of the reclamation fund for the cost of the construction and certain costs of operation and maintenance of the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California; to the Committee on Public Lands.

By Mr. MULTER:

H. Con. Res. 207. Concurrent resolution to suspend commercial relations with Lebanon; to the Committee on Foreign Affairs.

By Mr. SOMERS:

H. Con. Res. 208. Concurrent resolution suspending commercial relations between the United States and Lebanon; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of New York:

H. R. 6718. A bill for the relief of Jeptha R. Macfarlane; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 6719. A bill for the relief of Manuel Barrios, his wife, Elvira Barrios, and infant son, Gerardo Barrios; to the Committee on the Judiciary.

H. R. 6720. A bill for the relief of Fe'R. Dumaguing; to the Committee on the Judiciary.

By Mr. JONES of Washington:

H. R. 6721. A bill for the relief of Anthony Lazanis; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 6722. A bill to authorize the District Court of the United States for the District of Columbia to hear and determine a motion for a new trial for Thomas Jordon; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2017. By Mr. HART: Petition of Union City Post, No. 46, of the American Legion, protesting further shipment of potential war materials to the Soviet Union and its satellite nations; to the Committee on Foreign Affairs.

2018. By Mr. McGREGOR: Petition of the German Sick Beneficial Society of Mansfield, Ohio, with reference to the amendment of House bill 6163; to the Committee on the Judiciary.

2019. By Mr. SMITH of Virginia: Petition of Wirt Henry Ferguson urging Congress to establish a policy to halt aggressive expansion of the present Russian Government and its satellites; to the Committee on Foreign Affairs.

2020. By the SPEAKER: Petition of Frank Kish and others, urging consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

2021. Also, petition of Micheal T. Nevaloney and others, urging consideration of their resolution with reference to endorsement of legislation which would provide for the admission of our share of displaced persons; to the Committee on the Judiciary.

2022. Also, petition of Glendale American Legion Post, No. 127, California, urging consideration of their resolution with reference to endorsement of legislation for increase in compensation for postal employees; to the Committee on Post Office and Civil Service.

# SENATE

## THURSDAY, MAY 27, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Lord Jesus, as Thou dost move among people and see what men are doing today, how sore must be Thy heart.

Thou whose head was cradled in straw must often reflect that straw was not as coarse as man's selfishness.

Thou whose hands were spread upon a cross and fastened with nails must often reflect that nails were never so sharp as man's ingratitude.

Hear us as we pray for this poor blundering world, in which the nations never seem to learn how to live as brothers.

They resort again and again to methods that produce only more bitter tears, methods that only add to misery and subtract nothing from problems.

Heal them that need healing, make strong the wavering, guide the perplexed, befriend the lonely, give new faith and courage to those whose spirits are low.

Lift up our heads, put a new light in our eyes and a new song in our hearts, and we will do better and be better for the sake of Thy love. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of Wednesday, May 26, 1948, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 26, 1948, the President had approved and signed the following act:

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOLVERTON, Mr. HINSHAW, Mr. LEONARD W. HALL, Mr. LEA, and Mr. PRIEST were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5874) to establish a District of Columbia Armory Board, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6071) to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6096. An act making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Mo., and Omaha, Nebr., for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes;

H. R. 6556. An act to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; and

H. R. 6659. An act to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore;

H. R. 3731. An act authorizing modifications in the repayment contracts with the Lower Yellowstone Irrigation District No. 1 and the Lower Yellowstone Irrigation District No. 2;

H. R. 3785. An act to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes; and

H. R. 5874. An act to establish a District of Columbia Armory Board, and for other purposes.

### MEETING OF COMMITTEE DURING SENATE SESSION

(The following request by Mr. FERGUSON was inadvertently omitted from the RECORD of Wednesday, May 26, 1948:)

Mr. FERGUSON. I ask unanimous consent that the Subcommittee on Government Corporations of the Committee

on Appropriations be permitted to sit during the sessions of the Senate until the completion of the hearings on the appropriation bill.

The PRESIDENT pro tempore. Without objection, the order is entered.

## MURDER OF GEORGE W. POLK

Mr. LODGE. Mr. President, I ask to have printed in the body of the RECORD copy of a letter which I have sent to the Secretary of State regarding the shocking murder of George W. Polk, chief correspondent for the Columbia Broadcasting System in the Middle East, whose body was found, bound hand and foot, floating in the bay at Salonika in Greece.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 22, 1948.

Hon. GEORGE C. MARSHALL,
*Secretary of State, State Department, Washington, D. C.*

DEAR MR. SECRETARY: This week the body of George W. Polk, chief correspondent for the Columbia Broadcasting System in the Middle East, was found, bound hand and foot, floating in the bay at Salonika in Greece. According to newspaper accounts, he had been shot in the back of the head.

You will agree with me, I believe, that it is of the utmost importance that the American people be acquainted with all of the facts in this tragic case, and it is to that end that I send you this letter.

In addition to an investigation and disclosure of the facts, I should like to know precisely what steps the State Department is taking in this matter. Is an official inquiry under way to determine and fix responsibility for this reporter's death? Is the Government of Greece cooperating in this inquiry? Has it been determined that Mr. Polk's death was due to the negligence of the Greek Government? If so, is the Greek Government prepared to take appropriate action?

I hope that you will give this matter your personal attention and that I may expect to have a report at the earliest possible time.

Very sincerely yours,

HENRY CABOT LODGE, Jr.,
*United States Senator.*

Mr. LODGE. Mr. President, as part of this insertion, I ask that there be printed a resolution adopted by the executive committee of Overseas Writers, and a press release which was issued by Mr. Walter Lippmann, chairman of the committee to inquire into the murder of George Polk, and by Ernest K. Lindley, president of the Overseas Writers, together with a list of the names of the members of the committee appointed to inquire into the murder of George Polk.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Resolution by the executive committee of Overseas Writers appointing a committee to inquire into the murder of George Polk

Whereas the murder of George Polk while carrying out his duties as an American reporter in a foreign country is of grave concern to American writers;

*Resolved*, That a committee appointed by the president of Overseas Writers is directed to determine whether a full and complete inquiry into all the circumstances of the crime is being conducted;

And is therefore authorized to call upon the Secretary of State, the Ambassador of Greece, and the Chief of the American Mission for Aid to Greece, Governor Dwight Griswold;

And is also directed to receive evidence submitted from any other sources;

And when this preliminary inquiry has been completed, the committee is directed to report to the president and the executive committee of Overseas Writers whether other measures are necessary to uncover the whole truth.

---

ANNOUNCEMENT BY WALTER LIPPMANN, CHAIRMAN OF THE COMMITTEE TO INQUIRE INTO THE MURDER OF GEORGE POLK, AND BY ERNEST K. LINDLEY, PRESIDENT, OVERSEAS WRITERS

Gen. William J. Donovan, organizer and director of the wartime Office of Strategic Services, has consented to serve as counsel to the committee to inquire into the murder of George Polk.

Statement by Mr. Lippmann: "The committee feels that General Donovan's acceptance of this invitation will give the American public in general and the newspaper, radio, and magazine professions confidence that the inquiry will be thorough and penetrating. It goes without saying, I hope, that General Donovan, like the members of the committee, is serving without compensation."

The committee to inquire into the murder of George Polk was appointed by authority of a resolution of the executive committee of Overseas Writers. It is directed to determine whether a full and complete inquiry into all the circumstances of the crime is being conducted, to receive evidence from official and private sources, and to report * * * whether other measures are necessary to uncover the whole truth.

A list of the members of the committee is attached.

COMMITTEE TO INQUIRE INTO THE MURDER OF GEORGE POLK

Walter Lippmann, columnist, New York Herald Tribune Syndicate, chairman.

Marquis Childs, columnist, United Features Syndicate, vice chairman.

Phelps Adams, chief, Washington bureau, New York Sun.

Morgan Beatty, commentator, National Broadcasting Co.

Elmer Davis, commentator, American Broadcasting Co.

Peter Edson, columnist, Newspaper Enterprise Association.

Robert Elson, chief, Washington bureau, Time and Life.

Benjamin M. McKelway, editor, Washington Evening Star.

Eugene Meyer, chairman of the board, Washington Post.

Relman Morin, chief, Washington bureau, Associated Press.

James Reston, New York Times.

Albert L. Warner, chief, Washington news bureau, Mutual Broadcasting System.

Lyle C. Wilson, chief, Washington bureau, United Press.

*Ex officio*

Ernest K. Lindley, Washington editor, Newsweek; president of Overseas Writers.

Joseph C. Harsch, news analyst, Columbia Broadcasting System; secretary of Overseas Writers.

Paul Wooton, New Orleans Times-Picayune; treasurer of Overseas Writers.

## REPORT OF COMMISSION OF FINE ARTS

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was referred to the Committee on Rules and Administration.

(For text of President's message, see today's proceedings of the House of Representatives on p. 6598.)

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISION PERTAINING TO APPROPRIATION FOR DEPARTMENT OF JUSTICE (S. Doc. No. 161)

A communication from the President of the United States, transmiting a draft of a proposed provision pertaining to an appropriation for the Department of Justice in the form of an amendment to the budget for the fiscal years 1948 and 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

TRANSFER BY NAVY DEPARTMENT OF SUBMARINE CHASER TO VALLEY FORGE MILITARY ACADEMY FOUNDATION, WAYNE, PA.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Valley Forge Military Academy Foundation, of Wayne, Pa., had requested the Navy Department to transfer a submarine chaser for use by that organization for student training purposes; to the Committee on Armed Services.

CONTRACT BETWEEN UNITED STATES AND INDIANS OF FORT BERTHOLD RESERVATION

A letter from the Secretary of the Army, transmitting, pursuant to law, a contract by and between the United States and the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak. (with accompanying papers); to the Committee on Interior and Insular Affairs.

EXTENSION OF CERTAIN PROVISIONS OF SERVICEMEN'S READJUSTMENT ACT OF 1944

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years (with an accompanying paper); to the Committee on Finance.

## PETITION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Montana Stock Growers' Association, at Bozeman, Mont., favoring the enactment of legislation giving that association a voice in wage controversies under the Railway Labor Act, which was referred to the Committee on Labor and Public Welfare.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MILLIKIN, from the Committee on Finance:

H. R. 5965. A bill to amend paragraph 813 of the Tariff Act of 1930; without amendment (Rept. No. 1421); and

H. R. 6242. A bill to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap; without amendment (Rept. No. 1416).

By Mr. BREWSTER, from the Committee on Interstate and Foreign Commerce:

S 2186. A bill to amend section 5 of the Act entitled "An act to amend the laws relating to navigation, and for other purposes"; with amendments (Rept. No. 1415).

By Mr. REED, from the Committee on Interstate and Foreign Commerce:

H. R. 6078. A bill to amend section 303 (e) of the Interstate Commerce Act, as amended; without amendment (Rept. No. 1422).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

S. 2675. A bill to amend the Organic Act of Puerto Rico; with an amendment (Rept. No. 1418);

H. R. 5587. A bill to add certain lands to the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes; without amendment (Rept. No. 1417);

H. R. 5816. A bill to amend the act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes; with amendments (Rept. No. 1419); and

S. J. Res. 202. Joint resolution to change the name of Potholes Dam in the Columbia Basin project to O'Sullivan Dam; with amendments (Rept. No. 1420).

### EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CAPPER, from the Committee on Agriculture and Forestry:

Charles Franklin Brannan, of Colorado, to be Secretary of Agriculture.

By Mr. MILLIKIN, from the Committee on Finance:

Robert L. Shivers, of Honolulu, T. H., to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, T. H. (reappointment).

By Mr. GURNEY, from the Committee on Armed Services:

Robert C. Burns, to be a lieutenant colonel in the Regular Marine Corps; William E. Bonds to be a first lieutenant in the Regular Marine Corps, and Edward R. Carney and sundry other officers to be second lieutenants in the Regular Marine Corps;

Augustine A. Albanese, and sundry others for appointment in the Navy; and

John H. Dayton and sundry other retired officers for advancement on the retired list of the Navy to the rank of vice admiral.

By Mr. WILEY, from the Committee on the Judiciary:

Roulhac Gewin, of Alabama, to be United States marshal for the southern district of Alabama; and

Raymond E. Thomason, of Alabama, to be United States marshal for the northern district of Alabama.

### PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the month of April 1948, from the chairman of a certain committee, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
*May 13, 1948.*

*To the Senate:*

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1948, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Leona V. MacKinnon, 1443 Spring Road NW.; Social Security Administration, Federal Security Agency; annual salary, $5,905.20.

Fedele F. Fauri, 3227 Northampton Street NW., Legislative Reference Service, Library of Congress; annual salary, $9,975.

Martha D. Ring, 3510 Morrison Street NW.; Division of Public Health Methods, Federal Security Agency; annual salary, $6,623.40.

E. D. MILLIKIN,
*Chairman.*

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED:

S. 2757. A bill to amend the Natural Gas Act approved June 21, 1938, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. ECTON (for himself, Mr. HAYDEN, and Mr. MCFARLAND):

S. 2758. A bill to stimulate the production and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS:

S. 2759. A bill to provide for the acquisition of a site and the erection thereon of a post office building at Bunker Hill, Ill.; to the Committee on Public Works.

By Mr. GURNEY:

S. 2760. A bill to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes;

S. 2761. A bill to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes;

S. 2762. A bill to authorize the establishment of an Air Engineering Development Center, and for other purposes; and

S. 2763. A bill to authorize an exchange of lands and interests therein between the city of San Diego, Calif., and the United States, and for other purposes; to the Committee on Armed Services.

By Mr. TAFT:

S. 2764. A bill to amend the Trading With the Enemy Act; to the Committee on the Judiciary.

(Mr. MORSE introduced Senate bill 2765, to amend the Public Health Service Act, 79th Cong., ch. 538, 2d sess., to provide for Federal inspection of institutions, State mental health authorities, and hospitals who obtain grants of money, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

### ADMISSION OF DISPLACED PERSONS—AMENDMENTS

Mr. LANGER submitted two amendments intended to be proposed by him to the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes, which were ordered to lie on the table and to be printed.

### HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles, and referred, or ordered to be placed on the calendar, as indicated:

H. R. 6096. An act making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Mo., and Omaha, Nebr., for the production of products from agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 6556. An act to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Finance.

H. R. 6659. An act to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; ordered to be placed on the calendar.

### PRINTING OF REPORT OF ADVISORY COUNCIL ON SOCIAL SECURITY RELATING TO PERMANENT AND TOTAL DISABILITY INSURANCE (S. DOC. NO. 162)

Mr. MILLIKIN. Mr. President, I present a report of the Advisory Council on Social Security, relating to permanent and total disability insurance made to the Senate Committee on Finance, and I ask unanimous consent that it be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### COUNTING OF ELECTORAL VOTES—STATEMENT BY SENATOR LODGE

[Mr. LODGE asked and obtained leave to have printed in the RECORD a statement by him regarding Senate Joint Resolution 200, together with a copy of the joint resolution, which appears in the Appendix.]

### AN ADDRESS TO TEXANS BY SENATOR O'DANIEL

[Mr. O'DANIEL asked and obtained leave to have printed in the RECORD a radio address delivered by him at Fort Worth, Tex., on May 20, 1948, which appears in the Appendix.]

### LIVING: 1948—ADDRESS BY GOV. EARL WARREN, OF CALIFORNIA

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD a radio address on the subject Living—1948, delivered by Gov. Earl Warren, of California, on May 16, 1948, which appears in the Appendix.]

### STATEHOOD FOR HAWAII—EDITORIAL FROM THE HONOLULU ADVERTISER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial on the subject of statehood for Hawaii, published in the Honolulu Advertiser, which appears in the Appendix.]

### LEAVE OF ABSENCE

Mr. BALDWIN asked and obtained consent to be absent from the Senate this afternoon.

### COMMITTEE MEETINGS DURING SENATE SESSIONS

Mr. KNOWLAND asked and obtained consent for the Subcommittee on Labor and Federal Security of the Committee on Appropriations to meet this afternoon during the session of the Senate.

Mr. IVES asked and obtained consent for the Subcommittee on Health of the Senate Committee on Labor and Public Welfare to sit this afternoon for the purpose of holding a hearing.

Mr. VANDENBERG asked and obtained consent for the Committee on Foreign Relations to meet at 2 o'clock this afternoon.

Mr. WHERRY asked and obtained consent for the subcommittee of the Small Business Committee investigating

the shortage of oil and petroleum products to sit and hold a hearing during the session of the Senate this afternoon.

Mr. MARTIN asked and obtained consent for the Subcommittee on Oil and Steel of the Special Committee to Study Problems of American Small Business to sit during the session of the Senate today.

ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. REVERCOMB].

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Millikin |
| Baldwin | Green | Moore |
| Barkley | Gurney | Morse |
| Brewster | Hatch | Murray |
| Bricker | Hawkes | O'Conor |
| Bridges | Hayden | O'Daniel |
| Brooks | Hickenlooper | Pepper |
| Buck | Hill | Reed |
| Butler | Holland | Revercomb |
| Byrd | Ives | Robertson, Va. |
| Cain | Johnson, Colo. | Russell |
| Capehart | Johnston, S. C. | Saltonstall |
| Capper | Kem | Smith |
| Chavez | Kilgore | Sparkman |
| Connally | Knowland | Stennis |
| Cooper | Langer | Taft |
| Cordon | Lodge | Thomas, Okla. |
| Donnell | McCarthy | Thomas, Utah |
| Downey | McClellan | Thye |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Feazel | Magnuson | Wiley |
| Ferguson | Malone | Williams |
| Flanders | Martin | Wilson |
| Fulbright | Maybank | Young |

Mr. WHERRY. I announce that the Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. JENNER], and the Senator from Utah [Mr. WATKINS] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate.

Mr. BARKLEY. I announce that the Senator from North Carolina [Mr. HOEY], the Senator from Illinois [Mr. LUCAS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present.

INVESTIGATION OF VOICE OF AMERICA PROGRAMS

Mr. CAPEHART. Mr. President, I send to the desk a resolution. I ask for immediate consideration, that the clerk read the resolution, and that it be referred to the appropriate committee.

The PRESIDENT pro tempore. The Chair assumes that the Senator is not asking for immediate consideration in the Senate of the resolution itself, but is asking for immediate consideration of its reference.

Mr. CAPEHART. Reference to the appropriate committee.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 245) was read by the Chief Clerk, as follows:

Whereas the attention of the Senate has been called to certain allegations against the radio-broadcast operations of the State Department and certain radio networks under Public Law 402 of the Eightieth Congress, commonly known as the Voice of America program; and

Whereas these allegations, if true, present a condition so critical in our interstate and foreign communications as to warrant the immediate attention of this body: Therefore be it

*Resolved*, That the Senate of the United States hereby gives unanimous approval to a full and complete investigation of these allegations by the Interstate and Foreign Commerce Committee of the Senate, or any subcommittee thereof.

SEC. 2. The committee shall report its findings together with its recommendations for such legislation as it may deem advisable, to the Senate at the earliest practicable date but not later than March 15, 1949: *Provided, however*, That the committee shall file an interim report of the findings of its preliminary investigation, together with its recommendations for any immediate legislation as it may deem advisable to the Senate on or before June 15, 1948.

SEC. 3. For the purposes of this resolution, the committee or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable, and is authorized with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Government. The expenses of the committee under this resolution shall be given immediate consideration by the Senate when so requested by said committee in an amount sufficient to carry out the purpose of this resolution, which expenses shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. BARKLEY. Mr. President, if unanimous consent is being asked for consideration of the resolution, I shall have to interpose objection. I think it ought to be referred to the appropriate committee.

The PRESIDENT pro tempore. Let the Chair state the parliamentary situation. The Senator from Indiana is not asking for immediate consideration by the Senate of the resolution. He is asking immediate consideration of the question of reference of his resolution to a committee.

Mr. BARKLEY. It is not necessary to ask immediate consideration. That is always in the province of the Chair.

The PRESIDENT pro tempore. No. The Chair will have to state that under objection any consideration of the resolution—even the question of reference—would have to lie over for 1 day, without unanimous consent.

Mr. BARKLEY. I have no objection to the investigation. Of course I support it. But it is rather odd to submit a resolution announcing that the Senate does anything unanimously, in advance of action. Presuming on the unanimity of the Senate is a little out of order.

The PRESIDENT pro tempore. The Chair must state that debate is not in order, under the Reorganization Act, on a question of this character. The only question before the Senate is whether it will give unanimous consent for the present reference of the resolution to a committee.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. If unanimous consent is given, does that foreclose the right of any Senator to object to the reference?

The PRESIDENT pro tempore. If unanimous consent is given, under the terms of the Reorganization Act the Chair is required to make an immediate reference, without debate. But the reference is subject to an appeal, which is debatable.

Mr. BARKLEY. I have no idea that the Chair would make an erroneous reference of the resolution. Therefore I do not wish to be in the position of objecting to the Chair passing on the question. But I have very definite conclusions and opinions as to where the resolution should go.

The PRESIDENT pro tempore. Is there objection to the present consideration of the request of the Senator from Indiana? The Chair hears none.

This is another of those very difficult situations which arise under the language of the Reorganization Act. In this instance at least three committees of the Senate could certainly sustain a color of right to consider the resolution. One of them is the Committee on Foreign Relations. Another is the Committee on Expenditures in the Executive Departments. The third is the Committee on Interstate and Foreign Commerce. In the presence of such a controversy the Chair is required to act under section 137 of the Reorganization Act, which reads as follows:

In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation, but such decision shall be subject to an appeal.

As has happened in a number of previous instances this session, the Chair

confronts the necessity of deciding in his own mind which committee has jurisdiction over "the subject matter which predominates in such proposed legislation." Therefore the problem is, What interest predominates as between the three rival committees?

In the present instance the Chair feels that the line of demarcation between at least two of these committees is very narrow. Therefore the Chair proposes, insofar as the rules permit, to submit the question of jurisdiction to the decision of the Senate itself.

Unfortunately, under the Reorganization Act, which in this respect is quite contrary to the previous rules of the Senate, the only way the Chair can submit the question to the Senate is to make a tentative reference in the first instance and then invite an appeal if the Senate disagrees with the reference. Therefore, solely for the purpose of initiating the process of permitting the Senate to decide, the Chair will make a tentative reference, which will be made without prejudice, and with the distinct understanding that so far as the Chair is concerned, he is merely embracing a mechanism for the purpose of allowing a free decision in the Senate.

The Chair finds that the interest of the Committee on Foreign Relations is not the predominating interest in this legislation, for what the Chair believes are obvious reasons. There is a more direct and specific predominance, in the Chair's view, in another committee.

In the view of the Chair, the jurisdiction of the Committee on Interstate and Foreign Commerce does not predominate, because in the tentative opinion of the Chair the jurisdiction of the Committee on Interstate and Foreign Commerce could arise only in respect to that committee's jurisdiction over radio; and it does not seem to the Chair that the radio phase, per se, of the pending problem predominates.

The Chair therefore tentatively rules that the resolution should be referred to the Committee on Expenditures in the Executive Departments, because under the Reorganization Act to that committee is committed the specific obligation of "studying the operation of Government activities at all levels with a view to determining its economy and efficiency."

Therefore, if the Senate will have in mind what the Chair has said by way of introduction, namely, that this is purely a mechanism for the purpose of letting the Senate itself decide—the Chair rules, without prejudice to anyone or to any committee, that the resolution should be referred to the Committee on Expenditures in the Executive Departments. That ruling is subject to appeal, and an appeal is subject to debate.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. BARKLEY. Mr. President, tentatively I appeal——

Mr. CAPEHART. Mr. President, I have the floor; have I not?

Mr. BARKLEY. I do not think so.

The PRESIDENT pro tempore. No; the Senator from Kentucky was recognized.

Mr. BARKLEY. Of course, Mr. President, I feel that the Chair has rendered his decision in good faith. Yet I feel that the criticism which was indulged in and will be indulged in regarding this whole matter is and will be leveled against the State Department because of legislation which was reported by the Committee on Foreign Relations. The Senate is familiar with the course of that legislation over the last year, and the Senate is familiar with the fact that it was regarded as being of such importance that a joint committee of the two Houses was appointed and authorized to investigate the question of the Voice of America. It made a very detailed investigation in a number of countries, and came back here and proposed legislation was formulated in the Committee on Foreign Relations. That committee reported the proposed legislation, and it was enacted. So this whole matter involves a law and the administration of a law by the State Department, and that law came from the Committee on Foreign Relations.

I understand that the Committee on Expenditures in the Executive Departments may have over-all jurisdiction to investigate expenditures in all departments, regardless of the particular committee from which the legislation upon which the investigation is based may have emanated. Yet it seems to me that the committee which sponsored this program, which heard the witnesses who testified concerning it and which advocated the legislation, and in a sense is responsible for it, should make the investigation of any violation or any omission or any item of performance of the program by the Department, which certainly relies upon the Committee on Foreign Relations for legislation of this and all other kinds dealing with our foreign relations and our international program.

I have no doubt that the Committee on Expenditures in the Executive Departments would conduct a fair and impartial investigation. Yet, under the circumstances, I feel that this resolution should be referred to the Committee on Foreign Relations. I realize that committee has a very large program, and probably in some respects it is overworked. It may be that the committee does not desire to have jurisdiction of this matter. I rather suspect that it does not. Nevertheless, it seems to me somewhat strange that the investigation should be taken away from that committee, because I have a feeling that if the same sort of investigation were to be carried on under a resolution by which the RFC or the Export-Import Bank or the Commodity Credit Corporation were to be investigated, the investigation would go to the committee which was responsible for the original legislation, because, in this instance, if legislation on this subject is necessary, it is bound to come from the Committee on Foreign Relations. The Committee on Expenditures in the Executive Departments cannot bring in a bill or any other proposed legislation dealing with the Voice of America and its program, which is a part of our international set-up.

So it seems to me that the Committee on Foreign Relations should have jurisdiction of this investigation, not because it will favor the State Department, or will be unfavorable to it, because I assume that any committee would wish to know the facts; certainly I wish to know them, I wish to know how all this happened, how it came about, who was responsible, whether it was the State Department or whether it was someone in the State Department, whether it was the officers of the National Broadcasting Co. or of any other broadcasting company. We wish to know the facts; we wish to obtain the truth about this matter.

I think the committee which sponsored the program and brought in the proposed legislation, and which therefore to some extent is subject to any criticism which may grow out of a lack of foresight in the proper framing of this legislation, should not be denied the opportunity to make the investigation.

Mr. President, I said a moment ago that I was tentatively appealing from the decision of the Chair. However, I shall not insist on the appeal. I wished to express my views about the matter, namely, that I think the Chair should have referred this resolution to the Committee on Foreign Relations, for obvious reasons. Nevertheless, I shall not appeal from the decision the Chair has rendered.

However, I hope this reference will not be regarded as a precedent in connection with the reference of resolutions of this sort, so as to result in having them taken away from the committees which are responsible for the legislation and for the creation of the agency that is under attack.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SMITH. Naturally, as a member of the Foreign Relations Committee, I appreciate the remarks the distinguished Senator from Kentucky has made; and having been a member of that committee, and having been chairman of the subcommittee which had to do with this legislation, and having been chairman of the group which went abroad last summer in connection with the legislation, I naturally feel very intimately connected with it. But for that very reason, so far as I personally am concerned, I wish to make it clear for the RECORD that I support the position and decision of the Chair in making the reference of this resolution, because I think it would be a splendid thing to have another committee make a fresh start on this matter.

In the Foreign Relations Committee we have given a great deal of time and thought to this matter and this program. I should like to cooperate in every way I can with another committee in this connection, because of my background of knowledge of this matter. As I have said, I think it would be wise to

have the Committee on Expenditures in the Executive Departments look into this matter, which the Foreign Relations Committee has worked on previously.

I appreciate what the Senator from Kentucky has said about possibly the natural jurisdiction of the Committee on Foreign Relations; but this matter is of such concern to every Member of the Senate and to the country at large that I personally should like to have an investigation made by a new group, in view of the fact that the Foreign Relations Committee has considered the matter from a slightly different angle.

I should like to ask the Senator from Kentucky whether he thinks that would be a wise decision from the standpoint of our committee.

Mr. BARKLEY. Mr. President, I have withdrawn the appeal, which I had to take in order to be able to say what I have said about the matter. But I wish to say that I have not the slightest suspicion or fear that because the Committee on Foreign Relations sponsored this legislation in the first place, it would in any way be partial to or disposed to favor the State Department or anyone in it who had been guilty of any wrong doing or of any lack of appreciation of the problem thus faced. It may be that as a matter of general desirability, some other committee might be looked upon as likely to be a little more impartial than the Committee on Foreign Relations would be, but I do not think that is so.

However, having withdrawn the appeal, there is nothing further that I wish to say about it. I appreciate the remarks of the Senator from New Jersey, and I know how earnest and how diligent and how utterly disinterested he has been in his efforts to bring about the enactment of this law and to see that it is properly enforced. All of us are interested in that.

I have no doubt that the distinguished chairman of the Foreign Relations Committee, the distinguished President pro tempore of the Senate, who now is presiding over the Senate, is equally interested in seeing that this law is properly administered, so that there will be no reflection upon our country or any part of it or upon our program because of it. So I withdraw the appeal. But I did not want the opportunity to pass without saying that I still have faith in the Committee on Foreign Relations.

Mr. SMITH. Mr. President, I desire to add my own word, that I of course have faith in my own committee, and that because of my personal relationship to this subject, I am eager for some committee to check up on the matter. We shall try to cooperate with them to the end of bringing about a right result.

The PRESIDENT pro tempore. The Chair does not wish to violate the proprieties by engaging in a discussion of the subject while in the Chair, but he would at least like permission to state that he shares with the Senator from Kentucky complete respect for the Senate Foreign Relations Committee. There is no disrespect involved in the Chair's decision.

The Chair wants to call to the attention of the Senate for its information the fact that the resolution in itself, by its text, requires the investigation to be made by the Committee on Interstate and Foreign Commerce.

Mr. WHITE. Mr. President, I want to say first of all I very regretfully enter my appeal from the decision of the Chair on this matter, and I wish to say a very brief word about the situation. That word must be brief, because I have only known of the situation in the late minutes, and I have had no opportunity to refresh my recollection as to events or to study the present conditions and circumstances.

I appreciate fully, Mr. President, it often happens that jurisdiction overlaps and that the Chair might well be justified in making an assignment to any one of the three committees claiming jurisdiction. There is something of truth in the statement that that is the present situation.

I feel, however, that the claim of the Interstate and Foreign Commerce Committee of the Senate is the paramount problem involved. We are dealing with a subject matter, to be sure, that has some special significance to those interested in our foreign relations, but after all, Mr. President, all that is being done by way of investigation, all that will be done by way of investigation, is to make first of all, above all else, a study of the frequencies and the other means of communication to which the State Department asserts a right and in which it indulges.

Mr. President, we cannot continue to do as we have been doing without infringing or impinging upon the use of radio frequencies by many users in this country. There are already a number of companies engaged in foreign broadcasting of news of one sort and another. They are struggling all the while for frequencies to use in their operations. The State Department is doing the same thing. I do not have before me nor in my mind at the moment the extent to which the Foreign Service of the United States, the Department of State, utilizes broadcast frequencies in connection with this work. That, it seems to me, becomes first of all the great problem. It is not a question of how much money was spent by this committee or that committee; that is a trivial consequence when we consider the other questions involved. The real basic problem is the use of communication facilities, facilities by wire and facilities by air. In any investigation that is made those are the subjects which will engage the attention of a committee, if the committee has the jurisdiction which it ought to have and must have if it is to make a study of that character.

Mr. President, this morning the Committee on Interstate and Foreign Commerce authorized a complete investigation of all phases of the situation, including in particular the extent to which radio facilities may be used or ought to be used by the State Department instead of being utilized by other agencies of news transmission. We face that, I believe, as the great problem involved here. When all the investigating is concluded, it will be found, Mr. President, that the most difficult question to solve is the question of the use of radio frequencies and radio facilities. From time immemorial the Committee on Interstate and Foreign Commerce has had jurisdiction over those matters and over all the agencies of transmission.

Reference has been made to the fact that the Committee on Foreign Relations acted on the original bill. It was not a unanimous vote because I happened to have very definite feelings about it and voted against the report of the bill which came from the Foreign Relations Committee.

To those who may be interested, I venture the assertion that the difficulties which were disclosed as of yesterday on this floor are but the beginning of problems and difficulties, almost insurmountable in character, involving the policy of the United States and the tradition of the United States. I say those are all going to be involved unless we find out just what frequencies are being used, who is using them, for what purposes they are being used, and what advantages are accruing to the United States from their use.

Mr. President, I have rambled, but I feel very strongly that I ought to urge the appeal, both because I am so directed by members of the Interstate and Foreign Commerce Committee, and above all because I believe this is a matter which should go to that committee which has, and always has had, jurisdiction over communication facilities.

The PRESIDENT pro tempore. The Senator from Maine appeals the decision of the Chair. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. CAPEHART. If we now take a vote on the appeal from the decision of the Chair, then, will a motion be in order to refer the resolution to the Interstate and Foreign Commerce Committee?

The PRESIDENT pro tempore. It will not. If the decision of the Chair is not sustained, the Chair will make a rereference, choosing between the two remaining committees. Again, an appeal may be taken, if the Senate is not satisfied.

Mr. CONNALLY. Mr. President, I was present yesterday when the debate on this subject took place, and it was suggested then that such a resolution would be submitted, but I thought the Senator from Indiana agreed it should go to the Committee on Foreign Relations.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CAPEHART. I made the suggestion yesterday that I would offer a resolution today referring the questions involved to the Foreign Relations Committee for investigation. However, in the interim it developed that the matter had been tentatively referred, or might be referred, or that the Committee on Expenditures in the Executive Departments had taken jurisdiction and might proceed to make the investigation. Even before I had an opportunity to submit the resolution, which I stated yesterday I would offer, that situation devel-

oped. Inasmuch as the present occupant of the chair, who is chairman of the Foreign Relations Committee, has ruled that he does not think the Foreign Relations Committee should handle the resolution, in my opinion, it should be handled by the Committee on Interstate and Foreign Commerce, which committee has jurisdiction over all radio and broadcasting matters.

Mr. CONNALLY. This, Mr. President, is not a matter of technical transmission by way of radio. It is not a question involving engineering and things of that sort. The question here is a matter of national or international policy. That is why it was raised. It affects the attitude of foreign governments toward the United States by reason of their sources of information being poisoned by the slanderous and libelous reports going out over the radio. The situation would be the same if they went out by newspaper. It is the matter of high international policy, and it seems to me the only proper place for the resolution to go is to the Committee on Foreign Relations.

That committee had jurisdiction of and acted upon the original resolution or statute, as the case may be, which authorized this service. From time to time the attention of that committee is being called to this particular service. The Committee on Expenditures in the Executive Departments is a committee having jurisdiction of general expenditures. This matter is a specific national and international problem which cannot be properly dealt with, as I see it, except by the Committee on Foreign Relations, which has jurisdiction of all our external relations and problems.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CAPEHART. I have information to the effect that the State Department is maintaining that the responsibility lies with the broadcasting companies. I hold in my hand——

Mr. CONNALLY. Let me say that it rests with the broadcasting companies by warrant of the State Department's action in making contracts with the broadcasting company. So the State Department cannot wash its hands of responsibility.

Mr. CAPEHART. If the Senator will yield further, I hold in my hand a volume of the hearings on the first deficiency appropriation bill for 1948, and from page 1031 thereof I shall read a portion of the purported contract which the State Department made with the Columbia Broadcasting System. In my opinion, it indicates very definitely that the matter belongs to the Committee on Interstate and Foreign Commerce, because the contract places the responsibility upon that committee. The portion to which I refer reads as follows:

> The Department shall provide the contractor with general directives for each program to be prepared, produced, presented, transmitted, or broadcast by the contractor hereunder, indicating the general character of the programs and designating whether dramatic, music, news, etc., fixing the length of the programs, and the hour or hours, and the day or days of transmission. When such directives have been delivered to the contractor, the contractor, subject to the limitations expressed herein, shall assume full responsibility for complying with them and shall exercise complete authority over such preparation, production, presentation, transmission, and broadcast within the framework of such directives.

I do not know whether that is the contract which the State Department has with the broadcasting company. If it is, then the resolution should be referred to the Interstate and Foreign Commerce Committee rather than to the Committee on Expenditures in the Executive Departments.

Mr. CONNALLY. This is not a question of dollars and cents. It is not a technical question involving kilocycles and other kinds of cycles going out over the radio. That is technical. This is a matter of high international importance, and the Committee on Foreign Relations is the proper agency to look into it, because it is responsible, in a way, for the proper conduct of the service.

Mr. CAPEHART. Is it the Senator's position that it belongs with the Committee on Foreign Relations?

Mr. CONNALLY. Yes.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Maine.

Mr. BREWSTER. I want to express my concurrence with the views of the Senator from Texas that there is a very strong case to be made out for the reference of the resolution to the Foreign Relations Committtee. Today it cleared with the Committee on Interstate and Foreign Commerce which considered the matter this morning at the request of the Senator from Indiana [Mr. CAPEHART], who is a member of the committee, and the committee unanimously voted that the chairman of the committee [Mr. WHITE] should confer with the chairman of the Committee on Foreign Relations regarding the matter before our committee took any further action. We authorized the appointment of a subcommittee to go into it, but recognized the very great claim which the Committee on Foreign Relations could make on the ground that the Senator from Texas has so well presented. Is it not clear, if the other position be taken, that because the expenditure of money is involved, which is clearly the case, therefore the Committee on Expenditures in the Executive Departments should proceed, there is not a single subject of any character concerned with any spending which that committee could not claim jurisdiction of under the theory which is advanced? The Committee on Expenditures in the Executive Departments is concerned with economy and efficiency, which words obviously emphasize the committee's concern over extravagance and waste, which is involved here, but which is no more involved than it is involved in every item of expense. Meanwhile, the question of foreign relations involves the question of broadcasting. There have been various rulings which have looked in that direction.

I am certainly happy to associate myself with the Senator from Texas in feeling that the ruling of the Chair in the first instance should not be sustained. Following that, the question of jurisdiction between the Committee on Foreign Relations and the Committee on Interstate and Foreign Commerce may be properly considered.

Mr. CONNALLY. I thank the Senator from Maine for his agreement with the views which the Senator from Texas has undertaken to present. If jurisdiction of the measure should be given to the Committee on Expenditures in the Executive Departments because the expenditure of money is involved, then every resolution affecting any department of the Government would have to go to that committee, because there is no activity that does not require money. Everything we appropriate for involves money. Therefore if a resolution on any subject within the Federal jurisdiction comes before the Senate, some wise Senator may adjust his glasses and say, "This matter ought to go to the Committee on Expenditures, because there is an expenditure involved."

I have the highest respect for the chairman of the Committee on Foreign Relations, the Presiding Officer of the Senate. I do not want in any wise to criticize his sincerity, but I am wondering if some little feeling of modesty as chairman of that committee might not have unconsciously influenced him in referring the resolution to some other committee.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BREWSTER. I call the Senator's attention to the language of the Reorganization Act, page 23, which seems to me to be very pertinent. I read from section 136:

> To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and of the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee.

In order to avoid conflict, the Committee on Interstate and Foreign Commerce unanimously agreed it would confer with the Committee on Foreign Relations.

Mr. CONNALLY. The radio part of the subject is simply an instrumentality. It does not reach the question of policy; it does not reach the question of what was in the mind of the persons who wrote the scripts and broadcast them to Europe or South America. The radio is merely an instrumentality. The subject matter goes further than that; it goes to the question of policy.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CAPEHART. I should like to call the Senate's attention——

Mr. CONNALLY. Please read only part of that volume, not all of it.

Mr. CAPEHART. In the CONGRESSIONAL RECORD, Eightieth Congress, first session, March 26, 1947, at page 2590,

under the caption "Reference of Proposed Letter and Bill," I find this language:

The PRESIDENT pro tempore. The Chair has received—

Let us pay particular attention to this, please—

The Chair has received from the State Department a communication transmitting a draft of a bill to promote development of international radio broadcasting, to create an International Broadcasting Foundation, and for other purposes.

This is one of those situations, under the language of the Legislative Reorganization Act of 1946, where a choice of committee references is clearly possible within the mandate of the reorganization law; but it seems in this instance the reference could be either to the Committee on Foreign Relations or to the Committee on Interstate and Foreign Commerce. Inasmuch as the bill had to do primarily with the creation of a domestic corporation dealing with the subject of radio broadcasting internationally, it seems to the Chair that the radio phase overrides whatever the international character of broadcasting involves. Therefore, without objection, and unless there is an appeal to the contrary, the Chair will refer this communication and proposed legislation to the Committee on Interstate and Foreign Commerce.

There was no appeal from the decision of the Chair. In respect to that bill there was a situation similar to that which we are discussing at the moment, and the bill was referred to the Committee on Interstate and Foreign Commerce.

Mr. CONNALLY. The question as between the other two committees can be settled after the Senate acts on the pending appeal from the decision of the Chair.

What the Senator was reading about the radio arrangements with foreign countries related to the private operation of international means of communication.

Mr. CAPEHART. Will the Senator yield further?

Mr. CONNALLY. I yield.

Mr. CAPEHART. I again say that the State Department is taking the position that they contracted for this work with the broadcasting companies and that they have no responsibility concerning it. If that be true, then it is a domestic affair.

Mr. CONNALLY. If that is the attitude of the State Department, the State Department is wrong. If I have an option to do or not to do something, and I make a contract with some one else to do it, he is doing it for me, and I am responsible. The State Department cannot wash its hands of responsibility.

Mr. CAPEHART. I agree 1,000 percent with the Senator.

Mr. CONNALLY. I hope the Senator will continue to agree with me 1,000 percent.

Mr. DONNELL. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield to the Senator from Missouri.

Mr. DONNELL. I should like to associate myself with the Senator from Texas in the position he has so well expressed and taken here today. He takes the position, as I understand, that the resolution is a matter which properly goes to the Committee on Foreign Relations.

Mr. CONNALLY. The Senator is correct.

Mr. DONNELL. While I appreciate that the immediate question before the Senate, as I understand, is an appeal from a decision by the Chair that the resolution should be referred to the Committee on Expenditures in the Executive Departments, the Senator from Texas taking the view that it should have been referred to the Committee on Foreign Relations, I think it is appropriate to point out two matters in support of the views expressed by the Senator from Texas.

First, the language of Public Law 601, the Legislative Reorganization Act of 1946, with relation to the jurisdiction of the Committee on Foreign Relations, says that to that committee shall be referred—

all proposed legislation, messages, petitions, memorials, and other matters relating to * * *. Relations of the United States with foreign nations generally.

It seems to me, Mr. President, that clearly the subject matter under discussion is one involving "relations of the United States with foreign nations generally."

As regards the Committee on Interstate and Foreign Commerce, the subject matter to which the Senator from Maine has referred is "Communication by telephone, telegraph, radio, and television." As I see it, that is not the subject matter that is being discussed now. We have here a question—and I am interpolating a quotation—involving "subject matter transmitted" through "communication by telephone, telegraph, radio, and television."

Mr. President, that is not a subject which is confided by the Reorganization Act to the Committee on Interstate and Foreign Commerce. The Reorganization Act, as I understand, confides to the Committee on Interstate and Foreign Commerce the subject of communication—that is to say, the physical or technical or scientific means of communication—by telephone and telegraph, and not the subject matter transmitted thereby. To my mind the subject matter that is transmitted under the series of circumstances which we now have before us is a subject matter relating peculiarly and distinctively to the relations of the United States with foreign nations generally.

So, Mr. President, I take pleasure in associating myself, through the courtesy of the Senator from Texas at this time, with the position which he takes.

Mr. CAPEHART. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. Briefly.

Mr. CAPEHART. The able Senator from Missouri takes the position that the resolution should be referred to the Committee on Foreign Relations. May I ask the Senator from Missouri, what is broadcasting?

Mr. DONNELL. I think broadcasting is the transmission of whatever goes out over the broadcast—music, or information, or whatever it may be. But I still think that the subject matter that is by the Reorganization Act confided to the Committee on Interstate and Foreign Commerce is not the subject matter transmitted through the telephone, telegraph, radio, and television, but it is merely—and I quote again from the act, "communication by telephone, telegraph, radio, and television." The subject matter which was transmitted is what is here important, not whether it went out through the proper antenna or was received by the proper antenna. The subject matter is that which is distinctly included within the term "relations of the United States with foreign nations generally." So, Mr. President, I respectfully submit that the appeal in behalf of the Committee on Interstate and Foreign Commerce should not be sustained, and I trust that in due time it may be proper for the Chair to refer the resolution to the Committee on Foreign Relations.

Mr. CONNALLY. Mr. President, I thank the Senator from Missouri for his very clear and strong statement.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield to the Senator from Kentucky.

Mr. BARKLEY. Suppose, instead of the information going out over the radio, under the sponsorship of the State Department, it had gone through the mail?

Mr. CONNALLY. Through the post office.

Mr. BARKLEY. Suppose it had been a letter sent by the State Department to our foreign representatives, to be broadcast over the world, with regard to the policy of the United States in international affairs? Certainly no one would contend that under those conditions a resolution of this sort ought to go to the Committee on Post Office and Civil Service. The mail would be the mere mechanical agency of transmission of the policy of the State Department, through the Post Office, to foreign countries.

I thoroughly agree with the Senator from Texas. I expressed myself in that regard a moment ago. Suppose that out of the proposed investigation should come the necessity for legislation amending the law in regard to the Voice of America? Where would that legislation go? It would go to the Committee on Foreign Relations. The Committee on Interstate and Foreign Commerce have no jurisdiction over legislation dealing with our foreign policy. So that we would have an investigation going on by one committee, and if it resulted in legislation, the legislation would have to come from another committee, which had not participated in the investigation.

Mr. CAPEHART. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. Let me proceed for a little while. What was the original concept of the Voice of America? What was it for? Was it to determine how many frequencies should go out over the radio? Was there any concept of the kilocycles, or any of the other of the technical things which relate to radio, which should be investigated by the Committee on Interstate and Foreign Commerce? Of course not. The question was one of foreign policy, not

having to do with the mechanical details of the instrumentalities of transmission. The objective was to transmit to foreign countries the views of the United States on international relations, information regarding our form of government, information regarding democracy and parliamentary government.

Mr. President, what was the motive behind it? The motive was to affect and influence our international relations. Was not that the purpose? Why did we spend the appropriations? If that was not the purpose, let us cut it all out and let it go. Of course the purpose was to improve our foreign relations, to influence and improve the attitude of European nations toward the United States and our policies. Yet we are told now that because we find fault with this organization and want to give it attention, and want to correct its errors, we must go to the Committee on Expenditures in the Executive Departments. We are told that the question must be asked: "How much money did you spend? We do not care anything about what you said to Europe. That is not important. We do not care anything about the policies you perverted and distorted into falsehood and libel, but we want to know how much money you spent." Mr. President, we already know that.

Then the Committee on Interstate and Foreign Commerce comes along and says, "We are not concerned with what you send out over the airwaves, but we want to know exactly how many pulsations of the ether you disturbed."

Mr. President, I have high regard for the chairman of the Foreign Relations Committee. He has rendered a wonderful service in that committee. He has secured practical unanimity on substantially all big problems. I am sorry to see the chairman in his dual capacity: "Here I am over here as chairman of the committee, and here I am over here as Presiding Officer of the Senate. Now what shall I do? Oh, if only one of the dear charmers were away!"

No, Mr. President, the resolution should go to the Committee on Foreign Relations. I understand the present attitude of the Chair, if the appeal is sustained, then he will reconsider the matter and decide as between the two committees. So I urge the Senate to sustain the appeal from the decision of the Chair and let us go into this matter in a proper and better way. If we go into it, we shall probably have to hear some technical discussions by the Senator from Indiana and others as to what wavelengths should be used in transmitting the program and how many frequencies should be required. But, Mr. President, those are not the questions involved. The real questions are the peace of the world, the proper relationship of this Government to other countries, the proper understanding on the part of other governments and other peoples respecting the attitude of the United States. Who are the authorities that distort the information at the source by weighing it down with falsehood, slander, libel, and all the vile insinuations contained in these broadcasts? Those are the questions involved.

Mr. President, I insist that the Chair is in error, and that the matter ought to be reconsidered.

Mr. AIKEN. Mr. President, I think we have had a great deal of discussion today which may or may not prove to be pertinent to the situation. It is my opinion that unless it is the desire of the Senate to authorize the Committee on Interstate and Foreign Commerce to conduct a special investigation of the affair no resolution is necessary. Certainly, as I read the Reorganization Act, no resolution is necessary, in my opinion, to authorize the Committee on Foreign Relations to investigate a matter of this nature. It is possible that a resolution might be necessary to give it sufficient funds with which to conduct that investigation. But I believe there can be no question as to the authority of the Foreign Relations Committee to conduct an investigation or make a study of any matter which comes up or anything which occurs under that department of Government over which the committee has legislative jurisdiction.

By the same token, I can see no reason why the Interstate and Foreign Commerce Committee could have any claim whatsoever to an investigation of this kind unless it is clearly the desire of the Senate that that committee be given the authority to make the investigation. Certainly the Interstate and Foreign Commerce Committee does not supervise the affairs of the State Department. If this thing had been done by order of the Interstate Commerce Commission, or the Federal Communications Commission, or the Department of Commerce, then it would clearly have fallen within the right of the Interstate and Foreign Commerce Committee to make an investigation, although in that case the committee might have been obliged to ask for an appropriation to carry on the investigation.

Mr. BREWSTER. Mr. President, will the Senator yield at that point?

Mr. AIKEN. I should like to conclude my statement.

Mr. BREWSTER. I wish the Senator would yield on the point he has just mentioned.

Mr. AIKEN. Very well, I yield.

Mr. BREWSTER. If it should be found that the National Broadcasting Co. were primarily responsible for this affair, their entire procedures and the character of their programs would fall within the purview of the Federal Communications Commission, and therefore the Interstate and Foreign Commerce Committee.

Mr. AIKEN. The Committee on Interstate and Foreign Commerce would have the right to study broadcasting procedures. But in this particular instance, Mr. President, the National Broadcasting Co. at most was acting as a paid agent for the State Department. It was money appropriated to the State Department that was being spent. Therefore I do not believe that in this instance the Interstate and Foreign Commerce Committee would hold any jurisdiction whatsoever in regard to investigating the manner in which the State Department spent its money.

The law clearly authorizes the Committee on Expenditures in the Executive Departments to make investigations of any agencies of Government at all levels. I shall read the language of the law. In the Legislative Reorganization Act of 1946 it is provided that the Committee on Expenditures in the Executive Departments shall have the duty of—

(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency.

Mr. President, several million dollars were appropriated to the State Department to promote good will for America and to promote an understanding of America throughout the world. It appears from what developed yesterday that a part of that money at least has been spent in sabotaging the reputation of the United States in foreign countries. Certainly that could not be called spending money economically or efficiently from the point of view of a citizen of the United States or from the point of view of Congress.

I can well understand the apprehension of the National Broadcasting Co. over an investigation of this kind. I can well understand the apprehension which might prevail in the State Department over an investigation of this kind. I have no doubt that the officials of the National Broadcasting Co. did not have the slightest idea of the kind of trash that was being sent out over their system. They probably could not have understood the language had they been listening in. I presume they were unaware of it, although that will develop later.

Certainly the higher officials of the State Department could not have read and approved these scripts which were broadcast. Nevertheless, they are, of course, responsible for the work of those who hold office under them.

Yesterday when this matter came up it seemed to me to be one of the most serious developments that has occurred in this country for a long time, in that an agency of government had permitted material to be broadcast to the world which was damaging to the United States. I lost no time in discussing the matter with the Senator from Michigan [Mr. FERGUSON], who, as everyone knows, is chairman of the Subcommittee on Expenditures which pays particular attention to "studying the operation of Government activities at all levels with a view to determining its economy and efficiency."

I suppose the Senate can proceed and act on the pending resolution if it likes, but I feel that it is my duty to tell the Senate that an investigation is already under way by the Committee on Expenditures in the Executive Departments, through the subcommittee headed by the Senator from Michigan [Mr. FERGUSON]. We have the authority to conduct it, we have the money with which to conduct it, and I will say that it will take formal action to prevent the Committee on Expenditures in the Executive

Departments from carrying out its duties as prescribed by law.

Mr. HATCH. Mr. President——

Mr. AIKEN. I will yield to the Senator from Michigan as I think he has a further statement to make at this time.

Mr. HATCH. Mr. President, I do not think the Senator from Vermont can farm out the time on the floor.

Mr. AIKEN. Very well.

The PRESIDENT pro tempore. The Senator from New Mexico [Mr. HATCH] is recognized.

Mr. HATCH. Mr. President, I beg the Senator's pardon. I know that he did not intend to farm out the time on the floor of the Senate, but I have been seeking recognition for some time merely to make a few observations concerning what I conceive to be the fundamental question involved here. It has been touched upon by the Senator from Texas and other Senators, but I think it cannot be too often emphasized. The question involved is not one of mechanical transmission of radio broadcasts, over which subject the Committee on Interstate and Foreign Commerce has jurisdiction. It is a question of fundamental, basic policies which affect the relations of this Nation with other nations of the world. That is all that is involved. Unless those policies are involved in these international broadcasts, there is no authority and no reason whatsoever for continuing them.

I recall quite well that in the testimony before our committee Secretary of State Marshall said that he considered this program one of the vital arms of the State Department. It is a part of the diplomatic procedures and methods of this Government. It is not a part of radio communication as such. Its only justification is that it seeks to improve our relations with other nations of the world.

In addition to what has been said about the Reorganization Act conferring general jurisdiction upon the Committee on Foreign Relations, the language of the act being "relations of the United States with foreign nations generally," it is also specifically provided in the Reorganization Act that all measures relating to the diplomatic service shall come under the jurisdiction of that committee. If this measure does not relate to the diplomatic service, it relates to nothing; it has no place or part in our legislative functions whatever, and the whole program should be discontinued. It is a part of the diplomatic service, a part of the State Department. That is the basis for the entire program.

Mr. President, I submitted the original resolution providing for an investigation of the Voice of America. That resolution was referred to the Committee on Foreign Relations without objection. It was considered by that committee and later included in other legislation. That proposal was agreed to; and there was authorized by the Congress a joint investigation by a committee consisting of members appointed from the membership of the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations. Our committee was headed by the Senator from New Jersey [Mr. SMITH]. The committee which conducted the investigation was not a joint committee. The committee of each House designated certain members of a separate committee, but a joint investigation was conducted.

The Senate Committee on Foreign Relations has already assumed jurisdiction of this subject under the Reorganization Act. It has appointed a subcommittee of that committee, and the subcommittee has made its investigation. I am not at all sure that the power of the subcommittee has expired. If I recall correctly, it was appointed for this Congress, and I do not recall that any order has ever been made discharging the subcommittee, although it may have been.

Mr. FERGUSON. What subcommittee was that?

Mr. HATCH. It was a subcommittee of the Committee on Foreign Relations. The Senator from New Jersey [Mr. SMITH] was chairman of it. The Senator from New Jersey rose and modestly and generously said that he did not want to investigate himself and his own committee. I admire the modesty of the Senator from New Jersey, just as I admire the modesty of the President pro tempore, but I feel that both of them have fallen into error. They have fallen into the same error into which presiding officers, judges, and others fall when they are called upon to rule upon some question with respect to which there may be a special interest. They are inclined to lean over backward. I think that is exactly what the President pro tempore has done in making the ruling in this instance. I admire him for the disposition which he has manifested, but I believe that he leaned over backward, in detriment to his own committee. I believe that the Senator from New Jersey is guilty of the same error. He leaned over backward because he thought he might be placed in the position of seeking to prevent an investigation of the work which he so capably and efficiently carried on, with credit to himself, the subcommittee, the full committee, and the United States Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I appreciate the point made by the Senator, but it really does not involve an investigation of the work of the Senator from New Jersey in the committee or the work of the committee.

Mr. HATCH. Not at all.

Mr. BARKLEY. It involves the manner in which the State Department is carrying on the work laid down for it by the committee and by the Congress.

Mr. HATCH. The Senator is entirely correct, and I agree with him. But it was the fear of the Senator from New Jersey that he might be in the position of seeking to interfere with an investigation of his committee. It is not an investigation of his committee at all. If it were an investigation of his committee, I would certainly oppose any such investigation.

In view of what was developed here yesterday, I believe that further study of the Voice of America and how it is operating under the legislation enacted by Congress, which legislation was considered and reported by the Committee on Foreign Relations, should be made. Furthermore, I believe that under the Reorganization Act, that paragraph which was read by the Senator from Maine [Mr. BREWSTER] and I think referred to by the Senator from Vermont [Mr. AIKEN] we not only have authority in that committee to study and investigate how this legislation is being administered by the State Department, but we have a high and solemn obligation to perform that duty. We do not need a resolution. We do not need additional authority to conduct such an investigation. Authority is already vested in the Committee on Foreign Relations by the Reorganization Act; and any move to transfer such authority to another committee is a move to divest the Committee on Foreign Relations of the duty and responsibility imposed upon it by law. Neither the Senator from New Jersey, with all his modesty, nor the President pro tempore, leaning over backward, has any right to shirk and avoid the responsibility which is placed upon us by the Reorganization Act. Certainly the United States Senate has no right to take from the Foreign Relations Committee the duty which the Congress has placed upon it.

Mr. President, by every consideration this resolution belongs with the Committee on Foreign Relations, and with no other committee.

Mr. FERGUSON. Mr. President, I am glad to see that all Senators who have thus far spoken have agreed that there should be an investigation. It is refreshing to have Senators agree that at least an investigation should be made.

The Senate Committee on Expenditures in the Executive Departments has undertaken to organize a staff so that the committee may take on the burden of investigations for the Senate. If the committee does not have jurisdiction in this case, I know of no case concerning any department of Government in which it would have jurisdiction. As I read the duties of the various committees, I note that their jurisdiction covers particular branches or departments of Government. The Foreign Relations Committee deals with the State Department and with questions affecting foreign relations; the Committee on Labor and Public Welfare with the Labor Department and subjects affecting labor; the Armed Services Committee with the Army and Navy, and the Committee on Interstate and Foreign Commerce with the subject of commerce. Every one of the agencies of Government is thoroughly covered, and under the theory which has been advanced there would be no jurisdiction for the Committee on Expenditures in the Executive Departments.

As I remember the debates at the time when the Reorganization Act was under consideration, it was thought that the operations and activities of the Government should be studied at all levels, to determine their economy and efficiency. If there is anything which involves the efficiency of the Government, it is the broadcasting of these programs to South

America. The efficiency of the State Department, the Department which was responsible for the broadcasts, is certainly in question. There is to be an investigation. The Committee on Expenditures in the Executive Departments is not going to attempt to investigate cases which other committees have a right to investigate without separate investigatory authority. Without the adoption of such a resolution, the Foreign Relations Committee can go into the question of how the broadcast affected South America. But already, yesterday, the chairman of the Committee on Expenditures in the Executive Departments called together the committee, and last evening we proceeded to call witnesses, in order that we may determine how such a blunder could be made and how the efficiency could be so low that such broadcasts could have been made by an agency of this great Nation, regardless of what was affected.

So already this morning the staff of the committee has undertaken to go into the question of the efficiency of this activity of the Government in connection with the broadcasting companies. I know of nothing that would prevent the Foreign Relations Committee from going into the questions that are involved, but I know of no reason why the subcommittee of the Committee on Expenditures in the Executive Departments should not continue the investigation it already has started.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. CAPEHART. I wish to congratulate the able Senator from Michigan [Mr. FERGUSON] and the able Senator from Vermont [Mr. AIKEN], the chairman of the committee, for taking such action. I think they are to be commended for doing so.

In view of the fact that the Senator is now maintaining that his committee is so efficient, I should like to ask why something was not done about this matter weeks ago. An article about one of the broadcasts made by the Voice of America was reprinted in the CONGRESSIONAL RECORD some weeks ago, in fact, under date of March 4, 1948. That broadcast was just about as silly and asinine as the ones I read into the CONGRESSIONAL RECORD May 26, 1948.

Again I wish to congratulate the Senators, but I do not wish to have the Senate receive the impression that their committee is the only one that is qualified and is on the job and is efficient enough to handle this matter.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. CONNALLY. Let me ask the Senator from Indiana what difference it makes whether these broadcasts cost $1 or $10 or $5, so far as the actual expenditures are concerned. That is not the question at all. The question is how our foreign relations have been affected by these slanders and libels.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. CAPEHART. I said yesterday that today I would submit a resolution calling for an investigation of this matter. Yesterday we talked at great length on the floor of the Senate about the broadcasts. I said no less than half a dozen times that I would submit a resolution calling for an investigation. I believe I was solicited to do so by the Senator from Texas.

But before we could submit the resolution, and before the CONGRESSIONAL RECORD of yesterday's proceedings was printed, and almost before anyone could even turn around, the Committee on Expenditures in the Executive Departments proceeded to begin its investigation. I congratulate the committee. My only regret is that it did not do so 30, 60, or 90 days ago.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. The Senator from Indiana said that he stated half a dozen times yesterday that he would submit a resolution calling for an investigation of this matter. I should like to inform him, and the Senate as a whole, that the investigation was under way before the Senator from Indiana made that statement the first time. So far as I am concerned, he had not made the statement at all before I was discussing with the Senator from Michigan what we were going to do about the matter, and the Senator from Michigan was on the telephone directing the investigation to begin.

Furthermore, I am sure that had the committee known about this matter a month ago, the investigation would have started a month ago. If the Senator from Indiana had the information a month before the Committee on Expenditures in the executive departments had it, it was his duty, it seems to me, to make the information public at that time, instead of waiting until this time. He had the same access to the press and to the radio that other Members of the Senate had.

Mr. CAPEHART. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. CAPEHART. I presented the matter to the Senate at the earliest possible moment after the material was placed in my hands; and I am happy that I did so, because at least we are getting to the bottom of what I consider a dirty situation.

I regret exceedingly that there should be any argument today in regard to what committee has jurisdiction. This matter should be handled promptly by the United States Senate. The people who are responsible in this situation should be brought before a committee of the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator from Indiana necessarily precipitated the controversy by writing into his resolution a request that it be referred to the Committee on Interstate and Foreign Commerce—even attempting to take away from the Chair the right to decide the question of which committee should have jurisdiction. There is no way to avoid such a controversy when the Senator takes the attitude of writing into his resolution the name of the committee to which it should be referred.

Mr. CAPEHART. Mr. President, I believe it was stated to the press that the resolution would be referred to a subcommittee of the Committee on Expenditures in the Executive Departments, before I even made the statement or submitted the resolution.

Mr. BARKLEY. I do not know who was responsible for that.

Mr. BREWSTER. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. BREWSTER. Mr. President, I think the Senator's statement was slightly inaccurate. The resolution proposes that the investigation shall be conducted by the Committee on Interstate and Foreign Commerce, of which the Senator from Indiana is a member. But I point out that that by no means concludes the question of reference, for regardless of whether it is decided that the resolution should be referred to A committee or B committee or C committee—to the Foreign Relations Committee or to the Committee on Expenditures in the Executive Departments or to the Committee on Interstate and Foreign Commerce—the only question is whether there should be an investigation, and whether the resolution proposing that an investigation be made should be adopted.

The question before the Committee on Expenditures in the Executive Departments will not be whether it will make an investigation. It will be whether the Senate will authorize and direct the Committee on Interstate and Foreign Commerce to make such an investigation.

Mr. BARKLEY. Mr. President, I was merely replying to the Senator from Indiana, who had deplored the fact that we have gotten into a controversy over the question of the reference of the resolution. I pointed out that such a controversy could not be avoided when the Senator from Indiana wrote into the resolution the name of the committee which should make the investigation.

Mr. BREWSTER. The Senator from Indiana did not write into the resolution the name of the committee which should make the investigation. He wrote into the resolution the name of the committee to which the resolution should be referred.

Mr. BARKLEY. But surely the Senator from Maine would not expect the resolution to be referred to the Committee on Expenditures in the Executive Departments, and then have the Committee on Interstate and Foreign Commerce make the investigation.

Mr. BREWSTER. Mr. President, I think much good may come out of this discussion, which may seem to have taken a great deal of the time of the Senate at a very congested period. Yet, the fundamental question here is one which ultimately must be resolved. There is no question that under the phraseology of the Reorganization Act and under one theory of its approach there is not a single subject which is not within the purview and jurisdiction of the Committee on Expenditures in the

Executive Departments. That point has been repeatedly made.

On the other hand, there are other standing committees which cover the whole field of governmental activities; and they, too, have a responsibility under section 136 of the act to make such investigations.

I have had repeated discussions about this matter with the Senator from Michigan [Mr. FERGUSON] during the last few months, as we have been associated in investigation activities, and have pointed out that ultimately, by a process of comity, this question must be resolved.

I wish to point out that when this matter was presented this morning by the Senator from Indiana, and when he proposed that an investigation should proceed, it was immediately pointed out by the distinguished chairman of our subcommittee, who also is a member of the Foreign Relations Committee, that the investigation was fully within the scope of the jurisdiction of various committees, but that in the interest of comity he should take up the matter with the chairman of the Foreign Relations Committee. I added the suggestion that we discuss it with the chairman of the Appropriations Committee, which appropriated the money for the program, and also with the chairman of the Committee on Expenditures in the Executive Departments, in order that by the gentle process of discussion we should resolve the question of how this matter could best be handled. Before we finish with the subject of reorganization, the basic principle behind this question must be determined.

The question is not whether one or another committee has jurisdiction, but how the matter may be most effectively and most appropriately handled. I do not think it can be questioned that some aspects of this matter are within the purview of many committees. However, I point out that while we are debating this question, the House committee is now making an investigation of this matter, and it has already called witnesses.

I think it is unfortunate that quite such precipitate action was taken after the Senator from Indiana yesterday indicated that he proposed to present a resolution dealing with this matter. I think a certain amount of senatorial consideration might have caused Senators to await his action before proceeding. In that respect, I think this situation is unfortunate.

I certainly would not wish today to have a vote overruling the decision of the Chair establish a precedent that the Committee on Expenditures in the Executive Departments, headed by the Senator from Vermont [Mr. AIKEN], or its subcommittee headed by the Senator from Michigan [Mr. FERGUSON], should be ousted of all responsibility which was bestowed upon that committee, not only by the Reorganization Act, but by the appropriation of $200,000 for that purpose. I share the deep sympathy regarding the difficulty of deciding the matter, but I do not think the investigation should be delayed because of such considerations. I think we must develop some method of comity by which situations such as the present one shall be handled.

Mr. BARKLEY and Mr. CAPEHART addressed the Chair.

Mr. FERGUSON. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I wish to say for whatever it may be worth that I do not think the vote on the appeal from the decision of the Chair in regard to reference of the resolution would have the slightest effect upon the jurisdiction generally of the Committee on Expenditures in the Executive Departments or of the subcommittee of which the Senator from Michigan is chairman. They have authority under the law. They could go ahead and investigate the economical or efficient expenditure of money in any department. That is the purpose for which the committee was created.

The Committee on Foreign Relations, if its attention had been called to this particular situation, could, without a resolution, have gone on with the investigation, and, no doubt, would have done so. But here the Senator from Indiana, after bringing the matter yesterday to the attention of the Senate and announcing he would offer a resolution today, submits a resolution which, after one or two whereases, says:

*Resolved*, That the Senate of the United States hereby gives unanimous approval—

The Senator is a little off, there—

to a full and complete investigation of these agencies by the Interstate and Foreign Commerce Committee of the Senate.

It seems to me that, regardless of the vote upon the appeal from the decision of the Chair, whether it is sustained or overruled, the Committee on Expenditures in the Executive Departments and any subcommittee authorized by it would continue to have such jurisdiction hereafter to go on with its investigations as it had heretofore. I am quite certain no possible effect can be had upon that committee and its jurisdiction, whatever happens to the resolution submitted by the Senator from Indiana.

Mr. CAPEHART and Mr. BREWSTER addressed the chair.

Mr. FERGUSON. I yield to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I think we now know what the issues are, and in all fairness to the Senate, in view of our heavy schedule, why do we not proceed to vote?

Mr. FERGUSON. Mr. President, after the Senator from Indiana has taken so much time, and the Senator from Michigan has farmed out so much time, I should like to have the opportunity of saying a few words on this subject myself.

The PRESIDENT pro tempore. The Chair would like to state for the information of the Senate, so it may be on notice, that a call for the regular order will again bring the displaced persons bill, S. 2242, to the attention of the Senate.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BREWSTER. I should like to say to the Senator from Kentucky, I am sure he will recognize the very great desirability of our developing some method by which further discussions of this character in other situations which may arise shall be conducted, and that there shall be worked out some procedure, informal or otherwise, by which so far as possible difficulties of this character shall be avoided in the future.

Mr. BARKLEY. Oh, absolutely; I agree to that. It is unfortunate we have to get into a debate over a question of the jurisdiction of committees. But I was never more sincere in my life than I am in the assertion that the proposition, which is purely a parliamentary matter, as to which committee shall receive the resolution, in no way impinges upon or will impinge upon the jurisdiction of the Committee on Expenditures in the Executive Departments to investigate any department it sees fit to investigate.

Mr. BREWSTER. There can be no doubt of that.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. I should like to ask the minority leader, the Senator from Kentucky, in the event the decision of the Chair is overruled, whether the Senator from Kentucky would consider that it could in any way be construed as an admonition to the Committee on Expenditures in the Executive Departments to soft pedal the investigation which it already has under way.

Mr. BARKLEY. Not at all—or any other investigation it might make.

Mr. AIKEN. Mr. President, I felt certain that would be the Senator's position.

Mr. BARKLEY. It could not, by any stretch of the imagination, be so construed.

Mr. AIKEN. Mr. President, I wanted it made clear, so that no one would understand that the vote on the appeal, regardless of its result, would affect the jurisdiction of the Committee on Expenditures in the Executive Departments to make full and complete investigations as to the manner in which money is spent by any Government department as written in the law.

Mr. BARKLEY. I do not think, by any stretch of the imagination, an adverse vote on the ruling of the Chair today would affect the jurisdiction of the committee of which the Senator from Vermont is chairman.

Mr. FERGUSON. Mr. President, I shall decline to yield further for a few moments, in order that I may say something on the pending question. I know that the Senate is interested in economy; at least, at times a slight indication is shown of a desire to economize. In the present instance the issue boils down to the question whether after the Senate has created a committee, staffed the committee, and appropriated money for the committee to carry on investigative work, to ascertain certain facts, when a resolution comes before the Senate asking for an investigation of facts, some other committee shall be authorized to do the work, and a new appropriation shall be made. That is exactly what we have before us today. The resolution concludes by saying:

For the purpose of this resolution, the committee, or any duly authorized subcom-

mittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of any of the departments or agencies of the Government.

Apparently the purpose is that the agencies shall investigate themselves. That is not the manner in which the Committee on Expenditures in the Executive Departments works.

Reading further, the resolution provides:

The expenses of the committee under this resolution shall be given immediate consideration by the Senate when so requested by said committee in an amount sufficient to carry out the purpose of this resolution, which expenses shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

So in the final analysis the question is whether, as suggested by the able Senator from Kentucky, the Committee on Expenditures in the Executive Departments shall continue and shall have full authority to continue, the investigation, or whether there shall be erected a new committee, for which new funds will be appropriated, to follow and go over the same grounds as those the Committee on Expenditures in the Executive Departments has begun to go over. That is the question before the Senate.

I think the able Senator who occupies the chair has made a reference to the proper committee which will promote uniformity and efficiency in the investigation, as well as economy.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN] and the Senator from New Hampshire [Mr. TOBEY] are absent by leave of the Senate. If present and voting, the Senator from Connecticut [Mr. BALDWIN] would vote "nay."

The Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from New Jersey [Mr. HAWKES], the Senator from Indiana [Mr. JENNER], and the Senator from Utah [Mr. WATKINS] are necessarily absent. If present and voting, the Senator from New Jersey [Mr. HAWKES] would vote "nay."

The Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

Mr. BARKLEY. I announce that the Senator from North Carolina [Mr. HOEY], the Senator from Illinois [Mr. LUCAS], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Arizona [Mr. HAYDEN] and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 34, nays 39, answered "present" 1, as follows:

YEAS—34

| | | |
|---|---|---|
| Aiken | Ecton | Martin |
| Bricker | Ferguson | Millikin |
| Bridges | Flanders | Morse |
| Buck | George | O'Conor |
| Butler | Gurney | Robertson, Va. |
| Byrd | Hickenlooper | Saltonstall |
| Cain | Ives | Taft |
| Capper | Kem | Thye |
| Cooper | Knowland | Wilson |
| Cordon | Lodge | Young |
| Dworshak | McCarthy | |
| Eastland | Malone | |

NAYS—39

| | | |
|---|---|---|
| Barkley | Hill | O'Daniel |
| Brewster | Holland | Pepper |
| Brooks | Johnson, Colo. | Revercomb |
| Capehart | Johnston, S. C. | Russell |
| Chavez | Kilgore | Smith |
| Connally | McClellan | Sparkman |
| Donnell | McFarland | Stennis |
| Downey | McGrath | Thomas, Okla. |
| Ellender | McKellar | Thomas, Utah |
| Feazel | McMahon | Tydings |
| Fulbright | Maybank | Wherry |
| Green | Moore | White |
| Hatch | Murray | Williams |

ANSWERED "PRESENT"—1

Vandenberg

NOT VOTING—22

| | | |
|---|---|---|
| Baldwin | Lucas | Taylor |
| Ball | McCarran | Tobey |
| Bushfield | Magnuson | Umstead |
| Hawkes | Myers | Wagner |
| Hayden | O'Mahoney | Watkins |
| Hoey | Reed | Wiley |
| Jenner | Robertson, Wyo. | |
| Langer | Stewart | |

So the Senate refused to sustain the decision of the Chair.

The PRESIDENT pro tempore. The Chair makes a further reference of the resolution to the Committee of Foreign Relations, which action is again subject to appeal if any Senator desires to appeal.

There being no appeal, the resolution is referred to the Committee on Foreign Relations.

Mr. SMITH. Mr. President, I should like to make a very brief statement, if I may, on the matter which has just been under discussion in the Senate.

Yesterday during the debate of the Voice of America program and the suggestions made by the Senator from Indiana, I stated that I had gotten in touch with Assistant Secretary of State George B. Allen and asked him if he would submit to me a statement, if he had any to make, which I might incorporate in the RECORD for the State Department. I have received a letter from Mr. Allen, dated May 27, which I should like to read into the RECORD. There is an exhibit attached, and I ask unanimous consent that the exhibit may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CAIN in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit A.)

Mr. SMITH. Mr. President, I am sure this letter will be of interest to all my colleagues as it states the present position of the State Department in the matter under consideration, and will have a bearing on the investigation which I believe will presently be made by the Committee on Foreign Relations.

Secretary Allen writes as follows:

MAY 27, 1948.

MY DEAR SENATOR SMITH: Yesterday you requested me to give you information concerning scripts from the Know North America series broadcast during the past winter, under the Voice of America program.

I attach a memorandum which gives the background concerning these scripts and the contractual relationship between the Department of State and the National Broadcasting Co., by which the scripts were prepared. The scripts were broadcast in Spanish, beamed to Latin America, and were identified as presentations of NBC.

Note the next statement:

No mention of the Voice of America was made, I am glad to say, in the broadcasts.

I understood, from what the Senator from Indiana stated, that the Voice of America was referred to in the broadcast. Continuing, Secretary Allen says:

These scripts are as disappointing to me as I am certain they must be to the National Broadcasting Co. Since assuming my duties on March 31 of this year, I have gone into the existing contracts with private agencies with the determination to avoid if humanly possible any repetition of this sort of thing. We are in the process at this moment of negotiating new contracts with private agencies for the coming fiscal year which will provide adequate machinery for supervision by departmental personnel of all programs prior to their being broadcast. The question immediately arises, "Why was this not done before?"

I wish to invite your attention to the circumstances under which the existing contracts were executed last year.

The report of the Senate Appropriations Committee last spring contains the following language: "The committee is of the opinion that shortwave broadcasting can be handled more effectively and efficiently by private broadcasters. The limitation (in the appropriation for personal services in the International Broadcasting Division of the State Department) is designed to limit the number of employees in this Division so as to require the State Department to contract with private broadcasters for shortwave programing."

In the debate in the Senate, it was also made clear that the intent of Congress was that just as much of the broadcasting program as possible should be turned over to private broadcasters and that the latter should do the actual preparation of the script.

The whole intent of the committee report and the debate was that private broadcasters could do the job more effectively than the State Department and that the job should be left to them to the maximum possible extent.

While I had no personal connection with the negotiation of the existing contracts, I must say in all honesty, after examining the record, that they seem to me to have been drawn up in an effort to execute as faithfully as possible the clear intent of Congress.

I might interpolate here, Mr. President, that I am not personally agreeing with Mr. Allen on that point, and in reading the letter I am reading it to present his point of view, and not my own point of view. I continue reading from the letter:

Three categories of programs were adopted. The first and most important category was

news broadcasts. For eastern Europe and the critical areas, the State Department undertook to do all of this broadcasting itself, and the private agencies were quite content to allow the Department to do it, for the responsibility in this field was greater than any private agency wished to assume. For other areas, the State Department maintained close supervision over news broadcasts by private agencies.

I am glad to note that these broadcasts did not go to the European theater. The State Department did keep its supervision in that area. The letter continues:

The second category, covering editorial and news analysis, is handled in the same way.

The third category, that of features and entertainment, was left almost entirely to the private agencies, since it was in this field that the private agencies were most experienced and could presumably do the most effective job. It was in this category that the scripts under discussion were prepared. These 15-minute programs were broadcast once a week and constituted an infinitesimal portion of the weekly total of 231 hours of programs in all languages carried under the total Voice of America program.

During the Senate debate of yesterday, the question of loyalty and security investigations of personnel engaged in broadcasting was raised by several Senators.

I am glad to call the attention of the Senate to this statement:

As an invariable practice, all personnel employed by the Department in the information and educational exchange programs are subjected to a departmental security check. Under the requirements of Public Law 402, all personnel employed or assigned to this program must be investigated by the Federal Bureau of Investigation prior to July 27, 1948. Such FBI investigations are now under way and many have been completed already. The question of security investigations on personnel employed by NBC under the shortwave-programing contract has been the subject of conferences with company representatives and the Department has been informed that NBC has secured reports on their personnel from the FBI.

I should point out that the record shows that at the time the appropriation was voted last year, the State Department made the statement that in its opinion the responsibility of the Secretary of State, accompanied by such extensive subcontracting arrangements as required by Congress, would create difficulties. However, the Department tried as honestly as it could to carry out the congressional directive, and supervision over this type of program was limited to general directives in accordance with the expressed belief that the private agencies could do a more effective job in this field.

We all learn by experience. Based on the views which have been expressed by Members of Congress during the hearings on the 1949 appropriations bill, it now seems clear that Members of Congress themselves have doubts regarding the view expressed last year.

It is abundantly clear that the existing type of contract is not satisfactory and new contracts are at present being drawn which will enable the Department to supervise the programs and carry out its responsibilities. It is clear from experience that if the Department is to be held responsible for the content of this type of program, the Department must have the authority and machinery for supervision. I believe the present debate has been salutary and I welcome any investigation of the operation so that all concerned will have a clearer understanding of the intent of Congress.

Very sincerely yours,

GEORGE V. ALLEN,
*Assistant Secretary.*

Mr. President, as I indicated a moment ago, I read this letter because I stated yesterday that I would ask Mr. Allen for a statement. I place it in the RECORD so it may form a part of the record of the entire matter, not with an expression of opinion on my part as to its soundness or unsoundness, but in order to do justice to Mr. Allen, who should be permitted at this point to have his letter, together with the enclosures, placed in the RECORD as part of the discussion of this important subject.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. HATCH. I do not want to delay matters but I should like to call attention again to that part of the letter in which Mr. Allen makes abundantly clear that if the State Department is to be charged with responsibility it must have authority to and must supervise the programs.

Mr. SMITH. The Senator is entirely correct, and that is one of the points I hope will be thoroughly investigated in the hearings and in the examinations respecting this matter, which now apparently will be made through the Foreign Relations Committee.

Mr. HATCH. Of course, as the Senator well knows, one of the chief fears which has been expressed in that regard is that we would get into the field of censorship, which is something we all want to avoid. But this matter is purely, as has been said in the debate, a case of a diplomatic function of government. It is not a question of censorship of news agencies or broadcasting stations. If the State Department is to have charge of our diplomatic relations—and of course it does have charge of them—it must be responsible for all these activities and must have the necessary authority to carry them out.

Mr. SMITH. I thank the Senator. I should like to add that Mr. Allen has been active as the head of this agency only since about the first of April. I have had several conversations with him. He has worked diligently to have his advisory committee organized in order to work out the program with entirely new forms of contracts which will certainly protect the people of the United States and the Government of the United States against such outrageous broadcasts as have been called to our attention. I am confident that the program can be worked out under the right policy and with the right support, and I know all Senators will be behind Assistant Secretary Allen in what he does in this respect.

Mr. HATCH. Mr. President, I am compelled to leave the floor, but before leaving and before the discussion of the subject is concluded, I will say that I had understood that there is some feeling that the vote just taken expressed some lack of confidence in the Committee on Expenditures in the Executive Departments. I want to refute as strongly as possible any such idea or belief. In the vote which was cast and the arguments which were made, there was expressed by no Senator any lack of confidence in that committee or in any member thereof. I merely want to make that statement for the RECORD, lest there might be a misinterpretation of the vote of the Senate.

Mr. SMITH. In that connection, Mr. President, I may say it was my understanding that however the vote went, the Committee on Expenditures in the Executive Departments still has the responsibility, from the standpoint of expenditures, of investigating the matter, and I understand they are proposing to go ahead with that investigation. I sincerely hope they will do so from the standpoint of expenditures.

EXHIBIT A

"KNOW NORTH AMERICA" BROADCASTS

These broadcasts, prepared by the staff of the National Broadcasting Co., were discontinued on March 25, 1948. Until that date, the programs were broadcast as one of the weekly background shows in the Spanish-language service to Latin America. These 15-minute programs were broadcast once a week, and constituted an infinitesimal portion of the weekly total output of 231 hours of programs in all languages carried over the Voice of America. The programs were prepared by NBC under a general program contract between the Department of State and the network. A similar program contract exists between the Department and the Columbia Broadcasting System.

The scripts, all of which were broadcast last winter, were written by Rene Borgia, then a staff employee of the National Broadcasting Co., who worked under the immediate supervision of Abberto Gandero, regional supervisor, Spanish section, NBC. A biographical sketch on Mr. Borgia is attached. Neither Borgia nor Gandero is presently employed by NBC.

At present, NBC and CBS do 70 percent of all Voice of America broadcasts; the remaining 30 percent is done by the Department itself. The 30 percent of the total programing done by the Department is limited to what in June 1947 was believed to be the critical world areas—the Union of Soviet Socialist Republics and eastern Europe, part of the German and Austrian programs, and, in the Far East, China, and Korea. This is a result of limitations imposed by the fiscal 1948 appropriations legislation. These limitations are summarized concisely in the report on the bill by the Senate Appropriations Committee. The report contains the following language: "The committee is of the opinion that shortwave broadcasting can be handled more effectively and efficiently by private broadcasters." The limitation (in the appropriation for personal services in the International Broadcasting Division of the State Department) is designed to limit the number of employees in this division so as to require the State Department to contract with private broadcasters for shortwave programing." Under these directives, 70 percent of all broadcasting and all programs to Latin America are done by the two networks.

The International Broadcasting Division of the Department, which does the programing to the critical areas, uses only an insignificant proportion of its programing for background, music or entertainment shows (2 percent), concentrating instead on news and editorial and information programs. CBS and NBC, on the other hand, include a much higher percentage of such programs, 30 percent and 42 percent, respectively, in their total air time. There are two major reasons for this arrangement of program time: (a) IBD broadcasts to areas where free access to objective news and information is absent, hence such material is featured; the networks, broadcasting to areas where news flows with much more freedom and in substantial volume, must maintain a more diversified type of program to attract an

audience; and (b) the networks have been deemed more competent in the entertainment type of program based on their long and extensive domestic broadcasting experience.

The Department's existing contracts with the networks are based solely on the authority contained in the 1948 appropriations legislation, since what is now Public Law 402 was still pending in the Senate at the time the old contracts expired. In negotiating the present contracts, the Department was guided also by the wording of the Senate report on the appropriations bill, the specific budgetary limitations contained therein (the Senate committee report imposed a ceiling of $100,000 for all supervision of broadcasts which included total administrative overhead for broadcasting, supervision of programs to the critical areas and for network programs) and the floor debate at the time the legislation was considered by the Senate.

During the House hearings on the first deficiency appropriation for 1948, which were held on March 10 and 11, 1948, there was a full review of the question of these broadcasts and the contractual relationships between the networks and the Department. Testimony given by a Department spokesman at those hearings (see Hearings, pp. 1071-1072, 1073) summarizes the broadcasting contract as follows:

"When the Senate Committee on Appropriations reported last spring on the appropriations relating to the information program, they said specifically in their report that they were setting a limitation on the funds available to the Department of State for salaries and expenses in the International Broadcasting Division. They said they would allow flexibility in other portions of the program, but they were setting a specific ceiling on the amount to be devoted to international broadcasts, and within that ceiling they were setting a lower ceiling which was to be used, and not to exceed that amount, for personal services in the International Broadcasting Division of the Department of State.

"The statement made in the committee report is as follows: 'The committee is of the opinion short-wave broadcasting can be handled more effectively and efficiently by private broadcasters. The limitation is designed to limit the number of employees in this Division so as to require the State Department to contract with private broadcasters for short-wave programing.' * * *

"In the debate in the Senate it was also clear in the discussions between, principally, Senator BALL and Senator SMITH that the intent was clear that just as much of this programing in the short-wave field as possible should be turned over by the Department of State to the private broadcasters. They made it quite clear that they hoped the Department of State would decide the general policy and the type of program that it wants; they made it equally clear that the intent, at least of the Senate committee, was that the contractor should do the actual preparation of the script and do the broadcasting itself. * * *

"It was clear from the debate in the Senate that the intent was that the Department of State should accept a general supervisory responsibility, but nowhere was it contemplated we should preview each and every word that went out on the air, and in the event that is the intent of Congress, we do not, frankly, have the set-up to do that at the present time. We do not have the manpower; we do not have the funds with which to do it. * * *

"The State Department, at the time this proposal (for turning over programing to the networks) was discussed, came forward and both informally and formally made a statement that in our opinion the delegation of the authority and the responsibility to the Secretary of State for this program accompanied by such extensive subcontracting arrangements, would create difficulties. Those difficulties have occurred.

"We said further, and we said this informally:

"'We have some hesitancy in determining whether we are actually going to be able to maintain the kind of control over the foreign-policy content of these programs that we believe a responsible public official needs to maintain.'

"We said, however, the need for international broadcasting is so great, the urgency of the situation is such, that we are perfectly happy to try and work the situation out. We have attempted to work the situation out, and, frankly, the cooperation with the private broadcasters has been better, I think, from our point of view than we had anticipated.

"The presidents of both the companies and their responsible officials in this area have told me also that the cooperation had worked out better than they had expected. They felt it had been reflected in the actual performance that we are getting."

As to the terms of the present contract, the following is a quotation from the contract with CBS which is now in effect. The contract with NBC is substantially the same:

"The Department shall provide the contractor with general directives for each program to be prepared, produced, presented, transmitted, or broadcast by the contractor hereunder, indicating the general character of the programs and designating whether dramatic, musical, news, and so forth, fixing the length of the programs, and the hour or hours, and the day or days. When such directives have been delivered to the contractor, the contractor subject to the limitations expressed herein, shall assume full responsibility for complying with them and shall exercise complete authority over such preparation, production, presentation, transmission, and broadcast within the framework of such directives."

There has never been any doubt in the Department of State, either in performance or in interpretation of responsibility, that the Department directs contractors as to the type of program to be broacast and supplies general and specific guidance governing the major programs. The Department within the existing budgeting limitations has been able to maintain a degree of precontrol and preediting of types of programs such as news, news analysis, commentary, and certain types of panel discussions, but this has not been true of feature or documentary programs or in the general field of entertainment.

During the Senate debate of yesterday, the question of loyalty and security investigations of personnel engaged in broadcasting was raised by several Senators. As an invariable practice all personnel employed by the Department in the information and educational exchange programs are subjected to a departmental security check. Under the requirements of Public Law 402, all personnel employed or assigned to this program must be investigated by the Federal Bureau of Investigation prior to July 27, 1948. Such FBI investigations are now under way and many have been completed already. The question of security investigations on personnel employed by NBC under the short-wave programing contract has been the subject of conferences with company representatives and the Department has been informed that NBC has secured reports on their personnel from the FBI.

The Department has attempted to follow the wishes of Congress in the broadcasting field and also with respect to section 1005 of Public Law 402 (the Smith-Mundt Act), which reads:

"In carrying out the provisions of this act it shall be the duty of the Secretary to utilize, to the maximum extent practicable, the services and facilities of private agencies, including existing American press, publishing, radio, motion picture, and other agencies, through contractual arrangements or otherwise. It is the intent of Congress that the Secretary shall encourage participation in carrying out the purposes of this act by the maximum number of different private agencies in each field consistent with the present or potential market for their services in each country."

It is clear both to the Department and to the networks that the present situation is unsatisfactory. A new approach to the problem is now under consideration by the Department. In essence, this plan calls for the establishment of a contractual relationship between the networks and ourselves, much as that of a sponsor to a network. It eliminates duplication of news desks and language desks, and provides for closer supervision and control of all output—the output of the networks as well as the output of our own desks. This is believed to be not only more efficient and less wasteful, but it provides for enlisting the services of the networks in the field in which they are most experienced, while leaving to the Department the political aspects of the problems, the responsibility for which the Department cannot turn over to others.

---

RENE BORGIA

(Material supplied by National Broadcasting Co.)

Rene Borgia, writer of the National Broadcasting Co. scripts in the series "Know the United States," is of Venezuelan origin.

He came to this country in 1939. He has taken out his first United States naturalization papers. He has held important positions in the foreign-language departments of Fox Pictures, and Warner Bros. in Los Angeles.

He has published, in Spanish, books of poems, plays, and political pamphlets of an anti-Communist nature. A sample of one of these pamphlets is in the files of the National Broadcasting Division, Department of State. It is entitled "Anti-Communist Manifesto," published in Venezuela in Spanish in 1938.

Borgia has been employed since only 1942 as writer, adaptor, translator on Spanish language programs to Latin American broadcast by NBC. Topmost rating has been accorded by Latin American radio stations and listeners to two of his efforts during these years. Both of these were for translating and adapting the highly successful NBC-International programs Radio Theater (radio dramatizations of American short stories, novels, drama), and Counter Spy (series dealing with dramatizations of FBI tracking down spies during the war).

Borgia resides in New York City, is married and has several children.

He has never been employed by the Department of State or any other agency of the Government. His efforts in international radio, as far as the Department knows, have been strictly as writer-translator on a free-lance basis for NBC.

Rene Borgia's work has been known to the Department since January 1946.

Mr. DONNELL. Mr. President, will the Senator from New Jersey yield for a very brief statement?

Mr. SMITH. I yield the floor.

Mr. DONNELL. Mr. President, the concluding sentence of the remarks I made earlier today in connection with the Voice of America matter was:

So, Mr. President, I respectfully submit that the appeal in behalf of the Committee on Interstate and Foreign Commerce should not be sustained, and I trust that in due time it may be proper for the Chair to refer the resolution to the Committee on Foreign Relations.

Mr. President, I voted, however, in the negative on the question, which I think substantially was: Shall the decision of the Chair in referring the resolution to the Committee on Expenditures in the Executive Departments stand as the judgment of the Senate?

I desire to explain that in uttering that certain portion of my sentence which I have quoted, in which I said:

I respectfully submit that the appeal in behalf of the Committee on Interstate and Foreign Commerce should not be sustained.

I had overlooked the parliamentary situation which existed and under which it was necessary that, in order that it might be possible to bring about a later reference to the Committee on Foreign Relations, the question presented by the Chair be negatively decided. Mr. President, instead of saying "I respectfully submit that the appeal in behalf of the Committee on Interstate and Foreign Commerce should not be sustained," I should have said, "I respectfully submit that reference of the resolution to the Committee on Interstate and Foreign Commerce should not be made."

Mr. President, the position which I favored and my advocacy of which I attempted to convey was that the committee to which the reference should be made is that on Foreign Relations.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter addressed to Mr. TABER, of the House of Representatives, by Rene Borgia, under date of March 1948, in which Mr. Borgia states that he wrote the Voice of America script on Wyoming, and that he prepared some 300 scripts for the State Department beginning shortly after Pearl Harbor.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *March 1948.*

MY DEAR MR. TABER: I am the person who wrote that program on Wyoming. I don't blame you for not liking it. Of all concerned, I was the only one who protested, but I was ordered to write it that way. Whenever I said something about the series, the answer was always the same: "If you don't want to do it, we'll get someone else." I told the man in charge of the Spanish section that the program should be dignified, with some spontaneous humor, but not with artificial, silly jokes. They wanted neither history nor statistical facts, only light stuff to make people laugh. I explained to supervisors, producers, and directors that the programs were not in harmony with the policies of the State Department, and they told me I was working for a commercial enterprise and not for a Government agency, and that Congress itself had given them the program. What could I do? Resign? Yes, a few years ago I'd have thrown their instructions on their desks and leave, but now the only thing I have in the bank is children.

I was told not to worry, for the responsibility was theirs. And it is true, because after a program is broadcast, the writer's responsibility ends. If it was not right, why the supervisors, the producer, and the director okayed it? The reason is obvious. Mr. Richardson, the man in charge of the short-wave department, does not know a single word of any of the languages he is supposed to supervise. He had the innocence to tell me this: "I am now learning things which I should have investigated before." I told Mr. Sarnoff everything, but he didn't pay any attention to me. The company, to put an end to the situation—after you complained, of course—had a brilliant idea, they threw me out. The danger, sir, is still there, because the men who forced me to write that program are floating around the office, very much satisfied with themselves.

Two of my first programs, The Mississippi River and Texas, were written as I thought they should be, yet I was rebuked for not following instructions. I had worked for the State Department since Pearl Harbor, and wrote over 300 programs, the best ever broadcast in Spanish. But there we had story conferences, and every script was read and analyzed. Even editorials were written in Mexico and Argentine about my war programs. The State Department, I think, has a very good opinion of my work.

Please, sir, do not judge my mentality by that thing, which sounds worse in stiff, literal English. I am a real writer, a scholar, with a long experience as a dramatist and a political commentator. Besides, sir, the National Broadcasting Co. hired me as a translator, but 3 weeks later they made me write three original programs every week. I begged them to give me that series, Know the United States, in English, because I didn't want to write the programs as I was told, but they refused.

I am deeply sorry for having bothered you with that program, and with this uncalled for letter, but I must tell you the facts. NBC is to blame for what has happened, not I. They should have able men in that department, which not only represents the policies of the studio, but mainly, those of the American Government. A million thanks, sir.

Most respectfully yours,

RENE BORGIA.

Mr. CAPEHART. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD a letter under date of May 17, 1948, from Rene Borgia addressed to Mr. Brown, on the same subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *April 17, 1948.*

MY DEAR MR. BROWN: I thank you for your letter. I don't remember writing anything about your State, but NBC is now blaming me for all that happens there. I, like the Cid, am winning battles after death! That program, Know the United States, had been going on before I started working for that madhouse. You ask if that program was supervised. No program in the world is broadcast without being read, cut, and supervised by at least three persons, especially in big studios like NBC. A writer cannot do those things. They hire us to prepare the scripts and to be blamed after, if anything goes wrong. If the program is a success, it is not because of the script—the producer and supervisor claim all the glory.

As I say in my letters to Mr. TABER, Gandero, the man in charge of the Spanish section, told me to write those programs that way, and they gave me the material. I protested again and again, because I wanted to do something more dignified, but they wanted neither history nor statistics, just stuff to make people laugh. What could I do? Mr. Gandero and Vasquez, the producer, are not the only responsible ones. The head of the whole short-wave department approved those programs, otherwise Gandero and Vasquez wouldn't be able to produce them. Whenever I complained, telling them that thing was not what the State Department wanted, Gandero told me: "What do you care? They were approved by Richardson." This gentleman is always shut off in his office, with two beautiful dragons at its door, and an abstract "Thou shall not pass" in the atmosphere. I don't think this aloofness is aristocratic in origin, but to defend himself from those complicated languages of which he knows nothing. He perhaps thinks—"The less I am consulted, the less I'll err." Once, while revising something that I wrote, he asked Gandero if pandemia had anything to do with pan Americanism. Gandero hurried back to his desk, where I was waiting for him, to ask me—if it had. What culture.

Mr. Brown, a writer's responsibility ends when he delivers his script. You may write whatever you want, but it is up to the editor in Salt Lake City to approve it. Besides, I wrote as I was told. Radio producers and supervisors cut and add as they see fit—very seldom one does recognize his own offsprings. The Government pays plenty to the networks, yet NBC does not hire actors. Its announcers do the job. In CBS things are different—they produce the shows with real actors and the supervising is in the hands of two able men, Unanue and Perez. I never worked for the State Department, but Mr. Mucio Delgado, now in Washington, checked all the scripts I did for the National Broadcasting Co. For over 5 years my work was praised to the skies all over the Spanish-speaking world. The State Department does not have to be defended, much less by an insignificant person like I, but they are not to blame for what has happened in NBC. I have been told that Congress itself gave the programs to the networks. Mr. Brown, I had nothing at all to do with what those people did: I was never inside a stage in NBC. I delivered my work to Mr. Gandero, and from there on it was their funeral, I mean, mine. You, who are a writer, please don't blame me, too. Since Mr. TABER's complaint I am out of work. Up to then I was the best Spanish radio writer in New York, now I am nothing. NBC took me, raped me, and threw me out.

Always at your service, most respectfully yours,

RENE BORGIA.

P. S.—The name of the head of the short-wave department is Stanley Richardson.

## TEMPORARY EXTENSION OF SECOND DECONTROL ACT OF 1947

Mr. FLANDERS. Mr. President, I ask unanimous consent for the immediate consideration of House bill 6659. This is the bill extending the Second War Powers Act, and it has an expiration time limit on it of May 31.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6659) to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Vermont?

Mr. TAFT. Yes, Mr. President; I object.

The PRESIDING OFFICER. Objection is heard.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDING OFFICER. The question before the Senate is on agree-

ing to the amendment of the Senator from West Virginia [Mr. REVERCOMB] adding a proviso on page 5, line 1.

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Green | Moore |
| Barkley | Gurney | Morse |
| Brewster | Hatch | Murray |
| Bricker | Hawkes | O'Conor |
| Bridges | Hayden | O'Daniel |
| Brooks | Hickenlooper | Pepper |
| Buck | Hill | Reed |
| Butler | Holland | Revercomb |
| Byrd | Ives | Robertson, Va. |
| Cain | Johnson, Colo. | Russell |
| Capehart | Johnston, S. C. | Saltonstall |
| Capper | Kem | Smith |
| Chavez | Kilgore | Sparkman |
| Connally | Knowland | Stennis |
| Cooper | Langer | Taft |
| Cordon | Lodge | Thomas, Okla. |
| Donnell | McCarthy | Thomas, Utah |
| Downey | McClellan | Thye |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | White |
| Feazel | Magnuson | Wiley |
| Ferguson | Malone | Williams |
| Flanders | Martin | Wilson |
| Fulbright | Maybank | Young |
| George | Millikin | |

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

Mr. REVERCOMB. Mr. President, in connection with the consideration of Senate bill 2242 a few days ago the Senator from New Mexico [Mr. HATCH] raised some question about the citations contained in appendix 4 on page 80 of the printed report No. 950, dealing with homesteading and the use of public lands in continental United States and Alaska. I may say that the Senator from New Mexico reached the same conclusion as that reached in the report, but he raised some question as to the citation of authorities contained therein, and said that he felt the authorities were obsolete or not in point.

The law concerning homesteading and the use of public lands in continental United States and Alaska, as cited in the report of the Subcommittee on Immigration and Naturalization on Displaced Persons in Europe, has been rechecked by the committee staff and double-checked with counsel in the Bureau of Land Management, Department of Interior, and we find that the citations contained in the report are correct. I feel that I should make this statement for the RECORD, so that no doubt will be cast upon the report or the citations contained in it.

What the Senator from New Mexico, Senator HATCH, probably had in mind the other day when he stated that the committee's citation was obsolete, was the Taylor Grazing Act of 1934, as amended.

No act has been passed repealing the homestead laws, except that the Taylor Grazing Act (48 Stat. 1269, 43 U. S. C. 315) has been held to have repealed the stock-raising homestead provisions of the act of December 29, 1916 (39 Stat. 862, 43 U. S. C. 291), but did not repeal any other of the homestead laws. In view of the general order of withdrawal, Executive Order 6910 of November 26, 1934, and Executive Order 6964 of February 5, 1935, section 7 of the Taylor Grazing Act was amended by the act of June 26, 1936 (49 Stat. 1976, 43 U. S. C. 315f), to provide for the classification of those lands covered by the withdrawal orders or within grazing districts, which are more valuable or suitable for the production of agricultural crops than for the production of native grasses and forage plants, or more valuable or suitable for any other use than for the use provided for under the Taylor Grazing Act, and for the opening of such lands for entry, selection, or location in accordance with such classification under applicable public land laws. The Taylor Grazing Act and this classification procedure have no application to Alaska, the territory dealt with and spoken of in appendix 4.

During the course of checking this matter with the Bureau of Land Management, Department of Interior, this morning the committee staff was informed by the Bureau that during the last three fiscal years 213 applications for homesteading had been considered, 110 of which were approved, thus showing that the homestead laws are still in effect. There was a total of 1,723 classifications of public lands reviewed during the last three fiscal years, of which approximately 75 percent were approved.

I make this statement so as to keep the RECORD clear, and so as to sustain the accuracy of the statements contained in the report, under appendix 4 thereto.

Mr. President, the question now before the Senate is the amendment I have proposed, reading as follows:

On page 5, line 21, strike out the period and insert in lieu thereof a colon and add after the colon the following language: *"Provided, however,* That the wife, and unmarried dependent child under 21 years of age, of each of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits."

Mr. President, the amendment is offered to make certain that families will not be divided under the provision of the bill that 50 percent of those who are admitted must be persons who are engaged and have engaged and will be engaged in agricultural work.

My attention has been called to the use of the word "child" in the amendment. Although I feel that the use of that word in the singular number would embrace all of the class, yet in order to prevent any misunderstanding whatsoever from arising in regard to the meaning of the act, I now offer as a correction of my amendment the addition of the words "or children." I send to the desk at this time, Mr. President, the amendment with that correction stated therein, and I ask that it be stated.

The PRESIDING OFFICER. The amendment as modified will be stated.

The LEGISLATIVE CLERK. On page 5 in line 21, it is proposed to strike out the period and insert in lieu thereof a colon and add after the colon the following language: *"Provided, however,* That the wife, and unmarried dependent child or children under 21 years of age, of each of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits."

Mr. REVERCOMB. Mr. President, so far as I am concerned, I think the amendment is clear. I do not think there can be any doubt about it. I have heard of no opposition to it, and I am ready for the submission of the question.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment submitted by the Senator from West Virginia.

Mr. FERGUSON. Mr. President, so far as I personally am concerned, I have no objection to the modified amendment, and I know of no one who has any objection to it.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from West Virginia.

The amendment, as modified, was agreed to.

Mr. REVERCOMB. Mr. President, I understand that at this time the Senator from Michigan desires to offer an amendment.

Mr. FERGUSON. I do.

Mr. REVERCOMB. I yield the floor, so that the Senator from Michigan may proceed.

Mr. WHERRY. Mr. President, I understand that the Revercomb amendment has been agreed to.

Mr. REVERCOMB. That is correct.

Mr. WHERRY. And the Senator from Michigan is about to offer another amendment coming from members of the subcommittee.

Mr. FERGUSON. Mr. President, I think at this time I should place in the RECORD a partial history of the displaced-persons legislation in the Senate.

PARTIAL HISTORY OF DP LEGISLATION IN SENATE

On July 2, 1947, the Senator from Michigan, on behalf of Mr. BALL, Mr. SMITH, Mr. SALTONSTALL, Mr. BRICKER, Mr. COOPER, Mr. HATCH, Mr. MCGRATH, Mr. MORSE, and himself, introduced Senate bill 1563. The bill was essentially a statement of an intent that the United States should assume its fair share in the solution of the displaced-persons problem. It proposed to set up a program for the admission of displaced persons to the United States as nonquota immigrants for a 4-year period. It defined, in a broad scope, eligible displaced persons. It set up certain priorities for admissions. It did not attempt to fix a number which could be admitted in that 4-year period.

Mr. President, the reason for that was, it was thought at the time that the whole program should be examined, that the number of displaced persons should be ascertained, together with the number of persons we might be able to admit into this country, after which the bill could be used as a vehicle to carry the correct number.

The able Senator from New Jersey [Mr. SMITH] has related some of the further history of this displaced-persons

legislation. On July 26 Senate Resolution 137 was approved, authorizing the Judiciary Committee, or a subcommittee, to investigate the United States immigration system and the displaced-persons situation. The report on displaced persons was to be made by January 10, 1948. The reason for doing that was that the Senate was of the opinion it was an important problem, that time was of the essence, and that immediate action should be taken. The date, therefore, was fixed as of January 10, 1948. The date was extended to February 10, and later to March 1, by Senate Resolutions 178 and 193.

On March 1 a displaced-persons report was made to the Judiciary Committee by a special subcommittee whose studies had included on-the-spot investigations in Europe.

Mr. President, shortly after the close of the war in Europe the Senator from Michigan had an opportunity personally to visit certain of the displaced-persons camps in Europe. He is, therefore, somewhat familiar with the problem which presented itself in Europe in connection with the displaced-persons camps or settlements.

A proposed bill for the relief of displaced persons was included in the report filed by the subcommittee. As amended by the full committee, the bill was ordered to be introduced. It was reported on March 2. It is Senate bill 2242.

Mr. President, in the Judiciary Committee it was not unanimously believed that this was the bill which should be reported. There are, therefore, members of the Judiciary Committee, of which the Senator from Michigan is a member, who believe that a solution of the problems now facing not only the United States but the whole world, so far as displaced persons are concerned, will not be effected by Senate bill 2242. We have, I believe, certain fundamental differences in philosophy, by reason of which it is felt by some that the bill (S. 2242), now known as the committee bill, will not solve the problem. Those who believe it would not solve the problem felt so keenly about it that they were moved, because of their own philosophy, to propose from the floor amendments to the bill. That is my reason for appearing upon the floor today, as a cosponsor, with various amendments. Certain members of the Judiciary Committee and other Senators sincerely believe that, while Senate bill 2242 was a step in the direction of getting the matter to the floor, it was not the full step that is essential in order to solve the problem. That is the reason for offering certain amendments. There is a difference of opinion among Senators. Senators who brought forth the bill S. 2242 believe that the problem can be solved with that bill, but I think that, upon analyzing the bill and the various amendments, it will be found that something further is required, that certain amendments are necessary in order properly to solve the problem.

On April 1, on behalf of the Senator from New Jersey [Mr. SMITH], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kentucky [Mr. COOPER], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Oregon [Mr. MORSE], and himself, the Senator from Michigan introduced six amendments to the bill (S. 2242).

The first of the amendments substitutes the critical date of April 21, 1947, for the date December 22, 1945, in connection with the definition of "eligible displaced persons." The latter date bore an artificial significance.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. EASTLAND. May I inquire which amendment is the Senator discussing at the present time?

Mr. FERGUSON. I shall discuss them all briefly. The amendment I am now discussing increases the number of displaced persons who may be admitted to 200,000.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Has the Senator called up his amendment? Is it the pending question?

Mr. FERGUSON. No. I intend to call it up. I am referring to it now, and I shall call it up at the conclusion of my remarks.

Mr. REVERCOMB. Am I correct in understanding that the first amendment which will be called up is the one dealing with the number of displaced persons to be admitted?

Mr. FERGUSON. That is correct.

The PRESIDING OFFICER. The Chair inquires of the Senator from Michigan whether the amendment to which he is referring is the one dated April 1, 1948, lettered "E," which concerns itself with the number of displaced persons to be admitted, together with certain dates?

Mr. FERGUSON. It concerns itself with the number to be admitted. It is the amendment lettered "E." There are many amendments, and it required a moment or two to separate them and to ascertain the letter identifying the amendment now under discussion.

Mr. EASTLAND. If the Senator will yield, I believe he began to discuss the changing of the date.

Mr. FERGUSON. I had merely given the names of the sponsors.

Mr. EASTLAND. Is the first amendment to be called up the one lettered "E?"

Mr. FERGUSON. That is correct.

Mr. EASTLAND. I thank the Senator.

Mr. FERGUSON. The date of December 22, 1945, bore artificial significance as the date of the Presidential directive making regular immigration quota numbers available to displaced persons. Among other reasons, we believe the date of April 21, 1947, to be more equitable and administratively more workable.

A second proposal, marked "B," would delete, on technical grounds, the part of the definition of eligible displaced persons which refers to a return to Germany or Austria "as a result of enemy action, or of war circumstances."

A third amendment, marked "F," would substitute the word "adequate" in deciding what kind of residence or living quarters they would have to have in this country, for the words "decent, safe, and sanitary."

Another amendment, marked "D," has as its purpose the establishing of a fair, adequate, and just basis for the selection of displaced-person immigrants. It provides for selection on the basis of a cross section of the groups and elements of displaced persons that existed in the camps on January 1, 1948.

To insure a more effective administration of the program, including selection, screening, transportation, and resettlement of DP's, another amendment, marked "C," proposes to broaden the authority of the special commission which is contemplated in the bill.

The number of displaced persons who may be admitted to the United States is a vital point in the legislation, as demonstrating our sincere intent to assume a fair share in the solution of the problem. The adoption of the amendment as against the limitation to 50,000 a year for 2 years, as provided in the committee bill, is essential to a solution, in cooperation with other nations. Its adoption is without prejudice to the employment or housing of United States citizens.

It is to this amendment that I wish to address myself at this time. Other Senators will address themselves to other amendments when they are brought to the floor.

The amendment reads as follows:

On page 3, beginning with the word "fifty" in line 25, strike out down through and including line 6 on page 4, and insert in lieu thereof the following: "two hundred thousand may be admitted into the United States for permanent residence during the fiscal years ending June 30, 1949, and June 30, 1950, of which number not more than one hundred thousand may be admitted during the fiscal year ending June 30, 1949."

In other words, no more than 100,000 could be admitted the first year, but if it were impossible to bring over 100,000 during the first year, then the number less than 100,000 could be added to the number to be admitted the second year, so that in the 2 years 200,000 could be brought into this country.

The PRESIDING OFFICER. Will the Senator permit the Chair to inquire whether the Senator from Michigan is desirous of offering the amendment at this time?

Mr. FERGUSON. I offer it at this time, Mr. President.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate, and that will make the amendment the pending question.

The CHIEF CLERK. On page 3, beginning with the word "fifty" in line 25, it is proposed to strike out down through and including line 6 on page 4, and to insert in lieu thereof the following:

Two hundred thousand may be admitted into the United States for permanent residence during the fiscal years ending June 30, 1949, and June 30, 1950, of which number not more than 100,000 may be admitted during the fiscal year ending June 30, 1949.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "E," offered by the Senator from Michigan.

Mr. FERGUSON. Mr. President, the magnitude of the resettlement problem should be discussed.

It is estimated that there are approximately 836,000 displaced persons in Germany, Austria, and Italy who have to be resettled. Of this number about 611,000 are in camps or centers. These are figures based on reports of the preparatory commission for the International Refugee Organization as of January 1, 1948. I have seen numerous other estimates and they are confusing because it is necessary to distinguish among displaced persons receiving care and maintenance, out-of-camp displaced persons eligible for care and maintenance but not receiving it, and other displaced persons who are receiving only legal assistance where they are, that is, are not part of the resettlement problem.

It may be remarked that these figures do not include Volksdeutsche or expellees, since, for reasons which can be treated at another place, they are not considered a part of the resettlement problem. The IRO constitution has not recognized them as such. From the evidence now in the RECORD it is clear that the Potsdam Agreement seems to settle those persons.

I ask unanimous consent to insert in the RECORD as part of my remarks table A and table B.

Table A summarizes the displaced persons population, in and out of camps, in Germany, Austria, and Italy, as of January 1.

Table B gives the nationality breakdown of those displaced persons.

I shall not take the time of the Senate to refer to them, except to make them a part of the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

*United Nations displaced persons in the 3 western zones of Germany and Austria and in Italy, as of Jan. 1, 1948*

| Country | United States zone | | | British zone | | | French zone | | | Italy, in camp | Totals | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | In camp | Out of camp | Total | In camp | Out of camp | Total | In camp | Out of camp | Total | | In camp | Out of camp | Total |
| Germany | [1] 322,693 | 143,769 | [2] 466,462 | 181,128 | [3] 15,549 | 196,677 | 24,966 | 9,422 | 34,388 | ---------- | 528,787 | 168,740 | 697,527 |
| Austria | 34,487 | 16,907 | 51,394 | 12,984 | 32,633 | 45,617 | 5,318 | 7,638 | 12,956 | ---------- | 52,789 | 57,178 | 109,967 |
| Italy [4] | ---------- | ---------- | ---------- | ---------- | ---------- | ---------- | ---------- | ---------- | ---------- | [5] 18,579 / [6] 10,916 | 29,495 | (7) | 29,495 |
| Total | 357,180 | 160,676 | 517,856 | 194,112 | 48,182 | 242,294 | 30,284 | 17,060 | 47,344 | 29,495 | 611,071 | 225,918 | [7] 836,989 |

[1] Not including 14,535 displaced persons (mainly Poles and Balts) employed by U. S. Army in civilian labor service units.
[2] Excludes 13,000 Yugoslavs from out-of-camp in Italy transferred to British zone, Germany, in March 1947. (See footnote 7.)
[3] This figure consists of estimated 9,366 Poles and 6,183 Yugoslavs making up the civil fixed watchmen's service and other labor service groups.
[4] Not allocated by zones.
[5] Jewish. 7,000 in Hachsharoth and receiving PCIRO assistance and 11,579 in PCIRO camps.
[6] Yugoslavs, Poles, Ukrainians, and other nationalities in PCIRO camps.
[7] There are an estimated 100,000 displaced persons out-of-camp in Italy eligible for PCIRO assistance. No out-of-camp figure for Italy shown here or in 1946 charts, as no registration of these people has taken place.

*United Nations displaced persons in the 3 western zones of Germany and Austria and in Italy, as of Jan. 1, 1948 (by nationality, by country)*

| Nationality | Germany | Austria | Italy (in camp only) | Total |
|---|---|---|---|---|
| Polish (including Ukrainians) | 291,886 | 30,539 | 3,670 | 326,095 |
| Baltic | 161,518 | 3,929 | 160 | 165,607 |
| Soviet | 14,487 | 3,997 | 320 | 18,804 |
| Yugoslav | [1] 27,376 | 26,279 | 5,500 | 59,155 |
| Jewish | [2] (153,572) | 24,512 | 18,579 | [3] 196,663 |
| Others (including stateless) | 83,691 | 20,711 | 1,266 | 105,668 |
| Total | [4] 697,527 | 109,967 | [5] 29,495 | [6] [5] 836,989 |

[1] This does not include an additional 13,000 Yugoslavs who were transferred to the British zone, Germany, in March 1947, from the out-of-camp displaced-persons population of Italy.
[2] Only 118,569 of this figure to be included in total as remainder is distributed among other nationalities in column.
[3] Only 161,660 of this figure to be included in total. See (2) above.
[4] Not including 14,535 displaced persons (mainly Poles and Balts) employed by U. S. Army in civilian labor service units in United States zone, Germany.
[5] Not including an estimated 100,000 displaced persons out-of-camp in Italy who are eligible for PCIRO assistance, but of whom no registration has ever taken place.

Mr. FERGUSON. Mr. President, an essential purpose of this legislation is to demonstrate America's good faith in urging solution of the whole problem and to fulfill the obligations to which we have committed ourselves. If we take for our entire share as few as 100,000 displaced persons, this purpose will be frustrated. Merely to make an ineffective gesture toward solution will be worse than nothing in terms of achieving practical progress, and will gravely damage our prestige at a time when it is most valuable to us.

In the absence of specific international agreement and in the face of varying and complex factors it is manifestly difficult to assess our fair share of the resettlement problem.

The figure of 50,000 annual admissions for 2 years, as contemplated by the committee bill, is obviously an arbitrary figure. Likewise our figure of 200,000 admissions over 2 years is confessedly arbitrary. But, we feel that to provide for the acceptance of any lesser number would be patently inadequate. We feel that 200,000 admissions is a conservative figure and reasonably adequate. It is to be observed that this figure is a far smaller part of the total burden than the United States has assumed as its share of comparable international tasks such as UNRRA, IRO, and the International Bank. It is far below the number which the United States might be expected to accept on the basis of population, population and population density weighted, and population and national income weighted.

An apportionment of our fair share on the basis of our assumed international financial contributions would be as much as 784,000, taking UNRRA contributions as an index and no less than 400,000 on a basis of our population compared with 25 other nations.

RESETTLEMENT IN OTHER COUNTRIES

Too little attention has been directed to the fact that other nations have been alert to the displaced-persons problem, and have been active in attempting its solution. To no small extent the relief offered to displaced persons by other nations has been self-seeking. That is, they have recognized the value of displaced persons as new settlers and have promoted their immigration. That does not detract from the fact they have acted toward solution of the problem, and it is to be pointed out that in some instances this was done notwithstanding adverse domestic conditions.

Mr. President, I ask that table C be made a part of the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE C.—*Estimate of resettlement of United Nations displaced persons from the 3 western zones of Germany and Austria and from Italy since the end of World War II to countries other than the United States*

| | |
|---|---|
| Argentina | 5,255 |
| Australia [1] | 1,699 |
| Belgium | 26,312 |
| Brazil [2] | 3,500 |
| Canada | 10,053 |
| England | 40,000 |
| France | 16,065 |
| French North Africa | 1,000 |
| Netherlands | 2,326 |
| Norway | 400 |
| Paraguay [3] | 3,421 |
| Venezuela [4] | 5,000 |
| Peru | 625 |
| Total | 115,656 |

[1] As of Feb. 12, 1948.
[2] As of Jan. 31, 1948.
[3] As of Mar. 13, 1948.
[4] As of Feb. 17, 1948.

NOTE.—Except as indicated, statistics are as of Jan. 1, 1948.

Small numbers have gone to the following countries: Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, Mexico, South Africa, Sweden, Uruguay, Guatemala, Honduras, Ireland, Italy, New Zealand, Panama, Peru, Saudi Arabia, Switzerland, Syria, Turkey, Tanganyika, Spain, Austria, Belgian Congo, China, Dominican Republic, Egypt, Eritrea, Greece.

Palestine: No statistics are available at the present time as to the number of Jewish DP's who were settled in Palestine.

Mr. FERGUSON. Mr. President, this table shows an estimate of the number of displaced persons who have been resettled in countries other than the United States, in western Europe, South America, and the British Dominions. It is

deserving of some special comment. England lost something approximately like 1,000,000 homes by bombing during the war. Despite that fact, the United Kingdom already has received about 40,000 displaced persons. And these are in addition to about 200,000 Poles who were in England as members of General Anders' government-in-exile army, not classified as DP's because they did not come from DP camps. Belgium, despite its extremely high density of population, has already accepted about 26,000 displaced persons. The resettlement program in South America has been particularly successful, and new resettlement agreements are being negotiated.

The IRO Preparatory Commission has furthered the resettlement program by negotiating resettlement agreements with interested countries by assisting selection missions in the displaced-persons camps, and by transporting DP's for overseas resettlement.

In addition to the numbers already taken, other countries have committed themselves to accepting increasingly large numbers of DP's.

Mr. President, I ask that table D be made a part of the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE D.—*Remaining numbers of displaced persons to be resettled under presently outstanding plans and agreements (excepting the United States)*

(Estimate as of February 1948)

| Country: | *Number* |
|---|---|
| Argentina | 1,700 |
| Brazil | 1,500 |
| Chile | 4,000 |
| Paraguay | 800 |
| Peru | 4,400 |
| Bolivia | 400 |
| Venezuela | 10,000 |
| Australia | 18,000 |
| Canada | 9,900 |
| England | 60,000 |
| Belgium | 83,600 |
| Netherlands | 29,600 |
| Total | 223,900 |

Mr. FERGUSON. Mr. President, this table shows definite plans outstanding for the resettlement of DP's in other countries.

In this connection it is to be pointed out that these plans will fall far short of solving the problem unless the United States itself accepts 200,000, and United States participation in the project encourages these and other countries to increase their quotas. Officials dealing with this problem, in the IRO and in the State Department, constantly have stressed the importance of significant action by the United States in setting its sights reasonably high as a means of stimulating other countries to greater efforts.

HAS RESETTLEMENT IN OTHER COUNTRIES SKIMMED THE CREAM?

I have observed that the interest of other countries in the resettlement of displaced persons has been to no small extent self-seeking. Those countries have recognized these displaced persons as a vast potential contribution to their cultures and economies. It has been suggested that as a consequence of that fact the cream of the displaced person population has been skimmed and that only the dregs remain. This I consider a specious argument where it is used against the admission of displaced persons to the United States. In the first place, only a minor fraction of the displaced persons population has been resettled. In the second place, the character of the displaced persons population as a whole has been rather definitely fixed as showing a very high proportion of skilled and agricultural workers. Despite the special demands in other countries for people of this character, their number is so great that it cannot be said only the dregs remain.

A staff member of the United States Employment Service has made a survey of occupational skills among 330,000 refugees in PCIRO assembly centers in Germany, Austria, and Italy. A summary of that report is significant, and I think it is well worth while to read it. It is as follows:

TABLE E

| | Total males classified | Percent skilled | Percent agricultural workers |
|---|---|---|---|
| British zone, Germany | 85,888 | 27.8 | 35.1 |
| United States zone, Germany | 90,507 | 34.8 | 17.5 |
| French zone, Germany | 14,431 | 26.6 | 39.1 |
| Italy | 14,656 | 42.0 | 23.2 |

THE UNITED STATES PROGRAM TO DATE

It cannot be said that the United States has been unaware of the displaced-persons problem, or that it has not been extremely helpful to the displaced persons of Europe, except in allowing them to enter this country.

Mr. SALTONSTALL. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. In connection with the skills and the types of persons who are left in the camps, is it not true that the largest numbers admitted into other countries were taken by Belgium, England, and France, and that in the case of England and France the great bulk of those who were taken were agricultural workers and in Belgium workers in the coal mines? So that, so far as industrial skills are concerned, the cream has not been taken off.

Mr. FERGUSON. The Senator is correct.

Mr. REVERCOMB. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator from Massachusetts has raised a very interesting question, because it has been argued here time after time that we should take so many of the displaced persons, and that other countries would take so many if we would do so. The subcommittee which went to Europe last year had occasion to discuss this question with the ministers of France and England, and had occasion to find out what had been done respecting the admission of these persons. I wish to say to the able Senator that some men were being taken into France for agricultural purposes and some for construction work, but principally for coal mining, according to the information given us. Men were being taken into Belgium for coal-mining purposes, and for the same purpose and other purposes into England. Canada has taken several thousand for agricultural purposes and for timber work, and I believe there was one group of about 100 for tailoring.

Let me point out to the Senator that those taken into France had to leave their families behind. Those taken into Canada had to be single men; they did not take their families with them. The same is true of Belgium. Those taken into Belgium left their families, either in the camps or somewhere else.

The pending bill provides that the displaced persons may bring their families into the United States, so that there shall be no separation of families. So when the Senator talks about the number taken into Belgium and into France and into Canada he is talking about men who were separated from their families, and only upon the strictest selection are they taken into those countries.

I wish to say further to the able Senator that I happened to be present personally, as were other members of the subcommittee who went to Europe, when it was reported to General Clay in Germany that several thousand displaced persons had been sent back from Belgium because they did not fit in, and they were put back into the settlements in which they had previously been located.

So when the Senator speaks about the numbers that other countries have taken, let us all understand that they have been taken by the other countries upon a highly selective basis. Usually the requirement has been that the individuals taken be single men, or, if married, that they leave their families behind, and the individuals were selected because of their ability to perform certain forms of work.

Mr. FERGUSON. The Senator from Michigan and all who have worked upon the bill are familiar with that fact. But, Mr. President, there must be a solution of the problem. America will not return the displaced persons to Russia or to her satellite countries, nor will America compel them to go back to countries where they will be persecuted, or perhaps killed very soon after they arrive. So the problem is one which must be solved. It is one of the problems growing out of the war. When America was in the war she knew that there would be many problems which must be solved after the war. Now it is 3 years after the war in Europe has ended, and the question is asked why peace has not been made. We in the Senate today are debating one of the problems which is an aftermath of the Great War. What do we expect from civilization if we cannot solve a problem which is no more than the solution of the question of what to do with the placing of approximately 600,000 human beings who want to live in liberty and freedom?

Mr. President, I say that we must solve the problem. The small share some of us are today proposing that America take of these displaced persons, 200,000 of them, is but a pittance of the whole number who represent the problem which is

facing America and the world today. I do not see how we can have true peace in the world without a proper solution of this problem.

Mr. SMITH. Mr. President, will the Senator yield

Mr. FERGUSON. I yield.

Mr. SMITH. Unfortunately I have been obliged to attend a committee meeting and did not hear all the Senator from Michigan has said. As I understand, the Senator, by the amendment he is advocating, proposes that the number of persons to be admitted to the United States shall be increased to 200,000, in order that we may make progress toward the solution of the problem respecting displaced persons.

Mr. FERGUSON. That is correct.

Mr. SMITH. I wish to ask the Senator, if the ceiling is increased to two hundred thousand, is it not true that everyone admitted must comply with all the immigration regulations, everyone must be carefully screened, and there must be some way worked out whereby those who are brought in are adapted to do the work for which jobs may be available? Is not that contemplated by the amendment?

Mr. FERGUSON. Yes.

Mr. SMITH. We are not insisting that necessarily 200,000 must come in, but that we are willing to take up to 200,000 in order to help solve the over-all problem?

Mr. FERGUSON. Yes. And it is figured that there will be 200,000 qualified to come in under our immigration laws, subject to a very strict screening.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. The Senator has spoken about the displaced-persons problem being a tremendous one. Even if the Senate were to adopt the Senator's amendment and permit the entry of 200,000 persons, and even though 200,000 should qualify to come in, and be brought here, would that result in solving the problem?

Mr. FERGUSON. No; we will not have solved the problem, but we will have shown by such action that we have taken a fair number, and then we can properly say to the other countries, "Come along and do likewise."

Mr. HATCH. And by that kind of a general cooperative effort the problem may eventually be solved?

Mr. FERGUSON. Yes.

Mr. HATCH. But without our making such an effort will it ever be solved?

Mr. FERGUSON. In my opinion it will not be solved, and will result in the development of a cancer which can spread and may result in becoming the nucleus for another war.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SALTONSTALL. I would say, in addition to what the Senator from Michigan has said and what the Senator from New Mexico has said, that even if all the persons who can be properly admitted into the various countries are taken from the camps, it will not entirely solve the problem. There will be what is called a hard core left which will be a problem of the United Nations or some international organization for so long, in my opinion, as the two Senators and I are alive.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. I am very much interested in the statement made by the Senator from Michigan that, if the United States would take the action the Senator proposes it shall take, other countries will do thus and so. The Senator realizes that we have already taken into this country, and will have here by July 1 of this year, more displaced persons than any other country has taken in. That is a correct statement, is it not?

Mr. FERGUSON. Yes.

Mr. REVERCOMB. The pending bill provides for the admission of 50,000 persons a year for 2 years, or 100,000 in all. That number far exceeds that which any other countries have taken.

It must also be remembered that we take the displaced persons in by whole families, whereas other countries which have permitted the entry of displaced persons have required that they be single individuals, or, as I previously stated, if a man has a family, he must leave his family behind, and he must be selected for a particular job which is available in the country to which he is permitted entry, and which he can perform, and if he cannot perform it he is sent back, as has happened in Belgium. So when the Senator from Michigan argues that this country should take the lead and that the other countries will follow, I wish to point out to him that our country has already taken the lead, and taken a far greater number than has been taken into any other country, and under the pending bill we will do more than has been proposed or suggested be done by any other country in the world.

Mr. FERGUSON. Notwithstanding the remarks of the Senator from West Virginia, Mr. President, the fact is that America, according to population, according to wealth, according to industry, can absorb a greater number than even the number I propose, and then we will not equal what other nations have already done.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. I do not understand the Senator from Michigan to say that if we did this thing all the other countries would do their full duty. We express the hope that they will, and we know that the problem can be solved only if all the nations cooperate. The Senator from Michigan did not say that they would.

Mr. FERGUSON. I could not speak for other nations.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Of course, neither the Senator from Michigan nor any other Senator can speak for other nations, but what has been revealed by inquiries into what has taken place indicates what other countries will do if we shall admit large numbers of displaced persons. Other countries have not taken their share. We know that has not happened.

Let me say a word with respect to the Senator's statement that, because of our large population and the condition of our industry and wealth, it is our duty to take in a greater percentage of displaced persons than taken in by other countries. It is a fact undeniable that this country has the largest foreign-born population of any country in the world. I do not deny that many of those persons have contributed to the progress of America; but I think it is not sound argument to say that because we have a large population we ought to make it larger. I intend to speak upon that subject later on. I do not think it is sound to say that because we have a large population, by reason of that large population we could take a greater percentage of displaced persons into America. There are definitely other factors to be dealt with, such factors as conditions in our own land; the shortage of housing, for instance. We must consider what we would face if there should be a recession in employment. Those factors must be taken into consideration. I rose to challenge the argument and the logic of the able Senator when he said that because we have a large population we ought to take in more than some other country. It seems to me the reverse should be the case.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TYDINGS. I should like to ask the Senator from Michigan, because I know he has devoted a great deal of time to the subject, what fact he relies upon when he says that if we adopt his amendment and take a large number of displaced persons into America other countries will then come forward and do the same. It occurs to me that they might agree with us to take in some at the same time we are taking in some. I should like to know what the prospects are for other countries taking in some displaced persons just because we have agreed to take in some of these unfortunate people.

Mr. FERGUSON. My statement was made upon the basis of consultation with members of the State Department who have been vitally concerned with this problem and have been in negotiation with other countries. They feel that we have now reached the point where America should act in order that other countries may have an inducement to proceed along the same line. With the International Refugee Organization as it is, we have done nothing except that which the President has done by an Executive order. He is allowing displaced persons to come in under the quota system; and it is expected that by July 1 of this year as many as 50,000 of them may have come into this country.

Mr. TYDINGS. Mr. President will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TYDINGS. Of course, a great deal of time has now elapsed; but if in the beginning we had decided upon a policy of taking a substantial number of these unfortunate people into the United States, it might have been the part of wisdom if our Government had called a convention devoted exclusively to this

single subject, and started the convention off with the program that we should take so many if other members of the convention would take their proportionate share. In that way we could make a dent in the big pile.

I am not out of sympathy with the objective, but I am somewhat skeptical that other countries will take displaced persons simply because we take them. The history of the situation is—and the report so sets forth—that countries which so far have taken them have used the selective process, taking the most valuable, the cream off the top, as it were. What we propose to do is not to take the cream at all, but to take the homogenous content.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. I am very much impressed by the statement of the Senator from Maryland. I think his skepticism as to the effect upon other nations of our taking displaced persons is well founded in the history of the situation. Strange as it may seem, since the war France has suffered from a shortage of labor. When France wanted workers did she seek them among the displaced persons? She obtained a few from that source, but she went to the Italian Government to make an agreement to get 200,000 Italian nationals to come into France and work. Last year when we were there she had obtained 60,000. That was all she had been able to contract for. Those Italian nationals came into France and worked. Does that indicate on the part of France a willingness to meet this problem? I think not.

Further with respect to France, and the very able men who head the French Government and are doing their best to reconstruct that country in a patriotic fashion, let me say that there are in France approximately 400,000 German military prisoners. They are there to this time. I understand that within the past few months some have been liberated. The right of freedom in France has been offered to Germans who, having been there for years as captive workers, would take up citizenship. We were told that approximately 110,000 had accepted that status.

Does that indicate on the part of France a desire to step into this problem and help solve it? No. The French are looking after the interests of their own country, very definitely.

Does the situation indicate on the part of Belgium, when she takes displaced persons solely as single men, or men who must leave their families behind, a desire to solve the problem? We were advised that displaced men could not bring their families into Belgium. The men were brought there for coal mining; and if they did not work as it was intended they should, were they resettled in Belgium? No. They were sent back for resettlement in the American and British zones.

In 1945, Canada, after having a royal commission examine into the subject, decided against permitting any immigration into Canada except from the Western Hemisphere countries and British possessions. Canada closed the gates, and then sent commissions to Europe and brought in selected single men, most of them Polish nationals from Anders' army. I am advised that 8,500 were brought in. The first ones came in as agricultural workers. Others were admitted as timber workers. We were advised in Europe that a request had also been made for 100 tailors. Since that time the categories of workers may have been expanded. I am not advised as to what has happened in the past few months, but we are advised that up to date 8,500 have come in.

So I say to the Senator from Michigan that I do not believe that his argument carries the weight which he feels it does. The Senator argues, after there has been a history on the subject, that action in admitting displaced persons will stimulate other nations to take them.

We are approaching this question from two viewpoints: First, from the standpoint of relieving and helping these unfortunate people; and second, from the standpoint of the interest of this country. How many can we take care of without having displacements in this country? How many can we look after, in fairness, in trying to solve this problem? That is what the committee considered.

The figure which the Senator suggests was under consideration by the committee. It was the top figure, the largest figure suggested to the committee. After weeks of deliberation and work, the committee arrived at the figure of 50,000 a year, under the restrictions and safeguards contained in the bill.

I thank the Senator from Michigan.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Kentucky.

Mr. COOPER. I understand the questions which have been raised by the Senator from Maryland, to be: What assurance do we have that action taken by this country in admitting 100,000 or 200,000 displaced persons will encourage action by other countries? Would it encourage them to take displaced persons?

According to the report made in February 1948, by the executive secretary of the International Refugee Organization, covering the period from July 1, 1947, through December 31, 1947, 92,236 displaced persons were resettled; 9,302 came to this country, and approximately 83,000 went to other countries. The United Kingdom accepted 26,426; Belgium, 15,894; France, 12,743; and the United States, 9,302. The three countries which took larger numbers are smaller in population and resources than in this country. We have taken a total of 30,000. Upon the record of experience other countries have done a great deal for displaced persons, taking in consideration their resources.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TYDINGS. It is true, however, that while Belgium, Great Britain, and France have taken more in the space of time to which he refers, they selected those whom they would take, to fulfill certain economic shortages in the labor situation, whereas those who came to the United States came primarily on a purely humanitarian basis.

Mr. COOPER. I think that is correct.

Mr. TYDINGS. There is a wide distinction between the selfish approach to the problem and the unselfish approach. The point I wish to make is that this problem can be solved only if the entire pool is to be absorbed on an unselfish basis. So long as selectivity is practiced, I do not think we can solve this problem at all, because no nation will take more than it can fit, like the pieces of a puzzle, into a particular pattern.

Mr. COOPER. Mr. President, will the Senator further yield?

Mr. FERGUSON. I yield to the Senator from Kentucky.

Mr. COOPER. I continue reading the report signed by the executive secretary of the PCIRO, of February 1948, page 17:

> Mass resettlement programs for the fiscal year ending June 30, 1948, contemplated the movement of 234,453 refugees to the 12 countries which were listed as having selection missions operating in the field—Australia, Belgium, Brazil, Canada, Chile, France, the Netherlands, Peru, the United Kingdom, Venezuela, South Africa, and Switzerland.

In the report the statement is made that a definite agreement has been made with France on January 13, 1948, by which—

> The French Government agrees to receive as large a number as possible of eligible refugees during the period July 1, 1947, to June 30, 1948, under specified conditions, and undertakes to establish on its territory the refugees' families.

If the report is true, I think it is fair to say that arrangements have been made to resettle 243,000 displaced persons in France during this fiscal year.

Mr. REVERCOMB. Mr. President, will the Senator yield at this point?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. The Senator has stated that France has taken many more displaced persons than the United States has, and the Senator also feels that France has taken more displaced persons in proportion.

Let me read some figures, as of February 17, 1948:

> The estimate of resettlement of displaced persons from the three western zones of Germany and of Austria and from Italy from the end of World War II to dates noted:
>
> In France, December 31, 1947, 16,065.

There is the exact figure. More than that number have long ago come into the United States.

Mr. TYDINGS. Twenty-nine thousand came into the United States during the same period.

Mr. REVERCOMB. Yes.

Mr. COOPER. Mr. President, I wish to have the Senator quote me correctly. I did not say that more displaced persons had been accepted by France than by the United States. I merely said that considering her resources, France has done more than we have.

Mr. REVERCOMB. I say that France never took more than her needs, because she shortly will be going to Italy

to get people to help take care of the French labor problem.

Mr. TYDINGS. Mr. President, to go back to the original question, I think our Government is to be commended for pioneering in this humanitarian field. But my question was directed to the Senator from Michigan on this point: It is a great deal easier to get the other nations of the world to agree to take a definite quota before we take our quota, than it is for us to get them to follow suit after we have acted. So it seems to me that we have rather lost our bargaining power in this situation. If we are to absorb the maximum number of these unfortunate people, it seems to me we would do more to accomplish that if we formed a general pool with the other nations of the world, rather than if we acted independently and then said to them, "See what we have done in this respect. Now be your brother's keeper and go forth and do likewise." So I am afraid we have lost the psychological advantage we could have had, Mr. President, in connection with persuading the other nations to take their proper quotas of these unfortunate people. By acting more or less in an independent fashion, we have lost that advantage, it seems to me.

So far as concerns the point that once we have acted in this matter, the other nations will follow suit—according to the statement of certain officials in our State Department that they hope other nations will emulate our example—nevertheless they have no commitment to that effect. So I am afraid we shall have lost our opportunity to influence other nations which are able to absorb certain numbers of these persons.

Mr. FERGUSON. Mr. President, I simply wish to say to the Senator from Maryland that I feel that one of the reasons why we have lost this bargaining power—and I agree that bargaining power has been lost—is that the State Department has no authority, being a part of the executive branch of our Government, to admit these persons in excess of the quotas, because there is a strict immigration law upon the statute books, and therefore it is a very difficult thing to bargain about.

Mr. TYDINGS. Mr. President, will the Senator yield at this point?

Mr. FERGUSON. I yield.

Mr. TYDINGS. I appreciate that hurdle or barricade which is in the way, but certainly the United States could negotiate with other countries a treaty dealing with this subject, and it could be submitted to this body for ratification; and under such a treaty I think we could fairly well take care of the matter.

Or if there is a legal imperfection to such procedure we could initiate in the Congress legislation calling on the Chief Executive to meet with other nations, and say that we would commit ourselves in advance to accept a certain number, provided other nations similarly circumstanced with the United States would do likewise.

In other words, there are many ways in which we could have tackled the barrier which now stands in the way of the accomplishment of a solution of this problem, to wit, our immigration laws.

I was only calling attention to the fact that we did not do anything about it, and thus we lost this great opportunity in the way of bargaining power. In my opinion, it would have helped many thousands of these unfortunate people—far beyond the number contemplated to be helped by this bill—if we had gone about the matter differently. We might have reached the core of this problem if we had induced other nations to assume their fair share while we were assuming our fair share of these displaced persons.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. EASTLAND. Is it not a fact that for some reason or other the European nations do not desire to admit displaced persons from the camps in the occupied areas?

Mr. FERGUSON. I would not say that is a fact, because they have accepted some of them.

Mr. EASTLAND. Yes; but they have accepted only a few selected individuals.

Mr. FERGUSON. Of course, we intend to make selections.

Mr. EASTLAND. I saw a statement by the Minister of Population of France that within the next 10 years France must have 3,000,000 additional workers if she is to survive. I saw figures indicating that in 8 of the 10 nations in the Marshall plan in the fall of 1948 there will be a need for 677,000 additional skilled workers in those 8 nations alone.

The statistics show that 60 percent of the persons in the camps in central Europe have skills. There is a need for them in Europe. There is not a need for them here. Why is it that the European countries will not take them?

Mr. FERGUSON. I think I can answer that question.

The minority problem has been a serious one in every European country. They have never been able actually to solve the minority problem.

Mr. EASTLAND. What is the minority problem?

Mr. FERGUSON. I shall explain it. The only place where that problem is solved is in America. Our whole situation and our whole form of government are based upon the idea that all our people live under a system of equality under the law, and the minority groups have the same rights as any other groups, no matter what their nationality may be. But in Europe one of the real causes of the various wars has been that the people of Europe have not been able to solve their minority problems. They would persecute the people of one nationality or of another, and would be prejudiced against them. Such persons simply could not live in that country. That has been true in all the European countries.

But here in the United States, where so many of our people have comparatively recently come from foreign shores, many of these people would live in the homes of their relatives here. We know how to solve these minority problems. In the great State of Michigan it does not make any difference whether a man is a Pole, a Hungarian, a Czech, an Englishman, or of any other nationality. We try to do the best we can in the solution of these problems. When we have a war, we do not tell all those who have come from a country on the other side in the war—for instance, the German people who are in the United States—to go back to the land from which they came.

But what was done in the satellite countries under the Potsdam agreement? The Germans who for centuries had been in those other lands were told, because they were a minority, to take to the highway and get into Germany as fast as they could. They were not even permitted to take their belongings with them. Thousands of them died.

That is why the countries of Europe cannot solve this problem by themselves. We have to help solve it, subject to our Constitution and our laws.

Mr. EASTLAND. Is it a question of minorities or is it a question of nationalities?

Mr. FERGUSON. Either one, call it minorities or call it nationalities.

Mr. EASTLAND. Which is it?

Mr. FERGUSON. I would say it is principally a matter of nationality, instead of minority. I classed the nationality as a minority. It is one and the same thing.

Mr. EASTLAND. In France, people of other nationalities are found. They are welcome in France. I do not think that could be the reason.

Mr. FERGUSON. It has been one of the great problems there.

Mr. EASTLAND. France holds out that she must have 3,000,000 additional workers within the next few years. She invites people of other nationalities to come. The Senator cited the fact that last fall there had been brought into France 60,000 Italian laborers. It could not be a question of nationality. For some reason, they do not want inmates of displaced persons camps. I think that is obvious. Now what is the reason?

Mr. SMITH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. SMITH. I meant to address myself to the point raised by the Senator from Maryland, but I should like to say one word on the question last raised. The head of the IRO, Mr. Tuck, an American, has been studying this question. He has a staff that is constantly in touch with France as well as other countries. That problem is being approached as rapidly as possible. I do not know about the figure of 3,000,000 of which the Senator speaks. I have never heard of it. There has been a reference to some 50,000 or 60,000 people.

Mr. EASTLAND. It was announced by the French Minister.

Mr. SMITH. That would help solve the problem. I may say to the distinguished Senator that we have today under our care approximately 600,000 people in the camps, whom we are feeding through the PCIRO. If the whole joint movement of the nations were to collapse, we should still have to do something with that group. All we are asking is that there be set a ceiling of 200,000 in order to get the thing started. That means 400,000 must be placed somewhere else. Is not that true?

Mr. EASTLAND. The Senator from Michigan said this was a problem that grew out of the war and that it must be solved.

Mr. SMITH. Yes.

Mr. EASTLAND. In that statement he is absolutely correct.

Mr. SMITH. He is correct.

Mr. EASTLAND. This bill is not going to solve it. Is it not a solution to move people into the British Empire, into the French Empire, into the Belgian Empire, and all over the Western Hemisphere?

Mr. SMITH. The question has been explored all over the world. There have been commissions going all over the world. They are trying to get settlements in Africa, and are working on that. They are trying to settle displaced persons in Santo Domingo, and are working on that. They are trying to get them into other countries. That is not the Italian case at all, which is still being worked on. All we are suggesting is that there be provided, of the 600,000 for whom we are responsible, a ceiling of 200,000 whom we are willing to attempt to place here, provided they meet our immigration requirements. It is a very reasonable suggestion to make.

Mr. EASTLAND. The Senator's statement lends support to the point I made a few moments ago in the discussion with the Senator from Michigan. The Senator from New Jersey says they have been in Africa, they have been all over the world, in an effort to place the inmates of displaced-persons camps, and that they have failed.

Mr. SMITH. No; I have not said that.

Mr. EASTLAND. I want to know if anyone else in the world wants them.

Mr. SMITH. Negotiations are proceeding. It is a very difficult problem, as we have found. The Senator from Maryland says, "Why was not somebody trying?" I may say that Mr. Tuck last summer, when we talked to him, was trying to get the different countries together. That was in September. I think the Senator was there. The purpose was to see if we could not agree upon some kind of acceptable quota, whereby we would take so many displaced persons, England would take so many, Australia would take so many, and so forth, all around the world. Our representative went over there. Our representative was sympathetic with it. He said, "We have no authority whatever because there has been no legislation enacted by the Congress and until there is legislation by the Congress it is impossible for us to negotiate."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield to the Senator from Maryland.

Mr. TYDINGS. I think the Senator and I are in agreement on the desirability of that process. What I was attempting to bring out was that I felt a great opportunity had already been lost.

Mr. SMITH. I agree with the Senator.

Mr. TYDINGS. In order that we may recapture as much of the opportunity as is still available, I think those who have made some study of the bill might consider this idea—and I offer it without any profound thought—that we provide for some sort of conference in order to see what can be done with a program on this subject, after we have taken whatever quota we care to take.

Mr. SMITH. I agree wholly with the Senator.

Mr. TYDINGS. In other words, we should take this bill as the minimum for the purpose of providing that the President or the State Department shall contact other nations, either independently, bilaterally, or in a convention, to see what can be done to whittle this thing down to the irreducible minimum, rather than have the same thing said a year from now which the Senator from Michigan has just said, that there are imponderables in the way, and the State Department can do nothing about it. We ought to remove them from the further consideration of this problem, insofar as it is wise and practical, immediately in this bill. There ought to be some provision in the bill for the purpose of calling some kind of convention to deal with the problem. Does the Senator agree with me on that?

Mr. SMITH. I do, but I assume the Senator does not mean we should postpone any action on the pending bill until that is done.

Mr. TYDINGS. Oh, no.

Mr. SMITH. The Senator wants this bill, for whatever number we agree on, as a starter, and then to have a convention called to clean up the whole thing. I agree with him, and will support his amendment to that effect.

Mr. TYDINGS. Mr. President, I am only pointing out that it would be better if we had done that initially, but, since it has not been done, in addition to passing whatever bill we deem wise, dealing with the subject that is now before the Senate, we ought to provide some way of dealing with the problem from now on, as we should have dealt with it from the beginning.

Mr. SMITH. I thank the Senator. I agree with him entirely. He has made a very relevant suggestion.

Mr. TYDINGS. I hope some Senator will offer an amendment to that effect, because a year from now, if the question comes up again, the same old excuse will be made, and we shall have done nothing in the meantime.

Mr. SMITH. I agree with the suggestion of the Senator. I think it is very relevant.

Mr. FERGUSON. Mr. President, I thank the Senators for their contributions, but I recall that when we debated the resolution on the IRO it was particularly stressed that nothing in the resolution would permit in any way changing or altering the immigration laws, and the resolution specifically notified the State Department, the executive branch, "Congress alone will handle this problem." Although today I would certainly favor what the able Senator from Maryland has in mind—that we solve the problem so far as 200,000 displaced persons are concerned—yet there will still remain need for further action, and the State Department should be required to endeavor to get a complete settlement of the problem with other nations because we cannot go on with it alone.

Mr. TYDINGS. Unless we place such a provision in the bill, I am afraid the State Department will have a legitimate excuse that Congress did not ask them to do it, did not provide an invitation to do it; therefore they felt powerless to undertake it.

Mr. FERGUSON. Up to date I think they have felt that way.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Along the line so ably touched upon by the Senator from Maryland, the Senator will recall that under the provisions of the Economic Cooperation Act of 1948, called the Marshall plan, the Administrator is required to encourage arrangements among the participating countries in conjunction with the International Refugee Organization looking toward the just and practicable utilization of manpower available in any of the participating countries, in furtherance of the objectives and purposes of the act. In other words, they are authorized to endeavor to get as many workers as possible into various countries and resettle them, if necessary. Under the provisions of the Economic Act, the term "participating countries" includes dependent areas. Moreover, the act provides for procedure in connection with certain projects fostered by private investors. I think the Senator from Michigan is apprised of the fact, as are other members of the committee, that in some of the dependent areas projects have been fostered by private investors which have resulted in the colonization of displaced persons with some satisfactory results.

Mr. FERGUSON. That is correct.

Mr. REVERCOMB. That is the very thing the Senator is speaking of. That process is to be fostered and encouraged by the administrator under the Marshall plan. For example, a number of displaced persons have been settled in French Morocco. It is reported that there is a potential capacity in north Africa for the resettlement of hundreds of thousands of displaced persons. Workers are wanted there.

Mr. FERGUSON. Can the Senator answer as to why they do not go there?

Mr. REVERCOMB. I suppose it is because they have not the work there, or they do not want to go. We cannot force them to go anywhere.

Mr. FERGUSON. We can never become a party to a system of enforced repatriation, and we should not.

Mr. REVERCOMB. I am glad the Senator has raised the question. If we ask persons in any of these camps, "Where do you want to go? Do you want to go to North Africa?", the reply is, "No; I want to go to America."

Mr. FERGUSON. We do not blame them.

Mr. REVERCOMB. No; but we have a situation to handle. We cannot open the gates and let them all come to America.

I think the Senator from Maryland [Mr. TYDINGS] was speaking about general resettlement, not only resettlement in America.

Such a scheme has already been tried out in North Africa, where hundreds of

thousands are needed. It is stated that with, some success, they have already settled a large number of displaced persons in all kinds of construction work.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TYDINGS. The Senator has put his finger on the problem. My fear is that a great number of people will not be content to go anywhere except to the United States. A great many of them will remain in the camps, always hoping that something will arise which will enable them to come to America. If they are to be absorbed by the democratic nations of the earth, each such nation will have to take a certain prescribed quota. But I do not think we are called upon to take all of them. I am not opposed to the philosophy of the bill and I do not intend to oppose it; we are attempting to do our part, but if no one else is doing anything, those persons will stay where they are. The only way the problem will ever be solved is by having simultaneous action with other countries.

Mr. President, before I sit down I want to congratulate the chairman of the subcommittee [Mr. REVERCOMB], the Senator from Kentucky [Mr. COOPER], and other Senators for the fine work they have done in connection with this subject. I think the report is most informative as showing the dangers as well as the humanity woven into the question. I think we owe these Senators a great debt of gratitude, because without this factual information we never could have approached this problem nor seen its ramifications as we are now likely to see them because we have the report before us.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. COOPER. Before the Senator from Maryland leaves the floor, let me say that I believe he has opened a valuable field of discussion and has made some valuable suggestions. He suggests that the problem ought to be solved in toto, that nations agree to complete the resettlement of the displaced persons. I agree with him. He has asked, "Why has not the United States taken such action?

Mr. TYDINGS. Taken the lead.

Mr. COOPER. Public Law 146 of the Eightieth Congress, approved July 1, 1947, authorized the President to accept membership for the United States in the International Refugee Organization, but this provision was placed in the bill:

> That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person and acceptance of the constitution of the organization by or on behalf of the Government of the United States shall not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

By inserting that provision, the Congress said to the executive department, "You cannot conclude any agreement; further, you cannot take any action which would indicate that there would be any agreement upon the part of the United States to resettle any of these persons." Having placed that condition in the law, can we today, properly and honestly, criticize the executive department because it has not initiated such steps? In all fairness, I do not think we can.

Mr. REVERCOMB. I wrote that language.

Mr. TYDINGS. Will the Senator allow me to answer the Senator from Kentucky?

Mr. FERGUSON. I yield.

Mr. TYDINGS. That is just the point. We did err. But what I am anxious to do is to correct our error at the first possible moment, so that it cannot be said a year or 2 years from now that we perpetuated the error already committed.

I agree with the Senator that it is not fair for us to criticize the executive department. I meant no particular criticism of any department. I was criticizing the way we have handled the matter. I agree that it is not fair to criticize the executive department when it is bound with the strings which we ourselves wrapped around it.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Mr. President, I differ very directly with the able Senator from Kentucky and the able Senator from Maryland that the language which has just been read tied up the State Department and prevented it from doing anything.

Mr. TYDINGS. I accept the qualification from my good friend from West Viriginia.

Mr. REVERCOMB. The language simply said, "We subscribe to the IRO in connection with its efforts, and when you do something you cannot conclude an agreement that will break down the immigration laws of this country, or resettle persons here without first coming to Congress." I believe that is absolutely right. It would be an absolute surrender of the sovereignty of this Nation in the control of immigration if that language had not been written into the law. I take full responsibility for the writing of the language. I offered the amendment which has been read by the Senator from Kentucky. I say that if that language had not been placed in the resolution, Congress would have surrendered its power over the immigration laws of the United States. I am glad the language is in the law, and I hope it will remain there.

Mr. FERGUSON. Mr. President, it is estimated that about 8,000,000 displaced persons were liberated from slave labor and concentration camps in Europe by the invading Allied armies. It is impossible to compute the number who were liberated by American troops, probably millions. It is a magnificent tribute to those armies and to the American troops in particular that about 7,000,000 DP's were repatriated in expeditious fashion. It is likewise a credit to the United States that it refused to be a party to any policy of forced repatriation where reprisal or persecution might await. Hundreds of thousands of the remaining were granted asylum in United States zones of occupation.

Some remarks have been made on the Senate floor today which would seem to favor forced repatriation. The Senator from Michigan does not believe in it. I hope the Senate of the United States does not believe in it. The United States Army did not believe in it. The Army tried to persuade the displaced persons to go back, but when they finally said "no," they were allowed to remain, and therefore forced repatriation was never actually put into effect.

About 60 percent are at present in United States controlled areas. We have contributed heavily toward their support. In fiscal 1947 we spent more than $130,000,000 for the maintenance of displaced persons who were living under our flag. With the establishment of the IRO, or its preparatory commisison, we authorized a contribution of more than $73,000,000 in fiscal 1948. But we are not acting either in their interest or in ours by continuing to maintain them.

On December 22, 1945, the President issued a directive whereby displaced persons were given preference in filling regular immigration quotas. It was a humane gesture, but it was no more than a gesture. It did not alter existing immigration laws other than by that preference. It did not permit an increase in the number of immigrants who might come to the United States. It did not give DP's any quota numbers unused in the past. It provided no basis of selection other than provided by the immigration laws and their quotas, and it is important to realize that the bulk of DP's are from nations which have the lowest immigration quotas.

About 30,000 displaced persons have been admitted to the United States under the directive. Those admissions have disproportionately represented the elements in the displaced persons population because of the quota restrictions. In no event can it be called a significant resettlement program. It has, at best, been a demonstration of intent which demands pursuing. It has given valuable experience to the voluntary agencies—Protestant, Catholic, and Jewish—who will be important factors in the orderly development and distribution of employment and housing opportunities for DP's in the United States. In this connection, however, it should be observed that these agencies can effectively tap their huge resources throughout the country only if they have a substantial goal. As few as 50,000 a year, divided among the various agencies and hedged about by restrictions, could not be expected to engender as much enthusiasm or produce as satisfactory results as a larger program.

THE SITUATION IN THE UNITED STATES

The committee, in its report on S. 2242, states that "in arriving at a conclusion

as to the number to be admitted it was felt that an appraisal should be made of the situation in the United States." As I have observed before, I believe this is a reasonable consideration which any country should make.

QUOTA IMMIGRATION TO THE UNITED STATES

Our immigration quota laws have been in effect since 1930. The annual quota for all European countries is approximately 150,000. The average number of quota immigrants has been only about 35,000. The net immigration, that is, the excess of admissions over departures, was 603,357 as against a possible 2,768,396 quota immigrants who could have entered the United States in the last 18 years. As pointed out by the committee report, this situation is due in part to the fact that a few countries with large quotas have used only a relatively small percentage of their quotas. It is also due in part to other factors, such as the economic depression and the interruption of immigration caused by the war.

The quota laws do not afford material relief to displaced persons because the displaced persons of Europe, except the German Jews, are from countries with relatively small and heavily oversubscribed quotas. At the same time, reference to data on unused quotas indicates the extent to which our immigration laws have made allowance for absorption far beyond the demands that the proposed legislation would impose.

Reference to the history of actual, rather than potential, admissions under the quota laws gives an even more conservative basis for justifying the admission of 200,000 displaced persons over a 2-year period.

Between 1930 and 1947, excluding the war years 1942–45, an average of 41,846 quota immigrants and an average of 35,174 nonquota immigrants entered the United States each year. It can safely be said that, but for the war, 167,383 quota immigrants and 140,588 nonquota immigrants, a total of 307,912, would have entered this country in the years 1942–45.

Mr. REVERCOMB. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator has been using figures with respect to those who might have come into the United States. The total number of quota immigrants—and I am not referring to nonquota immigrants, but to quota immigrants—admitted to the United States during the six war years, which we call fiscal years 1940 to 1945, inclusive, was 132,876. That is the total number of quota immigrants.

Mr. FERGUSON. I have not used the same years the Senator employs, so my figures would not correspond with his.

Mr. REVERCOMB. This refers to the war years. The able Senator has talked about those who came in during the war. That number is much lower than the quota figures, 132,876. That number is only 48,147 less than the quota immigrants who were admitted into the United States during the preceding 6 years; that is, before 1940. In other words, there is not such a great difference between the number of those who were admitted during the 6 years prior to the beginning of the war and the number admitted during the war. I merely call that to the distinguished Senator's attention.

Mr. FERGUSON. I am glad to have those figures. I had used the years 1942–45.

Actually, only 44,659 quota immigrants and 74,517 nonquota immigrants, totaling 119,176, entered in that period. The deficit of 188,616 approximates the number which we suggest in this amendment. Very little argument against such a number can be made upon the grounds of employment, housing, or assimilation, for it is reasonable to believe that such a number would now be in the United States under provisions of existing law, augmented by thousands of children born after entry, but for war conditions.

EMPLOYMENT AND HOUSING OPPORTUNITIES

At the outset it should be borne in mind that not all entrants under the displaced persons admission program will be competitors for employment, and that 200,000 persons does not represent a demand for that many housing units. It has been testified that at least 50 percent of those who would be admitted are women and children, and that therefore an estimate of 60 percent job seekers is probably too high. The average size of the family unit is 3.04. Assuming 52,000 single persons and 2,000 children are to be admitted, there would be left 146,000 in family groups, requiring about 48,000 family housing units.

The impact of these admissions upon employment perhaps can be best testified to by our labor organizations and by the Department of Labor. William Green, president of the American Federation of Labor, has testified on this in House hearings on the Stratton bill, which proposed to admit not 200,000, but 400,000 persons in 4 years, which would be the equivalent of 200,000 in 2 years, as is proposed. Mr. Green has testified that the admission of as many as 400,000 displaced persons need have no appreciable effect on the labor market. Philip Murray, of the CIO, testified in the same manner. Moreover, Mr. Green suggested that even a mass entry of that number, not spread over a period as is contemplated in the present legislation, would have no ill effect.

Perhaps the most eloquent testimony in those same hearings was that of Phillip Hannah, Assistant Secretary of Labor, and I want to quote one passage from his testimony:

> This belief (that there are only so many jobs and an increase in population means joblessness) implies a loss of faith in the potentialities of our free-enterprise system, a loss of faith in America ac the land of unlimited opportunity.

I agree wholeheartedly with that remark.

We are at the moment in a period of record employment in the United States. At the same time there are areas of particular demand for workers. The Occupational Outlook, which is an appendix to the committee report is a significant reference. It shows that there is a particular demand for agricultural workers, who are given a preference in the pending legislation and who comprise 24 percent of the displaced-person employables.

Mr. President, every year we are obliged to import from other countries, for seasonal employment, many persons who go from one place to another place in America and work.

There is an acute shortage of domestic and institutional help in this country, and 10 percent of the DP's are classified in this group, including 20 to 25 percent of the registered female employables. There is reason to believe that the clothing and needleworkers industry is threatened in at least 10 States by a shortage of help, and 6.4 percent of those classified are in this category, including about 6,000 tailors.

As for housing, perhaps the best testimony can come from the National Housing Administrator. Mr. Raymond Foley, on May 23, 1947, wrote to Representative STRATTON, sponsor of the House bill that called for the admission of 400,000 displaced persons, that "enactment of H. R. 2910 could have relatively small effect on the over-all housing shortage and the Housing Administration has no objection to its enactment." As recently as February 11, 1948, in response to an inquiry as to whether his statement of last May held good in the light of more recent conditions, he reported "the situation has not changed materially."

Those statements, like the statements of Mr. Green and Mr. Murray on the labor situation, undoubtedly were based on over-all considerations. For instance, in housing, it is probable that Mr. Foley was correlating the probable demand for 48,000 family housing units to which I have referred, broken down to 11,500 rural units and the remainder urban or nonrural, against an indicated supply of 321,000 habitable vacant housing units in rural areas and 410,000 in urban or nonrural areas.

The bill provides for bringing in agricultural employees. We all know that on many farms where workers are hired, or where tenants farm, housing is already provided. There is a shortage of farm workers in some places, and if farm workers or tenant farmers are not available the houses are held idle, because those who own the farms want to wait until they can secure help which will occupy the premises.

More specific resettlement and employment opportunities are desirable, however, and are required in the contemplation of the pending bill. To that end the activities of voluntary organizations in this country have been remarkable. There has been organized an American Council of Voluntary Agencies, comprising virtually all of the interested Catholic, Jewish, and Protestant groups. In January its representative testified before the Senate subcommittee considering this legislation and expressed his confidence that if legislation were clearly stated as giving a significant goal, his agencies could clearly demonstrate an ability to place and absorb all the DP's who might be admitted.

He revealed that there had already been organized, and there was in process.

a national inventory or survey of possible placements. The results of that survey, and of spontaneous surveys in at least 9 States, are now being made available. The results clearly support his expressions of confidence. In Iowa, for instance, a local survey revealed a welcome for 1,460 family units, jobs for 3,320, and specific housing opportunities for 875 families. A Kentucky survey showed a definite acceptability of 5,000. An incomplete Minnesota survey showed an acceptability of 3,000.

I have requested a preliminary summary of the surveys that have been conducted in Michigan. I am sure it will prove typical of other summaries which will be forthcoming. The people of Michigan have seen fit to make a survey. They are interested in the problem. They recognize that it is one of the issues that must be settled by the world. They, together with the citizens of other States, recognize that it must be solved. They want to do their part. They want to get back to a basis of real peace, and the question of what to do wtih displaced persons is a matter we must debate and settle, in order that we may return to a condition of real peace.

TWO HUNDRED THOUSAND IS A CEILING FIGURE, WITH SAFEGUARDS ATTACHED

In any consideration of the numbers proposed by this amendment it should be clearly borne in mind that 200,000 is a ceiling for admissions and not a fixed figure. The amendment merely contemplates authorizing the entry of a number up to 200,000 who have otherwise fulfilled conditions which would prevent injury to the interests of the United States.

That must be borne in mind. It is not the purpose to bring in by lot or luck 200,000 persons and land them on the shores of the United States, at the ports of entry, and forget this question. Oh, no, the citizens of America are more interested in America than that. But they want to try and solve the problem. They want to find housing for these persons, they want to find employment for them, they want to find a means of assimilating them into the great freedom-loving land of America. That is one of the things we should help them do.

We propose to double the maximum number contemplated by the committee bill, and I have demonstrated the reasons why we believe that doubling is justified. We also would permit unused opportunities in the first fiscal year to be used in the second fiscal year. This would compensate for the inevitable time lag at the beginning of the program while processing procedures are being established, opportunities are being developed, and transportation is being organized.

But all the safeguards of the bill as reported by the committee would apply equally to the additional number. If the total number authorized could not qualify, for any reason, then a lesser number than 200,000 would be admitted.

Mr. President, even though there has been a considerable time lag, we should seize the present opportunity immediately so that we may do our share in solving the problem.

I hope the Senate will adopt the amendment providing for the admission of 200,000 displaced persons into the United States during the next 2 years, if they can qualify for entry under our laws and our screening.

Mr. REVERCOMB. Mr. President, in the hope that we may reach an early vote so as to dispose of the pending amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Moore |
| Brewster | Gurney | Morse |
| Bricker | Hatch | Murray |
| Bridges | Hayden | O'Conor |
| Brooks | Hickenlooper | O'Daniel |
| Buck | Hill | O'Mahoney |
| Butler | Holland | Pepper |
| Byrd | Ives | Revercomb |
| Cain | Johnson, Colo. | Robertson, Va. |
| Capehart | Johnston, S. C. | Russell |
| Capper | Kem | Saltonstall |
| Chavez | Kilgore | Smith |
| Connally | Knowland | Sparkman |
| Cooper | Langer | Stennis |
| Cordon | Lodge | Taft |
| Donnell | McCarthy | Thomas, Utah |
| Downey | McClellan | Thye |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | Wiley |
| Feazel | Malone | Williams |
| Ferguson | Martin | Wilson |
| Flanders | Maybank | Young |
| Fulbright | Millikin | |

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON], for himself and other Senators, on page 3, beginning in line 25.

Mr. REVERCOMB. Mr. President, without further delaying the vote on this amendment, I wish briefly to summarize, within a very few minutes, my position on the amendment offered by the Senator from Michigan.

The whole effect of his amendment is to change the number who would be admitted. The committee bill provides that 50,000 a year shall be admitted for 2 years. The amendment of the Senator from Michigan raises the number from 50,000 a year to 100,000 a year. It does more than that. If 100,000 do not come in the first year, a number representing the difference between those who do come in and 100,000 is to be added to the 100,000 for the second year.

The figure of 100,000 a year provided for in the amendment was considered by the committee. It is the largest number suggested by anyone before the committee in its deliberations upon the bill.

There are many reasons why I feel—and why the majority of the committee feel—that this number should not be accepted. I invite the attention of Senators to some figures dealing with this subject.

In the first place, in considering the number who should be permitted to enter, we must also take into consideration those who enter under our immigration laws. Remember that the proposal in the amendment, like the proposal in the bill itself, is that, besides those who may now enter under our immigration laws, persons shall be admitted into this country for permanent residence. Under existing law, 150,000 persons may enter from the countries of Europe under what are known as the quotas. Others, known as nonquota immigrants, may come in. They are principally kinfolk of persons who are already here.

In addition to these classes, there is the category known as nonimmigrants. They are persons who come here on visits, for diplomatic purposes, as trade or treaty merchants, or persons who are supposed to be en route to other countries. So there are many persons who enter the gates of the United States each year.

In calling attention to these numbers, I hope they will impress themselves upon the Members of the Senate as showing the very broad welcome the United States under its laws, has given the people of the world during the years.

It is now proposed, both in the bill and in the pending amendment, that the number be increased. Seventy-six thousand nonquota immigrants came into the United States last year. Approximately 70,000 quota immigrants came into the United States last year. Three hundred and sixty-six thousand nonimmigrants entered the gates of our country last year.

Mr. President, I call attention to the fact that if the amendment of the Senator from Michigan prevails, it will provide for entry into the United States and for permanent residence here of more than the total number of both the nonquota and the quota immigrants who entered the United States last year under our laws. I think that is an important point to bear in mind.

There are other reasons which had to be weighed by the committee in arriving at its conclusions. The committee met day after day and week after week, and we had the assistance of a staff which worked diligently with us. We had to weigh many points and consider many subjects.

The Congress of the United States must not forget that here in the United States we have problems which we cannot overlook if we are to be fair to our own people. Today there are in the United States 2,000,000 families without housing—not 2,000,000 people, but 2,000,000 families throughout the country. Are we to disregard their situation? I say we cannot do so. There are 2,000,000 young men, veterans of the war, who now are in school, waiting to graduate from school and to take up their life work in this country. Are we to ignore their situation? I think that cannot be fairly done.

So, Mr. President, without reviewing all the processes through which the committee went in its attempt to arrive at a fair figure in meeting this problem, I point out that the committee has arrived at the figure 50,000.

The population of the United States is increasing. That is another matter to which we must give attention. For instance, I hold in my hand a clipping from the New York Times of March 11, 1948, based on an Associated Press dispatch from Washington, D. C., on March 10, 1948. It reads in part as follows:

The United States population reached a new high of 145,340,000 at the start of this

year, after 1947 proved the biggest single year of growth in history.

Mr. President, these are great and difficult problems that we must meet. Regardless of whatever our feelings in the matter may be, the figures in connection with these problems must be weighed and must be carefully considered, when we contemplate increasing the number of persons who may enter the United States from other countries, to be permanent residents of the United States.

Mr. President, we have reviewed the work of the committee, as set forth in the report. A reading of the report will present the picture and the figures in connection with it.

So, without further debate, I wish to state that I feel that the committee should be sustained. Although the members of the committee were not in entire agreement throughout the consideration of this matter, finally, after many weeks of work upon the subject and after a consideration of the great number of facets of the problem, we reached the conclusion which is set forth in the bill.

Therefore, Mr. President, I appeal to the Senate to sustain the committee in its work, so that we may meet the problem and so that we may try out the proposed solution over the course of 2 years. Let us try to meet it on the basis of the committee's work and the committee's recommendation, which is the result of very extensive efforts on the part of the committee. Let us try to meet the problem in this way. If we do so, and if thereafter it is found that we can handle more of these persons, then the provisions of the bill can be changed later on. But at this time, at the beginning of this new venture, I ask the Senate to sustain the committee in its work.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. EASTLAND. The pending amendment is one of several which present a complete picture; and if they are adopted, they will destroy the committee bill and will repudiate the work the committee has done.

I think the pending amendment should be considered in the light of amendment K, which later will be offered. Amendment K provides that on page 2, in lines 5 and 6, the word and figures "December 22, 1945," be stricken out, and in lieu thereof there be inserted "April 21, 1947."

The distinguished Senator has made a very fine argument, but I think he should discuss amendment K at this time, so that the Senate can properly face the issues which are involved. Amendment K is really a part of the amendment now pending.

Mr. REVERCOMB. Mr. President, amendment K relates to another phase of the bill. The pending amendment E deals solely with the numbers of such persons to be admitted. I believe that without further discussion, inasmuch as the Senate is fully apprised of the facts, we can proceed to vote on the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON], for himself and other Senators, being the amendment lettered "E," beginning on page 3, in line 25.

Mr. McGRATH. Mr. President, I have no desire to delay a vote on the amendment. If the Senator from West Virginia prefers to have the amendment voted on now, I shall postpone making some remarks which I have prepared on the bill generally and also on the amendment the Senator has offered.

Mr. REVERCOMB. Mr. President, I did not hear the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island has addressed an inquiry to the Senator from West Virginia, and no doubt the Senator from Rhode Island will wish to repeat it.

Mr. McGRATH. I thought I had an understanding with the Senator from West Virginia that I would not delay a vote on his proposed amendment if he wished to proceed with it now.

Mr. REVERCOMB. That is correct.

Mr. McGRATH. However, the remarks I wish to make on the bill deal somewhat with the subject matter of the amendment itself. I am perfectly agreeable either to make my remarks now or to make them atfer the vote is taken. My preference would be to make them at this time.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. REVERCOMB. I understood from the Senator he would be perfectly agreeable to proceeding with the vote on this particular amendment, if the Senator might be recognized and proceed with what he may have to say, after the vote is taken.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. HATCH. If the Senator from Rhode Island is going to speak on the subject matter of this particular amendment, I am sure he will speak with his usual ability, and I think it would be a mistake for him to wait until after the amendment has been voted upon.

Mr. McGRATH. I may say, Mr. President, the subject matter of the amendment is also a part of the subject matter of the substitute bill which the Senator from New Mexico and myself have introduced. Whether we shall call it up or not after the work on the committee bill is concluded, depends largely upon the degree of perfection we have been able to write into the committee bill.

Mr. HATCH. Mr. President, if the Senator will yield further, I may clarify the situation somewhat, in order that the position of the Senator from Rhode Island may not be misunderstood, or my position either, for that matter. I have not spoken on this question, because I wanted a vote, and I did not want to delay the action of the Senate. As a matter of fact, the Senator from Rhode Island is strongly supporting the amendment, is he not?

Mr. McGRATH. I am strongly supporting the amendment to permit the entrance of 200,000 displaced persons over a period of 2 years. I shall vote for the amendment when the vote is taken. If it fails on the vote, I shall offer a substitute for the committee bill, so we may have another opportunity to consider the question of the number of displaced persons that should be admitted.

I am perfectly willing to proceed to a vote now on the amendment offered by the Senator from Michigan and make my remarks after the vote is taken, if that is the wish of the Senator from West Virginia.

Mr. HATCH. Mr. President, in the light of the statement made by the Senator from Rhode Island, I want to make the statement for myself also, that I not only favor this particular amendment but if it should fail, regardless of the other amendment, I think we would be compelled to offer the substitute proposal we have for the entire bill. But, like the Senator from Rhode Island, I do not now desire to delay the vote, but am perfectly willing that it be taken at this time.

Mr. SALTONSTALL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. REVERCOMB. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chief Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | George | Moore |
| Brewster | Gurney | Morse |
| Bricker | Hatch | Murray |
| Bridges | Hayden | O'Conor |
| Brooks | Hickenlooper | O'Daniel |
| Buck | Hill | O'Mahoney |
| Butler | Holland | Pepper |
| Byrd | Ives | Revercomb |
| Cain | Johnson, Colo. | Robertson, Va. |
| Capehart | Johnston, S. C. | Russell |
| Capper | Kem | Saltonstall |
| Chavez | Kilgore | Smith |
| Connally | Knowland | Sparkman |
| Cooper | Langer | Stennis |
| Cordon | Lodge | Taft |
| Donnell | McCarthy | Thomas, Utah |
| Downey | McClellan | Thye |
| Dworshak | McFarland | Tydings |
| Eastland | McGrath | Vandenberg |
| Ecton | McKellar | Wherry |
| Ellender | McMahon | Wiley |
| Feazel | Malone | Williams |
| Ferguson | Martin | Wilson |
| Flanders | Maybank | Young |
| Fulbright | Millikin | |

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment lettered "E" submitted by the Senator from Michigan for himself and other Senators. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCLELLAN (when his name was called). On this vote I have a pair with the Senator from Kentucky [Mr. BARKLEY]. If he were present he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate. If present and voting, the Senator from New Hampshire would vote "yea."

The Senator from Minnesota [Mr. BALL] is necessarily absent, and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator

from Minnesota would vote "yea" and the Senator from South Dakota would vote "nay."

The Senator from Connecticut [Mr. BALDWIN] is necessarily absent, and is paired with the Senator from Wyoming [Mr. ROBERTSON] who is absent on official business. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Wyoming would vote "nay."

The Senator from Utah [Mr. WATKINS] is necessarily absent and is paired with the Senator from New Jersey [Mr. HAWKES] who is necessarily absent. If present and voting, the Senator from Utah would vote "yea" and the Senator from New Jersey would vote "nay."

The Senator from Indiana [Mr. JENNER] and the Senator from Maine [Mr. WHITE] are necessarily absent.

The Senator from Kansas [Mr. REED] is detained on official business.

Mr. HILL. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Rhode Island [Mr. GREEN], the Senator from North Carolina [Mr. HOEY], the Senator from Illinois [Mr. LUCAS], the Senator from Pennsylvania [Mr. MYERS], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Washington [Mr. MAGNUSON] and the Senator from Oklahoma [Mr. THOMAS] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Illinois [Mr. LUCAS] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Tennessee would vote "nay."

The Senator from Rhode Island [Mr. GREEN] is paired on this vote with the Senator from Nevada [Mr. MCCARRAN]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Nevada would vote "nay."

If present and voting, the Senator from Pennsylvania [Mr. MYERS], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 40, nays 33, as follows:

YEAS—40

| | | |
|---|---|---|
| Aiken | Hatch | O'Conor |
| Brewster | Hayden | O'Mahoney |
| Bricker | Ives | Pepper |
| Bridges | Johnson, Colo. | Saltonstall |
| Brooks | Kilgore | Smith |
| Buck | Knowland | Taft |
| Cain | Lodge | Thomas, Utah |
| Capper | McCarthy | Thye |
| Cooper | McGrath | Vandenberg |
| Downey | McMahon | Wherry |
| Ecton | Martin | Wilson |
| Ferguson | Millikin | Young |
| Flanders | Morse | |
| Fulbright | Murray | |

NAYS—33

| | | |
|---|---|---|
| Butler | Dworshak | Hill |
| Byrd | Eastland | Holland |
| Capehart | Ellender | Johnston, S. C. |
| Chavez | Feazel | Kem |
| Connally | George | Langer |
| Cordon | Gurney | McFarland |
| Donnell | Hickenlooper | McKellar |
| Malone | Revercomb | Stennis |
| Maybank | Robertson, Va. | Tydings |
| Moore | Russell | Wiley |
| O'Daniel | Sparkman | Williams |

NOT VOTING—23

| | | |
|---|---|---|
| Baldwin | Lucas | Taylor |
| Ball | McCarran | Thomas, Okla. |
| Barkley | McClellan | Tobey |
| Bushfield | Magnuson | Umstead |
| Green | Myers | Wagner |
| Hawkes | Reed | Watkins |
| Hoey | Robertson, Wyo. | White |
| Jenner | Stewart | |

So the amendment offered by Mr. FERGUSON for himself and other Senators was agreed to.

## HARRIET TOWNSEND BOTTOMLEY—CONFERENCE REPORT

Mr. MOORE. Mr. President, I submit a conference report on House bill 2389, for the relief of Harriet Townsend Bottomley, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read.

The report was read, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2389) for the relief of Harriet Townsend Bottomley, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:
>
> That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the figures "$2,335" insert the figures "$6,500"; and the Senate agree to the same.
>
> H. M. KILGORE,
> E. H. MOORE,
> JOHN SHERMAN COOPER,
> *Managers on the Part of the Senate.*
>
> JOHN JENNINGS, Jr.,
> CLIFFORD P. CASE,
> MICHAEL A. FEIGHAN,
> *Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. MOORE. This is a private claim bill which the House passed in the amount of $7,790, and which the Senate amended by striking out "$7,790" and inserting "$2,335." The conferees of the respective Houses have met and have agreed to recommend the compromise figure of $6,500.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

## THE RECIPROCAL TRADE AGREEMENTS ACT

Mr. EASTLAND. Mr. President, the South has often been severely criticized for her so-called one-party system. On numerous occasions I have heard the charge that we "blindly vote Democratic." Those who make such a charge might well study closely the South's great need for world markets for her products.

In supporting in the past the political party which believes in expanding world trade, the South has upheld the best interests of the Nation. If the United States had followed the policies of the Democratic Party, there would have been no depression and no World War II.

Mr. President, the Republican Party has learned nothing from the bitter experiences of the past. That party is not suited to govern the United States in the twentieth century. The moment the Republican Party achieves even the smallest majority voice in the affairs of the Nation, we begin to hear talk of high tariffs.

Today we are faced with an attempt by the Republican leadership in Congress to shut off the fine relationship between the United States and many other nations resulting from 14 years of successful operation of the Reciprocal Trade Agreements Act.

I submit at this point some observations of my fellow Mississippian, Howard Suttle, a Washington correspondent and radio news reporter, whose column, Liftin' the Lid on Washington, is published by several southern newspapers. Mr. Suttle aptly points out that the reciprocal trade program has been developed under the "back-scratch" principle of "live and let live." It permits tariff reductions on imports to America from friendly nations only when such nations permit proportionate reductions on exports of our products to their people.

Mr. Suttle's column is printed in the Jackson, Miss., Daily News and other southern newspapers. I ask unanimous consent to have it printed in full in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

(By Howard Suttle)

WASHINGTON.—Republicans who criticize the South's so-called one-party system might well give close study to the Reciprocal Trade Agreements Act, which expires June 12 unless Congress acts soon to extend it.

It was about 15 years ago that Tennessee's great Cordell Hull, then Secretary of State, successfully championed adoption by Congress on an international scale of the principle of "you scratch my back, I'll scratch yours" in America's program to sell her surplus agricultural and industrial products in world markets.

It's the same principle under which George Godwin, the advertising and publicity genius who prefers living in his native Mississippi to a five-figure income in the maelstrom of Manhattan, developed the annual "back-scratch" celebration of the Jackson Chamber of Commerce.

The Hull-sponsored program today faces abandonment by a Republican-dominated Congress whose age-old high-tariff policies have done more than anything else to prevent the GOP from making headway in the South.

SELLS FARM PRODUCTS ABROAD

There are those who contend that southerners today "vote democratic because my father and my grandfather voted democratic." However, a better analysis would be that Dixie citizens vote democratic because that's the side of our bread which has butter on it—or maybe we now should say, "which has margarine on it."

The Reciprocal Trade Agreements Act does not abrogate any existing tariff laws. It simply permits the President, through the State Department, to enter into agreements with foreign nations whereby import duties on certain of their products may be lowered if they will grant the same concessions to specific American products.

The program, in effect for 14 years, has resulted in the sale of billions of dollars' worth of cotton, beef, tobacco, and other

products of southern agriculture. In fact, last year, America sold $14,400,000,000 worth of farm and industrial products to foreign nations under the plan, while importing products aggregating only $5,700,000,000—less than half the value of our exports.

True enough, we've had our troubles with the program. On one occasion, President Roosevelt worked out an agreement with Argentina whereby the nation was flooded with imported canned beef at a time when we had a surplus of domestic beef. We imported the beef, however, in order to sell the Argentines more American products. Generally speaking, the program has been a great success.

GOP PLAN WEAKENING

Mississippi Members of Congress well realizing the need for foreign markets in which to move Magnolia State farm products, favor extension of the reciprocal-trade plan with little or no change.

The outcome is in doubt, for the Republican leadership plans some amendments that would reassert the principle of high tariffs as set forth in the famous Smoot-Hawley tariff bill of 1930, which the late Senator Pat Harrison so vigorously opposed and stumped the Nation in unsuccessful efforts to defeat.

Currently, the GOP leans toward a so-called flexible import fee plan proposed by Senator GEORGE MALONE, freshman Senator from Nevada. Because of the national reaction to the word tariff, as a result of the Smoot-Hawley Act's unpopularity, MALONE uses the expression, "fee," to designate import duty.

But the Nevadan's bill restricts the proviso permitting agreements between America and other nations interested in trading with us. While he contends the proposal would encourage imports, it has the safeguard of a flexible duty that could be revised on the basis of production costs in foreign nations.

MALONE proposes the prevailing standard of living as a yardstick, which would permit revision of import duty rates to protect American standards. He would provide for increase in duties in event a foreign nation adjusted its currency in efforts to achieve competitive advantages.

The legislation would permit free trade between nations whose living standards were declared by the foreign trade authority to be comparatively the same as the United States.

ABANDON MUTUAL AGREEMENTS

Democratic leaders are vigorously fighting the MALONE proposal, chiefly because they contend it would mean a return to old reactionary methods of fixing tariffs and abandon the practice of entering into mutual agreements to help trade.

While many Southern Democrats are at odds with President Truman and oppose his nomination for a full term because of his stand on so-called civil rights, there is a virtual unanimity of feeling with respect to the reciprocal trade program which Cordell Hull successfully championed.

And today, George Marshall, who holds the Secretary of State's post occupied by Hull when the Reciprocal Trade Act became a law, feels that the plan "is the cornerstone and keystone of our foreign economic policy."

Yes, Republicans who charge that Dixie has continued to blindly vote Democratic might well consider the effect of the age-old GOP high-tariff policy upon the South.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. McGRATH obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from Rhode Island yield?

Mr. McGRATH. I yield.

Mr. WHERRY. Several Senators have asked me if there will be any further record votes today. I should like to say, as I did yesterday, that the desire is to conclude the consideration of the displaced persons bill tonight if possible. I see no reason why we cannot finish it. At least I am optimistic.

Let me state what we are up against in connection with the business of the Senate. If this bill shall go over, then, under the unanimous-consent order already entered, the time tomorrow until 3:30 o'clock will be allocated to the conference report on the so-called Bulwinkle bill. By unanimous consent the debate on the report will run from 12 to 3:30, and we would like very much, after that, if it shall meet with the approval of the Senate, to take up the Treasury and Post Office appropriation bill. There is also the measure extending the Second War Powers Act, in which the distinguished Senator from Vermont is intensely interested, and which he would like to have passed tomorrow if possible. So that program would make a pretty full day.

If the consideration of the pending bill shall not be completed today, it will mean carrying it over until Tuesday, and all Senators know that the draft bill is awaiting debate, and there are other pieces of major legislation. I should deeply appreciate the cooperation of Senators—and they have been very wonderful in their cooperation—in remaining here this evening to see if there will not be a chance to have the displaced persons bill passed. There are several amendments to be offered, and when we pick them all up they make quite a handful, but my feeling is that they will not all be offered, and the only way to find out about that is to remain here and vote.

I deeply appreciate the fact that Senators have been most cooperative, but we will have to continue to cooperate, and if we are to succeed in passing at an early date the pending bill we will have to have more cooperation even than we have had.

I know that some of the speeches to be made are important, and I beg Senators not to think for one moment that I am at all disparaging the addresses to come, because I know the ability of those who will participate in the debate, and appreciate the importance of the provisions which will be set forth in the substitute, and we all honor the distinguished Senator who is about to give us his version of the displaced persons bill.

After all the addresses have been concluded, Mr. President, we will have to start voting, and I at least would like to leave this word with my colleagues now, that it is the intention to finish the displaced persons bill tonight if possible. I ask Senators to remain here and use all the time necessary to complete their addresses as quickly as may be possible, and let us vote and dispose of the bill sometime tonight, before Senators go to their homes, because tomorrow the Senate will recess until next Tuesday.

I thank the distinguish Senator from Rhode Island for yielding. Unfortunately I had to make this announcement just as he was about to begin his address, and I do not want him to feel at all that my remarks have been made at this particular time with the idea of any reflection upon the good offices of the distinguished Senator from Rhode Island.

Mr. McGRATH. I well understand the problem confronting the Senator from Nebraska.

Mr. FERGUSON. Mr. President, will the Senator from Rhode Island yield to me?

Mr. McGRATH. I yield.

Mr. FERGUSON. I now ask that my amendment D be read.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield for the purpose suggested by the Senator from Michigan?

Mr. McGRATH. I yield to have the amendment read.

The PRESIDING OFFICER. The amendment will be read by the clerk for the information of the Senate.

The CHIEF CLERK. On page 4, beginning with line 10, it is proposed to strike out down to and including the period in line 14, and to insert in lieu thereof "visas issued pursuant to this act, shall, insofar as possible, be made available to each element or group among the displaced persons, as such elements or groups were segregated or designated for the purpose of being cared for by the International Refugee Organization as of January 1, 1948, in the proportion that the number of displaced persons in such element or group bears to the total number of displaced persons, it being the purpose of this provision to insure, insofar as possible, that no discrimination in favor of or against any such element or group among the eligible displaced persons shall occur."

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McGRATH. I yield.

Mr. LANGER. I send to the desk two amendments to the pending bill, and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received and printed and will lie on the table.

Mr. McGRATH. Mr. President, while I am fully cognizant of the necessity for haste in the Senate from now on, and realize the urgency of coming to a vote as soon as possible on the bill before the Senate, together with the amendments which have been or will be proposed, I nonetheless believe it absolutely necessary, in order that we may all vote intelligently, that some of the issues presented by the proposed legislation be clarified, or perhaps I should say that the large number of issues which are not presented by the proposed legislation be eliminated before we attempt finally to make up our minds.

I shall not restate the affirmative case for the displaced-persons bill. This has been ably and thoroughly covered by

the distinguished Senator from New Jersey [Mr. SMITH], and by the distinguished Senator from Michigan [Mr. FERGUSON], both of whom have made an exceptionally thorough study and presentation of the matter, and by the distinguished Senator from Kentucky [Mr. COOPER], whose knowledge of the problem extends back to the earliest time at which America began to confront it, and whose grasp of it is not, I believe, surpassed by that of any other Member of this body. Support for legislation assisting displaced persons has also been given by the distinguished Senators from West Virginia [Mr. REVERCOMB] and Wisconsin [Mr. WILEY]. I wish merely to associate myself with the affirmative case so made, and to pass on to the matter of analyzing what the true issues before us are as I see them.

In the first place, I wish to emphasize my entire agreement with the position of the Senator from Wisconsin when he says that we should not approach this problem in an emotional way which will obscure the facts and practicalities of the situation. In the year and a half since legislation was first proposed on the subject of displaced persons, a number of emotions have been evoked in discussions and have even found their way into certain legislative provisions. Not all these emotions are as creditable as the humanitarian concern for exiled fellow human beings against which we have been so eloquently urged to be on our guard. Among the other emotions which have entered into the discussion of the problem, I might list the following:

First, prejudice. It is entirely understandable that various groups within this country should feel a more direct concern with the plight of fellow members of their own group abroad than with others who may be in the same condition. I am happy to observe, however, that to my own personal knowledge the great welfare agencies representing these diverse groups have exhibited a real spirit of cooperation and mutual tolerance, with the result that the foreign-language groups and the great religious and welfare organizations, including those representing the Catholic and Protestant churches and the Jewish religion, have consistently and unanimously set their faces against any and all provisions which would discriminate in favor of or against any element or group among the displaced persons of Europe.

Unfortunately, this admirable spirit has not prevailed amongst some of those who have opposed this legislation. I know all of us have heard whispers to the effect that only this element or that element is interested, for its own selfish purposes, in helping displaced persons. I know all of us have heard it said that the displaced persons are all Communists, that they belong predominantly to one religious group, that they are all thieves, racketeers, or worthless derelicts. I shall not now take time to repeat the overwhelming refutation of all these charges which friends of this legislation have had to repeat time and time over and over again—each time without the vestige of successful answer, but each time also only to see the same accusations arise again in different or disguised form. My purpose now is not to refute them, since they now need no further refutation. I merely wish to point out that the prejudice which gives rise to this sort of unfair and unwarranted attack on people helpless to defend themselves is an emotion against which we must all be constantly on our guard.

A second emotion which we must recognize and try to control in our dealings with this situation is one which has an impressive Latin name — xenophobia. That means the unreasoning fear and dislike of persons from other lands than our own, without regard to their individual merits. An emotional approach, based on this emotion, will clearly make rational consideration of our problem impossible.

The third and possibly the most important emotion which may well distort our whole approach to this, as to many other problems, is an exaggerated feeling of insecurity. No one can help being aware that the times in which we live are dangerous. The fate of the world is obviously less certain than it was before it had been disrupted by two great world wars. And it is to that extent insecure. That is not, however, a reason why the people of the greatest Nation of the world should approach the concrete problem that it must meet in an atmosphere of fear and hysteria. To be more specific, I am sure we all feel that there are grave uncertainties inherent in America's economic future. This, however, should not lead us to feel so insecure as to believe that the admission of 200,000 productive individuals into our Nation of 140,000,000 is going to disrupt our economy and render our citizens jobless and destitute. So, also, the very real menace to our interests which the present attitude of the Russian Government represents must not make us feel so insecure that we become incapable of discussing rational solutions for any problem once the opposition to such solutions has raised the bogey of communism.

For these reasons, I wish again to thank the Senator from Wisconsin for his statesmanlike warning that this problem must not be approached solely on the basis of shallow emotionalism, and I wish to join him in urging that the issues that confront us be soberly and realistically analyzed on their merits.

Mr. President, if we are accurately and realistically to meet the problem before us, we must be constantly on our guard against a number of widely accepted misconceptions. For instance, ever since legislation to aid displaced persons was first suggested, a tremendous barrage of statistics has been laid down to show that we are practically dominated in this country already by a huge alien population. The most common figure cited is 6,000,000. Yesterday, on this floor, we heard the assertion that there were five or six million aliens now in this country. The fact is, as was extensively testified to by the Commissioner of Immigration, that in June 1947 there were considerably less than 3,000,000 aliens in this country—a number which was then and had been for many years rapidly decreasing, as the people who were admitted in the unlimited immigration era of the last century grew old and died or attained naturalization.

Similar assertions related to an allegedly huge inflx of illegal immigrants. This is not the time nor the place to examine in detail the mass of confusion and even misrepresentation which has surrounded this subject. I will say only this: Regardless of what the situation may have been before the war, the shipping since the war has made the task of coming to the United States or Mexico or Canada, legally and illegally, extremely difficult. When there is added to that difficulty the constantly increasing stringency of our own, as well as Canadian and Mexican, immigration enforcement, it makes entirely plausible the statement of the Commissioner of Immigration that illegal entries by persons who come from overseas have not in recent years exceeded a number in the very low hundreds annually. But I do not wish to spend time arguing the confused and confusing details which surround the general immigration problem. I do not believe we are prepared to discuss that problem, as we consider the bill before us, particularly, inasmuch as the subcommittee appointed to study it has admittedly not completed its study. I furthermore do not wish to discuss it at this point, because I do not believe it is relevant to the problem before the Senate.

I do not agree with the statement of the able Senator from West Virginia that this problem has a direct bearing on the immigration policy of this country. It was the plain determination of this body last year, at the time when Senate Resolution 137 was agreed to, that the question whether displaced persons should be admitted should be kept entirely separate from the question of general immigration policy; and I am sure that all the Senators present at that debate recall the stress which was put on the point that the legislation proposed for the admission of displaced persons was to be of a temporary emergency character and was not in any way to be construed as relaxing or in any way changing the general immigration policy of this country, until that policy is changed by a specific act of Congress.

Another thinly veiled suggestion which stands constantly in the way of a realistic attack on this problem is that there is substantial danger of Communist infiltration through bringing in displaced persons.

Mr. President, if I believed this for one moment, if I believed for one moment that there was even a slight danger of it, I should vigorously oppose their admission. But I do not believe it. I know it is not so. References to the possibility that the DP's constitute Communists, references both in the report of the subcommittee and in the statements on the

floor of this Chamber, are totally undocumented. At page 20 of the committee report I note particularly the following language:

> The view was expressed, however, that a few Communists may be among the displaced persons.

The view was expressed. I can assure the Senate that the view has often been expressed that they were all Communists—not only a few. But the expression of that view does not make it a fact. I can also assure the Senate that nothing could be further from the truth, as testified to by the endorsements of the great Christian religious groups which are working in this country for the admission of their coreligionists under the plan now before us. These great church leaders are not Communists, and they are not interested in bringing Communists to our country. The very endorsement of this program is the finest guaranty we have or that we should need, that the people they will bring from the displaced persons camps are not Communists.

The incident recited on page 20 of the subcommittee report is illustrative and typical. It dealt with a situation in which official Russian propaganda agents could not even achieve a hearing in a displaced persons camp. As a matter of fact, the incident is somewhat understated. The fact is that the Russian agents barely escaped with their lives, due to the intercession of American military personnel.

Mr. President, the displaced people have lived closely together in homogeneous groups for a long time. No informed person denies that the overwhelming majority are violently anticommunistic and violently Christian. I do not believe, and I do not think that the persons directly responsible for their care over the past few years believe for one moment that Communists can infiltrate or have effectively infiltrated this group. I do believe, of course, that every precaution should and must be taken to see that they do not. But I feel strongly that to make unsupported insinuations the basis on which we shall or shall not pass adequate displaced persons legislation would be entirely unwarranted.

One final matter which has been mentioned several times, both in this Chamber and elsewhere, as somehow discrediting the efforts to make this legislation adequate is that of the pressure which it is said has been exerted on behalf of the displaced persons. To my mind the discreditable thing is not that there may have been such pressure, but that it should have been needed or thought to have been needed, for it is now three long years since the world and ourselves became aware of the plight of these unfortunate people, and they still await our constructive action.

I would agree that if misleading propaganda has been used, this would have been grounds for criticism against those who used it. It could not possibly be grounds for punishing the innocent people in whose behalf it may have been mistakingly used, if that were the case. But so far as I know, inaccurate propaganda on behalf of displaced persons has been held to a minimum.

The position of the proponents of displaced persons legislation is set forth in the greatest detail in the hearings before the House subcommittee last year. It is my impression that their testimony has since been substantiated by the first-hand observations of Members both of the House and of the Senate, including myself.

Both the distinguished Senator from Wisconsin and the distinguished Senator from West Virginia have alluded to the fact that the displaced persons are relatively well-fed. They have told us that they are not kept behind barbed wire. Mr. President, I know these things to be true. I do not think that this detracts one iota from statements which have been made as to the miserable character of their existence. Even more strongly than I believe that stone walls do not a prison make, I believe that stone walls or barbed wire are not necessary to make a prison, to imprison a human soul. I think it is enough that these people are forced to remain homeless and cannot be self-supporting or engage in meaningful community life. I do not deem it more than a partial mitigation of their otherwise unbearable situation that they are fed at a minimum standard of reasonable subsistence and are not kept behind barbed wire.

One further point is worth mentioning in connection with the allegation about pressure. The major documentation for these allegations is an attack on the group sponsoring displaced persons legislation published a year ago by another group which has since changed its mind on the subject. All of the records relating to the supporting group have been meticulously filed under the Reorganization Act, and are fully available to Members of this body. Had those records been consulted, instead of the unofficial publication of a hostile organization, I am sure that the CONGRESSIONAL RECORD would not now include as a $15,000 a year employee of the supporting group a man who was employed at that rate for approximately 2 weeks in the process of setting up the organization, nor a man who died in July 1947; nor would the list include, out of a total of 23 individuals, 15 who terminated their services on or before July 31, 1947.

My point here is not to defend this lobby or any other lobby. If my colleagues wish to investigate the wrongdoing of lobbyists, I shall give them my vigorous support, no matter whom it may affect. But let us not run the risk of punishing innocent displaced persons because such people as Owen J. Roberts, William Donovan, Edward Stettinius, and Virginia Gildersleeve wish to help them, or because the Catholic Church, the Federal Council of Churches of Christ in America, and the Jewish religious organizations, as well as more than 125 national organizations of the highest character wish to help them, and come here to exert their influence upon us. If these individuals and organizations, or if the more than 10,000 individual contributors to their cause have in any way engaged in improper lobbying—which I certainly would not defend if it were proved—that should not close our eyes to the true issue before us. We should not close our eyes to that fact, but we should not visit punishment for it upon the displaced persons.

Such approaches are all negative. They are, to be sure, grounded on appeals to patriotism and to anticommunism. I think I am as patriotic, and I believe myself to be as anticommunistic, as anyone else; but my patriotism leads me to believe that the economic and social fiber of this great Nation of 140,000,000 people can survive the admission of a pitiful handful of useful, democratic people—200,000 in 2 years. I have faith, and I think the people of the United States have faith, that our country is capable of doing at least that, bringing them here under a law which is workable, and properly placing them.

My anticommunism makes me want to see this country triumph in solving a problem which we got into largely because of the inhumanity of those countries that subscribe to the ideals of communism.

Therefore, the true question is not, Can we do it? Of course we can. The question is, Should we? I say that we should, even if it might cause some minor inconvenience, as it must have caused to the devastated countries of Europe which have already done more in proportion than we now propose to do by any of the bills that are pending. They have done so in the face of the severest shortages of housing and even of food. But I know that the proposed admissions will not cause inconvenience to this country or to our people. I cannot bring myself to believe that the Nation-wide survey of the Catholic churches and the numerous State-wide surveys in which all churches have cooperated can be lightly tossed aside as inconclusive or half-heartedly done, or done in a spirit of deception of the Congress itself, simply because they have not prepared in advance of the passage of this legislation a list of the specific houses and the names of the specific factories to which people not yet selected might be assigned. I think, as the State survey committee from Wisconsin has stated, that once legislation is passed the question will be how a real, rather than an imaginary, problem can be met, and that there will be an overwhelming response from American people in all areas when the actual need is disclosed.

Mr. President, I wish to say only one thing further before I close these general remarks. There has appeared some apparent opposition to raising the ceiling figure in the bill to 200,000. I find myself completely unable to understand the arguments on which this opposition could be based. It was apparently thought that the admission of 200,000 persons in 2 years would hamper our economy and increase our housing difficulties. I am happy that since these remarks were in course of preparation, prior to the vote on the last amendment, the Senate by a very decisive vote has seen fit to face this issue and remove at least this defect from the bill as reported by the committee.

Mr. President, as we proceed to the further consideration of the amendments which will make this proposed law work-

able, I hope we shall do so with an open mind and an open heart and in a true spirit of patriotism and love of our fellow man, in the realization that we are going to solve one of the human problems left by the war. I realize that the Senate has spent many days and nights in trying to meet the economic effects of the recent conflict. But, Mr. President, the human effects are more important. If the life of one of these persons is salvaged, if an opportunity is provided for one of these little families to start life anew, that is more important, to my way of thinking, to the future of our great American democracy than are the many millions of dollars which we appropriate for expenditure in the economic field.

There is perhaps no greater challenge before the Congress at this session than that we should do, by means of this legislation, the human and the godly thing of giving succor to those who are helpless, who stood by us in our hour of need, and whose principles are akin to ours, people who have been driven from their homes to temporary places of refuge, people who have suffered greatly and who, if they returned to their original homes, would be annihilated by those who are the enemies of our democracy no less than they are the enemies of these people themselves.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered D, offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. SALTONSTALL. Mr. President, I rise to speak briefly on the amendment lettered D, which has been offered by the Senator from Michigan.

As the bill now stands, it requires that at least 50 percent of the displaced persons admitted to the United States must come from countries which are classified as "annexed by a foreign power." Apparently that phrase refers to the three Baltic countries of Esthonia, Latvia, and Lithuania and to the portion of what was formerly Poland, east of the Curzon line.

On the other hand, the amendment requires the issuance of visas to all racial groups, based on the proportion which they may bear to the total number of displaced persons in the so-called displaced persons camps in the three western zones of Germany, Austria, and Italy on January 1, 1948.

The purpose of the amendment is simple. It requires the selection on a proportional formula which would allow a cross section of all groups to be admitted into the United States.

Based on the latest compiled figures of the occupational authorities and the PCIRO, the numbers of such persons in the camps in these zones on the dates specified in the amendment are as follows:

Balts, 126,000, or 23 percent of the total population.

Jews, 163,000, or 25½ percent.

Poles, 266,000, or 42 percent.

Yugoslavs, 22,000, or 3½ percent.

Russians, 4,000, or one-half of 1 percent.

All others, 34,000, or 5½ percent.

A total of 635,000.

The Senate has just adopted the amendment of the Senator from Michigan which increases the number to be admitted from 100,000 to 200,000.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ECTON in the chair). Does the Senator from Massachusetts yield to the Senator from West Virginia?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. I am very much interested in the figures and percentages the Senator from Massachusetts has just presented. Let me ask about the date on which they are based, and let me also ask whether that is one of the dates the Senator has in mind in connection with the determination of whether the persons who entered those zones shall be considered to be displaced persons.

Mr. SALTONSTALL. These figures are based on the date January 1, 1948. My argument is based on the theory that the amendment which also is to be offered, which would change the date from December 1945 to April 21, 1947, will be adopted.

Mr. REVERCOMB. Mr. President, will the Senator further yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. That was the purpose of my inquiry, because the estimates and figures given are not premised on the practice which existed until quite recently, when, under the Presidential directive, such persons were not considered to be displaced persons unless they had entered those zones prior to December 22, 1945.

So the Senator's estimates are based upon a recently extended date; namely, April 21, 1947.

Mr. SALTONSTALL. It was the date, as I understand, and as I think the Senator from West Virginia will agree with me, when General Clay closed the camps to further admissions of displaced persons.

Mr. REVERCOMB. I do not know what the date is based upon. But as a matter of fact, it is an extension by approximately a year and a half beyond the date fixed by the Presidential directive of December 22, 1945.

Mr. SALTONSTALL. That is correct.

Mr. REVERCOMB. And it is premised upon an amendment to be offered later.

Mr. SALTONSTALL. That is correct.

Mr. REVERCOMB. It is not premised upon any of the terms of the committee bill.

Mr. SALTONSTALL. It is based on an amendment to be offered later, an amendment which the Senator from Massachusetts thought would be offered before this amendment.

Mr. REVERCOMB. I understand.

Mr. SALTONSTALL. Mr. President, if the total number of displaced persons to be admitted into the United States is 200,000, then under the amendment I am now discussing there could be admitted to the United States 46,000 Balts, 51,000 Jews, 84,000 Poles, 7,000 Yugoslavs, 1,000 Russians, and 11,000 persons from all other groups.

I wish to emphasize the point that our amendment simply fixes a ceiling in regard to the number of persons of each group who could be admitted. The amendment does not require that that number of persons be admitted.

Mr. REVERCOMB. Mr. President, will the Senator yield at this point?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. I should like to ask the Senator about the figures he has presented. Who would be the persons who would be limited to 11,000 in number. From what nationality groups would they come?

Mr. SALTONSTALL. The break-down by nationalities in connection with the group entitled "Others and unclassified" is based on a list consisting of the nationals of approximately 25 countries.

Mr. REVERCOMB. For instance, Mr. President, would Czechoslovakia come within the group of 11,000?

Mr. SALTONSTALL. They would come within that group.

Mr. REVERCOMB. In other words, the people from Czechoslovakia would be included within that limited number and would have to share that number with the nationals of other countries; is that correct?

Mr. SALTONSTALL. Yes. For instance, Switzerland, the Netherlands, Portugal, Spain, and Sweden are among the countries included in the list.

Mr. REVERCOMB. Does the Senator say that there are any people from Switzerland who are properly classified as displaced persons?

Mr. SALTONSTALL. I would say to the Senator that this is the classification which, as I understand, meets the classification used by the PCIRO for the classification of groups; and within the figure under the heading "Others," which is the term used to identify this group in the classification, are some of these countries. I do not for one moment say there are any Swiss in the displaced persons camps, but I say that Switzerland is included in this group, which is an international classification, I presume.

Mr. REVERCOMB. The point I make is that the Senator now is proposing to change the immigration laws. He is not now dealing with displaced persons.

Let me ask the Senator whether citizens of Holland and of Denmark are included in the group to which he has referred.

Mr. SALTONSTALL. Denmark is included in this list, and the Netherlands also is included. I do not say there are any displaced persons from those two countries.

Mr. REVERCOMB. That is just the point I make. There are no displaced persons from the Netherlands or from Denmark, both of which countries now have their own free governments reestablished. Likewise, there are no displaced persons from Switzerland. When the Senator from Massachusetts argues for a plan which would include the nationals of those countries, under a new bill, a bill dealing with a subject separate and apart from the displaced persons question, he is dealing with the immigration question, is he not, and not with the displaced-persons problem? I ask that question most respectfully.

Mr. SALTONSTALL. I say to the Senator from West Virginia, with equal respect, that this term, as I understand it, includes all the different classifications of nationals who may be in the displaced-persons camps. That does not necessarily mean that it will change the immigration quotas for various countries, when people from those countries are not in the displaced-persons camps.

Mr. REVERCOMB. Mr. President, will the Senator further yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. But it does mean, does it not, that 11,000 persons are to be admitted, under the Senator's bill, under his break-down of the figures, and under the amendment, some of whom will come from Switzerland, some from Denmark, and some from the Netherlands? We know as a matter of fact that there is no such thing as a displaced person from those countries.

Mr. SALTONSTALL. No.

Mr. REVERCOMB. That is just the point I want to make with respect to the bill as framed by the committee. There are some 10,000,000 displaced persons known as the Volksdeutsche, who are not covered by the bill. There are said to be some 10,000,000 in Pakistan. They are not only in Europe but in north Africa and the Middle East as well. The Senator is reaching out to include those who are not displaced persons, even in those categories. He is taking nationals of Switzerland and of the Netherlands and of Denmark, putting them into a displaced-persons bill.

Mr. SALTONSTALL. I most respectfully disagree with the statement just made by the Senator from West Virginia. What I tried to say was that there is an international classification, and if any DP is of one of those nationalities, he would come within that small group.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. The Senator prefaced his remarks, as I recall, by saying that if 200,000 are to be admitted there will be so many of one nationality and so many of another, and it then comes down to those who are unclassified, of which he said 11,000 would be admitted. He then mentioned the nationals of Switzerland, the Netherlands, and Denmark as being among those included within the 11,000.

Mr. SALTONSTALL. I named those countries as being within the international classification. I did not say there were persons of those nationalities in displaced-persons camps.

Mr. REVERCOMB. Who is going to fill the ranks of the 11,000, if it is broken down to those countries, in which we know there are no displaced persons? I refer to Switzerland, the Netherlands, and Denmark.

Mr. SALTONSTALL. I think the Senator misunderstands the purpose of the amendment. The amendment simply makes use of the term "others" as one of the six classifications of displaced persons of whom 11,000 may be admitted.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Kentucky.

Mr. COOPER. I do not believe the interpretation of the amendment which has been suggested by my good friend the Senator from West Virginia is a correct interpretation and I think that a study of the provisions of the bill will bear out my statement. The amendment merely provides that any quota we fix for admission of "eligible displaced persons" shall be distributed among groups and nationalities as those groups and nationalities are designated by the International Refugee Organization.

The significant words are the words "Eligible displaced persons." Who are the eligible displaced persons described in S. 2242, which is the committee bill? They are not persons from the nations of which the Senator from West Virginia had spoken.

Section 2 of S. 2242 defines a displaced person in part as follows:

(b) "Displaced person" means any displaced person or refugee as defined in annex I of the constitution of the International Refugee Organization and who is the concern of the International Refugee Organization.

Turning to annex I of the constitution of the International Refugee Organization we find that displaced persons must have been—

(a) victims of the Nazi or Fascist regimes or of regimes which took part on their side in the Second World War.

I think the Senator would agree with me that the amendment simply provides a method of distributing the quota that will be admitted, and does not change the definition of "eligible displaced persons." The Senator's amendment certainly does not mean that people are to be brought in who have never been considered as displaced persons. The committee bill itself says that only those who are "eligible displaced persons" shall be admitted.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. There are two definitions. One is a displaced person under the definition of the International Refugee Organization constitution. The other is what is known as an eligible displaced person, defined as one who may enter under this bill. To merely use the definition of a displaced person, as defined by the Organization, which definition the Senator has read, would result in the inclusion of people from all over the world, whose displacement was not the result of the Nazi persecutions, but which had occurred prior to the late war, and refugees of that class.

Mr. COOPER. Mr. President, the amendment of the Senator from Massachusetts [Mr. SALTONSTALL] has nothing to do with the definition of eligible displaced persons. It does not change the definition contained in the bill in any way. It merely says that once the quota of eligible displaced persons has been filled, then they shall be distributed among all groups as named by the IRO. Nothing could be added to the definition of eligible displaced persons. That could not be changed. Only eligible displaced persons could be accepted, but they must be distributed according to groups and nationalities named by the IRO.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from West Virginia?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. If the bill were unchanged, we would understand the meaning of eligible displaced persons. But remember, it is contemplated, and the Senator from Massachusetts has said he based his statement upon it, that by another amendment there will be extended the time limit within which persons may be considered for entry into this country as eligible displaced persons, changing the date from December 22, 1945 to April 21, 1947. The Senator from Massachusetts further stated, breaking down those figures, who they would be. If I mistake not, he said that of the total of 200,000, 11,000 were unclassified. He then named the countries coming within the nonclassified group. That is what I took up, pointing out that it would include Switzerland, the Netherlands, and Denmark. I wondered how he could consider any of the nationals of those countries as displaced persons.

Mr. COOPER. I agree with the Senator. I do not believe we could consider them, even if the amendment should be adopted.

Mr. REVERCOMB. The Senator from Kentucky heard the Senator from Massachusetts make the statement that they are in the list.

Mr. COOPER. I ask the Senator from West Virginia—and I know his thorough understanding of the bill—if he believes that the amendment, which goes merely to the distribution of those who are selected, could possibly result in bringing into this country any persons other than eligible displaced persons as defined in the bill.

Mr. REVERCOMB. Of course, it could not, but the Senator will realize that a change in that definition is now being contemplated.

Mr. COOPER. I do not understand that it is being changed in any way by this amendment.

Mr. REVERCOMB. Not by this amendment; but did not the able Senator from Kentucky hear the able Senator from Massachusetts say that later he planned to offer an amendment which would change the definition?

Mr. COOPER. It would extend the time, but it would not change in any way the definition as far as it goes to the persons who could be considered.

Mr. SALTONSTALL. Does the Senator from West Virginia wish to say anything more on this subject?

Mr. REVERCOMB. I should like to make one statement. It certainly would extend the classification of persons either by country or according to whether they had been displaced forcibly, whether they were known as infiltrees or refugees. It would certainly change the definition to that extent.

Mr. SALTONSTALL. I should like to answer the question a little further, in order to make clear what I tried to say, that this classification merely includes persons who are in the displaced-persons

camps as listed by the PCIRO. I should like to call the Senator's attention to the statistical report on PCIRO operations, dated February 1948. That report shows the refugees receiving PCIRO care and maintenance on February 29, 1948, by PCIRO location, and by country of citizenship, as well as residence or ethnic group.

Those are the ones I have tried to point out are in the displaced persons camps.

Mr. REVERCOMB. Mr. President, will the Senator further yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. The Senator does not consider every refugee a displaced person, does he?

Mr. SALTONSTALL. No. I agree with what the Senator from Kentucky said, that this amendment does not enlarge the classification in any way, shape, or form. It merely makes a different quota from the quota submitted by the committee.

Mr. REVERCOMB. Would not the Senator's amendment, if agreed to, destroy the preference given to persons already in camps?

Mr. SALTONSTALL. It would not.

Mr. REVERCOMB. In other words, is there anything in the Senator's amendment which would preserve the priority of persons who are in displaced-persons camps over those who are outside and living under the general economy of the country?

Mr. SALTONSTALL. It would not change it in any way at all; it merely would change the quotas, as submitted by the committee, and provide a different formula.

Mr. REVERCOMB. I invite the Senator's attention to that very point, because I am impressed with the thought that it would change the preference given by the committee's bill to displaced persons who are in camps.

Mr. SALTONSTALL. I respectfully state that to the best of my knowledge it does not change the preference.

Mr. President, I wish to emphasize that our amendment simply fixes a ceiling on the number in each group that may be admitted. It does not require that the group be taken. As the Senator from Kentucky has pointed out, one of the requirements for eligibility is that the displaced persons be qualified under the immigration laws of the United States for permanent residence.

Under the present language of the bill, without our amendment, two priorities must be met. First, 50 percent of the displaced persons must be from the three Baltic states or east of the Curzon line, which was formerly part of Poland, as their place of origin. That feature I have already briefly discussed.

Secondly, 50 percent must be farmers. Under the bill in its present form, both these priorities could be met by the same persons. In other words, a man who is a farmer and who comes from one of the three Baltic states or east of the Curzon line could be admitted and both priorities would be covered.

We must realize that the group from east of the Curzon line contains the largest percentage of farmers, 33 percent, or 44,500 in all. Only 7 percent of the Baltic group, or 11,000, and 4 percent of the Jewish group, or 6,500, are listed as farmers. Carrying this a step further, it simply means, under the administration of the proposed act as now written, these priorities could be covered by admitting 50,000 Poles and Balts from those areas. This would mean, logically, that the selection of the other 50,000 displaced persons to make up the total of 100,000, as originally in the bill, would be left entirely to discretion. This might mean that 50,000 of the 100,000 to be admitted under the bill might come from one racial group or could be arbitrarily apportioned.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a table which illustrates three possible hypothetical distributions.

There being no objection, the table was ordered to be printed in the RECORD as follows:

*Distribution of 100,000 immigrants under the bill as reported*

| | Possibility A, annexed areas and farmers | Possibility B | Possibility C |
|---|---|---|---|
| Balts | [1] 10,000 | 50,000 | 5,000 |
| Jews | [2] 50,000 | | |
| Poles | [1] 40,000 | 50,000 | 45,000 |
| Soviets | | | 50,000 |
| Yugoslavs | | | |
| Others | | | |
| Total | 100,000 | 100,000 | 100,000 |

[1] Both priorities of 50 percent from annexed areas and 50 percent farmers can be met by taking 50,000 persons from annexed areas, leaving the remaining 50,000 to be distributed as the Federal officials see fit.

[2] Estimates of the number of Jewish displaced persons in camps on Dec. 22, 1945, and still there on Jan. 1, 1948, vary from 10,000 to 50,000. For the purposes of illustrating my point in this table, I am therefore taking the top figure of 50,000 Jewish displaced persons who could be eligible under the bill as it stands.

Mr. SALTONSTALL. In short, the Commission could admit, we will say, 10,000 Balts and 40,000 Poles to cover the first two 50 percent priority requirements, and then could admit at its discretion 50 percent Jews. Another possibility could be 50,000 Balts, 50,000 Poles, and no Jews at all, or any combination of those three figures.

The purpose of our amendment is an effort to give all segments of these unsettled peoples a fair break. It would also place definite, fixed ceilings on the number in each group that could be admitted.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LANGER. As I understand the Senator's remarks, a man or a woman of German ethnic origin could still continue to be barred from this country. Is that correct?

Mr. SALTONSTALL. That is as I understand, because persons belonging to the German ethnic group are not considered to be displaced persons, so far.

Mr. LANGER. Under the definition of the PCIRO?

Mr. SALTONSTALL. That is what I understand.

Mr. LANGER. Does the Senator think that is right?

Mr. SALTONSTALL. I think it is the most practical definition, I would say to the Senator, that we can adopt at the present time.

Mr. LANGER. Knowing the Senator from Massachusetts as I do, I have always thought that he was opposed to discrimination of any kind or character.

Mr. SALTONSTALL. I hope I am.

Mr. LANGER. Why, then, should we discriminate against men or women of German ethnic origin?

Mr. SALTONSTALL. What I believe we should do at the present time is to try to solve the problem of displaced persons in camps. They are now a great responsibility. They are a continuing responsibility, and unless we take steps to end the situation it will grow worse and worse. This amendment is a step in the right direction.

Mr. LANGER. Mr. President, will the Senator yield further?

Mr. SALTONSTALL. I yield.

Mr. LANGER. Does the Senator not know that the investigation by the Judiciary Committee disclosed that approximately 1,323,000 so-called displaced persons are not in camps, not behind barbed wire, but are going around the same as anyone else?

Mr. SALTONSTALL. I have been to four displaced-persons camps. I know that there are no bars, no gates, or anything of that kind, and the people are free to move in the community.

Mr. LANGER. Does the Senator realize that ten million or more persons of German ethnic origin are in desperate condition in Europe, are much worse off than the so-called displaced persons, and that, as a matter of fact, four or five millions of them have already died?

Mr. SALTONSTALL. I cannot answer the Senator's question from factual knowledge, and I cannot make comparisons. I saw many people who I thought were extremely hungry and were very badly clothed. Whether they were worse off or better off than some other group I would not be competent to say.

Mr. LANGER. I thank the Senator.

Mr. REVERCOMB. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. I want to thank the Senator, and I hope I am not interrupting him too much. In the written amendment which the Senator has offered I believe the language has reference to such elements or groups as are selected or designated for the purpose of being cared for by the International Refugee Organization as of January 1, 1948. Would there not be some conflict?

Mr. SALTONSTALL. We took that part of the amendment from the Senator's own bill, on line 16, page 4, and we did not change it at all.

Mr. REVERCOMB. Does the Senator mean to say that he took that language from the committee bill?

Mr. SALTONSTALL. Oh, no. My amendment does not strike out the language in the bill which runs from line 14 on page 4 to line 22 on page 4. It merely strikes out the language from line 10 to line 14.

Mr. REVERCOMB. The point I am making is that the Senator in the written language of his amendment uses the date January 1, 1948.

Mr. SALTONSTALL. That is the language used in the pending bill.

Mr. REVERCOMB. In the committee bill?

Mr. SALTONSTALL. Yes.

Mr. REVERCOMB. Where?

Mr. SALTONSTALL. On page 4, line 16. I will quote those two lines to the Senator:

> Priority in the issuance of visas shall be given to those eligible displaced orphans and eligible displaced persons who were on January 1, 1948, located in displaced persons camps and centers.

Mr. REVERCOMB. Located in displaced persons camps, but not as segregated.

Mr. SALTONSTALL. I should like also to call the Senator's attention to what the Senator from New Jersey has just reminded me, namely, that the same date is used in the committee bill on page 2, line 7.

Mr. REVERCOMB. It was used as to those in camps on January 1, 1948, but in the Senator's amendment it is said, "in the proportion that the number of displaced persons in such element or group bears to the total number of displaced persons as of January 1, 1948." There is a great difference between using the date January 1, 1948, as to those who were in camps on that date and then using it as in the Senator's amendment, as to the proportions they bore to each group.

Mr. SALTONSTALL. My understanding is that these camps were closed by General Clay on April 21, 1947. Between that date and January 1, 1948, some of the DP's went out of the camps. For instance, as the Senator himself said, some went to Belgium, some to England, and some elsewhere. As I understand the purpose of the amendment and what we are asked to do, is to take the number of persons who were in these camps on January 1, 1948, and give them quotas based on the percentage of population.

Mr. REVERCOMB. The Senator has again stated the date of April 21, 1947, as the date when General Clay closed the entries into the camps. I know that is correct, under an order that was entered when the Army had charge of the camps. There were very definite exceptions made called hardship cases, and I believe the Senator will find upon inquiry that thousands have come in. In other words, it has been said that as soon as one group goes out others come in. Since July 1, 1947, General Clay has not had control of these camps, and it is regrettable that he has not had. It is under the PCIRO. The old UNRRA group is running them. The camp teams are former UNRRA employees. I say that it is regrettable, because I saw two camps which continued to be operated by the Army, and it is regrettable for the people who lived in the camps that the Army ever gave up control of any of them.

Be that as it may, when the Senator says that General Clay closed the camps on April 21, 1947, I think the Senator will find upon inquiry, and find it very readily, that the gates of those camps are still open to people who desire to enter them. It has been said time and again that as people go out others come in.

Mr. SALTONSTALL. I visited four of those camps. I think I visited two of them, either in the Senator's company or just after he did. I know, as he knows, that some of them are in much better shape than others, and I know, as he knows, that the discipline in some of them is much better than in others. Unquestionably some people have filtered in illegally, just as they filter in illegally anywhere. But I do not think that was done to such an extent that it is unfair to base these quotas on the number who were in the camps on January 1, 1948.

Mr. REVERCOMB. The Senator has spoken of the infiltrees, that is, the people who have come in.

Mr. SALTONSTALL. I said filtered in illegally.

Mr. REVERCOMB. Some illegally and some legally.

Mr. SALTONSTALL. They all have come in illegally, have they not?

Mr. REVERCOMB. There are what are called "hardship cases" which the authorities let in, and I find that is a very broad term in the camps. If people are hungry, of course, they are hardship cases. But they are there.

The Senator has mentioned a word which I am very glad he did, namely, "infiltree." Under the Senator's amendment he is going to give some preference of consideration to infiltrees and refugees who came in a long time after the war as against the real displaced person who was forced out of his country and compelled to work by the Nazi Government. The Senator is putting them on the same level.

Mr. SALTONSTALL. I answer the Senator from West Virginia in this way: We have to look at this problem, as at all other problems resulting from the war, as optimistically as we can, first, in the interest of the United States; second, in the interest of humanity; third, in the interest of justice. I agree with the Senator that more people have infiltrated into the camps, but even if they have, if we are to act on the displaced persons problem in the camps, we have to make a start, we have to use some date as a basis on which to figure quotas.

Mr. REVERCOMB. Using the excellent formula just expressed, of justice and fairness——

Mr. SALTONSTALL. I place first what is for the best interest of the United States; second, humanity; and third, justice.

Mr. REVERCOMB. Using that good formula, and knowing that we cannot take them all, and are not attempting to take them all—and I am sure that the Senator does not insist that we take all those who may be in displaced persons camps——

Mr. SALTONSTALL. That is correct.

Mr. REVERCOMB. Does not the Senator think it meets the interests of the country, certainly meets the high standards of humanity, and meets the high standards of justice, if we take those people who cannot return home, and who were forced out as laborers, who have been longest in the camps, and give them a little preference over those who since the war was over, and even up to this time, have come over the borders into the American zone? Does not the Senator think there should be a preference given, and does it not meet the standards of humanity and justice to give that preference?

Mr. SALTONSTALL. If the Senator from West Virginia will bear with me for 2 or 3 minutes, perhaps I shall be able to answer his question satisfactorily, and completely convince him, I hope, that he is wrong.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WHERRY. I should like to inquire of the distinguished Senator from North Dakota whether he is going to speak on the pending amendment. I should like to have a chance to have a vote on the amendment tonight.

Mr. LANGER. There is no chance to reach a vote on the amendment tonight.

Mr. WHERRY. Has the Senator any idea how long we would have to remain in session?

Mr. LANGER. I expect to speak for several hours.

Mr. WHERRY. Let me inquire of the Senator from West Virginia whether he is disposed to make a prediction as to whether we might get a vote on the amendment tonight.

Mr. REVERCOMB. I do not see any reasonable chance for a vote on the amendment tonight, no.

Mr. WHERRY. Of course we want to comply with the requests of all Senators. I had hoped we might at least get this one amendment out of the way.

Let me inquire of the distinguished Senator from Mississippi whether he is going to speak on the amendment.

Mr. EASTLAND. That is my intention.

Mr. WHERRY. Does the Senator know of any other Senator on his side of the aisle who would like to speak on it?

Mr. EASTLAND. No.

Mr. WHERRY. In view of the fact that we are attempting to come to a conclusion of the pending legislation, I wonder if the proponents and opponents would be ready to consider a unanimous-consent agreement to vote on all amendments and the bill on next Tuesday, let us say. I do not care to advance the request before the group of distinguished Senators who are interested primarily in the subject, especially the members of the committee, feel that the debate may be nearing a conclusion. I will ask the Senator from North Dakota and the Senator from West Virginia whether they consider it would be of any service to submit a unanimous-consent request tonight that a vote be taken on the amendment sometime next Tuesday?

Mr. LANGER. Mr. President, I do not think it would do any good.

Mr. WHERRY. What does the Senator from West Virginia say?

Mr. REVERCOMB. Mr. President, I would say that such a request made at the present time would not be worth while. There are some 16 or 17 amendments yet to be considered. I think at this point in the procedure it is hardly worth while to make the request for the purpose stated by the Senator from Nebraska.

Mr. HATCH. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. HATCH. I merely wanted to say that while I think everyone has cooperated in trying to secure the passage of the bill, I must call attention to the fact that, although it has been or is supposed to have been the unfinished business for some time, it has, from time to time, been set aside for consideration of other matters, and now, according to the acting majority leader, we will be compelled to put further consideration of it over from today until Tuesday. It has been said that after the matter which will be taken up tomorrow is concluded, it is proposed to proceed to consider an appropriation bill. So it will be at least Tuesday before we can again return to consideration of the pending bill.

Mr. WHERRY. That is true.

Mr. HATCH. Then, if two or three more days are consumed as might very well happen, by legitimate debate, and other appropriation bills should be taken up, the time when action on this measure can be had is hardly in sight.

Mr. WHERRY. I appreciate the statement made by the Senator from New Mexico in pointing out the possible situation. In defense of Senators who have the pending bill in charge I may say that the Senate has been obliged from time to time to lay it aside temporarily and take up other matters, as all Senators know. That has been most disconcerting. It is difficult to come back to the consideration of a bill which has been interrupted from time to time. I think there are 16 amendments yet to be acted upon, but I thought that possibly we might secure a vote on most of the committee amendments.

In line with the idea set forth by the distinguished Senator from New Mexico, may I ask whether those in charge of the bill, as well as its opponents, would be agreeable to setting an hour, let us say on next Wednesday, when we might vote on the amendments then pending, and on final passage of the bill? I believe that if we can agree upon some hour we can secure quick action upon the bill. We must consider the schedule for next week. It is proposed that we consider the draft legislation, and it would be well, if we can do so, to take it up before adjourning from tomorrow until next Tuesday. I appeal to those in charge of the bill to entertain a unanimous consent request at least to vote at an hour on Wednesday of next week which is agreeable to them.

Mr. REVERCOMB. Let me say to the able Senator, if he is addressing the question to me——

Mr. WHERRY. I am addressing it to all Senators interested in the bill.

Mr. REVERCOMB. I wish to say that I desire to cooperate. For more than a week now, from time to time, other business has been taken up, while the bill which is now before the Senate has been laid aside. The leadership has told me from time to time how important it has been to proceed with other matters. Tomorrow two subjects are to be taken up, for which the pending bill is to be set aside. I do not think it is proper at this time even to consider any future hour at which a vote shall be taken.

Mr. WHERRY. Perhaps it is best not to press for an agreement at this time.

Mr. SALTONSTALL. Mr. President, I have the floor.

Mr. WHERRY. Yes, the Senator from Massachusetts has the floor. If he will permit me, I will say we shall certainly continue in session today until he has completed his speech. We shall do as much as we can tonight. But I feel that the Members of the Senate should be advised of the situation so they may judge what we shall have to do, not only during the remainder of today, but on next Tuesday and next Wednesday.

Mr. President, in order properly to apportion the time for the remainder of the session, if we are to adjourn on June 19 we must have some idea of when the major pieces of legislation shall be brought up. I had hoped that if the pending bill had to be carried over until next week we might at least fix some hour on next Tuesday or next Wednesday when we might vote on the amendments then pending and on final passage of the bill. I do not want to press the distinguished Senator from West Virginia any further. We have laid aside the bill several times, and, as I previously said, that has been disconcerting to all of us.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. HATCH. I wish only to make a facetious remark, which it is not necessary to make; but I will say that if we continue to act as we have on this proposed legislation, I shall suggest that the title of the bill be amended to read "The displaced bill relating to displaced persons."

Mr. SALTONSTALL. Mr. President, I have discussed the matter with the Senator from Michigan [Mr. FERGUSON], who is in charge of the various amendments we have offered, and I say with assurance that I speak his mind, that the proponents of the amendments will be glad to vote on them at any time, and will be glad to make any reasonable agreement as to when to vote.

Mr. WHERRY. May I again propound to the distinguished Senator from West Virginia the question whether he would consider a unanimous-consent request, in view of the attitude of the proponents of the amendments, relative to the time, either on Tuesday or Wednesday of next week, or any other day next week, when a vote might be had.

Mr. REVERCOMB. I may say to the able Senator that I have tried to make myself quite clear and to be fair on the subject. I do not want to enter into any agreement at this time, in view of the number of amendments pending, and those which will be proposed, as I am advised.

Mr. WHERRY. I thank the Senator.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. EASTLAND. The proponents of the amendments have consumed practically all of the time that has been spent on the bill. The opponents have not had opportunity to avail themselves of much time on them.

Mr. WHERRY. I am not in any way condemning or condoning. I am simply trying to expedite the legislation. We have been very successful, I believe, in the legislative program so far this year, and the only way to secure a unanimous-consent agreement is to submit it. I have done my level best. I am inclined to believe that the distinguished Senator from West Virginia has gone as far as he can go. So at an appropriate time I shall again submit a unanimous-consent request.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MAYBANK. The Senator from Nebraska has spoken of the large amount of legislation which lies ahead of us, and particularly the work which will come before us during the next week. I call attention to the fact that General MacArthur will be here next week. That will take additional time of the Senate.

Mr. WHERRY. I heard a statement made to that effect. I thank the Senator from South Carolina for reminding the Senate that General MacArthur is expected to return here next week.

Mr. IVES. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. IVES. It is not quite clear in the mind of the Senator from New York whether we are to have more votes tonight on amendments. I should like to have that point made clear.

Mr. SALTONSTALL. I believe I speak the view of the Senator from Nebraska when I say that when the Senator from Massachusetts has concluded his remarks, which will require about 5 minutes if he is not interrupted, nothing further will be done by way of voting tonight. Am I correct in that statement?

Mr. WHERRY. As I said before, I have been very optimistic that we could secure a vote but when the Senator from Massachusetts has concluded his speech tonight, and when he has engaged in colloquy with other Senators, or answered questions they may desire to ask of him, it will be my purpose to move that the Senate recess until tomorrow at noon.

Mr. SALTONSTALL. Mr. President, the purpose of our amendment is to give all segments of these unsettled peoples a fair break. It would also place definite fixed ceilings on the numbers of each group who could be admitted. Under our amendment we will know within close limits exactly the racial groups that we may expect. We do not have that knowledge under the bill as it now stands because the Commission may well have a free rein in the selection of one-half of the total number to be admitted.

Under the present language of the bill, two groups, it seems to me, are not treated fairly. There are few farmers among the Jews—only about 4 percent and only a small percentage of them originated from areas now considered by the bill as annexed areas.

Moreover, there is a group of the Roman Catholic faith who come from west of the Curzon line, and these could not be admitted in fair numbers since preference is given to the Baltic states, where the Protestant faith is in the majority.

It seems to me that an equitable opportunity for resettlement must be given to all groups and elements. It is a much more practical approach. In the United States today there are racial groups similar to those represented among these displaced persons. Their origins are in the same areas. Their nationalities are the same. These citizens of ours have a particular concern and interest in their corresponding groups in the displaced persons' camps. If we are desirous of having a wide distribution of these people throughout our land, their distribution, as well as their rehabilitation, will, in large measure, be dependent upon the assistance of local citizens, communities, and agencies. Local volunteers among our citizens must be enthusiastic if this program is to be successful. If those admitted are equitably chosen on a percentage basis then we shall have a better chance to stimulate the required support and the coordinated efforts of all local, State and national groups.

Let me now point out one fact which I believe the committee has not considered carefully enough. The present bill uses the words whose place of origin or country of nationality has been annexed by a foreign power. In this country today we have representatives of the former independent states of Lithuania, Latvia, and Estonia. Our Government has clearly refused to admit that those countries have been annexed. While it is obvious that the Soviet Union is at present exercising sovereignty over those countries, our country does not recognize that fact. Therefore, it seems to me to be embarrassing not only to their representatives in this country, but to us as a Nation to designate the displaced persons of those nationalities as coming from a country which has been annexed to a foreign power until that fact has been officially recognized by our Government.

I am not a member of the Judiciary Committee, but my interest in this subject comes from the simple fact that there are many people not only in Massachusetts, but in every other State in the Union, who are vitally interested in this humanitarian problem. Because of their interest and because of the great human problem involved, I have tried to understand this question and to help in any way that I could. Last autumn I visited some of these camps. I have talked with officers of our Armed Forces who have been in charge of them. I believe that there are many persons who will become valuable citizens among the displaced persons at the present time. I recognize, as we all do, that there are some who could not properly and helpfully be brought to this country. That hard core, as it is called, will be a problem of the United Nations or some other international group for many years to come, but that hard core should be made as small as it is reasonable to make it.

Our purpose in passing this bill is to have the United States undertake its share of responsibility in this great international program caused by the war. Certainly any admissions that we make should be scrutinized carefully. They should not be permitted to displace our citizens from homes or from positions, but today there are positions on the farms and in industries where these people can qualify and where they are needed. I hope sincerely that their number may be increased from 100,000 to 200,000—this has already been done—and that they may be brought in on a basis that is equitable to all who are now in the camps, rather than on a basis which could leave the solution largely to the discretion of an administering agency.

Every Member of the Senate has citizens in his constituency from these nationalities of whom they are proud. These people are proud of their descent. They have a love of their former homeland. They will be glad to help restore to greater security and give greater opportunity to qualified persons who have for many years suffered so much and who have had so little chance to enjoy the ordinary decencies of life which we take as a matter of course.

I hope, Mr. President, that in due course this amendment may be adopted and that a fair bill may be passed.

Mr. President, I should like to add one further comment. The Senator from West Virginia questioned me as to whether there were any citizens of Danish descent in the DP camps. I have checked up with the Army representative on the question of DP camps, and he states over the telephone that there are Danes married to DP's, and that those married persons are in the camps. So I answer the question in that way.

Mr. President, I hope the bill may ultimately become law.

Mr. MORSE. Mr. President, it was the plan of those sponsoring these amendments that I should follow at this time in support of the amendment offered by the Senator from Massachusetts [Mr. SALTONSTALL]. I shall not do so today because of the lateness of the hour. However, I commend the Senator from Massachusetts for his able presentation of our point of view on this amendment. There is very little that I can add, but I shall do it when we resume debate on this subject by way of supplementing what the Senator from Massachusetts has said.

I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a petition which I have received upon the subject of displaced persons, including the names signed thereto.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

MAY 15, 1948.

DEAR SENATOR: The undersigned, representing many millions of American citizens, call upon the Congress to enact at the earliest possible date legislation authorizing entry into the United States of a just proportion of the displaced persons.

We are heartened that the Senate Judiciary Committee has reported favorably a bill, S. 2242, dealing with this subject. However, it is our sincere conviction that S. 2242 in its present form does not offer an adequate solution to the problem and that it discriminates against great masses of the displaced persons.

Our organizations have consistently advocated the admission of 100,000 displaced persons a year over a 4-year period. We still hope that this may prove possible. At the very least, we ask you to support such amendments to S. 2242 as will enable the United States to admit 200,000 displaced persons over a 2-year period and a proportionate cross-section of such persons without discrimination as to national origin or religious faith.

We believe that this is the minimum that the United States can and should do in order to discharge its responsibility as a leading world power and as the traditional haven for those oppressed by the tyrannies of other lands.

Respectfully,

Roger N. Baldwin, American Civil Liberties Union; Maurice Bisgyer, Executive Secretary, B'nai B'rith; Mrs. J. D. Bragg, President, Women's Division of Christian Service, the Methodist Church; Dr. Samuel McCrea Cavert, General Secretary, Federal Council of Churches of Christ in America; Mrs. Alfred Chapman, Chairman, National Executive Board, Women's Auxiliary National Council of Protestant Churches; Edward Corsi, President, American Federation of International Institutes; Mrs. Stanley G. Cook, Chairman on Legislation, National Congress of Parents and Teachers; Nathan Cowan, Legislative Director, Congress of Industrial Organizations; Mary Margaret Mannix, President, National Council of Catholic Women; Mark Dauber, Executive Secretary, Home Missions Council of North America; Miss Mary C. Duffy, Supreme Regent, Catholic Daughters of America; William G. Gadt, President, National Lutheran Council; Ray Gibbons, Director, Council for Social Action, Congregational Christian Churches; Rev. L. W. Goebel, D. D., President, Evangelical and Reform Church; Leon Henderson, Chairman, Americans for Democratic Action; Paul Howard, Director, National Relations Office, American Library Association; Miss Helen G. Irwin, Legislative Chairman, National Federation of Business and Professional Women's Clubs, Inc.; Mrs. Jonas W. Irwin, Washington Representative, National Board, Y. W. C. A. of U. S. A.; Read Lewis, Executive Director, Common Council for American Unity; Msgr. L. G. Ligutti, National Catholic Rural Life Conference; Kirtley S. Mather, President, Eugene E. Barnett, General Secretary, National Council of YMCA; Dr. William G. Mather, Chairman, Northern Baptist Convention, Council on Christian Social Progress; John McDowell, Executive Director, National Federation of Settlements; Mrs. Lucy Milligan, President, National Council of Women; Tom R. Owens, Legislative Representative, United Rubber Workers; Chat Paterson, National Chairman, American Veterans Committee; James G. Patton, President, National Farmers Union; Rev. Almon R. Pepper, Executive Secretary, Department of Christian Social Relations, National Council of Protestant Episcopal Churches; Leslie S. Perry, Washington Representative, National Association for the Advancement of Colored People; Dr. Paul N. Poling, Secretary, Division of Social Education and Action, Board of Christian Education, Presbyterian Church of

the U. S. A.; Jacob S. Potofsky, President, Amalgamated Clothing Workers of America; Joseph M. Proskauer, President, American Jewish Committee; Esther A. Richards, Secretary, Universalist Church of America; Abraham Rockmore, Hebrew Immigrant Aid Society; Mrs. Rose Rohman, President, National Catholic Women's Union; Lessing J. Rosenwald, President, American Council for Judaism; Philip Schiff, National Jewish Welfare Board; Rose Schneiderman, President, National Women's Trade Union League; Mrs. Annalee Stewart, President, Women's International League for Peace and Freedom; Anna Lord Strauss, President, League of Women Voters of the U. S.; Marjorie L. Temple, Legislative Program Associate, American Association of University Women; Mrs. Theodore Wedel, Chairman, Department of Christian Social Relations, United Council of Church Women; Bernard Weitzer, National Legislative Representative, Jewish War Veterans; Mrs. Joseph M. Welt, President, National Council of Jewish Women; Mrs. Norman De R. Whitehouse, Women's Action Committee for Lasting Peace; Ray Wilson, Executive Secretary, Friends Committee on National Legislation; Dr. Stephen S. Wise, President, American Jewish Congress.

PROPOSED BUREAU OF ASYLUMS

Mr. MORSE. Mr. President, I wish to take 2 or 3 minutes to comment on an entirely different subject. I make these comments on the basis of my conviction that confession is good for the soul.

I direct my remarks to a bill which I introduced on May 20, Senate bill 2711, having to do with Federal inspection of mental hospitals in instances in which State hospitals receive funds by way of Federal aid.

I introduced this bill as a matter of courtesy to a group which has been working long and hard on the general problem of seeking to improve the administration of mental hospitals and the care of patients therein. It was my understanding that the bill had been checked with counsel. In the rush of events which is the experience of every Member of the Senate, I myself did not take the time to analyze the bill. However, I made it clear to those who asked me to introduce it that I would do so only as an act of courtesy. Frequently we introduce legislation which does not necessarily carry with it our endorsement as individual Senators. I frankly confess for the record that I had not analyzed the draftsmanship of the bill. My attention was called to an obvious error or two in the draftsmanship, so I sent the bill to the legislative counsel and asked for a review of it, only to find that my office had previously asked for the opinion of the legislative counsel, which I had not seen, but which was sent to me under date of April 8.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks excerpts from a memorandum which I received from the legislative counsel on Senate bill 2711.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR MORSE

This is in reply to your request for our opinion on the request of Miss Friedman that you sponsor legislation establishing a Federal Bureau of Asylums.

As you know, Congress has no authority under the Constitution to legislate over matters which are exclusively within the jurisdiction of the States and State insane asylums fall within that exclusive State jurisdiction.

The only way the Federal Government can exercise control over State asylums is by a constitutional amendment, except that some limited control could be exercised where Congress appropriates money to the States to help maintain and operate State asylums with a condition that the States must agree to certain Federal controls or else they would not get the money. This type of control is subject to two possible practical objections:

First, many Members of Congress object to imposing indirect controls on the States as a condition precedent to receiving necessary Federal aid.

Second, unless the amount of the appropriation is very large, it is doubtful that the States would be induced to submit to the Federal controls suggested by Miss Friedman.

It would seem to this writer, who admittedly has no expert knowledge of the conditions existing in State insane asylums, that in a matter of this kind which is exclusively within the jurisdiction of the several States, the proper procedure to be followed in improving the conditions that are alleged to exist today would be through the State governors or the State legislatures.

Respectfully yours,

S. E. RICE.

APRIL 8, 1948.

Mr. MORSE. In my opinion the bill as originally introduced would not meet constitutional tests. I so discovered upon my examination of the bill subsequent to its introduction. Therefore, I am submitting a redraft of the bill today, though I am not endorsing even the redraft. However, the redraft, I believe, at least eliminates the unconstitutional feature of the bill as originally introduced.

I wish the RECORD clearly to show that my only interest in this matter is to use the bill as a courtesy vehicle for calling to the attention of the Committee on Labor and Public Welfare the need and importance of the committee proceeding in the next session of Congress to look into the whole question of the relationship between the Federal Government and mental hospitals which receive any Federal funds whatsoever.

I am in sympathy with the general objectives of the bill, but I want the RECORD to show that I am serving clear notice on my colleagues on the Committee on Labor and Public Welfare that I am satisfied that the bill will require complete redrafting and revision, possibly by way of a committee bill, after the necessary investigations are made by the committee. I believe that such investigations will have to be made by any committee which studies the subject matter of the bill.

I do not need to tell the Senate that the treatment of mental patients in this country and the inadequate support which is given to mental hospitals generally is not a pleasant record for Americans who take the time to ascertain the facts. The amount of mental illness in the United States is very large, and I am afraid that many of us who enjoy good health are quite guilty of oversight of the thousands of our more unfortunate brethren who find themselves in mental hospitals and in some instances in hospitals where it would be more appropriate to refer to their status as that of incarceration, rather than that of sick persons being treated as patients.

I recognize that the Federal Government cannot and should not take over the jurisdiction of the treatment of mental patients. I am as much opposed to Federal administration of hospitals involving the mental sick as I am opposed to Federal administration and control of so-called general hospitals involving patients ill with other types of sickness. Yet I think we need to recognize that in some parts of the United States we could quite legitimately and properly supply Federal aid to some State hospitals, so as to eliminate some of the very undesirable conditions which exist in many of the mental hospitals. In fact, I think it is proper to say that the year 1700 is quite an appropriate year to cite by way of comparison in describing the treatment which exists in some sections of the United States, so far as mental patients are concerned. In many parts of our country we have not progressed very far beyond 1700 in the treatment of mental patients.

So, Mr. President, I think it is quite proper for the Committee on Labor and Public Welfare to have this bill on file and to give it some notice before adjournment. I hope at least we can work out in the committee an understanding that in the next session of Congress, when a perfected bill is introduced—and I shall be glad to introduce a perfected bill—we can then proceed with the consideration of the general problem of Federal aid to mental hospitals.

The PRESIDING OFFICER. The amendment will be received and appropriately referred.

The amendment intended to be proposed by Mr. MORSE to the bill (S. 2711) to amend the Public Health Service Act, Seventy-ninth Congress, chapter 538, second session, to establish a Federal Bureau of Asylums for inspections of all institutions which obtain Federal grants of money, and which are caring for mental patients, was received, referred to the Committee on Labor and Public Welfare, and ordered to be printed.

Mr. MORSE. Mr. President, in connection with this subject, I wish to point out that in the United States there are many sincere groups who are working on this matter because they are greatly disturbed over the very unfortunate, and in some instances disgraceful, conditions which exist in some of our mental hospitals.

So, Mr. President, I submit for the RECORD at this point certain communications which I have received from a gentleman by the name of Arthur J. Gross, who has been very active in this matter. Again I point out that he has proposals which I do not necessarily endorse, but he does have suggestions which I think are deserving of consideration by an appropriate committee of the Senate.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 24, 1948.*

Hon. WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.*

DEAR SENATOR MORSE: In accordance with your suggestion when I talked with you at

the Capitol, I submit information to you on S. 2711.

The bill is loosely drawn with many parts open to criticism by opponents.

1. As (1) reads it would include veteran and other Government hospitals which do not come under the provisions of the National Mental Health Act.

2. Section 3, the Federal Bureau of Asylums should not be under the jurisdiction of a member of the Cabinet or joint committee of the Senate and House of Representatives because the first part places the Bureau in a political plane and because of changes of Cabinet officers there would be uncertainties in the Bureau from time to time.

3. Section 3 is too restricted and possibly unconstitutional because of restriction of age and the barring of men within the medical and legal professions.

In my experience in legislative work, I have found that the simpler the bill is the better chance it has of enactment. S. 2711 gives opponents too many things to find fault with, thus defeating the purpose of the bill.

Sincerely yours,

ARTHUR J. GROSS.

---

WASHINGTON, D. C., *May 22, 1948.*

Hon. WAYNE MORSE,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR MORSE: Thank you for the courtesy extended to me on yesterday when I talked with you with reference to an amendment to the National Mental Health Act.

The purpose of the amendment is threefold, namely, to protect the United States Government and the taxpayers in unsupervised spending of money by private and State hospitals who may obtain money under the act.

As the act reads, nothing is done to reach the root of the trouble that is facing this country with regard to mental illness, and its treatment, except in research work. The Rockefeller Foundation and others interested in the above subject have spent large sums of money in the past without obtaining the results that are desired. Too much money was wasted in giving jobs to psychiatrists, students of psychiatry, social workers, clerks, and other administrative expenses, in carrying on the research work. At no time did those recipients do the most important thing, namely, consider the welfare of the inmate in the State hospital. No consideration was given to the fact that most victims of mental illness become such through social problems and not through physical conditions.

Real high-type psychoanalysts and psychiatrists recognize the above to be the fact. Recently in the United States religion has stepped into the picture and is doing some constructive work in giving the mentally ill some hope and peace of mind. A good example of this is the book written by Rabbi Joshua Liebman, of Boston—Peace of Mind—which was a best seller for months.

The third element is the State hospital employee. Unfortunately, due to the low-wage scale, treatment of employees, and lack of civil-service protection in most States, State and private mental hospitals have been unable to obtain the caliber of employee that is fitted for work in mental hospitals. Attendants in most cases are alcoholics; drifters, going from one hospital to another; homosexualists, or failures in life. Because of the type of work that is required of an attendant, very few high-type employees are attracted to the work of an attendant. In many State hospitals, superintendents of the old school are czars, running the institutions as their private enterprises, and with disregard for the old, antiquated laws pertaining to commitment, constitutional rights of inmates and employees.

Many superintendents and psychiatrists in these hospitals have had no experience in the private practice of psychosomatic medicine and have been living on taxpayers ever since they came out of medical schools.

Public-spirited young doctors merely stay in a mental hospital as an intern or resident physician long enough to get some experience in psychiatry and then leave to go into private practice or go to another hospital and obtain a better position. Many of these young doctors get only between 3 months to a year of experience. The unscrupulous doctor—after such short period of training—assumes the role of an expert in mental diseases and preys on the public, who in the past 5 years have been overconscious about mental illness through the dangerous amount of publicity the country has been flooded with in books, magazine articles, plays, movies, and newspaper stories.

Inmates in State hospitals also are suffering because of the lack of high-grade experienced psychiatrists. Recently I found in one of the State hospitals where two young doctors, who were merely learning something about psychiatry, covering the male psychiatric service of over 1,000 patients. It is humanly impossible for doctors under such circumstances to do justice to their work and to the inmate. He cannot properly prepare his report on new admissions, which report is the basis for diagnosis and record of the inmate, which record he is judged by at the staff hearing, reports to relatives and testimony in court proceedings, involving the inmate and his property.

Let me also bring to your attention the fact that each State has its own insanity laws governing State hospitals. These laws vary, are old, antiquated, and inhuman. They, in many cases, have not been changed in over a hundred years in many respects. The laws in many instances have been lobbied through the State legislature by the medical profession and in its interest only, without regard for the victim of mental illness or illegal commitment, and utter disregard for the taxpayer, who foots the bills in supporting the State mental hospitals. I am working on a uniform Federal insanity law which will be ready for the next session of Congress.

For your information, I have sent copies of the amendment I have written and of which you have a copy, to about a hundred Members of Congress. I also am sending a letter, dated May 18, 1948, similar to the one you received, to labor and veterans' organizations, since there are thousands of members of organized labor in State and private mental hospitals. As for veterans, it is needless for me to inform you that there are thousands in State hospitals because of the lack of beds in veterans mental hospitals. These veterans are not getting the care and treatment in the State hospitals that they receive in veterans hospitals, or as intended by the Congress—and the Veterans' Administration. The State hospitals receive large sums of money for the care of the veterans in their hospitals, and do not give value for these payments. Even a meager investigation will disclose this.

May I also suggest that a congressional committee investigation be made of State and private mental hospitals. It will disclose hair-raising evidence of mismanagement, cruelty, underfeeding, underclothing, and slave labor in the guise of occupational therapy.

I am writing you another letter as suggested by you with reference to S. 2711, Eightieth Congress, second session, the bill you filed on May 20, 1948.

Sincerely yours,

ARTHUR J. GROSS.

WASHINGTON, D. C., *May 18, 1948.*

A very grave problem faces this country, far more serious than is realized. The problem is the mental health of our people.

Due to the fact that there has been a dangerous amount of publicity concerning mental disease through books, magazine articles, plays, movies, and newspaper stories, the public has become over-conscious concerning their mental condition. They have been running to psychiatrists, psychoanalysts, and psychologists with their problems. Because mental diseases and psychiatry (the medical term for that part of the medical professional) is the infant of the medical profession and an inexact science, unscrupulous doctors, and psychologists have been bleeding the public with fees far beyond the value of their services. Because of old and antiquated State laws on insanity and commitments, thousands of people have been committed to State and private mental hospitals without trial and without due process of law, through the activities of unscrupulous doctors posing as mental exports, police, officials of cities and towns and relatives of the victims. Once in these hospitals, the victim loses every right guaranteed him by our Constitution. He, in most hospitals, is treated worse than a criminal in jail or in a penitentiary.

No one knows when he might be a victim himself. Over half the beds in hospitals in this country are occupied by mental patients, this is exclusive of Government hospitals.

The Congress of the United States in its effort to remedy the conditions enacted the National Mental Health law. This law will, no doubt, help the situation in the future. However, under the law, a blank check is given to State and private hospitals.

In order to protect the Government against waste of money and to protect the inmates in the mental hospitals, I have drawn an amendment to the act. I am enclosing herewith for your information a copy of the amendment which will be filed in the Senate and House of Representatives.

At a hearing before the appropriate congressional committees, I will appear with citizens and representatives of organizations who have for years been fighting the illegal commitment racket and conditions in the State and private hospitals.

Should you care to discuss this amendment with me, I will be more than happy to do so.

Respectfully,

ARTHUR J. GROSS.

Mr. MORSE. Mr. President, last of all I introduce, as a matter of courtesy to Mr. Gross, and for reference to the committee for such study and consideration and investigation as the committee in due course of time may wish to give to it, a bill which he proposes, dealing with a similar subject, but in many respects different from the bill which the other group asked me to introduce on May 10, and which I have submitted in revised form today, as a revised bill. I ask unanimous consent, out of order, to introduce this bill on the same subject matter, for appropriate reference.

There being no objection, the bill (S. 2765) to amend the Public Health Service Act, Seventy-ninth Congress, chapter 538, second session, to provide for Federal inspection of institutions, State mental health authorities, and hospitals who obtain grants of money, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

LEGISLATIVE PROGRAM

Mr. WHERRY obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. HATCH. Mr. President, some of us have been discussing the unfortunate situation into which we are getting in the consideration of legislation, and about which the Senator from Nebraska has frequently spoken. It seems that unavoidably the displaced persons bill will go over until next week. If debate on it is continued, as apparently it will be, it is not now possible to determine when final action will be had on this measure, especially in view of the fact that next week, after we take up the bill again, again, and again, and again, it may be displaced for the consideration of other proposed legislation.

With that thought in mind, and with the utmost desire to be cooperative, I wish to suggest now to the acting majority leader that he give serious consideration that when we take up this bill again, we proceed with it until action on it is finished, and that if necessary we have night sessions, and that all Members of the Senate be notified that that course will be necesasry. It is not desirable; I do not want it; I do not like night sessions; but I do not see how they can be avoided.

Mr. WHERRY. Mr. President, I appreciate very much the observations which have been made by the distinguished Senator from New Mexico. In view of his observations, let me say for the RECORD that, as he well knows, the conference report on the Bulwinkle bill is a privileged matter, and consideration of it could not be foreclosed when the distinguished junior Senator from Kansas [Mr. REED] asked that it be laid before the Senate. In order to accommodate the distinguished Senator from Wyoming and the distinguished Senator from New Jersey, as the Senator recalls, unanimous consent was had whereby the consideration of the conference report on the Bulwinkle bill will be delayed until Friday of this week.

The distinguished Senator from New Mexico also knows, because of his long experience in the Senate, that prompt consideration of appropriation bills is, of course, most important as they come along.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HATCH. I began my remarks with a statement which perhaps the Senator from Nebraska did not hear, inasmuch as he may have been engaged in conversation. I said that what I was saying was not critical at all——

Mr. WHERRY. I understand that.

Mr. HATCH. But I simply realize the situation.

Mr. WHERRY. I appreciate that. I was just reaching the point, after referring to the background, of not only commending the distinguished Senator from New Mexico for his remarks but of commenting on how we may act on his suggestion in order to bring about what he has suggested.

Mr. President, the displacement of the displaced persons bill has been somewhat disconcerting to all of us. For the RECORD, I wish to call attention once again to the fact that tomorrow, Friday, when the Senate convenes, under the unanimous-consent agreement, the conference report on the so-called Bulwinkle bill will come before the Senate. The time assigned for the debate on it is from 12 o'clock to 3:30 p. m. At that time a vote will be taken.

In view of the fact that the Treasury and Post Office appropriation bill, to which I referred to a moment ago, is ready, and that the distinguished Senator from Oregon [Mr. CORDON] has attempted to have it considered at various times during the last 3 or 4 days, I feel that at that time it will be best, if it meets with the approval of the Senate, to have the Senate take up that bill and conclude action on it.

Then, for the benefit of the RECORD and the Senators now present, I wish to say that it is my intention to bring up the proposed legislation relative to the Second War Powers Act. I think that measure can be disposed of with very little debate.

If action on all those measures is concluded tomorrow, so that we may return to the displaced persons' bill before the Senate adjourns tomorrow, then we shall be back on the unfinished business.

I should like to say to the distinguished Senator from New Mexico that I agree with his suggestion 100 percent. But in order that all Senators may have a chance, once again, to have measures on the Consent Calendar acted upon, I think that if it meets with the approval of the Senate, we shall have the Senate adjourn on Friday until Tuesday. That will give the Senate a morning hour on Tuesday, and will provide an opportunity for going back to the beginning of the calendar for the consideration of all bills on the calendar, so that if there are bills as to which there is agreement, they can be disposed of. The morning hour will be concluded at 1 o'clock on Tuesday, because during all of next week, as has already been announced, the Senate will meet at 11 a. m. and will continue until 6 p. m.

So, Mr. President, beginning with next Tuesday, June 1, the Senate will again return to the unfinished business, the displaced persons bill. I agree with the Senator from New Mexico that at that time it should not be displaced until action on it is concluded. But the appropriation bills and conference reports, as the Senator well knows, are privileged, as was action on the veto message. I certainly agree with the remarks of the Senator from New Mexico. They are very timely.

With the announcement I have made for the RECORD, outlining the program for tomorrow and the proposed adjournment over until Tuesday, the morning hour, the calling of the calendar, and the resumption of the consideration of the displaced-persons bill at 1 o'clock, June 1, I think we have outlined the program for the immediate future as far as possible. I may say it is our intention when the displaced-persons legislation is concluded to make the draft bill the unfinished business. Following that, we shall have to determine from day to day what legislation is to be considered.

The PRESIDING OFFICER. The so-called displaced persons bill is still before the Senate.

RECESS

Mr. WHERRY. Mr. President, if no Senator desires to take the floor to discuss the pending bill or to bring up other matters, I move that the Senate take a recess until tomorrow, Friday, at noon.

The motion was agreed to; and (at 6 o'clock and 43 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 28, 1948, at 12 o'clock noon.

---

NOMINATIONS

Executive nominations received by the Senate May 27 (legislative day of May 20), 1948:

UNITED NATIONS

Philip C. Jessup, of New York, to be the deputy representative of the United States of America, with the rank and status of Envoy Extraordinary and Minister Plenipotentiary, in the Security Council of the United Nations.

UNITED STATES ATTORNEY

Harry O. Arend, of Alaska, to be United States attorney for division No. 4, district of Alaska. (Mr. Arend is now serving in this office under an appointment which expired May 9, 1948.)

---

WITHDRAWAL

Executive nomination withdrawn by the Senate May 27 (legislative day of May 20), 1948:

Mrs. Helen Jaeger to be postmaster at Independence, in the State of Kentucky.

---

# HOUSE OF REPRESENTATIVES

## THURSDAY, MAY 27, 1948

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord of love, who came to this world not to be ministered unto, but to minister, help us to give our services wholly to Thee and our fellow men; help us to seek by understanding, rather than by striving, to promote concord and harmony among all conditions of men.

O God, grant that this erring, groping day, with its baffled ignorance and sin, with its oppression and misery, may soon vanish and cease to hide Thee behind its wicked works. Open our minds that we may feel the breath of the overcoming spirit of the Christ, who was in all points tempted like as we are, yet without sin.

We pray for all upon whom rest the business, political, and industrial life of our country; in all their ways may they acknowledge Thee. Through Christ our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 25, 1948:

H. R. 1878. An act to amend the immigration laws to deny admission to United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States;

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.;

H. R. 5669. An act to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport irrigation district, and for other purposes.

On May 26, 1948:

H. R. 5298. An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendments to the bill (H. R. 2878) entitled "An act to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUTLER, Mr. WATKINS, Mr. ECTON, Mr. HATCH, and Mr. MURRAY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) entitled "An act to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes."

EXTENSION OF REMARKS

Mr. SNYDER and Mr. SMITH of Wisconsin asked and were given permission to extend their remarks in the Appendix of the RECORD.

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD in two instances, in one to include a telegram and in the other a series of articles from the New York Evening Post on juvenile delinquency, notwithstanding the extra expense of $248.50 on which I have an estimate from the Public Printer.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

VOICE OF AMERICA

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, we find in yesterday's RECORD some very interesting information as to how the money appropriated by this House for the so-called program of the Voice of America is being spent. It came to light in the Senate on yesterday that for the past 2 months two traveling observers have been covering the United States gathering information and making reports to foreign countries.

These observers have not said the first kind thing about any State they visited. Every State, one of which is my home State, has been smeared—Nevada, Utah, Texas, Pennsylvania, Alabama.

I want to read a few excerpts from what these fellow travelers had to say about my State and I want to deny every charge made in this report which has been beamed all over the world. They stated:

> We are at Birmingham, the Pittsburgh of the South, and the most important city in Alabama. It has a population of 300,000 and its principal industries are iron and steel. And this city is like those two metals, hard and poorly made. * * * It was constructed in a hurry and they have not had time to improve it.

The so-called observers had this to say about the capital city of Montgomery, Ala.:

> See what was holding up the traffic. An ox cart. That is a symbol of the spirit of Montgomery.

Mr. Speaker, the citizens of two fine, progressive cities of the South have been ridiculed and slandered, at the expense of the taxpayers of this Nation, some of whom live in these cities of Montgomery and Birmingham.

Birmingham and Montgomery need no defense. Each is a progressive city where gracious living is a tradition. I dare say the percentage of Communists, fellow travelers, and pinks in these two cities is proportionately smaller than it is in the State Department, that agency of this Government which is responsible for this misinformation and slanderous mud that is being poured out over the wavelengths of the world in an effort to embarrass the States visited by these travelers, who could be only one kind of a traveler, and that is a fellow traveler.

Mr. Speaker, this latest display of nonsense convinces me that the State Department lacks the ability to carry out the program that was planned for the purpose of telling the peoples of the world at least some of the good things about this country. It is high time that this agency be abolished. I have today introduced a concurrent resolution seeking to have funds for the Voice of America stricken from the appropriation bill for the State Department. That Department, in my judgment, lacks the ability and common sense—and so little is required—to do a simple job; namely, tell the peoples of the world what a great nation we have. Instead, under permission, if not under direction, of the State Department, five of our great States have been ridiculed.

GREATER SAFETY FOR MINERS

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, a few days ago six miners were killed at Dante, Va., by the collapse of a roof where they were working. Last year 65,165 miners were killed or injured in the mines, this largely due to the lack of proper power given by Federal law to compel proper inspection on the State level.

I have insisted since I have been in Congress that the Federal law be amended to provide greater safety for miners.

On May 16, 1946, I asked on the floor of the House that the miners be given better safety and working conditions. Again, on April 9, 1947, after the Centralia mine disaster, I urged in a speech on the floor that something be done along this line.

Again, today, I urge the Congress to take action on H. R. 2907, a bill to provide for health and greater safety in the coal mines. Something should be done now in this direction.

I am including a part of both of the speeches above referred to:

[Thursday, May 16, 1946]

Mr. VURSELL. Mr. Chairman, I rise in support of the amendment introduced by the gentleman from West Virginia, and also in support of an amendment introduced by the gentleman from Illinois, Congressman DIRKSEN.

These two amendments, if approved by the House, will add to the appropriation in the present bill approximately $485,000 in order to give the miners better safety conditions under which they will have to work.

Many Members of this House are advocating the gift or a loan to Great Britain of some $3,750,000,000. For my part, I am not supporting that loan, which would place an additional tax burden on the coal miners of America and also on all the other people. When we consider the expenditure of these billions to help Great Britain, I am rather amazed that we shall quibble about expending an additional $485,000 which would add 47 mine inspectors and, at the same time, continue the work looking to greater safety in an effort to bring about better working conditions for the miners who go down into the bowels of the earth and mine the coal which is essential to the industry and economic welfare of all of our people. I will take my position in the corner with the miners in an effort to help them, and I am perfectly willing to add this $485,000, because it will be an investment in the safety and the preservation of the lives and manpower of the miners of America.

Mr. Chairman, when I was home during the holidays a committee of miners headed by Mr. Pete Lenzini, of Centralia, Ill., called upon me urging that something be done along this very line in legislation to help

bring better safety and working conditions to the miners. Upon my return to Washington I went into this matter and made a study of it to see if a law could be enacted by the Federal Government which would compel the States and those operating mines in the States to effect better safety conditions in such mines. I have been informed that the Federal Government has gone about as far as it can when it set up the Safety Act with reference to miners in 1941; that the Federal Government can recommend but that it cannot compel the States to follow out its recommendation.

If I had my way and it could be done, I would support a Federal act that would compel the mine operators in every State to live up to the highest safety standards possible in the interest of the miners.

I am told that we are short some 45,000 miners in the United States today and that the majority of those working in the mines are between 40 and 65 years of age. I know many miners in my district between those ages who have worked 54 hours a week for the past 3 years in an effort to help the Government win the war and may I point out to you that the American miner, in part, due to better machinery, produces 4 tons of coal a day to 1 ton produced by the British miner. I do not believe any group of civilian men in America has worked as long hours under as dangerous conditions and has contributed more to the winning of the war than the miners of America.

Mr. Chairman, I want to do something, if this Congress can do it, to better their working conditions and to guard their physical welfare. I need only to cite the figures that over 1,000 miners lose their lives every year due to their dangerous employment and due to the lack of proper mine inspection and proper safeguards being thrown around them.

In addition to this, many thousands each year are injured.

If we pass this appropriation, which will add 47 mine inspectors and which will better the conditions generally under which they work, it will help to preserve the lives of the men now working and will encourage more men to enter this employment, which will be less hazardous under better safety conditions.

One of the great contentions which led to the present coal strike, which we hope will be settled soon, was this very question we are dealing with here today.

Let this Congress approve these appropriations and by so doing send out a message to the miners of America that the Members of Congress of the United States realize their just claim for better safety conditions under which they work, and that the Congress of the United States is moving in that direction with greater appropriations than ever voted to carry out research and better safety conditions under which the miners shall work in the future. Let us approve these amendments as an investment to preserve the life and to prevent accidents befalling the miners and let us continue along this line until the working conditions under which the miners of America work will be brought to the highest point of safety.

Mr. Chairman, I hope the Members will increase this appropriation by an overwhelming vote. It would be a fine humanitarian move.

---

[April 9, 1947]

COAL-MINE DISASTERS

Mr. VURSELL. Mr. Speaker, 2 weeks ago the Nation was shocked with the great loss of lives in the tragic explosion in the No. 5 Coal Mine at Centralia, Ill., which caused the death of 111 miners. The death of these men leaves 97 widows and 78 dependent children to face a sad and difficult future. These men lost their lives while employees of the Federal Government.

The Supreme Court confirmed this statement when it said in a recent decision with reference to the authority of the Government in dealing with the coal strike:

"Congress intended that by virtue of Government seizure, a mine should become, for purposes of production and operation, a Government facility in as complete a sense as if the Government held full title and ownership."

Mr. Speaker, when the Government took over these mines a safety code was agreed upon between the Government and the representatives of the United Mine Workers. This code laid down certain safety standards to protect the lives and safety of the coal miners. It was a binding contract signed by Mr. Krug, representing the Government, and Mr. Lewis, representing the miners. Investigations of the Centralia coal mine in November 1946 disclosed that the mine was in an unsafe and dangerous condition. In fact, the Federal inspectors reported some 50 violations, all of which were dangerous to the safety of the miners and called upon the Federal Government to take notice thereof and to correct such conditions. The Government failed to correct these conditions and on March 25, 1947, this disastrous explosion occurred with this great loss of lives.

By reason of these two disasters there are left a total of 267 widows and dependent children.

Mr. Speaker, in an effort to bring some meager relief to these families so that their widows may carry on with proper food, clothing, medical care, and educational opportunities for their children, I have introduced a bill asking for an appropriation for $735,000 which equals the amount assessed in fines against the United Mine Workers organization, providing that this amount of money which comes to the Federal Government by reason of such fines be set up in a special fund to be administered on the basis of need, to provide relief and aid to the widows and dependent children of these two mine disasters, to be administered by the Social Security Administration.

This bill simply seeks to set aside money contributed over the years by the men in the mines who dug the coal, to offer some meager relief to the unfortunate widows and children of their fellow workers who lost their lives because they worked under hazardous conditions, which conditions were a violation of the contract on the part of the Federal Government in not correcting these dangerous conditions in the Centralia mine and upon the part of the mining company in not removing the dangerous hazards and conditions in the Straight Creek Co. mine in Kentucky.

Mr. Speaker, I understand a bill has been introduced providing that Federal inspectors may close down mines when they find that safety conditions demand it.

I believe it is the duty of the Congress to enact legislation along this line and other legislation to insure more safe working conditions. It is to be hoped that out of this recent tragedy at Centralia, Ill., in the loss of 111 miners, that the miners of the Nation will be benefited in the future through legislative action that will force and compel better working and better safety conditions throughout the coal mines of America.

Such legislation is imperative not only from the humanitarian standpoint but from an economic standpoint as well. One of the greatest natural resources left in America today is the coal in the earth. Billions of tons of coal, worth countless billions of dollars, coal enough to supply the United States for thousands of years in the future is one of our priceless great natural resources left.

Unless better safety conditions are provided, the sons of miners and others will not go down into the earth to bring up the coal. No other group of men in the factories of the Nation are permitted to work in the face of such hazards to life and limb as are the miners.

They have mined the coal which has powered our great steel and industrial developments, which has lighted and illuminated the countryside through rural electrification, lighted and powered the great cities through public utilities, that has brought untold comfort to millions of our people. They have furnished the power that has largely developed our great railway and transportation system. Our industrial progress in the future depends more upon coal than upon any other natural resource. The steel industry is basic and fundamental to the success of the industry of this Nation. Coal must power the great steel industry and other industries of the Nation.

Mr. Speaker, the miners of our Nation, as to their safety at their work, have been too long overlooked. Through their sweat and toil they have made a great and tremendous contribution to the development of our Nation and to the comfort of our people. There must be better safety conditions thrown around them to induce their sons and other young men to work in the mines of this country. I repeat, it is an economic problem as well as a humanitarian problem. Unless better conditions are brought about, this great wealth hoarded under the ground so necessary to the future development of our Nation will not be brought to the surface in sufficient quantities to drive America forward to its greatest destiny in the future.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement about HON. KARL STEFAN.

ECONOMIC COOPERATION ADMINISTRATION

Mr. BANTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BANTA. Mr. Speaker, when the Economic Cooperation Administration justification was presented to the Appropriations Committee, it was found that the new Administration did not have sufficient facts at hand to justify the full expenditure of $4,300,000,000. For that reason the chairman had to postpone the report of the committee at least for a fortnight.

The other day, the Administrator, Mr. Paul G. Hoffman, appeared before the Senate Appropriations Committee and told them that "in the preliminary presentations of this project—ERP—the executive branch repeatedly emphasized that the European recovery program could not be neatly blue-printed in advance." He said that even though "a massive amount of study and work went into the preparation of the original plans, our studies have served only to underline the importance of this consideration."

At the same time, he told the Appropriations Committee of the other body,

and I quote, "as we study these problems we are more and more impressed with the fact that we can see only a little way ahead."

Mr. Speaker, I wish to raise the question of whether it is in keeping with the policy of this body to approve appropriations for expenditures for periods for which justifications cannot be presented. I submit that when this is the case as it was in the case of the Atomic Energy Commission, the Congress has only appropriated for that period for which sufficient justification has been presented and that when the spending body is prepared to justify further expenditures a new supplementary appropriation be considered.

The total authorization for ECA exceeds the total budget for any peacetime year preceding that of the spending era which started in the early thirties when those in the executive branch became imbued with the idea that we could spend our way to prosperity.

Mr. Speaker, $4,300,000,000 is a lot of money. It is almost double the annual expenditures for all public elementary and secondary education in this country. Mr. Speaker, we should not appropriate funds until they can be justified. If ECA cannot now justify the full amount authorized we owe it to the Nation's taxpayers to appropriate only the sum that can be adequately justified at this time.

The world situation is changing from day to day and as Mr. Hoffman says "we can see only a little way ahead." For this reason I do not think that the Congress should appropriate money for a period which may, and probably will be, vastly different from what we now foresee. I hope the Appropriations Committee will give due consideration to the situation and recommend approval of the sum for only that period for which the ECA administrators can reasonably blueprint in advance.

### ASSISTANCE TO STATES IN THE COLLECTION OF CERTAIN SALES TAXES

Mr. BOGGS of Delaware. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. BOGGS of Delaware. Mr. Speaker, I take this opportunity to call attention to the fact that the Rules Committee has granted a rule for the consideration of H. R. 5645, which is a bill to assist the States in the collection of certain sales taxes. On the face of the bill this appears as innocent as a lamb but, on the contrary, the matter is as vicious as a rattlesnake.

I want to call the attention of the Members of the House to this bill. Of course, I know all are very busy, but I hope that during the consideration of the bill full opportunity will be given to present to the Members the important implications involved in this matter.

### VOICE OF AMERICA BROADCAST

Mr. JACKSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection?

Mr. JACKSON of California. Mr. Speaker, with relation to the Voice of America broadcast mentioned by the gentleman from Alabama, may I say that I yield to no man in my respect for the several sovereign States of this Union nor to any man in my hatred for communism; however, I feel it should be made a matter of record that this Congress itself, through the power of appropriations, last year restricted the number of personnel available to the Voice of America for the preparation and supervision of general scripts and made it obligatory that private enterprise in large measure take over these functions.

The regrettable broadcasts which have been mentioned were, unfortunately, prepared and broadcast under the supervision of the National Broadcasting Company. It is my understanding that the employees responsible for the unfortunate choice of material have been discharged from their employment. I believe that it should go into the RECORD that this was not the act of any Government department, but was rather a direct result of an act of this Congress itself in limiting the supervisory personnel for this important function, and delegating almost unlimited discretionary powers for script preparation to private agencies.

### EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. RAINS (at the request of Mr. GRANT of Indiana) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. McCONNELL asked and was given permission to extend his remarks in the RECORD and include an address by Senator MARTIN.

Mr. BENNETT of Missouri asked and was given permission to extend his remarks in the RECORD.

### THE JENKINS BILL

Mr. BENNETT of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BENNETT of Missouri. Mr. Speaker, on the subject discussed a few minutes ago by my colleague from Delaware, I want to join with him in the sentiment which he expressed in opposition to the nefarious Jenkins bill which is designed to have the Federal Government help the States to collect local taxes. This bill is unconstitutional, unsatisfactory, unenforceable, unwise, and generally unsound. It must be defeated. It is going to take considerable more time to dispose of this bill than some people anticipate, if it is brought up today. There are plenty of Members opposed to it from the 10 States adversely affected and before we get through explaining what it is, we expect to have plenty of help from some of the rest of you.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I understand that the distinguished gentleman from Delaware [Mr. BOGGS] and the distinguished gentleman from Missouri [Mr. BENNETT] have made an attack on the bill of which I have the honor of being the author. As far as I know, they are the only two Congressmen who are opposed to it.

This bill which has attracted Nation-wide attention is H. R. 5645—and is commonly referred to as the Jenkins bill.

This bill has Nation-wide support which it deserves. It is supported by the Members from about 40 out of the 48 States. There may be some half-hearted opposition from some Members from the States of Delaware and Missouri.

Forty out of the forty-eight States have laws which levy a tax on cigarettes. At the present time there is a heavy traffic of cigarettes from these 8 States which do not have a cigarette tax law into the States that do have laws levying a tax on cigarettes. In other words there is a big bootleg traffic of cigarettes into the 40 States which have tax laws for these bootleg cigarettes all sold in the tax States in violation of the law free of taxes. The tax States lose about $30,000,000 annually by reason of these bootlegging practices. This bill provides that a person shipping cigarettes in interstate commerce must notify the taxing authorities in the State into which cigarettes are shipped, giving him information as to whom the cigarettes were shipped and the amount and value of the cigarettes. From this information the taxing officer can locate such cigarettes and compel the person to whom they were shipped to pay the proper tax.

This bootlegging of cigarettes must be stopped. They should bear a tax just as all other cigarettes sold in that State pay a tax. The Jenkins bill will and should pass by an overwhelming majority.

### BEVIN SKULDUGGERY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, Great Britain argues that for the United States to give a loan to Israel jeopardizes Arab peace.

That is unabashed cheek. A British general personally commands the British-financed, officered, and equipped

Arab Legion—really a British army—that is now bombing the holy places in Jerusalem and refuses to cease fire.

Britain feeds money into the Arab maw to destroy the state of Israel, now recognized by nine countries.

She arms and inflames the Arabs and then unabashedly complains when aid is offered her victims.

Bevin castigates President Truman's expressed desire financially to aid Israel for defense and resettlement of DP's.

That is hutzpa—Hebrew for "nerve"—like a man who murders his parents and then asks for clemency on the ground that he is an orphan.

Bevin is guilty of arrant knavery. He gives comfort to the enemies of peace and the saboteurs of the United Nations.

CALL OF THE HOUSE

Mr. SEELY-BROWN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 83]

| | | |
|---|---|---|
| Anderson, Calif. | Harness, Ind. | Murray, Wis. |
| Andrews, N. Y. | Hartley | Nicholson |
| Bell | Harvey | Norton |
| Bennett, Mich. | Heffernan | O'Hara |
| Bland | Hendricks | Owens |
| Bloom | Holifield | Pfeifer |
| Boykin | Jennings | Ploeser |
| Buckley | Johnson, Okla. | Potter |
| Bulwinkle | Johnson, Tex. | Powell |
| Carroll | Jones, N. C. | Rayburn |
| Chapman | Kearns | Rich |
| Clark | Kefauver | Riley |
| Clippinger | Kersten, Wis. | Rivers |
| Cotton | Kilday | Robertson |
| Coudert | King | Scoblick |
| Cravens | Landis | Scott, Hardie |
| Dawson, Ill. | Lane | Scott, Hugh D., Jr. |
| Dingell | Lesinski | Sheppard |
| Dirksen | Ludlow | Short |
| Dolliver | Lusk | Sikes |
| Dorn | Lyle | Simpson, Pa. |
| Doughton | McDonough | Smith, Me. |
| Douglas | McDowell | Somers. |
| Eaton | Macy | Stigler |
| Engle, Calif. | Meade, Ky. | Stratton |
| Fellows | Meade, Md. | Thomas, N. J. |
| Fernandez | Meyer | West |
| Fuller | Miller, Calif. | Whitaker |
| Gathings | Miller, Conn. | Williams |
| Gwynne, Iowa | Mitchell | Wilson, Tex. |
| Hall, Edwin Arthur | Morrison | Wood |
| | Mundt | |

The SPEAKER. On this roll call 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and include editorials in each.

Mr. BUSBEY asked and was given permission to extend his remarks in the RECORD in two instances, to include in one an editorial by Frank C. Waldrop and in the other a report to the House on the case of Mrs. Earl Browder.

Mr. MASON asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. DEANE asked and was given permission to extend his remarks in the RECORD and include an address.

Mr. BENDER asked and was given permission to extend his remarks in the RECORD.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD in two instances and to include extraneous matter in each.

Mr. TEAGUE asked and was given permission to extend his remarks in the RECORD in three instances and to include extraneous matter in each.

Mr. FOGARTY asked and was given permission to extend his remarks in the RECORD and include two articles.

Mr. KENNEDY asked and was given permission to extend his remarks in the RECORD and include two articles.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KUNKEL asked and was given permission to extend his remarks in the RECORD and include an address delivered by Senator MARTIN.

TREATMENT OF SEXUAL PSYCHOPATHS IN THE DISTRICT OF COLUMBIA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6071) to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 25, and page 5, line 1, strike out "of committing any other unnatural or perverted sexual act with any other person or animal" and insert "of having carnal copulation in an opening of the body except sexual parts with another person."

Page 5, line 15, after "be", insert ": *Provided*, That the accused, on motion, shall be entitled to be furnished with a bill of particulars, setting forth the particular acts which constitute the offense charged."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1949

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 615 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That during the consideration of the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Illinois [Mr. SABATH], the ranking member of the Committee on Rules. I would appreciate it if the gentleman would permit any Member who desires time to speak out of order to speak first, so that we may devote the remainder of the time to a discussion of the bill.

Mr. SABATH. I always try to comply with any request from the gentleman from Ohio, and I shall with pleasure accede to the gentleman's request at this time.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, I rise to pay tribute to Foreign Service Officer Thomas C. Wasson, a gallant public servant, who was slain in line of duty on May 22, 1948, at Jerusalem.

Consul General Wasson was a native of Great Falls, Mont., and he listed New York City as his permanent home, but he was a one-time resident of my district, where he owned a farm in the county of Chesterfield. He had numerous friends in and around the city of Richmond who mourn his untimely death.

A veteran of World War I with overseas service, Mr. Wasson was studying Greek in Athens in 1920 when he met the late Alexander W. Weddell, who was stationed there in the American consular service. Mr. Weddell persuaded Mr. Wasson to enter the Foreign Service, which was the beginning of a notable diplomatic career. Melbourne, Naples, Florence, and Paris were among the foreign posts at which Mr. Wasson served with distinction.

It was my privilege to meet Mr. Wasson in Athens last fall when I visited that city, as a member of the House Appropriations Committee. After a quarter century he had returned to the place where he had entered the Foreign Service. He was an ideal officer. Although you were impressed with his efficiency and skill in handling details, his calm and quiet manner relieved you of the feeling that you were encroaching on his time, and withal there was a graciousness about him that few men possess. He shared with me one of the rich experiences of my life when the two of us climbed up Mars Hill and stood together at the spot where the Apostle Paul delivered his famous oration to the Athenians.

Known among his associates for his personal courage, Mr. Wasson accepted his assignment to the hazardous Jerusalem post wtih the full knowledge of the dangers which it involved. While visiting in Richmond, Va., in March, he told a friend he had obtained two bullet proof vests which he planned to take to Jerusalem. He was quoted as having said to another, "I have a helmet down to my waist and wish it was all the way to the ground." Nevertheless, when the Department of State informed him that he was being considered for the post because of his record of courage and good judgment, he expressed appreciation of the confidence which the Department had shown in him and of the opportunity to serve his country at this extremely perilous post.

It was Mr. Wasson's function as consul general to keep this Government fully and accurately informed of developments

in Jerusalem and Palestine, and also to protect the lives and property of American citizens there. He was assiduous in carrying out these responsibilities, showing great ability and resourcefulness. The performance of his duties required him to maintain constant personal contact with Arab and Jewish leaders, daily passing through bullet-swept streets and battle lines with no protection other than the American flag on his car.

In addition, Mr. Wasson was a member of the three-man United Nations Security Council Truce Commission, to which he had been appointed by the President as the representative of the United States. It was while he was returning to his office from a meeting of this Commission of May 22 that Consul General Wasson was struck down by the bullet of an unknown sniper. Members of the consulate general staff carried him from the street to the safety of the office where he received immediate medical attention, but he died the following day.

His tour of duty in Jerusalem was not the first time that Mr. Wasson served his country at grave risk to his life. He was awarded the Medal for Freedom for his services as consul at Dakar, French West Africa, where he was under fire during World War II, as he established and maintained our Foreign Service post throughout the extremely delicate period of the German occupation of France.

The death of this devoted public servant in line of duty reflects great credit upon the Foreign Service which he loved. His heroic sacrifice is an inspiration to his colleagues in the service who are frequent companions of danger as they man their posts in every corner of this troubled world. The flag is still flying at Jerusalem as the staff of the consulate general carries on with courage, restraint, and dedication to duty.

One other servant of this Government at Jerusalem, Herbert M. Walker, of the United States Navy, has also lost his life, and still another, Thomas Gannon, has been wounded.

To Thomas C. Wasson and the men and women of his mold in the Foreign Service, we owe a debt of gratitude for their loyal, devoted, and patriotic service to our country under difficult, trying, and hazardous circumstances.

Mr. JACKSON of California. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. JACKSON of California. It was my great privilege while traveling through Greece last year with the gentleman from Texas [Mr. TEAGUE] to meet and know Thomas Wasson. He was a fine public servant. He died in the front line of duty, just as any American soldier.

Mr. GARY. I thank the gentleman for his contribution.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Speaker, I am very much interested in what the gentleman has said about the late Thomas C. Wasson.

Mr. Wasson was a native of Great Falls, Mont., which is one of the principal cities in the district I have the honor to represent. He was the son of the Reverend E. A. Wasson, who was pastor of the Episcopal Church in Great Falls at the time the late consul was born. Although the family left Great Falls when the boy was quite young, they are remembered by many of our older citizens.

We join the Nation in its pride in the courageous action of Thomas C. Wasson, and we wish to extend the sympathy of the people of his native place to his widow, his children, and his bereaved parents.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Speaker, my colleagues, it becomes my sad and very unhappy duty to announce to the House something that I know will strike grief, particularly to the hearts of those who preceded me here. I just learned with the deepest regret of the passing of my distinguished predecessor, Hon. William B. Oliver, this morning. Many of you called him and referred to him as Buck Oliver. His passing marks the end of a long life and fruitful life of public service. I believe he was 81 years old. Most of his life was devoted to the public service. Before entering the Congress he served for many years as solicitor or prosecuting attorney of my judicial circuit. Then he became dean of the Law School of the University of Alabama from which position he was elected to Congress 22 years before his retirement. He was opposed only twice for Congress. When he came here, he defeated the lovable and distinguished lamented former Speaker of the House of Representatives, Hon. William B. Bankhead, who came to the House 2 years later representing a new congressional district.

Then, he had another unsuccessful opponent 20 years later, 2 years after which he retired.

I need not call the attention of those who knew him and loved him here to his great ability, his lovable personality and his valuable and constructive service to the country. He was very generally loved. I know not only the people of the Sixth Congressional District of Alabama and all of Alabama generally, but those who served with him here will share my deep grief over his passing, even at such a ripe old age. I am equally confident that you will all wish to join me in expressing our deep sympathy to Mrs. Oliver and the other bereaved ones.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. ANDREWS of Alabama. Mr. Chairman, the hearts of all Alabamians have been saddened today by the news of the passing of the Honorable William Bacon Oliver, former Member of Congress, who represented the Sixth District of Alabama for 22 years, retiring voluntarily in January 1937. It would be possible for one to memorialize indefinitely on the contributions Congressman Oliver made to our State and Nation. He was a forceful and most competent educator. As an attorney at law, he was a gifted and learned barrister. In Congress where he served for so long as a member of the House Appropriations Committee, Mr. Oliver rose to the rank of a true statesman. To those of us who were privileged to know Mr. Oliver personally and had a full opportunity to witness his superlative qualities, our sentiments are best expressed in those memorable lines:

Should you go first and I remain,
One thing I'd have you do:
Walk slowly down the path of death,
For soon I'll follow you.
I'll want to know that each step you take
That I may walk the same,
For some day down that lonely road
You'll hear me call your name.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. McCORMACK. Everyone who served with or knew Buck Oliver, as we endearingly called him, agrees with everything the distinguished gentleman from Alabama [Mr. JARMAN] has said. Buck Oliver was not only respected but highly esteemed. He was one of the outstanding Members of this body. I remember when I first came here, he was one of a group of mental giants who were gathered around Jack Garner, and as a young Member of this body, I learned much by my association with them. Buck Oliver was one of the most able and eloquent speakers I ever listened to, and I can picture him now in the well of this House forcibly expressing his views in that eloquent manner of his.

I am deeply grieved to learn of his passing, and I join with my friend and the Alabama delegation in expressing my deep sympathy to the loved ones he leaves behind.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. CANNON. Mr. Speaker, I learn with the deepest regret of the passing of Mr. Oliver. He had a distinguished service in this chamber, approximating a quarter of a century, and retired voluntarily over the earnest protests of his friends and colleagues here in the House and in his congressional district.

It was my pleasure and privilege to serve with him on the same committee and subcommittee and to have him as my first subcommittee chairman.

He left an indelible impress upon all who were fortunate enough to be associated with him and I shall remember always with appreciation the lessons learned under his wide and gracious tutelage.

He was an eminent lawyer, had enjoyed a wide and selective practice and had served as dean of the University of Alabama before coming to Congress. He was a member of Phi Beta Kappa, a man of ripe scholarship and one of the most eloquent men to serve in the House within my recollection.

He took his duties seriously and was assiduous in committee work and gave unstintedly of his time and exceptional talents to the exacting requirements of his service in the House.

He was a man of lofty ideals and strength of character, tactful, considerate, and courteous, and generous in his

friendships. He measured up in every respect to the high standards of his native State which has sent more than its share of able and distinguished statesmen to the two Houses of Congress. His State is honored and the annals and traditions of the House of Representatives enriched by his service here.

I join with those here who knew and loved him in extending deepest sympathy to those of his family he leaves behind.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I gladly yield to the dean of the Alabama delegation.

Mr. HOBBS. I want to thank the distinguished gentleman who so ably represents the Sixth District for the announcement he has made and the way he has made it. There is nothing more that could be added in tribute to our friend.

Mr. Speaker, I ask unanimous consent that the same permission which has been granted the gentleman from Alabama [Mr. ANDREWS] may be extended to the other seven members of the Alabama delegation.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, "Buck" Oliver, as he loved to be called and was known to millions, has passed on to his reward.

He was born in Eutaw, Greene County, Ala., May 25, 1867, and after a life dedicated to and spent in service lovingly rendered his God, family, friends, State, and Nation he entered his eighty-second year day before yesterday.

A dutiful and devoted son, he lavished a wealth of tender care on his great mother.

Alabama has at least her share of great lawyers, but few have equaled, fewer still surpassed, him in his knowledge of the law, his ability to impart that knowledge, or in his devoted service to his clients. His standing with the highest rank in his chosen profession, as practitioner, solicitor of his circuit, dean of the Law School of the University of Alabama, and Congressman is secure.

There was no lack of appreciation of another outstanding Alabamian, William B. Bankhead, when the battle of giants for the congressional seat William B. Oliver was to occupy for 22 years, was decided in favor of the older competitor, and no man was more delighted than was Congressman Oliver when his younger, erstwhile opponent but friend, joined him 2 years later as colleague in Congress, representing a newly created district. They each served with fidelity and distinction, and it was the happy privilege of the senior to nominate the junior and to aid in his election as Speaker of the House of Representatives.

Having been born and reared in one of the strongholds of democracy, outstanding even in Alabama, it was only natural that William B. Oliver should have become a Democratic warrior. He was a Democrat without apology, but too much of a gentleman ever to give offense to political foes even in the fiercest fights. His was a perfect voice, and his skill in using it, made his forensic ability both feared and admired. He was a wise counselor, a tried, true, and trusted leader.

The Presbyterian Church, of which he was a devout member, chose and kept him an elder. He was one of the few laymen ever elected moderator of the highest church court of his State—the Synod of Alabama.

So, he may truly say:

> I have fought a good fight,
> I have finished my course,
> I have kept the faith.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. BROWN of Ohio. Mr. Speaker, House Resolution 615 makes in order the bill H. R. 6705 under a rule which will waive all points of order against the bill or any provisions thereof. This rule is necessary, in the opinion of the Rules Committee and the Appropriations Committee, in order that points of order may not be made against certain provisions which, very frankly, are nothing more nor less than legislation on an appropriation bill; legislation, however, that I have been informed has the approval of the legislative committees involved, such as the Committee on Public Lands.

Mr. WELCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. WELCH. What did I understand my friend to say with reference to approval by the Committee on Public Lands of this rule?

Mr. BROWN of Ohio. No; I meant to say I understood there was no objection from any of the committees which might have an interest in this bill to a rule waving points of order.

Mr. WELCH. I am sorry to differ with my esteemed friend, but no member of the Committee on Public Lands, including the chairman, had any knowledge that the Subcommittee on Appropriations for the Department of the Interior was going before the Rules Committee to ask for a waiver of all points of order.

Mr. BROWN of Ohio. I am sorry if the committee did not discuss it with the gentleman, and notify him that they were appearing before the committee asking for this rule. I have simply stated the information which has been given to me.

Mr. WELCH. If I may say a word further——

Mr. BROWN of Ohio. I yield to the gentleman from California.

Mr. WELCH. I have great respect for the acting chairman of the Committee on Rules who is now presenting the rule to the House. Personally I resent very much waiving all points of order against certain provisions which should be considered by the appropriate legislative committee. It is an infringement on the legislative committee of this House by a Subcommittee on Appropriations. As chairman of the Committee on Public Lands I resent it very much.

Mr. BROWN of Ohio. I am happy to have the statement of the able gentleman from California, chairman of the great Committee on Public Lands.

Mr. WELCH. Without any intention of criticizing the gentleman from Ohio, these provisions, in my judgment, are legislative provisions and as such fall within the province of legislative committees, not a subcommittee of the Committee on Appropriations.

Mr. BROWN of Ohio. I think the gentleman has made his point very clear.

Let me say that in the final analysis the Committee on Rules does have the responsibility of deciding whether or not a rule waiving points of order shall be granted on any measure, and the Rules Committee has granted this rule on the basis of information which has been furnished it.

I am very sorry to learn, and it is the first information of that nature I have had, that the gentleman from California was not consulted by the Subcommittee on Interior Department Appropriations prior to the time they appeared before the committee.

Mr. WELCH. Not only was the chairman of the committee not consulted, but no other member of the committee was consulted.

Mr. BROWN of Ohio. I am sorry, I cannot yield further. I am sure that the gentleman would not want to speak for every member of the committee unless he has consulted each individual member and knows for a certainty that they have not talked to any of the members of the Subcommittee on Interior Department Appropriations.

Let me go a little further, if I may, in regard to this bill and rule. The language in the bill, upon which the rule waives points of order, has been carefully drawn in an effort to prevent certain abuses which have constantly occurred in the Reclamation Service and other branches of the Interior Department. A special subcommittee of this House headed by the gentleman from Indiana [Mr. HARNESS] and of which the gentleman from New York [Mr. WADSWORTH] is another member, has been making an investigation which discloses activities and actions in the Department of Reclamation that, to say the very least and to be charitable, are reprehensible. In my opinion some of the things that have been done, and which this bill attempts to correct, have been criminal, and if we had the proper enforcement of law some of those responsible for these abuses would now be under prosecution or in prison.

Let me say further that this bill does not go nearly as far in meeting the situation as the special subcommittee, which has been investigating the whole matter, requested the Subcommittee on Interior Department Appropriations to go. This bill is rather a compromise. The chairman of the subcommittee has been very zealous in an attempt to make certain that the proper rights, interests, and privileges of those employed in these agencies have been protected.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. JENSEN. The gentleman from Ohio has just mentioned the fact that

abuses to no end have been carried on in the Interior Department which should have been corrected a long time ago by legislation. I want to say that the reason we found ourselves compelled to put some language in this bill, to which the chairman of the Public Lands Committee has objected, is because of the fact that he as chairman of that committee has refused to act and to do something about bringing out the legislation that would correct those abuses.

Mr. BROWN of Ohio. As I understand it, there have been all sorts of abuses and attempts to evade the will of the Congress in reference to the appropriations that have been made by transferring funds here, there, and everywhere. All sorts of propaganda and political activity have been engaged in—certainly types of activity this House as a whole would not approve.

Mr. Speaker, it is necessary this rule be adopted. Under it the bill is open for amendment. You can strike out any provision of the bill you may wish to strike out, you can add any amendment to the measure you may wish to add. All this rule does by waiving points of order is to permit the House to work its will and to prevent one individual Member of the House from striking out some important provision of the bill on a point of order. Under this rule the majority of the membership of this body, rather than one individual, may make the decision as to what the measure shall contain when it leaves the House of Representatives on its way to the Senate. I do not believe that is an unreasonable request on the part of the subcommittee. It is only fair, on an important measure like this, especially where there has been so much smoke and so many charges and countercharges, that the entire House be permitted to pass upon the different issues contained in this measure.

As I said before, you can change the bill as you see fit, by amendment, under this rule.

Mr. SABATH. Mr. Speaker, once more the Committee on Appropriations is violating the established rules of the House by bringing in legislation in an appropriation bill. I have at all times tried to protect the legislative committees of this House that have jurisdiction of legislation that is frequently inserted and embodied in appropriation bills. The rule before us waives points of order, and naturally points of order that could have been made against the legislation, which is not properly the function of the Committee on Appropriations, would have been sustained. But, under this rule anything and everything that has been embodied in this appropriation bill concerning legislation will remain in the bill, unless the committee or the House later on will see fit to eliminate it, and I hope it will.

There are some provisions in this bill that have no place in this legislation, and later on some of the Members will call attention to it, especially to section 5 on page 96, which still further restricts the Government employee and subjects him to fine and imprisonment if, by chance, he may not have the influence with his union to control its actions, if they fail to comply with some of the provisions under the drastic antilabor legislation that you have passed here to destroy organized labor and the rights of laboring men of this Nation. I feel this proposed drastic provision is unwarranted because it is my opinion that Government employees are the most loyal and patriotic citizens of our country. I shall do everything in my power to eliminate the provision. Well, as I said, the other gentlemen will call attention more clearly to the unfair, unjustifiable, and unwarranted provisions in this bill. It has no business in an appropriation bill whatsoever. Oh, I know that other committees have violated the rules of the House the same as this committee has, but two wrongs never make a right.

Now, as to the bill before us I will say this, that it provides for about $112,000,000 more than for the fiscal year 1948. I am informed, and I know properly so, that the Democratic members of this committee have tried to see that some of the departments that are serving the Nation well, with splendid records, were not actually handicapped and destroyed, as it was the intention originally of the majority.

Mr. Speaker, I am not going to take a great deal of time, having promised to help to bring about the enactment of some legislation that has not been called up. We have quite a program, and I believe that we still have time to pass some of the legislation. When they ask me not to take too much time, I do not know whether they had in mind to save time to bring up (1) the housing bill that has been bottled up by the Committee on Banking and Currency, depriving our ex-servicemen of decent homes. I also wonder whether you will decide to bring in (2) legislation that would stop the constant increase in the cost of living. Despite the fact that you have promised the people that you will hold down the prices of food and necessities of life, they have steadily increased.

I wonder whether you plan to consider (3) legislation that is generally recommended, namely, the living wage for the Government and postal employees; whether you are going to bring in (4) the world health organization bill, that the country demands, or (5) the social-security bill, that has been recommended and rerecommended by President Truman, or whether you are going to consider (6) the bill allowing the admission of a limited number of the unfortunate and long-suffering displaced persons which would save the Government millions of dollars, and whether you are going to bring in other legislation that might be in the interest of the people.

In the hope that you intend to do so, I shall not use more time, to give you a chance to bring in here some of these bills. However, in view of your past record, I fear very much that you will not do anything that would be in the interest of the American people, in the interest of the ex-servicemen, in the interest of the housewives, and in the interest of the white-collared people. Failure on your part will eliminate your dreams of victory in 1948, because the American people will hold you responsible for the failures. And before I conclude, when will you bring in (7) the fair employment bill, that you promised the American people 2 years ago and again last year you would enact into law. I am sorry that up to now you have disregarded the rights of the people, especially those of the common man.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, I rise at this time to call the attention of the House to the language on page 96 of the bill. In line 10 we find the following language:

> Or who is a member of any labor organization the officers of which have not complied with the requirements of subsection (h) of section 9 of the National Labor Relations Act as amended by the Labor-Management Relations Act, 1947—

That language is the Keefe amendment. That is bad enough, but adding more violence to the antilabor violence of the Keefe amendment we find the following:

> and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

Mr. Speaker, I am sure there is not a single legislative committee of this House that would have written this kind of a statute.

What this language means is simply that if a Federal employee belongs to a union whose officers have not filed the so-called anti-Communist oath, and that member receives or accepts a salary, he shall be subject to the penalty of $1,000 fine, and not more than 1 year imprisonment. I do not believe there is a single Member of the House who upon the exercise of considered judgment on this matter would be willing to go that far. To have a rule waiving all points of order to this particular language is about the most extreme illustration of arrogance on the part of any committee in the 12 years that I have been a Member of the House of Representatives. Certainly if we did not have this rule waiving points of order, this language would go out on a point of order. It does not belong here. It should never have been put in. Why should this language be protected by a rule waiving all points of order?

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. WALTER. As a matter of fact, I think the language goes much further than the gentleman has indicated. Suppose a man joins a labor union subsequent to the time that the head of the union refuses to sign the non-Communist affidavit, and he subsequently is paid. Is he not then liable to imprisonment?

Mr. MARCANTONIO. Definitely. There is no question about that. I thank the gentleman for his observation.

This is one of the most extreme antilabor provisions that has ever been presented to the House of Representatives. Yet the Committee on Rules has granted the rule waiving all points of order. This language is not only subject to a

point of order, but I think is subject to the censure of all decent Americans.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I was very much interested in the remarks made by the gentleman from Ohio [Mr. BROWN], and which he frankly admitted were made in good faith and which conveyed to the House the impression that other standing committees of the House were either expressly in favor of the action taken by the Committee on Appropriations in writing legislation into this bill or that they did not object thereto. I was also very much interested in what the gentleman from California, my friend [Mr. WELCH] had to say. He is one of the few shining lights on the Republican side of the House so far as a progressive outlook is concerned. I would like to investigate this matter further because it gives off a strange odor as the result of the observation of the gentleman from California [Mr. WELCH]. It is the odor of the power lobby. May I ask the gentleman from California if he will explain just how the legislative provisions written into this bill in relation to the Bureau of Reclamation affect the interests of the people who are being served? In other words, what would be the effect of this under existing progressive legislation and the conditions that now exist?

Mr. WELCH. The effect will be harmful, if not destructive.

Mr. McCORMACK. The effects will be destructive in what direction?

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. If the gentleman will indulge us a moment. When the gentleman got up and started to speak, I became suspicious also because the gentleman is interested in this.

Will the gentleman from California answer one more question? Destructive in what way?

Mr. WELCH. Destructive in the same manner that what is known as the original Rockwell bill, which prohibited the use of interest components on hydroelectric power for the development of irrigation and reclamation projects in the West. That bill, as you will recall, was amended in committee; reported by unanimous vote from the Committee on Public Lands of this House, and it withstood every assault made to amend and emasculate it, and finally was recommitted and amended. The bill as amended was sent to the Senate, and it has been wrapped up in moth balls in the Senate and has not been considered. This rule will make possible the very thing that was done over the unanimous vote and wish and will of the Committee on Public Lands.

Mr. McCORMACK. The provisions of this bill are detrimental to the best interests of the average person?

Mr. WELCH. To every multiple reclamation and irrigation project throughout the West. I stand on that statement.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JENSEN. I wish the gentleman would be specific and tell us just how this bill would be destructive to the development of the West. Please be specific. The gentleman from California [Mr. WELCH] is the only man from the West that I know of in either party who is objecting to this bill in any way, shape, or form. I wish the gentleman would be specific.

Mr. McCORMACK. I would like to get the gentleman from California [Mr. WELCH] into a debate with the gentleman from Iowa because I think he would knock the gentleman from Iowa for a goal, so I will yield to him for the purpose of telling the gentleman why he thinks this is an iniquitous provision in this bill.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. WELCH. I have stated that if the purpose of this rule and bill is carried to its logical conclusion, it will retard, if not prevent, further development of irrigation and reclamation projects in the West, particularly multiple projects.

Mr. JENSEN. Is that the gentleman's answer? The gentleman has not stated specifically what this bill would do in the way of destroying anything.

Mr. WELCH. My answer is clear.

Mr. JENSEN. Well, it certainly is not an answer. Tell us why it is destructive. Tell us what it does and what it does not do in any one instance. Maybe the gentleman from New York would like to tell us.

Mr. McCORMACK. It seems very strange that we have a standing committee definitely sidetracked. This is an unusual situation. It appears to me it is a continuance of the efforts of the power lobby to get an advantage, which they have been carrying on rather successfully for the past 2 years.

I hope this matter during general debate will be explored, so that the Members will be given the benefit of just what the legislative provisions in this respect will bring about.

The SPEAKER. The time of the gentleman has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, the Committee on Public Lands, of which I am chairman, has been brought into this rule now pending before the House.

May I, in the few minutes allotted me, give this House a brief history of the Committee on Public Lands, which consists of six former legislative committees. It was created under the Reorganization Act of 1946. During its brief existence 615 bills have been referred to the committee, of which 249 have been reported to this House. Twenty-eight bills are now before the President. Forty-eight bills are now before the Senate. Thirty-three bills are now before this House. That is part of the work of the Committee on Public Lands. One hundred and nine bills have become public laws; 29 bills have become private laws.

Mr. Speaker, under the Reorganization Act the Committee on Public Lands, like other legislative committees, could have employed a staff of four so-called experts. The members of the committee of which I have the honor to be chairman are all experts in their particular lines and we therefore have not found it necessary to employ a full staff of professionals. As a result, we have saved $100,000 of the people's taxes, a record of which the committee is justly proud.

Despite these facts, and they are facts and will stand any test you care to apply to them, the Appropriations Subcommittee on Interior Affairs aims, by indirection, through this rule, by writing legislation into an appropriation bill, to do what it could not do through the duly authorized legislative Committee on Public Lands, as it applies to multiple irrigation and reclamation districts of the West.

Mr. SABATH. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 2 minutes remaining.

Mr. SABATH. Mr. Speaker, will the gentleman from Ohio yield to me some more time?

Mr. BROWN of Ohio. I will help the gentleman out some.

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, I had not intended to take time on the rule, but things have been said here today that make me hurt inside, to think that such language could be used against some members of our committee at a time when no other committee in Congress has given so much time in conducting hearings—weeks, yes, into the months—as has this Subcommittee on Interior Department Appropriations. I know of no committee of the House in the nearly 12 years I have been a Member that has listened so patiently to anybody who wanted to testify.

My colleague from California threw a challenge out here as though he were the only man who ever conserved a dollar on a committee or brought legislation to the floor that resulted in the saving of money. I could name a number of committees that have from time to time made such savings as to make the $100,000 the gentleman speaks of appear as chicken feed. I am not saying it boastfully, but I brought three separate bills to this House that saved between $13,000,000 and $14,000,000 each and every year in the handling of Government records. We should not permit anyone to abuse the members of this committee. They have done a good job. The State of California, from which both Mr. WELCH and I come, receives $40,000,000 of funds for reclamation, irrigation, and power facilities that the committee has provided as a result of the hearings and information presented to them. As one member, I want to congratulate the committee for bringing in a good bill—as good as could be presented at this time—and I know that it will pass the House before we adjourn today.

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. SMITH].

Mr. BROWN of Ohio. Mr. Speaker, I yield three additional minutes to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I want to take up for a minute or two this provision on pages 95 and 96 of the bill relative to the loyalty oath required of officers of labor unions. I think my position is well known in unswerving activity and advocacy of regulatory labor legislation. I do not think anyone will question that. But I do think it is highly important that such legislation should not be restrictive, unfair, and unjust.

If you will read this section, and I hope you will, those of you who like myself have striven for proper regulatory labor legislation will reach the same conclusion I have reached that this is a very bad provision, that it is a very repressive provision and ought to be either amended or stricken from this bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I think it only fair to say to the membership of the House, and as the gentleman from Virginia well knows, when this bill was before the Rules Committee there was serious question raised by a number of members of the Rules Committee on both sides of the table as to this particular section of the bill. Attention was called to the fact it could be stricken out by amendment on the floor of the House and that some of the members of the Rules Committee would support such an amendment.

Mr. SMITH of Virginia. I want to call the attention of the Members that it should be amended or entirely stricken out. It is most drastic. As a matter of fact, if you will look at page 95, a man who is entirely innocent by his association with an organization that has failed without his knowledge to sign this oath can be convicted of a felony and sent to the penitentiary, while, as I say, he might be perfectly innocent.

When this same provision was up for consideration in another bill, I suggested some corrective language, which was voted down; but I do hope that the Members in charge of this bill, and I am sure they will, during general debate consider an appropriate amendment to this bill to modify it so as to take out this very restrictive and very unjust provision.

Mr. BROWN of Ohio. Mr. Speaker, as the concluding speaker in support of this rule, I want to again point out that this rule simply waives points of order. It does not in any way interfere with the right of the House to amend the measure as it may see fit. As I said, when the gentleman from Virginia yielded to me a moment ago on this particular section of the bill relative to membership in a labor union where an officer has failed to take the anti-Communist oath, there was a grave question in the minds of various members of the Rules Committee as to the advisability of this particular portion of the bill or this section; however, it was believed by a heavy majority of the Rules Committee it was so necessary and vital to waive points of order on other provisions of the bill, that might otherwise be subject to a point of order, that the rule should be granted notwithstanding this particular provision being included in the measure, with the thought that the House, in its wisdom, could amend that particular section, could strike it out entirely, or do with it as the Members wished.

Again, I call attention to the fact that the only thing this rule does is to permit the House to work its will by a majority vote rather than to permit one individual Member, by making a point of order, to strike out important legislative provisions.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

## COMMISSION OF FINE ARTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on House Administration:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress the report of the Commission of Fine Arts of their activities during the period July 1, 1944, to June 30, 1948.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 27, 1948.*

## INTERIOR DEPARTMENT APPROPRIATION BILL, 1949

Mr. JENSEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2½ hours, to be equally divided and controlled by the gentleman from Ohio [Mr. KIRWAN] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6705, with Mr. MICHENER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JENSEN. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, at the outset I desire first to pay my regards and appreciation to the members of this committee. The gentleman from Pennsylvania [Mr. FENTON] has been very diligent in attending meetings, and being the son of a coal-mine inspector, and having grown up in the coal-mining region, and having a great interest in mines and mining of every kind, I requested him to take charge of matters dealing with the Bureau of Mines. He has done a very fine job. He traveled for months inspecting mines and laboratories all over the country, and I have nothing but the highest praise for the work he has done and I want to thank him. To the gentleman from Oregon [Mr. STOCKMAN], having considerable interest in the Territories and having traveled considerably, I assigned the task of taking charge of items relating to our government in the Territories. He has taken a great interest in that.

The gentleman from Oklahoma [Mr. SCHWABE] has been very active in affairs pertaining to the Indians for many, many years. Coming, as he does, from the State of Oklahoma, which has a large Indian population, he has learned a lot about Indian affairs, and when he came on the committee this year I requested him to take charge of matters dealing with Indian affairs.

The gentleman from Oklahoma has worked hard and long in straightening out a lot of the things that need to be straightened out in the Bureau of Indian Affairs, and I am sure that the things he has done will show results.

The members of the committee on the minority side, the gentleman from Ohio [Mr. KIRWAN], the gentleman from Arkansas [Mr. NORRELL], and the gentleman from Tennessee [Mr. GORE] are all fine, upstanding men, who have cooperated to the fullest extent. I have high praise for every one of them, and I want them to know that I appreciate their work and the cooperation they have given me, and the fine attitude they have taken.

Mr. Chairman, we have two clerks on the committee. The chief clerk, Mr. William Duvall, has been with the committee 20 years. He knows the Interior Department from A to Z. Because of his work and the things he helps us do he is simply indispensable. He is always on the job, and I tell you it takes a lot of work and long hours of work and figuring to carry on the work of this committee. His assistant, Bert Skinnard, started with the committee this year and has done a magnificent job. We thank both of them.

Mr. Chairman, we sat in committee for 11 weeks of hearings from 10 until 6 every day, 5 days a week, listened to 400 or more witnesses, and tried to get the information that was necessary for the committee to have in order to straighten out a lot of things that have been going on in the Interior Department which needed straightening out. We think the bill we have brought here today, if put into effect, and the language we have in the bill, if enacted, will improve the service the country is getting from the Reclamation Bureau and other bureaus throughout the entire Interior Department.

A lot was said about certain provisions in this bill. Of course it was necessary to put in this bill provisions which you could call legislation, I presume. However, many of them are limitations on appropriations. I am sure that anyone who could have sat with us on the committee and heard the testimony we heard would have agreed that we were justified in putting these provisions in the bill.

I am not apologizing for any of them. I am not apologizing for the language which the gentlemen who spoke on the rule called attention to and opposed, because I think the time has come when we cannot tolerate a lot of these un-American activities which are going on. If they are allowed to go on much longer, no legislation will stop them. Certainly I want to stop these radical groups from destroying everything we hold dear in America by legislation rather than wait until the time comes when we may have to stop them with bullets.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Washington.

Mr. HORAN. The bill is subject to amendment at any place, is it not?

Mr. JENSEN. Certainly it is.

Mr. Chairman, I shall now explain as best I can in the time I have the amount we have allowed for the different departments. Congressmen FENTON, SCHWABE, and I traveled 9,500 miles by automobile last fall through the Western States. The trip took 7 weeks. We talked to thousands of people in and out of the Department and in every walk of life. There was much complaint. They complained mostly about the fact, it seems, that the Reclamation Bureau and other bureaus had transferred funds from their particular project and spent it some place else and that their project had suffered accordingly. So the committee has seen fit to earmark and designate specifically where much of the money in the bill should be spent. I am sure there is not a Member of the Congress who is not anxious, willing, and ready to help appropriate money to do everything necessary for the orderly development of the Western States and for the conservation of our natural resources, both in the United States and in the Territories.

We hear a great deal of talk about some of us being stooges for this or that organization for private utilities, and for other private interests. As I have said many times before, this committee, not a single member of it, Democrat or Republican, is stooging for anybody but the American people, the taxpayers of America—the good people of America. I resent any such accusation to the very limit of my feeling. I know every member of this committee feels the same way. I am sure there is not a member of the committee on either side of the aisle who has any other purpose than to do a good job for the American people and help develop the west in an orderly, business-like manner.

The bill as it came from the Budget Bureau contained estimates totaling $459,970,835. The bill as it comes to the floor of the House has been reduced to $375,677,591, or a reduction of $84,293,244. That reduction is about 18.3 percent. I do not know how some people figure. I saw in the newspapers where they said it was only a reduction of 12 percent plus.

I would like to mention one other thing in connection with construction funds for the Bureau of Reclamation. I do not think many people realize that there was a $90,000,000 carry-over from 1947 to 1948 in the Bureau of Reclamation alone. This year there is an estimated carry-over of approximately $27,000,000 from 1948 to 1949 in the Bureau of Reclamation. Consequently it is necessary to appropriate more money to carry on these projects, many of which, especially the large ones, are at the peak of their construction. So last year we appropriated altogether, counting carry-overs from the 1947 fiscal year, an amount which would bring the available money for 1948 for reclamation up to around $218,682,000. This year we have an estimated approximate carry-over of nearly $27,000,000. We are appropriating approximately $210,000,000. So we will have available money for reclamation, for the fiscal year 1949, $237,000,000.

Of course, there is another thing that must be taken into consideration. That is the fact that the Bureau has been spending the 10-percent hold-back money, which is held back each year by the Government on contracts. On the first half of each contract there is 10 percent held back to guarantee proper performance of the contract. That money has been spent by the Bureau, and has not been held in reserve for the contractor, nor has it been taken out of the appropriated funds. We discovered that was the case, so the committee asked the Bureau to give us some facts as to how much these hold-backs would amount to up to June 30, 1949, which is the end of the year for which we are appropriating. We learned that it would be around $16,000,000, and if we appropriated the whole sum that would have been included. We have reduced the appropriation for the Reclamation Bureau around $51,000,000. Consequently, it was estimated that the hold-backs would amount to about $14,000,000, which we have provided must be paid out of the money we have appropriated in this bill for reclamation. So it reduces the amount to that degree, which Reclamation will have available to spend this year.

We feel it is only fair that we do that, because the money has already been spent on the project. To again appropriate more money to pay for this work in a separate item, I think would be bad legislation. So we are requiring that this hold-back money be paid from the funds herein appropriated.

I wanted to explain that so that everyone will understand that projects will be affected to the degree of the hold-backs which have not been paid, and which must be paid out of this appropriation.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. JOHNSON of California. As a matter of fact, that is the common practice in municipal contracts. We have always looked at money appropriated for a specific purpose as a trust fund. Therefore, they have no right to dip into that and use it for other purposes.

Mr. JENSEN. Absolutely.

Mr. JOHNSON of California. That is the view of this committee, that that is a trust fund and should not be used for any other purpose but the contract for which it was set aside?

Mr. JENSEN. That is correct.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. HORAN. How else can the Congress control funds unless you follow this procedure?

Mr. JENSEN. That is what we asked the Bureau. They said, "Oh, we have been doing that for a long time." We asked them for the authority to do it. So they cited a colloquy between former Congressman Byrns, who was then chairman of the Deficiency Committee in the year 1932, and Henry Kaiser. Henry Kaiser had a contract with the Reclamation Bureau. Congressman Byrns stated in this colloquy that there was such a deficit, meaning a Federal deficit, that the Congress might not feel inclined to appropriate this 10-percent item. So nothing was done further than that. But the Bureau took that colloquy between Congressman Byrns and Henry Kaiser as having the weight of law.

Mr. HORAN. I might say to the gentleman that I do not want any loose fiscal policy or operation interfering with the sound and progressive development of my State in the West.

Mr. JENSEN. I am sure of that, and I am sure that is the feeling of everybody in the West. They want the West developed in an orderly and businesslike manner. I am sure that the Western people are willing to pay that part of the development of the West which can be justly charged to them.

There are a number of things that the committee did not reduce, a number of items which in the judgment of the committee should not be touched, such as the $15,000,000 requested by the Department for the rehabilitation of the Alaska Railroad and an item of $8,500,000 plus for the construction and servicing of highways in Alaska, and a million or two for the building of facilities in Alaska to cope with the terrible tuberculosis situation that exists up there among the natives. I believe no one in Congress or in America would want to reduce any of these appropriations. Likewise, the appropriations for transmission lines in Washington which affect the Hanford atomic energy plant, $22,000,000 in cash and contract authorizations for the Bureau which the Bonneville Power Administraton contends has to do with the Hanford project. I believe no one in this House or in the committee wants to tamper with anything that might be detrimental to the work of the Hanford project. So there were a few items we could not touch.

As far as personal services are concerned, it is true that the committee has limited personal services in the Bureau of Reclamation to the amount that will be expended in the fiscal year 1948, but it will be necessary for the Bureau of Reclamation to pay terminal leave out of that $45,000,000, to pay in-grade promotions out of that $45,000,000; in fact, to pay everything pertaining to personal services out of that $45,000,000. The Committee possibly would have been justified in making further reductions in

the personal services with so much inefficiency in some parts of the Bureau, but we do not like to penalize the people of the West or the people who are directly interested in these appropriations just because some of the administration is not up to what we expect. After all, we are dealing with the production of power, of metals and minerals which we need in this country, and which certainly we would need in an emergency. So we have not felt justified in reducing the personnel of the Service to the degree that some folks might feel it should have been reduced. Another thing to be remembered is that many of these projects are just at the peak of construction: Davis Dam, Central Valley, Colorado-Big Thompson, the Columbia River Basin, and the Missouri Valley project.

I may say that the territory affected by those five projects covers about one-fourth of the entire area of the United States. For this reason it is going to take more personnel services, more engineering and more administration to carry on these projects in the year 1949 than it has in the past, but we are sure we have furnished enough money so that they can carry on in an orderly, business-like manner.

In this reclamation program we are irrigating approximately a million acres of land for the benefit of veterans—homesteads—on which the veterans are anxious to live. They have filed on these homesteads. Many of them have already gone on the irrigated lands which we have made available to them by reclamation and irrigation. In the Columbia River Basin alone veterans will have preference from homesteads on approximately 500,000 acres of that land. We do not want to wait until the veteran gets so old he cannot farm before he is located on a homestead. So we try to make enough money available here to bring the project forward as fast as is economically feasible so that those veterans who did such a wonderful job for the American people in bringing the last World War to a successful conclusion may benefit. Certainly they are entitled to that consideration. If we do not appropriate sufficient funds to carry on those projects, then many of these veterans are going to be too old to get out and do the hard job of farming that is necessary on irrigated land. I do not think there are many people in the country as a whole who would want to cut those projects out that I have mentioned, which are for our national defense and for the good of the veterans.

Mr. Chairman, we have made a thorough report on this whole undertaking consisting of some 72 pages. I think I shall simply say that anyone who is interested and will take the time to read this report will see that the committee has done a good job, not only in furnishing money for the development of the West, but also for everything else pertaining to the development of the whole country, the development of our national resources, and so forth.

I would like to refer briefly to the Bureau of Mines. Who wants to cut too deeply in funds required for the Bureau of Mines when we need all of these critical minerals, metals, and oil? We have no stock piles of any consequence today. The Bureau of Mines and the Geological Survey also have done a grand job in locating these new deposits of oil and metals and minerals. We have reduced them some. But I wonder if there is anybody in this House or in the country who would like to reduce them to the point where they could not operate effectively for the good of the Nation?

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Arizona.

Mr. MURDOCK. I note particularly the last remark that the gentleman made in regard to the firm support of the mining industry in this bill, and I want to add my approval of that, too. I want to say to the gentleman that I recognize, although not being a member of the committee, how earnestly this subcommittee has worked. I recall coming before the committee late one day and having to wait 2 hours until a dozen other witnesses were heard, but the gentleman and his committee remained long after hours to hear my constituents, for which I want to express appreciation. I notice the earmarking of $200,000 for aerial pellet seeding to further soil-conservation work, as indicated on page 7 of the report, which I want to express approval of. I want to ask the gentleman this question:

I notice in regard to the appropriation for the management of the All-American Canal that the budget had asked for $216,000, which was not allowed, but there is another provision in the bill concerning the management of the All-American Canal. Can the gentleman explain that a bit further? Is the All-American Canal to be under the management of the Government for the coming year?

Mr. JENSEN. We consolidated that item with the construction item, and it will carry on just as before.

Mr. MURDOCK. There is no danger then that the All-American Canal and the Imperial diversion dam will be taken over and turned over to private management?

Mr. JENSEN. No, not as far as I know. That is going to take some further legislation.

Mr. LEFEVRE. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from New York.

Mr. LEFEVRE. I notice there is an appropriation of $15,000,000 for the Alaska Railroad.

Mr. JENSEN. Yes.

Mr. LEFEVRE. Is that for extending the line, or rebuilding it?

Mr. JENSEN. That is for rehabilitation. There is no extention.

Mr. LEFEVRE. No extension?

Mr. JENSEN. Simply rehabilitation. As the gentleman knows, the railroad got into terrible shape during the war.

Mr. LEFEVRE. I know that. I visited Alaska last summer.

Mr. JENSEN. It was necessary to either tear the road up and discontinue it, or rehabilitate it and get it in some kind of shape. A year ago last winter the derailments of freight cars averaged one and one-half derailments a day, and it is a mystery that many lives were not lost, though some were lost.

Mr. LEFEVRE. I think that is a very important thing to do.

Mr. JENSEN. I thank the gentleman.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from California.

Mr. GEARHART. I feel that I would be remiss in the performance of my duties as a Member of this body if I did not rise at this time to express my admiration and my very high respect for the subcommittee of the Committee on Appropriations, of which the gentleman who now occupies the floor is the distinguished chairman, for, indeed, there has occurred during his incumbency as chairman a most encouraging change in procedure and in result. The days of blind bag-grabbing appropriations are over. Because of the insistance upon evidence of the necessity as a justification for an appropriation, the fiscal affairs of the Republic are in better shape than they have been in years—and public confidence grows apace.

The gentleman from Arizona a moment ago called attention to the fact that the subcommittee habitually sat long hours in order to hear everyone desiring to be heard, the humblest of our citizens being accorded the same careful consideration that is extended to the famous figures of high influence who frequent Capitol Hill. And I can add that in my presentations of the various projects in which I am interested my personal experience has been similar. Though I have seldom received as much as I have asked for, I have never known a committee that was more earnest in its efforts to find the right answers to the very difficult problems with which it deals. I just cannot speak in too high praise or in words of greater respect concerning the gentleman and his fine committee for what I regard as an outstanding public service.

Mr. JENSEN. I thank the gentleman. He is very kind. I know every member of the committee will appreciate what he has said.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Oregon.

Mr. ANGELL. I, too, want to commend the chairman and the members of this subcommittee for the excellent work they have done. They visited many of these projects in the West. I know they came through my district, the Columbia Basin area, and were most diligent in attempting to see for themselves on the ground the various problems with which we are faced. I am sure they have done an excellent job.

May I ask the gentleman if it is not true that in connection with the Bonneville administration, which he discussed a moment ago, to a large extent, with very minor exceptions, the appropriations have been made that were requested by the Budget, and that will permit the Bonneville administration to carry forward its program without any deviation from its set program?

Mr. JENSEN. That is right; they will.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from California.

Mr. PHILLIPS of California. This is a good bill, and I think the subcommittee of which the gentleman from Iowa is the chairman has done a very good job on the bill. They deserve credit, and I think they deserve the support of the House in the passage of the bill.

Mr. JENSEN. I thank the gentleman.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Michigan.

Mr. DONDERO. I want to add my word of approval of the work of the committee, especially what you did in refusing money for the building of transmission lines in the Southwest Power Authority. It was because of the action not only of this committee but your predecessor, and also when it was under the control of the Democrats, who refused to grant money for the building of transmission lines in direct competition with lines already established by private industry and serving the area, that I introduced legislation to compel the Federal Government not to go into the private power business but to sell power, either at the bus bar or at the dam, to private industry wherever that was possible, and, if that was not possible, then, and then only, should the Federal Government transmit the power to the interior and to the consumers. So I commend the committee on this action in that respect and approve of the comment the gentleman from California has already made.

Mr. JENSEN. I thank the gentleman.

Mr. FARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Hawaii.

Mr. FARRINGTON. It is very gratifying to me to note that the committee has allowed $1,000,000 to initiate the program of exploration and investigation of the fishing resources of the Pacific. A total of $1,500,000 was requested, and I assume the committee was well advised in reducing that total. However, I trust that as this program develops additional funds will be allowed. May I say to the members of the committee that the development of the fishing resources of the Pacific offers greater promise of profit, with the revenues that derive from it, for the maintenance and development of the new island areas that are coming under our control, than does any other industry that has been projected. May I say, therefore, that, in my opinion, the committee has shown real foresight in providing the funds that are necessary to start this program.

Mr. JENSEN. I thank the gentleman.

Mr. PHILBIN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. I also should like to add my word of appreciation for the consideration and courtesy the committee exhibited to me and other Members of Congress from New England in connection with the matter of funds for the rehabilitation and repair of the fish hatchery at Nashua, N. H. I commend the committee on the courtesy, patience, and zeal with which they have approached this work.

Mr. JENSEN. I thank the gentleman very much.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. HILL. I notice in the appropriation for the Colorado-Big Thompson project which we are trying our best to complete just as quickly as possible, which project, as the gentleman knows, was started 10 years ago, that the total appropriation you have granted us is $19,750,000, when we asked for $23,000,000. The only question I have in mind is that if we proceed as rapidly in 1948 and 1949 as we did in 1947 in the construction of the project, which rapid progress was due to favorable weather conditions last fall and during the summer, and also by the reason of the fact that we could get the equipment much more cheaply than before, as I say, if we proceed as rapidly as we did a year ago, we possibly might need more funds to keep the work going and also to keep it going at a rapid rate. What would be the attitude of the committee in regard to a deficiency appropriation if it was absolutely necessary to keep the work doing?

Mr. JENSEN. Of course, in answer to that question, I can only say that every member of the committee, I am sure, will be anxious to give consideration to any reasonable request, whether it be for funds or what not. For us to promise you at this time that we would allow or could allow a supplemental appropriation is beyond the scope of our authority. I will say this, however, that if you should run out of money, and it is proven that the work has been carried on according to law and that the Antideficiency Act has not been disobeyed, and if we feel you have a good contractor who is doing a good job and that you are getting your money's worth and will get your money's worth in any supplemental estimate that we might allow, then certainly the committee is not going to stop the progress of any project, but will naturally act in harmony with good business practice.

Mr. HILL. The gentleman is aware that during the last year two deficiency appropriations were made. At this particular time I want to thank the gentleman and the entire committee for the attitude they have taken on these two deficiency appropriations. Our work did not stop. Our project is nearing completion. We are on the last 50 percent to 35 percent of construction, and we hope that it will go much faster than the preceding work. We do appreciate the attitude and help of the committee, and I want to thank the chairman.

Mr. JENSEN. In closing, may I say that the amounts we have allowed for reclamation in this bill are, in our opinion, the amounts that can be spent judiciously during the year 1949 without disrupting the labor supply and the material supply of the country. We think we have given all the money that can be properly expended in such a way that we will get 100 cents on every dollar spent for construction.

Mr. HILL. If I may make another statement, I should say that our people in Colorado are more than happy to have had an opportunity to show you that project first hand last summer after the Congress adjourned. All of us appreciate very deeply the fact that you inspected it and looked it over and know what the possibilities will be there to add greater production to that valley when this project is completed.

Mr. JENSEN. I thank the gentleman. Your people and all the people of the West treated us royally on the trip, as they always treat people when they visit that great section of the country where folks are still rugged individualists.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. HORAN. Did you have a feeling that we were trying unfairly to influence you or bias you?

Mr. JENSEN. Oh, you did the best job you could.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. CUNNINGHAM. I want to congratulate the gentleman and the members of his committee for the remarkable piece of work they have done in bringing out this bill. Personally, I want to thank the gentleman for all the people of the great State of Iowa for his constant effort to save money for the taxpayers, and at the same time bring out necessary projects.

Mr. JENSEN. I thank my colleague from the great State of Iowa.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. BARRETT. I, too, want to congratulate the committee on this bill. There is one matter I would like to take up with the gentleman at this time. I refer to the Boysen Dam in Wyoming. I do not know who to blame for the predicament that we find ourselves in at the present time. I cannot place the blame on the committee, to any great degree at least, because of the fact that the Bureau of the Budget did not ask for sufficient money for this project. While that dam is constructed in Wyoming it will benefit both Wyoming and Montana. As the gentleman knows, it is a multiple-purpose project including flood control, power, and silt control. The silt-control features will benefit lands in Montana.

I was out there about 2 months ago and looked over this project. The contractor has done an admirable job. He is a year ahead of schedule on the construction of the project at the present time. He was fortunate enough to get a subcontractor who had just completed a nearby highway contract the day after he got this contract. In addition he had good weather conditions all winter long.

Now, here is the situation: The Bureau asked for $6,108,000. The committee cut off the $108,000 and allowed $6,000,000. But to carry on that work this fiscal year we need $9,300,000. I think it would save the people of this country money to give us the additional $3,300,000 because of two factors. In the first place, if we get this project completed a year ahead

of time, we will have power that we need badly and of course the revenue from the power will start repayment just that much sooner. In the second place, the Bureau of Reclamation presently has a big force supervising this project, and we can relieve them and let them go to work somewhere else.

Now, I want to ask the gentleman this question. It seems to me it is just good sound common sense and also good business judgment for this committee to entertain a supplemental request for this additional $3,300,000. I think the Department of the Interior and the Bureau of the Budget ought to send that request up as soon as possible. I do not think you want to stop a project that is going along in such splendid shape. With that additional appropriation the contractor can complete the project by December 1950.

Mr. JENSEN. I may say to the gentleman, of course we appreciate the fact that he is always fighting for projects in his State, whether it be for the cattlemen, the sheepmen, the farmers, or what not. But there is a limit to all things, as the gentleman knows. The reason we cut but very little off of the Boysen Dam is the simple fact that the contractor has gone forward fast and can spend this $6,000,000 judiciously. I do not know whether he can spend any more than that judiciously or not. If he can, and you can make a good case next year, or at any time after the first of the year, as I told my good friend the gentleman from Colorado [Mr. HILL]. I am not asking for requests for deficiencies or supplementals, because I do not like them a little; but there are times when they are justified. If the gentleman can justify additions for the Boysen Dam, fine.

Mr. BARRETT. I thank the gentleman. I am sure that this is one project that will pay dividends to the people of the country by speeding up its completion. It seems to me that it is imperative that additional funds be provided during the coming fiscal year.

Mr. KIRWAN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I first want to congratulate the Subcommittee on Interior Appropriations and the majority members of that committee. They were very gracious and granted the minority members all the time they wanted to interrogate any witness who appeared before the committee. I am very appreciative of their courtesy. Generally speaking, I think this is a good bill. There are some things in it with which I do not agree and to which I shall call attention.

It was my privilege this past summer to drive through 31 States of this country, during the course of which I went into seven or eight Indian reservations. That is what we called them when we set certain lands aside many decades ago, to take care of these original Americans. I drove through the heart of the Navajo Indian Reservation, and there I saw little girls 8 years old who probably did not get to their homes more than once in 3 weeks, guarding sheep or moving wherever they saw a blade of grass. They followed the grass, and these children stayed out on that desert 3 weeks at a time, with rattlesnakes and other denizens of the wild as their only companions.

In the southern part of Arizona, out on that bleak reservation, in an area 95 miles in extent, there was only one doctor and one nurse. Two hundred and forty-five children out of every thousand die at birth on this particular reservation. It was also my privilege last year when I finished my investigations in America to go to Europe. There I visited eight or nine concentration camps.

I challenge any Member of this House, this Congress, or anyone in the country to show me a concentration camp in Europe—and I think I visited the worst of them—that was not better than an Indian reservation. Every one of the concentration camps had an inspection service, several doctors and nurses, and anytime anyone was sick there was medical care and attention right within the enclosure. But down in Arizona in a 95-mile area on the Navajo Reservation there was only one doctor and one nurse. As you will see from reading the hearings, the Indian Commissioner testified that there was one little hospital on one reservation—or concentration camp—for the Indians. The sick and ailing dragged themselves over the desert country for weeks, suffering from cancer, tuberculosis, or other terrible disease, crawled to the hospital, only to have the doctors and nurses shake their heads and say, "We are sorry, we cannot admit you." That is America. I am for admitting the DP people into this country. I will vote for such a measure if it comes to the floor of the House; but I think it is high time now, after more than a hundred years, that we do something for the Indians, that we do something for them besides setting up an Indian Bureau which keeps a close account on how many Indians are born, how many die every day, and reports to the Congress that this is what happened and this is what is going on now. We should take the Indian, the real American, and move him onto some of this land we are irrigating and give him a chance to survive. But, no. We even cut this bill $9,000,000 for the Indian Bureau. We cannot even keep track now of what their sufferings are. It is pretty near time that we stop, look, and listen.

Down in the Southwest, they have cut out all of the money from the bill for construction of power. Just think of the courage a man and woman would have to have to go down into the Southwest and establish or build a home. Today only 50 out of every 100 have lights in their homes in the State of Oklahoma, probably not that many in Texas; yet just 4 years ago only 29 out of every 100 had lights in their homes in Oklahoma. That was the situation until this Government decided to go into the power business and to give the people lights.

But now this bill stops all construction down in the Southwest country. You would think from reading this bill that 50 out of every 100 having lights in their homes is a sufficient number. In the late war we destroyed three nations—Germany, Italy, and Japan—three nations that were 95 percent electrified. Ninety-five out of every one hundred had electricity in their homes. In this great country of America today only 54 out of 100 have electricity in their homes. What a curse, what a shame on this great Nation.

Yes; I am opposed to that language in this bill about labor. Stop and think now of that language, if you will. If any man belongs to a union where the head of the union fails to sign a loyalty pledge, that man or woman cannot be paid out of these funds. We put that in there to stop communism, but if allowed to stand, we destroy Americanism. What do we mean by that? Let us say I worked on the railroad. I am a young man 20 years of age. I hire out on the railroad and join a union. To make sure I will not be a public charge or that the Government or society will have to bury me, I take out an insurance policy for my wife and myself to have protection at least for a decent burial. After 20 years' work on the railroad I am called in for a medical examination of my eyes and I fail to pass the test. I am discharged from the railroad. I cannot give up my insurance policy that I have paid for 20 years. It is much harder and more expensive to take it out at that age in an insurance company. So I get a job working for my Government. Let us say I work 20 years for the Government. Now they come along with a bill like this, after I have paid insurance for 40 years, saying that if the head of the union I belong to fails to sign the loyalty pledge, I cannot be paid out of those funds, or I must spend one year in jail and be subjected to a $1,000 fine.

Is that Americanism when you take out an insurance policy and have paid on it during 40 years? I repeat, I have paid for this insurance policy for 40 years in order to have a decent burial. At the end of 40 years you say I have got to give up that insurance because it is affiliated with the union, or quit my job with the Government. Is there any man in this Congress who will tell me that this is Americanism? Yet we have that rider right in this bill striking at labor.

Oh, yes, my memory is not so short that I cannot look back to 1902 when a miner would go to work in the dark, work all day, slave in a mine, in the dark, and come home in the dark. When they were on strike for 8 hours a day, when they were striking against dealing in company stores and all like that, oh, the howl that went up in that year, 1902. They yelled they were anarchists, and that they want to destroy the American Government. That was the howl of that day.

My memory is not too short but that I can remember in 1912 when they organized the IWW. They called them, "I won't work's" or wobblies just because they wanted an 8-hour day on the railroads on which men were being killed by the hundreds. But they got the 8-hour day 4 years afterward, in spite of men like Vanderbilt who said, "The public be damned."

My memory is not so short but what I can look back to 1919 and the steel strike.

I remember Judge Gary, the steelmaster of that day. The strikers then were

called Bolsheviks, because they asked for an 8-hour day. They were working 12 hours a day and 24 hours every other Saturday. Yes, this same Judge Gary gave a dinner at Paris for 12 guests and his wife and the cost was $75,000. The dinner was served on gold plates. But when the men wanted to strike for a decent living wage and be able to go to church even on a Sunday, just 1 day a week, Judge Gary said they could not have an 8-hour day; that it was not feasible and he called them Bolsheviks when they wanted to strike for their rights. But, they got that 8-hour day, not through the Congress and not so much through the unions. They got it through the Federated Churches of America, to which they will be forever thankful. Even President Harding had a hand in this reform, something that he was never given credit for.

Yes, my memory is not so short that I cannot remember 1932. That is the only time that they did not tab dissatisfied people Bolsheviks. I remember sitting in a moving-picture theater back in 1932. I saw the picture of a sheriff in Iowa who had a rope around his neck. The mob was about ready to toss the rope over the limb of a tree, and they said, "We will hang you if you ever sell another farm for taxes on the courthouse steps. And, I remember 1937 when they killed 19 people in front of the steel mills in Chicago and wounded several hundred others. That was the day the Congress of the United States went into action after they saw the moving pictures. That was the time the Congress created good law by amending the Wagner Act.

I can remember the year 1945 on the floor of this House when, after the Battle of the Bulge, many people here wanted to blame somebody for that disaster. What did they do? They tried to put the blame on labor, and they came into this Congress with an act known as the work or jail bill. That act was rushed through. There were only about 14 Members who voted against that bill, although Tom Dewey and Franklin Roosevelt said just 6 months prior that labor had done the greatest job ever done in the history of the United States, and yet some Members of this House wanted to put them in jail. After it got over to the Senate, cooler heads prevailed and the measure died.

But here we are again today, coming in with a rider on this bill. Yes, we are on the march again to destroy labor. We want to put them in jail for 1 year because they do not want to give up an insurance policy that they paid for over a period of 40 years, with the only other alternative of quitting the union. Now, I hope when the amendment is placed before the House today that in their wisdom the Members will see this proviso in the right light and will either strike out that amendment or correct it with another amendment. There are things about this bill that I want to congratulate the chairman of the subcommittee on. Yes, they have added $112,000,000 more than we gave them last year, but I again say I object to cutting down the amount requested for the Indians. We should have enough funds to place them where they rightfully belong, and that is on one of the first irrigation projects in this country, and we should continue to do so until every Indian in this country takes his rightful place in society. This he cannot do today, for as long as 15,000 out of 22,000 children on the Navajo Reservation do not have the opportunity to go to school. They are still being treated as second-class citizens. I hope and pray that before the House passes this bill that they will take out that language discriminating against labor and that the Committee on Public Lands should find some way and that the Committee on Appropriations should appropriate sufficient money so that the Indians will have a proper place to live.

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Chairman, I would like to compliment the entire committee for the extended time and energy they devoted to the consideration and preparation of this bill; I particularly wish to express my appreciation of the courteous treatment accorded me when I appeared before the subcommittee, last April 15, to urge their favorable recommendation of an appropriation to modernize the Federal hatchery at Nashua, N. H. It is personally gratifying to note that this measure includes a designation of $30,000 for the Nashua hatchery.

I feel that the committee very wisely understood the subject of an adequate appropriation to expand our fish-rearing facilities is of tremendous importance to a great number of our citizens throughout the country.

In these days when we are calling for all Americans to support a gigantic foreign reconstruction program, which imposes severe burdens upon our people, I know you will agree that we should devote real attention not only to their recreational needs but also to providing additional livelihood opportunities. I earnestly believe that the members of the fish and gun clubs and associations throughout New England and the United States make a major contribution to the stability and tradition of our American way of life.

With reference to the New Hampshire hatchery, I want to inform my colleagues that this facility has, in recent years, been vastly overtaxed in trying to meet the requests for pond stocking that they receive. I would like you to know that the present fish-rearing system there was installed in 1898, and, since that time, it has not been possible to make any real improvements. The expansion program proposed would increase the rearing capacity of the hatchery from 150 to 200 percent. Using modern equipment, a 1,600-cubic-foot raceway, would produce as many fish as the present obsolete 16,000-cubic-foot raceway without the necessity of increasing manpower.

This hatchery is vitally necessary to the welfare and support of the people in that area. In view of the undisputed fact that it is one of the most important stations in the country, is one of the oldest, and that existing facilities are antiquated and deplorably inadequate, I respectfully urge my colleagues to vote in favor of this bill. I am sure that when the improvements, made possible by this initial grant, are revealed, the committee will next year approve the additional $55,000 needed to complete the modernization of the Nashua hatchery.

Mr. JENSEN. Mr. Chairman, I yield 12 minutes to the gentleman from Pennsylvania [Mr. FENTON] a member of the committee.

Mr. GORE. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from Pennsylvania, who has done one of the most thorough jobs in connection with the Bureau of Mines that has ever been done in this Congress.

Mr. FENTON. I thank the gentleman very much.

Mr. Chairman, first of all I want to say that it has been a privilege to serve on the subcommittee of the Interior Appropriations Committee under the chairmanship of the gentleman from Iowa [Mr. JENSEN]. He has at all times demonstrated his fairness to witnesses appearing before our committee and has shown great knowledge of the problems confronting it. His experience, gained over the years that he has been on the committee, has tended to ease the burden of those of us who have not served that length of time on this committee. I want to also pay tribute to the rest of the gentlemen serving on this subcommittee for the spirit of cooperation shown during our deliberations on this bill. At no time, that I can recall, was any partisanship shown and the conclusions that we have reached in this bill will, I believe, attest to this fact.

Your subcommittee held continuous and exhaustive hearings for over 3 months. In addition to the hearings, Mr. JENSEN, Mr. SCHWABE, and myself spent 7 weeks last fall visiting various Interior Department projects in the West. Mr. STOCKMAN visited Hawaii and Mr. KIRWAN toured the West. In addition, Mr. SCHWABE also held hearings and visited Indian Bureau projects in Oklahoma, while I spent 10 days during August visiting Bureau of Mines facilities in Pennsylvania, West Virginia, Alabama, and Tennessee.

In other words your committee has tried to familiarize itself with the problems of the Department of the Interior; with your problems, and also with the taxpayers' problems.

Now I realize that there may be some disappointments in the amounts that we have appropriated but I can assure you that the Committee has endeavored, at least to be fair.

The chairman has gone into the details of this bill at great length, particularly with regard to the Bureau of Reclamation. I shall not burden the committee with anything further on reclamation at this time. However, I would like to say that Reclamation, generally speaking, is doing a good job although there is room for a lot of improvement. The projects visited by us are enormous in scope and when one witnesses the tremendous amount of work that is being done and what is contemplated being done in the future it causes me to wonder if there is any end in sight.

The Missouri River Basin with its contemplated projects—including the great dams under construction by the War Department—will ultimately cost this government many, many billions of dollars; the Columbia River Basin in Washington and Oregon has already reached an enormous sum and will ultimately mean an outlay of billions of dollars. The Central Valley of California will add to the load already burdening the taxpayers. The Colorado River projects are something to behold and of course will all add up to the terrific amount of money that this government will bear.

I do not mean to imply that they are not necessary expenditures or that they are not worthy projects. Rather do I wish to emphasize that they are in the main necessary and very worthy projects.

It was our privilege to see how, with irrigation water poured on, otherwise worthless land was transformed into highly productive soil. No one can object, or should object, to such a program.

The hydroelectric power features in all those projects while highly desirable in many instances, in many areas I might say, should proceed with caution lest we find ourselves taking out of circulation one of our sources of revenue which has been a factor in making this country of ours so great. Already we see signs of private enterprise capitulating to governmental opposition in business. Already we see sections of this country that have been served by private enterprise for many years and that would continue to be served by them, if given an opportunity, having their property seized by condemnation procedures and stripped of their property. This may seem inconsequential to some but to me it is an entering wedge that might easily extend its tentacles into other fields of endeavor and which could ultimately resemble socialization. So I say that we must take a good look from this point, and unless the people of this country desire this kind of procedure to continue, then we will have to continue to scrutinize all projects very carefully.

Those projects which will benefit the country as a whole—those projects that are really necessary in certain areas for their development and which cannot be undertaken by private initiative should have assistance. But, private industry where it wants to continue and is willing to help and do its share should not in my humble opinion be seized and unceremoniously thrown out of the picture.

Of course, most of these great projects, and they are great, generally speaking, are multiple purpose endeavors and are important in this sense in a great many instances. Certainly flood control which saves life and property is essential; most assuredly projects that can supply water to communities where it is necessary; recreation facilities when it is feasible; assistance to wildlife and game where it can be done, is all commendable.

I would like to comment on a great many of these individual projects; especially, those that we have personally visited. In the interest of time I will hurry along. Suffice to say that I saw and learned much in our recent visit to reclamation projects as well as other Interior Department activities. It helped me understand a great many of the problems which confront us in this bill.

My particular function relating to this bill, however, is with the Bureau of Mines items and the Health and Welfare of the Indian Service and the Alaska Native Service. I have given a great deal of thought and time to these phases of the Interior bill.

May I say right now that I believe that the Bureau of Mines is doing a very fine job. I believe this bureau enjoys the confidence of most of the membership of this body. And, in my investigations and examinations of their various facilities I found the same courteous and efficient type of personnel that we have always been led to believe existed.

In 1948 we appropriated $16,285,800 for the Bureau of Mines.

The Bureau of the Budget for fiscal 1949 recommended $22,692,300.

The amount recommended by your committee is $19,194,900. This is an increase of $2,909,100 over 1948 and a decrease of $3,497,400 under the budget estimate.

Analyzing these figures and the justification for them, after full hearings and deliberations, and observations on our trip, we think them to be in line with reason and properly evaluated.

Amount allowed, no change.

First. Salaries and expenses: $164,600; increase of $2,100.

This item is the same as last year with the exception of an increase of $2,100 for within-grade promotions.

Included in this item is $62,700 for printing and binding, which will only cover the cost of printing, and so forth, of the Mineral Yearbook, published annually by the Bureau. This yearbook has to be printed, according to law, and will cost about $45,000 this year. The remainder of this item money will be used up by administrative printing—such as costs of forms in the conduct of the Bureau's business as well as subscriptions to the Patent Office Gazette, the CONGRESSIONAL RECORD, the Federal Register, and required civil-service material. This work consumes most of all of the fifteen or twenty thousand dollars left in the item after payment for the yearbook.

Nothing is left for the publishing of the technical papers or reports which is really the duty of the Bureau imposed on it by statute, so that separate printing items should occur under various headings and obligations rather than in a blanket appropriation. However, in the mine-inspection and synthetic-fuel items for appropriations there is specific authority for printing.

Therefore this year will be a departure from the usual blanket appropriation item for printing and each item will be covered individually.

Second. Operating rescue cars and stations and investigating of accident:

| | |
|---|---|
| 1948 and base for 1949 | $1,148,000 |
| Within-grade promotions | 17,000 |
| Budget, 1949 | 1,165,000 |

The amount asked for in this item is the same as 1948, plus $17,000 for within-grade promotions.

This is one of the original and most important functions of the Bureau of Mines. It has to do with the promotion of health and safety in the mineral industries such as coal, metallic and nonmetallic mining, natural-gas production, petroleum production and refining, quarrying, and the metallurgical industries.

The work done in the health and safety division was authorized in the Organic Act of 1910, and reemphasized in 1913. This was brought about—in fact the creation of the Bureau of Mines in 1910 was brought about—by the terrible prevalence of coal-mine disasters in the United States. In the 5-year period from 1906–10, inclusive, there were 84 coal-mine disasters which took the lives of almost 2,500 miners. It was for this reason that the Federal Government was obligated to try and reduce this terrible slaughter of almost 500 lives each year occurring in 17 yearly disasters.

Since the inception of the Bureau much improvement has been shown in the disaster record at both coal and metal mines. In 1946 only two major disasters occurred in the coal mines of the Nation with a loss of 27 lives and none have occurred in the metal mines.

However, in 1947 there was a lapse in the steady downward trend of accidents in the coal mines and unfortunately six major disasters occurred with a loss of 179 lives. The worst disaster since 1926 occurred in 1947 when 111 lives were lost at the Central Coal Co. mine at Centralia, Ill.

Of the 179 deaths in 1947 in the coal mines 146 occurred in the bituminous mines and 33 in the anthracite mines. A table on page 343 of the hearings itemizes where all these disasters occurred.

So far in 1948, we have had only one major disaster, on February 8, 1948, eight men lost their lives at an Arkansas mine.

The Bureau of Mines contends that all these accidents were avoidable. Numerous very careless mining practices were disclosed by various investigative bodies, and certainly we trust that all the miners who have lost their lives in those disasters will not have died in vain if the safe operation of coal mines can have renewed impetus in the application of preventive measures—measures that have been advocated by the Bureau of Mines for many years.

The work of the Division of Health and Safety of the Bureau and its benefits have achieved world-wide recognition. In its efforts to promote health and safety in the mineral industries and carry out the mandate of Congress the Bureau has established two basic concepts:

First. Research and investigations, both field and laboratory.

Second. Educational activities of various kinds.

In the research and investigation field the work is carried on in the laboratories and experimental mine at Pittsburgh, Pa., and Bruceton, Pa., respectively. These facilities have done such remarkable work in the advancement of health and safety that they are renowned not only in the United States but throughout the world.

The field investigations are conducted by the Bureau's engineers, scientists, and

inspectors and cover various phases of operating conditions in mines, mills, and industrial plants of the mineral industries. The primary objective of such investigations have been to improve health, safety, and efficiency of operations through appropriate recommendations and suggestions. These are available to the public either in published form or by inspection of their files.

The record of the educational activities in the Bureau of the Safety Branch show that during the fiscal year ending June 30, 1947, that almost 28,000 persons employed in the mineral and allied industries were given full courses in first-aid to the injured—2,424 in mine rescue—and since the founding of the Bureau 1,675,000 persons have received such training. Men in coal mining, metal mining, cement, quarrying, metals, rock tunneling, petroleum and natural gas, nonmetals such as mica, salt, gypsum, limestone, fluorspar, and clay.

Under the Safety Branch 10,000 people have completed the accident prevention course for coal mine officials and an additional 5,500 received partial training. Since the adoption of the Federal Mine Safety Code as part of the current bituminous coal mine wage contract several thousand additional mine workers have been or are being given instruction in safe work practices.

Likewise the Health Branch carries on much of its fundamental research on matters of health not only in the laboratory but also in the field of mines, mills, and industrial plants.

Its investigations cover the occurrence and prevention of disease caused by airborne dusts, fumes, mists, the effects of high temperature and humidity on underground workers, the occurrence of toxic gases and their effects on workers; methods of detecting gases and methods of protection against them.

The health branch tests respiratory protective equipment for safety and efficiency and the requirements for the health branch's schedules for permissibility are now standard for such equipment not only for use in the mineral industries but for virtually all industrial uses.

About 25,000 samples of mine air, toxic gases, and airborne dusts are analyzed each year and its services are extended to our armed services.

Other activities coming under this item are the Fuels and Explosives Division which has to do with testing explosives, explosive research, gas explosion research, Diesel engines, experimental mines and dust explosions research, coal mining methods and practices.

| | |
|---|---|
| Coal mine inspections and investigations: | |
| Appropriations 1948 | $1,875,000 |
| 1949 budget estimate, $2,895,000, committee recommendation 1949 | 2,431,000 |
| Increase over 1948 | 586,000 |

This increase is for 50 additional mine inspectors, plus.

When the Coal Mine Inspections and Investigations Act was inaugurated—act of May 7, 1941, Public Law 49, Seventy-seventh Congress (55 Stat., 177)—it was thought that 250 inspectors would be required to efficiently inspect the 14 to 16 thousand coal mines, large and small.

There are presently 200 mine inspectors and they have asked for an additional 100. The committee acceded to an additional 50, because it was thought that this number was all that could possibly be trained and utilized for fiscal 1949.

According to the Bureau of Mines representatives a recent survey shows that we have in the United States about 9,338 bituminous mines and 327 anthracite mines.

With the inspectors they had in 1947 they inspected for fiscal 1947, 471 anthracite and 3,514 bituminous mines for a total of 3,985 mines.

With the additional 100 inspectors they stated that they were desirous of inspecting all mines twice a year that employed 25 men or more, and, all mines employing less than 25 men once a year.

It can be readily seen that it is quite a task to get around to all the various mines, especially the smaller ones. But when the smaller mines, those with less than 25 employees, those that produce 4 or 5 percent of the coal of this country, contribute 7.1 percent of the fatal accidents it can be seen that they, too, are in need of inspection service.

In 1947 there were 179 men killed in 6 major accidents, by major explosions, of which 146 were in the bituminous and 33 in the anthracite mines. Up until the present time for 1948 there has been one major accident in Arkansas when 8 men lost their lives.

But that is only part of the story of fatal accidents in coal mines. There were 1165 killed in all the coal mines in 1947—990 in the soft coal fields, 175 in the hard coal fields.

If you will refer to page 345 of the hearings you will find a table classifying these fatalities and giving the causes of the accidents. I have mentioned the number killed by explosions, but a glance at the table will show you that explosions are not the No. 1 cause of most of the fatalities. In fact explosions over the past several years are in third place. Falls of roof and accidents along haulage ways are Nos. 1 and 2 respectively, as the main killers of miners.

So we have asked the Bureau of Mines to concentrate on all those phases of their inspection work so as to cut down to a minimum the fatal accident.

So much for the fatal accidents.

Now what about the nonfatal accidents? Take a look at page 344 of the hearings and observe the annual toll. It is not a very pretty picture to look at, and furthermore for the period 1944 to 1947 inclusive, there does not appear to be any diminishing of nonfatal accidents. In 1947 there were 63,000 men mutilated, more or less—51,000 in the bituminous, 12,000 in the anthracite. In fact over the 4-year period from 1944 to 1947 there was an annual average of 60,710 men injured nonfatally.

Again falls of roof cause a high percentage of these accidents.

So we trust that cooperation between the Federal Mine Inspections, the unions, State mine inspections, the operators and the workers that this annual toll of fatal and non-fatal accidents will decrease. It can be done, I am sure, and I hope that 1948 and 1949 will lead the way.

Anthracosis and silicosis—miner's asthma—of which I have seen a great deal as a physician, can and must be cut down in its incidence. I know that with all the research that has been done on this phase of mining, and if the recommendations that have been given by mining experts in regard to proper ventilation, wetting down dusty particles and using various types of masks were heeded, that there would be a reduction to a great degree of these cases—especially the severe cases. And I am sure also that were the Membership of this House privileged to see some of these cases of miner's asthma that you would agree that every effort should be made to control it. When you see the average miner, his lungs clogged with coal or rock dust, you see a man 40 to 45 years of age—an old man. Surely with cooperation this can be reduced.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield for a question?

Mr. FENTON. I yield.

Mr. MARTIN of Iowa. I am particularly interested in the gentleman's questioning of Mr. Krug as it appears on page 113 of the hearings of April 29, about the stock pile situation. I am very glad the gentleman brought that question up in the hearings to give us the Secretary's report in very short form of the total inadequacy of our stock piles of strategic and critical materials. While I know that comes outside of the gentleman's committee except as far as appropriations are concerned, I am deeply appreciative of the gentleman's interest. I know it is based on a long study of the matter from our common experience on the Committee on Military Affairs in years gone by.

Mr. FENTON. I thank the gentleman.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield.

Mr. GAVIN. I should like to take this opportunity to congratulate my good friend and able colleague. He has made a very fine statement about the miners and coal industry. His interest in coal mining and the miners of Pennsylvania is well known. It is most commendable. He has always been interested in the welfare and well-being of the people of the coal industry of our great State of Pennsylvania.

The miners of Pennsylvania have and are making a great contribution to the industrial prosperity of our State. In World War I and World War II they mined the coal that kept the wheels of industry turning and brought us great victories. They have earned and deserve our hearty commendations and I compliment my colleague and friend, the gentleman from Pennsylvania [Mr. FENTON], for his interest and work in championing all legislation for benefit and welfare of the miners of Pennsylvania.

Mr. FENTON. I appreciate the gentleman's kind remarks.

SYNTHETIC LIQUID FUELS

Last year the committee allowed three million for this item. At that time there was a carry-over of $6,000,000 and they had asked for an appropriation of

$7,000,000 which would have made a total of $13,000,000. So that what they actually had after our appropriations was $9,000,000 for fiscal 1948.

However, the construction of the plant at Louisiana, Mo., progressed to such an extent that they were able to keep up with their program and by April 15 of this year they found that in order to keep going and bring the plant to completion on schedule, that they would have to have a supplemental of $4,000,000. They received this supplemental so that they will have expended the full $13,000,000 on schedule.

You will recall that this was to be a 5-year program. So that at the end of fiscal 1949 the program will have ended. However, a new authorization passed the Congress this session for an additional $30,000,000, Public Law 443, March 15, 1948.

To date under the original authorization they have spent:

| | |
|---|---|
| 1945 | $5,000,000 |
| 1946 | 7,000,000 |
| 1947 | 5,250,000 |
| 1948 | 13,000,000 |
| Total | 30,250,000 |

For fiscal 1949 they are asking $9,750,000. The committee was of the opinion that the best they could do would be to spend $7,250,000. However, if it is found that it is necessary to have more they can secure another supplemental. This will be quite possible because they were unable to contract for the Fischer-Tropsch demonstration plant which would cost four to four and one-half million dollars—under the original authorization of $30,000,000. They, however, since the new authorization, have signed a new contract for this Fischer-Tropsch demonstration plant which, if installed in fiscal 1949, would take up a great deal of the $7,250,000 which we allowed.

I might say that I am wholeheartedly in favor of this program. I saw their laboratory installations at Pittsburgh and at Morgantown, W. Va. I also saw their work at Rifle, Colo., and the work being done at San Francisco, Calif.

Now what about this synthetic liquid-fuel program? What is the necessity for it? Those are questions you might ask and are entitled to know since already $60,000,000 has been authorized to explore its possibilities. Where are the greatest sources for synthetic fuels? And what progress has been made up to this point? I believe if you will refer to pages 410 to 418 of the hearings, of volume I, you can secure the answers to those questions.

FIRES

You will note that the prevalence of mine fires was drawn to the attention of the committee. It has developed into a serious condition and millions of tons of coal are being wasted by mine fires.

A survey made by the Bureau of Mines shows that there have been reported 146 mine fires raging in the coal mines of this country and Alaska. Some of them are actually existing for many years—58 of these fires are on the public domain, 1 on Indian land, 8 on State or county lands, 79 on private land.

We think that something should be done about these fires—especially those in the proximity to towns and cities where the fumes of the gases are a hazard to the lives of the inhabitants, as well as to the destruction of property. There are several of these fires, presently, threatening communities. Incidentally, most of these fires are in abandoned workings, with the ownership disclaimed.

The committee has determined to try and do something about them and has included an appropriation of $250,000 in this bill.

MINE WATER, ANTHRACITE

The committee also increased the item of $105,000 in the anthracite mining investigation item to $396,100—an increase of $291,000 to implement a survey of the mine-waters situation in the anthracite region.

The membership of the House will recall that it passed H. R. 4837, a bill introduced by me for a survey of this water problem which threatens to ruin the whole industry. The bill has not been acted upon in the Senate, as yet. However, since the bill passed the House the Interior Department has been advised that there is no need for more authority. This information was not given until weeks after its passage in the House.

You will find on page 1041 to 1052 of the hearings a full account and justification for this survey.

The committee, therefore, has included in this bill $291,100 to initiate the survey program which will be concluded in 2 years.

Not only are the anthracite reserves threatened to be destroyed but the lives of the anthracite miners are in constant jeopardy, and I fear that a disaster may occur at any time. Just recently three men in my district were caught by a rush of water which broke through to the place where they were working. Fortunately two of them were rescued after being closed in for days. The third man was lost.

LIGNITE LABORATORY

Pursuant to House Document 624 under authority of Public Law 454 of the Eightieth Congress, the committee considered the estimate of $750,000 for the construction of a laboratory to do research work on lignite.

The committee was informed that the entire amount would not be necessary for this year. We, therefore, recommend that $200,000 be appropriated for fiscal 1949 with a contract authorization for $550,000 for construction next year.

TESTING FUEL

In this item the committee allowed the budget figure of $506,600, an increase of $106,600 over this year.

This increase allows $10,000 for experimental work on the bituminous coal to supplement the already diminishing coking coal. Such coal taken from Illinois, Kentucky, and Ohio, not used now for coking, will be experimented with by blending with good coking coal of Pennsylvania, eastern Kentucky, and West Virginia, and still get an adequate metallurgical coke.

This is absolutely necessary for the continuation of our steel industry—especially since we are considering a national security program.

This work has been going on, on a limited scale but with this additional money they can pursue the work on a more adequate scale. Something like 100,000,000 tons of coking coal is required for the steel industry annually and the Munitions Board has requested the Bureau of Mines for information as to our coking reserves so as to evaluate the Nation's ability to maintain iron and steel production over any period of emergency.

In addition to experimenting for new good coking coal the rest of the money in the appropriation goes into research on coal utilized by our Government facilities. The Government uses about 5,000,000 tons of coal annually at an expenditure of about thirty-five to thirty-seven million dollars so that economy is necessary and the best coal obtained.

Research is also done on combustion of coal, coal preparation, coke and gas making properties and byproducts.

Research is also being done on lignite and sub-bituminous coal in the areas where these fuels occur, while the research that I mentioned before is done at Pittsburgh.

Research is also done on boiler-corrosion. This research is estimated to save the Government $30,000 a year; with an estimated valuation of $300,000,000 worth of steel equipment in the Army alone this item is invaluable.

MINERAL MINING INVESTIGATIONS OTHER THAN FUELS

The budget requested $428,300 for this item which is a decrease of $12,000 under the current amount. The committee allowed $403,300.

An analysis of obligations by activities can be found on page 429 of the hearings.

INVESTIGATION AND DEVELOPMENT OF DOMESTIC MINERAL DEPOSITS EXCEPT FUELS

This item represents investigations for some of the critical minerals we need. Particularly, chromium, vanadium, titanium, copper, lead, and zinc.

The committee allowed $1,560,000 which is $500,000 more than the current year of $1,060,000 but $190,000 less than the budget estimate.

COAL INVESTIGATIONS

The committee allowed $300,000 or an increase of $225,000 over the current year of $75,000. The budget request was $350,000.

This increase is due to the research on coking coal and a survey to be made of such reserves. A member of the Munitions Board appeared before our committee requesting this item and made a statement in justifying it. This statement can be found on page 441 of the hearings.

OIL AND GAS INVESTIGATIONS

This item is in the amount of $606,000 which is the same as last year's appropriations plus $6,000 within grade promotions.

The committee allowed the full amount and it has to do with secondary recovery research at Bartlesville, Okla., Dallas, Tex., Franklin, Pa., Laramie, Wyo., and San Fransico, Calif.

MINING EXPERIMENT STATIONS, EXPENSES OF

This item of $1,385,000 is an increase of $385,000 which the committee allowed in full.

The increase is due to $50,000 being appropriated for the existing station at Seattle, which is equipped to do research on coal and nonmetals.

With the shortage of oil in the Northwest, and very little work having been done on coal, it is the intention to try and develop that phase of fuel use, since they are converting from oil and gas to coal. It is estimated that there are 11,000,000,000 tons of coal in Washington, but not all is recoverable. However, with an estimated valuation of equipment of two to three hundred thousand dollars in the laboratory, we think it is only common sense to use it. On page 459 of the hearings you can find a long list of industries who request information from the Bureau of Mines on the coal problem which shows the interest in the possibilities of its development.

Also in this item is $250,000 for the construction of a station in Alaska. There is no metallurgical personnel or laboratory in Alaska, which, as everybody knows, is a vast area of mineral potentialities—metal and nonmetal.

A list of the various mining experiment stations and their allocated appropriations can be found on page 456 of the hearings. And on pages 463 to 471 the functions of these laboratories and their accomplishments.

METALLURGICAL RESEARCH AND PILOT PLANTS

The budget request of $1,895,000 is an increase of $85,000 over the current year. The committee allowed $1,460,000, an increase of $460,000 over the current year of $1,000,000, but a decrease of $435,000 under the budget.

The money appropriated for these pilot plants is only done on the most useful things developed in the experimental stations. Hence, the work this year will be on iron and steel, which is a broad term, and includes all the materials that go into iron and steel—like chromium, vanadium, tungsten, or manganese.

CARE, ETC., BUILDINGS AND GROUNDS, PITTSBURGH, PA.

The Bureau of the Budget gave an estimate of $142,300 for this item, which was the same as the current amount.

During the hearings and from my personal knowledge it was developed that the fine property the Bureau has at Pittsburgh and Bruceton were deteriorating, due to lack of funds.

The committee requested a statement outlining the extent of the deterioration, together with an estimate of what it would cost to start to recondition. A statement was submitted in the amount of $229,000. The committee saw fit to allow $175,000 of this amount, or a total appropriation of $317,300.

ECONOMICS OF MINERAL INDUSTRIES

The committee allowed the full amount of the budget estimate of $708,500, an increase of $28,500 over the current appropriations. Of this increase, $9,500 is for within-grade promotions and $19,000 for mineral-industry surveys.

HELIUM

This appropriation is the same as the current year, $90,000, plus $1,000 for promotions in grade.

ALASKA NATIVE SERVICE HEALTH

The total appropriation for the Alaska Native Service is $4,518,962, which includes $2,080,268 for the conservation of health program. In the health program there is an increase of $729,268 over the current year.

From the testimony that we have heard the past 2 years from the Indian Service medical men and the medical director of Alaska, together with a report from the AMA convinces me that we should make an all-out attack on tuberculosis in that territory.

That tuberculosis is on a rampage in Alaska there can be no doubt. It has been pointed out by Dr. Bernstein, who headed the AMA commission; by Dr. Snavley, of the Indian Service; and by Dr. Albrecht, the Medical Director of Alaska, that the tubeculosis death rate in Alaska is 360 per 100,000, as compared to 40 per 100,000 in the United States, or a death rate of nine times that of the United States. The native death rate is 16 times that of the United States.

It is estimated that there are 4,500 cases of TB in Alaska.

The AMA commission which investigated health problems last summer has made a comprehensive and thorough report of the conditions they found. The full text of this report can be found in volume 2 of the hearings, pages 929 to 944, inclusive.

It simply confirms the testimony of Dr. Snavley, of the Indian Service, and Dr. Albrecht, of the Alaska Health Department, who had come before our committee the past 2 years. Dr. Arthur Bernstein, the chairman of the commission, appeared before us and gave us a verbal report of their findings.

As a medical man I am amazed at what these medical authorities told us. I want you to read the report of the AMA commission and their conclusions, if you will, please. I for one am concerned about it.

Now when you stop to consider that tuberculosis is a disease that is infectious and transmittable and therefore controllable it becomes a disgrace. Especially since we have had jurisdiction over Alaska since 1867 when we purchased it from Russia for $7,200,000.

Tuberculosis can be prevented and if those who are presently charged with the duty of health matters in the Alaska Native Service are incapable of reducing tuberculosis they should be supplanted by those who can and will. This Government has expended a great deal of money for this work and I for one will not charge our Government with being to blame. They have appropriated money, and a great deal of money. Perhaps not enough; but, if I were charged with the duty and my advice was not followed, I would get out and perhaps someone else could be more persuasive.

I believe that the Department of Health of Alaska, under the direction of Dr. Albrecht, is trying to do a job; but there is a limitation of funds from the territorial government. He has made many fine recommendations along the lines suggested by the AMA commission, and if given the financial aid I believe he would succeed in his efforts.

Dr. Snavley, of the Indian Service, is familiar with this problem also. But if he cannot carry out what he knows to be the right answer then it is time for some other Federal outfit to be in charge.

Here we have three medical groups—the AMA, the Alaska health authorities and the medical head of the Indian Service—all in accord as to what should be done, and the tuberculosis problem and its terrific incidence and death rate goes merrily on. Perhaps the answer would be to completely take the health department out from under the Bureau and place it in competent medical hands. The United States Public Health Service, I believe, would clean up the mess.

At any rate, I have suggested to our committee to permit funds as recommended by the AMA and Dr. Albrecht, to establish temporary isolation units to be utilized in conjunction with existing hospitals until permanent institutions can be erected. I was successful in getting half of their request in the amount of $550,000. Also $25,000 for our cooperation in the social service hygiene which the Territory has just taken over; and $174,000 to provide for approximately 74 beds in the Seward Sanatorium.

Take a look at the report of the AMA on Alaska and glance at the text of the hearings on this whole subject. The eye conditions, the venereal rate, the number of crippled children caused by TB, the sanitary conditions, and you will actually shudder.

Every one of the conditions that are so prevalent can be controlled and must be controlled if Alaska is to be our left flank defense to say nothing of our ability to do the right and proper thing.

INDIAN HEALTH IN THE UNITED STATES

I almost hate to start on this item. However, what I shall say is with reference to the Navajo Reservation and the Hopi Tribe.

Here again we find an almost unbelievable situation right here within our own borders.

During our hearings at Window Rock, Ariz., on October 21 last year—and you will find an account of this hearing in volume 2 of our committee hearings on pages 680 to 700—you will discover to some extent what is taking place.

Now I realize that the Indian Bureau has been given the task of administering to the Indians. But whether it is the present outfit that comprises the Indian Service or any other group, I do not see how they can do the impossible. You just cannot have sanitation or health where you have a poor supply of water or no water at all. You cannot raise cattle or crops in sufficient quantities to sustain an overpopulated area where you have no water.

You just must be satisfied with a high mortality rate and a high morbidity rate if this Government insists on doing the same things year after year in their Indian programs.

The babies will continue to die before they reach 6 months or a year in age if a proper and adequate supply of milk and good water is denied them. And tuberculosis will continue to soar in prevalence if sanitation is not established.

I see only one solution to the Navajo problem and the Interior Department can have all the 10-year plans they want; if they do not supply water, the appropriations we expend will not be used to its full advantage. And if they cannot supply water, and I do not believe they can, then there is only one thing to do, and that is remove them from, or for the most part at least, the desert.

Now I am not condemning the 10-year plan as such. It has a lot of good in it. But, I repeat that from what I saw it is not right to keep on kidding ourselves and the taxpayers that you can establish good health conditions when nature has decided against that area.

If handling the health problems of Alaska and the Navajos is any indication of what governmental medicine or socialized medicine will do, it will just be too bad for everybody in America.

As a medical man I am actually ashamed of the administration of health problems. Perhaps the United States Public Health Service could do a better job than the present outfit. I would make that recommendation to our Committee on Public Lands.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Chairman, coming as I do from one of the great Indian districts of our country, I am naturally interested in appropriations for the Bureau of Indian Affairs. I am proud to say that in my congressional district reside two of the greatest of the Five Civilized Tribes or, for that matter, two of the greatest of all the Indian tribes, the Choctaws and the Chickasaws. The contribution which representatives of these tribes have made to my own State of Oklahoma and to the country would fill volumes. Members of these tribes have distinguished themselves in peace and in war and in every walk of human life. I am proud indeed to number them among my constituents.

I am particularly interested in the matter of Indian health and education. Located in my district at Talihina, Okla., is one of the finest hospitals in the United States—a hospital which is capable of taking care of over 300 patients. This hospital is situated in the beautiful hill country of southeastern Oklahoma, and the buildings which comprise this institution befit the surrounding territory. The hospital is modern, well equipped, and staffed by a group of conscientious, patriotic public servants. This institution is performing a magnificent service for the Indians and for the community and area in which it is located. I sincerely hope that this appropriation bill when finally enacted into law will contain sufficient funds to keep this great hospital in full use at all times.

I am also interested in Indian education. In my district are located three of the great Indian boarding schools. These are Wheelock, Carter, and Jones Academy. Jones Academy serves young boys, and the other two schools serve young girls of Indian descent. These schools offer to these young people, in many instances, their only opportunity to obtain an education. These boys and girls come from remote places; some of them are orphans; some of them come from broken homes. Located also in my district is the Indian Goodland Orphanage a, very fine institution indeed. It has been my pleasure to visit with students from this school, and I am proud to say that one of my most prized possessions is a photograph of the outstanding girls' chorus which has been developed at this institution. I am happy that the Federal Government has seen fit to give financial aid to this institution, although it is in reality, an orphanage under the supervision of the Presbyterian Church, a church which has done tremendous good through the years in working among the Indian population of Oklahoma.

Also located in my district are a few day schools operated by the Indian Bureau. These schools are situated in places where State schools are not available. In addition to this, the Federal Government has made provisions through the years for tuition payments for Indian children attending local and State schools. These functions are an important part of our Federal activities and I hope on final passage that ample funds are made available in this bill for these necessary functions of our Government.

I am also happy to state that a number of men representing the Indian Bureau are stationed at various points in my district, performing daily services for the Indians. Most of the offices to which these individuals are assigned are understaffed, and I am happy to learn from the Appropriations Committee that it is the intention of Congress in this bill to make ample provisions for field agents, clerks, appraisers, probate attorneys, and other officers and employees functioning at the service level.

WESTERN MONTANA PROJECTS

Mr. MANSFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MANSFIELD. Mr. Chairman, I am happy to note that the Subcommittee on Interior Appropriations has recommended that approximately $12,000,000 be appropriated for projects in my district. I am hopeful that the Senate will raise this figure to the amount I have consistently advocated for the 1949 fiscal year, the sum of approximately $20,000,000.

The following Montana projects have been allowed the sums noted for the fiscal year 1949:

| | |
|---|---|
| Hungry Horse project | $8,100,000 |
| Canyon Ferry project | 2,750,000 |
| Indian TB hospital, Galen | 750,000 |
| Three Forks project | 214,000 |
| Jefferson River project | 75,000 |
| Helena Valley project | 15,000 |
| Flathead extension lines | 200,000 |

All these projects are of great importance to the people of my district and the State of Montana. In January 1948 I found out that the Bureau of Reclamation had requested only $5,000,000 for the Hungry Horse. In view of the fact that over $6,000,000 had been spent on preconstruction work on and transmission lines for the Hungry Horse, I felt that this amount was entirely inadequate. I called the Bureau of Reclamation and pointed out that the Hungry Horse was almost ready for construction and that an appropriation of $20,000,000 should be requested. As a result of my insistence, the original request of $5,000,000 was withdrawn and a new one forwarded, with a request that $9,850,000 be appropriated. Furthermore, after the hearings were started and bids called for on the general contract, I again contacted the Bureau of Reclamation and requested that they ask for a supplemental appropriation of $7,000,000 for fiscal year 1949. It is my understanding that such a request has been sent down by the Bureau of Reclamation, approved by the Bureau of the Budget, and will be considered by the Senate committee when this bill reaches that body. I intend to do all that I can to see that this extra amount is granted so that the appropriation for this coming fiscal year will be $15,000,000, instead of the $8,100,000 appropriation allowed today.

As the author of the Mansfield bill authorizing the Hungry Horse, and as the one who has had to carry the fight for this project against the Montana Power Co. for the past 5 years, I am indeed happy that the interests of the people of Montana have once again won out. With a general contract of approximately $43,000,000 already let for the construction of Hungry Horse and approximately $15,000,000 already appropriated or in process of being appropriated now, the building of the Hungry Horse is definitely assured and the future of western Montana thereby benefited. I want the Congress and the people of Montana to know that I am proud of the progress of this project and the part I have played in bringing it to this point. The Hungry Horse is the first step in the development of Montana, and its construction marks the beginning of an era in which our State will be developed for the benefit of our people.

The amount of $2,750,000 appropriated for the Canyon Ferry Dam is a step forward in the building up of Montana. It is my hope that the height of the dam will be considered in the Senate committee and a decision arrived at which will be fair to all parties concerned.

The welfare of Montana's Indians is met in part by the appropriation of $750,000 for an Indian tuberculosis hospital at Galen, Mont. I had asked that the full $1,500,000 authorized under the Mansfield bill be allowed, and I hope that the Senate will allow the full amount of $1,500,000 when this matter comes before that body.

It is my intention to appear before the Senate committee and ask that the full $9,850,000 plus an additional $7,000,000 be allowed for the Hungry Horse; that $3,500,000 be allowed for the Canyon Ferry project; and that the full $1,500,-

000 be allowed for the Indian hospital at Galen.

The committee has also allowed $214,000 for the Three Forks project, $15,000 for the Helena Valley project, and $75,000 for the Jefferson River project. These are important developments in Montana's future and they spell a livelihood for our children and an opportunity for all our citizens.

Montana is now making the first step toward an assured future. I intend to see to it that the process is continued so that Montana can be developed for the benefit of Montana's people. This they deserve, but they have had to wait a long time for it.

Mr. GORE. Mr. Chairman, I yield myself 15 minutes.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. GORE. I yield to the gentleman from Texas.

Mr. WORLEY. I am particularly interested in the item on page 39 which provides $3,000,000 for general investigation of proposed reclamation projects and related matters. For the past several weeks I have been conferring with the Department of the Interior in the hope that it could use some of its current appropriation for the purpose of investigating a proposed reclamation project on the Canadian River in my district in Texas. I am wondering if the gentleman can assure me that part of this money will be used for that purpose?

Mr. GORE. I, too, am very much interested in that particular part of this bill. First, I want to congratulate the gentleman upon his diligence and concern over this problem as it relates to his home people and also to the Nation as a whole. One of the very serious problems looming up in the Nation is the depletion of the underground water supply. I have learned that in the area which the gentleman represents this is an increasingly acute problem. It is for the purpose of making investigations into threatened areas such as the gentleman makes reference to that this item is in the bill. This money is recommended to the Congress by this committee, and it is my understanding—and I yield to the chairman of the subcommittee to corroborate my opinion—that the subcommittee recommends to the Congress the making available of this appropriation for the specific purpose of conducting an investigation of such problems as the gentleman raises here.

Mr. JENSEN. I am glad to say that I understand that to be the fact, and I am glad to say also that the gentleman from Texas, who has asked that this matter be taken up at this time, has explained to me the great need which prevails in his district for such an investigation. Certainly, I think the investigation should be made, and if it is agreeable to the gentleman from Tennessee, I would like to see the necessary funds utilized out of this amount which is provided in this bill for investigations in the gentleman's district in Texas.

Mr. GORE. I thank the gentleman. It is not only agreeable to me, but it is the desire, as I understand, of and the intention of the committee, that certain of the funds herein be used for that specific purpose.

Mr. WORLEY. I thank both the gentleman from Iowa and the gentleman from Tennessee. I can assure both of them and the House that there is no project more important to the Texas Panhandle at this time than the possibility of erecting a dam not only for flood control and irrigation, but particularly providing a water supply for industrial and municipal purposes. I am very glad to have the assurance you gentlemen offer that a good and sufficient portion of this fund will be devoted to that purpose.

Mr. GORE. I thank the gentleman for raising this point which otherwise might have escaped my attention in the brief time which I have to address the committee.

This question of underground-water supply is not only important from the standpoint of industrial use and of a supply for municipal water systems, but as the underground-water reservoir is depleted and sinks, the amount of subterranean irrigation for plant life is lessened, and one of the problems which will increasingly demand the attention of this Congress in the future is that very one.

Before going further, Mr. Chairman, I would like to express my appreciation for the friendship existing between the members of this subcommittee. The distinguished gentleman who is the chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN] has labored long and diligently. For many, many weeks we have been sitting long, long hours daily studying the many problems affected by this bill. The distinguished gentleman has been thoroughly fair and considerate of the minority Members as well as his colleagues on the majority. As I indicated a few moments ago, the able and distinguished gentleman from Pennsylvania [Mr. FENTON] specialized in the operation of the Bureau of Mines, the inspection of mines, and other phases of mining, and has done an excellent and thorough job. The distinguished gentleman from Oklahoma [Mr. SCHWABE] has done, I believe, the most thorough job of investigating and studying the problems of the Indian Service that I have seen done in my 10 years in the Congress. The membership may not find themselves in full agreement with all the recommendations of the subcommittee in this regard, but I do not think it will be challenged any place, from any source, that the distinguished gentleman from Oklahoma [Mr. SCHWABE] has done a very thorough and exhaustive job in conducting the hearings and the investigation into this subject.

For that service to the Congress he is to be congratulated and now has my congratulations. Likewise, the distinguished gentleman from Oregon [Mr. STOCKMAN], in the particular field in which he took the leadership, has shown himself to be diligent, thorough, broad-minded, and constructive.

We members of the minority have served as a backstop. Our opinions, though they have not prevailed in some of the fundamentals of the bill, have, I think, been taken into consideration. Upon most points in the bill, though in some cases reluctantly, we find ourselves in agreement.

There is one basic question upon which there is a fundamental difference of opinion. The difference of opinion on this basic problem is in no way personal; indeed, it is much bigger than that. The point of difference to which I refer is one of divergence not only within the subcommittee but, as has been shown by the record, within the Congress and to some degree within the entire people. However, I must confess my confidence that a majority of the people find their sentiments differing from the sentiments of the present majority of the Congress on this question.

The point of basic difference to which I refer relates to electric power. Immense amounts of the people's money have been expended in the construction of hydroelectric dams, yet from the budget, from this bill, has been eliminated every facility which would make available to the people and to their own cooperatively owned agencies the power generated from these dams. I do not charge anyone with being improperly influenced. Indeed, I have strong confidence that such has not happened. Nevertheless, that is a question which this Congress must decide, and, I dare say, which the people will be asked to decide come November. This is the old bus bar philosophy by which, even though the people's money in huge amounts has been invested to build these enormous generating facilities, the people are denied the benefit of their own investment except that they pay toll to the private power companies.

Mr. JOHNSON of California. Is it not a fact that under this bill as written it would be impossible for any of these projects acting through the Bureau of Reclamation to sell power directly to a city which owned its own power distributing system?

Mr. GORE. Does not the gentleman understand that to be true?

Mr. JOHNSON of California. That is what I understand from the report; yes.

Mr. GORE. I think that is spelled out more in the report than in the bill. But in evaluating the report, it must be recognized that the report of a congressional committee, though not entirely binding upon the agencies as having the effect of law, nevertheless, binds the agencies morally. I know of no agency that violates a congressional committee report.

Mr. JOHNSON of California. That applies not only to a city but to every other kind of public body, such as utility districts, reclamation districts, or any other public set-up, is that not correct?

Mr. GORE. That is my understanding.

Of course we know that a small REA cooperative cannot build a million dollar substation. We know if we build huge dams, even if we go as far as we have in the Southwestern Power Administration, to tie dams together with high tension lines, if we deny the facilities to bring that power down to usable form but on the other hand, make it available only to private concerns which can invest the huge sums that are necessary to take the power from the bus bar or from the high tension line, that means that the small REA's, the municipal systems cannot get it except by paying

a toll to the power companies. Does than answer the question of the gentleman?

Mr. JOHNSON of California. Yes, it answered my question in part. I wonder if the gentleman would yield me some time so that I may discuss this matter?

Mr. GORE. I assure the gentleman that I will yield him some time and I congratulate the gentleman upon his interest. We of the minority stand ready whenever the Members from the West will sufficiently arouse themselves to fight this monstrous thing that is being done to the people of the West—let me repeat—we stand ready to march shoulder to shoulder with you.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GORE. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON] for the purpose of discussing this question.

Mr. JOHNSON of California. Mr. Chairman, I take this time to discuss a statement in the report on this bill. It reads as follows:

None of the funds in the bill and no funds heretofore provided for switchyards are to be used for the construction of a switchyard at Elverta or for the construction of any switchyard facilities at Tracy not required for the operation of the project pumps, and any other funds allocated by the Bureau for these purposes are to be reallocated for continuation of construction of facilities for which funds have been specifically appropriated beginning with the fiscal year 1944.

Mr. Chairman, I want to try to spell that out in one particular case. We have heard it said that all of us who believe in public power are Socialists and that we are this, that, or the other thing. I think if you will study the history of the Reclamation Service, you will find that an integral part of the development of reclamation has been the development of power, and that the electric power generated is generally turned over to public agencies such as cities, utility districts, and so forth.

In this statement it provides that nothing can be used for switchyards or substations. This is the way that will work out: The particular transmission line referred to above goes from Shasta Dam on to a city called Tracy. Elverta, on this line, is a place where they have a switchyard. Within a few miles of Elverta is the little town of Roseville. The people in that town sat down and developed and bought a municipal distributing system. The city is operating a distributing electrical system. There is nothing new, there is nothing novel, there is nothing radical in that. In fact, the very city where the Speaker of this House lives has an electrical distribution system, municipally owned.

The effect of this provision is that this little city of Roseville cannot buy its electricity directly from the Reclamation Bureau. I do not know whether the committee realizes what they have done when they did this or not, but this is what they have done: They have virtually said that all of the electricity developed at Keswick and Shasta Dams—and it is a tremendous amount—shall be distributed through a private utility.

I have not come to my conclusions on this matter in any hurried manner. I have been involved in these matters for over 20 years. That means that this private utility, which is one of the best managed in the United States, will reap the main benefit from this vast investment; the features concerning flood control, fish control, navigation, and all those things have been written off. First, the Reclamation Bureau sells the power at a profit to the Pacific Gas & Electric Co. Then the Pacific Gas & Electric Co., at a profit, naturally, sells it to the little city of Roseville, and it sells it to its consumers. That means that in the municipal utility district of Sacramento, organized by the people of that district, voting bonds by a 75-percent majority, will have to buy their electricity through a private utility. In other words, there is a pyramiding of two profits before the consumer gets the use of this electricity, when for the consumers' benefit the utility district should be able to buy the juice directly from the Department of Interior.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield.

Mr. CUNNINGHAM. What is to prevent your own city buying it at the bus bar? It does not have to buy it from the private utility company.

Mr. JOHNSON of California. A little city like Roseville cannot run a line up to the bus bar.

Mr. CUNNINGHAM. If the Government builds a transmission line to the city limits, it can then take it.

Mr. JOHNSON of California. Yes.

Mr. CUNNINGHAM. What is there in this bill that prevents that?

Mr. JOHNSON of California. The point about this bill is that you cannot buy it directly from the Reclamation Bureau. That is what I think would make the biggest public benefit and the greatest profit to the public, because you are going through two pyramids of profit from the power plant to the consumer, when one should be sufficient. When the private utility takes this power, they say they pay large local taxes. All they do is increase their rate, and the consumer pays the tax bill through the utility rate. The consumer, in fact, pays these taxes in higher electric rates, but he does not realize it.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield.

Mr. MUHLENBERG. May I ask what the reference to the bill is that prevents buying by the municipality? The gentleman said there was a definite reference in the bill that prevents that.

Mr. JOHNSON of California. Frankly, I cannot find that reference in the bill, but it is in the report. It is a policy that the committee is directing the Reclamation Bureau to place in its administration of the facilities, namely, not to allow any substations, switchyard facilities, and so forth. This means that small cities, who cannot build a line to the powerhouse, cannot get this juice.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. FENTON. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Chairman, I would like to say it has been a privilege and pleasure to work with the members of the Interior Subcommittee on Appropriations in preparing this year's bill. The committee has worked in complete harmony at all times during the extended hearings of approximately 3 months. At no time was there any major disagreement among any of the members of the committee on either side of the table.

I believe the bill which we have brought to the floor today for your consideration is one of the best bills that could have been prepared, considering the differences of opinion that exist among the membership of the House in the various amounts asked for, for work on the projects in their different districts.

I believe the bill merits the approval of the House.

I had the privilege of handling the hearings on the Territories Division of the bill. It seemed to me that probably the two most important items in Territories were the extension and reconstruction of the Alaskan Railway and the highway system in Alaska. Lieutenant General Craig of the Army testified before the committee at considerable length upon the importance of the extension and furtherance of the highways and railroad in Alaska and it met with the approval of the committee to go ahead with this work. We consequently authorized the approval of $13,500,000 for highway construction in Alaska and $15,000,000 cash and $6,700,000 in contract authorizations for the Alaska Railroad.

The Alaska Railroad runs from Seward to Fairbanks and is the only railroad in Alaska. It is an important arterial connection between the inland area and the coast.

Hawaii, as one of our territories, presented no special problems that required undue consideration by the committee. Their problems as presented to the committee were mostly the same as they had been in previous years and the committee had no trouble taking care of them.

We did authorize an item of $1,000,000 for the construction and operation of two fishery research vessels which will vitally affect industry of Hawaii, in my opinion. It was brought to the attention of the committee that there were vast schools of fish in the far western Pacific Ocean about whose habits we know very little, how many there might be, what their poundage might be, yet they are thought to be available for the taking. It seemed that the inclusion of this item would be of great value to the fishing industry both of the United States and Hawaii.

Mr. FARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. STOCKMAN. I yield.

Mr. FARRINGTON. I wish to say for the benefit of the Membership that we of Hawaii were very happy indeed to have the gentleman from Oregon as our guest for some 16 days last fall. I can say from personal knowledge that he devoted that time to a very thorough examination of our problems and therefore comes to this

aspect of his responsibility with a very complete knowledge of our needs. I wish to assure him that what has been done in this bill is very much appreciated by all of us in those islands.

Mr. STOCKMAN. I thank the gentleman for his observations. Although I must say I think the item for fishery research vessels affects industry in the United States much more than Hawaii. I was very highly and favorably impressed with conditions in Hawaii during my stay in that delightful paradise of the Pacific last summer, and I wish to say that in my judgment the United States would be very highly benefited by Hawaii being made a State.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. KIRWAN. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, as the chairman of the Subcommittee on Appropriations made his introductory remarks I interrupted him to thank him for the kindly consideration given my constituents from Arizona. There were too many other items, in addition to water projects, for me to touch on all of them. I cannot touch on all of them now, and I will not repeat what I said previously.

Mr. Chairman, I want to call attention to two items in this bill about which I am concerned. One of them was explained earlier by the chairman. That had reference to the maintenance of the All-American Canal. When I first picked up the report and turned to page 60 I saw an item there that disturbed me. The chairman did explain it, but I want to indicate to the House why I am concerned about that matter. This is at the top of the page:

All-American Canal—Operation and maintenance.

I noticed that the estimate for 1949 was $216,000, and in the last column it is indicated that amount was not allowed. However, the chairman tells me other provisions for it have been made, so that my worst fear was not well founded.

Mr. Chairman, my reason or laying great stress upon this work in another State may be a matter of curiosity to some as to why I am going to the west of Arizona and taking an interest in the All-American Canal. But the All-American Canal takes water out of the Colorado River at the west end of the Imperial Diversion Dam, whereas the east end of the Imperial Diversion Dam diverts Colorado River water from there into the Gila Canal on the Arizona side of the river. Those two canals lead from different ends of the Imperial Diversion Dam. Engineers tell me that that dam must be under one management and control. If you are going to divert water into California in the All-American Canal and into Arizona through the Gila Canal, it must be done by the same engineering management. I am not enough of an engineer to know why that is. However, that is a lesser point, although I want Bureau of Reclamation engineers to operate that dam.

The All-American Canal is a very large and very expensive proposition built with Government money and sponsored by the water-using farmers. I take off my hat to the farmers down there in the Imperial irrigation district who backed that canal. The canal is of tremendous importance in more than one respect. It is big enough that you can cause to flow continuously through it all of the average flow of the Colorado River; in fact, it is more than twice the size it needs to be for its legitimate load of irrigation water to California. Now, this All-American Canal runs from the Imperial Diversion Dam down to the Mexican border to a place called Pilot Knob. According to a treaty we recently made with Mexico we are going to put a certain amount of water for Mexico down through that canal. That is an international obligation in this water treaty. We are going to supply 500,000 acre-feet of water annually to Mexico through this All-American Canal. That is in the treaty, we must carry it out, as it is an international obligation but we must not let any more water go to Mexico than that amount through that canal.

Mr. Chairman, I maintain that no private corporation in America, certainly not in Mexico, should have complete control of that canal, and especially not the Imperial Dam. When I first saw page 60 of this report, it occurred to me that the withholding of funds might cause the maintenance and the management of the All-American Canal and the diversion dam to pass to the Imperial Irrigation District. I do not want that to happen. It must not happen. We cannot afford to let any private corporation carry on this Government function under treaty with Mexico, for there would be plenty of opportunity for it to breach the treaty. I do not know that the Imperial district would deliberately breach the treaty, but there would be opportunity; in fact, I would say there would be great likelihood. That is why I am so concerned to have our Government control those works.

I have time and again called the attention of the Public Lands Committee to the fact that the All-American Canal is a great open faucet at the lower end of the southwestern water barrel—the Colorado River Basin—and we who are watching every precious drop of that water must watch how that faucet is opened and to what extent. There is evidence that somebody in southern California wants to turn it on full force and profit by wasting water belonging to five States.

Mr. Chairman, I note what the committee says in its report with regard to the business of the Bureau of Reclamation and that it is not, in the judgment of the committee, the business of the Bureau to build transmission lines from our great multiple-purpose dams. I do differ in that, but I will not quarrel with a part of that statement. I do not want the Bureau of Reclamation going into the distribution of power business. It must produce hydroelectric power because they cannot have big multiple-purpose dams without producing power to be used in irrigation and to help pay the total cost.

There is a tragic shortage of power in Arizona and my people are anxious to get power from Hoover Dam which is theirs by rights and under the law and they are very anxious to see the Davis Dam completed and in operation producing power. Arizona needs all of Davis power and all of her quota of power from Hoover Dam. But this power is not available now and will not be available to Arizona without transmission lines from those dams into Arizona. There is a part of congressional law in the Boulder Canyon Act that makes a unique provision concerning transmission lines into Arizona from the Hoover Dam and that unique provision has a bearing upon Government-built transmission lines into Arizona from Davis Dam. Apparently this bill does not adequately deal with that. I have never asked that the Government go into the distribution of power.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I will be glad to yield to the chairman.

Mr. JENSEN. I am sure the gentleman knows that this committee and the Congress has appropriated millions, in fact, hundreds of millions of dollars for transmission lines to load centers where people who want power can send their lines and get the power which they need right from the load centers.

Mr. MURDOCK. I commend that and ask for more of it for Arizona.

Mr. JENSEN. I think the gentleman is in perfect harmony with the committee when he says that he does not believe the Congress or the American people by taxation, by their tax dollars, should build a distribution system all over the country wherever power is needed; is that right?

Mr. MURDOCK. That is right if I may modify it and make it clear to this extent: These big multiple-purpose dams are built up in the mountains, away off from centers of civilization or habitation. The power must be brought to the communities and to the farmers for pumping. Now, there is a peculiar case in my State. The Hoover Dam is many, many, many miles from any large city. Of course, it is connected up now with southern California by private transmission lines, which is all right, but Arizona is entitled to some of that power and those lines are not there. In this particular case Arizona has planned to build lines. The Davis Dam has not been completed, and there is a tremendous power shortage all through the Southwest. It is no greater in Los Angeles or southern California than it is in Arizona, relatively. There is a power shortage every place. Now, how are we going to get power from the Davis Dam to where it is needed? Oh, I know there are corporations, utilities, who would be glad to build the power lines, but since this is highly monopolistic business, that would mean a great and expensive dam to produce much needed power with only one purchaser. I do not believe, gentlemen, it is good public policy to build a great dam like Grand Coulee, Bonneville, Shasta, Hoover, Roosevelt, Davis, or any of them and permit only one customer to take that power. I do not believe that is good policy.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from California.

Mr. JOHNSON of California. I agree with the gentleman that the United States should not go into the business of distributing power, but when they wholesale power they ought to do it on the same business principles that a private utility does; is that not correct?

Mr. MURDOCK. Yes; I agree with the gentleman on that.

Mr. JOHNSON of California. And if you confine yourself to one customer, then you have no choice in the matter.

Mr. MURDOCK. The gentleman is exactly right. The general situation over there in the great Central Valley in California is very much like the one that I am disturbed about in Arizona. So, I want to bring that to the attention of Congress.

I want to commend the committee for what I think is generous treatment of the Indians, particularly the Navajo and Hopi Indians. I would have been glad to see even more done, especially for their education and for the building of roads, but the committee has done a good piece of work and I want to approve it, as well as the work of the legislative committee that has made the legislation possible.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I want to commend the chairman and members of the subcommittee of the Appropriations Committee for the Department of the Interior for bringing to the House this bill, H. R. 7605. The committee has been most diligent in its work in the long period of examinations in the field and extensive hearings and concluding work in preparing the bill for submission to the House. The chairman and several members of the subcommittee visited the Columbia River area in my congressional district in Oregon last year and made every effort to gain full information on the ground as to the needs of the various districts throughout the United States in the important fields of legislation under the jurisdiction of the committee. While it is true there are certain provisions in the bill and in the report to which I cannot give full support, on the whole the bill is a good one and should have the support of the House, as I am sure it will.

I am deeply interested in the appropriations for the Bonneville Administration, not alone because the Bonneville project on the Oregon side of the Columbia River is in my congressional district, but also because the whole problem of providing adequate hydroelectric power is a most critical one in this whole section at this time. While it is true in the Pacific Northwest we are critically short of hydroelectric power to take care of existing needs, the larger problem of finding adequate hydro power to carry on the rearmament program is becoming most serious. During the war the Columbia River area furnished 30 percent of the aluminum that went into airplanes and it was able to do so by reason of power supplied by the Bonneville Administration.

Last year when I appeared before the Interior Subcommittee I submitted load estimates applying to the third Oregon district, in which I pointed out approaching power shortages in the Portland area. After reading the record of the hearings before this committee and the Senate committee, I found that the load estimates I had worked out were closely substantiated by the testimony of the officials of the Portland General Electric Co. and other private sources. However, the experience during December of 1947 demonstrated that the actual loads in the Portland area exceeded all previous estimates. This area, in common with the Los Angeles and San Francisco areas in California, had the largest population growth of any area in the country, being some five times the national average in the period between 1940 and 1947. This accounts for the large increases in the Portland area.

Last December the House Interior Subcommittee increased the budget estimates on the supplemental submitted by the Bureau of Reclamation in order to accelerate generation at Grand Coulee, which is the pay-out portion of that project. The action of the House committee was later confirmed by a floor vote in the Senate, and the additional sums to accelerate Coulee generation were made a part of the last supplemental bill.

The situation in the Portland area is grave for the reason that there is not sufficient transmission capacity available to take this additional Coulee generation into the Portland area. This was the situation that the Senate committee uncovered from the testimony of the operating officials of the companies serving the Portland area and, in my judgment, was responsible for the observations contained in the Senate committee report.

Not only are we finding a deficiency in hydroelectric power in the United States but we are also facing critical shortages in petroleum products and coal. I addressed the House on May 10, 1948—CONGRESSIONAL RECORD page 5531—on the question of the natural-resources development as the key to our national prosperity and defense. In my remarks I called attention to the immense potential hydroelectric power in the Columbia River area which is undeveloped and going to waste every year which, if utilized, would replace immense quantities of coal and oil now in scarce supply. I called attention to the fact that the potential hydroelectric power located in the Columbia River and its tributaries represents about 20,000,000 kilowatts, of which 18,500,000 kilowatts are now flowing to the sea unused. If this oil replacement were developed, the oil saved would be 290,000,000 barrels per year, or about 95 percent of the total European oil consumption, or close to one-quarter of this Nation's prewar consumption. We will be recreant in our duty if we fail to speed up the construction of the hydroelectric power generators in the McNary Dam on the Columbia now under construction and the Foster Creek, Wash., project which is only in the planning stage, as well as the Hungry Horse project in Montana under contract. I most sincerely urge that our conferees from the House in the consideration of the civil-functions appropriation bill for the War Department keep in the bill the items for the speeding up of two of these projects, namely, McNary Dam and Foster Creek Dam.

As I pointed out to the committee when the bill was under consideration in the House if the $40,000,000 is allocated to McNary Dam as recommended by the Army engineers, it will make possible the completion of the dam 1 year earlier than present plans and save the Government some $16,000,000 in revenue from the sale of hydroelectric power. While doing so, we will be receiving this additional power so vitally needed not only for advancing the economy of the Northwest but for providing power needed in the atomic energy plant at Hanford, as well as for producing the aluminum to carry forward our 70-group Air Force program.

To show the value of the development and utilization of this great pool of hydroelectric power in the Columbia River area I call attention to the equivalent values in coal and oil in short supply which must be used to replace the hydroelectric power now available in the Columbia River area, but undeveloped.

EQUIVALENT COAL

The United States production of coal in the calendar year 1947 was slightly over 600,000,000 tons of bituminous and subbituminous coal including lignite. During this year the production of anthracite was about 9.5 percent of the total production of the lower-grade coal, or some 57,000,000 tons, or a total of about 660,000,000 tons of all kinds.

In this year the power-generating stations of the United States averaged about 1.29 pounds of coal per kilowatt-hour. Therefore under an 80 percent loading, which represents average conditions in the Pacific Northwest, 1 kilowatt-year represents 7,000 kilowatt-hours. To produce the amount of power under average steam conditions would take 9,000 pounds of average coal per year. Consequently 1 kilowatt-year represents the equivalent of 4.5 tons of coal.

Following World War I, United States bituminous and lignite production reached a maximum of 569,000,000 tons annually. In the period from 1919 to 1929, this type of production ranged annually between 500,000,000 tons to 560,000,000 tons, with a low rate of 415,000,000 tons during the recession of 1921–22. During the depression of the early thirties this type of coal production dropped to 309,000,000 tons annually, or about 59 percent of the 1920–29 average. This type of production did not start upward again until 1936 and continued under 400,000,000 tons until 1940, when the annual production rate reached 460,000,000 tons. The peak war production of such coal reached about 619,000,000 tons in 1944.

The annual anthracite production in 1920 was about 90,000,000 tons. This has been gradually decreasing to 57,000,000 tons in 1947, with a low rate of 49,000,000 tons in 1932 and 1933. The war peak

anthracite production—63,700,000 tons—was reached in 1944.

The combined 1947 coal production was only 3.5 percent less than the war peak production rate.

From 1919 to 1946 very little of the United States coal production was exported, and during this period the amount of exports ranged from 3 to 6 percent of the national production. This is easily explained, as before the last war Great Britain, western Germany, Poland, and other contiguous countries were large coal producers. The coal production in these countries is now about 25 percent below prewar levels. Consequently United States coal exports in 1947 jumped to about 11 percent of United States production, or some three times the prewar level.

The United States coal reserves are large, and nationally we have no immediate worry in this direction. Normally coal is not stored at or near the pits. We can produce more than 660,000,000 tons annually if we had the necessary transportation equipment. Export demands will continue to be heavy until 1951. Our export limitations in the next 3 or 4 years will be imposed by the number of available railroad cars and the coal-handling facilities at eastern ports, and not by mine-production facilities.

In 1920 the United States national production of electricity amounted to 39,400,000,000 kilowatt-hours, of which amount about 21,000,000,000 was produced by coal, 2,800,000,000 by oil, gas, and wood wastes, leaving 15,600,000,000 representing hydro production. In that year a kilowatt-hour took 3 pounds of coal to produce.

In 1947 the national electric production jumped to 6.5 times the 1920 production, while the coal used in electric production only increased 2.5 times. This lack of proportion in increase results from greater steam efficiency, more hydro generation, and the large increases in use of oil and gas. In 1920, 12,700,000 barrels of oil were used annually by the power industry. This use jumped to 36,300,000 barrels in 1946. Practically all of this fuel-oil increase occurred between 1940 and 1946.

Let us now examine the coal equivalent represented by the potential hydropower on the Columbia, its trubutaries, and in areas adjacent thereto. With 7,000 hours' use per year the wasted, unused hydropower of the Columbia and its tributaries represents the equivalent of about 110,000,000 tons of coal annually. If this wasted hydropower were used in basic electro industries, the coal equivalent would be about 130,000,000 tons annually, or about one-quarter of the normal United States bituminous coal production.

The Bonneville plant output is the equivalent of 2,600,000 tons annually. The ultimate development of Grand Coulee and McNary represents 12,500,000 tons annually. Foster Creek and Hungry Horse together are the equivalent of 5,600,000 tons annually.

Therefore it can be conservatively stated that the unharnessed flow of the Columbia Basin in a year's time is the equivalent of around 100,000,000 tons of coal. In the not distant future the wastage of this undeveloped power will be classed the same as wastefully burning 100,000,000 tons of coal in each year.

EQUIVALENT OIL

On numerous occasions during the past 9 years I have addressed the House on the over-all resources problem, especially covering critical materials which could be produced in the electric furnace and the electric cell. A goodly number of these suggestions, especially the one offered before this Nation was involved in World War II, have been placed in operation and the experience throughout the war and since has been eminently satisfactory.

Today I intend to cover the national liquid and solid fuel situation, especially the former, as within the next 10 years this will become one of our most critical defense problems.

PETROLEUM RESERVES AND CONSUMPTION

According to the American Petroleum Institute the estimated proven petroleum reserves existing as of last year were 21,900,000,000 barrels. The increase in reserves per year resulting from the discoveries of new fields dropped from 511,000,000 barrels in 1944 to 244,000,000 barrels at the beginning of 1947. Ten years ago these national reserves were being increased at the rate of 930,000,000 barrels annually, through new discoveries. Such an increase is now dropping to the vanishing point, which means that this Nation will rapidly deplete its in-sight supply of oil.

The United States' annual rate of petroleum consumption in 1947 reached an all-time high, being in excess of 2,000,000,000 barrels. Just before the last war the world consumption of petroleum was sightly under 2,000,000,000 barrels annually, with the United States consumption being 60 percent of the world consumption, or about 1,500,000,000 barrels. The per capita United States consumption of petroleum products increased from 370 gallons in 1938 to 608 gallons in 1947, or an increase of 65 percent.

Since World War I, the United States has been exporting about 15 to 20 percent of its petroleum production, but with the increase in domestic consumption these exports have dropped to 8 percent of production. These exports are now about balanced by imports from the Caribbean and Mediterranean areas. Our imports are in the form of crude oil while our exports are the refined products. The reason for such a sharp increase in domestic consumption is due to several causes: First, our industrial production is at a high level with many modern processes requiring oil-heat treatment, thereby resulting in conversion from coal to oil. Our railroads are rapidly changing to Diesel locomotives from coal burners, and seven-eighths of all late locomotive purchases have been Diesels. The farm use of Diesel oil and gasoline in tractors and trucks has about doubled in the last 10 years. Aviation requirements of high-octane gasoline are rapidly increasing, and our automobile production rate is approaching the prewar rate of 4,500,000 to 5,000,000 new cars per year.

There are no indications that the present petroleum consumption rate will stabilize within the next 5 years, but as I see it, the consumption rate will increase. This Nation at present has only about 30 percent of the world's known petroleum reserves but we are consuming at home nearly two-thirds of the world's production. During the past winter the effects of oil shortages have suddenly become very pronounced, resulting in distress calls from many sections. The Nation's present petroleum demands exceed the war's peak consumption.

This Nation is now being placed between the two jaws of the mechanical vise which are being tightened by the screw of increasing domestic demands. No wonder Arabian oil is now receiving international attention. The stated proven reserves in the Middle East are 25 percent higher than the total like United States reserves, and geophysical soundings indicate that the most probable Middle East reserves will be double the present reserves of the United States. Such coundings further indicate that the greatest existing oil pool lies in the area of the Caspian Sea-Russian territory, and extends into and across the Indian Ocean into the East Indies.

Our usable refining capacity is now being operated at the highest obtainable rate, and the industry is making every effort to expand refining facilities. Everything possible is being done to increase refining volume, but this is the easiest part of the over-all problem. The petroleum industry is doing all possible to help in the solution of this problem.

The latest figures obtainable on European petroleum consumption indicate a use of 310,000,000 barrels annually, which is about 20,000,000 barrels less than the prewar use. Sixty million barrels are annually produced in Europe, and the same amount is imported from the United States. This represents only 3 percent of United States production—the remaining amount of European use comes from the Middle East and the Caribbean. European requirements will increase as conditions stabilize. Refined lubricants, although in tight supply in the United States, constitute our principal dollar value exports to Europe.

I call attention to the following pertinent editorial from the Washington Post:

OIL FOR THE FUTURE

Anyone who has been content to regard America's oil supplies as a problem for someone else to worry about will get a rude shock from the report of the special subcommittee of the House Armed Services Committee. The report is so cogent and so rational that it ought to be required reading for every informed citizen. And it pulls no punches in stating that an immediate, comprehensive oil policy is vital to security, even though the policy make make necessary such restraints as oil rationing and steel allocations. As the committee phrases it:

"We want to give expression, frankly and without equivocation, to our view that the Nation is already guilty of half-hearted action in dealing with petroleum; that as a Nation we are living profligately today in our use of petroleum products; that we are providing inadequately for national defense at a time of great international tension; that early action is imperative, on a national scale, unless we wish to continue to jeopardize the national safety and render future generations

in this great country hostage to our own profligacy."

The blunt fact is that as a Nation we have become oil-happy. We are consuming now more oil than the entire world used in 1938; and last year we used 9 percent more oil than at the peak of the war. The great upturn in demand, the committee asserts, is due to two factors; the instruments for burning oil are increasing more rapidly than the facilities for producing oil, and there is a growing public preference for oil over coal for a variety of reasons, "not excluding the gyrations of the leader of the United Mine Workers."

It should be obvious that the United States is particularly vulnerable to a curtailment of its oil supplies, even for civilian use. This is even more true with respect to military use, for oil is the food for war. Yet, according to estimates, demand will outstrip domestic production by a million barrels a day in 1948 and 2,000,000 barrels a day in 1954. The committee suggests on the basis of precedent that we would be nearly 3,000,000 barrels a day short of war requirements. At the same time domestic oil discoveries are declining and excess production capacity no longer exists. The critical implications of this situation cannot be stressed too strongly as world tension forces us to augment our military strength.

The report shows clearly the vital relationship of steel to petroleum, for the present oil shortage is primarily caused by a bottleneck in steel. The committee is not overly sanguine about the voluntary steel allocation program. This program, the committee emphasizes, must "not be permitted to rock along if it gives evidence of being ineffective." The alternative is, of course, a mandatory allocation program directed at attaining so far as possible self-sufficiency in this country, and beyond that at developing sources in the Western Hemisphere and other areas. In this connection the committee also observes forthrightly: "within the next 6 months the Government must determine whether present efforts * * * to persuade the consumer to conserve oil will be adequate." If the voluntary program gives evidence of failure, "rationing must be imposed."

In this atomic age all our defense arms move on petroleum products. Therefore the preservation of our security rests on the maintenance of an adequate petroleum base. These conditions are therefore an enlarging source of worry to our Navy, Army, and Air Forces. With consumption doubling, new discoveries dropping at a rapid rate to one-fourth of values existing 10 years ago, and reserves being depleted, it is apparent that this Nation is drifting into an insecure position.

ENERGY SUBSTITUTES

Low-cost firm hydro energy is the best obtainable substitute, as it can produce a better industrial end product at a lower cost. Industrially the electric furnace or electric cell do not produce the flame contacts which result in lower metal and chemical grades, as when oil, gas, or coal furnaces are used. Further, the commercial and mechanical utilization efficiency of firm hydro power is much better than that of oil, which in turn is better than that of coal.

These facts lead to the natural inquiry: How many barrels of oil does a hydro kilowatt operating at a high-use factor for 1 year displace? The most efficient oil-burning generating station in the Pacific Northwest produces 440 output kilowatt-hours for one barrel of oil. The best, like plants in California produce about 490 kilowatt-hours. The highest possible commercial efficiency would give 535 kilowatt-hours. Therefore, 500 kilowatt-hours per barrel is a conservative round figure representing probable best practices. The hours use per year in the Pacific Northwest runs 7,000 hours, or what is known in the industry as an 80 percent load factor. The electro industries run above 8,000 hours per year. From these average use and modern relations it follows that 1 kilowatt-year of hydro power is equivalent to about 14 barrels of oil. The majority of industrial users find it impossible to reach the efficiency of the modern large generating stations. Consequently on a delivered individual basis, 1 kilowatt-year represents about 15.5 barrels of oil. Some of the older generating plants in the Northwest only produce 300 kilowatt-hours per barrel, or 23 barrels per kilowatt-year.

The Bonneville plant during the war turned out 570,000 continuous kilowatts, which is equivalent to 8,800,000 barrels. The 15-unit completed Grand Coulee plant is equivalent to 28,000,000 barrels of oil annually. When McNary Dam is completed the oil saving will be about 15,500,000 barrels annually. The existing usable steam generation in the Pacific Northwest is about 275,000 kilowatts, and when this capacity is running to meet low-water conditions, 5,000,000 barrels will be consumed. From present indications it will be difficult to even secure commitments on 5,000,000 barrels, due to the tight situation on the Pacific coast. The potential power on the Columbia and its tributaries is around 20,000,000 kilowatts, and 18,500,000 kilowatts is now flowing to the sea unused. If this displacement energy were developed, the oil saving would be in round numbers 290,000,000 barrels annually, or about 95 percent of the total European consumption, or a quarter of our own prewar consumption. I cite these facts to show the importance of undeveloped hydro power in our future economy.

I have pointed out on many occasions that in the past 8 years we have become the storehouse for the world. In so doing we have depleted the resources that were considered to be on the shelves of this resource storehouse. It is therefore time that we began to fully consider the necessary corrective measures to maintain our national position. Today I am only considering the fuel components of the problem, but I want to call to your attention again the like situation in the electrochemical and electrometallurgical fields, which from the security angle is just as important as the petroleum situation which I have outlined.

Mr. Chairman, I again commend the committee for its tireless work and recommendation of the essential appropriations for the maintenance and continuation of the work of the Bonneville Power Administration and most sincerely urge that our conferees on the civil functions bill of the War Department make available the necessary funds to carry forward with all speed the construction projects on the Columbia River, McNary Dam, and Foster Creek Dam, in order that we may not find ourselves in the midst of a revitalized rearmament program without the hydroelectric power necessary to carry the program forward.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, once again I call the attention of the House to the fact that the bill now before us is the most important appropriation bill for Alaska on a day-to-day, month-to-month, and year-to-year basis. It is from the grants made under this bill and similar bills, past and future, that most can be expected by way of Government assistance to private initiative in contributing to the development of Alaska.

It gives me pleasure to say here that the distinguished chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN], and his fellow members have listened attentively to the presentation of Alaska's needs and have given those of us who appeared in behalf of the items in the bill concerning the Territory all the time and consideration we could have asked for. I want to congratulate the subcommittee upon the realistic approach to Alaska problems which is reflected by an examination of this bill.

It contains in all $32,879,595 in cash and $17,625,000 in contract authorizations for work to be performed in Alaska by the Department of the Interior in the next fiscal year. This would be $18,554,497 more in cash than was contained for the Territory in the Interior Appropriation bill passed last year.

Now, at long last, a really constructive program can be started in the Territory. I well realize that Alaska's strategic position is in no small measure responsible for the additions being made to the budget of the civilian agencies. Nevertheless, a road built this year because it is considered essential to national security will continue to serve a useful purpose in attracting and assisting in the maintenance of a larger permanent population.

When it is considered that Alaska at its most westerly point is less than 60 miles from Soviet Asia, the argument that we must proceed without delay to build up our northern rampart gains new weight. The long years of neglect by the Federal Government which Alaska has suffered reflect no credit on our national policy. I must say, however, that the bill now before the House is not only an acknowledgment of that, but gives testimony to the intention of the subcommittee to see to it that this condition does not continue longer.

It is not enough to maintain armed forces in Alaska not ony for the defense of that region but of the Nation as a whole. It is equally important that more settlers be attracted there, that industries be established and that businesses be created. In the main, that is bound to be accomplished by the American system of private initiative. Additionally, there is an absolute requirement for substantial contributions by the Federal Government of the very kind which are contained in this bill. By building more roads, by improving existing roads, by rehabilitating the Alaska Railroad, and by carrying on many other activities

spelled out in this bill, worth-while aid will be given to the pioneers of 1948.

Having said that the subcommittee has in many important fields taken action which is calculated to and will aid materially, I know it will not be inappropriate for me to point out a few items in the bill which I think could be improved to the advantage of all concerned.

First, I refer to the item for game-law enforcement. A budgetary request of $420,000 was made. The bill as reported out contained $175,000, precisely the same figure made available for this fiscal year. I submit there is urgent, even imperative, need for more money than this.

The wildlife resources of Alaska are now facing an emergency condition more serious than at any past time in the history of the Territory.

During the recent war, the Army constructed many aircraft landing fields throughout the Terrtory. In addition, the Army was primarily responsible for a great expansion of the highway systems of Alaska. The net result of these actions has been the opening up of thousands of square miles of virgin game, fish, and fur country hitherto inaccessible to man by favored means of travel. This construction work has caused an influx of thousands of nonresidents into the Territory in addition to the tremendous increase in Army and Navy personnel now stationed in various portions of Alaska.

Alaska, unlike the various States, cannot have a State conservation commission. The Federal Government is directly charged with the administration, management, and proper utilization of big game, fur animals, migratory waterfowl, and game fishes for an area of land approximately one-fifth the size of the United States. The tremendous increase in population in Alaska is endangering species of game animals, many of which are fund nowhere else in the world.

To cite a few examples of unusual game animals in Alaska, the big brown bear, the largest carnivore on earth, is found in relatively restricted areas in Alaska. Kodiak Island is well known for its brown bear population as is the Alaskan Peninsula and several of the islands of southeastern Alaska. Grant's caribou is found on the Alaska Peninsula. The Dall sheep has a quite restricted range in Alaska. Aside from the esthetic and recreational values inherent in the pursuit of these animals, their economic value is enormous. The harvest of beaver, otter, foxes, marten, and mink annually in Alaska is usually of greater value than the entire purchase price originally paid to Russia for this Territory.

As an example of the importance of the fur resources of the Territory, during the past trapping season, the value of the catch of mink alone which came into Ketchikan in southeastern Alaska was in excess of $400,000 .

The Fish and Wildlife Service has recently reorganized the administrative and enforcement set-up in Alaska. The 21 fisheries enforcement officers and the 9 wildlife agents have been instructed by the Director of the Service through the new regional director of the Service in Alaska to administer and enforce all laws pertaining to the conservation and management of fisheries as well as wildlife. This reorientation of duties and objectives by the entire group of law enforcement personnel stationed in the Territory will be more effective in conserving and properly managing these resources. Notwithstanding this reorganization, there are many areas in which, because of a lack of personnel and equipment, no effective management of wildlife or fishery resources can be possible. To husband and manage properly these resources, it is imperative that funds be provided for additional law enforcement officers in the Territory. For them to be effective, it is equally imperative that funds be provided by the Congress for the purchase of essential transportation items, boats, automobiles, and aircraft.

Further, the existing staff of Alaska law-enforcement officers cannot patrol their districts unless funds are provided for the replacement of transportation items which are now almost completely worn out. The present automobile equipment available for law-enforcement officers in Alaska is in every instance of prewar vintage. Unless funds can be provided to replace this equipment, these law-enforcement officers cannot be effective in guarding the resources charged to them. Motor launches and small river boats with outboard motors are needed, not only for the protection of big game and fur animals but to make possible the patrol by boat of vast areas in which migratory waterfowl nest and rear their young. These nesting areas in Alaska furnish most of the migratory waterfowl which are hunted on the Pacific flyway of the United States.

Funds are also necessary for the repair, maintenance, and operation of boats and aircraft in Alaska. That the wildlife resources of the Territory are being rapidly depleted is undeniable. Unless adequate and speedy action is taken, such big game animals as the white sheep—Dall sheep—and caribou, found nowhere else under the American flag, could become extinct within a short time. Other game, such as the giant Alaska moose and brown bear, are fighting a losing game in the battle for existence. Over one-half the population of the Territory depends almost entirely on fish and wildlife for their livelihood, and there is no one individual in Alaska who is not directly concerned with these resources.

Hunting pressure has increased manyfold due to the large increase in population, the increased use of aircraft, better transportation facilities, and the consequent availability for hunting of areas which had heretofore been inaccessible. Fur bearers, long the only source of revenue in a large portion of the Territory, are being rapidly depleted in a number of areas. Every citizen of the United States has a claim or interest in Alaska's wildlife resources, and they have a right to expect that these birds, animals, and fishes are being adequately protected and managed. The present value of Alaska's game animals, birds, and fishes, exclusive of commercial fishes, at present-day values may be estimated conservatively as being in excess of $100,000,000. The esthetic value to tourists, sportsmen, camera fans, and nature lovers cannot be estimated. From a standpoint of simple business practice alone, these wildlife and fishery resources are well worth an investment of several times the present appropriation.

It would have been helpful, I believe, if the modest item of $37,500 to be made available for a coordinating staff in the Division of Territories had been retained. For my part, I want to say the Division has been of greatest assistance. But it is understaffed and this relatively small appropriation could have been used most constructively.

I am concerned, too, about the subcommittee's statement regarding abolishment of the Alaska regional office of the Bureau of Land Management. Nowhere in the United States, I am informed, is there such activity relating to homesteading as in the Territory and the regional office there is serving a demonstrable need. We have found that governmental functions are always better served when there is a direct channel between the Alaska office and Washington, with the utmost local autonomy being granted Alaska officials. Whatever its name might be, I hope there can be maintained in the Territory an office serving a need which even an increased district office cannot fulfill and which is beyond the functions of that district office.

In concluding, I want to thank the members of the subcommittee from the bottom of my heart—and I know every last Alaskan would wish to join me in this—for the really magnificent contribution they have made in this bill aimed at removing the dread scourge of tuberculosis from Alaska. In addition to previous assistance given in this field, the subcommittee has now recommended the appropriation of $550,000 for the installation and operation of control units at various points throughout the Territory. Additionally, the subcommittee has approved contract authorization for $5,925,000. This will make possible the construction of a new sanitarium in southwestern Alaska. When this sanitarium is operating, when the control units have been established, and when the sanitarium at Sitka has been completed, we will then and at long last be in position in Alaska to control tuberculosis. The subcommittee on Interior Department appropriations will have the everlasting credit for having made that possible.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I address myself to the language contained in this bill on page 95, lines 11 to 14 inclusive, the words "or that such person is not a" on line 24, line 25, and lines 1, 2, and 3 on page 96 except for the word "Provided" at the end of line 3, all the words after "violence" on line 10 and all of lines 11 to 14 on page 96 up to and including "1947." This provision has become known as the Keefe Red-rider, and has previously been inserted in at least two appropriation bills passed by this House within the past month.

When we had the supplemental Federal Security Agency appropriation bill for 1949 under consideration last April 29 I said that I agreed with the gentleman from Wisconsin [Mr. KEEFE] in his efforts to rid the Government service of employees who were subversive to the best interests of the United States or members of the Communist Party. At that time the bill under consideration contained a rider such as the one contained in the present bill. Since then I have given this matter very great consideration, and my conscience has been concerned with the position that I then took. I am now convinced that in order to get at the Commies we would be unnecessarily punishing a number of loyal Government employees.

Today, after hearing the illustration given by my distinguished friend and colleague the gentleman from Ohio [Mr. KIRWAN] wherein he depicted a situation in which he as a member of a labor union, paying dues for many, many years, would have to give up all his rights and the payments made all those years toward a death benefit, and after recalling to mind the illustration given by the distinguished gentleman from Rhode Island [Mr. FOGARTY] when we previously considered this matter in connection with an appropriation bill, I must frankly say that I feel that I was wrong and am now in favor of deleting this Keefe rider from the bill. I have discussed this matter with a number of the members of this committee and trust they will take such action.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I gladly yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the gentleman will be glad to know that after full consideration of this matter pertaining to the language which the gentleman from Ohio [Mr. KIRWIN], the gentleman from Pennsylvania [Mr. FENTON], and other Members of the House on both sides of the aisle have objected to, and after this subcommittee on Interior Department appropriations has fully considered the force and effect of this language to which the gentleman objects, we have agreed and decided that, during the reading of the bill for amendment, when that paragraph is reached I shall submit a unanimous-consent request that the language which has been so strenuously objected to be deleted from the bill.

Mr. ROONEY. I appreciate very much the decision of the gentleman from Iowa, the chairman of the subcommittee, and feel that he is taking a commendable position in this matter. If we are going to help to rid organized labor of some Communist leaders we must do so by some means other than this rider.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I am pleased to yield to the gentleman from Montana.

Mr. MANSFIELD. I am very glad that the gentleman from New York brought out that particular part of the bill, which in my opinion is uncalled for and which certainly infringes upon the civil rights of government workers and which furthermore brings out the idea of guilt by association to such an extent that it would result in thousands of innocent people being contaminated because of the wording contained in this subsection. I am in favor of striking out all of lines 11, 12, 13, and 14 on page 95, line 24 containing the words "or that such person is not a" all of line 25, page 95; lines 1, 2, and 3, page 96, up to and including the numerals "1947"; all the words after "violence" on line 10, all of lines 11 to 14, page 96, up to and including the numerals "1947."

The language contained therein is vicious and should be stricken completely. To allow this language to stand as it is would harm thousands of innocent people who could be considered, I believe, guilty by association because of this wording. Labor union members would be penalized for what their officers did or did not do. I call upon the House, at the proper time, to delete these words so that the rights of innocent Government employees can be protected and to do away with any possibility that innocent people may suffer through any declaration or implication of guilt by association as this language says.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I am glad to yield to my distinguished friend, the gentleman from Oklahoma.

Mr. MORRIS. I appreciate greatly the contribution that the gentleman from New York [Mr. ROONEY] who is now addressing the committee has made by his very pertinent remarks. I also appreciate greatly the statement made by the distinguished gentleman from Iowa [Mr. JENSEN] that when we reach this part of the bill, there will be a unanimous-consent request that this language be stricken. I think that if this language is stricken such action will be a very fine contribution to good legislation and in keeping with the true ideals of Americanism. I want to express my appreciation to both gentlemen.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. JACKSON].

Mr. JACKSON of Washington. Mr. Chairman, it was my pleasure to have the privilege of serving temporarily with the subcommittee in connection with the marking up of a portion of the bill under consideration today. The distinguished chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN], painstakingly considered all items of the bill, as did other members of the committee. I know that the chairman did his utmost to give fair and equitable consideration to all matters before the committee. For that reason, I reluctantly take exception to the language commencing on the bottom of page 8 of the report accompanying the bill. It is as follows:

> The acquisition of the properties of a privately owned power company serving a power-consuming area by a public-utility district through a strange method of condemnation proceedings—as has already been consummated in one instance in a Northwestern State—is undemocratic in its application and should not be condoned unless such proceeding is approved the American way which is by a majority vote of the qualified voters in the respective area. Such procedure has the earmarks of a Soviet power policy and will not be countenanced by this committee and we are entirely certain that the Congress and the American people will insist that such a policy does not get a foothold in America against any private business regardless of how small or how large.

While the report does not refer specifically to the State of Washington, I assume that it has reference to my State for the reason that we do have a law providing for the acquisition of private power facilities through condemnation proceedings by public-utility districts. I am sure that if the committee had the complete background with reference to this law, this language would not have appeared in the report.

Many years ago the people of the State of Washington enacted what has generally been referred to as the Bone public power law. This law was ratified in 1930 in the form of an initiative by a vote of all the people of the State of Washington. The law authorizes the formation of public utility districts by a vote of the people in the respective districts of the State. It also provides for the election of three public utility commissioners. It is true that these commissioners, under the law, have authority to institute condemnation proceedings of private power facilities. It is also true that there has been considerable controversy in our State on this question. However, the people of the State voted on this very question raised by the members of the committee in the report in a statewide election in 1940 and again in 1946. It arose in connection with an initiative which provided that, before any condemnation proceedings could be instituted by any public utility district, a vote would have to be taken by the people in that district. The people of our State rejected this initiative. It has become the accepted policy of the State of Washington in these matters.

I have given the House the benefit of this information because I would like to make it clear that our people have voted on this question, not once, but three times on a statewide basis and, in addition, the people in every district where a utility district functions have had the opportunity of voting on this question.

I cannot help but feel therefore that the committee is in error when it refers to this method as being undemocratic. As a matter of fact, various governmental bodies in our State, and in other States of the Union, have historically had the right, through their respective elective officials and in some cases appointed officials, to institute condemnation proceedings without a vote of the people. I refer specifically to the right of cities to condemn and take over and operate water systems without a vote of the people; the similar right enjoyed by cities, counties, and States and the Federal Government to condemn property for highway purposes. As a matter of fact, offhand, I am unable to recall any situation where a vote of the people is required as a condition precedent to the institution of condemnation proceedings. The Congress of the United States has delegated to the executive branch of the Government the right to institute condemnation proceedings for a multitude of governmental purposes.

I am sure the House will understand that the people of my State are firm believers in the democratic process. A majority of our people having spoken on this issue on several occasions by a direct vote of the people themselves, I feel that we have dealt with this matter in a most just and democratic way.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of Washington. I yield.

Mr. HORAN. This issue has been a very prominent part of our own State politics for a number of years. Is it not true that all counties in the State of Washington, with the exception of one, rejected the initiative that would have compelled a vote on every action of a public-utility district?

Mr. JACKSON of Washington. The gentleman is correct. I know the gentleman was very active in connection with the enactment of the original law, known as the Bone public-power law, back in 1930. I am sure he agrees with the statement I have made. I have made this statement for purposes of explanation because I know the Committee would like to have it.

The CHAIRMAN. The time of the gentleman from Washington [Mr. JACKSON] has expired.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, inaction on the part of this House is alone responsible for hampering the industrial and economic growth of the cities of this Nation. I mean inaction with respect to the Taft-Ellender-Wagner housing bill. Recently a factual study of housing in Allegheny County, Pa., was undertaken by the Allegheny conference on community development. It declared that "communities fighting to preserve or to expand their economic bases can hardly afford to neglect the housing factor any longer." The conference is considering the extent to which the city of Pittsburgh's competitive strength is being hampered by existing housing conditions, and as an important factor in its future development.

It was stated that "Pittsburgh has its full share of the Nation's housing shortage," and, therefore, the conference backed necessary local and State action to improve and expand the housing supply. A Pennsylvania State law now permits insurance companies to invest in housing; a newly organized Pittsburgh Redevelopment Authority is ready to assemble land for redevelopers who want to build homes in Pittsburgh's older sections. The Pittsburgh Housing Authority—working with a city grant—is planning 7,000 low-rent units for construction when governmental assistance is available. City building-permit procedures have been streamlined, a modern building code has been adopted, and a city-wide rezoning plan prepared. The Allegheny County Planning Commission has been given new powers to regulate suburban subdivisions so that prospective home owners may be protected.

Mr. Chairman, all of this has been done by local action. But Pittsburgh and Allegheny County cannot go ahead full steam until it has needed Federal aid. In a report on studies of housing need, the conference says:

> The conclusions point to the necessity of State and Federal aid for slum clearance, low-rent housing, and urban redevelopment.

Some of the Members of the House may be wondering who are these Pittsburgh people who are demanding Federal aid to slum clearance and low-rent housing. Let me tell you. The chairman of the conference is the director of the Mellon Institute of Industrial Research. The vice chairmen are the president of the Pittsburgh Trust Co. and the president of Kaufmann's Department Store. The president of the United States Steel Corp. is on the executive committee. The rest of the names of officers, executive committee, and sponsoring committee are equally important in Pittsburgh's business and civic affairs. Here is what they say:

> Few Pittsburghers will deny the need for both public and private action to provide housing for every income group. The region isn't quarreling over theories. It is out to get housing for every income level.

All this comes from practical business men whose dedication to the principles of the free enterprise system cannot be questioned. Let us keep that in mind.

The Banking and Currency Committee must immediately report the Taft-Ellender-Wagner bill if action is to be possible before the end of this session. Like the good people of Pittsburgh, Members of this body should stop quarreling over theories, and get some action. There must be decent housing for families of every income level.

Members of the House from western Pennsylvania desire an opportunity to vote on the question of adequate housing legislation. I do not like to charge that the majority leadership is determined that, rather than permit an open vote on the public housing title of the bill, they will scuttle it in committee, or filibuster it to death. Somehow we folk from Pittsburgh believe in equal treatment to all. In housing, that includes a reasonable public-housing program such as that proposed in the Taft-Ellender-Wagner bill. It is not right that a few Members can prevent the membership of this body from expressing itself on this all-important matter. It is time for a show-down. I hope Members will hurry to the Speaker's desk and sign Discharge Petition No. 6.

Mr. JENSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. SCHWABE].

Mr. KIRWAN. Mr. Chairman, I have 5 minutes remaining. I yield these 5 minutes to the gentleman from Oklahoma [Mr. SCHWABE].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 15 minutes.

Mr. SCHWABE of Oklahoma. Mr. Chairman, I want to thank the minority for this additional allotment of time, and while we are on the subject to say that they have been very gracious and I appreciate the cooperation they have given the committee at all times. I especially appreciate their cooperation in connection with the special assignment of my portion of this bill, that of dealing with appropriations for the Indian Service. They have been most cooperative indeed.

In the first place, the Bureau of Indian Affairs is a bureau that is something over 100 years old. It has been dealing with the people who first inhabited this country. The problem has been difficult and yet we think sometimes that the Bureau has failed in some of the most laudable purposes it has announced, so far as the accomplishment of the purposes is concerned.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. SCHWABE of Oklahoma. I am very happy to yield to my colleague from Ohio.

Mrs. BOLTON. I once served on the Committee on Indian Affairs of the House, and I followed their affairs for a great many years before that. Has the gentleman made any study at all of the Wheeler-Howard Act of 1934 and what it has done to the Indians? And is the present committee going to make it possible for the Indian eventually to become a citizen of this country?

Mr. SCHWABE of Oklahoma. It is very much to be hoped that the bill will encourage rather than retard progress in that direction.

Mrs. BOLTON. And that the Bureau will do something for the Indian instead of erecting a lot of buildings?

Mr. SCHWABE of Oklahoma. And our report indicates that that is the attitude of the committee.

Mrs. BOLTON. I was so happy to know that the gentleman was chairman of the subcommittee.

Mr. SCHWABE of Oklahoma. I thank the gentlewoman from Ohio for her kind remarks.

Mr. Chairman, may I suggest that in connection with appropriations this year for the Bureau of Indian Affairs, I would be very happy if you would read the report applicable to Indian Affairs and their appropriations, beginning at page 10 of the committee report, and then turning over to some of the items.

We have appropriated this year a total of $41,274,210 for the Bureau of Indian Affairs and its activities. This is an increase of $1,467,680 above the 1948 appropriation. It is $9,850,810 less than the Bureau of the Budget recommended to our committee. Salaries and expenses have been sharply reduced. You will recall that some 2 years ago there was created at the instance of the Bureau of Indian Affairs what we call the district offices, comparable to regional office. The word "regional" had become a little odious, perhaps, to Congress. The bureau hit upon the words or terminology to be applied as that of "district offices" instead of "regional offices." Accordingly, five of those district offices were set up, one in Minneapolis, Minn., one in Billings, Mont., one in Portland, Oreg., one in Phoenix, Ariz., and the fifth in Oklahoma City, Okla.

The committee has seen those district offices functioning and in operation for almost 2 years. The committee also heard the testimony of witnesses all over the western part of the United States. We conducted a number of formal and a

number of informal hearings. We conducted a rather semiformal hearing at Pine Ridge Reservation in South Dakota last fall, one at the Klamath, Oreg., one at Window Rock, Ariz., in the heart of the Navajo country. Then we conducted some four hearings in Oklahoma, at Muskogee, Stillwell, Pawnee, and Anadarko, and we conducted hearings here covering some 2 or 3 weeks. We invited people from everywhere and they were almost unanimously in favor of abolishing the district offices. So the committee has done so by failing to appropriate any funds whatever for that item, thus saving $650,000.

May I suggest to you that our worthy colleague from Oklahoma [Mr. STIGLER], who is unable to be here, appeared before the committee and testified very forcibly on this subject. He is perhaps the only Indian Member of the House of Representatives, being a Choctaw Indian, and he knows the Indian problems well. I invite you very cordially to read his testimony given before our committee as found in the printed hearings.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. SCHWABE of Oklahoma. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. The gentleman makes us all feel it is not just the money and the appropriations with which he has concerned himself and that he knows that the word without the spirit is void.

Mr. SCHWABE of Oklahoma. I thank the gentlewoman.

May I suggest that the money we saved by not appropriating for the district offices to the extent of $399,000, almost $400,000, was appropriated for the agency offices; that is, for the service level, where the Bureau officials come in direct contact with the Indians and the people who have business transactions with them.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. SCHWABE of Oklahoma. I yield to the gentleman from Oklahoma.

Mr. MORRIS. The distinguished gentleman who is now speaking knows that it is also my desire that these district offices be abolished inasmuch as we have discussed the matter, and I want to compliment the gentleman and the committee for having taken this forward step. In my opinion it certainly will be beneficial to the Indian Service and it will be beneficial to the Nation as a whole.

Mr. SCHWABE of Oklahoma. I thank the gentleman.

May I say in this connection that one of the district directors, a gentleman who is director of the district office at Billings, Mont., addressed a letter to the Acting Commissioner of Indian Affairs under date of January 2, 1948, which you will fiind at page 637 and the following four, five, or six pages of the hearings, in which he confirms the action of the committee and suggests if the district offices cannot do better the district offices should be abolished.

Now, we provide in our report that more policy-determining, more supervision be exercised in Washington, and that the services be transferred, delegated, and decentralized to the service level We found Indians all over the country who advocated this program, and almost none who were in favor of the continuation of the district offices. They said it was only a detour. They said it was only a delay post, so we feel that we are highly justified in this connection. And, I want to say that the Representatives in Congress, my colleagues here who represent Indian peoples, almost unanimously have asked that this be done. I want to say to you that the most that was being done in these district offices was that which was not worth while to anybody, least of all to the Indians themselves.

Now, then, let us hurriedly pass to another aspect of the bill, the Navajos. The Navajos and the Hopi Indians are considered as one for all practical purposes here; the Navajos having the larger reservation and the Hopis the smaller. They are included in the same general area, and the consideration of one will be applicable to the consideration of the other. We took every item that is applicable to the Navajos and Hopis and lifted it out of the Indian appropriation items here and itemized it, as you will find in connection with the Navajo and Hopi Service, on page 16 of the report, to which I invite your attention. You will see that we have recommended for your consideration $4,656,515 for the Navajos. We have subdivided that so that it will not all go to administration. We have tried to earmark this, just as you will see on the next page of the report; in fact, pages 17 and 18 show a breakdown into detailed items of the pattern this year that we hope we may be able to follow in the future; earmarking the funds for every branch of the Indian Service. We have done that for the State of Oklahoma and we want to do it for all the Indians next year.

Mrs. BOLTON. Mr. Chairman, if the gentleman will yield, regretting that I have not had an opportunity to read the hearings and the report, may I ask the gentleman what proportion goes for education?

Mr. SCHWABE of Oklahoma. May I answer in this way? On page 18 of the report you will find "Education of Indians." The bill includes $9,574,709 for the education of Indians. This is $350,000 more than the 1948 appropriation bill provided.

Mrs. BOLTON. And how much for the Navajos?

Mr. SCHWABE of Oklahoma. For the Navajos $1,924,865, much more than they ever had before.

Mrs. BOLTON. Of course, the improvement of the Indian rests upon his education.

Mr. SCHWABE of Oklahoma. That is where it should begin.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. SCHWABE of Oklahoma. I yield to my good friend from Minnesota.

Mr. H. CARL ANDERSEN. I think the subcommittee has done a splendid job on this particular bill. I would like to have made definite, however, the meaning of the sentence on page 18 of the report which reads, "It is the recommendation of the committee that the Indian boarding schools at Eufaula, Okla., and Pierre, S. Dak., be operated during the next fiscal year." That means, I assume, in addition to the other such schools that are being at present operated; does it not?

Mr. SCHWABE of Oklahoma. Absolutely; and I will be very happy to explain to the gentleman that that was included because when we asked the Bureau of Indian Affairs which, if any, of these schools might be eliminated, they said those two first, and we included those and all others that are now in operation and provided ample funds for their operation, even more than they had during fiscal 1948.

Mr. H. CARL ANDERSEN. I believe the gentleman stated that this bill provides some three-hundred-and-some-odd thousand dollars more than this year?

Mr. SCHWABE of Oklahoma. Three hundred and fifty thonsand dollars more for education of the Indians.

Mr. H. CARL ANDERSEN. Than was afforded in the present fiscal year?

Mr. SCHWABE of Oklahoma. That is right. For conservation of health we provided $646,815 more than was provided in 1948 fiscal.

I could go on at considerable length, for we have found many things that should be corrected. I hope you will read the report. You will find there that in these hearings we have found diversion of funds, employment of people who were paid out of education funds and out of health funds, in the administration work. We have gone to the bottom of a number of these things, insisting that the interests of the Indians be better taken care of.

I am happy to report that as far as I know the attitude of the committee on both sides was very generous in the consideration of these problems. I am sure that on both sides we agree that the Bureau had a miserable set of records. They were not able to help us as expeditiously as we felt they should have been. We found that many improvements can be made all up and down the line, and it shall be our purpose to insist upon these improvements and watch the expenditures in detail more than we have in the past.

Mr. HUGH D. SCOTT, JR. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HUGH D. SCOTT, JR. The Federal Government has been presented with an opportunity to acquire the first summer White House as a free gift from its present owner, Elliston P. Morris.

The house at 5442 Main Street in Germantown, Philadelphia, Pa., was built in 1772–73 by David Deshler.

After the Battle of Germantown, October 4, 1777, the house was occupied by the British commander, Sir William Howe. The house was later bought by Col. Isaac Franks, and when the yellow fever of 1793 drove all the officers of government from Philadelphia, it was rented to President Washington and became the summer White House. Alexander Hamilton, Secretary of the Treasury, was quartered at Fair Hill 2½ miles

from Philadelphia; Gen. Henry Knox, Secretary of War, found refuge at Falls of Schuylkill; Edmund Randolph, Attorney General, boarded at Nathan Spencer's, a mile away; and Thomas Jefferson carried on the office of Secretary of State, with one assistant, two blocks below the President's home at 5275 Main Street.

During 1793 President Washington occupied the house from November 17 to the end of the month. On November 18 an important Cabinet meeting was held in the parlor of the Morris House, when the question of neutrality between France and Great Britain was warmly debated. Again on November 21 the Cabinet met. Practically every day throughout Washington's occupancy of the house a Cabinet meeting was held.

In 1794, from July 30 to the middle of September, Washington having enjoyed the hospitality of Germantown rented the Morris House for 6 weeks. On this occasion Mrs. Washington and her two grandchildren, Eleanor Park Custis and George Washington Park Custis, accompanied the President. Custis was sent to the nearby Germantown Academy. The family attended the Reformed Church across the Market Square on which the Morris House faces. Several times a week Washington rode into Philadelphia on public business.

Full details of Washington's occupancy of the Morris House will be found in Washington in Germantown, by Charles F. Jenkins, Philadelphia, 1905. The Morris House and grounds surrounding it have been kept in perfect order all these years, and what is more important have not been changed since the days when it was the Presidential home.

Upon the death of the owner, Marriott C. Morris, on March 2, 1948, his bequest of the Morris House to the United States Government failed and title passed to his son, Elliston P. Morris, who, desiring to carry out his father's intention, has offered this house to the Government. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, on April 30 passed the following resolution:

*Resolved*, That it is the opinion of the Board that this house is of national significance because of its historical and architectural character and its situation on the battlefield of Germantown, but in view of the heavy burden of maintenance facing the National Park Service at the present time, the Board does not recommend Federal ownership of the property.

As indicated, the recommendation of the Board not to accept title to the property is based on the fact that the National Park Service has not been able to obtain sufficient funds to maintain properly the many areas in its custody.

Therefore, to enable the National Park Service properly to maintain this valuable and extremely historic house, appraised at $100,000, which is in virtually the same condition as when occupied by General Washington, I have asked the committee to accept an amendment to this bill and to increase the appropriation on page 73 by $15,000 in order to provide funds for maintenance of these premises. Unless this is done, this valuable home, a part of our American heritage, will be lost to us.

I sincerely hope that the amendment will be adopted.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1949, namely.

Mr. JOHNSON of California. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Chairman, I intended to make a statement when I had 5 minutes in general debate, but was unable to, because of the limitation of time, and I want to make that statement now. Let me compliment this committee and its chairman on the generosity they have displayed with reference to the Central Valley water project. I notice they have allowed $40,000,000 for the project. This looks as if they are aiming to get the project done at an early time to get the water to the land so we can begin getting the income that will pay for this project.

Merely because I differ with the members of the subcommittee on some minor details, I do not want them to get to thinking that I am too critical. Some of the things on which I differ with them have been in my mind for many, many years. They are mere details, although important ones, in the development of this great project in California. Also, I think it is fair to say that some of the things that I sponsor here and am in favor of have been confirmed by the voters of California and by five Governors of our State, four of whom have been Republican Governors.

In the original plan, and this committee is merely carrying out the original plan developed by Mr. Hyatt, our California State engineer, and his associates, it was provided that there should be an integrated system of power. This plan was approved by the voters of California. The plan was approved by Governors Young, Rolph, and all succeeding Governors. So, I am only speaking the voice of the people I represent here. But I want the committee to know that we are grateful for the help they are giving us. We hope this great project, which is the most unique of its kind in the entire world, can soon be completed and the United States can begin getting back some of the money we have invested in it. Originally it was estimated to cost $170,000,000. The cost has now gone up to almost $400,000,000, which means that higher water rates and perhaps higher power rates will be required to pay out on this project ultimately.

Just one thought in closing: I think the committee should be ever mindful of the fact that the compensable parts of this great project are paid by the people who live under it. In other words, the United States is the banker to finance this great project. No private-enterprise system could ever have embarked on this scheme. It was too fantastic, it was too uncertain, too long and uncertain in its repayment. So the United States came along and is, you might say, loaning us the money. For all the compensable features of it, the hydroelectric development and the irrigation features, we are paying back every dollar. For the electrical features we add 3 percent to the payment. So, ultimately the people of California and especially the water users and the electrical consumers will pay back the money for this great project. I think that the byproduct of electricity will go a long way to help lighten that burden in that it will give cheap rates for electricity to consumers of all kinds in the homes, factories, pumping houses, and so forth. Therefore, I want the RECORD to show my appreciation and deep gratitude for the statesmanship and generosity which impelled the committee this year to give the largest amount that has ever been given in any fiscal year, namely $40,000,000 to the Central Valley project of California.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield.

Mr. CRAWFORD. When the gentleman refers to $400,000,000 as the overall cost, what phases of the Central Valley project is he referring to?

Mr. JOHNSON of California. I am referring to all of it. That is a very rough estimate. We have spent about $200,000,000 to date, as I recollect, for the entire system from stem to stern the cost will be another $200,000,000.

Mr. CRAWFORD. I believe the gentleman will find in the testimony that on the basis of today's price levels costs may run between $3,000,000,000 and four and a half billion dollars from the northern tip to the southern tip of the project until it is completed.

Mr. JOHNSON of California. I think the gentleman is confused about that. I am talking about the Central Valley project authorized by law. You are talking about the development of the entire interior valley.

Mr. CRAWFORD. That is exactly what I am talking about.

Mr. JOHNSON of California. I am only talking about the one that we have before us today. I think the gentleman is right as to the ultimate development of the whole interior valley water resources. At least I have seen estimates of $2,600,000,000 for the development of all the water sites in the interior valley. But here today we are only talking about the Central Valley project approved by statute. But I thank the gentleman for his observation. It shows what tremendous possibilities for development lie ahead in the great Central Valley of California.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, a week ago I called the attention of the House to the fact that we have

a loophole in the European Recovery Act of approximately one-half billion dollars which very few Members of the House are aware of. I refer to the International wheat agreement now pending before the Senate and which has been sent to that Body for ratification where a two-thirds vote is necessary. That particular wheat agreement binds us as a Nation to deliver 185,000,000 bushels of wheat a year to the seaboard at a maximum price of $2 per bushel. It could possibly be a price of $1.50 per bushel if the powers that be known as the International Wheat Council decide that shall be the price. That particular agreement also, if entered into, may possibly have the result in the year 1952—speaking of that crop year—of forcing the farmers in America to accept $1.10 per bushel for their wheat on the seaboard provided we have a surplus which we are offering to the 33 importing nations under the act.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield.

Mr. HORAN. Can the gentleman tell the committee who controls this International Wheat Council? We do not control it.

Mr. H. CARL ANDERSEN. That is a very interesting question. I brought that out a week ago in my remarks in the RECORD. Great Britain, with all due respect to her as a great nation, through her connections with Canada and Australia, controls approximately eleven hundred out of the two thousand votes that are represented in that particular wheat council. The United States is empowered only to exercise control over 370 votes. Personally, I do not want to give over to any foreign nation or any combination of foreign nations the right to say how much wheat in southwestern Minnesota and the Dakotas shall be worth during the next 5 years. Under this agreement that price could be disastrously low.

I think it is absolutely foolish that we should require that the United States should deliver 185,000,000 bushels of wheat at the seashore for consumption under ERP at $2 a bushel, when the taxpayers of America will have to pay a subsidy of 75 cents a bushel, at the very least, in order to deliver that wheat to the ocean ports. Consequently, the Commodity Credit Corporation will come to the Appropriations Committee and ask us to make good possibly $155,000,000, the subsidy that will be directly paid by the taxpayers of America, for the 1-year's shipments. If you multiply that $155,000,000 by 3 or 4, you can see where there is a loophole of at least half a billion dollars that the Members of Congress did not know they were authorizing to be expended under ERP during the 4½ years of that act. Now, that is not chicken feed, in the financial sense. If the Members of the House are interested, they should contact immediately their Senators and ask them to use every precaution before they agree to the ratification of this particular treaty. Remember, one foreign government controls 1,100 of these votes in comparison to 370 for the United States of America. All I ask is that you take a little time and discuss this matter with your Senators. They are very busy gentlemen and they may be too busy to really study and know the provisions of this particular international wheat agreement. The more you study it the more you will wonder why we in the United States should be suckers enough to agree to it.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield.

Mr. HORAN. I may say that the Canadian wheat farmer has been operating under a similar program for a number of years. It is a little different. It operates only between member countries in the commonwealth and the mother country, England, but the Canadian wheat farmers are up in arms, and our farmers will be in the same position if this unfair agreement is foisted upon them.

Mr. H. CARL ANDERSEN. I think this particular proposed agreement is full of very dangerous implications. It may set a price of 85 cents a bushel on wheat in the Dakotas in 1951 and 1952.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. H. CARL ANDERSEN] has expired.

Mr. ROONEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. ROONEY]?

Mr. JENSEN. Mr. Chairman, I shall not object to this request to speak out of order, but I shall be obliged to object to any further requests of that nature.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROONEY. Mr. Chairman, as a member of the House Committee on Appropriations, I am gravely concerned with the situation whereby we grant millions of dollars in loans and subsidies to Great Britain, send her vast sums under the European recovery program, and find that she is financing the Arab aggression against the Republic of Israel. It is high time that our Government take a strong stand against Britain's intervention in Israel.

We all know that Transjordan King Abdullah's Arab Legion is financed, equipped, trained, and supplied by the British. Britain pays Abdullah 2,000,000 pounds annually for the maintenance of the Arab Legion. Brig. Gen. Glubb Pasha is the commander in chief of the Arab Legion and an officer of the British Army, loaned to the Legion by the British War Office. Everyone knows that the British control the Transjordan Arab Legion, lock, stock, and barrel. The British have been playing the most perfidious game since both before and after the withdrawal from Palestine. Great Britain is aiding and abetting Arab aggression and is greatly responsible for the slaughter now taking place in the Holy Land.

Great Britain is now actually and actively engaged in supporting the war against the Republic of Israel, recognized by the United States; and so we have a situation where a military unit of an Arab puppet state of Britain, bound by treaty to undertake no campaign without the approval of his Brittanic Majesty, proceeds to occupy the international city of Jerusalem and the hallowed cradle of Christianity—Bethlehem—a legion equipped with British weapons, paid for with British money, and led by British officers.

The United Nations, with the active concurrence of Great Britain, has called for a truce in the Holy City.

The Transjordan Legion, equipped with British weapons, paid for with British money, led by British officers, is occupying and shelling that Holy City.

Mr. Chairman, as has been said, there are depths below which no man, no government, no country may descend without bringing upon itself the scorn of honest men and women everywhere. I am amazed to see that these depths have been reached by the government of a people allied with us. I do not know what Britain has gained by her activities in Jerusalem. I do know what Britain has lost—the respect of the people of America and of the world.

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of speaking on the bill.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes to speak in order.

Mr. CRAWFORD. Mr. Chairman, I, too, wish to compliment the committee for giving due consideration to the Central Valley project of California. I have had a chance to travel over that territory and study the proposition for the last several months, and to me it is one of the greatest undertakings in all history because such a vast percentage of our people are now moving to the Pacific Coast, and the Pacific Coast from the northern tip of the Pacific Northwest to San Diego, Calif., is becoming a great defense plant from the standpoint of military operations and industrial production. That population will certainly depend upon the natural rainfall and snow fall which occurs in the mountain ranges, and that water will have to be captured and carried down through the Central Valley to the Pacific Coast cities and the food producing farms in the valley and all along that western seaboard.

So far as I have been able to ascertain, based on the studies of engineers and experts, and surveys which have cost millions of dollars up to date, there is no other source of water supply for that great population there at the present time, and the rapid increase of population which is taking place.

In considering the over-all Central Valley project, I think before it is completed and provided costs continue on today's price level, that the people of the United States will have been called upon to provide a minimum of $4,000,000,000 in the way of public funds to do that complete job. That, of course, includes the over-all concept, and it goes far beyond the projects which have been authorized up to date.

The whole operation presents a very interesting study from the standpoint of industry and finance, the charging of

rates for electric power and for the use of water to irrigate lands. It involves a great basic question with respect to the ownership of the land to which the water is supplied from dams and reservoirs and canals built with Federal public funds. We have out in that country what is known as the 160-acre limitation which states to a man who owns five or ten thousand acres of land in the Central Valley of California that he may not, when these projects are completed, be able to obtain irrigation water for that big section of land because of the 160-acre limitation.

To give you an idea how interesting these things become sometimes in the political field, California papers carried editorials and news column comments to the effect that the gentleman now addressing you is one of the leading Communists of the United States, simply because he takes the position that if Government funds are to be supplied for this project, perhaps the 160-acre limitation should remain in the law as it is at the present time, instead of repealing that 160-acre limitation and arranging matters so that great aggregations of land may be used specifically by a single land owner and sharecropped or operated on the basis of farm tenants or of farm hired hands. That illustration shows just how far this thing goes.

Mr. Chairman, in some of those areas you have municipal ownership of power-developing plants. This over-all concept may call for Federal funds to go into those particular communities and build distribution lines and have the Federal Government under the Central Valley project take over the presently municipally owned power plants. That gets into the question of local taxation, it gets into the question of power rates as related to those now being charged by public utilities owned by local people as compared with power rates that may be charged by the over-all Federal rate-making machinery. So this will be no simple project to be worked out. You will have cases where the Pacific Gas & Electric Co. have great distribution systems, including distribution lines, and the Government lines that will be built may compete with them.

I simply wanted to make these few remarks on this general subject at this time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. REES. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, you are giving consideration to appropriations for one of the big agencies of our Government, the Department of Interior. Total appropriation amounting to more than $375,000,000. The agency employs 47,675 people. They are located in various parts of the country.

It is with respect to one of the matters of employment to which I want to direct your particular attention at this time. You are familiar with my effort to try to get Government agencies to adhere to laws, rules, and regulations in employment practices. At all times I have insisted that rights of career employees and veterans be respected.

I take the floor at this time to call attention to a kind of "pressure" that is going on in some of the departments. The Department of the Interior is no exception as I will illustrate by the following experience.

Several weeks ago I directed a letter to one of the field offices for a career employee who had filed an application for a position, but who did not seem to be able to secure a reply to his inquiry, although he had been informed the agency was recruiting employees for which he believed he was qualified. A copy of my letter with names deleted follows:

GENTLEMEN: Mr. ———, of this city, whom I have known for a number of years, says he has placed an application with your offices for employment.

This letter is simply to inquire what, in your opinion, are the chances for his securing employment in your offices within the rather near future.

Mr. ——— is a career-service employee with permanent status. I think he is qualified for the appointment he seeks. In any event, if you will give him some idea as to the chances of his employment, I will appreciate it.

Sincerely,

ED H. REES.

P. S.—The reason for writing this letter is because Mr. ——— seems to be at sea and does not have much idea as to whether he stands a chance for such employment.

Reclamation Service, Department of Interior. (Location deleted.)

It will be observed clearly no request was made for the employment for this person. Later I received a reply. The letter is from the office of the department manager. I quote from the letter:

Under ordinary circumstances, such an employee would make a valuable addition to our staff, and Mr. ———'s employment would have—in all probability—been effected some time ago. However, the congressional appropriation for the Department of Interior for the fiscal year of 1948, you will recall, placed a limitation on the amount of money that can be used for personnel administration. As a result it has been administratively determined that this project must perform its personnel work with a reduced force of general clerks. Although the conditions are not the best, we are complying with the order.

The letter, as I have stated, is from the department manager. It is unsigned except that his name is typwritten and ready for signature. In fact the letter was dictated by an associate. Attached is the associate's note, written on a piece of scratch paper. Here is what the personal note to the manager says:

MR. ———: Mr. ——— and I thought it best for you to see the attached file. If you agree please sign the letter and return the file to this office.

The "dig" for the lack of funds is, I believe, quite consistent with the present Bureau efforts to try to get Congress to forget the limitation they placed upon money used for personnel administration.

Frankly I could use a man—placement officer—to help with our present recruiting problems. This is, of course, impossible when there is no money given the project for personnel administration.

——— ———.

Mr. Chairman, so the committee will understand, what happened was the associate, by mistake, mailed the whole correspondence to me instead of sending it to his district manager.

This is another case where one of our higher-salaried employees takes time out to do what he says take a "dig" at Congress because Congress does not perform in line with his ideas.

Mr. Chairman, I agree this is one of few cases. Even so, there are too many of them. You will observe this man says the "dig," as he calls it, is consistent with Bureau efforts. If such policy is followed in any agency, large or small, it seems to me we should at least know about it.

Until, and unless, we can have a higher degree of cooperation between the higher officials in the Departments and agencies of our Government, and the Congress, we are going to have difficulty in bringing about improvement in efficiency and economy in Government employment.

Mr. ALBERT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I take this time first of all to commend my colleague the gentleman from Oklahoma [Mr. SCHWABE] for his very able discussion of this bill insofar as it pertains to appropriations for the Bureau of Indian Affairs. But, for the sake of the RECORD I would like, if I may, to propound a few inquiries to the gentleman. The committee has undertaken, as I understand, to make ample provision for Indian education, and has specifically earmarked, so far as Oklahoma boarding schools, day schools, missionary schools and tuition payments, appropriations for that purpose.

Mr. SCHWABE of Oklahoma. Together with the hospitals and the local superintendents and agencies throughout, which is more than they had for 1948 fiscal.

Mr. ALBERT. All of our Oklahoma schools and hospitals are provided for?

Mr. SCHWABE of Oklahoma. All of them are to continue in operation with additional funds for their operations over 1948 fiscal.

Mr. ALBERT. Likewise the tuition payments?

Mr. SCHWABE of Oklahoma. That is right, with increased amounts.

Mr. ALBERT. I thank the gentleman.

I also understand that in the abolition of district offices all important functions of those offices such as education, health, Indian roads, and soil conservation will be taken care of by transfer to the agency offices.

Mr. SCHWABE of Oklahoma. To the agency level insofar as present law will permit. It is hoped that where present law will not permit, the legislative committee will take cognizance of that. I may say very frankly that the gentleman from Montana [Mr. D'EWART] chairman of the Subcommittee on Indian Affairs of the Committee on Public Lands, the legislative committee, has approved the attitude of this committee.

Mr. ALBERT. Was it also the intention of the committee that ample provision be made in the bill for field service personnel, that is, personnel who work at the service level, coming directly in contact with the Indian and his problems, such as field clerks, field agents, secretaries, probate attorneys, appraisers,

and such officers as are necessary expeditiously and efficiently to carry out the work of the Indian Bureau?

Mr. SCHWABE of Oklahoma. That is what the committee attempts to emphasize. The appropriation of $399,000 over 1948 fiscal and the abolition of the district offices has that in mind.

Mr. ALBERT. It was not, then, the intention of the committee in transferring functions to the agency offices to allow the agencies to do away with necessary subordinate offices?

Mr. SCHWABE of Oklahoma. Quite to the contrary; wherever they are needed.

Mr. ALBERT. Where offices of the service level are needed, then, it is intended that they be maintained and, if necessary, that personnel and other functions be increased?

Mr. SCHWABE of Oklahoma. Wherever it is necessary, and reactivated services wherever it is necessary, to perform the service with those who have business transactions with the Indians.

Mr. ALBERT. I thank the gentleman from Oklahoma [Mr. SCHWABE] and the other members of the committee for the hard work they have put in on this bill.

Mr. Chairman, I ask unanimous consent that both the gentleman from Oklahoma [Mr. SCHWABE] and I may be permitted to revise and extend our remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret that work on another appropriation bill has prevented me from hearing any considerable part of the general debate or of the debate under the 5-minute rule on this bill. I do, however, want to take this opportunity to express my appreciation for the long, hard, arduous, and intelligent work the members of this subcommittee have given to the Interior Department appropriation bill this year. Certainly in the time I have been a Member of the House, there has never been as much time devoted to preparation of the Interior appropriation bill as has been here evidenced by the voluminous hearings on the details of the bill. I also wish to express my appreciation for the intelligent approach the committee has made to various matters with which it deals. While in some respects the bill is not as I personally would have written it, I think considering the magnitude of the task the committee has done an excellent job.

In particular I wish to commend the subcommittee and its chairman, the gentleman from Iowa [Mr. JENSEN] for taking cognizance of specific individual projects and providing for them. A good illustration is found in two items which may draw little attention in the general press, the $500,000 for the renovation of the Statue of Liberty and the $152,350 for the flood-lighting and other improvements at Mount Rushmore National Memorial in the Black Hills in South Dakota.

As I understand it, the gentleman from Iowa and members of his subcommittee visited both of these monuments which symbolize the great traditions of the Nation and were struck by the need for improvements to make them more available and more appreciated by the people of the country and the world.

STATUE OF LIBERTY

The Statue of Liberty, they found in a sad state of dirt and disrespect. One of the most famous symbols of freedom in all the world, cherished by every American who has sailed to a foreign soil and dreamed of as he looked forward to his return, the Statue of Liberty had been taken for granted and was neglected. It needed cleaning, removal of refuse, and the establishment of facilities so that visitors could actually visit it.

And, as I understand it, the committee wants folks to be able to come close to the monument and feel its spirit and carry its inspiration to every corner of the Nation and every quarter of the globe. So they are providing funds to make it possible to get from the mainland to the island and to accommodate the visitors who pass through the great metropolis of New York.

RUSHMORE NATIONAL MEMORIAL

Rushmore, the great American memorial, known as the Shrine of Democracy, is newer among the Nation's great monuments, but in the minds of many, is the greatest, in its conception and in its permanence, of all our memorials. Out in the heart of the continent, the sculptor, Borglum, whose head of Lincoln is regarded by many as the finest study in the great galaxy of works in the rotunda of the Nation's Capitol, brought to life the heads of the four great Presidents—George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt—on a mountain of imperishable granite.

Last summer, when this subcommittee was making its tour of western parks and other activities administered by the Department of the Interior, they came to Mount Rushmore after darkness had fallen. They had expected to be able to see the memorial after dark, even as visitors in Washington can see the brooding figure of Lincoln in the subdued light that is found at the Lincoln Memorial here in Washington, after hours. But the mountain was dark and they were disappointed. They then resolved not to let that happen to the hundreds and thousands of others who might arrive at twilight or after.

For Rushmore has become one of the most visited of all national memorials. Last season, nearly half a million people visited the mountain coming from every State in the Union and from many of the countries of the world.

The possibility of lighting Rushmore Memorial has been proposed in other years; but the requirements of completing the sculpturing of the great faces themselves and the demands of World War II for money have made it impossible to get consideration for a lighting project heretofore. Even this year the Bureau of the Budget did not submit an estimate. Cost figures were worked out by the National Park Service at Mr. JENSEN'S request, however, and I asked the subcommittee to add the necessary funds to the bill. The committee gave a sympathetic hearing as shown in the printed hearings and granted the request as set forth on pages 37–38 of the committee's report.

Not only did the subcommittee provide $56,900 for the installation of floodlights, but they provided the $95,450 I also urged for a water and sewer system to provide proper facilities for the care of the hundreds of thousands of visitors who are now visiting this shrine. And to this total of $152,350 for improvements, they added $4,938 for seasonal personnel for the operation of the lighting system and the service of the night visitors.

The lighting of Mount Rushmore, Mr. Chairman, promises to usher in an entirely new era in the growing appreciation of this great memorial.

The Rapid City Junior Chamber of Commerce recently conceived the idea that it would help in the advancement of the idea if they would arrange for a temporary lighting. And so, within the past month, through the cooperation of the air force base near Rapid City, they arranged for the floodlighting of the mountain for 1 week, using some gigantic antiaircraft searchlights.

Reports which I have been receiving during the past week say that the effect was spectacular beyond all expectations. Just yesterday, I had a letter from John Boland, the president of the Mount Rushmore National Memorial Society, saying: "I am not capable of expressing my deep feeling." And a letter from another party states that Boland said that in all his 20 years of association with the memorial he had never experienced an equal thrill.

Mr. Chairman, Rushmore is something which every American should now see. The heads of the four great Presidents are impressive under any circumstance. To see them out of the night in a setting of mountain peaks and shadows will be an unforgettable experience for the millions to whom the committee and this Congress, by this action, will have made it possible.

While I thus record my appreciation as the Representative of the district in which this great shrine of the Nation is located, I do so in the belief that the committee and the Congress have made a great contribution to an appreciation of the very ideals of the Nation. Nothing, Mr. Chairman, is more important in these days of clashing ideologies, than a true love for the men and the principles which made the United States both the beacon and the bulwark of liberty for all the world.

Mr. MONRONEY. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Chairman, I rise at this time to inquire of my friend and colleague the gentleman from Tennessee, a distinguished member of this subcommittee, as to the limitations on the Southwestern Power Administration transmission system contained on page 5 of the bill.

It is my understanding that the Southwestern Power Administration is this year completing a very expensive transmission line that links up to federally constructed and paid for dams and public power projects in the Southwest, the Norfork Dam in Arkansas and the Denison Dam in Oklahoma and Texas. Is that not correct?

Mr. GORE. The gentleman is correct. There is under contract now and under construction a high tension line which connects the Denison and Norfork Dams. The budget contained recommended appropriations for switching stations and substations necessary to step down the power and convert it to usable form to make it available for the REA's and the municipal cooperatives that might want to purchase it.

Mr. MONRONEY. That is the smaller users such as the REA's and small villages that may have their own distribution systems, and other public users cannot now tap this line that was built at the expense of many millions of dollars by the Federal Government to carry electricity that is generated by dams that cost many more millions of dollars. But the benefit and use of electricity cannot be put into the hands of these REA's and small cooperatives, because of the denial under this bill of any funds to construct outlets such as substations.

Mr. GORE. Except that an REA might build a $1,000,000 substation. It then might be available to them. In actual fact, of course, this unfortunate action represents the bus-bar philosophy which means that even though the people's money has been invested in the generating facilites in huge sums, the benefits are denied to them unless a toll is paid to the private power industry.

Mr. MONRONEY. Does this not go just a little bit further in addition to meeting the utility desires—that instead of being a bus-bar deal, we build a transmission line, and then the utility companies are virtually the only ones who can take this electricity from the Government-built transmission line. No funds are provided in this bill or any other bill that I know to take this electricity in usable form down from the overhead high-tension line to the small users such as the REA's.

Mr. GORE. I stand corrected. I see from the gentleman's understanding of the situation that I should be interrogating him, rather than he interrogating me.

Mr. MONRONEY. It does mean that it will be even more profitable for private utilities because they will not even have to use their transmission lines, but can take this from a Government transmission line, and thus they will be the indispensable middle man through which the small REA's and small villages having municipal systems can tap this line to get this Government-generated electricity.

Mr. GORE. The gentleman is correct. Even though the people of the United States have made the bulk of the investment, private power industry will control it.

Mr. MONRONEY. Can the gentleman give me any reason why the subcommittee, as well as the full committee, of the House would bring in a bill which would deny funds that have been requested by the Bureau of the Budget, which funds have been advocated by the small REA's over the entire State of Oklahoma and which are necessary if the lines are to be properly completed? Can the gentleman state why this money was completely left out of the bill?

Mr. GORE. Insofar as I am concerned, the action is without justification or reason. But the gentleman recognizes, of course, that there is a fundamental difference of opinion between certain Members of Congress, as well as between certain citizens of the country, as to the electric power policy. This question goes to that fundamental. This is the bus bar policy. With that policy, I am thoroughly in disagreement.

Mr. MONRONEY. The failure to furnish any funds to make that electricity from that high-tension line completed this year usable by farmers and small village cooperatives means we will have to wait another year, and perhaps two or three, until this wasteful policy is finally changed by the majority party in control of the Congress, is that correct?

Mr. GORE. All construction items are eliminated from the bill for the Southwestern Power Administration. All monies for customer facilities, and all monies for any facilities that would make the power available to rural cooperatives and municipal cooperative systems are stricken out.

Mr. MONRONEY. I thank the gentleman for the information.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARROLL. Mr. Chairman, the intelligent exchange of information between the gentleman from Oklahoma [Mr. MONRONEY] and the gentleman from Tennessee [Mr. GORE] is so in accord with my thinking on this appropriation bill that I cannot refrain from making further comment. As I read the record, the total budget request for Bureau of Reclamation transmission lines and substations was $20,805,690. This amount was cut $12,910,649 by the committee, leaving an authorization of $7,895,041. The decrease was more than 60 percent. These figures are totals for the 17 reclamation States.

This, in my opinion, is conclusive proof of the bus-bar philosophy which dominates the thinking of the Republican members of this committee.

As this bill comes to the floor for debate it stands revealed as an attempt to turn over to private utilities the public's investment in, among other things, power facilities which were intended to develop, in the interests of all the people, the natural resources inherent in the great rivers of our Nation.

What does this bill do to the power marketing agencies set up by congressional acts designed to safeguard the public's interests and to make the benefits of the Government's power developments available to all the people? For an answer we need only turn to some revealing passages in the committee's report and in the bill itself.

For the Southwestern Power Administration the committee says that it has, and I quote, "eliminated all funds for the construction program, it being of the opinion that such necessary additional facilities as may be required should be provided by organizations in the power business in that area where the power is to be distributed." Fine sounding words, but what do they actually mean? They mean simply that the Government must sell at the bus bar to the private utilities at their own price and for their own exploitation, all the power generated at numerous dams in the Southwest. They mean that municipalities and REA co-ops that desire to purchase this power shall be entirely frozen out and must go begging to the private power companies for an opportunity to stay in the power distribution field. The law under which the Southwestern Power Administration operates, the Flood Control Act of 1944, however, says that the Secretary of the Interior shall transmit and dispose of this power in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, and that law further says that preference in the sale of such power and energy shall be given to public bodies and cooperatives.

So here we find the committee saying that so far as it is concerned this law shall be disregarded and that the private power companies, the same companies that fought that law tooth and nail, the same companies that have denied farmers the benefits of electrification, that have reduced rates only under the compulsion of previously aroused Congresses and strong public opinion, these private power companies shall become the exclusive beneficiaries of the public's investment. But this is but the first instance of this type of chicanery in the committee's report and in the bill.

In the section dealing with the Bonneville Power Administration we find that the committee baldly asserts that the people of the State of Washington acting under laws enacted by the Legislature of the State of Washington to take advantage of the preference privileges in the Bonneville Power Act which are even stronger than the public-preference privileges contained in the act controlling the policies of the Southwestern Power Administration are pursuing a Soviet power policy which will not be countenanced by the committee. In line with that remarkable statement from the committee, that gratuitous insult to the people of the Pacific Northwest, the committee denies funds for the construction of certain substation and transmission lines, because private power companies have expressed a willingness to construct them. The committee also admonishes the Bonneville Power Administration to so conduct its contract operations in the future as to insure that the private power companies will be taken care of ahead of the public agencies to which preference in the purchase of Bonneville power is guaranteed by law in the Bonneville Power Act. So here again we find the committee acting in utter disregard of the law of the land as enacted by the Congress in an effort to assure, regardless of that law, that the private power companies may become the principal beneficiaries of the vast investments

heretofore made and from which all of the people originally were supposed to benefit.

And, to render the rape of the public interest complete, the committee does to the Bureau of Reclamation power operations the same thing that it does to the Bonneville Power Administration and the Southwestern Power Administration. Again disregarding the preference provisions for the sale of power under the reclamation law, we find the committee saying that it is unsound and against the principles of our form of government to appropriate Government funds for the construction of transmission lines, switchyards, substations, and incidental facilities where private capital is prepared to provide them. Certainly the Congress, since 1906, the first date it wrote a preference provision for the purchase of Government power by municipalities and other public bodies into the law, has not considered that in so doing it was committing an un-American act. It is this committee which is acting against the principles of our form of government when, in total disregard of the laws of Congress, it attempts to place the private power companies between the public and the public's own developments.

Let us see what else besides these expressions the committee has written into the bill to make sure that its whims are carried out. First we find that there is a general deletion and reduction of items for transmission lines and substations without which no public body can hope to take advantage of the preference provisions which the reclamation law has supposedly guaranteed them since 1906. Not content with that, we find that in the case of a specific project, the Canyon Ferry Dam on the Missouri River, the committee has gone so far as to write into the bill a provision which says that no funds may be expended for construction of the power plant, power facilities, or transmission facilities of that project except for the excavation and construction of the foundation for a powerhouse. In other words, the committee would have this Congress direct the expenditure of millions of dollars to construct a dam at which it invites the Montana Power Co. to install a power plant, pay the Government whatever it chooses since the Government will have no bargaining power, turn around and sell this power to the public and reap all the benefits of the public's investment.

On the Central Valley project, we find the committee is again up to its old trick of denying all funds for transmission lines other than those necessary to provide power to the project pumping plants except such transmission lines as are desirable to deliver all the power to the Pacific Gas & Electric Co. So, here again we have the committee deciding that contrary to the express provisions of the reclamation law Shasta and Keswick Dams of the Central Valley project shall be built as mere adjuncts to the private power monopoly of the Pacific Gas & Electric Co. Not only that but in the case of the Central Valley project, in the face of the greatest power shortage ever experienced in the State of California, the committee states that it has denied the funds to operate the two new generators that will be in service in the next fiscal year. Here indeed is a shocking example of the committee's disregard of the rights of the public. I have not yet referred to the project which most directly concerns the people whom I represent in the Congress, the Colorado-Big Thompson project. In that case, the committee by reducing the funds for power facilities delays their completion and delays the integration of the now disconnected power-generating facilities on that project in the face of the greatest need for power that this country has ever seen.

It is my sincere hope that as this appropriation bill is considered in the other body, there will be a full and complete restoration of all reasonable requests for funds in order to effectuate the original intent of Congress. In the consideration of this type of legislation the public interest and the general welfare of the people as a whole is of paramount importance.

Mr. HESELTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this opportunity to ask a question of the chairman of the subcommittee, which I have previously discussed with him. I realize fully that the committee, as a group, as is true of all other subcommittees of the Committee on Appropriations, has cooperated wholeheartedly in an effort to conserve, as far as we can conserve wisely, the use of fuel oil. It may be suggested that this is not an appropriate time to bring up this matter, but I have done so in connection with each appropriation bill and intend to do so in connection with those remaining. Our national situation is brought home forcibly to me this afternoon, since I have just left a hearing before the Committee on Interstate and Foreign Commerce, where we are trying to discover what the policy is as to the exportation of increased amounts of steel and oil-country goods at this time.

I have discussed the matter with the chairman and the clerk of the committee, and I believe I am correct in understanding that there are no funds provided in this bill for new installations of oil-heating units, or for the conversion from coal to oil-heating units. Yet I think it is proper for me to ask, so that it may be in the legislative record of this bill, if it is the intention of the committee that no such funds shall be used unless it can be clearly shown that it is a wise policy, because of the fact that there is a large amount of oil available in nearby areas. I make that simple qualification, because I understand through a misprint in a previous bill unfortunately the words were used, "when there was an oil shortage," when actually and in fact the words I used in presenting the amendment were "where there is no oil shortage." I intend to cooperate to correct that before the session ends.

Going back to this particular bill, may I put it this way: Am I right in understanding that there is not only no request for money in this bill for the purpose of converting any coal-heating units to oil, or the installation of any new oil-heating units, but also, obviously it is not the intention of the committee that any such use should be made of any funds provided in this bill?

Mr. JENSEN. In answer to that question, the most I can say is that of course there is a great deal of money in this bill for the construction of hydroelectric dams, but there is no money in this bill for the construction of steam plants. It would be difficult for me to visualize that there would be any money in this bill for anything that would require oil or gas or coal for heating purposes or for generating purposes. There might be some little insignificant furnace some place in the Interior Department where that might be true, but to my knowledge, I know of none.

Mr. HESELTON. In general, it carries out the purpose of the Executive order of the President which is still in effect, that all Government agencies shall do their best to conserve fuel oil until we get out of this difficult period.

Mr. JENSEN. That is true.

Mr. HESELTON. I thank the chairman for making this explanation. Such a statement will certainly be a clear expression of the committee's intention and a definite standard to be used by those charged with the responsibility of spending these funds.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent that the bill be considered as read and that amendments may be offered at any point in the bill following the title of the bill.

The CHAIRMAN. Is it the gentleman's request that the bill be considered as read and that amendments may be offered, for instance, to the last line of the bill and then somewhere else in the bill?

Mr. JENSEN. That is right, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: On page 46, after line 18, insert the following: "Water conservation and utilization projects, Buford-Trenton project, North Dakota, not to exceed $126,000 of the unexpended balances of the appropriations heretofore made under 'water conservation and utilization projects' shall be available for completion of construction of the Buford-Trenton project, North Dakota."

Mr. JENSEN. Mr. Chairman, the purpose of this amendment and of this appropriation is to complete the Buford-Trenton irrigation project in North Dakota. During the hearings there was considerable testimony given to the committee on both sides of this question. The committee took the position that until the gentlemen from North Dakota [Mr. LEMKE and Mr. ROBERTSON] and other officers concerned could agree on this project, the committee would take no action.

I am glad to report that both Mr. LEMKE and Mr. ROBERTSON have come to

a full agreement and they desire the amendment to be offered.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: Page 73, line 10, strike out the sum "$1,541,464" and insert "$1,556,464."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: On page 76, line 8, after the word "for", insert a comma and the following: "of which not exceeding $50,000 shall be available for use in connection with the installation of two elevators at Carlsbad Caverns National Park, New Mexico."

Mr. JENSEN. Mr. Chairman, the purpose of this amendment is to start the construction of two elevators in the wonderful caverns at Carlsbad, N. Mex. They are very bardly needed. The item was not presented to the committee in time to act intelligently on the justification. We now have the full information and we feel the item is fully justified and proper.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: On page 96, line 10, after the word "violence", strike out the remainder of line 10 and all of the lines down to and including the word "act" in line 16.

Mr. JENSEN. Mr. Chairman, the language which we seek to strike out in this amendment has been included in some other appropriation bills. Since we have given this matter our fullest consideration we feel that the language which we seek to strike out goes further than can be properly justified. We feel that the balance of the language, however, that pertains to the same matter is in the interest of good government. Those who have taken an active interest in this matter, both those for it and opposed to it, feel it is proper that the language be stricken out of this bill.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to congratulate the subcommittee of the Appropriations Committee having charge of the Interior Department appropriation bill for the sound, sober judgment it has used in striking out this so-called Red rider or Keefe rider that has been carried in three previous appropriation bills. An attempt was made on the floor of the House to eliminate this rider on three occasions before and each time it was turned down.

Mr. Chairman, I am happy this afternoon to note that after cool, calm consideration of the far-reaching effects this Red rider may have on all employees of the Government, it has been finally decided to strike this from the pending appropriation bill. I sincerely hope we will not have this type of legislation in any more appropriation bills which may be brought before the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. JENSEN].

The amendment was agreed to.

Mr. HORAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it is very obvious from this bill that the subcommittee in charge of it has done an excellent job. By the amounts that have been allowed for western development and progress, it is not to be taken to mean any insinuation against any Western State. However, my colleague, the gentleman from the State of Washington [Mr. Jackson], has already called to the Committee's attention some criticism of a certain Northwestern State which is charged with following the Soviet pattern in certain matters involving the condemnation of existing electric power facilities. It is rather obvious that the State of Washington was the State referred to in this respect.

Mr. Chairman, in fairness to the people of the State of Washington some recounting of this Washington public-utility law is now in order. Of the total hydroelectric power in the world, some 750,000,000 horsepower, about 20 percent exists on the North American Continent, or approximately 150,000,000 horsepower. Approximately one-third of that is in the Pacific Northwest and in the Columbia River, which drains some six or eight watersheds, including the Rockies, both in the United States and Canada, the Cabinets, the Cascades, the Siskiyous, the Blue Mountains, and other mountain ranges in that tremendous drainage area of the West.

Mr. Chairman, the Columbia River has a tremendous flow. There is more water flowing down that river than any other river in North America, with the exception of the lower Mississippi, which flows through flat territory and is not a potential hydroelectric power producer. The only rivers in the world that compare with the Columbia are those which rise on the high plateaus of equatorial Africa and flow down through the Belgian and French Congo and the French Cameroons, but they are so located that their hydroelectric potentialities are nil.

Now, this is a lot of hydroelectric water power. There are about 20,000,000 horsepower of immediately practical hydroelectric energy in the Columbia River. Whoever controls it controls the future of the Pacific Northwest. There are many people of various political ideologies who fully recognize that fact. In this day, when we have to take the floor as my colleague, the gentleman from Massachusetts, did, and make sure that no oil is used in heating buildings; when we know that our gas, as an industrial fuel, is not located so as to serve the whole United States; when we step up succeeding fiscal year appropriation bills because of the rising cost of coal, which can and has risen one, two, and three times during a fiscal year, thus adding to our burdens as taxpayers, it is time that we take an interest in this hydroelectric energy. The people that I represent have long ago taken an interest in the hydroelectric power in the Columbia River. As early as 1930 they made up their minds on this thing: That the Columbia River potential was so great that it would be built and developed in the Nation's interest, mind you, either by great syndicates of bankers or by the Federal Government, the latter being a fact, because it is an interstate stream, draining western Montana, almost the total of Idaho, the eastern part of Washington, and a good share of the State of Oregon. The choice was made almost by indirection during the thirties that the Federal Government, as an aid-work project, should build the Grand Coulee-Columbia Basin project, a multiple-purpose project. It was done as a way to put men to work and to consume materials produced elsewhere in the United States. It began generating power 3 months before Pearl Harbor.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. It was a happy day for the United States, believe me, when Grand Coulee was built. It contributed a whole lot to the building of our airplanes. Aluminum, which goes into airplanes, into the airframes and into the wings, has been called nothing more than frozen kilowatts. This Congress voted only recently to implement our air force to a 70-group air force. It is going to take aluminum, but how are you going to get the fuel with oil running out, gas improperly located, and coal rising in cost? Thus did we build Bonneville and we built Grand Coulee. They are both valuable to the Nation. More such projects should be built on the Columbia River. But what of the people who live there? Are they not also entitled to the use of this power? So, the farmers who live in the isolated areas of my district and the farmers throughout the State decided that some program should be put into effect, written into the statute, that would give the people who are residents of the area some voice, comparable to the domination of either the Federal Government or the great syndicates of bankers. So, the Public Utility District Act came into being in 1930. Naturally, since it involves "power" it has been controversial ever since. Yet it follows largely the same pattern that we follow in the building of public roads. It is a district not greatly different from a reclamation district or a school district. It can be formed only by vote of the people and it can be dissolved by vote of the people. Its directors are elected at regular elections. It is an attempt to get the people of a certain area together to work for a common cause. That issue has been voted on three or four times since it came into being. As late as 1946, in the last congressional election, at which time we felt that we had purged our State of some of our radicals, in that type of an election where the conservative element overrode the others, this

issue was before the voters of the State of Washington in the form of initiative 166. Hundreds of thousands of dollars were spent in an attempt to put 166 over, which would have forced the commissioners of these districts to call for a special vote every time they took a step that meant the development of a project.

It is the same thing as though you were forced to go back to your district next week, when we shall have the draft law before us, and have a special election on that one issue, with your candidacy hanging in the balance on the outcome of that vote. That, as a matter of fact, is a European, not American system.

We have other districts that do have condemnation powers and do not have to have separate votes to take such action. States can. Cities can. Counties can. Districts of all sorts can. Bear in mind that we have very active elections in these public utility district elections out there. The whole issue of what is to be done during the term of a man that is standing for office is reviewed by the people, and they vote accordingly. But this 166 would have compelled them to hold an election every time they turned around. I expected it to carry, and thought our public utility districts would have to hold such elections. The tenor of the people was anti-Communist. It was against tax spending. I ran on an economy platform, and I know how they felt. I expected it to carry. What happened? Those folks, after 16 years of experience with this old system of common- or group-action enterprise or political functioning as you have in school districts and in reclamation districts in States, counties, cities, and so forth, voted overwhelmingly to down 166, which would have compelled those elections. It carried in only 1 of 39 counties. These people had faith in their program.

I wanted you to have this background because it is deeply imbedded in the life, in the hopes, and I think in the integrity of the people of the State of Washington. It is not a Soviet pattern. It is distinctly American and democratic. The appellation does them an injustice.

Mr. JENSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in answer to the gentleman from Washington, in whom I have the highest confidence and respect, I certainly cannot agree that a program or a policy or a law in any State in this Union which permits the condemnation of private property and the taking over of that private property without a vote of the people who are directly interested and have the greatest interest in the property which is condemned, and in the property which will be built in its place, is proper. I still contend, as the committee stated in the report, that it is a step toward a Soviet power policy. I think we in this Congress have a responsibility and a duty and we have taken an oath to defend the Constitution of the United States. Certainly that Constitution provides that private property shall not be taken over without due process of law.

In my opinion, even though I am not an attorney, certainly no law that is a good law is anything other than common sense. If a law of that kind has been enacted, as it has been in a certain State of this Union and possibly others, I contend that the law will eventually fall of its own weight, or this country will fall into the hands of socialism or communism or dictatorship or some other thing that is obnoxious to our way of life.

Let me give you an idea what we have to protect. We must protect not only private business, not only the private utilities, but everyone down to the peanut vendor down on the corner. We must protect the fellow who carries on an honest business, either with his own hard-earned dollars, or with the hard-earned dollars of other people, as is the case where stockholders have their money invested in the large utilities.

Let me read to you the kind of revenue that comes into the Treasury of the United States each year. In the year 1947, for instance, which is the last year on which we have a full report, the private utility companies paid in local, State, and Federal taxes the sum of $657,000,000. That was in 1 year, the year 1947. We all know how the Government needs this money. We know that federally operated projects pay no taxes into the Treasury of the Federal Government. So if we are to continue to collect enough money, then certainly we must guard private industry, and every other private enterprise from the peanut vendor down to the biggest corporations in the United States that are doing business on good, sound, honest business principles, and see to it that they are not driven out of business and driven off the tax rolls of the country by a paternal government, which, of course, is strong if it wants to be strong.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. REGAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REGAN: On page 76, line 6, after the word "including", strike out the sum "$3,210,000" and insert in lieu thereof "$3,245,000."

Mr. REGAN. Mr. Chairman, this amendment will add $35,000 only to the amount to be used for repair and construction of trails and highways in the Park Service. Here in the Big Bend section of Texas, there is what is known as the Big Bend National Park. The State of Texas has set aside as its contribution to this park 1,000,000 acres of land in the bend of the Rio Grande, about 200 miles east of El Paso. The park has been designated by the Congress as a national park, and improvements have been started there. But a matter has developed recently on which the park authorities had no previous information, and they have been prevented from completing their roadways into the park. Last year, without roads, more than 28,000 visitors from the United States visited the Big Bend National Park, which abounds with certain types of rugged mountainous scenery, canyons, large trees, points of interest, and what not.

Recently the State Highway Commission of Texas completed a road to the entrance of the park at a cost of over $500,000. The Park Board was to continue the road on down through the park to the many scenic spots, where the cabins are located, and into the canyon part of the country.

I would like to show you on this blackboard what we ran up against. The State highway built a road up to the north line of the park. The Park Board then came down here, and they find they have to go out of the delineated line of the park to get through a pass between two mountain ranges, known as Persimmon Gap. This means that we would have to buy a right-of-way there for the highway.

Mr. GILLIE. Mr. Chairman, will the gentleman yield?

Mr. REGAN. I yield.

Mr. GILLIE. The gentleman speaks about this new piece of road down in Texas right across from Marfa. Is that right?

Mr. REGAN. That is right.

Mr. GILLIE. I am glad you brought that up, because when my committee was down there holding hearings in El Paso, they came to us and told us about this particular road being badly needed. Several citizens from Marfa spoke to our committee about that and said it was badly needed so that they could use that as a park entrance.

Mr. REGAN. I thank the gentleman.

Mr. GILLIE. I am glad to endorse what you are saying.

Mr. REGAN. The people of that part of the country are very much concerned about providing this facility to get this park open so that the thousands of people throughout the United States may take in this park in connection with the chain of national parks they are visiting. The Park Board estimated that 200,000 people will visit the park each year. The gasoline tax alone will more than pay for this right of way in a 30-day period.

The State Highway Commission completed this portion at a cost of half a million dollars down to the entrance of the park. Then, it is the Park Board's responsibility from then on. They find that they have to go out of the confines of the land in the park. The amount required is only $35,000. It increases this $3,210,000 appropriation for trails by $35,000. I hope the committee will see fit to adopt this very important amendment, because it is the only way in which we can get this road constructed in a 2-year period of time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the amendment.

I want to say, Mr. Chairman, it does not give me a bit of pleasure to oppose this amendment, but I am compelled to do so because of the fact that there are so many requests for items of this nature, on both sides of the aisle, that it is difficult to put in an item of this kind which is not in the emergency category, and for which we have had no budget request. I think this item would have been approved if it had come to the committee in the regular manner. But if we were to approve this item we would have to approve many others of like nature.

So I hope the amendment will not be agreed to.

Mr. REGAN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. REGAN. The gentleman is correct. There are many others as meritorious, undoubtedly. But this is an emergency matter, in a sense, because it was just recently discovered that we would have to go within the line of the park to build that road. They cannot build the road until that land is acquired.

Mr. JENSEN. It is often said, the longest way around is the shortest way home. I do not know whether this is in that category or not, but I do not think it will hurt those people to travel a little farther around for a year or so.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LUCAS. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, while the gentleman from Texas [Mr. REGAN] has already explained to you many of the features of this, I think you should be told that the Park Board—the National Park Service—has considered building a road over this range of mountains here illustrated on this blackboard, and they find it will cost over $100,000 to build the road over this range down into the park. This road goes down to the Rio Grande River, where are many of the features which visitors wish to see. Even with a poor trail which runs from the entrance by a devious route down into the main part of the park, 28,000 people went there last year. It is estimated that over 200,000 will visit the park next year. I think, Mr. Chairman, it is self-demonstrating that we could recover in gasoline taxes alone enough to buy this right-of-way land through this gap in the range of mountains which lies just outside the park boundary.

The gentleman argues that no budget request was made for this item. None was made because it was not known until recently that the land which had been delineated by the Secretary of the Interior to bound the park did not extend beyond this gap. We and the Park Service people thought that the boundary extended over to take in the gap so we would not have to build a road over the mountain.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. MAHON. The gentleman is making an excellent statement and I wish to commend him and the gentleman from Texas [Mr. REGAN] for the good work which they have done on the Big Bend project.

It is true that technically there was no budget estimate, but there was a budget estimate for the acquisition of land in parks in the sum of $200,000. Big Bend was not listed as one of the parks where the money could be spent but the Interior Department advised the committee that the $200,000 would be adequate for all purposes, including Big Bend, and that a little change in language was necessary but no funds in addition to the budget would be required. In other words, the Big Bend project could have been taken care of without exceeding the budget. Unfortunately, the committee struck out the entire $200,000 and so there is presently nothing in the bill which would take care of the needs in the Big Bend.

I wish to join with the gentleman from Texas [Mr. REGAN], and the gentleman from Texas [Mr. LUCAS], and others, in doing what can be done to include this little item for our park in Texas. The gasoline taxes alone payable to the Federal Government by reason of travel in and to the park would soon reimburse the Government for this small outlay.

Another thing that should be borne in mind is that the State of Texas has contributed more than a million acres to this park and certainly this request would represent a minor contribution on the part of the Federal Government.

Mr. LUCAS. I thank the gentleman. Let me point out that the State of Texas has spent half a million dollars on a road leading down to the park, but the park is practically closed because there is no road within the park, which the Federal Government should provide.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. BURLESON. It should be pointed out that the $35,000 involved is a maximum amount, and that it is entirely possible, if not probable, that the project may be opened for a great deal less money than that, that the right-of-way might be purchased for less. Am I right about that?

Mr. LUCAS. The gentleman is right.

Mr. BURLESON. And that the money that is spent here as far as the emergency nature of it is concerned is a fraction of the investment already made by both the State and the Federal governments.

Mr. LUCAS. That is exactly right.

If the gentleman from Iowa has no more serious objection to it than he has already stated, I am quite sure that he will not object too much if the Committee passes this amendment. I urge its adoption.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. REGAN) there were—yeas 40, nays 51.

So the amendment was rejected.

Mr. MILLER of Nebraska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Nebraska: On page 51, line 25, add the following: "*Provided further*, That no moratorium or stop order that may be issued by the President can abrogate in whole or in part the use of any appropriation for reclamation or flood-control projects as provided for in this legislation."

Mr. MILLER of Nebraska. Mr. Chairman, I offer this amendment to bring into focus some things that had happened to past appropriation bills for public works and reclamation.

It will be remembered that in the Seventy-ninth Congress we had an appropriation bill before this body for consideration concerning reclamation, flood control, and public works projects. It will be recalled that the Bureau of the Budget and the President had recommended to the Congress all of these appropriations for this type of work. They were for Federal construction works. Upon the recommendation by the President and the Bureau of the Budget the Congress adopted legislation covering this matter. It will also be remembered that these appropriations were sent to the President for veto or for his approval.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the gentleman's amendment is a good one. I know that last year or the year before the President issued a stop order against the construction of a lot of reclamation projects. As far as the committee on this side of the aisle is concerned, we are prepared to accept the gentleman's amendment.

Mr. MILLER of Nebraska. I appreciate the chairman accepting the amendment. I would like to finish my statement.

The appropriations were sent to the President for veto or for approval. He approved them all. In fact, he signed the appropriation bill in the presence of a score of Members who sponsored the bill. Pictures were taken, pens were given out, and the President said it was a great step forward.

The Congress adjourned on August 2, 1946. A letter came up to this Chamber on August 3, 10 days after he had signed the bill, at which time he said it was a great step forward, advising Congress that he had put a stop order on this great forward march on reclamation, public works, and flood control. He made inoperative in whole or in part the legislation, first approved by the Bureau of the Budget, the President, then by the Congress.

It is my opinion that the President at that time overstepped his constitutional authority in abrogating an appropriation bill duly considered by the Congress. If he can do that in reference to public works, he can do it for veterans' hospitals, social security, the national defense, and other things.

It is for that reason I offer this amendment to the pending appropriation bill, always remembering and keeping in mind what happened during the Seventy-ninth Congress. Before the echoes had died out in this Hall after adjournment, the letter was sent here checking this great march of progress. I do not want to see that happen again. In my opinion it was a rather unusual power that the President took unto himself at that time in abrogating an act of this Congress. This amendment will make impossible the illegal assumption of authority by the President. If this is not done Congress will no longer control the purse strings as provided by the Constitution and popular self-government will end.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. MILLER].

The amendment was agreed to.

Mr. HORAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have the chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN], clarify for me and for the committee the last

proviso on page 7 of the bill, reading as follows:

*Provided further*, That interest heretofore or hereafter collected by Bonneville Power Administration from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund and shall not be allocated.

I wonder if the gentleman would briefly explain that provision.

Mr. JENSEN. I will be glad to. To make it perfectly clear to the Members of the House who are not familiar with what happened a few years ago, we had a Solicitor of the Department of the Interior who ruled that it was not necessary for the Reclamation Bureau to cover into the Treasury the interest component, which, according to basic law, should be paid on all revenue-producing facilities, such as hydro-electric-power plants. When that matter came to the attention of our committee a couple of years ago, we took the position that that money should be either covered into the Treasury of the United States or covered into the reclamation fund. So in the 1948 appropriation bill we provided that the interest component for the Bonneville Power Administration should be covered into the reclamation fund and should not be allocated. In the bill this year we have expanded that and have now covered all reclamation projects throughout the Nation that are federally owned and put in the same language relating to every project as it now relates to Bonneville Power Administration in the 1948 bill. Does that answer the gentleman?

Mr. HORAN. The gentleman understands that we have worked out a feasibility test on the Columbia Basin-Grand Coulee project, and we have worked out a pay-out program so that the Federal Government will be sure to get its return and that the Columbia Basin will be developed as a solvent reclamation unit. I wonder if this proviso, as it now reads, will have any deleterious effect upon the feasibility of the Columbia Basin and our ability to amortize?

Mr. JENSEN. Only to this degree, that 3 percent interest must be put into a suspense account or reserve interest account and cannot be used in computing your pay-out schedule. In other words, it must not be considered in your pay-out and your rate making will thereby be affected, naturally. We will, however, under this system, be complying with the law of the land which provides that interest should be paid on these revenue-producing projects. Now, then, the committee is not asking that this interest component be covered into the Treasury of the United States. We are asking that it be covered into the reclamation fund, from which we appropriate back to reclamation. It does not make a lot of difference, only to this degree, that naturally the more money we can collect, whether it be in payments on projects or whether it be interest, and the more money the Federal Government will get into its Treasury, the more liberal we can be in appropriating money for the development of the West.

Mr. HORAN. In appropriating in this bill for fiscal 1949, did the subcommittee consider the inclusion of the phrase "during fiscal 1949" in the drawing up of this proviso?

Mr. JENSEN. I do not quite understand the gentleman.

Mr. HORAN. You are here appropriating for 1 year, 1949.

Mr. JENSEN. That is all we can appropriate for.

Mr. HORAN. That is right, and I wondered if the subcommittee had considered at all the inclusion of the phrase "during fiscal 1949."

Mr. JENSEN. Well, naturally, we consider that it will be the law. At least, it is to provide the proper procedure until a permanent law can be passed which will take care of this whole matter, like the Rockwell bill, for instance.

Mr. HORAN. I thank the gentleman.

Mr. FENTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FENTON: On page 95, strike out the comma at the end of line 10 and lines 11, 12, 13, and 14 through "1947"; and in line 24, after "violence", strike out the remainder of page 95 and on page 96, strike out lines 1, 2, and 3, down to and including "1947" in line 3.

Mr. FENTON. Mr. Chairman, I offer this amendment simply as a clarifying amendment in view of the action the committee took a short time ago on page 96, when an amendment struck out certain language. This amendment simply strikes out the same language appearing in other parts of this section.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The amendment was agreed to.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask for the attention of the chairman of the subcommittee because I think it is very important to correct what I think he has done unintentionally. If we pass this bill with its present language, as a result of the committee amendment which was offered at page 96 we will be legislating a new statute today making it a criminal offense for railroad employees, those employed on railroads that have now been taken over by the Government, to go out on strike. I am sure that is not the intention of the committee and not the intention of the Members of this House.

Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Before I yield, let me explain how this comes about, for I am sure the gentleman will agree with me.

When the committee struck out the language on page 96, you struck out the following language:

or who is a member of any labor organization the officers of which have not complied with the requirements of subsection (h) of section 9 of the National Labor Relations Act as amended by the Labor-Management Relations Act, 1947, and accepts employment the salary or wages for which are paid from any appropriation contained in this act.

When you struck that out, you struck out also the following language, and this is the key to the situation:

and accepts employment the salary or wages for which are paid from any appropriation contained in this act.

By having taken out that language, you make this penalty provision applicable to anyone employed by the Government, not just to the Government employee who receives salary or wages under this appropriation. When you do that, what do you do with respect to railroad workers? The Government has taken the railroads. The railroad workers now work for the Government. If any of them should go out on strike, you are now legislating a criminal statute against them. I know the committee never intended to do that. I do not believe it was your intention to do that. The committee offered an amendment to eliminate a provision which should never have been in the bill. I urged its elimination this morning. However, in eliminating that provision, you eliminated also the language I have just mentioned and as a result of such elimination you make it possible now to indict any railroad employee who goes out on strike. The committee amendment, therefore, which was adopted on page 96, should have removed the language on line 10, page 96, after the word "violence" down to and including the figure "1947" on line 14 and no further. If you had left the language, following the figure "1947", then you would not have legislated a criminal statute against strikes on the part of employees not affected by this appropriation.

Now, Mr. Chairman, I yield to any gentleman of the committee for any observations they would like to make on that point.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. GORE. Does the gentleman believe that people should strike against the Government?

Mr. MARCANTONIO. That is not the issue here. Let us not start dragging herrings here which do not belong in this discussion. Let us be sensible about this business. Do you want to enact that kind of criminal statute which is being enacted by error and which is not intended?

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I cannot yield to the gentleman from Tennessee at this time, because he is not making any relevant contribution, but I want the gentleman in charge of this bill to deal with this subject at this time. I think he never intended to accomplish what is being accomplished.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. JENSEN. Of course, after we strike out what we have stricken out by the amendment, the balance of the language will be identical with that which was in the bill last year. Certainly no one wants strikes against the Government of the United States.

Mr. MARCANTONIO. The language will not be identical. Strikes against the Government is not the issue. First of all, as you have amended this bill, the language is no longer identical with that in the bill you passed last year.

Mr. JENSEN. Well, of course, we know how the gentleman feels about such matters.

Mr. MARCANTONIO. It is not a question of my being satisfied. I think I am doing the committee a service because you are going to come back here after this goes to the other body and you are going to admit that you made an error. I am trying to correct that error now.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent that I may proceed for five additional minutes.

Mr. JENSEN. Mr. Chairman, I do not want to shut the gentleman off, and I shall not shut him off, but certainly we have some things to do here. We have many things to do and we have just this day to do this work of getting this bill through the House. I shall not object to the request of the gentleman, but I hope that no one else asks for additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. I am not trying to delay the passage of this bill, Mr. Chairman. I earnestly believe that a serious error is being made. I submit again that when the amendment was offered by the committee it was offered in good faith. It was offered to correct a situation which we pointed out this morning to be bad. But in doing that the amendment struck out additional language which limits criminal penalties to only those employees who are paid out of this appropriation. By taking out the language "the salary or wages for which are paid from any appropriation contained in this act," you are now enacting a criminal statute which can be made applicable to the railroad workers today. That was never the intention of this committee. If we just want to insist on doing something that is wrong just because we want to appear right, if we just want to be stubborn about it, all right, but, at any rate, I want this House to know just what it is doing. I think that after consultation between the committee members on both sides and with the legal adviser of this committee you will agree with me that this language has to be restored; otherwise we are enacting a criminal statute which will affect the railroad employees today and the miners tomorrow. It will affect any employee of any industry which has been taken over by the Government. This fits the railroad workers today. You cannot get away from that. This does not go into the question of whether they have the right to strike or not. That right I will sustain in debate with the gentleman from Tennessee [Mr. GORE] on another occasion, but it does not belong in this debate. Unless the gentleman from Tennessee is ready to stand up and say that this is what the committee intended to do, then he should urge the correction of the error. I do not think the gentleman is ready to say that he wants to accomplish what the committee amendment does—that is, to establish a felony penalty against railroad workers who go out on strike.

This comes about as the result of an honest error and I am calling on the committee to correct it. At any rate, I think the membership of the House should know what it has done.

The CHAIRMAN. The time of the gentleman from New York [Mr. MARCANTONIO] has again expired.

Mr. REDDEN. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. REDDEN: Page 76, line 6, insert after the semicolon the following: "Of which $150,000 shall be available only for completing the grading and resurfacing of Heintooga Ridge Road, Great Smoky Mountains National Park."

Mr. REDDEN. Mr. Chairman, this amendment does not increase the appropriation set forth in the section to which it refers. It simply earmarks the $150,000 for the completion of the Heintooga Ridge Road section of the Great Smoky Mountains National Park.

I might say for the benefit of the Members that, as you know, there has been quite a bit of earmarking done in this bill, and I think very properly so. This item was approved by the Park Service of the Interior Department and was put in the budget. It was also approved by the Bureau of the Budget. It was considered by the Subcommittee on Appropriations which wrote this bill. The facts concerning the importance of this project were submitted to the committees and considered by them.

This morning I went to the distinguished chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN] and suggested to him that because of the importance of this project there ought to be an earmarking of a certain portion of the fund. He told me that he would agree to the earmarking of this $150,000, in accordance with the amendment just read. I then went to the Democratic side, where I found the gentleman from Tennessee [Mr. GORE] in charge, and I submitted it to him. He likewise agreed, and said he would be happy to see it go through.

So, with that information and consent of the gentlemen on both sides, I hope the committee will see fit to approve it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. REDDEN].

The question was taken; and on a division (demanded by Mr. REDDEN) there were—ayes 28, noes 52.

The CHAIRMAN. The noes seem to have it; the noes have it; the amendment is not agreed to.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. REDDEN. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Was the gentleman on his feet at the time the announcement was made?

Mr. JENSEN. Mr. Chairman, I stepped out of the Chamber for just a minute, and did not understand what the amendment was.

I ask unanimous consent to reconsider the vote by which action was taken on the amendment offered by the gentleman from North Carolina. I think it is a good amendment.

The CHAIRMAN. Without objection, the Chair will again put the question, so there will be no mistake.

The question is on the amendment offered by the gentleman from North Carolina [Mr. REDDEN].

The amendment was agreed to.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MORRIS] is recognized for 5 minutes.

Mr. MORRIS. Mr. Chairman, I know we do not want to make a mistake. I believe the Committee is acting honestly and sincerely enough, but actually making a mistake—unintentionally, of course. I believe that the gentleman from New York [Mr. MARCANTONIO] in his interpretaion of what we have done is eminently correct. Let me call this to the attention of the Chairman of the Committee and the membership. I do not always agree with the gentleman from Iowa [Mr. JENSEN], but I not only have a high regard for his honor, his integrity and ability, but I have a real affection for him. I think he is a truly great American citizen. I know that he always wants to be fair, and I think that is true of the rest of us; not only do we want to be fair but we want to be efficient in our work.

On page 95 we struck out certain words dealing with this question that has been discussed here for some little time, relative to persons who might be members of a labor organization, the officers of which have not complied with subsection (h) of section 9 of the National Labor Relations Act as amended by the Labor-Management Relations Act of 1947.

We struck out certain words as they appeared in two separate places on page 95.

On page 96 we intended to strike out those same words and none others but we struck out more than those words, and in striking out more than those words we included the striking out of these words in line 14 "and accepts employment the salary or wages for which are paid from any appropriation contained in this act."

As I understand it, if I am not myself in error, those words should have been left in the bill so as to make them applicable to the classes that we did leave in the bill. We struck from the bill this class:

Any person who is a member of any labor organization the officers of which have not complied with the requirements of subsection (h) of section 9 of the National Labor Relations Act as amended by the Labor-Management Relations Act of 1947.

We struck that class out, but we left the other classes in, and we intended this language: "and accepts employment the salary or wages for which are paid from any appropriation contained in this act," to apply to those we left in; but we took it out also.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from New York.

Mr. ROONEY. May I say to the gentleman that he is 100-percent correct in his contention and I trust that the committee will take some action immediately with regard to the situation and restore the language which the gentleman has pointed out was deleted through error.

Mr. MORRIS. I thank the gentleman very much.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from Iowa.

Mr. JENSEN. We have now calmly considered this whole matter and have come to the conclusion that what this committee wants to do, and what we are quite sure the Members of this body are willing to do, is to leave the language in this particular bill, and I am speaking of this particular Interior Department appropriation bill, exactly as it appeared in the 1948 Interior Department appropriation bill.

Mr. MORRIS. That has not been done though.

Mr. JENSEN. I am prepared to offer an amendment at this time which will take care of the situation.

Mr. MORRIS. I thank the gentleman for seeing the error and correcting it.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: On page 96, line 10, after the word "violence" and the comma, insert the following: "and accepts employment the salary or wages for which are paid from any appropriations contained in this act."

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman should not have gotten so hot when I suggested that a while ago.

Mr. JENSEN. I have seen the gentleman get a lot hotter than I got.

Mr. MARCANTONIO. That is all right too.

Mr. JENSEN. I think the gentleman shows very bad taste in making that statement after I have looked the matter over and have agreed now that I was wrong.

Mr. MARCANTONIO. Let us call off the hot war and the cold war.

Mr. JENSEN. O. K.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. JENSEN].

The amendment was agreed to.

Mr. ELLIOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 38, line 21, insert after the colon the following: "*Provided further*, That no part of any appropriation for the Bureau of Reclamation contained in this act shall be used for the salaries and expenses of a person in any of the following positions in the Bureau of Reclamation, or of any person who performs the duties of any such position, who is not a qualified engineer with at least 10 years' engineering and administrative experience: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; and (3) Regional Director of Reclamation."

Mr. McCORMACK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. Mr. Chairman, the point of order is that it is legislation upon an appropriation bill, not a limitation. The mere use of the words "*Provided further*" does not mean it makes everything in order. This is legislation relating to the requirements that must be met by one person or certain employees of the Bureau of Reclamation before they may hold office or be appointed.

The CHAIRMAN. Does the gentleman from California desire to be heard?

Mr. ELLIOTT. No.

The CHAIRMAN (Mr. CURTIS). The Chair is of the opinion that the amendment is a limitation, that it refers to a part of this appropriation; therefore overrules the point of order.

Mr. ELLIOTT. Mr. Chairman, I send to the desk a letter signed by the distinguished gentleman from Indiana, FOREST A. HARNESS, chairman of the Subcommittee on Publicity and Propaganda, which I ask the Clerk to read.

The Clerk read as follows:

MAY 14, 1948.

Hon. BEN F. JENSEN,
*Chairman, Subcommittee for Interior Department Appropriations of the Appropriations Committee, House of Representatives, Washington, D. C.*

MY DEAR COLLEAGUE: This is in response to your request as chairman of the subcommittee of the Appropriations Committee in charge of the annual Interior appropriations bill for information with respect to the present administration of the Bureau of Reclamation of that Department.

For more than 2 months the Subcommittee on Government Publicity and Propaganda of the House Committee on Expenditures in the Executive Departments has conducted a careful investigation of the Bureau of Reclamation both in Washington and the field. Hearings have been under way for several days and considerable documentary information concerning the Bureau's activities have been laid before the committee. Although the hearing will extend for several more weeks, I am certain that the information already at hand from this committee's investigators, and the documented testimony of Senator SHERIDAN DOWNEY of California fully justifies the Appropriations Committee in writing into the pending Interior Department bill appropriate language to correct a condition within the Bureau of Reclamation which the Congress should long ago have dealt with; that is, to restore the Bureau of Reclamation to the enviable position it long enjoyed as one of the outstanding construction agencies of the Government. Toward that end we recommend that appropriate language be included in the Interior Department appropriation bill for fiscal year 1949 to accomplish the following:

(A) That on and after July 1, 1948, no money in the appropriation bill shall be used to pay the salary of a person in any of the following positions in the Bureau of Reclamation unless he be a qualified engineer: (1) Commissioner of Reclamation; (2) Assistant Commissioner of Reclamation; (3) Regional Director of Reclamation. The language of this section should be strong enough to cover any positions which may be created as a substitute for these same responsibilities.

(B) That the Commissioner of Reclamation and Assistant Commissioners of Reclamation shall be appointed by the President.

(C) That regional directors of reclamation shall likewise be appointed by the President, and shall be selected from lists of qualified engineers submitted by the Chief Engineer of the Bureau of Reclamation.

As you doubtless know, the present Commissioner of the Bureau, Michael W. Straus, is not an engineer nor has he ever served in any administrative capacity over any irrigation, reclamation, or other construction projects. Up to the time of the appointment of Mr. Straus as Commissioner in December 1945, every Commissioner had been an engineer, most of them of eminent reputation and all of them, with a minor exception, with long and varied experience in the Reclamation Bureau or other great irrigation and reclamation projects in western America. The exception to which I refer was David William Davis who served as Commissioner of the Bureau of Reclamation in 1923–24, for a relatively short period.

It seems to be generally admitted that the duties entailed upon the regional director of region 2 of the Bureau of Reclamation in which lies the Central Valley of California are more difficult and complicated than those of any other region and it is a startling fact that while regional directors in the other six regions of the Bureau of Reclamation are engineers with long and varied experience in construction and reclamation, Richard S. Boke, director in region 2, is not an engineer and prior to his appearance in the Central Valley in 1945 was totally lacking in administrative, engineering, reclamation, and irrigation experience. Undeniable facts, almost wholly of a documentary nature, secured from the files of the Bureau of Reclamation and the Department of the Interior clearly indicate that under Commissioner Straus and Regional Director Boke the operations of district 2 have become most inefficient, wasteful, and largely given over to propaganda and publicity activities.

In support of this statement we attach to this letter a list of 10 items that have been developed in relation to Commissioner Straus' and Director Boke's activities in the Central Valley. These are wholly, or almost wholly, based upon the record of the Bureau of Reclamation and are, in my opinion, undeniable. I think a review of this admitted data will convince you that the recommendation herein contained indicates that congressional action should be taken to require the Commissioner of the Bureau of Reclamation and the regional director of such Bureau to be engineers and this action should be immediately taken.

With best wishes and kindest personal regards, I am

Sincerely yours,

FOREST A. HARNESS,
*Chairman, Subcommittee on Publicity and Propaganda of the Committee on Expenditures in the Executive Departments.*

---

In support of the recommendations contained in the attached letter, I would direct

your attention to the following actions by Commissioner Straus, Regional Director Boke, and others within the Bureau of Reclamation:

1. On August 31, 1945, Mr. Straus, then Assistant Secretary of the Interior, prepared for Secretary Harold L. Ickes a statement of Mr. Boke's education and experience, copy attached, which is so patently false that the impropriety of the action speaks for itself. On the face of it this statement was intended to mislead Mr. Ickes as to Boke's fitness for the job of director of region 2. Mr. Straus' ultimate purpose in this is also clear, namely, to place the vast Central Valley project in the hands of a propagandist for the Bureau's socialistic policies.

Please note the last paragraph of Mr. Straus' letter in which he says:

"Boke is distinctly not one of our regulation reliable, noncrusading Reclamation engineers and his original arrival in the Bureau of Reclamation was accomplished with considerable difficulty in one of the better jobs (present salary $6,750)."

2. Mr. Boke's entrance in the Bureau has also been documented before this committee and the documents are here attached. While closely related to the foregoing Straus letter, I feel they should be separately considered. Observe the letter from Mr. De Marcus, a personnel officer of the Reclamation Bureau, dated September 2, 1944, which finds Mr. Boke clearly unqualified for appointment as regional head of Operation and Maintenance on the Central Valley project.

3. Also attached is a photostatic copy of a statement by William E. Warne, then Assistant Commissioner of Reclamation and now Assistant Secretary of the Interior, dated October 24, 1944, to Harry W. Bashore, Commissioner of Reclamation, recommending Boke's appointment as head of the Operation and Maintenance Division of the Central Valley project. The same sheet carries Mr. Bashore's flat rejection of Boke for that position on the ground that he had no qualification for it and that within the Bureau there were well qualified men who could be appointed.

4. Perhaps the most serious charge now on record with our committee was the Bureau's repeated statement to the appropriation committees of the Congress that its carry-over of funds from fiscal year 1947 would be $44,000,000. Within 60 days after the close of the fiscal year the carry-over was found to be around $88,000,000 and is so reported in the President's budget for 1949, at page 445. Senator WHERRY, chairman of the subcommittee in charge of the Interior Department bill, Senate Appropriations Committee, has reviewed this monstrous error of the Bureau and his statement in the matter will be found in the joint hearings before the House and Senate Appropriation Committees on December 3, 1947. Whether the Bureau had some willful purpose in misrepresenting the carry-over figure or whether this was the result of gross negligence is really immaterial. The gravity of the error is such that those responsible for it should be no longer trusted by the Congress.

5. In the Central Valley project, according to evidence in our files, there appears to have been a clear design to exhaust the funds of that project in the first 6 months of this fiscal year. Attached is a copy of a teletype by Regional Director Boke to the Assistant Regional Director R. S. Calland, which was a command to spend the project funds as rapidly as possible. The proof of that is the attached memorandum by Mr. Calland on June 17, 1947, in which he states that, "The Secretary and the Commissioner (of Reclamation) are insistent that 1948 funds be spent early in the year, by January 1, if possible." Here clearly is defiance of the Congress and a violation of the Antideficiency Act.

6. Partly as a result of the work program outlined in the Calland memorandum, but more specifically as the result of some corrupt design, the full import of which is still under study by my committee, the Central Valley construction program was largely shut down on last November 30. The record is very confusing, but we do know that there was serious mismanagement of the Bureau's accounts and gross errors in the statement of accounts payable; but what is even more serious, there were adequate funds to keep the project going and Congress, being then in session, might reasonably have been expected to provide additional funds. The record shows, however, that Commissioner Straus took no action with the Congress, and Mr. Boke, then on vacation, took no action with the contractors, to keep the project under construction. This committee's investigation has already reported on the mismanagement of the Bureau's accounts in region 2 and the availability of funds when the project was shut down.

7. We are informed that your committee is already aware of the Bureau's practice of spending holdback money on construction contracts rather than setting up such funds as an account payable. This practice has been condemned by the Bureau of the Budget as a violation of the Anti-Deficiency Act and is clearly a violation of good management practice. It is but another illustration of the arrogance which the Bureau displays toward all actions of the Congress to regulate the administration of the executive departments.

8. This committee also has documentary evidence of a lobbying campaign by Commissioner Straus in northern California during November 1947, in which he clearly importuned the people of that area to bring pressure on Congress to cancel the authorization in the 1944 Flood Control Act to the Army engineers to build Folsom Dam on the American River and transfer it to the Bureau of Reclamation. Commissioner Straus' campaign is distinctly in violation of section 201 of title 18 of the Criminal Code, which prohibits a Federal official from using funds appropriated by the Congress to influence the Congress on pending legislation. Bills to effectuate the transfer of authority over Folsom Dam—H. R. 4152 and H. R. 4157—were before the Congress at the time of Mr. Straus' campaign to stir up animosity and public prejudice against the Army engineers.

9. Finally, this committee is deeply concerned with the tremendous campaign of publicity and propaganda which the Bureau has unloosed, especially in the Central Valley area. When faced with realities that skilled and conscientious administrators would have dealt with fairly and openly, Mr. Boke and his staff have consistently tried to develop differences with the farmers and irrigation districts into public issues and to enlist the cooperation of various groups in a campaign in behalf of the Bureau of Reclamation's ideology. To promote these campaigns the Bureau has created false and misleading statistics and has employed, at great expense, economists and sociologists who have been willing to produce "studies" to support the Bureau's point of view. There is direct evidence that the Central Valley project conference of California, composed of representatives of certain farm groups, veterans' organizations, labor unions, and religious bodies, was formed under the auspices of the Bureau of Reclamation as a pressure group for the Bureau and its policies. This fact is documented by statements of present Bureau employees who were responsible for the creation of the conference.

The persistence of the Bureau in pressing its propaganda campaign is illustrated by the fact that when Congress sharply reduced the funds for its information activities last year the Bureau created essentially the same jobs in other divisions and reassigned the affected employees to them. If necessary, the personnel ceiling in a division was raised to permit the reassignment. At the Sacramento regional office Robert Burns Read was thus transferred from the position of information specialist in the Information Division to economic editor in the Division of Power Utilization. Mr. Read's description of his duties and a statement of his past connections with other organizations are a part of our record and are attached hereto.

10. Propaganda activities of a particularly insidious character are noted in several instances in which the Bureau's personnel have tried to force economists and technical men to yield to the Bureau's policy line when the facts pointed in the opposite direction. One evidence of this, from among many, is the attached statement by Mr. Max Stern, regional information director in the Central Valley project, who suggested that the conclusions on a study of groundwater conditions in the Central Valley be changed because he believed the report, as drafted, supported the views of Senator SHERIDAN DOWNEY, rather than the Bureau's views.

The illustrations we have here given are but part of a developing picture. I shall not detail the several additional lines of investigation which this committee has under way, for the facts here presented seem abundant support for our belief that this Congress must immediately act to forestall further high-handed management, and costly blunders, in the administration of the Bureau of Reclamation.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, 5 minutes to be allotted to the author of the amendment and 5 minutes to the minority of the subcommittee.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. ELLIOTT] for an additional five minutes.

Mr. ELLIOTT. Mr. Chairman, owing to the incompetency of these men in the Department, and in my own State of California on the Central Valley project it is going to cost the people of this Nation and the farmers and taxpayers of my State $100,000,000 additional when we pay for the project. These men are not qualified to spend the taxpayers' money. Evidence has been submitted time and time again before the Appropriations Committees of the House and the Senate bearing out that fact.

Last December 1 Commissioner Straus ordered the Central Valley project stopped practically in its tracks, every phase of it except a couple of small items. At that time he made the statement no money was available, and he made that statement to the Appropriations Committees of the House and Senate in a joint session. What did we find out? A few days later, after the project had been stopped and more than 1,500 people had been put out of work, and they had made the statement they did not have one dollar to continue construction work we found they had $6,000,000 available. The

Bureau of the Budget stated their accounting system was bad.

They are not engineers, they are not capable, they are not qualified. We talk about economy and want to build power projects and reclamation projects, yet we keep on the pay roll as administrators people with no engineering ability. I doubt if any one of the three or four men now running the Bureau ever constructed a chicken coop. Yet we have them on the pay roll, and the Secretary of the Interior told the committees of the House and Senate that they were engineers. At a later date, with these men on the stand, an examination of the records was made and we found that none of them were engineers, yet they were building projects that cost $400,000,000. During the many years the Bureau of Reclamation was a fine public agency it has always had qualified engineers at the head of it but now what do we find? We have just propagandists, acting at the expense of the taxpayers. As I said a while ago, it cost our people in the Central Valley $100,000,000 more of repayable expense on account of the inexperienced and untrained men who run the Bureau. That is why I have offered this amendment. It is time we put our house in order.

We are talking about economy, and instead we have waste. Laboring people were put out of employment right at Christmas time—1,600 of them. When we had $6,000,000 available, they told the Congress that there was no money available, and that is why they had to stop the project. It is a sorry thing, gentlemen, when Members of the Congress are called upon to stand up and be counted, and support the ideals of such people and keep them on the pay roll. We ought to have qualified engineers to do this job. These men have lied to Congress. They lied to the Senate, and they have lied to my people back home many, many times. I believe in all seriousness that for the sake of saving our country and doing something for our people, the citizens of America, that we should employ competent engineers to do a job that we have started for our people and expect them to pay for. We cannot have economy with waste, and we cannot have economy with incompetent people in the management of business and large projects, such as I have mentioned to you, ranging from $200,000,000 to $400,000,000 or more, and where the head of the project and the department heads under him are not qualified engineers to pass on the construction being done by the contractors. Nobody here would employ a man to do a job such as is being done out there on Central Valley without qualified engineers in charge. We should have people who we can call on to make a statement, and we know that the truth is being told when they finish making their statement.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. PHILLIPS] for 2½ minutes.

Mr. PHILLIPS of California. Mr. Chairman, I rise in support of the amendment which, contrary to the opinion of the distinguished gentleman from Tennessee [Mr. GORE], does, in my opinion, reach to a principle. I do not think this need be considered on personalities at all. If we have a matter involving health, we want a doctor; if we have a matter involving setting up a set of books, we want an accountant; if we have something which requires the ability of an engineer, we want an engineer. In the construction of great projects of this country, we want men who are engineers and not men who would not know the difference between a slide rule and the Golden Rule.

I think this is a good amendment. I hope it will be adopted by the House, and reestablish, if I may use that word, the principle which has almost without exception been the policy in the Bureau of Reclamation, that engineers should do engineers' jobs.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. GORE. Would the gentleman specify what kind of engineer? Chemical, mechanical? There are many kinds of engineers. If I might humbly submit, the amendment is ill-considered.

Mr. PHILLIPS of California. I will settle for any engineer.

The CHAIRMAN. The time of the gentleman from California [Mr. PHILLIPS] has expired.

The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK] for 2½ minutes.

Mr. McCORMACK. Mr. Chairman, the reason I asked for this time was not to discuss the facts involved, but to call attention to how far-reaching amendments may go under the guise of a limitation in affecting organic law. My point of order was impersonally made. It in no way related to the facts involved, one way or the other, in this amendment; but I have been very much concerned for a long time, as a Member of this House, as to the unlimited extent that organic law can be affected under the guise of a limitation on an appropriation bill. I made the point of order just to accentuate that point. Sometime some Congress is going to realize the far-reaching effects that flow from this practically unlimited power to change organic law, at least for one fiscal year, on an appropriation bill under the guise of the use of a limitation. So my observations grow out of this amendment, rather than being related to the particular amendment, but addresses itself to the broader question, Should there not be a limitation upon the use of an amendment by way of a limitation on an appropriation bill.

Mr. ELLIOTT. I have the highest regard for my colleague and whip on the minority side, but would the gentleman, a great lawyer himself, in need of legal advice, hire a carpenter to defend him in court?

Mr. McCORMACK. The gentleman, of course, asks a question which indicates that perhaps he has not caught the import of my remarks. I said I was not addressing myself to the facts involved in or growing out of the amendment, but that I was addressing myself to something I think of far-reaching importance and that we will have to consider some one of these days: Whether or not there should not be a restriction on the rule of limitation in regard to amendments to appropriation bills.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The gentleman from New York [Mr. WADSWORTH] is recognized for 2½ minutes.

Mr. WADSWORTH. Mr. Chairman, the gentleman from California [Mr. ELLIOTT] in his own time had read to the committee a letter addressed to the chairman of the Subcommittee on Interior Department Appropriaions signed by the gentleman from Indiana [Mr. HARNESS], who in turn acted as chairman of a subcommittee of the Committee on Expenditures instructed by the full committee to investigate certain activities of the governmental agencies in the field of propaganda and publicity. I happen to be a member of that subcommittee and have been constant in my attendance at the hearings.

The committee has not yet made its report and may not do so for several days. We have other witnesses to hear, including some of the highest officials of the Reclamation Service; but I can say, Mr. Chairman, in all seriousness, that the evidence thus far produced, almost all of it documentary in character, incontrovertible, gives one pause, to say the least. I am not indulging in extreme statements or the use of overstrong adjectives. It is not a pretty story. We joined our subcommittee in instructing the gentleman from Indiana [Mr. HARNESS], our chairman, to address that letter to the Committee on Appropriations. We realized perfectly well that we were perhaps making an unusual request to the Committee on Appropriations, but we did so because we thought, indeed, we were convinced that under the circumstances which we have unearthed thus far a most extraordinary situation exists. That was our conviction. That was the reason for our making this suggestion to the Committee on Appropriations.

The Committee on Appropriations in its wisdom evidently was reluctant to include such an amendment in this bill, but the situation is such, Mr. Chairman, that I believe that this proposal is worthy of the serious consideration of the members of this committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from California [Mr. HINSHAW] for 2½ minutes.

Mr. HINSHAW. Mr. Chairman, the Bureau of Reclamation in the Department of the Interior is one of the greatest construction agencies in the United States. In addition to the Bureau there is the Corps of Engineers of the United States Army which in addition to its miiltary duties has charge of all of the work of construction in river and harbor improvements and flood control. Those important works we trust to the Engineers. The Governor of the Panama Canal Zone is a member of the

Corps of Engineers. It is quite proper and always has been deemed proper heretofore that the Chief and the heads of divisions in the Bureau of Reclamation should be engineers. The gentleman from Tennessee spoke a moment ago about the Civil Aeronautics Board. I point out that one of its greatest chairmen, Dr. Edward Warner, is a very fine aeronautical engineer. That has been true of other members. On the Federal Communications Commission they have them, and they have them elsewhere.

I should like to point out also, with reference to the remarks of the gentleman from New York, that just as lawyers have a code of ethics which they must live up to in order to remain a member of their professional association, so do engineers have a code of ethics which they too must live up to, and that code of ethics requires integrity, truth, and honesty of purpose. I am an engineer myself, and a member of several engineering societies. I heartily commend this amendment, without personal animus for anyone, as an amendment that should be adopted by the committee.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. FERNANDEZ.]

Mr. FERNANDEZ. Mr. Chairman, since the pending amendment has been so well discussed up to this time—and I thoroughly agree with the arguments of the gentleman from Tennessee [Mr. GORE]—I am going to devote my time to what may be termed a question of personal privilege. The gentleman from Iowa, chairman of this subcommittee, when he offered the amendment for the elevators for Carlsbad Caverns said that the matter was not presented in time for the committee to act intelligently on it. We understand what the chairman meant, but I am afraid my constituents might not understand. So I want to remind the chairman of the subcommittee that I asked to be heard by the committee long before they started hearings and although they had a very long list of witnesses more important than I they did finally grant me time near the conclusion of the hearings. They heard me fully. I presented the facts just as vigorously as I could possibly do, and I am very grateful to the committee for that opportunity and for the amendment agreed upon and adopted, even though they had first turned me down.

Mr. JENSEN. Will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Iowa.

Mr. JENSEN. I certainly do not cast any reflection on the ability of the gentleman, but he knows there are other ways of getting information than from Representatives.

Mr. FERNANDEZ. I understand that.

Mr. JENSEN. It might be we got some other information that convinced the committee that this was a proper amendment and that the project should be approved.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I should like to ask the chairman of the subcommittee, the gentleman from Iowa [Mr. JENSEN] if all on this side favor this amendment, why was it not offered on this side of the House?

Mr. FERNANDEZ. The amendment now under consideration, or my amendment? My amendment for Carlsbad was offered by a Republican, the gentleman from Iowa [Mr. JENSEN], the chairman, after I importuned him all morning with what I thought were cogent arguments. Maybe he did a little more checking and cogitating after that.

Mr. CRAWFORD. If the Republican side is supporting this amendment now under consideration, I want to know why it was not offered from this side of the House?

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Tennessee.

Mr. GORE. In answer to the gentleman's inquiry, I do not understand that the majority members of the committee are supporting the amendment. But what I want to say here is that I desire the RECORD to show the approval of funds for these elevators was, in my opinion, due entirely to the continued and able efforts of the gentleman from New Mexico [Mr. FERNANDEZ].

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ELLIOTT].

The question was taken; and on a division (demanded by Messrs. HINSHAW and POULSON) there were—ayes 59, noes 32.

So the amendment was agreed to.

Mr. MUHLENBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MUHLENBERG: Page 97, line 1, strike out lines 1 to 8 inclusive.

Mr. MUHLENBERG. Mr. Chairman, I have offered this amendment because this relates to a matter of general interest, the Jackson Hole National Monument. You will observe from a reading of that section of the bill that all appropriations for the carrying forward of the functions of the Jackson Hole National Monument are cut out arbitrarily and without any recourse. It indicates very clearly that the purpose of this section is to stop work at Jackson Hole. The statement has been made that it does not do anything new to Jackson Hole or alter existing conditions. I do not agree with that. It says: "No part of any appropriation under this act shall be used for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument." In that wording it seems to me that it is unwise and arbitrary since we have already approved the Jackson Hole National Monument, to put in any clause in this particular bill which does not forward the work of the Jackson Hole National Monument and actually prevent work being done.

I ask your support of the amendment because I believe that it is in accord with legislation which we have previously approved.

Mr. CHADWICK. Mr. Chairman, will the gentleman yield?

Mr. MUHLENBERG. I yield to the gentleman from Pennsylvania.

Mr. CHADWICK. I desire to join my colleague from Pennsylvania in the urging of this amendment which I feel is not only wise and desirable, but it will correct what appears, superficially at least, to work an unwise and unfair operation of the law.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Pennsylvania made the statement that the Congress had approved the Jackson Hole National Monument. I would like to know when the Congress approved it.

This Congress passed a bill abolishing the Jackson Hole National Monument. That monument has never been approved by any Congress. When the monument was created neither the Governor, the Senators, or the Representatives in Congress from the great State of Wyoming were consulted and never at any time approved the monument. I do not know where the gentleman gets the authority for that statement. Every Congress since that monument was established by Executive order, has included in the Interior appropriation bill a similar provision to the effect that none of the funds therein appropriated may be used to administer the Jackson Hole National Monument.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I will yield to the gentleman to correct me if I am mistaken in my statement.

Mr. MUHLENBERG. I ask the gentleman to yield to correct the RECORD because the actual appropriation that occasioned expenditure was made by Executive order.

Mr. BARRETT. There never has been an appropriation of any kind for the Jackson Hole National Monument, at any time.

Now, Mr. Chairman, we are presently endeavoring by legislation to compromise and settle this matter of the Jackson Hole National Monument. We are trying to get through some legislation whereby we can add some of the land in that monument to the Grand Teton National Park. We think the balance of the lands can be better administered by the Forest Service. Congress alone has the power to establish national parks.

There have been attempts to add the lands included in the monument to the Teton Park, but Congress failed to pass such legislation. They are attempting to do here by Executive order something that Congress alone has the right to do. Certainly I do not see any reason why this amendment should be adopted.

We have objected to the manner in which this monument was created and furthermore we propose to see that when the matter is adjusted it shall be on a basis wholly satisfactory to the people of Wyoming.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Did I correctly understand the gentleman to say that negotiations are presently under way to work out some amicable adjustment of this Jackson Hole problem?

Mr. BARRETT. That is true. Our committee has worked out a bill that attempts to do that very thing.

Mr. CASE of South Dakota. Then it strikes me it would be extremely unfortunate to change the status quo at this particular time. The gentleman is correct that since the original proclamation no funds have been appropriated to administer it as a national monument. This will be merely continuing the status quo, and carry this limitation as it has been carried in previous years.

Mr. BARRETT. I thank the gentleman. He is entirely correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent that both my colleague the gentleman from Arizona [Mr. HARLESS] and I may be permitted to extend our remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. CARROLL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARROLL: On page 38, line 11, after "Reclamation", strike out "not to exceed $6,000,000" and insert "any sums."

Mr. CARROLL. Mr. Chairman, last year when this matter came up in connection with the Interior Department appropriation bill, I offered an amendment to strike out the limitation this committee put in that bill. At that time I warned the committee what would happen in the Denver engineering office. I should now like to read into the record some of the testimony concerning this, and I hope I have the indulgence of the chairman of the committee because this is extremely important to Denver and to all the reclamation projects of the West.

Mr. JENSEN. If the gentleman will yield, may I say that no doubt it is more important to Denver than it is for the good of reclamation in the Western States.

Mr. CARROLL. We shall examine that viewpoint if the gentleman will permit me to develop this argument a little bit more.

Heretofore, before the Appropriation Act of 1947, Denver was the mecca of the engineering offices of the entire world. We had over 1,000 engineers in the Denver office, doing what? Designing and planning the construction work for all the great reclamation projects throughout the West. Prior to 1948 no limitation was placed upon the funds to be used in that office. Last year the majority party placed a limitation thereon of $7,800,000. Now let me tell you what happened. I warned this committee at the time that this is what would happen. Instead of saving any money, you dispersed the personnel of that office throughout the West.

There has been some discussion here today about this body's great faith in engineers. Let me read to you from the record of the testimony of the chief engineer of the Denver reclamation office. Mr. Young, who is the chief engineer, said this. First, Mr. JENSEN asked this question:

How many engineers did you discharge or did you find it necessary to discharge because of the limitation that was placed in the 1948 bill of $7,800,000?

In the House we placed a limitation of $6,500,000. The bill went to the Senate and was returned with a limitation of $7,800,000. Now here the chief engineer, the expert who knows what he is talking about, said:

We lost through transfer and resignation something over 1,000 employees. Approximately 700 of them were from the engineering staff.

On page 656 of the record there is this further testimony:

Mr. FENTON. How did that hamper you when you transferred all of the men from Denver to the field?

I think it ought to be understood that when this limitation was placed upon the appropriation bill there was no saving of money. The designing and planning of construction work had to continue; that is the thread of the testimony throughout the entire proceeding.

What happened? When the new limitation was incorporated in the appropriation bill for fiscal 1948, it then became the duty of the Bureau of Reclamation, and in particular, the duty of the chief engineer of the Denver office of the Reclamation Bureau to conduct the business of that office within the terms of the budgetary limitation as set forth by this Congress. The personnel of that great engineering office were informed that some of them would be cut off the pay roll, and many others would be required to move themselves and their families to other areas in close proximity to some of the great reclamation projects under way. In short, great numbers of them would have to be transferred to the field.

Many men of outstanding ability who have given years of their life to the Government service were confronted with the problem of moving themselves and their families into new areas under adverse living conditions.

Here, I repeat, is the testimony:

Mr. FENTON. How did that hamper you when you transferred all of the men from Denver to the field?

Mr. MARKWELL. It cost us from 30 to 90 days in making the transfer, in getting the delegations worked out, in recruiting the personnel. We had to acquire some temporary housing, because there was no place for the people to live. And we lost personnel because they simply would not transfer.

As it developed, we arranged for a reduction in force of about 800 people, but we ended up by losing about 1,000 people, because it demoralized the group out there.

Mr. FENTON. I notice in Mr. Young's statement he dwells pretty hard on the demoralization.

Mr. MARKWELL. Yes; and it was quite serious and true. These men had been recruited, and they wanted to work for the Bureau. We had built up our design group very carefully, and then, like a bolt out of the sky, a limitation was placed upon us and we had to go through a reduction in force. And very promptly we had to try to work out transfers and to find out whether the people would transfer or not. We had to get office space; we had to get at the mechanics of actually delegating out and sending out the uncompleted designs to the field offices for them to take care of out there.

As Mr. Young has said, the Bureau has always delegated certain work, but this shotgun delegation which was forced upon us did delay us. We are behind in our design work. We are trying very desperately to catch up. But if we had not established these offices, reclamation construction would slowly have ground to a halt for lack of construction drawings.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. Not at this particular time unless the gentleman will give me an extension of time for this discussion.

Mr. JENSEN. I am sorry. I cannot do that.

Mr. CARROLL. Then I refuse to yield.

Mr. JENSEN. I would like to straighten the gentleman out.

Mr. CARROLL. You will have opportunity to do that on your own time.

Now, Mr. Chairman, reading from page 676, here is what Chief Engineer Young said. You gentlemen have expressed such great confidence in engineers. Here is what the engineer said to this committee:

I urge that there be eliminated from the 1949 appropriation act any limitation similar to that of 1948. If it is the desire of the Congress that the Bureau's design work be decentralized, I respectfully suggest that such policy be declared by the Congress, leaving to the proper Bureau officials the determination of the procedures necessary to carry the policy into effect. It is impossible to predict at this time how far the actual decentralization can be carried either during the remaining portion of fiscal year 1948 or during 1949. We must, in any event, face the hard fact that we are now in the process of rebuilding a shattered and badly demoralized engineering organization. The high standards, integrity, and power of achievement of that organization, which have been the very basis of our national reclamation development during the past 40 years, were in the short space of 3 months disrupted and destroyed by hastily executed reduction in force actions, to the extent of jeopardizing the future of reclamation. I can assure you that it will require longer to rebuild that which was so quickly torn down. Elimination of the harmful limitation is the first necessary step toward that rebuilding. * * *

In closing, let me point out that the Secretary and the Commissioner, through their reclamation engineering organization, must shoulder a tremendous responsibility. It is their assigned task to insure to the Congress and the people of the United States the safety and performance of the public utilities created by reclamation. Congress having once approved the construction of these public works, provided funds for their execution, and established broad general policies for carrying out the work, it would seem wholly inappropriate for that Congress to tie the hands of the organization which it charges with the responsibility of carrying out the people's wishes.

In the 1948 appropriation bill, you seriously crippled one of the finest engineering offices in the whole world. You have dispersed that fine engineering force throughout the whole reclamation

area. Do not repeat that serious blunder. I sincerely trust you will adopt this amendment. The whole purpose of the amendment is to remove that budget limitation. Then if the Congress decides to decentralize, we can declare that policy preserving intact our present personnel wherever located.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is true that the Congress in its wisdom saw fit to limit the Chief Engineer's office staff, which operates out of Denver, Colo., to the sum of $7,800,000 in the 1948 budget. What happened? Very few were released from the service of the Government. It was our intention, and it was the purpose of our committee after learning that they were overstaffed at the Denver office in the Chief Engineer's branch, as we understood it, that we should limit that office to the amount of $7,800,000. Instead of discharging the personnel who should have been discharged because of that limitation, they did move a few of these engineers and assistant engineers and what-have-you to some district offices in the West. But most of them were kept on the pay roll. So far as disrupting the organization, certainly no one testified to that effect, and if you read the entire hearings, you will find that is the truth.

Mr. CARROLL. Mr. Chairman, will the gentleman yield at that point?

Mr. JENSEN. I yield.

Mr. CARROLL. Is it not true that as a result of this limitation, they had to decentralize that great office and hundreds of their employees were sent out into the field?

Mr. JENSEN. My friend, that is what we were trying to do—to decentralize them and get them out on the projects where they could really do a job instead of sitting around on soft leather cushions in Denver and doing almost nothing.

Mr. CARROLL. Then, your purpose was not to reduce personnel but merely to disperse it?

Mr. JENSEN. It was to reduce personnel and also to see to it that we got some kind of a business administration out there that would carry on in a proper manner, instead of having them walking all over themselves, having assistants to the assistant to the assistant, with a lot of other high-sounding titles, just to give them a nice big salary.

Mr. CARROLL. Will the gentleman not admit that the testimony of the Chief Engineer, in response to a question propounded by you, said that designing and construction work must go on, and if it does not go on the Government will stand to lose millions of dollars, because there must be designing before there can be contracting.

Mr. JENSEN. Oh, surely, I will admit that is what he said, but the facts are that we disrupted nothing. In fact, the planning and progress on the projects in the West during the last year has gone forward faster than it ever went forward before in the history of this Nation.

Mr. CARROLL. Will the gentleman yield further?

Mr. JENSEN. Not any further. I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment.

The amendment was rejected.

Mr. BARRETT. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I want to take a few moments to discuss the legislation in this bill with reference to the Bureau of Land Management. I know that the committee believes that the abolition of the regional offices will effect a saving in administration. I am very much afraid that the provisions written into this bill by the committee will have exactly the opposite effect from that which they intended.

A year ago our committe reported out a bill which followed the Nicholson report, and set up a specific program for the administration of the grazing lands in the West. The committee makes the statement in its report and in the bill that they approve the report and that they are entirely in accord with the provisions of the report. On page 9 of the report the following language may be found:

> The committee has reached the conclusion that the continuation of such offices (regional) is not desirable and it has inserted a provision in the bill prohibiting the continuation. * * * It is convinced that regional offices * * * have resulted in a bottleneck which has seriously delayed the handling of the business of the Bureau. The most glaring example of inefficiency is in the adjudication and approval of oil, grazing, and mineral leases.

Grazing leases have not been handled in the field but the decision has been made at the national level. To a greater extent, decisions and leasing of oil and mineral lands have all been made at the Washington level. It, therefore, could not be considered that elimination of regional offices would expedite the leasing of either grazing land or oil and minerals. The abolition of regional offices would necessitate increased personnel because, in place of having the five regions throughout the United States, it would be almost necessary to have 11—1 in each of the public-land States.

We have five regional offices in the West. In each of those offices there are several district offices. It is hoped that all regional offices may be located at one of the main district offices, thereby eliminating considerable expense. There are now two regional offices located within district offices, Salt Lake City, Utah, and Billings, Mont.

Each of these regional offices has an accounting department and if the work is transferred to the district offices that will mean that you have to have an accounting office in each district office.

The reduction of $583,296 from the budget request of $1,033,296 would almost entirely eliminate range examination which, of course, is one of the important features of range conservation. Actually, the cost of regional offices amounted to only $237,000 last year.

The report states further that the committee wishes to go on record as being in general harmony with the program for financing grazing administration in accordance with the formula proposed as a result of the survey made of the cost of grazing service administration and as allocated by the Bureau of Agricultural Economics. This being the general intent of the committee, the reduction of $583,296 in the request entirely upsets the proposed formula. The committee further states that the formula set forth is sound and reasonable and it feels that funds should be allocated for this work in an amount approaching the figure proposed in the budget estimate. It is, therefore, absolutely necessary, if the program is to work, that funds in the Department above mentioned must be restored.

The provision against the transfer of activities to the field will operate against good administration. This not only prohibits the carrying out of the results of the grazing survey and the adoption of the formula established by the BAE but continues the bottleneck of the grazing, leasing function of the Bureau now in Washington because it does not permit decentralization in the field.

It certainly is not going to be an economy measure in any respect.

I hope that when this bill goes to conference the committee will not insist on this provision, because it is contrary to the bill passed by the Congress a year ago, and, in my judgment, it will result in greater expense of administration rather than a saving.

Mr. BUCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

STATUE OF LIBERTY

Mr. BUCK. Mr. Chairman, I want to give the subcommittee, and especially its hard-working, able chairman, my thanks and appreciation for their recognition of the fact that the present condition of Bedloe Island is a national disgrace. Included in this bill is a sum which will give the Statue of Liberty the setting she deserves. All patriotic Americans will rejoice.

Mr. CARROLL. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks at that point in the RECORD in connection with the colloquy between the gentleman from Oklahoma [Mr. MONRONEY] and the gentleman from Tennessee [Mr. GORE] with relation to the bus bar policy.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CURTIS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this committee, under the able leadership of the distinguished gentleman from Iowa [Mr. JENSEN] has done a fine job. This bill recognizes the importance of the development of the natural resources of the West. It is evidence of months of hard, tedious work. The committee has rendered an outstanding service not only to the reclamation States but to the entire Nation.

This is a good appropriation bill. The amounts for actual construction and development are sizable, yet every effort has been made to carry out a program that is free from waste, unnecessary frills, and red tape. Again, I say the committee has done an outstanding job.

Perhaps if I were writing the bill I would not end up with exactly the same figures for the various projects as has the committee. That situation always exists however, and understandably. We have the assurance of the gentleman from Iowa, Congressman JENSEN, that he wants these sound projects carried on and that he will see them through. In the past the committee has always been most sympathetic and courageous when projects return to it for further money during the year. This appropriation bill means that this great program in the Republican Valley, and in the entire Missouri River Basin and elsewhere, will be carried forward. This is by far the best appropriation bill that has ever been advanced for the West.

Mr. D'EWART. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, one of the great basins with which this bill deals is the Missouri River which drains approximately one-eighth of the United States. I want to express my appreciation to the committee for the generous way in which they have dealt with this basin. They have increased the appropriation over last year by some $29,000,000. That will provide for that program to go ahead in this basin in a splendid way. We have an area there which is largely undeveloped, an area of great resources. We need this money to develop those resources. It will mean a lot to the basin and to the whole country.

I wish to ask the chairman of the committee two questions concerning the items which appear under phase B in the table on page 30 of the report. The first is the lower Marias project, for which the estimate was $300,000 and the committee has recommended $750,000. The second is the Montana pumping project for which the estimate was $50,000 and the committee has recommended $210,000. Reference to the hearings, page 1517, and to information in my files, would indicate that the additional money should be used for construction work. I should like to ask if all of the item of $750,000 for the lower Marias is not intended for construction and if it should not appear in phase A, and if the funds for Montana pumping should not be divided so that $50,000 is available for preparatory work in phase B and the remaining $160,000 in phase A for construction work.

Mr. JENSEN. I am glad the gentleman brought that matter up. I must admit that it was an oversight. When we marked up the bill we meant to bring a certain portion of this money which we had approached in phase B for the Montana pumping item and also for the Lower Marias, to bring it out of phase B up into phase A, which is construction. I have conferred with other members of the committee and we now recommend that such part of the amount allowed for these projects as may be necessary shall be available for phase A, or, in other words, construction.

Mr. D'EWART. I appreciate that very much. The committee has been very kind.

Mr. Chairman, I represent a district in which there are five Indian reservations. In addition, I have a great deal of work with Indian matters as chairman of the legislative Subcommittee on Indian Affairs. In both of these capacities I have had occasion to use the services of the district office of Indian affairs at Billings, Mont., and I can testify from this experience that the conduct of Indian matters in my State has been simplified and expedited to a large extent by the Billings district office.

Probably this is due in large measure to the capabilities of Mr. Paul Fickinger, who is director of our Montana district office. He has done a fine job. In fact, you will find in the hearings on this measure that our colleague, the gentleman from Oklahoma, a member of the committee, called the Billings office the best in the United States.

It may be that the district offices in other sections of the United States have not measured up to their responsibilities or possibilities. If this is true, the blame should not be placed upon the system itself. Part of it lies undoubtedly in the personnel of the offices, and this could be changed. Most of the responsibility, however, falls upon the Bureau itself which has failed, as the committee states in the report, to delegate to the district offices the authority and responsibility those offices should have.

One of the principal difficulties we face in our dealings in behalf of the Indians of this country is the centralization of authority in Washington. Hundreds of petty details, relating only to the activities of individual Indians, must be passed upon in Washington. As a result, they accumulate in this office and there are long delays before they are acted upon. Meanwhile, the Indian must wait and perhaps lose the economic opportunity that was available when he decided he wanted to sell some land or draw some money. These things should be settled in the field, and that is why the district offices were established. Rather than eliminate the Billings district office, we might do well to find some means of forcing the Bureau to give it the authority that will permit it to function.

There is one other benefit of the District office which occurs to me now. The district office permits the employment of a few specialists of ability which can be used throughout the district, eliminating the necessity of having a larger number, perhaps with less distinguished qualifications, assigned to individual reservations. I refer to engineers, welfare supervisors and other trained personnel.

I am glad to note that the committee approves of the Nicholson report on public-lands management, and suggests that it be followed. In Montana, where the regional land office has been at Billings, we have found its services valuable. I know many of the men assigned to the Billings district land office and they are conscientious, hard-working public servants that serve a wide area. I cannot wholly concur with the committee in regard to this office. I feel that the Nicholson report, as written into law by the Congress, should be given a chance to prove its worth.

Mr. PHILBIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Chairman, I am personally very appreciative to the committee for their patient and favorable consideration of the requests which I and other New England members made with respect to suitable allowance for repair and rehabilitation of the fish hatchery at Nashua, N. H., which so valuably serves our section. The sum sought and provided was modest, but it will permit very necessary repairs and alterations at this time which can be supplemented in future appropriation bills.

I am gravely disturbed, however, by the provisions contained on pages 95 and 96—the so-called red rider. This language is extremely repressive in its legal implications and might very conceivably visit criminal penalties upon innocent, respectable, law-abiding American workingmen. The objective of restricting the activities and influence of Communists and other subversive groups is, of course, most commendable. But these restrictions must be written into the law within the spirit and letter of the Constitution and with due regard to the protection of the rights of the individual citizen.

A similar, though not precisely identical, provision was contained in a previous appropriation bill on labor and social security. When valid objections were raised, it will be recalled by the Members, that the distinguished gentleman from Wisconsin [Mr. KEEFE], chairman of the subcommittee, gave the House complete assurance that the provision would be rewritten and corrected in conference, and I understand that has been done.

In any event, this House cannot and must not subscribe to flagrant disregard of clear constitutional and legal prohibitions, and it is, therefore, gratifying to me to note that the committee has already accepted a corrective amendment which will cure, at least in large part, the danger of injustice and hardship upon our working classes. In good faith the House could accept no other course of action, though I personally favor an even more sweeping amendment which would make it utterly impossible to apply criminal penalties against any person unless it shall clearly be shown that he has knowingly violated the statutory injunctions against subversive association and action.

It is particularly important in these times of unrest, protest, and rebellion against democracy and parliamentary and representative institutions throughout the world that we of this greatest of all democracies should hold fast and firm to the historic and time-honored safeguards which our Constitution provides for the protection of even our humblest citizen against oppression, injustice, and persecution. These repressive laws are

the technique and method of absolute totalitarian government. They have no place in a democracy. For that reason the correction of this most unwise provision is most appropriate and salutary. It squares with our high regard for the dignity and sanctity of our great and respected constitutional safeguards and will be duly noted and appreciated by the American people.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Chairman, I rise to protest against the drastic budget cut which the bill (H. R. 6705) makes in the 1949 appropriation for the Department of Interior. Although the Bureau of the Budget recommended an appropriation of $459,970,835 as the minimum requirement of this agency, the Republican-controlled Appropriations Committee has insisted on reducing this amount to $375,677,591—a reduction of $84,677,244. This action on the part of the GOP leadership represents a continuation of the false economy policies of the Republican Party followed during both sessions of the Eightieth Congress, and has little relation to sound fiscal policy or genuine public economy.

The few minutes allotted to me do not permit me to discuss the many instances where budget items have been reduced to the detriment of the public welfare, and I must confine my remarks to only those items affecting the welfare of Minnesota and my district most directly. I will begin with the appropriation for the Bureau of Mines.

The Budget Bureau recommended $22,692,300 for the Bureau of Mines, but this bill appropriates only $19,194,900 for its work during the 1949 fiscal year. Now, one of the major functions of the Bureau of Mines is scientific and technological research, and the development of new methods and processes in the mining field. Such work is of great importance in the development of the mineral resources of the Nation, and it is extremely important to the future of Minnesota.

For the last 50 years, the Mesabi iron range of Minnesota has supplied at least 50 percent of the Nation's iron-ore needs, and during World War II this proportion reached 66 percent. But the supply of high-grade-iron ore in Minnesota is not unlimited—it is fast being depleted. According to Director E. W. Davis, of the University of Minnesota's mines experiment station, the high-grade ores of Mesabi will be exhausted by 1954 at the rate of wartime consumption of 80,000,000 tons per year. Other investigators have reported that at the most these high-grade ores will be gone within another generation at the present rate of consumption.

To offset this diminishing supply of high-grade ores in Minnesota, it becomes most necessary to develop our low-grade ores through improved mining operations and processing methods. Likewise we must concentrate on taconite development. The Bureau of Mines has estimated that northern Minnesota has enough taconite to supply the iron needs of this Nation for a thousand years once techniques for its utilization have been perfected. We have made considerable progress in this direction already, but more research is necessary to speed this development.

To Prof. E. W. Davis, director of the mines experiment station at the University of Minnesota, goes the major share of credit for the progress made thus far in utilizing this hard rock called taconite as a commercially feasible source of premium high-grade magnetite iron ore. Working patiently for years with inadequate laboratory facilities, Professor Davis has carried out the basic experimental work which has made possible the present proposal for the construction of a large-scale taconite plant.

Two or three independent mining companies have gotten together to organize the Reserve Mining Co., which proposes to erect a taconite plant north of Beaver Bay on northeastern Minnesota's famous Lake Superior North Shore. This plant will be capable of producing 2,500,000 tons of taconite concentrate annually. Such a plant requires an enormous capital investment. Furthermore, it takes four to five times as much labor to beneficiate a ton of taconite ore as is required to mine one ton of open-pit direct-shipment ore. Enormous amounts of low-cost electric power are also necessary for the profitable development of such an enterprise. Even from this brief summary it is apparent that at the present state of technology, the process of converting taconite into high-grade ore is going to be extremely expensive. More extensive research and development work is necessary before large-scale utilization of taconite can become a reality, and upon this development rests the future economic life of northeastern Minnesota, and the future source of iron ore within our Nation's boundaries.

Minnesota must also find ways and means to use her enormous peat deposits. Approximately half of the Nation's peat resources are found in Minnesota, most of which is located in St. Louis County where 6 billion tons await development. In spite of the need to use these deposits, there is only one man in the whole United States who is devoting full time to peat research, and he is employed by the Minnesota Resources Rehabilitation Commission. Yet a broad program of peat research would lead to the utilization of these deposits through advanced techniques, and provide an unlimited amount of cheap fuel for the future industrialization of the region.

The development of Minnesota's low-grade ores, taconite, and peat requires the appropriation of adequate funds to continue and expand the mineral-mining-research program conducted by the Bureau of Mines. Last year's drastic reduction of funds for this agency sharply curtailed this research program at a time when these investigations should have been expanded, and I had hoped to see Congress make up for last year's mistake by granting additional funds for 1949.

Unfortunately, my Republican colleagues never learn from past mistakes, and choose to repeat the same short-sighted action again this year. The appropriation for the Bureau of Mines is nearly $4,000,000 below budget estimates, which means that there will be $25,000 less for mineral mining research, and $190,000 less for the investigation of domestic mineral deposits, than the Budget Bureau recommended. The failure of the Republican leadership to recognize the need for more money for mining research and mineral development is a serious blow to our plans to develop our low-grade ores, taconite, and peat in Minnesota. This short-sighted policy of economizing at the expense of the Bureau of Mines and all mineral development is one which I must sharply disagree.

I also want to point out that the Appropriation Committee's action in reducing the funds for the Bureau of Indian Affairs by nearly $10,000,000 below budget estimates represents a profound disservice to the State of Minnesota. Last year's budget cuts seriously jeopardized the Indian educational program in the State, and created serious fiscal deficits in this program. Likewise, the Indian health program was undermined with not enough funds being made available to care for many cases of active tuberculosis in sanitariums. This created a danger to the health of entire communities. But the GOP is so interested in saving money that the Bureau of Indian Affairs will be forced to continue with a reduced budget again next year, even though this means curtailing Indian education and health services.

Time will permit me to mention only one more example of Republican false economy policy, and that is found in the Fish and Wildlife Service Appropriation. The Budget Bureau recommended $11,587,200 for the 1949 fiscal year—the minimum amount necessary to carry out the functions of that agency. Since Minnesota is an important commercial fishing State, the activities of the Fish and Wildlife Service are important to us. This agency also plays a big role in our efforts to conserve our other wildlife resources. Last year's budget slashes resulted in the closing of the Lester River fish hatchery at Duluth, the curtailment of wildlife research and a decrease in conservation work. The failure of Congress to follow the recommendations of the Budget Bureau again this year, and the reduction of its estimates by over $2,000,000, means that the Service must continue to operate with an inadequate budget with a resulting decrease in the volume of vital conservation work and wildlife research.

In conclusion, I want to say again that this Republican policy of economizing at the expense of vital Government functions which effects the public welfare is not true Government economy—rather it represents a penny-wise and pound-foolish attitude which is contrary to the general welfare.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

If the Committee will bear with me I will not take my full 5 minutes, but I am duty bound to call attention of the House to the fact that although the Committee approved every cent that was asked for the Navajo Indians for welfare work,

$120,000, that, in my opinion, is not enough. The Department asked for only $120,000 and I am not blaming the Committee for not allowing more; but the fact is that in this Congress year after year the Indian Office has not asked for near enough for that purpose. Consequently, last year, as you will recall, we had to appropriate supplemental funds to the tune of $500,000. That is going to happen again. I hope that by the time the bill gets to conference the Committee will have the true facts presented independently of the Indian Office if necessary and that proper provision is timely made. The Indian Office in Washington may not know that they are insufficient—apparently they do not; but the superintendent of the reservation and all those who work in the reservation or have studied conditions out there know that $120,000 is not going to take care of the situation on the Navajo Indian Reservation. It seems that year after year a ceiling is placed on the total they can request, and the Washington Indian Office takes it out on the item of welfare and relief for Indians. It is time that somebody in that Office had the courage to tell Congress what the superintendent out there tells us but is not allowed to tell Congress. I am tired of this, and have come to the conclusion that the reservation should be placed out of the hands of the Indian Office.

Mr. TOLLEFSON. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the Subcommittee on Appropriations for the Interior Department has done a splendid job on this bill from an over-all point of view and I wish to commend the members for it. For the information and consideration of the membership, however, I would like the RECORD to contain the following facts on the Economic Section of the Fish and Wildlife Service.

The Economic Section of the Fish and Wildlife Service, Branch of Commercial Fisheries, operates under a present appropriation of $16,400 per year. For the same work, the Department of Agriculture spends $4,100,000.

The economic studies on fisheries include price histories, cost studies, wages and share income of fishermen, investments, foreign competition, foreign trade, wholesale and retail distribution, and auxiliary industries.

If one would give to the fisheries an amount comparable to what is given to Agriculture, this Section should have $59,000 on the basis of a comparison of the volume of fishery products to the volume of agriculture products.

For the fiscal year 1949, only $13,100 was added to this existing $16,400. This $13,100 is composed of $5,600 special studies which are described in the following justification, and $7,500 economic research in Alaska, also explained in the following justification:

JUSTIFICATION FOR RESTORATION OF ITEMS ON ECONOMIC RESEARCH DENIED BY THE HOUSE APPROPRIATIONS COMMITTEE, MAY 1948

Study of cost of production, investments, and so forth, $5,600: Studies under this item are needed to give basic information to the fishery industries and to legislative bodies. The studies intended under this item would show capital investments in the fishery industries of the United States which never were investigated while the neighboring country, Canada, publishes, from month to month, capital investments and their variations.

Such data in the United States are necessary to give the industry a basis for planning, expansion, and contraction, and, also, to give to executive and legislative bodies a basis for decisions on the formulation of statutes and regulations, for example, in the field of taxation and in the field of international trade.

The studies under this item also include studies on labor and management interrelations and on fishery labor in general which are important in evaluating the importance of certain legislative acts as, for example, the Social Security Act of 1946 and the Labor-Management Relations Act of 1947, with respect to the fishery industries. Such studies in in the field of fishery labor are, therefore, important because fishermen regularly are not paid by the hour or week, but they share in the results of the catch. Share agreements have developed all over the country and vary from area to area. There is no central office in the United States which could give information to the industry or to the legislative and executive authorities about the content of these share agreements and the variations as they affect the different areas.

Knowledge on these subject matters is imperative for future legislation in the field of labor-management relations and in the field of Federal and State tax legislation.

Further studies under this item include cost of production, which would give basic information to the fishery industries on how to adjust their fishery and plant operations to meet the averages which would become known by such studies. Adjustments following such studies would result in higher efficiency of the industry as a whole and it would result in lower prices of fish and fishery products for the consumer, as well as adjustment and modernization of the auxiliary industries which deliver equipment and machinery for fish processing.

Economic research in Alaska, $7,500: Under this item studies were intended on cost of production, distribution, and transportation rates, on wages and on labor-employment relations in Alaska.

Very little is known about the economic conditions of the fishery industries in Alaska. Generally it is known that they operate quite different from the continental fishery industries. Labor is hired for the season, sometimes at a seasonal wage, in addition to which room and board is given.

Fishermen are paid by a share in the catch. However, very often the value of the catch is not determined according to poundage of fish, but number of fish caught.

It is imperative to make studies on the actual dollars-and-cents income of management and labor in the fishery industries in Alaska to give the industries themselves a basis for future planning and to give the legislative and executive authorities information basic to the formulation of statutes and regulations, especially in the field of taxation.

Transportation problems in Alaska were intended to be special subject matter of study under this item which was denied by the House Appropriations Committee. Among the cost of production, transportation costs play a very great part, since not only labor and machinery have to be transported to the places of production, but also the processed products have to be transported at least 800 miles to find the nearest distribution center. The importance of the maritime service and shipping for the fishery industries should be investigated, transportation rates studied and the comparative position of the Alaska fishery industries on the basis of these studies should be evaluated. All this is not possible if the denial stands.

Mr. JENSEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BROWN of Ohio) having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JENSEN. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

## EXTENSION OF REMARKS

Mr. JAVITS (at the request of Mr. Ross) was given permission to extend his remarks in the RECORD.

Mr. ROSS asked and was given permission to extend his remarks in the RECORD.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD.

Mr. ARNOLD asked and was given permission to extend his remarks in the Appendix of the RECORD.

HOUR OF MEETING TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 10 o'clock.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. TALLE (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD and include an editorial.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD and include an editorial.

AUTHORIZING SECRETARY OF THE NAVY TO PROCEED WITH THE CONSTRUCTION OF CERTAIN PUBLIC WORKS

Mr. RIZLEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 619, Rept. No. 2068), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6341), to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CLAIMS ARISING AS RESULT OF EXPLOSIONS AT PORT CHICAGO, CALIF.

Mr. REEVES. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 669) to provide a method of paying all unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike "all" and insert "those."

Page 2, line 11, strike out all after "investigated" down to and including "Navy" in line 13 and insert "and reported to the Congress with recommendations by the Secretary of the Navy in accordance with the provisions of said Public Law 423."

Amend the title so as to read: "An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. LULA WILSON NEVERS

Mr. REEVES. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1508) for the relief of Mrs. Lula Wilson Nevers, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out all after "States", down to and including "1944" in line 11 and insert "out of the rental of one Link-Belt crawler crane under rental agreement No. 75, entered into April 29, 1941, and the use and handling of such crane at and during shipment between the Iowa ordnance plant and Kansas ordnance plant of the War Department."

The SPEAKER pro tempore (Mr. BROWN of Ohio). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FRED E. GROSS

Mr. REEVES. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2131) for the relief of Fred E. Gross, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after the enacting clause and insert "That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear and determine on the merit and to render, in accordance therewith, judgment upon the claim of Fred E. Gross, of Lonoke, Ark., against the United States, arising under or growing out of the use by the United States in ordnance plants of a packing box for vane assemblies and bomb fuzes, which box was originated, designed, and patented (shown and described in his patent No. 2,389,358) by said Fred E. Gross. The Court of Claims is directed to hear, determine, and render judgment upon the said claim, notwithstanding any prior administrative determination, any statute of limitation, or any provision of law which would otherwise bar this action, or any provision or rule of law which would otherwise bar a Federal employee from instituting such action; and the citation for distinguished service issued Fred E. Gross is not to be considered as compensation or sufficient award or in lieu of compensation.

"SEC. 2. Any suit upon such claim brought under the provisions of this act shall be instituted within 1 year from the date of enactment of this act. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THOMAS A. W. ELDER

Mr. REEVES. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3805) for the relief of Thomas A. W. Elder, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 7, strike out "$9,000" and insert "$6,500."

Line 15, strike out "inclusive" and insert "inclusive: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. OWENS (at the request of Mr. ARENDS), indefinitely, on account of illness.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3731. An act authorizing modifications in the repayment contracts with the Lower Yellowstone irrigation district No. 1 and the Lower Yellowstone irrigation district No. 2;

H. R. 5874. An act to establish a District of Columbia Armory Board, and for other purposes; and

H. R. 3785. An act to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 26, 1948, present to the President, for his approval, a bill of the House of the following title:

H. R. 5298. An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 13 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, May 28, 1948, at 10 o'clock a. m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1596. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $4,021,000 for the Veterans' Administration (H. Doc. No. 681); to the Committee on Appropriations and ordered to be printed.

1597. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years; to the Committee on Veterans' Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE of Missouri: Committee on Post Office and Civil Service. House Joint Resolution 305. Joint resolution authorizing the issuance of a special series of stamps commemorative of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer United States Cavalry) of the Spanish-American War; without amendment (Rept. No. 2056). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOOTE: Committee on the Judiciary. H. R. 4873. A bill to extend the time limit within which certain suits in admiralty may be brought against the United States; with amendments (Rept. No. 2060). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 5416. A bill to promote the interests of the Fort Hall Indian irrigation project, Idaho, and for other purposes; with an amendment (Rept. No. 2068). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 619. Resolution providing for consideration of H. R. 6341, a bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; without amendment (Rept. No. 2069). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of Committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. S. 2060. An act for the relief of Edgar Wikner Percival; without amendment (Rept. No. 2057). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 4047. A bill for the relief of Edmund Huppler; without amendment (Rept. No. 2058). Referred to the Committee of the Whole House.

Mr. FELLOWS: Committee on the Judiciary. H. R. 4994. A bill for the relief of William C. Pollett; with an amendment (Rept. No. 2059). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. S. 1281. An act for the relief of James B. Walsh; with amendments (Rept. No. 2061). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1573. An act for the relief of Marcella Kosterman; without amendment (Rept. No. 2062). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 915. A bill for the relief of the estate of L. L. McCandless, deceased; with amendments (Rept. No. 2063). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 1902. A bill for the relief of George H. Whike Construction Co.; without amendment (Rept. No. 2064). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2431. A bill conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of Gladys Janow, the widow of David Jefferson Janow, for herself and seven minor children, namely, Vernon Janow, James Jefferson Janow, Virginia Janow, Hazel Janow, William Janow, Patsy Janow, and Jefferson Janow, said claim growing out of the death of said David Jefferson Janow, who was killed on or about the 25th day of January 1944 while working at the Enid Army Airfield at Enid, Okla., when he was struck by a United States Army airplane being driven by Army student pilots at said Army airfield base; with amendments (Rept. No. 2065). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 6186. A bill for reimbursement of the Hawaiian Dredging Co., Ltd.; with amendments (Rept. No. 2066). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6428. A bill to reimburse the Luther Bros. Construction Co.; without amendment (Rept. No. 2067). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 6723. A bill to prohibit the purchase of beer on credit by retailers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CELLER:

H. R. 6724. A bill to impose an additional duty on imports from Great Britain as long as Great Britain continues to assist powers waging war against Israel; to the Committee on Ways and Means.

By Mr. LEMKE:

H. R. 6725. A bill to amend part I of the Interstate Commerce Act, as amended, with respect to establishment of uniform permile rates for the transportation, by railroad or by railroad and water, of grain and grain products; to the Committee on Interstate and Foreign Commerce.

By Mr. BREHM:

H. R. 6726. A bill to amend the Public Health Service Act to provide for, foster, and aid in coordinating research relating to dental diseases and conditions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MONRONEY:

H. R. 6727. A bill to permit religious or charitable societies to import musical instruments free of duty in certain cases; to the Committee on Ways and Means.

By Mr. WEICHEL:

H. R. 6728. A bill to authorize medical and hospital service for those employed in the maritime service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLVERTON:

H. R. 6729. A bill to amend the Public Health Service Act so as to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 6730. A bill to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years; to the Committee on Veterans' Affairs.

By Mr. RUSSELL:

H. R. 6731. A bill for the relief of the city of Reno, Nev.; to the Committee on the Judiciary.

By Mr. STEVENSON:

H. R. 6732. A bill to amend the Public Health Service Act to support research and training in poliomyelitis and other diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WELCH:

H. J. Res. 415. Joint resolution providing for the ratification by Congress of a contract for the purchase of certain Indian lands by the United States from the Three Affiliated Tribes of Fort Berthold Reservation; to the Committee on Public Lands.

By Mr. ANDREWS of Alabama:

H. Con. Res. 209. Concurrent resolution instructing the managers on the part of the House and Senate at the conference on H. R. 5607; to the Committee on Rules.

By Mr. ROSS:

H. Con. Res. 210. Concurrent resolution to establish a special joint committee to study and report on the value of aviation education in the standard curricula of elementary and secondary public schools, and for other purposes; to the Committee on Rules.

By Mrs. ROGERS of Massachusetts:

H. Res. 616. Resolution to provide for an investigation by the Committee on Veterans' Affairs of the hospitalization of veterans; to the Committee on Rules.

By Mrs. BOLTON:

H. Res. 617. Resolution authorizing the Committee on Foreign Affairs to have printed not more than 3,000 copies of each study supplementary to the report on the Strategy and Tactics of World Communism prepared by its Subcommittee No. 5; to the Committee on House Administration.

By Mr. WELCH:

H. Res. 618. Resolution authorizing studies by a joint board of Army, Navy, and Reclamation engineers to investigate and report on the feasibility from the standpoint of national defense and other beneficial purposes of the conservation of fresh water at the northerly end of San Francisco Bay; to the Committee on Public Lands.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MACK introduced a bill (H. R. 6733) for the relief of Catherine A. Glesener, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2023. By Mr. RUSSELL: Petition of sundry citizens of Nevada, with reference to the en-

dorsement of H. R. 2455, National Minerals Development and Conservation Act of 1947; to the Committee on Public Lands.

2024. By the SPEAKER: Petition of MacArthur for America Club of California, petitioning consideration of their resolution with reference to bringing MacArthur back to America; to the Committee on Armed Services.

2025. Also, petition of W. A. Bloom, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2026. Also, petition of Mrs. Fannie E. Thomas, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2027. Also, petition of J. C. Michael, Orlando, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

---

# SENATE

## FRIDAY, MAY 28, 1948

*(Legislative day of Thursday, May 20, 1948)*

The Senate met at 12 o'clock noon, on the expiration of the recess.

Rev. John T. Reed, pastor, De Kalb Presbyterian Church, De Kalb, Miss., offered the following prayer:

Eternal God, our Father, we need Thee in all of life. Thou art the source of all our blessings, and in this moment we turn to Thee with thankfulness of heart and in adoration. We confess that we have often been weak and have fallen below the standards of life that we have set and, with the apostle of old, realize that when we would do good evil is present. We give Thee thanks that in those moments Thou art ready to guide us aright. We beseech Thee for that guidance for the Nation, and especially for those who are its leaders.

In the days ahead pilot us by Thy spirit into the ways of righteousness and peace. In the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 27, 1948, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 28, 1948, the President had approved and signed the following joint resolution:

S. J. Res. 217. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service.

The message also announced that the House had agreed to amendments of the Senate to each of the following bills of the House:

H. R. 669. An act to provide a method of paying all unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy; and

H. R. 3805. An act for the relief of Thomas A. W. Elder.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1508. An act for the relief of Mrs. Lula Wilson Nevers; and

H. R. 2131. An act for the relief of Fred E. Gross.

The message also announced that the House had passed a bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, in which it requested the concurrence of the Senate.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. SALTONSTALL asked and obtained consent for the Committee on the Judiciary, which is now considering the Mundt-Nixon bill, to meet during the session of the Senate today.

He also asked and obtained consent for the Small Business Committee to meet during the session of the Senate today.

Mr. VANDENBERG asked and obtained consent for the Foreign Relations Committee to meet at 2 o'clock today.

Mr. SMITH asked and obtained consent for the Health Subcommittee of the Committee on Labor and Public Welfare to hold a hearing this afternoon.

### AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO CERTAIN AGREEMENTS BETWEEN CARRIERS—CONFERENCE REPORT

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers.

(For conference report, see p. 6458, CONGRESSIONAL RECORD, May 26, 1948.)

The PRESIDENT pro tempore. The clerk will state the unanimous-consent agreement under which the Senate is to proceed today.

The Chief Clerk read as follows:

*Ordered*, That on the calendar day of Friday, May 28, 1948, at the hour of 12 o'clock noon, the Senate proceed to the consideration of the conference report on the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, and that at the hour of 3:30 o'clock on said day a vote be taken on the question of agreeing to the report.

*Ordered further*, That of the intervening time 1 hour be allotted to those favoring the conference report, to be controlled by the Senator from Kansas [Mr. REED], and 2½ hours be allotted to those opposing the said report, to be controlled by the Senator from Kentucky [Mr. BARKLEY].

Mr. WHERRY. Mr. President, may I ask the distinguished Senator from Kansas [Mr. REED], who is in charge of the time for the proponents of the conference report, and the minority leader, the Senator from Kentucky [Mr. BARKLEY], who is in charge of the time for the opponents, if I may suggest the absence of a quorum, the time to be charged proportionately in the proper percentage to the proponents and opponents?

Mr. REED. That is satisfactory to me.

Mr. BARKLEY. It is agreeable to me.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll, the time to be charged proportionately to each side.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Myers |
| Baldwin | Hatch | O'Conor |
| Ball | Hawkes | O'Daniel |
| Barkley | Hayden | O'Mahoney |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Bridges | Holland | Revercomb |
| Brooks | Ives | Robertson, Va. |
| Buck | Johnson, Colo. | Russell |
| Butler | Johnston, S. C. | Saltonstall |
| Byrd | Kem | Smith |
| Cain | Kilgore | Sparkman |
| Capper | Knowland | Stennis |
| Chavez | Langer | Taft |
| Connally | McCarthy | Thomas, Okla. |
| Cooper | McClellan | Thomas, Utah |
| Cordon | McFarland | Thye |
| Donnell | McGrath | Tydings |
| Downey | McKellar | Vandenberg |
| Dworshak | McMahon | Watkins |
| Eastland | Magnuson | Wherry |
| Ecton | Malone | White |
| Ellender | Martin | Wiley |
| Feazel | Maybank | Williams |
| Ferguson | Millikin | Wilson |
| Flanders | Moore | Young |
| Fulbright | Morse | |
| George | Murray | |

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. BUSHFIELD], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Rhode Island [Mr. GREEN], the Senator from North Carolina [Mr. HOEY], the Senator from Illinois [Mr. LUCAS], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, under the unanimous-consent order, I was given charge of the time to be allotted to Senators in opposition to the conference report. I am compelled to be absent from

the Chamber a part of the time, attending a committee meeting. I ask unanimous consent that the Senator from Georgia [Mr. RUSSELL] be substituted for me in control of the time in opposition.

The PRESIDENT pro tempore. Without objection, the order is made.

Mr. REED. Mr. President, in the beginning of the movement of our commerce by railroad every railroad published its own rates. As railroad mileage increased the commerce increased, and the law required the establishment of through routes and joint rates. Conferences between railroads became a vital necessity in the rate-making scheme. Let me remind the Senate that we cannot ship anything without paying a rate, and the only rate we can pay is that which is published in a tariff filed with the Interstate Commerce Commission, or, on intrastate business, with a State commission. Through the years these conferences became an absolute necessity in the movement of commerce.

For 40 years the operation of these so-called rate bureaus went without challenge from any source, including the Department of Justice of the United States. In 1942 the Department of Justice, under a wholly strained construction of the antitrust laws, from my point of view, brought a grand jury proceeding in Chicago, which precipitated the movement which I hope will culminate today in a legalization of the rate conferences which are so absolutely necessary to the publication of rates on which the traffic of the country must move.

I am presenting on behalf of the conferees the last version of the bill which we started to write about 4 years ago. The version which I am presenting to the Senate today is, in my opinion, the most satisfactory version of the bill through the years. In a moment I shall point out the evolution of the bill which is offered as the conference report.

In a lifetime of experience with transportation I have never known a bill introduced in the Congress which so nearly commanded unanimous support. It commands the universal support of the shipping public. Approximately 950 approvals of the bill have been filed with the committee by shippers and shipping organizations. There is no opposition to the bill except some political opposition which comes from the Department of Justice.

The Interstate Commerce Commission approves the bill. The Office of Defense Transportation approves it. Every State commission in the country with the exception of two or three approves it. Every shippers' organization in the United States of which I have any knowledge has given this bill its approval.

The point made earlier against the bill was against House bill 221, which was introduced in the House last year. The language of that bill as to agreements was pretty broad. Section 2 reads:

> Any carrier party to an agreement between two or more carriers may apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement.

At no place in the bill was there any restriction as to the subject matter of the agreement. I introduced in the Senate, and the Committee on Interstate and Foreign Commerce reported, Senate bill 110, which was a rewriting of a bill which we had before us in the Seventy-ninth Congress. In the bill which I introduced, instead of letting the word "agreement" stand out by itself, we wrote in a definition limiting the subject matter of such agreements. We said:

> Any carrier, party to an agreement between or among two or more carriers concerning, or providing rules or regulations pertaining to or procedures for the consideration, initiation, or establishment of rates, fares, charges (including charges as between carriers), classifications, divisions, allowances, time schedules, routes, the interchange of facilities, the settlement of claims, the promotion of safety, or the promotion of adequacy, economy, or efficiency of operation of service, may * * * apply to the Commission—

One of those things must be the subject matter of the agreement in order to lay it before the Interstate Commerce Commission and obtain approval. There was some objection. Some of the shippers and some of the railroads would prefer that the railroad conferences be limited to those things which touch joint rates and through routes. Mr. President, we have met that objection. In the version of the bill upon which we have agreed with the House, and which the House has adopted, we have limited the subject matter of such conferences. We say:

> Any carrier party to an agreement between or among two or more carriers relating to—

And this is all that such conferences may consider and agree upon—

> rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, or procedures for the joint consideration, initiation or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement.

So the version of the bill on which the conferees have agreed is limited virtually to rates, fares, and charges, and joint rates and through routes.

Some opponents of the bill have misunderstood the character of agreements which the measure covers. Such agreements are described in the bill as those "relating to rates, fares, classifications, divisions, and allowances, or charges—including charges between carriers and compensation paid or received for the use of facilities and equipment.

It has been suggested that the language "compensation paid or received for the use of facilities and equipment" might enable carriers to make agreements among themselves as to the prices they would pay manufacturers for equipment. This statement, of course, is without the slightest foundation. It overlooks entirely the fact that the contracts covered in this connection are those relating to compensation paid "for the use" of facilities and equipment. Freight cars, and to some extent other equipment, do not remain on the lines of the companies which own them, but are freely interchanged. If this were not so, railroad service as we know it today, or any satisfactory service, would be impossible. It would be necessary to unload and reload cars at the terminus of every railroad.

By law we require joint rates and through routes; and the only way to make them is to permit the carriers to confer with each other. The Interstate Commerce Act, in section 1, gives the Interstate Commerce Commission the authority to fix—

> the compensation to be paid * * * for the use of any locomotive, car, or other vehicle not owned by the carrier using it (and whether or not owned by another carrier).

It also gives the Interstate Commerce Commission the authority to make regulations concerning the use by a carrier of equipment which it does not own and of other facilities including terminals. Thus the whole matter is in the complete control of the Interstate Commerce Commission, just as rates to be charged to shippers are within its control. Contracts dealing with matters of this kind, and related matters such as trackage rights, would fall within the language of the bill, but by no stretch of the imagination could that langauge be held to apply to agreements by railroads concerning purchases of equipment from manufacturers, either as to the manufacturer from whom the equipment is to be bought or as to the prices to be paid.

Moreover, no agreement between carriers, even those dealing with the matters specifically set forth in the bill, would receive any protection under this measure except such agreements as had been approved by the Interstate Commerce Commission and found by it to be in furtherance of the national transportation policy. The bill affords complete protection to the public interest with respect to agreements which do fall within its coverage.

Again, Mr. President, I say that I have never known of a piece of legislation pending in the Congress of the United States, affecting railroad transportation, including rates and the method of making rates, that has such universal support from the shippers of the United States as has this measure.

I yield the floor and reserve the remainder of our time.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. REED. I shall yield in the time of the Senator from Wyoming.

The PRESIDENT pro tempore. The Senator from Wyoming has no time.

Mr. REED. He will be allotted some.

Mr. RUSSELL. Mr. President, I shall be happy to yield time to the Senator from Wyoming.

Mr. REED. Mr. President, I am very happy to stand here and answer any questions the Senator from Wyoming wishes to ask.

Mr. O'MAHONEY. I am very happy, indeed, that the Senator from Kansas has made that concession. I submit to the Senate that the conference report which is now before us comes here under the recommendation of the Senator from Kansas, and I am of the opinion that he

should be willing to defend his conference report in his own time. But having read the conference report, I can understand very readily, Mr. President, why he desires to get off his feet as rapidly as he can.

Mr. REED. Mr. President, that is a demagogic statement for which there is not the slightest foundation.

Mr. O'MAHONEY. I beg the Senator's pardon.

Mr. REED. That was a demagogic statement for which there is not the slightest foundation.

Mr. O'MAHONEY. Mr. President, let us discuss demagogy for a moment, then.

Mr. REED. Very well.

Mr. O'MAHONEY. I hold in my hand a copy of the bill as it passed the Senate. It contained numerous amendments which were inserted by the Senate, after prolonged discussion. Every one of those amendments was intended to protect the independence of carriers, rights of consumers and the public interest. Every one of those amendments has been stricken out by the Senator's conference report. I submit that it is not an act of demagogy to ask the Senator, who comes here advising the Senate of the United States to forget the amendments it wrote into the bill, to explain why the amendments adopted by the Senate were incontinently thrown out by the conferees.

Mr. REED. Mr. President, does the Senator wish me to reply to that now?

Mr. O'MAHONEY. I should be happy to have the Senator do so. I think it is one of the obligations of the conferees to explain why they did not defend the bill as it was passed by the Senate. I assume that to be so.

Mr. REED. Mr. President, the Senate passed the bill after 5 days' debate. Late in the afternoon the Senator from Wyoming offered a number of amendments.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. I should like to ascertain which side of this controversy will be charged with this time.

The PRESIDENT pro tempore. So long as the Senator from Wyoming has the floor, the time is charged to the Senator from Georgia.

Mr. BARKLEY. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Does that apply where a Senator on the other side of the issue has the floor and yields to another Senator for a question?

The PRESIDENT pro tempore. Obviously it has to apply. The Chair is unable to understand how it will be possible to keep track of the time unless it is charged to the Senator who has the floor and who yields to other Senators.

Mr. BARKLEY. Of course, it make no difference to me. But to charge to the other side the time for questions which are asked of the proponent of the measure, who has the floor, is a rather unusual situation.

Mr. RUSSELL. Mr. President, I yield to the Senator from Wyoming for as much of 40 minutes at he cares to occupy.

The PRESIDENT pro tempore. The Senator from Wyoming is recognized for 40 minutes.

Mr. O'MAHONEY. Mr. President, before yielding to the Senator from Kansas, I wish to say that I completely understand the impossibility of having the Presiding Officer make any division of the time in this matter which is occupied by question and answer.

Mr. BARKLEY. Mr. President, at the moment when I spoke, I thought the Senator from Kansas still had the floor and was yielding to the Senator from Wyoming.

The PRESIDENT pro tempore. No, indeed.

Mr. O'MAHONEY. No; the issue arises simply by reason of the fact that when the Senator from Kansas had finished a very brief opening statement, he indicated that he would answer questions which might be directed to him for an explanation of the conference report, but would do so in the time of the opponents of the measure.

My point is simply that since we have such a very brief conference report, the least the conferees should do is explain the conference report in their own time. But I shall not press the matter.

The Senator from Kansas now, in my time, as I understand, is going to tell the Senator why the Senate amendments were dropped from the conference report.

Mr. REED. Mr. President, I wish to remind the Senator from Wyoming that I agreed, as representing the proponents of the report, to let the opposition have 2½ hours, as against 1 hour for the proponents of the measure. So, obviously we are at a disadvantage so far as the time on this matter is concerned.

Now I shall be happy to satisfy the Senator from Wyoming.

Mr. President, I hold in my hand a copy of the bill as it was passed by the Senate. It contains, on page 2, in line 16, an amendment which was offered by the Senator from Wyoming. In addition to the provision for the normal, formal hearings, notice of which is always given by the Interstate Commerce Commission, we wrote his amendment into the bill. Some of my colleagues on this side were rather critical of me for accepting this amendment, but I told them it did not hurt the bill any. It did not help it any, but we had been considering the bill for 5 days, and I was willing to accept an amendment and take it to conference, if the amendment did not actually weaken the bill.

So, when the Senator from Wyoming wanted us to write into the bill the words he suggested, as follows:

> After public notice in the Federal Register and public hearing not less than 60 days thereafter.

Although that was the first time in my experience that anyone had ever suggested that Interstate Commerce Commission proceedings should be published in the Federal Register, yet it did not make much difference; and in order to bring the matter to an end, I accepted that amendment.

On page 3, where reference is made to the maintenance of accounts, records, and files, the Senator from Wyoming asked to have inserted the words "and memoranda," preceding the words "and shall submit to the Commission." The words which he asked to have added there were accepted, and are included in the conference report before us today. So it is obvious that all the Senate amendments were not eliminated. If the Senator from Wyoming will examine paragraph (3) of the bill as agreed upon, he will find those words in it.

Further, there was added, on the suggestion of the Senator from Wyoming, a provision on page 3, at the end of paragraph 3, relating to the make-up of the conferences, which are generally composed of railroad men, and also frequently of shippers. The Senator from Wyoming wanted this language placed in the bill, and the Senate adopted it:

> No bank or other financial institution shall be a member of any such conference, bureau, committee, or other organization.

When we brought that up in the conference, the House managers simply laughed and said, "You do not seriously expect us to take any such bunk as that?" We did not insist upon it.

At another place, at the instance of the Senator from Wyoming, these words were written into the Senate bill:

> That the agreement is not unjustly discriminatory as between shippers or geographical regions or areas.

That is the law now.

Mr. O'MAHONEY. Then what is the objection to having it restated in this measure?

Mr. REED. The House managers insisted they were going to endeavor to write a good bill, and hoped we would try to do that, and omit provisions along this line. We accepted the amendment proposed by the Senator from Wyoming with respect to the submission of reports to the Commission. The remainder of the amendments were of such character that, if agreed to, they would not harm the bill when it went to conference. Does the Senator from Wyoming desire to comment further?

SHALL WE REPEAL THE ANTITRUST LAWS?

Mr. O'MAHONEY. Mr. President, the bill before us is probably one of the most significant bills, so far as the domestic economy of the United States is concerned, that will be under consideration by the Senate at this session.

I appreciate fully all or many of the difficulties which the managers of the railroads have with respect to the administration of their great trust. The railroads of the country have fallen upon rather difficult days, or at least they had fallen on difficult days before the war. They have competition from motorbusses, competition from airplanes. Their earnings in many instances had fallen off, and I can understand why railroad executives might desire, and do desire, to be free from the annoyance and the impediment of being subject to the antitrust laws.

There is a great demand on the part of business leaders throughout the United States to escape the antitrust laws. There is a great demand in international trade and business to escape the

effects of the antitrust laws. The managers of national and international business do not like competition. I remember very well that when Eric Johnston, head of the United States Chamber of Commerce, and Mr. William Benton went to Great Britain during the war for a conference with the industrial leaders of Britain, Lord McGowan, the head of Imperial Chemicals, Ltd., the great chemical trust of Great Britain, urged these American leaders—and this was reported by Mr. Benton in an article he wrote for Fortune magazine—to return to the United States and persuade, if they could, the Congress of the United States to repeal the antitrust laws. Of course, it would be utterly impossible to expect Congress to do a thing of that kind, but it may be possible to repeal the antitrust laws by little bits and pieces. That is what we are doing here today. If the pending bill should become a law, it would have the effect of repealing so far as the transportation systems of the United States are concerned, practically all the antitrust laws. It would have the effect of turning over to the managers of the railroads, the regulation of commerce by transportation in the United States.

I think that is demonstrable from a reading of the bill. When the measure was before the Senate in a nonprivileged status, on original passage, and the various sections were read and analyzed, we had no difficulty in writing into the bill certain provisions to protect the public and the consumer, because it was clear that the bill was a broad exemption from the statutes which prohibit restraint of trade and conspiracies to restrain trade.

Let me read from the conference bill. I read from paragraph 2 on page 1:

(2) Any carrier party to an agreement between or among two or more carriers relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules and regulations pertaining thereto, or procedures for the joint consideration, initiation, or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement (if approval thereof is not prohibited by paragraph (4), (5), or (6)) if it finds that, by reason of furtherance of the national transportation policy declared in this act, the relief provided in paragraph (9) should apply with respect to the making and carrying out of such agreement; otherwise the application shall be denied.

In very complex and technical language that is a mandate from the Congress of the United States to the Interstate Commerce Commission to approve agreements to be made by carriers in the United States by which they and not the Interstate Commerce Commission shall make rates. It has the effect of vesting in the carriers themselves the effective power to regulate commerce by interstate carriers in the United States, because the limitations which are contained in this language are not effective. They have certainly been made as weak as water by the elimination in conference of Senate amendments which were designed to prevent restraints. For example, paragraph 4 says:

The Commission shall not approve—

The use of the negative there gives the impression that this is a declaration by the Congress limiting the scope of the Interstate Commerce Commission to grant exemption from the antitrust laws; but if we read the paragraph, we find that as it is brought back to us by the conferees, such is not the case, but, on the contrary that it is the Commission which is limited. Let us read:

The Commission shall not approve under this section any agreement between or among carriers of different classes unless it finds that such agreement is of the character described in paragraph (2) of this section and is limited to matters relating to transportation under joint rates or over through routes—

I emphasize those words and call them to the attention of the Senate—

and is limited to matters relating to transportation under joint rates or over through routes.

One of the amendments which I offered and which the Senate adopted was to strike out the phrase "matters relating to transportation under joint rates or over through routes."

The reason the Senate dropped that phrase was because it was a broad grant of power to the new carriers organization to make all sorts of regulations without public supervision. "Matters relating to transportation" may be anything. Not rates alone but all matters relating to the whole broad problem of transportation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I should like to ask the Senator, inasmuch as I have not had time to study the report as fully as I should, whether the Interstate Commerce Commission, under the bill, could permit carriers to join together for the purpose of limiting service as well as for the purpose of fixing rates?

Mr. O'MAHONEY. That is my view, because the words are "matters relating to transportation." What is a matter relating to transportation? It might be anything in the world. Moreover, all facilities and all equipment are included in the grant.

Mr. AIKEN. That would be even more important, and could be even more disastrous, in certain instances, than the matter of fixing rates, could it not?

Mr. O'MAHONEY. Absolutely. The argument that is made regarding the Bulwinkle bill is that the carriers must confer in order to fix rates, in order to provide joint rates over through routes; but instead of asking for exemption from the antitrust laws for the making of such essential rates, they ask for relief from the antitrust laws as to all matters relating to transportation.

The Senate felt that that was too broad a grant, and so the Senate wrote in these various amendments.

I have before me, Mr. President, a copy of the bill as it passed the Senate. In order that the amendments may be available at one point in the RECORD I shall read some of the essential ones which were written in by the Senate and eliminated by the conferees.

On page 2 of the bill the Senate wrote in language requiring public notice in the Federal Register, and public hearing not less than 60 days thereafter, with reference to agreements. The conferees do not want public notice in the Federal Register. They do not want a public hearing. They ask us to adopt a conference report from which that provision has been eliminated. An open public hearing on the formation of the new system of private government for our transportation system is, in my opinion, highly essential.

REGIONAL DISCRIMINATION

The Senate wrote in a provision, which is also on page 2 of the bill, in lines 20 and 21, that the agreement should be "not unjustly discriminatory as between shippers or geographical regions or areas." What possible excuse can there be for eliminating from the bill this prohibition against an agreement that is unjustly discriminatory between shippers or geographical areas? Charges have been made and suits have been brought by the Government of the United States upon the ground that there has been unjust discrimination in fixing rates among shippers and among geographical areas.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. The Senator's words are very disturbing to me. As I listened, it occurred to me that any manufacturer depending upon common carriers for the delivery of his goods to market might find himself in a bad position, if he should incur the ill will of the common carriers, because, if they have such authority, he might virtually be put out of business.

Mr. O'MAHONEY. The agreements which the Interstate Commerce Commission would be under obligation to approve, if this bill should become law, are so broad and can be couched in such general terms that there is no telling what sort of impediment could be placed upon businessmen and shippers.

Mr. AIKEN. Will the Senator answer another question? Could the agreements made between carriers be put into effect before approval by the Interstate Commerce Commission or would their going into effect be withheld until after hearings, whether advertised or not, and approval by the Interstate Commerce Commission? As I understand, public utilities fix rates and put them into effect, and then sometime later the State or Federal commission approves or disapproves them. Would that be the case if this conference report should be agreed to?

Mr. O'MAHONEY. As I understand, under the present system, rates are fixed and become effective unless they are disapproved. This bill provides for the filing of applications for the approval of agreements. Such agreements are compacts among the carriers relating to transportation, through rates, and all other transportation matters. When the

agreement is approved, as I read the bill, the carriers' association, whatever it may be, takes over from then on.

Mr. AIKEN. But the agreement would have to be approved, would it not, before its terms could be put into effect?

Mr. O'MAHONEY. That is correct.

Mr. AIKEN. That is about the only safeguard there is, such as it is.

Mr. O'MAHONEY. Yes. Here is another illustration of the manner in which the conferees have eliminated safeguards: In the bill as it passed the Senate there was a semblance of an effort to preserve managerial prerogatives of individual carriers by providing, in paragraph 6, as follows—and I read the amendment which was written into the bill in the Senate:

Nothing in this section and no approval of any agreement by the Commission under this section shall be so construed as in any manner to remove from the purview of the antitrust laws any restraint upon the right of independent action by any carrier by means of boycott, duress, or intimidation.

PREVENTION OF ECONOMIC INTIMIDATION

Can anyone defend the elimination of that safeguard? The Senate said that under these agreements no individual carrier shall be subject to boycott, duress, or intimidation. The conferees ask us to approve a conference report from which that safeguard has been eliminated. The very heart of the Western and the Georgia cases is that coercions upon individual carriers are inherent in and exercised through an integrated railroad association structure which disciplines and enforces its mandates upon its members by economic pressure.

The Commission, under the bill, shall approve the agreements on the mere finding that by reason of the furtherance of the broad transportation policy declared in the Interstate Commerce Act relief from the antitrust laws should be granted. Such relief would apply upon approval of the agreement even though independent action was denied individual carriers by means of coercion exercised through the approved association procedure.

In other words, here is another example of the manner in which the safeguards written into the bill by the Senate to protect the shipper independent carriers and the public interest have been completely removed.

In paragraph (3), section 5a of the bill, the Senate wrote in an amendment with respect to the conferences, bureaus, and committee and other organizations to be established under the bill. This was the amendment:

No bank or other financial institution shall be a member of any such conference, bureau, committee, or other organization.

The purpose of that amendment was to make sure that these association agreements should be made by expert railroad men and not by the financial agencies which have so frequently been alleged to dominate the railroads. Even railroad men themselves denominate this road or that road as the road of such and such a financial institution. Are we to have the rates to be paid by 140,000,000 people in the United States written by associations which conceivably may be dominated by banks or financial institutions?

Why did the conference committee eliminate that amendment? There is no answer, and has been no answer except that the Senator from Kansas tells us one House conferee called the amendment "bunk." This I think explains, Mr. President, the fact that the conference report which comes to us is contained upon half a page of ordinary report size:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 110) to amend the Interstate Commerce Act with respect to certain agreements between carriers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

The technique followed was of course to strike out all after the enacting clause and submit a new amendment, which was a rewrite of the bill but without all these safeguards against monopolistic practices which had been written in by the Senate. Members of this body, therefore, now have the alternative of either defeating the conference report or approving and sending to the President a bill which is practically a blanket charter to the transportation companies of the United States to set up their own government of the railroads and transportation facilities.

The significance of this matter, particularly of the breadth of the provisions contained in the bill as written in conference, is to be seen by just a glance at paragraph 4.

Mr. AIKEN. Mr. President——

Mr. O'MAHONEY. Let me read paragraph 4 before I yield to the Senator:

(4) The Commission shall not approve under this section any agreement between or among carriers of different classes unless it finds that such agreement is limited—

And here the conferees struck out, as I have already pointed out, a safeguarding provision—

unless it finds that such agreement is limited to freight classifications or to joint rates or through routes—

Those words were stricken out—

and for purposes of this paragraph carriers by railroad, express companies, and sleeping-car companies are carriers of one class; pipeline companies are carriers of one class; carriers by motor vehicle are carriers of one class; carriers by water are carriers of one class, and freight forwarders are carriers of another class.

HUGE TRANSPORTATION COMBINE AUTHORIZED

The agreements may be made among the carriers of different classes. So here we have a charter from the Congress of the United States authorizing the creation of an association to combine all the various competing carriers under one organization not only to fix rates but to regulate practically all matters with respect to the business of transportation in the whole country.

I now yield to the Senator from Vermont.

Mr. AIKEN. The Senator has just answered the very question which I intended to ask him—whether this permission to enter into agreements for limitation of service or the fixing of rates applied to carriers of one class or whether carriers of one class could enter into agreements with carriers of other classes for the same purpose. The Senator has answered the question, and it seems to me that if the conference report shall be accepted as it is written, and means what the Senator from Wyoming has said it means, then we could find water, rail, truck, and possibly air carriers getting together to control the entire commerce of the United States, thereby controlling the entire economy of the United States and all people who are engaged in it. It seems to me we could scarcely comprehend a more dangerous suggestion for legislation than we find in the conference committee's report on the Bulwinkle bill. I thank the Senator.

Mr. O'MAHONEY. I thank the Senator from Vermont. I believe he is absolutely correct in his comments upon the effect of the report. This bill is much more than a mere grant of power to fix rates. It amounts to a delegation to a private organization of the power of Congress to regulate transportation.

As I said at the outset, the effort is now being made to take away from Congress and transfer to various industries the regulatory function, which in the public interest should be exercised by the Government.

Mr. AIKEN. Let me ask the Senator whether it is not true that all forms of transportation are gradually coming under the control of certain great financial institutions, just as the railroads have come under the control of such institutions. I do not know to what extent that is taking place—we know it is taking place to some extent—but it seems to me that therein is one important phase of the danger which we face. We might eventually find a transportation system controlled by a very few persons, who, through the advantages provided in the law here proposed—the special privileges, if you please—could control all industry and all commerce of the United States.

Mr. O'MAHONEY. I am very glad the Senator from Vermont has made that comment, because it points up a great danger which confronts the country. Economic concentration has been proceeding in the United States at an amazing rate, so fast that few people realize how far it has already gone. Let me say to the Senator that 250 of the largest corporations in the United States, nonbanking and nonfinancial, control, according to the findings of committees of the Congress, as much as almost 50 percent of the assets of all nonbanking and nonfinancial corporations. These 250 giants out of a total of 350,000 or 400,000 corporations, own almost 50 percent of all corporate assets. It is my impression, speaking from memory, that the nonbanking, nonfinancial corporations which, in the language of New York and the financial district, are included in the

First National-Morgan group, the Kuhn-Loeb, Rockefeller, Mellon group, and the other big financial groups, some eight of them in all, are the dominating power in corporations which control more than 28 percent of the assets of these 250 giant corporations. So there we have concentration upon concentration.

It works in another way. The figures which were compiled by the Small Business Committee of the Senate, and by the Temporary National Economic Committee, for example, show that of some 57 percent in value of all the industrial output of the United States is produced in industries in which the four largest corporations produce at least 50 percent of the total production. We are witnessing the abolition of the foundation upon which little business and local business stands. The control of the economy of the United States is vested in the managers of a comparatively few corporations. An economic collectivism is developing before our eyes and free competitive enterprise is being destroyed.

The story is revealed also in the concentration of employment. The Committee on Economic Development, an organization of American businessmen which was headed by Mr. Paul Hoffman, the president of the Studebaker Corp., now the head of the Economic Cooperation Administration, published a few years ago a little pamphlet on small business. The pamphlet recited the fact that of 3,000,000 nonagricultural businesses in the United States, probably about 1,000,000 were owned and operated by self-employed persons, without any other employees at all. Of the other 2,000,000, including all businesses in the United States, less than 1½ percent of them employed 55 percent of all the workers. In other words, millions of workers are employed by a handful of giants.

That is the concentration which has created the demand for labor unions like the CIO. It was economic concentration in the economic field which led to the creation of these great national unions. And if we look abroad we know that it was concentration in the economic field which led to the overthrow of free government in Italy and in Germany prior to the war.

Here we are following the same pattern by taking out of the hands of the public agency which represents all the people the power to protect and safeguard the people and handing it over to a new private association which will dominate the entire transportation industry of the country.

This bill fails to delineate the area in which carriers may legitimately collaborate in establishing through routes and joint rates. Paragraph (2) gives to the Interstate Commerce Commission a blank check to endow private associations with authority to govern the individual carriers and to fix all rates on an arbitrary and noncompetitive basis. This paragraph provides for approval of agreements "relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities or equipment), or rules and regulations pertaining hereto, or procedures for the joint consideration, initiation, or establishment thereof." This goes beyond approval of association agreements for the determination only of rates and fares. Obviously an agreement providing for joint action concerning rates and fares, as well as services to be performed and the schedules and timetables to be effectuated might be construed as an agreement relating to rates and fares." And similarly approval would be given to joint action concerning the limitation or extension of services, schedules, timetables and any other matter "relating to" rates and fare. In short, the bill gives antitrust immunity to agreements both in the field of services and in the field of rates and fares.

The words in parentheses show that these agreements go far beyond the field of rates—"(including charges between carriers and compensation paid or received for the use of facilities and equipment)." Facilities and equipment are manifestly a sphere where the managerial discretion of individual carriers should not be overridden by agreements or combination. Under this provision, agreements could be made preventing or retarding the use of air-conditioning and other modernized equipment or the standardizing and perpetuation of any type of equipment, however outmoded.

INTERSTATE COMMERCE COMMISSION HELPLESS

Approval by the ICC is made a mere matter of form in the conferees' bill. Actual approval of the specific rates and practices to be agreed upon by the carriers is not contemplated in the bill. The Commission will only approve the basic agreement or bylaws establishing an organization. Specific matters will never be brought before the Commission and the action taken will be exempt from the antitrust laws. This is shown by paragraphs (2) and (9).

Paragraph (2) states that the bill covers agreements "relating to * * * rules and regulations pertaining thereto, or procedures for the joint consideration, initiation, or establishment thereof." Thus Commission approval can be obtained under the act for an agreement containing nothing but rules and regulations or procedures for joint action. The agreement need not specify the actual action to be taken jointly by the carriers.

Section (9) confers immunity in the broadest terms, not only upon carriers but upon other persons and not only with respect to the making of such agreement but also with respect to the carrying out of such agreement in conformity with its provisions. This immunity is gained not just for actions actually submitted to or approved by the ICC. All that is necessary to obtain such immunity is that the agreement be carried out in conformity with its provisions.

Moreover the standard set up in paragraph 2 for the Commission's approval is so broad that disapproval is virtually impossible. This bill does not adopt the standard of consistency with "the public interest" as does section 5 of the present Interstate Commerce Act to guide Commission approval of mergers or acquisitions. The standard in this measure is anything the new associations choose to make it, for paragraph 2 makes it mandatory that the Commission shall approve any agreement if it finds that by reason of the furtherance of the national transportation policy declared in this act the relief provided in paragraph 9—exemption from the antitrust laws—should apply with respect to the making and carrying out of such agreements.

This national transportation policy of the Interstate Commerce Act is purely economic, designed to regulate all modes of transportation so as to preserve the inherent advantages of each, foster sound economic conditions in transportation and among the several carriers, to encourage the maintenance of reasonable charges, without unjust discriminations, or destructive competitive practices, the purpose of all of which is to meet the needs of the commerce of the United States, of the postal service, and of the national defense.

That policy is in such broad and general terms that an agreement establishing bylaws for an organization which copied the recitals contained in the policy would undoubtedly be approved. Indeed it seems quite likely that court action might be possible by way of mandamus under the Administrative Procedure Act, if the Commission disregarded the mandatory standard in paragraph 2. Thus the carriers could use the transportation policy as self-serving evidence to establish the general outline of an organization in furtherance of the vaguest kind of purposes.

A FREE OR A CONTROLLED ECONOMY

The question before the country now, and before the whole world, in reorganization after the war, is whether or not we shall have a free economy or a controlled economy. If we insist upon approving organizations and agreements of the kind which will be approved by this bill, we will be making it absolutely certain that public regulation will be a thing of the past.

The PRESIDENT pro tempore. The Senator from Wyoming has one more minute remaining.

Mr. O'MAHONEY. As a result, the whole economy of the United States will be in the hands of the industrial managers, to do with as they please, and that in turn will lead exactly to the sort of turbulence we experienced throughout the world. We cannot promote economic freedom by permitting concentration like this.

Mr. President, the United States must decide whether it will have a free competitive economy or controlled economy, controlled by private interests themselves instead of being regulated by a free Government. This bill, Mr. President, proposes economic concentration such as we have never had before, and I certainly hope the Senate will reject the conference report.

Mr. RUSSELL rose.

The PRESIDENT pro tempore. The Senator from Georgia [Mr. RUSSELL] is recognized.

Mr. RUSSELL. I yield myself 18 minutes, Mr. President.

The PRESIDENT pro tempore. The Senator is recognized for 18 minutes.

Mr. RUSSELL. Mr. President, the conference report should be rejected. I can-

not conceive of any measure more dangerous to the American competitive system than the bill which is now pending in this report. The country has grown great upon the theory of free competition. In pursuance of that theory the Congress of the United States nas enacted antitrust laws to protect small and struggling enterprises, and to assure that the great centralization of wealth and power in the hands of a few should not be used to extinguish the rights of the many. The antitrust laws, Mr. President, are the greatest single protection of those who have ambitions for the future. Heretofore they have, to some extent at least, protected the several sections of the Nation against unfair combinations which would further centralize the wealth and power of industrial development in favored areas.

The bill before us is fundamentally unsound, and should be rejected because it undertakes to immunize the transportation industry, one of the greatest industries of the Nation, with all its allied and coordinate parts, from the operation of the antitrust laws.

Mr. President, the bill, if adopted, can but set the stage for vast monopolies and cartels in America which will eventually extinguish the competitive system. It was bad enough as passed by the Senate, because the Senate bill exempted carriers from the operation of the antitrust laws when they followed the course of action laid down in the original bill. The bill that comes back from the conference has stripped from it the Senate amendments which would have prevented the great banks and financial institutions from being involved in the carrier organizations which are to have virtual power to fix their own rates under the terms of the bill.

Mr. President, for a great many years the West, particularly the far West, and the South have been waging a long and costly and painful battle in an effort to secure some measure of equality in freight rates. I deem it unnecessary here, Mr. President, to attempt to go into detail as to the almost insuperable handicap which is placed upon one section of the country when it suffers from disadvantageous freight rates as compared with another section of the country. It is elemental that a certain part of the cost of every commodity used by every American citizen and in every American home is attributable to freight rates and the payment of transportation charges. The cost includes not only the cost of transportation of the finished product but also of the raw material. It is impossible for any section of this land to secure its fair share of industrial development if it is handicapped by unfair freight rates which work against it both ways under the system this bill will perpetuate.

If this bill should be enacted into law, in my judgment, it would mean a death blow to any future hope of simplifying the elaborate and complicated rate structure of the Nation. We all recall that when the measure was pending before the Senate it was pointed out that the various freight rates not only run into the millions but into the trillions under the system which has heretofore obtained. That unconscionable situation is largely due to the fact that the carriers have built up a complicated rate structure, aided and abetted by the Interstate Commerce Commission, which has never gone to the heart of the question and simplified the rate structure so that the people who were paying the freight could understand what they were paying and why they were paying it and determine whether or not it was a just charge against them.

It has been the fond hope of many persons that some day the Interstate Commerce Commission or the Congress would have the courage to strike through and cut out this structure of millions or trillions of rates and simplify the rate structure, making it fair to each section, to each industry, and to competing carriers. If this bill should become a law and these associations should be legalized and permitted to fix rates, instead of simplifying the structure, we shall only continue to complicate it and make it even more difficult for any person, even though he be a member of the Interstate Commerce Commission, ever to understand the rate structure.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. O'MAHONEY. Is it not a fact that the bill as it now comes before the Senate merely provides for the approval of the basic agreement by the Interstate Commerce Commission, and does not provide for the submission to the Interstate Commerce Commission of the rates and other charges fixed by the association?

Mr. RUSSELL. That is my understanding of the measure. It approves only the basic agreement. Therefore the rate structure will continue to become more complicated and involved, and more discriminatory against sections of the country which have heretofore been all but eliminated from the industrial picture of the Nation.

Mr. O'MAHONEY. Is it not a fact that the question which is presented to us is whether or not we are to vote—as we shall if we vote for the conference report—to authorize the Interstate Commerce Commission to approve certain types of associations to which will then be delegated the power which the people of the United States think the Interstate Commerce Commission has to protect them in their rates?

Mr. RUSSELL. That is my understanding of the effect of the pending legislation.

Mr. O'MAHONEY. That will not be denied by any proponent of the bill.

Mr. RUSSELL. Mr. President, not only will the bill end forever any hope of securing simplification of the very complicated rate structure, but the enactment of the bill will be a death blow to the hopes of the Southern and Western States to be permitted to share in the industrial development of the Nation. If we enact this bill, the great advantage which is now enjoyed by the Official Territory will be perpetuated, and none of the other areas can ever hope to share in the benefits of an industrial diffusion which is essential if we are to have a balanced economy and general prosperity.

The bill would give to a few men almost complete power over the rate structure, not only of the railroads, but of trucking companies, water carriers, and any other form of transportation. It will make sure that in the future the great banking houses which advance the loans which keep transportation companies in operation can determine, down to a pinpoint on the map, where there shall be located any great industry, because it will be impossible to locate an industry and hope to have it operate successfully in an area which is discriminated against in freight rates. The buying public would not pay the additional charges represented in the cost price to the individual consumer in the case of a manufacturing concern which did not enjoy the benefit of favorable rates.

For a great number of years the Southern States—and, indeed, the Western States—have struggled at great cost in an effort to secure more favorable freight rates. We have seen those sections kept to an agricultural economy, not because the people were unable to produce in industrial plants, not because there were not available labor, electric power, and water resources necessary to carry on a successful industry, but because they were handicapped by an unfair rate structure.

The decisions of the Interstate Commerce Commission within the past few years gave us some hope that a new day was about to dawn, when areas in the West and in the South would be admitted to full fellowship in the Union and would be permitted to compete on equal terms with the centralized industries of the official territory. If this bill is enacted into law, making it possible—as it will—for a few banking houses and two or three of the larger railroads completely to dominate and manipulate the rate structure, the day for which we have been hoping will be even longer deferred.

Mr. President, there is a great deal of talk about the nationalization of the railroads, and having State-operated railroads in the United States. I have always been strongly opposed to any system of Government-owned transportation in America. But if through the operations of this bill unfair freight rates and handicaps for the people of the West and of the South are increased, the day will come when the very ones who are undertaking to help the railroads in this bill will have delivered them over to national ownership, because those great areas of the country will not forever stand by and permit themselves to be shackled and handicapped by the unfair advantages which accrue to the Official Territory today.

The bill not only gives an unfair advantage over those sections. It gives an unconscionable advantage to a few over the smaller transportation companies. What chance would a small railroad have to buck a decision of the great railroad organizations of the country with respect to a schedule of freight rates? It would immediately be cut off the forwarding lists, and eliminated from business. What chance would a small independent trucking concern—and there are literally thousands of them over the country—have to obtain a fair deal with

respect to rate schedules? If it protested against injustice, it would be subjected to slow death.

There is one further reason why I am unalterably opposed to the adoption of the conference report, and that is its effect upon a cause of action filed by my State, the sovereign State of Georgia, in the Supreme Court of the United States as a court of original jurisdiction. That case was filed seeking relief against future operations of the unfair rate structure. The Supreme Court allowed the case to be filed. It was submitted to a master for determination. Extended hearings have been held, at great expense. Testimony was submitted at great length to the Supreme Court. The master is even now working upon his report to the Supreme Court. If this bill is enacted into law it will absolutely destroy the case of the State of Georgia in the Supreme Court, so far as any hope of future relief is concerned. It will not only deny the jurisdiction of the Court in the case which is pending, but it will also strike down the so-called Western case, which was filed in behalf of the people of the Western States, which case is also in process of litigation.

Mr. President, my opinion of the Supreme Court or of the individuals who compose it at the present time is perhaps not a great deal higher than that of many other persons; but that Court is still the court of last resort in the Nation, without regard to the opinion we may have of some of the propriety of some decisions handed down by it. That Court still plays an important part in the scheme of our Government whereby we recognize the integrity of the legislative branch, the judicial branch, and the executive branch of the Government.

Mr. President, I have never voted for a bill, without regard to my views on the proposed legislation, that tended to take away from the jurisdiction of the Court a case which was pending before it and which the Court was preparing to handle in the orderly manner prescribed by our Constitution, our laws, and our customs. I say it is an unfair and unjust and an unconscionable use of legislative power for the Congress to step in at this late date and deny the State of Georgia the right to have a determination made of that case on its merits, now that the case is pending in the Supreme Court of the United States.

Mr. President, I shall not speak at length today on this measure. The vote which was had when the bill originally was passed by the Senate would indicate that there is a strong possibility that this conference report may be approved. I hope the President of the United States will carry out the intention attributed to him in the press, and will disapprove this measure when it is submitted to him. When he does disapprove it, as I anticipate he will, and the bill is returned to the Senate, I shall speak at some length when there is some hope that we shall be able to obtain justice not only for the State of Georgia but for the States that will be seriously injured and will be hampered in their future development by the enactment of this measure.

Mr. President, the Senate conferees should have stood firm on the amendment which preserved the right of action of the State of Georgia. It was adopted by the Senate finally by almost a unanimous vote, after having been discussed for several days. It was strongly contended by many Senators that there was no intention to deny the State of Georgia the right to have that case come before the Supreme Court. Yet, when the measure comes back from conference, that amendment, which I do not have time to read now, so I shall ask to have it printed in the RECORD, has been eliminated from the conference report.

The PRESIDENT pro tempore. Without objection, the amendment will be printed at this point in the RECORD.

The amendment is as follows:

(11) The enactment of this section shall not—

(a) deprive the Supreme Court of jurisdiction to hear and determine the case of *Georgia* v. *Pennsylvania Company et al.*, Docket No. 11 (original), October term, 1945, or any proceeding for the enforcement of the provisions of any decree entered in such suit;

(b) change any principle of substantive or procedural law otherwise applicable in the determination of such suit or proceeding, or deprive any party to such suit of any relief to which such party would be entitled but for the enactment of this section; or

(c) render lawful the performance of any past or future act which shall have been found by the Supreme Court in such suit or proceeding as it relates to the parties to such suit to be unlawful or which shall have been prohibited by the terms of any decree entered therein or any supplement thereto or any modification thereof.

Mr. RUSSELL. Mr. President, I yield 20 minutes to the Senator from Alabama.

The PRESIDENT pro tempore. The Senator from Alabama is recognized for 20 minutes.

Mr. HILL. Mr. President, when this bill was originally before the Senate, I spoke at some length regarding it, endeavoring to demonstrate to the best of my ability why I felt that it was evil and iniquitous and would lead to unfortunate and dire consequences for the private-enterprise system of our country.

The Senator from Georgia just referred to the fact that this measure would legislate out of the Supreme Court of the United States the case brought by the State of Georgia in an effort to destroy unfair and unjust freight-rate discriminations. One of the very purposes of the measure is to step in and take this case out of the hands of the Court, because the railroads know they cannot meet the test before the Court. The railroads know that they are now in violation of the antitrust laws. So what they seek to do by this measure is remove themselves from the antitrust laws, and set up for themselves a supergovernment, and have the Congress, by means of this act, put its stamp of approval upon a great cartel monopoly for the control of transportation and many allied industries in these United States.

In 1944 the Supreme Court, in the previous case of the State of Georgia against the Pennsylvania Railroad and other railroads, had this to say:

Discriminatory rates are but one form of trade barriers. They may cause a blight no less serious than the spread of noxious gas over the land or the deposit of sewage in the streams. They may affect the prosperity and welfare of a State as profoundly as any diversion of waters from the rivers. They may stifle, impede, or cripple old industries, and prevent the establishment of new ones. They must arrest the development of a State or put it at a decided disadvantage in competitive markets.

Mr. President, the Supreme Court could not have spoken with greater accuracy and could not have described better the very situation which exists today, the very situation which the railroads, by means of the pending measure, seek to implant permanently upon the economic structure of the country, because the railroads know that what the Court said in 1944 is absolutely true.

The railroads wish to take the pending case of the State of Georgia out of the hands of the Supreme Court. They know the only way they can save the supergovernment they have erected, the cartel monopoly they have created, is by having the Congress repeal existing laws and pass new laws granting them a special status which is not given to other industries or other businesses in the United States.

Mr. President, perhaps the best brief statement which has been made regarding this measure was one which was made at the time when the Committee on Interstate Commerce was holding hearings on it. That statement was made by the then head of the Antitrust Division of the Department of Justice, Mr. Berge.

Mr. President, I ask the Chair to advise me when I have 7 minutes remaining.

When he was testifying before the Committee on Interstate Commerce, Mr. Berge said this:

1. Through the device of a hierarchy of associations, headed at the top by the Association of American Railroads, the transportation monopoly, in combination with monopolies in other basic industries such as the steel, cement, and oil combines, has so fixed transportation prices as to maintain the industrial status quo and to prevent new enterprises from competing with the industrial monopolies.

Mr. President, what the railroads have done under this cartel monopoly system has been to place tariff walls around certain sections of the United States. They put those tariff walls around the eastern section, known as the official territory; and before any manufactured article or any agricultural product can go into the eastern section, it must pass through those tariff walls and have a tariff levied upon it. Moreover, consumers within these tariff walls have a tariff put upon them because they have to pay the tariff on the products which come from without the tariff walls.

So this measure not only constitutes a rank injustice to the great western and southern and midwestern sections of the United States which have to pay these tariff rates on goods or products going into the eastern section, where the great purchasing power of the country is, where the great mass of the consumers live, but the consumers within these tariff walls have to pay these extra taxes in order to get the products from without the tariff walls.

Mr. Berge proceeded as follows:

2. The arbitrary rail-rate structure established by the illicit monopoly has prevented southern and western regions from developing competitive industries.

We of the South and Senators from the West know how these two areas in many ways have been kept in a somewhat, shall I say, a quasi-colonial status. At least, they have been denied the opportunity to develop as they were entitled to develop in view of their wonderful resources and the character, genius, and capacity of their people, because they have been shut out by these tariff walls.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I have but a few minutes remaining.

Mr. HATCH. I do not want to take the Senator's time.

Mr. HILL. I yield. I realize the Senator's State is very much affected by the pending legislation.

Mr. HATCH. Is it not a fact that many of the great railroad systems, such as the Santa Fe, which have the interests of the West and the regions they serve at heart, are actually prevented from making necessary adjustments in connection with the conditions under which they operate?

Mr. HILL. The Senator's statement is exactly true. Many of the railroads that would like to remove unfair and unjust discriminations and to serve the West, the South, and indeed, the entire country, that would like a fair and equal opportunity to reach the markets of the Nation cannot do so because of this supergovernment. The supergovernment of railroads will not let the railroads do the fair and just thing. Undoubtedly what the Senator from New Mexico has suggested many of the railroad systems would like to do.

I have not time to go into it, but the truth is that this whole thing, of course, heads up, as Mr. Berge says, in a hierarchy, and the hierarchy is controlled by the investment bankers of New York, largely by the two great houses of Morgan & Co. and Kuhn, Loeb & Co. Here we find the investment bankers on Wall Street and elsewhere in New York controlling in large measure the economic fortunes and fate of the people of the entire country.

The pending bill realizes that kind of supergovernment in the United States. Berge says the bill would legalize and perpetuate the coercive powers—the coercive powers the Senator from New Mexico had in mind—to force the railroads to do things that they themselves do not wish to do. I read further from the statement made by Mr. Berge:

4. The bill would legalize and perpetuate the coercive powers of the Association of American Railroads and its subsidiary organizations, which compels adherence by individual railroad members to the prices fixed by the action of those associations and compels individual roads to do the bidding of the powerful railroads which dominate the Association of American Railroads and which combine with the powerful industrial monopolies.

That is, the oil, the steel, the cement industries. Those are the monopolies.

Mr. President, I shall not have time to include the reading of Mr. Berge's summarization of the bill, but I should like consent to place it in the RECORD at this point in my remarks.

There being no objection, the remainder of the summarization was ordered to be printed in the RECORD, as follows:

5. Competition between the various forms of transportation, the railroads, the trucks, the freight forwarders, the barge lines, and the pipe lines, has been effectively curtailed through joint action between the organizations in each of those modes of transportation, which have conspired to raise the level of rates in each form of transportation to the highest level.

6. The proposed legislation would facilitate the strengthening of the combinations in each mode of transportation and would encourage the further curtailment of competition between them.

7. The power of the transportation monopoly is so great and the control exercised by the dominant members over all of the railroads in the United States is so tremendous that they have been able to flout with impunity the orders issued by the Interstate Commerce Commission, and even to prevent individual railroads from entering into joint rail-truck arrangements in accordance with the laws enacted by Congress.

8. Individual carriers have been prevented from initiating or modifying rates or from protesting against rates proposed by other carriers, in accordance with the Interstate Commerce Act, without subjecting themselves to veto powers within the hierarchy of associations.

9. Technological improvements have been impeded, air conditioning in passenger trains has been prevented, fast freight and passenger service which some railroads wanted to furnish have been prohibited by railroad associations, and improvements in service and facilities have been curtailed.

* * * * *

This bill raises most serious and fundamental questions of policy which this committee and the Congress must determine. The bill would establish a precedent which would encourage other industries, already chafing under the limitations imposed by the antitrust laws upon the concentration of economic power in private groups, to seek similar immunities.

Mr. HILL. Mr. President, if the pending bill is passed today, fortunately it will go to the desk of a President of the United States who understands the whole railroad transportation problem. It will be recalled that when the present incumbent of that high office was a member of this body, he served as a member of the Committee on Interstate Commerce, and as chairman of a subcommittee which made an investigation of the whole subject of railroads, bus lines, motor carriers, and water carriers, and indeed of the whole field of transportation in this country. After that thorough and exhaustive study and investigation made by the present President of the United States, he characterized the system of the Association of American Railroads in words which I have used here today. He employed the words "cartel monopolies." After characterizing the association forming these "cartel monopolies," the President went on to say:

Even if we limit this number—

That is, the number of railroads—

to the present number of class 1 railroads—137—still we would be freezing the status quo and departing from a fundamental American freedom, the freedom of opportunity.

He then added:

I believe that the proposal is fundamentally based upon the concept that a permanent level or pattern of transportation has been achieved, and it is now simply a question of organizing its structure and distributing its fruits.

That is what these investment bankers are doing, holding to this structure. The President uses the expression "distributing its fruits." If he had applied his remarks to the investment bankers he would no doubt have said "taking the fruits."

Commenting on the words of the President, the author of the book had this to say:

The railroad program seeks to protect the railroads' investments, regardless of the economic cost to the Nation. It is being advocated in the name of "free enterprise" and under the slogan "preserve the enterprise system," but there is no freedom and there is no enterprise in it.

And as a final bow to competition, the sponsors of the plan conclude that there shall be no competition in rates and charges but only in services.

The PRESIDING OFFICER. The Senator has 7 minutes of his time remaining.

Mr. HILL. I thank the Chair.

In Mexico, on March 4, 1947, the President uttered these words:

There is one thing that Americans value even more than peace. It is freedom—freedom of worship, freedom of speech, and freedom of enterprise. It must be true that the first two of these freedoms are related to the third.

In other words, Mr. President, what the President of the United States was saying was that if we destroy free enterprise in this country it will not be long before we shall have lost also freedom of worship and freedom of speech. We cannot have a monopolistic, regimented, and Fascist system of economy and continue to enjoy freedom of speech and freedom of worship.

The President then concluded his speech with these words:

For, throughout history, freedom of worship and freedom of speech have been most frequently enjoyed in those societies that have accorded a considerable measure of freedom to individual enterprise. Freedom has flourished where power has been dispersed. It has languished where power has been too highly centralized. So our devotion to freedom of enterprise, in the United States, has deeper roots than a desire to protect the profits of ownership. It is part and parcel of what we call American.

Mr. President, it has just been recalled to my memory that during the debate in the Senate regarding the development of the St. Lawrence waterway the evidence disclosed that the railroads of the West were in opposition to that development. The opposition on the part of the western railroads was impelled by the same super-government, the cartel monopoly with reference to which I am speaking.

In opposing the bill today we plead for the free American enterprise system. We believe that if the bill shall be enacted and the railroads are permitted to persist in their cartel monopoly, the door will be opened wide not only for Government ownership of railroads, but

for Government ownership of other industries, for the socialization of the American economy, and for the surrender and the loss of freedom throughout our land.

Mr. HATCH. Mr. President, I do not desire to speak, but I have learned that the Senator who was to follow the Senator from Alabama [Mr. HILL] is not now available. I do not know whether any other Senator is ready to proceed at this time on either side. If not, I suggest to the acting majority leader that the absence of a quorum might be suggested and that the time consumed be divided between the proponents and the opponents.

Mr. WILLIAMS. That would be agreeable.

Mr. HATCH. Mr. President, I suggest the absence of a quorum, with the request that the time be divided between the respective sides.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Chair understands that the Senator from New Mexico [Mr. HATCH] and the Senator from Delaware [Mr. WILLIAMS] are in agreement with respect to a quorum call.

Mr. WILLIAMS. Mr. President, do I correctly understand that the time will be proportionately divided?

The PRESIDING OFFICER. That is correct. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Myers |
| Baldwin | Hatch | O'Conor |
| Ball | Hawkes | O'Daniel |
| Barkley | Hayden | O'Mahoney |
| Brewster | Hickenlooper | Pepper |
| Bricker | Hill | Reed |
| Bridges | Holland | Revercomb |
| Brooks | Ives | Robertson, Va. |
| Buck | Johnson, Colo. | Russell |
| Butler | Johnston, S. C. | Saltonstall |
| Byrd | Kem | Smith |
| Cain | Kilgore | Sparkman |
| Capper | Knowland | Stennis |
| Chavez | Langer | Taft |
| Connally | McCarthy | Thomas, Okla. |
| Cooper | McClellan | Thomas, Utah |
| Cordon | McFarland | Thye |
| Donnell | McGrath | Tydings |
| Downey | McKellar | Vandenberg |
| Dworshak | McMahon | Watkins |
| Eastland | Magnuson | Wherry |
| Ecton | Malone | White |
| Ellender | Martin | Wiley |
| Feazel | Maybank | Williams |
| Ferguson | Millikin | Wilson |
| Flanders | Moore | Young |
| Fulbright | Morse | |
| George | Murray | |

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, the Senator from Georgia has indicated that he is willing to yield me a little time now. I shall take a very few minutes, because I am compelled to go to a meeting of the Committee on Foreign Relations at 2 o'clock.

Mr. President, I am opposed to the conference report for the same reason that actuated me in opposing the bill when it was passed in the Senate at the last session of the Congress. I am opposed to it because I am opposed to exempting industries or corporations from the operation of the antitrust law. I was opposed to such legislation in regard to the insurance business when, in order to forestall a decision of the Supreme Court of the United States, the sponsors of legislation attempted to exempt the insurance business from the operation of the antitrust law because the Government of the United States had brought a suit against certain insurance companies charging them with violation, and subsequently the Supreme Court of the United States reversed a previous decision and held that insurance was interstate commerce and subject to regulation.

Step by step this form of legislation can whittle away the jurisdiction of the courts dealing with great corporations under the antitrust law. I have no antagonism at all to railroads, any more than I have to banks, or any other form of corporate organization. I have no prejudice of any sort whatever. But if we are to have an antitrust law, if we are going to attempt to punish and prevent combinations in restraint of trade, we cannot do it if one by one we are going to exempt industries and agencies engaged in interstate commerce, either as manufacturers or as transportation companies, from the operation of the law.

For a long time my section of the country has been a victim of what has been complained of, and any other section of the country might be equally victims, depending upon changing circumstances from time to time. I realize that it is argued that the Interstate Commerce Commission is required to approve every rate and every agreement entered into between railroads affecting various sections of the country and the transportation of the United States generally, but in my judgment it is not sufficient to have merely the Interstate Commerce Commission approving or disapproving rates. That is an administrative act upon their part.

The Federal Trade Commission has authority in certain fields to supervise the operations of private corporations, to consider complaints made against one industry by another, or by one part of an industry against another. They have the authority to issue orders to cease and desist certain practices calculated to choke the channels of commerce. The Federal Trade Commission was established as a tribunal where complaints might be heard and decided without the long delays experienced in the courts, or the bringing of antitrust suits by one company or by one individual against another. But we did not exempt corporations which are subject to regulation by the Federal Trade Commission from the operation of the act to regulate commerce or the Antitrust Act. By the same token, I do not believe that the mere fact that we have an Interstate Commerce Commission, as an agency of the Congress, to regulate commerce among the States, just as the Federal Trade Commission is an agency of the Congress, should lead us to exempt transportation companies from the operation of the antitrust laws.

I said all I possibly could say against the bill when it came up originally in the Senate. I supported the amendments to which reference has been made by the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], and other Senators, because in some degree they were intended to soften the operation of the Bulwinkle bill, in behalf of which there has been a constant drive before Congress for a long time. The Senate conferees have thrown out the window all the amendments added by the Senate. The conference report merely says that they have surrendered to the House conferees, and accepted the House bill which came to the Senate, and all our work to protect the public interest and the interests of consumers and shippers, and even some railroads, has gone for naught in the conference.

I cannot support the conference report. I do not know that it is necessary for me to say any more about it. I presume it will be agreed to. I sincerely hope that if it is, and the bill goes to the President, he will veto it. I have no knowledge as to what he will do; I am expressing my hope that he will disapprove it. If so, I hope Congress will sustain his disapproval.

I do not know of any injustice that has come to the railroads as a whole because they are subject to the antitrust laws. No one has claimed that they have been outraged or that they have been denied their rights. They have not been denied their rights, and they have not been the victims of any injustice in the courts, and it seems to me there is no occasion for such legislation. Therefore I oppose it.

Mr. RUSSELL. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield to the Senator from Georgia.

Mr. RUSSELL. If Congress should exempt the great railroad industry from the operations of the antitrust law, would that not be a precedent for Congress then proceeding to take up other industries which might claim that the antitrust law handicaps them, and would we not eventually whittle away the only protection the small independent businessman and the consuming public of America have?

Mr. BARKLEY. The Senator is correct in his assumption, and I said a moment ago that the effort being made is part of a series of efforts to whittle away the jurisdiction of the courts of the United States in the administration of the antitrust law. There is no more occasion for exempting the railroads from the operation of the antitrust law than for exempting the corporations or the industries which ship goods over the railroads. They are all a part of our interstate commerce set-up. They are all subject to the commerce clause of the Constitution. What is proposed is a whittling away of the jurisdiction of the courts to determine questions relating to interstate commerce based upon the facts which will be submitted to them.

I do not believe the bill is in the interest of the public, I do not believe it is in the interest of the consumers or shippers, and I do not believe it is ultimately in the interest of the railroads themselves, to engage in this whittling process, to take them out from under the operation of the antitrust laws,

which have been applicable since 1887, when the first act to regulate commerce was enacted by the Congress.

I thank the Senator from Georgia for his fortification of my argument against the proposed legislation.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. How much time remains to the opponents of the conference report?

The PRESIDING OFFICER. The Senator from Kansas has 41 minutes; the Senator from Georgia has 40 minutes.

Mr. RUSSELL. Does the Senator from Kansas desire to take any further time now? I realize that the Senator from Kansas would be entitled to conclude the debate, as the proponent of the report, but if he has any other speakers, it would be better to interlace the speakers than to have a number of those who are proponents conclude the argument.

Mr. REED. I yield 10 minutes to the Senator from New Jersey [Mr. HAWKES].

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 10 minutes.

Mr. HAWKES. Mr. President, I do not want to take much time to discuss the conference report. The distinguished Senator from Kansas has made a very direct and simple statement of why the report was made and agreed to by the conferees.

I was a little surprised when, a moment ago, I heard the Senator from Kentucky [Mr. BARKLEY] say that the bill was not in the interest of the shippers. If I remember correctly, nearly every shipper in the country who takes part in anything of the kind covered by the bill, was before the committee. I believe several hundred shippers were represented before the committee. I will ask the Senator from Kansas if I am incorrect in that statement.

Mr. REED. Mr. President, some nine-hundred-odd shippers' organizations, representing shippers, speaking for shippers, endorsed the passage of the bill.

Mr. HAWKES. Mr. President, I should like to confirm, as being in accord with my belief, the things the Senator from Kansas has already said, and thus avoid taking time to repeat them.

It seems to me the measure is necessary for the successful conduct of our transportation system. I am one who does not believe in harassing private industry, or quasi-public industry—I have in mind quasi-official bodies such as the railroads with the Government controls and regulations that are now upon them—with litigation over the least thing that is done by them. I do not believe such harassment is in the interests of our people in general. If I had not believed that the bill was necessary for an intelligent, successful operation of our transportation system, I would not have been in favor of it.

This particular legislation, has been before the Senate and the House of Representatives for something over 4½ years. Legislation of this type has been debated time and again. Congress has previously arrived at its decision respecting it. Now the proposal is back in a simplified form, a form which seems to meet the views of a very substantial majority in the House and in the Senate.

The Interstate Commerce Commission is strongly in favor of the bill. I am one who believes that the Interstate Commerce Commission has rendered a very substantial and satisfactory service to the people of the United States. The Commission has made a few mistakes, as have most other agencies of government, but I have faith in the Commission, and if the bill becomes law, I have faith that the Commission will not approve agreements which will be inimical to the interests of the shipping public or the consuming public.

In connection with the amendment of my very dear friend the distinguished Senator from Georgia [Mr. RUSSELL], I merely want to make a few comments. I was out of the Chamber at the time the Senator from Georgia submitted his amendment, and when I returned was told what had been done. I felt then that the amendment was not compatible with the purposes of the bill, and had I been present at the time the amendment was considered I should have spoken against it.

The Senate in passing S. 110 included a much discussed provision, paragraph (11), the so-called Russell amendment, the meaning of which is ambiguous and obscure. In any event, it is clear that it attempted to retain in the Supreme Court its jurisdiction of the case entitled "Georgia against Pennsylvania Railroad."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HAWKES. I yield.

Mr. RUSSELL. I am glad the Senator made that statement, because even though the amendment was "obscure," according to the Senator's interpretation, it very clearly was intended to protect the rights of the State of Georgia in the cause of action pending in the Supreme Court.

Mr. HAWKES. Yes; that is perfectly clear.

It also provided that the enactment of the bill would not change any principle of substantive or procedural law otherwise applicable in the determination of the Georgia suit, or render lawful the performance of any past or future act which shall have been found by the Supreme Court in such suit to be unlawful.

It is appropriate here to observe that the House, on May 11, by an overwhelming majority of 5 to 1 passed S. 110 without this amendment. An amendment similar to the Russell version was itself defeated by a vote of 97 to 38. Both the House and Senate conferees agreed in conference a few days ago that this amendment should be discarded. The House has again approved the bill without it.

Let us ask ourselves frankly whether the pending Georgia case affords any reason for not passing this bill. The answer is strongly in the negative. In the first place this bill is an effort to express a policy of Congress with respect to two of its own statutes. Legislative policy is a prerogative of the legislative body and not of the courts.

Evidently one of the purposes of those who oppose this bill is to have the regulation of transportation entrusted to the Department of Justice and the courts rather than to the Interstate Commerce Commission. I repeat that I believe the Interstate Commerce Commission is a perfectly proper body to make decisions regarding the agreements. There is not the slightest possibility that court decisions can arrive at a solution of the rate problems of the country or that courts can administer the rate provisions of the Interstate Commerce Act. A court cannot establish a system of continuing administrative supervision and regulation of the cooperative activities of the carriers, such as this bill does. Paragraph (11) of S. 110 reads as follows:

(11) The enactment of this section shall not—

(a) deprive the Supreme Court of jurisdiction to hear and determine the case of *Georgia* v. *Pennsylvania Railroad Co. et al.* Docket No. 11 (original), October term, 1945, or any proceeding for the enforcement of the provisions of any decree entered in such suit.

(b) change any principle of substantive or procedural law, otherwise applicable in the determination of such suit or proceeding, or deprive any party to such suit of any relief to which such party would be entitled but for the enactment of this section; or

(c) render lawful the performance of any past or future act which shall have been found by the Supreme Court in such suit or proceeding as it relates to the parties to such suit to be unlawful or which shall have been prohibited by the terms of any decree entered therein or any supplement thereto or any modification thereof.

The chief purpose of this bill is to make certain that agreements between carriers, with particular exceptions, shall not be within the coverage of the antitrust laws if the agreements have been approved by the Interstate Commerce Commission upon an affirmative finding of furtherance of the national transportation policy. In other words, the Commission, and not the courts, will determine whether the agreements meet the congressional standards, just as the Commission would determine whether the rates are reasonable or unreasonable. There are certain agreements which the Commission would have no authority to approve and these are specifically set forth.

What would be the effect of S. 110 on the Georgia case if the Russell amendments were eliminated? In the Georgia case the Supreme Court construed the bill of complaint "to charge a conspiracy among defendants, to use coercion in the fixing of rates, and to discriminate against Georgia in the rates which are fixed." The Commission is not empowered in S. 110 to approve any agreement to discriminate against Georgia or against any region of the country. By specific prohibitions in the Interstate Commerce Act, notably section 3, the carriers are enjoined from making such discriminations. Consequently, if Georgia can prove what it alleges, it is not harmed by S. 110 without the inclusion of the Russell amendment. If, on

the other hand, the real purpose of the Georgia suit is to prohibit the carriers from making agreements which are not discriminatory among shippers or geographical areas, and which are in furtherance of the national transportation policy, and which have been found by the Commission to be so, the suit would be interfered with in the absence of the Russell amendment. This is as it should be.

The PRESIDING OFFICER. The Chair interrupts the Senator from New Jersey to inform him that his 10 minutes have expired.

Mr. HAWKES. Mr. President, will the Senator from Kansas yield me additional time, so I can finish my statement?

Mr. REED. I yield the Senator from New Jersey the additional time he needs to conclude his statement.

Mr. HAWKES. It will take me about 5 minutes to do so.

There is nothing in S. 110, in the absence of the Russell amendment, which would deprive the Supreme Court of jurisdiction over the Georgia case. Subparagraph (a) of paragraph (11) of S. 110, as passed by the Senate, would therefore seem to be unnecessary.

The meaning or purpose of subparagraph (b) is difficult to comprehend. It provides, in part, that enactment of the bill shall not change any principle of substantive or procedural law otherwise applicable in the determination of such suit or proceeding. If the language is meant to refer only to defendants in the Georgia case the amendment would result in an arbitrary discrimination between carriers, the law applying in one way to some carriers and in another way to others. Looked at in one light, the intent is to punish perpetually, as if by a bill of attainder, those who had at one time discriminated against Georgia, and to exempt all others. This results in a classification that might be unconstitutional. On the other hand, if the provision carries a prospective intendment either as to the present defendants, or as to all carriers, it would certainly nullify the provisions of S. 110 in the powers which it proposes to confer upon the Commission.

Subsection (c) of the amendment provides that the enactment of S. 110 shall not render lawful the performance of any past or future act which shall have been found by the Supreme Court in the Georgia suit as it relates to parties to such suit to be unlawful. If this means that agreements found by the Supreme Court to be unlawful cannot be made lawful by Commission approval, upon passage of S. 110, the theory is wholly inconsistent with the purpose of S. 110. This interpretation would vitiate the bill. On the other hand, if the bill is prospective with reference to the parties to the suit, it would both discriminate as between them and other carriers, and also vitiate the provisions of the bill.

The patent ambiguity in the Russell amendment, the strong likelihood that its discrimination endangers the constitutionality of the whole measure, the prospect that it may destroy the real purpose of the bill, and the fact that what it seems to desire as a goal is already fully provided in the Interstate Commerce Act, all combine to warrant its deletion from the measure.

Mr. President, in the light of my practical knowledge of the transportation system of the country, the way business uses it, and the great service which has been rendered by the Interstate Commerce Commission in regulating that system, I simply cannot see how anyone can feel that the bill would destroy anything in the interest of the people. It seems to me to be clearly in the interest of the consumer to have in operation an efficient system of transportation for the delivery of consumer goods to points of destination at the lowest possible prices.

I am strongly in favor of the acceptance of the conference report because in my opinion the enactment of the bill will make for efficiency and thereby aid economy in the operation of our transportation system.

Mr. REED. Mr. President, I yield to the Senator from Florida [Mr. HOLLAND] as much time as he may desire.

Mr. HOLLAND. Mr. President, I wish to speak briefly in support of the conference report on Senate bill 110. I believe that no other subject has come up for consideration in the Senate since I have been a Member with respect to which there has been a greater store of misinformation—as I have heard the debates—made available to Members of the Senate.

I would not pretend that I have any great store of information or knowledge in this field; but it so happens that for the past 20 years, because of the peculiarly adverse rate structure under which the State of Florida has suffered, I have had to devote considerable attention to the effort to get better rates. In that effort I have always been on the opposite side of the controversy from the railroads, and have always been in support of the position of producers of citrus fruits, vegetables, and other products of the State of Florida, and in the position of protecting the interests of the consumers and of all the public of our State.

We have had a long and bitter battle in our State by reason of the fact that, in addition to all of the bad rate treatment which has been accorded in years past to the other Southeastern States, we have had what is called the Florida arbitrary, which has been an even graver handicap against us in that it has imposed an additional 15 percent penalty on mileage south of the line from Jacksonville to Pensacola, mileage wholly within the State of Florida.

In the course of these various controversies we found it necessary, for example, to charter and install refrigeration in ships in order to obtain rates competitive with those of the railroads. We found it necessary to install fleets of trucks, hundreds in number. We found it necessary not only to fight battles before the Interstate Commerce Commission, but also before the State governments of some of our neighboring Southern States which had imposed weight limitations on the movement of products by truck which we thought were ridiculously low. We have made considerable progress.

Always, I repeat, our effort has been to obtain lower rates for the protection of the industries and the people whom we represented. Later, when I served as Governor of my State, as is known to some Members of the Senate, I had the honor to serve for 4 years as one member of a three-man committee of the Southern Governors' Conference in various battles then pending—three of them all told—in which we strove before the Interstate Commerce Commission for better rates for the entire South. Those three cases are known as the Commodity Rate case, the Livestock Rate case, and the so-called Class Rate case, which is the one which has recently gone to the Supreme Court of the United States.

The only reason I mention these matters at this time is that I believe that that experience has given me the opportunity to gain at least some special information which I think should appear in the record of this debate.

The first bit of information is this: I have learned at first hand the kind of treatment accorded to shippers and to States and regions by the Interstate Commerce Commission. In the original debate last year I was grieved to hear other Senators speak slightingly of the type of treatment and consideration accorded to shippers, to the public interest, and to great regions by the Interstate Commerce Commission. My experience has been that if we had a case—and we thought we had a case in each of those three matters—and pursued it diligently, we got the relief to which we were entitled and we got it from the Interstate Commerce Commission.

It was my privilege to appear as a witness before the Interstate Commerce Commission in the Class Rate case. It was decided by the Southern Governors, only one Governor not being in accord with that decision, that the best chance we had—and it proved to be the only chance—of getting relief was to go before the Interstate Commerce Commission and make a case. We did so, and we obtained relief under the sweeping order, which has been so recently upheld by the Supreme Court of the United States.

My first point is that we should take no action which reflects discredit upon the Commission and unwillingness to abide by its decisions, and a disbelief in its willingness to go carefully into issues which vitally affect the public interest. My experience has been exactly to the contrary—that the Interstate Commerce Commission has been diligent in the three cases which I have mentioned, and in others which I could mention, in safeguarding the public interest. I think it is the only properly equipped agency under our law to which we could safely entrust the great field of supervision of rate making.

The second point I wish to make is this: In the course of the various cases in which I have endeavored to stand up for the rights of the people as against the carriers, I have learned who it is who has been diligently fighting through the years before the Interstate Com-

merce Commission and elsewhere for the public interest. In our various cases we had a distinguished attorney from Louisville, Ky., a Mr. Norman. If ever a man stood up and battled the whole railroad structure of the Nation and the industrial structure of the Northeast and the North, he did it in the Class Rate case. He did it ably; and, what is more to the point, he did it successfully.

I was interested to note that Mr. Norman, on whom I have the right to rely implicitly because of his conscientious and devoted service, testified in 1946 on the bill which preceded this measure, and was even more far reaching. I wish I had time to quote in full from his testimony. It appears at pages 98 to 105 of the printed hearings. I shall quote just this much from the testimony of Mr. Norman:

I am very much in favor of the passage of this bill or similar legislation. I have felt for many years that the operation of the railroad bureaus and committees were the cause of many abuses. They were absolutely unregulated and they would have these meetings—which I think are absolutely necessary for them—and in secret session would pass on these proposals made by shippers. You never could find out what actuated them in their relations, and I have for a long time felt that something ought to be done about it. At the same time, I realized that there was no way that you could dispense with the activities of these committees and bureaus.

The Interstate Commerce Commission seems to me to be the only body to take charge of this regulation. * * * I think they are often wrong and I have tried to correct them in courts many times, sometimes with success. But it is the tribunal Congress has established and it enjoys public confidence. While I do not think they are immune from error, I think they are conscientious men and are familiar with the subject matter. They are certainly the ones to whom this should be committed and not the courts.

* * * * *

Therefore, it seems to me there is no question but that the remedy for this situation is to give immunity from trust acts to the extent that their activities are supervised and regulated by the Interstate Commerce Commission.

Mr. President, that is exactly what this conference report would do.

In the course of these various cases, I found that we had in our own State various agencies and individuals whom I have found always battling aggressively for the interest and the protection of the public. Chief of them is the Growers and Shippers League, which for the last 25 years has been the centralized agency in our State which has been battling for the interests of the vegetable and citrus growers of our State. It is supported in large part by public moneys.

Here is the testimony given by Mr. O'Rourke, secretary-manager of the Growers and Shippers League, who appeared to testify, as is shown in the hearings at pages 139 to 142. I do not have time to quote his testimony in full, but he states that he appeared in this case not only for the Growers and Shippers League, which I have already described, but also for the Florida Citrus Commission—the public regulatory body of the citrus industry—the Florida Citrus Canners Association, composed of all the canners in our State, and the Florida Vegetable Committee, which speaks for the vegetable industry in our State.

He said, and I think he had entire right to say so:

I am, therefore, speaking for the entire citrus and vegetable industries of Florida.

In the course of his statement, he made it clear that he did not know any other way in which this subject could be adequately handled. He took up the matter of working out rates for the citrus-canning industry, and he showed that millions of individual rates were involved, and that if he could not sit down with all the representatives of all the connecting railroads, in one room, at one time, it would be necessary for him to spend years on that one subject alone, before he could get anywhere.

I shall mention only this part of his statement. In speaking for all of that great group of activities in our State, he said that this is the only way this matter can be handled.

I also found another group of men in our State, a group consisting of the traffic representatives of the chambers of commerce of Miami, Jacksonville, and Tampa, and of the traffic representative of the State, who is an employee of the State road department and the traffic man of the State railroad commission. As my files indicate, I went to those men, and every one of them said that this is the only reasonable and successful way in which a rate structure can be built, and they said that the Interstate Commerce Commission is the only agency which has the power or the authority or the information or the facilities or personnel to be safely entrusted with the supervisory responsibility. Without exception, every person known to me in our State who has any expert knowledge of rate structures—and every one of whom has been standing up aggressively for the public interest and for the interest of the consumers, and it is their business and their livelihood to fight the railroads day in and day out, year in and year out—every one of them says that this is the only way the thing can be effectively done.

I shall not take any more of the time of the Senate at this point. I would like to close by saying that if it is proposed to leave chaos, if it is proposed to leave insecurity, so that when men sit down together in a room to try to work out rates, they never will know whether they are going to be prosecuted the next moment or not, and if it is proposed to leave secrecy, instead of open disclosure and the necessity of keeping files and records and making all of them available to the Interstate Commerce Commission and subject to its approval, the way to carry out such a purpose is to have this measure defeated.

Mr. President, to my mind this measure is both constructive and necessary. I may say that I have been amazed at the amount of criticism which has been leveled at this measure—a measure which it seems to me is so necessary, and which so sensibly and realistically attempts to work out a problem which has been a grave one for years.

So I hope the Senate will adopt the report.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HAWKES. I wish to emphasize what the Senator from Florida has said, by asking whether he appreciates, as I believe I do, that the criticism which is leveled at this measure comes from a very small minority of the people of the United States.

Mr. HOLLAND. Yes; I think the Senator from New Jersey is absolutely correct. My files show that hundreds of shippers—every shipper in the State of Florida that I know of—have expressed themselves as being in favor of this measure; and that group includes hundreds and hundreds of shippers, not only shippers of fresh commodities, such as vegetables and citrus fruits, and shippers of canned commodities, but also shippers of various other commodities, such as lumber and fertilizer and other manufactured articles. I have yet to hear of one informed person in our State who opposes this measure. The only opposition to it which I have heard has been from well-intentioned but uninformed persons who do not know that this is something which needs to be done in the public interest. Mr. President, after considerable study, it seems to me that this is the only way to do it.

Mr. REED. Mr. President, let me inquire how much time the proponents of the conference report have left?

The PRESIDING OFFICER. The proponents have 13 minutes, and the opponents have 40 minutes.

Mr. RUSSELL. Mr. President, I yield 15 minutes to the Senator from South Carolina [Mr. JOHNSTON], and after he shall have spoken, I yield to the Senator from Montana [Mr. MURRAY] so much of the remainder of the time belonging to opponents of the report as he may desire.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina for 15 minutes.

Mr. JOHNSTON of South Carolina. Mr. President, this matter has been discussed in and out of the legislative halls of Congress for several years. In 1943 the railroads brought this bill to the committee. Extensive hearings were held, but the committee at that time, in 1943, did not believe it advisable even to report the bill.

I recall, too, that in 1943, according to the records, representatives of the Department of Justice appeared before the committee in opposition to the bill. I should like to read a few excerpts from certain of the testimony given on behalf of the Department of Justice. At that time Mr. A. C. Wiprud, who was special assistant to the Attorney General and at the head of the Antitrust Division, appeared before the committee, testifying in 1943 and again in 1947. When I was a member of the Interstate Commerce Committee he appeared. In his testimony in 1947, he made this statement:

As chief of the transportation section of the Antitrust Division, Department of Justice, from June 1, 1941, to July 10, 1945, I

had charge of the Department's investigation of the practices of rate bureaus and rate-making conferences, and associations in all fields of interstate transportation. These investigations were initiated following complaints from private and public sources of coercion in the making of rates. Antitrust suits, civil and criminal, were instituted as the result of these investigations, the more important of which are still pending.

That is the Department of Justice speaking, in 1947. That shows that the railroads were working as far back as 1943, as they were working in 1947, in order to be exempted from the operation of the antitrust laws of the United States. Certainly they want to be exempted. They do not want to be given any annoyance; they do not want to be embarrassed. Are they to be embarrassed, are they to be annoyed, unless they violate the antitrust laws?

The Senate is now considering a bill which would remove the railroads from the operation of the antitrust laws and give them the right to make rates. They can also say what kind of pullman coaches shall be used, and whether improved equipment shall be placed in operation. If my memory serves me correctly, it was brought out at the hearings before the committee that the sleeping-car companies had gotten together and did not want to place in operation certain of the improved equipment available at that time.

Mr. President, you will find that this benefits the railroads in many ways. Let us read on and see what the representative of the Department of Justice had to say in May 1943, when, by invitation of the committee, he appeared and testified on the then pending bill, S. 942, the subject matter of which was identical with that of Senate bill 110:

My opening statement appears at pages 5 to 67, and my further statement appears at pages 89, 177, 203, 241—

And so on.

He brings out the fact that he was testifying on all those occasions, and on all the pages cited, in opposition to the bill. I am still reading from the manuscript of the former special assistant, Mr. Wiprud, who says:

An analysis then of the provisions of S. 110 made in the light of the facts of record and the reports of this committee compels the conclusion that through its passage the legislative policy of competitive enterprise in public transportation would be supplanted—

This is the Department of Justice speaking—

by a Nation-wide cartel monopoly under the domination of the Association of American Railroads and the traditional railroad bankers.

That is making it pretty strong for a man who was at the head of the Antitrust Division, head of the Legal Division, so to speak.

Mr. President, I ask to have printed in the RECORD at this point the complete statement of Arne C. Wiprud, formerly special assistant to the Attorney General.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ARNE C. WIPRUD, FORMERLY SPECIAL ASSISTANT TO THE ATTORNEY GENERAL, CHIEF OF THE TRANSPORTATION SECTION, ANTITRUST DIVISION, DEPARTMENT OF JUSTICE, BEFORE THE SENATE COMMITTEE ON INTERSTATE COMMERCE ON S. 110, EIGHTIETH CONGRESS, FIRST SESSION, JANUARY 21, 1947

S. 110—A BILL TO CREATE A GIANT TRANSPORTATION CARTEL-MONOPOLY

Mr. Chairman, I appear here today pursuant to an invitation from this committee to express my views on S. 110.

As Chief of the Transportation Section, Antitrust Division, Department of Justice, from June 1, 1941, to July 10, 1945, I had charge of the Department's investigations of the practices of rate bureaus and rate-making conferences and associations in all fields of interstate transportation. These investigations were initiated following complaints from private and public sources of coercive rate fixing through group action and charges of antitrust violations. Antitrust suits, civil and criminal, were instituted as the result of these investigations, the more important of which are still pending.

In May 1943 on invitation of this committee, I testified for the Department of Justice on the then pending bill, S. 942, the subject matter of which was identical with S. 110. My opening statement appears at pages 5 to 67, and my further statements appear at pages 89, 177, 203, 241, 458, 470, and 781 of the printed hearings on S. 942. After extensive hearings, this bill was not reported by the committee. Again, in April 1946, on invitation of this committee, I testified as a private citizen on H. R. 2536, the so-called Bulwinkle bill. My testimony appears at pages 553 to 630 of the printed hearings on that bill. I respectfully call the committee's attention to these statements which further studies and developments have reinforced and which I hereby reaffirm.

S. 110 is word for word the Bulwinkle bill (H. R. 2536) as amended and reported by this committee to the Senate at the last session, and which failed of passage. The bill as thus reported at the last session was changed in many material respects from the Bulwinkle bill upon which hearings were then conducted. As that changed bill is now before the committee (as S. 110) for the first time for hearing, it would seem most helpful to the committee to supplement testimony already given with an analysis of the provisions of this bill, and their public significance.

An analysis of the provisions of S. 110, made in the light of the facts of record and the report of this committee, compels the conclusion that through its passage the legislative policy of competitive enterprise in public transportation would be supplanted by a Nation-wide cartel-monopoly, under the domination of the Association of American Railroads and the traditional railroad bankers. This is so because that bill would:

1. Effectively repeal the antitrust laws as applied to public transportation.

2. Legalize the continuation and expansion of control over every phase of a carrier's operations by the Association of American Railroads and the traditional railroad bankers.

Insulated from the courts, and without fear of hindrance from other agencies of the Government, they would be free to create combinations of carriers, Nation-wide, with power not only to fix rates, but also to determine what part of the rate each carrier shall receive, at what time its trains shall arrive and depart, over what routes they may operate, what equipment shall be built, and how it shall be used, and what should be done collectively to promote adequacy, economy, and efficiency of operation or service.

In view of the vast powers thus conferred upon the transportation cartel, and the extent of the pressures it would be able to exert upon otherwise independent carriers, it is clear that no carrier could afford to remain long outside the cartel.

3. Undo the public benefits which have resulted, or may be expected to result, from antitrust suits involving the pullman monopoly, the western agreement, the tradition banking houses of J. P. Morgan & Co. and Kuhn, Loeb & Co., equipment manufacturers, safety and signal monopolies, and rate-fixing combinations dominated by the Association of American Railroads—all of which have been and are adverse to the interests of carriers and large sections of the country.

This legislation cannot be considered apart from its effect upon other businesses and the national economy. As transportation is the basic industry which controls the life or death of many other industries, it is clear that those who control the transportation cartel could dominate the national economy.

Further, and equally important, this legislation would set the pattern for similar legislation in other basic industries, particularly if they are regulated industries, such as insurance, utilities, communications, securities, and banking. If you pass this bill, how can you consistently withhold like grant of power to the Federal Communications Commission, the Securities and Exchange Commission, the Federal Power Commission, and other regulatory bodies? Thus, this legislation points the road to complete cartelization of all industry in our country—completing reversing our system of private enterprise.

And here it should be stated that there is nothing about the transportation industry that requires different legislative treatment in relation to the antitrust laws than any other private industry, except in the making of joint transportation rates. All have recognized—including the Supreme Court of the United States—that there is a legitimate area of collaboration in the making of joint transportation rates to facilitate commerce. But that is a far cry from what is sought in this bill which, in the final analysis, is a desperate bid for continued domination of transportation companies by the banking houses of Morgan and Kuhn, Loeb. They have been brought to book for their misrule of the railroad industry in antitrust suits in the Federal court at Lincoln, Nebr., and in the Supreme Court; only this bill, or similar legislation, can save them.

The analysis of the provisions of the bill, which follows, supports the above views:

1. The Association of American Railroads, the Western Association of Railway Executives, and every other organization existing in the transportation industry, fall within the terms of paragraph 2. Further, groups such as those formed under the western agreement by the traditional railroad bankers, companies manufacturing cars, locomotives or equipment, and shippers, fall within the terms of paragraph 9. Thus carrier groups, parties to agreements for joint or collective action, and noncarrier groups taking action to carry out the objects thereof, would be immunized from the antitrust laws.

2. The scope of agreements that may be entered into is industry wide. It includes the power to collectively fix rates, classifications, divisions, allowances, time schedules, routes, the interchange of facilities, the settlement of claims, the promotion of safety, "the promotion of adequacy, economy or efficiency of operation or service" (par. 2).

Further, agreements may be made by the carriers of different classes relating to trans-

portation under joint rates or over through routes (par. 4). The term "transportation" is defined in the Interstate Commerce Act to include:

"Locomotives, cars, and other vehicles, vessels, and all instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, express or implied, for the use thereof, and all services in connection with the receipt, delivery, elevation, and transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported."

These sections would authorize a complete cartelization of transportation, with regulatory powers over the industry in private hands greater than those possessed by the Commission.

3. The phrase "promotion of adequacy, economy, or efficiency of operation or service," for which purpose agreements for joint action between and among carriers may be entered into, with the aid of noncarriers, is so broad as to comprehend construction and financing of equipment, terminals, new types of service, and every other activity in the transportation industries. Here the power of those who control the cartel would be so great as to force submission by a carrier to the procedures and methods of doing business prescribed by it.

4. The Commission may approve the basic agreements for collective or joint action only. Its approval for specific action taken under and pursuant to such agreements is not required (par. 2; H. Rept. No. 1212, 79th Cong., 1st sess., p. 13; S. Rept. No. 1511, 79th Cong., 2d sess., p. 13).

5. The standards to guide the Commission in acting upon applications for approval of basic agreements are vague. The bill provides that such agreements are to be approved if the Commission makes a finding that the object of the agreement is an appropriate one, that the agreement will not "unduly" restrain competition, and that the agreement is consistent with the public interest as defined in paragraph 2. This paragraph defines public interest as synonymous with the national transportation policy, thus excluding the antitrust laws and other factors ordinarily included within the term "public interest" as used in other statutory provisions, such as section 5 of the Interstate Commerce Act. The stated purpose of this deviation is to escape from the term "public interest" as interpreted by the Supreme Court in the *McLean Trucking Co.* case (321 U. S. 67), wherein the Court, as noted in the *Georgia* case (324 U. S. 439), held that it is "the duty [of the Commission] to give weight to the antitrust policy of the Nation * * *" (H. Rept. No. 1212, 79th Cong., 1st sess., pp. 14, 15; S. Rept. No. 1511, 79th Cong., 2d sess., p. 14).

6. The requirement regarding records, inspection, and investigation by the Commission of the huge cartel combinations which the bill would legalize are perfunctory. Paragraph 3, which relates to records, etc., does not give the Commission power to inspect the files of such organizations generally, but merely to inspect such papers as the Commission itself may require to be kept by them. By paragraph 7 the Commission, on complaint or on its own motion, may investigate any action taken under or pursuant to an agreement, and, after hearing, may modify or terminate any agreement, or require additional terms or conditions, "with respect to the particular action complained of." This remedy seems inadequate, particularly as it would not be retroactive, and provides no penalty for past abuses.

7. The Attorney General of the United States would be reduced to the status of a private protestant before the Commission (par. 7).

8. Independent action by a carrier would virtually be impossible for such action could be taken only after the combinations set up by the agreements have made a determination through the procedures provided for and established under such agreements. Thereafter, if independent action by a carrier is prevented by means of boycott, duress, or intimidation, the antitrust laws apply, but it should be noted that even to this extent the antitrust laws would not be applicable until the established procedure of the combination has been complied with. This is one of the real jokers in the bill. It will be further noted that coercion, other than boycott, duress, or intimidation, is at no time prohibited (par. 6).

Such is the meaning of the provisions of this adroitly drawn cartel-monopoly bill, read in the light of the evidence heretofore adduced and the reports made by this committee. Proponents of the bill are endeavoring to lull the country into inaction by asserting that the public interest would be protected by the Interstate Commerce Commission. As has been shown, the standards to guide the Commission are so vague, and the direction to create the cartel-monopoly is so explicit, that the inevitable result must be the domination and control of the entire transportation system of this Nation by the Association of American Railroads and the traditional railroad bankers. And thus would the sponsors of this bill saddle upon the transportation industry and upon the people of this country the most gigantic monopoly-cartel ever conceived in the mind of man.

This legislation leads straight to socialization of all our transportation systems, for the people will not long tolerate what amounts to a Fascist rule of this basic industry. With all the facts before you, I believe that you will reject this monopoly bill in favor of a sound program for transportation in the public interest—a program which insures the continuance of public transportation in this country as a legitimate and fruitful field for private enterprise. The indispensable conditions precedent are:

1. The railroads must be completely divorced from banker domination and control, thus restoring railroad management to their owners.

2. We need more initiative, more enterprise, on the part of railroad owners and managers, not more Government regulation as is proposed in this bill. Give the private-enterprise system a chance to function.

3. And, finally, there must be a firm and just application of the antitrust laws to the transportation industry. This is vital for these laws afford the protection sorely needed by owners and managers of carriers for hire in all fields of public transportation, and by the public, against future attempts at banker domination and exploitation and the establishment by these and related interests of cartel monopolies.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Georgia.

Mr. RUSSELL. The Senator will recall that former Senator Burton K. Wheeler, who served in this body for many years, from the State of Montana, and who was chairman of the Interstate Commerce Committee for 12 or 14 years, was recognized as one of the greatest experts in Congress on these matters and knew more about them than almost anyone else, and that he always opposed the enactment of this bill exempting railroads from the antitrust laws.

Mr. JOHNSTON of South Carolina. I am glad the Senator from Georgia refreshed my memory in regard to that. I was on the committee with the Honorable Burton K. Wheeler when he was chairman, and on every occasion when this bill was before the committee and on the floor of the Senate he opposed it, because he thought, as he stated, it would give to the railroads of this Nation a monopoly. That is why I oppose it today.

It is said by the proponents of the measure that the railroads cannot get along without the enactment of this bill. They have been existing. They have been making rates under the present law. But the public has been safeguarded by the antitrust laws which have been held over the heads of the railroads, so to speak, telling them they may go so far, and no farther. I favor that. If railroads are to be exempted from the operation of the antitrust laws let us exempt all other corporations. There is just as much reason for exempting them as there is for exempting the railroads.

In the hearings, Mr. President, it will be found that the State of Georgia appeared and presented testimony, not for a few minutes, not for a few hours, but for a few days before the committee, showing how dangerous the bill would be to the general public, and at that time demonstrating how it would jeopardize the case then pending in the Supreme Court of the United States, affecting matters which it was thought would fall within the provisions of this bill.

The Department of Justice representatives testified against the bill before the committee, not only during the Eightieth Congress, but during the Seventy-ninth Congress, calling to the attention of Congress the danger which might arise through the passage of the bill.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Arizona.

Mr. McFARLAND. I should like to ask if the Senator does not think it a dangerous precedent for Congress to pass a bill which would prevent the courts from considering the subject matter of such cases as the Georgia case?

Mr. JOHNSTON of South Carolina. I am fully convinced that if we remove supervision of rate making and other matters in connection with transportation it would be very dangerous.

Mr. McFARLAND. If Congress should usurp the power of the courts we would be getting away from the fundamentals which were adopted by the framers of the Constitution and which have been a protection to the United States during all the years of its existence as a nation.

Mr. JOHNSTON of South Carolina. I entirely agree with the Senator from Arizona. For that reason I hate to see legislation of this kind proposed. The railroads will not be the last corporations to ask immunity under the anti-trust laws. They are only the beginning. As we all know, the antitrust laws protect the public, not corporations, not big business. Small business is objecting to the proposed legislation.

I find a statement of Mr. Willis J. Ballinger, economic adviser to the National Federation of Small Businessmen. I have not time, in 15 minutes, to give to

the Senate his full break-down, but he says, among other things:

In our opinion, the bill would legalize the growth of private monoply in railroad transportation and reenforce its existence in other fields of transportation, such as motor and water carriers and pipe line companies. Today monopolistic rates in railroad transportation are seriously preventing the recovery of private business in the United States.

Coming from the South, I know what it means to have rates which are excessive. The Supreme Court only a few months ago ruled that the Official Territory had been charging the South too much, or at least that portion of the Nation below the Mason and Dixon's line. The Court said the rates ought to be 10 percent higher in the territory north of the Mason and Dixon's line, and 10 percent less south of that line.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire statement of Mr. Ballinger.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF WILLIS J. BALLINGER, ECONOMIC ADVISER TO THE NATIONAL FEDERATION OF SMALL BUSINESS, ON BEHALF OF THE FEDERATION, IN OPPOSING SENATE BILL 110

After careful examination of Senate bill 110, popularly known as the Bulwinkle bill, the National Federation of Small Business desires to register a strong protest against its enactment into law.

In our opinion, the bill would legalize the growth of private monopoly in railroad transportation and reinforce its existence in other fields of transportation such as motor and water carriers and pipe-line companies. Today monopolistic rates in railway transportation are seriously preventing the recovery of private business in the United States.

In 1929 American business went into a profound depression. From that depression the economy has never recovered. From 1929 to the beginning of war mobilization the economic system was sustained by Government spending. As a result of the war there are some billions of war savings, the spending of which, for a time, will give the appearance of a sound forward movement in private business. But when those savings are gone, it is our opinion that the depression of 1929 will return with greater virulence, and that the system will remain locked in depression until the forces causing the collapse of business in 1929 have been remedied. A capitalistic system dependent on government spending is a capitalistic system in danger of liquidation. If private enterprise cannot afford employment to millions, and Government spending becomes necessary to take care of millions of unemployed, then private enterprise will eventually be replaced by Government control and direction of the economic system.

The break-down of business in 1929 was the result of half a century in which capitalism in the United States was systematically misoperated by an alliance of big businessmen and bankers.

Monopoly controls appeared in finance, industry, transportation, and distribution. Regional competition was also eliminated through a discriminatory freight-rate system on the railroads of the Nation, which prevented the development of more efficiently located industries in the South and the West. The purpose of this discriminatory freight-rate system was to protect giant monopolistic corporations from potential competition in the South and West.

The rapid spread of monopoly in American capitalism from 1890 to 1929 caused a progressive loss of productive power in our economic system. This is always the effect of monopoly in a capitalist system. The depression of 1929 registered the fact that private business had become incapable of carrying the employment load of the Nation, shackled as it was by monopolistic restraints placed on trade by big businessmen and bankers. At the same time the elimination of regional competition through the system of discriminatory freight rates, had caused a congestion of the population of the Nation in a few giant cities with hideous slums.

But for this system of discriminatory freight rates the population of the Nation would have been dispersed. Hundreds of vigorous small towns and cities would have sprung up in the West and South. The health and prosperity of the American people would have been materially increased. And from a military standpoint, the productive powers of the Nation in time of war would have been better located from the standpoint of defending those resources from aerial attack. No Communist or Fascist could have thought up a more ingenious scheme to generate mass discontent and to weaken the military defenses of the United States than the men who engineered, and have maintained, the system of discriminatory freight rates on our railroads.

Who are these men? They are the investment banking houses, who for decades have controlled the railroads, because they controlled their credit. They are now asking the Congress of the United States to approve and make impregnable, by passing Senate bill 110, the vicious system of monopoly controls and discriminatory freight rates which they have established in railroad transportation.

Today, capitalism in the United States is headed for destruction unless the controls which have been imposed upon the production and distribution of goods by private monopolists in defiance of the spirit and intent of the antitrust laws can be broken. The task of reform is staggering. But we must accomplish the job or watch free enterprise in America perish, as it did in Germany and Italy.

Senate bill 110 should be the joy of those radicals in America who are hoping that capitalism in the United States will fail and be supplanted by an authoritarian state of a Communist, Socialist or Fascist type, and are, therefore, enthusiastic about policies of big business which are making free enterprise in America unworkable.

For half a century Congress has insisted that railroad rates should be determined on the basis of competition among carriers. We believe this philosophy of Congress to be thoroughly sound. Competition alone offers a possibility of railroad rates adjusting themselves to promote the maximum expansion of business. During the last half century, however, monopolistic controls have been progressively introduced into the railroad industry. Private rate-making bodies have multiplied which, in violation of the antitrust laws, have increasingly put into effect monopolistic rate-making agreements. Toward this growth of monopoly in railroad transportation the Federal Government has been as negligent as it has been toward its growth in banking, in industry, and in distribution. But the effect of monopoly in transportation, on the economic system, has been particularly deadly. The capacity of monopoly in transportation to restrict production in a capitalist economy is far greater than its capacity in any other field of economic activity. This is so because a monopolistic rate in transportation may be pyramided many times before a product ultimately reaches the consumer. Every pyramiding is a reduction of total consumer income resulting in less buying power and less production.

Under Senate bill 110 the progress of monopoly in railroad transportation, and in other fields of transportation such as motor and water carriers, would be legalized.

If capitalism in America is to be rescued from monopolists, and the system reconditioned so that private business may produce abundantly and furnish full employment to the American people, the field of transportation cannot be left in their hands.

Senate bill 110 would rivet monopoly controls in the vitally important transportation industry and further exhaust the productive powers of capitalistic enterprise in America at a time when democratic capitalism in the United States is fighting for its life.

From the standpoint of small business, Senate bill 110 is especially disastrous. The giant monopolistic concerns existing today in industry and distribution have been largely the work of investment bankers who, many years ago, established and maintained a monopolistic control over long-term credit. Having created these giant corporations, their investment banker sponsors have tended to protect them from competitors who could only challenge them by obtaining credit. The control of credit, however, has only been one arm by which giant monopolistic corporations have been protected. The other arm has been transportation.

Investment banking control of railroads has been used to obtain for large shippers railroad rates which would protect them from regional competitors and from the efforts of smaller competitors in the same market. The monopoly controls which have been established in railroad transportation have been uniformly exercised to protect and expand markets for big business and to limit and destroy markets for small business. Small business shudders at the mere thought of legalizing this unjust system. Yet, this is exactly what Senate bill 110 would do. If monopolists in railroad transportation are to be given legal authority to fix rates in the interests of big business, then small business is doomed to economic serfdom.

We urge the members of the Interstate and Foreign Commerce Committee to report unfavorably Senate bill 110. Instead of legalizing the destruction of productive power in our economic system, we urge this committee to insist upon a vigorous application of the antitrust laws to the field of transportation, as well as in other fields and to consider other abuses which are causing the transportation system to aid and abet the restriction of production.

We would like to have the committee investigate the reported existence of preferential commodity rates allowed large shippers. We would like to have the committee go into the whole matter of large shippers owning railroads.

Under the Hepburn Act, passed many years ago, Congress specifically forbade any railroad company from owning a manufacturing company. The purpose of this prohibition was sound and clear. It was to prevent any manufacturing company from having its costs of transportation subsidized by its railroad owner, so as to give it an advantage in the competitive struggle for markets. Yet today many large shippers own railroads. The effect of this ownership is to subsidize their transportation costs in manufacturing and to accomplish precisely what was forbidden by the Hepburn Act. These railroads are frequently short-line railroads. They used to be called extensions of plant facilities. Mysteriously these extensions of plant facilities were suddenly incorporated into interstate railroads with the power to issue through bills of lading. These short lines were built up to the tracks of competing regular carriers, and by playing one carrier off against another, they obtained an unfair division of the shipping dollar. These railroads have been enormously profitable.

But their profits have been a direct subsidy to the transportation costs of large shippers. Through the profits of railroad ownership large shippers have been able to lay down prices in markets, which can stop small enterprise from attempting to expand in those markets on a basis of legitimate efficiency.

Finally, we urge the Committee on Interstate and Foreign Commerce to go into the whole issue of railroad freight rates which are discriminating between regions of the United States.

These fields of inquiry, we earnestly believe, offer greater opportunities to promote sound capitalistic enterprise in America than Senate bill 110.

The PRESIDING OFFICER. The Senator from South Carolina has 1 minute remaining.

Mr. JOHNSTON of South Carolina. If the bill is enacted, Mr. President, it will take away from us the right to go into the courts to settle questions involving freight rates and other transportation matters, and they will be left to the Interstate Commerce Commission. Railroads appear before the Interstate Commerce Commission for the purpose of establishing rates. The people back home in many instances know nothing regarding the rates which are being made until there is a closed door and everything has been finished. The railroads want to be left alone to make their rates. If we were employed by railroads and were interested in making money for the railroads, we would get together and probably eliminate a great deal of competition between railroads.

The PRESIDING OFFICER. The Senator has consumed all of his time.

Mr. REED. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. MYERS].

Mr. MYERS. Mr. President, as a member of the Committee on Interstate and Foreign Commerce I attended most of the hearings with reference to this proposed legislation. I heard most of the witnesses who came before the committee and testified in favor of the legislation, and the few witnesses who testified in opposition to it. I was a member of the conference committee which considered the House and Senate bills. As the result of that background and that experience I am convinced that this legislation is absolutely necessary in the public interest.

The bill which we have under consideration has been greatly misunderstood and, in some quarters, it has been misrepresented. It does not provide for the cartelization of the railroad industry. It does not create a monopoly. In fact, paragraph 6 provides that in all cases there must be guaranteed to each carrier party to an agreement the right to take independent action either before or after a determination of the conference. The Interstate Commerce Act mandates the Congress to establish rates. The bill in its present form merely makes possible the carrying out of that mandate by authorizing the carriers, provided they have the approval of the Commission, to establish the machinery through conference to arrive at proper rates. The machinery, the conference system, is under the control and supervision of the Interstate Commerce Commission, and the product of the conferences, the rates themselves, must still be filed with the Commission under the provisions of the present law and are still subject to complaint by any party who considers himself adversely affected.

The bill approved by the conference committee has been so limited in scope that it does only what I have said. It does not in any way affect service agreements as did the original bill, such as agreements pertaining to schedules, air conditioning, and other such features of transportation.

So, Mr. President, I hope and trust that the Senate will overwhelmingly approve the conference report because, I repeat, I am convinced that the bill is in the public interest.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. REED. The understanding was that the Senator from Georgia would yield time to the Senator from Montana [Mr. MURRAY].

Mr. MURRAY. I understand that the Senator requested that I follow the Senator from Pennsylvania.

The PRESIDING OFFICER. How many minutes does the Senator from Montana desire?

Mr. MURRAY. Whatever time may be available under the rule.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MURRAY. Mr. President, the question presented by the bill now under consideration is whether monopoly power in the transportation industry is to be given legislative sanction in the form of immunity from the antitrust laws. Under existing law, the law in effect during the recent years when the greatest economic development and enrichment of the Nation's life has occurred, the transportation industry has been subject to limited regulation by various administrative agencies of Government and has at the same time remained subject to the basic charter of economic freedom contained in the Sherman Act. Now it is proposed that those transportation agencies which are in part regulated by the Interstate Commerce Commission shall be freed of the inhibitions of the antitrust laws respecting monopolies and restraints of trade by special-privilege legislation conferring immunity upon private agreements by the competing transportation agencies for collective action with respect to all matters relating to the rates charged by them. It has been pointed out that the services and facilities of the carriers are related to the rates charged by them, and that it must, therefore, be recognized that this legislation may confer immunity upon the carriers with respect even to agreements limiting the classes of service or the types of facilities and equipment offered by them.

It has been said by proponents of this measure that the public interest is fully protected by the absolutely plenary character of the regulatory control vested in the Interstate Commerce Commission. If such plenary control exists, it must be found in existing legislation, for it is obvious that the pending bill adds nothing to the regulatory control of the Commission over the carriers. It is unnecessary to examine existing legislation in detail to refute the contention that the carriers are absolutely regulated by the ICC. That contention is adequately answered in this quotation from the Commission's Annual Report for 1939:

There is a gross exaggeration in the idea that every act of the railroads is subject to regulation. The railroads have a large degree of initiative in the making of their rates and have freely made a multitude of reductions to meet competition. We have no power to control their passenger service and exercise very little control over their freight service.

But it is said that under this bill immunity will be given only upon approval by the Interstate Commerce Commission of those agreements submitted to it by the carriers. I call attention to the provision in section (9) of the bill, which makes it clear that the parties to the private agreements authorized by the bill are relieved from the operation of the antitrust laws not only with respect to the making of the agreements submitted to the ICC, but also, "with respect to the carrying out of such agreement." I maintain that under this bill the conduct which will be immunized from public scrutiny under the antitrust laws will go far beyond the bare procedural terms of the enabling agreements approved by the Interstate Commerce Commission.

When the Reed-Bulwinkle bill was before the Senate last year it was agreed by those of us who opposed the bill that it would, as a practical matter, prevent the obtaining of effective relief in the antitrust case now being tried in the district court at Lincoln, Nebr., against a combination of railroad and financial interests charged with the destruction of competition among the western railroads.

That argument was opposed by those who spoke in support of the bill. I do not recall that either in the committee hearings on that bill or in the debates in this body anyone undertook to defend the abusive practices and restrictive agreements among the railroads on which the antitrust action is based. I call attention particularly to the so-called Western Commissioner Agreement, which was the principal written agreement between the western railroads attacked by the Government in that antitrust action.

I shall not take the time to read the agreement for the western commissioner plan, though it is very short. I ask that it be printed following my remarks, and I commend it to every Member of the Senate as a blueprint for private regimentation of the railroad industry.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none.

(See exhibit A.)

Mr. MURRAY. Mr. President, this plan was explicitly designed to expand the private control over western rates and practices previously exercised by the Western Association of Railway Executives and its subordinate organizations,

and to insure that decisions affecting railroad rates, service, and policy should be made collectively rather than individually, from the standpoint of group interest rather than that of individual initiative.

Under this agreement, which became effective December 1, 1932, the defendant railroads, in the Government's antitrust case, individually agreed to submit proposed changes in rates, both passenger and freight, and changes in facilities and services, to existing rate bureaus for group consideration and decision in the interest of the carriers as a whole. The agreement established an additional control over western rate matters by creating the office of the western commissioner, to be occupied by the ex-officio chairman of the Western Association of Railway Executives, empowered to decide appeals from subordinate rate organizations. The commissioner was also given power to stay the action of any road which might propose independently to effectuate a rate or practice disapproved by the group. Any road refusing to accept his decision was to be cited to a committee of directors which met regularly at 40 Wall Street, New York City.

I do not recall that any Member of the Senate has even undertaken to defend either this agreement or the denial of the dignity and managerial discretion of progressive individual western railroads accomplished under this agreement. The railroads themselves did not dare to defend this agreement; a few days after its existence had come to the attention of the Department of Justice and a copy had been requested by that Department, the railroads canceled the agreement rather than undertake its defense.

Here we have then an agreement among the western railroads for joint action in the making of rates and in the suppression of competition between them. In the light of the evidence presented by the Government concerning the manner in which the efforts of individual western roads to bring about rate reductions which would stimulate and generate new traffic for their lines were intercepted and thwarted by the coercive pressure of the railroad combination created by this agreement, and in the light of the evidence showing the manner in which the agreement has operated to prevent the exercise of independent managerial discretion by progressive individual western roads which sought to improve their services and facilities, it is clear that this agreement served to restrain trade and commerce, to handicap the development of railroad transportation and to impose outmoded equipment and excessive transportation charges upon the public. I repeat that I have heard no effort on the part of the proponents of this bill to defend this agreement and I am confident that none will be heard. Yet under the bill now before us, if it should become law, this agreement could be brought up to date and submitted to the Interstate Commerce Commission in substantially the identical form in which it was originally adopted, and the Interstate Commerce Commission will be compelled under this bill to approve the agreement and thus to give the railroad combination complete immunity from the antitrust laws both with respect to the basic agreement itself, which is all that would be before the Interstate Commerce Commission, and with respect to the things, not just some of the things nor the good things, but all the things done pursuant to this agreement.

In order to avoid argument concerning the extent to which an agreement for joint action with respect to services and equipment might be approved under this bill, let us assume that the agreement as submitted for approval under this bill were to be confined solely to joint action in the field of rates. It is clear that the Interstate Commerce Commission would have no alternative but to approve the agreement.

The language of section 2 of the bill is mandatory. It says that the Commission "shall" approve any such agreement. The only standard provided, and the only room given for the exercise of discretion by the Interstate Commerce Commision, is whether "by reason of furtherance of the national transportation policy" relief from the antitrust laws should apply. The agreement on its face appears to be in furtherance of the national transportation policy. In its recitals the purpose of the plan is very innocuously stated as being:

1. To advance their interests with relation to other forms of transportation; and for securing definite cooperation among them to the end that consideration may be given from the general standpoint of all railroads in the district, rather than from the standpoint of an individual railroad, to all matters affecting:

2. All matters of general railroad policy;

3. Rates, both passenger and freight, traffic rules and practices;

4. Service:

A. Freight and passenger train schedules and service.

B. Terminal and any unusual accessorial facilities or accommodations.

This language can easily be interpreted so as to characterize the agreement as being in furtherance of the national transportation policy. Any doubts as to the attitude of the Interstate Commerce Commission with respect to this agreement are dissipated by consideration of prior conduct of the Interstate Commerce Commission with respect to this matter.

The agreement for the western commissioner plan was executed in 1932, but was not filed with the Interstate Commerce Commission as required by the Interstate Commerce Act until April 14, 1943, after it had been in effect for 11 years, and only 5 days after its existence had come to the attention of the Department of Justice and its production had been requested by the Department. Yet, subsequent testimony by members of the Interstate Commerce Commission has disclosed that during those 11 years in which this agreement was in effect, without being publicly filed as required by law, members of the Interstate Commerce Commission knew of its existence and made no effort to enforce the law which requires the public filing of such an agreement. Testimony by members of the Interstate Commerce Commission also establishes that they thought the agreement was a good thing. It is clear, however, that their informal approval rested on very scanty knowledge of what was being done under the agreement, for none of them made any effort to defend the vicious practices followed by the railroad combination under this agreement after they had been exposed and attacked by the Department of Justice.

It must be expected that the Interstate Commerce Commission will approve this agreement under the bill. The testimony of members of the Interstate Commerce Commission in support of the bill can leave no doubt of their approval of the kind of collective action between railroads which such an agreement establishes.

I think then it is safe to assume that under the bill a modernized version of the agreement for the western commissioner plan will be approved by the Interstate Commerce Commission and both the agreement and all of the things done under it will, by virtue of the bill be immunized from public scrutiny under the antitrust laws. If we wish to see what sort of a blank check we are thus giving the railroad combination, let us look at what was done under the western commissioner agreement during the 11 years it was in operation.

I cite just a few examples, relating solely to rate matters. Of course services and facilities were also handled by collective action under that agreement and some of the most vicious things done under the agreement involved the suppression and prevention of improvements in service and in facilities. I am confining our examination for present purposes to those activities under the western agreement, which related solely to rate matters. In 1934 the Chicago, Rock Island & Pacific Railway proposed to reduce rates on agricultural implements from Nebraska to Kansas so as to place such rates on the same basis as those in effect from Missouri to Kansas. The proposal was disapproved by the Western Trunk Line Committee. Subsequently, the Rock Island filed notice of intention to proceed with the establishment of the proposed rates, and protest was filed under the commissioner agreement by the Union Pacific, Burlington, Northwestern, and Missouri Pacific lines. On the request of the Commissioner the Rock Island dutifully held up the rate which it was lawfully entitled to publish. Almost a year later the Commissioner advised the chairman that the proposal was dead.

I cite another example of the prevention of a rate reduction by concerted action under the western agreement. In 1934 tariffs were published by the Union Pacific reducing the rate on coal from Utah and Wyoming mines to points west of Boise, Idaho, by 50 cents a ton. Other carriers protested and the Commissioner, after noting that the controversy did not fall within the letter of the commissioner agreement, because the proposal had not been submitted to a subordinate rate bureau before tariffs were filed, took jurisdiction of the matter as being embraced in the spirit of the agreement. The Com-

missioner admitted that there might be a difference of opinion as to the expediency of making the reductions but decided that because of their possible influence on the general rate increase then being sought the tariffs should be withdrawn, and they were.

I call attention particularly to the fact that in both of these instances the effect of the concerted action taken by the carriers under the western agreement was to prevent the filing of a rate change proposed by an individual road with the Interstate Commerce Commission. Such prevention of a rate reduction was the typical action under the western commissioner agreement. Such prevention of the filing of the rate change with the Interstate Commerce Commission operates to cut off the jurisdiction of the Interstate Commerce Commission to pass upon rate changes. Obviously there is nothing for the Interstate Commerce Commission to pass upon if a combination of carriers prevents the railroad which desires to make a change from filing its proposed change with the Interstate Commerce Commission. These examples, therefore, destroy the force of the argument offered in favor of the bill that everything done by the carriers and all the rates which might be acted upon in concert under the bill are in final analysis under the control of the Interstate Commerce Commission. The control of the Commission is frustrated when a combination of carriers prevents the taking of action by an individual road. Under the bill the Interstate Commerce Commission will not even know when such suppression of individual initiative has occurred. Nor will the public generally ever again be permitted to see the inner workings of the railroad combination, for the bill relieves the carriers from the operation of the antitrust laws. It is only in investigations conducted under the antitrust laws that the paralyzing restraints and coercive pressures of the railroad combination have been exposed to public view.

I present another example of concerted action under the western agreement, this time in bringing about an increase in rates. In 1937 the Commissioner persuaded the north Pacific coast lines to increase their rates on newspapers from Chicago to certain Pacific coast points from 90 cents to $1.80 per hundred pounds in order to eliminate the basis for requested reductions to other Pacific coast destinations.

I present an example of the manner in which progressive individual western railroads were coerced and compelled against their wishes to abide by the will of the majority. On the rare occasion when the Commissioner was unable to persuade a recalcitrant western road to accept his decision, the case was referred to the committee of directors in New York City. There, at 40 Wall Street, free from all personality, prejudice, and suspicion of traffic officers involved in the daily struggle of management, the directors provided a forum for the impact and grinding of ideas and impartially protected the railroads from imposition of unscrupulous or grasping shippers and from the excesses of zeal or inexperience of their own traffic employees. In 1933 the directors were afforded an opportunity to demonstrate that the independent ideas of recalcitrant roads were to be transformed by the "impact and grinding" of the directors' ideas into an acceptance of the group will crystallized in the Commissioner's decision. The Commissioner's authority was invoked when the Chicago Great Western Railroad announced its intention independently to publish reduced rates on packing-house products. The proposed reductions had been rejected by the Western Trunk Line Committee, and, on appeal, by the Western Traffic Executive Committee. After hearings the Commissioner concluded that the reductions should not be published. This conclusion was unacceptable to the Chicago Great Western and the Commissioner promptly reported the road's intransigence to the committee of directors. A resolution was immediately adopted by the committee of directors calling upon the Chicago Great Western to reconsider and recede from its proposed action. Shortly thereafter President Joyce of the offending road was summoned to the office of Mr. de Forest, in New York City, to discuss with Messrs. de Forest, Colpitts, Harbord, and McCullough of the committee of directors his declination of the Commissioner's decision. Almost a year later, in his annual summary, the Commissioner reported:

> As a result of the conference with the subcommittee of the committee of directors, the Chicago Great Western Railroad Co. indicated a willingness to abide by my conclusions under the commissioner agreement, and the proposal was withdrawn.

The argument has been made that under the bill full freedom of independent action is reserved to each individual carrier. It should be perfectly obvious that the effort in the bill to preserve the right of independent action is a hollow mockery. Certainly the individual carrier will have no greater protection under the bill from the coercive pressure of a combination of carriers operating under a lawful agreement than the individual carrier has had in the past from the coercive pressure of a combination operating under an unlawful agreement. The evidence presented to the District Court at Lincoln, Nebr., by the Department of Justice contains numerous examples of the coercion of the will of an individual carrier by groups operating under these agreements which the Government alleges to be unlawful under the Sherman Act. I could give many such instances, but they are available for all Senators to see for themselves. The ones I have referred to are taken from the evidence offered by the Department of Justice, an abstract of which is on file with the Committee on Interstate and Foreign Commerce as part of the material submitted by the Department of Justice in connection with hearings on the Reed-Bulwinkle bill.

Some of these examples reveal the pathetic frustration of progressive railroad executives caught in the coercive pressure of the western agreement. Thus, for example, in 1940, when the western trunk lines sought to make reductions in l. c. l.—less carload lot—classification ratings, Commissioner Johnston—not a public official, mind you, but a private czar under a private agreement—decided that very few, if indeed any, of the lines had made sufficient study of the proposal to determine what effect it would have on their revenues and therefore referred the subject back to the subordinate bureaus for further consideration and development of statistics. Vice President Hastings, of the Atchison, Topeka & Santa Fe, wrote the Commissioner:

> I respectfully submit that this is an impossible task. No competent traffic officer reduces rates voluntarily unless convinced reductions will result in more net revenue in future either by development of new traffic, regaining traffic lost to other forms of transportation, or retaining traffic we now have. Unfortunately under present conditions the latter is often the most important.
>
> A calculation of loss of revenue based on present movement and assumption that present movement would be maintained without change in rates is a meaningless problem in arithmetic. Any traffic officer with vision must take into consideration what would happen if rates remained unchanged and that is something that cannot be calculated in figures but must be based on the judgment of the traffic officers in touch with the situation.

Another express admission of the coercive power of the railroad combination which the bill seeks to legalize is found in an example relating to passenger rates. In 1936 the Missouri-Kansas-Texas Railroad advised the Southwestern Passenger Association of its intention to establish the sale of week-end coach excursion tickets between the Dallas-Fort Worth area and Houston, Galveston, and San Antonio at a reduced rate. This contemplated reduction by the M.-K.-T. was protested to the western Commissioner by the Southern Pacific Railroad on the ground that such a reduction would establish an undesirable precedent. The Commissioner immediately called upon the M.-K.-T. to abandon the proposed reduction and the executive vice president of that small railroad bowed to the coercive pressure of the combination. On July 17, 1936, he wrote to the Commissioner, and I quote from Government's exhibit 556 in the antitrust action at Lincoln, Nebr.:

> We have withdrawn our notice with respect to reduced week-end rates between north and south Texas, and I have so advised Mr. McDonald of the Southern Pacific.
>
> As a thought, initiative to create business seems to have been taken away.

Let us make no mistake, then, concerning the true effect of the bill. It will undeniably operate to immunize from prosecution under the antitrust laws, and to shield from public disclosure under any law, the coercive practices of the railroad combination, and of combinations of other types of carriers, in eliminating competition in the transportation industry. Such legislation does not clarify an asserted conflict between the Interstate Commerce Act and the antitrust laws. There is no such conflict. The two are complementary, and the examples I have given vividly testify to the need for both, if individual carriers and the public are to be protected from transportation monopolies.

The bill does not bring transportation agencies under a more thorough and comprehensive regulation by the Interstate Commerce Commission. It does not protect the public. On the contrary, it relieves the carriers from public accountability under the antitrust laws without any compensating increase in the regulatory power of the Interstate Commerce Commission. It subverts the public interest by abandoning public control of transportation in favor of private control. It permits the establishment of an unfettered monopolistic control of transportation. It is bad for the whole country. And it is particularly bad for the West and for the South, whose struggle for rate equality has been repeatedly frustrated by the power of the railroad combination to prevent progressive individual western and southern railroads from bringing about reductions in rates which are necessary to the balanced development of our national resources.

Mr. President, I have said that in the opinion of those of us who oppose this bill, one of the most serious objections to it is that it will effectively preclude the Government from prosecuting its pending antitrust suit against the Association of American Railroads in the courts. In order that the country may know exactly what is involved and what the issues are in this antitrust action which will be scuttled by the passage of this bill, I ask leave to have printed at the conclusion of my remarks an abstract of the opening statement delivered by Wendell Berge on behalf of the Government at the opening of the trial of the Government's antitrust case against the Association of American Railroads and others in the district court at Lincoln, Nebr., on April 23, 1947, together with material giving a concrete instance of exactly how one concern in my own State of Montana fell victim to the monopolistic practices it is our duty to halt rather than abet.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

OPENING STATEMENT OF WENDELL BERGE, ASSISTANT ATTORNEY GENERAL

UNITED STATES *v.* ASSOCIATION OF AMERICAN RAILROADS ET AL.; IN UNITED STATES DISTRICT COURT, LINCOLN, NEBR., APRIL 23, 1947

In this case the Government charges a broad and continuing combination and conspiracy in violation of the Sherman Act. Two separate offenses are set forth in the pleadings: (1) restraint of trade and commerce in transportation and (2) monopolization of rail transportation. These violations of the antitrust laws are alleged to inhere in the agreements and understandings among the defendants whereby they have subjected the entire railroad industry to a common collective control. The Government charges that through such agreements and understandings the defendants have eliminated competition between railroads by concertedly fixing noncompetitive freight rates and passenger fares and by agreeing upon uniform and noncompetitive train schedules, services, and facilities. The elimination of competition in the fashion charged restrains trade and commerce in transportation by destroying the freedom of individual carriers to compete for business in the American tradition of free enterprise, sustained by the faith that progress and the public good are better served by competition than by restrictive agreements among competitors.

In addition to the restraints alleged in violation of section 1 of the Sherman Act, the defendants are charged with the acquisition of monopoly power over rail transportation, in violation of section 2 of the act. Such power is alleged to derive from the subjection of independent managerial discretion to a common collective control exercised through the private government created by the defendants to exercise authoritative control over the railroad industry.

The Government charges that the evils flowing from the combination and conspiracy have not been confined to the railroad industry. The defendants are alleged to have used their power over railroad affairs to exclude competition from other forms of transportation. The Government also charges that alliances have been formed by the defendants with major industrial groups for the purpose of eliminating competitive influences in both transportation and industry.

The case thus presented by the Government's pleadings is vast in scope and complex in its details. It involves the entire railroad industry of the United States, its eastern bankers, and powerful groups in such basic industries as oil, steel, and cement. Forty-seven individual western railroads, and an association maintained by them for the supervision of western railroad affairs, are named as defendants. The Association of American Railroads, which embraces in its membership not only the western roads named as individual defendants but also virtually all other railroads in the United States, is also named as a defendant. There are also named as defendants two New York banking houses, J. P. Morgan & Co. and Kuhn, Loeb & Co., which are alleged to have participated in the conspiracy, and particularly in a plan designed to subject decisions by individual western railroad managers to the coercive control of eastern financial interests. Eighty-nine individuals who are alleged to have participated in the conspiracy as officers of railroads or of associations maintained by them are also named as defendants. In addition to these defendants, the Government has named as coconspirators several hundred railroad corporations, oil companies, steel companies, officers and agents of such corporations, and several score rate bureaus and associations maintained by groups of railroads throughout the United States.

The size of the stage on which this conspiracy has been acted, the multitudinous cast of characters, and the complexity of the action, however, does not obscure the central theme of the conspiracy. That theme is simple. It runs through every phase of the plot, each unfolding of the action. That theme is monopoly power. And monopoly power is the ultimate evil at which the Sherman Act is directed.

Monopoly is the antithesis of freedom. It substitutes collective coercion for free enterprise, group regimentation for the dignity of the individual. In its selfish preservation of established interests it perpetuates the present and rejects the future. Its most serious consequence is the restriction of economic opportunity. Because monopoly cannot encompass all aspects of the economy save under a collective form of government, it stands solitary against the advancing tide of progress, while the waves of change break against and around it. Its ability to protect its own market from change is more or less limited by the pressures of the free economy around it, and to that extent it grudgingly tolerates only such changes as are necessary to its own preservation.

In its own market the evils of monopoly are direct and absolute. Beyond its borders, the harm which it does to a free economy is in proportion to the significance of the market which it controls. The conspiracy here has created the most far-reaching concentration of monopoly power thus far known to the law. This is so because transportation is the lowest common denominator of all industry; railroads are the arteries of trade and commerce. The power to control transportation is in large measure the power to control the location and the competitive success or failure of all industry. Power to control transportation, when allied with monopoly power in other industries, is the power to eliminate free enterprise from large segments of the economy and to arrest the normal economic development of various sections of the country.

During the half a century which intervened between our Civil War and the First World War the railroads of the United States developed a network of trackage which extended throughout the country and which carried, by the end of the period, virtually all the intercity freight and passenger traffic of the country. In the field of transportation the railroads were supreme and unchallenged. The use of inland waterways had decreased to a point almost of insignificance, and trucks were only beginning to appear upon the highways in substantial numbers. The dependence of the national economy upon railroads for transportation was recognized in the subjection of the carriers to State regulation as common carriers and to Federal regulation under the Interstate Commerce Act of 1887.

*Statutory scheme of regulation*

As will be noted in a moment, the statutory scheme of regulation from 1887 down to the present day has been based upon the assumption that competition rather than regulation will govern most aspects of the activities undertaken by the individual railroads.

The only sharp departure from this scheme of regulation was made in 1920 (45 U. S. C., 15a) when the Interstate Commerce Commission was given power to prescribe rates for the welfare of the railroads as a whole, to recapture the surplus earnings of the more profitable railroads, and redistribute such earnings among the less profitable railroads. The power of the Commission to fix railroad rates and to distribute railroad earnings in the interest of the carriers as a whole was withdrawn when the recapture clause was repealed in 1935, largely as a result of the lobbying activities of the defendants here. Thereafter not even the Commission itself was privileged to fix railroad rates from the standpoint of conditions prevailing on the railroads of the country as a whole. As the Supreme Court observed in *North Carolina* v. *United States* (65 Sup. Ct. 1260, 1265 (1945)):

"But Congress in 1933 (48 Stat. 211) repealed this part of the 1920 act; the income pooling system was abandoned; the rule of rate making was rewritten, and while the Commission was to give consideration to the need of adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service, and to the need of revenue sufficient to enable the carriers under honest, economical, and efficient management to provide such service, the rates were no longer to be treated on a national basis as though all railroads constituted one system. (H. Rept. No. 193, 73d Cong., 1st sess., pp. 30–31.) Railroads were to be treated on an individual basis."

The defendants, however, saw fit to ignore the repeal of the recapture clause, for which they were largely responsible, and continued to view the Transportation Act of 1920 as justifying concerted action in group determination of rates in the interest of the carriers as a whole.

It is quite clear, however, that with the single exception of the collective tendency manifested during the 13 years between 1920 and 1933 when the recapture clause was contained in the law, the statutory scheme of regulation since 1887 to the present has consistently contemplated that the great mass of railroad rates should, within the limitations set by the Interstate Commerce Commission be fixed by the interplay of com-

petitive forces. The railroads have been subjected only to limited regulation after the common law tradition applicable to common carriers under a Federal statutory scheme having as its chief characteristic the delegation of limited quasi judicial and quasi legislative power over the railroads to the Interstate Commerce Commission. Both the principles of the Federal statutory scheme and the practice of the Commission itself rest upon the assumption that competition rather than regulation will govern most aspects of the economic and business activities undertaken by the individual road. As the Commission itself observed in its annual report for 1939:

"There is a gross exaggeration in the idea that every act of the railroads is subject to regulation. The railroads have a large degree of initiative in the making of their rates and have freely made a multitude of reductions to meet competition. We have no power to control their passenger service and exercise very little control over their freight service."

The statutory scheme and the practice of the Commission is designed to limit Government control to cases where its exercise is necessary either to eliminate abuse that has been found to exist in the business practices of the individual carriers or to keep competitive forces within bounds necessary to prevent discriminatory rates, rate rebates, or other practices which, when carried to excess, the Congress has found to result in injury to the public interest. However, it is beyond dispute that the statutory scheme and the Interstate Commerce Commission constitute a system of civil police regulation, not one of military control. That is to say, the scheme has established certain standards for the conduct of railroads and then it is only when a violation of those standards is brought to the attention of the Interstate Commerce Commission, either by someone who has been injured or by the Commission itself, that the force of Government control is exerted. It follows that the statutory scheme and the practice of the Commission assumes that the railroads in their ordinary business dealings with one another, with shippers, with their workers, and with financiers should be adjusted in the public interest by the interplay of competitive forces.

This legislative and administrative scheme is required by the facts. Affidavits filed by these defendants at an earlier juncture in these proceedings assert that the western railroads alone have published and constantly maintained trillions of rates. These same railroads annually engage in the aggregate in hundreds of millions of different transactions involving millions of different individuals and corporations. It is perfectly obvious that complete Government regulation of every aspect of this great mass of individual transactions would result in intimate Government control over the economic destinies of industry, labor, and agriculture. Administratively, such control could not well be achieved except by the socialization of the railroads. Politically, such control would result in a dramatic shift in traditional standards of American public policy.

The evidence in this case discloses a railroad industry in striking contrast to that contemplated by the statutory scheme of regulation just described. But if the evidence here reveals an industry in which individual initiative and competitive energies have been completely and utterly subjected to joint and arbitrary control it should be remembered that such control results not from the force of public law but rather from the operation of the private law created by defendants here in open defiance of the prohibitions of the antitrust laws.

Indeed, the evidence will disclose that the private mechanisms defendants created arbitrarily to rig and manipulate rates within the zone of reasonableness conveyed to the defendants acting in concerted power which the Congress of the United States has not seen fit to entrust to the Commission. As Mr. Justice Douglas observed in the Georgia case:

"Thus a 'zone of reasonableness exists between maxima and minima within which a carrier is ordinarily free to adjust its charges for itself' (*United States* v. *Chicago, M., St. P. & P. R. Co.* (294 U. S. 499, 506)). Within that zone the Commission lacks power to grant relief even though the rates are raised to the maxima by a conspiracy among carriers who employ unlawful tactics. If the rate-making function is freed from the unlawful restraints of the alleged conspiracy, the rates of the future will then be fixed in the manner evisioned by Congress when it enacted this legislation. Damage must be presumed to flow from a conspiracy to manipulate rates within that zone."

Not only are the carriers not privileged concertedly to fix rates within the zone of reasonableness, but they likewise are not privileged concertedly to fix rates to avoid creating, as they are pleased to characterize their unlawful activity, discrimination resulting from undue preference or undue prejudice. Public law is quite clear that no carrier incurs liability for discrimination in any activity initiated individually so long only as it offers to concur with all connections on a nondiscriminatory basis. As the Supreme Court of the United States observed in *Texas & Pacific Ry. Co.* v. *United States* (289 U. S. 627):

"Preference or prejudice can be found only by a comparison of two rates. * * * A carrier or group of carriers must be the common source of the discrimination—must effectively participate in both rates, if an order for correction of the disparity is to run against it or them. Where an order is made under section 3 an alternative must be afforded."

Indeed, far from insuring the carriers against liability for discrimination, it is obvious that their unlawful joint and concerted action in rate bureaus renders them peculiarly subject to a charge of discrimination. This is so because, by virtue of their concerted rate bureau action, the carriers in each rate bureau have been held to be, in words of the Supreme Court, "the common source of the discrimination." *Albany* v. *New York Central* (235 ICC 255); *Albany Port District* v. *Ahnapee & Western Ry. Co.* (219 ICC 151 (1936)). In the Port of Albany case the Interstate Commerce Commission said:

"In considering the second ground in its application to the fact of the instant case, it must be determined whether there is here a carrier or group of carriers which may be said to be the 'common source of the discrimination' and which 'effectively participates in both rates.'

* * * * *

"Here the cause of the alleged undue prejudice and preference is the entire structure of port rates established by defendants serving the North Atlantic ports and their connections. * * * And so long as this adjustment remains in existence each of these carriers effectively participates not only in the rates over its own line, but in every rate in the entire structure. In other words, the carriers serving the ports, acting together, exercise effective control over the entire structure of port rates to and from the ports other than Albany.

* * * * *

"The New York Central System and the Delaware & Hudson are the only roads having lines serving Albany and they undoubtedly have effective control over Albany's domestic rates. But these lines, prior to the filing of the instant complaint, proposed the so-called Philadelphia differential plan, which would have given Albany a definite place in the port-rate adjustment. That proposal was not accepted by the trunk lines as a whole. Other plans were considered by the carriers and one at least was accepted by the port of Albany, but upon none could the carriers agree. It thus clearly appears that, so long as the port differential structure stands, Albany's port rates depend upon the concerted action of the same carriers that control the rates at the other ports, and that these carriers together constitute a group of carriers which is the common source of the alleged discrimination and which effectively participates in both sets of rates."

It follows that the concerted action of the defendants here, far from being authorized by law, is actually in derogation of public law. It equally follows that in seeking to restore competitive opportunity in the railroad industry, this law suit, far from interfering with the statutory scheme of regulation, is actually in and of that scheme. As the Supreme Court said in the Georgia case:

"'The present bill does not seek to have the Court act in the place of the Commission. It seeks to remove from the field of rate making the influences of a combination which exceeds the limits of the collaboration authorized for the fixing of joint through rates. It seeks to put an end to discriminatory and coercive factions. The aim is to make it possible for individual carriers to perform their duty under the act, so that whatever tariffs may be continued in effect or superseded by new ones may be tariffs which are free from the restrictive, discriminatory, and coercive influences of the combination. This is not an action to impair the primary jurisdition of the Commission over rates. It is to free the rate-making function of the influences of a conspiracy over which the Commission has no authority, but which, if proven to exist, can only hinder the Commission in the tasks with which it is confronted."

*Offenses charged by Government*

The great depression of 1929 unleashed competitive pressures in the transportation industry. At the same time the growth of trucking and other forms of transportation threatened the dominant position which the railroads had so long enjoyed. The Government will prove, by the defendants' own documents which we are about to offer in evidence, that a generation of railroad managers and railroad banking and investment interests accustomed to railroad dominance in the transportation industry met this twin challenge from within and from without not by competition but by combination and by conspiracy.

In the years 1932 to 1934 the defendants merged the preexisting national and regional railroad rate bureaus and trade associations into an integrated hierarchy of bureaus and associations constituting a cartelized private government of the railroad industry which has continued to this day. The power of this private government derives from its collective control over railroad affairs and its authority is maintained by the economic discipline of its adherents.

The object of this combination and conspiracy was the elimination of competition in the railroad industry by the substitution of collective action for free enterprise. This object, so far as rates are concerned, was achieved by compelling individual carriers to submit proposed rate changes for approval to private rate-fixing agencies collectively maintained by groups of carriers in the various territories into which the country is divided for rate-fixing purposes. The rules and regulations of these private rate-fixing agencies provide for various modes of appeal from the decisions of subordinate agencies in such fashion that rate proposals are reviewed and discussed within an ever-narrowing spiral of hierarchic rate agencies designed to coerce, restrain, prevent, and hinder individual initiative in the making of rates.

This private system of legislation and of judicature culminates in the Association of

American Railroads. In addition to its appellate jurisdiction as the ultimate arbiter of all differences between its members, the association formulates and authoritatively announces national railroad policy. Acknowledging no limitation save that imposed by its own self-restraint, it prescribes rules and regulations, practices and prohibitions for the government of its members with respect to freight rates and passenger fares, train schedules and services, the provision of facilities and equipment, the construction and use of rolling stock, and all other matters of general railroad interest.

To protect this private system from public interference the defendants have evaded the statutory scheme of regulation, and, by action of their private government, have nullified public law applicable to their activities.

In order to insure their dominance over the transportation industry the defendants have thrown the concerted weight of their power and influence against the development of rival forms of transportation. The elimination of competition from other forms of transportation has been aided and accomplished by the influencing of public opinion, the imposition of restrictive regulation upon rivals, the organized prosecution and harassment of individual competitors, and finally by agreements and understanding with organized groups of competitors.

The conspiracy has served the purposes of nonrailroad investment and financial interests. The concern of these interests with the maintenance of a noncompetitive transportation structure has been twofold: (1) To assure minimum revenues necessary to meet railroad financing costs, and (2) to maintain price uniformity in major industries, the pricing systems of which are based in part on rail freight rates. Alliances between the defendants' private government and dominant groups in the oil, steel, cement, and other industries have perpetuated the national economic status quo by imposing restraints upon trade and commerce in both transportation and basic industry.

*The Government's evidence*

This conspiracy involves a great deal more than collective action in the initiation of rates. It involves a conspiracy to hamper and impede the development of new services and facilities, including technological improvements and the establishment of a mechanism to enforce and police the conspiracy.

As for rates, the Government will prove that throughout the period covered by the conspiracy the defendants have agreed among themselves to initiate rates collectively, and have prevented individual railroads from initiating and putting into effect freight rates and passenger fares by individual action without the approval of the defendants.

In the West the conspiracy was first evidenced in the western agreement: The complaint sets out in some detail the plan of operation known as the commissioner plan, western district, and as exhibit A to the complaint we have set forth the western agreement in haec verba. It is at the end of the complaint, at about page 45.

This agreement, although it was executed in 1932 and became effective December 1, 1932, was not filed with the Interstate Commerce Commission as required by the Interstate Commerce Act. It was not filed until April 14, 1943, 5 days after its production had been demanded or requested by the Department of Justice. We so allege in our complaint, and apart from any discussion that may be had as to whether the railroad world in general knew of the existence of this agreement or not, or whether it was publicized or not, the fact is, I don't think it is disputed, that it was not filed for some time; it was not on file until April 14, 1943, which was 11 years after its adoption and, of course, the Interstate Commerce Act requires that such agreement be filed and there are criminal penalties for failure to file.

Now, let's analyze the agreement itself. It will be noted by reference to the agreement that its stated purpose is to advance the railroads' interest with relation to other forms of transportation and for securing definite cooperation among them, to the end that consideration may be given from the general standpoint of all railroads in the district rather than from the standpoint of the individual railroad to matters affecting all general railroad policy, rates, both passenger and freight, traffic rules and practices, service, including freight and passenger train schedules and services, terminal, and any unusual accessorial facilities or accommodations. Thus the agreement is frankly stated to be executed in the interest of securing collective action in matters of rates and services.

Section 1 of the agreement provides for the establishment of a western commissioner, and also for the establishment of a committee of directors. And it is stated that the purpose of the commissioner is to assist the railroads in reaching an amicable settlement of any differences which may arise, and in effectuating policies, involving matters specified by the recitals.

Now, section 4 of the agreement provides that each party to the agreement shall appoint one director from among the members of its board of directors to sit on a committee of directors. The committee of directors is to keep itself informed as to any question adversely affecting net revenues upon which it has not been possible to secure unanimity of action by agreement.

Now, then, the procedure is set out in section 5, and in that section the parties agree—that is, the railroads agree—all the railroads, defendants in this suit, operating west of the Mississippi River agree that before inaugurating any material change in current practices the proponent of such change, if it is a matter of general railroad policy, shall notify each of the other parties whose earnings might be adversely affected by the change in writing—inform them in writing. Thereupon the parties shall make an honest effort to come to an agreement with respect to the matters at issue.

Now, if the proposed change in practice is with respect to rates, then the proponent shall present such proposed change to the appropriate organization listed in the agreement and handle the same through such organization in accordance with established practice, and then certain bureaus and associations are expressly named in the agreement as the organizations through which proposed changes shall be handled.

If the proposed change is with respect to service, then proponent will present such change, if it might adversely affect competing carriers' revenues to the Western Association of Railway Executives or an organization subordinate thereto to be handled in accordance with established practice.

It is further provided in section 5 that it is understood in all things the parties shall abide by the spirit of this agreement, the basic purpose of which is to avoid practices which will dissipate railroad earnings in the western district.

Then section 6 provides that if the parties fail to reach an amicable agreement the controversy may be referred to the Commissioner, or, if the matter relates to rates and services, the party who has failed to prevail before the organization to which the matter was referred may refer the issue to the Commissioner, and the Commissioner shall proceed to develop all the essential facts relating and pertinent to both sides of the controversy and shall try to arrive at a fair and proper solution and settlement of the controversy, having in mind the greatest possible conservation of net revenue to the parties involved, and then, in the event of the Commissioner's inability to adjust the controversy, he will make a written report to the committee of directors.

Now, we maintain that the western agreement was and is an unlawful contract in restraint of trade; that it supplemented various preexisting agreements so that through all of them the defendants collectively and by concerted action have controlled and regulated, and now control and regulate, the rates, services, facilities, and transportation practices of the defendant railroads.

The Government's evidence will show that the western commissioner and committee of directors functioned as a mechanism for considering controversies arising when a railroad desired to inaugurate a lower rate or an improvement in service and facilities and demonstrates that railroads desiring to inaugurate lower rates or improvements in service or facilities were prevented from doing so or were delayed in doing so by the operations of the commissioner plan.

The Government contends that although the parties to the agreement stated that they had canceled the agreement as of April 23, 1943, nevertheless, the practices inaugurated under the agreement have not been abandoned and the defendants have made public statements asserting their intention to continue operation under the same or similar plan.

The Government's evidence will show that the defendants agreed with the major oil companies operating pipelines that the pipelines would not accept for shipment quantities of petroleum products which were not greater than tank car capacity; that pipeline rates would be maintained at the same level as rail rates for transporting petroleum products between the same points; that the defendant railroads would reduce rates on short-haul rail movements for major oil companies from their refineries, pipeline and water terminals, and that the oil companies would support the defendant railroads in their applications for higher rates on long hauls.

The evidence will further show that by agreement between defendants and their coconspirators, pipeline rates plus railroad rates on petroleum products have been so constructed as to equal through-rail rates; that joint pipeline rates have been constructed on a similar rail equalization basis, and that rail and pipeline owners have refrained from establishing any joint through rail pipeline rates; that the defendants acceded to the request of the pipeline owners that rail rates on petroleum products for independent refiners be maintained at their existing level, and at meetings held by defendants in 1939 and 1940, two rail lines, defendants Rock Island and Missouri Pacific, were prevented from reducing petroleum rates and from instituting 40 car or trainload rates on petroleum products.

One of the purposes and effects of the conspiracy has been to deprive shippers of perishable products of competitive rates and service. In particular it will be demonstrated that fast-freight service for western shippers has been prevented by the defendants' agreement to retard delivery of perishable products to eastern destinations; to hold such cars on side or spur tracks, and to delay their delivery in the east and to withhold expedited service. Specifically, the defendants have prevented shippers of perishable goods from the West from using fast-freight service to the eastern seaboard by delaying the arrival at St. Louis and Chicago of cars carrying perishables so as to miss connections with the fast eastern freight lines. Similarly, they have withheld delivery of cars containing perishables at Denver, Colo., so that if they arrived in Denver after 7:00 a. m., they would not be delivered to consignees there or to connecting lines until 5:30 p. m.

The evidence demonstrates that the defendants have employed the monopolistic

power acquired by the combination and conspiracy here to exact accessorial charges from shippers, including charges for the use of heaters in potato cars, to refuse advantageous rates and transit privileges to shippers and to deny them proper facilities by preventing the construction of spur tracks and loading sheds, to fix freight and passenger rates and prevent their reduction, to delay and prevent the installation and use of air-conditioning equipment, to disconnect and place out of operation air-cooling equipment on cars coming from connecting railroads which had installed such equipment, to prohibit the installation of recreational equipment on passenger trains, to prescribe and control the types of equipment to be used by individual roads, to govern the terms and conditions relating to the interchange of equipment between carriers, and to hinder and prevent the development and use of motor-vehicle transportation and other modes of transportation competitive with railroads.

Now that is a summary of the Government's evidence. It demonstrates an overall conspiracy to eliminate competition in the transportation industry and to monopolize rail services through the elimination of competition not only in rates, services, and facilities, but in the adoption of new technologies and improved transportation services.

*Discrimination against the West*

The power to discriminate, which is implicit in monopoly control of an industry, has in this case been made explicit against the West. The Government's evidence will show that under the terms of the western agreement ultimate control over western rates and practices was vested in a committee of directors, which met in New York City to review the decisions made by western railroad management with respect to rates, services, and practices.

The evidence conclusively shows that the authority and influence of this committee of directors was exerted to prevent rate reductions and the inauguration of competitive practices sought by individual western roads. For example, in 1933 the committee of directors prevented the Chicago Great Western Railroad from publishing reduced rates on packing-house products. And in 1934 the committee of directors dissuaded the Missouri-Kansas-Texas Railroad from extending industrial track facilities designed to develop new industry at San Antonio, Tex.

Again, the evidence shows that the Association of American Railroads prevented western railroads from establishing transit privileges on grain at cities in the Midwest, thereby denying to midwestern cities the opportunity to develop industries engaged in processing grain into flour, cereals, or other grain products. The evidence also shows that in 1938 the committee of directors, under the western agreement, directed the western commissioner to "convey to the western executives their concern over the extension of transit privileges to Omaha and Council Bluffs" and "to request the executives to review these transit privileges in an effort to find a way to correct the situation."

The specific acts of discrimination against the West disclosed by the evidence, injurious though they have been to the western economy, are merely surface manifestations of the deeper discrimination against the West which the combination and conspiracy here has effectuated by its maintenance of traditional geographic rate differentials. Because of these differentials the people of the West pay more for railroad service than people in the East pay for railroad service, and the products of western industry suffer a rate disadvantage when they compete in common markets in the East with the products of the East, notwithstanding the fact that the actual mileage may be in favor of the western industry.

The evidence shows that this differential in the class rate scales shows a discrimination varying between 112 and 160 percent against the West and in favor of the East, and a discrimination of 136 percent against the South and in favor of the East.

These traditional differentials are not justified by differences in the cost of service. In 1938 the Bureau of Statistics of the Interstate Commerce Commission, in a study entitled "Territorial Variation in the Cost of Carload Freight Service on Class I Steam Railways in the United States for the Calendar Year 1936," stated at page 12:

"Conclusion: Fourth, New England region costs are highest, averaging about 32 percent more than the United States average. Pocahontas region costs are lowest, averaging about 27 percent below the United States average. The Great Lakes and Central Eastern regions combined costs are about 2 percent less than the United States average. Southern region costs are about 4 percent below the United States average. Western District costs are about 7 percent above the United States average."

The Government's evidence conclusively establishes that these differentials have been perpetuated by the operations of the combination and conspiracy here in preventing rate reductions and readjustments sought by shippers and by individual railroads.

Those who welded the indissoluble union of States found that the policy of creating a national commerce and protecting it from artificial barriers was the touchstone of the birth and growth of a nation. Allegiance to that fundamental policy today demands the removal of private restrictions against the adjustment of these regional freight-rate structures to remove discrimination which obstructs and distorts the flow of commerce and inhibits a natural economic development of national resources.

This regional rate discrimination penalizes substantially the present and potential movement of processed goods from the South and West, thereby discouraging the expansion and diversification of industry natural to those areas. A plea for equalization is more than a demand for regional justice. It is part of the struggle for national unity and economic stability.

There is a serious economic unbalance in and between various regions that make up the Nation. The existence of one area as a workshop, leaving to other areas the more strenuous function of growing and extracting raw materials, is productive of evils that ultimately damage the Nation. This unbalance not only disintegrates national unity; it threatens the welfare of individual regions.

A dedication to industry leaves the urbanized region vulnerable to the economic ravages that flow from fluctuations of the industrial cycle. There is not a sufficient backlog of agricultural stability to cushion the shock of industrial decline. The social and political consequences in times of depression may be dire.

A dedication to the production of raw materials in other regions likewise subjects those regions to unfortunate economic conditions—more serious if only because more permanent. It is undeniably true that in many areas of the South and the West the lot of the people is a standard of wages, working hours, and purchasing power far below the national average today, and a prospect of accelerated poverty tomorrow, when exploitation, unhindered by any local power of economic independence, has threatened exhaustion of national resources. Given free and equal access to national markets, many areas in these unfavored regions may capitalize upon natural opportunities for the development of industries rightly located there by economic law. These developments would tend to raise the regional income status and may provide that economic balance which is conducive to a sane use of natural resources with due benefit to the people who live and work in the areas where they are located.

Decentralization and diffusion of industry based upon local resources is a part of the price of national unity and maximum economic stability. The present interterritorial freight-rate barriers militate against this attainment. Their continuance tends to accentuate the development of one region as an urbanized industrial area and to maintain the other regions in a colonial position as contributors of raw materials.

*Conclusion*

This case serves to demonstrate that the pervasive evils of monopolistic practices in the transportation industry affect not only transportation but all American industry. It is necessary, therefore, that the transportation industry be freed of monopolistic restraints in order that all American industry be free. In a day when totalitarianism is spreading across the face of the earth, it is more than ever necessary that American enterprise be free, lest the Sherman Act cease to be the charter of freedom its framers intended and freedom of economic opportunity cease to be our principal bulwark against alien ideologies.

---

YELLOWSTONE CABINET CO.,
*Billings, Mont., October 10, 1945.*

Senator BURTON K. WHEELER,
*Washington, D. C.*

MY DEAR SENATOR: For somewhat over a year, we have been working on reduction of railroad rates on the furniture we manufacture, from Minneapolis to the eastern seacoast.

On February 17, 1945, we received from the Northern Pacific Railway Co., a letter, copy of same we hereby enclose, stating a proposed rate for our furniture.

This proposed rate went before the Montana Lines Committee in Chicago sometime in March 1945 and we are enclosing their letter where they are refusing our request. From the tone of their letter they seem to be of the opinion that we have more or less a war plant, and as such, we should have no trouble in disposing of our product at this time.

We reopened our case again with the Northern Pacific, putting stress on the fact that we are permanently located here and are building for the future. Our request will again come up before the Montana Lines Committee sometime in the near future. For this reason we are writing you, if you could help us with the Montana Lines Committee.

From a small beginning in 1940, we are now shipping about three carloads of furniture per week. We have established accounts in nearly every State in the Union. About 65 percent of our production is going east of Chicago.

We are enjoying a reputation of quality furniture. In fact, we have several letters from our dealers, wherein they say that we have the best line of furniture that is being built today. Our dealers like our merchandise, but they do complain about high freight rates from time to time.

At the present we have all the business we can handle, and then some. What will happen when competition starts going remains to be seen. We can keep our own, providing we can get relief on freight rates.

The territory tributary to Billings will not support our present plant, so we must depend on national coverage in order to survive. So far we have proven that manufacturing will pay in Montana. We are close to our raw material and labor is easy. What will happen in the future, will depend to a great extent on what relief we will get on rail rates.

Our present plans are to enlarge our present plant about three times the size as it is now. We have purchased additional acreage joining our present plant and will start building in the spring.

We can support this additional expansion and we have the assurance from our dealers that they will accept our additional output. We know, however, that sooner or later freight rates will become a great factor in our future business. We like to prove to the people of Montana that manufacturing can become a part of our great State. If we can help to improve the living condition of our citizens in a small way, it will make us very happy.

Shall appreciate anything you can do for us; we beg to remain,

Yours very truly,

YELLOWSTONE CABINET CO.,
K. O. CARLSON, *Secretary.*

On February 17, 1945, the Yellowstone Cabinet Co. received a letter from the Northern Pacific Railway Co. at Billings, Mont., reading as follows:

NORTHERN PACIFIC RAILWAY CO.,
TRAFFIC DEPARTMENT,
*Billings, Mont., February 17, 1945.*

Mr. K. O. CARLSON,
*Yellowstone Cabinet Co., Billings, Mont.*

GENTLEMEN: Referring further to your letter of October 31, 1944, relative to rates on furniture and furniture parts described in Western Classification under head of "Furniture" or "Furniture Parts", from Billings, Mont., to points taking groups A, B, and C rates, as shown on pages 125 to 197, inclusive, of TCFB North Coast Territorial Directory No. 40-L:

We wish to advise that the present rates are:

Group A-284, B-261, C-299: Minimum weight 12,500 pounds in car 40 feet 7 inches or less, 16,000 pounds in cars over 40 feet 7 inches and including 50 feet 6 inches in length.

The proposed rates are as follows:

Group A-252, B-231, C-220: 12,000 pounds, in cars 40 feet 7 inches or less, 15,000 pounds in cars over 40 feet 7 inches and including 50 feet 6 inches in length.

This is for your information and such comments as you may care to make.

J. W. OVERMAN,
*District Freight and Passenger Agent.*

This was followed by a letter under date of March 19, 1945, in the following terms:

MONTANA LINES COMMITTEE,
*Chicago, Ill., March 19, 1945.*

Mr. K. O. CARLSON,
*Secretary, Yellowstone Cabinet Co.,*
*Billings, Mont.*

DEAR MR. CARLSON: Referring to correspondence exchanged between you and Mr. J. G. Morrison, general freight-traffic manager of the Northern Pacific Railway regarding rates on furniture and furniture parts from Billings, Mont., to points east of Chicago.

This subject has been considered by the Montana lines under subject No. 2273-Supplement 1 (reopened), and conclusion has been reached that the proposed reductions could not be recommended for the following reasons:

This subject was previously considered by the Montana lines in 1943 and failed of approval because of the fact that the Montana lines had never recognized the transcontinental grades of Chicago in the establishment of rates from Montana to groups east of Chicago. At that time, it was also concluded that such reductions would undoubtedly result in requests for similar reductions in the west-bound rates from Grand Rapids, Mich., and other eastern manufacturing points.

The views of the Montana lines as a whole have not changed in the above respects. Furthermore, the opinion prevails that with the supply and demand of furniture as it is today you should have no difficulty in disposing of your product under the present rate set-up.

We regret that we are not able to inform you of more favorable action on the part of the Montana lines.

Yours very truly,

R. B. BATTEY,
*Chairman.*

Copies to Mr. E. W. Soergel, freight traffic manager, Chicago, Milwaukee, St. Paul & Pacific Railroad, Chicago, Ill.; Mr. P. H. Burnham, freight traffic manager, Great Northern Railway, St. Paul, Minn.; Mr. J. G. Morrison, general freight traffic manager, Northern Pacific Railway, St. Paul, Minn.; Mr. K. G. Carlson, freight traffic manager, Union Pacific Railroad, Omaha, Nebr.

I wrote a letter to the Interstate Commerce Commission and in reply received this letter:

INTERSTATE COMMERCE COMMISSION,
*Washington 25, October 31, 1935.*

In reply please refer to Informal Complaint No. 173707.

Hon. BURTON K. WHEELER,
*Chairman, Committee on Interstate*
*Commerce, United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR: Receipt is acknowledged of your letter dated October 15, 1945, together with a letter from the Yellowstone Cabinet Co., relative to the east-bound rates on new furniture from Billings, Mont.

Enclosed is a copy of letter of even date which I have sent to the Montana carriers. As soon as replies have been received from them you will be further advised.

Your file is returned herewith.

Cordially yours,

JOHN L. ROGERS, *Chairman.*

The Commission's copy of letter addressed to the four railroad companies reads:

INTERSTATE COMMERCE COMMISSION,
*Washington, November 1, 1945.*

Mr. E. W. SOERGEL,
*Freight Traffic Manager,*
*The Chicago, Milwaukee, St. Paul &*
*Pacific Railroad Co., Chicago, Ill.*

Mr. P. H. BURNHAM,
*Freight Traffic Manager, The Great*
*Northern Railway Co., St. Paul, Minn.*

Mr. J. G. MORRISON,
*General Freight Traffic Manager, North-*
*ern Pacific Railway Co., St. Paul, Minn.*

Mr. K. G. CARLSON,
*Freight Traffic Manager, Union Pacific*
*System, Omaha, Nebr.*

DEAR SIRS: Enclosed are copies of Secretary Carlson's letter dated October 10, 1945, addressed to Senator Burton K. Wheeler relative to the rates on new furniture from Billings, Mont., to eastern points.

It appears that in the early part of 1945 a proposition was considered by the Montana lines with respect to reducing the rates from Billings, Mont., to points east of Chicago, subject 2273, supplement 1 (reopened). The proposition was denied on the basis of a previous consideration having been given the matter in 1943, the opinion then prevailing among the carriers being that with the supply and demand for furniture being as it was no difficulty should be experienced in disposing of the product under the present rate set-up. The ability of a manufacturer to sell or dispose readily of his product does not, in and of itself, indicate that the rate is reasonable. "All the traffic will bear" should not, standing alone, be made the criterion of a rate. If it be a fact that a reduction in east-bound rates on new furniture from Billings would result in an application for a reduction in rates from Grand Rapids, Mich., manufacturers, that fact does not in and of itself indicate that the present rates are reasonable or properly alined in conformity with the provisions of the act.

Each of you is requested to look thoroughly into this matter and advise the Commission if you are in a position to afford some relief to the petitioner in order that you may be the recipient of increased traffic by permitting the development of a practically new industry in Montana.

Respectfully,

W. P. BARTEL, *Secretary.*

Mr. Bartel there points out that the ability of a manufacturer to dispose of his product readily does not of itself indicate that the rate is reasonable and that "all the traffic will bear" should not, standing alone, be made the criterion of a rate and if the fact that a reduction in east-bound rates on new furniture would result in an application for reduction in rates from Grand Rapids, Mich., manufacturers, that also would not indicate that the present rates are reasonable.

On November 6, 1945, Mr. Carlson of the Union Pacific wrote the secretary of the Interstate Commerce Commission as did also Mr. Morrison and Mr. Soergel and their letters will be inserted in the record at this point:

UNION PACIFIC RAILROAD CO.,
DEPARTMENT OF TRAFFIC,
*Omaha, Nebr., November 6, 1945.*

Mr. W. P. BARTEL,
*Secretary, Interstate Commerce*
*Commission, Washington, D. C.*

DEAR SIR: This will acknowledge receipt of your letter November 1, file Informal Complaint No. 173707, involving readjustment of rates sought by the Yellowstone Cabinet Co., from Billings, Mont., to eastern destinations.

This matter is receiving consideration and further advice will be furnished you in the near future.

Yours very truly,

K. G. CARLSON.

Copies to Mr. E. W. Soergel, freight traffic manager, Chicago, Milwaukee, St. Paul & Pacific, Chicago, Ill.; Mr. P. H. Burnham, freight traffic manager, Great Northern, St. Paul, Minn.; Mr. J. G. Morrison, general freight traffic manager, Northern Pacific, St. Paul, Minn.

---

NORTHERN PACIFIC RAILWAY CO.
FREIGHT TRAFFIC DEPARTMENT,
*St. Paul, Minn., November 7, 1945.*

Mr. W. P. BARTEL,
*Secretary, Interstate Commerce*
*Commission, Washington, D. C.*

DEAR SIR: Receipt is acknowledged of your letter November 1 in Informal Complaint No. 173707, rates involved being those on new furniture from Billings, Mont., to eastern points.

Mr. Carlson's request for these rates is still before the Montana lines. The matter will be further considered in the light of your letter and the one from him to Senator Wheeler, dated October 10. Every effort will be made to dispose of it without further unnecessary delay. I shall write you further about it as early as possible.

Yours very truly,

J. G. MORRISON,
*General Freight Traffic Manager.*

Copies to Mr. E. W. Soergel, freight traffic manager, Chicago, Milwaukee, St. Paul & Pacific Railroad Co., Chicago, Ill.; Mr. P. H. Burnham, freight traffic manager, Great Northern Railway Co., St. Paul, Minn.; Mr. K. G. Carlson, freight traffic manager, Union Pacific Railroad Co., Omaha, Nebr.

---

CHICAGO, MILWAUKEE, ST. PAUL
& PACIFIC RAILROAD CO.,
FREIGHT TRAFFIC DEPARTMENT,
*Chicago, Ill., November 9, 1945.*

Mr. W. P. BARTEL,
*Secretary, Interstate Commerce*
*Commission, Washington, D. C.*

DEAR SIR: This will acknowledge receipt of your letter of November 1, file Informal Complaint No. 173707, concerning rates on furniture from Billings, Mont., to eastern points as desired by the Yellowstone Cabinet Co.

This matter is being given prompt attention and further advice will be transmitted to you at an early date as to conclusion reached.

Yours very truly,

E. W. SOERGEL,
*Freight Traffic Manager.*

Copies to Mr. P. H. Burnham, freight traffic manager, Great Northern Railway, St. Paul, Minn.; Mr. J. G. Morrison, general freight traffic manager, Northern Pacific Railway, St. Paul, Minn.; Mr. K. G. Carlson, freight traffic manager, Union Pacific Railroad, Omaha.

On November 29, 1945, Mr. Bartel, of the Commission, was written by Mr. Battey, chairman of the Montana Lines Committee, which letter follows:

MONTANA LINES COMMITTEE,
*Chicago, Ill., November 29, 1945.*

Mr. W. P. BARTEL,
*Secretary, Interstate Commerce Commission, Washington, D. C.*

DEAR SIR: As chairman of the Montana Lines Committee, I have been directed to write you regarding your letter November 1, 1945, Informal Complaint No. 173707 addressed to Messrs. E. W. Soergel, P. H. Burnham, J. G. Morrison, and K. G. Carlson, relative to rates on new furniture from Billings, Mont., to eastern points.

At meeting of Montana Lines Freight Traffic Managers' Committee in Chicago this week, the following rates were recommended for publication as commodity rates on furniture or furniture parts as described in western classification under heading of "Furniture" or "Furniture Parts" for application from Billings, Mont., to points taking groups A, B, and C rates, as shown on pages 125 to 197, inclusive, of TCFB North Coast Territorial Directory No. 40–I, subject to the concurrence of official carriers.

To group A: $2.57 per 100 pounds.
To group B: $2.34 per 100 pounds.
To group C: $2.22 per 100 pounds.

Minimum weight, 12,500 pounds for cars 40 feet 7 inches or less in length, and 16,000 pounds for cars over 40 feet 7 inches and under 50 feet 6 inches in length.

The above recommended rates are, of course, subject to the approval of official carriers.

Copy of this letter is being transmitted to Mr. K. O. Carlson, secretary, Yellowstone Cabinet Co., Billings, Mont.

Yours very truly,

R. B. BATTEY, *Chairman.*

Copies to Mr. E. W. Soergel, freight traffic manager, Chicago, Milwaukee, St. Paul & Pacific Railroad, Chicago, Ill.; Mr. W. D. O'Brien, acting freight traffic manager, Great Northern Railway, St. Paul, Minn.; Mr. J. G. Morrison, general freight traffic manager, Northern Pacific Railway, St. Paul, Minn.; Mr. K. G. Carlson, freight traffic manager, Union Pacific Railroad, Omaha, Nebr.; Mr. K. O. Carlson, secretary, Yellowstone Cabinet Co., Billings, Mont.

To this letter, Mr. Bartel replies:

INTERSTATE COMMERCE COMMISSION,
*Washington, April 16, 1946.*

Mr. R. B. BATTEY,
*Chairman, Montana Lines Committee, Chicago, Ill.*

DEAR SIR: On November 29, 1945, file Montana 2273, Supp. 1 (reopened), you wrote the Commission that as chairman of the Montana Lines Committee, you were directed to reply to a letter dated October 10, 1945, addressed to Senator Burton K. Wheeler by Yellowstone Cabinet Co., K. O. Carlson, secretary, relative to the rates on furniture and furniture parts from Billings, Mont., to eastern points.

You stated that, at a meeting of the Montana Lines Freight Traffic Manager's Committee, in Chicago, publication of certain rates on furniture or furniture parts were recommended, subject to concurrence of the official carriers. Nothing further has been heard from you. You are requested to advise the Commission what progress has been made with respect to publishing the proposed rates and if, when, and where said rates will be published.

Respectfully,

——— ———,
*Secretary.*

And on the same day Mr. Bartel wrote the following letter:

INTERSTATE COMMERCE COMMISSION,
*Washington, April 16, 1946.*

Hon. BURTON K. WHEELER,
*Chairman, Committee on Interstate Commerce, United States Senate, Washington, D. C.*

MY DEAR SENATOR: Enclosed is a copy of a letter addressed to Chairman Battey together with copies of all letters to and from the carriers relative to the publishing of rates on furniture and furniture parts from Billings, Mont., to eastern points. Upon receipt of further advice from the carriers you will be promptly advised.

Yours very truly,

W. P. BARTEL,
*Secretary.*

Senator HAWKES. What is the date of that?

The CHAIRMAN. April 16, 1946. This case is now over 18 months old and no action has been taken despite the fact that the Secretary of the Interstate Commerce Commission wrote these letters suggesting that they give consideration to putting them into effect.

What the railroads say is that because of the fact that he can sell his products right now it does not matter what the rates are and the Commission has pointed that that has nothing to do with reasonableness of the rates. The fact also that the Michigan manufacturers might ask for lower rates has nothing to do with the reasonableness of the rates. So, the matter has been held up something like 18 months and is being passed around to these various bureaus.

Mr. KILDAY. I would like to say one more thing about this chart, if I may.

As I stated before, the president sits on the Western Association of Railroads; the vice president in charge of rates sits on the executive committee; and his subordinates sit in the regional committees.

Of course, on the top committee in each region, the vice president has a right to come down and sit in their meetings because he is called the executive of the regional or local bureaus. He can sit both here and on this executive committee down here.

Now, in answer to the Senator from New Jersey who raised very interesting questions about the independent action. All of these plans and any agreements down here, state on their faces that every carrier shall have a right of independent action; but they further state that when he renounces the right of independent action that it may be appealed up to the top and he agrees to withhold his independent action until the appeals are decided.

Now, we have papers definitely showing, and I think we have shown it to this committee, that after he gets through all this western machinery that the Association of American Railroads upon complaint from some other road that the rates out there might be harmful to it can throw the thing up here to the Association of American Railroads. It has been shown that in the plan of the AAR there has not been any provision for independent action. On the contrary that plan was to the effect that there should be compulsory arbitration in the AAR.

I noticed that about 10 or 15 days before they answered at Lincoln, Nebr., they rewrote that AAR plan. I heard some of the boys laughing about that. In the new written plan they have written in there that any road can take independent action and they struck out of their constitution the reference to compulsory arbitration.

In other words, when we became interested in this western agreement they canceled and when we got interested in this compulsory arbitration thing they struck it out about 15 days before answering.

That was the same thing as in the joint traffic case or the Trans-Missouri case. They want out and canceled it but the court held that did not make the case moot. The court had the opinion that they had the potential power to set it up again after the heat was off, if I may use that expression.

In connection with that furniture, while the chairman was out this morning, I showed the committee that there was in existence a plan whereby hardwood lumber shippers could ship lumber into a furniture factory with a certain rate and the furniture could move out of the factory to the ultimate destination on a rate set up in such fashion that there would be what they called a cut-back of the rate, making a total rate less than the local rate into the factory plus the rate out of the factory to the ultimate destination.

That was in existence and was an advantage both to the hardwood lumber growers and shippers and to the furniture people. It is shown here as a good illustration of how this works as a national mechanism.

In the South, the southern bureau filed a proposal that they would like to do away with all that if, as, and when it was done away with in the Southwest. Under the guidance of Mr. Cleveland they were working with the proposition to do away with it in the South and Southwest. I point that out because it is extremely difficult for the furniture man in Montana to know what is happening to him because there may be some kind of a proposal somewhere that will do away with his rate advantage.

Our view is that the southwestern furniture man and the southwestern lumberman ought not to be disturbed and the southwestern railroad ought not to be disturbed with its customers merely because somebody else in some other region wants them disturbed. We do not think the Congress contemplated that kind of a system.

The CHAIRMAN. Here is a small manufacturing concern getting started. They tell him, first, we will not disturb the rates because during this particular period you can sell all the products you can manufacture. Secondly, because the manufacturers in Grand Rapids may ask for a lower rate to the West, they cannot lower his rate to the East even though it may be too high.

If a manufacturer in Montana wants to start a manufacturing plant, he cannot get a reasonable rate to eastern points because a manufacturer in Grand Rapids, Mich., may ask for a lower rate.

Under those circumstances, there is no chance for the manufacturing establishments to get built up in Montana. And the idea of holding it up while it is being kicked about in these bureaus, when the Northern Pacific should be getting more business, provided this furniture company could send more of its furniture over their line to the East, is not a sound one.

He said he was shipping three carloads a week and he intended enlarging his plant because he was turning out a first-class product. The Northern Pacific is bound to lose in the long run because the Grand Rapids people may ask for a lower rate some time in the future.

———

EXHIBIT A

AGREEMENT AMONG VARIOUS RAILROADS FOR COMMISSIONER PLAN, WESTERN DISTRICT, EFFECTIVE DECEMBER 1, 1932

This agreement, made and entered into this ——— day of ————, 1932, by and between—

The Alton Railroad Co., the Atchison, Topeka & Santa Fe Railway Co., Chicago & Eastern Illinois Railway Co., Chicago & North Western Railway Co., Chicago, Burlington & Quincy Railroad Co., Chicago Great

Western Railroad Co., Chicago, Milwaukee, St. Paul & Pacific Railroad Co., the Chicago, Rock Island & Pacific Railway Co., the Denver & Rio Grande Western Railroad Co., the Denver & Salt Lake Railway Co., the Duluth, South Shore & Atlantic Railway Co., Duluth, Winnipeg & Pacific Railway.

Louis B. Barry, Jr., as receiver for Fort Smith & Western Railway Co., Great Northern Railway Co., Illinois Central Railroad Co., the Kansas City Southern Railway Co., Louisiana & Arkansas Railway Co., Midland Valley Railroad Co., Mineral Range Railroad Co.

W. H. Bremner as receiver for the Minneapolis & St. Louis Railroad Co., Minneapolis, St. Paul & Sault Ste. Marie Railway Co.

W. Stephenson as receiver for Missouri & North Arkansas Railway Co., Missouri-Kansas-Texas Railroad Co., Missouri Pacific Railroad Co., Northern Pacific Railway Co.

J. M. Kurn and John G. Lonsdale as receivers for St. Louis-San Francisco Railway Co., St. Louis Southwestern Railway Co., Southern Pacific Co., the Texas & Pacific Railway Co., Union Pacific Railroad Co.

Walter S. Franklin and Frank C. Nicodemus, Jr., as receivers for Wabash Railway Co. and the Western Pacific Railroad Co.[1]

each party hereto acting herein on its own behalf and, to the extent of its interests, on behalf of any railroad company or companies in the western district, not parties hereto, owned, operated, or controlled by it or by it jointly with others, witnesseth:

Recitals: The parties hereto are all affiliated with the Western Association of Railway Executives and operates lines of railroad in the western district. It is desirable that, for the mutual benefits of all railroads operating in the western district, a plan be adopted—

1. To advance their interests with relation to other forms of transportation; and for securing definite cooperation among them to the end that consideration may be given from the general standpoint of all railroads in the district, rather than from the standpoint of an individual railroad, to all matters affecting:

2. All matters of general railroad policy;

3. Rates, both passenger and freight, traffic rules and practices:

4. Service:

A. Freight and passenger train schedules and service.

B. Terminal and any unusual accessorial facilities or accommodations.

Agreement: Now, therefore, it is mutually agreed by and between the parties hereto as follows:

PLAN TO BE ADOPTED FOR PURPOSES RECITED

SECTION 1. The parties hereby agree, for the purposes above recited, to adopt the plan hereinafter set forth, the essence of which is: First, the establishment of the position of a neutral commissioner for the western district who, viewing all questions from the standpoint of what is best for the railroads of the district as a whole, shall assist the railroads in reaching an amicable settlement of any differences which may arise, and in effectuating policies, involving matters specified in items Nos. 1, 2, 3, and 4, in the recitals hereof; and, second, the establishment of a committee of directors to which such Commissioner shall report as hereinafter provided.

APPOINTMENT OF COMMISSIONER FOR WESTERN DISTRICT

SEC. 2. There shall be appointed, in the manner hereinafter provided, a neutral commissioner for the western district (hereinafter called commissioner) who shall function as hereinafter set out and whose headquarters shall be in Chicago, Ill. The parties hereto shall arrange, through their representation in the Western Association of Railway Executives, for the selection, promptly after the effective date hereof, of said commissioner by the executive committee of said association, and that, when selected, the commissioner shall ex officio become, and during his incumbency as such commissioner remain, the chairman of said western association. It is clearly understood, however, that the duties of the commissioner, as such, shall be entirely distinct and separate from his duties as chairman of such association. The executive committee of said association shall also fix the salary to be paid to said commissioner and authorize him to employ such office force and secure such office quarters as may be necessary for the conduct of his office as commissioner, and shall approve the compensation to be paid such office force and for such quarters. The salary and expenses of the commissioner, including rental for office quarters, and of his office force, shall be apportioned among the parties hereto upon the same basis and in the same manner as the expenses of the Western Association of Railway Executives are apportioned.

FUNCTIONS OF COMMISSIONER

SEC. 3. It is expressly understood that the Commissioner shall have no plenary or absolute power nor shall he exercise supervision over any particular railroad activity, but he shall act only in a mediatory and reporting capacity as hereinafter provided.

COMMITTEE OF DIRECTORS

SEC. 4. Promptly after the effective date of this agreement there shall be established a Committee of Directors to be chosen as follows: Each party hereto shall appoint one director from among the members of its own Board of Directors, who shall not, however, be a president, vice president, or a receiver; *Provided, however,* That if any party hereto shall not desire to appoint a director on said committee it may, in lieu of such appointment, nominate to represent it on said committee a director appointed by any other company. In the event any member of the Committee of Directors ceases to be a member of the Board of Directors of the party appointing him, he shall at once be replaced upon such committee by a new appointee of such party having qualifications as above. Neither the Committee of Directors, nor any member thereof as such, shall exercise any control or supervision over any particular activity of the railroads of the western district, nor shall said committee have any plenary or absolute power. The purpose intended to be served by the establishment of the Committee of Directors is that such committee and the members thereof, as representatives of the stockholding interests of the railroads in the western district, may be specifically informed, in the manner hereinafter provided, as to any questions adversely affecting net revenues arising among any of the railroads in the western district upon which it has not been possible to secure unanimity of action by the interested railroads.

CHANGES FROM CURRENT PRACTICE—PROCEDURE

SEC. 5. The parties hereto agree that, before inaugurating any material change in current practice of any material innovation (both being hereinafter referred to a change in practice or change) with respect to matters set out in items numbered 2, 3 and 4 in the recitals hereof, the following procedure shall be followed:

(a) If the proposed change in practice is with respect to matters set out in item numbered 2 in the recitals hereof, to wit, All matters of general railroad policy, and such change, if made, might adversely affect the earnings of any other party or parties hereto, the proponent will notify in writing each of the other parties hereto whose earnings might be so affected by such proposed change. Any party or parties so notified desiring to protest against such proposed change shall, within fifteen (15) days after receipt of such notice, advise in writing the party serving same. The proponent of such change and the parties hereto protesting against the same shall make an honest effort to come to an agreement with respect to the matters at issue.

(b) If the proposed change in practice is with respect to matters set out in item numbered 3 in the recitals hereof, to wit, Rates, both passenger and freight, traffic rules and practices, the proponent will present such proposed change to the appropriate one of the following existing organizations and handle the same through such organization in accordance with established practice: Western Trunk Line Committee, Southwestern Freight Bureau, Trans-Continental Freight Bureau, Western Passenger Association, Southwestern Passenger Association, Trans-Continental Passenger Association, other associations subordinate to or collateral with the above organizations.

Appeals where proper and desired shall be made to the Western Traffic Executive Committee in regular course.

(c) If the proposed change in practice is with respect to matters set out in item No. 4 of the recitals hereof, to wit, "Service: A. Freight and passenger train schedules and service. B. Terminal and any unusual accessorial facilities or accommodations," and such change, if made, might adversely affect the earnings of any other party or parties hereto, the proponent will present such proposed change to the Western Association of Railway Executives or an organization subordinate thereto and handle the same through such association or subordinate organization in accordance with established practice.

It is expressly understood, however, that the provisions of this section 5 shall not apply in emergency cases where a change in practice is contemplated for the purpose of meeting transportation competition other than rail; unless, however, the contemplated change may be of such a nature that, if made, the adverse effect on the earnings of another party or other parties hereto might be so drastic as to outweigh any advantage which may be gained by such a change by the party contemplating it.

It is understood that in all things the parties will abide by the spirit of this agreement, the basic purpose of which is to avoid practices which will dissipate railroad earnings in the western district.

REFERENCE OF CONTROVERSIES TO COMMISSIONER

SEC. 6. If the matter at issue is one of the nature set out in subdivision (a) of said section 5, then, upon failure of the proponent and the opponents of the proposed change in practice to reach an amicable agreement within a reasonable time and at all events within 30 days from the service of notice by the proponent as provided for in said section 5, any of such parties may refer the controversy to the Commissioner by serving upon him written notice setting out the nature of the controversy and advising him of the effort made to settle the same and such notice shall be served promptly after the fact of inability to agree has been established. Copy of such notice shall at the same time be furnished by the party or parties serving the same to all other parties hereto involved in or affected by such controversy.

When, with regard to matters mentioned in subdivisions (b) and (c) of section 5 hereof, the procedure provided for by the organizations therein referred to shall have been concluded and final action taken on any proposed change in practice, then the proponent of such change if unsuccessful, or if successful, any opponent or opponents

[1] The following companies subsequently became parties to the Commissioner agreement: Illinois Terminal RR. System, Litchfield & Madison Ry. Co.

thereto voting in the minority on such proposed change, may refer the matter or matters at issue to the Commissioner. Such reference shall be initiated by written or telegraphic notice to the Commissioner, copy to the other party or parties hereto concerned, served within 8 days after official announcement of final action as aforesaid. Said notice shall state briefly the matter or matters at issue and the procedure theretofore taken.

EFFORT OF COMMISSIONER TO COMPOSE DIFFERENCES—HOW TO BE MADE

SEC. 7. Upon receipt of notice referring a controversy to the Commissioner in accordance with the provisions of section 6 hereof the Commissioner shall immediately proceed to develop all the essential facts relating and pertinent to both sides of said controversy, soliciting such information from all parties involved therein or affected thereby through correspondence, personal interview, or joint conference, as the Commissioner may determine. The Commissioner shall have sufficient time in which to develop thoroughly and to correlate such essential data. After a study of the facts so developed it shall be the duty of the Commissioner, acting as an intermediary or mediator, to arrive at a fair and proper solution and settlement of the controversy, having in mind the greatest possible conservation of net revenue to the parties involved in or affected by the controversy as a whole. Should any party or parties involved in or affected by such controversy fail to approve the solution proffered by the Commisssioner, such party or parties shall give written notice to the Commissioner and the other parties so involved or affected of its or their disapproval and of its or their election to proceed independently, and nothing herein contained shall preclude such dissenting party or parties from proceeding independently after giving such notice.

No proposed change in practice shall be put into effect by any party hereto, except as provided in the next to the last paragraph of section 5 hereof, until the procedure contemplated in sections 5, 6, and 7 hereof shall have been concluded.

REPORT BY COMMISSIONER TO COMMITTEE OF DIRECTORS ON FAILURE TO COMPOSE CONTROVERSY

SEC. 8. In the event of the Commissioner's inability to compose a controversy, resulting in notice of independent action by any party or parties involved in or affected thereby, the Commissioner shall make a written report to the Committee of Directors, summarizing the issues involved in the controversy, the proceedings taken by him in connection therewith and stating the solution proffered by him to the parties involved or affected, with copy to interested lines, and thereupon the Commissioner's relation to such controversy shall cease except that he shall furnish any additional or supplemental data at hand that may be requested by the committee or any member thereof.

AGREEMENT APPLICABLE ONLY TO OPERATIONS IN WESTERN DISTRICT

SEC. 9. Certain of the parties hereto operate lines of railroad in other districts of the United States in addition to their operation in the western district. As to such parties the provisions of this agreement shall be effective only with regard to questions involving matters specified in items numbered 1, 2, 3, and 4 in the recitals hereof which touch or concern their lines of railroad in the western district.

COOPERATION WITH OTHER DISTRICTS ADOPTING COMMISSIONER PLAN

SEC. 10. In the event a plan similar to the one herein detailed is effected among the railroads in the southern and eastern districts of the United States, the executive committee of the Western Association of Railway Executives is hereby authorized to bring about such cooperation with such other districts as may tend toward the settlement of questions of a national or interdistrict character of the nature specified in items numbered 2, 3, and 4 in the recitals hereof along lines similar to those provided for the settlement of questions under this agreement.

SIGNATURES IN SEPARATE COUNTERPARTS

SEC. 11. This agreement may be signed in any number of separate counterparts with the same force and effect as if signatures of all the parties hereto were affixed to one original, but it is understood that this instrument shall not become a contract of, or be binding upon, any party hereto until counterparts thereof shall have been signed on behalf of all parties hereto, other than receivers, by officers thereunto duly authorized by action of the respective boards of directors or executive committees of such parties, and, in case of receivers, by the receivers with approval of courts having jurisdiction.

EFFECTIVE DATE—TERM

SEC. 12. This agreement shall become effective on the first day of the calendar month next succeeding the date upon which counterparts of this agreement have been fully executed on behalf of all parties hereto, other than receivers, by their proper officers duly authorized so to do by their respective boards of directors or executive committees and by the receivers, parties hereto, with approval of courts having jurisdiction, and this agreement shall continue in full force and effect for a period of 5 years from and after said effective date and thereafter until terminated as herein provided. It is agreed that this agreement may be terminated by any party hereto at the end of said 5-year period by 1 year's prior written notice to all of the other parties hereto or may be terminated by any party hereto after the expiration of said 5-year period by written notice given by such party to all other parties hereto, either before or after the expiration of said 5-year period, on any date in such notice stated, not less, however, than 1 year subsequent to the date upon which such notice is given. It is further agreed that any party hereto may during said 5-year period or during the subsequent period, without terminating this agreement, withdraw from this agreement by serving on the other parties hereto six (6) months' notice in writing of its intention to withdraw; *Provided, however,* That any party so withdrawing shall, after such withdrawal, continue to be responsible for, and shall pay, its proportion, on the basis herein provided for, of any continuing expense for the payment of which the parties hereto may have become bound prior to the effective date of such withdrawal.

Pursuant to the provisions of this section, the chairman of the Western Association of Railway Executives shall duly notify each party hereto, in writing, of the effective date of this agreement.

PROPERTIES UNDER RECEIVERSHIPS

SEC. 13. The execution of this agreement by the receivers for Fort Smith and Western Railway Co., the Minneapolis and St. Louis Railroad Co., Missouri and North Arkansas Railway Co., St. Louis-San Francisco Railway Co., and Wabash Railway Co., is solely as receivers and not as individuals and neither said receivers, or any of them nor any one who shall succeed them as receivers, shall be bound by any of the terms and conditions of this agreement after the date of his or their discharge as such receivers. After the termination of any such receivership, the company succeeding to the ownership and control of the railroad property involved in such receivership may take the place herein of the receiver or receivers for such property, and for itself, its successors and assigns, become entitled to all of the benefits accruing to, and be bound by all the obligations imposed upon, said receiver or receivers hereunder.

SUCCESSORS AND ASSIGNS

SEC. 14. Subject to the provisions of Section 13 hereof, this agreement shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns.

In witness whereof, the parties hereto, other than receivers, have caused this agreement to be executed as of the date first herein written by their respective officers thereunto duly authorized by their respective board of directors or executive committees, and the receivers, parties hereto, have executed this agreement as of said date, having been duly authorized so to do by order of court.

---

By ---

*President.*

Attest:

---

*Secretary.*

Interpretation of section 5 (c), commissioner agreement, agreed to by signatory carriers, effective September 27, 1934:

"When a signatory plans a change of schedule it shall serve notice of the change, in such detail as will make clear its intentions, upon all roads which, in its opinion, might be affected, such notice to be given at least 15 days in advance of the effective date of the change. Copy of notice should be filed with the chairman of the Western Association of Railway Executives."

In addition to the above interpretation the following ruling was made by the commissioner on November 21, 1935, in connection with freight and passenger train schedules and service:

"When notice is given by a carrier of a proposed change in schedules, the policy has been established of permitting competing lines to meet such schedule on the effective date of the proposed change, even though less than the 15 days' advance notice is given by them of intention to meet the new or changed service.

The purpose of requiring 15 days' advance notice is three-fold. It enables a competing line to protest such change under the commissioner agreement; to meet the new schedule on the effective date thereof; or to permit the new schedule to become effective without making any change in their own existing schedules. It would obviously defeat the purpose of requiring 15 days' notice if the rule were to be rigidly applied when lines are merely meeting a situation created by the inauguration of new or changed service on the part of a competing carrier.

The above policy has been followed in dealing with schedule changes since the adoption of the interpretation relative thereto, and while perhaps the language of circulars issued in connection with this subject is not entirely clear in that regard, in fairness to all of the western carriers the above indicated policy will be followed in dealing with such matters.

This, of course, does not relieve any carrier from the necessity for advising all concerned of its intention to meet the new or changed schedules.

Mr. REED. Mr. President, I believe the proponents of the conference report have 5 minutes left.

The PRESIDENT pro tempore. The Senator is correct.

Mr. REED. The Senator from Kansas believes that the best use that could be made of that 5 minutes is to ask for a quorum.

Mr. WHERRY. Mr. President, what about the time of the opponents?

The PRESIDENT pro tempore. The opponents have 3 minutes left.

Mr. WHERRY. Who is in charge of the time of the opponents?

Mr. REED. The Senator from Georgia [Mr. RUSSELL].

Mr. HATCH. Mr. President, the Senator from Georgia yielded the remainder of the time to the Senator from Montana.

Mr. MURRAY. Mr. President, I yield the remainder of the time.

Mr. WHERRY. Mr. President, may I ask the distinguished Senator from Georgia if he cares to yield the last 3 minutes?

Mr. RUSSELL. Has the Senator from Montana concluded?

Mr. MURRAY. I have.

Mr. RUSSELL. I yield the remaining time to the Senator from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. President, I believe that I have consistently failed to subscribe to the various efforts which have been made in the course of the past few years to weaken the antitrust laws and to impair the validity of the judicial decisions interpreting those laws.

Of course, a case can always be made for cooperation; and if cooperation were all that were achieved in the various designs, it would no doubt be in the public interest for them to take place. But, Mr. President, the antitrust laws were founded upon the sound Democratic free enterprise doctrine. The tendency in this country today which is undermanning our free enterprise system is the gradual paralysis of monopoly in the Nation's economy. Big business is becoming constantly greater, and small business is being steadily squeezed out. If, therefore, we do not strengthen our free enterprise system, which gives small business a chance to grow larger, if we do not prevent the tendency toward concentration of economic power, it means inevitably that free enterprise will be driven out of America or we shall have to resort to public regulation, if not public ownership, to protect legitimately the public interest.

Because I believe in the American system of free enterprise, because I believe that monopoly is dangerous to the system of a democratic capitalism, which is the American way of economic life, and because I believe that the bill is against those principles, I hope the conference report will not be approved by the Senate.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Dworshak | Kem |
| Baldwin | Eastland | Kilgore |
| Ball | Ecton | Knowland |
| Barkley | Ellender | Langer |
| Brewster | Feazel | McCarthy |
| Bricker | Ferguson | McClellan |
| Bridges | Flanders | McFarland |
| Brooks | Fulbright | McGrath |
| Buck | George | McKellar |
| Butler | Gurney | McMahon |
| Byrd | Hatch | Magnuson |
| Cain | Hawkes | Malone |
| Capper | Hayden | Martin |
| Chavez | Hickenlooper | Maybank |
| Connally | Hill | Millikin |
| Cooper | Holland | Moore |
| Cordon | Ives | Morse |
| Donnell | Johnson, Colo. | Murray |
| Downey | Johnston, S. C. | Myers |
| O'Conor | Smith | Watkins |
| O'Daniel | Sparkman | Wherry |
| O'Mahoney | Stennis | White |
| Pepper | Taft | Wiley |
| Reed | Thomas, Okla. | Williams |
| Revercomb | Thomas, Utah | Wilson |
| Robertson, Va | Thye | Young |
| Russell | Tydings | |
| Saltonstall | Vandenberg | |

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

The question is on agreeing to the conference report on Senate bill 110.

The report was agreed to.

ORDER FOR CALL OF CALENDAR ON JUNE 1 AND FOR HOUR OF MEETING ON THAT DATE

Mr. WHERRY. Mr. President, it is my intention to have the Senate adjourn tonight, at the conclusion of this session, and thereafter to convene on Tuesday next at 11 o'clock a. m. The reason that I ask for an adjournment is that we wish to clear the legislative day, so that there will be no question of a point of order in regard to a legislative bill which might be passed during the call of the Consent Calendar.

So, Mr. President, with that purpose in view, I now ask unanimous consent that on Tuesday, June 1, 1948, at the conclusion of the morning business, the Senate proceed to the consideration of unobjected-to bills on the calendar, beginning with the first number thereon, namely, No. 55. That will permit the passage of some of the bills on the calendar as to which objections have been ironed out, for we shall go back to the first part of the calendar. I ask unanimous consent to that effect.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL. Mr. President, will the Senator repeat the last part of his request?

Mr. WHERRY. I am asking unanimous consent that on Tuesday next, the Senate proceed to the consideration of the unobjected-to bills on the calendar, going back to the beginning. The reason for that is that there are several bills on the calendar——

Mr. RUSSELL. I have no objection.

The PRESIDING OFFICER. Without objection——

Mr. RUSSELL. Mr. President, the Senate is to convene at 11 o'clock on Tuesday, is it?

Mr. WHERRY. Yes.

Mr. RUSSELL. And that will mean that the morning hour will be concluded at 1 o'clock?

The PRESIDING OFFICER. That is correct.

Without objection, the unanimous-consent request is agreed to.

Mr. WHERRY. I also ask that when the Senate adjourns today, it adjourn until Tuesday next at 11 o'clock a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISION PERTAINING TO APPROPRIATION FOR HOUSING AND HOME FINANCE AGENCY (S. DOC. NO. 163)

A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an appropriation for the Housing and Home Finance Agency in the form of amendments to the budget for the fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

CONSOLIDATION OF PARKER DAM AND DAVIS DAM PROJECTS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to consolidate the Parker Dam power project and the Davis Dam project (with an accompanying paper); to the Committee on Public Works.

AUTHORITY FOR CERTAIN FUNCTIONS AND ACTIVITIES OF BUREAU OF STANDARDS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide authority for certain functions and activities of the National Bureau of Standards, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AUTHORITY FOR VETERANS' ADMINISTRATION TO CONTRACT FOR CERTAIN INVESTIGATION REPORTS IN CONNECTION WITH INSURANCE CLAIMS

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to contract for certain investigation reports in connection with insurance claims (with an accompanying paper); to the Committee on Finance.

PROTEST AGAINST UNIVERSAL MILITARY TRAINING

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD, a letter from Mrs. William Eckstein, secretary of the Kansas Regional Women's Guild, Marysville, Kans., embodying a resolution adopted by that organization, protesting against the enactment of legislation providing universal military training in peacetime.

There being no objection, the letter was received, ordered to lie on the table, and to be printed in the RECORD, as follows:

EVANGELICAL CHURCH,
*Marysville, Kans., May 22, 1948.*

DEAR SIR: At a recent meeting of the Kansas Regional Women's Guild the following resolution was adopted:

"Whereas the General Synod of 1944 expressed itself as being unalterably opposed to postwar conscription and compulsory military training: Be it

"*Resolved*, That we protest the propaganda of the Army and the American Legion which seeks to sell universal military training to the American public, and also the threat of Representative ANDREWS to force Congress to vote on universal military training without proper time for debate."

Yours truly,

MRS. WM. ECKSTEIN,
*Secretary, Central Kansas Regional Women's Guild.*

PRICE SUPPORT FOR POTATOES

Mr. BREWSTER. Mr. President, I present a resolution signed by Harry E. Humphrey, of the State of Maine, and several other citizens of the States of Idaho, New York, Connecticut, Virginia, Oregon, and California relating to the price support for potatoes, and I ask

unanimous consent that it may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Representatives of the potato industry resolve that—

1. Whereas potatoes are so essential and healthful a part of the daily diet that national well-being requires consumers to be provided with an adequate and steady supply of sound-quality potatoes at fair prices; and

2. Whereas potatoes rank fifth in farm value of all agricultural crops grown in the Nation and second in value as a food crop; and

3. Whereas the hazards of potato production are great and prices are subject to violent fluctuations; and

4. Whereas surpluses depress prices out of all proportion to size of the surplus and render potato producers financially insecure, resulting in much smaller acreages, crops, and extreme high prices; and

5. Whereas the potato grower is entitled to the same protection as is offered by the Government to growers of other essential crops: Now, therefore, be it

*Resolved*—

(1) That potatoes be provided with price support after December 31, 1948, for the one hundred to one hundred and twenty-five million bushels of 1948 crop merchantable late potatoes, which would only be giving late potato growers the same fair treatment as is accorded early potato growers; and

(2) That price support for potatoes be established for subsequent years on a sound permanent basis, assuring potato growers a price of from 60 to 90 percent of parity, with authority to require compliance with production goals, acreage allotments, and marketing practices, as a condition of eligibility for price support; and

(3) That the potato industry, through its own efforts, carry through a program to provide consumers with better quality and thereby to improve consumer acceptance and increase per capita consumption.

L. E. Stephens, Idaho; Harry E. Umphrey, Maine; Amherst W. Davis, Long Island, N. Y.; Joseph Lautt, Connecticut; John B. Sentro, Virginia; Scott Warren, Oregon and California.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MILLIKIN, from the Committee on Finance:

S. 2469. A bill to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free; with an amendment (Rept. No. 1423);

S. 2580. A bill to authorize the Administrator of Veterans' Affairs to convey a certain tract of land in the State of Tennessee to the city of Johnson City; with amendments (Rept. No. 1435);

H. R. 5065. A bill to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free; with an amendment (Rept. No. 1424); and

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1425).

By Mr. BUTLER, from the Committee on Interior and Insular Affairs:

H. R. 3628. A bill to revise the method of issuing patents for public lands; with an amendment (Rept. No. 1428);

H. R. 5151. A bill authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi; without amendment (Rept. No. 1429);

S. Res. 244. Resolution increasing the limit of expenditures of the Committee on Interior and Insular Affairs; without amendment, and, under the rule, referred to the Committee on Rules and Administration; and

H. Con. Res. 129. Concurrent resolution providing for a joint committee composed of members of the Senate and the House Public Lands Committee to make an investigation of our island possessions in the Pacific and trust territories, and report back recommendations for legislation providing for civil government; with amendments (Rept. No. 1430), and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. HATCH, from the Committee on Interior and Insular Affairs:

S. 2617. A bill to include certain lands in the Carson National Forest, N. Mex., and for other purposes; without amendment (Rept. No. 1426).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs:

S. 2743. A bill providing for the more expeditious determination of certain claims filed by Ute Indians; with amendments (Rept. No. 1427).

By Mr. WILSON, from the Committee on Armed Services:

S. 1797. A bill to authorize the advancement of certain lieutenants on the retired list of the Navy, and for other purposes; with amendments (Rept. No. 1432).

By Mr. BALDWIN, from the Committee on Armed Services:

S. 286. A bill to authorize the construction of a research laboratory for the Quartermaster Corps, United States Army, at or in the vicinity of Boston, Mass.; with an amendment (Rept. No. 1431); and

S. 2680. A bill to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communication intelligence activities of the United States; with amendments (Rept. No. 1433).

By Mr. LANGER, from the Committee on Post Office and Civil Service:

S. 2319. A bill to provide for a survey of physically handicapped citizens; without amendment (Rept. No. 1434).

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD:

S. 2766. A bill for the relief of Charles E. Geoghegan; to the Committee on the Judiciary.

By Mr. AIKEN (for himself and Mr. THYE):

S. 2767. A bill to provide assistance in the recruitment and distribution of farm labor for the increased production, harvesting, and preparation for market of agricultural commodities to meet domestic needs and foreign commitment; to the Committee on Labor and Public Welfare.

By Mr. WATKINS:

S. 2768. A bill for the relief of Annie Louise Rees and Annie Jeannette Rees; to the Committee on the Judiciary.

By Mr. STENNIS (for himself and Mr. EASTLAND):

S. 2769. A bill to amend the Mineral Leasing Act for acquired lands (61 Stat. 913), to provide for competitive bidding on leases issued thereunder; to the Committee on Interior and Insular Affairs.

By Mr. GURNEY:

S. 2770. A bill to fix the rank of the Assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements; to the Committee on Armed Services.

By Mr. MORSE:

S. 2771. A bill for the relief of Hazel M. Lewis; to the Committee on the Judiciary.

## REPEAL OF OLEOMARGARINE TAX—AMENDMENTS

Mr. BUTLER submitted four amendments intended to be proposed by him to the bill (H. R. 2245) to repeal the tax on oleomargarine, which were ordered to lie on the table and to be printed.

## ADMISSION OF DISPLACED PERSONS—AMENDMENT

Mr. BRIDGES submitted an amendment intended to be proposed by him to the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes, which was ordered to lie on the table and to be printed.

## APPROPRIATIONS FOR GOVERNMENT CORPORATIONS AND INDEPENDENT EXECUTIVE AGENCIES, 1949—AMENDMENTS

Mr. McKELLAR submitted three amendments intended to be proposed by him to the bill (H. R. 6481) making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes, which were referred to the Committee on Appropriations, and ordered to be printed, as follows:

On page 2, line 9, strike out the figures "$27,389,061" and insert in lieu thereof "$31,389,061."

On page 2, line 13, strike out the figures "$21,689,000" and insert in lieu thereof "$25,689,000."

On page 2, line 14, after the word "dams" insert "a steam plant and facilities at New Johnsonville, Tenn., and."

## APPROPRIATIONS FOR DEPARTMENT OF INTERIOR, 1949—AMENDMENTS

Mr. HAYDEN (for himself and Mr. MCFARLAND) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 21, line 15, after "$40,000;" insert "Payment to the San Carlos Irrigation and Drainage District in accordance with the provisions of the act of March 7, 1947 (Public Law 10) $190,000."

On page 22, line 1, strike out "$3,086,000" and insert "$3,276,000."

## HOUSE BILL REFERRED

The bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

## EXTENSION OF TIME FOR FILING MINORITY VIEWS

Mr. BREWSTER. Mr. President, I ask unanimous consent that the time for filing minority views on behalf of the Advisory Committee of the Special Committee to Investigate the National Defense Program be extended for 2 weeks.

The PRESIDENT pro tempore. Without objection, the order is made.

DEVELOPMENT OF INTERNATIONAL AIR TRANSPORTATION SYSTEM—CONFERENCE REPORT

Mr. BREWSTER submitted a conference report on the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes, which was ordered to lie on the table.

(For text of conference report, see p. 6971, CONGRESSIONAL RECORD, House proceedings of June 2, 1948.)

STATEMENTS BY GENERAL MOTORS CORP. AND UNITED AUTOMOBILE WORKERS, CIO, WITH REGARD TO NEW CONTRACT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD statements issued by General Motors Corp. and United Automobile Workers, CIO, concerning the new 2-year contract between them, which appear in the Appendix.]

RECIPROCAL TRADE AGREEMENTS—EDITORIAL FROM THE BALTIMORE EVENING SUN

[Mr. ROBERTSON of Virginia asked and obtained leave to have printed in the RECORD an editorial entitled "The Trade Agreements Issue," from the Baltimore Evening Sun of May 24, 1948, which appears in the Appendix.]

WISCONSIN'S FRIENDSHIP FLEET—EDITORIAL FROM THE BELOIT NEWS

[Mr. WILEY asked and obtained leave to have printed in the RECORD an editorial entitled "Wisconsin's Friendship Fleet," from the Beloit (Wis.) News of May 10, 1948, which appears in the Appendix.]

REFLECTIONS ON A WAR—EDITORIAL FROM PM

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an editorial entitled "Reflections on a War," published in PM, Thursday, May 27, 1948, which appears in the Appendix.]

RIFT WITH BRITAIN—ARTICLE BY MARQUIS CHILDS

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article entitled "Rift With Britain," by Marquis Childs, published in the Washington Post on Friday, May 28, 1948, which appears in the Appendix.]

MINERAL POSITION OF THE UNITED STATES

[Mr. MALONE asked and obtained leave to have printed in the RECORD an article entitled "Recovery Program Raises Foreign Demand for Zinc, Lead, and Copper," published in the Wall Street Journal of May 24, 1948, and an editorial entitled "Must Mercury Mining Die?" published in the May 1948 issue of the Mining Congress Journal, which appear in the Appendix.]

OUTLINE OF PART OF CALIFORNIA VETERAN LAWS COMPILED BY IRWIN J. LANDIS

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an outline of part of the California veteran laws, compiled by Irwin J. Landis, director of rehabilitation of the Disabled American Veterans, which appears in the Appendix.]

ANTIMONOPOLY LEGISLATION—EDITORIAL COMMENT

[Mr. LANGER asked and obtained leave to have printed in the RECORD three editorials on the subject of antimonopoly legislation: First, an editorial entitled "Stature of the FTC," published in the Tennesseean, of Nashville, Tenn., on May 13, 1946; second, an editorial entitled "Plugging the Hole," published in the Tennessean under date of May 26, 1945; and, third, an editorial entitled "Merging the Rice Mills," published in the Times-Picayune, of New Orleans La., on May 27, 1947, which appear in the Appendix.]

DEVELOPMENT OF THE COLUMBIA RIVER—ADDRESS BY MORTON J. TOMPKINS

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address delivered by Morton J. Tompkins, master, Oregon State Grange, before the Oregon chapter of the Methodist Federation for Social Action, Portland, Oreg., on March 5, 1948, which appears in the Appendix.]

THE CIVIL-RIGHTS ISSUE

[Mr. MORSE asked and obtained leave to have printed in the RECORD a letter and certain speeches and newspaper comments with reference to civil rights, which appear in the Appendix.]

AWARD OF AMERICANISM MEDAL TO ATTORNEY GENERAL CLARK

Mr. BARKLEY. Mr. President, the Army and Navy Union has awarded to the Attorney General of the United States its Americanism medal for the distinguished service he has rendered in acquainting the American people with communism and un-American trends. I ask unanimous consent to have printed in the RECORD as a part of my remarks a letter from the Army and Navy Union addressed to the Attorney General, giving the reasons for its award made to him.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 14, 1948.

Hon. TOM CLARK,
*Attorney General of the United States of America:*

The Army and Navy Union, U. S. A., oldest veteran association in the United States, established in 1886 and incorporated under the laws of Ohio in 1888, awards its Americanism medal to the Attorney General for distinguished service to the Nation in the campaign to enlighten the American people about the threat of communism and un-Americanism; for his tolerance and continual effort for unity, freedom, and understanding among all people regardless of race, creed, or color; for his loyalty to the Constitution, and stand against all un-American activities and subversive undertakings.

JAMES M. CALLAHAN,
*National Commander.*
GEORGE H. MAINES,
*Chairman, Americanism Committee.*
HENRY W. GERBER,
*National Adjutant.*

HOUSING FOR VETERANS—LETTER FROM SENATOR McCARTHY

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I sent to Mr. Francis M. Sullivan, director of the Disabled American Veterans, regarding the housing bill, and the cooperation extended to the Housing Committee by his organization during the investigations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
*April 26, 1948.*

Mr. FRANCIS M. SULLIVAN,
*Director, Disabled American Veterans, Washington, D. C.*

DEAR MR. SULLIVAN: In reading over the RECORD containing the remarks on the housing bill, I note with deep regret that I failed to make any mention of the splendid cooperation and valuable assistance your organization gave the Housing Committee during our investigations. This disturbed me very much and this letter is written to assure you that the help you gave is profoundly appreciated and was of untold aid. Both you and Mr. Foster were extremely cooperative in discussing housing legislation, not only as it related to disabled veterans, but as it would affect all veterans.

I am exceedingly well pleased that the amendment regarding homes for paralyzed veterans was incorporated in the housing bill as it passed the Senate, and am hopeful that this will be enacted into law at a very early date.

Again let me extend my sincere appreciation for the valuable assistance your organization gave. I am having this letter inserted in the CONGRESSIONAL RECORD as an extension of my remarks on the housing bill, as I certainly want the RECORD to include a statement of my recognition of your services.

The members of the committee and I were also very much impressed by the assistance given the committee at various regional hearings by the Jewish War Veterans and the Catholic War Veterans.

With kindest regards and every good wish, I am,

Sincerely yours,

JOE MCCARTHY.

CITIZENSHIP OF THE TRAPP FAMILY

Mr. AIKEN. Mr. President, on Wednesday, May 26, 1948, the Nationalization Department conferred citizenship on Mrs. Maria Trapp and her four daughters, of Stowe, Vt. Mrs. Trapp is the widow of Baron von Trapp, who escaped from Austria with his children and his counselor approximately 10 years ago and made his way to America before the beginning of World War II. He was determined not to serve Mr. Hitler and company in World War II. The family arrived in America without much, if any, money. The family was very talented, being exceptionally good singers, and literally "sang for their supper" for some time. They finally located just outside the village of Stowe, Vt., in a section which most nearly resembled their native Austria. They were well-to-do when in Austria. Their home was taken over by the Nazi Himmler and occupied by him during the war.

Baron von Trapp died last year and is buried in the hills of Vermont.

This remarkable family has shared its talent with the people of the United States. They not only conduct a school, or gatherings for the teaching of group singing, in their Vermont home during the summer, but since they have been in the United States they have given more than 800 concerts in, I believe, every State in the Union. I personally heard them sing in Constitution Hall in Washington. They are a truly remarkable

family. They have worked their way deservedly into the hearts of the people of Vermont and of all Americans, I am sure.

I ask unanimous consent to have printed in the RECORD, in connection with my remarks, a story from the Montpelier Evening Argus of May 26, 1948, which more fully tells of this unusual Austrian family who have become American citizens—that is, all of them who were old enough.

Although Baron von Trapp was a submarine commander during World War I, two of his sons became citizens through their work with the American Army in World War II. I think that this family deserves the recognition which the insertion of this story in the CONGRESSIONAL RECORD will give them.

Mrs. Trapp is no longer Baroness von Trapp, but is just Mrs. Trapp, of Stowe, Vt.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRAPP CONCERT FAMILY BECOME CITIZENS OF THE UNITED STATES

Baroness Maria Trapp and her four daughters of Stowe became citizens of the United States of America at the Federal building in Montpelier today.

The famous concert family, formerly of the Austrian nobility (they have dropped the word "von" from their name), were among 45 persons who were administered the oath as citizens at a naturalization session of United States district court here today.

The daughters are Martina, Hedwig, Maria, and Agatha. The mother and daughters were attired in picturesque native costumes as they took the oath.

Two sons of the family, Rupert and Werner, attained citizenship when they served in the United States Army during the war. A third son, John, was born in this country. Baron Trapp died about a year ago.

Following the naturalization proceedings, the Trapp family went to the executive chamber at the statehouse to pay their respects to Gov. Ernest W. Gibson, who congratulated them upon becoming American citizens. When she was presented as Baroness von Trapp, she made the correction that under United States law there are no titles of nobility and that she is now plain Mrs. Trapp.

MRS. TRAPP'S STATEMENT

The family was photographed outside the Federal building following the proceedings. The mother, in talking with newspapermen, expressed the following appreciation of the citizenship bestowed upon the family:

"As long as we lived in our country (Austria) in a very comfortable house, we did not really appreciate what it meant. We had to learn the hard way. We had to lose our home and country and to live without a flag or a national anthem and as displaced persons and refugees for years to understand what it means to belong to a place and to have a home. After years of hardships we have learned to know, appreciate, and love America and Americans, our love for the Nation starting with the people and extending from them to the Nation.

"In over 800 concerts all over the United States, we have visited all 48 States several times. We have had years to decide in what State we wanted to settle, and we have chosen the Green Mountains of Vermont, on account of its resemblance to our beloved mountains of Austria and the resemblance of Vermonters to the people of our native land. We have learned that the size of a State is not counted by square miles or by the number of its people. My husband who died a year ago is buried in the mountains of Vermont and this is now where our hearts are rooting.

"For us it is a day of thanksgiving. When the judge said at the beginning of his remarks, 'Fellow citizens,' we knew that after 10 long, anxious years we again have a home, flag, and an anthem worth living for and dying for."

In the 9 years since their arrival in America, the Trapp family has become one of the country's most popular concert attractions both by their unusual musical performances and because they are a storybook family come to life.

In the thirties the Trapps lived quietly in a medieval castle in the mountains near Salzburg, Austria. They always sang together for their own amusement and roamed their countryside collecting folksongs which had never been written down. They had their own chaplain, Rev. Franz Wasner, who prepared for their use special transcriptions of old church music and also instructed them in the performance of many ancient instruments.

Then the Nazis invaded Austria and the Trapp family, after defying the new order, were forced to flee from their ancestral home. They took a ship from Italy and landed at Ellis Island, New York, with a total capital of $50. Their only prospect of earning a living was their music, and led by Father Wasner they started out on a concert tour in a dilapidated bus, accompanied by many hardships, but they soon caught the imagination and the affection of the American public and today they give sold-out concerts each year in more than 125 cities.

The Trapps make their permanent home on a farm in the Green Mountains near Stowe, Vt., which is visited each summer by hundreds of persons from all parts of the country who gather there for "sing weeks" learning to sing old folk and church music and to play the ancient instruments with their foremost exponents.

Two sons of the Trapp family, Rupert and Werner, served overseas with the United States Army during the war. Rupert Trapp is now a physician on the staff of St. Francis' Hospital, Hartford, Conn.

The Trapp family was accompanied by Fletcher B. Joslyn to the Governor's office, where several pictures were taken. Mrs. Trapp told the Governor about the Austrian Relief Association and what it is sending to the people of Austria. She asked about the possibility of displaced persons settling on hill farms in this State. The Governor told her that was dependent somewhat upon the quota which has been fixed. She said she would take the proposition up with the Vermont congressional delegation when in Washington.

## TEMPORARY EXTENSION OF CERTAIN PRESIDENTIAL POWERS UNDER SECOND DECONTROL ACT OF 1947

Mr. WHERRY. Mr. President, I ask unanimous consent that the unfinished business, the displaced persons bill, be temporarily laid aside and that the Senate proceed to the consideration of House bill 6659, a bill for the temporary extension of certain powers under the Second Decontrol Act of 1947.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6659) to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

There being no objection, the Senate proceeded to consider the bill.

Mr. FLANDERS. Mr. President, I move to strike out all after the enacting clause in House bill 6659, and insert in lieu of the portion stricken Senate bill 2746, as proposed to be amended by the Committee on Banking and Currency. That bill will be found on the desks of Senators, and also the report on the bill is on Senator's desks.

I wish to give a brief résumé of the difference between the two bills. The House bill would have extended the President's authority to control materials such as tin and tin products, antimony, fats and oils, rice and rice products, and nitrogenous fertilizer materials, and petroleum and petroleum products. Unless extended, these controls will expire on May 31, 1948. The House bill grants the President authority to control nitrogenous compounds, including anhydrous ammonia, necessary for the manufacture and delivery of nitrogenous fertilizer materials required for export, and requires 50 percent of the export requirements of such materials to nonoccupied areas to be supplied out of production of plants operated by the Department of the Army. The House bill would not have extended the President's control of cinchona bark, quinine, and quinidine. It would also have repealed the authority granted the President under existing law to use price criteria in the licensing of exports.

The Senate bill differs from the House bill in the following respects:

First. It substitutes the date June 30, 1949, for the date February 28, 1949, carried in the House bill as the termination date for the extended controls. The effect of this difference is to extend also the power presently possessed by the President to control the use of transportation equipment and facilities by rail carriers beyond February 28, 1949, when that power would otherwise expire under existing legislation.

Second. The Senate bill would continue the President's authority to exercise controls over cinchona bark and quinidine, but not over quinine.

Third. The Senate bill does not repeal the power presently possessed by the President to use price criteria in the licensing of exports.

It is apparent that immediate favorable action must be taken upon this legislation if we are to prevent the controls from expiring within the next few days.

So, Mr. President, as I have said, I move that all after the enacting clause of House bill 6659 be stricken out, and that in lieu thereof there be inserted the text of Senate bill 2746, as proposed to be amended by the committee.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Vermont, who by his motion is offering an amendment in the nature of a substitute.

Mr. GURNEY. Mr. President, to the substitute I offer the amendment which

I send to the desk and asked to have stated.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 2, in line 9, of the amendment submitted by Mr. FLANDERS, it is proposed to change the word "shall" to "may."

On page 2 in line 14, after the word "requirements", it is proposed to insert the following:

There is hereby authorized to be expended such presently available funds and to be appropriated such additional funds not otherwise appropriated, as may be necessary to enable the Department of the Army to increase the production of anhydrous ammonia plants presently in operation and to place in operation such necessary additional facilities as may be obtainable in order to produce such 50 percent of the export requirement of the United States of nitrogenous fertilizer materials to nonoccupied areas: *And provided further,* That the Department of the Army's participation in the export program to these nonoccupied areas may be limited to an amount equal to the additional production so made available.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from South Dakota to the substitute proposed by the Senator from Vermont.

Mr. GURNEY obtained the floor.

Mr. FLANDERS. Mr. President, will the Senator yield to me?

Mr. GURNEY. I yield.

Mr. FLANDERS. I have gone over the amendment offered by the Senator from South Dakota. I understand that it comes from the Army. I have discussed the amendment with the authorities of the Department of Commerce, and they offer no objection to it. So I shall be glad to accept it.

Mr. MAYBANK. Mr. President, if the Senator from South Dakota will yield to me, I should like to ask him whether the amendment was presented to the House of Representatives.

Mr. GURNEY. I do not believe it was. It was presented to me only today because of the urgency of the situation to which this bill relates. In other words, it would take away some production from occupied areas for use in unoccupied areas, as I understand the situation.

Mr. MAYBANK. Mr. President, all I should like to say is that every time any measure affecting the American farmer comes up on the floor of the Senate, the Army always attempts to interfere.

This bill was before the House of Representatives, and prior to that it was before the House committee. The committee held hearing after hearing. I myself attended them. I went over there day after day. The House passed the bill. During all those extended hearings the Army knew the present law would expire on May 31. Nevertheless, now, at the last minute, as the distinguished chairman of the committee has said, the Army suggests an amendment which would interfere with what has been done by the House of Representatives—by those who know something about the situation of the farmers.

Mr. GURNEY. Mr. President, as I understand the matter, the Army is now engaged in producing this fertilizer material in some of the munitions plants, and is presently producing a little over 200,000 tons a year. This amendment will allow the Army to increase that production.

As I see the situation, not only should that help the American farmer—and certainly I do not wish to hurt the American farmer in any way; I know we are terrifically shore of fertilizer—but this amendment would allow the Army to place in operation more plants which now are in a stand-by condition. The amendment also would allow the Army to have at least some discretion as to the amount of fertilizer to be shipped out of the occupied zones. When fertilizer is shipped out of the occupied zones, that means larger appropriations for feeding the people in the occupied zones, for this amount of fertilizer is equal to a considerable amount of grain and other foodstuffs, which it is estimated might cost $58,000,000. With the inclusion of the amendment, there is a chance to save some of that expense.

I think the greatest benefit of the amendment, however, will be in allowing the production of more of these fertilizer materials in the United States.

Mr. MAYBANK, Mr. MORSE, and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield; and if so, to whom?

Mr. GURNEY. I yield first to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, I have no quarrel with the Army, as the distinguished chairman of the Armed Services Committee knows very well.

Mr. GURNEY. That is correct.

Mr. MAYBANK. I serve on the Senator's committee, and I have done everything I could to help the Army and the Navy and the Air Forces. But I object to the sort of procedure we are confronted with now, when, after the hearings have been held by the House committee, which were attended by witnesses from practically every State of the Union, who testified before the committee, and after the bill has been passed by the House of Representatives and has been sent to the Senate and is about to be considered by the Senate, then, on the very day when the Senate is about to act on the bill, the Army sends an amendment here.

The next time the Army is interested in such matters, I hope it will go to the House committee in the first place, when the bill is before the House committee, and will present its views, so that everyone will know both sides of the matter, rather than suggest an amendment in this way, just a few hours before the act expires. That is my only objection.

Mr. FLANDERS. Mr. President, will the Senator from South Dakota yield to me?

Mr. GURNEY. I yield.

Mr. FLANDERS. I should like to suggest that since the timing of this matter is important and since the question raised by the Senator from South Carolina [Mr. MAYBANK] is also important, probably the best way to handle this matter would be in conference. If I am not misinformed, the Senator from South Carolina will be a member of the conference committee. I assure him that his point of view will have my support, if I should chance also to be on the conference committee. So, in view of that situation, I suggest that the bill be allowed to go to conference with the Army amendment.

Mr. MORSE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Oregon?

Mr. GURNEY. First, Mr. President, I wish to say that an explanation has been furnished by the commanders in the occupied zones in regard to this fertilizer problem, so at this time I ask unanimous consent to have the statement of the Army's position appear in full in the RECORD, for the benefit of all Senators and also for the benefit of the conferees, so that the problem may be properly understood.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The bill, H. R. 6659, which passed the House of Representatives May 26, 1948, contains a provision that 50 percent of the export program of the United States of nitrogenous fertilizers to nonoccupied areas will be supplied from the production of the United States Army Ordnance plants.

Army Ordnance production, indigenous production, and imports from other sources will provide only about 90 percent of the minimum requirements of the occupied areas for nitrogen for production of direct food crops alone. These supplies would meet only about 75 percent of the desirable quantities to bring agricultural production into proper balance.

This bill will result in a loss to the occupied areas during the fiscal year 1949 of about 30,000 metric tons of nitrogen. This is equivalent to about 450,000 tons of grain at a landed cost of approximately $58,500,000, if this grain were obtainable which is problematical. In other words, the loss of $9,000,000 worth of nitrogen will result in a net loss of about $49,500,000 worth of food to areas that are already on a bare existence ration.

The committee has stated that these exports could be met by increasing production in Government owned plants. The ammonia plants operated by the Ordnance Department of the Army are operating at their demonstrated maximum production rates. The Cactus ammonia plant is being expanded by additions of basic equipment. Additional production from this plant that can be expected during the fiscal year 1949 has been programed and is included in the expected supplies available for the occupied areas.

It is true that there are two idle units capable of producing ammonia at the Missouri Ordnance Works. This plant is now being operated by the Bureau of Mines in its synthetic fuel research program. These two units cannot operate in their present location as such operation would seriously interfere with the very important fuel research program. Private industry has been investigating the possibility of moving these units to a location near available supplies of natural gas. It is understood that no company has felt this action was financially practical.

It is barely possible that an increase in production may be obtained during fiscal year 1949 to take care of a part of the 30,000 tons of nitrogen that would be the responsibility of the Department of the Army. This increase would not be available until very late in the fiscal year and would require funds in excess of $11,000,000 and would provide about 25,000 tons of nitrogen, which includes about 9,000 increase already provided for in the De-

partment of the Army program for occupied areas. This is predicated on the questionable assumption that required materials will be immediately available.

The net effect of the provision of this act will be a loss of about 12 percent of the nitrogen programed for export to the occupied areas; a loss of about $58,500,000 worth of food to the Government; and a possible increase of about 3 percent in the amount of fertilizer nitrogen available in the United States, providing the additional available domestic supply of nitrogen is not converted to industrial uses.

The effect of exports of ordnance production, for other than military purposes, on the present license and royalty-free-production basis cannot be ascertained at the present moment.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GURNEY. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I agree with the Senator from Vermont that the only place where this amendment can be finally thrashed out is in the conference committee, but I think it is important to make a very brief record on the floor of the Senate in connection with the remarks made by the distinguished Senator from South Carolina. I wish to join with the Senator from South Carolina, who, as I am, is a member of the Armed Services Committee, of which the distinguished Senator from South Dakota is chairman, by stating for the RECORD that this is merely another example of Army officials coming in at the last minute under the guise of rush and pressure to seek to have their way in a matter concerning which they should have presented their point of view in full formal hearings days or weeks before matters reached the point this particular matter has reached this afternoon.

For the RECORD I desire to point out that I am very glad the amendment in the nature of a substitute offered by the Senator from Vermont [Mr. FLANDERS] for Senate bill 2746 contains practically the identical language of an amendment I offered some weeks ago to this bill in regard to nitrogenous fertilizer, particularly in relation to anhydrous ammonia. The United States Army have been on notice by Members of this body for weeks past in regard to the part they have been playing in connection with the manufacture of fertilizer which is so sorely needed by the farmers.

The conference of the Governors of 11 western States recently appointed a committee the chairman of which was sent to Washington to work with various western Senators in regard to the need for obtaining anhydrous ammonia at the earliest possible date for American farmers.

I appreciate the merits of the argument presented by the Army and by the administration in charge of the Army manufacture of nitrogeneous fertilizer, particularly anhydrous ammonia. After all, it is cheaper to ship fertilizer to the occupied areas of Europe than to ship food. But the vital fact remains, Mr. President, that, as a result of the Army operations, of course, it has not been possible for commercial concerns in this country to manufacture to the maximum extent desirable the nitrogenous fertilizer needed for the benefit of the American farmer, and as a consequence, throughout the South and the West and in other sections of the country, too, Mr. President, large areas of land are being depleted because of a lack of an adequate supply of fertilizer. We have taken up this question with the Army and with Mr. John Steelman, representing the President. I want to say for the RECORD, that Mr. Steelman has extended to us the highest cooperation and made clear to us that he fully appreciates the fact that the American farmers have a great interest in obtaining an increased supply of fertilizer. I think the time has come to make perfectly clear to the Army and to the administration in behalf of the American farmer that we must stop this dangerous depletion of American farms because of the failure to supply our farmers with needed fertilizer.

I do not know for a certainty whether my amendment, and whether other sections of the substitute amendment offered by the Senator from Vermont, will give farmers the precious supply of anhydrous ammonia which is needed to meet their emergency need, but we are advised by officials in the Department of Commerce that with this bill the matter can be handled administratively if—and underline if, Mr. President—if there can be secured the cooperation of the Army and the White House which is esesntial.

I say now without fear of successful contradiction, Mr. President, because I think I know the facts in regard to the fertilizer situation, that if the American farmers do not obtain forthwith the fertilizer they need, under this bill, the responsibility must be placed where it squarely belongs, namely, upon the Army and upon the administration officials who have charge of the fertilizer program. Much as it is needed in Europe, we cannot justify building up the fertilizer supplies of Europe at the tremendous sacrifice we are paying in the form of depleted American land. I say to the farmers of America this issue is just as clear cut as the facts can make any issue. The facts make perfectly clear that if the administration and the Army want to proceed to make available to the farmers of America the fertilizer they need, it can be made available.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GURNEY. In reply to the Senator from Oregon, my understanding of the amendment I have just offered and which is now the pending question is that it will authorize the Army to place in production every plant in the United States and elsewhere to manufacture this extra fertilizer for the purposes advocated by the Senator from Oregon.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. RUSSELL. Is the Senate considering the Senate 2746 which has been offered as a substitute for House bill 6659?

Mr. WHERRY. That is correct.

Mr. GURNEY. The Senator from Georgia has stated the situation correctly.

The PRESIDENT pro tempore. The Senate is considering the House bill for which the Senate bill has been offered as a substitute. To the substitute the Senator from South Dakota [Mr. GURNEY] has offered an amendment which is the pending question.

Mr. RUSSELL. I thank the Chair. Now, Mr. President, the amendment offered by the Senator from South Dakota is an amendment of tremendous consequence. I have been unable to obtain a copy of the amendment. I did not hear the Senator read the amendment.

Mr. GURNEY. Mr. President, I am glad to supply the Senator from Georgia with a copy.

Mr. RUSSELL. I thank the Senator. Mr. President, I should like to inquire of the Senator from Vermont exactly the effect of the language, commencing in line 3, on page 2. Does that give power of allocation of particular nitrogenous fertilizers to some agency of the Government?

Mr. FLANDERS. Mr. President, if the Senator will pardon me a moment——

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. The section now provides that the powers shall be extended with relation to the materials, and facilities suitable for the manufacture of such materials, as follows:

(E) Fats and oils (including oil-bearing materials, fatty acids, butter, soap, and soap power, but excluding petroleum and petroleum products) and rice and rice products, for the purpose of exercising import control only; and nitrogenous-fertilizer materials for the purposes of exercising import control and of establishing priority in production and delivery for export, and nitrogenous compounds (including anhydrous ammonia), in any form, necessary for the manufacture and delivery of the nitrogenous-fertilizer materials required for such export.

In other words, the effect of the amendment is to continue the power under the Second War Powers Act over nitrogenous compounds, including import and export control over these materials.

Mr. RUSSELL. Does it not extend those powers to new and additional forms of fertilizer?

Mr. TAFT. I think it probably does, because the present act has to do simply with nitrogenous fertilizer materials. This has a somewhat wider provision. It includes nitrogenous compounds.

Mr. RUSSELL. Mr. President, I rise in opposition to the amendment offered by the Senator from South Dakota [Mr. GURNEY]. If it is proposed further to cut the fertilizer supply, I wish the RECORD to show that I shall vote against this measure. I am somewhat familiar with the problem and the effect it would have on various sections of the country.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, I would be the last person in the world to

reduce the amount of nitrogenous fertilizer.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. If there is not some control over the exports of nitrogenous fertilizer the market for the commodity will be destroyed.

Mr. RUSSELL. Fifty percent, as I understand, is to be shipped overseas.

Mr. EASTLAND. We do not want that; but we must have control.

Mr. RUSSELL. I was not referring to mere control. But the bill provides that 50 percent——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. That has reference to 50 percent of the Army's production.

Mr. RUSSELL. I did not hear the Senator's explanation of the bill.

Mr. MAYBANK. It refers to 50 percent of the Army plants, which intend to increase the amount produced, according to the statement of the Department of Commerce, to 86,000 tons additional. Is not that correct? I ask the Senator from Vermont.

Mr. FLANDERS. That is the purpose of the amendment introduced by the Senator from South Dakota [Mr. GURNEY], to expand production of the nitrogenous product.

Mr. RUSSELL. Do I correctly understand that the purpose is to regulate the Army plants?

Mr. FLANDERS. The purpose is to give the Army authorization for constructing more plants and increasing production in existing plants.

Mr. RUSSELL. I must say, Mr. President, that I misunderstood the amendment when it was read from the desk. I understood that the purpose was to lessen production. I may suggest to the Senator from Vermont that I think the language should be "at least 50 per centum," because it might be difficult to handle the matter on exactly a 50-percent basis. The proviso requires that 50 per centum of the export requirements of nitrogenous fertilizer materials in nonoccupied areas shall be supplied from nitrogenous fertilizer materials produced in plants operated by the Department of the Army.

Mr. FLANDERS. It is a fact, I will say to the Senator from Georgia, that the amendment offered by the Senator from South Dakota loosens up the mandatory 50-percent provision, but on the other hand, it provides for expanding the Army's production and makes the percentage permissive rather than mandatory, so that any amount which can be arranged for as between the departments of the Government can be applied to the nonoccupied areas.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. My objection to the amendment was that it did not provide for more than the additional amount to be manufactured.

Mr. FLANDERS. But it is now "may" instead of "shall."

Mr. SPARKMAN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, it seems to me that the bill as it has been reported by the Senate Banking and Currency Committee is in line with the very things which the Senator from Georgia wants. The question which comes to my mind is the extent to which the amendment offered by the Senator from South Dakota takes away what we are trying to do under the bill. I share the feeling expressed by the Senator from South Carolina and the Senator from Oregon regarding the presentation of the amendment in this way. I regret very much that it was not presented to the committee so that all these intricate problems could have been sufficiently considered. I realize that there is a lack of time in connection with the bill, but I believe that in letting the amendment go to conference it should be with the understanding that the conference will go into the matter quite thoroughly with the Army and that it will not necessarily be taken as binding upon us, simply because we let the amendment go to conference.

By the way, Mr. President, if the Senator will yield further——

Mr. RUSSELL. I yield.

Mr. SPARKMAN. I should like at this time to place in the RECORD as a part of my remarks, a letter from the Food Administrator for occupied areas, dated May 24, 1948, addressed to Hon. JESSE P. WOLCOTT, chairman, Committee on Banking and Currency, House of Representatives, with a statement relating to the various nitrogenous fertilizer plants under the control of the Army in this country. I believe the purport of that statement is somewhat contradictory of the amendment offered by the Senator from South Dakota, but certainly it would be only right and proper to have it in the RECORD in order that it may be before us.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

Hon. JESSE P. WOLCOTT,
*Chairman, Committee on Banking and Currency, House of Representatives.*

DEAR MR. WOLCOTT: On the afternoon of May 21, 1948, when I appeared before your committee to testify on the Army fertilizer program for the occupied areas, I was asked how much it was possible to increase production in the Army Ordnance operated ammonium nitrate plants.

These plants are being operated at full capacity; however, with a considerable expenditure of funds—in excess of $10,000,000—the total capacity could be increased about 86,000 short tons annually.

The attached document gives a discussion of individual plants, showing briefly the installations required to increase production to this figure.

Sincerely yours,
TRACY S. VOORHEES,
*Food Administrator for Occupied Areas.*

---

POSSIBLE INCREASES IN PRODUCTION OF PLANTS OPERATED BY THE ARMY ORDNANCE DEPARTMENT IN THE FERTILIZER PROGRAM FOR OCCUPIED AREAS

1. Cactus Ordnance Works, Etter, Tex.: The capacity of this plant can be doubled by completing the installation of some equipment for nitrogen production. This equipment was only partially installed by the Army and the project was abandoned as a result of the termination of hostilities. Considerable expenditure of funds will be required for this completion.

This plant is presently being leased and one of the conditions of the lease is that the lessee complete the installation of the additional equipment. This will increase the capacity by about 60,000 to 70,000 tons of nitrogen per year.

2. Ohio River Ordnance Works, West Henderson, Ky.: Production at this plant could be increased if it were possible to obtain a higher grade of coke than is presently in use. This high quality coke is well suited for use in the steel industry and cannot be obtained by the Army.

An alternative is to install 24 coke ovens with auxiliary equipment in order that coke could be produced at the plant and therefore obtain the high grade desirable. The estimated cost of this installation is about $3,800,000 and it would increase the capacity of about 5,000 short tons per year.

3. Morgantown Ordnance Works, Morgantown, W. Va.: Production at this plant could be increased by installing 15 additional coke ovens with auxiliary equipment and an additional gas generator. The estimated cost of this installation is about $3,100,000 and it would increase the capacity by about 16,000 short tons per year.

4. Other plants: The other plants operating in the Army fertilizer program process the anhydrous ammonia produced in the three plants discussed above. Since these plants process nitrogen instead of producing it they cannot increase the nitrogen production. Processing capacity is no problem.

5. General: The total increased capacity for the production of nitrogen as discussed above is estimated at about 86,000 short tons annually. The time required to complete the program is estimated at 2 years, however, it is possible to realize some increased production in from 4 to 6 months. The amount of this increased production is very difficult to estimate, but it would not be much.

Missouri Ordnance Works, Louisiana, Mo.: This plan was not included in the discussion above because it is not under control of the Department of the Army. The Bureau of Mines is conducting experimental work on synthetic fuel which requires 60 percent of the capacity. The other 40 percent of the capacity, it is understood, is remaining idle. The operability of the unused portion is not known.

The total nitrogen capacity of this installation when operated by the Department of the Army was about 60,000 short tons per year.

Mr. SPARKMAN. Mr. President, if the Senator will yield for one more moment, I should like to ask unanimous consent to place in the RECORD at this point an article from the New York Times of Sunday, May 23, 1948, relating to this bill.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OIT REVISIONS MEET EXPORT OBJECTIONS—CHANGES EFFECTIVE ON JUNE 1 ARE VIEWED AS SUBSTANTIALLY FILLING TRADERS' REQUESTS

(By Thomas F. Conroy)

The long-awaited revision of its export licensing policy was issued last week by the Office of International Trade and is credited with meeting substantially all of the changes urged during recent months by foreign traders. The revisions, contained in bulletin 457, after the original provisions of Bulletin 431 and become effective on June 1.

The changes cover price criteria as a factor in the granting of export licenses; the use of commodity advisory panels by OIT; at least modified use of the "historical basis"

for issuing licenses, and a clarification of the role of foreign government recommendations and procurement.

Under the new regulations the use of price criteria has been minimized and no longer looms as cause for complaint which greeted its first announcement, it was pointed out. No ceilings have been set, but the bulletin declares that provisions of section 3b of Public Law 395, regarding price "will be applied as one of the licensing criteria only when the export price for the specific commodity is excessive."

Moreover, under the OIT plans to consult industry, the new policy calls for consultation with commodity advisory panels or committees whenever possible in determining what constitutes "obviously excessive prices."

CONTRACT PRICE ALLOWED

The revisions also permit the use of the export contract price which eliminates confusion which was feared because of f. o. b. factory pricing in some instances and addition of shipping costs in others. Point of delivery, however, must be clearly indicated, and if the point of delivery is other than the intended port of exit of the shipment, the latter must also be shown.

In connection with the historical basis for the granting of licenses, OIT did not return fully to its procedure prior to the announcement of export controls in bulletin 431 last December. It pointed out that throughout the war years and the postwar period this basis was a controlling factor in the granting of export licenses, whereby the bulk of export quotas was reserved for those exporters who had established United States export trade during a base period of severe competition when there were no export controls.

Now, OIT says, "while the historical method will not be the predominating factor in licensing commodities, it may be taken into consideration together with other criteria when quotas are over-subscribed in order to insure a fair and equitable distribution of available quotas."

The status of foreign government recommendations in connection with the granting of export licenses, which may become important as the European recovery program gathers headway, is clarified in the revised regulations. OIT reserves the right in all respects to determine to what extent any recommendations made by foreign governments should be followed.

An even stronger stand, it was pointed out, is taken by OIT in stating that it will not seek or undertake to give consideration to recommendations from foreign governments as to United States exporters whose license applications should be approved. This was interpreted as throwing the field wide open to American exporters without the weight of OIT influence being thrown to any at the request of a foreign government.

Exporters hailed the stand of OIT on United States and foreign government procurement. For such purchases as may be made by agencies of the United States Government, it was stated, licenses will be issued to the Government purchasing agency or its designee making the shipment, but such exports will be authorized only where it is evident that the use of private trade channels is inappropriate.

Procurement by foreign governments, it was added, will be subject to continuous review in line with the announced policy of the United States to maximize the restoration of private trade. In every instance, the foreign government will be requested, before it buys any commodity, to establish the competitive nature of its procurement.

Mr. AIKEN and Mr. KNOWLAND addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from Vermont.

Mr. AIKEN. Mr. President, I make inquiry as to the extent of our exports of nitrogenous materials to foreign countries, the extent of the Army's production as compared with that of a year ago, the amount of nitrogenous materials exported to nonoccupied areas, and the amount which is anticipated it will be exported during this year.

Mr. RUSSELL. I will say to the Senator from Vermont that I think his question should be more properly addressed to the Senators in charge of the bill.

Mr. MAYBANK. Mr. President, I shall be glad to furnish the Senator from Vermont with a list of the producers of the product as given to me by the Department of Commerce.

Mr. AIKEN. As I understand, although the original bill provides that 50 percent of the nitrogen exported to nonoccupied areas is to be supplied by the Army, under the amendment offered by the Senator from South Dakota, if the Army produces only 5 percent, the other amount comes from domestic producers.

Mr. FLANDERS. Mr. President, will the Senator yield so that I may answer the question?

Mr. RUSSELL. I yield.

Mr. FLANDERS. Under the amendment offered by the Senator from South Dakota, as I read it, it is not required to send only a certain amount; it is permissive to send more. I may say that the Department of Commerce officials are quite confident of their ability to provide means whereby the Army can send more than 50 percent.

Mr. AIKEN. Do I correctly understand that the amendment offered by the Senator from South Dakota will permit the Army to send more than 50 percent? Does it not also permit sending less than 50 percent, even down to nothing? Knowing the difficulty the Army had in getting plants into operation a couple of years ago, I am wondering whether it is this year or some year in the future that they will be producing more nitrogen. Plants were idle for 18 months before they started producing nitrogen, after VJ-day.

Mr. RUSSELL. If I am clear in my understanding that the purpose of the amendment offered by the Senator from South Dakota is to relieve the Army from mandatory responsibility under the act of Congress to produce nitrogenous fertilizer, I shall insist on my opposition.

Mr. KNOWLAND addressed the Chair.

Mr. RUSSELL. I yield to the Senator from California.

Mr. AIKEN. Mr. President, I have another question I should like to ask.

Mr. RUSSELL. Then I yield first to the Senator from Vermont.

Mr. AIKEN. Does not the bill which we have before us add liquid nitrogen to the items which may be allocated within the United States? Am I correct about that?

Mr. RUSSELL. It is my understanding, from a memorandum which the Senator from Ohio was kind enough to show me, that it does add liquid nitrogen.

Mr. AIKEN. My reason for asking the question is a letter I have from New England, from the manager of the Eastern States Farmers' Exchange, which, I think, are the largest handlers of fertilizer in New England. I should like to read a paragraph, and perhaps it will furnish an explanation as to the accuracy of the knowledge which Mr. Quentin Reynolds, who wrote the letter, has. The paragraph states:

> If the measure goes through, it is my understanding that liquid nitrogen, as well as solid nitrogen, will be in allocation and that the allocation of liquid nitrogen produced in the Northeast will draw from northeastern agriculture a significant quantity of the one remaining source of nitrogen to offset the depletion in the quantities available in the Northeast of nitrate of soda from Chile, sulphate of ammonia from the steel industry, and ammonium nitrate from Canada.

The remainder of the letter describes the growing shortage, the reduction of imports from Chile and imports from Canada, which he states are threatened seriously.

I am wondering if the effect of the bill would not be to reduce the amount available for domestic agricultural uses to a considerable extent.

Mr. RUSSELL. It is my fear that the first part of the amendment, wherein in page 2, line 9, the word "shall" is changed to "may", will be absolutely to destroy the effect of the protection of the domestic consumer of nitrogenous fertilizer. That is the basis of my opposition to the amendment offered by the Senator from South Dakota. It is a mere request to the Army that they will get the plants in operation to produce the nitrogenous fertilizer when some of us have been requesting them in terms that perhaps included too much emphasis for some weeks and years to get the plants open and in operation, and to stop draining off the fertilizer necessary for the production of the crops of this country.

I now yield to the Senator from California.

Mr. KNOWLAND. Mr. President, I wish to say that I agree with the Senator from Georgia as to the general need of fertilizer in this country, and certainly, coming as I do from one of the large agricultural States, I am familiar with the serious shortage. However, it seems to me that the approach being offered by the Senator from South Dakota is a constructive approach, namely, to encourage the increase in the productivity of these plants. My able colleague from Georgia sits with me on the Committee on Appropriations, and we know that in a very short time we are to consider the appropriations for the occupied areas in Germany, Korea, and Japan. Certainly if we desire to get those countries back on a self-supporting basis, so that they will not continue to be a considerable drain on the American Treasury, we will have to get them into a condition where they can produce the food necessary to feed their people, and so that the workers in those countries will be able to produce.

It seems to me that if out of the present production which is going into those areas we take a considerable part away, we are going to increase greatly the occupation costs, because if this fertilizer

is furnished, the people will be able to provide the same amount of food for approximately from one-fifth to one-twelfth what it would cost to ship the food in from outside areas.

So I certainly hope that when the able Senator from Vermont takes the amendment to conference it will not be in a perfunctory way, but that the conferees will give very careful study to the problem from the point of view of the ultimate call upon the Senate for appropriations.

Mr. RUSSELL. Mr. President, I have no objection to the part of the amendment which authorizes the Army to expend funds for the purpose of increasing production. I think that is highly desirable. I doubt whether it is necessary, because I think the Army has all the authority it needs now to operate these plants at maximum capacity.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from South Dakota.

Mr. GURNEY. They may have the authority now to operate all these plants, but they do not have the funds specifically allocated for that purpose, and this bill brings the matter to the fore, and would permit the Army to ask for the funds necessary to place the plants in full operation in the next fiscal year. It would provide for an increased production in the United States during the next fiscal year by over 20,000 tons, and a further increase in production as soon as the plants were operating at maximum capacity.

Mr. RUSSELL. Mr. President, I heartily support the Senator's desire that an increase be authorized. What I am opposed to is the removal of the word "shall," which appears in the bill as reported by the committee, as well as in the bill as it passed the House, on page 9, leaving the matter entirely to the option of the Army as to how much they shall produce and as to how much they may take away from the domestic farmer.

Mr. CORDON. Mr. President——

Mr. RUSSELL. I yield to the Senator from Oregon.

Mr. CORDON. I wish to make one comment with reference to the present situation in the Army-operated plants. One of the largest is at Cactus, Tex. I am sure the Senator from Georgia recalls that plant suffered a very severe fire, and as a result is now producing merely a fraction of what the total production would be if the plant were rebuilt. But it will take a capital investment in that plant before full production can be attained. That, of course, goes only to the first part of the amendment offered by the Senator from South Dakota. I think it is very advisable that any authority necessary be granted to the Army in that instance, in order to rebuild the plant and put it in shape for maximum production.

Mr. RUSSELL. That authority would be contained in the second part of the Senator's amendment, in which he authorized the expenditure of the funds. There may be some reason for changing the word "shall" to "may", but it is not clear to me.

Mr. FLANDERS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Vermont.

Mr. FLANDERS. I should like to suggest that the debate we have had on this question has been most informing, it has been necessary, and it should be considered by the conferees as a guide in the conference with the House. I suggest again that in the situation which faces us the conference is the only place where this matter can be worked out. With the discussion we have had as a guide to our work in conference, I hope the amendment may come to a vote.

Mr. RUSSELL. Mr. President, I have great faith in the conferees on the part of the Senate, but that does not absolve me of my responsibility as a Senator. Earlier in the afternoon we adopted a conference report on a bill to which some 8 or 10 amendments had been approved by the Senate, but they were lost completely in the conference. I have seen that happen time and again, and I wish to make my position with respect to the pending matter perfectly clear. I shall not take any great amount of time, but this is a matter which happens to be of rather vital importance to the people of the State which I in part undertake to represent in the Senate.

Mr. MORSE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Oregon.

Mr. MORSE. I might say, in response to the comment made by the Senator from South Dakota, as well as my colleague, the senior Senator from Oregon, and the Senator from California, that I think the amendment offered by the Senator from South Dakota should go to conference. But the important thing to remember in conference in connection with this matter is that the amendment offered by the Senator himself gives us an opporunity in conference to insist upon a formula which will make it possible to divert from the Army supply an amount of anhydrous ammonia, for instance, necessary to meet American farm needs. That is a surprisingly small amount. The Commerce Department officials advised us—and they supplied us with statistics which have convinced me that they are correct—that a diversion of only from 3 to 5 percent of the anhydrous ammonia now going into export will meet the emergency need of the American farmer.

The Senator from California pointed out the need for this fertilizer in his State. It affects the entire fruit industry of the country. The amount of yield in fruit this year is going to be drastically curtailed because of the failure on the part of the Government during the past year to supply the small amount of anhydrous ammonia necessary to meet this farm need.

There is in Missouri a Government plant known as the Louisiana plant. It is now under the control of the Bureau of Mines. It has three so-called anhydrous ammonia trains—in this case they are called trains—which is the necessary equipment for the manufacture of anhydrous ammonia. Those trains are standing idle today because the Government is not using the necessary funds in order to manufacture the needed anhydrous ammonia in this plant. As I understand the amendment offered by the Senator from South Dakota, it would make available funds so that those trains could be put into operation.

But that alone is not all that is necessary. Over and above that, I may say to my good friend the Senator from Georgia we must have written into this bill in conference a formula which will make it mandatory upon the Army to see to it that there is diverted the small percentage of anhydrous ammonia which is necessary to meet the emergency need on the part of the American farmer.

I think it would be germane to the amendment and to the bill in its final form, as suggested to be changed by the amendment of the Senator from South Dakota, to include in conference a provision for diversion. Unless that is done, I submit that the substitute bill offered by the Senator from Vermont, including the amendment offered by the Senator from South Dakota, will not meet the need of the American farmer for anhydrous ammonia. We are not going to get it unless legislation is enacted whereby it is made mandatory upon the Army to divert the necessary small percentage of anhydrous ammonia from its plants.

Mr. EASTLAND. Mr. President, will the Senator from Georgia yield to me in order that I may propound a question to the Senator from Oregon?

Mr. RUSSELL. I yield to the Senator from Mississippi for that purpose.

Mr. EASTLAND. The Senator from Oregon is mistaken in his facts respecting the plant at Louisiana, Mo. To begin with, there are more than three trains at that plant. Some of them are being operated by the Bureau of Mines for experimental purposes. I submit that if we are materially to increase the supply of anhydrous ammonia in the United States we must take those plants from the Bureau of Mines and put them to work producing this material as they should be doing. Two trains have been declared surplus and are up for sale today. If those plants are sold they will be moved to other parts of the country. It will take a year, according to the figures of one of the companies which has an option on one of those trains, to place it in operation. If permission is given to dismantle that plant and to move the two trains, I do not think the bill, or the amendment proposed, will materially increase the amount of the material which will be available to the farmers.

Mr. MORSE. There is nothing in my remarks that would suggest that. I think they ought to be operated where they are. Certainly the Department of Commerce and the Army representatives informed our group when we met with them that there are three trains there which are not in use. The other trains are being operated.

Mr. EASTLAND. Mr. President, I have not read the amendment, but I ask whether the amendment would force them to keep those trains and operate them where they are, and would the amendment force them to take the other equipment away from the Bureau of

Mines and put it into production? If it does not, it does not amount to much.

Mr. MORSE. I judge that under the amendment, the Army, in cooperation with the Bureau of Mines, would be given the funds to manufacture anhydrous ammonia at the point where the trains are located.

Mr. EASTLAND. But the trains are now declared to be surplus, and are for sale.

Mr. MORSE. But they can pass to the Army without any complicated procedure.

Mr. EASTLAND. I do not know that that will be done unless the amendment makes provision for it.

Mr. MORSE. If the Army is given an appropriation with which to do the manufacturing I presume it will proceed to find the equipment with which to manufacture.

Mr. AIKEN. Mr. President, will the Senator from Georgia yield for another question?

Mr. RUSSELL. Yes; I yield.

Mr. AIKEN. I should like to ask if the bill permits the allocation of anhydrous ammonia for purposes other than the manufacture of fertilizer.

Mr. FLANDERS. The bill says nothing about that.

Mr. AIKEN. I have been told that enormous quantities of anhydrous ammonia are used for other purposes than fertilizer. I am told that is one reason why we are so desperately short of fertilizer today. I have not, however, had time to check on what I have been told in that respect. I have been told that very large quantities of anhydrous ammonia are being used by a single large corporation in the United States which could use alcohol for the same purpose. Perhaps I should not say anything about it, because I have not followed that statement through. If any Senator present knows about that, I should like to have him enlighten us.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. I will say to the Senator from Vermont that he is exactly correct in his statement. Vast amounts of anhydrous ammonia are today being diverted from agricultural uses to the uses of industry. The du Pont Co. and the Hercules Powder Co. are two concerns which are making use of anhydrous ammonia for industrial purposes. The largest such plant we have in the United States, as I understand, is the Spencer Chemical Co., at Kansas City, Mo. Its output, until the past year, has gone practically exclusively into agriculture. They have a contract today with the Hercules Powder Co., and the product is being diverted to the chemical industry.

By the way, Mr. President, there is a large plant located at Lake Charles, La., but its product is going into the manufacture of chemicals. That is the primary reason for the shortage of fertilizer. When the Congress repealed, or failed to renew the act which provided for control over the nitrate industries of the country, it permitted the diversion of anhydrous ammonia from agriculture to chemicals, and that is the primary reason for the fertilizer shortage in the United States.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. In line with the remarks of the able Senator from Mississippi, I wish to ask him if he is familiar with the Missouri Ordnance Works at Louisiana, Mo.

Mr. EASTLAND. I know something about that plant.

Mr. MAYBANK. That plant, which is operated by the Army and the Bureau of Mines, has shifted entirely from the manufacture of nitrogen and fertilizer materials.

Mr. EASTLAND. I wish to say to the Senator that that is not the fact.

Mr. MAYBANK. The Bureau of Mines is conducting experimental work there.

Mr. EASTLAND. I can give the Senator from South Carolina the facts about that plant. Part of its equipment is used by the Bureau of Mines for experiments in the use of synthetic fuels.

Mr. MAYBANK. That is what I said.

Mr. EASTLAND. There are two trains, that is, the lines on which the product is manufactured, which have been declared surplus and are up for sale today. The company which operated that plant during the war has an option on those two trains. It is its purpose to move one to another section of the country. There are bidders for the other. By the way, Mr. President, the one that will be moved to another section of the country will not be used for agricultural production.

Mr. MAYBANK. That is what I said.

Mr. EASTLAND. That is about to be lost for such production. There is nothing in the amendment, as I understand, that would force the keeping of that equipment intact and preventing its sale.

Mr. MAYBANK. It possibly could be done.

Mr. RUSSELL. Mr. President, I have occupied the floor for about 20 minutes, but have spoken for about only 3 minutes, and if my colleagues will pardon me I wish to address myself for about 5 minutes to this proposition.

I ask first for a division of the question raised by the amendment. I ask for a division of the question. The amendment is in two parts. I am opposed to the first part of the amendment which, in line 9, page 2, would change the word "shall" to "may", because I think it would leave the whole matter in the discretion of the War Department and would not amount to anything at all. I am in favor of the remainder of the amendment.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GURNEY. As I understand, even though we leave the word "shall" and do away with that part of my amendment, the question as to whether the word should be permissive or mandatory would still be subject to action in conference. Therefore I am perfectly willing to divide my amendment and, for the moment, eliminate the word "shall."

Mr. RUSSELL. If the Senator will withdraw the first part of his amendment, which consists, on page 2, line 9, of changing the word "shall" to "may" I think it will greatly expedite consideration of the bill.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GURNEY. I wish to be sure that if we eliminate from my amendment the permissive language, the whole question will be in conference. I should like to ask the Senator if that question would still be in conference; or does the Senator think it would be mandatory on the conferees to leave the mandatory language in?

Mr. RUSSELL. Yes; I think it would be mandatory on the conferees to do so.

Mr. GURNEY. Let me say to the Senator, then, that the purpose of changing the language to permissive language, as stated in the first part of my amendment——

Mr. RUSSELL. Mr. President, I wish to correct my statement. The amendment offered by the Senator from Vermont [Mr. FLANDERS] is a substitution of the Senate bill for the House bill, so the entire matter would be in conference.

Mr. GURNEY. Then, Mr. President, I withdraw the first part of my amendment.

The PRESIDENT pro tempore. The first part of the amendment of the Senator from South Dakota is withdrawn; and the request of the Senator from Georgia to divide the question is withdrawn.

Mr. RUSSELL. Mr. President, if Senators will indulge me for about 3 minutes, I should like to state my position on this question.

I am well aware of the fact that demands for fertilizer in Germany are great. I have heard testimony time and again before the Appropriations Committee to the effect that the shipment abroad of 1 ton of fertilizer saves the shipment of 8 tons of food. But nothing in that statement can possibly justify the dilatory and half-hearted tactics of the Army in attempting to approach this fertilizer problem.

In the first place, there were a number of nitrogenous manufacturing plants in Germany at the time of the occupation. We hear charges on all sides that many of those plants have been shipped to other countries by way of reparations, and that the ones which remain there have been operated at only about one-fourth of their capacity; and yet the Army comes to the American Congress and demands that we take fertilizer away from our farmers when, if it would only operate at full speed, and if it had pursued a wise policy in Germany from the beginning, there would be adequate capacity in Germany to produce all the nitrogenous fertilizers needed for all the occupied and unoccupied areas.

The situation with respect to nitrogen in this country is one of sheer desperation to the farmers. There are any number of small mixing plants in my State which are having to close down because we cannot secure any nitrogenous fertilizers whatever. The plants producing it sell it only in an area immediately

around the plants. The Tennessee Valley Authority has been a great source of supply in the past, but the Tennessee Valley Authority has now adopted the policy of selling nitrogenous fertilizers only to farmers' cooperatives. I am in favor of farmers' cooperatives, but the farmers of my State, after several very sad experiences with farmers' cooperatives, do not take to them very kindly. Because we do not have farmers' cooperatives scattered across the State the farmers are being denied any nitrogeous fertilizers from TVA. It is an impossibility on the eastern seaboard, from the State of Maine to the State of Florida, to produce grains and many other crops without some nitrogen. I have never heard that statement challenged.

The Senator from Oregon [Mr. MORSE], with whose general philosophy I am in hearty accord, states that the responsibility, if we adopt the language of this amendment, will be on the Army if there is a shortage of nitrogenous fertilizers. I cannot agree with that part of the Senator's statement. The Congress of the United States cannot escape its responsibility for letting the fertilizer situation in this country deteriorate to the extent it has deteriorated. Instead of the Army telling the Congress, the Congress should tell the Army in unmistakable terms what it must do to reimplement the plants which produce fertilizer and avoid the great loss being sustained by the farmers because they have been unable to secure it.

Mr. President, I am somewhat reassured by the statement of the Senator from Vermont [Mr. FLANDERS], who will be one of the conferees, and the statement of the Senator from Oregon, who I assume will also be one of the conferees, because he speaks of what should be done in conference, as well as the statement of my good friend, the Senator from South Carolina [Mr. MAYBANK], who will also presumably be one of the conferees. If there is any way in conference to tighten the arrangement and make the Army cease its policy of indifference and really pay some attention to the problem, I hope that appropriate language may be written into the bill.

The Army, of course, is a fighting organization. It does a good job as an Army. In view of the vast economic powers which it has exercised with respect to the occupied lands, it should have some idea of the effect of the policies which it has followed upon the civilian economy of the United States.

It is not merely a question of appropriating dollars. The Army has had completely adequate appropriations for all these purposes. In some respects I think perhaps it has had more than it could wisely spend. If the Congress is to continue to use the Army as the vehicle for the exercise of priorities and to distribute essential fertilizers, Congress has a responsibility which it should discharge, to see that the problem is handled in such manner as not to wipe out absolutely the profits of thousands of farmers in the United States.

Mr. GEORGE. Mr. President, will my colleague yield to me?

Mr. RUSSELL. I yield to my colleague.

Mr. GEORGE. From a reading of the amendment, I do not see that it offers the promise of production of a single ounce of nitrogen for the use of the farmer. As I construe it, it would enable the Army to produce more of the supplies which it proposes to send to the unoccupied areas.

Mr. RUSSELL. That is all it would do; but that would offer some hope, because the Army is now taking away from civilians for this purpose.

Mr. GEORGE. Oh, yes. Under this amendment it could still take away 50 percent.

Mr. RUSSELL. It might; but the elimination of the word "may," and the substitution of "shall" would bring about a situation under which I think the Army might be spurred into some production. I am not hopeful that it will produce as it should, because that would show unusual regard for the civilian economy. But at least it would be compelled to produce a great deal more in order to obtain supplies to ship overseas.

Mr. GEORGE. I am very happy to know that the Army wants to do something for the farmer. It is taking away from the farmer all the time. I am glad that it does not want any more tank cars in which to ship nitrogen abroad, denying to our farmers and to others in my section of the country the use of tank cars in which to ship liquid nitrogen.

This whole question arose when we had under consideration the European Recovery Act. It is unmistakably clear that this country is producing only 90 percent of all the nitrates it now requires. Under the Recovery Act an additional 5 percent is to be sent into western European countries, some of it into the so-called occupied areas, unless the Army can make enough nitrate in some form to supply its own occupied areas.

I do not think there is any use in talking about helping the farmer by this amendment, except, as my colleague points out, perhaps in a very indirect way. That is, the Army will take less from the farmer if we give it this authority and power to supply its own needs. But it will not add anything in the direction of meeting the requirements of the American farmer.

I raised this question in connection with the European Recovery Act, and I received all sorts of assurances that we would get Chilean and other foreign nitrates. They have been very slow in coming. My colleague has pointed out that we have been unable to get sufficient nitrate in any form to operate our mixing or fertilizer plants; nor have we been able to supply to the land the quantities which are absolutely required if we are to have anything like full production.

I am skeptical about the Army doing anything for the farmer, whatever we may give the Army, because the process has worked the other way around. It has taken nitrate in every form, including liquid form. It took away from our own use the vehicles which were necessary to carry on our ordinary commerce and industry, and very nearly depleted all the operations in which we ought to have been engaged.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I shall be glad to yield the floor.

Mr. AIKEN. Mr. President, I am informed that the northeastern part of the country is now dependent largely upon anhydrous ammonia for its supply of nitrogen in fertilizers. I am also informed that imports of Chilean and Canadian nitrates have been reduced, until anhydrous ammonia is one of the principal sources, if not the principal source, of supply for our fertilizer material.

This bill proposes to allocate anhydrous ammonia, as well as other nitrogenous materials. That means that those areas of the country which have been dependent upon anhydrous ammonia will now be called upon to share it with other sections of the country.

It seems to me that what has been brought out here this afternoon should be carefully considered. The Senator from Mississippi [Mr. EASTLAND] gave the Senate information which I had been given, but which I had not had time to check, and therefore did not use, namely, that the corporations he has mentioned have been outbidding the fertilizer manufacturers for the anhydrous ammonia, and have been reducing still further an already short supply, whereas substitutes for anhydrous ammonia could have been used in the manufacture of the products for which those corporations used anhydrous ammonia.

Therefore, it seems to me we certainly should not say to them, "You can allocate anhydrous ammonia for the manufacture of fertilizers," and leave them a clear field to continue to outbid the fertilizer manufacturers, and not permit anhydrous ammonia to be used for other purposes.

I wish such a provision could be written into the bill, if it is not already in it. My colleague says he cannot find it, and I cannot find it. If the authority is not already contained in the bill, I wish it could be placed in the bill, so as to permit anhydrous ammonia to be allocated for all purposes for which it might be used, and not merely for the manufacture of fertilizer.

This bill is so full of references to other bills that I do not know where the amendment should be placed in it. But I think it should be included.

Mr. TAFT. It is perfectly clear in my mind, Mr. President, that this measure permits the allocation of anhydrous ammonia for the manufacture of fertilizer, and permits anhydrous ammonia to be taken away from other uses. If that is done—in other words, if it is taken away from the use for other purposes—then how there can be allocations to other persons for uses not required in connection with fertilizer, I do not know.

This measure would permit anhydrous ammonia to be used for the manufacture of fertilizer alone; and if that is desired——

Mr. FLANDERS. Where is such a provision to be found?

Mr. TAFT. This measure says that this provision is subject to all the powers of the Second War Powers Act, namely, import control, allocation, and export

control of nitrogenous compounds, including anhydrous ammonia, in any form, necessary for the manufacture and delivery of the nitrogenous fertilizer materials required for such export.

Mr. FLANDERS. That is the part which it seems to me negates the point the Senator from Ohio is making. Do not the words "required for such export" limit everything which precedes?

Mr. TAFT. The Senator thinks, then, that the fertilizer material producers will want it used for domestic manufacture?

Mr. FLANDERS. Yes; that is the way I read it.

Mr. TAFT. That might be so. We could strike out the words "required for such export."

Mr. FLANDERS. Yes; I think that would take care of it.

Mr. TAFT. I suggest that as an amendment.

Mr. FLANDERS. I shall be glad to accept that amendment, if it is in order to accept one amendment while another one is under consideration.

The PRESIDENT pro tempore. Is the amendment now being referred to the one submitted by the Senator from South Dakota?

Mr. FLANDERS. It is the amendment I have submitted which provides for substituting the text of the Senate bill for the House bill.

The PRESIDENT pro tempore. The Senator from Vermont can modify his own amendment in any way he sees fit, of course.

Mr. WHERRY. Mr. President, if the Senator will yield, I suggest to him that he ask that his amendment be considered as modified or amended by striking out the words "required for such export" on page 2.

Mr. FLANDERS. I ask that that change be made in the amendment.

The PRESIDENT pro tempore. Without objection, the change will be made.

The question is on agreeing to the amendment submitted by the Senator from South Dakota to the amendment of the Senator from Vermont.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the amentment in the nature of a substitute submitted by the Senator from Vermont, as amended.

Mr. MAYBANK. Mr. President, I should like to call the attention of the distinguished Senator from Vermont to the fact that it is my understanding, as I believe it is the understanding of the Senator from Vermont, that the House conferees will be away tomorrow, and that many of us will be away tomorrow, and possibly on Monday, for Memorial Day exercises. In view of that fact and since the present law will expire before the conferees can meet, I wish to ask the Senator from Vermont if he thinks we can work out some sort of conference next week, so that the employees who have been engaged in this work for years and years, and who know the fertilizer situation, may feel sure that we shall take such action next week.

Mr. FLANDERS. I assume that the Senator from South Carolina is not asking that something to that effect go into the amendment.

Mr. MAYBANK. No; not at all.

Mr. FLANDERS. But I assume that the Senator merely suggests that we commit ourselves insofar as possible at this time.

Mr. MAYBANK. Yes.

Mr. FLANDERS. That is entirely agreeable.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, in the nature of a substitute, as amended, offered by the Senator from Vermont [Mr. FLANDERS].

The amendment as amended was agreed to.

Mr. TAFT. Mr. President, merely for the record, I wish to state my own opposition to the continuation of import controls. I shall not offer any amendments along that line, because both the House committee and the Senate committee have approved this measure. But I think the time has passed for the imposition of import controls on tin and tin products and antimony and fats and oils, including oil-bearing materials, and fatty acids, butter, soap and soap powder, rice and rice products. I myself feel very strongly that such controls are unnecessary and that in the long run our buyers ought not to be limited as to the way in which they purchase goods abroad. I see no necessity for it.

Most of the steel companies think it is desirable to continue the controls on the import of tin in order that the United States Government may buy all the tin. I myself think that if we pursued the course which we pursued in the case of rubber—by which we released all the buyers, enabling them in that case to purchase rubber—the result would be the purchase of more tin and lower prices for tin. However, I shall not object at the present time.

I see the necessity for the continuation of some allocation controls. Of course, so far as export controls are concerned, they are covered by another bill.

But I wish to state my opposition to the continuation of import controls.

The PRESIDENT pro tempore. If there be no further amendments to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

Mr. LANGER. Mr. President, I should like to ask a question of the Senator from Ohio. Does the Senator include mercury?

Mr. TAFT. Mercury is not included in this bill.

Mr. LANGER. I refer to the statement the Senator from Ohio has just made about being opposed to the control of imports.

Mr. TAFT. In general I would be, unless there is some very extraordinary situation.

The PRESIDENT pro tempore. If there be no further amendments to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6659) was read the third time and passed.

Mr. FLANDERS. I rise now to make a motion which is a little different from the ordinary motion in such case: Mr. President, in view of the nature of the discussion which has been had on the floor of the Senate regarding this matter, I move that the Senate insist upon its amendment, as interpreted by the discussion or the floor of the Senate in the course of the debate on the bill, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. FLANDERS, Mr. BUCK, and Mr. MAYBANK conferees on the part of the Senate.

The PRESIDENT pro tempore. Without objection, Senate bill 2746 will be indefinitely postponed.

### WATER-FILTRATION PLANT AT HIGHLAND FALLS, N. Y. — CONFERENCE REPORT

Mr. GURNEY. Mr. President, I submit a conference report on House bill 2359, relating to the construction of a water-filtration plant at Highland Falls, N. Y., and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The conference report will be read:

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2359) to authorize the payment of a lump sum, in the amount of $100,000, to the village of Highland Falls, N. Y., as a contribution toward the cost of construction of a water-filtration plant, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$85,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the Senate, amend the title so as to read: "An act to authorize the payment of a lump sum, in the amount of $85,000, to the village of Highland Falls, N. Y., as a contribution toward the cost of construction of a water-filtration plant, and for other purposes."; and the Senate agree to the same.

CHAN GURNEY,
RAYMOND E. BALDWIN,
BURNET R. MAYBANK,
*Managers on the Part of the Senate.*

GEORGE J. BATES,
L. C. ARENDS,
W. STERLING COLE,
LANSDALE G. SASSCER,
*Managers on the Part of the House.*

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

### CONSTRUCTION OF MILITARY INSTALLATIONS BY ARMY—CONFERENCE REPORT

Mr. GURNEY. Mr. President, I submit a conference report on Senate bill

1676, to authorize the Secretary of War to proceed with construction of military installations, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1676) to authorize the Secretary of War to proceed with construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: On page 15 of the House engrossed amendments, lines 4 and 5, strike out "family quarters so constructed" and insert in lieu thereof the following: "in any case in which the construction at any station of family quarters having a net floor area in excess of one thousand and eighty square feet is prohibited by the provisions of the foregoing proviso, an equal number of family quarters having a net floor area not in excess of one thousand and eighty square feet may be constructed at such station and any funds saved as a result of the construction of such smaller family quarters or as a result of the succeeding proviso may be utilized to construct family quarters having a net floor area not in excess of one thousand and eighty square feet at any Army or Air Force station scheduled for retention in the permanent Military Establishment: *Provided further*, That family quarters constructed with the funds authorized for appropriation herein"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

CHAN GURNEY,
LEVERETT SALTONSTALL,
WAYNE MORSE,
MILLARD E. TYDINGS,
RICHARD B. RUSSELL,
*Managers on the Part of the Senate.*

GEORGE J. BATES,
LESLIE C. ARENDS,
W. STERLING COLE,
OVERTON BROOKS,
LANSDALE G. SASSCER,
*Managers on the Part of the House.*

Mr. GURNEY. Mr. President, in reference to the conference report on Senate bill 1676, I should like to make a brief explanation before it is acted upon.

I did not give an explanation of the previous conference report for it had to do with a very small measure and the differences between the House and Senate were very slight and were settled satisfactorily.

This conference report deals with certain very large construction projects. The bill as passed by the Senate last July contained construction authorizations totaling $247,000,000. The House has considered the bill very carefully during the past 5 months and has recommended an actual reduction of $39,000,000. Furthermore, the House recommended that the size of the family quarters authorized at military installations be smaller than 1,250 square feet of floor space, as authorized in the Senate bill. Therefore, because only the smaller houses were authorized, there was a further reduction in the House bill of $13,000,000, making a total of $52,000,000 less than the Senate bill.

In conference, due to the fact that there is such a shortage of family quarters at military installations all over the country, it was thought best that, instead of making a reduction of $13,000,000 by reason of the requirements of smaller-sized houses, the houses should be allowed to be built by the Army and the Air Force, and at other installations where needed. Therefore, the conference finally agreed on housing limited to 1,080 square feet of floor space for families quarters, and a total reduction in the Senate bill of $39,000,000, in round figures.

Mr. President, I ask that the Senate agree to the conference report.

The PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the conference report was considered and agreed to.

## PAYMENT OF SALARIES COVERING PERIODS OF SEPARATION FROM GOVERNMENT SERVICE—CONFERENCE REPORT

Mr. LANGER. Mr. President, I submit a conference report on Senate bill 1486, to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service, having met, after full and free conference, have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 6 of the Act of August 24, 1912 (U. S. C., 1946 edition, title 5, sec. 652), is hereby amended to read as follows:

"'SEC. 6. (a) No person in the classified civil service of the United States shall be removed or suspended without pay therefrom except for such cause as will promote the efficiency of such service and for reasons given in writing. Any person whose removal or suspension without pay is sought shall (1) have notice of the same and of any charges preferred against him; (2) be furnished with a copy of such charges; (3) be allowed a reasonable time for filing a written answer to such charges, with affidavits; and (4) be furnished at the earliest practicable date with a written decision on such answer. No examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer or employee directing the removal or suspension without pay. Copies of the charges, the notice of hearing, the answer, the reasons for removal or suspension without pay, and the order of removal or suspension without pay shall be made a part of the records of the proper department or agency, as shall also the reasons for education in grade or compensation; and copies of the same shall be furnished, upon request, to the person affected and to the Civil Service Commission. This subsection shall apply to a person within the purview or section 14 of the Veterans' Preference Act of 1944, as amended, only if he so elects.

"'(b) (1) Any person removed or suspended without pay under subsection (a) who, after filing a written answer to the charges as provided under such subsection or after any further appeal to proper authority after receipt of an adverse decision on the answer, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

"'(2) Any person who is discharged, suspended, or furloughed without pay, under section 14 of the Veterans' Preference Act of 1944, as amended, who, after answering the reasons advanced for such discharge, suspension, or furlough or after an appeal to the Civil Service Commission, as provided under such section, is reinstated or restored to duty on the ground that such discharge, suspension, or furlough was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such discharge, suspension, or furlough for the period for which he received no compensation with respect to the position from which he was discharged, suspended, or furloughed, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period.

"'(3) Any person removed or suspended without pay in a reduction in force who, after an appeal to proper authority, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

"'(c) Membership in any society, association, club, or other form of organization of postal employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States, having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

"'(d) The right of persons employed in the civil service of the United States, either in-

dividually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.'"

And the House agree to the same.

WILLIAM LANGER,
EDWARD J. THYE,
HERBERT R. O'CONOR,
*Managers on the Part of the Senate.*

EDWARD H. REES,
ANTONI N. SADLAK,
TOM MURRAY,
*Managers on the Part of the House.*

The PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

Mr. KNOWLAND. Mr. President, I wonder if the Senator could briefly explain the change made in conference.

Mr. LANGER. Mr. President, the report represents a full and complete agreement, and provides that an agency or department of the Government may remove any employee at any time, but that the employee shall then have a right of appeal. When he is removed, he is of course off the pay roll. If he wins the appeal, it is provided that he shall be paid for the time during which he was suspended.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the conference report was considered and agreed to.

## CIVIL-SERVICE APPOINTMENTS OF HANDICAPPED PERSONS

Mr. LANGER. Mr. President, I submit a conference report on House bill 4236, to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4236) to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WILLIAM LANGER,
C. D. BUCK,
DENNIS CHAVEZ,
*Managers on the Part of the Senate.*

EDWARD H. REES,
FRANCIS J. LOVE,
TOM M---AY,
*Managers on the Part of the House.*

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report?

Mr. KNOWLAND. Mr. President, may we have a brief explanation?

Mr. LANGER. Mr. President, this is the so-called Ellender bill, under which a physically handicapped person may be employed for the period of 1 year, even though he cannot pass certain examinations, provided he is certified by the Civil Service Commission.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the report?

There being no objection, the conference report was considered and agreed to.

## NEVADA VETERAN LAWS

Mr. MALONE. Mr. President, many Nevada veterans are not fully aware of their legal rights to various benefits, privileges, preferences, and exemptions, as extended to them under certain circumstances by the laws of my State.

I am therefore pleased to present for their information an outline of such laws, as compiled by Daniel Jay, national service officer for the Disabled American Veterans, who has his office with the Veterans' Administration regional office, at Reno, Nev. I ask unanimous consent to have this résumé printed in the RECORD at this point.

There being no objection, the résumé was ordered to be printed in the RECORD, as follows:

### BURIAL ALLOWANCES AND ALLIED BENEFITS

A county allowance is provided to the Grand Army of the Republic and the United Spanish War Veterans for the burial of indigent veterans.

Annual appropriations are made for the care of GAR cemeteries.

### CIVIL RELIEF AND ALLIED BENEFITS

A conservator may be appointed for persons serving in the armed forces.

Acknowledgement is made of legal instruments and the administration of oaths.

Evidence may be admitted of presumed death or absence.

Wills may be proved if attesting witnesses are unavailable.

### CIVIL RIGHTS

Absentee registration and voting is provided.

Paroled prisoners were inducted into military service.

### CLAIMS; ASSISTANCE IN OBTAINING BENEFITS, SAFEKEEPING OF PAPERS

Public officers may not make charges for administering oaths or certifying or acknowledging any paper for United States pensioners in matters relating to their pensions.

Free copies of public records are provided for wards of the Veterans' Administration under the Uniform Guardianship Act.

Honorable discharges of veterans are to be recorded by county recorders free of charge.

The State board of examiners is directed to investigate claims of Spanish-American War veterans against the United States and to take steps for the collection of approved claims.

The Veterans' Service Commissioner assists veterans and those serving in the armed forces in securing benefits to which they may be entitled. An annual appropriation is made for this service.

### EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF VETERANS

High-school scholarships of $150 are available to children of veterans of any war through the Veterans' Service Commissioner.

### EMPLOYMENT PREFERENCES, PRIVILEGES, ETC.

Leaves of absence were granted to public officers and employees to serve in the armed forces with preservation of benefits and reinstatement without loss of seniority.

Preference is given to veterans in public departments and on public works in State and local units.

Benefit rights are preserved under the Unemployment Compensation Act.

Military service allowance and credit is given under the Teachers' Retirement Act.

### GUARDIANSHIP

A Uniform Veterans' Guardianship Act has been enacted, providing for the appointment of a guardian of an incompetent veteran or the minor child of a veteran, to receive certain benefits on behalf of such ward.

### HOSPITAL BENEFITS

An incompetent veteran may be committed to a Federal hospital under the Uniform Guardianship Act.

Separate quarters are maintained for veterans in the State hospital for mental diseases.

### LAND SETTLEMENT BENEFITS, HOUSING, ETC.

Veterans have been extended benefits under the Reclamation and Settlement Act.

War veterans may secure low-cost housing units.

### MEDALS

Medals for distinguished service (including National Guard) are awarded. Governor's Medal is awarded annually to a student of the military department of the State university.

### TAX EXEMPTIONS, EXEMPTIONS FROM LICENSE FEES, RENEWALS, ETC.

Veterans' organizations are exempt from fee for license to conduct boxing, sparring, or wrestling exhibitions.

Operators' and chauffeurs' licenses are extended until termination of military service.

Property to the amount of $1,000 of any person serving in the armed forces is exempt from taxation.

Real property of veterans' organizations is exempt from taxation.

Property to the amount of $1,000 owned by resident veterans not having an income exceeding $1,200 per annum is exempt from taxation.

### TRANSPORTATION PRIVILEGES

Common carriers may give free transportation to State officers of recognized veterans' organizations and ladies' auxiliaries thereof, not exceeding three from each such organization.

### UNIFORMS

Veterans are exempt from the prohibition on wearing of the uniform of the United States Army, Navy, or Marine Corps.

### VETERANS' ORGANIZATIONS

The American Legion has been incorporated.

The unauthorized wearing or use of the insignia, name, or badge of veterans' organizations is a misdemeanor.

Quarters have been established in the Nevada State Building for use of veterans' organizations.

Veterans' organizations are exempt from fee for license to hold boxing or wrestling exhibitions, tent shows, and circuses.

Much of the above legislation has been enacted by the Nevada Legislature through the sponsorship and cooperation of the DAV and other veteran organizations.

Mr. Jay has been expertly trained as a national service officer for the DAV and spends his full time in rendering all types of assistance to veterans and their dependents, particularly in the technical preparation, presentation, and prosecution of their justifiable claims for various types of governmental benefits to which they may be lawfully entitled.

### DAV MEMBERSHIP ELIGIBILITY

Formed in 1920 and chartered by the Congress in 1932 to render service to, for, and by America's disabled war veterans, the DAV has been generally recognized as the official voice of America's disabled defenders.

According to its congressional charter of incorporation—Public Law 186, approved June 17, 1932, as amended by Public Law

668, approved July 15, 1942—active membership in the DAV is open only to those Americans whose bodies bear the scars of wounds or injuries, or the blight of ailments or disabilities incurred during, or by reason of, active service during time of war in the armed forces of the United States, or of some country allied with it.

More and more wounded and disabled veterans of World War II are becoming active members of the DAV.

Eligibles may become life members upon payment of a fee of $100 ($50, if born before January 1, 1902) in cash, or by a down payment of $5 or more, plus such installments as will complete payment of the full fee by the end of the second succeeding fiscal year (ending on June 30), after which, if not fully paid, a carrying charge of $5 per year would accrue. A growing percentage are becoming DAV life members. Annual membership is available at $5.

DAV NATIONAL HEADQUARTERS

Located at 1423 East McMillan Street, Cincinnati 6, Ohio, the national headquarters of the DAV takes care of all administrative matters and records and publishes the Disabled American Veterans' semimonthly newspaper, containing accurate, up-to-date information of interest and of value to disabled veterans and their dependents.

The present national commander of the DAV is John L. Golob, of Hibbing, Minn., a severely wounded World War I veteran, who has had a broad background of experience in various local, State, and National DAV activities which qualify him to lead an organization composed exclusively of America's disabled war veterans.

Its national adjutant, Vivian D. Corbly, has been secretary-treasurer (business manager) of the organization, and editor of its newspaper since 1925. Capt. Cicero F. Hogan is his able assistant.

The largest bank in Cincinnati, the Fifth Third Union Trust Co., has, for 28 years, been the depository for the funds of both the DAV and its incorporated trusteeship, the DAV Service Foundation. Officials handling these funds have always been adequately bonded by the Fidelity & Deposit Co. of Maryland.

NATIONAL SERVICE SET-UP

The National Service Headquarters of the DAV is now located in a beautiful building at 1701 Eighteenth Street NW., Washington 9, D. C., which was acquired by the organization in 1945.

In this Washington office are located the department of claims, headed by William E. Tate; the department on legislation, headed by Francis Sullivan; and the department of public relations and employment, headed by my friend, Millard W. Rice. In addition to these service departments, the DAV service headquarters has as its office manager John E. Feighner, assistant national adjutant. All of these various departments are staffed by trained experts, all of whom are themselves war-wounded or disabled veterans.

These DAV national officers know all about the technical complications that disabled veterans must overcome factually to prove the service connections of their disabilities to the satisfaction of rating agencies of the Veterans' Administration, under the limitations and restrictions of existing law, as legalistically interpreted and as administratively applied.

Understanding such vexatious problems by personal experience, DAV national service officers are naturally more sympathetic than are nondisabled veterans or civilians and are therefore generally more effective in helping disabled claimants to comply with technical requirements to prove legal entitlement to benefits to which they may be lawfully and equitably entitled.

EMPLOYMENT PROGRAM

The DAV has adopted, on a Nation-wide basis, a man-job-matching method program to provide suitable, useful, gainful employment for all disabled veterans. Less than 7 percent of the Nation's 2,200,000 compensated war-disabled veterans are totally unemployable. The remaining 93 percent are less than totally disabled and must therefore supplement their inadequate compensation payments with income from employment.

This scientific approach to a most distressing problem has produced some worth-while results thus far. The handicapped veteran's remaining abilities have been matched with the requirements of the job, rather than stressing his disabilities. It has been demonstrated by the employment record of such disabled veterans that they have a low absentee record, a low turn-over record, a low accident record, and a higher efficiency and production record. It has thus been proved that to hire disabled veterans is just plain good business, bringing benefits directly to them, their dependents, their communities, their employers, and taxpayers generally.

AN INVESTMENT IN PATRIOTISM

It is definitely in the interest of all Americans that the fight for justice be made for those who have sacrificed their youth and a part of their bodies or their health in our country's most hazardous occupation—its military and naval services during time of war.

The faith must be kept with those who have made such sacrifices in the past, as well as with those who are, or have been, dependent upon these heroes, so that other young men who, in the future, may be called upon to make similar sacrifices, will have the assurance, on the basis of past performance, that if they, too, should be so unfortunate they will not be permitted to become mere forgotten heroes.

The determination of the DAV to see to it that America's disabled veterans are adequately provided for should be generously supported, as a public investment in the future patriotism of our youth, and as practical patriotism which brings huge humanitarian and financial dividends to every community, to every State, and to our country.

As a veteran of World War I myself, it is a pleasure for me to commend the service program of the DAV, and I am sure it merits the consideration and support of the entire country.

## ORDER OF BUSINESS

Mr. WHERRY. Mr. President, I would say to the Members of the Senate who are present that it is the intention to conclude consideration of the Treasury and Post Office Department appropriations bill this evening. I have been assured by the distinguished Senator from Oregon [Mr. CORDON] that it will require only about 25 or 30 minutes.

Mr. CORDON. Mr. President, let me correct the Senator. The Senator from Oregon was of that opinion, but he understands now that the junior Senator from Delaware desires to discuss one item of the bill, so it may require more time.

Mr. WHERRY. In any event it will be our endeavor to conclude the consideration of the bill tonight. Then, as has already been announced, the Senate will adjourn until next Tuesday at 11 o'clock, under the unanimous-consent agreement previously entered.

## ALLEGED FBI FILES ON PROMINENT CITIZENS

Mr. McMAHON. Mr. President, last week in the course of the debate on the President's veto of the proposal to have the FBI investigate persons appointed to the Atomic Energy Commission, there was a suggestion that the FBI maintains files on prominent citizens. The allegation was of such a startling nature that I wrote Mr. Hoover a letter under date of May 24, which I shall submit for the RECORD, in which I asked him about the truth or falsity of the allegation. Mr. Hoover replied under date of May 27, and I shall submit his letter for the RECORD, also.

I am pleased to learn that the statement is not true. Mr. Hoover has a most difficult position, one of the most difficult in the United States, and I believe he fills it extremely well. I am pleased we have the record straight on a matter that is and should be of intense interest of course not only to every Member of Congress but to every citizen of the United States.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 24, 1948.

Hon. J. EDGAR HOOVER,
*Federal Bureau of Investigation,*
*Washington, D. C.*

DEAR MR. HOOVER: On Thursday last, debate was had upon the question of overriding the Presidential veto of S. 1004.

Senator KNOWLAND'S proposal contemplated the right of the Senate members of the Joint Atomic Energy Committee to direct the Director of the Federal Bureau of Investigation to make investigations of the candidates nominated by the President for membership on the Atomic Energy Commission. Said investigative reports would be sent to the Senate members of the joint committee.

During the course of the debate, there was a suggestion made that the FBI "maintains files on prominent citizens," which, of course, would include Members of the Congress. This suggestion seemed to raise considerable discussion and evidence of disapproval. I do not believe that your organization engages in any such practice. It might be well, however, for the record to be cleared in this respect, and I would be obliged to you, therefore, if you would give me an authoritative answer on the subject.

Sincerely yours,

BRIEN MCMAHON,
*United States Senator.*

---

FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES DEPARTMENT OF JUSTICE,
*Washington, D. C., May 27, 1948.*

Hon. BRIEN MCMAHON,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR: I wish to acknowledge the receipt of your letter dated May 24, 1948, in which you refer to the debate on the floor of the Senate last Thursday dealing with the question of overriding the Presidential veto of Senate bill 1004.

You inquire whether the Federal Bureau of Investigation maintains files on prominent citizens, which, of course, would include Members of the Congress. In response to your inquiry I wish to categorically state that this Bureau does not maintain files on prominent citizens or on Members of Congress as such. The FBI does not maintain an investigative file on an individual unless a

complaint has been received alleging a violation of a Federal law or involving an investigative matter which comes within the jurisdiction of this Bureau. If, in the course of an investigation, information is received concerning an individual who is not the subject of the investigation, such information, of course, is maintained in our files. However, I can assure you that the statement that the FBI maintains files on prominent citizens is not correct.

With kind personal regards,

Sincerely yours,

J. EDGAR HOOVER.

Mr. HATCH. Mr. President, I should like to mention the matter which has just been brought up by the Senator from Connecticut. It happened in the course of the debate to which he referred, that I used language about as follows: "I was shocked yesterday to learn—by what authority I do not know—that if any free-born American happens to achieve a position of importance, his record is investigated and a file kept on that citizen in the FBI."

Mr. President, I did use those words, but I did not make the statement that the FBI kept such a file. It was made by another Senator, and it probably was merely a surmise on his part. But I did say, and I repeat, that it would be, indeed, most shocking if a citizen of this country should be the subject of investigation by the FBI simply because he happened to achieve some degree of prominence or some position of importance.

So, Mr. President, I was quite happy and pleased yesterday to receive a letter from Mr. Hoover on this exact question. I want to read what Mr. Hoover said, so that it may appear in the RECORD:

The statement regarding the maintenance of files on individuals of prominence is not factually correct. Certainly, the FBI does not develop an investigative file unless a complaint has been received alleging a violation of a Federal law or presenting an investigative matter that comes within our basic jurisdiction.

I close the quotation there, Mr. President, to say that the policy which Mr. Hoover says is followed is exactly the policy which I thought was followed by the Federal Bureau of Investigation. Certainly it should be followed. Of course when a complaint is made a file must be kept. Furthermore, Mr. President, Mr. Hoover makes this rather significant remark in his letter:

I thought you might be interested in knowing that the tremendous volume of new work assigned this Bureau has been assigned either by act of Congress or higher authority in the Government, and has not been sought or solicited by the Federal Bureau of Investigation.

Again, Mr. President, I want to commend Mr. Hoover for that attitude. I hope it will always be the policy of the Bureau not to assume powers it does not possess, and certainly not to solicit or seek duties or attempt to discharge duties except those which are granted and given by Congress or other authority.

I want, again, as I did the other day, to commend Mr. Hoover himself for the attitude he has taken on this and other matters, and for his very efficient administration of the Federal Bureau of Investigation.

I ask unanimous consent that the entire letter be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES DEPARTMENT OF JUSTICE,
*Washington, D. C., May 27, 1948.*

Hon. CARL A. HATCH,
*United States Senate,*
*Washington, D. C.*

MY DEAR SENATOR: In view of the comments made on the floor of the Senate last Thursday and Friday in connection with the President's veto message, numerous individuals have called my attention to various comments that were made on May 21, particularly your comments wherein you stated, "But I was shocked yesterday to learn that, by what authority I do not know, if any free-born American happens to achieve a position of importance his record is investigated and a file kept on that citizen in the FBI."

The statement regarding the maintenance of files on individuals of prominence is not factually correct. Certainly, the FBI does not develop an investigative file unless a complaint has been received alleging a violation of a Federal law or presenting an investigative matter that comes within our basic jurisdiction.

While as a matter of policy, I do not inject myself into matters pertaining to legislation, I thought you might be interested in knowing that the tremendous volume of new work assigned this Bureau has been assigned either by act of Congress or higher authority in the Government and has not been sought or solicited by the Federal Bureau of Investigation. I frankly think it is most unfair to convey a contrary impression just as I think it is most unfair to convey the impression that the Federal Bureau of Investigation maintains files on individuals just because they are prominent. I appreciate your kindly references to the Federal Bureau of Investigation under my administration. I did think, however, you would want to have the facts pertaining to these specific matters referred to above.

With expressions of my highest esteem and best regards,

Sincerely yours,

J. EDGAR HOOVER.

## TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS

Mr. WHERRY. Mr. President, I now ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of the bill, H. R. 5770, making appropriations for the Treasury and Post Office Departments.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill, H. R. 5770, making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes.

Mr. CORDON. Mr. President, the amount provided in the bill now before the Senate was increased by the Senate committee $28,878,850. The amount provided for as the bill passed the House was $1,981,722,350. The amount as reported to the Senate is $2,010,601,200.

The bill does not include funds for the Coast Guard, the Bureau of Customs, for the acquisition of strategic and critical materials, or the refunding of internal-revenue collections. Those items will be carried in a subsequent bill and will be in the neighborhood of two-and-a-half billion dollars.

The amount of the regular and supplemental estimates for 1949, for the items contained in the pending bill, is $2,044,949,200.

The amount of appropriations for 1948 is $1,919,611,950.

The bill, as reported to the Senate, exceeds the appropriation for 1948 by $90,989,250, and is under the estimates for 1949 by $34,348,000.

Mr. President, the report contains but a short statement with reference to the several appropriation items. I hope the Members of the Senate will take the time to read the first five pages of the report with particular care. The report refers to the present terrifically high deficit in the Post Office Department, suggests that that deficit can be reduced if the Postmaster General will fix the appropriate parcel-post rates as now provided for in the existing law, and recommends that the appropriate legislative committee make a careful study of the whole problem of the carrying of the mails with the view to reducing materially, if not eliminating, the terrific postal deficit.

The report also calls attention to what is termed the air-mail subsidy, a stratagem by which a subsidy is paid to the commercial air lines to make up the operating deficit of those lines, from whatever source it may occur, charging that amount as a deficit to the Post Office Department.

Mr. President, that matter is referred to in a report on the House side, and that report is cited and quoted from in the report now before the Senate. I commend this matter to the attention of every Senator. I believe it is something which is more important than we realize.

Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the amendments of the committee be first considered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Treasury Department—Division of Tax Research," on page 3, line 12, after "District of Columbia", to strike out "$110,000" and insert "$141,400."

The amendment was agreed to.

The next amendment was, under the subhead "Office of General Counsel," on page 3, line 15, after "District of Columbia", to strike out "$225,000" and insert "$250,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Public Debt," on page 8, line 2, after the word "exceed", to strike out "$3,750,000" and insert "$4,658,100"; and in line 3, after the word "bonds", to strike out "$51,500,000" and insert "$52,408,100."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Internal Revenue,"

on page 10, line 17, after the word "services", to strike out "$168,736,000" and insert "$179,266,000."

The amendment was agreed to.

Mr. WILLIAMS. Mr. President, I wish to make objection to the amendment just agreed to, and I ask the Senator from Oregon whether he would prefer to have the amendment passed over and the other amendments of the committee acted on, or have me make my remarks at this time.

Mr. CORDON. I should be happy if the other amendments might be acted on first.

The PRESIDENT pro tempore. The amendment already having been agreed to, it will be necessary to reconsider the vote by which it was agreed to. Is there objection? The Chair hears none, and the vote is reconsidered and the amendment will be passed over. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the subhead "Bureau of Internal Revenue," in line 18, after the word "exceed", to strike out "$16,000,000" and insert "$16,530,000"; in line 20, after the word "services", to strike out "$18,000,000" and insert "$21,166,000"; in line 22, after the word "exceed", to strike out "$2,400,000" and insert "$2,576,500"; in line 23, after the word "exceed", to strike out "$1,400,000" and insert "$1,500,000"; in line 24, after the word "exceed", to strike out "$100,000" and insert "$500,000"; and on page 11, line 3, after the word "expenses", to strike out "$186,746,000" and insert "$200,432,000: *Provided*, That not to exceed $150,000 of the amount appropriated under this head for the fiscal year 1949 shall be available for expenses by contract or otherwise, of such management and operational studies as are necessary in the Bureau of Internal Revenue."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Engraving and Printing," on page 13, line 15, after the figures "$15,000", to strike out "$12,000,000" and insert "$12,830,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Federal Supply," on page 17, line 24, after the word "field", to strike out "$1,275,000" and insert "$1,310,000."

The amendment was agreed to.

The next amendment was, on page 22, line 11, after the word "determine", to strike out "In the event the Director of the Bureau of Federal Supply is unable to furnish any such agency with suitable typewriters of special type out of stock on hand he may purchase such manually operated machines at the average list price of the industry less 30 percent out of funds specifically appropriated for that purpose" and insert "In the event the Director of the Bureau of Federal Supply is unable to furnish any such agency with suitable typewriters out of stock on hand, he may purchase, out of funds specifically appropriated for that purpose, such machines at the lowest published retail list price for any such typewriters offered for sale to the Federal Government less 30 percent, plus the amount of Federal excise tax applicable to the lowest published retail list price."

The amendment was agreed to.

The next amendment was, on page 23, after line 20, to insert:

General supply fund, Bureau of Federal Supply: To increase the general supply fund established by the act approved February 27, 1929, as amended (41 U. S. C. 7c), $3,000,000.

The amendment was agreed to.

The next amendment was, on page 24, line 8, after the word "materials", to strike out "$150,000" and insert "$170,000."

The amendment was agreed to.

The next amendment was, under the heading "Title II—Post Office Department—Salaries in Bureaus and Offices," on page 25, line 18, after "Office of the Second Assistant Postmaster General", to strike out "$928,000" and insert "$968,000."

The amendment was agreed to.

The next amendment was, on page 25, line 22, after "Office of the Fourth Assistant Postmaster General", to strike out "$752,000" and insert "$823,000."

The amendment was agreed to.

The next amendment was, on page 26, line 2, after "Bureau of Accounts", to strike out "$485,000" and insert "$525,000."

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, Post Office Department," on page 26, line 8, after the figures "$2,100", to strike out "$160,000" and insert "$184,300."

The amendment was agreed to.

The next amendment was, on page 26, line 11, after the words "and Postal Service", to strike out "$2,000,000" and insert "$2,228,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 29, line 21, after the word "offices", to strike out "$12,500,000" and insert "$12,700,000."

The amendment was agreed to.

The next amendment was, on page 31, line 4, after the word "bicycles", to strike out "$2,800,000" and insert "$3,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster General," on page 32, line 22, after the word "aircraft", to strike out "$23,842,000, including not to exceed $79,200 to cover the cost to the United States for maintaining sea-post service on ocean steamships conveying mails to and from the United States" and insert "$23,762,800."

The amendment was agreed to.

The next amendment was, on page 34, line 4, after the word "years", to strike out "$15,000" and insert "$20,000."

The amendment was agreed to.

The next amendment was, on page 34, line 6, after the word "law", to strike out "$19,500,000" and insert "$26,583,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General," on page 35, line 11, after the word "expenses", to strike out "$7,158,000" and insert "$8,158,000"; in line 13, after the word "devices", to strike out "and of which $100,000 shall be available exclusively for mechanizing devices for separation of mails" and insert "and of which $50,000 shall be available exclusively for mechanizing devices for separation of mails, and $50,000 shall be available exclusively for the necessary research, and for the design, manufacture, and installation of pilot mail-sorting equipment, as recommended on page 73 of House Report No. 1656, Eightieth Congress, second session, and for the necessary supervision of the installation and operation of such equipment" and in line 24, after the word "maps", to strike out "or blueprints."

The amendment was agreed to.

The next amendment was, on page 36, line 7, after "(5 U. S. C. 150)", to strike out "$12,800,000" and insert "$12,907,250."

The amendment was agreed to.

The next amendment was, on page 36, line 18, after the word "offices", to strike out "$14,500,000" and insert "$15,000,000."

The amendment was agreed to.

The next amendment was, on page 37, line 19, after the word "service", to strike out "$42,000,000" and insert "$42,914,000."

The amendment was agreed to.

The next amendment was, on page 40, after line 10, to insert:

Not to exceed 5 percent of any appropriation for the Field Service, Post Office Department, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other appropriation or appropriations under the same Service, but no appropriation shall be increased more than 10 percent by such transfers.

The amendment was agreed to.

The PRESIDENT pro tempore. That terminates the amendments of the committee, except the one passed over, which the clerk will again state.

The CHIEF CLERK. Under the subhead "Bureau of Internal Revenue," on page 10, line 17, after the word "Services", it is proposed to strike out "$168,736,000" and insert "$179,266,000."

Mr. WILLIAMS. Mr. President, in the pending appropriation bill, H. R. 5770, which covers the appropriations for both the Treasury and Post Office Departments, we find that in the amendment now pending the committee has provided that an additional sum of $10,000,000 be granted to the Bureau of Internal Revenue for the purpose of hiring additional personnel as requested by the Treasury Department.

This authorization is justified by the committee upon the assumption that the more revenue agents the Treasury Department has, the more in the way of taxes will be collected, assuming, of course, that all taxpayers are dishonest, and only properly pay their taxes when forced to do so.

I recognize the necessity of the Treasury Department's having a sufficient number of auditors to supervise tax collections, but it is not necessary that they should require a staff of sufficient size to audit every individual tax return. Equally as good results could be accomplished if the Treasury Department would use a spot-check system for auditing taxpayers at irregular intervals, making a thorough audit in the cases of those who were found to be questionable.

Under the present system the Treasury Department is operating upon the principle that once a taxpayer's return has been placed on their audit list, it is never removed, but requires an annual audit, even though that particular taxpayer might have always have been found to be right. By the same principle other taxpayers whose names might not have been placed on this list, would never be audited. I am confident that a spot-check audit as I have suggested would be much cheaper and more effective than the system under which they are now operating.

Another serious criticism which I have of this proposal to enlarge their enforcement division for a more extensive auditing of the taxpayers is that I feel that if Congress wants to appropriate this money and employ these additional auditors, their services could best be utilized in the interests of our country by assigning them to the long-neglected duties of auditing some of the Government agencies themselves.

This suggestion would apply in particular to that division of the Treasury Department which is here today requesting these additional employees. This Department collects billions of dollars annually from the American taxpayers, and it is highly essential that all the officials and agents be men of the highest caliber because the ultimate degree of success which the Government will have in the collection of taxes will be measured not by the number of revenue agents in the field but rather by the respect which the collector's office has with the taxpayers.

At this point I should like to emphasize that I think it is true that the majority of the employees of this Department do command the respect of the taxpayers, and the employees as a whole should not be criticized or judged by the fact that a few employees are found to be dishonest, any more than it is fair to say that the American taxpayers as a whole try to evade their income taxes just because it is shown by the Department's records that a small number of taxpayers are guilty.

I am going to present here today in the RECORD evidence which will prove conclusively that the collector of internal revenue in the Wilmington district of my own State was advised that the cashier in his office was embezzling Government funds and that instead of reporting this embezzlement to his superiors and suspending the employee, he deliberately conspired with his assistant to conceal the evidence for nearly a year, during which time the embezzlement was continuing, and finally when it could no longer be concealed, he even then proposed to the Treasury Department's investigator that the matter be hushed up.

I shall also place in the RECORD a portion of a report made to the Treasury Department here in Washington by one of its own auditors under date of October 31, 1946, in which it was pointed out by the auditing agent in charge at that time that the books of the Wilmington office were in a deplorable condition. This report was made nearly a year before the embezzlement itself was disclosed, and yet there is absolutely no record anywhere that I can find which indicates that any attention at all was paid to this report either by the Wilmington office or the Treasury Department officials here in Washington.

Only after I exposed this scandal on the floor of the Senate last December did the cashier of the Wilmington office plead guilty, and he was sentenced to a term of 4 years, but again there was no action whatever taken by the Treasury Department here in Washington to discipline the collector of internal revenue nor the assistant collector, both of whom admittedly concealed this evidence from the proper authorities for a period of nearly a year. Both of these men are still holding their same positions of authority in our State, and I can say that as long as these men, who deliberately conspired to conceal this fraud, are in charge of the collection of taxes in our State, it will take more than an additional quota of revenue agents to restore our confidence in the Department.

Furthermore, the failure of the Treasury Department to take proper action to discipline the parties involved is very unfair to the other employees in that office, all of whom at present are being looked upon with suspicion.

I shall now present for the RECORD the facts, in chronological order, as far as I have been able to determine them as to what happened in the Wilmington office during the past few years.

September 17, 1946: In letters dated September 17, 1946, and October 26, 1946, nearly a year before the case was disclosed, the collector of internal revenue in the Wilmington office, Mr. Norman Collison, was notified by a taxpayer, Mr. Charles Ingersoll Gause, of Greenville, Del., to the effect that Mr. Gause's accounts had not been properly credited. Later developments disclosed that this taxpayer's accounts were among those involved in the embezzlement, yet no action was taken other than to readjust the accounts.

October 31, 1946: A report dated October 31, 1946, filed with the Treasury Department in Washington and signed by Mr. J. E. McNamee, supervisor in charge of the investigation, contained the certain comments on the mismanagement in the Wilmington office, and called the Treasury Department's attention to the fact that the books were in a deplorable condition; yet the Treasury Department did absolutely nothing about it. I read a portion of that report, as follows:

> The supervisor in charge was informed of these errors and he directed the supervisors making the examination of the cashier to arrange a conference with the collector, his assistant, and the cashier in order that the collector might be properly and fully informed of the loose management, carelessness, and errors prevalent in the cashier's division. In spite of Mr. Flynn's protestations to the contrary, it was evident beyond any doubt and so viewed by the collector, that the regulations pertaining to accurate daily and monthly verification of stamp balances have been completely neglected. In the absence of any kind of a record or worksheet reflecting settlement of the cash drawer, it could only be concluded that the same carelessness and neglect attended the reconciliation of cash receipts. It was pointed out to the collector that the length of time these discrepancies in the stamp accounts have been permitted to exist belied any claim by the cashier that he has actually counted and rectified the stamps on hand even as rarely as once a month and Mr. Flynn's signature to the monthly Form 68 constituted a falsification of facts and figures. The excess in opium order forms, resulting from attempted correction of a shortage that did not exist, showed carelessness in making a count of stamps, failure to truthfully record the corrective action as such instead of as an ordinary sale, and most important of all, either complete ignorance of or indifference to the vital regulatory nature of the various narcotic taxes. The overage of one $100 coin-operated gaming-device stamp was the most flagrant error of all since the cashier willfully attempted to hide the excess stamp from observation by examining officers while, at the same time, he had made no attempt whatsoever to ascertain the cause of the excess.
>
> Although the collector expressed firm belief in Mr. Flynn's personal honesty, he acknowledged that this situation could easily arouse suspicion of other irregularities that could not be as readily discovered. It was also noted that the undeniable laxity of the cashier constituted a possible temptation to observing employees.

The report is dated nearly 1 year before the case was disclosed. Yet the Treasury Department took no action at all to rectify the situation. The Department was being informed by this report that the books in the Wilmington office were not in balance, but were in such deplorable condition that the agent recommended that some action be taken immediately. Yet no action was taken.

Mr. President, a complete account of the above-described conference can be found in the report filed with the Treasury Department here in Washington under the date of October 31, 1946, and there was no action taken by the Treasury Department to correct the situation.

On November 15, 1946, Mrs. Louise M. Biscoe, a clerk in the office of the same cashier who was criticized in the above report, uncovered evidence which convinced her at that time that Mr. Flynn was guilty of embezzling funds in that office. On that date she set forth her accusations in a written statement giving the names and account numbers of four taxpayers whose accounts had been tampered with, and outlined in detail the manner in which the manipulations had been engineered. On November 15, after reducing this report to written form, Mrs. Biscoe, accompanied by the assistant cashier and her immediate supervisor, Mr. J. Edwin Lewis, presented this charge to Mr. Thomas Ainsworth, the assistant collector.

On that date, Mr. Norman Collison, the collector, was out of town, but Mr. Collison readily admitted that the report was brought to his attention by Mr. Ainsworth on the following workday.

At this time I ask unanimous consent to have inserted in the RECORD as a part of my remarks a copy of the written statement prepared by Mrs. Louise M. Biscoe and filed with the collector on November 15, 1946.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Henry P. Scott 3d claimed three payments were made on 1946 ES–107526. Only one payment was credited. He is holding check,

amount $459.57, canceled March 8, 1946. The only check I found on this date is on miscellaneous tax. Advised him to stop payment on his September check, which he did and mailed another check October 24, 1946. Cash payment put in to be credited to his account on October 18, 1946.

Thomas Davis claimed he is holding canceled check for $2,600 for last two quarters of 1945 ES account No. 107669; canceled September 14, 1945.

At the time could not find this check on yellow sheets, but found one for that amount later, written in pencil.

The bill, No. 525600, put in May 13, 1946, consists of three checks. (See next page attached.)

Thomas Davis' check for $2,600, September 14, 1945, seems to be a part of payment on EP & Corp. income for Silas Mason Co., whose total payment, $23,269.61, was due August 15, 1945. Returns are on September list, payments deposited September 14, 1945, S-400014, S-410034, check for $23,269.61 on August 22, 1945, is on miscellaneous tax. Am waiting to hear from Wilmington Trust Co. regarding this August 22 check.

Henry Davis, first quarter 1946 ES, account No. 107596. Has canceled check for $5,000, March 28, 1946. (Only check for $5,000.) I found on that date, page total $41,800.77, belongs to Henry Davis (according to photo records of the Wilmington Trust Co., but is applied against account No. 102,269, 1945 ES of Alfred E. Bissel. I asked Mr. Brown to transfer this and it has been done. November 11, 1946. (Perhaps I should not have had it transferred.)

Charles I. Gause, 1946 ES account 104243 (second quarter) holding canceled check for $500, June 19, 1946, which is not on his account. Found a bill in my writing with deposit date (receiving date June 15, 1946), July 15, 1946, for $500 applied to the account of Vera Lindsay, No. 107668. The odd thing about this Vera Lindsay account is that another payment is dated June 19, 1946, and she does not have a canceled check for that date. She has checks showing the following dates ($500 each), February 28, 1946, July 15, 1946, and September 20, 1946.

Mr. WILLIAMS. Mr. President, it is interesting to note that the memorandum filed by Mrs. Biscoe also contained information that the account of Mr. Charles Ingersoll Gause, account No. 104243, had been manipulated. Mr. Gause is the same taxpayer to whom I have previously referred as having written Mr. Collison direct regarding his account.

The subsequent investigation of this case confirmed every item of Mrs. Biscoe's report. Again no action whatever was taken on this report.

December 1946: During the early part of December 1946 the auditors of the Treasury Department went to the Wilmington office to make a routine audit, which was not completed until around January 10, 1947. During this interval—3 weeks—in which the Treasury Department's auditors were in the Wilmington office, both the collector, Mr. Collison, and his assistant, Mr. Ainsworth, concealed from these auditors the fact that they had in their possession at that time written evidence filed by one of their own employees, showing embezzlement. The auditors failed to discover the shortage at that time. Mr. Collison's excuse for not disclosing this evidence to the examiners was that, and I am quoting from Mr. Collison's testimony before our committee on March 31, 1948, "My suspicion wasn't raised. There was nothing to notify them about." He made this statement notwithstanding the fact that at that time he had in his possession a written document filing a complaint of embezzlement in the office against the cashier. He permitted the examiners to come in and make a routine examination and go out, but made no report whatever to them on this subject.

January 20, 1947: Mr. Collison, in his testimony before our committee on March 31, 1948, when confronted with the question as to why he had failed to report his knowledge of this embezzlement to the proper authorities, made the following explanation, and I quote a portion of that testimony:

Mr. COLLISON. Why should I report anybody until I found out? I wouldn't accuse a man of being dishonest until I knew he was dishonest.

The CHAIRMAN. I am not questioning your accusations against the man, but I am just wondering why you did not report it?

Mr. COLLISON. I had been reporting for some time—there were perhaps 500 different accounts that he had kited on.

The CHAIRMAN. Did you know of other accounts that had been kited besides mine at that time?

Mr. COLLISON. There were a number of them.

The CHAIRMAN. You knew of a number of others?

Mr. COLLISON. I did when I began checking.

The CHAIRMAN. When was that?

Mr. COLLISON. Somewhere in the neighborhood of the 20th of January.

Here again we have an admission by Mr. Collison that he was well aware of the fact as early as the latter part of January in 1947 that the cashier, Mr. Flynn, was manipulating the accounts of many of the taxpayers of our State. Still he took no action whatsoever to correct the situation and allowed Mr. Flynn to retain his same position.

Mr. KEM. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. KEM. When did Mr. Collison say that his suspicions had been aroused?

Mr. WILLIAMS. Apparently Mr. Collison's suspicions never became aroused until May 28, 1947. On May 28, 1947, Mr. Collison uncovered further evidence that there was a shortage in the stamp account of that office amounting to more than $8,000. On that particular occasion, I think the reason it was called to his attention and he really became suspicious was that a taxpayer went into the office to straighten it out, and insisted on it being straightened out on that occasion.

Mr. KEM. Did he have evidence of some 500 irregularities?

Mr. WILLIAMS. I am reading his own testimony. He said that there were perhaps 500 different accounts with respect to which there had been "kiting." He said that it was in the neighborhood of January 20 when he found it out.

Mr. KEM. And was not that sufficient to arouse his suspicions?

Mr. WILLIAMS. Apparently not, even in the face of all the other evidence. He also had in his possession a written memorandum of complaint filed by one of the clerks in that office, outlining different taxpayers' accounts as having been tampered with and still maintained that he was not even suspicious. The written memorandum gave in detail the account numbers and the dates of the checks. It shows to whose accounts the checks were credited, and why they were so credited; and every detail is borne out as being accurate during subsequent investigation.

Mr. KEM. Is this man Collison still in office, charged with the responsibility of collecting public revenue in that district?

Mr. WILLIAMS. He is still in office; and, as I shall point out later, the efficiency ratings of Mr. Collison and the assistant who did this job have even been raised. His salary has been increased, and he has been promoted right up the line. I suppose he is regarded as one of the most efficient operators in the Department.

Mr. KEM. He is still in office?

Mr. WILLIAMS. He is still in office.

On May 28, 1947, Mr. Collison uncovered further evidence that there was a shortage in the stamp accounts of that office amounting to over $8,000, and realizing, apparently, that he could no longer cover up, for the first time notified Mr. J. E. McNamee, the supervisor of accounts for that area, who immediately went to Wilmington and started an investigation. Even on that date, according to Mr. McNamee's report, which he filed with the Treasury Department in Washington, Mr. Norman Collison, the collector, was still trying to protect the cashier and on that occasion told Mr. McNamee, the chief investigator, that he was sure that the maximum shortage would not exceed $7,800 and suggested that arrangements could be made with the cashier for the restitution of this amount and asked Mr. McNamee if he would accept this arrangement and forget the incident. Mr. McNamee refused and insisted upon immediate action being taken, which was done. In his report to Mr. Paul A. Hankins, the Deputy Commissioner of Internal Revenue in Washington, D. C., under date of November 13, 1947, Mr. McNamee severely criticized both Mr. Collison and his assistant for their attempts to withhold this information from the authorities. I quote his statement from that report:

The effort of the collector and assistant collector to hide or hush up this affair has been, to my way of thinking, presumptuous, to say the least.

Mr. McNamee pointed out in that report that about $3,000 of the taxpayers' money had been embezzled during the interval in which the cashier was allowed to hold office after the embezzlement had been discovered. It was suggested that the collector and his assistant should both have to pay the money personally, instead of the bonding company.

An audit of the books in the Wilmington office disclosed that the accounts of more than 500 taxpayers had been manipulated and that many of these accounts were still marked delinquent—and many are today still so marked—notwithstanding the fact that they had been paid and the money misappropriated.

The shortage as reported by the Treasury Department is $30,433.98, of which amount $2,939.26 was embezzled during the period between November 1946 and May 1947. In other words, the cashier embezzled nearly $3,000 of the taxpayers' money after the collector had been notified of the discrepancies, during the period in which the cashier was operating, and the period during which the collector knew that he was embezzling funds.

At this point I ask unanimous consent to have inserted in the RECORD copies of both of these reports filed with the Treasury Department here in Washington under date of November 13, 1947, and signed by Mr. J. E. McNamee, Supervisor of Accounts and Collections in Charge setting forth the charges I have just made.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

PHILADELPHIA, PA., *November 13, 1947.*

MR. PAUL A. HANKINS,
*Deputy Commissioner, Accounts and Collections Unit, Internal Revenue Bureau, Washington, D. C.*

MY DEAR MR. HANKINS: Transmitted herewith is report of the examination of the Office of Collector of Internal Revenue, Wilmington, Del., for the period July 2, 1940, to June 3, 1947, inclusive.

In this connection, it is well to note that during the period November 1946, when the collector was first notified by the assistant cashier of an apparent discrepancy in the accounts, the cashier, Mr. Flynn, was left in complete control of his duties by the collector and no satisfactory explanation has been forthcoming from the collector as to why this situation was allowed to exist.

The efforts of the collector and assistant collector to hide or hush up this affair has been, to my way of thinking, presumptuous, to say the least. The fact that the assistant collector spent several months as a supervisor of accounts and collections prior to his present appointment should have instilled in him a certain esprit de corps which, I am sorry to say, is entirely lacking. He failed to acquaint the supervisors, or the Bureau, with his knowledge of this irregularity for 6 months after he found it out, during which period the cashier carried on his defalcations. As indicated by the report a total of $2,939.26 was embezzled during the period November 1946, to May 28, 1947.

This amount in my opinion, should be charged to the collector's and his assistant to be paid out of their personal funds.

Sincerely yours,

J. E. MCNAMEE,
*Supervisor of Accounts and Collections in Charge.*

---

PHILADELPHIA, PA., *November 13, 1947.*

MR. PAUL A. HANKINS,
*Deputy Commissioner, Accounts and Collections Unit, Internal Revenue Bureau, Washington, D. C.*

MY DEAR MR. HANKINS: The following is a report of the examination of the office of collector of internal revenue, Wilmington, Del., for the period July 2, 1940, to June 8, 1947, inclusive.

On May 28, 1947, Mr. Norman Collison, collector of internal revenue, Wilmington, Del., called me and asked if I would come to his office that day. I arrived at the Wilmington office about noontime and was informed by the collector and his assistant, Mr. Ainsworth, that there was an apparent shortage in the snuff stamps in the Wilmington office. I immediately made a count of the internal-revenue stamps in the vault which revealed a shortage in snuff stamps of $8,572.50, which shortage still exists.

The cashier was called in and admitted this shortage. The collector then stated that the cashier was over about $700 in the cash account and that he (the cashier) was prepared to make good this evident shortage of $7,800 and insisted that this was the total amount of the shortage. He further asked if I would accept this arrangement and forget the incident. I replied that my only reaction was to notify the Bureau immediately and ask for the suspension of the cashier. The collector demurred to this, pointing out that Mr. Flynn was married and has two sons. Upon my insistence that the Bureau be notified, the collector asked if he could accompany me to the Bureau. I acquiesced and, because of previous engagements, the trip was put off to June 3, 1947. Later that day, I found other discrepancies totaling $22,500. The cashier was called to the collector's office and, when informed of these discrepancies, admitted same and said he could make full restitution if given 4 or 5 days. When asked why he did not admit these discrepancies during our first interview, he replied "my bosses did not open their mouth so why should I tell on myself."

Upon our visit to the Bureau on June 3, 1947, Mr. Flynn was suspended immediately.

On June 4, 1947, the supervisors instituted a day-by-day check of the cashier's records from June 3, 1947, back through January 1940, which revealed a gross shortage of $38,018.25. A duplicate credit in the amount of $7,500 to the 1944 estimated income tax account of Robert W. Rea under date of December 29, 1944 (which erroneous credit still stands), and various penalty and interest items totaling $84.27 credited to taxpayers on documents filed on time but journalized as delinquent, reduce the gross shortage to a net of $30,433.98.

The authorized destruction of various records, such as cashier's work sheets and cashier's journals, handicapped the supervisors' investigation as it progressed. The destruction of the various order forms for stamps for 1940 and prior years made it impossible to identify purchasers of documentary and/or stock transfer stamps. "Orders for stamps—fermented malt liquor"—were reconstructed from brewery records.

On July 2, 1940, orders for documentary stamps and stock transfer stamps in the amount of $1,297.90 were journalized covered by misapplied checks. Since this was the entire balance of the shortage yet to be identified (except one check for $8.44 deposited April 17, 1943) and neither the names of the purchasers of the stamps nor whether the original transactions were by cash or check could be ascertained, and since the comparison of remittance registers and document registers back through January 1940, revealed no discrepancies in which misapplication of funds was apparently involved, it was decided that further efforts to identify the balances of $1,297.90 would be useless.

The defalcations set up a fairly regular pattern as revealed by the schedule of discrepancies in deposits. Documents showing taxes originally paid in cash were journalized under cover of other taxpayers' checks. Sometimes the penciled "cash" was partially erased. On bills such as Forms 17 or 19, an entirely new form was often prepared in pencil with no blue-pencil notation and no "received" stamp. A general laxness in the use of the "received" stamp in the office, particularly on orders for stamps, contributed to the situation. The documents from which checks had been taken were subsequently put through with still other taxpayers' checks. However, several times taxpayers' checks were used as described above and the document journalized later as a cash transaction. Cash was also used many times to cover the difference between misapplied checks and documents being journalized. On 17 occasions, Mr. Flynn used his personal checks for this purpose. These personal checks ranged in amounts from 32 cents to $153.16. These were verified by the records of the Farmers Bank & Trust Co., Wilmington, Del.

A study of "received" dates, when available, on cash documents, journalized under cover of checks indicated that unidentified cash deposited in the operations described in the preceding paragraph came from such documents and not from the cashier's personal funds.

Prior to 1946, the only document not journalized for which the check was deposited was a miscellaneous tax return, Form 727, in the amount of $8.91, filed by Walter Holliger. A check for $17.08 was forwarded by mail with Form 727 for May and June 1944. The check was deposited August 11, 1944, but only the Form 727 for June in the amount of $8.17 was abstracted. This discrepancy, as well as several small excess collections which were not credited to taxpayers, apparently resulted from adding "kited" documents and checks to the document registers and remittance registers respectively without having first balanced the registers.

In six different cases documents were altered to bring the document register into balance with remittance registers, to bring the stamp control into balance with the stamp inventory, or to bring the "kited" documents into exact agreement with the "kited" checks. With one exception these were minor alterations. On June 26, 1942, however, the cash order of the Diamond State Brewery Co., for fermented malt liquor stamps in the amount of $780 was not journalized and a fictitious order for fermented malt liquor stamps in the amount of $180 was journalized in its stead. In addition, a fictitious order in the amount of $120 was journalized the same day. The two orders were in the same handwriting and neither the taxpayers' records nor bank statements reveal any such payments. The fictitious order of the Diamond State Brewery Co. differs from the taxpayer's copy only in that an order for four 25 barrel stamps at $150 each had been removed. The fictitious order in the name of the Delmarva Brewing Co. is for four 5 barrel stamps at $30 each. Apparently an inventory of fermented malt liquor stamps revealed an overage of four 25 barrel stamps and a shortage of four 5 barrel stamps and this device was utilized to bring the accounts into balance. It also apparently was used to embezzle $480. The Diamond State Brewery Co. was not aware that 5 barrel stamps had been delivered instead of 25 barrel stamps. The records of the Diamond State Brewery Co. indicated that a stamp order in the amount of $780 paid by cash, on that date, while the Delmarva Brewing Co. had no record of $120 on that date. Inasmuch as all orders of the Delmarva Brewing Co. were paid by check and this order for $120 was covered by cash, it is clearly evident that this order was fictitious.

In addition to checks for $8,572.50, $5,000, $500, and $8.91, mentioned heretofore, the related documents for which were never journalized, checks in the amounts of $15,000 and $7,500 were submitted by John J. Williams to cover 1946 estimated income taxes of himself and his wife respectively. These checks were deposited June 4, 1946, to cover the 1946 estimated income tax of Anthony P. Columbo and Rose M. in the amount of $2,500, and F. A. Wardenberg in the amount of $20,000. The documents with which Mr. Williams' checks were related have never been journalized.

On May 13, 1947, a check in the amount of $605.20 drawn by the Wilmington Country Club in payment of tax on admissions for April 1947, was deposited to cover orders on documentary stamps that are marked "cash." A duplicate return was filed by the taxpayer at the request of the collector's office and was

assessed on the October 1947 special No. 1 list, account No. 53160, and is outstanding.

Six cash payments, the documents for which were never journalized, have been definitely established. More may come to light eventually. Howard A. Gifford holds a cash receipt, form 1, dated April 9, 1946, in the amount of $185.20 covering the balance of his 1945 income tax. There is no record of this payment in the collector's office. Four taxpayers have submitted affidavits of filing forms 11 with cash payments for various special tax stamps in total value of $159.50. The exact amount of the items claimed appear on the teller's cash sheet of the assistant cashier as payments for stamps and are included in the daily recapitulation of cash tallied as on hand at the close of business May 27, 1947, by the cashier. A comparison of the teller's stamp sheets which forms 11 and other stamp records, leaves these items unreconciled.

It had not been the custom of the cashier's office to give a receipt for cash payments for stamps which could not be issued immediately. Now, a form 1 receipt marked "in lieu of stamp to be issued" is given to taxpayers in all such cases.

In the schedule of discrepancies, under the heading "Net cash," there appears 91 items which represent payments by the cashier from his cash reserves. Seventeen of these items marked (*) are his personal checks; the balance are cash payments. These payments total $10,329.47. It was necessary for the cashier to deposit these amounts to balance the various days' work. It is entirely possible that part of these payments represent cash payments by taxpayers whose returns were destroyed and owing to the volume of unfinished work of checking the unmatched documents received from the Processing Division and the migration of many war workers, it will be impossible to complete this part of the investigation. It is also possible that additional discrepancies will be uncovered when the revenue agents check the 1945 and 1946 income tax returns (Bureau) and make comparison with the credit documents attached to the return with the amount of credit taken by the taxpayer on his return.

Sincerely yours,

J. E. MCNAMEE,
*Supervisor of Accounts and Collections in Charge.*

Mr. WILLIAMS. All this evidence, of which the Treasury Department itself here in Washington was already aware, was reemphasized in a letter dated February 4, 1948, addressed to Mr. George J. Schoeneman, the Commissioner of Internal Revenue, Treasury Department, Washington, D. C. and signed by my colleague, Mr. BUCK, Representative BOGGS, and myself, at which time we requested that the Treasury Department remove from office the officials who were responsible for deliberately concealing this embezzlement. We insisted upon their removal from office because we felt that these men had betrayed the confidence of the people in their conspiracy to conceal this crime. We also requested that the taxpayers whose accounts had been manipulated should be properly notified and also suggested that action be taken immediately in order to restore in the minds of the taxpayers of our State, the confidence which they once had in the Wilmington office.

In reply to our letter under date of February 25, 1948, the Commissioner, Mr. George J. Schoeneman, acknowledged all of the charges which we had presented against both Mr. Collison and the assistant collector, but excused them by saying:

The Bureau considers that the matter under discussion was one which called for the exercise of judgment by the Collector. Whether his judgment was good or bad in the light of facts before him when suspicion arose is a matter upon which opinions may well differ. It now seems probable that if collector Collison had foreseen the outcome of this matter he might have acted differently.

By that last statement I presume he means that if he had known that Congress would find out about it, he would have acted a little differently. I do not know what else he meant.

He further stated:

To notify taxpayers whose accounts were brought into the orbit of these irregular transactions would tend only to disturb them needlessly.

I can safely say to Mr. Schoeneman that they are pretty much disturbed anyway, and notification of the facts in this case would not disturb them any further.

It was also pointed out in the Bureau's letter that the Collector is an official appointed by the President of the United States.

At this time I ask unanimous consent to have inserted in the RECORD as a part of my remarks a copy of the letter dated February 4, 1948, addressed to Mr. George J. Schoeneman and signed by the entire Delaware delegation in Congress; and I also ask unanimous consent to have inserted in the RECORD a copy of the reply which we received from Mr. Schoeneman dated February 25, 1948.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 4, 1948.

Mr. GEORGE J. SCHOENEMAN,
*Commissioner, Bureau of Internal Revenue,*
*Washington, D. C.*

DEAR MR. SCHOENEMAN: During the latter part of December 1947, we discussed with you the fact that the accounts of several hundred taxpayers in Delaware had erroneously been marked delinquent by responsible officials in the Wilmington office and that as of that date, there was evidence that over $30,000 of these funds had been embezzled. Since that time the cashier of the Wilmington office has pleaded guilty to this embezzlement and has been sentenced in the Federal court.

During our discussions last December we called to your attention the fact that an exceptionally large number of special agents had been assigned to that area to investigate the taxpayers. We are not asking that the taxpayers of our State be exempt from the routine audit of your Bureau, but we do think that it is very unfair that they be subjected to the tactics now being used by your agents and at the same time be denied the knowledge that the reason for this rigid examination is that their accounts have been manipulated and some of their payments embezzled by someone in the collector's office.

Since this situation developed in our State, we have been receiving numerous requests from various taxpayers, asking if their accounts were involved. Many of these taxpayers have been receiving bills for unpaid taxes for which they have receipts. It is our opinion that the most important contribution which can be made at this time to restore the confidence of the Delaware citizens in the Revenue Department is to convince them that this case has been fully exposed; therefore, we are today placing in the CONGRESSIONAL RECORD and asking the newspapers in our State to publish a complete list of those taxpayers whose accounts are known to have been tampered with as well as a copy of Mr. McNamee's report of November 13, 1947, addressed to your department, in which he made the following statement:

"In this connection, it is well to note that during the period November 1946, when the collector was first notified by the assistant cashier of an apparent discrepancy in the accounts, the cashier, Mr. Flynn, was left in complete control of his duties by the collector and no satisfactory explanation has been forthcoming from the collector as to why this situation was allowed to exist.

"The efforts of the collector and assistant collector to hide or hush up this affair has been, to my way of thinking, presumptuous, to say the least. The fact that the assistant collector spent several months as a supervisor of accounts and collections prior to his present appointment should have instilled in him a certain esprit de corps which, I am sorry to say, is entirely lacking. He failed to acquaint the supervisors, or the Bureau, with his knowledge of this irregularity for 6 months after he found it out, during which period the cashier carried on his defalcations. As indicated by the report a total of $2,939.26 was embezzled during the period November 1946, to May 28, 1947.

"This amount, in my opinion, should be charged to the collector's and his assistant to be paid out of their personal funds."

Further proof that these two officials were making an effort to conceal these discrepancies in their office is borne out by evidence recently obtained by us, which shows that a written memorandum was delivered on November 15, 1946, to the assistant collector, Mr. Ainsworth, outlining certain manipulations by the cashier. We find that a routine audit was made of this agency during the month of December following this written notice, at which time both the collector and the assistant collector failed to call the written memorandum to the attention of the auditors.

An examination of various reports made by the chief investigator for that area discloses that serious criticism has been made on numerous occasions by the investigator, charging that the records and the bookkeeping system of the office in general were in a state of confusion. They also criticized the looseness of the Department's handling of cash items, and even insisted upon a new system being set up.

We have reviewed these critical reports by your own investigators, charging these men with an attempt to conceal and protect the guilty parties in addition to the many charges of inefficiency, and as representatives of the citizens and taxpayers of that State, we feel obligated to call on your department for an explanation as to why the investigation in the Wilmington office has suddenly been called off. In your reply we want you to explain to us not only why these officials were left in charge of the office but also why it was that you designated these same men for a special promotion and an increase in salary.

We realize that the total amount of this embezzlement cannot be established until such time as all of the accounts in that office prior to July 1947 have been audited, and we are wholly in accord with your thought that this audit should be made as soon as possible, but we do think that there are three essential points being overlooked in your effort to clear up this situation:

1. You should immediately suspend every employee in that office involved in any manner, either through participation in the embezzlement or through negligence in report-

ing the situation which they knew to exist to the proper authorities. This should be done immediately in order to restore in the minds of the taxpayers the confidence which they once had for your office.

2. We think that you should immediately notify each taxpayer in the State whose accounts have been tampered with in any manner, giving to that individual all the details and enlisting his support in assisting your office to obtain a true picture of the facts.

3. We think that a thorough audit should be made of the Wilmington office, and, if necessary to expedite this, we suggest that you utilize the services of some of the special agents now assigned to that area who have been devoting their time in auditing the taxpayers.

The evidence now on file in your office against both the collector and the assistant collector is of a rather serious nature and is something which we feel cannot be overlooked.

Yours sincerely,

C. DOUGLASS BUCK,
JOHN J. WILLIAMS,
Congressman J. CALEB BOGGS.

---

TREASURY DEPARTMENT,
*Washington, February 25, 1948.*

Hon. JOHN J. WILLIAMS,
*United States Senate.*

MY DEAR MR. SENATOR: Reference is made to a communication dated February 4, 1948, signed by yourself and by Senator BUCK and Congressman BOGGS relative to the Office of the Collector of Internal Revenue for the District of Delaware. Particular reference is made to a defalcation on the part of the former cashier of that office as well as to circumstances connected with or relating to the discovery of the defalcation.

I am greatly perplexed by the statement that an exceptionally large number of special agents have been assigned to the district of Delaware to investigate the taxpayers. The only investigations of returns of taxpayers that are being conducted in the district of Delaware by the internal-revenue service are those which are being made by the personnel regularly assigned to that territory.

The third paragraph of your communication states that you have been receiving numerous requests from various taxpayers, asking if their accounts were involved in the defalcation and alleging that they have been receiving bills for unpaid taxes for which they hold receipts. The Bureau of Internal Revenue stands ready at all times to investigate any complaints as to erroneous bills or statements issued by any collector of internal revenue. Through investigation the Bureau has developed an accurate knowledge of the manner in which the defaulting employee operated. It is regarded as questionable whether any of the taxpayers whose accounts were tampered with by this defaulting employee have received bills or statements attributable to his activities. It will be appreciated if you will refer to this Bureau any communications which you have received from taxpayers alleging failure to properly credit their accounts so that appropriate investigation may be instituted.

You have quoted from a communication addressed to the Deputy Commissioner of the Accounts and Collections Unit by Mr. John E. McNamee, Supervisor of Accounts and Collections in Charge, dated November 13, 1947. In that letter Mr. McNamee severely criticized the collector and assistant collector of the District of Delaware for not reporting to him their suspicions regarding the defaulting employee. You state that further proof that these two officials were making an effort to conceal these discrepancies is borne out by evidence recently obtained by you which shows that a written memorandum outlining certain manipulations by the former cashier was delivered to the assistant collector on November 15, 1946.

The collector of internal revenue for the district of Delaware is responsible under the law for the collection of taxes due in his district. He is under bond to the United States for the faithful performance of this duty. His former cashier, who was the defaulting employee, is bonded to the collector and not to the United States. The collector has informed the Bureau that when this matter was first drawn to his attention the evidence was inconclusive. He considered a charge of embezzlement a serious matter, as indeed it is. He was reluctant to lodge any such charge against his employee until he possessed incontrovertible evidence of theft. He states that the first time he considered that he possessed such evidence was on May 27, 1947, at which time he immediately called Mr. John E. McNamee, Supervisor of Accounts and Collections in Charge.

Mr. McNamee proceeded at once to Wilmington where he discussed the matter with the collector and the assistant collector on May 28, 1947. On that day the collector called the Deputy Commissioner of the Accounts and Collections Unit and arranged for a joint conference in the Bureau on June 3, 1947. Collector Collison, Assistant Collector Ainsworth, and Supervisor in Charge McNamee appeared in the Bureau on June 3 and described the situation to the Deputy Commissioner of Accounts and Collections Unit. The defaulting cashier was suspended at once.

The matter was immediately referred by the Deputy Commissioner of the Accounts and Collections Unit to the Chief of the Intelligence Unit of the Bureau who initiated an investigation. Since the matter involved the revenue accounts, the intelligence unit requested that the detailed checking be accomplished by employees of the accounts and collections unit. Supervisor in Charge McNamee was instructed to cooperate with the special intelligence agent in charge who was conducting the investigation and Mr. McNamee was provided with supplementary clerical help to assist in this task. Mr. McNamee's investigation has been completed, disclosing a net shortage amounting to $30,433.98. The defaulting employee has pleaded guilty to a charge of embezzlement and has been sentenced to a term of 4 years in a Federal corrective institution.

In the conclusion of your letter you have stated three steps which you believe the Bureau of Internal Revenue should take. These will be restated and discussed in consecutive order.

"1. You should immediately suspend every employee in that office involved in any manner, either through participation in the embezzlement or through negligence in reporting the situation which they knew to exist to the proper authorities. This should be done immediately in order to restore in the minds of the taxpayers the confidence which they once had for your office."

The Bureau assumes that the inference is that Collector Collison and Assistant Collector Ainsworth should be suspended because of their failure to promptly report the suspicion of irregularity to the Bureau. As herein stated, the collector is responsible under the law for the collection of taxes in his district. He is an official appointed by the President of the United States with the advice and consent of the Senate. From the nature of his position he has broad discretion and considerable latitude for the exercise of independent judgment. The Bureau considers that the matter under discussion was one which called for the exercise of judgment by the collector. Whether his judgment was good or bad in the light of facts before him when suspicion arose is a matter upon which opinions may well differ. It now seems probable that if Collector Collison had foreseen the outcome of this matter he might have acted differently. There is no evidence that the collector acted in bad faith and to retrospectively charge him and his assistant with an effort to conceal discrepancies is more than the Bureau would feel justified in undertaking on the basis of the evidence before it.

"2. We think that you should immediately notify each taxpayer in the State whose accounts have been tampered with in any manner, giving to that individual all the details and enlisting his support in assisting your office to obtain a true picture of the facts."

The experience of Bureau officials over a period of many years leads them to believe that the adoption of the recommendation would be unwise. While a considerable number of accounts were tampered with or manipulated in connection with this defalcation, relatively few were involved in the ultimate shortage. The Bureau has demanded restitution from the collectors of internal revenue who were in charge of the Delaware district during the time that these manipulations were being carried on. There is no reason whatever to believe that any taxpayer of the district of Delaware will suffer by this embezzlement of Government funds. To notify taxpayers whose accounts were brought into the orbit of these irregular transactions would tend only to disturb them needlessly.

"3. We think that a thorough audit should be made of the Wilmington office, and if necessary to expedite this, we suggest that you utilize the services of some of the special agents now assigned to that area who have been devoting their time in auditing the taxpayers."

A thorough audit of the Wilmington office in connection with the defalcation has been completed and the Bureau seriously doubts that further investigation at this time would disclose any facts not already known. In this connection I would like to clear up an apparent misunderstanding indicated by a statement in your letter to me. The investigation of this defalcation was extended and thorough. It was not "suddenly called off" but was carried through to completion. The Bureau is confident that all of the facts pertaining to the shortage which can be discovered by an examination of the books and records of the collector's office have already been divulged.

Your letter has received thoughtful consideration. I assure you in all sincerity if I believed that the program outlined would serve a good purpose I would be not only willing but eager to carry it out. I fully understand your deep interest in this matter and sincerely appreciate the opportunity which you have afforded me to state the position of the Bureau of Internal Revenue. It is my considered opinion in the light of existing knowledge fortified by long experience in the Bureau of Internal Revenue that further action in this unfortunate matter would serve the interests neither of the Government nor the taxpayers of the district of Delaware.

Very truly yours,

GEO. J. SCHOENEMAN,
*Commissioner.*

Mr. WILLIAMS. In his reply the Commissioner of Internal Revenue, while admitting the charges which were presented against these men, has completely rejected any consideration that they should be removed.

At this time, in fairness to these two men, I should say that so far as the evidence which I have before me is concerned, there is nothing which indicates that either of them participated in a division of the money stolen, but there is considerable evidence which proves beyond any doubt that both these men deliberately withheld evidence from the

proper authorities. According to the report of the Treasury Department's own officials, when the crime was discovered on May 28, 1947, the collector even made an attempt at that late date to have it settled. The conduct of both these men in handling this affair renders them guilty at least of incompetence or malfeasance in office. In either case they should be immediately removed.

I have been advised that one of the main reasons for the insistence by the Treasury Department on the retention of Mr. Collison as collector in the office he now holds is that it is desired to keep him in office until July 1, at which time he will be eligible for a pension of approximately $700 a year.

Another action of the Treasury Department which shows even further lack of regard for justice is that under which the salaries and ratings of both these men have been increased in one case as much as $1,000 each, while the other employee, Mrs. Louise Biscoe, who did more to help the Department and to help our committee solve this case than anyone else connected with the Bureau, has been left at her previous salary of $2,394. No recognition whatever has ever been given to this employee, who proved herself to be the most worthy employee in the Wilmington office.

This is not the only case of corruption and inefficiency which has been found to exist in the Bureau of Internal Revenue. Last year complaints were being filed against this Department in such a number that the House Appropriations Committee felt it necessary to conduct an investigation, and in their committee report filed March 9, 1948, accompanying this bill when it passed the House, they cited several instances of mismanagement, corruption, and inefficiency.

As an example of some of this mismanagement, I read a portion of that committee report, on page 10:

> In the course of their survey the committee investigators visited various field offices of the collector of internal revenue including the one in Boston, Mass. In that office they reported an extremely lax and inefficient administration was discovered. Evidence found in the files of the assistant collector was highly indicative of violations of the Hatch Act.
>
> In Hartford, Conn., officials in the office of the collector of internal revenue have been indicted for violations of the Hatch Act.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. McMAHON. I hear the Senator mention the Hartford case. That collector was indicted and was convicted about 2 months ago, and he was removed by the President.

I should like the RECORD to show that a former distinguished Member of this body, Senator John Danaher, appeared as a character witness for him, and I believe two—I am not certain of the exact number—of the Republican Members of Congress also appeared and testified to his fine character and reputation in the State. I wish to take this occasion to pay tribute to his excellent character and splendid reputation. He is a kindly and courteous gentleman. When he was convicted by the jury the jury recommended "extreme clemency." That was the phrase that was used.

Judge Hincks, a very distinguished jurist, who was a Republican appointee, stated, when he sentenced Frank Kraemer to pay a $1,000 fine, that there was no moral degradation, no moral obloquy at all, and no reflection on his character. I think that should be stated at this time.

Mr. WILLIAMS. Mr. President, I do not know how much reflection there is on his character. I am merely reading from the committee report, which states that—

> In Hartford, Conn., officials in the office of the Collector of Internal Revenue have been indicted for violations of the Hatch Act.

The report also states that two employees in the office of the collector of internal revenue in Newark, N. J., recently flushed several bundles of income-tax records down a drain. It was not discovered for several months, resulting in costly confusion. Proper supervision in this office would seem to have either prevented such an incident or reduced the ensuing confusion and cost.

It was brought out in the hearings that a grand jury investigation was scheduled to start on February 23, 1948, with respect to alleged political activity in the office of the collector of internal revenue at Milwaukee, Wis.

Mr. President, I have already pointed out what has happened in the Wilmington, Del., office.

Notwithstanding all of this evidence of corruption and inefficiency, both in the Bureau here in Washington and in their various field offices, we find that the Treasury officials have completely rejected all proposals that there should be a house-cleaning in their own organization.

In my opinion the fact that some of these collectors' offices were found to be violating the Hatch Act is a very serious matter. This is one department of our Government that must always be kept out of politics, and under no conditions can we in Congress sit idly by and allow that agency to develop into a political football.

Unless we can convince the taxpayers of this country that their party affiliation has nothing to do with the amount of taxes they will be called upon to pay, our whole system of Government will fall. When we read in the committee report that, notwithstanding all of the evidence of corruption and inefficiency in their organization, the Bureau officials in general denied—and I am quoting their words—or sought to explain away nearly all of the accusations, I think it is time that we in Congress should give them some suggestions.

As I have said in the beginning, if this Congress is interested in hiring more auditors to save money for the taxpayers, I know of no better way to use those men than to assign them to the duties of cleaning up our own backyard here in Washington.

I have on my desk today a reference manual of the Government corporations, published by the General Accounting Office, and printed as Senate Document No. 86. In this book, the Honorable Lindsay C. Warren, Comptroller General of the United States, has called the attention of Congress to the fact that a large percentage of the directors of the Government corporations have refused to comply with the laws of Congress, and that in numerous instances their books are in such deplorable condition that it is practically impossible to audit them. If one of our large corporations were found to be guilty of violating our laws and of juggling its books and engaging in a practice similar to that which is being followed by some of our Government corporations, no doubt the Department of Justice would have had the officials of the corporation in jail long ago. But the fact that these Government corporations are being administered by prominent men apparently is being interpreted as exempting them from complying with our laws.

I know of no better way to show just how serious this situation is than to refer to the testimony which was given before a subcommittee of the Senate Banking and Currency Committee in December of last year. That subcommittee, under the chairmanship of my colleague the Senator from Delaware [Mr. BUCK] received a report from the Assistant Director of General Accounting Office, Mr. Theodore Herz. In that testimony, which is to be found on pages 103 and 104, in volume 1 of those hearings, Mr. Herz said that the books of the Reconstruction Finance Corporation were in such a state of confusion that it was utterly impossible to balance the books. He pointed out that those books had been kept in such a manner that in instances where the Corporation had made purchases of property costing millions of dollars, there was no way of following through on the transaction to determine whether the Government sold this land or gave it away, or, if the land was sold, whether the Government ever received any payment for it.

It has been said that the only way by which the books of this Corporation ever will be balanced will be for Congress simply to cancel the Corporation's notes and refrain from asking too many questions as to what happened to the money.

The same situation has been said to exist in the records of the Maritime Commission. As to practically every one of our other Government agencies, we are continuously getting reports of inefficiency and corruption.

I think the Members of the Senate today should reject the Senate amendment, and should support the position taken by the House, which was to reject the application for any additional personnel, but to allow the agency to maintain all of its existing personnel; and at the same time give it the constructive suggestion that it eliminate the inefficiency within its organization. By all means, Congress should serve notice to the Department here in Washington that we will hold it personally responsible for removing from office men who are proven to be incompetent.

I think it is time that we let the Commissioners of the Bureau of Internal Revenue here in Washington know that Congress is going to hold them personally

responsible for any future corruption or fraud uncovered in offices which are left under the administration of officials whom they know to be unqualified, and as to whose corruption they now have been properly notified.

Mr. President, I hope the Senator from Oregon will go along with this suggestion because I see no necessity for increasing the personnel by the amount proposed.

Mr. CORDON. Mr. President, I commend the Senator from Delaware for his industry and courage in making public the deplorable situation existing in a Federal office of his own State. I think that duty has devolved upon him, and I think he has discharged it well.

Mr. McMAHON. Mr. President, will the Senator yield to me?

Mr. CORDON. I yield.

Mr. McMAHON. I simply wish to say, in referring to the affair of the collector at Hartford, Conn., that there is no allegation or charge of a shortage—not even a shortage of one penny. The accounts are in perfect shape. There is no defalcation or embezzlement. The irregularity there was the collection of campaign funds on Government property, in violation of the so-called Pendleton Act.

Mr. CORDON. Mr. President, I am sure the Senator meant there was no violation except a violation of the so-called Hatch Act, with respect to engaging in political activities. My reference to the good job done by the Senator from Delaware applies to the thoroughness with which he has presented the situation in his own State.

Mr. President, the item to which the Senator has addressed his remarks is one calling for an increase in the amount allowed by the House of Representatives, of approximately $10,000,000, for the purpose of permitting the hiring of approximately 5,000 additional enforcement officers for the Bureau of Internal Revenue, and perhaps a few for the Alcohol Tax Unit of the Treasury Department.

The increase was recommended as a result of a recommendation made by a special advisory group appointed by the Joint Committee on Internal Revenue Taxation. The group made a comprehensive investigation of the tax collections made by the Treasury, and came forth with a recommendation that the enforcement personnel should be increased by substantially 16,000 persons.

Mr. KEM. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. KEM. I should like to ask the Senator from Oregon who appointed that committee.

Mr. CORDON. The advisory group was appointed by the legislative Joint Committee on Internal Revenue Taxation. I shall be glad to read to the Senator the identity of the individuals. The group was made up of outstanding accountants in the United States, and according to the testimony of Mr. Wiggins, Under Secretary of the Treasury, found on page 27 of the hearings before the Senate committee on H. R. 5770, they were as follows:

> H. H. Bond, of Boston, a lawyer who had formerly been Fiscal Assistant Secretary of the Treasury in 1927 to 1929 and is a practicing attorney in Boston; Mr. Norman McLaren, of San Francisco, head of a certified public accountants firm and president of the California Society of Certified Public Accountants; Mr. William J. Carter, of Atlanta, Ga., the former president of the National Association of Cost Accountants, and Mr. George Mitchell, Chicago, who has done a great deal of work in the field of public finance and taxation and is now tax economist of the Federal Reserve Bank of Chicago.

Mr. KEM. This committee was appointed by the Joint Committee on Internal Revenue Taxation, was it not?

Mr. CORDON. That is correct.

Mr. KEM. Did they inquire into the efficiency or the honesty or the diligence with which other employees of the Treasury Department were discharging their respective duties?

Mr. CORDON. They made a comprehensive investigation, and made same 21 recommendations respecting sundry conditions which they found. The report itself is one that I commend to the Senator.

Mr. KEM. Did they touch on any matters of which the Senator from Delaware has spoken today?

Mr. CORDON. Not to my knowledge. They did not go into the matter of embezzlement, or anything of the sort, with reference to specific instances. Theirs was a management study of the Bureau of Internal Revenue.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. CORDON. I shall be glad to yield.

Mr. WILLIAMS. The report of which the Senator speaks was before the House committee, was it not?

Mr. CORDON. As a matter of fact, it was not. The report was not released until after the House committee had made its report and the bill had passed the House.

Mr. WILLIAMS. The House committee had an investigation of its own, did it not?

Mr. CORDON. That is correct.

Mr. WILLIAMS. I want to read a summary of what the House committee said in their report on the activities of the Bureau of Internal Revenue, as they found it, with respect to the Washington office. The findings with respect to the field offices have been discussed. Reading from page 9:

> The investigators found discipline and administrative control lax in the Washington office of the Bureau, and estimated that it is securing no more than six productive hours of work per day, on the average, from its employees. In the face of such conditions, the Congress is urged to appropriate large sums of money to support, in effect, loafing on the job.

Mr. HATCH. Mr. President, if the Senator will yield, certain statements have been made on the floor which I think probably should be corrected, merely in the interest of accuracy. The case was cited of a man who it was said had been convicted under the Hatch Act for political activity. I do not even recall his name, and I do not know anything about him. It was said I think that he had been fined $1,000. That would have been simply impossible.

The Hatch Act, which makes it an offense to engage in political activity, does not carry a criminal penalty. He could not have been punished under the criminal law. Probably what occurred—and I am informed that this is the fact—the gentleman was found guilty of violating another law, an old law that has been on the Federal statute books for a long time, prohibiting the solicitation of campaign contributions on public property. That is not engaging in political activity. It does constitute a criminal offense.

I do not want it said on the floor of the Senate that because an employee of the Federal Government might engage in political activity he thereby could subject himself to criminal prosecution and conviction. I make that statement merely for the sake of the RECORD.

Mr. WILLIAMS. Mr. President, I should like to say to the Senator from New Mexico that the only statement I made in regard to what happened in the Hartford office was this: In Hartford, Conn., officials in the office of the collector of internal revenue have been indicted for alleged violation of the Hatch Act. It was the Senator from Connecticut himself who referred to the penalty. I do not know, of course, how accurate he was, but I would suggest that the Senator from New Mexico take the matter up and straighten it out with the Senator from Connecticut.

Mr. HATCH. It was said here on the floor today, perhaps by the Senator from Oregon—I do not know; I heard someone speaking of it—that the man had been convicted under the Hatch Act of engaging in political activity and had been fined.

Mr. WILLIAMS. Mr. President, if the Senator will yield, I may say that statement was made by the Senator from Connecticut.

Mr. CORDON. Just a moment.

The PRESIDENT pro tempore. The Senator from Oregon has the floor.

Mr. CORDON. The Senator is glad to accept the explanation given by the Senator from New Mexico, who, having been the author of the Hatch Act, should still know what the act contains.

Mr. HATCH. It does not contain a criminal penalty in that respect. There are sections which do carry a criminal penalty.

Mr. CORDON. Mr. President, the investigation made by the special group appointed by the Joint Committee on Internal Revenue Taxation contains some 58 pages, a great number of graphs, tables, and other statistical data, and it appears to be a most comprehensive investigation and report thereon. I commend it to all Members of the Senate who are interested in this particular matter. Obviously the Appropriations Committee cannot turn aside from its duties to take over the chores of investigation that properly should be administered by the legislative committees of the Senate. I simply want to say that in making this recommendation of an amendment, the question of an extra $10,500,000 for this purpose, the committee followed the recommendation of the special committee.

The committee also had the information which it had developed this year and last on the same subject, and the chairman of the subcommittee has been in

touch with the chairman of the subcommittee and of the whole committee on the House side, with reference to this particular matter. I am convinced that it means many millions of dollars for the Treasury of the United States, if this particular amendment should be adopted.

Last year the Senate attempted to hold in the bill for enforcement purposes some $25,000,000 more than was allowed by the House. The Senate had an opportunity for further study after the House committee completed its study.

Unfortunately we were unable to hold the full amount. Some 6,000 deputy collectors and special agents were dropped last year. While the result may not appear to be bad, so far as the record is concerned, because more money was collected each month during fiscal 1948 than in 1947, yet the studies which were made—and they were comprehensive—indicate that the special agents employed by the Treasury Department in 1946 recommended deficiencies representing substantially $27 for each $1 of salary. Of those deficiencies, substantially two-thirds were collected. The collectors brought into the Treasury $13 and a fraction for each dollar of salary. There is now admitted to be some $5,000,000,000 owing to the Federal Government, which is collectible, but which will presently be barred by the statute of limitations unless the Government can get adequate personnel to go into the matter and determine the facts.

The committee submits that the amendment should be adopted.

Mr. KEM. Mr. President, will the Senator yield?

Mr. CORDON. I shall be glad to yield.

Mr. KEM. Would the Senator agree that it is proper for the Senate to inquire, when a Government department is asking for additional funds, a greater amount than it has ever before had, whether it is properly using the funds which have already been appropriated?

Mr. CORDON. I think it is not only proper to make that inquiry, but it is a duty to make it.

Mr. KEM. Would the Senator say, if the present employees are working practically 6 hours a day of productive effort, there is reason to increase the personnel? Is not the approach rather one of shifting employees to other duties?

Mr. CORDON. Of course there is an assumption involved which the Senator from Missouri indulges but which the Senator from Oregon cannot indulge, because he has no knowledge of the facts.

Mr. KEM. I am merely quoting from the Senator from Delaware.

Mr. WILLIAMS. I quoted from a House committee report, a summary of an investigation conducted.

Mr. CORDON. Mr. President, of course the work to be done by the persons who are to go on the rolls will be done in the field throughout the 13 districts of the United States.

Mr. KEM. A few days ago in the debate on an appropriation bill I had occasion to make some reference to the fact that time after time the House sends bills to the Senate, and the amounts contained in them are increased by the Senate. The number of letters I received as a result of that passing reference brought home to me the fact that the people are watching our performance in that respect and are very cognizant of what is going on and, I may say, are irritated by the constant performance that takes place on the floor of the Senate in raising House appropriations. Surely in this bill we have a number of amendments which were suggested by the Senate committee, and in each case it results in an increase. In each case, after careful consideration, the Senate committee has decided that the amount proposed by the House was insufficient.

It seems to me it is proper for us to consider the subject very seriously. The decision is always against the taxpayer and always in favor of the department which wants more money. Surely sometimes the taxpayer ought to win on one of these appeals. I have been watching the bills as they have come to the Senate. So far as I have been able to see, the batting average is 100 percent for the departments. Perhaps that is an exaggeration, but it is not much of an exaggeration.

It seems to me, Mr. President, we should do one of two things: either we should let the amount appropriated by the House for this particular item remain as it is, or we should ask the committee to be good enough to inquire into evidence of inefficiency and lack of diligence on the part of the present staff, as has been submitted by the Senator from Delaware [Mr. WILLIAMS]. We should not merely let it go without any consideration or without any evidence of earnest desire to protect the interests of the taxpayers.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CORDON. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I merely wanted to suggest that there is a standing committee of the Senate charged with the duty of constant supervision of the executive branch of the Government, looking toward efficiency and economy. It has a large staff. The question raised by the Senator, it seems to me, should be referred to the committee of which the Senator from Vermont [Mr. AIKEN] is chairman and which is primarily responsible along the lines suggested by the Senator from Missouri.

Mr. KEM. We cannot abdicate all our ordinary functions and turn everything over to a committee and say that the responsibility is all theirs. The responsibility of appropriating public money is the responsibility of Congress, and we cannot evade that responsibility by saying that we have a committee looking after the matter.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. CORDON. In a moment. I want to suggest to the Senator from Missouri, and to any other Senators interested in the subject, that there are printed hearings indicative of the thoroughness, or lack of thoroughness, as the case may be, on the part of the committee when it went into the matters which have been adverted to, including the report of the House committee in criticism of the Bureau of Internal Revenue. I hope recourse will be had to the hearings, because I think the answers to many of the questions can be found therein. I want to assure the Senate that we did not neglect going fully into every phase of the criticism that was made, and making a study. The conclusions reached are embraced and embodied in the bill.

Mr. KEM. Mr. President, will the Senator yield?

Mr. CORDON. I shall be glad to yield.

Mr. KEM. Did the committee inquire into the charges made by the Senator from Delaware, which have been set out in his remarks today?

Mr. CORDON. That question covers a lot of territory. If the Senator refers to the criticism by the House committee of the Internal Revenue Bureau, yes. If reference is made to the matter in Delaware, that would appear to be a criminal matter and outside the duty of the committee. No inquiry was made regarding it.

Mr. KEM. The fact that it is a criminal matter does not relieve the committee from deciding whether the money appropriated for the particular department is being honestly and judiciously spent.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. CORDON. Just a moment. There is a special committee of the Senate whose duty it is to take care of that type of question. I suggest to the Senator that if he will sit with the Appropriations Committee through one session of Congress he will realize that there are not many minutes left after a careful survey is made of all of the estimates that come in and of all the reports having to do with the expenditure of funds.

Mr. WILLIAMS. Mr. President, will the Senator yield for a moment?

Mr. CORDON. I yield.

Mr. WILLIAMS. A great deal is being said about a matter which is being investigated by some committee of the Senate. The report which I have given this afternoon is the result of an investigation made by a subcommittee of the Committe on Post Office and Civil Service of which I was chairman. We felt that since it involved the condition of Government employees we had a perfect right to call employees before our committee and investigate the case. The report which I have made this afternoon was the result of that investigation. I am surprised that the Senator from Oregon did not know about it, because the investigation was started and the first report was made last December. On each occasion we kept the Appropriations Committee fully informed with copies of all the transcripts of our hearings. I am surprised that he did not know about it.

Mr. CORDON. I may say that the item in question was referred by the Appropriations Committee to the special investigating subcommittee headed by the Senator from Michigan [Mr. FERGUSON].

Mr. WILLIAMS. The facts can be confirmed.

The Senator from Oregon has pointed out that with an additional 5,000 employees approximately $225,000 would be brought into the Treasury——

Mr. CORDON. The Senator from Oregon gave no figure, but if the figures which were presented for the year 1946 have any value, it would probably be five times that amount.

Mr. WILLIAMS. I am not at all surprised to be getting another answer——

Mr. CORDON. The Senator did not get any answer in the first place. The only answer he has received is the one which I have just made.

Mr. WILLIAMS. From reading the committee report, it would appear that for each dollar expended in additional personnel $27 in additional revenue would be brought in.

Mr. CORDON. The $27 item represents a listed deficiency, and the record indicates that two-thirds of it ultimately becomes a collection.

Mr. WILLIAMS. In the letter which the Commissioner signed yesterday he revised the figure and said that it is now $20 increased revenue for each employee.

I reviewed the various years from 1944. In 1944 there were 16,000 revenue agents, and in that year they brought into the Government $40,100,000,000.

In 1945 we complied with the request of the Bureau to give them 3,000 additional men, and made the number 19,000, and in that year they increased their collections to $43,800,000,000, and that is the year the figures of which they are still citing.

They came back the next year, 1946, with such a good record from the increase that they asked for an increase of 5,000 more, an increase to 24,000, but for some unknown reason that 24,000 collected only $40,200,000,000, they dropped a little. But Congress the next year, in 1947, increased the number by 3,000, to 27,000, and in that year the collections dropped further to $39,100,000,000. They do not talk about that.

Last year Congress said they had too many employees, we decided that we had crossed the saturation point and that we had to reduce the personnel. We decided that we would go back to 22,000, and the number was reduced to 22,000, and they brought in $42,100,000,000, or an increase of $3,000,000,000 with a reduction in force of 5,000 employees.

So I do not know how the Senator from Oregon finds any relationship at all between the number of employees and the amount of the revenue. He knows, as well as I do, that the amount of revenue of the Government is dependent entirely on the amount of earnings in industry, it is not dependent on the amount of collectors there are in the field.

Mr. President, I am not trying to defend any tax evaders; I think we should collect from them. What I am trying to do is to show that it will not do the Government any good to increase personnel as long as the administration sitting here in Washington insists upon retaining in control of the various collecting offices men who admittedly conceal fraud or attempt to protect officials when they are caught embezzling money. We are not going to increase tax collections by placing 30 percent more men under the control of collectors who themselves are ignoring the law. It is my contention that the large majority of our citizens are honest American citizens and will pay their tax more willingly by giving to them clean, efficient government than they will by increased enforcement.

Mr. KEM. Mr. President, will the Senator from Oregon yield?

Mr. CORDON. I yield.

Mr. KEM. It seems, from the statement of the House committee report, that the present personnel of the Bureau of Internal Revenue is working about 6 hours a day of productive effort. Can the Senator give us any estimate as to the number of hours the new employees who will be put to work under the provisions of the bill will be employed?

Mr. CORDON. I assume they will operate under the 40-hour-week law. I do not know how many of them may perhaps sit down occasionally and waste a little time. I suspect that will be done. There is a pretty low level of efficiency in commercial life as well as the Government, and I make no defense for waste of time in the Government.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield to the Senator from Pennsylvania.

Mr. MYERS. I think the employees in the internal-revenue employment work just as hard as do the Members of the Senate or the Members of the House of Representatives. I am becoming somewhat weary of hearing Federal employees being condemned merely because the administration happens to be a Democratic administration. I can remember a year or 18 months ago talking about the cut in the appropriation for the Internal Revenue Bureau, when we had the difficulty in the conference committee between the House and the Senate, and I can remember the Republican newspapers from Philadelphia to Pittsburgh condemning Congress because of the false economy involved. I charged then that it was false economy, and I think the fact that the committee comes in today asking for 5,000 more employees proves that it was false economy.

Mr. President, I think the men and women employed in the Internal Revenue Department have done a magnificent job. As the Senator from Delaware has said, figures have indicated and proved that each employee brings into the Federal Treasury about $20 for each dollar spent in salaries.

I think it is about time that we faced the problem, and realized that these Government employees are just as honest and just as efficient and just as industrious as are other employees, in or out of government. I think it is about time we stopped condemning Federal employees. They make a career of their service, and many of them work 8 or 10 or 12 or more hours a day. It is about time we stopped talking about collections and began talking about efficiency in government. It is about time we give them a little credit for the job they have done.

Mr. President, I know many of these employees. I am intimately acquainted with many of them in my State of Pennsylvania, and I think they are as honest and as industrious employees as will be found in or out of the Government.

I certainly trust and hope that the appropriation for the additional employees will be approved by the Senate, because I think that if it is the Government will collect more money than it has collected before. I believe this situation proves that we made a mistake a year or 18 months ago in reducing the appropriations for the Internal Revenue Bureau. I am convinced that if we approve the appropriation in the pending bill, if we give our assent to it, it will return to the Treasury many more dollars than will be expanded under the appropriation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. KEM. Mr. President, I should like to have the RECORD show that I voted against the committee amendment.

The PRESIDENT pro tempore. The RECORD so shows, as a result of the Senator's statement.

Mr. WILLIAMS. Mr. President, I do not wish to delay the Senate tonight, but there was one further matter I wish to call to the attention of the Senate, namely, that the books in the Wilmington office today are still not balanced. The Treasury Department claims there is a shortage of $30,433.98. I wrote the General Accounting Office and asked them this question:

> Do you agree with the Treasury Department that this $30,433.98 represents the total amount of the embezzlement of funds in that office?

The reference was to the Wilmington office. The answer was:

> No, the amounts reported by investigators from this office and investigators from the Treasury Department do not agree. The amount, exclusive of interest, due the United States on moneys withheld is reported to be $30,956.01 by the former and $30,433.98 by the latter. The investigators from this office include 11 additional items and omit 8 other items which were included by Treasury investigators. The eight items omitted are those representing penalties and interest on documents filed on time but withheld by the cashier until the penalties and interest accrued. The cashier paid these items to conceal his withholding but no credit was allowed by this office for his wrongdoing. It also appears that one of the above items represented a fictitious document made to conceal the cashier's irregular transaction.

My reason for opposing the amendment is that I see no use sending men out to investigate taxpayers at least until we know that conditions in the offices are cleared up. If a taxpayer knows money might be stolen or misappropriated, we cannot expect him to feel free to send his money in. My criticism of the Department here today is not to be interpreted as criticism against the employees as a whole. But I do feel that when a condition of mismanagement or incompetence is called to their attention the manner in which they ignore it is inexcusable.

The PRESIDENT pro tempore. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill (H. R. 5770) was read the third time and passed.

Mr. CORDON. Mr. President, I move that the Senate insist on its amendments, ask for a conference with the House thereon, and that the Chair appoint the conferees.

The motion was agreed to, and the President pro tempore appointed Mr. CORDON, Mr. REED, Mr. BRIDGES, Mr. SALTONSTALL, Mr. FLANDERS, Mr. TYDINGS, Mr. MCKELLAR, and Mr. HAYDEN conferees on the part of the Senate.

Mr. CORDON. Mr. President, I ask unanimous consent that the statement beginning on page 2 of Report No. 1389 of the Senate Committee on Appropriations on the bill just passed, down to and including the first paragraph on page 6, be printed in the RECORD as a part of my remarks. I believe the recommendations are of sufficient importance to warrant this rather unusual action.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The committee has proposed a total appropriation of $2,010,601,200 for the Treasury and Post Office Departments in the fiscal year 1949. This amount will provide $308,998,600 for the Treasury Department and $1,701,602,600 for the Post Office Department. The total recommended amount is $28,878,850 over the House allowance of $1,981,722,350, is $34,348,000 under the 1949 revised estimates of $2,044,949,200, and $90,989,250 over the 1948 appropriations of $1,919,611,950, for comparable items. Of the $308,998,600 proposed for the Treasury Department, $12,432,000 represents additional funds for the Bureau of Internal Revenue which the committee considered justified in light of testimony presented during its hearing on the supplemental estimate, Senate Document No. 156, submitted in the amount of $27,323,000. As stated in the House report the bill carries no funds for the Bureau of Customs, Coast Guard, acquisition of strategic and critical materials, and refunding of internal-revenue collections which will be carried in a subsequent bill. The 1949 total appropriation estimate for these four Treasury items is $2,524,519,275.

For ready reference there is attached a tabulation of the direct appropriations carried in the bill, as well as the 1949 estimated obligations for the permanent appropriations totaling $5,877,868,083, and for trust funds, aggregating $3,313,584,430.

TREASURY DEPARTMENT

The committee recommends a total appropriation of $308,998,600 to meet the 1949 fund requirements of the Treasury Department. For comparative purposes this proposed sum is $18,545,500 over the House allowance of $290,453,100, is $25,306,100 under the 1949 revised estimates of $334,304,700 and is $4,679,800 under the original 1948 appropriations which totaled $313,678,400. The House made a reduction of $16,528,600 from the 1949 original estimates of $306,981,700, and of this reduced amount the Department requested restoration of $13,113,500 plus $27,323,000 contained in supplemental estimate submitted in Senate Document No. 156, for the Bureau of Internal Revenue. Of the $13,113,500 requested restored, the committee has allowed $6,113,500, or a reduction of $7,000,000. This reduction represents the difference between $10,000,000, the amount estimated for increased capitalization of the general supply fund, and $3,000,000 the amount considered justified for such purpose. As to the supplemental estimate submitted for $27,323,000, the committee has provided $12,432,000. Of this additional sum, $10,000,000 is for personal services and $2,432,000 for objects of expenditure other than personal services, in the Bureau of Internal Revenue. The House allowed $186,736,000 for salaries and expenses of the Bureau, or a reduction of $1,264,000 under the 1949 estimate of $188,000,000. The committee has recommended the restoration of the $1,264,000 plus $12,432,000 of the supplemental request, or a total increase of $13,696,000 over the House allowance of $186,736,000.

In providing the additional funds, the committee has also recommended an increase in the limitations to afford some flexibility in Bureau operations and at the same time provide the Secretary of the Treasury with authority to carry out some of the recommendations made by the advisory group to the Joint Committee on Internal Revenue Taxation in addition to the upgrading plan vitally needed as an incentive in the enforcement units, which includes to a lesser degree the alcohol tax units of the field service. Provision has been also recommended to authorize the Secretary of the Treasury to undertake and direct, by contract or otherwise, employment of firms or experts to perform a detailed reorganization and management study of the Bureau. The sum of $150,000 is provided for this purpose in lieu of $300,000 requested.

In providing $10,000,000 for additional personal services in the Bureau of Internal Revenue, $2,000,000 of such amount may be expended as the Secretary deems necessary to upgrade essential positions outlined in the justifications and testimony presented to the committee, and the balance for employment of additional enforcement personnel with due consideration first given to the need for such personnel before augmenting the force of the alcohol tax units.

POST OFFICE DEPARTMENT

The committee recommends a total appropriation of $1,701,602,600 to meet the 1949 fund requirements of the departmental and field services, Post Office Department. For comparative purposes this recommended sum represents an increase of $10,333,350 over the 1949 House allowance of $1,691,269,250, is $9,041,900 under the 1949 estimates of $1,710,644,500, and is $95,669,050 in excess of the 1948 appropriations which aggregated $1,605,933,550. The House made a reduction of $19,375,250 from the 1949 estimates and of this reduced amount the Department requested a net restoration of $10,634,650.

In allowing additional operating funds particularly for the postal service, the committee recognizes the work load attributed to the increased volume of mail, also the increased and somewhat uncontrollable costs for new equipment, supplies, and services. It is their considered judgment, however, that the officials vested with authority to control such expenditures should keep constantly alert to the vital need for maintaining costs at a minimum level, to establish work-simplification programs as expeditiously as possible, and to lend full and complete cooperation to the installation of new and modern labor-saving devices wherever practicable within available funds.

The committee endorses the purpose of the survey and study of the postal service which is now being conducted under House Resolution 176, and has accordingly approved the earmarking of funds for the supervision, installation, and operation of pilot mail-sorting equipment. Savings must be effected in the Department's operating costs to help reduce the postal deficit which is estimated to be approximately $326,000,000 in the fiscal year 1949. The committee in considering the apparent need for flexibility in the apportionment of funds made available for field operations has inserted in the bill a provision authorizing the transfer of funds between field service appropriations after approval of the Bureau of the Budget.

*Postal deficit*

The committee recognizes the vital need for reduction of the postal deficit, estimated to be $345,000 in the current fiscal year. It is cognizant of the fact that a greater portion of this deficit occurs in costs for handling second-, third-, and fourth-class mails, and in special services. This is attributed, in the main, to the low rates fixed for such classes and to the abnormal increase in volume of pieces, especially in the parcel-post category. This latter situation results from increased express rates which has caused heavy channeling of parcels through postal service in order to take advantage of low rates. To illustrate, a pound package dispatched 150 miles by parcel post costs only 9 cents as against 73 cents if sent by express. As a consequence, the parcel-post deficit in 1947 was $41,000,000, and for 1948 is estimated to be $93,000,000. To rectify this unfavorable situation the committee's view is that the Postmaster General should take immediate steps to comply with the provisions of existing law, contained in 39 United States Code, section 247, which empowers him, with consent of the Interstate Commerce Commission, to fix parcel-post rates at a level to cover the costs of service rendered. The cited law is as follows:

"SECTION 247. REFORMATION OF CLASSIFICATION, ETC.

"The classification of articles mailable, as well as the weight limit, the rates of postage, zone or zones, and other conditions of mailability under sections 240, 293, and 294 of this title if the Postmaster General shall find on experience that they or any of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is directed, subject to the consent of the Interstate Commerce Commission after investigation, to re-form from time to time such classifications, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof." (Feb. 28, 1925, ch. 368, sec. 207, 43 Stat. 1067; May 29, 1928, ch. 856, sec. 7, 45 Stat. 942.)

Action by the Postmaster General, as above recommended, will of course affect only that portion of the deficit resulting from parcel-post activities. The committee recognizes that costs of operating the postal system have increased far more rapidly than have receipts in practically every phase of the service, but the postal rates for the most part have not risen beyond the levels which were established before costs began to increase. The establishment of postal rates is a legislative matter except with respect to the provisions above set out. This committee therefore recommends that the appropriate legislative committee undertake a study of postal rates with a view to materially reducing, if not eliminating, the postal deficit.

*Air mail subsidy*

The present bill contains $58,583,000 for payment of costs of carrying air mail and the subsidy to commercial air lines. The subsidy represents the major portion of this amount, and has no direct relationship to the cost of air-mail transportation. Increasing competitive air transportation will unquestionably result in further increasing this subsidy payment. The rate of air-mail transportation is not fixed by the Post Office Department but by the Civil Aeronautics Board and is intended to represent the amount which added to other revenues is sufficient to guarantee to the air lines in question profit on their venture. The Civil Aeronautics Act of 1938, as amended, is the authority for this

arbitrary charge against the Federal Treasury. The committee commends to the attention of the Senate Report No. 1958 of the House Post Office and Civil Service Committee of the present session wherein this problem is discussed at length.

As stated in the House Report No. 1958, "the practice of granting retroactive air-mail pay was a means of underwriting any losses whatever and, in effect, is a situation similar to 'cost-plus' contracts." Other important findings of the committee are that the "present procedures make available a large sum of money from air-mail pay for expensive experiments in the domestic air line pattern," also that "current operating expenditures (now exceeding revenues, are used as a basis for petitioning for increased mail pay. Some trunk lines have shown spectacular profits in past years which are not considered in these current petitions for air-mail pay increases." The report further stated that—

"Under the present system * * * it is virtually impossible to have any satisfactory approach to establishing air-mail rates or air parcel-post rates which will provide revenues to equal the expenditures for carrying this particular class of mail. This situation is aggravated by the fact that increases in rates paid to carriers have no relationship to the service performed by the carrier for the Post Office Department. It is the recommendation of the committee that the subsidy element in air-mail pay be separated * * * the better solution is to make provisions for subsidies directly to the Civil Aeronautics Board."

The committee recommends to the appropriate legislative committees that a comprehensive study be made of the administration of the subsidy provision of the Civil Aeronautics Act of 1938, as amended, with a view to enacting legislation which will divorce subsidy from the legitimate air-mail transportation costs so that the true picture can be made available to the American people.

## FORT SUMNER IRRIGATION DISTRICT, NEW MEXICO

Mr. HATCH. Mr. President, House bill 3834, to authorize the project for rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes, is pending under a motion made by the Senator from Texas [Mr. CONNALLY] for reconsideration of the vote by which the bill was passed. At the time the bill was passed on the Consent Calendar, the Senator from Texas was not present. He came in a day later and made the motion to reconsider. Naturally I would not want action on a bill when a Senator opposed it. We have been trying to reach some understanding about the matter. There is a possibility we will. In order that the motion to reconsider may be disposed of—and I have spoken with the Senator from Texas about it—I ask unanimous consent that the motion to reconsider be agreed to, and that the bill be placed upon the calendar.

The PRESIDENT pro tempore. Without objection, the motion to reconsider is agreed to, and the bill will be returned to the calendar.

## CONTINUATION OF JOINT COMMITTEE ON HOUSING BEYOND MARCH 15, 1948

Mr. CAIN. Mr. President, on behalf of the Senator from Vermont [Mr. FLANDERS], from the Committee on Banking and Currency, I ask unanimous consent to report favorably House Concurrent Resolution 197, to continue the Joint Committee on Housing beyond March 15, 1948, and for other purposes, and I submit a report (No. 1436) thereon.

I send the concurrent resolution to the desk and ask that it be read for the information of the Senate.

The PRESIDENT pro tempore. The clerk will read.

The Chief Clerk read as follows:

*Resolved, etc.*, That section 3 of the concurrent resolution entitled "Concurrent resolution to establish a joint congressional committee to be known as the Joint Committee on Housing" (H. Con. Res. 104, Eightieth Congress), is hereby amended to read as follows:

"SEC. 3. The committee shall report to the Senate and the House of Representatives not later than March 15, 1948, the results of its study and investigation, together with such recommendations as to necessary legislation and such other recommendations as it may deem advisable. For administrative purposes of concluding its business the committee is authorized to continue until July 15, 1948."

Mr. CAIN. Mr. President, I ask unanimous consent for the immediate consideration of the concurrent resolution.

Mr. ELLENDER. I object.

The PRESIDENT pro tempore. The Senator from Louisiana objects. The resolution will be placed on the calendar.

Mr. CAIN. Will the Senator withhold his objection in order to permit me to make a very brief explanation of the concurrent resolution?

Mr. ELLENDER. I do not think it will do any harm to let the matter go over until Tuesday. I should like to look at the concurrent resolution.

The PRESIDENT pro tempore. Objection is heard.

## EXECUTIVE SESSION

Mr. CAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

Commodore Raymond Thomas McElligott, United States Coast Guard, to be a rear admiral in the Coast Guard, to rank as such from June 1, 1948.

Executive B, Eightieth Congress, second session: An International Telecommunication Convention with accompanying instruments, signed at Atlantic City on October 2, 1947 (Exec. Rept. No. 9).

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Philip C. Jessup, of New York, to be the deputy representative of the United States of America, with the rank and status of Envoy Extraordinary and Minister Plenipotentiary, in the Security Council of the United Nations; and

Henry F. Grady, of California, now Ambassador Extraordinary and Plenipotentiary to India and Envoy Extraordinary and Minister Plenipotentiary to Nepal, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

### DEPARTMENT OF AGRICULTURE

The legislative clerk read the nomination of Charles Franklin Brannan, of Colorado, to be Secretary of Agriculture.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Robert L. Shivers, of Honolulu, Hawaii, to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### UNITED STATES MARSHALS

The legislative clerk read the nomination of Raymond E. Thomason to be United States marshal for the northern district of Alabama.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Roulhac Gewin to be United States marshal for the southern district of Alabama.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

The PRESIDENT pro tempore. Without objection, the nominations in the Navy are confirmed en bloc.

### THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDENT pro tempore. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That completes the nominations on the Executive Calendar.

Without objection, the President will be immediately notified of nominations this day confirmed.

## ADJOURNMENT TO TUESDAY

Mr. CAIN. As in legislative session, I move that the Senate adjourn until 11 o'clock a. m. on Tuesday next.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Tuesday, June 1, 1948, at 11 o'clock a. m.

---

## NOMINATIONS

Executive nominations received by the Senate May 28 (legislative day of May 20), 1948:

### DIPLOMATIC AND FOREIGN SERVICE

Henry F. Grady, of California, now Ambassador Extraordinary and Plenipotentiary to India and Envoy Extraordinary and Minister Plenipotentiary to Nepal, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

SECURITIES AND EXCHANGE COMMISSION

Richard B. McEntire, of Kansas, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1953.

UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Hon. NOBLE J. JOHNSON, of Indiana, to be an associate judge of the United States Court of Customs and Patent Appeals, vice Hon. Oscar E. Bland, resigned.

UNITED STATES DISTRICT JUDGE, CANAL ZONE

Joseph J. Hancock, of Kentucky, to be United States district judge of the Canal Zone, vice Hon. Bunk Gardner, retired.

---

CONFIRMATIONS

Executive nominations confirmed by the Senate May 28 (legislative day of May 20), 1948:

DEPARTMENT OF AGRICULTURE

Charles Franklin Brannan to be Secretary of Agriculture.

COLLECTOR OF CUSTOMS

Robert L. Shivers to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, T. H.

UNITED STATES MARSHALS

Raymond E. Thomason to be United States marshal for the northern district of Alabama.

Roulhac Gewin to be United States marshal for the southern district of Alabama.

IN THE NAVY

The following retired officers for advancement on the retired list of the Navy to the rank of vice admiral, in accordance with the provisions of section 414 of the Officer Personnel Act of 1947:

*To be vice admirals*

| | |
|---|---|
| John H. Dayton | Ferdinand L. Reichmu |
| Clarence S. Kempff | William W. Smith |
| Charles A. Blakely | Howard F. Kingman |

The following-named midshipmen (Naval Academy) to be ensigns in the Supply Corps of the Navy from June 4, 1948, in lieu of appointment as ensigns in the Navy as previously nominated:

*To be ensigns*

| | |
|---|---|
| Augustine A. Albanese | Harvey R. Humphrey |
| Levon Berberian, Jr. | Leonard A. Jay, Jr. |
| Jack Baruch | William E. Johnston |
| Robert P. Barber | Harold L. Robiner |
| Floyd E. Bergeaux | Wilburn A. Speer, Jr. |
| James H. H. Carrington | Hart R. Stringfellow, |
| Matthew A. Chiara | Jr. |
| Lawrence C. Hernan- | Howard A. True |
| dez, Jr. | |

The following-named midshipmen (Naval Academy) to be ensigns in the Civil Engineer Corps of the Navy June 4, 1948, in lieu of appointment as ensigns in the Supply Corps of the Navy as previously nominated:

*To be ensigns*

Edward A. McManus
Marvin A. Weir

The following-named midshipmen (aviation) to be ensigns in the Navy from June 4, 1948:

*To be ensigns*

| | |
|---|---|
| Francis L. Ames | Ray W. Flickinger, Jr. |
| Donald W. Baker | William F. Fraser |
| Ernest Burks, Jr. | William F. Glass |
| Homer L. Burrell, Jr. | Ervin E. Goins |
| Rodney B. Carter | William F. Goodman |
| Henry E. Covert, Jr. | Harry G. Harber |
| Edward S. Disbrow, Jr | James "G" Hayes |
| Norman K. Donahoe | Frank A. Hayn |
| Robert S. Donovan | Robert F. Henning |
| Walter M. Earley, Jr. | Robert L. Jasmin |
| John F. Kail | Paul A. Peck |
| Roderick J. Kulus | Edward Phillips |
| William C. Lamont | John H. Pickering |
| Albert P. Lesperance | Edward W. Rhoads |
| Charles A. Luff, Jr. | David W. Robertson |
| Earl Mann | Frank H. Sheffield |
| Charles W. Melville, Jr. | Bailey D. Sterrett, Jr. |
| Edward L. Miles | Russel A. Walter |
| George B. Moore | Charles J. White |
| Carl D. Neidhold | Lloyd C. Wholey |
| Leland E. Nelson | Alan S. Wilhite |
| William L. Neubauer | |

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy from June 4, 1948:

*To be ensigns*

Ronald R. Oberle
Duane A. Tarpenning
Herbert E. Reichert

*To be ensign, Civil Engineer Corps, from June 4, 1948*

Charles D. Rohay

*To be lieutenants (junior grade), Chaplain Corps*

| | |
|---|---|
| Thomas L. H. Collin | Ralph W. Hopkins |
| Theodore C. Herrmann | Peter A. Schmitt |

*To be lieutenants (junior grade), Civil Engineer Corps*

| | |
|---|---|
| James E. Beckett | Douglas T. Kitterman |
| William R. Bracey | Neville S. Long |
| Carl F. Carrilio | Charles G. Miller, Jr. |
| Paul "M" Churton | David C. More |
| Charles E. Diehl | Lawrence F. O'Neill |
| Paul J. Doyle, Jr. | John J. Reeve, Jr. |
| John T. Hanley | Carl R. Seitz |
| Robert H. Heuston | William E. Wilson |
| Whitney B. Jones | George R. Yount |

*To be lieutenant commander in the line of the Navy*

John S. Leahy, Jr.

*To be lieutenant commanders, Medical Corps*

Marcos A. Godinez
Thomas F. Gowen
Gustave A. Roy

*To be lieutenants (junior grade), Medical Corps*

| | |
|---|---|
| Samuel A. Heaton, Jr. | Harold T. Meryman |
| Alanson Hinman | George M. Rugtiv |
| Walter G. Leonard, Jr. | William M. Strunk |

*To be lieutenant (junior grade), Chaplain Corps*

George W. Jenkins

*To be lieutenant commanders, Dental Corps*

Walter J. Demer
Charles M. Heck
Clarence Y. Murff, Jr.

*To be lieutenants, Dental Corps*

Byrnes E. Missman
Edwin M. Sherwood
Wendell Whetstone

*To be lieutenants (junior grade), Dental Corps*

Van L. Johnson, Jr.
Charles W. Lynds
John J. Stifter, Jr.

*To be lieutenant commanders, Medical Service Corps*

Alan D. Grimsted
Claude V. Timberlake, Jr.

*To be lieutenants, Medical Service Corps*

| | |
|---|---|
| James W. Bagby, Jr. | Alf R. Hagen |
| Benjamin F. Burgess, Jr. | Frederick O. Ottie |

*To be lieutenants (junior grade), Medical Service Corps*

| | |
|---|---|
| Joseph P. Factor | Solomon C. Pflug |
| Joseph J. Martorano | Robert F. Rigg |

*To be lieutenants, Nurse Corps*

Irena G. Cook
Lois G. Moyer
Alma M. Shebakis

*To be lieutenants (junior grade), Nurse Corps*

| | |
|---|---|
| Julia M. Blair | Mary A. Moniz |
| Lucille F. Finney | Rose M. Ralston |
| Juliet M. Kouns | Mary E. Whalen |

*To be ensigns, Nurse Corps*

Dorothy M. Moon
Rita A. Sieland

IN THE MARINE CORPS

APPOINTMENTS IN THE REGULAR MARINE CORPS

*To be lieutenant colonel*

Robert C. Burns

*To be first lieutenant*

William E. Bonds

*To be second lieutenants*

| | |
|---|---|
| Edward R. Carney | Jack L. Reed |
| Joseph L. Davis | William J. Schreier |
| Raymond J. Elledge | Donald R. Segner |
| Robert E. Hill | George F. Thayer |
| Herbert W. Johnson | Chester E. Tucker |
| Elmer H. Keshka | Henry M. Walter, Jr |
| Chester J. Krist | William J. White |
| William H. Macklin | Robert C. Whitebread |
| Robert T. Miller | |

---

# HOUSE OF REPRESENTATIVES

## FRIDAY, MAY 28, 1948

The House met at 10 o'clock a. m. and was called to order by the Speaker pro tempore, Mr. HALLECK.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

MAY 28, 1948.

I hereby designate Hon. CHARLES A. HALLECK to act as Speaker pro tempore today.

JOSEPH W. MARTIN, Jr.

PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O merciful God, we thank Thee that Thy light shines down upon every path of human life, beckoning us to "come unto Me, and I will give you rest." As we ponder our destiny, may we always seek the bright morning of our heritage—a nation's soul whose trust is in the Lord.

Do Thou keep our wills strong against evil; give enlightenment where there is doubt, strength where there is weakness, and steadfastness where there is hesitation. Arm us with courage and humility, the better to understand our fellow men. Do Thou interpret to each one of us our opportunity and duty and lift us above the weary road of care and anxiety, and unto Thee we will render our praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H. R. 2389) entitled "An act for the relief of Harriet Townsend Bottomley."

H. C. BIERING—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 683)

The SPEAKER pro tempore. The Chair lays before the House a veto message from the President of the United States which was received in the House on yesterday.

The Clerk read as follows:

*To the House of Representatives:*

I return herewith, without my approval, the enrolled bill H. R. 1308, entitled "For the relief of H. C. Biering."

This bill would authorize the payment of the sum of $7,057.96 to H. C. Biering, of Helena, Mont., in full settlement of his claims and those of his brother, E. A. M. Biering, Danish Minister to Rumania, arising out of the action of the Alien Property Custodian, under the Trading With the Enemy Act of October 6, 1917, as amended (50 U. S. C. App. 1–38), in respect of certain property of E. A. M. Biering. Such payment would be authorized to reimburse the claimant and his brother for attorneys' fees and personal expenses in securing return of the property.

The records in this case show that Mr. E. A. M. Biering was Minister of the Danish Government to the Balkans, officially resident during the war at the Danish Legation at Bucharest, Rumania. By Vesting Order No. 2392, dated October 11, 1943, the Alien Property Custodian vested the claim of E. A. M. Biering against the estate of Richard Theodore Ringling, then in probate proceedings in the Montana State courts. The claim had been reported to the Custodian by the executrix of that estate in compliance with the regulations of the Custodian requiring report of property under judicial supervision owned by any resident of territory controlled by an enemy country. The proceeds of the claim, in the amount of $67,066.55, were paid by the executrix of the estate to the Alien Property Custodian upon his demand and with the approval of the probate court. Mr. H. C. Biering filed claim on November 30, 1943, for the return of this property, claiming alternatively as owner of the property, or as agent for his brother, E. A. M. Biering. It was established that he held no interest in the property prior to vesting and therefore his claim in his own behalf was denied. His claim as agent was also denied since his principal was an "enemy" under the Trading With the Enemy Act. By act approved March 8, 1946 (Public Law 322, 79th Cong.), the Congress amended the Trading With the Enemy Act so as to authorize discretionary return of vested property to diplomatic officials of friendly governments even where voluntarily resident in enemy countries during the war. Under this amendment, after receipt of proof that the claimant had not collaborated with the enemy, the property was returned in full to Mr. E. A. M. Biering through H. C. Biering as agent. The bill here under consideration proposes to reimburse the claimants for an attorney's fee of $5,000, travel and personal expenses incurred in securing the return of the property.

Any person resident within any territory governed or occupied by an enemy country is an enemy under section 2 of the Trading With the Enemy Act. Mr. E. A. M. Biering was, therefore, an "enemy" under this act, whether a resident in occupied Denmark or in Rumania, and consequently the vesting of his property was warranted. The urgent necessities of wartime justified the policy of the Alien Property Custodian in treating property of all persons voluntarily within enemy countries as enemy property. Mr. Biering represented a government which was controlled by Germany, and during the war was physically present in another enemy country. No positive information as to his loyalty was available until after the war.

Mr. James E. Markham, former Alien Property Custodian subsequently stated that he regretted the vesting of the Biering property and that if the true facts had been known at the time of the issuance of the vesting order, the property would not have been taken. This policy of seizing property of individuals, including American citizens, who were enemies by reason of their voluntary presence within enemy territory during the war, however, was applied in many other instances. The policy of the Trading With the Enemy Act, consistently sustained by the courts, is that the return of seized property satisfies in full any claim resulting from such seizure. Committee reports on this bill refer to the seizure in this instance as a "mistake." Such action may have been a mistake in the light of subsequent disclosure of Mr. Biering's loyalty but it was not a mistake at the time of vesting in the light of the lack of information then available.

While the particular facts in this case present extenuating circumstances and elements of hardship, the original seizure of this property was justified under the circumstances then existing. There has been repayment of the money seized. Hundreds of claims have been filed by other nationals of friendly countries, as well as by American citizens, whose property was vested because of their presence in enemy occupied territory during the war. To grant reimbursement for expenses incurred by the claimants in this instance would constitute a clear departure from established precedent and would no doubt result in proposals for special legislation of this nature in many other similar cases.

Accordingly, I am unable to lend my approval to the bill.

HARRY TRUMAN.

THE WHITE HOUSE, *May 27, 1948.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message are referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

INTERNATIONAL AIR TRANSPORTATION SYSTEM

Mr. WOLVERTON submitted a conference report and statement on the bill (H. R. 6407) to encourage the development of an international air transportation system adapted to the needs of the foreign commerce of the United States and the postal service and of the national defense, and for other purposes.

EXTENSION OF REMARKS

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD and include an editorial from the St. Joseph News-Press entitled "Postal Salaries."

Mr. MASON asked and was given permission to extend his remarks in the RECORD and include an editorial.

WHY BRING THEM UP NOW?

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, the New Deal administration had full control of both the executive branch and the legislative branch of our Government for 14 long years. The New Deal had the votes in Congress to pass any legislation it wished to pass during that time. Today the Republicans have control of the legislative branch. Now President Truman—after 14 years of opportunity and complete power, just three short weeks before the close of the Eightieth Congress, a Congress facing a crowded calendar—comes forward and recommends four important pieces of legislation and urges their enactment. His belated recommendations embrace—

First. A permanent Federal farm program.

Second. A greatly expanded social-security program.

Third. Federal aid to education.

Fourth. A 75-cent-hourly minimum-wage bill.

Each of these four important pieces of legislation is either complicated or controversial, or both. It will be impossible to give them the consideration they deserve in time for passage at this session of the Congress. They will have to go over for consideration and action until the Eighty-first Congress meets next January. Why bring them up and urge their passage now? Why were they not considered and acted upon during the 14 years the administration had full control? Could it be because a national election is in the offing?

EXTENSION OF REMARKS

Mr. COLE of New York asked and was granted permission to extend his remarks in the RECORD and include a newspaper article.

Mr. TWYMAN asked and was granted permission to extend his remarks in the RECORD in two instances and include extraneous matter in each instance.

Mr. ROHRBOUGH asked and was granted permission to extend his remarks in the RECORD and include an editorial from the West Union Record, entitled "A New Land Policy."

Mr. SMITH of Wisconsin asked and was granted permission to extend his remarks in the RECORD in two instances and to include editorials.

Mr. BOGGS of Delaware asked and was granted permission to extend his remarks in the Appendix of the RECORD.

Mr. STEFAN asked and was granted permission to extend his remarks in the RECORD and include a short magazine article.

Mr. BATTLE asked and was granted permission to extend his remarks in the RECORD and include a letter to the Secretary of State, General Marshall.

### POTATO PRODUCTION

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COLE of Kansas. Mr. Speaker, the Kaw Valley Potato Growers' Association of Kansas is making a sound and constructive proposal to Congress this week. I attended the hearing in the Senate Office Building, at which Emil Heck, of Lawrence, presented the case for our farmers.

The problem is threefold: First, that of maintaining an adequate supply of this basic food. Second, a support price which will be insurance against the bottom falling out of the market, and, third, preventing an unwieldly surplus.

Bread is the staff of life, but potatoes are the foundation of every man's board. It is right, therefore, that Congress be concerned with the solution of these problems.

The Kaw Valley Association believes that there is danger of an inadequate supply. Scott Kelsey, prominent potato grower of Topeka, recently called to tell me many old-time producers are changing their acreage to other crops. Support prices, therefore, seem to be necessary.

It is on this issue that the Kansas producers are sound. They do not want an incentive support price, but merely insurance. They do not want 90 percent of parity, which, they say, will encourage huge surpluses and production in uneconomic areas, together with the attendant evils of Government buying.

The Kansas potato grower is suggesting a flexible support price, which will be some assurance that the producer will not go bankrupt, meanwhile solving the other difficulties.

In times of high prices and low prices, every man finds potatoes his dish. It is for this reason that the Government is asked to assist the producer for the benefit of the consumer as well. The Kaw Valley producers are suggesting a solution which merits favorable attention.

### STRAINING AT AN AMERICAN GNAT AND SWALLOWING A FOREIGN CAMEL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I rise to warn the Congress against straining at an American gnat and swallowing a foreign camel.

Two years ago we approved this Tennessee-Tombigbee inland waterway, which when completed will be worth more to the people of the entire Mississippi Valley, from the headwaters of the Missouri and the Mississippi down, as well as along the Illinois, the Great Lakes, and the Ohio, than any other program of its kind ever proposed.

It will also do more for our national defense in providing cheap transportation, as well as a shorter route into our greatest defense plant at Oak Ridge.

Yet, because one or two railroads, which happen to parallel that stream, and that have opposed all water transportation, are protesting, we are threatened with having the small sum provided by the Senate eliminated from the present bill.

I wonder if Members of Congress who voted billions of dollars for ERP, who would vote for $900,000,000 to send tobacco to Europe, are going to vote to knock out this small appropriation that will do more for our national defense plant at Oak Ridge, and do more for the interior of this country than any other program of its kind yet proposed.

I wonder if they are going to strain at this American gnat and swallow a foreign camel.

The SPEAKER pro tempore. The time of the gentleman from Mississippi [Mr. RANKIN] has expired.

### PAYMENT OF SALARIES COVERING PERIODS OF SEPARATION OF CERTAIN PERSONS IMPROPERLY REMOVED FROM GOVERNMENT SERVICE

Mr. REES. Mr. Speaker, I call up the conference report on the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service, and ask unanimous consent that the statement of the managers may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 6 of the Act of August 24, 1912 (U. S. C., 1946 edition, title 5, sec. 652), is hereby amended to read as follows:

"'SEC. 6. (a) No person in the classified civil service of the United States shall be removed or suspended without pay therefrom except for such cause as will promote the efficiency of such service and for reasons given in writing. Any person whose removal or suspension without pay is sought shall (1) have notice of the same and of any charges preferred against him; (2) be furnished with a copy of such charges; (3) be allowed a reasonable time for filing a written answer to such charges, with affidavits; and (4) be furnished at the earliest practicable date with a written decision on such answer. No examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer or employee directing the removal or suspension without pay. Copies of the charges, the notice of hearing, the answer, the reasons for removal or suspension without pay, and the order of removal or suspension without pay shall be made a part of the records of the proper department or agency, as shall also the reasons for reduction in grade or compensation; and copies of the same shall be furnished, upon request, to the person affected and to the Civil Service Commission. This subsection shall apply to a person within the purview of section 14 of the Veterans' Preference Act of 1944, as amended, only if he so elects.

"'(b) (1) Any person removed or suspended without pay under subsection (a) who, after filing a written answer to the charges as provided under such subsection or after any further appeal to proper authority after receipt of an adverse decision on the answer, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

"'(2) Any person who is discharged, suspended, or furloughed without pay, under section 14 of the Veterans' Preference Act of 1944, as amended, who, after answering the reasons advanced for such discharge, suspension, or furlough or after an appeal to the Civil Service Commission, as provided under such section, is reinstated or restored to duty on the ground that such discharge, suspension, or furlough was unjustified or unwarranted, shall be paid compensation at the rate received on the date of such discharge, suspension, or furlough for the period for which he received no compensation with respect to the position from which he was discharged, suspended, or furloughed, less any amounts earned by him through other employment during such period, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period.

"'(3) Any person removed or suspended without pay in a reduction in force who, after an appeal to proper authority, is reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted shall be paid compensation at the rate received on the date of such removal or suspension, for the period for which he received no compensation with respect to the position from which he was removed or suspended, less any amounts earned by him through other employment during such pe-

riod, and shall for all purposes except the accumulation of leave be deemed to have rendered service during such period. A decision with respect to any appeal to proper authority under this paragraph shall be made at the earliest practicable date.

"'(c) Membership in any society, association, club, or other form of organization of postal employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States, having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

"'(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.'"

And the House agree to the same.

EDWARD H. REES,
ANTONI N. SADLAK,
TOM MURRAY,
*Managers on the Part of the House.*

WILLIAM LANGER,
EDWARD J. THYE,
HERBERT R. O'CONOR,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1486) to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the bill strikes out all of the Senate bill after the enacting clause. The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment, and that the House agree to the same.

The House amendment added a subsection (b) to section 6 of the act of August 24, 1912, authorizing the head of any department or agency, whenever he deemed it necessary in the interests of national security, summarily to remove or suspend without pay any officer or employee in such department or agency. This subsection is not contained in the conference substitute. As a result of such action, there is also eliminated from the conference substitute the provision in the House amendment for the payment of compensation, for the period of removal or suspension, to any officer or employee so summarily removed or suspended, who is later reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted.

Section 3 of the House amendment repealed a provision of existing law relating to immediate removal from the service of employees of the Department of War (now Army), the Department of the Navy, and the Coast Guard. The elimination of subsection (b), discussed above, makes necessary the elimination from the conference substitute of such section 3.

Section 2 of the House amendment is also eliminated from the conference substitute as being unnecessary, partly because of the elimination of the provisions relating to summary removal or suspension.

The conference substitute clarifies the remaining language and purpose of the House amendment by providing specifically (1) that civil-service rights of veterans under section 14 of the Veterans' Preference Act of 1944 are not affected by section 6 (a) of the act of August 24, 1912; and (2) that an employee entitled to veterans' preference wrongfully discharged, suspended for more than 30 days, or furloughed without pay shall be paid compensation for such period of discharge, suspension, or furlough, less any amounts earned by him through other employment during such period.

EDWARD H. REES,
ANTONI N. SADLAK,
TOM MURRAY,
*Managers on the Part of the House.*

Mr. REES. Mr. Speaker, I move the adoption of the conference report.

The motion was agreed to.

A motion to reconsider was laid on the table.

## PUBLICATION OF STATISTICAL INFORMATION BY THE BUREAU OF THE CENSUS

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 599, providing for the consideration of the bill (H. R. 6208) to provide for the collection and publication of statistical information by the Bureau of the Census, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6208) to provide for the collection and publication of statistical information by the Bureau of the Census, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require, and I also yield 30 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. Speaker, this resolution provides for the consideration of H. R. 6208, a bill to provide for the collection and publication of statistical information by the Bureau of the Census. This bill would reschedule the censuses of manufacturers, business and mineral industries, and provide for the taking of a census of transportation.

At the present time the census of manufacturers is taken every 2 years—while the census of business and mineral industries are taken only at 10-year intervals. Under this bill these censuses, plus the census of transportation, will be at 5-year intervals beginning with the year 1949. The plan for censuses proposed in this bill has two principal advantages over the present method. The first is that it will provide more useful and up-to-date information than the present system. Businessmen throughout the country have recognized this advantage of the proposed bill, and they have expressed themselves in favor of it. As a result of the greater frequency of the census of business and the new census of transportation provided in the bill, businessmen will have information which will enable them further to expand American enterprise. At present, the census of business is taken only once every 10 years. The information resulting is out of date, and of little use to businessmen for several years before the next census is taken.

The second advantage of this bill is that it will save the Government a considerable amount of money over a period of years. The money saved by less frequent censuses of manufacturers will offset the increased cost of more frequent census of business and transportation, and in the end the whole census operation will cost less.

Under this rule, the bill may be debated for 1 hour. The rule also waives points of order against the bill, but it permits amendments to be offered under the 5-minute rule. I am sure that a majority of you are as anxious to help businessmen as I am, and I know that we are all interested in cutting the cost of Government operations. This bill gives us an opportunity to do both. I am hopeful that this resolution will be adopted so that we may proceed to the consideration of this bill.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Mississippi.

Mr. RANKIN. How much will this cost?

Mr. ALLEN of Illinois. This will result in a saving because we are going to consolidate and bring in all censuses together instead of having one census this year and another one next.

Mr. RANKIN. It will result in a saving instead of an increased cost?

Mr. ALLEN of Illinois. It will result in a saving.

Mr. COOPER. Mr. Speaker, I yield 7 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, the bill which this rule makes in order is a good one and the committee is to be congratulated for reporting it out. Of course, the rule will be quickly adopted.

Mr. Speaker, there are some resolutions pending providing for a census of handicapped persons. If there is one class of people in America that I know is near and dear to the hearts of all Members of the House and of all our people, it is the handicapped person who is making a fight to make his or her place in active society and not be compelled to sit in a corner with only their dear ones around them in despair and despondency.

It is an inspiration to me to observe the courage and determination of those persons who are seriously handicapped,

who are fighting to overcome their handicaps so that they may obtain some kind of employment and to place themselves in a position where they will not feel they are one of the forgotten class due to their physical disabilities.

I think two or three Members have introduced resolutions with a view toward obtaining a census of the handicapped persons of America, to be undertaken by an agency of our Government, so that we may be able to obtain and compile facts officially and as correct as possible, with a breakdown of their physical disabilities in order that the proper committee of Congress might utilize that information in connection with considering legislation that the Congress might pass to assist these handicapped persons in participating, as I say, in the fullness of life, to the extent that their physical disabilities will permit them to do. I wanted to make these few remarks because this is an appropriate occasion inasmuch as the present bill relates to a business census so that the committee that has the bill before it will realize that there is an interest among the Members. I express the hope that they will see fit to report out such a bill or resolution before this Congress adjourns, thereby sending a message to the millions of handicapped persons throughout the United States that in their effort to take themselves physically and mentally out of what might be termed the forgotten class, that the Members of Congress also have that matter permanently in mind, and that the Congress within its limitation will do everything it possibly can to assist them in making themselves useful and productive members of society and thereby bring vitality and dignity into their lives, with the resulting feeling of happiness, joy, and strength, that it will produce to their own individual families.

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Kansas.

Mr. REES. I am in sympathy with the gentleman's objectives, but I think he realizes that the question of taking a census of handicapped people is a rather difficult one. I am advised by those who have dealt with the problem—and I do not want to be misunderstood now because I think what the gentleman wants to do is laudable—that it is somewhat complex in two respects. One is that it is difficult to get people to admit they are handicapped, because you have all degrees of affliction; some totally handicapped, some partially, and so on. Then you have the other problem as to what we mean by "handicapped person." Is it illness, is it some disease, or is it the loss of his hands or his feet, and things of that kind. It is a difficult thing to deal with. Yet, I do appreciate the gentleman's views and I appreciate the objectives he is trying to reach. I want to assure him that that question is under consideration at present by this committee, and the whole matter is being given very thorough study.

Mr. McCORMACK. I appreciate the observation made by my colleague, and I want the RECORD to show that I know he has more than a sympathetic feeling, and when he uses the word "sympathy" he means active sympathy and a desire to do something. I recognize the practical difficulties, but my remarks are addressed more in relation to those who might not be ill—and I am not ignoring them—but to those who have permanent handicaps, and without limiting to them such as the loss of eyesight, the loss of limbs, the loss of hearing, of infantile paralysis, and such disabilities and handicaps.

It is amazing what interesting letters come across our desks. For instance, there is a young lady in my district who is afflicted with infantile paralysis. She is working each day. She is unable to travel in the street cars because of her difficulty, so she rides to work and back each day in a taxicab. Let us visualize the mind of such a person, the courage and the determination she has. Instead of sitting at home with her own family and being forgotten except insofar as her near and dear ones are concerned and the few friends and relatives who drop in once in a while, she is going to work each day in a taxicab. She wrote to ask me to see if we could not put through a law allowing her to make a deduction from her income tax for that expense. However, it is not deductible. Yet that young lady is going to work each day. What she can do I do not know, but she has some light job. Rather than be forgotten and feel that she is in a sense isolated from human activity, she is fighting to overcome her handicap. She is an illustration of the type of persons I have in mind.

Mr. REES. I would be interested in knowing how the legislation would help that particular person. That is one of our problems.

Mr. McCORMACK. A census as to the number of persons who are seriously handicapped would be invaluable. In my opinion, it is necessary to have it for the committees to consider intelligently how we can assist those persons to fight to overcome their physical handicaps, so that mentally they will feel they are taking an active part in the journey of life. Among other things, in the case of this girl, she and others like her could be given a deduction as a business expense of her taxicab fare in going to and from her place of employment.

Mr. REES. I agree with the gentleman that that is a field that ought to be carefully studied and explored, as to how we might be able to help these people.

Mr. McCORMACK. There are many ways that could be done. For example, it might be that under the civil-service laws a certain percentage might be employed by the Government. That might be encouragement to private industry to give them employment. Employment is of vital importance to them. We might encourage organizations that devote their whole time and attention to trying to improve the lot of these more or less permanently handicapped persons. My remarks are addressed more to these persons so that they may know they are not forgotten. I hope the committee will give serious consideration to some kind of a resolution that will enable a census to be made of at least the seriously handicapped persons, so that there may be compiled some degree of official evidence that can be relied upon.

Mr. COOPER. Mr. Speaker, I think it is fair to state that the present minority in the House has always strongly favored this business census.

Mr. Speaker, I have no more requests for time on the rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, it seems to me it is a wise thing sometimes to take a census, but we have to be very careful in taking censuses that we are not doing a lot of things that are unessential and only creating jobs for a lot of people to keep them on the Government pay roll. During the last 5 or 6 years we have had so many censuses of various things, especially the census of business, that the people of this country who are operating businesses have had four or five different agencies of the Government asking them for the same information. The same questions. The same duplication of information, and we have much of it in our Government today.

It is about time that this be eliminated. Heretofore we have had questions from the Bureau of the Census. We have had the same questions from the Department of Commerce. We have had the same questions from the Department of Labor, and other departments of the Government. So let us eliminate that duplication. I want to tell you about a census that you have not suggested to the Congress which ought to be made. I am speaking now to the chairman of the committee the gentleman from Kansas [Mr. REES]. There is a census that ought to be taken right now on some of the money that has been appropriated in the last year that is being spent by the State Department in the most ridiculous and asinine way that it has ever been possible for money to be spent. That is in the Voice of America. When you were appropriating money for the Voice of America, which I vigorously opposed, the House of Representatives was told by the Foreign Affairs Committee that there was going to be good, sound advice given to the people all over the world about what America was doing or trying to do for the peoples of the world, thus aiding our good-will program. We were assured in no uncertain terms that nothing would go out of this country except honest and honorable statements in behalf of the American people. But instead of that, as I pointed out a month or so ago, when I insisted some of the broadcasts were ridiculous, and as shown in the two broadcasts pointed out to you which were sent out over the National Broadcasting Co. networks, the statements that have gone out have been just asinine and ridiculous statements of States by radio commentators as given them by script writers. Yesterday in the other body a Senator gave to that body many other things that were said, especially about my State of Pennsylvania in reference to the Quakers. I want to quote the words of Senator MARTIN. He was defending the Quakers, and I want to defend them in the same way. In this statement he says:

In their broadcast about Pennsylvania, the writers revealed a complete ignorance, or worse, about the Quakers who built the great-

ness of our State upon the principle of social, political, and religious freedom. Through all the years of our history the members of the Society of Friends have contributed vastly in patriotism and loyalty to the building of America. They are a peace-loving people who worship God in piety and humility. They represent one of the finest elements in American life.

That is a very fine statement for the Senator to make. I agree with him in every way. But the radio commentators say things about the Quakers that are not fit to be printed. We ought to take a census now of the State Department and find out just what they are doing and what they intend to do. We should approve their script before it goes on radio. We ought to stop them and stop such radio broadcasts as they are sending out before they do anything further to discredit America by the dastardly statements that they are making over the radio, which are un-American, unethical, unsound, and disgraceful. I want the Foreign Affairs Committee to get busy at once and close in on the State Department and stop their broadcasts.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. EBERHARTER. I join the gentleman from Pennsylvania in his praise of the Quakers of the State of Pennsylvania, because they are one of the groups that help to make Pennsylvania one of the greatest States in the Union. I would also like to call the attention of the gentleman to the fact that the State Department was not given sufficient funds in this program.

Mr. RICH. The gentleman does not need to go any further. You have given $27,000,000 to them, and that is $27,000,000 too much. They do not deserve it. The radio programs that they have been putting out have been simply rotten. They are not good, and they are not sound, and I would not give them a penny. We want to cut them out altogether. No more wasting and squandering of dollars on such ridiculous Voice of America programs.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. COLE of Missouri. I think the gentleman will agree with me that there is not much census in the Voice of America program.

Mr. RICH. We want to take a census now, and get a little sense into that program or stop them dead in their tracks from any more waste of funds so ridiculously as they are doing. Why does not the Foreign Affairs Committee, who sponsored this legislation and promised us in no uncertain terms that the program would be a good one, one which would inform foreign countries of what we were trying to do for them, thus creating more friendly relationship together. It is just doing the opposite. Stop the Voice of America at once. Do not delay.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. COOPER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, as I said before, I agree with the gentleman from Pennsylvania [Mr. RICH] that the Quakers are the stanchest stock in the country and in the world, but I do not think the State Department should be blamed for what a commercial broadcasting company broadcasts, particularly when the State Department has no supervision over the subject itself. It does not have enough money to hire supervisors to check and censor programs. The gentleman's party insisted that these programs be given over to a commercial broadcasting company. So it is no fault of the State Department or of the Voice of America administration.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. RICH. Does the gentleman mean to tell me that when the State Department has received $18,000,000 to look after these broadcasts that they then make a contract and they are silly enough not to retain any supervision over the contract? That is just a foolish statement to make.

Mr. EBERHARTER. There are two answers to the gentleman. In the first place, the Voice of America did not have sufficient money allotted to it to supervise these programs. These programs, under the act passed by Congress, were to be given to a commercial broadcasting company without supervision by the State Department; and, secondly, the commercial broadcasting companies refused to allow their broadcasts to be censored by the Voice of America personnel. So that it is the fault of the Congress of the United States for passing the law that it did.

Mr. RICH. What I want is supervision here in the House.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania [Mr. EBERHARTER] has expired.

SPECIAL ORDER GRANTED

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that on next Tuesday, after the disposition of matters on the Speaker's desk, and any other special orders, I may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

CONSIDERATION OF APPROPRIATION BILLS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that any appropriation bills which may be reported next week may be considered by the House at any time, regardless of the present rule.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, that is from the Appropriations Committee?

Mr. ARENDS. That is right.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADJOURNMENT OVER

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Tuesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER pro tempore. It there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. MULTER (at the request of Mr. EBERHARTER) was granted permission to extend his remarks in the Appendix of the RECORD.

UNANIMOUS-CONSENT REQUEST

Mr. RICH. Mr. Speaker, I ask unanimous consent that the Members of the House see that the State Department censors these radio broadcasts.

Mr. EBERHARTER. Mr. Speaker, a point of order. I make the point of order that the gentleman's request is out of order.

The SPEAKER pro tempore. The gentleman observes that the Chair has not put the request.

LEAVE OF ABSENCE

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent that I may be granted leave of absence for next week on account of official business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. JOHNSON]?

There was no objection.

STATISTICAL INFORMATION BY THE BUREAU OF THE CENSUS

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. REES of Kansas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6208) to provide for the collection and publication of statistical information by the Bureau of the Census.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6208, with Mr. KEATING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the time is divided equally between the two sides, and the gentleman from Kansas [Mr. REES] and the gentleman from Tennessee [Mr. MURRAY] each will be recognized for one-half hour.

The gentleman from Kansas is recognized.

Mr. REES. Mr. Chairman, I yield myself 8 minutes.

The CHAIRMAN. The gentleman from Kansas is recognized for 8 minutes.

Mr. REES. Mr. Chairman, it is the purpose of this legislation to reschedule the censuses of manufactures, business, and mineral industries and to include the taking of a census of transportation.

At the present time the censuses of manufactures is taken every 2 years while the censuses of business and mineral industries are taken only at 10-year intervals. Under this bill these censuses plus the census of transportation will be taken at 5-year intervals beginning with the year 1949.

In the case of census of manufactures, however, which is being taken this year under the authority of an appropriation act, such census will not be placed in the 5-year schedule until 1954.

Based upon public hearings on this subject during the first session of the Eightieth Congress, it is the view of the committee that there is a real and pressing need for providing, as promptly as possible, basic statistical information concerning distribution, mineral industries, the service trades, and other businesses and to schedule comprehensive censuses of such business activities in future years at regular and reasonably spaced intervals of 5 years. Such a program is provided under the bill and in addition, provision is made for annual or other interim current data required to keep up to date the basic measure provided by the complete censuses to be taken at 5-year intervals.

Despite the vast changes in the production and distribution system of the country brought about by the war, the relocation of population, and the tremendous expansion of business generally throughout the country, there does not exist today any systematic and comprehensive statistical record which would make known the number of business establishments, their location, the volume of business being done in each community and in each trade, and related information which can only be provided by censuses of the kind authorized by this legislation. The last such censuses were taken to cover the prewar year 1939 and, except for the census of manufactures, under existing law such information would not be forthcoming until the censuses of 1950 to cover the year 1949.

Business organizations in all parts of the country have repeatedly requested that these censuses be taken as soon as possible to provide authentic information which would remove many of the uncertainties concerning the location and size of the markets, wartime changes, the volume of production, and distribution in the various parts of the country, the location of new plants, changes in the relative importance of various products, the distribution outlets through which those products are moving, and similar information, which figures in the daily operations of all kinds of business and service organizations. Because of the tremendous number of business establishments which make up the chain of supply and distribution in this country, it is not possible to obtain an adequate grasp of the situation except through a systematic statistical procedure such as is represented by the censuses authorized by H. R. 6208.

TRANSPORTATION

The bill provides for the collection, at 5-year intervals, of statistics relating to transportation but that duplication of existing information is prohibited by exempting those forms of transportation for which statistics are required by law to be filed with a designated regulatory body.

It is also understood that when adequate data is already available from governmental sources the Director of the Census shall not collect such data by means of a census. This provision is designed primarily to improve existing information on the highway transportation, the principal part of the transportation industry for which there now exist significant gaps in available information. This form of transportation is of growing importance, not only in the location of industries and the transportation of goods, but also in developing and planning the highway transportation system of the country. It also has significant application with respect to problems which would arise in attempting to meet a future national emergency.

Since these censuses are being taken out of their normal order, an additional appropriation will be required to take care of immediately beginning the work of collecting these censuses. The Bureau of the Census estimates that an immediate appropriation for the activities authorized under this act will be necessary in the amount of approximately $13,900,000. Over a 10-year period, however, there will be no increased cost because of the reduced number of times the census of manufactures will be taken. Let there be no misunderstanding that a supplemental appropriation in the amount of about $14,000,000 will be requested. We want you to know all the facts.

Mr. Chairman, I would like to make one further observation concerning this proposed legislation. If enacted into law, I hope the intent of the sponsors of this bill will be carried out, and will be done in a businesslike manner. I mention this particularly because there has been complaint from businessmen and others that they are harassed by Government agencies for statistics and information of little value but require time and effort on the part of those who are required to fill out a lot of blanks about things that are of no real importance to the public.

As I have said, I am informed this legislation comes at the request of business interests who believe it is for the interest of the general public. In supporting the legislation I am doing it with the hope that the information secured thereunder will be worth the money expended in carrying out its terms. I repeat, I hope the intent of the committee proposing this legislation will be followed by those who administer the act.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, the purpose of this bill (H. R. 6208) is to reschedule and to improve our census legislation in various interrelated business fields. Present legislation of this kind has developed piecemeal with the result that disproportionate emphasis has been placed on the manufacturing census; inadequate censuses are authorized for business and the mineral industry; and no census at all has been authorized for transportation.

Under existing law the business and the mineral industry census is taken simultaneously with the population census once every 10 years. A manufactures census is taken every 2 years. An appropriation for this census has been made for the current fiscal year.

It is common knowledge that all these various activities—business, the mineral industry, the transportation industry, and manufacturing—are interrelated and interdependent. Unless information relating to one of these activities may be correlated with data concerning the others, it would seem to lose much of its usefulness. The Department of Commerce has stated that under existing law it is unable to satisfy "the increasingly insistent demands of American business for census facts needed in business management." Representatives of business and industry appearing before our subcommittee were unanimously of the opinion that a uniform law of this kind is needed.

That our present piecemeal census legislation is unsatisfactory and requires revision has also been pointed out by the Committee on Appropriations. On page 18 of House Report No. 1433, a report from the Appropriations Committee accompanying the appropriation bill for the State, Justice, Commerce, and Judiciary appropriations, 1949, it was suggested that the legislative committee concerned restudy laws relating to the Census Bureau with a view toward clarifying and codifying the numerous statutes under which they are operating at the present time. H. R. 6208 is a part of the program of bringing up to date and making more effective the census laws and is in line with this suggestion of the Appropriations Committee.

Under this bill, a census of business, the mineral industry, the transportation industry, and manufacturing will be taken every 5 years, the first such census to be taken in 1949. In view of the fact that a manufacturing census is being conducted this year, that census will not be repeated in 1949. It will first be taken under this bill in the 1954 census.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from New York.

Mr. COUDERT. Why does business really require a census at this time? Is not business operating profitably and satisfactorily? Are they not finding adequate markets? Why could not this matter be postponed for another year or two and save $13,000,000 that this bill would require? In other words, I do not see the pressing necessity for taking action at this time.

Mr. ALBERT. Every representative of business appearing before our committee, without a single exception, stated that necessary information is not available even in this period of prosperity,

which is also a period of uncertainty, to enable them to look to the future. They need the information now. Changing conditions are having a tremendous bearing on the necessity for accurate, presently available information. We will not save anything by postponing this matter. The appropriation will either be made under this bill next year or an even larger appropriation will be required under existing law the following year.

Mr. COUDERT. In the first place, of course, there is the interest on the money the Government will have to borrow by the sale of bonds, and then, if there is no pressing necessity for it, I question the wisdom of requiring a census every 5 years. That doubles the cost of the normal operation of a census, does it not?

Mr. ALBERT. Except that under this bill we are actually saving money by recodifying our census laws in the business field. For example, we have a manufacturing census every 2 years. We have just appropriated $5,000,000 for this census. That census is currently being taken. Both the Department and business have stated that unless this additional information is brought into the picture the manufacturing census, on which we are now spending $5,000,000, will lose much of its value. You can see why the transportation and manufacturing censuses should be taken at the same time. They are interrelated activities. So also is the mineral industry.

Mr. COUDERT. It is not clear to me why this appropriation is required, because we have existing census laws that require the taking of censuses. It is not the addition of the transportation census alone that calls for an additional expense of $13,000,000, is it?

Mr. ALBERT. No; it is not. The transportation census costs $1,100,000, based on present estimates and current practices of the Bureau.

Mr. COUDERT. Then why the additional appropriation?

Mr. BATTLE. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Alabama.

Mr. BATTLE. As I understand, we are substituting a new method of taking the census.

Mr. ALBERT. That is right.

Mr. BATTLE. Over a 10-year period, I believe, it is estimated that we will save $1,100,000 in this new method of taking the census.

Mr. ALBERT. That is right.

Let me say further to the gentleman, under present law we are taking a manufacturing census every 2 years at a cost of $5,000,000. That will be up again in 1950, requiring another $5,000,000. We are taking a general business census every 10 years, and that again will be up in 1950. It costs $13,500,000. There is $18,500,000 that will have to be appropriated in 1950 to give effect to existing law. Add to that $400,000 for the transportation industry, in 1950, and the total amount to be appropriated under existing law in 1950 will be $5,000,000 more than the amount to be appropriated in 1949 under this bill.

Under existing law, the business and population censuses are all taken during the years ending in zero. This throws a top-heavy burden on the Bureau of Census during these years. If this bill is enacted, the population census will continue to be taken during the years ending in zero, while the census under this bill will be taken during the years ending in 9 and 4. This has the advantage of reducing peak loads in the Bureau and of spreading their work out more evenly. The Director of Census is in favor of this plan and has stated that it will increase the accuracy of the work of his department.

The next important point in the consideration of this bill, as I see it, is that over a 10-year period it will reduce the total cost by more than $1,000,000. This is accomplished by eliminating the present practice of taking a manufacturers' census every 2 years and combining this census with other censuses to be taken every 5 years. Incidentally, the Director of Census has stated that the present emphasis on the manufacturing census is out of line with current demands for information in the various fields of business and industry.

Under existing law the cost of all these censuses is $38,900,000 every 10 years. This figure, broken down, includes one business census at a cost of $13,500,000; five manufacturing censuses at a cost of $5,000,000 each or a total cost of $25,000,000; one mineral-industries census at a cost of $400,000. Under this bill, based on present practices and estimates, the cost of these censuses plus a census for transportation for a 10-year period will be $37,800,000. This includes two business censuses of $12,400,000 each; two transportation censuses at $1,100,000 each; two transportation censuses at $5,000,000 each; and two mineral-industries censuses at $400,000 each.

At this point it should be noted that this bill does not require that the amounts which I have just mentioned be appropriated for any particular census. This will be a matter completely within the control of the Appropriations Committee. This committee will have authority to adjust these amounts up and down as it sees fit from time to time and as circumstances warrant. The purpose of this bill is not to create an authorization for specific appropriations every 5 years, but rather to reshape our census structure in various related business fields and to bring these censuses more nearly in line with present-day demands upon the Bureau of the Census for information needed by American business.

Other features of this bill should be called to the attention of the House. First, it collates statutory provisions relating to intercensal reports. Heretofore such reports have been compiled under the more or less general terms of the Organic Act of the Department of Commerce. This bill spells out this authority specifically. The bill also places limitations on the authority of the Bureau. For instance, it protects the public, including business and industry, from too great a burden of interim surveys. It contains safeguards against the disclosure of information furnished by respondents.

To sum up, we feel that this bill is needed legislation. It will coordinate the matter of taking the census in various interrelated field of business. It will cut down the cost of these services. It will enable the Bureau of the Census to furnish information sorely required by modern business and industry. In view of all this and of the further fact that no adverse testimony was submitted to the committee, we urge your favorable consideration of this measure.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. HAGEN], the author of the bill.

Mr. HAGEN. Mr. Chairman, as chairman of the subcommittee for the consideration of H. R. 6208, I am glad to report that we held extensive hearings over a period of time. We heard representatives of service and trade organizations, chambers of commerce and newspaper and magazine associations, and many other business groups in the country. We have not been able to find a single person or group of any kind opposed to this legislation.

The legislation provides for the rescheduling of censuses. It was particularly stressed by those who testified that there was a need for this since there had been no comprehensive information of the Nation's distribution system since 1939. The attitude of business generally is well set forth in a report by the United States Chamber of Commerce submitted to the committee during the hearings. The report contained the following statement:

> If the businessman is to continue to serve the public effectively and efficiently, timely and accurate bench-mark data are now more than ever urgently needed. Good and timely statistics are essential tools. Lacking them, there are too many bad decisions; bad decisions lead to bad business; and, bad business affects everyone, that is, the investor, the employer, and the employee, and all American people generally.

This statement represent the views of a broad section of the country. A partial inventory of the groups involved in the application of census information to their operating and management problems includes all types of producers such as growers, packers, refiners, manufacturers, distributors, including wholesalers, brokers, jobbers, retailers, and service establishments; firms dealing with marketing problems, such as market research agencies, advertising agencies, newspapers, magazines, trade journals, and broadcasting stations; transportation agencies; agencies of the government at the city, county, and State level, as well as the Federal Government itself; and many others, including trade associations, chambers of commerce, universities, schools, libraries, and other groups. I might say again there was no opposition expressed at any time before our committee to this legislation.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HAGEN. I yield.

Mr. ALBERT. I think we should also point out that the appropriations which have been discussed here during the

course of the debate are not fixed by this legislation, but will be under the complete control at all times of the Committee on Appropriations and the Congress itself. In other words, these figures are based on current contracts and current estimates and can be adjusted up or down as circumstances may warrant from time to time.

Mr. HAGEN. The gentleman is right, and I thank him for his contribution.

Mr. Chairman, it may be all right for some here in Congress to tell these business people and the organizations of the country that they do not need this business census. However, all of them insist that they do need it. In the past we have supported appropriations providing for censuses at more frequent intervals. In this legislation we are trying to save money and have the taking of certain censuses less frequently, but still often enough to satisfy the requirements of business.

In addition to providing as soon as possible this urgently needed information, there are two other advantages: First, by having these censuses coincide every 5 years, simultaneous measures of the related segments of our production and distribution system will be provided. Businessmen and the Government need a complete and simultaneous accounting—manufacturing, wholesaling, retailing, the service trades, and transportation—if they are to have an adequate understanding of what is happening in the business world. Second, the bill relieves the enormous pressure of the great decennial census work load on the Bureau of the Census by rescheduling the business censuses for the years ending in four and nine. Present laws provide that these censuses must be taken at the end of each decade along with censuses of population, agriculture, irrigation, and drainage. The effort to take all these censuses at the same time unfavorably affects each of them.

One point developed at the hearings which I believe would be helpful to the Members of the House to know is that the basic data collected by the Bureau of the Census is used by many business organizations as bench-mark data upon which they base numerous statistical studies used for business forecasts, sales campaigns, and all types of commercial programs. Many businessmen have been of the opinion that this data was not required since they are receiving these other statistical studies and analyses through their trade associations and statistical organizations. However, since these statistical organizations are, in the final analysis, dependent upon accurate census data, the collection of current information is even more important.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REES. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HAGEN. It must be kept in mind that these trade organizations and service groups and advertising agencies secure this information originally from the Bureau of the Census, and from that information they make analyses and reports to their trade association membership.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. HAGEN. I yield.

Mr. HAND. I agree with what the gentleman says. I think no one has any objection to this bill, but is there anything the gentleman or his committee can do to simplify the type of form used? I received a form just the other day that was at least a yard long on both sides. Can we not simplify those forms in some way?

Mr. HAGEN. I thank the gentleman for bringing up the question of simplification of these forms. As a matter of fact, there is a law on the statute books at this time which requires that the Census Bureau carry out the provision of simplifying forms as a part of the Federal Reports Act, No. 42, 56 Statutes 1078. In that section of the law it is required that they simplify the forms as much as possible. Furthermore the Bureau of the Census at the present time is cooperating with all trade organizations and other organizations from whose membership census information is gathered, in trying to simplify the forms more than they have been in the past. At the present time those organizations are submitting their information and are working with the Census Bureau in an effort to work out more simplified forms, so that businessmen will not be required to take up so much time in filling out the forms sent to them by the Census Bureau.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HAGEN. To summarize then, this bill satisfies an urgent need for up-to-date information concerning distribution, mineral industries, service trade, and other businesses. It provides for a greatly improved rescheduling of these censuses together with the census of manufactures, at reasonably spaced intervals of 5 years. Further, provision is made for annual or other interim current data required to keep up to date the basic measures provided by these complete censuses.

There should not be a single vote against H. R. 6208. There has been no opposition expressed to it. Everybody wants it. It is a good thing for the country. Therefore we hope the bill can be passed without any opposition.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. REES. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the objective of this legislation is most laudable. In these days when carrying on a business and managing an industry depend so much upon what some other industry is doing and accomplishing, it is not only desirable but economically necessary that there be a reliable agency in the Government where industry, as well as the consumer, can obtain authentic statistics and information, not only as to the manufacturer and the consumer, but as to transportation as well.

I am not opposing this bill. Undoubtedly it has had the careful scrutiny of the committee and can be made a valuable adjunct in an efficient economy. Mr. Chairman, I am prompted at this time to make these observations because of a letter received from a manufacturer of paper and board products in my district, inclosing a blank sent out by the Bureau of the Census, Department of Commerce, and designated "Census of Manufactures." This blank is marked "confidential" and appears to have been issued pursuant to 13 United States Code 201, and the form was approved by the Budget Bureau and is No. 41-46192.

I got the permission of the House to include this form in these remarks so that we could all visualize just what filling one out means to a busy manufacturing institution. However, if this particular form were printed in the CONGRESSIONAL RECORD, it would require many pages and, therefore, I shall not include it. Suffice it to say that there are literally hundreds of questions, items, codes, and computations. Indeed I would not know how to describe this particular form so that those who have not seen it could understand. This particular questionnaire is composed of two sheets printed on both sides and each sheet is 32 inches long and 10½ inches wide. Most of the space is taken up in fine print—endless questions. In fact, it discourages the ordinary man to just look at it. It seems inconceivable that all the questions asked are necessary as a practical matter.

The Congress wants, and this bill contemplates, substance and not form only. It has taken a lot of time on the part of Government employees to work out such a document and it will take a lot of time on the part of the individual or manufacturer required to make the report. I do not wonder that a businessman, trying to meet a pay roll, protests against so much red tape and detail. To the ordinary layman so much detail seems ridiculous.

This particular constituent inquires as to how many Government employees are necessary to figure out such a questionnaire. He protests against spending the taxpayers' money in such an impractical way. He concludes: "Look it over—a long-haired boy's masterpiece."

Mr. Chairman, I am calling attention to this matter at this particular time in the hope that in taking the census provided for in this bill some practical businessman will have something to say about the questions, the answers, and the form in which this census is taken. The census is for the benefit of and the help of our businessmen and industry, and if we can have more efficiency, less red tape, forms, and needless questions, maybe some good will come out of this census.

The CHAIRMAN. The gentleman from Michigan has consumed 1 minute.

Mr. HAND. Mr. Chairman, just a further brief observation on this subject. I, myself, am the publisher of a small weekly newspaper. I recently discussed with a friend and fellow publisher the census of manufactures in printing, publishing, and allied activities. My

friend was Mr. John A. Hinman, editor and publisher of the Pleasantville Press, of Pleasantville, N. J. I have gone over with him a four-page folder called General Instructions for Preparing Reports on Form Mc73A–2. I suppose these general instructions are intended to simplify the work of preparing the report, but the instructions themselves run into several columns of small type.

The form referred to is a four-page form. When I said a moment ago it was a yard long, I was perhaps slightly exaggerating. It is only about 2½ feet long. I do not know how many thousands of words are contained in the form, nor how many scores of questions. The form would not be appropriate if it had been sent to the publisher of the Encyclopedia Britannica, and it certainly is not appropriate for publishers of weekly newspapers. Among the questions asked, believe it or not, is how much electric energy the publisher generated and sold during 1947. Now, this is sheer nonsense.

I was tempted to put the entire form in the CONGRESSIONAL RECORD for the information of the membership, but I presume it would cost about $1,000 to print it, and I still have an old-fashioned regard for the Federal Treasury.

I sincerely hope that my friend from Minnesota [Mr. HAGAN], the hard-working chairman of this subcommittee, will exercise his right and duty under the Reorganization Act to survey the activities of the Bureau of the Census under this pending bill, and to see to it that the Federal law to which he has referred, and which directs that these forms be as simple as possible, is obeyed and not disregarded.

If I see any such forms as this again I shall attempt to collect a supply and distribute them among the membership. If the Members see this form there probably will not be any more census of manufactures.

Mr. REES. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Chairman, the report on this legislation is very complete and should be easily understood. I quite agree with the remarks just made by the gentleman from Michigan. After all it is up to us to legislate and it is up to the Executive to administer. We hope that the proper administration of this law will eliminate a lot of the red tape to which the gentleman refers. We all agree with his ideas.

The CHAIRMAN. The gentleman from Illinois has consumed 1 minute.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman——

Mr. HAND. Mr. Chairman, will the gentleman yield for a consent request?

Mr. EBERHARTER. I yield.

Mr. HAND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD following those made by the gentleman from Michigan [Mr. MICHENER].

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EBERHARTER. Mr. Chairman, I want to talk about the American Tariff League's claiming the credit for the passage of the Gearhart bill with respect to the reciprocal trade agreements so-called extension.

AMERICAN TARIFF LEAGUE CLAIMS CREDIT FOR THE GEARHART BILL

On Wednesday the House passed the Gearhart bill to kill the Reciprocal Trade Agreements Act. The Democrats solidly opposed this return to Smoot-Hawley economic isolationism, while the Republicans were practically unanimous in favor. I suspected then that the bill was the product of the American Tariff League—which since 1885 has been the cult of high-tariff protectionism. This suspicion has now been verified. The May issue of ATL Topics refers to the Gearhart bill, and says:

This temporary program parallels, in some instances the proposals for a long-range program, providing for flexible rate-setting by a new governmental commission, with opportunity for review by Congress, but not requiring congressional action, offered by ATL President H. Wickliffe Rose at the recent House Ways and Means Subcommittee hearings, and contained in the new ATL Declaration of Principles and Program for World Trade.

Since the origin of H. R. 6556 has been revealed, we can be certain that its purpose is to end—not extend—the Hull reciprocal trade program.

Mr. Chairman, when we go back into the House I will ask unanimous consent to insert following my remarks this particular article in the American Tariff League's magazine.

CONGRESS CONSIDERS 1-YEAR TRADE ACT

A 1-year extension of the Trade Agreements Act with amendments which would permit Congress to disapprove future trade pacts if they go beyond limits to be set by the United States Tariff Commission, is now before Congress for action.

This temporary program parallels, in some instances, the proposals for a long-range program, providing for flexible rate setting by a new governmental commission, with opportunity for review by Congress, but not requiring congressional action, offered by ATL President H. Wickliffe Rose at the recent House Ways and Means subcommittee hearings, and contained in the new ATL Declaration of Principles and Program for World Trade.

The short-term extension bill received the approval of the House Republican Steering Committee, and this appears to assure it of House consideration.

Under the proposed extension as reported, the United States Tariff Commission, on request of the President, would have complete charge of preagreement hearings which, under the present act, are conducted by the Committee for Reciprocity Information on which a Commission representative now sits as one of several members.

The Commission would be empowered to make a confidential report to the President of the limits within which new tariff adjustments could be safely set. Should the President approve tariff changes beyond the specified limits, he would have to submit a draft of the proposed agreement to Congress together with the Commission's findings, which would then be made public.

Congress would then be given a 60-day period in which it could reject the new tariff proposals. Failure to act within that time would automatically put the agreement into effect. No congressional action would be required if the commission's recommendations were followed in the negotiated agreements.

Mr. Rose, as one of the expert witnesses invited to testify by Representative BERTRAND W. GEARHART, Republican of California, chairman of the subcommittee, made the declaration the basis of his testimony. He recommended that any extension of the current act, which expires June 12, should be limited to the time necessary for putting a new long-term program into effect.

The declaration, consideration of which would not be precluded by the temporary measure now before the current Congress, recommends removal of duty-making from both the national and international fields of political trading. It envisions ultimately replacing the Trade Agreements Act with a system of equitable tariff.

Calling for a policy of flexibility, with equitable tariffs implementing a fundamental doctrine of scientific tariff, the declaration describes equitable tariff as one which will avoid the extremes of high tariff and free trade. In urging flexibility, the declaration states that the Trade Agreements Act makes for a rigid system because it has been administered with a policy of driving tariffs only downward, and freezing them between agreements.

The declaration also proposes the creation of a United States Commission for International Trade "as the body to handle the economic and tariff problems of foreign trade." Such a body as compared to the existing Tariff Commission would have increased responsibilities and authority. Upon the Commission's recommendation, changes in the dutiable and free lists of the Tariff Act would become law unless acted upon by Congress within a 90-day period.

Stating that the Havana charter for an international trade organization "should not be approved by Congress," the declaration urges that the charter "should be renegotiated to provide for constructive activities based on sound principles universally applicable."

Invitation witnesses at the Ways and Means hearings included Dr. John Lee Coulter, ATL's Washington consultant, as well as Government officials and representatives of private groups.

Copies of the declaration are available from ATL headquarters.

I also want to call to the attention of the membership that we did not know that the president of the American Tariff League was making these proposals at the time the bill was up for debate because the hearings on this particular bill were secret and no hearings were printed and published. I think that perhaps if the membership had had advantage of open hearings and knew that this was a proposal of the American Tariff League they may have looked at the legislation in a somewhat different light. I feel sure that the Gearhart bill as it passed the House will never be on the statute books as law.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Michigan.

Mr. MICHENER. As the gentleman, I think, knows, I was one of those who did not favor the Reciprocal Trade Act dying a natural death on the 12th of June. I was greatly shocked that the gentleman now speaking did not seem

to realize that those who voted "no" on the extension bill before the House the other day, voted to let the act die. Now that the bill has passed, it goes to the Senate, and there is a chance for revision of the bill to conform to the views of the gentleman. I would not go along with his revision, perhaps, but that was the only possible way the bill could be kept alive.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. EBERHARTER. Mr. Chairman, I am glad the gentleman from Michigan spoke as he did, but any expert knows that the bill as it passed the House was worse than no measure at all or no extension at all. Whenever you have a statement in writing over the signature of the Secretary of State that the Gearhart bill was worse than no extension at all, then it seems to me you were flying in the face of plain facts when you say you voted to extend it. If the gentleman had really wanted to extend the act he could have voted for the motion to recommit which would have extended the act. You know, we had no opportunity to try to clean up the bill a little bit by offering amendments to perfect it. It was brought in here under a gag rule and jammed down our throats.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. It is rather amusing to see my friend from Michigan trying to squirm out of his position and to note the gentleman's observation, as one of the leaders of his party in the majority, so different from the observations he made when he was a statesman and a member of the minority.

The gentleman from Pennsylvania is absolutely right. The President has the power now to make executive agreements and send them up to the Congress. The Gearhart bill is meaningless. Furthermore, the gentleman from Michigan knows that if the bill had been defeated the other day, the Republican Party would not dare let June 12 go by without reporting another bill. I am very sorry for my friend from Michigan in his effort to squirm out of the uncomfortable position he is in.

Mr. EBERHARTER. It is very startling to me that the gentleman makes the suggestion that the other body will amend the act as we passed it, when he voted to deny Members of the House the right to amend and perfect it. Now he comes in and says "Maybe the other body will fix it up the way it ought to be," but they would not let us do it here in the House.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Michigan.

Mr. MICHENER. May I, in all humility, refer the gentleman to my remarks when the bill was up the other day, which are found on page 6517 of the RECORD. I called attention to the fact that all legislation is a matter of compromise. We would not have had the Constitution had there not been a compromise.

Mr. EBERHARTER. Yes, but the gentleman refused to give the minority members an opportunity to make any compromise in the House.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield, the gentleman from Pennsylvania nails that observation right on the head. We were denied the opportunity to compromise.

Mr. EBERHARTER. That is it exactly, and I think the gentleman from Michigan really voted the way he did not exactly feel when he voted for the gag rule not to give us an opportunity to amend or make a compromise here in the House. After all, this legislation under the Constitution must originate in the House and here is the place where opportunity for compromise should have been offered in the first place.

Mr. McCORMACK. The other day I referred to an editorial in the Boston Herald, an outstanding Republican paper, and said there was still a chance for the Herald to convert itself to where it belongs, the Democratic Party. Here is another editorial entitled "Gag and GOP." It reads in part:

> What we would like to know is how the Republican Party hopes to lead the country from the White House for 4 years if its Congress begins to act like an ostrich, vintage of 1920.

Mr. EBERHARTER. I have here an article appearing in a Republican newspaper that has this title: "Reciprocal trade action by GOP called stupid."

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MURRAY of Tennessee. Mr. Chairman, we have no further requests for time.

Mr. REES. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ELSTON. Mr. Chairman, on Monday of this week at least two of the leading daily newspapers of Washington carried prominent stories regarding disabled Army officers who were still undergoing treatment in Army hospitals. The articles stated that thousands of such officers who had been recalled to duty for further physical evaluation were now patients in the hospitals and, under a decision of the Comptroller General, would not only be denied all duty pay but would be forced to pay for their own subsistence until they were discharged from the hospitals.

I have the privilege of being the chairman of the legal subcommittee of the House Committee on Armed Services, and in that capacity conducted an investigation which extended from December of 1947 until the 1st of May of this year on the subject of disability retirement. During the course of those hearings, the Army admitted that it had made mistakes in the retirement proceedings of officers and our committee found additional mistakes. In our report, a copy of which has been sent to every Member of the Congress, we stated with complete impartiality and frankness the mistakes which we were convinced had been made by the Army. We are equally impartial in absolving the Army of certain nebulous charges which were based on assumption rather than fact.

When the articles to which I have referred appeared in Monday's press, I could not believe that they were accurate. I am sure that many Members of the House must have been shocked by the statement that thousands of former officers are now languishing in Army hospitals at their own expense. I have investigated the facts in this matter and wish to report them to the House at this time.

On or about March 12, 1948, the Comptroller General rendered a decision that the Army could not legally recall former officers who had been separated from service for further physical evaluation and, at the same time, place them on a full military status, so far as pay is concerned. On the day this decision was rendered there were 236 officers in all Army hospitals in the United States who were affected by the decision. On Monday of this week, the day on which the papers stated that there were thousands of such officers in Army hospitals, there were 58 such officers. Of this number, 44 will be separated by June 1, leaving a total of 14 officers who must receive further physical evaluation by the Department of the Army. I have every confidence that the Department of the Army will find an equitable solution for the small number of officers who are affected by the Comptroller's decision.

I have never hesitated to criticize any department of the armed forces when I felt the facts justified such criticism. In the present instance fairness and common decency dictate that someone should bring you the facts regarding this matter, and I assure you that it is my pleasure to do so.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That (a) the Director of the Bureau of the Census, hereinafter referred to as the Director and the Bureau, respectively, is authorized and directed to take, compile, and publish the censuses of manufacturers, of mineral industries, and of other businesses, including the distributive trades, service establishments, and transportation (exclusive of means of transportation for which statistics are required by law to be filed with a designated regulatory body), in the year 1949 and every fifth year thereafter, and each such census shall relate to the year immediately preceding the taking thereof: *Provided*, That the census of manufactures shall not be taken in 1949. The censuses herein provided for shall include the United States and its Territories and such possessions as may be determined by the Director with the approval of the Secretary of Commerce.

(b) That the Director is further authorized to make such surveys as are deemed necessary to furnish annual and other interim current data on the subjects covered by the censuses provided for in this and other acts.

SEC. 2. That the following sections of the act of June 18, 1929 (46 Stat. 21), shall apply

to the censuses and surveys authorized by this act: Section 3, as amended by section 404 of Reorganization Plan No. II (53 Stat. 1436), and sections 5, 7, 8, 9, 10, 11, 12, and 15, except that the Director may also authorize the expenditure of necessary sums for travel expenses for attendance at training courses held by the Bureau: *Provided*, That in connection with any survey conducted by the Director pursuant to section 1 (b) of this act, the provisions of sections 9 and 10 of the act of June 18, 1929 (46 Stat. 21), with respect to the answering of questions and furnishing of information, shall apply only to such inquiries as are within the scope of the schedules and of the type and character heretofore used in connection with the taking of complete censuses under the act of June 18, 1929 (46 Stat. 21), or in connection with any censuses hereafter taken pursuant to section 1 (a) of this act and the act of June 18, 1929: *Provided further*, (a) That sections 9 and 10 of the act of June 18, 1929 (46 Stat. 21), shall apply to surveys conducted pursuant to section 1 (b) of this act only after publication of a determination with reasons therefor certified by the Director with the approval of the Secretary of Commerce that the information called for is needed to aid or permit the efficient performance of essential governmental functions or services; or has significant application to the needs of the public, business, or industry and is not publicly available from nongovernmental or other governmental sources; (b) that in the case of any new survey said sections 9 and 10 shall apply only after public notice, given by the Director at least 30 days in advance of requesting a return, that such survey is under consideration; (c) that the provisions of said sections 9 and 10 shall not apply to any survey more frequent than annual conducted pursuant to section 1 (b) of this act; and (d) that the provisions for imprisonment provided by said sections 9 and 10 shall not apply in connection with any survey conducted pursuant to section 1 (b) of this act.

SEC. 3. That inquiries, and the number, form, and subdivisions thereof for the censuses and surveys provided for in this act, shall be determined by the Director, with the approval of the Secretary of Commerce. To the extent that the provisions of this act conflict with the provisions of any other act, pertaining to the Bureau of the Census, the provisions of this act shall control: *Provided*, That nothing herein shall be deemed to revoke or impair the authority of any other Federal agency with respect to the collection or release of information.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HALLECK) having resumed the chair, Mr. KEATING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6208) to provide for the collection and publication of statistical information by the Bureau of the Census, pursuant to House Resolution 559, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

Mr. REES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 554) to provide for the collection and publication of statistical information by the Bureau of the Census, which is a bill similar to the one just passed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES: Strike out all after the enacting clause of the bill S. 554 and substitute therefor the provisions of the bill H. R. 6208 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

By unanimous consent, the proceedings whereby the bill H. R. 6208 was passed were vacated, and the bill was laid on the table.

## EXTENSION OF REMARKS

Mr. MCCORMACK asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. EBERHARTER asked and was given permission to insert in the RECORD, immediately following his remarks on the reciprocal trade agreements this morning, a short article which appeared in the American Tariff League's magazine, Topics, and was further given permission to extend his remarks in the RECORD and include an article which appeared in the Evening Star of yesterday entitled "Reciprocal Trade Action by GOP Called Stupid."

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD.

Mr. SABATH of Illinois asked and was given permission to extend his remarks in the RECORD and include a speech he made over the radio on May 21 with reference to housing.

## COLLECTION AND PUBLICATION OF STATISTICS BY THE CENSUS BUREAU

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I take this opportunity to congratulate the committee for its favorable report of this legislation, H. R. 6208, a bill to provide for the collection and publication of statistical information by the Bureau of the Census.

Last year as recorded in the CONGRESSIONAL RECORD of May 14, 1947, on page 5304, when the appropriations for the Commerce Department were under consideration, I offered the following amendment:

Amendment offered by Mr. BUCHANAN: On page 43, line 18, strike out "$5,000,000" and insert "$11,500,000."

Referring to my speech of May 14, 1947, I stated:

We must do everything humanly possible to assist business and industry maintain high levels of employment and production. The people in my district and the people everywhere want to attain higher living standards and a greater measure of security that comes from full employment and a stable economy. With that in mind, I want to discuss what to me is one of the most short-sighted and uneconomic proposals I have ever seen. That is the proposal of the Appropriations Committee, in its recommendations on the budget of the Commerce Department to cut the funds of the Bureau of the Census for current statistics from $11,500,000 to $5,000,000.

I further stated:

At this time in the Nation's history when it is imperative for all of us to make wise economic decisions, the Appropriations Committee proposes to reduce the main Government agency which provides Congress, business, industry, and agriculture with the facts and statistics upon which sound judgment and action can be based.

This need of business managers for facts, facts and more facts, is not something I have pulled out of a hat like a magician's rabbit. The urgent need of businessmen for information to guide them in intelligent management decisions is attested to by the strong position taken by the United States Chamber of Commerce and other business organizations in support of fact-gathering work of the Bureau of the Census.

The committee is to be congratulated for reporting out this legislation and I am pleased to support the same.

## EXTENSION OF REMARKS

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD.

Mr. MCDONOUGH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Los Angeles Times.

Mr. LOVE asked and was given permission to extend his remarks in the RECORD and include an editorial from the Wheeling Intelligencer of May 27, 1948.

Mr. MICHENER asked and was given permission to revise and extend the remarks he made in Committee of the Whole and include therein part of a form for taking a census of certain manufacturers.

Mr. SHAFER asked and was given permission to extend his remarks in the RECORD and include a magazine article.

## CALL OF THE HOUSE

Mr. BOGGS of Delaware. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALLEN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 84]

| | | |
|---|---|---|
| Abbitt | Byrne, N. Y. | Dawson, Ill. |
| Anderson, Calif. | Canfield | Deane |
| Andrews, N. Y. | Case, N. J. | Delaney |
| Auchincloss | Celler | Devitt |
| Barden | Chapman | Dingell |
| Bates, Mass. | Clark | Dirksen |
| Bell | Clason | Dolliver |
| Bennett, Mich. | Clippinger | Dorn |
| Bonner | Cole, Kans. | Doughton |
| Boykin | Combs | Douglas |
| Buckley | Cotton | Durham |
| Bulwinkle | Cox | Eaton |
| Busbey | Cravens | Engle, Calif. |

| | | |
|---|---|---|
| Feighan | Kirwan | Potter |
| Fisher | Klein | Potts |
| Folger | Lane | Powell |
| Gathings | Lea | Rayburn |
| Gavin | LeFevre | Redden |
| Graham | Lesinski | Riley |
| Griffiths | Lichtenwalter | Rivers |
| Gwynne, Iowa | Ludlow | Robertson |
| Hall, | Lusk | Rooney |
| Edwin Arthur | Lyle | Sadowski |
| Hall, | McCowen | St. George |
| Leonard W. | McGarvey | Scoblick |
| Harless, Ariz. | McMahon | Scott, Hardie |
| Harness, Ind. | Macy | Scott, |
| Hart | Madden | Hugh D., Jr. |
| Hartley | Meade, Ky. | Sheppard |
| Heffernan | Merrow | Short |
| Hendricks | Miller, Calif. | Sikes |
| Holifield | Miller, Conn. | Simpson, Pa. |
| Isacson | Morrison | Smathers |
| Javits | Morton | Smith, Maine |
| Jenkins, Pa. | Multer | Smith, Ohio |
| Jennings | Mundt | Somers |
| Johnson, Okla. | Murray, Wis. | Stigler |
| Johnson, Tex. | Nicholson | Stratton |
| Jones, N. C. | Nixon | Thomas, N. J. |
| Kearns | Norrell | Vail |
| Kefauver | O'Hara | Wadsworth |
| Kelley | Owens | West |
| Keogh | Patterson | Whitaker |
| Kersten, Wis. | Pfeifer | Williams |
| Kilday | Phillips, Tenn. | Wilson, Tex. |
| King | Plumley | Worley |

The SPEAKER pro tempore. On this roll call 296 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN asked and was given permission to extend his remarks in the RECORD and include a printed statement.

Mr. CARSON asked and was given permission to extend his remarks in the RECORD and include two articles.

Mr. MITCHELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Minneapolis Tribune on margarine.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an article on the foot-and-mouth disease published by the Corn Industries Research Foundation.

Mr. BAKEWELL asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Polish-American Congress.

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PETERSON asked and was given permission to extend his remarks in the RECORD and include a letter from Buddy Hayes.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article on the Panama question. I am informed by the Public Printer that this will take up two and one-fourth pages in the RECORD and will cost $159.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on the bill H. R. 6712.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent that the Subcommittee of the House Committee on Expenditures in the Executive Departments investigating expenditures in the State Department be permitted to sit during the session of the House this afternoon during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to announce the program for next week.

On Monday there will be no session, as agreed to earlier in the day.

On Tuesday we will call the Private Calendar, followed by the supplemental Treasury appropriation bill.

On Wednesday the military appropriation bill, including Army and Air Force funds, will be considered.

On Thursday the relief appropriation bill will be taken up.

On Friday we will consider the Navy appropriation bill.

The following bills may be called at any time during the week: H. R. 6341, the Navy Public Works bill; H. R. 6712, the Internal Revenue Code revision; H. R. 6419, flood control; and H. R. 6227, continuation of home rule for the District of Columbia.

Conference reports may be called up at any time during the week, and if other rules are granted, they may be called at any time.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. PHILLIPS of California. Does the gentleman mean that the Consent Calendar may be called on Tuesday?

Mr. ARENDS. No; only the Private Calendar will be called on Tuesday.

EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks in the RECORD and include an article appearing in the Washington Star.

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Detroit Free Press.

ASSISTING STATES IN COLLECTING CIGARETTE TAX

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 605, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5645) to assist States in collecting sales and use taxes on cigarettes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution provides consideration for H. R. 5645, a bill to assist States in collecting sales and use taxes on cigarettes.

This bill is aimed at correcting a situation which is depriving a large number of our States of revenue estimated at between three and ten million dollars a year. Forty of the States now have a sales tax or a use tax on cigarettes. In most States this tax is collected from cigarette users by the retailer who puts a stamp on the package to show that the tax has been paid. It is obvious that this system permits more abuses than if the tax were collected directly by the State. But, unfortunately, the nature of the tax would make it difficult and expensive for the State to collect it directly.

Since cigarette taxes have become such a common method of raising revenue in the various States, a number of methods have been devised to avoid them. One of the more successful methods whereby cigarette dealers avoid the tax is buying through the mail from dealers in States which do not have cigarette taxes. This bill provides a method for stamping out this practice. It requires any person in a State which does not impose a cigarette tax to file with the tax commissioner in States which do impose a cigarette tax a duplicate invoice of any sales of cigarettes made by them to persons within such State. The tax commissioner can then collect the taxes due from the persons buying the cigarettes.

When this resolution was under consideration by the Rules Committee, several objections to this bill were pointed out. I am not even going to touch upon these objections now, as I am sure they will be brought out in the debate on the bill. I do believe, however, that there is a very real problem in the matter of collecting cigarette taxes imposed by the States, and I think the House should consider the solution proposed in this bill.

This is a simple rule which provides 2 hours of debate on the bill. I am hopeful that it will be adopted to open the door for the consideration of this proposal for solving a difficult problem with

which many of our States are confronted.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I am very pleased that the chairman of the Committee on Rules has explained the provisions of the bill, and the need for its enactment. In view of that fact, I am not going to take up any time except to say this:

I think this bill aims to eliminate black markets. Of course, some of the States seem to be controlled by black marketeers who are making great fortunes at the expense of those States that have a tax on cigarettes. These black marketeers are not entitled to a great deal of consideration, in fact, to no consideration because due to their manipulations 40 of the States, which have a tax on cigarettes, lose approximately $30,000,000 in revenue annually.

I feel that black markets should not be permitted to the Steel Trust, the Lumber Trust, the Oil Trust, and the manufacturers of building materials, who are mulcting the American people through the gray market, out of millions and millions of dollars and holding up the construction of homes and otherwise retarding progress and decent legitimate business in the United States.

I have always been opposed to black markets. I am against them now. For that reason I shall not oppose the rule. I feel the bill which this rule makes in order is in the right direction, notwithstanding a few objections that have been raised.

The passage of the bill has been recommended and urged by the governors at the last governors' conference in Chicago because it was shown the loss of revenue to some of the States affected their educational program by reason of the fact that the cigarette tax has been levied by most of the States for educational purposes. I am reliably informed that there are a few firms in neighboring States, which do not levy a cigarette tax, who have been supplying dealers in my own State. They have been enabled to undersell the legitimate dealers because they have been able to obtain cigarettes through black-market sources without payment of tax. This bill will circumvent this unfair practice and protect the States in the collection of their just and proper taxes.

I reserve the balance of my time, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT of Missouri. Mr. Speaker, I must be unalterably opposed to this rule which makes in order the Jenkins bill, H. R. 5654, which, with criminal penalties, seeks to have the Federal Government help State governments in the collection of purely local sales and use taxes.

This bill, by the way, comes before us after only brief hearings, at which the opposition to the bill for the most part was unaware of the hearings, and not represented. I find in the hearings, Mr. Speaker, only one witness who testified against the bill, except the Treasury, of course, which said that it wanted to be relieved of all responsibility in the matter, because it would require more personnel, more expenditures, and it lacked experience in this field. The committee conformed to the wishes of the Treasury.

It comes from a committee which was thus deprived of a balanced presentation of opposing views, necessary for sound judgment, and we are considerably handicapped this afternoon, Mr. Speaker, by virtue of the fact that there are only eight copies of the hearings on this bill available to the 435 House Members. This bill ought to be sent back to the committee, if we cannot defeat the rule, so that the committee can invite in numerous people, from Missouri and from other States, who would like to testify, print some hearings with both sides included in the hearings, and make copies available to every Member of this House. I, of course, can sympathize with State administrators who are eager to increase their local revenues. I cannot, however, approve of the intervention into this field of our Federal Government which here, by so doing, would set a dangerous constitutional precedent.

Mr. BOGGS of Delaware. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Missouri. I yield.

Mr. BOGGS of Delaware. Under this bill does it not automatically follow that each one of the 48 States would have the power to determine our national tax policy?

Mr. BENNETT of Missouri. That is right. It would have 48 different kinds of influence on that policy and cause the greatest of confusion.

Mr. Speaker, I am opposed to this bill for some additional reasons.

First. It permits the creation of trade barriers, in violation of the purposes of the commerce clause of the Constitution, to create an area of free trade among the several States.

Second. It is the first attempt to use the power of the Federal Government, by criminal processes, if you please, to help the States to collect their local taxes.

Third. It will be a precedent for the extension of this legislation to all other commodities, with the substantial destruction of interstate trade and mail-order business.

Fourth. It will subject such properties as mail-order-customers' lists, worth many millions of dollars, to the risk of arbitrary or improper dispersion.

Fifth. It is not only Federal aid to collection of purely local taxes, but is truly a harrassment of interstate business, aimed principally at destruction of it so far as sale of cigarettes is concerned.

Sixth. It will be a precedent for Federal examination and approval or disapproval of the tax statutes of the various States and thus an interference with basic States rights.

Seventh. It will cost the Federal Government substantial sums of money in attempting to enforce the legislation and will destroy many present sources of postal revenue to the Federal Government.

Time does not permit adequate and detailed discussion of all of these views. But, I should like, especially, to emphasize that this measure, if adopted, will violate the principles of the Commerce clause of the Federal Constitution. The Supreme Court has stated that, 'The very purpose of the commerce clause was to create an area of free trade among the several States. That clause vested the power of taxing a transaction, forming an unbroken process of interstate commerce in the Congress, not in the States." Under the commerce clause, transactions such as those covered by the Jenkins bill are constitutionally immune from State sales taxes. I think the same pertains to use taxes, under court decisions. Because the commerce clause is to promote free trade between the States it prohibits creation of barriers against such trade and for this reason sales and use taxes have been struck down by the Supreme Court when they were attempted to be applied to interstate traffic. This bill would use the power of Federal Government to assist in collection of taxes which are illegal and unconstitutional so far as the Federal Government is concerned.

But, more than that, this is the first time since I came here in 1943 that legislation has been resorted to in an effort to help States collect local taxes. If the measure prevails, it will be only the first step in the broad attempt to subject all interstate commerce to local taxation. Local tax authorities, once having secured support of the Federal Government on the matter of cigarettes, may be expected to press for similar support with respect to consumers' taxes on all other commodities sold in interstate commerce. The witnesses favoring this bill boldly testified to this effect, as the hearings show. Yes; it will come to apply to all mail-order shipments and there will be placed upon interstate commerce such a burden of record-keeping and paper work as to seriously injure it.

I am wondering how those of you who are for States' rights can support this bill? It creates a precedent for Federal supervision of State tax laws. The State tax commissioners have asked the Federal Government to assist them in enforcing cigarette sales and use taxes. The next request will be for enforcement of other sales and use taxes. This is a request for aid from the Federal Government to assist States in dealing with their own citizens in tax matters. It is an admission by States that they are so dependent on Uncle Sam that they want him to handle their local problems on an increasing scale. It concedes that local taxation is a matter of Federal concern.

This is the boldest step toward destruction of the independence of the States and interference with States' rights during the 6 years I have been in Congress.

If the Federal Government is asked to help collect local taxes it may properly inquire whether those taxes are just

and equitable, and are appropriate means of financing the governments of the States involved. And where does that leave the State? Would it not be logical then for the Federal Government to extend aid in enforcement of State poll taxes?

Finally, at a time when every attempt is being made, though none too successfully, to keep down Federal expenditures, this bill proposes to destroy substantial sources of revenue for the Federal Government and impose additional burdens upon Federal enforcement agencies. It will reduce postal revenues from interstate shipment. It will impair existing businesses which pay Uncle Sam taxes. It will impose upon the Department of Justice the expensive job of investigating and trying those who violate the statute.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Missouri. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. As a matter of fact this does not place any unusual burden on the Department of Justice. This Department is bound to enforce all the fiscal laws when they are violated and when these violators are brought to its notice.

Mr. BENNETT of Missouri. Who is going to enforce this criminal provision providing for a fine of $5,000 or 6 months in jail, which is a Federal proposition, if the Department of Justice does not do so?

Mr. JENKINS of Ohio. There is no fine of $5,000 provided for in the bill. The fine is only $1,000. That is the maximum. The judge can fix it as low as $1 if he sees fit. All these things will be done when the crime shall have been consummated.

Mr. BENNETT of Missouri. Well, you may tell that to the district attorney; it is his duty under the bill, his and the Department of Justice, of which he is a part, to enforce it in the Federal courts.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. BENNETT of Missouri. Mr. Speaker, this would be no small job since anyone who sends a couple of cartons of cigarettes to someone in another State as a birthday gift would be guilty of a crime and have the FBI down on his neck, together with the United States district attorney and perhaps the Attorney General, if he did not report to the State tax commissioner of the State into which he sent his gift so the commissioner could go around and collect the tax from the person receiving the gift. I understand the committee, due to unexpected opposition, will bring in an amendment exempting all gifts. I hope so. That will improve the bill. But, it will still be a bad bill, unconstitutional, unenforcible, opposed by all mail-order houses whether they sell cigarettes or not, and so ill-advised as to compel me to urge you to join me in opposing it. The best way to do it is to defeat this rule.

Mr. Speaker, under this bill, if it becomes law, if you live in a State where a cigarette tax does not exist and you want to send a birthday gift of a couple of cartons of cigarettes to someone in another State, you would be guilty of a Federal crime unless you wrote a letter to the State tax commissioner of the other State telling him what you had done so he can go around and collect the tax. This bill applies to both gifts and sales in its present form.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Missouri. I yield to the gentleman from Colorado.

Mr. HILL. If this bill becomes law and someone in Colorado wishes to send two cartons of cigarettes to a sick patient in Rochester, Minn., that could not be done under this bill unless you would send an invoice covering the cigarettes to the tobacco-tax collecting agency in the State of Minnesota. If that is not the limit of legislation on the floor of this House, I have not heard it.

Mr. BENNETT of Missouri. The gentleman is right. It is so unenforceable as to be absurd. It will cause the people to become crooks, cheats and bootleggers. It is fantastic.

Mr. HILL. Let me ask the gentleman another question. They call it bootlegging. May I say to the gentleman that right here in the city of Washington there is no District of Columbia tax on gasoline. Does he mean to tell me all these truckers who work in and out of this town are bootleggers of gasoline because they fill their gas tanks in the District of Columbia, then go on down South and haul their loads back into the District and fill their tanks again, thus avoiding a high gas tax in States through which they are operating?

Mr. BENNETT of Missouri. If the proponents of this bill would extend the provisions to gasoline, which would be the inevitable and logical outcome of this legislation, the gentleman has got the point exactly. This bill puts the camel's nose under the tent. It sets a precedent which will be applied to many other things.

Mr. HILL. The gentleman will agree with me that this bill should be sent back to the committee, hearings held and information developed from these folks who are opposed to it?

Mr. BENNETT of Missouri. Yes; and get some printed hearings in here so the Members can find out what an unwise proposition is about to be slipped over on them.

Mr. HILL. This bill has no place on the floor for consideration.

Mr. BANTA. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Missouri. I yield to the gentleman from Missouri.

Mr. BANTA. Let me suggest another illustration and see if the gentleman can give us the answer. It will be conceded that the State cigarette tax is in different amounts in most of the States; 1 cent in some States and as much as 6 cents in some of the others. Suppose the purchaser who lives in a State where the tax is 1 cent buys a carton or two cartons of cigarettes and transmits them by mail to a State where the tax is 9 or 10 cents, the purchaser having paid the State sales tax where he lives, will be likewise be required to furnish evidence to the tax collector in the other State as to the amount of the shipment so that the tax may there be collected?

Mr. BENNETT of Missouri. Yes, if he sends any cigarettes from a State where no State tax exists or a lower tax exists, to a State where the tax or a higher one does exist, he has to make a report.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman one additional minute.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Missouri. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Would the gentleman answer this question? Suppose you buy cigarettes and give them away in these 38 States that have a tax, do you not have to pay the tax?

Mr. BENNETT of Missouri. Well, if you did, there would be no reason for this bill.

Mr. ROGERS of Florida. I say, do you not have to pay the tax?

Mr. BENNETT of Missouri. No. That is the reason we have the bill in here.

Mr. ROGERS of Florida. I am talking about a State where they have the cigarette tax. If you buy cigarettes as a gift for somebody, do you not have to pay the tax?

Mr. BENNETT of Missouri. If you want to put a tax on gifts of love and charity, vote for this bill. The gentleman has introduced a companion measure.

Mr. ROGERS of Florida. This is not a tax measure. This is only a request to make a report.

Mr. BENNETT of Missouri. So that the tax can be collected.

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. CAMP].

Mr. CAMP. Mr. Speaker, this bill comes here probably as the result of a conference which was held at Chicago last September. The Governors of the States meeting there requested the chairman of the Committee on Ways and Means to send a subcommittee there to confer with them about State problems of taxation. I was one of the subcommittee present at the conference.

The situation is this: About 40 of the States of the Union levy a tax on cigarettes. Most of those taxes are allocated for school purposes. In several of the States who do not levy any tax on cigarettes, dealers in cigarettes ship their wares into the other States, thus causing tax dodgers to avoid payment of State taxes. Many of these dealers engaging in this racket of promoting tax dodging are in Missouri, the State of the gentleman who has just made a very eloquent appeal against this bill. In some of those States dealers in cigarettes flood the

newspapers of all the other 40 States with advertisements saying, "Why pay any State tax on cigarettes? Order from us and avoid that tax." And as a result of those advertisements and the shipping of what I call bootleg cigarettes, for they are sold on the idea of evading State taxes, the States have lost upwards of $30,000,000 in revenues.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. CAMP. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Most of the loss will be suffered by the school systems.

Mr. CAMP. Oh, yes. Now, then, at the conference the Governors of the 40 States said, "Can you not do something to help us? If we do not have this revenue, we will be calling on the National Government for help." So this bill, introduced by our able colleague from Ohio, provides only that if a dealer in cigarettes ships cigarettes to a person in a State where there is a State tax he shall send a copy of the invoice to the tax-collecting authority in the State of the consignee so that the latter State may collect its revenue.

The gentleman from Missouri spoke about how much it is going to cost the Federal Government to enforce this law. There are but one or two States where there are many offenders, and the gentleman's State is one of them. Of course, it would not take much watching to go to those few dealers who are flooding this country with upwards of $150,000,000 of non-tax-paid cigarettes. The amount is so enormous as to stagger you. Of course, those dealers do not want this law, but all they would have to do would be to mail a copy of the invoice for the cigarettes to the taxing authorities of the States where the cigarettes are going.

I certainly hope we can pass this bill. In these days of complex tax matters, the State and National taxing authorities have to help each other. Either we have to get out of the cigarette-taxing field or we have to stay in it and help the States that are in that field.

Something was said here to the effect that if you carried cigarettes across the State line you would be violating this law. This is not true, as the bill deals with interstate commerce and interstate commerce only. There is a case mentioned of a man sending two packs of cigarettes to a patient in a hospital in Rochester, Minn. If he buys them in one of the 40 States that have the tax, he does not have to do anything. The only man that would have to send an invoice would be one dealing in interstate commerce where there was no cigarette tax, and we permit him to send one carton without tax. I certainly hope we will have support for this rule and the bill.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I concur heartily in the remarks delivered a moment ago by my colleague from Missouri with reference to this bill. I certainly do not approve of bootlegging in any form, but I believe this House should realize the importance of the measure that is now under consideration. It is easy for us to ignore the far-reaching implications of a bill which comes from the great Committee on Ways and Means. I have great confidence in that committee, and but for my confidence in the committee and the esteem in which I hold the members of that committee I would say that this is a ridiculous proposition which that committee has submitted to the House.

Here we are asked to enact a Federal criminal statute which carries with it imprisonment, just because we are eager to help some States collect a tax. Of all the thousands of commodities and articles that move in interstate commerce from one State to another they single out cigarettes and put that in the category of thieves and prostitutes. This Congress has enacted laws against trafficking in prostitution and stolen automobiles. Now they bring cigarettes along and put them in that category.

We have a general sales tax in North Carolina. Montgomery Ward, Sears Roebuck, and a thousand other mail-order houses are shipping numerous articles into North Carolina every day and every night.

Among those articles are pistols, shotguns, firearms, and other deadly weapons and articles which come into North Carolina in violation of the North Carolina law. Those things may get into the hands of irresponsible people. But I have never known of the State of North Carolina asking the Congress to enact some statute to protect the people in North Carolina or to require the Federal Government to come to the borders of our State to protect our citizens or to enforce our laws. This to me seems absurd to think that you should pick out a carton of cigarettes and outlaw it by Federal law. As the gentleman from Colorado [Mr. HILL] pointed out a moment ago, if you were to go downstairs to the House Restaurant and buy two cartons of cigarettes and send them to some patient in a hospital, in some States where there is a cigarette tax, if you failed to make out a report, a Federal officer could arrest you. You would be tried in Federal court, and they would lock you up in a Federal penitentiary for 6 months. The gentleman from Ohio [Mr. JENKINS] says that the Federal Government is not going to get into this thing. The Treasury Department got out of it. The Committee on Ways and Means let the Treasury Department out, because the Treasury Department was against it. Now they put the Justice Department in it. If the Justice Department is not going to enforce this law, then pray tell me who is going to enforce it?

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. MASON. They wanted the Post Office Department to assume this police power, and the Post Office Committee for 10 years blocked it so far as the committee was concerned.

Mr. COOLEY. That is right. They said it would imperil the integrity of the mail and subject it to all sorts of searches in an effort to find violations of the law.

Mr. HILL. The gentleman is a fine lawyer. I wish he would explain to me the situation that might arise in this case. Suppose a merchant in Colorado sent, let us say, several cartons of cigarettes to someone in Kansas. According to the testimony, we are going to see that man called a bootlegger. Someone is going to report him for not giving his invoice to the collector of tobacco taxes in the State of Kansas. Who is going to prosecute that man and put him in the penitentiary? They say it will not cost the Federal Government a smooth cent.

Mr. COOLEY. Certainly the State cannot prosecute a man for a violation of a Federal law. It must be done by the District Attorney under the direction of the Department of Justice.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. SABATH. Mr. Speaker, I yield two additional minutes to the gentleman.

Mr. COOLEY. I think this is important. Do you believe that Congress should pass a law imposing a Federal tax on the shipment of an article from North Carolina to Virginia and that that law would be held constitutional? I do not believe any man who has ever read the Constitution of the United States would suggest that that would be true. Yet here we are not imposing a civil tax liability, but making it a crime. Certainly nobody can defend the constitutionality of such a law.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HARDY. Do I understand that this legislation would require any citizen of the United States who wanted to ship some cigarettes to a friend to know what the cigarette tax laws are in every other State in the Union?

Mr. COOLEY. That is right. He would have to find out what the tax law was, and then he would have to report that transfer or shipment to the tax authorities within the State to which the cigarettes had been consigned.

Mr. HARDY. Don't you think that is requiring right much of the average American citizen to know the State tax laws in every State in the Union?

Mr. COOLEY. I certainly do. This is a bill that will create bootleggers and make criminals out of a great many people.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HILL. In my State we have a 2-percent sales tax. On everything that is sold in Colorado you pay a 2-percent tax. Will you tell me what will happen in this situation? Here is a man who sells a package of cigarettes. He collects the 2 cents for the State of Colorado. Will that cigarette tax come under this bill, or will it not?

Mr. COOLEY. I do not know. You might ask the author of the bill. He might explain that to you, because I cannot.

Mr. GOFF. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. GOFF. Will the gentleman inform me what position his State holds among the States of the Union in the production of cigarettes.

Mr. COOLEY. We produce more cigarette tobacco than any other State in the Union. We do not tax tobacco in the State of North Carolina. I do not mind saying to the House that I am opposed to all these tax burdens on tobacco, but this is one burden that should not be placed on it.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has again expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, it is only natural that the gentlemen who represent districts in any one of the States that do not have a cigarette tax would be on this floor complaining against this bill. The sole purpose of this bill is to stop a vicious racket that has grown up in the country due to the efforts of racketeers from States that do not levy a cigarette tax to send cigarettes into other States which do have a cigarette tax. Their constituents, no doubt, are getting a part of the thirty-five million that the racket nets in the course of a year.

Now that we have properly classified those who are opposed to this, let us see who and what class of people favor this bill.

In the first place, I want to advise my distinguished friend from North Carolina [Mr. COOLEY] that probably the most distinguished man in this House comes from North Carolina. I refer to the gentleman from North Carolina [Mr. DOUGHTON]. The gentleman from North Carolina [Mr. DOUGHTON], whose loyalty to the best interests of North Carolina is almost a tradition in this House, supported this bill in the committee. The great tobacco interests of North Carolina are great largely because of the fact that the gentleman from North Carolina [Mr. DOUGHTON], because of his great influence in this House, has gotten for them the protection that they deserved.

Let us see who else is for this bill. Practically every Governor in 38 States has unqualifiedly endorsed this program and this bill.

A footnote on the report made by the committee on this bill names 10 States that do not have a cigarette tax. This footnote is erroneous, for West Virginia and New Jersey have joined the States that have cigarette taxes. So that leaves only eight States that do not have a cigarette tax. All the opposition comes from about four of these eight. I mean Delaware, Colorado, Missouri, and California. I must say, in fairness, that several Members from these States have indicated that they favor this bill and expect to vote for it. They feel that they are not bound to support a business that smacks of racketeering.

I hope all these States will soon come to the place where they will see the advisability of adopting a cigarette tax. I say to them, in all seriousness, to the State of Missouri, for instance, I dare say that not more than 50 people or 50 groups of people in the State of Missouri engage to any great extent in this racket. These groups, I dare say, shake down five or ten millions annually. Now, if the people of Missouri would pass a tax on cigarettes, as all the other States have done, that five or ten million dollars would go for the use of the schools or for the use of old-age pensioners, as in most of the other States. So, when you talk about who is for this bill, you must remember that the Rules Committee is for it. The gentleman from Illinois [Mr. ALLEN] spoke for it. Judge SABATH, of Chicago, which is probably the greatest consuming center of cigarettes in the United States, spoke for it. The Ways and Means Committee has passed on it by nearly a unanimous vote. So now, let us not think that this rule should be voted down, simply because a few of our colleagues are very vocal in defense of this business which, at the best, is not one to be proud of.

Let me read to you a little advertisement to show you who among the citizens or businessmen of Missouri are engaged in this business. Let me read you an advertisement. This advertiser moved from Indiana. Indiana is a great State, and its governor and tax commissioner are in favor of this legislation, but here is a fellow who moved from Indiana because he could not safely violate the law there. He went down into Missouri. He apparently is a big operator. He has a great big business. This is a big advertisement. I presume it appears in papers all over the country. Here is this advertisement. Follow me closely. He says:

> We moved from Indiana to Missouri to guarantee safe service to you. (Meaning the customer.) The new Indiana tax law requires shippers to report to the State the name and address and quantity of each cigarette sale, and so forth. Buy in complete safety from us in tax-free Missouri.

They were afraid to operate in Indiana because they were afraid that Indiana would compel them to put a stamp on every package. Indiana law provides that no man can legally carry a package of cigarettes in Indiana if it does not have a stamp on it. You cannot carry a package of cigarettes in your pocket, and do it legally, if you do not show a stamp on it. This fellow could not operate down there. You say he is not a lawbreaker and that we have to treat him gently in this bill. Well, let us see. He says:

> We moved from Indiana to Missouri to guarantee safe service. The new Indiana law requires shippers to report to the State.

That is an Indiana law; not a Federal law.

> We are not talking about any Federal law. The Indiana law requires the shipper to provide the State with the name, address, and quantity of each cigarette sale.

They say further in this advertisement:

> At some future date there may be collusion between Indiana and your State subjecting you to assessment for the amount of your State tax. Buy in complete safety from us in tax-free Missouri.

Mr. BENNETT of Missouri. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. No; I would prefer to continue now but I will be glad to yield to my very dear friend in a few minutes.

Mr. BENNETT of Missouri. I yielded to the gentleman.

Mr. JENKINS of Ohio. Let me recur to this advertisement. Listen to what it says: "Buy in complete safety from us in tax-free Missouri." They got out of Indiana because they were afraid for themselves and for their customers and now they are telling people to write to them in Missouri and they will send the cigarettes through the mail.

Now, we do not ask that the United States mail be interfered with by the appointment of inspectors to open the mail. We do not ask the United States Government to do a thing initially by way of enforcing this law. We do not ask the United States Government to arrest anybody. We are not asking any special consideration at all; we just say to these racketeers that they cannot use the Post Office to evade lawful State taxes with impunity. Now, the Post Office is one of the most worthy branches of our Government.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. JENKINS of Ohio. The Post Office Department deals with the very secrets of the people.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. Just wait a minute, if you please. We do not ask the Post Office Department to do anything. But here is a man right here, who takes the Post Office Department, who takes every agency of the Government that he can, and he uses it unfairly and to secure for himself a great financial reward that he could not secure otherwise. I might say, that he uses it so improperly, as to beat somebody else out of something in another State; I say to you that it is not right. It is wrong. We owe no special duty to this kind of a citizen.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. No; just wait. It is not right, it is not fair. You cannot make anything fair out of it; and that is the reason the 38 governors have spoken up, and that is the reason many of the 38 State tax commissioners have come down before the Ways and Means Committee to protest against this racketeering. Read their testimony in the hearings. We had complete and extensive hearings. Any statement to the contrary is made because the maker does not know the facts. These hearings were open and the opposition to this bill had a very distinguished lawyer from New York at the hearings. He testified intelligently. I am not responsible for it that copies of the hearings have all been taken out from the document room. There has been great interest in this bill and no doubt that is the reason why copies of the hearings are scarce. I am not responsible for that. I repeat we had complete and intelligent hearings. And

the hearings were before a full committee. Twenty-four out of the twenty-five members of the Ways and Means Committee were present and voted on the question of recommending this bill for passage by this House.

Now, Mr. Speaker, I want to be courteous. I yield now to my distinguished friend the gentleman from Colorado [Mr. HILL].

Mr. HILL. The question I want to ask is this: Did my ears serve me correctly when I heard the gentleman say you were not going to prosecute anybody under this bill?

Mr. JENKINS of Ohio. No, I did not say that. I said the responsibility for commencing prosecution will be upon the States.

Mr. HILL. Who is going to prosecute?

Mr. JENKINS of Ohio. I will discuss that when I have more time, and I will have more time when we have disposed of this rule. I will take enough time to go into every phase of this bill when we are considering the bill proper.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. COOLEY. My question is in the same direction as that of the gentleman from Colorado: Did not the gentleman from Ohio say he was not asking the Federal Government to do anything about this? If you do not ask the Federal Government to enforce this law why do you want to pass it at all?

Mr. JENKINS of Ohio. Just to keep these racketeers from using the agencies of the Government for their own selfish purposes.

Mr. COOLEY. How are you going to keep them from doing that unless you prosecute them?

Mr. JENKINS of Ohio. All right; there is no provision in this legislation——

Mr. COOLEY. Of course I agree with the gentleman that all these State governments are trying to get us to take over their tax-enforcement problems.

Mr. JENKINS of Ohio. No, no; the State cannot ask the Federal Government to enforce a State law. Here is what I say to the gentleman: All prosecutions will be initiated by the tax commissioners in the States. I maintain that prosecutions will not be necessary but in few cases. Just as soon as this man who moves from Indiana to Missouri finds out that he must pay the tax in the State into which he ships his cigarettes he will quit shipping as a racketeer.

Mr. COOLEY. But they will be carried on and financed by the Federal Government and the people will be locked up in Federal jails if convicted.

Mr. JENKINS of Ohio. Oh, no; it will not be that way. Of course the State commissions will, if these racketeers persist in their nefarious business, call in the district attorney, and if these racketeers persist in violating the law they must take the consequences.

Mr. COOLEY. Will the gentleman tell me, as a great lawyer, if he thinks this bill is constitutional?

Mr. JENKINS of Ohio. Absolutely. I will prove that after a while when we are discussing the bill. I will prove it conclusively, I hope.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I take this time not to speak on the rule or this bill but to correct what I think may be a wrong impression on the part of the membership and probably the country at large. In the press today is the announcement that the Committee on Ways and Means has unanimously reported the general tax revision bill. That may be a technically correct statement, but before the vote was taken the right was specifically reserved to many of the members of the committee to oppose that bill when it reached the floor of the House. The committee spent a great many hours working out a bill and that was a reason why many members voted to report it to the floor, with the specific reservation of the right to oppose the measure when it came up for consideration on the floor. And I can say almost definitely that there will be some opposition when the general tax revision bill does reach the floor for consideration.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCCORMACK] the remaining time on this side.

Mr. McCORMACK. Mr. Speaker, in introducing H. R. 6455 to amend the Labor Management Relations Act, 1947, for the purpose of eliminating the unionship election procedure, the gentleman from Indiana [Mr. LANDIS] has recognized, on behalf of the majority party (Republican) of the Eightieth Congress, a serious and fundamental error in its attitude toward organized labor.

That error lies in the belief by that party that organized labor represents, not the democratically expressed wishes of American working men and women, but the autocratic personal ambitions of a few trade union leaders. It is no exaggeration to say that the framers and proponents of the Taft-Hartley law were so blind in their error that they fully expected the majority of wage-earners working under collective bargaining agreements to vote overwhelmingly against the continuation of any form of union security.

Just how wrong they were is spelled out clearly in the record. During the 6-month period October 1947 through March 1948, the National Labor Relations Board conducted nearly 6,000 union-shop elections. In more than 98 percent of these elections the employees voted overwhelmingly in favor of the union shop—so overwhelmingly, in fact that, when the votes in all the elections are combined, the votes in favor of the union shop total more than 94 percent of all of the votes cast.

Clearly, in the minds of America's working men and women, the union shop is not, as the Taft-Hartley law forces seemed to believe, a symbol of unwilling submission to dictatorial leadership, but rather a welcome method of protecting the economic gains and the dignity which they have achieved through their unions.

Yet, in spite of this clear proof of the true attitude of the American wage earner, the party of the gentleman from Indiana [Mr. LANDIS] seems unwilling to admit its mistake. Even as he was drafting his bill, the national headquarters of his party was preparing an over-all defense of the Taft-Hartley law, in which the union-security election procedure was held out as a great and much-needed protection to the workers of the country. According to this latest bit of propaganda, before the passage of the Taft-Hartley law, employees had the closed shop shoved down their throats by threats. This deplorable, and quite evidently fictitious, situation, is contrasted with the allegedly idyllic situation prevailing under the union-shop election procedure of the Taft-Hartley law—the very procedure which the gentleman from Indiana [Mr. LANDIS] now seeks to eliminate as useless.

The elephant, with appendages at both ends of its body, is often a confusing sight to those who see it for the first time. But no elephant has ever been so confusing as the particular one which serves as the symbol of the leadership of the Eightieth Congress, whose tail and trunk are constantly changing places, to the utter consternation of those who would like to know where it is heading.

Just for the record, and for the enlightenment of those who tend to believe all they read in pretty cartoon pamphlets, it long has been the practice among most labor unions—and without benefit of punitive Federal legislation—to have the membership vote, both on the demands which are to be made upon management and upon the contract reached in negotiations with management. Thus, in effect, the average union member long has had the right to decide whether or not he wanted the union or closed shop. And, according to the record compiled by the National Labor Relations Board, he values that method of protecting his union-won gains.

Actually, the union-shop-election provision of the Taft-Hartley law, which H. R. 6455 seeks to amend, is only one example of the attitude of the majority party of the present Congress toward organized labor and toward the industrial wage-earning class as a whole. The record of this Congress is marked—and marred—by many similar instances of punitive and restrictive legislation aimed at American wage earners and their organizations.

In fact, this Congress has established a trend which, if continued, will result in our wage earners being stripped of every right and every form of protection previously guaranteed by the Federal Government. The end of the course which has been, and is now being, followed will be to subject the wage earners of America to the whims of those who would exploit labor for their own selfish purposes.

Such an eventuality would be in violation of the fundamental concepts of our form of government. It would have tragic results for our economy.

It is the proper function of government to preserve the freedom of its citizens by restricting the privileges of those

who have become too powerful and by extending the protection of law to the rights of its weaker members. In keeping with this function, the Government of the United States, during the 1930's, enacted a series of laws designed to provide legal protection and assistance to American wage earners in the realization of certain of their fundamental rights and needs as members of a free society.

Basically, this series of laws was concerned with the right of the wage earner to full opportunity for employment, his right to a wage sufficient at least to the mainenance of a minimum standard of living, his right to associate with other wage earners for their mutual protection and advancement, and his need for protection against the financial burdens of old age and unemployment.

These rights and needs of the wage earner were recognized and protected by legislation establishing a Nation-wide system of free public-employment offices, enacting a minimum wage law governing the production of goods and services for interstate commerce, affording legal guaranty for the natural right of wage earners to organize and bargain collectively, and instituting of a system of old-age and unemployment-compensation insurance.

There was no thought at the time that the program established by these laws was perfect. But it was a foundation upon which the Nation could build. For nearly 7 years the job of improving the program was put aside while the Nation defended itself against first the threat and then the aggression of systems of government which denied the fundamental human rights which we hold most precious. Then, when we could finally resume our progress toward a more just social order, the leadership of this Congress came into power.

In the past 17 months no effort has been made to advance the program of human rights undertaken in the 1930's. Instead, every effort has been made to hammer away at the foundation of that program—to undermine such Government assistance as has been afforded the wage earner in the realization of his rights, and to hamstring and to weaken the organizations through which he can further his own economic and social well-being.

The United States Employment Service has been decimated and its control over State and local employment office weakened to the point of ineffectiveness. The wage and hour law has been weakened, and is now threatened with extinction. The Wagner Act, magna carta of organized labor, has been emasculated. Every move to strengthen the Social Security Act and to broaden its coverage has been beaten down. Instead, the attempt is being made to weaken it by removing hundreds of thousands of employees from its coverage.

And that is not the end. The leadership of the Eightieth Congress is not satisfied, it seems, with wiping off the books the advances in the rights of the wage earner made during the 1930's. It is even turning its attention to labor's representative in the Federal Government, the United States Department of Labor, which this year celebrated its thirty-fifth anniversary. That Department, which the majority party in this Congress had promised to strengthen, has been weakened at every turn. Its funds, for the gathering of necessary facts and information, and of the proper administration of labor legislation, have been severely cut. The function of conciliating and mediating labor disputes, granted to the Secretary of Labor in the act establishing that Cabinet position, have been transferred to a newly created and independent agency. And, unless the decision of this Congress is reversed, the United States Employment Service will also be removed from the Department.

The record is clear. The evidence is ample. It is the obvious intent of the majority party in this Congress to return labor to the position it occupied in America during the years preceding 1933, and to reduce the Department of Labor to the status which it occupied in the days before it had attained Cabinet status, that of an innocuous fact-gathering agency.

Never before has an essential group within our national economy been faced with such an outright program of restrictive and punitive action by the legislative branch of our National Government. Over the years the farmers of our Nation have been accorded increasing, and increasingly friendly, consideration by the Federal Government. This is as it should be, for the men and women who provide our food and many of the raw materials for our industry, like those who man the machines of that industry, are the economic backbone of the Nation.

Even while the Federal Government was subjecting the unreasonably great powers of industry and finance to needed regulation, the Department of Commerce was continually expanded to provide more and better facts and services to the businessmen of America.

The record of the Eightieth Congress in regard to labor is, then, unprecedented in the history of our Government. It is in violation of the fundamental concepts of that Government—of justice.

Furthermore, and this fact should be of concern even to those who have lent their emotional support to the labor program of the present Congress, the record of this Republican-controlled Congress constitutes a threat to the economic welfare of the entire Nation.

It is a fact, recognized even by our more conservative economists and business experts, that the improved condition of the wage earners and the influence they have been able to exert as a result of the growth of their unions, exercise a stabilizing effect upon our economy and will, if permitted to continue, tend to absorb the shock of a temporary decline in business, and prevent the development of a major depression. Old age and unemployment compensation payments, minimum wages and the 40-hour week, and the existence of collective-bargaining contracts—all of these will slow down the decrease in purchasing power which, in years past, used to exaggerate the effect of a temporary slackening off in production.

Congress, and the Nation as a whole, should reflect deeply and soberly before continuing on the course set by the present leadership in our national legislature. It is my hope that H. R. 6455 is not only an honest attempt to correct a glaring mistake in judgment of that leadership, but the dawn of a realization of the fact that the entire labor policy of that leadership was conceived in error and executed in violation of the basic principles of good government and sound economics.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Speaker, the State of Illinois voted a veterans bonus, possibly the most liberal veterans' bonus voted by any State in the United States. One of the means by which we were going to pay this liberal bonus is through the revenues derived from the tax on cigarettes. We felt that cigarettes and a few other items definitely in the luxury class would be the best possible means of raising this money.

The money that we raise through the cigarette tax is intended not to go into the general tax fund but to pay for this liberal veterans' bonus. This was adopted by a referendum of the people of the State of Illinois.

Now, through subterfuge the neighboring States have seen fit to enable some thoughtless people of our State to evade this proper tax. I would much prefer that those in our State buy their cigarettes locally and thus help us raise the necessary funds with which to pay this bonus. It seems it is necessary for the Federal Government to step in and we greatly appreciate the cooperation that we have had from such neighboring States as my native State of Indiana. That State has seen fit to help us and has cooperated in order that we might raise this money.

I am for the rule and I am for the bill.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware [Mr. BOGGS].

Mr. BOGGS of Delaware. Mr. Speaker, I had not intended to speak on the rule, but I believe that the interest which has been shown here and the opposition which has certainly been apparent to this measure indicate that possibly we can save time if we do not adopt the rule and get on to the consideration of more important business.

The distinguished gentleman from Ohio [Mr. JENKINS] mentioned that the governors of many States were for this measure. I want to call your attention to the hearings of the Ways and Means Committee. You will find on page 80 and the following pages the various replies and you will find just what thoughts the governors had. For instance, you will find that the Governor of Alabama, Hon. James E. Folsom, took it upon himself to write to many governors about this matter. Their replies and the replies of their assistants and State representatives are listed here. For example, the governors indicated their interest in the problem, but there are many governors listed here, as you will see from the letters, that have not stated their position on this particular measure. They recognize its serious

complications and involvements. I refer also to the hearings on a similar bill which were held in 1939 before the Post Office Committee involving this very same principle, and on page 80 of the hearings there is a long statement by a gentleman representing the National Mail Order Association who points out in his statement that this matter of State barriers and interference with the free flow of interstate commerce had gotten to be such a serious problem that the Conference of State Governors at a meeting held in Chicago adopted a resolution and a definite stand against any further State barriers and encouraging the free flow of trade. I will not go into detail, but the matter is contained in those hearings.

Members of the House, the principle involved in this innocent-looking measure has been before the Congress on many occasions. It has been before the Committee on Interstate and Foreign Commerce, and other committees without favorable action.

The SPEAKER pro tempore. The time of the gentleman from Delaware has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. BENNETT of Missouri) there were—ayes 89, noes 30.

So the resolution was agreed to.

Mr. JENKINS of Ohio. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5645) to assist the States in collecting sales and use taxes on cigarettes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5645, with Mr. DONDERO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JENKINS of Ohio. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, first, may I assure everyone of the Members here that it will be the policy of those of us who control the time to give time to both sides of this controversy, and we will try to be just as fair as we can in that respect. We will also try to finish the bill as rapidly as we can.

Of course, we all know that under the rules of the House we are supposed, when discussing the question of whether the bill should be taken up for consideration by the House that we should not go very extensively into the discussion of the merits and mechanics of the bill. Today, however, we have discussed the bill from nearly every angle as we were discussing the rule. I shall, with your permission, discuss the bill further.

This bill comes from the Committee on Ways and Means with two amendments. I shall take the least controversial one first. You will note on the last page of the bill a penalty is provided for the violation of the law if this bill becomes a law. We make this the lightest penalty possible. In order to make this the lightest penalty possible we strike out the word "twelve" and insert "six", or 6 months, indicating that the will of the committee was that this penalty be made just as light and easy as possible. The 6 months is the maximum. The judge can make it 6 days if he chooses, or he can omit the sentence entirely if he chooses.

On the first page of the bill is another amendment, which includes in the bill gifts of more than 200 cigarettes. The Committee on Ways and Means has reconsidered that and decided to strike out that provision, leaving gifts out of consideration. I am sure that will relieve a lot of the fears of Members that somebody might be prosecuted for having sent a gift of cigarettes. We leave that out entirely and make the paragraph read as follows:

"Disposing of" means any transfer for profit.

This will include nobody except those who deal in cigarettes for profit. This change was made not because of any fear that the bill might not pass. It shows the faith of the committee in good sense of fairness of the American people.

This is a very simple bill. I know it would be unwise for a Member to attempt to read a bill, but I can read this bill for you in less than a minute. This is the important part of what it says:

Any person selling or disposing of cigarettes in interstate commerce whereby such cigarettes are shipped to other than a distributor licensed by or located in a State taxing the sale or use of cigarettes shall not later than the 10th day of each month forward to the tobacco tax administrator of the State into which such shipment is made a memorandum or copy of the invoice covering each and every such shipment made during the previous month into said State.

These States represented by Members who have been here speaking so volubly today can ship all the cigarettes they please back and forth among themselves. This law would not apply to them at all. Anybody can ship cigarettes into North Carolina or into Missouri, because this bill only applies to States where they have a cigarette tax. This is not a bill which is intended to collect taxes for anybody. It just simply helps the States that have cigarette-tax laws to prevent them from being robbed by agencies of the Government.

Mr. BANTA. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. BANTA. Does it not do more than that? Would it not also prevent anyone who lives in Ohio, for example, from shipping cigarettes into Indiana, and will it not prevent anyone living in any one of these 38 States which have a cigarette tax from shipping into States that tax cigarettes?

Mr. JENKINS of Ohio. No; it would not if he would ship them to a regular licensed dealer.

Mr. BANTA. Will the gentleman point out how it does not?

Mr. JENKINS of Ohio. It would not prevent a legal dealer or distributor of cigarettes in our State from shipping cigarettes.

Mr. BANTA. It will prevent any individual or dealer from selling or shipping cigarettes in the 38 States.

Mr. JENKINS of Ohio. The law in our State already prevents anybody from selling cigarettes unless he pays the taxes and would prevent the sending out of cigarettes to any other State unless a tax is paid on them.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. COOPER. In answer to the question raised by the gentleman from Missouri [Mr. BANTA] is not this true? It does not prevent a man from shipping any amount of cigarettes that he wants to any place that he wants to ship them, but just requires him, if he does ship the cigarettes into a State that taxes them, to give notice to the taxing authorities of that State with reference to the shipment. That is all it does.

Mr. BANTA. And it also, if the gentleman will yield, requires that the tax be paid both at the source and at the destination.

Mr. COOPER. It does not say a thing about that.

Mr. JENKINS of Ohio. That is not mentioned in the bill. The trouble in all this racketeering is that the seller of cigarettes in a State that places no tax on cigarettes can buy his cigarettes cheaper than he can buy them if he lives in a State which taxes them. So he buys them in his cheap State and tries to sell them in a State which taxes cigarettes and to sell them clandestinely so to avoid paying any tax, the seller and purchaser usually conspire together—when the State tax administrator finds a shipment of this kind he can compel the purchaser to pay the tax and he can report the sender for prosecution if he wishes if the sender has declined to be open and above board and give the name of his customer when he ships the cargo.

Mr. COOPER. It just requires that notice be given. That is all.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. HILL. What is the value of this legislation if that is all it does? That is the question I asked a little while ago. It has no value whatever.

Mr. JENKINS of Ohio. I will answer the gentleman's question. Let us suppose this situation. Suppose I am in the cigarette business and sell tobacco and tobacco products on a prominent street, say in Columbus, Ohio, right out in front of a big hotel. I have a big place of business. I sell cigarettes and do a big business. I pay my taxes on everything that I sell. Everything I handle in my business is covered by the tax. Suppose you go down on the corner right close by and open up a shoe business or some other kind of business, but you sell cigarettes on the side. You go to work and handle these cigarettes that come from Missouri or Colorado and other such States. You will have a big trade there selling cigarettes because you can sell them 3 or 4 or 5 cents cheaper than I can sell them. I am a licensed

man. I pay my taxes and must sell at a higher price. You do not pay any tax. That answers your question. That is why we say the Post Office Department should not lend itself to help a man who will send out to Missouri and other places and buy cigarettes and sell them right on the main street in Columbus, when he knows that his competitor who is living up to the law cannot meet this competition.

Mr. HILL. Do you think that really answers my question?

Mr. JENKINS of Ohio. That answers your question.

Mr. HILL. Let me ask you this question, then. How does it come about that the mail-order houses and the chain stores have been doing this all these years, and now you want to prohibit some folks from doing the same thing. The mail-order stores have been doing that, and the chain stores have been doing that.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. BREHM. Is not the purpose of this bill to drive the bootleggers out of the industry?

Mr. JENKINS of Ohio. That is the purpose. I will answer the gentleman from Colorado that reputable chain-store houses do not sell without paying the tax. Of course a man might step into a store in a State that has a tax of only 2 cents and buy a carton of cigarettes and take them with him to his home in a State where the tax is 5 cents per pack. But he is not selling cigarettes in interstate commerce.

It has been the tactics of those who support the viewpoint of the gentleman from Colorado to try to bring the mail-order-house people into this discussion. This does not apply to the sale of all the goods of mail-order houses. It does not apply to anyone but the man who sends cigarettes into a State where there is a cigarette tax. If he wants to comply with the law, he can do so by simply writing a letter to the tax authority and tell him that he has shipped so many cigarettes to a certain person for a certain price. That is all there is to it. The mail-order people as a class are not involved in this.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Just a moment. I yield to the gentleman from Indiana.

Mr. HARVEY. I am in support of this measure. Indiana has a 3-cent tax. I understand Ohio has a 2-cent tax. Necessarily, this bill would not cause any conflict between the two States, because one has one rate of tax and the other another, would it?

Mr. JENKINS of Ohio. Not a bit in the world. Testimony before the Ways and Means Committee was to the effect that adjoining States that have a cigarette tax never had any trouble. But in every case where one State has a cigarette tax, there is trouble if the adjoining State does not have a cigarette tax. It creates harmony. I predict that the States which have not adopted a cigarette tax will do so later.

It would be a fine thing for all these States that do not have a tax and that now lose all these big profits to a few people in this State, if they would levy a tax and thereby get assistance to pay for the operation of their State activities instead of sitting idly by and watching these racketeers get rich.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. COOLEY. The gentleman just made the statement that the mail-order people are not involved in this proposition. On page 89, here is one of your cigarette advertisements: "Cigarettes by mail." You want the Federal Government to come into that situation——

Mr. JENKINS of Ohio. I mean a reputable mail-order house.

Mr. COOLEY. That is a mail-order house.

Mr. JENKINS of Ohio. Oh, if you want to call it so.

Mr. COOLEY. Suppose Montgomery Ward or Sears, Roebuck were shipping in the mail——

Mr. JENKINS of Ohio. Wait a minute. When I talk about mail-order people, I mean the big houses, like Sears, Roebuck or Montgomery Ward. I do not mean the little bootlegger.

Mr. COOLEY. You mean the big mail-order houses.

Mr. JENKINS of Ohio. I mean the big fellows; the men who are in the real business. You say, "Is not the man who sends a bootleg pack of cigarettes through the mail in the mail-order business?" Yes, certainly he is; but he is not the man I meant.

Mr. COOLEY. Why should the Federal Government come in and still let these mail-order houses ship through the mails into every State in the Union?

Mr. JENKINS of Ohio. These big mail-order houses do not sell cigarettes and send them into a State in violation of State laws. They do not sell anything in any State to violate the tax laws of that State.

Mr. COOLEY. But they violate the criminal law of the State in many instances.

Mr. JENKINS of Ohio. Oh, no. The gentleman is mistaken about that.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. COLE of Missouri. Section 2 of the bill reads this way: "Any person selling or disposing of cigarettes."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JENKINS of Ohio. I yield myself five additional minutes, Mr. Chairman.

Mr. COLE of Missouri. Would that not prevent a parent who had a child in college in some other city sending cigarettes to that child? Or would that not prevent the father of a soldier in the service from sending him cigarettes?

Mr. JENKINS of Ohio. Now, the gentleman must not make a speech in my time. I told you we were going to offer an amendment that will prevent that.

Mr. COLE of Missouri. What will that amendment be like?

Mr. JENKINS of Ohio. It will provide that gifts of cigarettes can be sent. This is not a sale.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. PHILLIPS of California. We have always tried in the States, and those who have represented the States in national tax conferences, to keep the Federal Government from coming into the State-tax picture. Will the gentleman please say why this is not the familiar camel's nose under the tent, and the Federal Government for the first time coming into the State?

Mr. JENKINS of Ohio. The gentleman and several other gentlemen have taken this position, that this bill helps the States to collect their taxes. It does not. It prevents somebody outside of a State from beating somebody in the State out of taxes. That is what it does. It prevents usage of a fine branch of the Government, like the Post Office Department, to thwart the laws of a State. I will read you some decisions of the Supreme Court to prove to you that this is not a new thing. This same principle has been upheld by the Supreme Court several times.

Mr. PHILLIPS of California. Will the gentleman answer this: When the gentleman speaks of these men as bootleggers, is that not an error? Is this not the ordinary process of retail business? I have a store in one State and ship into another State, and the far-reaching effects of this bill are not fully understood.

Mr. JENKINS of Ohio. It depends upon what you call "bootlegger." That is all there is to it. A more appropriate name is "racketeer."

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. RICH. Did I understand that we will have an amendment offered that anyone making a gift or a Christmas present, or something like that, is exempt?

Mr. JENKINS of Ohio. That is right.

Mr. RICH. So that as long as it is a gift, we know that the man is not trying to evade any taxes and he will be exempt?

Mr. JENKINS of Ohio. That is right.

Mr. RICH. If you do that, you will improve this bill greatly, because it is in bad shape as it is now.

Mr. JENKINS of Ohio. We will improve a good bill and make it better.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. BOGGS of Delaware. I want to ask the gentleman if this bill covers this situation: We have Indiana with a 3-cent-per-package tax; Pennsylvania with 4 cents; and Michigan with 3 cents. Ohio has 2 cents, I believe.

The record shows the increased sales of cigarettes in Ohio since January. In January it was 11.17 percent; in February, 11.56. They are increasing each month, and these nearby States are going into Ohio to buy their cigarettes. This bill does not take care of that situation.

Mr. JENKINS of Ohio. Let me answer the gentleman now. We had before the committee the tax collectors of many States. Several testified, and others sent in briefs and statements. In not a single instance did any one State tax collector claim any objection to the activities of any State in which a cigarette tax was already being collected. Now that answers the gentleman's question.

Mr. RICH. One other question, if the gentleman will permit. In the State of Pennsylvania there is a 5-cent cigarette tax, in the State of Ohio there is a 2-cent tax. In the matter of cigarettes shipped from Pennsylvania to Ohio will the gentleman's State refund us the 3 cents' difference?

Mr. JENKINS of Ohio. No; certainly not.

Mr. CHADWICK. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. CHADWICK. There is one section in the bill which seems to defeat its own purpose. My suggestion to the Committee would be that they should review their section 3 and the excessively heavy penalties which they saw fit to impose. I would question whether any imprisonment at all should be made for violation of this act or a single fine above $100 should be assessed. As a matter of fact, it is my experience and that of most lawyers that you get better results with lesser penalties.

Mr. JENKINS of Ohio. If the gentleman will only bear with me a moment. The gentleman realizes as well as I that that is not a minimum sentence, but a maximum. It does not imply that the judge must give the offender any jail sentence, or he could give him a 1-day sentence and suspend that. The gentleman has been a judge himself and knows how these things work. A sentence of $1,000 and a 6-month jail sentence would be too much for most offenders. But it would not be too much for a man that does a business that gives him a profit of $150,000 per year.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. COOLEY. The bill as it is now written does not cover the question of intent. Would the gentleman object to the addition of the word "willful"?

Mr. JENKINS of Ohio. This has been gone over carefully by lawyers who have been district attorneys.

Mr. COOLEY. But this bill makes it a crime for a man unwittingly or unintentionally to violate the law.

Mr. JENKINS of Ohio. Oh, not at all, it is not different than the general penalty for violating a law.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield myself three additional minutes.

Mr. Chairman, I would like to discuss the constitutionality of this bill. There can be absolutely no question but that this bill, if enacted into law, will be constitutional. The authorities are traced in the printed hearings before the committee.

I shall read some excerpts that I have taken from the important cases on the point of constitutionality.

*The Rahrer case* (U. S. Rept. 140, p. 345), holds as follows:

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF KANSAS

(No. 1529. Argued March 17, 1891, decided May 25, 1891)

The act of August 8, 1890 (26 Stat. 313, C. 728), enacting "that all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall upon arrival in such State or Territory be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise" is a valid and constitutional exercise of the legislative power conferred upon Congress; and, after that act took effect, such liquors or liquids, introduced into a State or Territory from another State, whether in original packages or otherwise, became subject to the operation of such of its then existing laws as had been properly enacted in the exercise of its police powers—among which was the statute in question as applied to the petitioner's offense.

The case of *Clark Distilling Co.* v. *Western Maryland Railway Co.* (U. S. Rept. 242, p. 311), holds as follows:

The act of Congress of March 1, 1913 (37 Stat. 699), known as the Webb-Keynon Act, operated, if constitutional, to give effect to the above stated prohibitions of the West Virginia law in respect of liquors shipped into the State for personal use, by withdrawing from such shipments the immunity of interstate commerce, and, to forbid the shipment or transportation into the State of liquors intended to be received or possessed there for personal use contrary to such State prohibitions. (*Adams Express Co.* v. *Kentucky* (238 U. S. 190, distinguished).)

The Webb-Kenyon Act is a legitimate example of the power to regulate commerce.

That power, in the case of intoxicants, because of their character extends to the total prohibition of their transport in interstate commerce, and necessarily includes the lesser power, exercised in the Webb-Kenyon Act, of adapting the regulation to the various local requirements and conditions that may be expressed in the laws of the States.

Such a mode of exercise involves no delegation of the power to the States. Neither is the act objectionable as productive of a lack of uniformity.

The case of Whitfield against Ohio, United States Reports 297, page 431, holds as follows:

In providing by the Hawes-Cooper Act that convict-made goods transported into any State shall upon arrival be subject to the operation and effect of the laws of such State to the same extent and in the same manner as though such goods had been manufactured in such State and shall not be exempt therefrom by reason of being introduced in the original package, Congress did not delegate power to the States (p. 441).

The case of Kentucky Whip & Collar Co. against Illinois Central Railroad Co., United States Reports 299, pages 334 to 335, holds:

Where the subject of commerce is one as to which the power of the State may constitutionally be exerted by restriction or prohibition in order to prevent harmful consequences, the Congress may, if it sees fit, put forth its power to regulate interstate commerce so as to prevent that commerce from being used to impede the carrying out of the State policy (p. 352).

In this case Chief Justice Hughes, who handed down the decision, referring to the Ashurst-Sumners Act, said:

The Congress has exercised its plenary power, which is subject to no limitation other than that which is found in the Constitution itself. The Congress has formulated its own policy and established its own rule. The fact that it has adopted its rule in order to aid the enforcement of valid State laws affords no ground for constitutional objection.

Let me repeat what Chief Justice Hughes said. The question was exactly the same as the case in point under this bill where the Interstate Commerce facilities were being used to thwart the enforcement of a State law; that is what they were trying to do, to thwart the enforcement of a State law. Here is what Chief Justice Hughes said:

Congress has formulated its own policy and established its own rule.

That is, if we establish a rule on this matter before us by passing this bill, what will the Supreme Court say?

Here is what it said:

The fact that it [meaning Congress] has adopted its rule in order to aid the enforcement of valid State laws affords no ground for constitutional objection.

Mr. PHILBIN. What is the citation?

Mr. JENKINS of Ohio. That is the case of the Kentucky Whip & Collar Co. against the Illinois Central Railroad, United States Reports 299, pages 334 and 335.

Let me read that again and I ask you to pay attention to this for it is absolutely in point and you need no further citation. Let me read this again:

Congress—

Now, listen—

When Congress has formulated its own policy and established its own rule—

That is what we will do if we pass this bill—

the fact that it has adopted its rule in order to aid the enforcement of valid State laws affords no grounds for constitutional objection.

It says that when a State law has been passed by a State and it thereby has established a policy, and an agency of the Government is thwarting that law, the person or the State aggrieved can go to the Supreme Court and the Supreme Court says the Federal law will be sustained. You cannot deny that.

Now in summation let me say that the purpose of this bill is to prevent racketeers from thwarting the States from securing taxes which they have a right to secure. And let me say that this bill has been put through all the orderly

processes of the House of Representatives in an orderly way. And that the bill will be constitutional if it is enacted into law. The law will be popular and justice will have been done.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. COOPER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I shall ask the indulgence of the House only briefly in discussing this bill which has been so ably discussed by the distinguished gentleman from Ohio, author of the bill, and will also be discussed by the distinguished gentleman from Florida [Mr. ROGERS], who introduced the first bill on this subject. I am strongly supporting the bill because it meets the essential elements of fairness and equity.

The purpose of this legislation is to assist the States of this Union which have cigarette taxes in those States in the protection of their revenue. That is all it does.

There has been considerable confusion here, quite a number of statements have been made that have no application whatever to the bill or anything that is sought to be accomplished by the bill. I would like to invite your attention to just a few lines of the bill itself, which covers the whole question presented here.

Of course, section 1 of the bill is nothing but definitions. The first four lines of section 2 covers the whole intent and purpose of the bill:

> Any person selling or disposing of cigarettes in interstate commerce whereby such cigarettes are shipped to other than a distributor licensed by or located in a State taxing the sale or use of cigarettes shall—

What shall they do? Just one simple thing. Notify the tax commissioner or the appropriate tax authority in that State that he sent those cigarettes in there, and that is all. When he does that his responsibility ends. There is nothing else that can be done to him. He has no further inconvenience, no further difficulty to encounter of any kind. If a person who is not a distributor sends a shipment of cigarettes into a State where that State has a State cigarette tax, he is simply required to give notice of that shipment to the taxing authority of the State to which he ships the cigarettes. If he does that he is through. Nothing else can be done to him. There is no inconvenience caused him and no difficulty of any kind will result to him.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Illinois.

Mr. CHURCH. By section 2 your purpose is to help collect the State tax.

Mr. COOPER. The whole purpose is to require the citizen of a State to observe the laws of his State and pay the revenues that the legislature of his State says that he owes to the State, and that is all there is to it.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Illinois.

Mr. CHURCH. Assuming that the term "cigarettes" includes merchandise, and assume that in the gentleman's State you have a use tax that you are trying to enforce the collection of——

Mr. COOPER. There is no purpose to be served in assuming a lot of things that are not in the bill and have no application under the bill.

Mr. CHURCH. Assume a use tax on merchandise other than cigarettes.

Mr. COOPER. This applies only to cigarettes, so let us not be diverted by a lot of things not covered while we are trying to consider the question here presented.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COOPER. Mr. Chairman, I yield myself five additional minutes.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. In answer to the hypothetical question propounded by the gentleman from Illinois, I would like to say that many ethical mail-order houses will refund to the States the full sales tax on out-of-State purchases on sales made in those States as a matter of ethics.

Mr. COOPER. That is true.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman has been a member of the Committee on Ways and Means for a long period of time. Can the gentleman cite any other instance where the Congress has undertaken action similar to this which, as the gentleman points out, is to aid the States in collecting purely local taxes?

Mr. COOPER. I appreciate the gentleman's question but it has no application to this bill.

Mr. COOLEY. Why?

Mr. COOPER. Let us stay within the four corners of this bill.

Mr. COOLEY. The gentleman did not answer the question.

Mr. COOPER. I am sorry.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Does this not place an added burden on the citizens of the States who do not have a cigarette tax in that they must make out these reports and send them to the tax collector of the States in which they ship their products.

Mr. COOPER. If the gentleman wants to dignify it by calling it a burden, he might be technically correct. But, if you in Missouri want to make a shipment of cigarettes to my State, all you have to do is to give notice to the Tax Commissioner of Tennessee, saying "I have this day sent 10 cartons of cigarettes to JERE COOPER, Dyersburg, Tenn.," and you are through.

Mr. COLE of Missouri. Now, the other way around, if the gentleman from Tennessee the Honorable JERE COOPER decides to send cigarettes from Tennessee to me in Missouri, he would not have to go through that process.

Mr. COOPER. That is right.

Mr. COLE of Missouri. We would need do nothing about it, and there are 38 States wherein the citizens would not have to do anything about it, but in the 10 States where they have no cigarette tax, you are placing on the shoulders of the citizens of those States the burden of sending in these reports.

Mr. COOPER. That is a very minor and inconsequential burden. It amounts to practically nothing. In the next place, from a practical standpoint, why would I want to be sending cigarettes from my State into yours when your State does not levy any such taxes?

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Delaware.

Mr. BOGGS of Delaware. I am afraid this proposal involves a fundamental principle in this regard, and I would like to have the gentleman's opinion. Does this proposal recognize the right of one State to legislate and affect the citizens of another State? In other words, New York could legislate for Mississippi, or vice versa. Here the State of Ohio, for example, puts on a cigarette tax, and due to their own failure they cannot collect the tax from their citizens. Now we come along and recognize that State statute and place a burden upon the citizens of that State requiring them to be agents of the tax-collecting authorities of the State of Ohio requiring the filing of this information. If you follow that principle, I do not know where it would end.

Mr. COOPER. The gentleman is taking all of my time, and I have been generous in yielding. Does the gentleman have a cigarette tax in Delaware?

Mr. BOGGS of Delaware. No; we do not.

Mr. COOPER. That answers the gentleman's question. That is the whole answer to the question and most of the other questions that are asked, because these questions come from the States that do not have the tax. You know, when a man is devoid of any sound or logical reason for his position, he usually resorts to a great question of principle or seeks as a haven of refuge the Constitution of the United States. That does not have any application here at all. We have this simple question presented here, Will the Congress in response to the urgent appeal of the Governors of 40 States of the Union help them require their own citizens to pay their fair share of revenue to their own States? That is all that is involved here.

Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. ROGERS], the author of the original bill on this subject.

Mr. ROGERS of Florida. Mr. Chairman, I am sure most of us by now have gotten the meaning of this bill. When the argument started, I do not think my good friend from Missouri [Mr. BENNETT] quite understood the bill, judging from the arguments he made.

I am interested in this legislation. As stated by the gentleman from Tennessee, I introduced the bill H. R. 768 in the first part of the Eightieth session. I followed that by another bill, and we had a hearing on those two bills. Then the gentleman from Ohio [Mr. JENKINS] introduced a similar bill. This bill is the re-

sult of those three bills. In other words, H. R. 5645, which we are now considering, superseded these other bills.

Let us see what the purpose of this bill is. It is not to increase or to levy a sales tax. Get that out of your mind. As far as the tax is concerned, it has nothing to do with it. The only thing this bill does is provide that when a salesman sells cigarettes into a State that has the tax, if he ships to any other than a legal, licensed distributor—you know, these States that have cigarette-tax laws have distributors, wholesale distributors—if anyone ships to other than a licensed distributor the only thing he has to do is to sit down and write to the tax commissioner in that State and say, "I have shipped to Mr. So-and-So 1,000 cigarettes," giving the quantity of cigarettes shipped and where he shipped them. When that information is disclosed, that is all he has to do.

That does not interfere with interstate commerce, it does not interfere with interstate trade; it only makes the man who sells make a report in order that the tax commissioner of the State to which the cigarettes are shipped will be on an equality with the other sellers of cigarettes. It is eminently unfair for these States that have no tax on cigarettes to ship into my State of Florida which has a cigarette tax, and let the man to whom the cigarettes are shipped go out and violate the law. They are violating it, because it is estimated by our tax commissioner that some $1,000,000 in revenue is being lost by virtue of bootlegging cigarettes in Florida and by tax dodging. That occurs in any number of States in the Union. The tax authorities from 38 States, I believe, came in and said to us, "We are losing by reason of this tax dodging and smuggling and black marketing of cigarettes in our States. We are losing more than $30,000,000 a year." I understand now there are 40 such States that have such a law. Are we going to block the desires of 40 of the States of the Union? Are we going to give our consent as Members of Congress that an instrumentality of commerce, and by that I mean this Post Office Department or the express company or any other means of interstate transportation, shall be the means to permit a man to violate the law? Are we going to permit a thing like that to continue? I say it is unfair. It is unfair to your local merchant. Your local merchant lives in your community. He pays the tax on every cigarette that he sells, regardless of whether my friend from Missouri agrees or not, and whether it is a gift or not. If he goes out and buys a pack of cigarettes, he pays the tax on it. He can give it away if he wants to, but that does not excuse him from paying the tax. I understand there is one dealer in Missouri who ships as much as $150,000,000 worth of cigarettes to the various States. Why should you permit a man like that to escape the law? Is Congress going to deny these States that have a tax on cigarettes? All that the person is required to do is to file a report. We are not asking anyone to examine the mail. We are not asking anything to be done by the Government, save and except that when a man uses the instrumentality of this Government to ship cigarettes, which are taxed in one State and not taxed in another, that that person should make a report. We are saying to you, "Won't you please let him make a statement to the tax commissioner?" That is in order that the tax commissioner of the State can go to that man and say, "Look here, I have an invoice. I have a memorandum here that you have bought so many cigarettes from this man in Missouri." What about it? He has the evidence on him. Now all he has to do is to pay the tax. That is all. Is that not right? Is not that the honest thing to do and is not that fair dealing between the States of the Union? The States created the Federal Government and delegated to the Federal Government the right to regulate interstate commerce. Now we come back to you and say, "We gave you that power when we created you. Now we want you to at least give us some cooperation. We want you at least to not let a tax dodger and a violator of the law use you as an instrumentality to ship cigarettes to a man down here where he can violate a State law."

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. SPENCE. I understand that this bill involves but one thing, and that is the dissemination of information. The other questions are left open. The question of whether these cigarettes are taxable can be contested. The questions of interstate commerce and other questions are left open. The only thing that this bill provides for is information.

Mr. ROGERS of Florida. That is all. This is just an information source.

Mr. SPENCE. No substantial right is taken away from any man; no right at all, because of the dissemination of information?

Mr. ROGERS of Florida. Absolutely. That is exactly right. It does not do anything except give away information. That is all it does.

As pointed out by the gentleman from Ohio [Mr. JENKINS], the Supreme Court of the United States has already passed on almost this identical proposition. They passed on it in the Wilson Act subjecting intoxicating liquors transported into any State to the operation of the laws of that State to the same extent as though they had been produced within the State.

The same principle of law also was upheld in the Webb-Kenyon Act of March 1, 1941, an act prohibiting the transportation of intoxicating liquors into any State where it was intended that they would be received, possessed, sold, or in any manner used in violation of its laws.

Now, what is this? This just prevents these bootleggers from shipping cigarettes into my State so that some man there can violate the State law. That is all we want you to do.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. COOPER. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. GOFF. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. GOFF. Is it not true that we should support a measure of this kind if we want to support our local decent merchant in our community?

Mr. ROGERS of Florida. That is a fine question.

Mr. GOFF. And next, we should support this bill if we want to support the institutions in our own State that are maintained by the tax collected on cigarettes.

Mr. ROGERS of Florida. An excellent question. That is exactly where most of this money is going. I would rather have schools and old-age pensioners get this money than to have bootleggers or tax dodgers get it.

Mr. BENNETT of Missouri. I would be interested to hear the gentleman identify the party in Missouri who, he says, has made $150,000,000 out of this traffic. I did not know anybody in Missouri was worth that much money.

Mr. ROGERS of Florida. I was just going by the advertisement.

Mr. BENNETT of Missouri. Give us his name.

Mr. ROGERS of Florida. Well, I do not know that I can give you his name, except that his advertisement appears here. But I do say that what we are trying to do is constitutional. I say it is legal. I say it is right. I say it is just. The proceeds from the tax on these cigarettes goes for a generous cause.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. Not now. This money goes to take care of educational institutions; to take care of old-age pensions. What better use could we put the money to? Are you going to deny the States this right when the governors of 40 States come in and ask for it, and the only opposition we have here comes from men in States that have no tax? Why do they want to do it? Is it not strange how just a handful of Representatives, who do not have any tax in their own State, come in and fight a measure that 40 States of the Union want? Can you understand it? I cannot.

The CHAIRMAN. The time of the gentleman from Florida has again expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. BEALL].

Mr. BEALL. Mr. Chairman, I feel that the Government is establishing a dangerous policy and precedent by a discriminatory restriction on interstate commerce which would require the person who sells cigarettes in interstate commerce to forward to the State, wherein his customer lives, a list of all of his customers who purchased his cigarettes and who lives in that other State. This matter will be an opening wedge to permit the Government to apply this same restriction, not only to cigarettes but to every article shipped in interstate commerce. It represents a high degree of Government interference with private enterprise, will mean endless red tape and virtually require an army to administer it. States which do not have a use tax on cigarettes would not benefit by it in any way whatsoever, although the citizens of such States would, of course,

be paying, through their income taxes, a portion of the costs of the administration of such a law.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I am a member of the committee, of course, which reported this bill. I am heartily in favor of it. I know that many of the States, 38 of them, are being robbed by a group of unscrupulous people who are taking advantage of the fact that they have no State cigarette tax in their particular State.

I come from the State of New York. The revenue which we obtain from the tax on cigarettes is a very important item. I come from a State where we are called upon to pay about one-fourth or more of all the expenses of the Federal Government. There is a constant demand on our State for grants-in-aid to education, good roads, and various other things from other States. It is a tremendous load. Take the school bill. At the present time they want us to pay out about $50,000,000 from which we would receive back only $12,000,000.

This cigarette item is one of the important items in our State. We do not like to be defrauded. We want to use that revenue for worthy purposes; and if we are going to contribute to the other States on these various grants under title I of the Social Security Act, to education, and other things, there is no reason why the other States should go farther and take our revenue away from us in this way. It means about $3,000,000 a year that we are losing as a result of the bootlegging of cigarettes into every corner of our State. It really is destroying the integrity of our interstate commerce system. It is inviting racketeering in many other phases of our economic life.

Another important thing about this cigarette tax, it is used in many of the States for very worthy purposes. In some cases it goes into the general funds but in other cases it goes to charity, in other States it is used to pay bonuses to soldiers; and the States should not be deprived of this revenue by that type of bootlegging in a few States.

So I am here today to voice my support of this bill introduced by my good friend the gentleman from Ohio [Mr. JENKINS] and also by the gentleman from Florida [Mr. ROGERS], both eminent men and both well versed, I assume in any of these so-called side issues that have been raised in regard to the Constitution.

This legislation can be tested like any other law if there has been any mistake made, which I doubt very much.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. JENKINS of Ohio. The hearings disclose the fact that the State of New York probably has been sinned against more than any other State. The Governor and the taxing authority both stated that they needed and wanted this bill.

Mr. REED of New York. And appeared before the committee in support of the bill. Certainly we do not want to be sinned against by being robbed of revenue which the other States are calling on us to grant to them for very worthy purposes.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. COOPER. With respect to the question raised by some of the gentlemen with regard to giving away cigarettes, Members who are opposing this bill, does not the gentleman think that if I want to give the gentleman from New York a present of a few cartons of cigarettes that I would be rather cheap if I did not pay the tax on the cigarettes?

Mr. REED of New York. I should certainly think so.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. BOGGS of Delaware. If this proposal is adopted it is certainly setting a precedent. So far, we have talked about cigarettes only, but I ask the gentleman what other commodities will be brought under this bill in the future? I call the gentleman's attention to the fact that the hearings show that the tax commissioner of Ohio said:

> I respectfully submit that this honestly establishes a good precedent, that there are probably countless ways in which the Congress can serve the commor good and the welfare of the States by such means as this.

Where is this going in the matter of other commodities, such as oil and cotton goods?

Mr. REED of New York. I can answer the question fully and completely. Whenever the venal and mischievous people who want to evade the laws of this country rob the people of the sovereign States of their revenue, whenever any similar question arises you will find that the sovereign power of 140,000,000 people will find a way to solve it just as we are solving it in this bill.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield for a further question?

Mr. REED of New York. I yield.

Mr. BOGGS of Delaware. I recognize that there is a problem here, a problem worthy of our greatest efforts to solve, and certainly a solution will be found; but we do not want to try to abolish some of our most fundamental concepts in this country in order to meet an immediate contingency.

Mr. REED of New York. I wish the Congress had thought of that about 16 years ago.

The CHAIRMAN. The gentleman from New York has consumed 7 minutes.

Mr. JENKINS of Ohio. Mr. Chairman, will the Chair inform me how the time stands?

The CHAIRMAN. The gentleman from Ohio has 35 minutes remaining, and the gentleman from Tennessee 38.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, it seems to me that the advocates of this legislation are unwilling to be impressed with the fact that we are establishing a precedent by the enactment of this bill. I asked the gentleman from Tennessee [Mr. COOPER] a very distinguished member of the Ways and Means Committee, if he knew of any other instance in which Congress had enacted similar legislation. He evaded the question, I got no answer, and I therefore assume from his failure to answer that he knows of no other instance where Congress has been called upon to enact legislation similar to this. Certainly I have no desire, and likewise it should not be the desire of any man in this House, to defend men who are shipping cigarettes across State lines, but I do believe in the Constitution of this country and I believe in State rights and State laws.

The argument of the distinguished gentleman from New York when summed up amounts to this, that the State of New York, the most powerful State in all the Union, is unable to enforce its own State law without the aid of the Federal Government. Now that is his confession. I thought they had a great governor up there and a great law-enforcement agency in the State of New York. The governor of that great State was formerly a great prosecuting attorney. He cannot enforce the cigarette laws of the State of New York, according to the gentleman's statement of a moment ago. The gentleman from Ohio was a former great district attorney, 100 percent fatal in the courts as far as criminal violations were concerned, yet the great State of Ohio since he left there is unable to enforce its cigarette-tax law.

If you are going to make this principle general, as the gentleman a moment ago suggested, then let us know what you are doing. The distinguished gentleman from Ohio referred to a decision here in which the justice writing the opinion said that Congress had fixed the policy in that particular case with regard to prison-made goods, we will say. All right. The Congress is now called upon to fix a policy here today and that policy is that the Federal Department of Justice will be called upon to aid in the enforcement of the tax laws of the several States. Certainly the district attorneys in North Carolina, employed by the State of North Carolina, are not going into the Federal district courts to prosecute violations of this Federal law; therefore, Mr. Tom Clark, Attorney General of the United States, will have the full responsibility to enforce violations of the law. My good friend the gentleman from Florida [Mr. ROGERS] stands up here and says: "All we are asking you to do is just to require the citizen to make this one little request." Yes, but that is not all. You order him to make that little report and if he fails to do it you lock him up in prison.

Mr. Chairman, in my opinion, the States can enforce their own laws. This is just one commodity or one article, so far as I am concerned. The State of North Carolina is losing countless millions of dollars because a thousand and one articles are being shipped in there and used free of our State's sales tax.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Delaware.

Mr. BOGGS of Delaware. I want to make one observation. At the hearings held by the committee on this bill there

was a letter presented from the Assistant to the Attorney General addressed to the chairman of the committee reading in part:

> Such a measure may set a precedent for similar legislation with respect to other items upon which the States have imposed or may impose a sales tax.

Mr. COOLEY. Yes. We have a general sales tax and our citizens go over to Norfolk and other places to shop. They bring things back into the State of North Carolina, use them, and do not pay the North Carolina sales tax. Do you think we would come here and ask the Federal Government to help us enforce our sales-tax law? This is simply to help these other States enforce their sales-tax law with regard to one single, solitary commodity.

Mr. PEDEN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oklahoma.

Mr. PEDEN. The gentleman in his argument said that the State refuses or cannot enforce the law and therefore the Federal Government should not be called upon; is that correct?

Mr. COOLEY. No; I am not saying that the States cannot. We enforce the laws in North Carolina. I was saying that the gentleman from New York, by his own confession, in effect said that his Governor and his law-enforcing officers could not enforce the laws of the State of New York and wants the Federal Government to help them out.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I hope that H. R. 5645 will pass the House of Representatives this afternoon. The Members of the Commonwealth of Pennsylvania are supporting this legislation, and we do it admittedly in self-defense. I recognize that constitutional questions are involved. There are very important decisions to be made with respect to this bill and this type of legislation. This entire situation, in my opinion, arises because over a great number of years, notably more rapidly in the past 15 or 20 years, the Federal Government has expanded its source of tax revenue. As we have increased our expenditures from, relatively speaking, nominal amounts to the vast sums involved today, the Federal Government has had to find new sources of revenue. Many of the sources it now utilizes were formerly solely within the jurisdiction of the States, a source from which the States received the moneys to handle their own business. As these sources were eliminated or dried up, in part, the States, in turn, had to find new sources of revenue, and one of those sources was to levy a tax upon the sale of cigarettes which prior to that time had been solely a source of Federal income. It is a case of trading around, if you please, gentlemen, as the demands upon the Federal Government increased. Now, the States, having to protect themselves and levying a tax upon an article of revenue, formerly the Federal Government's, find that not only are the States subjected to Federal competition for taxes, but the States themselves are in a manner seeking to remedy their situation by this bill.

The question is a vast one. It can be applied to many products. It must be decided and it can only be decided in the courts, in my opinion, finally, with respect to not only cigarettes but many other items of interstate traffic. I believe that the passage of this bill is essential; that its passage will enable the States, for the present, to eliminate this vast drain upon their tax revenues, and I believe that with the recognition that the Federal Government has expanded unduly into the State field, bring about a recognition of the crisis and its elimination. I do not know if we here in Washington truly recognize, as the speaker who preceded me, the gentleman from New York [Mr. REED] said, that as we expand our vast bureaus and agencies, as we expand our vast expenditures in Washington we, in order to secure that money, must get the money from the residents of the States throughout the Union, and as we take it from those individuals we remove all too often the potential source of money which the States should get in the exercise of what we formerly called State rights. I want to see that situation remedied. I want to see the Federal Government returned to a proper method of revenue raising and have the Federal Government more or less clearly defined as to just what its proper sources are.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Is it not a fact that formerly New York was without a cigarette tax and from New Jersey large quantities of cigarettes came into Pennsylvania and New York? Now New Jersey has gone so far as to adopt the same program as New York and Pennsylvania.

Mr. SIMPSON of Pennsylvania. That is correct. For a long while at one end of the bridge crossing the Delaware River between Camden and Philadelphia it was the custom, indeed, the practice, to advertise at each gasoline station that they there had cigarettes selling at approximately $1.35 per carton, which could then be carried into Pennsylvania, and if bought in Pennsylvania they would cost from $1.69 to $1.75 or $1.80.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I am not at all surprised that my good friend from Missouri and my good friend from Delaware should be in opposition to the bill H. R. 5645. They are merely performing the service of representing some of their constituents, as of course we all desire to do. I am surprised, however, at the opposition of my good friend from North Carolina [Mr. COOLEY]. All of us realize that we get most of our tobacco from North Carolina. The big tobacco companies of North Carolina, I am sure, are interested in preserving their licensed representatives to sell tobacco in the various States of the Union. The gentleman, however, takes the position that he feels it is more in the interest of the people of his State for him to take the side of those who want to undermine these licensed distributors of cigarettes in the 40 States. Certainly the R. J. Reynolds Tobacco Co. has some interest in the welfare of the distributors of cigarettes in the States of New York, Arkansas, and all the other States. I think that if the gentleman will reconsider his position, he will decide that the bill H. R. 5645 is in the best interest of the great State of North Carolina, even though that State does not impose a tax on cigarettes.

There is one other point, Mr. Chairman, which I do not recall having been mentioned in the course of this debate, that appeals to me and justifies support of H. R. 5645, regardless of what State we may come from. All of us know of advertisements appearing in the papers and circulars sent through the mails calling the attention of citizens of the States where the tax applies to the fact that they may buy the same cigarettes in other States adjacent thereto at a cheaper price, a price made cheaper by the amount of the tax. When we realize that this is going on, there must be a feeling in our minds that these people perhaps unintentionally are encouraging a disregard of State laws. I could read from the record of the hearings evidence which would perhaps shock you as to flagrant violation of State law, encouraging people to buy cigarettes when they know that that State applies a tax to those cigarettes, asking them to commit a crime. As the gentleman from Tennessee [Mr. COOPER] pointed out in the course of his discussion, we are asking these people who encourage our folks to commit a crime to report to the tax collector of that State the number of cigarettes they bought, so that the tax collector can proceed against those people in the State requiring the payment of the tax and collect that amount of revenue from them. But if we do permit this utter disregard of State laws to continue unabated, we all know that eventually there will be a complete and utter disregard of all laws including Federal laws. I am sure my friend from North Carolina does not want a citizen of his State encouraging a citizen of my State to violate the laws of my State.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. COOLEY. Is the gentleman willing to say that he would approve of a policy for the Federal Government which contemplated the situation where the Federal Government would go into the several States for the purpose of aiding in the enforcement of all of the laws of the several States?

Mr. MILLS. The gentleman seems to feel that this is a precedent. The gentleman from Ohio [Mr. JENKINS] stated in the course of his remarks to the gentleman from North Carolina and to all of us that this is not an innovation. This is not a precedent. The Supreme Court has ruled on three other Federal statutes involving identical points.

Mr. COOLEY. No; I differ with the gentleman.

Mr. MILLS. The Supreme Court has ruled on absolutely identical points. I refer the gentleman to the Wilson Act and suggest that he read it.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. COOPER. Mr. Chairman, I yield two additional minutes to the gentleman.

Mr. MILLS. I refer the gentleman to the Hawes-Cooper Act and to the Ashurst-Sumners Act. Those acts are in point. The gentleman from Ohio read the Supreme Court language written by Mr. Justice Holmes to the effect that when the Congress establishes such a policy of assisting the State, there is no constitutional point involved. The Congress may do that.

Mr. COOLEY. Assist the State in what respect?

Mr. MILLS. In this particular instance, to assist the State in the collection of a State tax.

Mr. COOLEY. Yes; that is right. But that is the only instance, and you cannot cite another case in which the Supreme Court has held that any act of Congress was constitutional which had that purpose.

Mr. MILLS. The gentleman from North Carolina is a good enough attorney to know that to have a case in point, it is not necessary that the case involve the same names.

Mr. COOLEY. But that case is not in point.

Mr. MILLS. The gentleman knows that the cases do not have to have the same names involved or the same title.

Mr. COOLEY. I do not believe that the case is in point.

Mr. MILLS. The same identical point is involved. We look to the substance of the case and what the court has said. The gentleman is well aware of that.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. MONRONEY. Is it not a fact that the Connally Hot Oil Act, which has been passed by the House repeatedly, almost by unanimous consent, is exactly in point, because we are using Federal authority to help the States collect a tax on their production?

Mr. MILLS. I think the gentleman is right. But to me the question of whether or not we have ever done it before has no bearing on the case, because there is sufficient reason now to do it. We want to help the great tobacco producers in the State of North Carolina preserve their licensed distributors in the State of Wisconsin, for example, and not to have those distributors supplanted by what we call bootleggers in North Carolina.

Mr. COOLEY. Would the gentleman object to amending this bill to help us collect a use tax on automobiles which are manufactured in Detroit and shipped into our State or are bought in Virginia and brought across the State line? That is the same situation.

Mr. MILLS. The gentleman from North Carolina knows that it is impossible to hide a car like a cigarette. But he has put his finger on a similar situation. The cigarette tax and the automobile-license tax are both use taxes.

Mr. COOLEY. That is right.

Mr. MILLS. The gentleman knows if I sell a car to a citizen of his State in the District of Columbia, and he takes that car to North Carolina, he has to pay the State tax in North Carolina.

Mr. COOLEY. That is if the State of North Carolina knows about it.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 5 minutes to the gentleman from Delaware [Mr. BOGGS].

Mr. BOGGS of Delaware. Mr. Chairman, I have been greatly disturbed because we have been focusing our attention only on the matter of cigarettes. The question is certainly more fundamental than that. This bill puts the Federal Government in the position of passing on the State tax laws in every State of the United States. A vote for this measure is a vote for putting the approval of the Federal Government on a sales tax. I do not know whether you are for a sales tax. It may be a good vote. It may be that that is the right thing to have.

There are many people in this country who are not sure that a sales tax is the most equitable tax. That is one point.

Now, another important thing: The principle involved in this bill has been before this Congress and several committees of this Congress. The committees have looked into the matter very thoroughly, starting back in 1934. The Post Office Committee had it. The Interstate and Foreign Commerce Committee has had it. The Judiciary Committee has had it. Each of those committees, after hearings, has determined that evidently it was not a matter which they should recommend favorably. Those hearings are hard to get. They are not available, but I found them in the Congressional Library. In this brief time that I have, I cannot make much reference to them, but I want you gentlemen to know the type of thinking of the organizations and the people in the United States who have studied this question thoroughly and who are fundamentally opposed to it.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. CURTIS. Is it not true that the bills in those hearings to which you referred are quite different in principle than the bill before the Committee today?

Mr. BOGGS of Delaware. The bills before those committees were identical in principle, but they had not brought it down to one single subject like cigarettes.

Mr. CURTIS. But it did involve additional duties on the Post Office Department?

Mr. BOGGS of Delaware. That bill would have placed an additional inspection duty on the Post Office Department.

Mr. CURTIS. There is no additional duty placed on the Post Office Department in this bill at all.

Mr. BOGGS of Delaware. No duties are placed on the Post Office Department here.

Now, I am not opposing this just on the ground of cigarettes. If we go off in our decision just on cigarettes, we are going to make a big mistake, but in principle you need only take the National Publishers Association. They had an opportunity in the past to give their views concerning this principle. Think of the Saturday Evening Post, which is published in Philadelphia, and carries advertisements. That is sent through the mail to people all over the United States.

The Michigan Farm Journal was represented then. And then there is the cotton industry. Think of all the items of wearing apparel made out of cotton, that travel in interstate commerce. This thing is going to hit the cotton industry, also. Many organizations did not have the chance to appear on this bill before this committee.

I could refer to the National Baby Chicks Association. They mail these chicks throughout the country. There are all kinds of ramifications involved in this principle.

If we had time to go through the hearings and deliberations which have been given to the principle, I am confident there would be only one result, and this measure would be voted down.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. HINSHAW. I do not see anything in the committee report about any reports from any of the departments of the Government. Were any reports received?

Mr. BOGGS of Delaware. I am glad the gentleman raised that point. They have a letter from the Assistant to the Attorney General. He did not say very much. He said it was a legislative problem, but he pointed out that it sets a precedent.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, this debate has gone to considerable length, I think, in covering a great amount of ground in worrying about excise taxes on a bale of cotton or an excise tax on baby chicks.

Although, perhaps, some of the cigarettes you get sometimes might taste a little like a bale of cotton or perhaps like a bunch of feathers, it is carrying this debate a long way to try to stretch the normal commerce, interstate trade, to such fantastic limits as some of these speakers here wish to do.

Cigarettes have been recognized not only by this country but by almost every country in the world and by 38 of our 48 States as a luxury item on which excise taxes can be collected. That is a historic practical fact.

These 38 States, according to the report of the committee—and I believe it is reasonably correct—are losing about $250,000,000 in their own State revenues each year, because since the adoption of State excise taxes on cigarettes consumed within the borders of these States, there have grown up innumerable tax-evasion rackets in States which do not have State cigarette taxes and these racketeers ship

through the mails these cigarettes in violation of and in detriment to the revenue provisions of these several States.

This bill is a matter of ordinary courtesy and comity between the Federal Government and the State governments. Now if we want to declare that it will be the policy of the United States Government to protect the handful of these tax-evasion racketeers through maintaining the secrecy of the United States mails in their interest then I suppose you can do that.

But I think it comes with poor grace for Members of this House, who have continually described the dependence of the States on the Federal Government, to advocate a policy that will not allow the State governments to help raise their own revenues to help pay for their schools, their old-age pensions, their veterans' benefits, and things of that sort.

You have only to look at the hearings to see the innumerable advertisements, and almost every one—it almost seems to be a copyright phrase amongst these tax-evasion racketeers—carries the statement, "We are conducting our business through the United States mail. Therefore it is strictly legal and you are assured the privacy of the United States mails."

That is carried in almost every single one of these advertisements that advertises tax evasion cigarettes, not cut-rate cigarettes below their cost, because these dealers make perhaps 10 or 15 cents a package on them; but they are taking out of the revenues of the State generally about 50 cents a carton while they make 10 cents on shipping them into other States.

I do not think it should be the policy of the Government to protect with the privacy of our mails any longer this racket that is costing the States so much money.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. COLE of Missouri. If we can pass legislation of this type why can we not go a step further? You know many cities have a cigarette tax also. In many instances they do the same thing; the dealers will sell cigarettes in the cities and mail them to their customers. Why can we not make this apply to them so as to help the cities?

Mr. MONRONEY. The Congress could if it felt the problem was of such magnitude as to destroy the tax revenue of the 38 States, it could and I imagine would provide aid insofar as the interstate commerce of these dealers was concerned, but the Congress could not intervene in the intrastate commerce of the States to help enforce local tax laws.

Mr. COLE of Missouri. This is purely intrastate.

Mr. MONRONEY. We have no jurisdiction over intrastate commerce. That is something the State authorities will have to take care of themselves. The answer to the gentleman's question is that we do not have jurisdiction over intrastate commerce, but we do have jurisdiction over interstate commerce; and I think when interstate commerce and particularly the privacy of the United States mails is being used to take $3,000,000 a year out of my State's revenue, then it should become the concern of this Government.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. COOPER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Oklahoma.

Mr. MONRONEY. Over 12,000 cartons of cigarettes a month, I am reliably informed; come into one of the principal cities in Oklahoma, c. o. d.—each month. Perhaps more than that come in prepaid, and you can see with 5 cents a package or 50 cents a carton and on 24,000 cartons per month, how much revenue is being taken out of our State's pocket by men who are conducting a tax-evasion racket.

This bill is no barrier to interstate commerce. This thing would never have arisen if all the States levied this tax. You are sapping away the strength of the licensed distributors and reputable wholesalers who are losing business. They are writing me every day asking for help against this kind of business.

Federal powers? Now, which is it best to do? Should we use Federal powers to encourage and help tax evasion? That is what we are doing under present practice.

Or should we lose a little bit of Federal power to grant tax information to the States that are so needy in finding ways and means of getting revenue to help carry on their operations?

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not fair also to invoke the Federal power to eliminate unfair conditions that exist among the several States of the Union where this tax is being evaded?

Mr. MONRONEY. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 7 minutes to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Chairman, I do not know that very much can be added to what has been said in support of this legislation. I want to congratulate the Ways and Means Committee for bringing in this bill.

As has been suggested here, the necessity for this legislation is due to the fact that the Federal Government has been reaching in the past few years into the tax sources of the States. We pay a pretty high Federal income tax now. We are taxed and taxed and taxed. The 38 States in order to obtain revenue have levied State taxes on cigarettes. In my own State of Oklahoma it is 5 cents a package. We are losing in Oklahoma over $3,000,000 a year in taxes from mail-order purchases of cigarettes from other States, and in addition our own merchants are losing a large amount of sales. It would be very interesting if my good friend from Missouri and my good friend from North Carolina would give to the Members of the House the views of the people, the legitimate people, who are selling cigarettes in their States, and would give us the protests that are coming in. It would be a very interesting thing. You know, most of the legitimate dealers in Missouri, Delaware, and Colorado pay that tax without protest. I just cannot understand my friend from North Carolina. He represents the greatest tobacco-producing State in the Union. We have helped him and his State's tobacco industry. We put an embargo on tobacco seed so the countries of the world could not even compete against his State in raising tobacco. Under the ERP legislation we are sending $900,000,000 worth of tobacco over there and will not let them raise tobacco, yet he is fussing around because 38 States want protection. In my opinion, there will never be a Federal prosecution growing out of this bill. It will not be necessary. All we want is to have these people who are distributing and sending these cigarettes out by mail to States having cigarette taxes under the advertisements that my colleague from Oklahoma described here—send the information concerning their sales to our State taxing authorities.

There has been some argument made that it will probably cost a lot of money for the Federal Government to prosecute and enforce this law. Well, you know, I think the same argument probably could have been raised when we passed the Connally Hot Oil Act. The facts are, however, that after that act was passed there has never been a prosecution by the Federal Government. They have never had to prosecute anyone, and still the first year that the act was in effect, from the best information we have, we probably stopped in my home State the transportation of thousands of barrels of hot oil. All we had to do was just to pass the act.

What does this bill do? I can understand my friends from Missouri and Colorado, and I am for them, and I want them to come up here and defend the situation if they can, but at the same time they ought to realize that with the tax situation as it is in this country that these people who are using the mails to send these cigarettes down into my State, and 37 other States where we have a tax, that we must also try to protect our States—I do not recall just what the 5 cents tax is applied to in Oklahoma; it may go toward the old age pension fund, or as in some States it may go to pay a soldier's bonus, things of that kind—and my good friends they should not take the position that they are not willing to have a few people in their States inconvenienced to the extent of just making a duplicate of the invoice when they send the cigarettes to the dealers in Oklahoma and elsewhere. That is all they will have to do. We will take care of collecting the tax.

Mr. COLE of Missouri. Mr. Chairman will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Let me say to the gentleman that I hold no brief for any of those in my State who are selling cigarettes in other States where there is a tax on cigarettes. But, I just wanted

to correct the gentleman's remark in regard to who has contacted me regarding this legislation. Let me say to the gentleman that there has not been a constituent of mine or a resident of the State of Missouri that has communicated with me regarding this bill.

Mr. RIZLEY. Have there been any dealers from my State?

Mr. COLE of Missouri. No. I have received no correspondence regarding the bill.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman and friends, there are a good many things that are amusing in this debate. I think one of the chief points of the opposition is that this law is so new; that nothing like it has ever been written before. I would like to ask if they ever heard of the Ten Commandments, particularly that one which says, "Thou shalt not steal." There is nobody on this floor and nobody in the gallery who is affected by this legislation. You distinguished gentlemen are simply misled by the representations of those racketeers back home who are trying to fool us and keep their rackets going. There is no one here except the gentleman from North Carolina who claims that his State, to the extent of untold millions a year, is paying tribute to the racketeering crews from other States, and yet he says he wants nothing done about it; that his State is abundantly able to enforce its own laws.

Mr. COOLEY. Mr. Chairman, if the gentleman will yield, the gentleman does not want to misquote me.

Mr. HOBBS. Of course, not, sir; and I will not misquote the gentleman either. I simply quote what the gentleman said.

Mr. COOLEY. The gentleman is putting a wrong interpretation on what I said. The gentleman said that I said I had no brief for anybody shipping cigarettes from a nontax State into a tax State. The thing I object to is the principle involved here, and that is, that you have singled out one article or commodity and tried to put the Federal Government in the enforcement field, whereas there are thousands of commodities coming into my State and used in violation of the law.

Mr. HOBBS. I thank the gentleman for that contribution. I agree with him that he holds no brief and has no argument, but he has taken up a good deal of time here today in attempting to advance what he pleases to call argument; and I agree with him that he has not. Thousands of other wrongs cannot make this wrong right. Since you know of these other wrongs, why do you not introduce a bill to correct them?

Let me get down to brass tacks. By the Constitution of the United States the Congress is given the right to regulate interstate commerce. There can be no question but that this is interstate commerce, goods shipped in interstate commerce for the purpose of evading perfectly lawful taxation in the State of destination. There is not anybody on this floor who will defend that. There is nobody in the gallery who would if he could. No; the ones really involved in the racket stay home, and do their talking by proxy.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to my distinguished friend.

Mr. BOGGS of Delaware. The gentleman refers to stealers and racketeers. I cannot find any statute which a citizen of Delaware who mails cigarettes to the State of Alabama is violating. The only person who is stealing or violating the statute is the citizen of Alabama who does not pay the tax on those cigarettes after he gets them.

Mr. HOBBS. That is right, sir; the Alabaman is the real racketeer, but your man is a coconspirator. Were he not he would not mind giving notice of what he does.

Mr. CURTIS. Mr. Chairman, will the gentleman yield just briefly?

Mr. HOBBS. It is not a question of being brief; I know the gentleman can do a better job than I can do, but I want to make my own speech. I want to answer that question fully.

Mr. CURTIS. I will not deny the galleries the right to hear the gentleman.

Mr. HOBBS. I will be glad to yield to the distinguished gentleman from Nebraska, a member of the committee.

Mr. CURTIS. In reference to the situation cited by the gentleman from Delaware, the shipper knows that the purchaser is receiving them in the manner he is receiving them for the purpose of avoiding taxes.

Mr. HOBBS. Of course, sir, that is true.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. COOPER. Mr. Chairman, I yield two additional minutes to the gentleman from Alabama.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. With the same observation, I am glad to yield to the gentleman from Michigan, also a member of the committee.

Mr. DINGELL. In our prayers those of us who pray always say, "Lead us not into temptation." That is an important part of the Lord's Prayer. Delaware offers a lot of temptations, not only in this instance but so far as corporate interests are concerned. They have a lot of loopholes in that State, and they tempt the good Alabaman to buy his cigarettes there by mail. It ought to be stopped, to help the Alabaman keep straight if he is weak.

Mr. HOBBS. That is another illustration of a better speech than I could make, but I still would like to have what I was yielded, at least two additional minutes. I am grateful to these distinguished gentlemen of the Committee on Ways and Means. There is no question but that the prayer that our Lord taught us does say, "Lead us not into temptation, but deliver us from evil." This law, which is one of the best laws ever passed—and it is going to be a law in a very few minutes, as far as this House can act—would stop an evil which deprives 38 States of millions of dollars of legitimate revenue every year. It is saying, "Stop, thief," and you gentlemen of the opposition have the temerity to criticize the committee that says, "Stop, thief," instead of the thief.

All we want to do is to try to stop this nefarious business. We say we will not be led into further temptation, but will deliver ourselves from this evil. The opponents cite the sales tax evasion involving automobiles. I say that is another illustration of the fallacy of their arguments.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Alabama, [Mr. HOBBS].

Mr. HOBBS. That shows the fallacy of the argument which is made by the distinguished gentleman who is now asking me to yield to him when he knows that I do not have the time to yield. He cannot tell the difference between a cigarette and an automobile. There is quite a difference. The same difference as between the Atlantic Ocean and the Potomac River.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. COOPER. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT of Missouri. Mr. Chairman, I thank the gentleman from Tennessee and the gentleman from Ohio, who are in control of the time, for the fair manner in which they have distributed it today on this bill for those of us who are in opposition to it. Many amazing arguments have been made by the proponents of this legislation. Perhaps the most amazing charge has been that this legislation is designed to stop bootlegging and racketeering in cigarettes. Having little or no argument, the proponents of this bill have resorted to the calling of names. How does Webster's Dictionary, which is on the left of the Speaker's rostrum here, define bootlegging? It says, "Bootlegging is the sale of something illegal." It is freely admitted by those who have made this charge that this practice presently protested against by them is legal, and that is the reason for this bill which seeks to outlaw it. The people who are using that sort of language are making a most inconsistent approach to this problem, one which is unworthy of them. I hold them in far too high esteem to express in words an opinion of the mental confusion out of which such an astonishing argument could arise.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Missouri. I yield.

Mr. COOLEY. In connection with the gentleman's observation to the effect that the acts sought to be outlawed are now legal, has the gentleman ever heard of a bootlegger putting a public advertisement in all the newspapers telling the people about his place of business and his manner of operating that business?

Mr. BENNETT of Missouri. Of course not, and the gentleman has made a good point strengthening my own argument on that proposition.

Mr. Chairman, those who are for this legislation have even said, or at least one of those who favors the legislation has said, that it is the business of the Government of the United States to determine whether or not businessmen engaged in this interstate commerce live in Missouri or in Indiana. They have even gone so far as to say that though this is a Federal crime, the Department of Justice will not have to enforce the law against a violator of the law. The gentleman from Florida, my dear esteemed friend [Mr. ROGERS], made the astonishing statement that somebody in the State of Missouri had made $150,000,000 out of this type of interstate commerce. But, of course, he could not identify that party when I gave him the opportunity to do so in questioning him. Of course, this is not big business. This is little business, and those who are for this legislation are hurting little business. The gentleman from Tennessee stated that the gentleman from Delaware [Mr. BOGGS] was for this legislation only because his State has no cigarette tax. I would say that the gentleman from Tennessee is in favor of the legislation because his State does have such a tax, but unlike my friend from Delaware, the gentleman from Tennessee is so diligent in serving the local tax collectors of his State that he is willing to overthrow the Constitution in doing so. He said it would be cheap not to give or accept a birthday gift of cigarettes because one had to pay a tax on them. We are going to find out who is cheap in a few minutes because the committee is going to bring in an amendment which removes gifts entirely from this legislation, and I am sure the gentleman from Tennessee will eat his words by voting for the amendment, from the committee of which he is a member.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Missouri. I yield.

Mr. JENKINS of Ohio. I would like to point out to the gentleman that the hearings disclosed that the State of Ohio loses $500,000 in tax collections and he says that $150,000 of that is lost every year to this one group. That shows that it is not little business, but big business.

Mr. BENNETT of Missouri. I thank the gentleman for his self-serving testimony. He has also made this argument, along with the gentleman from Florida [Mr. ROGERS], that in the present situation, those of us who are opposing this legislation by doing so would seek to deprive his constituents of pensions and salaries paid out of the cigarette tax. Approve this bill and you will do the same thing for Missouri, which collects taxes from these legitimate mail-order houses that you seek to put out of business, taxes used in Missouri for old-age pensions and veterans' benefits.

If this bill becomes law, it will create a new class of bootleggers, for what is now legal and legitimate interstate commerce will become illegal, and the temptation to serve millions who smoke, and to serve them at a financial saving, will doubtless result in numerous violations of the law.

This bill seeks to return prohibition to the United States, but this time it is on tobacco. It is unconstitutional, unenforcible, unwise, and generally unsound. Not even the Governor of Ohio, Mr. JENKINS' own State, would say that he is for this bill, and you can find his letter on page 86 of the hearings, if you are fortunate enough to get one of the eight copies of the hearings made available to the membership today.

This bill seeks to impair the privacy of the mails, to increase the cost of the Federal Government at the expense of States' rights. It is ill-advised. It would create trade barriers between the States. It would set a dangerous precedent, destructive of legitimate business and basic States' rights. It ought to be defeated.

The following States, in addition to the District of Columbia, do not impose a cigarette tax: California, Colorado, Delaware, Maryland, Missouri, North Carolina, Oregon, Virginia, and Wyoming. Any Member of the House from those States who votes for this bill is striking a severe blow at small business within his State. Any Member from any State who supports it is voting in favor of more Federal power over local matters, and depriving those 10 States and the District of Columbia of sorely needed revenues at the expense of others, while at the same time decreasing Federal revenues and increasing Federal expenditures.

Let us stop this bold grab at the powers and authority of State and local governments by voting against this bill to establish tobacco prohibition in interstate commerce, bootlegging, and trade barriers between States. Vote against it and save what little is left of the Constitution.

I will support the amendments which the gentleman from Ohio will shortly propose, to eliminate gifts from the bill and to reduce the criminal penalties. Those are steps in the right direction, but I still think it is bad legislation. Inadequate hearings were held. Those opposing it were not given an adequate opportunity to be heard. Printed hearings are not generally available to the membership. The bill, even in its amended form, will not take care of the principal objections which I made to it earlier in the day in my discussion on the rule, namely, among other things, the constitutional question, the precedent which will be established, the fact that it will subject valuable property rights, such as mail-order customer lists, to public scrutiny, the fact that it will have the Federal Government aid local governments in collection of taxes, the fact that it will cost the Federal Government a great deal of money to enforce this type of legislation.

I do not smoke. I have no personal interest in this one way or the other. Those who are voting for this legislation would strike against the low-income groups in this Nation who do use cigarettes. Some people today seem to be of the opinion that this is a tax on a luxury. Most of those same people voted recently for the ERP plan, under which we are giving millions of dollars worth of tobacco to the people of foreign lands, as a necessity, allegedly to build their morale. How inconsistent; how untenable.

I hope you will join me in opposition to this bill.

Mr. JENKINS of Ohio. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. FOOTE].

Mr. FOOTE. Mr. Chairman, the situation H. R. 5645 seeks to remedy was brought to my attention in March 1947 by my groceryman in North Branford, Conn. He showed me an advertisement appearing in a local newspaper of the Casten's Smoke Shops, Inc., of Passaic, N. J., soliciting the sale of all popular brands of cigarettes at $1.34 a carton and for which he had to pay $1.74 wholesale, due to the State tax on cigarettes. He informed me that this was an injustice to the people of Connecticut who have a cigarette business and suggested something ought to be done about it.

The Committee on Ways and Means has recognized the injustice of the situation and the unfair competition created by the avoidance of State imposed cigarette taxes through their purchase outside the taxing State and their importation into the State in interstate commerce.

The Honorable Walter W. Walsh, tax commissioner of the State of Connecticut advises me that this measure is of great importance in order to conclusively stop revenue leaks occasioned by the importation of cigarettes into the State tax free.

The shipment of cigarettes into the State imposing a cigarette tax law under the subterfuge of interstate commerce, has resulted in substantial reduction in the revenue of those States. I believe that many of the concerns affected by this legislation are organized primarily for the purpose of making shipments of cigarettes into taxing States.

This is a matter over which the Congress has jurisdiction in that it involves interstate commerce and the use of the United States mail and I thoroughly agree in the opinion of the Committee on Ways and Means when it says that "the public interest requires the denial of Federal sanctuary to a business which proceeds upon the theory that the tax laws of the sovereign States can be flouted."

Mr. COOPER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I am surprised at the distinguished Members of this House who, if officers of their States did not request that they support this bill, I am sure would use a lot of that good sound reasoning, which is completely absent in this discussion. What you are doing today is following the dictates of some officer of your own home State instead of using good common sense.

The assistant to the Attorney General in his letter to the committee says:

Such a measure may set a precedent for similar legislation with respect to other

items upon which the States have imposed or may impose a sales or use tax.

I resent the thought that some people have expressed, that anyone in any State who ships cigarettes into another State without notifying the State tax commissioner is a bootlegger. That, of course, is ridiculous because anyone has a right to ship anything, except narcotics, anywhere in the United States he wants to. The Constitution of the United States provides against restrictions on the free flow of trade between the States.

I say to you: Do as they do in my own State. If you want to put a tax on cigarettes that are imported into the States, go ahead and levy the tax but do not declare the person in the State of Missouri or the State of Colorado or some other State who ships cigarettes into my State a bootlegger. There is the correct approach. Make the man within the State who buys the cigarettes subject to prosecution for evasion under the State tax laws if he does not pay the tax. That is the answer and the solution to this problem.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. ROGERS of Florida. The purpose of the bill is to help locate bootleggers in the States, people who are evading the law.

Mr. HINSHAW. The people in the States who have evaded the law are the people in the taxing States, not the people outside the States. The people outside the States have not evaded the law, it is your own people in your own States who have evaded the law.

Mr. ROGERS of Florida. The purpose of the law is to locate those people.

Mr. HINSHAW. No, it is not; you are forcing somebody in my State to make a report to your State tax officer on somebody in your State; and you have no right to do that.

Mr. ROGERS of Florida. So we can locate them.

Mr. HINSHAW. You have no right to do that. If this bill is passed it will be but the first step in many which will multiply the burdens on interstate commerce when all the time in my Committee on Interstate and Foreign Commerce we are trying to lift these burdens on interstate commerce and trade barriers between the States, and to make traffic between the States easier.

This is a vicious bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Chairman, for some reason there has arisen a little objection to this bill, H. R. 5645, introduced by the distinguished member of the Ways and Means Committee, the gentleman from Ohio [Mr. JENKINS].

The gentleman from California [Mr. HINSHAW] referred to a comment by the Department of Justice on an earlier version of the bill. That statement from the Department of Justice was directed to an earlier version of this bill, a version which contained controversial features which are not embodied in the bill now before the House.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. GRANT of Indiana. I yield.

Mr. HINSHAW. There are of course no hearings available for the Members themselves except at the committee desks. Consequently all we have to rely on is what we can hastily glean from the hearings at the desk, and I am glad to have had even that small opportunity.

Mr. JENKINS of Ohio. If the gentleman will yield, that is an unfair statement. Hearings were printed as they are always printed and anybody who wanted to could go over to the room and get a copy.

Mr. HINSHAW. But they are supposed to be here at the Clerk's desk. As it is, there were only 8 copies here.

Mr. JENKINS of Ohio. The committee is not responsible for the great demand for copies. The committee printed the copies.

Mr. GRANT of Indiana. Mr. Chairman, I decline to yield further.

Mr. Chairman, the matter of State imposition of a tax on cigarettes is of comparatively recent origin. More and more States have joined the parade of States that have had to resort to that means to increase State revenues. My own State of Indiana, following the most recent session of the legislature, imposed a tax of 3 cents a package on cigarettes. Prior to that time we saw at our State borders up in Lake County, where the highways lead into Chicago, row after row of businesses advertising to those who were driving through to resort to the use of Uncle Sam's parcel-post system or to load up in the family car a few cartons of cigarettes free of the 30 cents per carton tax which Indiana did not then impose.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. GRANT of Indiana. I yield to the gentleman from Indiana.

Mr. MITCHELL. The gentleman should clarify one point: That the 3 cents tax on cigarettes imposed by Indiana goes to make up for a raise in the salaries of our school teachers, does it not?

Mr. GRANT of Indiana. The gentleman is correct.

Mr. MITCHELL. Is it not true that the Federal Government has an obligation, under the theory of States' rights, and should protect us in raising money to pay our own school teachers?

Mr. GRANT of Indiana. The gentleman is very, very correct. More and more we see this march toward paternalism, toward the Federal Government taking over more and more of the revenues of the States and then supplying money back to those same States for this purpose and that purpose. Right now there is pending in this body a bill to raise $300,000,000 in the first year to send back to the respective States under the label of Federal aid to education. At the same time, a State such as my own State of Indiana, through the imposition of a cigarette tax, is endeavoring to raise revenues so that we ourselves can make a better contribution toward the minimum pay of our own school teachers. Yet there are those in this body who would deny to the State of Indiana, and to other States similarly situated, the right to fully collect that tax on cigarettes that are sold for use within the borders of the State of Indiana, thus more effectively making it impossible for us to meet our obligations to our own school teachers.

Mr. BOGGS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. GRANT of Indiana. I yield to the gentleman from Delaware.

Mr. BOGGS of Delaware. I have the highest regard for my friend from Indiana and for the great State of Indiana, but I want to ask one question. The State of Delaware does not have a cigarette tax, the State of Virginia does not have a cigarette tax; therefore a citizen of the State of Virginia will not have to send any report if he sends cigarettes to Delaware, and vice versa. But if this bill becomes law, then either the State of Delaware or the State of Virginia by an act of its legislature could impose a duty upon the citizens of any other State.

Mr. GRANT of Indiana. The only point I would like to make is that there are no reports required on any shipments made to a regularly licensed distributor in any of the 48 States of the Union. It is difficult to understand why any Member should complain about any additional requirement over and above that.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON. Mr. Chairman, this legislation is of a great deal of importance to my State of Texas, and I am very much in favor of it.

I have listened to all of the debate on this subject. I was open-minded when it began and was influenced merely by a request from my Governor that I give very careful consideration to the legislation. The problem which the bill H. R. 5645 seeks to solve seems to me to be simply this:

Shall the Government of the United States permit one of its agencies, namely, the United States mail, to be used for the purpose of citizens of certain States in their efforts to evade a State tax?

I see no question of whether or not there is bootlegging on the part of the cigarette dealers who are involved in the transactions. Perhaps in the eyes of the law they are legitimate dealers; however, as a matter of principal and under any decent code of ethics, one who assists another to avoid paying his taxes is hardly in the class of reputable and law-abiding businessmen.

Personally, I would classify them as racketeers, bearing well in mind that there are plenty of rackets and plenty of racketeers who do not violate any laws except moral laws.

If we pass this legislation, we merely implement the principle of States' rights—the right of the citizens of States to levy taxes against themselves. If we do not pass it we, in effect, sanction the use of Government agencies to defeat the

right of the citizens of certain States to levy and collect the tax.

Several speakers have sought to draw a line of similarity between these cigarette transactions and those which involve going to another State to buy merchandise, perhaps to go to Detroit to buy an automobile. It is true that these acts are performed in order to evade taxes. However, they are not parallel cases at all because they do not make use of any Federal agency in order to perform the act of evasion.

I have been particularly impressed with the argument that we should vote against the bill because it would be harmful to certain small businessmen in the tax-free States who are involved in this racket. May I invite the attention of the gentlemen who made this point that they are seeking to protect the so-called small businessmen in eight States. They are overlooking the fact that in the 40 States which have a cigarette tax there is involved a far greater number of small business firms organized under the laws of the States paying their various taxes, subscribing to the activities of their respective communities and in every conceivable sense of the word legitimate business institutions.

The so-called small businessmen in the tax-free States are taking away from the home institution business which under any code of business ethics belongs to the home institution.

I hope the bill will pass and that thereby the Congress will put a stamp of disapproval on this tax-free cigarette racket.

Mr. COOPER. Mr. Chairman, I yield the remaining time on this side to the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, the committee report makes a very significant statement here when it says:

> Your committee believes that this type of tax avoidance is seriously objectionable on three principal grounds. It encourages disrespect for law, impairs State revenues, and creates competitive conditions unfair to dealers in taxing States.

Now, gentlemen, it does do those three things, any one of which would be sufficient for us to give most serious consideration to this bill. But, when you add them all three together, it makes it, I think, imperative that we should take action as proposed in this bill. This is a good bill and ought to become law because it is definitely unfair to the States involved to permit a condition like this to prevail. In Oklahoma the loss of revenue is serious, and I am sure it is in many other States. It is not wise for us to sit back and permit a condition like this to obtain. We have all the power that we need under the Constitution as we are dealing with interstate commerce. There can be no question in my judgment about the constitutionality of it. It is not only constitutional, but it is right and it is just that this step be taken, and it certainly would not be right for us to sit back and permit conditions like this to obtain.

I believe we are going to take a step today that will prevent this condition from existing as it has in the past. I understand that the committee is going to offer an amendment, or, at least, is favorable to an amendment to specifically exempt gifts made in good faith. There ought to be that amendment, because surely nobody would want to penalize a person who might give a carton of cigarettes or a few cartons of cigarettes to some friend at Christmas time, or any other time. I feel certain that nobody would want to penalize such a person or deal with an insignificant matter like that in a penal way; of course not. There ought to be such an amendment to the bill, and I understand it will be offered, and I certainly shall support such an amendment. This bill is not setting a precedent here that is going to cause us any trouble in other matters. We will deal with those other matters as they come along.

Let me call your attention to this fact, that a package of cigarettes or a carton of cigarettes is not like an automobile or even a gun or something of that bulky nature. A package of cigarettes can very easily be secreted, as can a carton of cigarettes be easily secreted, and the mere fact that we have this bill here today is evidence of the fact that this law is imperatively needed. There is no other way for the States to properly enforce their cigarette-tax laws. They cannot enforce this tax law properly without the aid of this bill. Surely, you good gentlemen in those States where there is no tax on cigarettes are going to have a little bit of compassion on us and a little bit of thought of the revenue that we are losing, and surely you are not going to fail to use your good offices and your good strength and your power and ability to assist in breaking up these rackets that have sprung up and are encouraging law violation, unfair competition, and loss of revenue. It is a considerable source of revenue that the States involved are losing by this tax-evasion means. I think we ought to pass this bill.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I yield the remainder of the time to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, we have heard some very good speeches from the gentlemen who are opposed to this bill. They have discussed the various phases of constitutional law and local control, and what not. Sometime when we have a bill up to which those arguments pertain, I hope the speeches will be repeated. They do not pertain to what is before us today. The passage of this bill will not enlarge the great bureaucracy of this Government. It is a law that, after enactment, will be self-enforceable. It will in no sense interfere with the rights of any sovereign States. Those States that choose not to have a cigarette tax can do so. Interstate shipments of cigarettes from one State to a dealer in another State will not be interfered with in the least.

I call your attention to the fact that this much-discussed letter of the Attorney General was in reference to a different bill, H. R. 3345, not the bill before us today. The bill to which the Attorney General referred carried an additional section, which did impose upon one of the departments of the Government, the Treasury Department, the duty of checking certain steps in enforcing the act.

This is how the bill we are discussing will work: We find that certain sellers of cigarettes use a Government agency and subsidize a Government agency, the postal service, and send advertisements through the mail into many States, telling people to order cigarettes, that they will be delivered in a plain wrapper, and they will not have to pay the tax on them. As a result, these orders flow in to a handful of distributors so engaged. They mail these prepaid cigarettes into the States, where they are used, and no tax is paid.

Are we calling on the Federal Government to run down those transactions? No. Are we requiring the Federal Government to help collect those taxes? No. But in the very sound right of the Federal Government to regulate interstate commerce, we say to the shipper of those cigarettes, "You must send a duplicate of the invoice, when you sell cigarettes like that, to the taxing authority in the State where the cigarettes go." All they have to do is make a copy of their invoice when they mail out an order of cigarettes, and send a copy of the invoice to the taxing authority in the designated State. Who looks up the receiver and collects the tax? The State authorities. There is not one thing in this act that puts the Federal Government in the business of running down these purchasers and helping the States collect their tax. No bureau is set up to prescribe regulations or to enforce this act. It will be self-enforcing, because I am convinced that these fine firms whose representatives have spoken here today will gladly comply and send a copy of the invoice. But suppose they do not, do we authorize a brigade of bureaucrats to go up and down the country and tell them how to send these invoices? No. But suppose they violate it? Naturally it will come to light, and somebody will go to the United States district attorney and make a complaint, and they will be tried. Will it require more district attorneys? No. Will it require additional courts? No. Will it require an army of inspectors? No.

Mr. PHILLIPS of California. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. PHILLIPS of California. If it does not do any of those things, how are you going to enforce it? What good is it?

Mr. CURTIS. The States will still have to enforce their laws. All we say in this bill is that the people who so sell cigarettes shall send a duplicate copy to the State's authorities. We think they will, and we think this problem will solve itself when that happens.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman referred to the report of the Attorney General and said it was not on this particular bill. May I ask the gentleman as a member of the committee whether he does have a report from the Attorney General on this specific bill?

Mr. CURTIS. As I recall, the Attorney General's representative appeared before the committee, and if you will compare the two bills they are identical with one exception. One section reads:

The Secretary of the Treasury is authorized to issue necessary rules and regulations for the enforcement of this act.

We took that out.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. HINSHAW. I find no reference in the letter of the Attorney General to any such provision.

Mr. CURTIS. He does refer to this bill by number.

Mr. WHITTINGTON. Mr. Chairman, the purpose of the bill is to aid States in collecting sales and use taxes on cigarettes. Cigarettes are a luxury. It is for the States to determine whether or not taxes on cigarettes will be imposed. The arguments in opposition to sales tax are beside the point. The arguments that other articles are shipped through the mails is also without merit. The complete answer is that the pending bill is confined to cigarettes. The collection of taxes on the sales of other items is not involved.

The shipment of cigarettes by persons or firms in States that have no sales tax through the mails into a State where there is a sales tax is a discrimination among citizens of the United States. Unfair competitive conditions as between dealers are created. It is a legitimate function of the Federal Government to see that competition among dealers is fair and equal in all the States. It is the further function of Congress to eliminate unfair competition. Such is the purpose of this bill. The States, according to the hearings, are losing approximately $250,000,000 a year from the failure to collect cigarette taxes where the cigarettes are shipped from a State where there are no taxes. There is not only an evasion, but there is a disrespect of law.

Again the taxes of the States are impaired. The revenues are reduced. In some States the taxes from cigarettes are earmarked for special purposes. These purposes include aid to the blind, assistance to the aged, the improving of charitable institutions, and the rehabilitation of veterans. Tax evasion will be eliminated and disrespect for law will certainly be discouraged by the passing of the pending bill. The revenues of the States will be strengthened. Fair competition among the citizens of the United States will be created. The public interest will be promoted by the passage of the pending bill. It is long overdue.

The CHAIRMAN. The Clerk will read the bill for amendments.

The Clerk read as follows:

*Be it enacted, etc.,* That as used in this act the term—

(a) "person" means any individual, partnership, corporation, or association;

(b) "disposing of" means any transfer, including a gift;

(c) "cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether or not such tobacco is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except tobacco;

(d) "licensed distributor" means any person authorized by State statute or regulation to distribute cigarettes at wholesale or retail;

(e) "use," in addition to its ordinary meaning, means the consumption, storage, handling, or disposal of cigarettes;

(f) "tobacco tax administrator" means the State official duly authorized to administer the cigarette tax law of a State.

With the following committee amendment:

On page 1, line 7, after the word "gift", insert "of more than 200 cigarettes."

Mr. JENKINS of Ohio. Mr. Chairman, by direction of the Committee on Ways and Means, I ask unanimous consent that the amendment which the Clerk has just read be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Chairman, by direction of the Committee on Ways and Means, I offer a committee amendment, which I have sent to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. JENKINS of Ohio: On page 1, lines 6 and 7, strike out all after the word "transfer" in line 6 and insert the words "for profit."

Mr. JENKINS of Ohio. Mr. Chairman, this is the amendment which removes gifts from this law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. PHILLIPS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, what I want to say about this bill is very brief, but I think it is the heart of the matter. In my hearing, it has been said as one of the arguments in favor of the bill that the money in Indiana is being used to pay teachers' salaries and in another State that the money is being used to pay bonuses for soldiers. I respectfully submit that those arguments have nothing whatever to do with this discussion today. I have been a member of delegations representing the State of California at national tax conferences, once at Phoenix and once at Oklahoma City. One of the discussions in those conferences has been the desire on the part of State representatives to keep the Federal Government out of tax matters. We establish here the principle that the Federal Government is going to help collect State taxes. I do not need to tell the gentleman from Ohio [Mr. JENKINS] that I have the utmost personal respect and regard for him and for his ability as a tax man, but how is he going to withstand the urgent appeals from across the river, in Louisville, Ky., if there is a difference in the tax on liquor, or something else?

How are we going to withstand every other request from some State that thinks it is aggrieved? The State of California has a large income from sales taxes. Other States ship into our State by mail. We do not get a sales tax on those items. Is the Congress in the future going to give us the protection which it now gives a State which taxes cigarettes, so that we will be able to tax everybody who ships into California? I am saying to the Congress that we are establishing a precedent that will eventually come home to roost very painfully in the Congress of the United States. I think we should consider it very seriously. The result of my consideration suggests that I vote against it.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. JENKINS of Ohio. All of us who heard the testimony were surprised to find that there was no conflict or difference between any two States that had a cigarette tax. There was absolutely no conflict of authority or trouble of any kind.

Mr. PHILLIPS of California. The gentleman has not answered my question. He said there was no conflict between the several States which think they can make some money out of the bill. What I want to know is how he is going to resist future appeals to help other States collect their taxes. Would the gentleman be kind enough to tell me that?

Mr. JENKINS of Ohio. Well, we have never had a proposition just exactly like that. As I said in my original remarks on this bill, this is not a bill to collect taxes. This is a bill to prevent evasion of taxes.

Mr. PHILLIPS of California. But it is a bill for the Federal Government, presumably, in the words of the gentleman who spoke before me, without any appropriation, without any bureau, without any additional employees, to help States prevent evasion. That is something that I cannot believe. Federal agencies do not work so simply. Our next request will be for a bureau to see that the cigarette tax is collected in Illinois or Ohio from the citizens of California and other States, if this bill is adopted. It would impose upon the citizens of a nontax State a burden which I think belongs upon the tax State, where the money goes. This is an innovation in taxation.

Mr. GRANT of Indiana. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS of California. I yield.

Mr. GRANT of Indiana. The gentleman from California is going far afield when he talks about the requirement tomorrow of the building up of an executive agency to enforce this bill.

Mr. PHILLIPS of California. The gentleman has had experience in Washington.

Mr. GRANT of Indiana. The very point involved here is that no such requirement exists, none will exist, because the Federal Government takes unto itself not one single administrative duty to assist the State in the collection of the tax.

Mr. PHILLIPS of California. I think the gentleman is saying, then, that the bill is perfectly worthless, because it has no teeth in it that would permit enforcing it.

The CHAIRMAN. The time of the gentleman from California [Mr. PHILLIPS] has expired.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Members from the State of California are not objecting to this bill on the ground that it would in any way help or hurt our State. I do not believe we ship a single cigarette out of our State into any other State that has a cigarette tax. We do have a 2½ percent sales tax in our State on items that are purchased, and we also have a use tax, but we do not ask people from the other States to send invoices in to our State Franchise Tax Commissioner in order that the tax commissioner may go to a citizen and say, "You have bought something from out of the State, and consequently you must pay a tax." We do not ask you in Ohio, Missouri, Indiana, or any other State in the Union to do that. We take care of our own tax matters.

Let me point out something in the Constitution. It reads as follows:

No tax or duty shall be laid on articles exported from any State.

As a matter of fact, any one of those States which tax cigarettes is not permitted to lay a tax on the cigarettes that may be exported into an adjoining State. So Indiana, Ohio, Kentucky, or any State in the Union, is not permitted to tax for export to another State, cigarettes so exported. No State can tax, or collect a tax, on exports of anything to any other State. Then the Constitution states that no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

I think, Mr. Chairman, you are going very far afield when you place these burdens on interstate commerce. It seems to me that it is wholly unwise, and I am sure that my distinguished friends whom I have heard talk sanely on other subjects before this House would in no wise whatsoever support this bill if it were not for the fact that his home State governments are breathing down the back of their necks asking them to pass this bill. With that kind of pressure on them they do not use the same kind of judgment they would on other matters which I have heard them argue from the standpoint of what is right and what is proper for the whole Nation.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. COOLEY. The gentleman has just read a very clear statement with regard to the restrictions placed upon the Federal Government in the matter of taxing commodities going from one State to another. Does not the gentleman feel that it would be an even more grievous violation of the Constitution for us to enact a law which makes it a crime to deal in interstate-commerce shipment?

Mr. HINSHAW. Legislation which would make it a crime upon the seller, not upon the buyer. In my State it is a crime upon the buyer if he buys something from out of the State for his use that is subject to a use tax, but it is not a crime upon the seller in another State.

Mr. COOLEY. But this law would make it a crime upon the seller.

Mr. HINSHAW. On the seller and not on the buyer. That is where the great mistake is made—the penalty is not upon the buyer within your own State. You are making it a crime subject to $1,000 fine and imprisonment for anyone in one State to purchase cigarettes in that State and ship them to another State. That is a burden upon interstate commerce. If it is to be made a crime, let it be made a crime on the buyer of the cigarettes who brings them into a State and evades the payment of the State excise tax. To put the stigma of criminality on the person of the neighboring State who ships cigarettes into another State is wrong. I am not arguing this way because my State would derive any benefit at all, for it will not, either one way or the other, because we are not in that business, but there is such a thing as constitutionality, there is such a thing as doing that which is right; and as I said earlier in my remarks many of our colleagues here in the House would not be arguing the way they do here today were it not for the fact that their Governors and tax commissioners are breathing down the back of their necks trying to get this bill passed. We are here to represent the people of all the States.

Mr. COOLEY. Much has been said about the constitutionality of this bill. Does the mere fact that some 40 States want to do something that is contrary to the Constitution make it any less our responsibility to uphold the Constitution?

Mr. HINSHAW. Of course not. Not only are we sent here to represent the people of our States but to represent the people of the Nation as a whole.

Mr. GRANT of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. GRANT of Indiana. Does the gentleman mean there is anything revolutionary about the idea that we are here to represent the people of the 38 States in doing what seems best to them and for them?

Mr. HINSHAW. We are here, my good friend—I have such high regard for the gentleman who asked that question—I had a good retort in mind, but I will not make it.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk read as follows:

SEC. 2. Any person selling or disposing of cigarettes in interstate commerce whereby such cigarettes are shipped to other than a distributor licensed by or located in a State taxing the sale or use of cigarettes shall, not later than the 10th day of each month, forward to the tobacco-tax administrator of the States into which such shipment is made a memorandum or a copy of the invoice covering each and every such shipment of cigarettes made during the previous calendar month into said State; the memorandum or invoice in each case to include the name and address of the person to whom the shipment was made, the brand, and the quantity thereof.

SEC. 3. Whoever violates the provisions of this act shall be guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than 12 months, or both.

With the following committee amendment:

Page 3, line 2, strike out "12" and insert "6."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HALLECK) having resumed the chair, Mr DONDERO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5645) to assist States in collecting sales and use taxes on cigarettes, pursuant to House Resolution 605, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. BENNETT of Missouri. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BENNETT of Missouri. I am, Mr. Speaker.

The SPEAKER pro tempore. May the Chair inquire whether or not any Member of the minority wishes to offer a motion to recommit? If not, the gentleman from Missouri qualifies and the Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BENNETT of Missouri moves to recommit the bill H. R. 5645 to the Committee on Ways and Means.

Mr. COOPER. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. BENNETT of Missouri) there were—ayes 30, noes 76.

So the motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. COLE of Missouri) there were—ayes 83, noes 35.

Mr. COLE of Missouri. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. COLE of Missouri. Mr. Speaker, I withdraw the point of no quorum.

So the bill was passed and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD at the close of general debate on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD in two instances, to include in one an article on yield insurance and in the other testimony offered before the Committee on Banking and Currency.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD and include a statement.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and in each to include extraneous matter.

STATE, JUSTICE, AND COMMERCE DEPARTMENTS APPROPRIATION BILL, 1949

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 5607 may have until midnight tonight to file a conference report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDER GRANTED

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WORLD HEALTH ORGANIZATION

Mr. HERTER. Mr. Speaker, I call up House Resolution 602 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 409) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor. That after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. HERTER. Mr. Speaker, the resolution presently before us makes in order the consideration of House Joint Resolution 409. It provides for 1 hour of general debate. The rule is an open rule.

House Joint Resolution 409 provides for adherence on the part of the United States to the International Health Organization. This matter has been before the Congress for some time. It was reported favorably in the other body and was passed unanimously by that body and has been recommended unanimously by the Committee on Foreign Affairs of the House. The resolution which makes possible our adherence to that body has been amended in some particulars. The amendments, to my mind, are very proper safeguarding amendments. The resolution likewise provides for an authorization of an appropriation not to exceed $1,920,000 in any 1 year.

In view of the fact that the World Health Organization is already in existence, having been approved by 26 nations of the world, it seems high time, in my opinion, that the United States should become a member.

The purpose of the organization will be explained in detail by the Member in charge for the Committee on Foreign Affairs. I might say briefly that there are certain things in the whole field of world health that can be done only by international action, and would be of very great value to the United States. I hope very much that we will adopt this rule and then pass House Joint Resolution 409.

Mr. Speaker, there are no further requests for time on the rule, so I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mrs. BOLTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 409) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 409, with Mr. BARRETT in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, House Joint Resolution 409 is the successor, as the gentleman from Massachusetts stated, to House Joint Resolution 161, which I introduced on March 26, 1947. It was studied carefully by the Foreign Affairs Committee a year ago, with open hearings, various limiting amendments were added and it was reported out unanimously by the committee in July 1947. It was deemed advisable to incorporate additional safeguards as to qualifications of personnel and appropriations, as certain lauguage was ambiguous. So they were added and the joint resolution was reintroduced.

I do not want to take up any more time here this afternoon than is necessary to make a brief explanation of the resolution. The hearings and committee report are comprehensive. The resolution authorizes the President to accept membership in the World Health Organization which is one of the so-called specialized agencies under the Social and Economic Council of the United Nations. Others are Food and Agriculture Organization, UNESCO (the United Nations Educational, Cultural, and Scientific Organization), International Civil Aviation Organization, Universal Postal Union, International Telecommunications Union, International Bank, and so on.

It also authorizes the President to name delegates to the organization's annual assembly and to designate a representative to serve on its executive board of 18, when the U. S. A. is chosen as one of the members of that board. It authorizes appropriations to cover our own expenses in participating, and to make our annual contribution to the work of the organization.

The history of this organization is that in the San Francisco Conference for drawing up the Charter of the United Nations, a resolution was passed recommending that steps should be taken as early as possible to form an international health agency that would coordinate, assist and improve the various activities in the field of health being carried out by most nations throughout the world.

The United States Senate in December 1945 passed a resolution asking the President to take the initiative in urging the United Nations to convene a conference for that purpose. The Social and Economic Council passed a resolution calling such a conference and it met for a month in June and July of 1946. Out of it came the WHO constitution which you will find in the committee report beginning on page 11. A year ago the Senate unanimously passed a resolution, Senate Joint Resolution 98, similar to my original resolution. The legislation here was caught in the jam at the end of the last session, and we have not had a chance to bring it up until now.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. MITCHELL. I cannot find anything in the bill which will provide that such appointees of the President to this organization shall be technically qualified. Do you have anything in the bill on that?

Mr. JUDD. Yes, on page 2, line 13, it says "such representative must be a graduate of a recognized medical school, and have spent not less than 10 years in active practice as a physician or surgeon."

Mr. MITCHELL. I thank the gentleman.

Mr. JUDD. That was one of the safeguards put in at the insistence of members of the Committee on Rules.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. RICH. This legislation is limited to an amount not over $1,900,000 for any one year, which would be the cost to the United States.

Mr. JUDD. Yes, $1,920,000.

Mr. RICH. Oh, you have added $20,000?

Mr. JUDD. It was always there.

Mr. RICH. It was?

Mr. JUDD. Yes.

Mr. RICH. Well, it might not be so bad for $1,900,000, but I do not know how you are going to spend that $20,000.

Mr. JUDD. You mean you do not know where we are going to get that $20,000, do you not?

Mr. RICH. The point I want to make is that previous to the time that the Committee on Foreign Affairs took this legislation back, the day before it was reported to the House, they had a figure in it permitting those who made this agreement to obligate the United States for about 38½ percent of all the costs required for this health organization to take care of anything they wanted to take care of. There are over 2,000,000,000 people in the world. The United States has 140,000,000 people and would be obligated to stand 38½ percent of the expense. I want to say that we worked to get this $1,900,000 in this bill for a long time. I think we did a mighty good job because the nations of the world are looking to Uncle Sam to pay the bill for everything. This country some day is going to rue that. They are going to regret assuming this responsibility. I congratulate the gentleman from Minnesota now for seeing the error of our ways in some of the things that we did. He is trying to correct much of this legislation. I give him a great deal of credit, knowing where his heart is in trying to take care of all the people throughout the world. I want to try to help people, too, but there is a limit to our financial responsibility. So my hat is off to you, and I wish you luck, but I am glad we put that limitation on you, so that you cannot go out and try to take care of all the sick people all over the world and expect Uncle Sam to pay for it.

Mr. JUDD. I am grateful for the gentleman's contribution, even though the premise for much of his remarks is in error.

Mr. RICH. Name one.

Mr. JUDD. Of course, the resolution had the limitation in it as it originally came from the Committee on Foreign Affairs.

Mr. RICH. Thirty-eight and one-half percent of all that the 36 or 40 nations wanted to spend, and you did not know whether that would be three million or three billion.

Mr. JUDD. The language of the former resolution read:

> There is hereby authorized to be appropriated annually to the Department of State, such sums, not to exceed $1,920,000 for the fiscal year beginning July 1947, as may be necessary for the payment by the United States of its share of the expenses of the organization.

We assumed the word "annually" meant that it was $1,920,000 annually, but to make sure, in the new version, 409, I added the words "per annum" after the $1,920,000. The language now states clearly what I have always had in mind as I think the gentleman from Pennsylvania clearly understood.

Mr. RICH. Oh, no, no. I did not understand it, because in so many of these things we are doing for these nations in the world, we are just going in blind. We are just doing all these things for these nations without any regard or any respect for the taxpayers of this country.

Mr. JUDD. I am grateful to the gentleman for his support. Now that he has joined us, I hope that nobody else will object.

Mr. RICH. Do you mean to state that I am the only one who would object to a bill like that?

Mr. JUDD. I commend the gentleman for his careful guarding of the Treasury on every occasion.

Mr. Chairman, the basic body of this organization is the World Health Assembly. Thirty members of the United Nations and eight nonmember nations have already joined. The United States will be the thirty-ninth. About 60 nations signed the convention. A great many of them have been waiting before joining to see what the United States will do, because in the Western Hemisphere we already have a somewhat similar organization, the Pan-American Sanitary Bureau. The United States took the lead in setting that up back in 1907 or 1908. The Pan-American Sanitary Bureau voted over a year ago to merge its activities with the World Health Organization whenever it came into being. Naturally, its members did not want to join the World Health Organization until they were sure that we would, too. So there is no question but that at least 60 countries will join.

The first World Health Assembly is to meet in Geneva on June 24. That is the reason for the pressure to get this resolution through, so that our delegation can be present at the first meeting and have a hand in getting it started off well on the basis of what we regard as sound principles.

I should like, if I may, to discuss for a few moments the reasons why the committee believes this is an advisable thing to do. The main objectives of the organization are three. The first is to eliminate or reduce epidemics by attacking diseases and disease-spreading conditions at their source. The second is to prevent or reduce the spread of those diseases which cannot be entirely eliminated at their source.

The method of quarantine was reasonably adequate in the olden days when people traveled slowly. If a man infected with smallpox got on a ship, it would take him from 6 to 30 days to get to his destination and he would usually come down with smallpox before he got there. The officials could discover it during the voyage or at quarantine examination. All sick or suspected persons were put in qurantine until they recovered or until the incubation period expired and they were freed.

Actually it is not practical now to depend upon such quarantine at La Guardia Field, Washington, Miami, New Orleans, San Francisco, Seattle, and Minneapolis, the main airports at which planes land from other countries after only 6 to 30 hours en route. We cannot ask all passengers to sit in quarantine for days until the incubation period has expired to see whether any of them have this, that, or the other disease, before we let them go freely in our population.

Last year a person was exposed to smallpox in Mexico and rode on a bus to New York. There he exposed some people and they came down with smallpox. It cost the people and the city of New York over $6,000,000 to take care of the inoculations, hospitalization, and so forth, resulting from one case that would not have existed if the disease had been reduced to the minimum at the source.

A third objective is the larger problem of improving the nutrition, the sanitation, the general health level, and therefore the economic level of all countries. That is the long-term program. All countries must work together to do all three.

Mr. Chairman, in matters of health, just as in matters of politics and economics, we live in a shrunken world. The United States is in the process of thinking through what its position in this new contracted world is to be.

We have spent a great deal of time in the last few years debating what the economic, financial, and political conditions of the world are to be, and we are dealing now in this Congress with measures relating to what our new position is to be in matters of education and information exchange, international organizations, military arrangements, and so on.

Not many people have paid much attention to the problem of health. Yet, the urgency is as great there as in the others, I believe.

Someone has said, "a nation can rise no higher than the health level of its people." That is true in considering its industrial strength, its military strength, and in the long run it is true of its cultural level.

If a nation must spend too much of its time and energy keeping its people alive and with too great a percentage of its population debilitated by bad nutrition or chronic illness, diseases resulting from inadequate sanitation and other public-health measures, it simply cannot build up its industries or its military strength, so as to take a position of real power and influence.

The United States has two choices in this matter and only two choices: One is to work with other nations to attack diseases at their source, to try to remove the causes of them and thereby reduce their threat to all peoples the world over, including ourselves; the other is to let the rest of the world go, and try to isolate ourselves from the epidemics, diseases, debilitation and the resulting poverty, backwardness, hunger, discontent, and revolutionary temper that inevitably develop in the wake of such conditions.

Doubtless we all wish we could ignore the rest of the world but we cannot. The second course is impossible today.

Why should the United States enter this joint world program? I see four main reasons: The first you may perhaps call scientific.

It is important to know more about the cause, spread, treatment, and prevention of diseases, and that cannot be accomplished in the United States alone.

Many of the greatest discoveries in medicine have been made in foreign countries. It was an Englishman out in India who worked out the cause of malaria, the disease which causes more deaths, more loss of time from work, and more economic loss than any other single disease in the world.

It was a Dutchman who invented the microscope.

It was a Frenchman who first demonstrated that bacteria cause fermentation and discovered the bacterial causes of certain diseases. A German discovered the cause of tuberculosis. It was the Chinese who first recognized many centuries ago you could inoculate people against smallpox. It was improvements in technique by an Englishman that made possible the reduction and ultimate elimination of the curse of smallpox.

It was an American who discovered the methods by which Rocky Mountain fever is transmitted—the tick-borne diseases.

We are debtor to the world for knowledge not only of the causes of many diseases and the modes of their transmission, but also for the methods of treating them.

Penicillin was a foreign discovery; sulpha drugs were a foreign discovery, and so was DDT, to mention a few recent ones.

The United States has been skillful in taking the discoveries of men abroad, developing them and making them commercially available, because of our greater industrial development. However, brains is not a monopoly of any one country. To serve our own scientific advancement, we must pool the knowledge, experience, and ability, the initiative and genius of the peoples of all the world.

Perhaps that reason appeals more to a physician than it does to the general public. It is just the urge to find out the reasons for things, to get at the bottom of them To me that would be an adequate reason if there were no other. But there are others.

A second major reason why we should enter the WHO might be called the commercial or economic reason. One of the main functions of this organization is to work for standardization of drugs and pharmaceutical products and of dosages. The old health organization under the League of Nations did an excellent job in this field. Formerly the Germans had one kind of unit for a particular drug, the British had another kind of unit, and the Americans another kind of unit.

Half of the time it was hard to know just what you were giving a patient or how much when you wrote a prescription.

The health organization of the League of Nations worked out for many of these products so-called international units. There was increasing acceptance of its standards by the physicians of the world.

This new organization should pursue that, and will, actively, with benefit to all. All scientists or physicians, when they use a word, will be talking about the same thing.

That will be of especial value to us commercially, because the United States now has the largest drug houses and pharmaceutical plants in the world. All around the world our products are most highly thought of. People want to buy them.

The greater the degree of standardization and of exchange of knowledge and personnel, and the greater the experience in using our products, the greater will be the demand.

More important is the fact that as we help raise the health level of the various peoples around the world, we improve their capacity to work and their purchasing power; we increase their ability to buy from us all sorts of things that we make and want to sell.

We do not need to dwell upon this aspect, but I know all American firms interested in foreign trade are strongly in favor of America's accepting membership in the World Health Organization because they know that it will be of real value to us in dollars and cents.

The third major reason why we must, in our own interest, join the organization is our own health security.

I remember learning in an elementary course in economics in college about so-called Gresham's law. Its essence was that poor money drives out of circulation good money. It is the drepreciated money that endangers the good.

That principle operates in the health field, too. The nation with the highest health standards is the one that is jeopardized most by uncontrolled epidemics, no matter where they start.

Let me give a simple illustration: We in America have developed as high standards of public health as any in the world, with the possible exception of some of the Scandinavian nations, and perhaps New Zealand.

However, certain disadvantages come from our very excellent Public Health Service—just as most good things have some bad features. One of them is this: Through our inoculations, our quarantine, our improved sanitation, proper disposal of sewage, and protection of milk, water, and food supplies, we protect and preserve some human strains which are weak biologically and which nature, left to herself, would eliminate. These weaker strains grow up and marry and propagate, and, as a result, some students think that our average genetic level in this country is falling. Furthermore, the individual is protected from minimal exposures to this or that disease, and, as a result, does not develop as much individual immunity as formerly. He does not eat his "peck of dirt" as used to be said when I was a boy, and therefore does not get the gradual inoculation and resulting immunity to some diseases that people formerly did—those who survived.

In South China where I worked 5 years, many of the Chinese who had had malaria in childhood had developed an immunity to it, so that they would go for years without an attack, although frequently bitten by infected mosquitoes.

Northern Chinese would come down from areas where it is so dry there are no mosquitoes and therefore no malaria. They would be infected for the first time, and I have seen them die within 24 hours, just turn black. They had no immunity whatsoever.

When Americans, who have been protected for generations and may be both genetically weaker and individually less immune to many diseases, travel all over the world and are exposed to these diseases, as they will increasingly in the years ahead, they will be not the strongest in resisting those diseases, but the weakest. The dangers to ourselves of diseases in Timbuktu or India or China are not imaginary; they are genuine and real.

In health as in economics and politics, it is impossible to be separated completely from the rest of the world.

That brings me to the fourth of the major reasons why I think we should join and support this Organization—the humanitarian reason, if you want to call it that, concern for the welfare of all people. I do not need to enlarge on that. Americans have always understood it.

The first moral isolationist in history was named Cain. He said, "Am I my brother's keeper?" and all of history shouts back, "Yes, you are. You ought to be his keeper because he is your brother, but if you ignore all humanitarian reasons and consider only your own welfare, you must be his keeper in order to protect yourself. If you do not keep his legitimate interests secure, you cannot keep your own. If you do not treat him decently, ultimately he or his maladies rise up and destroy you."

In this closely integrated, shrunken world, it is not just a matter of sentimentality or charity or humanitarianism, it is a matter of stern inescapable necessity that man must pay attention to the well-being of his neighbor.

America will give in this program, certainly, but America will also get; and in my judgment she will get far more than she gives.

It seems to me this is a case where there should be little argument. The cost will be infinitesimal compared to the benefits.

It is a case where what we ought to do for humanitarian reasons coincides with what we ought to do for reasons of intelligent self-interest.

Mr. BLOOM. Mr. Chairman, we have no requests for time.

Mrs. BOLTON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, I take this opportunity merely to state that during the course of the hearings on this measure the individuals and organizations which appeared, included the American Medical Association, the nurses' organization, and the Dental Association. There was no opposition voiced to the measure under consideration here today. To the contrary, all individuals and groups were strongly in favor of the passage of the measure and stressed the necessity for it in this day and age.

Mrs. BOLTON. Mr. Chairman, we have no further requests for time.

The Clerk read as follows:

*Resolved, etc.*, That the President is hereby authorized to accept membership for the

United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

Mr. McCORMACK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, the bill to be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. MILLER of Nebraska. Mr. Chairman, I object, and move to strike out the last word.

Mr. Chairman, I hesitate from the humanitarian standpoint to oppose a bill of this type. I think the objectives of the bill are excellent. We enter into what we call a cooperative health effort with the other nations. I do become somewhat disturbed when I find this country entering into so many international agreements and proposals which involve this country not for 1 year or 5 years or even 10, but for an indefinite time.

As I read the bill it would make it possible for the United States to withdraw after giving a year's notice. It only costs something over $1,900,000 the first year. It also provides that the individual who is to be the director under this World Health Organization shall be a practicing physician of 10 years' experience. But I am here to tell you that this is just the beginning. You are going to find organizations set up that are going to try to cure syphilis all over the world. This would include some 90 percent of the people in certain sections of the world. They are going to try to prevent gonorrhea the world over. This Congress will find many demands for money to be spent, perhaps without wisdom, in an attempt to conquer disease. This is not without merit, but could well be an endless action. This is just the start of an activity with an appetite for appropriations, much of which will be wasted.

I know you can put up a splendid argument about what it is going to do, about international air travel, the prevention of smallpox, malaria, and other diseases that can be spread by the airplane from one end of the earth to the other. As a physician of a good many years practice I am inclined to feel that this is just another organization that is going to involve this country in an endless line of difficulties. This $1,900,000 authorized in this bill is merely a drop in the bucket to what you are going to be asked to appropriate next year and the year after. On the other hand, I want the RECORD to show that while I feel the humanitarian principles and the things you seek to accomplish are excellent. It is not always what we would like to do for the world, but what this country can afford to do. The taxpayers are being called upon for so many activities of this type that I doubt the wisdom of spreading out to a point that we gradually drain our economic system white—we are anemic now.

I will not ask for a roll call; the time is so late, but did want the RECORD to show that in my opinion, while the objectives of the bill are excellent, the end results will be disappointing.

Surely civilization, as we advance, gets more and more complicated, and I expect the medical profession and science have contributed somewhat to this complication. Yes, life has been prolonged—disease is being conquered to a point that more and more people enjoy old age with social security plus pensions. This will continue under the great free-enterprise system of medical care in this country.

Mr. Chairman, we are entering upon a program of preventive medicine. I do not say that is not a good thing to do. If we could cure all the syphillis, all the gonorrhea, and other diseases in the world, it would have the approval of thinking people. I doubt if this perfection is possible. The food problems of Asia and many parts of the world are now critical. When the span of life is increased the problems are complicated. I shall not oppose passage of this measure, but I do have grave doubts as to the results. This Congress will enter another world-cooperation problem, the end of which is not in sight. The adventure has my blessing. Its work can be reviewed each year—its continuance should rest on results obtained.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am wholeheartedly supporting this measure to join in the World Health Organization. I did not intend to speak on it, other than to cast a favorable vote, but in view of the remarks just made I feel compelled to add my own view of the situation. I cannot agree with the gentleman from Nebraska [Mr. MILLER] in very much of his statement, other than that we ought, as a Nation, not to attempt the impossible and that there is a limit to our resources. In matters of health for the individual, we do not usually inquire whether we can afford the doctor bill. I do not know that we ought to inquire too carefully concerning the cost of the Nation's doctor bill. Insofar as the world's doctor bill is concerned, a part of it is ours, and there is such a thing as too much economy for our health's sake.

As has been so often pointed out, radio has made the world a whispering gallery and airplane transportation has made the whole world a back-yard neighborhood, and no man lives unto himself alone. When I was a boy we heard it said by wise men that the rich man could not live in safety in his mansion on the hill with contagious disease rampant among the poor in the alleys at the foot of the hill, for disease is no respecter of boundary lines. The fast-moving events which my short life has seen transpire have expanded the truth of that saying a thousand or a million fold. I think this measure is not only humane but eminently wise and very practical. I compliment Dr. JUDD and all who have worked with him in this legislative effort.

I was one of the first to be alarmed and to call for appropriation to combat the foot-and-mouth disease, on hearing of the recent outbreak in the neighboring Republic of Mexico. I think we very wisely made available tens of millions of dollars to keep that dreadful livestock disease from our borders. Are not our people far more important than our livestock? To protect ourselves as well as others is the intent of this bill, and I cannot see how there can be reasonable objection to its enactment.

This is another move toward cooperation of nations in regard to problems that are of world-wide scope and significance. As such, I am glad to support the resolution.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I cannot resist replying to the remarks of the gentleman from Nebraska [Mr. MILLER], who I believe is a medical man. It should not be overlooked, as the gentleman from Minnesota [Mr. JUDD] so ably pointed out, that this $1,920,000 is peanuts alongside of what it cost the State of New York, just last year $6,000,000 for one epidemic or three times the cost of this bill for a year.

I also believe that the remarks of the gentleman from Nebraska with reference to the long life of our citizens in this country causing complication of the food problem and also the problem of caring for our aged is a sorry argument against this bill.

Mr. Chairman, I am wholeheartedly in favor of the bill. I congratulate the committee on its fine work and I hope the bill will be passed as expeditiously as possible.

The Clerk read as follows:

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and not to exceed one alternate to attend sessions of the executive board. Such representative must be a graduate of a recognized medical school and have spent not less than 10 years in active practice as a physician or surgeon. Such representative shall be entitled to receive compensation at a rate not to exceed $12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed $10,000 per annum for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation: *Provided further*, That no citizen of or resident in the United States shall participate in any session, conference, or meeting, or other work of the World Health Organization or of any subordinate committee or organization thereof without the consent of the Secretary of State.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed $1,920,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with Article 56 of the Constitution of the Organization: *Provided, however,* That the annual United States quota of contribution to the total budget of the Organization shall not be greater in proportion than the United States quota of contribution to the total budget of the United Nations; and

(b) such additional sums, not to exceed $83,000 for the fiscal year beginning July 1, 1947, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost of living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided,* That the provisions of section 6 of the act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that, in the absence of any provision in the World Health Organization Constitution for withdrawal from the Organization, the United States reserves its right to withdraw from the Organization on a 1-year notice: *Provided, however,* That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

SEC. 5. In adopting this joint resolution, the Congress does so with the understanding that nothing in the constitution of the World Health Organization in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said constitution.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HALLECK) having resumed the chair, Mr. BARRETT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 409) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor, pursuant to House Resolution 602, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. JUDD. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate joint resolution (S. J. Res. 98) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

*Resolved, etc.,* That the President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an international health organization, and deposited in the archives of the United Nations.

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate such person who shall be entitled to receive compensation at a rate not to exceed $12,000 per annum for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation. The President may also designate such alternates as may be deemed necessary.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with article 56 of the constitution of the Organization, and such additional sums as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including (a) salaries of the officials provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere without regard to the civil-service and classification laws; (b) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the act of March 3, 1933, as amended, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of the United States officials provided for in section 2 hereof and other personnel in going to and returning from their post of duty; (c) allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (5 U. S. C. 118a), and similar allowances for persons temporarily stationed abroad; (d) cost of living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (e) services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; (f) official entertainment; (g) local transportation; and (h) printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended.

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that the United States reserves its right to withdraw from the Organization on a 90-day notice: *Provided, however,* That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

Mr. JUDD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JUDD: Strike out all after the enacting clause of Senate Joint Resolution 98 and insert in lieu thereof the provisions of House Joint Resolution 409 as passed.

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which House Joint Resolution 409 was passed were vacated, and was laid on the table.

## NAVY PUBLIC WORKS BILL

Mr. RIZLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 619 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6341) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. RIZLEY. Mr. Speaker this rule will make in order, if adopted, H. R. 6341, authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. The bill is actually known as the Navy construction bill. This bill was handled on the part of the Armed Services Committee by a subcommittee headed by the gentleman from Massachusetts [Mr. BATES], who presented the matter to the Committee on Rules. Originally the bill asked for considerably more money than is now in the bill. As a matter of fact, this bill has been before the Committee on Rules off and on, may I say, for a good many months. When

the original request was made by the Navy for the construction of public works, the sum total was about $2,000,000,000. This was reduced by the Shore Stations Development Board and various review boards of the navy to $846,000,000. Subsequently the Bureau of the Budget and the Navy further reduced the total down to $250,000,000. As reported in H. R. 3314, the predecessor to the present bill, the amount was $249,000,000. Further action was taken on this bill, and in lieu of other bills presented the present bill was introduced which now provides for a total authorization of $209,689,500, which is a saving of about $40,000,000, from the bill as originally recommended by the Armed Services Committee.

Mr. Speaker, the purpose of this bill (H. R. 6341) is to authorize the construction of the public-works program of the Navy both in the continental United States and overseas. The total cost of the projects included in this bill is approximately $210,000,000. Of this total sum about $93,000,000 is to be expended upon projects located inside the United States and about $117,000,000 on projects located at overseas stations. Of the $93,000,000 for public works within the United States, about $70,000,000 is authorized for expenditure in the fiscal year 1948; of the $117,000,000 for projects at overseas bases, about $60,000,000 is authorized for expenditure in 1948.

A number of projects included in this bill are of vital strategical importance to national defense, particularly those located in Alaska and Guam. Certain other projects included are essential in connection with the programs of research and development of rockets, guided missiles, and other weapons of modern warfare.

A. Among the more important of the overseas projects are the following:

First. The construction of a number of super-high-power very-low-frequency radio transmitting stations.

These stations are necessary to provide adequate radio communications in certain areas where high-frequency transmission is unreliable and subject to fade-outs. This need exists particularly in high northern latitudes, where it has been found that high-frequency transmission is unreliable. This is especially true in the North Pacific areas, where high-frequency waves are extremely erratic. A number of stations of the super-high-power very-low-frequency type are required in order to provide over-all communications coverage in northern latitudes. Such coverage is essential to logistic and operational support of surface craft, aircraft, and other forces. Stations of this type are planned at Adak and Kodiak in Alaska, at Argentia in Newfoundland, and in Greenland. It is especially important that adequate facilities be available for reliable radio communications at Adak because its strategic location is such that signals can be received there which cannot normally be heard elsewhere. Therefore, it is vitally important that reliable facilities be available at Adak in order that communications for intelligence purposes in this area may be carried on under all conditions.

Super-high-power very-low-frequency radio stations:

| | |
|---|---|
| Adak | $2,395,000 |
| Argentia | 2,385,000 |
| Greenland | 1,020,000 |
| Kodiak | 2,225,000 |

NOTE.—One station of this type is also planned within continental United States. Its location has not yet been determined, but will be such as to permit the station to cover northern latitudes effectively. Estimated cost: $7,000,000.

Second. Projects included in the program for the development of Guam as a major base.

A total of approximately $84,000,000 is contemplated for projects at Guam. These include the following:

| | |
|---|---|
| Naval Operating Base, Guam: Dredging and filling at Apra Harbor; also necessary utilities and services | $21,000,000 |
| Naval Medical Center, Guam: Development of hospital facilities, including buildings and accessories | 25,000,000 |
| Naval Ammunition Depot, Guam: High explosive storage facilities and accessories | 10,000,000 |
| Naval Radio Station, Guam: Permanent communication facilities, including buildings and accessories | 5,750,000 |
| Naval Supply Center, Guam: Permanent facilities, including storage buildings, fuel pipe lines, and accessories | 14,675,000 |
| Fleet Marine Force Base, Guam: Development of facilities including buildings, service depot facilities, and accessories | 5,823,000 |
| Submarine Base, Guam: Marginal bulkhead, including base site preparation and accessory construction | 1,670,000 |
| Total, Guam | 83,918,000 |

B. Important projects in continental United States are as follows:

First. Technical and research facilities.

In addition to the strategically important overseas projects discussed up to this point, there are a number of highly important technical and research projects included in the bill, which are located within the United States. The most important of these are the Naval Air Missile Test Center, Point Mugu, Calif.; the Aeronautical Turbine Laboratory, Trenton, N. J.; and additional construction necessary in connection with the rockets and guided missile projects at the Naval Ordnance Test Station, Inyokern, Calif., and the Naval Unit, White Sands Proving Ground, N. Mex. The cost of the items mentioned is as follows:

| | |
|---|---|
| Naval Air Missile Test Center, Point Mugu, Calif. | $30,000,000 |
| Aeronautical Turbine Laboratory, Trenton, N. J. | 22,750,000 |
| Naval Ordnance Test Station, Inyokern, Calif. | 3,670,500 |
| Naval Unit, White Sands Proving Ground, N. Mex. | 6,194,730 |

C. Housing projects, both continental and overseas.

A substantial portion of the expenditures authorized by this bill will be for the construction of urgently needed housing for officers, enlisted men, and civilian personnel in the continental United States and overseas. This will include barracks, bachelor officer quarters, and family quarters.

Under existing law, monetary limitations are placed upon the amounts which may be expended for the construction of family quarters of temporary or permanent type construction. These limitations are set forth in the act of July 8, 1946, making appropriations for the naval service for the fiscal year ending June 30, 1947—Public Law 492, Seventy-ninth Congress. These limits are as follows:

| | |
|---|---|
| Permanent construction: | |
| For commissioned officer | $10,000 |
| For commissioned warrant or warrant officer | 7,500 |
| For enlisted man | 6,000 |
| Temporary construction: | |
| For commissioned officer | 7,500 |
| For commissioned warrant or warrant officer | 5,000 |
| For enlisted man | 3,500 |

Present costs of labor and materials are such that it is impossible to construct quarters within the limitations stated above. Accordingly, a provision has been included in this bill which would repeal the existing monetary limitations and substitute in lieu thereof space limitations, based on net floor area in square feet.

Under the space-limitation method, a cost factor will be developed each fiscal year which will be based on current labor and material costs. This factor will represent the current cost of construction per square foot of floor area. It will be applied to the total area in computing the cost in any year of the construction of family quarters. This factor will represent the average cost per square foot within the continental United States. Because of transportation and other additional costs, construction at many overseas installations will necessarily be more expensive. Hence, in estimating the cost of overseas construction in a given area an additional factor will be applied as a multiplier. The additional factor will take into account the differences in the cost of labor, transportation, and other elements in the particular overseas area in question as compared with similar costs in the United States.

I have discussed briefly some of the more important projects in this bill. It is very evident that these projects are vital for strategic purposes and for the rapid implementation of advanced technical programs concerned with the development of modern-day weapons of warfare.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from New York.

Mr. BUCK. It is suggested in the report that a certain amount of housing for officers and enlisted men is included in the bill, but I can find nothing specific as to that. Can the gentleman enlighten us on that?

Mr. RIZLEY. Yes, I think I can. Those items were questioned by members of the Committee on Rules at considerable length. Without going into details, may I say that the chairman of the subcommittee, the gentleman from Massachusetts [Mr. BATES] advised the Committee on Rules that when the bill comes

up for consideration certain of those projects will be eliminated entirely and others considerably cut down.

Mr. BUCK. Then we can expect to handle the housing in the same manner the Army housing was handled?

Mr. RIZLEY. Exactly so. The plans and specifications that were set up in this bill were questioned. The gentleman from Massachusetts [Mr. BATES] said there was no intention whatever of asking for the projects that were originally provided, which would allow a good many square feet for the ordinary house, and some of them were going to cost a lot of money. They are going to be cut down in a manner similar to that adopted in connection with the Army construction bill.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Did I correctly understand the gentleman's statement to be that when the bill comes up for consideration and amendment an amendment will be offered, for instance, on page 8, to bring down the area of the houses for officers to the same area provided in the Army bill?

Mr. RIZLEY. That is correct.

Mr. ARNOLD. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Missouri.

Mr. ARNOLD. Are these overseas installations on leased ground or ground that we own?

Mr. RIZLEY. They will be either on ground that is owned by our Government or that is under long-term lease.

Mr. ARNOLD. Is it for defense purposes or preparation for war, or what is it?

Mr. RIZLEY. They are for defense purposes. We are hopeful that we will not get into war, but of course if we get into war we will have the facilities. But they are necessary for our own security and as a permanent part of our postwar Navy building program.

Mr. ARNOLD. Then we do have adequate control of all the land and sites that this money is going to be spent for?

Mr. RIZLEY. Yes, sir; that is correct.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. SCRIVNER. I notice that on page 2, beginning at line 4 and the two subsequent lines, there is still this provision in the bill for $12,000,000 to acquire land for a landing field at the Naval Academy.

Mr. RIZLEY. It is in the bill, but may I say to the gentleman from Kansas that it is one of the controversial items in the bill. Several members of the Committee on Rules reported the rule out with reservations that they would feel free to oppose the naval air station that the gentleman is talking about when the bill came up for consideration on the floor of the House. The members of the Committee on Rules thought that the bill had so many other things of importance in it that the bill should no longer be kept in the committee.

Mr. SCRIVNER. Then we ought to assume there will undoubtedly be an amendment to strike that item from the bill offered.

Mr. RIZLEY. That is my understanding. Such an amendment, I understand, will be offered. Of course, the House will have a chance to pass on it as to whether it stays in or goes out.

Mr. SCRIVNER. Is it contemplated that the consideration of the bill will be completed today, or will it go over until another day?

Mr. RIZLEY. The bill will not be considered today, just the rule.

Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the provisions of the bill have been explained by the gentleman from Oklahoma [Mr. RIZLEY], who presented the rule. He pointed out the requisitions on the part of the Navy when they originally recommended appropriations of $2,500,000,000 for various construction. Later on it was cut down. Then it was cut down again. Finally it was cut down to about $240,000,000. The Committee on Rules postponed action, and it was cut down to about $209,000,000. I suggested that if the reductions were continued for another 10 or 20 days, they might cut it down an additional twenty or thirty million dollars. There are provisions in the bill to which I object. I object to the recklessness on the part of our officers, and this applies to the Navy as well as the Army in spending the money of the taxpayers. To them spending the people's money means nothing. They have provided for officers housing and so on costing up to $20,000 and even $30,000. Surely in the case of California, they reduced the cost some so that duplexes will only cost about $29,000, and single homes will start at $14,000.

Mr. MACKINNON. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MACKINNON. Does this conform with the President's request, as requested by the Bureau of the Budget?

Mr. SABATH. Well, I do not know. Unfortunately, the President is frequently imposed upon by these brass hats, these military gentlemen who love to spend the people's money.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. To spend some more money?

Mr. SCRIVNER. No. I just wanted to call to the gentleman's attention the fact that these very men to whom he is now referring in such a vein are exactly the same men who led this country to victory in the World War and who this same gentleman now on the floor praised so highly for their efforts at that time.

Mr. SABATH. Oh, there is a great difference between those men who fought the war and saved the country for our democratic form of government and saved our liberty from the Nazis and the Japs. These men who make these recommendations do not do the fighting. They are the swivel-chair gentlemen; the favored few that are on the inside, that never saw a battlefield. Those are the men that I have criticized. Those are the men that at all times are ready and willing and desirous and persistent in spending every dollar they possibly can, regardless of how it hurts the taxpayers. And, after all, the taxpayers are obliged to foot the bill. But I notice there are only a few Members present. I actually believe that this bill should be considered when there is at least a quorum present.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. RIZLEY. This is just the rule. Of course, the gentleman understands we are not going to take up the bill today.

Mr. SABATH. Is that the agreement?

Mr. RIZLEY. Yes.

Mr. SABATH. Well, I did not know that. Of course, you gentlemen never confide in me and never advise me. I have to get things out of the air, as a rule.

Mr. RIZLEY. Will the gentleman yield further?

Mr. SABATH. I yield.

Mr. RIZLEY. Of course, I want to congratulate the distinguished gentleman from Illinois for what apparently is a reformation on his part. I have been under the wrong impression, apparently. For years, when the distinguished gentleman was in the well of this House and we were spending millions and millions and billions of dollars, the gentleman was always apparently for all of those expenditures. Now that the Republicans are in charge, if we keep this bill for a year and cut it down and cut it down, even below the President's budget request, and come in now with this reduced bill, the gentleman is still fearful that there is too much money in it. I want to congratulate the gentleman for this wave of economy that is flowing in his soul at this time. I hope it continues.

Mr. SABATH. I thank the gentleman for the compliment, but if the gentleman had been on the floor, even during the war when we were considering appropriation bills, he would have heard me charge recklessness on the part of the Army and the Navy as to the construction of camps and the purchasing of oil, and doing this and doing that, disregarding the taxpayers of the Nation. I criticized the Board of Engineers. I criticized them all whenever I came to the conclusion that they were reckless in their expenditures. I have always been trying to save money for the taxpayers, regardless of whether they were Democrats or Republicans. But, unfortunately, most of these people that love to spend the money of the Government are Republicans. They are the ones who are in charge. They are in command. They do not have to pay the taxes, but it is the poor Democrats who are obliged to pay the greatest share, although the great wealth of the Republicans would justify that they paid more. But I am not going to waste time. This is generally known. I just want to call attention to one thing here.

For instance, let me call attention to a few provisions of the bill. One provides for an increased appropriation of $12,000,000 for the Naval Academy

grounds. I promised a real friend of mine, another Member who favors it, that I will give it a chance for consideration on the floor, and let the bill be considered in the House and let the House decide, because there has been a lot of opposition to acquiring the 2,400 acres for $12,000,000. There are many residences and homes on the property, and the objections against the acquisition of the property by the Army have been strenuous.

This is the situation. A Republican member of the Rules Committee in whom I have the utmost confidence, who obtained his information from the Navy Department, advised the Rules Committee that the ultimate cost of this program would be over a hundred millions; that instead of the $12,000,000 those who have seen the plans and specifications say that before we are through building expensive residences, clubhouses, and playing fields for these gentlemen it will cost over $100,000,000. I ask my colleague from Oklahoma if that was not the statement made by the gentleman from Indiana?

Mr. RIZLEY. The gentleman from Indiana, I know, is violently opposed to that feature of the bill.

Mr. SABATH. Was not that the statement that he made?

Mr. RIZLEY. The gentleman from Indiana will speak on that feature of the bill I am sure when the bill comes up for consideration.

Mr. SABATH. Yes; I just wanted to have a witness to what I said, although invariably it should not be necessary because I never deviate from the truth, but I know the truth hurts, especially some of you gentlemen.

There is another provision for the acquiring of a project which involved, I believe, something like 60,000 acres in California, on which 115 duplex houses are to be built at a cost of $3,670,500. It follows that every duplex would cost over $29,000. Rather expensive, even in California. Goodness knows that they will be for the officers because the officers will not live in a cheaply constructed home. They have got to have residences. Otherwise what would they do with all these men who serve them, the privates they have at their command at all times, to attend, to help them as caddies on the golf field and taking care of their polo ponies.

In view of all these conditions I am pleased indeed that we are not to consider the bill until next Tuesday, for by that time the membership will familiarize themselves with the provisions of the bill.

In conclusion let me say that most of the appropriations in this bill to my mind are unnecessary and should be used instead to build homes for ex-servicemen, most of them back 2 or 3 years from the war and still unable to obtain decent places in which to live. Many Members oppose housing legislation, saying that private capital is building low-cost houses for the veterans. But what kind of houses are they building? They are building houses that cost $12,000, $15,000, and even $25,000. Let me ask you, how many ex-servicemen can afford to buy a $12,000, $15,000, or $20,000 home? They cannot do it.

I say that instead of utilizing all this money and material to build these luxurious quarters and residences for Navy officers it should be used for home construction. There would be some chance but for the very unfriendly attitude some Members have to the housing bill. You are holding up the bill of Senator TAFT, a candidate for the Presidency on your side, and Senator ELLENDER and Senator WAGNER. The Senate has passed the bill but we find the Committee on Banking and Currency here in this body has it bottled up. They had it bottled up all of last session and the session before that—by you Republicans, still you say you are the friends of the veteran. I would like to ask what kind of friendship that is.

I repeat and say in all candor that the materials that would go into these fancy residences and other unnecessary projects, should be used to build homes for the needy, deserving ex-servicemen who served their Nation during war. They are entitled to better consideration and fairer treatment at our hands.

Mr. RIZLEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CANFIELD, until Tuesday, June 1, on account of official business.

### EXTENSION OF REMARKS

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an address by Hon. Thomas J. Brogan.

Mr. WEICHEL (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD and include extraneous matter.

### WHY NOT A DECENT OLD-AGE PENSION?

Mr. PRICE of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PRICE of Florida. Mr. Speaker, I pose the question to the Congress today, "Why not a decent old-age pension?"

This subject has been foremost in my mind and in the minds of many of my colleagues since I first came to Congress. I have yet to find a reason why there should not be a decent old-age pension for the retired elder citizens of this country. I realize there are a number of excuses.

I believe the excuse used most frequently when we raise this question is, "Well, I would like to see a decent old-age pension, but now that we have such huge appropriations for armaments and for the Marshall plan commitments to foreign countries, and we have reduced taxes, I am afraid that we are going to wake up and find our budget is out of balance, and so forth."

I wonder if the leadership of this House is going to depend on that answer to stand up when we go back and face our constituents? I wonder if we can with a conscience, say to our elder citizens that we appropriated multiplied billions for needy people in Europe and that we did not have enough money left over to do anything for them in the sad plight in which they find themselves today.

Let us go a little further. When the needs of foreign countries came to our attention, why did we not say to them that we will have to wait and see if there is anything left in our budget. We did not say that to them. No, Mr. Speaker, this Congress can appropriate any amount, and apparently at any time, to relieve desperate conditions in Europe. They say we have expended some twenty-two billions since VE-day for this purpose and now we commit ourselves for some five billions per year over the next 4 or 5 years to Europe. Then, we suddenly become entirely too poor to even do anything about the miserable plight of our own elder citizens.

I am not merely raising this question today. It has been before this House almost every week for the past many years. It is not because we do not have time. We have had years and years to study the question and to act upon it. Mr. Speaker, we may as well face the fact that we have not tried honestly to face this issue, and I am calling upon the House in all the earnestness that I command to take whatever time it requires to enact a fair and adequate old-age pension, to take the place of this miserable pittance that is being paid under what we term old-age assistance, and that we do it before this session ends.

If the Congress does not accede to this most urgent appeal, Mr. Speaker, then, tell those of us who are most anxious about this matter, just why we are not doing it. There are now over 200 Members of this body, on both sides of the aisle who are united in a friendly appeal for action on this subject during this session. Our appeal has been made in a most polite and friendly manner. We have only sought consideration of this subject on its merits. We did not try to high-pressure the committee. We only asked for action at the convenience of the committees and the House leadership, but during this session. We have been fair. We have been patient. Yes, Mr. Speaker, we have been long-suffering. But now, time is of the essence. We are making our voices louder. We feel we are entitled to consideration. This Congress is not limited to its power to appropriate for the general welfare of the people of the United States. Our recent history insofar as appropriations go indicates that we can appropriate. Yes, we can appropriate even beyond our budget if it is necessary. We have done it and we can do it again. Now let us provide a decent pension for our deserving elder citizens before this session ends. If it throws our budget out of balance this year, then next year, perhaps we can cut down on Europe or some other department that is less deserving and also where the need is less critical.

I say, Mr. Speaker, there should be a decent, uniform, American old-age pension enacted this session to replace old-age assistance. If I am wrong, and there should not, Mr. Speaker, why not?

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 5 minutes.

FEDERAL AIRPORT ACT

Mr. HESELTON. Mr. Speaker, I introduced this afternoon a resolution which would amend section 11 of the Federal Airport Act by adding at the end of that section the following proviso:

*Provided*, That the Administrator shall require no assurance from any airport sponsor that shall directly affect the economic or business-management policy of an airport by prescribing a formula, standard or ceiling for any rate, rental, charge, or fee established for any occupant or user of airport ground, building, or other space facility or business privilege.

The resolution has been referred to the Committee on Interstate and Foreign Commerce, and is H. R. 6747.

I have done this with the unanimous approval of the Massachusetts delegation in the House. I further understand that probably a similar proposal will be filed next week in the other body by the Senators from Massachusetts.

This action has been taken by the Massachusetts House delegation primarily because the Commonwealth of Massachusetts faces the loss of $442,000, the discretionary portion of the funds allocated to it under the Federal airport program unless the Civil Aeronautics Administration immediately reverses its refusal to extend the deadline, which expires next Monday. These facts appear concisely in a resolution adopted unanimously this morning by the Committee on Interstate and Foreign Commerce and which has been sent to Mr. F. B. Lee, Acting Administrator. If a reply is received today, I shall include it in the extension of these remarks. The committee resolution is as follows:

Whereas the Committee on Interstate and Foreign Commerce of the House of Representatives has held hearings on H. R. 6180, a bill to amend the Federal Airport Act; and

Whereas it appears that the Civil Aeronautics Administration has informed the Commonwealth of Massachusetts that, in order to qualify for a grant of $600,000 for project developments at the Gen. Edward Lawrence Logan Airport at Boston, Mass., it must, on or before May 31, 1948, agree in writing, to be effective for a period of 20 years, to certain provisions now embodied in the Civil Aeronautics Administration's third draft Project Application, Form ACA-1624, revised as of March 12, 1948, part III, Sponsors Assurances; and

Whereas the committee has been informed that legislation has been reported to the general court, the legislative body of the Commonwealth of Massachusetts, intended to make it possible for the Commonwealth of Massachusetts to comply with the requirements of the Civil Aeronautics Administration; and

Whereas the committee has been informed further that it is impossible for the legislative body of the Commonwealth of Massachusetts to complete its action on these proposals prior to May 31, 1948: Therefore be it

*Resolved*, That the Committee on Interstate and Foreign Commerce of the House of Representatives, meeting in executive session, has unanimously adopted a motion to formally request by this committee resolution that the Civil Aeronautics Administration extend the period in which the Commonwealth of Massachusetts may qualify to receive said grant to June 19, 1948.

In terms of the resolution which I have filed and for the information of Members from other States, I would like to say that the general existing conditions resulting from the policy adopted by the Civil Aeronautics Administration has created so much concern among those State and municipal authorities who operate airports all over this country that their representatives appeared before the Committee on Interstate and Foreign Commerce at a recent hearing and expressed vigorous disapproval. I think it is fair to state that the effect of the policy is causing the gravest kind of concern throughout our States. In fact, it reached a point in the statement of one witness where the committee was told, in effect, that if the trend toward such a policy was extended, he would be compelled to recommend that the airport, one of the largest in the Nation, should decline to participate in the Federal program. I am greatly concerned, and I think others are, that such a development on a policy level should jeopardize the fulfillment of the hopes we all have of a very vigorous and progressive development of our air transport system throughout the Nation. I regret exceedingly that the Civil Aeronautics Administration has not been impressed with the argument we have advanced repeatedly that it should do its utmost to cooperate with the local authorities in developing a sound economic program to place these airports on a self-sustaining basis and to remove the financial burden from the backs of the taxpayers in this country.

As this matter develops, I shall want to report to the Members more fully, but, at this time, I think this brief outline of the situation which confronts the Commonwealth of Massachusetts, together with the statement of the general situation toward which this resolution is directed may be adequate. I hope that other Members will consult the airport authorities in their States to determine how the policy of the CAA may be affecting their airports and that they will take an active interest in an effort to devise a more satisfactory policy which can be indicated to the Civil Aeronautics Administration in the hope that it will approve. Of course, if it becomes necessary for Congress to reexamine the airport legislation and redefine the congressional intention, I hope this can be done promptly. In the meantime, I feel confident that all of our colleagues will support this last desperate effort on the part of a sister State to work out some solution so that it will not be deprived of a substantial grant to which, in every sense of the word, it is justly entitled. To say the least, it is ironical that a State which contributes approximately $4 to the Federal revenue for every $1 it receives should find itself in this predicament because of what I think can be fairly described as arbitrary action by an executive office responsible to this Congress.

I would like to include, under permission granted me, a statement made by Assistant Attorney General Sumner W. Elton, of the Commonwealth of Massachusetts, at the hearing before the Committee on Interstate and Foreign Commerce. This statement describes in some detail the position of the Commonwealth of Massachusetts and I think it may be very useful as a matter of the record at this time since the committee hearings will not be available for some time yet.

I also am including two other statements which will indicate clearly that this policy problem does not affect Massachusetts alone. While the printed hearings and the files of the Committee on Interstate and Foreign Commerce will disclose the concern which I believe is almost unanimous throughout this country, because of the possible urgency of congressional action, I think these two statements from eminently qualified witnesses will be of particular interest to Members from other States, and I repeat that I do hope our colleagues from other States may obtain prompt advice from their airport authorities on this problem.

May I call your attention directly to the fact that Mr. Buckley, director of airport development, the Port of New York Authority, spoke in behalf of many of the major airport operators who are members of the Airport Operators Council and to the telegrams to the authorities in Chicago, Cleveland, Denver, Detroit, Jacksonville, Kansas City, St. Paul, St. Louis, and San Francisco. When I discuss this matter further, I propose to include a summary of other opinions which have been received by the Committee on Interstate and Foreign Commerce.

STATEMENT OF SUMNER W. ELTON, ASSISTANT ATTORNEY GENERAL, REPRESENTING THE COMMONWEALTH OF MASSACHUSETTS AND THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS

The Massachusetts Department of Public Works in Massachusetts is charged with the rehabilitation, expansion, and management of General Edward Lawrence Logan Airport—the only major terminal airport in the State.

Logan Airport is one of very few major airports in the United States operated by a State government. Massachusetts early recognized the need for a public airport, and in 1913 established an airplane-landing field near Jefferies Point. In 1928 the city of Boston requested and received the right to develop and operate this landing field as a modern airport, and with the assistance of Federal funds developed an area sufficient to meet the needs of private flying.

In 1940 the further need arose to develop a facility sufficient for the needs of commercial air transportation. A survey of costs by city officials quickly disclosed that the cost of expansion to such an extent was greater than Boston itself was in a position to assume. The Commonwealth was therefore appealed to, and, accordingly, in 1941, took over the entire airport development and operation.

Most of the several hundred airports in the United States are owned and operated by municipalities and most of them now find themselves in a comparable predicament to that of Boston in 1940. The development and operation of a major air terminal, it may be said as a generality, is an enterprise of such dimensions as to be beyond the financial resources of most single municipalities.

To date more than $53,000,000 has been spent or authorized to be spent for the devel-

opment of Logan Airport. Of this amount the Federal Government contributed $4,087,000 and the city of Boston spent $1,579,000. The State has assumed the balance.

There are presently in actual operation at Logan Airport four runways, each of which is not less than 7,000 feet long and all of which are 300 feet wide. These actual landing facilities are not exceeded by those of any other commercial airport in the United States.

Construction of a permanent apron building is currently under way, and a bill is now before the legislature for funds for the construction of a modern permanent terminal building at an estimated cost of $15,000,000 more.

These runways, the apron building, and the terminal building are required to meet current and anticipated future needs of commercial air transportation. They do and will replace the totally inadequate existing temporary facilities.

At no time in the past has the Commonwealth sought to impose charges sufficient to return a penny of its huge capital investment. Neither does it contemplate doing so until the terminal building is completed and occupied. Until that time the entire capital investment in the airport and much of the cost of operating and maintaining it will have been the contribution of the Commonwealth to the development of commercial aviation.

Since 1941 annual operating deficit has been substantial. For the current fiscal year it may well exceed $250,000.

The sources of income at a major terminal airport fall generally into three classes: (1) Revenues paid by scheduled air lines for landing-field use and hangar rentals; (2) revenues paid by nonscheduled and private aircraft operators for field and airport services; and (3) from aeronautical and nonaeronautical business concessions.

Because of previous long-term commitments, no one of these three general sources of revenue is currently producing a return consistent with current costs and values. The maximum development of each of these sources of revenue is the paramount challenge to the management of all airports, since, unlike air lines, airports receive no Federal operating subsidy.

This bill proposes even some more fundamental things:

1. It would force the surrender by the airport of administrative freedom to impose privilege fees upon suppliers who are permitted to import or to deal within the airport in commodities used by scheduled air carriers as distinguished from the unquestionable right to impose privilege fees upon those who furnish similar commodities to other airport occupants.

For example, the right of airport management to impose a charge upon a fixed-base operator, so-called, or airport aircraft repair man and garagekeeper, for sales of service, aviation and other gasoline, oil, parts, equipment and accessories to airport users of such supplies is universally conceded. In effect, H. R. 6180 would deny this right as to dealers and distributors of such supplies who import them into an airport, but have no regular place of business at the airport, only when they are imported for scheduled air carriers, but not as to any other airport consumer. Charges or fees upon a gallonage basis to distributors of petroleum products who import their products into an airport for scheduled air-line use are opposed, not because such a charge would violate any recognized principle or policy, but only because it is alleged that under the terms of petroleum distributors' area contracts the air line, and not the petroleum distributor, would bear the ultimate burden. There is no law that would prevent modification of such terms and the absorption or sharing of this burden by petroleum companies.

Nevertheless, in the case of meals aloft furnished to scheduled air lines by a producer who has no place of business on the airport and whose product competes with the airport restaurant concession, it is agreed by CAA that a privilege charge on such a supplier is proper whether or not the supplier would pass the charge on to the scheduled air-line user. By H. R. 6180 such a charge would be impossible as to meals aloft served to scheduled carriers.

Obviously, then, the rationale of H. R. 6180 is solely to insulate scheduled air lines from any possibility of having legitimate privilege charges to airport distributors, whether they do or do not have a place of business at the airport, being passed on to them to pay. This, it is submitted, is a matter properly left for negotiation between the local distributor and the local consumer in any instance.

2. It would invalidate section 11 (1) of the Federal Airport Act, which, in effect, directs the CAA to prevent unjust discrimination against airport commodity consumers who are not scheduled air carriers.

Section 11 (1) reads as follows:

"As a condition precedent to his approval of a project under this act, the Administrator shall receive assurances in writing, satisfactory to him that—

"(1) The airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination."

Enactment of the proposed legislation would at once place scheduled air carriers in a preferred class by exempting them from the risk of being required by their suppliers to bear the burden of legitimate business privilege assessments upon the suppliers. But all other consumers of identical commodities at an airport would not enjoy such exemption from the normal business risk that a dispenser of a commodity may pass to his consumer in the price of his product any privilege charge or fee that may initially be imposed upon him. Thus, the fixed-base operator required to pay a charge per gallon on aviation fuels dispensed at the airport could transmit his burden to private, itinerant or nonscheduled aircraft operators. But scheduled airlines could avoid risk of this burden by purchasing such fuels from large distributors off the airport in competition with the fixed-base operators and the airport whose revenue from fixed-base operator's business is proportionate to his gross sales. To exempt the scheduled airline but not the private or itinerant air operator from such a normal business risk is, if it is submitted, clearly discriminatory unless the public interest in aviation development is to be deemed to be confined solely to the development of privately controlled scheduled airlines.

3. It would accomplish by indirection that which if attempted by direct legislation would constitute a patently unconstitutional invasion of the sovereign right of a State or of a municipality to tax.

Agreement by an airport to accept Federal aid under the conditions sought to be imposed by passage of H. R. 6180, would entail a surrender by airport management of the right to do by flexible administrative action that which, notwithstanding any such agreement, could thereafter be accomplished by local legislative action, namely, the enactment of a law imposing a tax upon the privilege of dealing in or selling any commodity within a publicly owned or other airport. It is doubted that the Congress would ever attempt by direct legislation to deny the right of the States to tax in this field. The constitutional power of the State to tax the manufacture or importation into the State of gasoline, and to impose a general sales tax upon various commodities, notwithstanding indirect impact upon persons engaged in interstate commerce, has been firmly established by decisions of the Supreme Court of the United States.

4. It would establish unwarranted interference with the police power of States and municipalities to prescribe laws, ordinances, and regulations governing the storage, use and control of inflammable petroleum products in the interest of security of the lives, safety, and property of the public.

This point requires no argument. The police power of the several States to regulate matters pertaining to the risk of injury or death to persons and damage to property by fire has too long been established. Certainly, the safe storage and distribution of aviation gasoline involves no peculiarly aeronautical problem. The real purpose of the proviso of H. R. 6180 is to permit the scheduled air carrier by boycotting the costly airport fuel storage and distribution system, just as by boycotting the airport fixed-base operator, to avoid the risk of possible contributory participation in the cost of maintenance and operation of such systems and thus again, to roll back further subsidization to the possible private or itinerant aircraft operation and other nonairline consumer or to the already overburdened taxpayer.

5. It would result in defeat of the purpose of the Federal Airport Act to provide Federal assistance in costly airport development by distortion of the act into a device to compel further subsidization of scheduled air carriers by the taxpayers of local communities.

Scheduled domestic air carriers have available certain avenues of relief and subsidy under the economic regulations of the Civil Aeronautics Board, and the provisions of the Civil Aeronautics Act of 1938, as amended. The Federal Airport Act, on the other hand, is by its provisions clearly intended to provide financial assistance to local communities in the development of adequate and costly airports. The language of the latter act appears generally to be concerned only with assurances that airports receiving Federal aid be aeronautically and structurally sound in design and permanently available to use by all classes of aircraft and operators of aircraft. Nowhere in the Airport Act does Congress expressly concern itself with the economic or management policies of local airports—nor does Congress appear to have expressly directed or authorized the Civil Aeronautics Administration to concern itself with such matters—of which more later.

In the entire general field of rates, charges, and fees directly or indirectly affecting all classes of users of various airports disagreement may reasonably be anticipated from time to time between the user and airport management. Resolution of these differences can, however, in sound judgment, be accomplished in any case only by adjustment and negotiation at the local airport level, but not by preferential legislation or by administrative regulation. With local airport cost-accounting systems as yet inadequately developed or nonexistent, it is clearly not time for Congress to consider even the practicability of entry by legislation into the subject of regulation of publicly owned airport rates, charges, and fees, let alone possible constitutional obstacles to such a course. Nor is the Civil Aeronautics Administration or any other Federal administrative agency as yet sufficiently informed of all the intricacies of the problems of each local airport in the United States or endowed with the divine wisdom necessary to undertake successfully the task of devising uniform regulation of rates, charges, and fees for local airports, each of whose problems are unique unto itself and individually and collectively so complex and ramified as to defy any effort toward uniform regulation or legislation.

6. It would require, in the case of the Commonwealth of Massachusetts, a violation by the Massachusetts Department of Public Works of an express mandate of the Massachusetts General Court that:

"The department shall establish a schedule of aircraft landing fees, parking or tiedown fees, services, and other charges including the sale of gasoline or other aviation fuels, oils, and other articles and supplies on the lands it has acquired or holds for airport purposes" (sec. 2, ch. 676, acts of 1947).

The Massachusetts General Court has in effect delegated its general power to tax in the field of commodities and supplies dealt in at the airport to the Massachusetts Department of Public Works with the mandate to exercise its function by flexible administrative action. Obviously, upon the passage of H. R. 6180 Massachusetts would be ineligible to receive Federal airport aid without violation of the mandate of its own legislature.

In short, it would set the commercial airlines apart as privileged users of tax-supported facilities—users who would be above the laws, rules, regulations, and practices governing other individuals and businesses.

Such legislation would do worse than condone monopoly; it would set up a corporate dynasty or hierarchy, untouchable and secure, all at the taxpayers' expense.

Upon the grounds already advanced in opposition to the passage of H. R. 6180, the Commonwealth also opposes current efforts by the Civil Aeronautics Administration to accomplish by unauthorized administrative regulation an objective comparable in kind, but at the moment seemingly lesser in degree, to the objectives of H. R. 6180.

From the current appropriation under the Federal Airport Act the Civil Aeronautics Administration has allocated $600,000 for project developments at Logan Airport. Of this amount more than $400,000 consists of discretionary funds which, unless Massachusetts can accede to conditions sought to be imposed by the Civil Aeronautics Administration, may be lost to Massachusetts, notwithstanding her urgent need for them and notwithstanding that they are derived in substantial part from tax funds paid into the Federal Treasury by the people of Massachusetts.

Massachusetts has been informed by the Civil Aeronautics Administration that in order to qualify to receive this grant she must, on or before May 31, 1948, agree in writing, to be effective for a period of 20 years, to certain provisions among others, now embodied in the Civil Aeronautics Administration's third draft "Project Application," Form ACA–1624, revised as of March 12, 1948, part III, sponsors assurances which reads:

"4. The sponsor agrees that it will operate the airport for the use and benefit of the public, on fair and reasonable terms, and without unjust discrimination. In furtherance of this covenant (but without limiting its general applicability and effect) the sponsor specifically covenants and agrees:

"(b) That it will not exercise or grant any right or privilege which would operate to prevent any person, firm, or corporation operating aircraft on the airport from:

"(2) Purchasing off the airport and having delivered on the airport without entrance fee, delivery fee, or other surcharge for delivery any parts, materials, or supplies necessary for the servicing, repair, or operation of its aircraft: *Provided*, That the sponsor may make reasonable charges for the cost of any service (including charges for maintenance, operation, and depreciation of facilities and rights-of-way) furnished by the sponsor in connection with the delivery of any parts, materials, or supplies."

Massachusetts submits that neither section 11 nor any other provision of the Federal Airport Act, or of the Civil Aeronautics Act of 1938, directs or even authorizes, expressly or implicitly, the entry by the Civil Aeronautics Administration by regulation or otherwise into the vast and complex field of airport rates, charges, and fees. Such entry into local airport economic and management policy by CAA can result only in endless confusion, ultimate defeat of the clear purpose of the Federal Airport Act, and discrimination far greater than that sought by the act to be avoided. Once established in this field, CAA could go on year after year requiring assurances tending to establish cost formula ceilings on landing fees, rental charges, and any other rate that an airport might undertake to establish within the limits of its own cost requirements and desire to compete with other airports, and to encourage the development of aviation. Notwithstanding that very few, if any, airports have yet been able to recover annual operating costs, let alone donation of the construction costs in the interest of development of scheduled air transportation.

Unless CAA is at once withdrawn from this field continued action in this direction must eventually wreck the Federal airport program or commit the taxpayers of the communities whose officials, because of immediate financial exigencies, have submitted to such restrictions, to double subsidization of scheduled air carriers. Better that the Congress limit subsidy of scheduled air carriers by the Civil Aeronautics Administration to the means afforded by the Civil Aeronautics Act than to permit the Civil Aeronautics Administration, by confusion between the purposes of the two acts or its functions under them, to convert the Federal Airport Act from one to aid local communities to one that indirectly saddles them with further subsidization of scheduled air carriers contrary to the plain intent of the Congress.

Referring in part to the present financial predicaments of public airport operators and in part to the current effort of the Civil Aeronautics Administration to enter the field of regulation of airport rates, charges and fees and equally applicable to the attempt implicit in H. R. 6180 to enlarge and to perpetrate that effort, His Excellency, Robert F. Bradford, Governor of Massachusetts in an address at the first annual meeting of the newly organized Airport Operators Council at Boston—exactly 7 days before H. R. 6180 was filed in Congress—said:

"If we are to accept the comfortable assumption that government in business is always to be played for a sucker, perhaps such a situation could continue indefinitely. I will not accept such an assumption, and I think I speak for every reasonable person, whether he be interested as a taxpayer or as a private investor in a commercial enterprise."

---

STATEMENT BY COL. RAYMOND J. KELLY, CORPORATION COUNSEL OF DETROIT, MICH., AS CHAIRMAN OF THE COMMITTEE ON AIRPORTS OF THE NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS

The National Institute of Municipal Law Officers is an organization of more than 500 cities acting through their chief legal officer. It is supported entirely by tax funds of cities to compile information of a legal character for its city members and to express the joint ideas of cities on matters which affect them all. I appear here in opposition to H. R. 6180.

In H. R. 6180 the scheduled air lines, already heavily subsidized and aided by cities and the Federal Government, seek to bankrupt forever the city-owned airports of the Nation. This is worse than biting the hand that has fed them—here the air lines seek to cut the jugular vein and keep airports that receive Federal aid forever impotent financially.

Why such a brazen attempt to guarantee perpetually that air lines will receive bounties from city taxpayers? Why seek by legislative edict from the Congress of the United States the forced expansion and continuance of city largesse in this field?

I think I know.

This committee is well aware that from the beginning of civil aviation cities have been in the forefront sponsoring, aiding, and encouraging the scheduled air lines of the United States. The records of this committee are full of statements by city officials down through the years, in which statements benefit after benefit has been urged for the scheduled air lines. These air lines were repeatedly called an infant industry, and cities wanted and still want the benefits of scheduled air transportation. So our representatives came here to urge legislation, appropriations, and other action to help the scheduled air lines.

This is the first time, to my knowledge, when cities have appeared before this committee to oppose legislation obviously fostered by and designed to benefit scheduled air lines—but this is the first time in the history of civil aviation that the scheduled airlines have come before this committee to request a special and entirely unjustified "subsidy" from those who pay taxes in the cities and counties of the Nation. Why?

I think I know.

City taxpayers have contributed millions upon millions to scheduled air lines in a manner just as effective as if these amounts were paid directly into air-line coffers. Without a single exception, every city in the Nation which receives scheduled air-line service has spent untold amounts on the construction, development, improvement, maintenance, and operation of an airport in order that this scheduled air line could operate. Without such airports, scheduled air lines could not exist. Cities which have expended these large sums have never received, nor do they ever expect to receive, reimbursement from the scheduled air lines. Since cities receive most of their income from real-estate taxes, it is city real estate taxpayers who have paid this money into air-line treasuries. While it is true that Federal funds have been used in the construction of many of these airports, and this is quite proper because of the essential nature of airports in our national defense scheme, such payments have never relieved cities from bearing full operational and maintenance costs or from providing valuable space "free" at the airport to the Federal Government without compensation, for the Weather Bureau, the Post Office Department, the Air Corps, and the Civil Aeronautics Administration, which to some degree has offset the Federal funds received.

With such a record of sponsorship and aid to scheduled air lines, why is it that these air lines now seek, through this special legislation, a guaranty that city taxpayers will continue to support them in the manner to which they have become accustomed, and effectively expand this support?

I think I know.

City expenses have greatly increased, along with the upward trend of costs, throughout the Nation. Every city is greatly pressed to make ends meet. Every one of the hundreds of services and functions of cities has been and is being examined most carefully by city officials and city taxpayers in order that every unnecessary or nonbeneficial function or service may be eliminated or made to operate in a more efficient or economical manner. City officials and city taxpayers have begun to look at operation deficits at airports with a most critical eye. They are wondering how scheduled air lines can spend millions of dollars for advertising, the most expensive ticketing procedure in the world, and other luxuries, yet spend less than 1 percent of their total revenues on their most essential facility—the airport. Regardless of the mer-

its of the current financial problems of scheduled air lines, problems which to city officials seem to stem chiefly from management and planning, city officials feel that something can be done—something must be done—about the way the scheduled air lines have treated the cities of the Nation on landing-fee payments for use of city airports.

When city airport operating deficits were exposed to the spotlight of local taxpayer reaction, there arose a general demand that something be done about the rotten situation which was revealed. Since city attorneys have had much to do with the leases which exist for the use of city airports, this problem has generally resolved itself into a question to the city attorney something like this: "Why can't you do something about the air line lease for the use of our city airport?" There were so many city attorneys who had this question presented to them that at our national meetings this subject came up time and time again, and our committee on airports decided that a national survey and study was essential.

As our study progressed, it became quite clear to all of us that our chief difficulty with scheduled air lines grew out of the so-called model lease which the air lines had written up and which they pressurized onto city after city. When I say "pressurized" I mean exactly that. Let me explain. The scheduled air lines have experts who do nothing else but go from city to city to negotiate agreements for the use of city airports. These experts always go in a body. That is, every scheduled air line using a particular airport sees to it that its representative goes at one and the same time to a particular city to negotiate an agreement for the use of the airport. There they meet with the airport manager, the city attorney, and other city officials designated for that purpose, and begin a discussion of the airport lease. The air line representatives always take a united position. If any question comes up during the discussion, they insist upon retiring to a separate room and forming a united opinion before one is expressed. In the past, they have invariably advised cities that their so-called model lease must be taken, "or else." As evidence of this concerted action, the Air Transport Association has inserted a provision in their model lease agreement to the effect that if a city grants more favorable terms to any other air carrier, then such terms shall be immediately made available to all air carriers, thereby insuring identical lease agreement terms. This model lease, as I have said, is a "one-way street," giving air lines everything they want and casting all the burdens of airport operation upon the city, with absolutely no benefits of any character. Also, the city attorney and most of the airport managers are not experts in the negotiation of such leases, and the subject is so extremely technical that it was easy for the air line representatives to take advantage of their superior knowledge and experience in the field. Is it any wonder that our study revealed in city after city a rather militant feeling against the tough bargaining practices of the air lines? When I use the word "tough," the committee will of course realize that that is not the adjective usually used by city officials in describing their reaction to such practices.

City attorneys soon realized that we were all to varying degrees in the same boat. We resolved that we must do something about the situation. We first requested all of our cities to send copies of existing leases, agreements and full data on existing financial arrangements for the use of their airport to our national headquarters. This was a long and tedious process, because usually these agreements were extremely long and technical, and it was difficult to obtain copies. Little by little we accumulated the necessary information upon which to base a considered and a reasonable judgment. We then began, more than a year ago, to draft tentative model agreements to cover all users of city airports. The scheduled air-line agreement was one of four. After we had drafted this tentative agreement, in order to be as fair as possible, we met with the representatives of the Air Transport Association—all of them experts on air-line leases for the various air lines—and discussed every provision, in fact every phrase, of our own proposed model airport-air line agreement. On many points we changed our views because of information and arguments advanced by the air lines. We could not, of course, satisfy the air lines on every point, because it was obvious to them that for the first time in the history of this country the cities were going to have their own information on what cities have been paid for the use of airports by scheduled air lines, and cities were for the first time going to have their own model agreement which would fully protect the interest of cities. I really believe that the air lines themselves have been shocked by the facts revealed at our joint conferences to discuss this extremely important matter.

Naturally the air lines want to continue the existing situation if they can, and even to improve upon it if possible. I think this is a short-sighted view, but it is certainly one revealed by H. R. 6180, and I do not for one moment mean to impugn the motives or good intentions of the individual Congressman, who I believe was misled into introducing this bill.

This point in my narrative brings me to say that I have today delivered to the clerk of this committee a sufficient number of copies of NIMLO's rather extensive research report entitled "Airport Lease and Concession Agreements" so that each member of the committee may be furnished a copy. These copies are just off the press, and this is the first release of the study to anyone. The study is long and involved, and extremely technical, but we firmly believe that it has been carefully and conscientiously prepared with nothing but the interest of the public to motivate it. The study does not ask any special legislation from the Congress to force the scheduled air lines to be fair to cities, and we believe it reveals in startling fashion why this committee should not force cities to be unfair to their own taxpayers by continuing and increasing the unfair situation which now exists in most cities with respect to the use of city airports by scheduled air lines.

I do not say that this legislation was designed to offset the information contained in our study, but I do say that the air lines knew that this study was coming and they knew that upon the facts as revealed in city after city that they themselves would be revealed in an unfavorable light. This is true, even though you will find that our study quotes lengthy explanations of the position of the air lines (as written by the air lines) on various subjects, as we have tried to be extremely fair and set forth the air lines' position even though we did not agree with it.

This committee is well aware of the fact that city after city has been hesitant to acept funds under the Federal Airport Act because of the restrictions and the vacillating policies of the CAA. If the amendment proposed in H. R. 6180 becomes law, I do not see how any city in the Nation could accept funds under that act. Is it not rather illogical to plan a national airport system and yet jerk out from under the cities which accept a part in this system the financial basis upon which they must operate their airport? I know that subsidy is considered to be a bad word by the air lines, and I use it deliberately because of the fact, but is it not true that H. R. 6180 is designed entirely to hand them an additional, and I submit unreasonable, subsidy?

It may well be said by the air lines that the thinly disguised purpose of H. R. 6180 is to let them be free of all possible charges which might cover gasoline. It may interest the committee to know that the study which I am filing with you reveals that the only financially self-sufficient airports in the United States are those which receive their major revenue from the sale or handling of aviation gasoline. What the air lines want is to have cities furnish them with a gasoline filling station for free. How many of our thousands of gasoline filling stations throughout the Nation would react favorably to a Federal law which required them to allow automobiles to be parked in their filling station while gasoline bought from someone else, and on which someone else was making a profit, was inserted in the automobile tanks? Automobiles use highways on which Federal funds are spent, and I suppose that following the logic of this bill, Congress could well say that cities and States who refuse to help them enforce such a requirement of free use of filling stations for filling purposes by others would lose all Federal aid to their streets and highways.

To take up food, beverages, and other items covered by H. R. 6180 would unduly prolong this statement. The imposition from "on high" through Federal legislative edict of restrictions such as those proposed by H. R. 6180 would be just as illogical and just as unreasonable.

It can be seen that H. R. 6180 would legislatively insure that there be no self-sustaining airports in the United States as a condition for Federal aid. I doubt seriously that even the air lines can logically support such a position. I knew they were desperate, but I never thought they would reach this state.

I think I know the real purpose of H. R. 6180 when I tell you it is a little-hoped-for "legislative insulation" against the feeling of cities that the air lines have "burned them" on airport use leases in the past. The air lines feel that their chickens are about to come home to roost and they know such a homecoming will hurt and hurt and hurt. They also know why it will hurt.

Fred T. Van Liew, former city solicitor of Des Moines, past president of NIMLO and former chairman of NIMLO's airport committee summarizes this whole picture on airline use of airports in the study I have handed to the committee when he says at page 10:

"I am also greatly impressed with the facts showing that Tulsa and a few other airports are operating entirely in the black due to revenue received from the city's exercise of an exclusive right to sell gasoline at the city-owned airport. The thousands of gasoline service stations throughout the Nation are ample evidence of the fact that money can be made out of the sale of gasoline and I cannot understand why CAA in its latest regulations tries to prevent cities from realizing revenue from exclusive gasoline sales concessions—after all, the airport is a gasoline service station and if properly handled it is evident that revenue from gasoline sales would make most, if not all, of the airports self-supporting. When the air lines try to direct attention away from revenues from gasoline sales and yet retain a landing fee system under which they pay less than 1 percent of their revenues for airport use, it is time for city officials to give some thought to both of these subjects. Sooner or later the air lines, which enjoy a monopoly under their certificates of public convenience and necessity—a monopoly which is sometimes exclusive—must, through fair-minded management, face the fact that city taxpayers expect some evidence of fair

play, and I am certain that such evidence has not always been present in the dealings between air lines and cities in the past."

---

STATEMENT OF JAMES C. BUCKLEY, DIRECTOR OF AIRPORT DEVELOPMENT, THE PORT OF NEW YORK AUTHORITY

The Port of New York Authority is a municipal corporate instrumentality of the States of New York and New Jersey created by treaty between the States in 1921, with the approval of the Congress, to deal with the planning and development of terminal and transportation facilities, and to facilitate the commerce of the metropolitan area. Its geographic jurisdiction covers an area roughly 20 miles in radius around the Statue of Liberty in New York Harbor. Within this area there is a population of approximately 11,000,000, or more than 8 percent of the population of the continental United States.

The Authority is given wide powers to finance, construct, and operate terminal and transportation facilities within the port district. It has no taxing powers. Its projects must be self-sustaining and they are financed through the issuance of Port Authority bonds which are sold in the open market on the basis of the Port Authority's established credit base and its anticipated earning power.

As a part of its statutory obligations, and under its leases with the cities of New York, N. Y., and Newark, N. J., the Port Authority has the responsibility for operating, maintaining, and developing the air-line airports of the port district for a period of 50 years. Currently, we are operating LaGuardia Airport in New York City, and Newark Airport in Newark, N. J. On July 1, 1948, we shall open the great new New York International Airport in New York City, and in about 10 years we anticipate that the air traffic of the New York region will require a fourth air-line airport.

The airports for which the Port of New York Authority is responsible under its leases with the cities of Newark and New York represent accumulated municipal investments of approximately $100,000,000. The Port Authority is prepared to invest an additional $200,000,000 in these facilities over the next 10 years to keep them abreast of the developing needs of commercial air transportation. The marginal nature of this program is clearly indicated by the fact that even with a reasonable amount of Federal aid our anticipated margin, after all charges over the next 37 years, will average less than seven-tenths of 1 percent per annum on our invested capital. And the achievement of even this infinitesimal margin of safety is further contingent upon the greatest possible development of nonflight revenues at our airports through the exercise of good business judgment in their development and operation.

Today, however, that program as well as the program of every major air-traffic center in the country is threatened by the bill which is before the committee. I am referring, of course, to H. R. 6180, a bill to amend the Federal Airport Act.

Gentlemen, it has been my privilege from time to time over the past few years to testify before this committee on various measures affecting our national transportation pattern. Today, for the first time in my appearances before this committee, I must state that the organization which I represent is unequivocably opposed to a measure before you. We urge that this bill not be approved by the committee and not be recommended for consideration by the House. Let me review briefly a few of the many compelling reasons which have brought us to this view.

1. Passage of this bill will force the continued subsidization of scheduled air carriers by local municipalities and authorities who accept Federal airport aid.

Under this bill, the scheduled air carriers will be relieved of paying their fair share of the cost of providing and maintaining facilities at airports which are used by them and their suppliers. Under this bill, the airport operator could charge only "for the cost of any service rendered in connection" with the procurement by the scheduled air carrier of personal property of any nature. This provision obviously intends that charges made on account of gasoline, oil, flight meals, and other supplies brought into the airport from the outside shall be based solely upon services, if any, rendered by the airport operator directly in connection with such supplies. It obviously is intended to prevent the airport operator from including a fair and just proportion of his general expenses in connection with facilities used by airline suppliers in common with others. Such unjust discrimination in favor of one group cannot be defended.

At port authority airports, for example, we have to do maintenance dredging in our channels so that oil barges may make delivery of gasoline for the scheduled air carriers who thus enjoy a much lower rate than if delivery were made by tank car or truck. We have to maintain the bulkheads at which those barges tie up; we have to provide rights of way for pipe lines to handle this gasoline or we must maintain special roadways for the use of gasoline tenders if distribution is by motor truck within airport boundaries. On other types of personal property delivered to scheduled airlines at our airports, as well as on the handling of gasoline within the airport, we must maintain police protection and traffic regulation. We must have fire protection, particularly with reference to the handling of gasoline in the hangars and on the loading ramps; and we must have expensive snow-removal equipment manned by regular personnel available at a moment's notice so that the roadways within the airport may be kept open for delivery of essential items of personal property to our air-line tenants. And we must have a supervisory staff which can direct all these activities—a goodly portion of whose salaries under a sound cost accounting system are allocable to the public areas of the airport used in large measure by suppliers of personal property to scheduled air carriers. In other words, gentlemen, the delivery of a box of chewing gum to a scheduled air carrier on an airport costs the airport management dollars and cents even though the airport does not provide any special service directly in connection with that delivery.

What you are being asked to do by passage of this bill is to require the airport operators to absorb a portion of the airport costs properly allocable to scheduled carriers in connection with their procurement of personal property. I submit, gentlemen, that that is a higher price to pay for Federal aid than the large air-line airports of the country can afford. If this bill were to be passed, it could aptly be renamed a bill to wreck the Federal Airport Act.

I should add that the bill is not confined to aeronautical supplies for use by the carrier itself. It would also apply to goods purchased by it for resale to others.

2. Passage of this bill will deprive airport operators who accept Federal aid of the opportunity of exercising their own independent business judgment in managing their airports.

Airports are rapidly becoming big business—a far bigger business in fact than the scheduled air-transportation system of the United States. At a recent meeting of the airport operators' council, we sat around the table and found to our amazement that within 5 to 10 years this small group of 20 large air-line airport operators would have over $500,000,000 invested in air-line airports—almost twice the capital invested in the domestic scheduled air-carrier industry.

Increasingly, our municipalities are finding that these huge airport investments cannot be carried as part of the general tax burden, except by neglecting essential municipal services, such as schools, streets, sewers, libraries, and hospitals. It was this situation which resulted in the leasing of the Newark and New York City airports to the Port of New York Authority for development on a self-sustaining basis. Similar pressures in other air-traffic centers are resulting either in the transfer of airport operations to self-sustaining governmental units, or in the complete abandonment of plans for development which must be carried out if we are to have a healthy air-transportation system.

Our projections of national air traffic suggest that within perhaps 5 years there will be 15 to 20 air-traffic centers in the United States which will require for scheduled air-carrier use alone more than the capacity of 1 three-runway airport. In no more than 5 of these air-traffic centers today is there any tangible progress towards this necessary expansion of air-terminal facilities.

The proper development of the Nation's air-line airports, which are as essential in time of war as they are in time of peace, will come about only by permitting them to work toward a self-sustaining basis—and this will require the increasing development of nonflight revenues and the management of these facilities on a businesslike basis. Yet the bill before you would deny the airport operator the Federal airport aid so essential to the achievement of this program, unless he gives up the right to use any independent business judgment in charging for the use of his facilities. Note that this bill is not limited in its coverage to aeronautical items or even personal property essential to the operation of the aircraft of the scheduled air carriers. It covers every kind of personal property from mittens to bubble gum, and permits no charges by the airport operator to recover his many expenses which are entirely separate from the services which he might render directly in connection with the procurement of such items by scheduled air carriers.

This attempt to restrict the discretionary power of the local airport operator through Federal legislation is quite at odds with the advice given to airport operators in Boston on April 2, 1948, by Mr. Ralph Damon, the president of American Airlines. In an address before the first annual meeting of the Airport Operators Council, Mr. Damon said:

"It is necessary that legislative bodies give you sufficient discretion. Such discretionary power is essential in the public interest. Overly detailed legislative rules simply hamstring you and necessitate constant and uncertain revision."

I believe that Mr. Damon undoubtedly had in mind recent actions by State legislatures limiting the number of years for which airport operators could grant leases to air carriers since, in the same speech, he was arguing for long-term fixed agreements at airports. If the airport operator should have discretion in order to be able to negotiate agreements which are reasonably responsive to the needs of the scheduled air carriers, he certainly is entitled to the same discretion in order to negotiate in the public interest in order to keep his airport on a reasonably self-sustaining basis.

3. Passage of this bill will remove from the Federal Airport Act the flexibility necessary to meet the changing needs of the developing airport industry.

After months of conference with scheduled air carriers, oil companies, airport operators and other interested groups and individuals, the Civil Aeronautics Administration published on March 18, 1948, revised regulations for the administration of the Federal Airport Act. Prior to the adoption of these revised regulations, most large airport operators had found that they could not afford to accept Federal airport aid under the conditions established in the original regulations.

For most of us concerned with airport operation, the revised regulations are far from ideal. In fact, there are several large airport operators today who feel that they still cannot afford to accept Federal airport aid because of the rigorous conditions set forth in the revised regulations.

The Port of New York Authority had followed these discussions closely and had made its suggestions for consideration by the Civil Aeronautics Administration. Some of our suggestions were accepted; many were not. We recognized, however, that the administration of this act must necessarily reflect the interests of both airport, operators, and airport users and we recommended to our commissioners that we apply for Federal aid on the basis of these new regulations. Our first application was filed on April 15, 1948.

Within 3 weeks after these revised regulations were published, the subject bill was introduced. The content of this bill reflects substantially the point of view which the Air Transport Association urged on the Civil Aeronautics Administration in the course of its consideration of revised regulations. In effect, you are being asked to overrule the administrative action of an executive agency to serve the interests of one small group of airport users. It might interest the committee to know that, in the same speech by Mr. Ralph Damon, of American Airlines, from which I quoted previously, he stated that:

"In 1947, commercial air carriers accounted for only 16 percent of all landings and take-offs."

The bill violates the general principle that legislation should be implemented through flexible regulatory procedures developed by the agency skilled and experienced in the field—in this case the Civil Aeronautics Administration. I cannot help but quote in this connection a paragraph from a speech made by the Honorable Robert Ramspeck, executive vice president of the Air Transport Association, before the Airport Operators Council in Boston early last month. In his address Mr. Ramspeck said:

"Airport agreements are entirely local in nature and their negotiation does not require intervention on the part of any outside group or organization, whether governmental or private. They should be subject only to negotiation between the provider and the user or users, as the case may be, without discrimination."

4. Passage of this bill will threaten the safety of operations at airports accepting Federal aid.

The committee will note that this bill would forbid the airport operator from requiring the scheduled air carrier or any person making deliveries to it from being required to use any storage, dispensing, or delivery system, equipment, or facilities operated by or pursuant to a contract with the airport operator. What this means in effect is that the Congress would be forbidding the airport operator to determine how and where gasoline and other hazardous materials and supplies should be stored and handled on his airport.

On this point the proponents of the bill are going far beyond the limits of business expediency and are asking for legislation which may jeopardize the lives and safety of thousands of passengers and visitors at our major air terminals. The volume of gasoline handled at the major airports today is not something which can be treated lightly and left to the discretion of individual tenants. Aircraft engaged in North Atlantic or transcontinental operations take on 2,000 gallons or more of gasoline each when they leave LaGuardia Airport. In 10 to 12 years we expect that 1,000,000 gallons of gasoline per day will be used at the New York international airport at Idlewild. To provide even a 2-week reserve supply as a margin of safety against strikes and weather difficulties, we shall have to have storage capacity at the airport for fifteen to sixteen million gallons of gasoline.

If this bill be passed, it means that as the price of Federal airport aid the airport operator must relinquish any right to require the use of a common safe storage area or the use of a safe underground gasoline-distribution system or the use of a consolidated fleet of tenders of standard design so as to keep the number of such vehicles on the airport to a minimum. Instead he must agree to forget about the lives and safety of his patrons and permit gasoline to be handled in any manner the individual scheduled carrier desires at any place on the airport which that carrier may have under lease or permit.

By our lights, gentlemen, and I believe I express the opinion of most of the large airport operators throughout the country, that is too high a price to pay for Federal aid. We certainly cannot afford it. We have just finished, in cooperation with the fire department of the city of New York, a survey of the gasoline-storage facilities operated by the scheduled air carriers at LaGuardia Airport. We found serious violations of the fire code, many of which had been called to the attention of the carriers more than 2 years ago and which were still unremedied. I may say that we advised the carriers that unless these violations were remedied within 30 days we would not permit further deliveries of gasoline. We cannot accept Federal aid if to do so we lose the right to protect the people who use our airports.

5. Passage of this bill will deprive the States and municipalities and even the Federal Government of their right to tax any articles of personal property procured by scheduled air carriers at airports accepting Federal aid.

I have said little about the so-called tax features of this bill because it is not in any sense of the word an objective or honest attempt to resolve the admittedly vexing problems of taxation which confront scheduled air carriers. Under the guise of characterizing this as a tax bill, it has been brought before you more rapidly than it might otherwise have been scheduled, originally for a joint hearing with a bill which resulted from long and detailed studies by the Civil Aeronautics Board and which was suggested for your careful consideration by both the President's Air Policy Commission and the Congressional Air Policy Board. I am speaking here of House Resolution 1241, which was originally to be before you today. On that bill I have no comment.

The tax features of House Resolution 6180, however, are something else again.

Note at the outset that it forbids the collection of any taxes on any personal property procured by a scheduled air carrier unless the tax is one imposed by the airport owner or operator. This would cause several extremely curious results. For example:

1. If the airport were owned and operated by the State, no Federal or municipal sales taxes could be validly collected.

2. If it were owned and operated by a municipality, no Federal or State sales taxes could be collected.

3. If it were owned and operated by a public authority not itself having the power to tax, neither Federal, State, nor municipal sales taxes could be collected.

I am no lawyer and do not purport to be competent to comment on the constitutionality of these provisions, but I must say I am extremely curious to know, for example, how a municipality can by contract with the Federal Government deprive the State of its power of taxation.

Moreover, in the case of an airport owned and operated by the State, the bill would purport to require an agreement by the State that it would not levy taxes upon sales of aviation gasoline to particular carriers at particular airports. I am curious as to whether one legislature can bind a future legislature on this point, and also whether such a discriminatory exemption would be valid under any State constitution.

And as a tax-paying citizen, I am concerned about special tax treatment of an industry which one of its leaders admits accounted for only 16 percent of the landings and take-offs at the airports in the United States in the year 1947.

CONCLUSION

In conclusion, gentlemen, I can only say that these are but a few of the points which illustrate the vices of the bill which is before you. If it be passed, I would recommend that the Port of New York Authority not seek to participate in the Federal airport aid program. I believe that the bulk of the large airports in the United States would be compelled to take the same action. Such action would mean serious cut-backs in all of our airport development programs with resulting harm to the development of air transportation as an essential part of our peacetime economy and a tremendous force for our defense in time of war.

Of the 20 major airport operators who are members of the Airport Operators Council, several are represented here today in opposition to this measure. Others have asked me by telephone or wire to advise the committee that they oppose the bill. If the Chair will permit, I should like to mention the names of these airport operators, read some of the telegrams, and file all of them for the record.

You have in the present regulations issued by the Civil Aeronautics Administration under the Federal Airport Act complete and unbiased protection for all airport users. Every project sponsor agrees to operate its airport on fair and reasonable terms and without unjust discrimination. The regulations have been designed to protect equitably all airport users from abuse by airport operators. They do not seek to put the interests of one group of users above those of another, nor do they seek to put the interests of one class of airport operators above those of the others. They represent the compromise of views inevitable in the democratic process, after months of careful deliberations by the Civil Aeronautics Administration. They are today, we believe, a workable document which represents not the complete desires of any individual group but a synthesis of their interests on a workable basis.

To substitute for these regulations special interest legislation will inevitably wreck the entire program of Federal airport aid. We urge, therefore, that this bill not be reported out and that you permit the executive agency charged with the administration of the Federal Airport Act to continue to resolve on a constructive basis the opposing interests of airport operators as a class and airport users as a class without benefit of legislation to serve the interests of a special group.

---

CHICAGO, ILL., *May 14, 1948.*

JAMES C. BUCKLEY,
*Executive Secretary,*
*Airport Operators Council:*

As supplemental to your statement, the following is an expression from Chicago:

Chicago, the air crossroads of the Nation, is proud of its municipal airport. It has the honor of having served more air passengers in the last 5 years than any airport in the land. These air passengers originated from or were destined to every State in the Union. The Chicago airport served the Nation, yet Chicago taxpayers paid the whole cost of its construction. Chicago's local taxpayers, year after year, have subsidized commercial aviation. They have paid the loss in the operation of the municipay airport to serve largely the air travelers

of the Nation and of the world. If air travelers should be subsidized, it is the obligation of the Nation. House bill 6180 would compel Chicago to continue to subsidize. This bill, in addition would compel such an unfair-business practice that it should not seriously be considered. It advocates rates and fees which favor one class of transport operators, only the class called the scheduled operators, the large air lines, if you please. This is in direct conflict with the rule of the Civil Aeronautics Administration, which says that airport charges should be fair, reasonable and nondiscriminatory as to each class of service. We believe that Chicago has a moral and legal right to establish charges against vendors of aviation gasoline and other goods at the time they enter the airport in return to the taxpayers for having established a place where such goods and gasoline can be delivered, vended, stored and used. Chicago contemplated airport-service charges not directed toward any air-transport operator, large or small, but rather against the vendor of such things as the air carriers elect to buy in furtherance of their business. In nowise would the air lines pay such service charges out of their revenues. They would, of a certainty, arrange it so that their ticket sales reflected this along with other costs of doing business. In short, be they from Chicago, the East, West, North or South of this country, or from overseas, the air passengers would be paying their fair, reasonable, and nondiscriminatory share of the cost of maintaining a Nation-wide transport facility at Chicago. This House bill seeks to saddle the costs wholly on local taxpayers. This bill, in its effect is unfair, unreasonable and inequitable. It will hinder rather than help aviation.

OSCAR E. HEWITT,
*Commissioner of Public Works of Chicago.*

---

CLEVELAND, OHIO, *May 14, 1948.*
JAMES C. BUCKLEY,
*Port of New York Authority:*

April 19 I requested ROBERT CROSSER to vote against H. R. 6180. Your argument has my unqualified support and you may so quote me.

JOHN BERRY,
*Commissioner of Airports.*

---

DENVER, COLO., *May 14, 1948.*
JAMES C. BUCKLEY,
*Executive Secretary, Airport Operators Council:*

Concur wholeheartedly with your decision on H. R. 6180. Have already contacted Chairman WOLVERTON in this respect and appreciate your following through.

C. J. LOWEN.

---

DETROIT, MICH., *May 14, 1948.*
JAMES C. BUCKLEY,
*Port of New York Authority:*

We concur your testimony H. R. 6180 request you place us on record opposing this bill.

EUGENE V. FRYHOFF,
*Director, Detroit Metropolitan Aviation Authority.*

---

JACKSONVILLE, FLA., *May 14, 1948.*
JAMES C. BUCKLEY,
*Secretary-Treasurer, Airport Operators Council:*

We heartily concur with your statement. E. P. Owen, Jr., will represent Jacksonville at the hearing.

E. E. BENTLEY,
*General Manager of Airports.*

---

KANSAS CITY, MO., *May 15, 1948.*
JAMES C. BUCKLEY,
*Executive Secretary, Airport Operators Council:*

Fully approve your statement. Desirable you speak for all large airports. If possible add airport bill not proper vehicle for economic regulations of industry. Would be just as sensible to have mail rate determined through Federal Airport Act.

LOUIS R. INWOOD,
*Director of Aviation.*

---

ST. PAUL, MINN., *May 14, 1948.*
JAMES C. BUCKLEY,
*Executive Secretary, Airport Operators Council, Port of New York Authority:*

Receipt is acknowledged your statement re H. R. 6180 prepared for Port of New York Authority and also receipt acknowledged Airport Operators Council special bulletin May 12. I concur fully with position taken in your statement as contained in the draft of May 12 on H. R. 6180 and I authorize you to make this statement on behalf of the Airport Operators Council or on behalf of this Minneapolis-St. Paul Metropolitan Airports Commission whichever may be desirable in your judgment as I am unable to testify personally before the Interstate and Foreign Commerce Committee of the House of Representatives Monday May 17 on behalf of this Commission.

ROBERT ALDRICH,
*Executive Director, Metropolitan Airports Commission.*

---

ST. LOUIS, MO., *May 14, 1948.*
JAMES C. BUCKLEY:

St. Louis heartily concurs in your statement on H. R. 6180.

H. C. BROCKHOFF.

---

AIRPORT, SOUTH SAN FRANCISCO, CALIF., *May 14, 1948.*
J. C. BUCKLEY,
*Executive Secretary, Airport Operators Council, Port of New York Authority:*

We fully concur with the statements made by the PONYA in their protest against the amendments to the Federal Airport Act as proposed in H. R. 6180, this proposed legislation, if enacted into law, would seriously threaten the whole air transport industry. By making the development and maintenance of airports by city and county governments an ever greater burden on local taxpayers than they now are. Such legislation can conceivably halt the further development of the San Francisco Airport, the major international air terminal on the West coast by the refusal of our local taxpayers to approve further expenditures on this airport, if it is prevented from meeting its operating costs.

B. M. DOOLIN,
*San Francisco Airport.*

Mr. Speaker, having prepared the foregoing statement for the benefit of all my colleagues since I believe they are all vitally interested in this important problem, I am very happy now to report also for the benefit of all of my colleagues, and particularly my colleagues from Massachusetts, that a few minutes ago the Deputy Administrator called me to say that the first regional office of New York has stated it will not withdraw the Massachusetts funds until one of two things happens: First, that Massachusetts signs or states it will not sign the project application, after action has been taken upon pending legislation in the Massachusetts Legislature; or, second, that the Massachusetts Legislature adjourns. So it appears that as the result of the concerted efforts of the Massachusetts delegation and through the unanimous action of the House Committee on Interstate and Foreign Commerce, at least we have avoided this very unfortunate possibility of losing an equitable share of these Federal airport funds to which Massachusetts is certainly entitled. I know that I speak for the Massachusetts delegation in expressing our sincere appreciation to the chairman and members of the Committee on Interstate and Foreign Commerce for their sympathetic consideration of our problem and for their prompt and most effective action.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HESELTON. I yield gladly to the gentleman from Massachusetts, and wish to thank him for the excellent advice he has given me constantly in my efforts to carry out the wishes of the entire Massachusetts delegation.

Mr. McCORMACK. The action taken by the Civil Aeronautics Administration is a very pleasing one. The entire Massachusetts delegation has been deeply interested in this matter, and the gentleman from Massachusetts [Mr. HESELTON] has been acting for the entire delegation, both Democrats and Republicans, in support of this matter. In introducing the bill the gentleman has consulted all Members of the Massachusetts delegation, and his introduction of the bill, while in his name, represents, in a sense, a bill introduced by all of the Massachusetts Members, rather than each Member introducing an individual bill, with the consequent duplication of printing, and, therefore, unnecessary expense. The gentleman from Massachusetts [Mr. HESELTON], representing the delegation, has actively carried on the fight in this matter, we cooperating with him, but he led the fight, acting for the delegation in introducing the bill. We are all cosponsors, so that the Civil Aeronautics Administration will understand that there is a solidarity here and that the introduction of the bill is in a sense a cosponsorship of all the Members of the Massachusetts delegation. As to the resolution adopted by the Committee on Interstate and Foreign Commerce, which the gentleman from Massachusetts [Mr. HESELTON] introduced, again he led the fight on that, representing the will and the wishes of the Massachusetts delegation in connection with the Logan Airport, that being our immediate problem. We are very appreciative of the action taken by the Committee on Interstate and Foreign Commerce this morning.

Mr. HESELTON. I am glad the gentleman made those comments about our joint effort, because I want to emphasize that identical resolutions were prepared and presented to each Member of the delegation, and it was because of the wise and constructive counsel of the gentleman from Massachusetts [Mr. McCORMACK] that we decided that I, as a member of the Committee on Interstate and Foreign Commerce, which would receive this bill for consideration, should introduce one resolution on behalf of the entire Massachusetts delegation, which has indeed been completely united, as it always is in matters affecting the welfare of Massachusetts.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. HESELTON. I am glad to yield to the gentleman from Tennessee.

Mr. PRIEST. Did I understand the gentleman to say that the message he

received this afternoon, in effect, would carry out the request of the Committee on Interstate and Foreign Commerce this morning to delay the deadline in this situation?

Mr. HESELTON. That is entirely right.

Mr. PRIEST. I was present when the resolution came up, and I am glad it worked out that way.

Mr. HESELTON. The gentleman did support the resolution. He and each member of our committee has extended every courtesy and assistance to me in our delegation effort. I am glad to have this opportunity to express our gratitude to him and to repeat our appreciation of the cooperation and effective action of the entire committee.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

THE VOICE OF AMERICA

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, I take this time in order to state that, in my judgment, by the time the second session of the Eightieth Congress has adjourned we will have appropriated in various ways through deficiencies, transfers, and direct appropriations in the neighborhood of $40,000,000 for the Voice of America, or the Office of Information and Education of the State Department.

I think it is fitting for one of us who sit on the subcommittee on State Department appropriations to take the floor at this time and perhaps clear the air somewhat regarding this program and the relationship it has to Congress.

We enacted last year a legislative background under which the Voice of America could operate. We passed the Mundt bill. I was very much interested in that bill and authored on the floor of the House an amendment which finally was carried in the bill as it became public law as section 1005. This section required that the Voice of America utilize existing private facilities wherever possible. As a consequence, a practice that had already been set in motion was carried on this year. In the radio part of this program, contracts for foreign broadcasts were made with the Columbia Broadcasting System and the National Broadcasting Co.

It so happens that early this year a series of broadcasts under the general heading of "Know North America" were made. They were written in a rather maliciously silly manner to depict a group of light-hearted and I think light-minded people flying over certain States and certain cities and looking down and making erroneous comments and observations regarding these States. Where the script writer got his source material and facts certainly intrigues me. The States were Wyoming, Utah, Alabama, Mississippi, New York, Texas, and Colorado, and various cities in those States were mentioned. But other broadcasts were made and they were not so bad. They are now being analyzed by the Committee on Appropriations. We want to know their intent and their purpose.

NOT ALL PRIVATE FACILITIES BAD

My reason for taking this time today, however, is to point out to the Congress that some of those contractual relationships with private mediums have not been bad. The record of the Columbia Broadcasting Co. in this field, as far as I know, has been exceptionally good. I take this time particularly to point out a nonprofit broadcasting company called the World-Wide Broadcasting Foundation, which, particularly through Station WRUL, has for 13 years been carrying on a very effective program, selling America and Americans to the foreign countries.

I think I would be derelict in my duty if I did not point out that, as far as the western democracies are concerned, the successful campaign in Italy should at least be partially credited to the work of WRUL and Walter Lemmon, its president. I have hoped that the State Department could see fit to employ WRUL in their work. I have no interest in it except that here is an American institution that has been carrying on a good work and I think it is entitled to consideration, which it has not yet received.

I take this time also to point out that one rotten apple does not necessarily mean a box of rotten apples. But left to rot it can destroy the entire box. I trust that the four investigations going on into operations of the Voice of America will clear up the bad parts and exonerate the good. We passed the Mundt bill and are appropriating $40,000,000 for the Voice of America, and I believe it to be the consensus of this House that the Voice of America and the Office of Education and Information can do good work. I submit that it is the duty of responsible Members of this House to be constructive as well as critical.

I shall include in my remarks a statement recently issued by the World-Wide Broadcasting Foundation.

May I say this in conclusion. There is a new head of the Voice of America. He took office about 2 months ago. So far his activities have been accepted as very thoughtful and constructive by those of us up here on the hill who are interested in the Voice of America. I do not want at this time to have anything done that will deny every fair chance to Mr. George Allen. I trust his administration of this important office will be successful. I do hope that all this emphasis on the truly rotten parts of the voice's program at this time will not destroy a possibly good program nor hamper the possibilities of a regenerated administration of it.

The World Wide Broadcasting Foundation is the oldest independent, non-Government short-wave radio broadcaster in the country. For the past 13 years—with the exception of a period during the war when it was taken over by the Government—the non-profit foundation has devoted itself to the exclusive purpose of promoting international good will and understanding through the media of short-wave radio. It is a pioneer in the field, and a trail-blazer in an area of communication across national boundaries which in recent years has become of increasing importance in the implementation of this country's foreign policy.

As an independent, non-Government station, WRUL's experience is of transcendent importance in the present controversy over the use of private facilities in sending abroad the "voice of America." At no time in its 13 years of consistent broadcasting has WRUL come into conflict with the will of Congress or the foreign policy of this country. At no time has it overstepped the bounds of good judgment, good taste, and objectivity in telling the story of this country abroad. By the application of sound common sense and by intelligent study and analysis of this country's policies, its scripts and programs have been untainted by material which could be damaging to the good name of this country.

To accomplish its objective, WRUL adheres to carefully tested techniques and formula in its broadcasting. For example: The station is presently engaged in a series of broadcasts to Italy telling about the various members of our 48 States. To present an authentic and accurate picture, it has solicited the generous cooperation of Members of the United States Senate who, in interviews, have told listeners abroad about their States. Already heard in this series have been Senator SMITH, of New Jersey: Senator LODGE, of Massachusetts; Senator HILL, of Alabama, and Senator BALDWIN, of Connecticut. Others are being scheduled for coming weeks. Before the recent Italian elections WRUL presented a series of daily broadcasts to the Italian people bolstering the democratic forces. To accomplish its purpose the station put on the air war brides, eminent American statesmen, outstanding citizens of Italian descent, and members of American-Italian communities. The campaign was eminently successful, as testified to by the attached letter from the editor of one of Rome's leading daily papers.

To the Scandinavian countries, to Holland, France, and the Middle East, to England and South America—to areas all around the globe, WRUL daily sends out its programs of American good will. It tells the story of America through interviews, news reports, business bulletins, "bridge of friendship broadcasts," and so forth. Cooperating are such outstanding American institutions and publications as the New York Herald Tribune, the Christian Science Monitor, the Washington Star, the New York Times, Pathfinder Magazine, Harvard University, Columbia University—to name but a few of the voices heard over WRUL.

This is how one private broadcaster has accomplished successfully the job of international broadcasting through non-Government facilities from this country. Its record is conclusive evidence that the job can be done by private agencies which are sincerely and exclusively interested in the task of selling America abroad.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House, under its previous order, adjourned until Tuesday, June 1, 1948, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1598. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation; to the Committee on Public Lands.

1599. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill to consolidate the Parker Dam power project and the Davis Dam project; to the Committee on Public Lands.

1600. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill to amend the Alaska game law; to the Committee on Public Lands.

1601. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to provide basic authority for certain functions and activities of the National Bureau of Standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1602. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 8, 1948, submitting a report, together with accompanying papers and illustrations, on a beach erosion control study of Harrison County, Miss., made under the provisions of section 2 of the River and Harbor Act, approved on July 3, 1930, as amended and supplemented (H. Doc. No. 682); to the Committee on Public Works and ordered to be printed, with six illustrations.

1603. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to authorize the Administrator of Veterans' Affairs to contract for certain investigation reports in connection with insurance claims; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Georgia: Committee on Post Office and Civil Service. H. R. 6634. A bill to authorize the issuance of a special series of stamps in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea; without amendment (Rept. No. 2071). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. Report on survey and study of the postal service; without amendment (Rept. No. 2076). Referred to the Committee of the Whole House on the State of the Union.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 4659. A bill to ratify and confirm amendments to certain contracts for the furnishing of petroleum products to the United States; with amendments (Rept. No. 2077). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. House Joint Resolution 411. Joint resolution to authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature; without amendment (Rept. No. 2078). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Washington: Committee on Post Office and Civil Service. H. R. 6368. A bill to provide for the issuance of a special postage stamp in commemoration of the dedication of the Palomar Mountain Observatory; with an amendment (Rept. No. 2079). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. S. 1037. An act to authorize the revision of the boundaries of the Caribou National Forest in the State of Idaho; with amendments (Rept. No. 2081). Referred to the Committee of the Whole House on the State of the Union.

Mr. DEVITT: Committee on the Judiciary. H. R. 5693. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal subdivision b of section 64 and subdivision h of section 70 thereof and all acts and parts of acts inconsistent therewith; without amendment (Rept. No. 2083). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 5048. A bill to direct the Secretary of Agriculture to convey certain mineral rights; with an amendment (Rept. No. 2084). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 5263. A bill to permit the Secretary of Agriculture to execute and deliver to present owners of certain real property quitclaim deeds to the minerals in or under such property; with an amendment (Rept. No. 2085). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Georgia: Committee on Post Office and Civil Service. H. R. 6089. A bill to amend the act of July 6, 1945 (Public Law 134); without amendment (Rept. No. 2086). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNUTSON: Committee on Ways and Means. H. R. 6712. A bill to provide for revenue revision, to correct tax inequities, and for other purposes; without amendment (Rept. No. 2087). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REEVES: Committee on the Judiciary. H. R. 329. A bill for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska; with an amendment (Rept. No. 2072). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 1501. A bill for the relief of Mrs. Ruth Cameron; with an amendment (Rept. No. 2073). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1795. A bill for the relief of D. C. Hall Motor Transportation; with an amendment (Rept. No. 2074). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4590. A bill for the relief of Mrs. Loraine Thomsen; with amendments (Rept. No. 2075). Referred to the Committee of the Whole House.

Mr. SADLAK: Committee on Post Office and Civil Service. H. R. 5943. A bill for the relief of Mrs. Mary T. Maloney Preece; without amendment (Rept. No. 2080). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 873. An act for the relief of Warren H. McKenney; without amendment (Rept. No. 2082). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. REES:

H. R. 6734. A bill to include as allowable service under the act of July 6, 1945, service performed in the military forces, the merchant marine, and on war transfer by employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

By Mr. ROSS:

H. R. 6735. A bill to provide for the erection of a memorial to the four heroic chaplains who sacrificed their lives in the sinking of the steamship *Dorchester;* to the Committee on House Administration.

By Mr. SARBACHER:

H. R. 6736. A bill to provide for the erection of a memorial to the four heroic chaplains who sacrificed their lives in the sinking of the steamship *Dorchester;* to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H. R. 6737. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, to permit the veteran to select his prosthetic applicance; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H. R. 6738. A bill to amend the National Labor Relations Act and the Labor-Management Relations Act, 1947, to make such acts inapplicable with respect to employees in the building and construction industry; to the Committee on Education and Labor.

H. R. 6739. A bill to amend the National Labor Relations Act to eliminate certain elections required by such act; to the Committee on Education and Labor.

H. R. 6740. A bill to amend the National Labor Relations Act to permit the National Labor Relations Board to waive union-shop elections in certain cases; to the Committee on Education and Labor.

By Mr. KEARNEY:

H. R. 6741. A bill to provide for the erection of a memorial to the four heroic chaplains who sacrificed their lives in the sinking of the steamship *Dorchester;* to the Committee on House Administration.

By Mr. BUCHANAN:

H. R. 6742. A bill to provide for the payment of traveling and hotel expenses of the parents and/or wife to attend funeral of servicemen whose remains must be buried in a mass grave because of inability to identify same; to the Committee on Armed Services.

By Mr. DONOHUE:

H. R. 6743. A bill to provide for the recall of officers to active duty for purposes of rehospitalization and evaluation; to the Committee on Armed Services.

H. R. 6744. A bill to provide benefits for members of the Reserve components of the armed forces who suffer disability or death from injuries incurred while engaged in active-duty training for periods of less than 30 days or while engaged in inactive-duty training; to the Committee on Armed Services.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 6745. A bill to authorize the Administrator of Veterans' Affairs to contract for certain investigation reports in connection

with insurance claims; to the Committee on Veterans' Affairs.

By Mr. SUNDSTROM:

H. R. 6746. A bill to provide for the erection of a memorial to the four heroic chaplains who sacrificed their lives in the sinking of the steamship *Dorchester;* to the Committee on House Administration.

By Mr. HESELTON:

H. R. 6747. A bill to amend the Federal Airport Act; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON:

H. R. 6748. A bill to provide increases of compensation for certain veterans of World War I and World War II with service-connected disabilities who have dependents; to the Committee on Veterans' Affairs.

By Mr. PLUMLEY:

H. R. 6749. A bill to provide for the erection of a memorial to the four heroic chaplains who sacrificed their lives in the sinking of the steamship *Dorchester;* to the Committee on House Administration.

By Mr. DEVITT:

H. R. 6750. A bill to create a commission to hear and determine the claims of certain motor carriers; to the Committee on the Judiciary.

By Mr. BROOKS:

H. R. 6751. A bill to fix the rank of the assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements; to the Committee on Armed Services.

By Mr. WOLVERTON:

H. Res. 620. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (k) of the Rules of the House of Representatives; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Massachusetts:

H. R. 6752. A bill to provide for the reappointment to the retired list of officers of the Navy of Henry Eastin Rossell, former commander, Construction Corps, United States Navy, retired; to the Committee on Armed Services.

By Mr. BUCKLEY:

H. R. 6753. A bill for the relief of Terry Naketas Naris: to the Committee on the Judiciary.

By Mr. COFFIN:

H. R. 6754. A bill for the relief of Spero Carconen, known as Sam Carson; to the Committee on the Judiciary.

By Mr. CURTIS:

H. R. 6755. A bill for the relief of Guy Albert Wheaton; to the Committee on the Judiciary.

By Mr. EBERHARTER:

H. R. 6756. A bill for the relief of Dr. Boleslaw A. Hupczyc; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6757. A bill for the relief of Miss Zoe Tjumerka; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2028. By Mr. SMITH of Wisconsin: Resolution adopted by the Woman's Society of Christian Service of the Paris Corners Methodist Church, Union Grove, Wis., against peacetime military conscription; to the Committee on Armed Services.

2029. By the SPEAKER: Petition of Parker Van Ness and others, of New York City, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

2030. Also, petition of Robert Stein and others, of New York City, petitioning consideration of their resolution with reference to defeat of universal military training; to the Committee on Armed Services.

# SENATE

## TUESDAY, JUNE 1, 1948

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Spirit of God, come into our hearts and make us sensitive to the sufferings of other people. We think of the victims of flood and mishap and all those who have heavy hearts today. May we so grow in grace that the sympathy we feel for friends may also be felt for strangers.

Cultivate within us the grace of thankful, uncomplaining hearts; the grace of boldness in standing for what is right; the grace of self-discipline; the grace to treat others as we would have others treat us; the grace of silence, that we may refrain from hasty speech; the grace of kindness, that wherever we go we may take something of the love of God.

Be with our Senators this day and bless them. We ask in Jesus' name. Amen.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., June 1, 1948.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. HENRY CABOT LODGE, JR., a Senator from the State of Massachusetts, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,
*President pro tempore.*

Mr. LODGE thereupon took the chair as Acting President pro tempore.

## THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 28, 1948, was dispensed with, and the Journal was approved.

## MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 28, 1948, the President had approved and signed the following acts:

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes; and

S. 1874. An act authorizing the head of the department or agency using the public domain for national-defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national-defense purposes.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bill and joint resolution, each with an amendment in which it requested the concurrence of the Senate:

S. 554. An act to provide for the collection and publication of statistical information by the Bureau of the Census; and

S. J. Res. 98. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.

The message also announced that the House had passed a bill (H. R. 5645) to assist States in collecting sales and use taxes on cigarettes, in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 110. An act to amend the Interstate Commerce Act with respect to certain agreements between carriers;

S. 1486. An act to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service;

S. 2277. An act to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes;

H. R. 669. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 1508. An act for relief of Mrs. Lula Wilson Nevers;

H. R. 2131. An act for relief of Fred E. Gross;

H. R. 3805. An act for relief of Thomas A. W. Elder; and

H. R. 6071. An act to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes.

## EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF ALASKA GAME LAW

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Alaska game law of January 13, 1925, as amended (with an accompanying paper); to the Committee on Interior and Insular Affairs.

RESERVATION OF CERTAIN PUBLIC LAND FOR ADDITION TO SUMMIT LAKE INDIAN RESERVATION, NEV.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

The petition of John F. Rhode, of La Crosse, Wis., praying for the enactment of Senate bill 2437, to amend the Railroad Retirement

Act of 1937, as amended; to the Committee on Labor and Public Welfare.

The petitions of Adam Dengel, of Detroit, and Thomas C. Ankner, of Nashville, both in the State of Michigan, praying for the enactment of Senate bill 1776, to provide free postage for gift packages of food and clothing mailed to Germany or Japan; to the Committee on Post Office and Civil Service.

Memorials of sundry citizens of the States of California and New York, remonstrating against the enactment of the so-called Mundt un-American activities bill; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MILLIKIN, from the Committee on Finance:

H. R. 2245. A bill to repeal the tax on oleomargarine; with amendments (Rept. No. 1437).

By Mr. ECTON, from the Committee on Post Office and Civil Service:

S. 2616. A bill to provide for the issuance of a special postage stamp in commemoration of the dedication of the Palomar Mountain Observatory; without amendment (Rept. No. 1438).

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 1, 1948, he presented to the President of the United States the following enrolled bills:

S. 110. An act to amend the Interstate Commerce Act with respect to certain agreements between carriers;

S. 1486. An act to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service; and

S. 2277. An act to amend section 13 of the Suplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MILLIKIN (by request):

S. 2772. A bill to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the Service, and for other purposes;

S. 2773. A bill to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration Center at Los Angeles, Calif., to the State of California for the use of the University of California; and

S. 2774. A bill to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years; to the Committee on Finance.

By Mr. LUCAS:

S. 2775. A bill for the relief of Benno Ascher and Clara Ascher; to the Committee on the Judiciary.

S. 2776. A bill to amend the act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide equitable compensation to supervisors in post offices, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

S. 2777. A bill to amend the Federal Airport Act; to the Committee on Interstate and Foreign Commerce.

(Mr. REVERCOMB introduced Senate bill 2778, to amend the Hospital Survey and Construction Act, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

(Mr. BALDWIN introduced Senate bill 2779, to create a Government corporation to operate cafeterias and conduct certain other activities in Government buildings and on Government property, which was referred to the Committee on Post Office and Civil Service, and appears under a separate heading.)

By Mr. IVES:

S. 2780. A bill to provide for a temporary extension of title VI of the National Housing Act, as amended, with respect to mortgages of certain limited dividend corporations; to the Committee on Banking and Currency.

By Mr. McKELLAR (for Mr. McCARRAN):

S. 2781. A bill for the relief of Shinzo Shirae; to the Committee on the Judiciary.

(Mr. TAFT (for himself and Mr. IVES) introduced Senate bill 2782, to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. KNOWLAND:

S. 2783. A bill to authorize an exchange of lands and interests therein between the city of San Diego, Calif., and the United States, and for other purposes; to the Committee on Armed Services.

By Mr. GURNEY:

S. 2784. A bill to prevent retroactive checkage of payments erroneously made to certain retired officers of the Naval Reserve, and for other purposes; to the Committee on Armed Services.

(Mr. REVERCOMB (for Mr. McCARRAN) introduced Senate bill 2785, to authorize the Federal Works Administration, as an adjunct to the Federal Public Works program, to make loans and grants for the construction, remodeling, improvement, and extension of school facilities, which was referred to the Committee on Public Works, and appears under a separate heading.)

By Mr. BUTLER:

S. J. Res. 224. Joint resolution providing for the ratification by Congress of a contract for the purchase of certain Indian lands by the United States from the Three Affiliated Tribes of Fort Berthold Reservation; to the Committee on Interior and Insular Affairs.

By Mr. CAPPER:

S. J. Res. 225. Joint resolution to authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature; to the Committee on Post Office and Civil Service.

## LOANS FOR EXTENSION OF SCHOOL FACILITIES

Mr. REVERCOMB. Mr. President, there has been sent to me by the Senator from Nevada [Mr. McCARRAN], who is ill, a bill which he has requested me to introduce. It provides for authorizing the Federal Works Administration to make loans and grants for the construction, remodeling, improvement, and extension of school facilities.

The Senator from Nevada has prepared a statement in support of the bill, and at his request I ask unanimous consent to have the statement printed in the RECORD in connection with these remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and the statement referred to will be printed in the RECORD.

The statement is as follows:

STATEMENT BY SENATOR PAT McCARREN TO ACCOMPANY THE BILL S. 2785

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. President, I am today laying before the Senate a legislative proposal for a program of Federal aid for the construction, remodeling, improvement, and extension of school facilities throughout this Nation.

This program would provide for both loans and grants to States, and would be administered by the Federal Works Administration.

The bill setting up this program is S. 2785.

As the declaration of policy in this bill points out, the welfare and security of our country depend on adequate and proper education of our citizens, and it is a national obligation of the Federal Government to assist the States in providing ample educational opportunities to all.

In considering this obligation heretofore, the Congress has given thought mainly to Federal aid in providing the running expenses of schools.

That is one phase of the problem. My bill is concerned, more concretely, with Federal aid for providing the physical facilities necessary for our schools.

Great concern has been expressed that no legislation should be enacted which would in any way open the door to Federal control over or supervision of our State educational systems. The education of its citizens is, for each State, essentially a matter in which local public policy should and must control, and in which there should be no Federal interference.

Under a program involving Federal aid for the construction, remodeling, improvement, and extension of school facilities, such as the program for which my bill provides, there would be no need for any Federal interest or control of any nature after the physical facilities have been provided, and my proposal involves, therefore, no possible threat of Federal domination of schools.

To make this perfectly clear, my bill provides that when the construction phase is completed, the schools shall be operated and maintained by the appropriate school authorities of the State in accordance with State law and customs and without interference by the Federal Government.

The bill also contains a specific prohibition against Federal Government supervision, in section 7, which provides that no department or agency of the United States shall exercise any supervision or control over any school facilities with respect to which any funds have been or may be expended pursuant to this act. Section 7 further provides that no term or condition of any agreement under this act relating to, or any loan or grant made under this act to or on behalf of, any school, shall prescribe or affect its administration, personnel, curriculum, instruction, methods of instruction, or materials for instruction.

The bill provides for both loans and grants. Grants are to be limited to an amount equal in each case to 50 percent of the cost of the school facilities provided therewith, except that in the case of public-lands States, this percentage may be increased, up to a maximum of 75 percent. The provisions governing this increased percentage in the case of public-lands States are found in section 10 of my bill, and are in line with the principle approved by the Congress on several occasions in connection with Federal-aid programs.

Loans under the bill would be made at an interest rate of 2½ percent. This rate may appear low, but I see no reason why the Fed-

eral Government should make a profit on loans to States for school-construction purposes.

My bill provides that no loan shall be made to any local school agency unless such agency will be unable to finance its share of the cost of the project except upon terms less favorable to it than the terms of said loan.

Because of the extreme importance which I attach to control by the duly constituted authorities of each State over matters respecting education within such State, the bill provides that no loan or grant shall be made unless the school facilities proposed to be provided therewith shall have been approved by the State educational authority having jurisdiction or control of such school facilities. This provision also will operate to accomplish a unified program of school construction and improvement within each State and to prevent Federal aid for schools, under this proposed legislation, from becoming in any sense a political football.

In order to insure, so far as possible, an equitable apportionment of funds which may be made available under this legislation, the bill provides that 75 percent of any amounts appropriated shall be immediately apportioned among the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which Federal tax collections from all sources (exclusive of taxes and duties on imports and exports) within each State bears to the total of all Federal tax collections (exclusive of taxes and duties on imports and exports). This comparison would be made on the basis of tax collections for the fiscal year next preceding the calendar year in which the apportionment is made.

The 25 percent of appropriations under this act which is not required to be apportioned would constitute a discretionary fund, to be used by the Administrator of the Federal Works Administration, in his discretion, for the making of grants for the provision of school facilities in States which shall have received as grants less than one-fifth of 1 percent of the total made available for such grants, and on the basis of comparative need regardless of the States in which such school facilities are located.

The provision of a discretionary fund has been approved, in principle, by the Congress on previous occasions, and provision for a fund of this nature is to be found in the Federal Airport Act, of which I had the honor to be the sponsor and which was enacted in 1946.

The legislation which I have proposed is continuing legislation. It is not limited as to time. Neither is it limited as to the amount which may be appropriated. With respect to the question of time, it is my belief that the need for adequate school facilities is a continuing need, which will not terminate at any foreseeable time. What is adequate today may not be adequate tomorrow. With regard to the amount which might be made available under this proposed legislation, several factors merit consideration. First, it is certain that the need for school facilities is far greater than the Congress would be willing to supply in any single appropriation bill. With respect to future need, we cannot now say how much will be needed next year or 5 years from now. But the Appropriations Committees of the Congress, if we grant the authorization which my bill would provide, can determine the extent of need at any given time, can weigh that need in the light of the financial condition of the country, and can determine, in their sound discretion, how much should be appropriated in any given year. We cannot, in any event, by legislation deprive these committees of the right to exercise this discretion; and I believe it is only proper that we should recognize objectively the jurisdiction and the authority of these committees, as my bill does, rather than attempting now to fix some limitation which might be either too high or too low in the light of conditions as they will exist when any particular appropriation is under consideration.

In connection with the provisions for allocating sums appropriated for grants under this bill, to which I have already referred, perhaps a little more should be said. The formula for allocation which I have proposed would take into account—and, I think, for the first time in connection with any legislation of this nature—the relative proportion of Federal taxes collected in each of the several States, exclusive of taxes and duties on imports and exports. There has been considerable criticism, in the past, of Federal-aid programs which, it has been asserted, have taken from certain States more than they returned. While I do not believe that such criticism has been in every case justified, it is in recognition of this criticism, and in an effort to fix a principle of allocation which will take into account the contributions of the several States to the Federal Treasury, that I have proposed this formula for allocations.

In proposing this legislation to the Senate, I recognize the extreme improbability that it can receive action, or even any adequate consideration, during the short time remaining to us in the present session of the Congress. I am making the proposal at this time, however, and I am offering this statement concerning the proposed legislation and its purposes, in order that Members of the Senate, during the coming summer and fall, may have my proposal before them in concrete form, so that they may study it when they have opportunity, and be ready to take it up promptly in the next session of the Congress. Introduction of the bill at this time will also give the people of the country and the various State officials and State and national organizations concerned with our schools, an opportunity to become familiar with its provisions and to express their views with respect to the proposal. I earnestly commend this proposed legislation to the consideration of every Member of the Senate, and to all those others, throughout the country, who are interested in the proper education of our children and young people, under the best modern conditions. I believe in this proposal. I believe the people of this country will favor it, by an overwhelming majority. I hope it will have the approval of every Member of the Senate when it comes up for a vote; and I hope to see that vote early in the next session of the Congress.

The bill (S. 2785) to authorize the Federal Works Administration, as an adjunct to the Federal Public Works program, to make loans and grants for the construction, remodeling, improvement, and extension of school facilities, introduced by Mr. REVERCOMB (for Mr. MCCARRAN), was received, read twice by its title, and referred to the Committee on Public Works.

## AMENDMENT OF HOSPITAL SURVEY AND CONSTRUCTION ACT

Mr. REVERCOMB. Mr. President, I introduce for appropriate reference, a bill to amend the Hospital Survey and Construction Act. In connection therewith, let me say that I feel this is a very important bill, and a very necessary amendment to aid certain hospitals which would ordinarily receive the benefits of the act, except for some technical situations.

The bill (S. 2778) to amend the Hospital Survey and Construction Act, introduced by Mr. REVERCOMB, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## CREATION OF GOVERNMENT CORPORATION TO OPERATE CAFETERIAS, ETC.

Mr. BALDWIN. Mr. President, I introduce for appropriate reference a bill to create a Government corporation to operate cafeterias and conduct certain other activities in Government buildings and on Government property.

I may say that this bill is the result of a long series of hearings of a subcommittee of the Committee on Post Office and Civil Service. While I am introducing the bill, it is on behalf of the committee. It is in effect a committee bill, and has the endorsement of the committee.

The bill (S. 2779) to create a Government corporation to operate cafeterias and conduct certain other activities in Government buildings and on Government property, introduced by Mr. BALDWIN, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

## AMENDMENT OF RAILROAD RETIREMENT AND RAILROAD UNEMPLOYMENT INSURANCE ACTS

Mr. TAFT. Mr. President, I introduce for appropriate reference a bill to amend the Railroad Retirement Act of 1937. A number of bills have been introduced and are now being considered by a subcommittee of the Committee on Labor and Public Welfare. I am advised that this bill is the subject of an agreement which has been reached between the representatives of the railroads and of railroad labor. So I think it is important that it be printed and referred to a committee at the earliest possible moment. It is introduced in behalf of myself, the Senator from New York [Mr. IVES], and any other Senators who desire to join with us in introducing the bill.

The bill (S. 2782) to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes, introduced by Mr. TAFT (for himself and Mr. IVES), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## BROADCAST LICENSES ISSUED BY FEDERAL COMMUNICATIONS COMMISSION

Mr. JOHNSON of Colorado (for himself, Mr. MAGNUSON, Mr. REED, and Mr. MCFARLAND) submitted the following resolution (S. Res. 246), which was referred to the Committee on Interstate and Foreign Commerce:

*Resolved by the Senate of the United States*, That it is the sense of the Senate that notwithstanding sections 326, 303 (c) and 307 (b), nothing in the Communications Act of 1934, as amended, shall be construed either (1) to limit the authority of the Federal Communications Commission, in considering applications for renewals of broadcast licenses, to determine whether or not a licensee has operated in the public interest, or (2) to authorize the Federal Communications Commission to grant a license to operate a radio station in the amplitude modulation broadcast band on any frequency from 540 kilocycles to 1,600 kilocycles with power in excess of 50,000 watts, unless otherwise hereafter authorized by a North American regional broadcasting agreement, or other duly ratified international treaty or convention relating to the allocation of such frequencies among countries of North America.

DEPARTMENT OF INTERIOR APPROPRIATIONS, 1949—AMENDMENT

Mr. GREEN submitted an amendment intended to be proposed by him to the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes, which was referred to the Committee on Appropriations, and ordered to be printed, as follows:

On page 81, between lines 6 and 7, insert the following:

"Studies of soft-shell and hard-shell clams: For studies of the soft-shell and the hard-shell clams as authorized by the act of May 26, 1948 (Public Law 556, 80th Cong.), $100,000."

ADVANCEMENT OF GRADE ON RETIRED LIST OF CERTAIN OFFICERS—AMENDMENTS

Mr. PEPPER submitted amendments intended to be proposed by him to the bill (S. 2525) to provide for the advancement of one grade on the retired list of certain officers who were decorated and recommended for promotion during World War II but who have not attained the rank to which recommended, which were referred to the Committee on Armed Services and ordered to be printed.

PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED FORCES—AMENDMENT

Mr. RUSSELL. Mr. President, I submit an amendment intended to be proposed by me and the Senator from South Carolina [Mr. MAYBANK] to Senate bill 2655, to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes, commonly known as the selective-service bill. This amendment is the revision of one which has heretofore been printed in the RECORD, and in order that those interested may appraise the changes which are proposed, I ask unanimous consent that the amendment lie on the table, be printed, and be printed in the body of the RECORD.

There being no objection, the amendment was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

At the proper place in the bill insert the following:

"SEC. —. (a) Any person who registers as required by the terms of this act, and any person who hereafter voluntarily enlists in the armed forces of the United States, shall be afforded an opportunity to state in writing over his signature whether he has a preference to serve only in a unit all of the enlisted personnel of which are of his own race. Such opportunity shall be afforded at the time of registration in the case of those registering under the requirements of this act, or upon enlistment in the case of those who hereafter enlist in the armed forces of the United States. Any such person who expresses such preference shall thereafter be assigned only to units of a type consistent with his preference. The right to express and the effect of expressing any such preference shall be clearly explained to each person who hereafter registers under this act or enlists in the armed forces of the United States. As used in this section the term "unit" means a group of persons serving in the armed forces who (1) share the same housing, messing, or sanitary facilities, or (2) participate jointly in recreational or social activities. For the purposes of this subsection an individual's race shall be determined in accordance with the more detailed classification as to race used by the Bureau of the Census in connection with the taking and preparation of statistics of the Sixteenth Census of the United States. Nothing in this subsection shall be deemed to preclude the assignment of any individual who belongs to a race comprising less than 1 percent of the population of the United States to units containing enlisted personnel of the most numerous race in the United States, if the Secretary of the armed force concerned has determined that it is impracticable to organize units all of the enlisted personnel of which are of such individual's race.

"(b) Any commissioned officer of the armed forces who knowingly and willfully denies to any person his right to express a preference upon enlistment as provided by subsection (a) or assigns any person after enlistment or induction to any unit in violation of the provisions of such subsection shall be guilty of conduct unbecoming an officer and a gentleman and shall be subject to trial and punishment under the appropriate article of war or article for the Government of the Navy."

PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED SERVICES—AMENDMENTS

Mr. LANGER. Mr. President, I submit seven amendments intended to be proposed by me to the bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes.

The first amendment would prohibit the segregation of and discriminations against persons inducted or enlisted under the act.

The second amendment would prohibit the segregation of members of the armed forces while traveling in interstate carriers.

The third amendment would provide punishment for the lynching of members of the armed forces.

The fourth amendment would provide that no person inducted into or enlisted in the armed forces, and so forth, shall be required to pay any poll tax.

The fifth amendment would prohibit the segregation of persons because of their race or color in places of public accommodation, resort or amusement, or any public conveyance.

The sixth amendment would provide that no member of the armed forces shall be discriminated against in any carrier, hotel, or restaurant.

The seventh amendment would provide for nondiscrimination in employment by companies supplying goods or services to be used by or for persons inducted or enlisted into the armed services.

The ACTING PRESIDENT pro tempore. The amendments submitted by the Senator from North Dakota will be received, printed, and lie on the table.

HOUSE BILL REFERRED

The bill (H. R. 5645) to assist States in collecting sales and use taxes on cigarettes, was read twice by its title, and referred to the Committee on Finance.

REPUBLICAN APPROACH TO DOMESTIC AND INTERNATIONAL CRISES—ADDRESS BY GOVERNOR WARREN

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD a radio address delivered by Gov. Earl Warren, of California, on May 27, 1948, in Sacramento, Calif., which appears in the Appendix.]

THE PRESERVATION OF PEACE—ADDRESS BY REPRESENTATIVE BYRNES OF WISCONSIN

[Mr. YOUNG asked and obtained leave to have printed in the RECORD an address delivered by Representative JOHN W. BYRNES, of Wisconsin, before the North Dakota Junior Chamber of Commerce convention at Devil's Lake, N. Dak., on May 16, 1948, which appears in the Appendix.]

WESTERN STATE COLLEGE COMMENCEMENT ADDRESS BY PALMER HOYT

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD the commencement address at Western State College, Gunnison, Colo., delivered by Palmer Hoyt on May 27, 1948, which appears in the Appendix.]

MEETINGS OF COMMITTEES DURING SESSION OF THE SENATE

Mr. WHERRY asked and obtained consent for the subcommittee of the Committee on Interstate and Foreign Commerce considering the nomination of Thomas Chalmers Buchanan to sit and hold a hearing during the session of the Senate today.

Mr. WHERRY asked and obtained consent for the Subcommittee on Interior Department Appropriations of the Committee on Appropriations to sit and hold a hearing during the session of the Senate this afternoon.

Mr. IVES asked and obtained consent for the Subcommittee on Health of the Committee on Labor and Public Welfare to continue its hearings this afternoon.

Mr. MILLIKIN asked and obtained consent for the Committee on Finance to hold hearings during the sessions of the Senate for the remainder of the week.

Mr. WHERRY. Mr. President, a few moments ago I asked unanimous consent that the subcommittee of the Committee on Appropriations holding hearings on the Interior Department appropriations be permitted to sit today during the session of the Senate. I now ask unanimous consent that the full Committee on Appropriations and all subcommittees thereof be permitted to sit during the remainder of the sessions of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INTERIOR DEPARTMENT APPROPRIATIONS—STATEMENT BY SENATOR WHERRY

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD a statement regarding the Interior Department appropriation bill made this morning by the junior Senator from Nebraska [Mr. WHERRY] before the subcommittee of the Committee on Appropriations considering the Interior Department appropriation bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY HON. KENNETH WHERRY, CHAIRMAN, SUBCOMMITTEE ON THE INTERIOR DEPARTMENT APPROPRIATION BILL, IN OPENING THE SUBCOMMITTEE'S HEARINGS ON APPROPRIATIONS FOR THE INTERIOR DEPARTMENT, FISCAL YEAR 1949

The subcommittee will come to order, and we will take up for consideration H. R. 6705, the Interior Department appropriation bill for the fiscal year 1949.

The House Interior Subcommittee started hearings on this bill February 16 of this year, concluding on May 15, and the hearings of that subcommittee are bound in three volumes comprising almost 4,700 pages of testimony.

Inasmuch as this bill was not reported to the House until May 26 and did not pass the House until May 28, and in view of the fact that a number of other appropriation bills must be acted upon prior to the contemplated recess or adjournment on June 19, the Senate Interior Subcommittee of necessity will have to conclude its hearings in a short time.

I will read into the record at this point copy of a letter I have addressed to all outside witnesses requesting to be heard on the bill, explaining to them why the subcommittee must proceed expeditiously.

The letter referred to follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
*May 27, 1948.*

*To Witnesses Requesting To Be Heard on the Interior Department Appropriation Bill, 1949:*

The subcommittee handling the Interior Department appropriation bill, 1949, will start hearings Tuesday, June 1, commencing each morning at 9 a. m., running until 12 noon, resuming at 2 p. m. each afternoon, running until 5 p. m., and holding hearings at night if necessary in order to conclude the hearings in 5 days.

The House Appropriations Committee started hearings on this bill February 16, 1948, concluding on May 15. Approximately 4,700 pages of testimony were taken, and the bill was not reported to the House until May 26.

The Congress is working to recess or to adjourn June 19, and the Senate committee is confronted with the practical problem of handling a number of appropriation bills in the time remaining. In addition to acting on the Interior bill, the committee must handle six appropriation bills, which have not yet been reported to the House, and in addition conferences will have to be held on 12 appropriation bills.

In view of the work that faces the committee, the Interior subcommittee has agreed to make the House hearings on the Interior bill a part of the Senate hearings by reference. Furthermore, the subcommittee will have before it the extended hearings held last year, in which many matters of policy relating to the Interior Department were discussed by witnesses at length.

If witnesses have supplementary information to submit to the subcommittee, please submit 25 copies of such information in the form of a written statement to the subcommittee at the earliest possible date, and such statement will be made a part of the subcommittee hearings. If, in addition, a witness wishes to appear in person, the subcommittee has voted to allot 5 minutes to each witness for the oral presentation.

Despite the late date at which the Interior bill reaches the Senate and the volume of work facing the committee between now and June 19, the subcommittee feels that by proceeding in the manner outlined, witnesses wishing to present their views on any item or items in the Interior bill will have a fair opportunity to do so.

Very sincerely,

KENNETH WHERRY,
*Chairman, Subcommittee on the Interior Department Bill.*

At the opening of the Senate hearings, I wish to make a few observations relative to Interior Department appropriations.

Because of the national importance of the reclamation program, the development and preservation of many of our natural resources, the care and treatment of Indians, the administration of our Territories and island possessions, and other vital programs coming under the jurisdiction of the Interior Department, the Congress in recent years at least has almost without exception approached the matter of appropriations for the Interior Department on a nonpartisan basis, and the trend of appropriations for the Department over a period of years has been upward and frequently at a rapid rate.

Even though there have been differences of opinion between Members, as there will continue to be between thinking men, these differences have always been reconciled or compromised in the best manner possible, and this steady advancement of the important programs under the jurisdiction of the Interior Department has been due in a large measure to cooperation between the two bodies of Congress and especially a close working relationship between the two appropriation subcommittees handling Interior Department appropriations.

I would like to read into the RECORD at this point a tabulation of the direct appropriations made to the Interior Department for the fiscal years 1939 to 1948, inclusive, and the amount recommended by the House for the fiscal year 1949. The responsibilities of the Department have increased from year to year, costs have increased, and during the days of relief and recovery appropriations some of these funds were available to the Interior Department, as well as to other agencies of the Government, but no one can reasonably say after looking at these figures that the Congress has been other than generous in providing funds for the work of this important Department of our Government.

The table reads as follows:

*Regular annual and deficiency appropriations made to the Interior Department, fiscal years 1939 to 1948, inclusive, and amount allowed by House for 1949*

| Fiscal year: | *Amount* |
|---|---|
| 1939 | $153,506,926 |
| 1940 | 172,182,347 |
| 1941 | 160,387,621 |
| 1942 | 272,241,501 |
| 1943 | 198,062,114 |
| 1944 | [1] 162,144,365 |
| 1945 | [2] 147,290,957 |
| 1946 | [3] 228,582,654 |
| 1947 | 258,985,716 |
| 1948 | 262,801,059 |
| 1949 (House allowed) | 375,692,591 |

[1] Includes $48,170,030 for War Relocation Authority.

[2] Includes $39,000,000 for War Relocation Authority.

[3] Includes $25,000,000 for War Relocation Authority.

The Bureau of Reclamation carries on the largest single operation in the Interior Department. In addition to relief and recovery appropriations that were available for reclamation purposes, in the early years of the following table, let us take a look at the appropriations provided by the Congress in the Interior Department or deficiency appropriation bills for the fiscal years 1939 to 1948, inclusive, and the amount recommended by the House for the fiscal year 1949.

The table referred to is as follows:

*Regular annual and deficiency appropriations made to the Bureau of Reclamation, fiscal years 1939 to 1948, inclusive, and amount allowed by House for 1949*

| Fiscal year: | *Amount* |
|---|---|
| 1939 | $44,544,600 |
| 1940 | 76,984,600 |
| 1941 | 73,194,600 |
| 1942 | 101,361,631 |
| 1943 | 89,727,270 |
| 1944 | 38,275,500 |
| 1945 | 24,155,200 |
| 1946 | 117,365,050 |
| 1947 | 116,346,843 |
| 1948 | 136,644,738 |
| 1949 (House allowed) | 226,794,897 |

Again, I say, that after looking at these figures no one can in fairness say that the Congress has not provided well for the reclamation program, which is of such great importance in our national economy.

The generous extent to which the Congress has provided for the reclamation program was recognized by Secretary Krug when in 1947 he addressed the program conference in part as follows:

"There is a serious doubt that you are going to spend the money you have this year, and I am quite certain that when we go before the House and Senate committees, that little embarrassment is going to cause us no end of difficulty.

"I know it is very reassuring to have that old feeling that there is plenty of dough where this comes from and that you never have to worry about getting down to the bottom of the sock, but frankly I don't think it is desirable or sound policy. I would rather some year run over, and perhaps invite supplemental appropriations, than have these tremendous carry-overs that we can't explain.

"I think that practically every single one of the regions has more money than it will be able to spend at the present rate of progress."

Commissioner Straus also gave recognition to the extent to which the Congress has provided for the reclamation program when on June 5, 1947, he advised the regional director at Sacramento, Calif., in part as follows with respect to the Central Valley project:

"As you are aware, the construction progress made on the Central Valley project since the passage of the 1946 deficiency appropriation is most unsatisfactory. I am finding it increasingly difficult, in fact impossible, to support our claims to Congress and to the public generally, that we are completing the project expeditiously, and are actually in need of the large appropriations requested."

The Commissioner then set forth some comparative figures for the fiscal years 1945 to 1948, inclusive, and continued as follows:

"The above table shows on an over-all basis that we will start fiscal year 1948 without having utilized much over half of the funds appropriated for fiscal year 1946, and none of the funds appropriated for fiscal year 1947. It is evident that a similar condition cannot be permitted to exist next winter when we are again facing the House committee and sponsors of the project."

Although the Congress has endeavored to deal generously with the reclamation program, one of the greatest difficulties it has had has been getting accurate and reliable figures.

For instance, last year when the bill came from the House, the subcommittee was advised by representatives of the Reclamation Bureau that the estimated unobligated balance on the Central Valley project was $10,722,162. After the subcommittee called in representatives of the Budget Bureau, the figure was revised upward to $19,934,846, and after the close of the fiscal year, the subcommittee was advised that the actual

unobligated balance turned out to be $21,104,799.

For the entire Reclamation Bureau, the subcommittee was advised at the outset of the hearings last year that the estimated unobligated balance for use in the fiscal year 1948 was $44,731,673. In January 1948, the subcommittee was advised that the total actual unobligated balance was $87,793,733. In February 1948, the Reclamation Bureau discovered they had made an error of $1,965,800 in the unobligated balance on the Missouri River Basin appropriation; so that the actual total unobligated balance was shown to be over $89,000,000.

The Senate committee took official notice of this situation in its report last year in the following manner:

"The committee feels that the accounting and reporting system of the Bureau of Reclamation should be such as to make possible in a short time accurate determination of the amount of funds obligated and the anticipated unobligated balance that will be available in an ensuing fiscal year. When the Bureau comes before the committee, and there has been a change in the estimated unobligated balance since its presentation to the House, the committee should be promptly and acurately advised without the confusion that was encountered by the committee in considering the reclamation program for the fiscal year 1948."

Again in the report on the third supplemental appropriation bill, 1948, the Senate committee stated as follows with respect to data furnished by the Reclamation Bureau:

"Data furnished to the committee during these hearings and prior hearings have varied so greatly as to clearly evidence the fact that the whole accounting system of the Bureau needs complete overhauling. Contradictory data were such as to destroy the confidence of the committee in the reliability of figures furnished by the Bureau."

The committee hopes that this situation will not happen again, and I have referred to it to point up the past difficulty of trying to provide with assurance the funds that should be appropriated for the reclamation program.

The bill as passed by the House for the fiscal year 1949 in the amount of $375,677,591, though $84,293,244 under the Budget estimates, is $112,876,532 in excess of cash appropriations made for the current fiscal year. In addition, the bill as passed by the House carries contract authorization totalling $29,944,290.

It will be necessary undoubtedly to make some adjustments here and there in amounts recommended by the House. The subcommittee also intends to give careful consideration to the various restrictions that have been placed in the bill by the House. Although time will not permit the extended hearings the subcommittee held last year when some 3,200 pages of testimony were taken, I know I speak for all members of the subcommittee when I say that not only the oral statements, which of necessity must be brief, but also the written statements made a part of the hearing will be carefully considered.

The Congress is faced with the renewed demands for larger appropriations yearly. The necessity for strengthening our national defenses, as well as providing large-scale aid to foreign countries, has placed an additional burden on our financial revenues. We have pledged ourselves to balance the budget and reduce the public debt. Under such circumstances, therefore, we must carefully scrutinize all appropriation requests in the light of their immediate need.

With this preface, therefore, Mr. Secretary, I welcome you before us, and I invite your considered comments at this time.

## THE CALENDAR

The ACTING PRESIDENT pro tempore. The morning business is closed. Under the order adopted Friday, the Senate will proceed to the consideration of measures on the calendar to which there is no objection, beginning with the first order thereon; namely, Order No. 55.

Mr. WHERRY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Millikin |
| Baldwin | Hawkes | Moore |
| Ball | Hayden | Morse |
| Bricker | Hickenlooper | Murray |
| Bridges | Hoey | Myers |
| Brooks | Holland | O'Daniel |
| Buck | Ives | O'Mahoney |
| Butler | Jenner | Pepper |
| Cain | Johnson, Colo. | Reed |
| Capper | Johnston, S. C. | Revercomb |
| Chavez | Kem | Russell |
| Connally | Kilgore | Saltonstall |
| Cordon | Knowland | Smith |
| Donnell | Langer | Sparkman |
| Downey | Lodge | Stennis |
| Dworshak | Lucas | Taft |
| Eastland | McCarthy | Thomas, Okla. |
| Ecton | McClellan | Thomas, Utah |
| Ellender | McFarland | Thye |
| Feazel | McGrath | Watkins |
| Ferguson | McKellar | Wherry |
| Flanders | McMahon | White |
| George | Magnuson | Williams |
| Green | Malone | Wilson |
| Gurney | Martin | Young |

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], and the Senator from Michigan [Mr. VANDENBERG] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. MAYBANK], the Senators from Maryland [Mr. TYDINGS and Mr. O'CONOR], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on important public business.

The Senators from Virginia [Mr. BYRD and Mr. ROBERTSON] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The ACTING PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

The clerk proceeded to call the calendar for the consideration of bills to which there is no objection.

## BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 669) to provide for the payment of a bonus of 30 cents per bushel on wheat and corn produced and sold between January 1, 1945, and April 18, 1946, was announced as first in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 25) amending rule XXII relating to cloture was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 354) to incorporate the Federal City Charter Commission was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 408) to repeal section 13b of the Federal Reserve Act, to amend section 13 of the said act, and for other purposes, was announced as next in order.

Mr. CORDON. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 299) to extend the reclamation laws to the State of Arkansas was announced as next in order.

Mr. DOWNEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 1179) to aid in defraying the expenses of the Seventeenth Triennial Convention of the World's Woman's Christian Temperance Union to be held in this country in June 1947 was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 140) to create an executive department of the Government to be known as the Department of Health, Education, and Security was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 829) to provide for control and regulation of bank holding companies, and for other purposes, was announced as next in order.

Mr. DOWNEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 18) to establish uniform qualifications of jurors in Federal courts, and for other purposes, was announced as next in order.

Mr. WHERRY and Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 518) to amend the Nationality Act of 1940 to preserve the nationality of citizens who were unable to return to the United States prior to October 14, 1946, was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

## AMENDMENT OF FEDERAL AIRPORT ACT—BILL PASSED OVER

The Senate proceeded to consider the bill (S. 1038) to amend the Federal Airport Act, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

The first amendment was, on page 2, line 23, to strike out section 5, as follows:

SEC. 5. Section 11 (5) of the Federal Airport Act is amended by striking out the words "as may be reasonably adequate" and

inserting in lieu thereof the words "which have been a part of the Federal project as has been reasonably adequate".

The amendment was agreed to.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. WHERRY. Mr. President, request has been made for an explanation of the bill. The chairman of the committee does not seem to be present at the moment, so I ask that the bill go to the foot of the calendar.

The ACTING PRESIDENT pro tempore. The bill will be passed over and go to the foot of the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The concurrent resolution (S. Con. Res. 6) to include all general appropriation bills in one consolidated general appropriation bill was announced as next in order.

Mr. WHERRY. Mr. President, I have been requested to ask that the concurrent resolution go over. This is a concurrent resolution which should be debated on the floor of the Senate. Its purpose is to combine all appropriation bills into one. Several Senators have asked me to ask that the measure be passed over.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be passed over.

The bill (S. 493) to provide for the coordination of agencies disseminating technological and scientific information, and for the more efficient and orderly administration of a program to make the discoveries of engineers, inventors, scientists, and technicians more readily available to American industry and business, and for other purposes.

Mr. SALTONSTALL. Mr. President, I should like to have an explanation of the bill in view of the establishment of the so-called Hoover Commission, which is working on the whole general subject.

Mr. FERGUSON. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 84) to amend the Nationality Act of 1940, as amended, was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 150) to discharge the Committee on the Judiciary from the further consideration of Senate Resolution 116 was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (H. R. 3051) to amend the act of July 19, 1940, and to amend section 2 and repeal the profit-limitation and certain other limiting provisions of the act of March 27, 1934, was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 430) to amend the Civil Service Retirement Act, approved May 29, 1930, as amended, so as to make such act applicable to officers and employees of national farm-loan associations and production credit associations was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3978) to provide for the temporary advancement in ranks and increase in salary of lieutenants in the Metropolitan Police force of the District of Columbia, serving as supervisors of certain squads, was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1663) to prohibit the payment of retirement annuities to former Members of Congress convicted of offenses involving the improper use of authority, influence, power, or privileges as Members of Congress was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 968) to authorize the Public Utilities Commission of the District of Columbia to limit the number of taxicabs licensed in the District of Columbia was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4042) to control the export to foreign countries of gasoline and petroleum products from the United States was announced as next in order.

Mr. TAFT. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1653) to control the export to foreign countries of gasoline and petroleum products from the United States was announced as next in order.

Mr. TAFT. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1015) to amend section 7 of the act of June 25, 1910, as amended, to reduce the interest rate on postal-savings deposits to 1 percent per annum was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

FORT SUMNER IRRIGATION DISTRICT, NEW MEXICO

The bill (H. R. 3834) to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes, was announced as next in order.

Mr. CONNALLY and Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. HATCH. Mr. President, may I ask to be recognized to make an explanation of the bill?

Mr. WHERRY. The Senator who objects is not now in the Chamber. I have no further request to make.

Mr. CONNALLY. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. HATCH. Mr. President, I desire to be recognized.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized for 5 minutes.

Mr. HATCH. I think I have 5 minutes under the rule. I merely wish to refer to House bill 3834, Calendar 802, a bill providing for the rehabilitation of an irrigation and reclamation project in the State of New Mexico. It is a measure which has received the unanimous approval of the committee in both House and Senate. It is a House bill which already passed the House. It involves the waters of the Pecos River. According to all engineering reports from Texas and New Mexico, the passage of this measure cannot in any way affect or injure a project in the State of Texas. The failure to pass it at this session can well destroy the project, which is a valuable asset to our State, and in some respects to the Nation.

It is impossible to pass the bill at this time because of the objection of a single Senator, which is in accordance with the rules of the Senate. However, the bill is of such great importance that I shall, I hope, before the session is over, obtain consideration of the measure, either directly by motion, or if that is not possible, by amendment to some other bill, at which time the question can be fully debated.

Let me say in all justice and fairness to the Senator from Texas [Mr. CONNALLY] that I am making this statement publicly in order that he may not be surprised when, if an opportunity arises, the measure is attached to another bill. I shall endeavor to use every parliamentary device possible.

Mr. CONNALLY. Mr. President, this is a bill to which my State strenuously objects. In the first place, this is not at present a Government reclamation project. It was a private project which failed, and we think the effort now is to have the Government come in to bail it out. Instead of paying back the funds in 40 years, as is the case with all other reclamation districts, the bill provides that there shall be a period of 70 years in which to make repayments. The Bureau of the Budget has advised against the bill. I have the report before me.

This project is on the Pecos River, which is an interstate stream which flows into Texas. Our view is that New Mexico, in appropriating the waters above Texas, deprives us of our fair share of the waters of the Pecos River. We have undertaken to get an interstate compact on this stream. Twice negotiators agreed on a compact, and twice New Mexico—once through its legislature and once through its Governor—refused the compact. The compact commissioners are now in session at Santa Fe, I understand, in the hope of reaching an agreement in favor of a compact. We want the compact in order to determine the fair share of the waters of the Pecos River for the State of Texas. After the compact shall have been concluded, the matter will take new shape. At present we are forced to object to the bill.

So far as concerns the statement of the Senator from New Mexico that he expects to attach the measure to some other bill, I can only say that if I have the opportunity I shall resist such an effort to tie this measure on as a rider to some other bill. It should stand on its own merits.

Mr. President, I am forced to object to the present consideration of the bill. I shall try to make my views known to Senators. If New Mexico can appropriate at its will the waters of the Pecos

River before they reach Texas, we shall never get our fair share of the water. That is what is happening now. By legislation it is sought to appropriate these waters without any compact, without any regard to the necessities of Texas, and without any regard to a fair division of the water between the two States.

We have no animus against New Mexico, but we feel that she ought to cooperate and agree to a compact to see that these waters are fairly divided between the two States. I see no reason by the Federal Government should come to the rescue of a private project which is not an authorized reclamation project, and which has already failed. Such a course would entail an indebtedness which would require 70 years to repay, if it were ever repaid.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. HATCH subsequently said: Mr. President, I shall not take 5 minutes on each bill as it is called, but I must say one word in reply to what the Senator from Texas has said. This project has not failed. The bill would not appropriate waters. The waters of the Fort Sumner irrigation district are established by prior appropriation and by rights already determined by the courts. There is nothing whatever in the contention that we are seeking to appropriate a drop of water which belongs to anyone else. We are merely trying to conserve what little we have.

As to the compact, we are trying our best to reach an agreement; and if Texas would cooperate with us and enter into a compact and agree to the passage of this bill, we would be glad to do so; but we strenuously object to the use of the legislative powers of the Federal Government to force sovereign independent States to enter into agreements.

### NATIONAL FREEDOM DAY

The Senate proceeded to consider the joint resolution (S. J. Res. 37) requesting the President to proclaim February 1 as National Freedom Day, which had been reported from the Committee on the Judiciary with amendments.

The first amendment was, on page 1, line 3, after the word "authorized", to strike out "and requested."

The amendment was agreed to.

Mr. RUSSELL. Let the joint resolution go over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

### JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 164) to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make loans to fur farmers and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

### BILL INDEFINITELY POSTPONED

The bill (S. 1807) to provide for the temporary extension of the Export Control Act and title III of the Second War Powers Act, was announced as next in order.

Mr. TAFT. Mr. President, inasmuch as this matter has been taken care of, I move that the Senate bill be indefinitely postponed.

The motion was agreed to.

### BILLS PASSED OVER

The bill (S. 2141) to make the Government-owned alcohol plant at Muscatine, Iowa, available for processing agricultural commodities in the furtherance of authorized programs of the Department of Agriculture, and for other purposes was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 984) to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2242) to authorize for a limited period of time the admissions into the United States of certain European displaced persons for permanent residence and for other purposes was announced as next in order.

Mr. WHERRY. Mr. President, this bill is the present unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

### STAMPS COMMEMORATING ONE HUNDREDTH ANNIVERSARY OF POULTRY BUSINESS

The joint resolution (S. J. Res. 154) authorizing the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry business in the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That the Postmaster General is authorized and directed to prepare for issuance, on as early a date as practicable during the calendar year 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one hundredth anniversary of the poultry industry in the United States.

### BILLS PASSED OVER

The bill (S. 1989) to provide for the payment of certain Government employees for accumulated annual leave in cases involving transfers to other Government agencies under different leave systems, was announced as next in order.

Mr. WILLIAMS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3538) to authorize the Department of Agriculture to investigate and report on project for reclaiming lands by drainage was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2173) to amend the provisions of the Agricultural Adjustment Act relating to marketing agreement and orders was announced as next in order.

Mr. WHERRY and Mr. GEORGE. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2326) to repeal the Alaska Railroad Retirement Act of June 29, 1936, as amended, and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such act of June 29, 1936, is applicable was announced as next in order.

Mr. WILLIAMS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

### CLASSIFICATION OF PERSONNEL OF FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 3433) to amend the act entitled "An act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment on page 3, after line 24, to strike out:

SEC. 3. This act shall take effect on July 1, 1948.

And insert:

SEC. 3. This act shall take effect 180 days after funds have been appropriated and made available for the additional personnel necessary to carry out the purposes of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

### BILL PASSED OVER

The bill (S. 580) relating to the administrative jurisdiction of certain public lands in the State of Oregon was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

### ADDITIONAL COMPENSATION FOR CERTAIN GOVERNMENT EMPLOYEES AND OFFICIALS

The bill (S. 1949) to provide additional compensation for postmasters and employees of the postal service was announced as next in order.

Mr. TAFT. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1537) to increase the rate of compensation of heads and assistant heads of executive departments and of other officers was announced as next in order.

Mr. TAFT. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. CHAVEZ subsequently said: Mr. President, I should like to inquire of the acting majority leader about Calendar No. 1152 and Calendar No. 1153, Senate bill 1949 and Senate bill 1537. I wonder whether the junior Senator from Nebraska or the senior Senator from Ohio can tell us whether we may expect action on those two bills during the present session.

Mr. WHERRY. If the Senator from New Mexico is addressing his question to me——

Mr. CHAVEZ. Yes; if the acting majority leader can answer the question, I shall be glad to have him do so. My question relates to Calendar No. 1152, Senate bill 1949, providing additional compensation for postmasters and employees of the postal service; and Senate bill 1537, Calendar No. 1153, a bill to increase the rate of compensation of heads and assistant heads of executive departments and of other officers.

Mr. TAFT. Mr. President, the majority policy committee has made a public statement that this bill is considered one of the essential bills to be passed at the present session of Congress. I think I can assure the Senator that it will be brought before the Senate.

Mr. CHAVEZ. I thank the Senator.

ORDER OF BUSINESS

Mr. WHERRY. Mr. President, let me add this observation, however: It will depend a great deal on how much the Senate does on the bill which is the unfinished business. I wish to suggest to Senators, while they are in the Chamber this morning, that the displaced persons bill will come up immediately following the call of the calendar; and after the displaced persons bill is acted upon, it is our intention to have the Senate take up the so-called draft bill. I make this statement so that the Senate may be advised of the proposed legislation immediately ready for consideration by the Senate this week.

I should also like to say that the sessions are to begin at 11 o'clock in the morning and run through until 6 p. m., and that if action on the displaced persons bill does not proceed satisfactorily, insofar as concluding action on that bill is concerned, probably there will be a night session on Wednesday night. I do not wish to make such an announcement affirmatively now; but after the session today, the announcement will come forward tomorrow. In other words, if action on that bill is not concluded expeditiously, the further consideration of the bill probably will involve a night session this week, probably on Wednesday night.

Mr. CHAVEZ. Of course, Mr. President, I think the Senator is taking a laudable position in regard to the displaced persons bill, but on the other hand I do not want us to forget our own people.

Mr. WHERRY. Of course.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 191) giving the consent of Congress to the compact on regional education entered into between the Southern States at Tallahassee, Fla., on February 8, 1948 was announced as next in order.

Mr. WHERRY. Mr. President, as I understand, a companion measure has been returned to the committee. I ask that the joint resolution be recommitted to the Committee on the Judiciary.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, what measure is referred to?

The ACTING PRESIDENT pro tempore. Senate Joint Resolution 191, Calendar 1165. Objection was heard to its consideration. On May 13 the House joint resolution corresponding to the Senate joint resolution was recommitted.

Mr. RUSSELL. Mr. President, I do not like to see the joint resolution recommitted by unanimous consent. I object.

Mr. FERGUSON. Let the joint resolution go over.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. May I inquire under what right or theory the joint resolution is on the calendar, after it was recommitted?

The ACTING PRESIDENT pro tempore. It was the companion House joint resolution which was recommitted on May 13.

Objection is heard.

Mr. HOLLAND. Mr. President, was that an objection to Senate Joint Resolution 191?

The ACTING PRESIDENT pro tempore. Yes; it was an objection to the joint resolution.

The Chief Clerk will state the next bill on the calendar.

IMPORTATION OF LIMESTONE

The bill (H. R. 5275) to amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer was announced as next in order.

Mr. LUCAS. Over.

Mr. MILLIKIN. Mr. President, may I inquire what the objection is?

Mr. MAGNUSON. Mr. President, I inquire what is the status of Calendar 1168, House bill 5275?

The ACTING PRESIDENT pro tempore. It has been objected to.

Mr. MAGNUSON. Will the Chair state who made the objection?

The ACTING PRESIDENT pro tempore. The Chair understands the Senator from Illinois objected.

Mr. MAGNUSON. I hope the Senator will reserve his right to object. I am sure I can explain the bill.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized for 5 minutes.

Mr. MAGNUSON. Mr. President, this is merely a bill to take care of a near emergency situation with regard to limestone to be used in the manufacture of fertilizer throughout the country. The very nature of limestone and its use when made into fertilizer requires that it not be shipped great distances. Most of the better sources of supply for the country are across the border in Canada. The matter was not taken care of in a reciprocal trade agreement, simply because at the time the need of fertilizer made from limestone was not so acute as it is now.

All the agricultural interests in the country know of the acute need. The pending bill would allow the establishment of limestone plants near the border, near the sources of supply in Canada. The bill affects the plants in my State and also affects some plants which might be used in other sections of the country near the border. It is a very worth while bill and should be passed. It would help relieve the acute fertilizer situation.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. RUSSELL. Did I correctly understand the Senator's statement that the duties are relieved from only such of this material as is to go into fertilizer, but not when it is used for other purposes?

Mr. MAGNUSON. The bill as passed by the House proposes to amend the Tariff Act so as to permit the importation duty-free of "those grades of substances used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizer," namely, "limestone, crude, crushed, or broken." I hope the Senator will withdraw his objection.

Mr. LUCAS. I may say to my able friend from Washington that I am constrained to object, not only on account of my own objection to the bill, but also by the fact that the Senator from Pennsylvania [Mr. MYERS], who is not present, requested that I make the objection.

Mr. MILLIKIN. Mr. President, the Senate Finance Committee considered this bill. Because of its entirely localized effects we did not think it would injure any existing industry in this country, but we thought it would help mills in the border areas which have unutilized grinding capacity by making available to them the kind of limestone covered by the bill and at the same time assist in satisfying a very pressing fertilizer need. No objection to it was raised in the committee. Several Senators who were curious about it and made their own investigations later advised me that they withdrew any objections they might have had.

I am informed that perhaps we shall come back to this bill later on.

The ACTING PRESIDENT pro tempore. Objection is heard.

EMANCIPATION OF INDIANS IN CERTAIN CASES

The bill (H. R. 1113) to emancipate United States Indians in certain cases was announced as next in order.

Mr. LANGER. Over.

Mr. IVES. Mr. President, I should like to speak very briefly on House bill 1113 and the three bills which follow it on the calendar, namely, House bill 4725, and Senate bills 1686 and 1687, which pertain to Indians and which came before the Senate in the course of the regular call of the calendar on April 26.

The ACTING PRESIDENT pro tempore. Does the Senator from North Dakota withhold his objection until the Senator from New York concludes?

Mr. LANGER. I do.

Mr. IVES. When the calendar was called on that date, upon my request, the senior Senator from Nebraska [Mr. BUTLER] very kindly objected to consideration or passage of these bills. I desired to study further these proposals in order to be as certain as possible that their provisions would be equitable to the

Indians, themselves, and at the same time be a constructive step forward in our national Indian policy.

I have now explored the ramifications of the proposed legislation sufficiently to satisfy myself that no valid reason exists for objecting to the passage of these bills. H. R. 1113 will serve as an important step toward giving Indians full citizenship. Upon application and after a hearing to determine that the individual is competent to manage his own affairs, an Indian, 21 years of age or over, may be released from disabilities and limitations especially applicable to Indians. The virtue of this bill lies in the opportunity it will provide for the individual Indian to manage his own property without, in any way, jeopardizing his tribal membership.

The second bill, H. R. 4725, clarifies a jurisdictional problem common to all States where Indians reside on reservations. In those States in which Indians are entitled to vote in State and county elections, criminal jurisdiction over offenses committed on reservations will be conferred upon the State to the same extent that the State government has authority over the same offense committed elsewhere. Testimony before both Houses of the Congress indicated indisputably the great need for adequate protection of law and effective law enforcement on reservations throughout the country. Our traditional system of government by law falls down when law enforcement agencies are not effective. I understand that the Senator from Nebraska [Mr. BUTLER] is to offer an amendment to the bill which would safeguard the traditional hunting and fishing rights of the Indians. With this protective amendment, the legislation should contribute to the more orderly and equitable maintenance of justice for Indians on reservations.

S. 1688 empowers the Secretary of the Interior to settle with the Indians of New York the obligations of the treaty of September 15, 1797——

Mr. LANGER. Mr. President, a point of order.

The ACTING PRESIDENT pro tempore. The Senator will state the point.

Mr. LANGER. The Senator from New York is discussing a bill not before the Senate at this time. The Senator is talking about Senate bill 1686.

The ACTING PRESIDENT pro tempore. The Senator has a right to discuss that. Any Senator has a right to discuss anything he wants to, under the rule.

Mr. IVES. Mr. President, I should like not to break the continuity of my remarks. I thought I would save time by this process. I am a great believer in saving time if possible.

S. 1686 empowers the Secretary of the Interior to settle with the Indians of New York the obligations of the treaty of September 15, 1797, and the act of February 19, 1831, by a lump-sum payment in lieu of the present annual annuities, upon the condition that the Indians agree to this method of settlement. I believe the Federal Government will more adequately carry out the spirit of the treaty by meeting its obligation in this manner than by its policy of distributing a small bit of cloth or a small sum of money to the individual members of the tribes. The terms of the treaty will not be violated, and at the same time the Federal Government will make a substantial payment to the tribes which can be used constructively for the welfare of all of the tribal members.

The fourth bill, S. 1687, will afford to New York State Indians more adequate resort to established courts for redress of wrongs. This has long been needed and, with the incorporation of the amendment proposed by the Department of the Interor, the bill provides a two-fold benefit. First, tribal laws and customs will be codified and will prevail when reservation Indians are involved in civil cases in the areas covered by the codified tribal law. Second, the procedure for settling grievances between Indians will be clearly delineated. This clarifying measure appears to be in the best interests of the three parties concerned: the Indians, the State of New York, and the Federal Government.

The pattern of Indian relations with the State and Federal Governments is complex and tenuous. National legislation should be designed always to preserve for the Indians the value and unique character of the Indian culture and at the same time to further the good of all citizens, Indians and non-Indians alike. These four bills are aimed to advance and strengthen the position of the Indian as an individual in our Nation. I, therefore, no longer object to the passage of the first bill, and urge favorable action upon each one of them.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter of the Under Secretary of the Interior, Oscar L. Chapman, to Representative RICHARD J. WELCH, of the Committee on Public Lands of the House of Representatives, dealing with House bill 1113, Calendar 1178. It will appear from the letter that the Department of the Interior is opposed to the first of these bills, to which the Senator from New York [Mr. IVES] has just referred. In view of the fact that the Senate is considering only unobjected to bills and in view of the further fact that the Department of the Interior objects to the bill, I feel that the matter is of such import that the objection to the consideration of the measure should stand.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
*Washington, D. C., May 2, 1947.*

Hon. RICHARD J. WELCH,
*Committee on Public Lands,*
*House of Representatives.*

MY DEAR MR. WELCH: Reference is made to your request for a report on H. R. 1113, a bill to provide for removal of restrictions upon the lands, interests in lands, funds, or other property of Indians who shall have served honorably in the armed forces of the United States in time of war.

For the reasons hereinafter stated, I recommend that the bill be not enacted.

This bill would apply to any Indian who has served honorably in any war engaged in by the United States, who is the owner of property or of interests in property, of a restricted or trust status. At least 25,000 Indians served in the armed forces during the Second World War. There were more than 17,000 Indians in World War I. There are also Indian veterans of the Spanish-American War, and still a few scouts who served the United States at the time of the Indian wars.

Many hundreds of Indians to whom the legislation would apply own trust or restricted allotments and many thousands of them possess numerous undivided inherited interests in such allotments. They also possess funds and other restricted personal property. Granting of patents in fee or removal of restrictions to such lands would remove the protective restrictions against alienation or encumbrance and make them subject to taxation. The legislation would tend to complicate further the already complicated status of the original trust allotments which through the death of their owners have passed to numerous heirs, each of whom owns undivided fractional interests in the property. It would greatly increase the difficulty of rearranging ownership of these undivided interests so as to make the affected lands available for Indian use.

Trust or restricted title to Indian lands is a protective property right which should not be surrendered lightly. Enactment of this bill would inevitably be followed by a wave of applications for fee patents and a rapid transfer of Indian lands to non-Indian ownership. This would result in many cases in the break-up of established grazing units and of forest-management units without adequate compensation and benefit to the recipients of the patents in fee.

As to the Indian funds and personal property, if these are restricted, they may now be released to the Indians under regulations approved by the Secretary of the Interior. Unwise release of the individual's money and personal property would not have as disastrous effect on tribal economy and the welfare of other Indians as would the wholesale release of land, but it might result in lasting injury to the individual. It is the policy of the Department to release funds and personal property from governmental trusteeship as rapidly as the Indians demonstrate their willingness and capacity to assume responsibility.

In my opinion the proposed legislation would have a disastrous effect upon the Department's efforts to consolidate, and finally to eliminate, thousands of small inherited interests in allotted lands. More inherited interests than original allotments would be affected by this bill. Such inherited interests are held, usually undivided by many heirs. Before final title could be issued to any one heir for his or her share of an estate, a partition would have to be effected. Generally, the interest of any one heir in any one estate is so small as to be of practically no value by itself, and in many instances Indians possess inherited interests in as many as 40 different allotments. With the passage of time the number of different allotments involved increases. If Indians of the class covered by H. R. 1113 were given fee patents to their inherited interests in restricted lands, they would possess title to tracts of insignificant areas that would have practically no value to themselves or anyone else.

For the purpose of correcting, in some degree, the inherited-land disorder, programs are now in progress on many reservations to consolidate scattered inherited interests in individual heirs or in the tribes by purchase or exchange of such land interests with other individuals or with the tribe. In this way Indians who have been unable to use their lands are consolidating their scattered inherited land interests and are thus enabled to obtain some real benefit.

The issuance of fee patents to Indians holding lands within areas in which consolidation for Indian benefit has been or is

being effected would reestablish a thoroughly bad situation or checkerboarded ownership, part restricted and part unrestricted, part in Indian and part in non-Indian ownership. It also would practically nullify the plans for reconsolidation in other areas. It would make more difficult and expensive the management of Indian grazing and timberlands and would reduce the income from their use or lease.

Some of the individuals for whose benefit this legislation is intended are minors. If title were passed to them, the appointment of guardians would be required to effect legal transfer of their lands. In many instances of fractionated land interests the cost of having a guardian appointed would exceed the value of the interest in land. I believe that the provisions of H. R. 1113 would be a distinct disappointment to the majority of the veterans it is intended to benefit, be harmful to the remainder of the heirs in each estate affected, and be a serious blow to the existing and planned land-consolidation programs for the benefit of the Indians.

Finally, sufficient authority of law now exists in all proper cases to effect the transfer of unrestricted title to allotted and inherited lands throught the issuance of patents in fee, the removal of restrictions, or the issuance of certificates of competency. Indians who desire to obtain unrestricted title are required to make written application. If it will be to the interest of the applicant to grant the request, and if the granting of the request will not adversely affect the interests of the tribe or other individual Indians, the applications will be approved. Additional legislation, as proposed in H. R. 1113, is not required.

The Bureau of the Budget has advised me that there is no objection to the submission of this report to your committee.

Sincerely your,

OSCAR L. CHAPMAN,
*Under Secretary of the Interior.*

Mr. O'MAHONEY. Mr. President, I make the same unanimous-consent request in regard to the letter of the Under Secretary of the Interior, addressed to Representative WELCH, with respect to House bill 4725, Calendar No. 1179. This letter also shows that the succeeding bill on the calendar, about to be called, is objected to by the Department of the Interior.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
*Washington, March 1, 1948.*

Hon. RICHARD J. WELCH,
*Chairman, Committee on Public Lands, House of Representatives.*

MY DEAR MR. WELCH: This will refer to your request for a report on H. R. 4725, a bill to confer jurisdiction on the several States over offenses committed by or against Indians on Indian reservations.

I recommend against enactment of this bill in its present form. I am attaching a draft of a substitute bill which I recommend be given favorable consideration by your committee.

Except for the 10 major crimes mentioned in section 548, title 18, United States Code, Indians committing offenses on Indian reservations against the person or property of another Indian are not now subject to prosecution, as a general rule, in either State or Federal courts. On some Indian reservations there are Indian courts for the prosecution of other offenses, but on many reservations there are no such courts, and tribal law and order enforcement has completely broken down. There is great need for legislation to confer jurisdiction upon some court for the prosecution of Indians for offenses committed on those reservations. Indians need the protection of law and some means of law enforcement. However, it is not advisable to transfer jurisdiction over all Indian reservations at the present time.

In the act of June 8, 1940 (54 Stat. 249), Congress conferred jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations in that State, and in the act of May 31, 1946 (60 Stat. 229), similar jurisdiction was conferred on the State of North Dakota as to the Devils Lake Indian Reservation. The enactment of general legislation would avoid the necessity of legislating separately for the many Indian reservations or for each State having Indian reservations.

In order to provide a means whereby jurisdiction can be transferred from time to time over those reservations where conditions justify such transfer, it is recommended that the enclosed draft of a bill be substituted for H. R. 4725.

This Department has not received clearance from the Bureau of the Budget on the submission of this report. Therefore, I cannot advise you concerning the relationship of the views expressed herein to the program of the President.

Sincerely yours,

OSCAR L. CHAPMAN,
*Under Secretary of the Interior.*

Mr. BUTLER. Mr. President, I should like to ask the Senator from Wyoming whether the word he apparently has from the Department has been received since the amendments proposed by the Senator from Nebraska have been ready for consideration.

Mr. O'MAHONEY. I noticed this objection in the file this morning, as I read the bills. I heard about it last week.

I have not had an opportunity to examine the amendments to which the Senator from Nebraska refers. I feel that this whole matter of Indian legislation is of such great importance, both to the Indians and to the country at large, that measures dealing with fundamental Indian rights should not be disposed of in the summary manner in which we handle unobjected-to bills during the call of the calendar.

Mr. BUTLER. Mr. President, I ask that the clerk read into the RECORD at this point the amendments I have submitted to House bill 1113.

The PRESIDING OFFICER. Without objection, the amendments will be read.

The Chief Clerk read as follows:

Amendments intended to be proposed by Mr. BUTLER to the bill (H. R. 1113) to emancipate United States Indians in certain cases, viz: On page 5, lines 11, after the comma insert the words "certificate or orders."

On page 5, line 14, strike out all after the colon and change the colon to a period and insert the following: "If the individual Indian who has been adjudged competent holds jointly or in common with other heirs an undivided interest in land the Secretary may in his discretion partition such land or, if he deem partition impracticable may sell the land or any part thereof and shall pay to the Indian or Indians their appropriate share or shares of the net proceeds of the sale."

On page 5, strike out all of lines 15, 16, and 17.

On page 6, strike out all of lines 1, 2, 3, and 4.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of House bill 1113, Calendar No. 1178?

Mr. BUTLER. Mr. President, objection has been made to the present consideration of the bill; but we shall let the RECORD stand as it is.

The ACTING PRESIDENT pro tempore. Objection having been made, the bill will be passed over.

Mr. O'MAHONEY. Mr. President, before we leave Calendar 1178, House bill 1113, inasmuch as the Senator from Nebraska has requested that the amendments which he proposes to offer be read into the RECORD, and, of course, that has been done, and inasmuch as it will be impossible, without making a comparison with the original bill, to tell what will be the effect of these amendments, I ask unanimous consent that the bill as it would read if amended by these amendments be printed at this point in the RECORD, so that those of us who read the RECORD tomorrow will be able to know what the effect of the amendments will be.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be printed, as requested by the Senator from Wyoming, including the amendments of the Senator from Nebraska.

The bill (H. R. 1113) as reported by the Committee on Interior and Insular Affairs and as proposed to be amended by Mr. BUTLER, is as follows:

*Be it enacted, etc.*, That any Indian who is a citizen of the United States and who wishes to be freed of the disabilities and limitations specially applicable to Indians may, upon reaching the age of 21, apply to any naturalization court for the area in which he resides for a "decree or judgment of competency." The court shall set a hearing date not less than 30 days nor more than 60 days from the day it receives the application; and under regulations adopted by the court notify the head of the local, county, or parish governmental unit; the local welfare department of State, county, and city government; the superintendent of the applicant's tribe; and the head of the tribal council or other governing body, if a member of a tribe, or the Commissioner of Indian Affairs; and any other persons the court considers appropriate.

SEC. 2. At the hearing the court shall examine the applicant and may require the persons who appear before the court to give testimony in the matter of the applicant's competency to the court in determining the applicant's competency. The United States attorney of the district, and the attorney for the county or parish, in which such court is situated shall be given an opportunity to appear at such hearing and to participate in the examination of the applicant and other witnesses. In determining competency, the court shall consider significant factors bearing upon the applicant's moral and intellectual qualifications and his ability to manage his own affairs. If the court finds the applicant competent, it shall issue a "decree or judgment of competency", freeing him of all disabilities and limitations specially applicable to Indians; and the recipient shall no longer be entitled to share any of the benefits or gratuitous service extended to Indians as such by the United States, except as to such services as are required under the provisions of this act. In the event the court denies a "decree or judgment of competency", the applicant may file a new application 1 year following the date of denial. Upon the entry of a decree or judgment of competency to any applicant, such applicant shall file a certified copy thereof with the Secretary of the Interior, who shall maintain such copy as a public record.

The form of a decree or judgment of competency under this act shall be substantially as follows:

"DECREE OF COMPETENCY

"Whereas _____, a member of
(Name of applicant)
the _____ Tribe of Indians,
(Name of tribe)
has made application to the _____
(Designation
_____ for a decree of competency under
of court)
the provisions of the act of Congress approved _____:
(Date of enactment)

"Now, therefore, this court, upon consideration of such application and the evidence submitted in support thereof, finds and hereby declares the said _____ to
(Name of applicant)
be fully competent and capable of transacting _____ own business and caring
(His or her)
for _____ own individual affairs.
(His or her)

"Done in open court this _____ day of _____.

_____
(Name of judge)

"Attest: _____"
(Clerk of court)

SEC. 3. When presented with a "decree or judgment of competency," the Secretary of the Interior shall within 90 days give the applicant full ownership and control of the money and property held in trust for him as an individual Indian by the Secretary; issuing, in the case of land, appropriate patents in fee, certificates, or orders, provided the Secretary may make such provisions as he deems necessary to insure repayment of money loaned to the applicant by the Federal Government or by the tribe. If the individual Indian who has been adjudged competent holds jointly or in common with other heirs an undivided interest in land, the Secretary may in his discretion partition such land, or, if he deems partition impracticable, may sell the land or any part thereof and shall pay to the Indian or Indians their appropriate share or shares of the net proceeds of the sale.

SEC. 4. After receiving a "decree or judgment of competency" the applicant, if a member of a tribe, shall continue on the tribal rolls as a member of the tribe. Any Indian who has been adjudged competent as herein provided shall in no manner be deprived of his or her tribal rights or treaty benefits, and in no way shall he or she be alienated from any benefits or payments of funds which may accrue to the tribe, band, group, or ward of the Federal Government through settlement of claims as provided in section 12, Public Law 726, approved August 13, 1946 (60 Stat. 1049). In case of the death of any member, his or her share shall descend to the heirs in accordance with the inheritance laws of the State wherein the tribe is located.

SEC. 5. Any Indian born after the date of the enactment of this act who is a citizen of the United States, and any child of parents, either of whom has been issued "a decree or judgment of competency" shall, upon reaching the age of 21 years, be free of all disabilities and limitations specially applicable to Indians.

Mr. CHAVEZ. Mr. President, I wish to make a brief statement concerning House bill 1113. I heard the Senator from Wyoming refer to the letter from the Interior Department. I have not heard from the Interior Department, and I did not know until this morning how it felt about this matter. However, notwithstanding that the Indians in my State do not pay taxes and notwithstanding that they are poor people and are not allowed to vote—although I think they should be allowed to vote—I try to represent the Indian sentiment as I understand it. I have received great numbers of petitions and letters from Indians in New Mexico objecting to the proposed legislation, so I am glad the bill has been passed over.

BILL PASSED OVER

The ACTING PRESIDENT pro tempore. The clerk will state the next bill on the calendar.

The bill (H. R. 4725) to confer jurisdiction on the several States over offenses committed by or against Indians on Indian reservations was announced as next in order.

Mr. WHERRY. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. BUTLER. Mr. President, in order that the record may be complete on this bill, as it was on the last one, I should like to have printed in the RECORD at this point an amendment which I think will clear the objections which several Members of the Senate have. I ask unanimous consent to have the amendment printed at this point.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be printed at this point in the RECORD.

The amendment intended to be proposed by Mr. BUTLER to the bill (H. R. 4725) to confer jurisdiction on the several States over offenses committed by or against Indians on Indian reservations is as follows:

On page 1, line 10, change the period to a colon and add the following: *"Provided*, That nothing contained in this act shall be construed to deprive any Indian tribe, band, or community, or members thereof, hunting and fishing rights as guaranteed them by agreement, treaty, or custom, nor require them to obtain State fish and game licenses for the exercise of such rights."

Mr. ECTON. Mr. President, I also wish to submit an amendment to the bill, which is as follows:

*Provided*, That nothing contained in this act shall apply to the Crow Indian Reservation in Montana.

I move that that amendment be added.

The ACTING PRESIDENT pro tempore. The Senator's motion is not in order, objection having been made to the consideration of the bill at this time.

Mr. WHERRY. Mr. President, I suggest that the Senator offer his amendment and have it printed.

The ACTING PRESIDENT pro tempore. It can be printed and lie on the table, and be printed in the RECORD if the Senator so desires.

Mr. ECTON. If it is permissible, I should like to have that done.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Montana will be printed and lie on the table, and will also be printed in the RECORD at this point.

The amendment intended to be proposed by Mr. ECTON is as follows:

*Provided*, That nothing contained in this act shall apply to the Crow Indian Reservation in Montana.

Mr. HICKENLOOPER. Mr. President, Calendar 1179, House bill 4725, would confer general jurisdiction on States over crimes committed on Indian reservations. May I ask the Senator from Nebraska if House bill 4725 is intended to replace or to include the provisions of the bill passed by the House giving the State of Iowa jurisdiction over crimes committed on the Indian reservation in that State?

Mr. BUTLER. Mr. President, I may say to the Senator from Iowa that that is exactly what the bill is supposed to do.

Mr. HICKENLOOPER. If the Senator will indulge me for a moment, I should like to say that we had hoped very much that at least that particular bill giving specific jurisdiction to the State of Iowa over crimes committed on the Indian reservation there could be passed as a separate bill, because there seemed to be some objections to the over-all bill which has been introduced. The situation in the State of Iowa is not good. There is a united demand that someone be given jurisdiction over crimes committed on the Indian reservation, so that the law may be properly enforced. For several years when crimes have been committed on that reservation, for some reason, there has not been sufficient diligence, and even in the case of major crimes. Some deaths have occurred. Our State is most anxious to see that the laws are enforced on the small reservation in Iowa. I certainly hope that our desire to take over the obligation and responsibility of law enforcement does not become fouled up with an over-all bill, which will mean that another session of Congress has passed and we shall have to put up with the commission of crimes without any effective enforcement agency.

Mr. BUTLER. I may say, in reply to the Senator from Iowa, that the passage of House bill 4725 would give him the protection which he requests for the people of his State.

Mr. HICKENLOOPER. I am sure of that.

Mr. BUTLER. In view of the fact that House bill 4725 has been objected to, I can assure the Senator from Iowa that at a meeting of the Committee on Interior and Insular Affairs his bill will be considered and, I think, reported.

Mr. HICKENLOOPER. I thank the Senator from Nebraska.

The ACTING PRESIDENT pro tempore. The clerk will call the next bill on the calendar.

BILLS PASSED OVER

The bill (S. 1686) to provide for the settlement of certain obligations of the United States to the Indians of New York was announced as next in order.

Mr. LUCAS. I ask that the bill be passed over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1687) to confer jurisdiction on the courts of the State of New York with respect to civil actions between Indians or to which Indians are parties was announced as next in order.

Mr. LUCAS. I ask that the bill be passed over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 631) for the relief of the Allied Aviation Corp. was announced as next in order.

Mr. LANGER. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PROTECTION OF NATIONAL SECURITY

The bill (S. 1561) to protect the national security of the United States was announced as next in order.

Mr. McMAHON. Over.

Mr. BALDWIN. Mr. President, I wonder if I might be granted the privilege, under the 5-minute rule, to make an explanation of the bill.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut will be recognized for 5 minutes. The bill has been objected to.

Mr. BALDWIN. Will my colleague from Connecticut withhold his objection until I make an explanation of the bill?

Mr. McMAHON. I shall gladly do so.

Mr. BALDWIN. Mr. President, this bill provides authority to terminate employment of indiscreet or disloyal persons who are employed in areas of the Government which are sensitive from the standpoint of national security. At the present time the Department of the Army and the Department of the Navy have such authority as that requested in this bill under Public Law 808 of the Seventy-seventh Congress. The Department of the Air Force is operating under the same law, but by mutual agreement the administration of this law has been carried out by the Department of the Army for the Department of the Air Force.

The State Department has similar authority, under appropriation language, while the Atomic Energy Commission has broad powers in the same field. I state that merely to indicate that presently as to that particular problem conditions are satisfactory. The real problem is what shall we do in the future? Public Law 808 terminates with the end of the war, and the appropriation language of the State Department has to be reenacted on a year-to-year basis. Accordingly, it is believed by the departments that there should be legislation providing coverage in this most important field. They state that in their opinion such authority should not be exercised in very many cases. In fact, the Navy Department records indicate that over a period of approximately 8 years, during which we have been in a world war, only 238 cases have been handled under the authority granted by Public Law 808. It is a matter of record that since 1945, the Navy has not felt it necessary to use the summary authority which it has under Public Law 808.

The purpose of the bill, Mr. President, is to put this matter on a firm and lasting basis. Presently we are all right, but with the termination of the law and the expiration of the appropriation language to which I have referred, we have nothing except an Executive order. This bill provides an adequate basis of appeal. We conducted lengthy hearings at which the representatives of the departments were present. The Civil Service Commission was also represented. Amendments were worked out which would provide an adequate hearing, adequate appeal, and justice for those who might be dealt with unfairly. It provides that those who are of questionable loyalty with regard to the United States may be dismissed. It also provides for the transfer of those who may be weak cogs in the wheel of our security to some other department where their services can be utilized to better advantage.

The bill is very important from the standpoint of national security. Every effort has been made to protect the rights of the individuals concerned. I hope my distinguished friend will withdraw his objection so that the bill may be passed.

Mr. McMAHON. Mr. President, I have just conferred with the chairman of the Joint Committee on Atomic Energy, and he and I both feel that the power which is sought to be conferred by this bill already resides in the Commission as a whole. Therefore, if my distinguished colleague would strike out the reference to the Atomic Energy Commission, neither the Senator from Iowa nor I would have any objection.

Mr. BALDWIN. Mr. President, the reason we put that provision in the bill was to preserve the status of the Atomic Energy Commission as is.

Mr. McMAHON. I should like to ask the Senator from South Dakota, who is chairman of the Armed Services Committee, if he feels we should agree to that proposal.

Mr. GURNEY. I may say, on the statement of the senior Senator from Connecticut that as authority already lies with the Atomic Energy Commission, we could delete the language from this bill.

Mr. HICKENLOOPER. Mr. President, I suggest that the bill go over temporarily this morning until we can check a little more on it. I have no objection to the bill, but I join in the position of the Senator from Connecticut [Mr. McMAHON], so long as the bill remains in its present form. I should have no objection if reference to the Atomic Energy Commission were eliminated. I feel that there is ample authority in the Commission at the present time to do exactly what is attempted to be done; but I should like to look the bill over a little more carefully.

The ACTING PRESIDENT pro tempore. Without objection, the bill will go to the end of the calendar, and when the last measure on the calendar is reached the bill can be called again. The clerk will state the next order of business on the calendar.

AIR PARCEL POST SERVICE

The bill (S. 2281) to provide for an air parcel post service and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the rate of postage on mailable matter exceeding 8 ounces in weight, but not weighing more than 70 pounds nor measuring more than 100 inches in length and girth combined, when carried by air and including other transportation to and from air-mail routes, shall, except as otherwise herein provided, be determined on the basis of the eight postal zones established for fourth-class matter, as follows:

(1) For delivery within the first or second zones, 55 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 4 cents for each additional pound or fraction thereof.

(2) For delivery within the third zone, 60 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 8 cents for each additional pound or fraction thereof.

(3) For delivery within the fourth zone, 65 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 14 cents for each additional pound or fraction thereof.

(4) For delivery within the fifth zone, 70 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 24 cents for each additional pound or fraction thereof.

(5) For delivery within the sixth zone, 75 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 33 cents for each additional pound or fraction thereof.

(6) For delivery within the seventh zone, 75 cents for the first pound, or fraction of a pound in excess of 8 ounces, plus 45 cents for each additional pound or fraction thereof.

(7) For delivery within the eighth zone, which, with respect to air parcel post, shall include all offices located in continental United States beyond the seventh zone, 80 cents for the first pound or fraction thereof over 8 ounces, plus 65 cents for each additional pound or fraction thereof.

(8) For air parcels exchanged between offices in continental United States and offices in Territories and possessions of the United States, in either direction, and between offices within such Territories and possessions, the applicable zone rate shown in paragraphs (1) to (6) of this section shall apply to and including the seventh zone: *Provided*, That for offices falling in the eighth zone the rate of postage for air parcels weighing in excess of 8 ounces shall be 80 cents for each pound or fraction thereof.

(9) Mailable matter of light weight in relation to size shall be subject to such surcharge as may be determined by the Postmaster General to be warranted by reason of the extra space and care required in handling and transporting such mail matter.

(10) The Postmaster General is authorized and directed to make such rules and regulations, not inconsistent with the Civil Aeronautics Act of 1938 (52 Stat. 973), as amended, or any order, rule, or regulation made by the Civil Aeronautics Board thereunder, as may be necessary for the safe and expeditious transportation by air of mail matter weighing in excess of 8 ounces.

(11) The Postmaster General is further authorized and directed for the period of 2 years, notwithstanding the provisions of paragraphs (1) to (9), inclusive, of this section, to adjust from time to time the weight limit, size, rate of postage, zone or zones or conditions, or either, in order to promote the service to the public and assure the receipt of revenue from such service adequate to pay the cost thereof.

SEC. 2. The Postmaster General is hereby authorized, in the disbursement of the appropriation for domestic air-mail service, to apply a part thereof to the purpose of leasing suitable quarters at public airports for use in the handling and distribution of air mail at a reasonable rental to be paid quarterly or monthly, for a term not exceeding 20 years.

SEC. 3. Section 1 of the act of August 14, 1946 (Public Law 730, 79th Cong., 2d sess.), entitled "An act to fix the rate of postage on domestic air mail, and for other purposes," is hereby amended to read as follows:

"The rate of postage on domestic air mail weighing 8 ounces or less shall be 5 cents for each ounce or fraction thereof: *Provided*, That the rate of postage on air mail of the

first class weighing in excess of 8 ounces shall be the rate provided for air parcels but in no case shall be less than 3 cents an ounce or fraction thereof."

SEC. 4. This act shall take effect on the first day of the third month following the month of enactment.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 2285) relating to the fixing of wage rates for employees in navy yards, was anounced as next in order.

Mr. GURNEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 76) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

AMENDMENT OF FOOD, DRUG, AND COSMETIC ACT

The bill (H. R. 4071) to amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended, was announced as next in order.

Mr. WHERRY. Over.

Mr. MOORE. Mr. President, will the Senator withhold his objection for a moment?

Mr. WHERRY. I may say to the distinguished Senator from Oklahoma that the senior Senator from Nebraska [Mr. BUTLER] has now returned to the floor, and he is the Senator who asked me to object to the bill. It is up to the senior Senator from Nebraska as to whether the objection shall stand.

The ACTING PRESIDENT pro tempore. Does the junior Senator from Nebraska withdraw his objection?

Mr. WHERRY. I withdraw the objection.

Mr. MOORE. Mr. President, I should like to make a statement about the bill. The bill is a measure to amend the Pure Food and Drug Act. Heretofore, I asked that the bill go over, as I think other Senators did also. I have lying on the desk an amendment which I propose to offer to the bill, and if it is in order, I should like to offer it now.

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. It is in order for the Senator from Oklahoma to offer his amendment.

Mr. MOORE. I offer the amendment and ask that it be stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment of the Senator from Oklahoma.

The CHIEF CLERK. It is proposed to add a new section at the end of the bill, as follows:

SEC. 3. Subsection (a) of section 303 of such act, as amended (21 U. S. C., 333 (a)), is amended by inserting after the words "Any person who" the following: "willfully or as a result of gross negligence."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MOORE].

Mr. McMAHON. Mr. President, I should like to be heard on the amendment very briefly.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized for 5 minutes.

Mr. McMAHON. The last time the calendar was called I endeavored to explain to the Senate the very great need for this amendment to the pure food and drug law. Because this provision is not on the statute books, the Pure Food and Drug Administration say that about 20 tons of contaminated, rat-infested food is being distributed to the American public every day. The Pure Food and Drug Administration finds itself in this dilemma because of a decision of the Supreme Court, which held that the Pure Food and Drug Administration did not have the right, after rodent-infested food had left interstate commerce and had come to rest in a warehouse, to seize it.

There is an objection to the bill on behalf of the Senator from Oklahoma based on the ground that the Government should not be able to prosecute under the Pure Food and Drug Act unless it can prove willful intent.

Mr. MOORE. Or gross negligence.

Mr. McMAHON. Or gross negligence; the Senator corrects me.

Under the act as it is now written, as it relates to seizures in interstate commerce, it is not necessary to prove intent or gross negligence. I am told by the Pure Food and Drug Administration that the addition of this amendment requiring the proof of intent or proof of gross negligence would pretty effectively destroy the enforcement of the law.

I know that there is always a careful scrutiny of any statute in which penalties follow simple proof of the fact that a thing has been done, but I have investigated the Federal statutes to some extent, and I have a memorandum of at least six Federal statutes in which proof of intent or gross negligence is not required.

I therefore feel that the Pure Food and Drug Administration know what they are talking about, and, incidentally, they are endorsed in their position by the Wholesale Grocers' Association, by the Wholesale Druggists' Association, and by manufacturing druggists and manufacturing grocers of the United States.

I point out to the Senate that the bill covers not only the right of seizure of rat-infested food, but covers also drugs which may, if not properly prepared, result in death, the various sulfa drugs, penicillin that is not prepared correctly, and the like. The American public now find themselves in a very precarious position because Congress has not passed this proposed legislation. It should be passed and the amendment, which would deprive the Pure Food and Drug Administration of the power to do the job, should be defeated.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Oklahoma.

Mr. MOORE. Mr. President, inasmuch as the Senator from Connecticut objects, of course, the Senate cannot act on the amendment.

The ACTING PRESIDENT pro tempore. The Chair understands the Senator from Connecticut is not objecting to the bill.

Mr. MOORE. He is objecting to the amendment.

The ACTING PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Oklahoma, and that is not a matter of unanimous consent.

Mr. MOORE. I move its adoption.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Oklahoma. (Putting the question.) The ayes appear to have it.

Mr. McMAHON. I ask for a division.

On a division, the amendment was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment of the amendment and the third reading of the bill.

Mr. MORSE. Over.

The ACTING PRESIDENT pro tempore. Under objection, the bill will be passed over.

Mr. MORSE subsequently said: Mr. President, I request unanimous consent that the Senate return to consideration of House bill 4071, Calendar No. 1263, the bill to amend certain sections of the Pure Food and Drug Act.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 4071) to amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended.

Mr. MORSE. Mr. President, I wish to make a brief statement in regard to the bill. I shall withdraw my objection to the bill. I hope that the bill may pass, and that the amendment which was agreed to will be considered in conference, because I think we are dealing in this bill with that class of legislation falling strictly within the terms of malum prohibitum legislation in which the full responsibility, because of the very important public policy involved, should be placed upon the vendor. When we are dealing with the question of the health of the American people, when we recognize that after all, when all is said and done, they are at the mercy of vendors, because the average citizen when he goes into a store does not know, nor has he any way of knowing, whether or not the food he is buying or the drug he is buying contains any contaminated substance—to protect him, then, I think the strict law of malum prohibitum should be applied. I do not think that the vendor should have an out on the ground that he was not aware of negligence, nor that he did not have any willful intent.

There are some things in which the full burden of responsibility should be placed upon the vendor, and when it comes to protecting the health of the American citizen in regard to those things which they buy by way of food or drugs, then I think the responsibility should be clearly upon the vendor. We do it in many other respects, Mr. Presi-

dent, when we lay down strict malum prohibitum crimes in this country and say, "You do these acts at your own risk." I say that it is going to be an unfortunate thing if the purchasers of food and drugs in this country are going to have a statute enacted which permits vendors to shift responsibility when there is in fact contaminated substances in food and drugs. But I appreciate the fact that if my objection stands as to the passage of the bill at all there will be no chance to work toward the goal I seek by way of conference. Therefore I withdraw my objection in the hope that the matter can be cleared up in conference.

Mr. BUTLER. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

REGULATION OF MOTORTRUCK RATES—BILLS PASSED OVER

The bill (S. 2216) to amend section 205 of the Interstate Commerce Act, relating to joint boards, was announced as next in order.

Mr. SPARKMAN. Over.

Mr. LANGER. May we have an explanation of the bill?

The ACTING PRESIDENT pro tempore. The bill has been objected to.

Mr. REED. May I inquire who objected?

The ACTING PRESIDENT pro tempore. The Senator from Alabama objected.

Mr. REED. Let me say to the Senator from Alabama that this bill relates wholly and only to the question of the regulation of motortruck rates as between the Interstate Commerce Commission on the one hand and State commissions on the other. So far as I know, no one else has any interest in it. The bill was prepared by the State commissions, through their Washington office, and the Interstate Commerce Commission has approved it. There is no possible objection to the bill, so far as I know.

Mr. SPARKMAN. Mr. President, my colleague, the senior Senator from Alabama [Mr. HILL], is absent today, and before leaving he expressed to me the desire that three bills on the calendar, orders No. 1264, No. 1265, and No. 1266, should be passed over until he can be present. I am objecting to these three bills at this time in accordance with his request.

The ACTING PRESIDENT pro tempore. Objection is heard, and the three bills referred to, Senate bill 2216, House bill 2759, and Senate bill 2426, will be passed over.

The bill (H. R. 29) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers was announced as next in order.

Mr. RUSSELL. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5992) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

COUNTING OF ELECTORAL VOTES

The joint resolution (S. J. Res. 200) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President was announced as next in order.

The ACTING PRESIDENT pro tempore. The Chair asks that this joint resolution go over, because it is a joint resolution proposing an amendment to the Constitution, and it should be taken up as the unfinished business of the Senate.

NATIONAL ARCHIVES

The bill (H. R. 3638) to amend section 10 of the act establishing National Archives of the United States Government was announced as next in order.

Mr. LUCAS. May we have a short explanation of the bill?

Mr. LANGER. The bill gives the Archivist the opportunity to buy certain documents for the Archives of the United States which he cannot buy under the present law.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

COMMEMORATIVE STAMPS FOR ONE HUNDREDTH ANNIVERSARY OF FOUNDING OF AMERICAN TURNERS SOCIETY

The joint resolution (H. J. Res. 340) to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of the American Turners Society in the United States was considered, ordered to a third reading, read the third time, and passed.

COMMEMORATIVE STAMPS FOR ONE HUNDREDTH ANNIVERSARY OF FOUNDING OF FORT KEARNEY, NEBR.

The joint resolution (H. J. Res. 341) to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney, in the State of Nebraska, was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF ANNUAL ASSESSMENT WORK ON MINING CLAIMS

The bill (S. 2479) providing for the suspension of annual assessment work on mining claims held by location in the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, until the hour of 12 o'clock meridian on the 1st day of July 1948: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1948, a notice of his desire to hold said mining claim under this act.

ADMINISTRATIVE EXPENSES IN THE POST OFFICE DEPARTMENT

The bill (S. 2510) to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the provisions of the acts of April 21, 1902; May 27, 1908; and June 19, 1922 (39 U. S. C. 423), relating to contracts for transmission of mail by pneumatic tubes in New York, N. Y., including the borough of Brooklyn, are hereby amended to provide that the annual rental contract payment rate for the use of the 26.969 miles of double-line pneumatic-tube facilities shall not exceed $12,000 per mile nor be less than $10,500 per mile: *Provided, however*, That the rate shall be inclusive of maintenance expenses but shall be exclusive of all operating expenses.

INCREASED LENDING AUTHORITY OF EXPORT-IMPORT BANK

The bill (S. 2549) to increase the lending authority of Export-Import Bank of Washington was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Export-Import Bank Act of 1945, as amended (59 Stat. 526), is hereby amended in the following particulars:

(a) By deleting from section 6 the words "two and one-half" and substituting in lieu thereof the word "three"; and

(b) By deleting from section 7 the words "three and one-half" and substituting in lieu thereof the word "four".

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 296) to maintain the status quo in respect of certain employment taxes and social-security benefits was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

FREE ENTRY OF STANDARD NEWSPRINT PAPER

The bill (H. R. 5553) to amend paragraph 1772 of the Tariff Act of 1930, as amended, was considered, ordered to a third reading, read the third time, and passed.

CONTRIBUTION TO LOCAL GOVERNMENTS FOR NONTAXABLE FEDERAL LANDS

The Senate proceeded to consider the bill (S. 582) authorizing annual payments to States, Territories, and insular governments, for benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes, which had been reported from the Committee on Public Lands, with amendments.

Mr. GEORGE. Mr. President, when the bill was reached previously on the call of the calendar I spoke to the proponents of the bill and suggested two amendments to it. I am advised that the Senator from Oregon [Mr. CORDON] is

prepared to accept the first amendment which was offered, and is prepared to amend section 8 of the bill to which the second objection was made. I have no further objection to the bill, although the Department does not agree with the philosophy stated in section 8. As the Senator proposes to amend it, I shall withdraw my objection to the bill.

The ACTING PRESIDENT pro tempore. Does the Chair understand correctly that the amendment the Senator from Georgia proposes is an amendment to one of the committee amendments in the bill?

Mr. GEORGE. I think it is.

The ACTING PRESIDENT pro temport. The Chair will state that the committee amendments should be acted upon first. The clerk will state the first committee amendment.

The first amendment was in section 2, page 2, line 20, after the word "section", to strike out "but if the amounts so paid to any State for any fiscal year between the one in which this act becomes operative and the fiscal year in which the certification prescribed by this act becomes operative are less than the sums which under the provisions of this act are due and payable to said State for said fiscal year, then there shall be paid to said State from funds in the Treasury not otherwise appropriated, such additional amounts as may be necessary to make the total amount paid for each such fiscal year equal to the amount due and payable for the same fiscal year under the provisions of this act." And on page 3, line 15, after the words "equal to", to strike out "2" and insert "1", so as to make sections 1 and 2 read:

*Be it enacted, etc.*, That to avert embarrassing fluctuations of income to counties to which stable income is essential to the efficient conduct of local functions of government, or inadequacies of contributions to costs of local government which may exist where national-forest lands yield little or no current revenues pending their restoration to economic productivity or because deferment of utilization of their natural resources is necessitated by sound principles of resource management and economy, the annual payment by the United States to States, for distribution to counties, because of the existence therein of areas of national-forest land, after the close of the fiscal year in which this act is approved, shall be at the rate of 1 percent of the fair value of the national-forest lands as determined and certified by the Secretary of Agriculture in the manner hereinafter prescribed. As used in this act the term "State" includes Territories and insular possessions; the term "county" includes parishes and other similar political subdivisions; and the term "national-forest lands" includes all lands of the United States managed as national forests or experimental forests or ranges by the Forest Service.

SEC. 2. That until such time as the determination and certification of fair value hereinafter prescribed shall have been completed by the Secretary of Agriculture, the payments to States authorized by section 500 of title 16 of the United States Code shall be continued in the form and manner authorized by said section. When the Secretary of Agriculture shall have completed the initial determination and certification of the fair value of all national-forest lands under the provisions of this act, the said section 500 of title 16 of the United States Code shall be, and hereby is, repealed as of the last day of the fiscal year during which such certification is made; and thereafter contributions to costs of local government by national-forest lands shall be paid by the Secretary of the Treasury under the provisions of this act in the form of annual payments equal to 1 percent of the fair value of national-forest lands as determined and certified by said Secretary of Agriculture.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 22, after the word "counties", to insert "and, as to the lands lying in each State or county, shall certify to such State or county the fair value of such lands"; on page 4, line 11, after the word "that", to strike out "any revenues accruing to the United States from such coal, oil, gas, or other mineral or subsurface resources shall be disposed of as otherwise provided by law" and insert "as to such coal, oil, gas, or other mineral or subsurface resources beneath lands of the United States acquired under, or made subject to the laws applicable to lands acquired under, the act of March 1, 1911 (36 Stat. 961), as amended, and other mineral resources of national-forest lands not subject to the provisions of the act of February 25, 1920 (41 Stat. 437), as amended and supplemented, there shall be paid annually after the close of each fiscal year to the State for expenditure and distribution in conformity with State laws for the disposal of State severance or privilege taxes on coal, oil, and minerals or other State revenues from mineral development 31½ percent of the gross amounts received by the United States under any permit, lease, license, or other agreement for the production, extraction, development, or other disposition of such mineral resources", so as to make section 3 read:

SEC. 3. That not later than the end of the third fiscal year following the one in which this act is approved, the said Secretary of Agriculture shall determine and shall certify to the Secretary of the Treasury the fair value of all national-forest lands separately by States and counties and, as to the lands lying in each State or county, shall certify to such State or county the fair value of such lands: *Provided*, That in the initial determination of fair value the lands acquired by purchase or exchange shall be assigned the value allowed for them in cash or in national-forest land and/or stumpage at the time of their acquisition, and the lands donated for national-forest purposes shall be assigned the value which existed at the time of their donation: *Provided further*, That improvements constructed by and at the expense of the United States shall not be included in the value of the national-forest lands: *And provided further*, That coal, oil, gas, or other mineral or subsurface resources shall not be included in the value of national-forest lands, but that as to such coal, oil, gas, or other mineral or subsurface resources beneath lands of the United States acquired under, or made subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, and other mineral resources of national-forest lands not subject to the provisions of the Act of February 25, 1920 (41 Stat. 437), as amended and supplemented, there shall be paid annually after the close of each fiscal year to the State for expenditure and distribution in conformity with State laws for the disposal of State severance or privilege taxes on coal, oil, and minerals or other State revenues from mineral development 37½ percent of the gross amounts received by the United States under any permit, lease, license, or other agreement for the production, extraction, development, or other disposition of such mineral resources.

The amendment was agreed to.

The next amendment was, in section 6, page 7, line 2, after the word "therein", to insert "or as to the part of such payment as represents 37½ percent of revenues from minerals, in conformity with the last provision of section 3 of this act", so as to make sections 4, 5, and 6 read:

SEC. 4. That following the close of each fiscal year subsequent to completion of the certifications of fair value prescribed by section 3 hereof, the Secretary of Agriculture additionally shall certify to the Secretary of the Treasury in relation to each State and county containing national forest land (a) the value of all lands therein which during said fiscal year had been given a national-forest status by reservation from the public domain through act of Congress or proclamation of the President of the United States, or by transfer or otherwise, or through purchase, exchange, or donation; and (b) the previously determined value of any national-forest lands which had been removed from that status during said fiscal year and the previously certified value of the national-forest lands in such State and county shall be adjusted accordingly in the records of the Treasury Deparment and subsequent payments under the provisions of this act shall be on the basis of such adjusted certified fair value.

SEC. 5. That the fair values determined and certified by the Secretary of Agriculture in the manner prescribed by section 3 of this act, subject to the annual adjustments prescribed by section 4 hereof, shall for the period of 10 fiscal years following approval of this act constitute the basis upon which contributions to costs of local government by national-forest lands shall be computed; but at the expiration of said 10-year period, and at intervals of 10 years thereafter, the Secretary of Agriculture shall make adequate redeterminations of fair value, taking into account depletions of value resulting from logging, fire, insects, disease, or windfall, or from changing economic conditions, and increments of value resulting from larger volume or improved quality or greater assessibility of resources, or changes in economic conditions enchancing the value thereof. Such redeterminations of fair value upon certification to the Secretary of the Treasury shall supersede previous certifications of fair value for the same national-forest lands.

SEC. 6. That all payments herein authorized shall be made by the Secretary of the Treasury annually after the close of the fiscal year to the treasurer or other equivalent official of the State, for distribution to the counties which contain the national-forest lands, and after the certification of fair value prescribed by this act has been completed by the Secretary of Agriculture, the treasurer or other equivalent official of each State shall be furnished with a copy of the part thereof which relates to his State and thereafter shall disburse the payments under this act to the counties in conformity with the certified fair value of the national-forest lands situated herein or, as to the part of such payment as represents 37.5 percent of revenues from minerals, in conformity with the last provision of section 3 of this act. The funds thus disbursed shall be expendable by the county for any purpose authorized by the legislature of the State.

The amendment was agreed to.

The next amendment was to strike out section 8, as follows:

SEC. 8. That the determinations of fair value by the Secretary of Agriculture as herein provided shall be conclusive.

And insert a new section 8, as follows:

SEC. 8. That in the event a State or county is dissatisfied with any determination of value of national-forest lands, made by the Secretary of Agriculture under this act, it shall have a right to appeal from such determination to the United States district court for the district in which such lands or some portion thereof are situated. Such appeal shall be taken by filing a petition in such court within 6 months after the certification of value to such State or county by the Secretary of Agriculture. Upon the filing of any such petition, the court shall have jurisdiction to review the determination of the Secretary. For the purpose of such review, the court shall have power to hold such proceedings and take such testimony as it may deem appropriate, and to enter such judgment as the facts and the law may require.

The amendment was agreed to.

Mr. CORDON. Mr. President, the Senate has just agreed to the last committee amendment, striking out section 8 and inserting a new section 8. I offer an amendment on page 7, line 21, after the word "State", to strike out the words "or county."

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. TAFT. Will the Senator from Oregon be kind enough to make a general explanation of the bill so we may have some understanding of what the various amendments mean?

Mr. CORDON. Mr. President, the bill is the result of studies undertaken by the Public Lands Committees of both Houses over a period of years, and provides for the changing of the basis of payment of contributions on national-forest lands from the present basis of a percentage of gross income to the payment of a percentage of fair value to be determined by the Secretary of Agriculture. The purpose of the bill is to introduce regularity and certainty as to the amount and time of payment, so that the funds paid to local governments may be properly reflected in the budget of local governments, and so achieve the purpose for which the payments were intended in the first place, which is the proportionate reduction of local taxes.

Amendments have been recommended by the committee so as to provide for the evaluation of forest lands by the Department of Agriculture once in every 10 years and the certification of such values to the Secretary of the Treasury for the purpose of payment of 1 percent of such values in lieu of taxes and in lieu of the 25 percent payment now provided.

Then the amendment in section 8 gives a right of appeal by States from the values placed by the Secretary of Agriculture. The amendment which I have suggested simply eliminates the right of such appeal by counties, and preserves it only as to States, the purpose being to provide for fewer such appeals and greater facility in the handling of the legislation.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Oregon [Mr. CORDON] to the committee amendment on page 7, line 21.

Mr. RUSSELL. Mr. President, does the Senator from Oregon have any estimate as to the amount which this will cost the Federal Treasury over and above the present system?

Mr. CORDON. In the areas where the Federal Government is acquiring cut-over lands and taking them off the tax rolls, at the present time there is substantially no payment in the western areas, including my own, where there is a rapidly increasing sale of Government lands. In my opinion the time will shortly come when there will not only be no additional money paid as a result of the enactment of this bill, but I am of the opinion that the payment will be less. It will be better, however, because it will be regular, and the local government will know in advance when the payment is to be made, and how much it is.

The report of the Department of Agriculture was favorable on the bill itself, although the percentage of payment recommended by the Department was less than the committee had recommended. The Department recommended three-quarters of 1 percent, and the committee decided upon 1 percent, which is a reduction from the original bill, which provided for 2 percent. I am inclined to believe that in the report of the Department of Agriculture there is a discussion of the amount of money which each plan would cost. I am not familiar with the figures. The cost of the determination of the value of the lands is estimated to be $1,500,000. The information which the Senator desires is found on page 6 of the report. Payments to the counties would be increased by about $2,000,000 a year at the present time. Most of that increase would go into areas where the Government itself is purchasing cut-over lands and taking them off the local tax rolls. So the local government is faced with that tax loss, and gets nothing in return until some far time in the future when new forests will have grown on those lands.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. CORDON] to the committee amendment on page 7, line 21.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The ACTING PRESIDENT pro tempore. That concludes the committee amendments.

Mr. GEORGE. Mr. President, I offer an amendment on page 3, beginning in line 25, to strike out the first proviso in section 3, extending through the word "donation" in line 5, on page 4.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Georgia.

Mr. CORDON. Mr. President, I have no objection to that amendment. I think it helps the bill.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2655) to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes was announced as next in order.

Mr. WHERRY. Mr. President, this bill should be passed over on the call of the calendar. It is intended, at the conclusion of the consideration of the displaced persons legislation, which is the unfinished business, to make this bill the unfinished business of the Senate.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2547) to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone was announced as next in order.

Mr. JOHNSON of Colorado. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2688) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

LONG-RANGE AGRICULTURAL PROGRAM

The bill (S. 2318) to provide for a coordinated agricultural program was announced as next in order.

Mr. WHERRY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. WHERRY subsequently said: Mr. President, I return to Senate bill 2318, Calendar 1346, long enough to state that the objection which I made was in behalf of other Senators. I should like to have the RECORD show that most of the objections which have been made have been made in behalf of other Senators. I see one of the Senators who asked that I object to the bill now in the Chamber. I am wondering if it is his intention that further objection be made.

Mr. RUSSELL. Mr. President, the bill is much too important to consider on the call of the calendar.

Mr. TAFT. Mr. President ,this bill is a bill of major importance, which cannot be possibly considered under the 5-minute rule.

Mr. RUSSELL. It is far too important to be considered on the call of the calendar. If the Senator from Nebraska has any hesitancy in asking that the bill go over, I shall ask that it go over.

Mr. WHERRY. I may be asked why I objected to consideration of the bill. I appreciate the observations made by the Senator from Ohio and the Senator from Georgia, as well as other Senators interested in the long-range agricultural program.

SURVEY OF CERTAIN PORTIONS OF CHESAPEAKE & OHIO CANAL FOR CONSTRUCTION OF PARKWAY

The bill (H. R. 5155) to authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake & Ohio

Canal between Great Falls, Md., and Cumberland, Md., and to report to the Congress upon the advisability and practicability of constructing thereon a parkway, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PROMOTIONS FOR CERTAIN CUSTODIAL EMPLOYEES, POST OFFICE DEPARTMENT

The Senate proceeded to consider the bill (S. 1861) to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 2, line 12, after the words "completion", to strike out "two thousand and twenty-four hours'" and insert "twelve months'"; and on page 2, line 18, after the word "employed", to insert *"Provided further,* That when a temporary employee is appointed to a regular position in the custodial service the employee shall be assigned to a salary grade corresponding to his salary as a temporary employee at the time of such appointment. Any fractional part of a year's temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position", so as to make the bill read:

*Be it enacted, etc.,* That subsection (1) of section 14 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended, is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 1 year's satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 12 months' satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position: *Provided,* That no temporary employee shall be paid at a rate higher than that provided herein for the highest automatic grade of the position in which he is employed: *Provided further,* That when a temporary employee is appointed to a regular position in the custodial service, the employee shall be assigned to a salary grade corresponding to his salary as a temporary employee at the time of such appointment. Any fractional part of a year's temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position."

SEC. 2. Any period of continuous satisfactory service as a temporary employee in the custodial service performed by any such temporary employee prior to the effective date of this act shall be creditable for a promotion to the rates of pay of grade 2 of the position in which such temporary employee is employed.

SEC. 3. This act shall become effective at the beginning of the quarter following the date of enactment.

The amendments were agreed to.

Mr. RUSSELL. Mr. President, can the distinguished chairman of the committee, who reported the bill, tell us something about the nature of this measure?

Mr. LANGER. The bill refers to 600 or 700 of the lowest-paid persons in the civil service, in the Post Office Department. They are custodial employees who work by the hour. The ordinary man working for the Post Office Department receives an increase in pay of $100 a year at the end of the year. This does not apply to the custodial employees. Their average pay is about $1,700 a year.

The total cost of the bill is estimated by the Post Office Department to be $107,000. The number of persons affected will continuously grow smaller, as those working by the hour go on the pay roll as monthly employees.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 1390) to broaden the cooperative-extension system as established in the act of May 8, 1914, was announced as next in order.

Mr. TAFT. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5310) to authorize the admission into the United States of persons of races indigenous to Siam and make them racially eligible for naturalization was announced as next in order.

Mr. RUSSELL. Over.

THE ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2589) to provide for extension of the terms of office of the present members of the Atomic Energy Commission was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2664) to authorize the Indian Claims Commission to hear and determine certain claims of the Indians of California was announced as next in order.

Mr. THOMAS of Oklahoma. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6318) to amend section 3 of the Standard Time Act of March 19, 1918 was announced as next in order.

Mr. JOHNSON of Colorado. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 239) reaffirming the policy of the United States to achieve international peace and security through the United Nations and indicating certain objectives to be pursued was announced as next in order.

The ACTING PRESIDENT pro tempore. Obviously the resolution is too important to be taken up under the 5-minute rule. Therefore, the Chair objects, and the resolution will be passed over.

The bill (H. R. 4112) to provide for the acceptance and use of funds for support of the National Weather Service supplementing the funds appropriated for the operation of the Weather Bureau of the Department of Commerce was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4427) to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

INDIAN RESERVATIONS IN THE TERRITORY OF ALASKA

The joint resolution (S. J. Res. 162) to rescind certain orders of the Secretary of the Interior establishing Indian reservations in the Territory of Alaska was announced as next in order.

Mr. LUCAS. Mr. President, may we have an explanation of the joint resolution?

Mr. BUTLER. Mr. President, this is an extremely important piece of legislation. If the development and settlement of Alaska is to go forward, it is essential that we pass this bill. The bill is equally essential to the development of a source of pulpwood for newsprint in the forests of Alaska.

As recently as last Friday, May 21, the President of the United States, in a special message to Congress dealing with the development of Alaska, called for legislation to clear up the chaotic land-title question created by the so-called aboriginal claims of the Indians there. At that time, the Senate Committee on Interior and Insular Affairs had already had the problem under consideration for some months and had already ordered reported this bill.

In substance, what the bill does is to limit the claims of the tribes there to those areas of land which they actually need and use for their town sites, gardens, and such purposes. It will prevent the Secretary of the Interior from throwing a cloud on all the other land titles in Alaska by declaring that vast tracts of forest and other lands are to be withheld from general use and vested in the Indians in trust as a part of native reservations. At the same time, it will not disturb any existing reservations that have already been established, and it will not deny to the Indians any of their legal rights.

The committee has labored long and earnestly over this measure. We were anxious to do full justice to the Indians. At the same time, we felt we could not permit the Secretary of the Interior to withdraw millions and millions of acres for the exclusive benefit of aboriginees who would not know how to use them. That was the problem and the threat that we faced, and that is why enactment of this joint resolution is necessary.

I want to emphasize that the courts have uniformly held that the Indians have no legal right to any land in Alaska based on aboriginal occupancy. Any rights we give the Indians there are purely acts of grace. I believe, and this measure provides, that we should, as an act of grace, give the Indians those lands actually possessed, used, and occupied by them. However, I do not believe we should turn over the bulk of the best land of the Territory, including the timber resources, for the exclusive use of this small group of people to the detriment of those who have legal claims of greater validity. If this joint resolution is not passed, the timber and pulp development of the Territory is likely to be held up for several decades.

Mr. LUCAS. Mr. President, I feel that this joint resolution is too important to be discussed under the 5-minute rule. Therefore, I shall have to object.

The ACTING PRESIDENT pro tempore. Objection being heard, the joint resolution will be passed over.

Mr. MAGNUSON. Mr. President, I ask the Senator from Illinois to withhold his objection long enough to permit me to make a statement in regard to the necessity for having this joint resolution passed at this time.

Last year the Congress took a great deal of time in deliberating in regard to allowing not only the financial interests of the country but also the people of Alaska to develop the pulp and paper industry in southeastern Alaska. After the measure inviting them to do so was passed, it was found, in connection with the proposed financing of pulp and paper mills in this Territory, that there might be some possibility that under the original law the Secretary of the Interior could extend the Indian reservations in Alaska to almost any length. At one time, when Mr. Ickes was Secretary of the Interior, when a statement was made that the Department might extend the Indian reservations, people who wished to develop Alaska felt that they could not afford to make investments for such developments if the Indian reservations might be extended in such a way as to destroy their investments.

All this joint resolution does is permit the Secretary of the Interior to establish Indian reservations within the limits of what might be good for the Indians. However, until the orders to which the joint resolution relates are rescinded, no development of Alaska can be had. No one would wish to build a paper and pulp mill or do anything else to develop Alaska if he felt that hereafter the Secretary of the Interior could declare that area to be an Indian reservation.

Mr. President, there are many Indians in Alaska and there are all kinds of Indian land. In some cases one, two or three square miles are given to each native in the present reservations, but in many cases they do not even live on the land.

Mr. LUCAS. Mr. President, let me inquire of the Senator what the position of the Secretary of the Interior is on this measure.

Mr. MAGNUSON. I do not know what it is. I imagine it would be the same as that of all Departments which hate to lose some authority.

Mr. BUTLER. Mr. President, I shall say to the distinguished Senator from Illinois that the Secretary of Agriculture—who, under the Forestry Service, is deeply interested in Alaska—is very earnestly in favor of this joint resolution. I think the Bureau of Indian Affairs, in the Department of the Interior, is opposed to this joint resolution, or at least does not favor its passage.

Mr. MAGNUSON. Mr. President, I may say that the Bureau of Indian Affairs has always opposed anything which would result in curtailing its right to go in, willy-nilly, and establish Indian reservations all over the Alaskan Territory. Naturally that Bureau opposes the joint resolution, but I do not think that means anything. I do not think we should pay any attention to the long-time objection of the Bureau of Indian Affairs to this measure if we are going to take steps for the development of Alaska.

The ACTING PRESIDENT pro tempore. Objection having been made, the joint resolution is passed over.

Mr. BUTLER. Mr. President, I should like to say for the RECORD that in considering the joint resolution the committee decided to strike out the section that would have canceled retroactively the reservations already set up by the Secretary of the Interior. In addition, the committee specifically granted authority to the Secretary of the Interior to issue patents for the lands actually possessed or used by the Indians for farming and similar purposes. However, the joint resolution denies the right to set aside thousands of acres of forest and hunting land for the exclusive use of the Indians. It is believed that the Congress never intended to grant this right, inasmuch as all legal title of the Indians to any of these lands was definitely extinguished by the Act of Cession from Russia in 1867.

I should like to add, in all seriousness, and to give my accord to what the distinguished Senator from Washington has said, that the key to progress in Alaska has definitely been turned against the development of Alaska, and will remain so until a measure on the order of the one we are now discussing is passed.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. BUTLER. I yield.

Mr. MORSE. It is true, is it not, that the Senator's committee considered the objections of the Department of the Interior, and found against the Department of the Interior in regard to those objections?

Mr. BUTLER. Very definitely.

Mr. MORSE. It is also true, is it not, that the Senator from Nebraska brings to the Senate a unanimous committee report in regard to the proposed action under the joint resolution?

Mr. BUTLER. I am quite certain that it is.

Mr. MORSE. All the committee members who were present in the committee voted for the joint resolution, and none voted against it; is not that correct?

Mr. BUTLER. Yes.

Mr. MORSE. I wish to join the Senator from Nebraska in advocacy of this joint resolution. Last year I made a speech about the paper- and pulp shortage. The serious shortage of paper-pulp cannot be taken care of unless we either import from other countries or develop the resources of Alaska. This joint resolution would make it possible for the Alaskan paper-pulp resources to be developed, and I am sure that should be done. So I favor the passage of the joint resolution.

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a speech delivered on May 14 by Mr. William E. Warne, Assistant Secretary of the Department of the Interior, before the Seattle Chamber of Commerce, at Seattle, Wash. The subject of the speech is A Program for Alaska. The Members of Congress, and especially those who are on committees dealing with the Territory of Alaska, will be very much interested in the speech Mr. Warne made at that time, I am sure. I should like to have his speech printed in the RECORD in toto.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY WILLIAM E. WARNE, ASSISTANT SECRETARY, DEPARTMENT OF THE INTERIOR, ON MAY 14, 1948, AT SEATTLE, WASH., AT A LUNCHEON BEFORE THE SEATTLE CHAMBER OF COMMERCE

A PROGRAM FOR ALASKA

Seattle is in a position to know the problem and the challenge of Alaska. Seattle has been the link between continental United States and Alaska. You know that after 80 years of ownership by the United States, Alaska still remains a nearly empty land.

Communication and trade between the States and Alaska can and must be improved. Seattle, of course, will continue to play an important role in the flow of people and goods to and from Alaska.

The opportunity for Alaska is an opportunity for Seattle. Your wholesale warehouses will supply goods and equipment for Alaskan settlers and workers, old and new. Your steamship and air lines are today the principal means by which people and goods move to and from Alaska. The Alaska trade of Seattle has bulked large in its history.

The businessmen of Seattle naturally have had a direct interest in Alaska, which may have served to obscure the general lack of interest over the years in the progress of the Territory. The Territory was isolated and largely dependent on ocean transport. Maritime rates to Alaska have been high; shipping has been hazardous. The high prices in Alaska have deterred both settlement and trade, despite the great natural resources of Alaska.

Seattle can expect to contributue substantially to future Alaska trade, but I am sure that you sense, as I do, the interest of other Pacific seacoast ports. They wish to share in the Alaska trade. Besides that, modern cargo planes can already deliver from the East or Middle West into the interior of Alaska in perfect condition in a fraction of rail and steamer time and rates already competitive with rail and steamer. If you businessmen of Seattle wish to maintain your place in the Alaska picture of tomorrow, you will have to be alert and progressive. The test will be the extent to which you improve your services to Alaska and adjust costs. Increased trade, lower unit costs, reduced prices—this is the formula to keep you abreast of Alaskan development.

Recent events have transformed the conditions affecting Alaska. The war in the Pacific revealed its stretegic importance. Great

works were built in and for Alaska. The Alaska Highway, for example, supplied the first modern route by land between the States and Alaska. The pivotal importance of Alaska in strategic matters is self-evident. Alaska today is a crossroads on the new airways that crisscross the North. As a result, the Nation is beginning to recognize that Alaska never again will be a land apart. By good fortune, the need for the development and the settlement of Alaska is matched by the opportunities for stable economic development. That is why the Federal Government has become concerned with the need for strengthening the economy of Alaska and for encouraging its settlement.

Before I tell you something about the present plans for Alaska, I would like to remind you of the Federal interests in Alaska. In the Interior Department alone, to name but one, the following bureaus and divisions have program responsibilities in Alaska: Division of Territories, Land Management, Indian Affairs, Mines, Geological Survey, Fish and Wildlife, and the Park Service, while the Power Division and the Oil and Gas Division have direct policy interests. Besides the Department of the Interior, other Federal departments have important responsibilities: Army, Air Force, Navy, Commerce (especially the Civil Aeronautics Administration), Agriculture, Federal Works, Federal Security, Post Office, Housing and Home Finance, Justice, and Treasury. The coordination of the planning and execution of the activities involved in these programs, from preliminary through final stages, involves a concept which has until this last year been lacking. This is the task which we have undertaken in the past year, and great progress has appeared. Much more can be done toward bringing about a sound governmental program in Alaska, worthy of the vast potentialities of the region.

President Truman and the Secretary of the Interior have taken the keenest interest in Alaska. A year ago the President asked the Department to take the initiative in formulating a comprehensive and adequate program for long-term development. First, the heads of the Interior bureaus and agencies were asked by Secretary Krug to present to Congress a coordinated departmental program for the fiscal year 1949. The urgency of the situation made it obligatory upon the Department to formulate its programs in terms of activities equal to the demands of the world situation. The Alaska program of the Department for the first time was presented as a "package" before the House Appropriations Committee during the February hearings. Although the committee's final recommendations are not known, the over-all program approach was received by the committee with great interest and apparent approval. I made the presentation and I was most encouraged.

Besides the streamlining of Alaska activities within the Department by concentrating them officially under an Assistant Secretary, Secretary Krug invited other Federal agencies with Alaska responsibilities to participate in an Interagency Committee on the Development of Alaska. The invitation was accepted with enthusiasm; the committee, which I serve as chairman, began its work in November 1947. Four subcommittees have been established, one on Transportation, one on Housing and Community Facilities, one on Health, Education, and Welfare, and one on Resource Policy and Development. The committee and its subcommittees have made invaluable contributions to the drawing of a program for Alaska.

On the basis of reports of the committee and its subcommittees and on the basis of some additional work in the Department, a program for action has been formulated. It presents a practical approach by which the Federal Government, the Territorial government, local bodies, and private individuals can collaborate in a program to meet certain of the most urgent needs of Alaska. The program for Alaska, summarized below, needs and deserves broad support.

1. Statehood for Alaska should be granted and should become effective as soon as possible. It will give the people of Alaska the dignity, the responsibility, the powers, and the respresentation in Washington which they need in order to carry their proper share of the load.

2. The entire transportation system, by water, land, and air, to, from, and within Alaska, must be improved and expanded so that military and civilian needs can be fully met. The rates must not handicap the people and the business enterprise of Alaska. Some of the aspects of the transportation program follow:

Improved shipping services to and from Alaska, with Government subsidy, if needed, to reduce rates to a level which will promote development.

Complete rehabilitation of the Alaska Railroad by 1950 to provide cheaper and more dependable service from tidewater to interior Alaska.

Reconstruction and hard-surfacing of the trunk-road system within Alaska and the extension of new roads into areas which promise development.

Negotiation with Canada for the improvement of the Haines cut-off and for a hard-surfaced road across Canada to Alaska.

Investigation by the Department of the Interior, the Department of the Army, and the State Department of the economic and strategic desirability of completing a railroad from the States to Alaska.

Improvement of civil air facilities in Alaska.

Federal harbor and dock improvement program for Alaska.

3. Land settlement on a considerable scale will require governmental cooperation. The present machinery for opening to settlement land in the Alaska public domain is antiquated. It is no more suited to modern conditions than the old motor car, with a crank on one side, which ran forward but not back, which we made at the time the present land law was enacted. In order to encourage permanent agriculture settlement in Alaska, there is need for:

A means of establishing settlement areas on certain portions of the public domain, for subdividing such land into tracts for family-size farms, and for reserving appropriate tracts for municipal and industrial purposes.

Provision for transferring these lands to individuals and groups for settlement.

Governmental assistance in financing settlement and land development, and in preparing lands and facilities necessary for settlement.

4. Industries are also necessary and must have whatever assistance is required to get them under way. Private enterprise must be encouraged to establish and operate these industries. If the Government has to show the way by developing power and other facilities, by building pilot plants, by making loans for industrial development, it must not hesitate. The ordinarily slow processes of piecemeal development cannot now meet the needs or fulfill the national interest. An industrial development corporation with ample resources and broad power should be provided by the Congress, to exercise such powers as:

To encourage and promote the investment of private capital in industrial, agricultural, commercial, or related enterprises.

To make loans for the establishment of such enterprises.

To facilitate the development of synthetic fuels from coal in Alaska.

5. The mineral resources of Alaska are known to be large, but our present information respecting these resources is wholly inadequate. Thorough exploration throughout Alaska is necessary. Plans are necessary so that access to critically needed minerals can be provided by roads and railways, and so that power and other facilities for mining can be available.

6. Public utilities and other community facilities are absolutely essential to sound growth, and at present woefully inadequate. A comprehensive program for such facilities already has been prepared by the Federal Works Agency. It should be made effective promptly and the necessary funds provided, with Federal assistance in part. Facilities are needed most urgently at Anchorage and Fairbanks. Works to be constructed will include hospitals, health centers, schools, streets, water and sewage disposal systems, and other like construction.

7. Alaska has enormous hydroelectric power possibilities. New electric power is fundamental in the establishment of a pulp industry and other industrial enterprises, as well as in the meeting of residential and commercial requirements. The public interest is paramount in this field and the Government is already active elsewhere on a grand scale. Here in the Northwest, the benefits from such enterprises as Grand Coulee and Bonneville Dams are impressive. We must extend our thinking on power to the large undeveloped power resources of Alaska. The potentialities of such development are great and the responsibility is ours. Both studies and action are needed and neither should be delayed.

8. No region can attract and sustain a large and contented population without health facilities. Because of the circumstances of climate, isolation from the medical resources of the States, and the special health problem of the native people, the Government must take the major responsibility for providing health facilities. The Territory and the people will help, of course, to the extent of their abilities. This calls for hospitals and expanded public-health service. More doctors, dentists, specialists, nurses, and technicians are needed in Alaska. The building of a mental hospital is an obvious feature of such a program. The present plan of holding mental patients in jails and then sending them to a private institution 2,000 miles away is unworthy.

9. One of the knotty problems which deters Alaskan development is that of native land rights. Volumes have been written about the legal, economic, social, and ethical implications of this question, and I certainly shall not undertake to condense them for you today. Let it suffice to say that the Interior Department wants to see the question settled fairly and permanently. The Department believes that this end can be achieved by negotiations with the natives, with resulting agreements to be subject to congressional approval, as required, and agreed payments to be provided out of the general fund of the Treasury for lands relinquished, if any and if needed. Such agreements would insure protection of the rights of the natives, would clear the way to their permanent use and enjoyment of the areas awarded to them, and would also clear up the question of title on other lands, thereby encouraging industrial and other development.

In addition to these programs, we feel that the Inter-Agency Committee for the Development of Alaska should continue its joint studies and discussions and that all the affected Government agencies should intensify their own efforts in Alaska. Among other things, the committee is considering what special measures, if any, would be needed to facilitate settlement in Alaska of an appropriate number of carefully selected persons from war-refugee camps in western Europe. Many of these refugees had their homes in areas where climatic conditions are similar to those of middle Alaska.

I have told you what the Government is doing and proposing. The action taken by us will be controlling in the fate of Alaska. The Nation cannot afford in these days not to face squarely its responsibility for its safety and welfare. The responsibility in Alaska is an essential and very important part of our national obligation. In fulfilling the program we need your understanding. We would like you to engage in some self-searching. What is the chamber doing about Alaska? What are your affiliated organizations in Alaska doing? How can the fishery, shipping, and the wholesale enterprises of Seattle contribute most effectively to the promotion of a sound, healthy, and permanent settlement and economy in Alaska? The answer you give will be important to yourselves, to the Federal Government, and most important, to the people of Alaska and the United States.

Mr. BUTLER. Mr. President, following the speech delivered by Mr. Warne, there appeared a number of editorials in newspapers of Alaska and the Northwest. One of them in particular reflects generally the sentiments of the people in those areas, and I now offer it for the RECORD. It appeared in the May 21 issue of the Alaska Weekly, published in Seattle, Wash. The editorial is entitled "First Things First." I ask unanimous consent that the editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FIRST THINGS FIRST

After having listened for years to glittering generalities concerning the vital interest of the Department of the Interior in Alaska and of its intention to translate that interest into action, only to be faced with the undeniable fact that certain agencies of the Department have contributed largely to retarding Territorial development, most people who have followed closely the progress of the Territory are prone to regard the recent paper delivered by Assistant Secretary Warne before the Seattle Chamber of Commerce as merely another nice speech.

True, this program for Alaska is authentically reported to have had the sanction of President Truman and we are informed will form the basis of his recommendations to be made to the Congress at an early date. It is possible, therefore, that necessary appropriations and other legislation essential to the implementation of the program may follow.

For the very reason that the possibility exists that we may get action rather than conversation for a change, it becomes exceedingly important that we examine searchingly the program announced and the basic attitudes behind it.

In the years following World War II Alaska had its greatest opportunity for immediate development. Its tremendous strategic importance had been made glaringly apparent. The need of civilian personnel to back up inevitable military personnel was and is equally apparent. The Nation was crying for newsprint. There was still a world shortage of food to which the Alaska salmon industry could make a vital contribution. The Territory's vast areas of mineralized lands offered tempting fields for exploration in connection with war-depleted supplies of strategic metals. The stage was all set, regardless of statehood, transportation problems, or any of the comparatively inconsequential matters which have so fully engaged the attention of the Department of the Interior.

Into such a picture this Department of our Government, which is vocally so enthusiastically committed to the immediate development of Alaska, proceeded to throw the bombshells of aboriginal rights and continued extensions of tremendous land withdrawals as reservations. Important as they may be and, indeed are, it is not transportation difficulties, it is not public health, it is not planting colonies of displaced persons, or any one of a dozen other things included in the program of Secretary Warne which are holding Alaska back to one-tenth the degree as is the persistence of the Indian Bureau backed by the whole force of the Interior Department, to secure special privileges for the Indians (which privileges were concocted by the Department itself, not by the Indians) which are obstructing the industrial development and the settlement of Alaska.

Senate Resolution 162 which sought to eliminate the reservation problem has finally been forced from the committee in which Interior had it pigeonholed, after having been emasculated to the extent that all present reservations are allowed to stand. The power of the Department to grant a handful of natives a few millions of acres at a clip in the future will be rescinded, however, if the resolution should pass.

Those who were genuinely interested in the development of Alaska hailed the decision of the Circuit Court of Appeals concerning aboriginal rights as a signal victory. This high court held that no such rights exist in Alaska and, had that decision been allowed to go unchallenged, it might not yet have been too late to interest capital in the pulp timber of the Territory. But, the Interior Department, champion of Alaska development, challenged the decision and not only ignores it in its plans for handling the native affairs, but is reported to be planning on sponsoring an appeal to the Supreme Court thereby continuing to threaten the validity of every land title in the Territory of Alaska and effectually shutting off the investment of capital and land settlement.

Until such time as the Department of the Interior reverses its attitude in this respect all such glittering generalities as those contained in the Warne program may be put down as political propaganda, or worse * * * an aid to the socialistic development of the Territory rather than the encouragement of pioneering individual development.

No one will deny that in a Territory so vast and so raw as Alaska development would be speeded by Federal cooperation. Neither are we certain that from a standpoint of national security the United States can afford to await the natural processes of individual pioneering such as were responsible for the building of the West and Northwest. But, it does not follow that the heavy hand of bureaucracy need be dominant in every phase of Alaska development from transportation and hydroelectric development to group colonization plans. There is a vast difference between the practical advancement of industry and settlement through governmental cooperation and the note of paternalism and socialism which is inherent in the entire Warne program.

Touching on land settlement problems Mr. Warne said in part: "Land settlement on a considerable scale will require governmental cooperation. The present machinery for opening to settlement land in the Alaska public domain is antiquated." Mr. Warne insisted that there was need for, "Government assistance in financing settlement and land development, and in preparing lands and facilities necessary for settlement."

For years those who knew have been howling to the high heavens for an adequate land office in Anchorage, for surveys and maps and roads without getting a glimmer of encouragement from the Department of the Interior.

Later in his talk Mr. Warne touched somewhat gingerly on the time-honored matter of refugee colonization, and in all his land program he referred to "groups." We once had a group colonization experiment in Alaska known as the Matanuska Colony. Over a long period of years some worth-while farmers have taken over in this project and most of the original joyriders on the taxpayers' money have returned to their ribbon counters and other vocations. A valuable farm area has been developed, but not as it was planned. It is said that every acre now under development in this project cost the taxpayers in excess of $8,000 * * * and that is pretty high-priced land in any man's country. What we really need is that it be made possible for Americans who are willing to stand on their own feet to settle on lands adapted for the purpose without benefit of other paternalism than the usual aids to such settlement by way of roads, surveys and the like.

We have no wish to belittle the value of comprehensive planning, the need of Federal aid nor the assistance which could be rendered Alaskan development by an Interior Department genuinely devoted to such development and devoid of special interests and the desire to test out certain preconceived theories. The cold fact of the matter is that while we may not, for example, question Mr. Warne's sincerity it is perfectly obvious that other strong divisions of the Department are equally intent on retarding development in furthering the consummation of their own ends. Until and unless Department of Interior activities can be coordinated with one primary objective so far as concerns Alaska, that of development and settlement, it will continue to be ineffective.

Rather than carping criticism we are hopeful that this editorial will be accepted as intended, as a plea for recognition of first things first. We will repeat our belief that the situation in Alaska is acute and that if we are to invite capital and settlers with any likelihood of success the basic matters of reservation policies and aboriginal rights should have the concentrated attention of all interested parties.

Mr. BUTLER. Mr. President, I should like to have the Senate realize that the Senate Committee on Interior and Insular Affairs has been studying for some time questions raised by Mr. Warne's speech and by the editorial I have just inserted, with particular reference to the problem of Indian aboriginal rights. At the present time, there is pending on the Senate Calendar Senate Joint Resolution 162, which, if enacted, will settle this problem of aboriginal rights, and will permit Alaska to develop. The joint resolution has been worked out on the most fair and equitable basis possible, and I very much hope the Congress will find it possible to take action on it at this session.

Mr. LUCAS. Mr. President, I am almost persuaded by the arguments which have been made about this measure. However, in view of what seems to be its importance, as I gather from the statements which have been made, I should like to read about it in the RECORD tomorrow, and also the editorial and the speech which have just been placed in the RECORD, and I should also like to obtain some further information from the Department in regard to this question. One week's delay will not hurt anything in this connection, and perhaps by the next time the calendar is called the Senator from Illinois will go along on this matter.

Mr. BUTLER. Mr. President, I very much appreciate the statement the Senator from Illinois has made, and I am certain that he will be convinced.

Mr. MAGNUSON. Mr. President, let me also suggest to the Senator from Illinois that he read the President's message which was just sent to us, in which the President advocates that this be done.

BASQUE ALIENS

The ACTING PRESIDENT pro tempore. The Clerk will state the next bill on the calendar.

The bill (H. R. 1572) for the relief of Basque aliens was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2636) to amend the Securities Act of 1933, the Securities Exchange Act of 1934, and the National Bank Act was announced as next in order.

Mr. WHERRY. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5708) to exempt civilian members of the permanent Joint Board of Defense, United States and Canada, from certain statutory restrictions on outside activities was announced as next in order.

Mr. REVERCOMB. Let the bill go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

VANPORT, OREG., SCHOOL BUILDINGS—FLOODS IN OREGON

The bill (S. 2155) to transfer jurisdiction over certain school buildings in Vanport, Oreg., to Federal Works Administrator was announced as next in order.

Mr. CAIN. Let the bill go over.

Mr. MORSE. I would ask my good friend from Washington, with whom I have talked about this matter, to withdraw his objection for a very brief remark I wish to make on the bill.

Mr. CAIN. I am pleased to do so.

Mr. MORSE. The Senator from Washington has pointed out to me that the particular school building for which funds are sought in this bill is involved in the very tragic flood from which the city of Vanport, Oreg., is today suffering. Referring briefly to the flood, first, I want to say to the Members of the Senate that, in behalf of the people of Oregon, my colleague [Mr. CORDON] and I deeply appreciate the messages of sympathy we have received from our colleagues in the Senate this morning in regard to the terrible flood tragedy in Oregon. We are not familiar, Mr. President, as yet with all of the facts as to the extent of the damage or as to the number of lives lost in the flood.

The Senator from Washington is quite right, however, in suggesting to me that inasmuch as this school building, for which funds are sought to be appropriated by Senate bill 2155 is involved in the flood—in fact, we have been informed this morning that the building itself has been almost completely washed away—it is only right and proper that action be withheld on the bill until we can consider appropriate legislation covering the need for emergency funds for the flood area. In my judgment such legislation will have to be introduced before the week is over. It should provide Federal funds for the relief of the many stricken people in this area and make it possible to furnish housing for them.

In regard to that point I ask to have printed in the RECORD as a part of my remarks, a telegram I received this morning from the Governor of the State, the Honorable John H. Hall, a telegram from the mayor of Portland, the Honorable Earl Riley, a telegram from the county commissioner of Multnomah County, the Honorable Tom West, and a telegram from a veterans' organization. All of these telegrams, Mr. President, stress the importance of Federal assistance being provided the stricken people by way of building necessary housing for them. I am sure that whatever the Congress can do to bring aid and comfort to this flood-stricken area, it will do.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows.

PORTLAND, OREG., *June 1, 1948.*

Senator WAYNE MORSE,
*United States Senate,*
*Washington, D. C.:*

In response to your telegram, indications here are that immediate emergency being met satisfactory. Red Cross advises they will handle rehabilitation with exception of replacement of destroyed rental units which is contrary to established Red Cross policy. Early provision of permanent housing accommodations for evacuees pressing need in solution of over-all problems suggest action releaving State of Oregon of financial responsibility for damage or destruction of National Guard property used in relief activities excepting through carelessness of responsible or accountable officials. There is national need for allocation of substantial reserves of equipment over allotted strength needs of National Guard in each State to meet such emergencies.

JOHN H. HALL,
*Governor.*

---

PORTLAND, OREG., *May 31, 1948.*

Honorable WAYNE MORSE,
*Senate Office Building,*
*Washington, D. C.:*

Have just contacted Red Cross. They will furnish all data and information to you direct. Have not reached peak flood stage yet. Appraisal of damage, losses incurred, and costs to governmental agencies impossible to estimate now. Desirable legislation would be of such character as would permit county and city to draw on some fund set up by Federal Government to take care of immediate requirements for pay rolls, commodities, equipment, and other services for which we have no funds at present, although we are obligating without consideration as to sources upon which we can draw.

One million dollars would be a reasonable amount.

Regards.

EARL RILEY,
*Mayor.*

---

PORTLAND, OREG., *June 1, 1948.*

SENATOR WAYNE MORSE,
*United States Senate,*
*Washington, D. C.:*

Strongly urge congressional action looking toward construction of permanent housing units for Vanport evacuees. Early solution of this housing need is a prime necessity to orderly rehabilitation of sufferers from this disaster.

TOM WEST,
*County Commissioner, Multnomah County.*

PORTLAND, OREG., *May 31, 1948.*

Senator WAYNE MORSE,
*Washington, D. C.:*

Thousands of veterans at Vanport have lost not only their submarginal emergency war housing but have lost their college-school system, personal belongings, and in many cases their loved ones. The most fortunate of the survivors are in a worse situation than at the end of the war. The Vanport tragedy is so intimately connected with war and the unsolved housing shortage caused by war that we believe the Government has a direct responsibility which it cannot ignore. That responsibility extends far beyond the immediate need for emergency relief which must be extended to all the 20,000 residents of Vanport. The majority of these residents are veterans and their families who were living in Vanport as a direct consequence of their war service and the subsequent failure of the country to provide adequate housing either through public or private channels. This tragedy coming after nearly 3 years of procrastination, buck-passing, and back-door deals with the real-estate lobby has in our opinion placed a cumulative responsibility upon the Government which can no longer be evaded. The men whose courage and sweat made this Nation secure deserve a better reward than this sickening culmination of our slothful, shabby, shameful, attitude toward housing. The American Veterans' Committee expects that you will do all in your power to see that justice is done not only for the survivors of the Vanport tragedy but for all veterans and other citizens who are living in similar war-built slums.

NICHOLAS GRANET,
*Chairman for Housing, Portland Area Council, American Veterans' Committee.*

Mr. MORSE. Mr. President, my colleague and I and other Senators from the Pacific Northwest are seeking in these hours of great suffering and tragedy in Oregon to ascertain all the facts in regard to the tremendous damage that has been done. After we have the facts then we shall give consideration to the question as to what legislation, if any, it would be appropriate for the Congress to pass, in order to bring relief to this stricken area.

I also want the RECORD to show my deep appreciation, Mr. President, of the splendid work which various Government and relief agencies have rendered in the last few hours to the thousands of stricken people in the flood area. The Red Cross as usual has made another great record of mercy and humanitarianism. All the Government agencies, Federal Housing, the Army engineers, the Army itself, the President, in fact all arms of the Federal Government are doing all they can at the present moment to bring emergency relief to the people of this stricken area. The officials of the State of Oregon and of the city of Portland have done everything within their power to meet the crisis of the hour. We now must collect all the facts about the damage and then proceed with whatever legislation is necessary to bring permanent relief.

Congress has a responsibility—and I am sure it will live up to it—in taking immediate steps to speed up our long-range flood-control program.

As I have said so many times on the floor of the Senate, Mr. President, I repeat now that, of course, money invested in the great flood-control projects

of the Pacific Northwest, construction of which is absolutely essential to prevent floods, and which the Army engineers tell us will prevent floods, is money well spent. In fact, it is false economy not to build the flood-control dams just as rapidly as is humanly possible. It is penny-wise and pound-foolish to postpone any longer the building of McNary, Hungry Horse, Foster Creek, and all the other flood-control dams proposed for not only the Columbia and Snake Rivers but the Willamette, too. Our people in the Pacific Northwest are entitled to such flood protection. We, the Congress, cannot justify endangering their lives and property by any false economy program. I say the need of these flood projects is one that should be recognized by the Congress, and I hope that in the closing days of this session we shall pass legislation which will supply the supplementary budget funds which will make it possible to go ahead with the construction of these projects in the coming year at a rapid rate. Until and unless that is done there is no way of escaping a repetition, Mr. President, of the type of catastrophe that has hit the Pacific Northwest in the present flood. It is not limited only to Vanport, although there today the greatest suffering, as far as human beings and loss of human life is concerned, prevails. The danger of serious floods is a constant danger hanging over the heads of many thousands of people in the Pacific Northwest. I want to plead again that we learn from the tragic lesson which has been taught us again in this flood by seeing to it that the flood-control projects are built now. The present flood, I believe, is the most costly one which has ever hit our section of the country, and we fear may carry with it also the greatest loss of life. Therefore, I plead and pray that before adjournment this session we shall pass a supplementary budget large enough to restore funds to the Federal agencies concerned so that these flood-control projects can be completed within the shortest possible time.

The ACTING PRESIDENT pro tempore. Does the Senator desire the bill to go over for the moment?

Mr. MORSE. Yes.

The ACTING PRESIDENT pro tempore. The bill will go over.

Mr. MORSE subsequently said: Mr. President, I made a few brief remarks this morning regarding the flood situation in the Pacific Northwest, with special reference to the Vanport City area in Oregon. In the course of my remarks I pointed out that the damage was not limited entirely to that area, and that thousands of acres in the Pacific Northwest are under water, resulting in undetermined millions of dollars of damage to property.

I should like to ask unanimous consent to have inserted in the RECORD at a point following my remarks this morning on the flood problem a telegram which I have received from Mr. V. D. Walker, Mr. Sam Getter, and Mr. Joe F. Walker, setting forth some of the facts in regard to the damage which has been done in the Rainier district, which is some distance removed from Vanport City.

I only add, Mr. President, that there is being prepared, and will be introduced before the week is over, by the Senator from Georgia [Mr. RUSSELL] a bill which will make available funds for meeting such emergencies as the flood emergency, no matter where such floods occur in the United States.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RAINIER, OREG., *June 1, 1948.*

Senator WAYNE L. MORSE:

Wish to advise of gravity and enormity of flood damage to Rainier area. The physical damage alone unprecedented; 99 percent physical property in west Rainier obliterated. Houses, barns upset and washed away. Entirely evacuated in time to minimize threat to lives, but scores homeless, and annual crops submerged under water and silt. The inundated area has population of 300. Incorporated drainage district consists of approximately 1,500 acres now under 12 feet water. Pumping plant and powerhouses destroyed. Please advise any of undersigned personally at once as to any Federal monetary assistance that may be available to cover this loss. A terrific expense has been incurred, and there is no available capital to carry the loss.

V. D. WALKER.
SAM GETTER.
JOE F. WALKER.

Mr. MORSE. Mr. President, I was very much shocked to discover that although the President had declared this to be an emergency area, there is no money in the President's emergency fund with which to meet the needs in this particular catastrophe. I say that in the name of humanitarianism itself we must make available to the President, and we must make available to Federal agencies, the funds with which they can meet, and meet immediately and adequately, the great losses suffered by the people in this flood area.

Mr. HOLLAND. Mr. President, I wish to second heartily the words which have just been spoken by the Senator from Oregon [Mr. MORSE]. As the Members of the Senate know, my own State last fall passed through a misfortune somewhat comparable to that which is now being suffered by the State of Oregon and the State of Washington, and while the loss of life was not nearly so great as in some catastrophes which have been visited upon us heretofore, nevertheless the property damage was terrific. The loss of life hung just on the matter of which way the wind was coming. If the wind had come from another direction, our people might have sustained a loss of life which would have run into the thousands.

Mr. President, I wish to echo and reecho the statement made by the distinguished Senator from Oregon that it is not right for us to leave the President and the Nation, especially those who are on the scene ready to serve in executive capacities, helpless, so far as funds are concerned, to go promptly and effectively to the aid of communities such as those in Oregon.

At least two bills which would deal with this situation have been recently prepared. One, I understand, will be introduced, if it has not already been introduced, by the Senator from Vermont [Mr. AIKEN] on behalf of himself and several other Senators. Another was being taken around today by the Senator from Georgia [Mr. RUSSELL]. It makes no difference which bill is passed, or who is the author, I think that as one man the Senate should go forward quickly and pass a bill which will provide for an effective set-up to deal with the terrific catastrophe now being experienced by the people of Oregon, and to pass it so quickly that there will be no chance of its not being acted upon by the other House.

## CONFEDERATED TRIBES OF WARM SPRINGS RESERVATION, OREG.

The Senate proceeded to consider the bill (S. 1243) to provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes, which had been reported from the Committee on Public Lands, with an amendment, to strike out all after the enacting clause and to insert:

That (a) all money received by or on account of the Forest Service or other agency of the United States after the dismissal of the proceeding in the Court of Claims entitled "The Warm Springs Tribe of Indians of Oregon versus the United States," No. M-112, for timber (on a stumpage basis) grown on, the lease or rental of, or other rights in, the lands described in subsection (b) of this section shall be deposited into the Treasury of the United States to the credit of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to the provisions of the act of May 17, 1926 (44 Stat. 560). The funds so deposited, together with any other funds credited to the Confederated Tribes of the Warm Springs Reservation of Oregon under said act shall be available for such purposes as may be designated by the governing body of said Confederated Tribes and approved by the Secretary of the Interior. The sixth paragraph under the heading "Forest Service" of the act of May 23, 1908, and section 13 of the act of March 1, 1911, both as amended (16 U. S. C., sec. 500), and the fourteenth paragraph under the heading "Forest Service" of the act of March 4, 1913 (16 U. S. C., sec. 501), shall not be applicable to the money so received.

(b) The lands referred to in subsection (a) of this section are described as follows:

All lands of the United States included within the Mount Hood National Forest in the State of Oregon and lying and being within an area bounded by a line beginning at a point in the middle of the channel of the Deschutes River, established as the initial point of the Handley survey of 1871; thence in a direct line northwestwardly to the 7½-mile post of the McQuinn survey of 1887; thence continuing northwestwardly along the line of the McQuinn survey to the 30-mile post thereof at Little Dark Butte in the Cascade Mountains; thence following the McQuinn survey southwestwardly in a direct line to the summit of Mount Jefferson; thence northeastwardly in a direct line to to western terminus of the northern boundary of the Warm Springs Indian Reservation as established by the act of June 6, 1894 (28 Stat. 86); thence along said northern boundary to the place of beginning.

(c) The lands described in subsection (b) of this section shall continue to be administered by the departments and agencies now administering them.

SEC. 2. The benefits herein granted to the Confederated Tribes of the Warm Springs Reservation of Oregon shall be in full satisfaction of all claims of such Indians asserted in the above-mentioned proceeding in the

Court of Claims. Any remaining jurisdiction of the Court of Claims with respect to such proceeding is hereby withdrawn, and no court or commission shall have jurisdiction over the subject matter of such proceeding.

SEC. 3. The Secretary of the Interior shall determine the proper fees to be paid to the attorneys of said Confederated Tribes as full compensation for services rendered and amounts necessarily expended by them in representing the tribes in the above-mentioned proceeding. Such fees shall be paid out of the tribal funds of said Confederated Tribes: *Provided*, That no payment on account of said fees in any year shall exceed 50 percent of the sums received by said Confederated Tribes in said year under the terms of this act.

SEC. 4. This act shall not become effective unless the Confederated Tribes of the Warm Springs Reservation of Oregon accept its provisions, in such manner as may be designated by the Secretary of the Interior, within 1 year after the approval hereof.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJUSTMENTS OF RENTALS FOR POST OFFICES

The Senate proceeded to consider the bill (S. 2495) to authorize adjustment of rentals paid for premises leased for 10 or more years for use as post offices, which had been reported from the Committee on Banking and Currency, with an amendment, on page 1, line 4, to strike out "or hereafter enters into a" and insert "into an existing", so as to make the bill read:

*Be it enacted, etc.*, That in any case in which the United States prior to January 1, 1941, has entered into an existing lease of 10 or more years' duration of premises for use as a post office, the Postmaster General is authorized to enter into agreements supplementary to such lease to provide for an increase in the amount of rental for the premises leased or for a decrease in the amount or number of services or facilities included within the terms of such lease, whenever in his opinion changed conditions warrant any such increase or decrease.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING FACILITY ACT

The Senate proceeded to consider the bill (S. 2642) to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942, which had been reported from the Committee on the District of Columbia, with amendments on page 1, line 7, to strike out "with or without," and insert "on"; and on line 8, to strike out "bidding" and insert "bids", so as to make the bill read:

*Be it enacted, etc.*, That section 3 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942, as amended, is amended by adding thereto a new paragraph to read as follows:

"(f) The power to lease on competitive bids for terms not exceeding 50 years, any property acquired pursuant to this act, or any other property heretofore or hereafter acquired by the District if no longer needed for the purpose for which it was acquired, and to stipulate in any such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be used, maintained, and operated for the purposes of this act, including purposes incidental thereto, subject to regulation as provided in paragraph (d) of this section, except that the rates for use of space in parking facilities covered by any such lease shall be fixed and regulated by the Commissioners so as to allow to the lessee a fair return, as fixed by the Commissioners, on the cost of such structure or structures, together with an amount sufficient to amortize within the term of any such lease the cost of such structure or structures. Every such lease shall be entered into upon such terms and conditions as the Commissioners shall impose including, but not limited to, requirements that such structure or structures shall conform with plans and specifications approved by the Commisisoners, that such structure or structures shall become the property of the District upon termination or expiration of any such lease; that the lesee shall furnish security in the form of a penal bond or otherwise to guarantee fulfillment of his or its obligations, and any other requirement which, in the judgment of the Commissioners, shall be related to the accomplishment of the purposes of this act."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIEN FOR MONEYS DUE HOSPITALS

The bill (S. 2643) to amend the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the first section of the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939, is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia."

SEC. 2. Section 3 of such act is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia."

SEC. 3. Section 4 of such act is amended by inserting after the word "body" a comma and the following: "and of any agency of the United States or the District of Columbia."

SEC. 4. Section 5 of such act is amended by inserting after the word "institution" the words "or agency."

BILL PASSED OVER

The bill (S. 2417) to adjust the premium charge of the Federal Savings and Loan Insurance Corporation was announced as next in order.

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF HOME OWNERS' LOAN ACT OF 1933

The Senate proceeded to consider the bill (H. R. 2798) to amend section 5, Home Owners' Loan Act of 1933, and for other purposes, which had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That subsection (1) of section 5 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by adding the following provision at the end thereof:

"Any Federal savings and loan association may convert itself into a savings and loan type of institution or a mutual savings bank organized pursuant to the laws of the State, district, or Territory (hereinafter referred to in this section as the State) in which the principal office of such Federal association is located: *Provided*, (1) That the State permits the conversion of any savings and loan type of institution or (in the case of conversion to a mutual savings bank) any mutual savings bank of such State into a Federal savings and loan association; (2) that such conversion of a Federal savings and loan association into such a State institution is determined upon the vote in favor of such conversion cast in person or by proxy at a special meeting of members called to consider such action, specified by the law of the State in which the home office of the Federal association is located, as required by such law for a State-chartered institution to convert itself into a Federal association, but in no event upon a vote of less than 51 percent of all the votes cast at such meeting, and upon compliance with other requirements reciprocally equivalent to the requirements of such State law for the conversion of a State-chartered institution into a Federal association; (3) notice of the meeting to vote on conversion shall be given as herein provided, and no other notice thereof shall be necessary; the notice shall expressly state that such meeting is called to vote thereon, as well as the time and place thereof, and such notice shall be mailed, postage prepaid, at least 20 and not more than 30 days prior to the date of the meeting, to each member of record of the Federal association at his last address as shown on the books of the Federal association and to the general manager of the Federal Savings and Loan Insurance Corporation, Washington, D. C.; (4) that, upon the effective date of the conversion, the association has repurchased the total amount invested in its shares by the Secretary of the Treasury; and (5) that if, upon the effective date of conversion, the Home Owners' Loan Corporation will hold of record shares of the association, its approval of the conversion has been obtained; (6) that, in the event of dissolution after conversion, the members or shareholders of the association or the depositors of the mutual savings bank, as the case may be, will share on a mutual basis in the assets of the association or bank in exact proportion to their relative share or account credits; (7) that such conversion shall be effective upon the date that all the provisions of this act shall have been fully complied with and upon the issuance of a new charter by the State wherein the association is located; it being provided that, except with respect to institutions converted to mutual-savings banks, its act of converting into a State-chartered institution shall constitute an agreement to be bound by all the requirements that the Federal Savings and Loan Insurance Corporation may legally impose under section 403 of title IV of the National Housing Act, as now or hereafter amended, and the association shall upon conversion and thereafter be authorized to issue securities in any form currently approved at the time of issue by the Federal Savings and Loan Insurance Corporation for issuance by similar insured institutions in such State, District, or Territory: *Provided further*, That in the case of conversion to a mutual savings bank such conversion shall not be effective unless and until the Federal Deposit Insurance Corporation has accepted the converting institution as an insured bank, and the Board of Directors of the Federal Deposit

Insurance Corporation is hereby authorized to make such acceptance.

"In addition to the foregoing provision for conversion upon a vote of the members only any association chartered as a Federal savings and loan association, including any having outstanding shares held by the Secretary of the Treasury or Home Owners' Loan Corporation, may convert itself into a State institution upon an equitable basis, subject to approval, by regulations or otherwise, by the Home Loan Bank Board and by the Federal Savings and Loan Insurance Corporation: *Provided*, That if the insurance of accounts is terminated in connection with such conversion, the notice and other action shall be taken as provided by law and regulations for the termination of insurance of accounts."

SEC. 2. Section 19 of the Federal Home Loan Bank Act, as amended, and subsection (c) of section 402 of the National Housing Act, as amended, are hereby each amended by adding thereto at the end thereof the following new sentence: "All necessary expenses in connection with the making of supervisory or other examinations (except examinations of Federal home-loan banks), including the provision of services and facilities therefor, shall be considered as nonadministrative expenses."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## STATUS OF NATIONAL GUARD AND ORGANIZED RESERVE CORPS

The bill (S. 2622) to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes, was considered, ordered to be engrossed for the third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 1 of the National Defense Act, as amended (10 U. S. C. 2), be amended to read as follows:

"SEC. 1. The Army of the United States: The Army of the United States shall consist of the Regular Army, the National Guard of the United States, and the Organized Reserve Corps, and shall also include all persons inducted, appointed, or enlisted in the Army of the United States or any component thereof and all persons and units serving therein under call or conscription under any provision of law, including members and units of the National Guard while in the service of the United States pursuant to Presidential call."

SEC. 2. The National Defense Act, as amended, is further amended by inserting after section 2 thereof a new section as follows:

"SEC. 2a. Composition of the Reserve components of the Army of the United States—

"(a) The National Guard of the United States and the Organized Reserve Corps are reserve components of the Army of the United States. All officers and enlisted members of the National Guard of the United States and all officers and enlisted members of the Organized Reserve Corps are reserve officers and reserve enlisted members, respectively, of the Army of the United States. All such reserve officers and reserve enlisted members shall be appointed in appropriate commissioned or warrant officer grades as reserve officers, or enlisted as reserves, as the case may be, in the Army of the United States. All such officers appointed in commissioned officer grades shall be commissioned in the Army of the United States.

"THE NATIONAL GUARD OF THE UNITED STATES

"(b) The National Guard of the United States includes all federally recognized members of the National Guard of the several States, Territories, and the District of Columbia who, in addition to their status as such, hold appointments or enlistments as reserve officers, reserve warrant officers, or reserve enlisted members of the Army of the United States.

"To be federally recognized, a member of the National Guard of any State, Territory, or of the District of Columbia must be a member of a federally recognized unit or other federally recognized subdivision of the National Guard; must possess the qualifications prescribed by the Secretary of the Army for the grade, branch, position, and type of unit or other subdivision involved; and must be appointed or enlisted as a reserve officer, reserve warrant officer, or reserve enlisted member of the Army of the United States in the same grade as that in which he is granted Federal recognition: *Provided*, That the Secretary of the Army may, under such regulations as he may prescribe, authorize the temporary extension of Federal recognition to any officer of the National Guard who shall have successfully passed the examination prescribed in section 75 of the National Defense Act, as amended, pending final determination of his eligibility for, and his appointment as, a reserve officer of the Army of the United States in the grade concerned; and if and when so appointed the appointment shall be dated and shall be deemed to have been effective from the date of such recognition; however, such temporary extension of Federal recognition shall be granted only when such officer takes oath that during such recognition he will perform all Federal duties and obligations required of him the same as though he were appointed as a reserve officer of the Army of the United States in such grade; and such temporary recognition may be withdrawn at any time and if not sooner withdrawn or replaced by permanent recognition upon appointment as a reserve officer in such grade it shall automatically terminate 6 months after its effective date: *And provided further*, That to the extent authorized in sections 58 and 111 of the National Defense Act, as amended, federally recognized warrant officers and enlisted members of the National Guard may hold appointments as reserve officers of the Army of the United States in the grades of second lieutenant and first lieutenant, without vacating their respective warrants, grades, or ratings in the National Guard.

"Members of the National Guard of the United States shall not be on active duty in the service of the United States except when ordered thereto in accordance with law, and, while not on active duty in the service of the United States, they shall be administered, armed, uniformed, equipped, and trained in their status as the National Guard of the several States, Territories, and the District of Columbia. Members of the National Guard of the United States ordered to active duty in the service of the United States shall from the date of such order stand relieved from duty in the National Guard of their respective States, Territories, and the District of Columbia, so long as they shall remain on active duty in the service of the United States, and during such time shall be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army whose permanent retention in active military service is not contemplated by law.

"THE ORGANIZED RESERVE CORPS

"(c) The Organized Reserve Corps includes all reserve officers, reserve warrant officers, and reserve enlisted members of the Army of the United States other than those who are members of the National Guard of the United States. Persons may be appointed as reserve warrant officers of the Army of the United States in the several warrant officer grades under such regulations and in such numbers as the Secretary of the Army may prescribe. All officers and warrant officers of the Organized Reserve Corps are members of the Officers' Reserve Corps. All enlisted members of the Organized Reserve Corps are members of the Enlisted Reserve Corps. The Secretary of the Army may establish such sections and other subdivisions of the Organized Reserve Corps, the Officers' Reserve Corps, and the Enlisted Reserve Corps as he may deem advisable and members of such corps may be assigned thereto under such regulations as he may prescribe.

"TRANSFERS BETWEEN THE NATIONAL GUARD OF THE UNITED STATES AND THE ORGANIZED RESERVE CORPS

"(d) Whenever a member of the Organized Reserve Corps becomes a federally recognized member of the National Guard of any State, Territory, or the District of Columbia, such action shall effect his transfer from the Organized Reserve Corps to the National Guard of the United States. Whenever a member of the National Guard of the United States ceases to hold status as a federally recognized member of the National Guard of a State, Territory, or the District of Columbia, such cessation of National Guard status shall effect his transfer in grade from the National Guard of the United States to the Organized Reserve Corps unless he be discharged from his appointment or enlistment as a reserve of the Army of the United States. Under such regulations as the Secretary of the Army may prescribe, a member of the National Guard of the United States may at any time with the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned, be transferred in grade from the National Guard of the United States to the Organized Reserve Corps and such transfer shall terminate his federally recognized National Guard status. Upon the transfer of any person whose service has been honorable, from the National Guard of the United States to the Organized Reserve Corps he shall be eligible for promotion to the highest grade previously held in the Army of the United States or any component thereof.

"DISCHARGE OF PERSONNEL OF THE RESERVE COMPONENTS

"(e) Persons holding appointments as reserve officers of the Army of the United States may be discharged from their appointments at any time at the discretion of the President: *Provided*, That in all cases such persons shall be honorably discharged except in cases where as a result of a court martial or of the approved findings of a board of officers a discharge under conditions other than honorable is justified. Persons holding appointments as reserve warrant officers and persons enlisted as reserves of the Army of the United States may, under such regulations as the Secretary of the Army may prescribe, be discharged at any time from the appointments or enlistments.

"ACTIVE DUTY OF PERSONNEL OF THE RESERVE COMPONENTS

"(f) To the extent provided from time to time by appropriations for this purpose, the President may, under such regulations as he may prescribe, order any or all units and any or all members of the National Guard of the United States and of the Organized Reserve Corps to active duty in the service of the United States, for military service, training, or other purpose, at any time and for any period: *Provided*, That except in time of emergency declared by the President, or by the Congress, and except in time of war, members of the National Guard of the United States shall be ordered to or required to

serve on active duty in the service of the United States only with the consent of the Governor or other appropriate authority of any States, Territory, or the District of Columbia concerned: *Provided further*, That except in time of emergency declared by the President, or by the Congress, and except in time of war, no member of the National Guard of the United States or of the Organized Reserve Corps shall be employed on active duty in the service of the United States for more than 15 days in any calendar year without his own consent: *Provided further*, That the President may at any time relieve from active duty any member of the reserve components of the Army of the United States who is serving on active duty in the service of the United States; however, in all cases such persons shall be relieved from active duty under honorable conditions except in cases where as a result of a court martial or of the approved findings of a board of officers relief from active duty under conditions other than honorable is justified: *And provided further*, That the provisions of this section shall not in any manner limit the authority contained in section 94 of the National Defense Act, as amended, to provide for the participation of the National Guard in encampments, maneuvers, or other exercises."

SEC. 3. (a) Those parts of existing law which specify that officers and warrant officers of the National Guard of the United States are to be appointed in the National Guard of the United States and for a specified term, and those parts of existing law which specify that officers of the Officers' Reserve Corps are to be appointed in the Officers' Reserve Corps and for a specified term, are hereby modified so that hereafter such persons shall be appointed as reserve officers or reserve warrant officers, as the case may be, of the Army of the United States and for an indefinite term; in the case of commissioned officers, during the pleasure of the President; and in the case of warrant officers, during the pleasure of the Secretary of the Army. Those parts of existing law which specify that persons be enlisted in the National Guard of the United States and those parts of existing law which specify that persons be enlisted in the Enlisted Reserve Corps are hereby modified so that hereafter such persons shall be enlisted as reserves in the Army of the United States for such periods of enlistment as the Secretary of the Army may prescribe.

(b) All officers and warrant officers now holding appointments in the National Guard of the United States and all officers now holding appointments in the Officers' Reserve Corps shall be deemed to hold such appointments as reserve officers or reserve warrant officers, as the case may be, of the Army of the United States. Each such officer and warrant officer shall hold such appointment for an indefinite term; in the case of commissioned officers, during the pleasure of President; and in the case of warrant officers, during the pleasure of the Secretary of the Army; in lieu of the term of his current appointment unless he shall, within 6 months from date of enactment of this act, expressly decline appointment for an indefinite term. All persons now enlisted in the National Guard of the United States and all persons now enlisted in the Enlisted Reserve Corps shall be deemed to be enlisted as reserves in the Army of the United States without change in the periods of their current enlistments.

SEC. 4. (a) All laws now or hereafter enacted providing pay, allowances, emoluments, pensions, compensation, retirement pay, leave, hospital benefits, or other rights, privileges, and benefits applicable to officers of the Officers' Reserve Corps and members of the Enlisted Reserve Corps and to their dependents and beneficiaries, including but not limited to, the act of June 15, 1936 (49 Stat. 1507); the act of July 15, 1939, as amended (53 Stat. 1042; 60 Stat. 893); and Veterans Regulation 1 (a), part II, paragraph 1 (a), as amended by the act of June 23, 1937 (50 Stat. 305); are hereby made applicable to all reserve officers (commissioned and warrant) and reserve enlisted members of the Army of the United States and to their dependents and beneficiaries, respectively, including but not limited to, reserve officers (commissioned and warrant) and reserve enlisted members of the Army of the United States included in the National Guard of the United States and their dependents and beneficiaries; and for the purpose of such laws all military training duties, and service performed by members of the National Guard of the United States in their status as members of the National Guard for which they are entitled by law to receive the same pay from the Federal Government as is authorized for members of the Organized Reserve Corps performing similar military training, duties, and service are hereby recognized as and shall be deemed to be military training, duties, and service in the service of the United States performed by them as reserve officers (commissioned and warrant) and reserve enlisted members of the Army; and for the purpose of such laws the full-time training or other full-time duty performed by members of the National Guard pursuant to sections 5, 81, 94, 97, and 99 of the National Defense Act, as amended, or pursuant to any other laws for which they are entitled by law to receive from the Federal Government the same pay as that authorized for persons of the Regular Army of corresponding grade and length of service, shall be deemed to be active duty in the service of the United States; and for the purpose of such laws the part-time military training drills, instruction, or other duty performed by members of the National Guard under regulations prescribed by the Secretary of the Army, pursuant to section 92 of the National Defense Act, as amended, or pursuant to any other laws shall be deemed to be authorized training in the service of the United States.

(b) The act of July 15, 1939, as amended (52 Stat. 1042; 60 Stat. 893), is further amended by inserting before the words "without pay", appearing in the phrase "or (3) when engaged in authorized training without pay", the additional words "with or."

(c) This Act shall not be construed to authorize the payment of any money to any person on account of any physical injury, or death, occurring prior to the date of enactment of this act.

SEC. 5. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed and the provisions of this act shall be in effect in lieu thereof.

SEC. 6. This act shall apply to the Department of the Air Force and to the regular and reserve components of the Air Force in the same manner that it would so apply had it been enacted prior to the enactment of the National Security Act of 1947 (Public Law 253, 80th Cong., approved July 26, 1947).

## RESEARCH AND DEVELOPMENT WORK BY THE WAR AND NAVY DEPARTMENTS

The Senate proceeded to consider the bill (S. 1560) to facilitate the performance of research and development work by and on behalf of the War and Navy Departments, and for other purposes, which had been reported from the Committee on Armed Services, with amendments.

The first amendment was, on page 1, in line 4, to strike out, "War and Navy Departments and any other department created within any national defense establishment hereafter provided for by any legislation passed by the Congress" and insert "Departments of the Army, the Navy, and the Air Force."

The amendment was agreed to.

The next amendment was, on page 1, line 10, to strike out, "War, the Secretary, Under Secretary, and any Assistant Secretary of the Navy, and the Secretary, Under Secretary, and any Assistant Secretary of any other departments, as defined in subsection (a) hereof" and insert "any of the Departments."

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 10, to strike out, "and the Secretary of War may authorize the establishment of a similar committee or panel in the Army Air Forces by the Chief thereof."

The amendment was agreed to.

The next amendment was, on the same page, line 20, to strike out "$50", and insert "$35."

The amendment was agreed to.

The next amendment was on page 3, in line 3, to strike out, "That nothing contained in sections 41, 109, or 113 of the Criminal Code (U. S. C., title 18, secs. 93, 198, and 203); in Revised Statutes, section 190 (U. S. C., title 5, sec. 99); in section 19 (c) of the Contract Settlement Act of 1944 (U. S. C., title 41, sec. 119); or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States, shall apply to any such person solely by reason of membership on such committee or panel. Members" and insert, "That members."

The amendment was agreed to.

The next amendment was, on page 3, line 2, after the word "panel", to insert a colon and the following proviso: "*Provided further*, That the provisions of section 303 (b) of the National Security Act of 1947 (Public Law 253, 80th Cong.) shall be applicable to the members of any such committee or panel: *Provided further*, That the activities and operations of such committees and panels within the respective Departments shall be coordinated and integrated in accordance with procedures and policies formulated by the Secretary of Defense or his designated representative."

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 16, after the word "programs", to insert "including programs of basic research."

The amendment was agreed to.

The next amendment was, on page 4, line 22, after the word "appropriated", to insert a comma and the following: "and, if not expended for the purpose for which originally obligated, shall, during such 4-year period, be available for reobligation and expenditure for other research or development work, or both: *Provided*, That in each such case approval is granted by the Secretary of Defense or his designated representative. After such 4-year period, the unexpended balances of such appropriations shall be

carrried to the surplus fund and covered into the Treasury.

"(b) Each of the Secretaries is authorized to make grants-in-aid to universities, hospitals, laboratories, and other nonprofit institutions or organizations for the purpose of carrying on projects for research or development, or both, such grants-in-aid to be made out of any funds available for research or development work."

The amendment was agreed to.

The next amendment was, in section 5, page 5, line 24, to strike out "$20,000" and insert in lieu thereof "$100,000."

The amendment was agreed to.

The next amendment was, on page 6, in line 3, after the word "facilities", to strike out "or" and insert "on."

The amendment was agreed to.

The next amendment was, in section 6, page 7, line 25, after the word "itemization", to strike out "or" and, after the word "substantiation", in the same line to insert "or certification."

The amendment was agreed to.

The next amendment was, on page 8, in line 3, after the word "therefor", to strike out "In settling the accounts of any disbursing officer, the General Accounting Office shall allow any disbursements made pursuant to such regulations, notwithstanding any other provisions of law."

The amendment was agreed to.

The next amendment was, in section 8, page 8, line 18, after the word "offices", to strike out "(and, in the case of the Secretary of War, to the Chief of the Army Air Forces)."

The amendment was agreed to.

The next amendment was, on page 8, line 22, after the word "delegated", to strike out "subjected" and insert "subject."

The amendment was agreed to.

The next amendment was, in section 9, page 9, line 2, after "1947", to insert "(Public Law 413, 80th Cong.)."

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "the", to strike out "other" and insert "others."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That, as used in this act—

(a) The term "Departments" means the Departments of the Army, the Navy, and the Air Force.

(b) The term "Secretaries" means the Secretary, Under Secretary, and any Assistant Secretary of any of the Departments.

SEC. 2. Each of the Secretaries is hereby authorized to establish a Research Advisory Committee, or panel, for his Department. In addition, each of the Secretaries may authorize the establishment of similar committees, or panels, in any technical service, bureau, or office of his respective Department by the Chief thereof. The members of the committees or panels provided for herein shall be chosen from persons in civilian life who are preeminent in the fields of science or technology. They shall serve for such term or terms, shall meet at such times and places, and shall perform such duties, as may be specified by the person designating them. Each member of any such committee or panel shall be entitled to compensation in an amount not to exceed $35 for each day or part of a day he shall be in attendance at any regularly called meeting of such committee or panel, and shall be allowed actual and necessary transportation expenses and not to exceed $10 per diem in lieu of subsistence when engaged, away from his permanent residence or place of business, in attendance at such meetings, or in the performance of such other duties as a member of such committee or panel as may be specified by the person designating him: *Provided*, That members of all such committees or panels may be designated without regard to the provisions of the civil-service or classification laws: *Provided further*, That the provisions of the act of July 12, 1870 (R. S. 3679; U. S. C., title 31, sec. 665), as amended, shall not apply to the acceptance of voluntary service by any member of any such committee or panel: *Provided further*, That the provisions of section 303 (b) of the National Security Act of 1947 (Public Law 253, 80th Cong.) shall be applicable to the members of any such committee or panel: *Provided further*, That the activities and operations of such committees and panels within the respective Departments shall be coordinated and integrated in accordance with procedures and policies formulated by the Secretary of Defense or his designated representative.

SEC. 3. For the purpose of promoting and conducting scientific research and development work, each of the Secretaries is authorized to employ expert scientific, technical, and professional personnel, pursuant to the provisions of section 15 of the act of August 2, 1946 (Public Law 600, 79th Cong.): *Provided*, That no provision of law prohibiting payment of compensation or expenses to any person not a citizen of the United States shall apply to any person employed hereunder.

SEC. 4. (a) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Departments to carry out their respective scientific research and development programs, including programs of basic research. Any funds so appropriated, and any other funds heretofore or hereafter made available for the research and development programs of the Departments, shall, if obligated during the fiscal year or years for which appropriated, remain available for expenditure for four fiscal years following the fiscal year or years for which appropriated, and if not expended for the purpose for which originally obligated, shall, during such 4-year period, be available for reobligation and expenditure for other research or development work, or both: *Provided*, That in each such case approval is granted by the Secretary of Defense or his designated representative. After such 4-year period, the unexpended balances of such appropriations shall be carried to the surplus fund and covered into the Treasury.

(b) Each of the Secretaries is authorized to make grants-in-aid to universities, hospitals, laboratories, and other nonprofit institutions or organizations for the purpose of carrying on projects for research or development, or both, such grants-in-aid to be made out of any funds available for research or development work.

SEC. 5. (a) Any contract for research or development, or both, may provide for the acquisition or construction by, or furnishing to, the contractor of research, developmental, or test facilities, determined by the Secretary concerned to be necessary for the performance thereof. Such research, developmental, or test facilities may be acquired or constructed at Government expense, and may be furnished to the contractor by lease, loan, or sale at fair value, and with or without reimbursement to the Government for the use thereof: *Provided*, That nothing contained in this subsection shall be deemed to authorize construction of a permanent nature of buildings or of additions to or extensions of buildings, the cost of which in any case exceeds $100,000: *Provided further*, That nothing contained herein shall be deemed to authorize the installation or construction of facilities on property not owned by the Government which would not be readily removable or separable without unreasonable expense or unreasonable loss of value, unless adequate provision is made in the contract for (1) reimbursement to the Government of the fair value of such facilities upon the completion or termination of the contract, or within a reasonable time thereafter, or (2) an option in the Government to acquire the underlying land, or (3) such other provisions as will in the opinion of the Secretary concerned be adequate to protect the Government's interest in such facilities: *And provided further*, That all moneys arising from sales or reimbursement under this subsection shall be covered into the Treasury as miscellaneous receipts.

(b) With the approval of the Secretary concerned, any contract for research or development, or both, may provide that the Government will indemnify the contractor against either or both of the following, to the extent that they arise out of the performance of said contract, and are not compensated by insurance or otherwise: (1) Liability on account of claims (including reasonable expenses of litigation or settlement of such claims), by third persons, including employees of the contractor, for death, bodily injury, or loss of or damage to property: *Provided*, That any contract so providing shall also contain appropriate provisions for notice to the Government of suits or actions filed, or claims made, against the contractor, with respect to any alleged liability for such death, bodily injury, or loss or damage to property, and for control of or assistance in the defense of any such suit, action, or claim, by the Government, at its election; and (2) loss or damage to property of the contractor arising as a result of a risk defined in the contract to be unusual: *Provided further*, That no payment shall be made by the Government under authority of this subsection (b) unless the amount thereof shall first have been certified to be just and reasonable by the Secretary concerned or by an official of the Department designated for such purpose by the Secretary: *And provided further*, That any such payment may be made out of any funds obligated for the performance of such contract, out of any funds available for research and development work and not otherwise obligated, or out of any funds appropriated by the Congress for the making of such payments.

SEC. 6. Each of the Secretaries is authorized to prescribe, with the approval of the Comptroller General of the United States, regulations for his department stating the extent to which vouchers for funds expended under any contract for research or development, or both, shall be subject to itemization, substantiation, or certification prior to payment, without regard to the limitations of other laws relating to the expenditure of public funds and accounting therefor.

SEC. 7. Each of the Secretaries is authorized to publish or arrange for the publication of scientific and technical information resulting from the research and development programs conducted by the departments, so as to further the full dissemination of information of scientific value consistent with the national interest.

SEC. 8. Each of the Secretaries is authorized to delegate any authority provided by this act, except the authority under the second proviso in subsection 5 (a) hereof, but including the making of any other determination or decision hereunder, to the chiefs of the technical services, bureaus, or offices and to one assistant to each such chief: *Provided*, That the power to negotiate, execute, and administer contracts for research or development, or both, may be further delegated, subject to the provisions

of any other applicable law, in accordance with regulations issued by the Secretary concerned.

SEC. 9. (a) Nothing contained in this act shall be deemed to modify or repeal any of the provisions of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong.), or, except to the extent that they are inconsistent herewith, any of the provisions of Public Law 588, Seventy-ninth Congress, second session (60 Stat. 779).

(b) The provisions of this act shall be regarded as separable, and the invalidity of any such provision shall not affect the validity of the remainder. The invalidity of any provision hereof as to one department shall not affect its validity as to the others.

The title was amended so as to read: "A bill to facilitate the performance of research and development work by and on behalf of the Departments of the Army, the Navy, and the Air Force, and for other purposes."

## CONVEYANCE OF EASEMENT TO MYSTIC RIVER BRIDGE AUTHORITY

The bill (S. 2553) to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Mass., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, without cost to said authority, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, repairs, and operation of approaches to a high-level toll bridge crossing Mystic River over and across certain lands comprising a part of the United States Naval Hospital, Chelsea, Mass., metes and bounds description of which is on file in the Navy Department.

## INCORPORATION OF PANAMA RAILROAD COMPANY

The bill (S. 2747) to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*—

### DECLARATION OF POLICY

SECTION 1. It is the policy of this act, incorporating the Panama Railroad Company pursuant to section 304 (b) of the Government Corporation Control Act, approved December 6, 1945, for the purpose of conducting business activities incident to the care, maintenance, sanitation, operation, improvement, government, and protection of the Panama Canal and Canal Zone; to preserve the authority vested in the President by the Panama Canal Act of August 24, 1912; to govern and operate the Panama Canal and govern the Canal Zone, or cause them to be governed and operated, through a Governor of the Panama Canal and such other persons as he may deem competent to discharge the various duties connected with the care, maintenance, sanitation, operation, government, and protection of the Canal and Canal Zone. Also it is the policy of this act that the operations in the Canal Zone shall continue to be coordinated, through the President, in order that the responsibility for and authority over this important utility shall not be divided.

### REINCORPORATION OF THE PANAMA RAILROAD COMPANY

SEC. 2. Chapter 12 of title 2 of the Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end of said chapter a new article numbered 3, embracing new sections 245 to 256 of said title 2, and reading as follows:

"ARTICLE 3—PANAMA RAILROAD COMPANY ACT

"245. Creation, purpose, offices, and residence of Panama Railroad Company: For the purpose of conducting business operations incident to the care, maintenance, sanitation, operation, improvement, government, and protection of the Panama Canal and the Canal Zone, there is hereby created, as an agency and instrumentality of the United States, and as an adjunct of the Panama Canal, a body corporate to be known as the Panama Railroad Company, hereinafter referred to as the 'corporation.' The principal offices of the corporation shall be in the city of New York, N. Y., and in the Canal Zone, but the corporation may establish agencies or branch offices in such other place or places as it may deem necessary or appropriate in the conduct of its business. Within the meaning of the laws of the United States relating to venue in civil actions, the corporation shall be deemed to be an inhabitant and resident both of the southern judicial district of New York and of the Canal Zone.

"246. Investment of the United States: (a) As of the beginning of business July 1, 1948, the corporation shall issue to the United States, and deliver to the Secretary of the Treasury, a receipt for $1 acknowledging the transfer to the corporation, under the provisions of section 251 of this title, of the net assets of the Panama Railroad Company, hereinafter referred to as the 'New York company', a corporation created by an act of the Legislature of the State of New York passed on April 7, 1849, as amended by an act of that legislature passed on April 12, 1855, and which is wholly owned by the United States, and such receipt shall be evidence of the ownership of the corporation by the United States of America. In its capacity as owner of the corporation, the United States shall be represented by the President of the United States or such officer of the United States as may be designated by him, hereinafter referred to as the 'stockholder'.

"(b) The amount of the receipt (referred to in paragraph (a) above) shall be increased by subsequent additional direct investments of the United States, in excess of repayments to the Treasury and extraordinary expenditures and losses applicable as offsets to such investments under the provisions of paragraph (d) of this section, due to (1) funds advanced to the corporation from the Treasury within such appropriations by the Congress as may from time to time be made to meet increased capital needs, and (2) transfers to the corporation from other Government agencies (or, conversely, decreased by transfers from the corporation to other Government agencies), pursuant to applicable provisions of law, of business enterprises, facilities, appurtenances, and other assets, less liabilities assumed in connection with such transfers. Transfers of properties and other assets from or to other Government agencies under clause (2) above shall be at such appropriate amount or amounts as shall be agreed upon between the corporation and the agencies concerned and approved by the Director of the Bureau of the Budget, and in the determination thereof due consideration shall be given to the cost and probable earning power of the transferred assets, or usable value to the transferee is clearly less than cost, and adequate provisions made for depreciation of properties and equipment, obsolete or otherwise unusable inventories, and other reasonably determinable shrinkages in values, and, insofar as practicable, there shall be excluded from such amount any portion of the value of the transferred property which is properly allocable to national defense. The board of directors shall certify to the Secretary of the Treasury the amount of each such transfer, the amount of any accumulated repayments to the Treasury or extraordinary expenditures or losses applicable as offsets to the amount of such transfer under the provisions of paragraph (d) of this section, and the effective date of the transfer.

"(c) In order to reimburse the Treasury, as nearly as possible, for the interest cost of the funds or other assets directly invested in the corporation, the corporation shall pay interest to the Treasury, at least annually, on the net direct investment of the Government in the corporation, as defined in paragraphs (a) and (b) of this section, and shown by the receipt described therein, at a rate or rates determined by the Secretary of the Treasury as required to reimburse the Treasury for its cost.

"(d) The corporation shall account for its surplus as follows: (1) The total net income from operations from and after 1904 (when the Government acquired control of the New York company), plus the undistributed net income prior to 1904, less (2) payments to the Treasury as dividends from and after 1904, not applied as offsets to direct capital contributions as described below, and less (3) extraordinary expenditures or losses incurred through directives based on national policy and not related to the operations of the corporation, not reimbursed through specific appropriations by the Congress, and not applied as offsets to direct capital contributions as described below. The corporation shall not be required to pay interest to the Treasury on any part of its surplus, as above defined. Repayments to the Treasury as dividends shall be applicable as offsets against directly contributed capital, past or future, in determining the base for the interest payments required under paragraph (c) of this section. Extraordinary expenditures and losses (as defined in clause 3 above), to the extent not reimbursed through specific appropriations, shall be considered as repayments to the Treasury analogous to dividends and similarly applicable as offsets against directly contributed capital.

"247. Board of Directors: The management of the corporation shall be vested in a board of directors consisting of not less than nine nor more than thirteen persons who shall be appointed by and hold office at the pleasure of the stockholder, or if he so elects, consisting of the stockholder and 8 to 12 other persons: *Provided*, That the Governor of the Panama Canal shall be a director and president of the corporation. Before entering upon his duties, each of the directors so appointed shall take an oath faithfully to discharge the duties of his office. The directors shall receive no salary for their services on the board, but under regulations and in amounts prescribed by the board of directors, with the approval of the stockholder, may be paid by the corporation a reasonable per diem allowance in lieu of subsistence expenses in connection with attendance at meetings of the board or in connection with the time spent on special service of the corporation, and their traveling expenses to and from meetings or when upon such special service, without regard to the Subsistence Expense Act of 1926, as amended, or the Standardized Government Travel Regulations. Nothing contained in this article or in any other act shall be construed to prevent the appointment and service, as a director, officer, or employee of the corporation, of any officer or employee of the United States. The directors, of whom a majority shall constitute a

quorum for the transaction of business, shall meet for organization purposes when and where called by the stockholder, and for subsequent meetings as provided by the bylaws.

"248. General powers of corporation: The corporation shall have and may exercise the following general powers, in addition to those elsewhere conferred in this article:

"(a) Shall have perpetual succession in its corporate name, unless dissolved by act of Congress.

"(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

"(c) May adopt, amend, and repeal bylaws governing the conduct of its general business, and the performance of the powers and duties granted to or imposed upon it by law.

"(d) May sue and be sued in its corporate name.

"(e) May appoint such officers, agents, attorneys, and employees as may be necessary for the conduct of the business of the corporation, define their authority and duties, fix their compensation, delegate to them such of the powers of the corporation as may be necessary, require that such of them as it may designate be bonded, and fix the penalties and pay the premiums of such bonds. Persons employed by the corporation whose compensation is paid on any basis other than a per annum basis shall not be included in making computations pursuant to the provisions of section 607 of the Federal Employees Pay Act of 1945.

"(f) May enter into contracts, leases, agreements, or other transactions.

"(g) Shall have, in the payment of debts out of bankrupt estates, the priority of the United States.

"(h) May determine the character of and necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, and may incur, allow, and pay the same, subject to pertinent provisions of law generally applicable to Government corporations.

"(i) May purchase, lease, or otherwise acquire, and hold, own, maintain, work, develop, sell, lease, exchange, convey, mortgage, or otherwise dispose of, and deal in, lands, leaseholds, and any interest, estate, or rights in real property, and any personal or mixed property, and any franchises, concessions, rights, licenses, or privileges necessary or appropriate for any of the purposes expressed in this article.

"249. Specific powers or corporation: Subject to the provisions of the Government Corporation Control Act, the corporation shall have and may exercise the following specific powers, in addition to those elsewhere conferred in this article:

"(a) May construct, maintain, and operate a railroad across the Isthmus of Panama.

"(b) May construct or acquire vessels, and operate the same for transportation of passengers or freight and for other purposes.

"(c) May construct or acquire, establish, maintain, and operate docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage and towing facilities, fuel-handling facilities, motor-transportation facilities, power systems, water systems, a telephone system, construction facilities, living quarters and other buildings, warehouses, storehouses, hotels, a printing plant, commissaries and manufacturing, processing or service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement and recreational facilities, and other business enterprises, facilities, and appurtenances necessary or appropriate for the accomplishment of the purposes of this article.

"(d) May make or furnish sales, services, equipment, supplies, and materials, as contemplated by this article, to vessels, to agencies of the Government of the United States, to employees of the Government of the United States, and to any other governments, agencies, persons, corporations, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with such laws.

"(e) May use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government.

"(f) May take such actions as may be necessary or appropriate to carry out the powers in this article or hereafter specifically conferred upon it: *Provided*, That the corporation shall undertake no new types of activities not included in the annual budget program prescribed by section 102 of the Government Corporation Control Act (except those which may be transferred to it under the provisions of section 246 (b) of this title): *And provided further*, That in the event an emergency is declared to exist by the board of directors during a period when the Congress is not in session (or by the Governor of the Panama Canal, acting in his capacity as president of the corporation, with the concurrence of as many of the directors as may be consulted without loss of time unreasonable in the circumstances), recommended appropriate action within the scope of this article may be undertaken. A report on such emergency activity shall be presented promptly to the Congress, when it reconvenes, for its approval and such action as it may deem necessary or desirable with respect to reimbursement through supplemental appropriation of funds to cover costs or losses arising from such emergency.

"250. Subjection of corporation to laws applicable to New York company: The corporation shall, so far as consistent with the terms of this article, be deemed subject to all provisions in treaties and in acts of the Congress of the United States, now in force, which relate or apply to the New York company; and shall have all the rights, privileges, and exemptions, and be subject to all the obligations, liabilities, and responsibilities applicable to the New York company under or by virtue of such provisions.

"251. Taking over of assets and liabilities of, and dissolution of, New York company; release of United States treaty rights in assets: The corporation is authorized and directed to take over the assets and assume the liabilities of the New York company as of July 1, 1948. To accomplish the transfer of such assets to, and the assumption of such liabilities by, the corporation, and to accomplish the dissolution of the New York company, the two corporations are authorized and directed to take, under the supervision of the stockholder, whatever action shall be determined to be appropriate and necessary, whether by agreement, transfer, merger, consolidation, dissolution, or otherwise. Effective upon the transfer of such assets and the assumption of such liabilities, there are hereby released and transferred to the corporation all the right, title, and interest, in and to such assets, which the United States now has or may hereafter acquire by virtue of the convention of November 18, 1903, between the United States and the Republic of Panama; and, specifically, there are hereby released to the corporation any and all reversionary rights of the United States in the lands of the corporation located in the cities of Panama and Colon, Republic of Panama.

"252. Reimbursement of other agencies: The corporations shall reimburse the Civil Service and Canal Zone Retirement and Disability Funds for Government contributions to the retirement fund applicable to the corporation's employees, and the Employees' Compensation Fund, Bureau of Employees' Compensation, Federal Security Agency, for the benefit payments made to the corporation's employees, and shall also reimburse other Government agencies for any payments of a similar nature made on its behalf.

"253. Payment of excess funds into the Treasury: The board of directors shall have the power and duty to appraise, at least annually, its necessary working capital requirements, together with reasonable foreseeable requirements for authorized plant replacement and expansion, and to pay into the Treasury as dividends the amount of funds in excess thereof. Such dividends shall be treated by the Treasury as miscellaneous receipts, but shall be treated on the books of the corporation as applicable to reduction of past or future direct Government capital contributions (as provided in section 246 (d) of this title) in determining the base for interest payments required under section 246 (c).

"254. Emergency fund: The corporation may borrow from a fund to be established and maintained in the Treasury, for any authorized purposes of the corporation, but for limited periods only, sums of money not to exceed a total of $10,000,000 outstanding at any one time. The fund shall be established by the deposit by the New York company with the Treasury on or before June 30, 1948, of the sum of $10,000,000 from the invested depreciation reserve funds presently maintained by the New York company, which amount, less any amounts borrowed therefrom by the corporation from time to time, shall be maintained by the Treasury as a separate fund. Amounts borrowed from said fund shall be paid over to the corporation by the Secretary of the Treasury, and repayments thereof shall be redeposited in said fund and will be available for subsequent loans. Loans to the corporation from this fund shall not bear interest.

"255. Amendment or repeal: The right to alter, amend, or repeal this article is expressly reserved.

"256. Separability clause: If any provision of this article, or the application of such provision to any person or circumstances, is held invalid, the remainder of this article and the application of such provision to other persons and circumstances shall not be affected thereby."

## AMENDMENT OF PAY READJUSTMENT ACT OF 1942

The Senate proceeded to consider the bill (S. 2174) to amend further sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 110 and 112), relating to allowances, which had been reported from the Committee on Armed Services, with an amendment, on page 1, line 28, after the word "and", to insert "not to exceed."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 110 and 112, respectively), are hereby further amended as follows:

(a) Section 10. In the first paragraph delete the colon immediately preceding the proviso and insert in lieu thereof the following: "when not in a travel status and not to exceed $8 per day when in a travel status:".

(b) Section 12. In the second paragraph amend the second sentence to read as follows: "The heads of the executive departments concerned are authorized to prescribe per diem rates of allowance, not exceeding $8, in lieu of actual expenses for subsistence and all fees or tips to porters and stewards, for officers traveling on official business and away from their designated posts of duty, without regard to the length of time away from such posts.".

(c) Section 12. In the proviso of the second paragraph delete so much thereof which reads "or, in lieu of subsistence, per diem

allowances at rates not to exceed $7 per day.", and insert in lieu thereof the following: "or, in lieu of actual expenses for subsistence and all fees or tips to porters and stewards, per diem allowances at rates not to exceed $8 per day."

SEC. 2. This act shall take effect on the first day of the month following enactment.

DISPOSAL OF SURPLUS SAND AT FORT STORY, VA.

The bill (H. R. 5283) to provide for the disposal of surplus sand at Fort Story, Va., was considered, ordered to a third reading, read the third time, and passed.

RIGHT-OF-WAY FOR RAILROAD PURPOSES IN RICHMOND COUNTY, N. Y.

The bill (H. R. 6056) to amend an act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, N. Y., was considered, ordered to a third reading, read the third time, and passed.

RESTORATION OF CERTAIN LAND TO CONTROL OF TERRITORY OF HAWAII

The bill (H. R. 6091) to withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED

The bill (H. R. 3680) to amend sections 207, 213, 215, 216, 220, 222, and 225, of title 2 of the Hawaiian Homes Commission Act, 1920, was considered, ordered to a third reading, read the third time, and passed.

KENNEWICK DIVISION OF THE YAKIMA PROJECT, WASH.

The bill (H. R. 4954) to authorize the construction, operation, and maintenance, under Federal reclamation laws of the Kennewick division of the Yakima project, Wash., was considered, ordered to a third reading, read the third time, and passed.

NATIONAL RESERVE OF INDUSTRIAL PRODUCTIVE CAPACITY

The Senate proceeded to consider the bill (S. 2554) to promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes, which had been reported from the Committee on Armed Services with amendments.

Mr. WHERRY. Mr. President, after the amendments are stated, may we have an explanation of the bill?

The ACTING PRESIDENT pro tempore. The clerk will state the amendments.

The amendments were, on page 1, line 6, to strike out "1" and insert "2"; on page 2, beginning in line 4, after the word "thereof", to strike out "it is the purpose of this act to eliminate or reduce to the maximum extent possible, consistent with the needs of industry for peacetime production, the delays experienced in World War II in converting from a peacetime production economy to one geared to the full prosecution of a global war" and to insert "it is further the intent of the Congress that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such item which shall become surplus to such requirements shall be disposed of as expeditiously as possible"; on page 2, line 16, to strike out "2" and insert "3"; in line 19, after the word "disposed", to insert "by the United States,"; at the end of line 20, after the word "property", to insert "of the United States"; in line 23, strike out "4" and insert "5"; to strike out:

(b) The term "excess industrial property", as used herein, means any industrial plant (including structures on land owned by or leased to the United States, substantially equipped with machinery, tools, and equipment) which is capable of economic operation as a separate and independent industrial unit and which is not an integral part of an installation of a private contractor, and any machine tool and any industrial manufacturing equipment which is under the control of any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation and which is not required for its immediate needs and responsibilities as determined by the head thereof.

And insert:

(b) The term "excess industrial property," as used herein, means any machine tool, any industrial manufacturing equipment, and any industrial plant (including structures on land owned by or leased to the United States, substantially equipped with machinery, tools, and equipment) which is capable of economic operation as a separate and independent industrial unit and which is not an integral part of an installation of a private contractor, which machine tools, industrial manufacturing equipment, and industrial plants are under the control of any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation and which are not required for its immediate needs and responsibilities as determined by the head thereof.

On page 4, line 5, strike out "3" and insert "4"; page 4, line 10, strike out "3" and insert "4"; in line 17 strike out "2" and insert "3"; page 5, line 13, strike out "4" and insert "5"; in line 24, strike out "3" and insert "4"; on page 6, beginning in line 1, strike out "the Munitions Board" and insert "Secretary of Defense"; on page 6, line 9, strike out "3" and insert "4"; in line 12, strike out "5" and insert "6", and in line 12, after the word "section", strike out "6" and insert "7"; in line 16, after the word "and," insert "as and when directed or authorized by the Secretary of Defense pursuant to section 7 hereof"; on page 7, line 1, strike out "6" and insert "7"; in line 8 strike out "4" and insert "5"; in line 20, strike out "4" and insert "5"; in line 23, strike out "such property to nonprofit educational institutions and training schools" and insert "such property by the Federal Works Agency to any nonprofit educational institution or training school when (a) the Secretary shall determine that the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (b) such institution or school shall by agreement make such provision as the Secretary shall deem satisfactory for the proper maintenance of such property and for its return to the Federal Works Agency without expense to the Government"; on page 8, line 9, strike out "7" and insert "8"; in the same line strike out "The" and insert "As and when directed or authorized by the Secretary of the Defense pursuant to the provisions of section 7 hereof, the"; in line 16, strike out "8" and insert "9"; in line 20, strike out "9" and insert "10"; on page 9, line 13, after "19" strike out "(a)" and insert "(e)"; in line 22, strike out "10" and insert "11"; in line 23, strike out "9" and insert "10"; on page 10, line 14, strike out "11" and insert "12"; line 20, strike out "12" and insert "13"; in line 22, strike out "13" and insert "14", so as to make the bill read:

*Be it enacted, etc.*, That this act may be cited as the "National Industrial Reserve Act of 1948."

"DECLARATION OF POLICY

SEC. 2. In enacting this act, it is the intent of Congress to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and a national reserve of machine tools and industrial manufacturing equipment may be assured for immediate use to supply the needs of the armed forces in time of national emergency or in anticipation thereof; it is further the intent of the Congress that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become surplus to such requirements shall be disposed of as expeditiously as possible.

DEFINITIONS

SEC. 3. (a) The term "national industrial reserve," as used herein, means that excess industrial property which has been or may hereafter be sold, leased, or otherwise disposed of by the United States, subject to a national security clause, and that excess industrial property of the United States which not having been sold, leased, or otherwise disposed of, subject to a national security clause, shall be transferred to the Federal Works Agency under section 5 hereof.

(b) The term "excess industrial property," as used herein, means any machine tool, any industrial manufacturing equipment and any industrial plant (including structures on land owned by or leased to the United States, substantially equipped with machinery, tools, and equipment) which is capable of economic operation as a separate and independent industrial unit and which is not an integral part of an installation of a private contractor, which machine tools, industrial manufacturing equipment, and industrial plants are under the control of any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation and which are not required for its immediate needs and responsibilities as determined by the head thereof.

(c) The term "national security clause," as used herein, means those terms, conditions, restrictions, and reservations, heretofore formulated or as may be formulated under section 4 (2) hereof for insertion in instruments of sale or lease of property, determined in accordance with section 4 (1) to be a part of the national industrial reserve,

which will guarantee the availability of such property for the purposes of national defense at any time when availability thereof for such purposes is deemed necessary by the Secretary of Defense.

SEC. 4. To effectuate the policy set forth in section 2 of this act the Secretary of Defense is hereby authorized and directed to—

(1) determine which excess industrial properties should become a part of the national industrial reserve under the provisions of this act;

(2) formulate a national security clause, as defined in section 3 (c) hereof and vary or modify the same from time to time in such manner as best to attain the objectives of this act, having due regard to securing advantageous terms to the Government in the disposal of excess industrial property;

(3) consent to the relinquishment or waiver of all or any part of any national security clause in specific cases when necessary to permit the disposition of particular excess industrial property when it is determined that the retention of the productive capacity of any such excess industrial property is no longer essential to the national security or that the retention of a lesser interest than that originally required will adequately fulfill the purposes of this act: *Provided*, That nothing in this subsection (3) shall require the modification or waiver of any part of any such national security clause when such clause is deemed necessary by the Secretary of Defense to effectuate the purposes of this act; and

(4) designate what excess industrial property shall be disposed of subject to the provisions of the national security clause.

SEC. 5. (a) In the event that any agency charged with the disposal of excess industrial property, after making every practicable effort so to do, is unable to dispose of any excess industrial plant because of the national security clause it shall notify the Secretary of Defense, indicating such modifications in the national security clause, if any, which in its judgment would make possible disposal of the plant. The Secretary of Defense shall consider and agree to any and all such proposed modifications as in his judgment would be consistent with the purposes of this act. If, however, such clause is not modified or the requirements thereof waived pursuant to section 4 (3), or if modified, such plant cannot then be disposed of under such modified clause, the Secretary of Defense shall direct that such plant be transferred to the Federal Works Agency, and such transfer shall be without reimbursement or transfer of funds.

(b) Notwithstanding any other provisions of law, any agency charged with the disposal of excess machine tools and industrial manufacturing equipment shall transfer custody of such machine tools and equipment as may be designated by the Secretary of Defense pursuant to section 4 hereof to the Federal Works Agency, without reimbursement, for storage and maintenance.

SEC. 6. Subject to provisions of section 7 hereof, the Federal Works Agency is hereby authorized and directed to accept the transfer to it of such excess industrial property as is directed to be transferred to it under section 4 hereof and, as and when directed or authorized by the Secretary of Defense pursuant to section 7 hereof, to utilize, maintain, protect, repair, restore, renovate, lease, or dispose of such property. Notwithstanding section 321 of the Act of June 30, 1932 (47 Stat. 412; U. S. C., title 40, sec. 303 (b)), any lease may provide for the renovation, maintenance, protection, repair, and restoration by the lessee, of the property leased, or of the entire unit or installation when a substantial part thereof is leased, as part or all of the consideration for the lease of such property.

SEC. 7. The Secretary of Defense, with respect to property in the national industrial reserve, is authorized when he deems such action to be in the interest of national security—

(1) to establish general policies for the care, maintenance, utilization, recording, and security of such property transferred to the Federal Works Agency pursuant to section 5 hereof; and

(2) to direct the transfer without reimbursement by the Federal Works Agency of any of such property to other Government agencies with the consent of such agencies; and

(3) to direct the leasing by the Federal Works Agency of any of such property to designated lessees; and

(4) to authorize the disposition by the Federal Works Agency of any of such property by sale or otherwise when in the opinion of the Secretary of Defense such property may be disposed of subject to or free of the national security clause provided for in section 5 hereof; and

(5) to authorize and regulate the lending of any such property by the Federal Works Agency to any nonprofit educational institution or training school when (a) the Secretary shall determine that the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (b) such institution or school shall by agreement make such provisions as the Secretary shall deem satisfactory for the proper maintenance of such property and for its return to the Federal Works Agency without expense to the Government.

SEC. 8. As and when directed or authorized by the Secretary of Defense pursuant to the provisions of section 7 hereof, the Federal Works Agency shall after the date upon which transfer is directed pursuant to section 5 hereof provide for the transportation, handling, care, storage, protection, maintenance, utilization, repair, restoration, renovation, leasing, and disposition of excess industrial property.

SEC. 9. Nothing contained in this act shall be construed as authorizing the acquisition of any property for the national industrial reserve except from excess or surplus Government-owned property.

SEC. 10. The Secretary of Defense shall appoint a National Industrial Reserve Review Committee, which shall consist of not exceeding 15 persons to be appointed from civilian life who are by training and experience familiar with various fields of American industry, including shipbuilding, aircraft manufacture, machine tools, and arms and armament production. The members of such Committee shall serve for such term or terms as the Secretary of Defense may specify and shall meet at such times as may be specified by the Secretary of Defense to consult with and advise the National Military Establishment. Each member of such Committee shall be entitled to compensation in the amount of $50 for each day, or part of day, he shall be in attendance at any regular called meeting of the Committee, together with reimbursement for all travel expenses incident to such attendance: *Provided*, That nothing contained in sections 41, 109, and 113 of the Criminal Code (U. S. C., title 18, secs. 93, 198, and 203); in Revised Statutes, section 190 (U. S. C., title 5, sec. 99); in section 19 (e) of the Contract Settlement Act of 1944 (Public Law 395, 78th Cong.); or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim proceeding, or matter involving the United States, shall apply to such persons solely by reason of their appointment to and membership on such Committee.

SEC. 11. It shall be the duty of the committee appointed under section 10 hereof to review not less often than once each year the justification for the retention of property in the national industrial reserve established hereunder and (i) to recommend to the Secretary of Defense the disposition of any such property which in the opinion of the Committee would no longer be of sufficient strategic value to warrant its further retention for the production of war material in the event of a national emergency; (ii) to recommend to the Secretary of Defense standards of maintenance for the property held in the national industrial reserve; (iii) to review and recommend to the Secretary of Defense the disposal of that property which in the opinion of the Committee could and should be devoted to commercial use in the civilian economy; and (iv) to advise the Secretary of Defense with respect to such activities under this act as he may request.

SEC. 12. The Secretary of Defense shall submit to the Congress on April 1 of each year a report detailing the action taken by it hereunder and containing such other pertinent information on the status of the national industrial reserve as will enable the Congress to evaluate its administration and the need for amendments and related legislation.

SEC. 13. Section 5 of the act approved August 5, 1947 (ch. 493, 61 Stat. 774), is hereby repealed.

SEC. 14. There are hereby authorized to be appropriated to the Office of the Secretary of Defense and to the Federal Works Administration, out of any moneys in the Treasury not otherwise appropriated, such sums as the Congress may, from time to time, determine to be necessary to enable the Secretary of Defense and the Federal Works Agency to carry out their respective functions under the act.

Mr. GURNEY. Mr. President, during the war the Government constructed about 1,200 plants costing approximately $14,000,000,000. Included under the provisions of this bill there are approximately 254 plants having a total original cost of a sum in the neighborhood of $3,000,000,000. Broadly speaking, these plants produced aircraft, explosives, machine tools, iron, magnesium, and products in many categories. Of the 254 plants 53 are under lease, the terms of which, in the majority of instances, preserve the capacity of the plants for defense purposes. Thirty-one plants have been sold, subject to the security clause, which means that when they are sold the buyer must maintain them in good condition so that they can go back into war production within 60 days. That is to say, they shall not be remodeled or changed so that they cannot produce the articles for whose production they were originally constructed.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. HAWKES. May I ask the Senator if under that clause the Government can regain the plant, or only the right to have it used for the production of the war materials formerly made therein?

Mr. GURNEY. As I understand, when a plant is sold the Government sells it absolutely, but the buyer agrees to operate it and keep it available to produce war articles.

Mr. HAWKES. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. LUCAS. Is there a time limitation in the contract?

Mr. GURNEY. I believe it is 20 years.

Mr. LUCAS. In other words, the buyer has to keep the plant in the same condition for a period of 20 years?

Mr. GURNEY. Not exactly the same condition. Some of the machine tools in the plant can be moved to one side, and the buyer can move in some other tools, but he must maintain the plant and the facilities, such as lathes or what not, and be able to put the plant in condition within a 60-day period.

Mr. LUCAS. The plant must be kept in condition to do anything the Government desires to have done in case of an emergency.

Mr. GURNEY. That is correct.

The remaining 133 plants are presently under the control of the War Assets Administration. Some of them cannot be leased or disposed of under the security clause. Twenty-eight cannot be sold subject to the security clause, and it is possible that a substantial number of the balance of the remaining 105 plants may fall into the same category.

The broad general purpose of the bill is to authorize the transfer of these plants from the War Assets Administration and to put them under the jurisdiction of the Federal Works Agency. The Federal Works Agency will be charged with the responsibility of maintaining the plants.

During the time the plants have been under the War Assets Administration they have not been kept in extra good condition. Possibly it will require up to approximately 5 percent of the original cost of the plant to bring it into a position where we can say it is maintained on a ready-to-go basis. The information given to the committee was that an annual maintenance cost of approximately 1 percent of the original cost is necessary. The purpose of the bill is to transfer these plants to the Federal Works Agency, to authorize them to be maintained and to authorize the necessary maintenance work. The over-all amount as reported to the committee for the first year was approximately $35,000,000. Fifteen million dollars in cash would be necessary to bring the plants up to proper condition, and $20,000,000 of contract authorizations would be required.

That, briefly, explains the bill. In my opinion, it is very necessary, so long as we are in a tense world situation, and it is almost mandatory if we are to consider the drafting of manpower legislation.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The ACTING PRESIDENT pro tempore. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business.

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senate proceed to consider the remaining bills on the Consent Calendar.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MAGNUSON. Reserving the right to object, Mr. President, will it be in order to revert to bills to which objection was made during the call of the calendar? It that included in the request?

Mr. WHERRY. I have no objection to the Senate reverting to bills under the unanimous-consent rule.

The ACTING PRESIDENT pro tempore. The Chair hears no objection, and the call of the calendar will proceed.

## ADDITIONAL POSITIONS IN THE AIR FORCE

The Senate proceeded to consider the bill (S. 2505) to amend the act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such act and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 2, line 1, after the word "than", to strike out "15" and insert "13"; and on line 4, after the word "positions", to strike out "in the professional and scientific service", so as to make the bill read:

*Be it enacted, etc.*, That the first section of the act, entitled "An act to authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments," approved August 1, 1947, is amended to read as follows:

"That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are respectively authorized to establish and fix the compensation for, within their respective departments, not more than 13 positions each, and the Secretary of Defense is authorized to establish and fix the compensation for not more than 6 positions, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the National Military Establishment which requires the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this act shall not be less than $10,000 per annum nor more than $15,000 per annum, and shall be subject to the approval of the Civil Service Commission."

SEC. 2. Section 3 of such act is amended to read as follows:

"SEC. 3. The Secretary of Defense shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this act in the National Military Establishment during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## FREE IMPORTATION OF LIMESTONE

Mr. MAGNUSON. Mr. President, I ask that the Senate recur to page 6 of the calendar, No. 1168, House bill 5275. Objection was made to the consideration of the bill, but I have discussed the matter with the Senator who objected, and he has now withdrawn his objection.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington?

Mr. LUCAS. Mr. President, let me say to the Senator from Washington that I am not withdrawing the objection unless the Senator from Nebraska [Mr. BUTLER] agrees that he will not offer the amendment he proposed to offer.

Mr. MAGNUSON. No amendment has been offered.

Mr. LUCAS. But an amendment can be offered.

Mr. MAGNUSON. I appreciate that, and I was going to explain that if the bill shall be amended the Senator from Washington himself will object.

Mr. LUCAS. If the Senator from Nebraska will give assurance that he will not offer the amendment——

Mr. BUTLER. Mr. President, reserving the right to object, the Senator from Nebraska will say that there are large quantities of limestone in Nebraska, but we are a little short of baler twine, and if this bill is brought up I shall offer an amendment to provide that baler twine be included.

Mr. LUCAS. Then I cannot withdraw the objection.

The ACTING PRESIDENT pro tempore. Objection is heard. The Clerk will state the next bill on the Calendar.

## PROTECTION OF NATIONAL SECURITY

Mr. BALDWIN. Mr. President, I ask unanimous consent that the Senate return to Calendar 1198, Senate bill 1561.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. HICKENLOOPER. Mr. President, I objected a moment ago to the consideration of the bill, and the Senator from Connecticut [Mr. MCMAHON] also objected. Since that time there has been a consultation with the junior Senator from Connecticut, and subject to the adoption of some amendments which he has, I shall withdraw my objection to the consideration of the bill. I have just been in conversation by telephone with the senior Senator from Connecticut [Mr. MCMAHON], I explained the situation to him, and he authorized me to say that he also will withdraw his objection on the adoption of the amendments indicated.

Mr. BALDWIN. Mr. President, the amendments are in the hands of the Clerk.

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the bill.

There being no objection, the Senate proceeded to consider the bill (S. 1561) to protect the national security of the United States, which had been reported from the Committee on Armed Services with amendments.

The ACTING PRESIDENT pro tempore. The Clerk will state the amendments of the Committee on Armed Services.

The amendments were, on page 1, after line 5, to strike out "State, the Secretary of War, the Secretary of the Navy, or the Atomic Energy Commission,

following such investigation and review as the Secretary or the Commission concerned deems necessary, may, in his or its absolute discretion, terminate the employment of any civilian officer or employee of the Department of State, or of the Foreign Service of the United States, of the War Department, of the Navy Department, or of the Atomic Energy Commission, respectively, or of their several field services, whenever he or it shall deem such termination necessary or advisable in the interest of the national security of the United States: *Provided,* That, to" and insert, "State; the Secretary of Defense; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Secretary of the Treasury; the Chairman, Atomic Energy Commission; the Chairman, National Security Resources Board; or the Executive Secretary, National Advisory Committee for Aeronautics, may, in his absolute discretion and when deemed necessary in the interest of national security, suspend the employment of any civilian officer or employee of the Department of State (including the Foreign Service of the United States), the Office of Secretary of Defense, Department of the Army, Department of the Navy, Department of the Air Force, Coast Guard, Atomic Energy Commission, National Security Resources Board, or the National Advisory Committee for Aeronautics, respectively, or of their several field services. The agency head concerned may, following such investigation and review as he deems necessary, terminate the employment of such suspended civilian officer or employee whenever he shall determine such termination necessary or advisable in the interest of the national security of the United States, and such determination by the agency head concerned shall be conclusive and final: *Provided,* That, to"; on page 3, line 6, after the word "such" to strike out "Secretary or Commission" and insert "agency head"; on line 9 to strike out the word "termination" and insert "suspension"; on line 10 to strike out "termination" and insert "suspension"; on line 12, after the words "by the", to strike out "Secretary or the Commission" and insert "head of the agency"; on line 16, after the words "of the", to strike out "Secretary or of the Commission" and insert "agency head"; on line 25, after the words "with the", to strike out "Secretary, or the Commission, who terminated the employment of such person", and insert "Civil Service Commission, which agency shall have the sole authority to determine whether any such person is eligible for employment by any other agency or department of the Government," and on page 4, after line 11, to insert a new section, as follows:

SEC. 3. The provisions of this act shall apply to such other departments and agencies of the Government as the President may, from time to time, deem necessary in the best interests of national security.

So as to make the bill read:

*Be it enacted, etc.,* That, notwithstanding the provisions of section 6 of the act of August 24, 1912 (37 Stat. 555; U. S. C., title 5, sec. 652), or the provisions of any other law, the Secretary of State; the Secretary of Defense; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Secretary of the Treasury; the Chairman, Atomic Energy Commission; the Chairman, National Security Resources Board; or the Executive Secretary, National Advisory Committee for Aeronautics, may, in his absolute discretion and when deemed necessary in the interest of national security, suspend the employment of any civilian officer or employee of the Department of State (including the Foreign Service of the United States), the Office of Secretary of Defense, Department of the Army, Department of the Navy, Department of the Air Force, Coast Guard, Atomic Energy Commission, National Security Resources Board, or the National Advisory Committee for Aeronautics, respectively, or of their several field services. The agency head concerned may, following such investigation and review as he deems necessary, terminate the employment of such suspended civilian officer or employee whenever he shall determine such termination necessary or advisable in the interest of the national security of the United States, and such determination by the agency head concerned shall be conclusive and final: *Provided,* That, to the extent that such agency head determines the interests of the national security permit, the employee concerned shall be advised of the reasons for his suspension and within 30 days after such suspension any such person shall have an opportunity to submit any statements or affidavits to the official designated by the head of the agency concerned to show why he should be reinstated or restored to duty: *Provided further,* That any person whose employment is so terminated under the authority of this act may, in the discretion of the agency head concerned, be reinstated or restored to duty: *Provided further,* That the termination of employment herein provided shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government: *Provided further,* That the head of any department or agency considering the appointment of any person whose employment has been terminated under the provisions of this act shall make such appointment only after consultation with the Civil Service Commission, which agency shall have the sole authority to determine whether any such person is eligible for employment by any other agency or department of the Government.

SEC. 2. Nothing herein contained shall impair the powers vested in the Atomic Energy Commission by the Atomic Energy Act of 1946 or the requirements of section 12 of that act that adequate provision be made for administrative review of any determination to dismiss any employee of said Commission.

SEC. 3. The provisions of this act shall apply to such other departments and agencies of the Government as the President may, from time to time, deem necessary in the best interests of national security.

SEC. 4. Section 3 of the act of December 17, 1942 (56 Stat. 1053), and the penultimate paragraph of title I, Department of State Appropriation Act, 1947 (Public Law 490, 79th Cong., approved July 5, 1946), are hereby repealed.

The amendments were agreed to.

The ACTING PRESIDENT pro tempore. The section numbers will be changed to agree with the amendments which have been agreed to.

The question now comes on the amendment offered by the Senator from Connecticut [Mr. BALDWIN] which the clerk will state.

The CHIEF CLERK. On page 3, line 16, after the word "may", it is proposed to insert "except where such termination is a result of a determination of reasonable doubt as to the loyalty of such officer or employee."

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The next amendments of the Senator from Connecticut come in an amendment of the committee which has been agreed to, and it will be necessary to reconsider the vote by which the amendment was agreed to. Without objection, the vote by which the amendment of the committee, beginning on page 3, line 25, was agreed to is reconsidered, and the clerk will state the amendment offered by the Senator from Connecticut.

The CHIEF CLERK. On page 4, line 2, after the word "agency", it is proposed to insert "with the concurrence of the head of the agency from which the employee was terminated," and on page 4, line 3, before the word "authority", to strike out the word "sole."

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

Mr. HICKENLOOPER. Mr. President, I may have misunderstood the point of insertion of the first amendment.

The CHIEF CLERK. On page 3, line 16, after the word "may"——

Mr. HICKENLOOPER. Will the clerk read the amendment again?

The ACTING PRESIDENT pro tempore. The clerk will restate the amendment.

The CHIEF CLERK. On page 3, line 16, after the word "may", insert "except where such termination is the result of a determination of reasonable doubt as to the loyalty of such officer or employee."

Mr. HICKENLOOPER. I call the attention of the Senator from Connecticut to the fact that that was not the point in the bill where I contemplated the amendment would be inserted.

Mr. LUCAS. Mr. President, in view of the importance of the proposed legislation, and the apparent difference between the two Senators, I think the bill should go over for about a week.

Mr. BALDWIN. Mr. President, there is no difference between the two Senators, only a desire to make the bill a better bill. I am in complete agreement with the distinguished Senator from Iowa. The problem now is merely one of draftsmanship, and it is just a question where the insertion is to be made. I suggest that a bill so important as this, upon which we all seem to be in such close agreement, should not be postponed merely because of a mere matter of taking a little time now. I ask that the Senator from Illinois to subside for a moment so that we may straighten out this technicality.

Mr. LUCAS. The Senator from Illinois is going to subside in a moment, but I have seen amendments of this kind from time to time offered on the floor of the Senate to a bill which had been considered by a committee, and frequently bad legislation is the result. Apparently the two Senators do not understand each other as to where the amendment is to be inserted.

Mr. HICKENLOOPER. The clerk of the Committee just informed me that

there was a typographical misplacement on his part, the wrong line in the bill being indicated. That is the only matter is controversy. There is no disagreement. The amendment indicated it was to be inserted on line 16, and I believe it should be line 19, after the word "provided."

Mr. BALDWIN. The Senator is correct.

The ACTING PRESIDENT pro tempore. The question is on the third reading and passage of the bill.

Mr. LUCAS. Mr. President, I shall not object, but I hope that when the bill is taken to conference it will be examined carefully, in view of the discussion which has taken place today. I am not sure the Senators understand each other.

Mr. BALDWIN. I shall be very happy, if I am fortunate enough to be on the conference, to follow the advice of the distinguished Senator from Illinois.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment of the Senator from Connecticut again.

The CHIEF CLERK. On page 3, line 19, after the word "provided," insert "except where such termination is a result of a determination of reasonable doubt as to the loyalty of such officer or employee."

The ACTING PRESIDENT pro tempore. The amendment has already been agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### PROCUREMENT, ETC., OF GOVERNMENT PROPERTY

The Senate proceeded to consider the bill (S. 2754) to reorganize and simplify the procurement, utilization, and disposal of Government property, and for other purposes.

Mr. SALTONSTALL. Mr. President, I hope we may have an explanation of the bill. It is 34 pages long. We have had many surplus property questions before the Committee on Armed Services. I should like to know what is in the bill.

Mr. AIKEN. Mr. President, the bill transfers the War Assets Administration and the Bureau of Federal Supply to the Federal Works Administration. It appears that before long it is going to cost more than a dollar to sell a dollar's worth of surplus personal property through the War Assets Administration. Mr. Larson, the Federal Administrator, strangely enough, has recommended that the agency be abolished, and that its functions be transferred to some other agency of government.

The bill has been worked upon by the committee staff and the committee members for a long time in conjunction with the Bureau of the Budget, the Comptroller General, and the Federal Works Administration. It seems to be in about as good shape as it is possible to get it. There is a provision in the bill that the armed services may do their own purchasing unless the President forbids it. As the bill was originally written they had to secure the consent of the President before making their own purchases of certain types of material which they needed. The armed services objected to that, but finally agreed to the wording which is in the bill at the present time whereby if there are certain kinds of purchases they wish to make on their own rather than have them made through the Bureau of Supply, they may do so unless the President forbids them to do so.

It would also transfer the remainder of the renegotiation of contracts from the Treasury Department, within the Bureau of Supply, where I think they are now being carried on, to the Federal Works Administration.

Mr. SALTONSTALL. Mr. President, may I ask the Senator concerning title II, Disposal of Foreign Excess Property, on page 24? May I ask what title II does?

Mr. AIKEN. Mr. President, I returned to the floor only a few moments ago, and I have just found the bill in the file.

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from Vermont desire to have the bill laid aside temporarily until he has an opportunity to look at it?

Mr. AIKEN. Mr. President, I think if the bill is laid temporarily aside for a few minutes I shall be better able to answer the question of the Senator from Massachusetts.

The PRESIDING OFFICER. The bill will be laid aside temporarily.

The clerk will call the next bill on the calendar.

### THE VIRGIN ISLANDS CORPORATION

The bill (S. 1183) to incorporate the Virgin Islands Corporation, and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BUTLER. Mr. President, may I inquire, if it is proper to do so, who makes objection to Senate bill 1183? It is a piece of "must" legislation. Of course, it can be handled at a later session.

Mr. WHERRY. I have a notation to object to the bill in behalf of the junior Senator from Delaware [Mr. WILLIAMS]. I see the junior Senator from Delaware is now on the floor of the Senate.

Mr. BUTLER. Does the Senator from Delaware desire an explanation of the bill?

Mr. WILLIAMS. I will withold my objection so the Senator can make an explanation if he desires, but I think I will want to study the bill a little further at this time.

Mr. BUTLER. Very well, if the Senator desires to object we will wait until the next time the calendar is called.

The PRESIDING OFFICER. The bill will be passed over.

### A. B. LEARNED

The Senate proceeded to consider the bill (S. 1274) confirming the claim of A. B. Learned to certain lands in the State of Mississippi, county of Wilkinson, which had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and to insert:

That all right, title, and interest of the United States in and to fractional section 4, township 1 north, range 5 west, Washington meridian, Wilkinson County, Miss., consisting of approximately 490 acres, is hereby granted, released, relinquished, and conveyed by the United States to the heirs, assigns, and successors in title of William Collins upon payment by them into the Treasury of the United States the sum of $735; such land being the same land which was conveyed under the credit-system laws (credit prior receipts Nos. 11656 and 11753, dated July 21, 1819, and August 30, 1819, respectively) to William Collins who, agreeing to pay to the United States the sum of $2 per acre for same, paid only the sum of $245 on entry leaving a balance due thereon of $735, now to be paid by the heirs, assigns, and successors in title of the said William Collins.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conveying all right, title, and interest of the United States in and to certain lands in Wilkinson County, Miss., to the heirs, assigns, and successors in title of William Collins."

### LUCILLE ROMANO

The Senate proceeded to consider the bill (S. 1275) confirming the claim of Miss Lucille Romano to certain lands in the State of Mississippi, county of Warren, which had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and to insert:

That all right, title, and interest of the United States in and to the southwest quarter of section 6, township 14, north, range 4 east, Washington meridian, Warren County, Miss., consisting of approximately one hundred and sixty-three and forty-five one-hundredths acres, is hereby granted, released, relinquished, and conveyed by the United States to the heirs, assigns, and successors in title of Moses Evans and upon payment by them into the Treasury of the United States the sum of $245.18; such land being the same land which was conveyed under the credit system laws (credit prior receipt numbered 9309) on September 15, 1818, to Moses Evans who, agreeing to pay to the United States the sum of $2 per acre for same, paid only the sum of $81.72 on entry leaving a balance due thereon of $245.18, now to be paid by the heirs, assigns, and successors in title of the said Moses Evans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conveying all right, title, and interest of the United States in and to certain lands in Warren County, Miss., to the heirs, assigns and successors in title of Moses Evans."

### CLAIMS OF CERTAIN MOTOR CARRIERS

The Senate proceeded to consider the bill (S. 1260) to provide for the settlement and payment to certain motor carriers of claims against the United States for damages resulting from Federal possession, control, and operation in time of war of the carriers' transportation systems and properties; to provide for just compensation to such carriers for the use of such transportation systems and properties during such possession, control, and operation; and for other

purposes, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That there is hereby created and established a Motor Carrier Claims Commission, hereafter referred to as the Commission.

SEC. 2. The Commission shall hear and determine, according to law, existing claims against the United States arising out of the taking by the United States of possession or control of any of the motor-carrier transportation systems described in Executive Order No. 9462, dated August 11, 1944 (C. F. R., 1944 Supp., p. 70). The settlement of any claim prior to the enactment of this act shall not prevent the Commission from hearing and determining such claim if it determines that the principles of equity as administered by the courts require that such settlement be set aside and that such claim be heard and determined.

SEC. 3. The Commission shall consist of a Chairman and two other members, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall each receive a salary of $15,000 per year. At least two of such members shall be learned in the law. Each member shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office. The members shall hold office until the dissolution of the Commission as hereinafter provided. Vacancies shall be filled in the same manner as the original appointments. Two members shall constitute a quorum, and the agreement of two members shall be necessary to any and all determinations for the transaction of the business of the Commission, and if there be a quorum, no vacancy shall impair or affect the business of the Commission, or its determinations.

SEC. 4. The Commission shall appoint a clerk and such other employees as shall be requisite to conduct the business of the Commission. All such employees shall take oath for the faithful discharge of their duties and shall be under the direction of the Commission in the performance thereof.

SEC. 5. The Commission shall meet at such times and places as it may prescribe, shall keep a full written record of all its hearings and proceedings which shall be open to public inspection, and shall have power to establish its rules of procedure.

SEC. 6. The Commission shall receive claims for a period of 6 months after the date of enactment of this act, and not thereafter. The jurisdiction of the Commission over claims presented to it as provided in section 2 of this act shall be exclusive; but nothing in this act shall prevent any person who does not elect to present his claims to the Commission from pursuing any other remedy available to him. The Attorney General or his assistants shall represent the United States in all claims presented to the Commission.

SEC. 7. Any member of the Commission or any employee of the Commission, designated in writing for the purpose by the Chairman, may administer oaths and examine witnesses. Any member of the Commission may require by subpena (1) the attendance and testimony of witnesses, and the production of all necessary books, papers, documents, correspondence, and other evidence, from any place in the United States at any designated place of hearing; or (2) the taking of depositions before any designated individual competent to administer oaths under the laws of the United States or of any State or Territory. In the case of a deposition, the testimony shall be reduced to writing by the individual taking the deposition or under his direction and shall be subscribed by the deponent. In taking oral testimony, opportunity shall be given for cross-examination, under such regulations as the Commission may prescribe. Witnesses subpenaed to testify or whose depositions are taken pursuant to this act, and the officers or persons taking the same, shall severally be entitled to the same fees and mileage as are paid for like services in the courts of the United States.

SEC. 8. The final determination of the Commission shall be in writing, shall be filed with its clerk, and shall include (1) its findings of the facts upon which its conclusions are based; (2) a statement (a) whether there are any just grounds for relief of the claimant and, if so, the amount thereof; (b) whether there are any allowable offsets, counterclaims, or other deductions, and, if so, the amount thereof; and (3) a statement of its reasons for its findings and conclusions.

SEC. 9. (a) When the final determination of the Commission has been filed with the clerk of said Commission the clerk shall give notice of the filing of such determination to the parties to the proceeding in manner and form as directed by the Commission. Such determination shall be subject to review in the same manner as is provided for cases in the Court of Claims upon application to the Supreme Court within 3 months from the date of the filing of such determination with the clerk.

SEC. 10. In each claim, after the proceedings have been finally concluded, the Commission shall promptly submit its report to Congress.

The report to Congress shall contain (1) the final determination of the Commission; (2) a transcript of the proceedings or judgment upon review, if any, with the instructions of the Supreme Court; and (3) a statement of how each Commissioner voted upon the final determination of the claim.

SEC. 11. (a) When the report of the Commission determining any claimant to be entitled to recover has been filed with Congress, such report shall have the effect of, and be paid in the same manner as is provided for, a final judgment of the Court of Claims.

The payment of any claim, after its determination in accordance with this act, shall be a full discharge of the United States of all claims and demands touching any of the matters involved in the controversy.

(b) A final determination against a claimant made and reported in accordance with this act shall forever bar any further claim or demand against the United States arising out of the matter involved in the controversy.

SEC. 12. The Commission shall determine all claims presented to it as expeditiously as possible, and shall make a report to Congress of its progress not later than the 15th of April of each year until its dissolution.

SEC. 13. The existence of the Commission shall terminate at the end of 2 years after the first meeting of the Commission or at such earlier time after the expiration of the 6 months' period of limitation set forth in section 6 hereof as the Commission shall have made its final report to Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to create a commission to hear and determine the claims of certain motor carriers."

## SUSPENSION OF IMPORT DUTIES ON SCRAP IRON, ETC.

The bill (H .R. 6242) to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap was considered, ordered to a third reading, read the third time, and passed.

## RECIPROCAL EXEMPTION FROM NAVIGATION DUES OF PLEASURE YACHTS

The Senate proceeded to consider the bill (S. 2186) to amend section 5 of the act entitled "An act to amend the laws relating to navigation, and for other purposes," which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 1, line 8, after the word "thereof" to strike out "'American yachts,'" and to insert "'yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States'," and in line 12, after the word "thereof," insert "and inserting in lieu thereof 'used and employed exclusively as pleasure vessels'.", so as to make the bill read:

*Be it enacted, etc.*, That section 5 of the act entitled "An act to amend the laws relating to navigation, and for other purposes", approved May 28, 1908, as amended (U. S. C., title 46, sec. 104) is amended (1) by striking out the words "yachts belonging to any regularly organized yacht club of the United States", and inserting in lieu thereof "yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States", and (2) by striking out the words "belonging to any regularly organized yacht club" and inserting in lieu thereof "used and employed exclusively as pleasure vessels."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## CHANGE OF NAME OF POTHOLES DAM TO O'SULLIVAN DAM

The Senate proceeded to consider the joint resolution (S. J. Res. 202) to change the name of Potholes Dam in the Columbia Basin to O'Sullivan Dam, which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, line 3, after the words "known as", to strike out "Potholes" and insert "South Coulee", and in line 7, after the words "name of", to strike out "Potholes" and insert "South Coulee", so as to make the joint resolution read:

*Resolved, etc.*, That the dam known as South Coulee Dam in the Columbia Basin project shall hereafter be known as O'Sullivan Dam, and any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of South Coulee Dam shall be held to refer to such dam under and by the name O'Sullivan Dam.

The amendments were agreed to.

Mr. McGRATH. Mr. President, may we have an explanation of the joint resolution?

Mr. MAGNUSON. Mr. President, I hope the Senator from Rhode Island will reserve his right to object to the bill. It provides for a needed change in the name of a dam in my State.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to O'Sullivan Dam."

AMENDMENT OF ORGANIC ACT OF PUERTO RICO

The Senate proceeded to consider the bill (S. 2675) to amend the Organic Act of Puerto Rico, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, line 8, after "Act.", to insert "This amendment to be retroactive to October 13, 1945.", so as to make the bill read:

*Be it enacted, etc.,* That the Organic Act of Puerto Rico (39 Stat. 951) is amended by inserting the following new section:

"SEC. 5b. Section 404 (c) of the Nationality Act of 1940 (U. S. C., title 8, sec. 804 (c)), shall not be applicable to persons who acquired citizenship under the provisions of sections 5 and 5a of this act." This amendment to be retroactive to October 13, 1945.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THEODORE ROOSEVELT NATIONAL MEMORIAL PARK

The Senate proceeded to consider the bill (H. R. 5816) to amend the act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments.

The first amendment was on page 3, line 15, after "9", to strike out "township 140 north, range 102 west, to the northwest corner of said section 9; thence northwesterly along a line to the northwest corner of Government lot 5 of section 5, township 140 north, range 102 west; thence continuing northwesterly along a line to the northwest corner of Government lot 1 of section 6, township 140 north, range 102 west; thence easterly along the township line" and insert "thence continuing northerly to the southeast corner of Government lot 9, section 5, township 140 north, range 102 west; thence northwesterly to the northwest corner of Government lot 2 in said section 5; thence westerly."

The amendment was agreed to.

The next amendment was, on page 4, line 24, after the word "thence", to strike out "easterly along the sixty-fourth section line to the northwest corner of the southwest quarter of the southwest quarter of the northeast quarter of said section 20; thence southeasterly along a line to the northwest corner of the southeast quarter of the southwest quarter of section 21, township 141 north, range 101 west; thence easterly along the sixteenth section lines to the northwest corner of the southwest quarter of the southeast quarter of section 22, township 141 north, range 101 west; thence southeasterly along a line to the northwest corner of the northeast quarter of the northeast quarter of section 27, township 141 north, range 101 west; thence easterly along the north lines of said section 27, and sections 26 and 25, township 141 north, range 101 west, to the northeast corner of said section 25; thence southerly along the township line to the northwest corner of section 31, township 141 north, range 100 west; thence southeasterly along a line to the southeast corner of said section 31; thence continuing southeasterly along a line to the northwest corner", and insert: "southerly along the west line of said section 20 to the northwest corner of the southwest quarter of section 20; thence easterly to the northwest corner of the southeast quarter of section 20; thence southerly to the southwest corner of the southeast quarter of said section 20; thence easterly along the north lines of section 29 and section 28, to the northeast corner of section 28, township 141, north, range 101 west; thence southerly along the west line of section 27, township 141 north, range 101 west, to the southwest corner of said section 27; thence easterly along the north lines of sections 34, 35, and 36 to the northeast corner of section 36, township 141 north, range 101 west; thence southerly along the east line of said section 36 to the southwest corner of section 31, township 141 north, range 100 west; thence easterly to the southeast corner of said section 31; thence southeasterly along a line to the northwest corner".

The amendment was agreed to.

The next amendment was, on page 7, line 18, after the word "west;", to strike out "lot 1 and southeast quarter of northeast quarter, section 5, township 143, range 102 west, continuing two hundred and fifty-eight and eighteen one hundredths acres", and insert "and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5."

The amendment was agreed to.

The next amendment was, at the end of the bill to insert a new section, as follows:

SEC. 2. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

THEODORE ROOSEVELT NATIONAL MEMORIAL PARK

The bill (H. R. 5587) to add certain lands to the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXEMPTION OF CERTAIN CARRIERS FROM INTERSTATE COMMERCE ACT

The Senate proceeded to consider the bill (H. R. 6078) to amend section 303 (e) of the Interstate Commerce Act, as amended.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. REED. Mr. President, section 303 of the Interstate Commerce Act relates to water carriers. The Interstate Commerce Commission is permitted under certain circumstances to exempt certain carriers by reason of the inherent nature of the commodities transported, the requirement of special equipment, or their shipment in bulk. There is some doubt whether passenger-carrying vessels which start at one port and end at a port in another State—which start at San Francisco, for example, and end at New York, or start at New Orleans and end at Mobile—are exempt. The only purpose of the bill is to give the Interstate Commerce Commission authority to deal with cases of that kind.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

DUTIES IMPOSED ON BEVERAGES

The Senate proceeded to consider the bill (H. R. 5965) to amend paragraph 813 of the Tariff Act of 1930.

Mr. BUTLER. Mr. President, I have pending an amendment to the so-called limestone bill, to which the Senator from Illinois [Mr. LUCAS] objected, providing for the free entry of baler twine along with binder twine, which now has free entry. I ask the Senator from Colorado [Mr. MILLIKIN], who is handling House bill 5965, Calendar No. 1470, if he would be willing to include the baler twine amendment in this bill, which amends the Tariff Act.

Mr. MILLIKIN. Mr. President, I would have no objection to the Senator offering the amendment, and to whatever consideration is permitted at this time.

Mr. SALTONSTALL. Mr. President, I will say to the Senator from Nebraska that I would object to such an amendment.

Mr. MILLIKIN. Mr. President, as I understand, there is no objection to House bill 5965. The amendment has been withdrawn, so far as that bill is concerned.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. MILLIKIN. The bill provides that where beverages are subject to both internal-revenue taxes and import duties, import duties shall be imposed on the quantities upon which the internal-revenue taxes are imposed. It has been customary to impose the duty on the quantities at the point of export rather than at the point of import, the result being that the duty at the point of import does not reflect breakage and leakage in transit. This bill is designed to fix the duty at the point of import.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

EXEMPTION OF HOSPITALIZED SERVICEMEN AND VETERANS FROM ADMISSIONS TAX WHEN ADMITTED FREE

The bill (S. 2469) to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free was announced as next in order.

Mr. MILLIKIN. Mr. President, order Nos. 1472 and 1473 are identical bills. Order No. 1473 is House bill 5065. Because of the shortage of time I suggest that the House bill be substituted for the Senate bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5065) to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free, which had been reported from the Committee on Finance with an amendment on page 1, line 6, after the word "follows" to strike out "No tax shall be imposed in the case of admission free of charge of a hospitalized member of the military, naval, or air forces of the United States or of a veteran hospitalized in a Government hospital or institution, except when such member or veteran is on leave or furlough." and insert "Subject to such regulations as the Commissioner, with the approval of the Secretary, shall prescribe, no tax shall be imposed in the case of admission free of charge of a hospitalized member of the military, naval, or air forces of the United States or of a person hospitalized as a veteran by the Federal Government in a Federal, State, municipal, private, or other hospital or institution, except when such member or veteran is on leave or furlough."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2469 will be indefinitely postponed.

### EXEMPTION FROM TARIFF OF ARTICLES FOR EXHIBITION AT INTERNATIONAL INDUSTRIAL EXPOSITION, ATLANTIC CITY

The joint resolution (H. J. Res. 384) to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes was considered, ordered to a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That all articles which shall be imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., an international exposition, to be held at Atlantic City, N. J., from June 26 to September 11, 1948, inclusive, by the International Industrial Exposition, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 8 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Industrial Exposition, Inc., a corporaton, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by the International Industrial Exposition, Inc., a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C. 1940 ed., title 19, sec. 1524).

### CARSON NATIONAL FOREST, N. MEX.

The bill (S. 2617) to include certain lands in the Carson National Forest, N. Mex., and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the boundaries of the Carson National Forest, N. Mex., are hereby extended to include fractional township 25 north, range 15 east, New Mexico principal meridian, and, subject to all valid and existing claims, all lands of the United States within said township are hereby made parts of the Carson National Forest and hereafter shall be subject to all laws and regulations applicable thereto.

### DETERMINATION OF CLAIMS OF UTE INDIANS

The Senate proceeded to consider the bill (S. 2743) providing for the more expeditious determination of certain claims filed by Ute Indians, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, line 2, after the word "reduce", to insert "or increase"; and at the beginning of line 7, to strike out the words "set-off" and insert "offset", so as to make the bill read:

*Be it enacted, etc.*, That the act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes, approved June 28, 1938 (52 Stat. 1209), as amended July 15, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and August 13, 1946 (60 Stat. 1049), is hereby amended by adding to section 3 thereof the following: "The court shall, upon a determination of the material issues or upon consent of the parties, enter a separate final judgment for any value of the surface and a subsequent separate final judgment for any value of the subsurface of the land which the court may determine to be the subject matter of case No. 45585 in the United States Court of Claims entitled *'Confederated Bands of Ute Indians* v. *United States of America.'* Each of the judgments shall be subject to review in accordance with the provisions of section 3 of the act of February 13, 1929 (ch. 229, 43 Stat. 939), as amended by the act approved May 22, 1939 (ch. 140, 53 Stat. 752; 28 U. S. C. 288). Any value subsequently allowed by the court for the subsurface, when added to any value previously allowed by the court for the surface, shall not exceed the court's determination of the value, if any, of the land, surface, and subsurface, valued as a whole. The parties may compromise or settle in whole or part claims for any of the surface or subsurface values involved, and any settlement or compromise shall be reduced to a separate judgment. The services rendered by the attorney or attorneys in obtaining any judgment shall constitute a separate employment and undertaking involving a single set of services and the court shall award separate compensation for the services rendered in obtaining each separate judgment. Nothing in this act shall be construed to reduce or increase fees payable to counsel in accordance with their duly approved and executed contracts or to preclude their continued representation in any case until paid; nor, with respect to any judgment hereunder, shall this amendment impair or limit any claim, right, defense, or offset otherwise applicable."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### ISSUANCE OF PATENT TO JAMES P. LOVE TO CERTAIN LANDS IN MISSISSIPPI

The bill (H. R. 5151) authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi was considered, ordered to a third reading, read the third time, and passed.

### REVISION OF METHOD OF ISSUING PATENTS FOR PUBLIC LANDS

The Senate proceeded to consider the bill (H. R. 3628) to revise the method of issuing patents for public lands, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, after line 2, to strike out:

That all patents for public lands shall be issued by or under the direction of the Secretary of the Interior in the name of the United States. Such patents shall be recorded in the Bureau of Land Management, in books to be kept for the purpose.

And insert:

That all patents for public lands shall be issued and signed by the Secretary of the Interior in the name of the United States: *Provided*, That the Secretary may delegate his authority under this act to officers or employees of the Department of the Interior, but notice of any such delegation shall be given by publication in the Federal Register.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FREE IMPORTATION OF LIMESTONE

Mr. CAIN. Mr. President, I ask unanimous consent to revert to Calendar 1168, House bill 5275, for the reason that I understand that there would be objection to an amendment to be proposed by the Senator from Nebraska [Mr. BUTLER], but that there is likely to be no objection to the bill, which is known as the limestone bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5275) to amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer.

Mr. BUTLER. Mr. President, I do not have on my desk the amendment which I propose. I think the clerk may find it. I should like to offer the amendment.

Mr. LUCAS. Over.

The PRESIDING OFFICER. Objection is heard.

Mr. MILLIKIN. Mr. President——

Mr. LUCAS. I will withhold the objection.

Mr. MILLIKIN. I respectfully suggest that if we can settle the question of the amendment in some way or other, we can let the limestone bill run under its own steam. I believe that it would be desirable to have action on the bill.

Mr. LUCAS. I am sure we can do so if the Senator from Nebraska will agree with us.

Mr. MILLIKIN. He is a very reasonable man.

Mr. LUCAS. I am sure that we can arrive at a solution.

The PRESIDING OFFICER. The Chair will state that the clerk has now found the amendment to be offered by the Senator from Nebraska.

Mr. BUTLER. Mr. President, I offer the amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nebraska will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

That paragraph 1622 of section 201 of title II of the Tariff Act of 1930, as amended, is amended by inserting after the words "binding twine" a comma and the words "and twine chiefly used for baling hay, straw, and other fodder and bedding materials."

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. KEM. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

Mr. MILLIKIN. Mr. President, since there is objection to the amendment, and since it is perfectly evident that we cannot find time for normal debate, I wonder if under those circumstances, rather than to allow the limestone part of the bill to die, the Senator from Nebraska would be willing to withdraw the amendment at this time.

Mr. BUTLER. Mr. President, I think I have been very reasonable many times when similar situations arose; but I shall have to insist on the bill carrying the binder twine amendment. As I have previously stated, we have no shortage of limestone in Nebraska. There is a real shortage of baler twine, and it sells to our farmers at $30 per hundred higher than binder twine, when it was the intention of those who enacted the law that baler twine, binder twine, or any other commodity under that general description should be admitted without duty.

Mr. MILLIKIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLIKIN. May we have a vote on the amendment?

Mr. WHERRY. There is objection to the consideration of the bill.

The PRESIDING OFFICER. Does the Senator from Missouri withdraw his objection?

Mr. MILLIKIN. As I understand, the objection is to the bill.

Mr. CAIN. Did not the Senator from Missouri object?

The PRESIDING OFFICER. The Chair must rule that the amendment cannot be considered if there is objection to the consideration of the bill.

Mr. KEM. I object to the baler twine portion of the bill, but I have no objection to the limestone portion.

Mr. MILLIKIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLIKIN. Under the circumstances, since there is no objection to the amendment, may we now have a vote on the amendment, and come to the question of consideration of the bill

Mr. WHERRY. Mr. President, is there objection to the consideration of the bill at this time

The PRESIDING OFFICER. The Senator from Nebraska objected to the consideration of the bill without the amendment.

Mr. WHERRY. Is it in order to vote on the amendment?

The PRESIDING OFFICER. It is not in order to vote on the amendment so long as there is objection to consideration of the bill.

The bill will be passed over.

The Clerk will continue with the calendar, at the bottom of page 17.

BILLS PASSED OVER

The bill (S. 286) to authorize the construction of a research laboratory for the Quartermaster Corps, United States Army, at or in the vicinity of Boston, Mass., was announced as next in order.

Mr. MYERS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2680) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic system was announced as next in order.

Mr. FERGUSON. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LT. JOHN T. McDERMOTT, UNITED STATES NAVY

The Senate proceeded to consider the bill (S. 1797) to authorize the advancement of certain lieutenants on the retired list of the Navy, and for other purposes, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding any other provision of law, Lt. John T. McDermott, United States Navy (retired), shall be advanced to the grade of lieutenant commander on the retired list, effective for all purposes from the date of his retirement.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander."

SURVEY OF PHYSICALLY HANDICAPPED CITIZENS—BILL PASSED OVER

The bill (S. 2319) to provide for a survey of physically handicapped citizens was announced as next in order.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. JOHNSON of Colorado. The purpose of the bill is to make a survey, through the Bureau of the Census, of the handicapped people in the United States. There is considerable question as to how many there are. It is reported in some cases that there are 55,000,000, and in other cases it is reported that there are supposed to be 30,000,000 of such handicapped persons.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. HATCH. Does this bill provide for the taking of a census?

Mr. JOHNSON of Colorado. It provides for the taking of a census of those who are handicapped; that is to say, the Bureau of the Census will report on the number of persons in the United States who are handicapped.

Mr. HATCH. Does that mean that a new census will be taken?

Mr. JOHNSON of Colorado. Probably the Bureau of the Census will use sampling methods such as are used in connection with the Gallup Poll, and thus will arrive at a rather close determination of the number of handicapped persons in the United States and of the areas in which they live, and so forth. The bill provides an authorization of $5,000,000 for this purpose, and it is presumed to be sufficient.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. It seems to me that inasmuch as we are approaching a regular census in 1950, there is not much reason for undertaking a survey of the population for this purpose at this time or

within 18 months from the date of the enactment of this measure, which would require such a survey to be made before the 1950 census. It seems to me that the 1950 census will be the proper time for the making of a survey of this character.

Mr. JOHNSON of Colorado. I cannot argue with the Senator on that point.

Mr. TAFT. Mr. President, I object.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The clerk will state the next bill on the calendar.

CONVEYANCE OF TRACT OF LAND TO JOHNSON CITY, TENN.—BILL PASSED OVER

The bill (S. 2560) to authorize the Administration of Veterans' Affairs to convey a certain tract of land in the State of Tennessee to the city of Johnson City, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. MILLIKIN. There is near the veterans' hospital near Johnson City, Tenn., a tract of land which is not being used. The city of Johnson City, Tenn., wishes to build a fairground on that tract of land. The Veterans' Administration has no objection.

The terms of conveyance will require that if within 20 years the tract of land ceases to be used for the intended purpose, it will revert to the United States. There is no objection to the grant, as far as I know.

Mr. MORSE. Mr. President, I should like to ask the Senator a question or two.

How much does Johnson City propose to pay for this tract of land?

Mr. MILLIKIN. Johnson City does not propose to pay anything for the land. The land will be dedicated to a public purpose as it would be if it were under the ownership of the United States Government; and it is thought that a public purpose will be served if the conveyance is made.

Mr. MORSE. I should like to direct the attention of the Senator from Massachusetts [Mr. SALTONSTALL] to this matter, because I wish to point out that apparently the committees of the Senate are going in anything but a common direction in regard to the disposal of Federal property.

The Armed Services Committee, of which the Senator from Massachusetts is a member—and he is also chairman of a conference committee in regard to a measure relative to another piece of property—has been laboring at great length in regard to developing a uniform policy for the disposal of Federal property. There is great danger that considerable confusion will result and harm will be done unless a proper uniform policy is adopted.

In our committee—and I speak as a member of the Armed Services Committee—we have jurisdiction over many pieces of property amounting to a great many millions of dollars in value. We are confronted by many requests for this Federal property and it is to be expected that Senators will support those demands, coming from the respective States concerned, if we ever start giving away public property belonging to all the people of the United States. I think we should have a general policy of requiring some payments for Federal property unless in a given case the property falls within certain agreed-upon exemptions. Otherwise the disposal of property and the conditions of disposal will be determined largely by the happenstance of committee reference of a particular bill. I think a general over-all policy ought to prevail and then each committee should apply that policy to the facts of each case.

I do not think that legislation such as is proposed by this bill should be enacted until we agree as a Senate on a common policy which will apply to all Federal property, no matter under what particular committee the particular piece of property comes. I, for one, do not like the idea of giving away for nothing, to Johnson City, a piece of property belonging to all the people of the United States, and then denying to another city a piece of property involving similar facts which comes under the jurisdiction of another committee. I do not think it is fair or equitable to reach a diverse result simply because one committee lays down a policy—which we in the Armed Service Committee have done—that under most circumstances something should be paid for Federal property. Our committee has decided that some reasonable compensation should be given for Federal property, because after all, it belongs to all the people of the United States.

On the basis of the explanation given by my good friend the Senator from Colorado, I am satisfied that the passage of this bill would run counter to policies established in the Committee on Armed Services as to Federal property that falls within the jurisdiction of that committee. I think we should try to agree upon a common policy on this subject.

Therefore, in the interest of waiting until we can develop if possible a uniform policy applicable by all committees to all Federal property, I object at this time to the passage of this bill.

Mr. MILLIKIN. Mr. President, I should like to make this statement: This matter is clearly under the jurisdiction of the Senate Finance Committee. We have taken action on it. We have considered the matter. We considered the bill to be meritorious. We do not recognize the right of any other committee to have the right of veto on our action.

Now let me come to the merits of the matter. There are numerous precedents whereby municipalities and the Federal Government have exchanged lands and have engaged in this particular type of transfer in the public interest—not for private gain, but in the public interest.

Under this measure, the people of Johnson City can enjoy the use of those 20 acres of land, which are not being enjoyed by anyone at the present time. No private interest will be injured and no Federal Government interest will be injured by this transfer, if it is made. To the contrary, the public welfare will be advanced.

There is ample precedent for the proposed action. I find particularly offensive the suggestion that the work of one committee should be held up until some other committee completes its work or until at some even more remote time, several other committees or the Senate itself arrives at a common policy. We have had a common policy in this matter of land in Federal ownership.

Mr. MORSE. Mr. President, I assure the Senator from Colorado that I do not wish to offend him, nor am I suggesting that the Armed Services Committee exercise a veto over the Finance Committee. I have attempted to point out the diversity of policy which now exists. I think it is resulting in many injustices. I am not trying to have one committee veto the action of another committee.

But as a Member of this body, I object to the passage of this bill until we establish a uniform policy for the disposal of Federal property so long as this bill remains on the unanimous consent calendar.

The Senator from Colorado is correct. There are many precedents which support his proposed action on this bill. For a long time we have followed some very bad precedents, whereby we have disposed of, for nothing, much property belonging to the Federal Government. Frequently Members of the Senate acting in perfect good faith have sought to pass legislation which has the effect of giving away the Federal Government's property for nothing. I say it is not a good practice to give away, for nothing, to any State or municipality, Federal property, without fair value therefor being paid for it.

Therefore, Mr. President, until we establish some reasonably uniform policy, I inform my good friend the Senator from Colorado that as long as I am on the floor of the Senate I shall object to such proposals as his unless the Federal Government receives a fair price for Federal property.

I recognize that there are many exceptions and exemptions to the general rule of requiring a fair price for Federal property which should be agreed upon. I think such a general agreement can be reached if the various committees will try to work it out. I agree that when the property is to be used for parks, recreation, educational purposes, historical monuments, and similar public uses, the price should either be reduced or in some instances waived. But that is a different thing from following our present policy that does not lay down a general rule that in each instance some price should be charged unless it can be shown that the facts warrant an exception to the rule requiring a fair price for Federal property.

Mr. SALTONSTALL. Mr. President, I should like to say to the Senator from Colorado that I agree with what the Senator from Oregon has said—namely, that certainly there is no intention on the part of the Armed Services Committee to give offense to the Finance Committee or to attempt to set aside its work. But, in my opinion, it is not fair to the State of Utah, for instance, for Utah University to have to pay for land owned by the Federal Government, close to Salt Lake City, and needed for the university grounds, 50 percent of its value; it is not fair to the city of Detroit to have to pay for land in the Fort Wayne

area which is outside the area that might be called a part of this historic monument, 50 percent of its value, and then to permit Johnson City, Tenn., for the purpose of recreation and fairgrounds, to get land valued at $16,000 for nothing.

I think the Senator from Colorado, who is an eminently fair man, will agree with me that some common policy must be established if we are properly to dispose of war assets. I point out that the act to which the Senator from Oregon refers has been agreed to by both branches of the Congress, as to the disposal of surplus property, and it has now gone to the President of the United States for signature. So far as I know, it has not been signed. But that act, agreed to by both Houses, provides that for land disposed of for recreational and park purposes the Federal Government shall receive 50 percent of the value. That of course relates to military land. Where there is a historic monument of which the land can be considered to be a part, and the property was owned by the Federal Government prior to 1900, such land can then be disposed of for nothing. But, as I read the report, in this instance, the Veterans' Administration property is to be disposed of for fair and park purposes. It is valued at $16,000. It is to be disposed of to Johnson City for nothing, so there is a direct contradiction of policy with relation let us say to the University of Utah and the citizens of Johnson City, and a direct contradiction of policy with relation to Fort Wayne and the city of Detroit and the policy to be followed as to Johnson City.

Certainly we must not have conflicts between committees. Certainly one committee must not usurp the prerogatives of another; but it seems to me we can establish a policy, uniform and just, only if we take all administrative agencies and dispose of surplus lands under a general rule.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. FERGUSON. I should like to inquire of the Senator from Massachusetts as to the status of the conference report on the bill involving the Fort Wayne monument.

Mr. SALTONSTALL. I would reply to the Senator from Michigan that the conference report has been accepted by both branches, and, so far as I know, the bill is at the White House.

Mr. FERGUSON. Is it possible that that bill would cover this state of facts? I am not familiar with the facts.

Mr. SALTONSTALL. That bill would not cover this state of facts, because the property is owned by the Veterans' Administration. It is not owned by either the Army or the Navy.

Mr. MILLIKIN. Mr. President, first of all I recognize I must yield to the right of the distinguished Senator from Oregon to object, but I also want to object again to this matter of one committee, because it is thinking about something, assuming to veto the work of another committee. We are getting off into a very bad precedent with that kind of procedure.

As to uniform policy, it is utterly impossible, I respectfully suggest, to establish a uniform disposition statute covering all types of Federal property which can be sensibly applied all over the United States. In some instances the United States Government might be glad and should be glad to dispose of a part of its property for nothing, and in other instances it should be paid. Each case should rest on its own bottom. It is not sound to talk of these cases that have been mentioned here and say we are being unfair to one, if we do something for the other. How shall we know until we ascertain all the facts? All the facts of all of those cases are not before the Senator's committee. They are not before the Finance Committee. But the facts of this particular transaction are before the Finance Committee, and I resent very much the attitude which has been displayed here of one committee's assuming to exercise veto powers over the work of another committee. I have a right to make that objection, and I am making it.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. HATCH. I merely want to call the attention of the Senator from Colorado to the fact that what he has said about establishing a uniform policy is entirely correct, but it cannot be done. We who have served on the Public Lands Committee throughout the years know that case after case arises which requires different treatment, and as a matter of fairness, on this very day the Senate of the United States has given consent to giving away certain property of the United States for park and recreational purposes. If that policy is to be pursued, as Senators have said it must be, and the property must be transferred for value received, I suggest we revert to Calendar 1467, House bill 5816, establishing the Theodore Roosevelt National Memorial Park, and the following one, Calendar 1468, House bill 5587, which grants additional acreage of the United States to that park for nothing.

Do Senators want to do that? I am sure they do not, but it shows how impossible it is to have one established policy. I do not ask, Mr. President, that we recur to Calendar 1468, which is House bill 5587, for the purpose of objecting to consideration of the bill. I think it was wisely passed, and it should remain as it was passed.

Mr. GURNEY. Mr. President, I speak to Calendar 1483, Senate bill 2580.

The PRESIDING OFFICER. That is the bill under consideration.

Mr. GURNEY. Certainly in the consideration of surplus property belonging to the departments of the Army, Navy, and Air, it was very necessary that we establish a general over-all policy with respect to properties used in war work. I am sure our committee had no intention of establishing a policy with respect to land owned by the Department of Agriculture or any other department. But we did have to come to some conclusion in respect to properties owned by the armed services. We were receiving many requests and many offers of different kinds; moreover, much property is involved, in almost every State of the Union. Unless our committee wanted to handle literally hundreds and possibly thousands of individual requests, all presented on different bases, it was necessary to establish a general plan for the disposal of property owned by the armed services.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. GURNEY. Not yet.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. GURNEY. That was the reason we spent so much time in coming to an agreement on a bill. It was the subject of much controversy in the House and also in the Senate. We believe we arrived at a good and a fair solution.

Let me say as chairman of the committee I am sure we did not intend at that time that our general bill was to have any effect on property except that which belonged to the armed services.

I now yield to the Senator from Nevada.

Mr. MALONE. Mr. President, is the Senator from South Dakota aware of the fact that in various States where the War Department and the Navy Department took over large tracts of land for bombing areas that is now being leased to the livestock men, after most of the land has been taken from them for war purposes. The cattle and sheep were taken off the land and in some cases are now being offered to them under lease with no definite policy being established whatever.

Mr. President, with the advent of the Army and the Navy in the business of renting or leasing lands there are four or five Government departments in the business of leasing lands under altogether different conditions. Few of them understand the business they are in, so no definite policy is possible.

Mr. GURNEY. I may say to the Senator from Nevada that surplus property does not get into that category until the Army or the Navy declare it to be surplus. While they have it within their ownership, they can do with it whatever they please.

Mr. MALONE. It has not been declared surplus but they do offer it for lease in many cases and do upset the former use of the land since often it goes to new users.

Mr. GURNEY. Possibly the land to which the Senator refers is some they feel they might have to use again in a similar emergency.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. GURNEY. I yield.

Mr. MALONE. There was an amendment passed in 1942 or 1943 which provided that if the use of public lands was taken away from certain groups of users, such as miners and others, they should have the first priority to secure the land. But that has not been done. It seems to me that the Senator from Colorado has a good point. Of course the Senator is familiar with the large number of plants which have been given over to States or municipalities for a small payment. How can we establish a policy which would cover such a wide variety of uses of public lands, which include grazing, small tracts of land for the use of cities, large industries, and a miscellany

of other uses. What kind of a policy could be established that would include the entire range of use of such a variety of lands and property. Each would have to stand upon its own feet, as the Senator from Colorado has so ably said?

Mr. GURNEY. Under the Surplus Property Act, priorities are established.

Mr. MALONE. They are being given away to States and cities and properly so in many cases. Does the Senator intend to go into the program and determine a policy in each case?

Mr. GURNEY. Such property comes under the terms of the bill only after the armed forces have declared the property to be surplus. They do not declare it surplus if it is offered to a man who has some priority established by the original taking law.

Mr. MALONE. If Johnson City, Tenn., wanted to get it, it could be had for $1, if it were declared surplus, so I see little difference in what the Finance Committee has done in this case and the policy under the War Surplus Committee.

Mr. GURNEY. This land never belonged to the armed services. So, as I see it, it does not come under the terms of our bill.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. MILLIKIN. As I understand the Senator's declarations, they amount to this, that the legislation which he is speaking of concerns itself exclusively with the type of lands coming under the jurisdiction of his committee. Is that correct?

Mr. GURNEY. That is correct.

Mr. MILLIKIN. And the legislation of which I am speaking comes under the jurisdiction of the Senate Finance Committee.

Mr. GURNEY. That is correct.

Mr. HAWKES. Mr. President, I should like to say to the Senator from Colorado, with whom I agree, that I have been in the Senate 5½ years and have never seen any uniform standard as to anything that has been done. That is one of the points I raised a year and a half ago when we set a new standard of social security for one group in America. I told the Senate, "We cannot do that, unless we later bring the other groups up to it."

Does the Senator from Colorado realize that this morning, while I was out of the Chamber, order No. 1312 on the calendar, Senate bill 582, was passed? It is a bill authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national forest lands situated therein, and for other purposes.

I should like to suggest to the distinguished Senator from Colorado that I have had a bill before the Senate for 2 years. All it asks for is when the United States Government takes property in a given State for war or other purposes—and sometimes it takes a tremendous amount from a particular State, because of its location, geographically and otherwise—and later has ceased to have need for it, but has imposed an extra burden of taxation on the people, that it compensate in one way or another for the taxes of which the State or local community is deprived. Up to date we have gotten nowhere, but today, without any argument at all, the Senate passes a bill to give money to States, Territories, and insular possessions in lieu of taxes on forest lands which have been there from time immemorial.

Mr. MILLIKIN. Mr. President, I respectfully suggest that the economy of this country is so broad and complex, the interests of the country are so diverse, that no man can sit in Washington and contemplate all the problems of the Federal Government in the real- and mixed-property field and the personal property field, and make rigid uniform laws that will give the right answers in all cases.

Mr. HAWKES. I did not believe that when I first came to the Senate. I felt very much as the Senator from Oregon [Mr. MORSE] expressed it. But I have come to the conclusion that it is utterly impossible, with all the complex situations we have. All we can do is to try to use the property of the United States to the best advantage.

Mr. WHERRY. Mr. President, has objection been made to the consideration of the bill?

The ACTING PRESIDENT pro tempore. The Chair understands the Senator from Oregon [Mr. MORSE] objected.

Mr. WHERRY. Mr. President, I ask for the regular order. I do not object to further discussion, but I think the Senator has the right to ask those who want him to yield to reserve objections until he is heard. We have violated the rule for many minutes. We are endeavoring to conclude the calendar. I should like to see the bill pass, if it is to be passed; but there has been a great deal of discussion regarding it. There is an objection made, and it is more or less in the control of the judgment and the wisdom of the Senator from Oregon as to whether the objection shall stand.

Mr. MORSE. Mr. President, if I may be allowed to withdraw my objection temporarily I should like to comment upon the remark of the Senator from Colorado to the effect that my proposal is "jackassery." I should like to say to my good friend from Colorado that I am very proud that I am one whose blood lines have given me sufficient mulish characteristics to prevent the passage of a bill of this nature until I can investigate it further than I have had opportunity to do on the floor of the Senate. The Senator from Colorado can apply any label to my insistence upon protecting Federal property he cares to. I am never diverted from fighting for what I think is right by adjectives or labels. I shall resist stubbornly any attempt to give away Federal property until I am convinced that in a given case the facts justify giving away Federal property because of some worthy public purpose that will be served thereby. The Senator from Colorado has not convinced me in this instance, and his characterization of my objection does not reflect on me.

The Senator from Florida has pending before the Senate Armed Services Committee a bill which I think, in all fairness to him, most certainly should be passed if the pending bill is passed by the Senate. In the Armed Services Committee we have laid down a policy that before the property covered by the Senator's bill can be transferred to Okaloosa County, Fla., and then used for certain commercial purposes, a fair purchase price should be received by the Federal Government. I think Florida has a great equity in that piece of property, because in that particular case the State of Florida, or rather a subdivision of the State; namely, Okaloosa County, at one time paid the Federal Government $10,000 for the property. Then during the war Okaloosa County transferred it to the Federal Government for nothing.

I agree with the Senator from Colorado that we cannot have an ironclad uniform policy applicable to all types of Federal property, but we can have at least a major premise or general policy to be applied in all cases before we start making exceptions. I say the major premise should be that the Federal Government shall receive a fair price for fair value delivered to recipients of Federal property. That is the only principle for which I am arguing. We are trustees of Federal property, and I do not like the idea of giving the property away unless an exceptional set of facts can be advanced in participation of such action. I fail to find such a set of facts in the bill offered by the Senator from Colorado.

I am going to study the bill offered by the Senator from Colorado further. He and I, contrary to what our exchange here may indicate today, are the best of friends. In fact, at times I find him possessing some of the characteristics he has attributed to me when it comes to stubbornly sticking to a point on which he has deep convictions.

Therefore I shall object to the bill temporarily, until I have a friendly discussion with the Senator from Colorado about it.

The ACTING PRESIDENT pro tempore. Objection is heard.

### JOINT COMMITTEE ON HOUSING

The concurrent resolution (H. Con. Res. 197) to continue the Joint Committee on Housing beyond March 15, 1948, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

Mr. CAIN. Mr. President, I wonder if the Senators who objected would withhold their objection just long enough to permit me to make a brief explanation.

The concurrent resolution was to have been presented to the Senate by the Senator from Vermont [Mr. FLANDERS]. Because of his absence from the Senate, he has asked that I make a brief comment or two.

By appropriate measure, Congress created a joint housing committee of both the House and the Senate, which was to have expired on March 15. Because the work of the joint committee had not been concluded and satisfied, Congress, through a House joint resolution, continued the joint committee from its original expiration date of March 15 to May

15. It has now appeared to be an undeniable fact that the Joint Housing Committee has not been able to conclude its work, and it has made a request that its activities be authorized through an extension to July 1 of this year.

There is every intention on the part of the chairman of the Joint Housing Committee, Representative GAMBLE, of New York, to see that no further request for an extension is made. I think Senators will be interested in knowing that I have been told that only three persons are presently employed by the Joint Housing Committee, and it is their intention to clear up all paper work which is outstanding. No moneys by way of an authorization are required, for the original appropriation will provide sufficient money to pay the salaries and wages incurred by the three employees.

I think that if we find it necessary to object to this legislation, we are placing ourselves, through the Joint Housing Committee, in a position of not being able to satisfy the voucher and salary requests of three employees who were told by the leadership of the respective sides of the Joint Housing Committee that it was obvious that their salaries would be continued until the expiration date suggested in the concurrent resolution.

Mr. WHERRY. Mr. President, before the Senate returns to the consideration of the unfinished business, may I inquire of the present occupant of the Chair the disposition of Calendar No. 394, Senate bill 1038, which was to go to the bottom of the calendar at the time it was reached?

The ACTING PRESIDENT pro tempore. It went to the bottom of the calendar, to be taken up when the calendar was concluded.

Mr. WHERRY. Was there objection to Senate bill 1038?

Mr. LUCAS. Over.

The ACTING PRESIDENT pro tempore. An explanation was asked for, and none was forthcoming at the time.

Mr. WHERRY. I inquire if there is objection to the present consideration of the bill?

Mr. LUCAS. I am constrained to object.

Mr. CAIN. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. CAIN. It was my understanding that the Senators who objected to the consideration of Calendar No. 1484, House Concurrent Resolution 197, reserved their objection to permit the junior Senator from Washington to make an explanation, and I wonder if final action has been taken on the measure.

The ACTING PRESIDENT pro tempore. Objection was made to the consideration of Calendar No. 1484, House Concurrent Resolution 197.

Mr. CAIN. But the objection was reserved, to permit an explanation, was it not? The explanation having been given, perhaps those who objected are satisfied, and will permit the resolution to be considered now.

The ACTING PRESIDENT pro tempore. The Chair understands the Senator from West Virginia and the Senator from Pennsylvania objected.

### PROCUREMENT, ETC., OF GOVERNMENT PROPERTY

Mr. WHERRY. Mr. President, objection was also made to Calendar No. 1457, Senate bill 2754. I inquire if there is objection to the consideration of the bill at this time.

Mr. AIKEN. Mr. President, the Senator from Massachusetts [Mr. SALTONSTALL] asked for a statement of the meaning of title II of the bill. Title II relates to the disposal of what remains of surplus property in foreign countries, and provides that the agencies which own the property or are responsible for it shall take over the disposal of it wherever it may be abroad. As a practical matter, this means that the armed services will dispose of surplus property located in foreign countries pursuant to policies established by the Secretary of State. This property has been handled up to this time by the Department of State. In order that the shift in operating responsibility from the Department of State to the National Military Establishment may proceed in an orderly fashion, these establishments and the Executive Office of the President have entered into a memorandum of understanding for the implementation of title II of the bill in the event of its enactment.

This bill was worked on for several weeks by the staff of the Committee on Expenditures in the Executive Departments, and the National Military Establishment, and other Government agencies, and it was given a final going over for the committee by the Senator from Ohio [Mr. BRICKER] and the Senator from North Carolina [Mr. HOEY].

The ACTING PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, I wish to ask the Senator from Vermont a question. He refers to the general problem we were just discussing in regard to the disposal of surplus property.

Mr. AIKEN. That is correct.

Mr. MORSE. As I understand, the bill limits itself to the disposal of Federal property located abroad.

Mr. AIKEN. Oh, no; it transfers the War Assets Administration and the Contract Settlement Division to the Federal Works Agency. The reason for that is that the time has come when it is costing the War Assets Administration almost a dollar to sell a dollar's worth of surplus property.

Mr. MORSE. I am sorry I have not had a chance to analyze the bill. Does it lay down any different policy from the policy which now prevails in regard to the disposal of surplus property?

Mr. AIKEN. The Surplus Property Act provides that the War Assets Administration shall expire December 31, 1949. The priorities in regard to real property remain exactly as they are now. The priorities in regard to personal property are abandoned except as to the use of property and the disposal of property for health and recreational purposes. In other words, after the Federal Government decided that none of the other agencies of government can use the property, the States would have the same right to secure it for health and recreational purposes that they have now.

Mr. MORSE. My question goes to the point as to whether or not the bill lays down any new policy as to the disposal of property, contrary to the policy we have been applying in the Armed Services Committee, for example, that except for educational and recreational purposes the Federal Government shall receive a fair value for the property. Would this bill constitute in effect a repeal of that policy, which is already set forth in a bill which is now at the White House awaiting signature?

Mr. WHERRY. Mr. President, I am wondering if the distinguished Senator from Vermont would feel disposed to let the bill go over until the next calendar call.

Mr. AIKEN. If any Senator asks to have it go over——

Mr. WHERRY. No Senator has, but I am wondering, in view of the questions propounded, if the Senator feels in his own mind that it should go over.

Mr. AIKEN. I think that time is of the essence in this matter.

Mr. WHERRY. I am not objecting to the bill.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. TAFT. What is the purpose of transferring the procurement business from the Treasury to the Federal Works Agency? I do not say it is not right to do so, but what is the purpose, what is the reason for it?

Mr. AIKEN. The purpose is so that an agency of the Government will not be advertising for bids to supply it with certain equipment and facilities when another agency is offering the same facilities and equipment for sale and disposing of them. It puts the procurement and disposal and the utilization operations under the same agency, which is the Federal Works Administration.

Mr. MORSE. Mr. President, I am sure the Senator from Vermont will understand my good faith and intentions when I ask to have the bill go over. But because I am vitally interested in the whole problem of disposal of Federal property I should like to study the bill. Therefore, I ask that it go over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6659) to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOLCOTT, Mr. GAMBLE, Mr. SMITH of Ohio, Mr. KUNKEL, Mr. SPENCE, Mr. BROWN of Georgia, and Mr. PATMAN were appointed managers on the part of the House at the conference.

### THE PLOT OF THE JEWS—THE PROTOCOLS OF THE LEARNED ELDERS OF ZION

Mr. KILGORE. Mr. President, last month, Gerald L. K. Smith sent to every

Member of the Congress a little booklet entitled "The Plot of the Jews—the Protocols of the Learned Elders of Zion." It is a strange and shocking book. I wanted to have an authoritative judgment on its origin and authenticity, so I sent the following request to the Library of Congress:

Mr. ERNEST S. GRIFFITH,
*Director, Legislative Reference Service, Library of Congress, Washington, D. C.*

DEAR MR. GRIFFITH: I have received from Gerald L. K. Smith a copy of a pamphlet which is entitled "The Protocols of the Learned Elders of Zion."

This is, as you no doubt know, a startling document. I should like your staff to prepare for me an authoritative statement covering the authenticity, origin, purposes, and significance of the protocols. In view of the fact that Mr. Smith has sent copies of this document to every Member of Congress, please have the statement prepared at the earliest possible moment.

With kindest regards, I am,
Most sincerely yours,
H. M. KILGORE.

The Library of Congress prepared a report, which I ask unanimous consent to have printed in the RECORD following my remarks. That report shows clearly that the so-called protocols are a cruel and vicious forgery, and have been used to foment hatred, suspicion, and ill-will ever since this forgery was first foisted on the world by the Czar's secret police. They embody the Hitlerian tactic of the big lie.

The book Gerald Smith sent me indicates that it is being sold at $1 a copy. These copies go through the mail, and I suggest to the Postmaster General that the mails are being used to defraud.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AN APPRAISAL OF THE PROTOCOLS OF THE LEARNED ELDERS OF ZION

These protocols reappear perennially whenever and wherever propagandists can use them. The old Czarist regime in Russia and the extreme anti-Semites in Nazi Germany (Adolf Hitler, Mein Kampf, New York: Reynal and Hitchcock, 1941, pp. 423–424) made notable use of the protocols; and even in America the protocols have been given wide publicity.

The work of appraising the protocols has been so expertly and conclusively done that an abstract with quotations seems the best way of providing the desired information. The book chosen, An Appraisal of the Protocols of Zion, by Dr. John S. Curtiss (Columbia University Press), is an outstanding example of modern scholarship, and, as may be seen from the quotation from the foreword, it contains the endorsement of widely known historians from leading universities of America. Dr. Curtiss himself happens not to be of Jewish descent, and comes from an old New England family. He writes with conspicuous fairness, listing in the bibliography the leading books in various languages which attempt to uphold the authenticity of the protocols as well as those which are opposed. The abstract of the appraisal by Dr. Curtiss follows:

"AN APPRAISAL OF THE PROTOCOLS OF ZION

"(By John S. Curtiss. New York: Columbia University Press, 1942, 118 pp.)

"FOREWORD BY SPONSORING HISTORIANS (QUOTED IN PART)

" 'Herewith are published, under the auspices and sponsorship of the group of American historians whose names appear below, the results of a careful and objective investigation into the history and credibility of the famous—or infamous—"protocols of the elders of Zion". * * *

" 'The present study is historical. It has been made by Dr. John Shelton Curtiss, a trained and competent historical scholar, who comes of old Yankee stock and who is especially qualified for this particular task by reason of his excellent command of European languages (including Russian) and of his previous research experience in the history of Russia at the beginning of the twentieth century—the very place and time at which the protocols first appeared in print. Dr. Custiss' study has been read and checked in manuscript by the whole group of sponsoring historians, and these individually accept and endorse his findings as completely destructive of the historicity of the protocols and as establishing beyond doubt the fact that they are rank and pernicious forgeries.

" 'Carl L. Becker, professor of history in Cornell University and former president of the American Historical Association; E. Malcolm Carroll, professor of history in Duke University; Sidney B. Fay, professor of history in Harvard University; Dixon Ryan Fox, president of Union College; Walter P. Hall, Dodge professor of history in Princeton University; Ralph V. Harlow, professor of history in Syracuse University; Carlton J. H. Hayes, Seth Low professor of history in Columbia University; William L. Langer, Cooliage professor of history in Harvard University; Dana G. Munro, director of school of public and international affairs, Princeton University; Allan Nevins, professor of history in Columbia University; Thad W. Riker, professor of history in the University of Texas; Geroid T. Robinson, professor of Russian history in Columbia University; Bernadotte E. Schmitt, professor of modern history in the University of Chicago.'

"CHAPTER 1. THE CONTENTS OF THE PROTOCOLS (PP. 1–13)

"The protocols are important because of their wide circulation in most of the world's important languages and because of the consequences of their publication. Much has been written on the subject, and the author has striven not so much for originality as for impartiality. 'The author is a descendant of an Anglo-Saxon family that has been in America since the earliest colonial days.'

"The protocols seem first to have been published in a Russian newspaper in 1903, and a few years later in a book by Sergei Nilus (1905, 1911, 1917) and by G. Butmi (1906) and 1907). Both Nilus and Butmi claimed to have received the manuscript in 1901. The differences in the protocols as published by Nilus and by Butmi are insignificant. They purport to be the secret plans of Jewish leaders to enslave the world, and according to Nilus they were read in a secret meeting of such leaders in 1897, and later were stolen from the Jews and taken to Russia. Nilus translated and published them. 'In Nilus' edition there are 24 protocols, varying in length, of which the first 9 explain the alleged methods of the Jews in gaining world domination, while the others set forth the plans for the new world order to be established after the empire of Israel became a reality.'

"CHAPTER 2. THE EXPLANATIONS OF THE SPONSORS (PP. 14–31)

"Neither Nilus nor Butmi offer any evidence as to the identity of the Elders of Zion who originated the protocols; neither do they claim ever to have seen the original manuscript, but only a copy which passed through various hands before reaching them. How do they know that they were not imposed upon? They say, by the evident correspondence between the details of the protocols and the generally recognized features of Judaism. But this argument is meaningless except to one who is already a Jew-hater. And if some world conditions happen to bear a partial resemblance to descriptions in the protocols, that is not proof that the Jews either caused or plotted to cause such conditions, or to gain world supremacy.

"Nilus tells contradictory stories as to how the protocols reached him. When Krushevan published them in abbreviated form in 1903 in the newspaper Znamia (The Banner), he admitted that they might not be authentic; but when Nilus published them in 1905, he claimed that they were genuine evidence of a Jewish world plot. One time Nilus has the document stolen by a woman from a leading Mason in France following a secret Masonic meeting; again he says that they were stolen from a book of protocols in the secret vaults of the Zionist organization headquarters in France. This in spite of the fact that the Zionist headquarters have been in Vienna, Cologne, Berlin, London, and Jerusalem, but never in Paris.

"In his 1905 edition, Nilus gives 1902–1903 as the years of the protocols of the sessions of the wise men of Zion, yet claims that they came into his possession in 1901. In the 1917 edition he claims to have learned that they were presented to the Council of Elders by Theodore Herzl at the first Zionist Congress at Basel in 1897. Butmi also sought to implicate Dr. Herzl and his Zionists with the protocols.

"Others have claimed that the protocols were seen as early as 1895, but either their reliability has been discredited, or their accounts are so indefinite as to add little or nothing to the stories of Nilus and Butmi.

"Neither Butmi nor Nilus is an unimpeachable witness. The former was quite friendly with an anti-Jewish organization which was implicated in pogroms in Russia in 1905–06, and he seems to have believed in the legend of the Symbolic Snake. Both Butmi and Nilus were so rabidly anti-Jewish, so extreme in their statements, and so credulous in the acceptance of legends, myths, and visions, that their statements cannot be accepted as dependable.

"CHAPTER 3. CIRCUMSTANTIAL EVIDENCE (PP. 32–60)

"The first Zionist Congress, Basel, Switzerland, 1897, was not representative of universal Judaism; on the contrary, the Zionist movement met considerable opposition from both Orthodox and Reform Jewish leaders. The protocols themselves contain passages which make it seem unlikely that they were read at the Zionist Congress of 1897 as Nilus charged. The sessions of the Basel Congress were public and were attended by some Christian ministers and diplomats who were not Jews.

"In the tenth protocol there seems to be a reference to an event which happened in 1899, but the reference is not absolutely clear.

"If the protocols are of Jewish origin, why is there only one mention of the Bible, and that a quotation in Latin from the Vulgate, the official Catholic version? Why did they not use the Hebrew Bible?

"All sessions of the Zionist Congress at Basel were announced as completely public. To all appearances this advertised publicity was adhered to. When and where did the leaders hold a secret session long enough to read the 69 pages of protocols as Nilus contends?

"There are other inconsistencies which seem irreconcilable with an authorship by men of more than average intelligence. The protocols boast that the Jews already control most of the world's gold, real estate, and industries, yet they plan to create chaos in the world as a means to gain power. If their boasts were true, they would stand to be the losers, not the gainers, from any disorder which might arise.

"The protocols also advocate the promotion of atheism as a means of combating

Christianity and establishing Judaism as the world's religion. Surely Jewish leaders of conspicuous wisdom would know that atheism would likely be the foe of Judaism as well as of Christianity.

"They boast of great power through their ownership or control of so much of the world's gold, yet advocate abandonment of the gold standard.

"The analysis of the world's financial situation given in the protocols does not fit the time of the Zionist Congress at Basel. All the Goyim (Gentile) states had not been brought to bankruptcy in 1897, as the protocols declare; but, on the contrary most of them were in good financial condition.

"The protocols describe the internal condition of the Gentile states as one of disorder, turmoil, plundering, and armed violence, all caused by the Jews in order to bring about their international supergovernment and Jewish Emperor. But in 1897, when these protocols are said to have been read at Basel, these conditions of disorder were not typical; most countries were enjoying remarkable calm and increasing prosperity. 'Indeed, so poorly do these passages fit the actual state of affairs on the eve of the Zionist Congress that it is doubtful whether they could emanate from serious and intelligent men such as the leaders of the Zionist movement.'

"The threat in the seventh protocol to maintain their control by force, using 'American or Chinese or Japanese cannon,' sounds absurd from the viewpoint of 1897, before any of these countries were recognized as powerful military forces.

" 'There are other sections that arouse doubt concerning the integrity and the knowledge of the real authors of the protocols. The first contains these words: "In ancient times we were the first to cry among the people the words, 'Liberty, Equality, Fraternity.' " This slogan did not, however, originate in antiquity, or with the Jews, but was coined by Antoine François Momoro, a Frenchman. The third protocol contains the sentence, 'Remember the French Revolution, to which we gave the name great; the secrets of its preparation are well known to us, for it was wholly the work of our hands.' No intelligent and sincere Jew would have made this claim, for he would know that at the time of the French Revolution the handful of Jews in France did not enjoy political rights and had little or no part in the revolution. The leaders of the revolutionary movement, Mirabeau, Siéyès, Lafayette, Barnave, Roland, Condorcet, Marat, Carnot, Robespierre, and Danton, were all Frenchmen, without a single Jew among them. This statement in the protocols, far from having been written by a Jew, appears to have been penned by someone who hoped to stir up antagonism against the Jews.' "

"In 1921 Philip P. Graves, a correspondent of the London Times, showed that the protocols were largely plagiarized from a book written by a Paris lawyer, Maurice Joly, and entitled 'Dialogue aux enfers entre Machiavel et Montesquieu; ou la Politique de Machiavel au XIX siècle' (Dialogue in Hell between Machiavelli and Montesquieu; or the Politics of Machiavelli in the Nineteenth Century). This book, published in Brussels in 1865, was designed to discredit the government of Napoleon III, and its purpose was so evident that Joly was arrested and sentenced to 15 months' imprisonment, a fine of 300 francs, and the government confiscated his book.

"A comparison of Joly's book with the protocols of Zion makes very evident that in writing the protocols someone used large portions of Joly's book, simply attributing to the Jewish leaders the aims of world conquest by unscrupulous methods which Joly had put into the mouth of Machiavelli as true of Napoleon III. 'Dr. Arthur Baumgarten, professor of criminal law at the University of Basel, expert witness at the Bern trials in 1934–35 (of which more later), [testified that] 176 passages of the protocols, located on 50 pages were based upon Joly." [The book by Dr. Curtiss of which this present writing is an abstract, devotes 22 pages to a comparison in parallel columns, showing by direct quotations from Joly's Dialogue and the protocols that the latter production is largely a plagiary of the former. These parallels are given on pp. 48–57 and in the appendix, pp. 95–106.]

"CHAPTER 4. A VISIT TO NILUS (PP. 61–27)

"Among earlier anti-Semitic writings which probably influenced the contents of the protocols may be mentioned books by Gougenot des Mousseaux 1869); Abbé E. A. Chabauty (1882); Edouard Drumont (1886); and Hermann Goedsche who used the pseudonym Sir John Retcliffe. In 1868 Goedsche (Rethcliffe) included in his novel BIARRITZ a chapter The Jewish Cemetery in Prague and the Council of the Representatives of the Twelve Tribes of Israel. Goedsche later rewrote this piece of fiction as a veritable speech by a rabbi; and Butmi used it to substantiate the protocols.

"The Legend of Antichrist by V. S. Soloviev also contains numerous points of likeness to the protocols.

"The attack on the gold standard as being 'ruin for the states that have adopted it,' and the plan to substitute for gold 'the standard of the value of labor power,' coincide with known attitudes of the conservative Russian society surrounding Butmi and Nilus, the publishers of the protocols, Butmi himself having written against the gold standard. 'Inasmuch as there is some evidence to the effect that the protocols were fabricated by Russian reactionaries (as will be shown later), this fact is not without interest.'

"Count A. M. du Chayla, a Frenchman who lived for many years in Russia and became an officer in the Russian Army, has testified that in 1909 he visited Nilus in Russia and was shown the manuscript of the protocols. Nilus explained how he had been given the manuscript by a woman who had received it from General Rachkovskii who 'had removed the manuscript from the archives of the Freemasons.' This General Rachkovskii 'held important positions in the political police outside Russia, 1885–1902, chiefly in Paris, where he used unscrupulous methods in combating Russian revolutionaries living in France.' When du Chayla suggested to Nilus that possibly General Rachkovskii had been mistaken about the authenticity of the protocols, Nilus admitted that they might be spurious, but thought that they might do much good nevertheless. 'The mention of Rachkovskii is of great importance, as it supports later testimony concerning Rachkovskii's part in the origin of the protocols.'

"CHAPTER 5. THE BERN TRIALS (PP. 73–93)

"When Jews of Switzerland brought suit against certain editors for circulating improper literature (the protocols) the resulting trial, 1934–35 threw considerable light on the origin of the protocols.

" 'The defendants sought to avoid the question whether the protocols were genuine, merely claiming that they were not improper literature as legally defined while the plaintiffs endeavored to show that the protocols were both improper literature and a forgery, and hence banned by the law. If the defendants possessed weighty evidence of the authenticity of the protocols, they were guilty of a serious strategic error in refusing to argue the question of authenticity, for the Bern case attracted wide attention throughout the world. It appears that this refusal was caused by lack of such evidence and the general weakness of the case for authenticity.'

"Numerous well-known writers, historians, and editors testified for the plaintiffs, including some who had talked with the men who claimed they helped fabricate the protocols. The evidence points to Rachkovskii as the instigator of the plot with various of his agents doing the actual writing. Testimony was presented that the protocols had been forged somewhere outside Russia between the years 1896 and 1900. When the Czar had finally read them, he made marginal comments to the effect that the revolution of 1905 had been staged by leaders of Zion. A protest was made by some of his advisers, however, and they obtained permission to have an inquiry made into the protocols. It was established that the protocols were a forgery, and Rachkovskii, when taxed with it, did not deny the fact, but claimed that such methods were necessary. The Czar thereupon issued orders that a pure cause must not be defended with foul means.'

"At the Bern trials there was submitted in evidence a photostat of the minutes of the Moscow Censorship Committee for the session in which they considered Nilus' book containing the protocols.

" 'The member of the committee who reported to the group concerning the manuscript advised that it be banned, as it was a forgery, a lie, and might create disturbances among the people. Nilus' wife, a former lady-in-waiting at court, was able to use her influence to have the book approved in spite of this opposition. Nevertheless, the member who had originally protested reported to his superior that several members of the committee shared his opinion that this work was a dangerous forgery.'

"The famous historian, Prof. Pavel Miliukov, testified: 'No educated man can believe in the protocols.'

"The verdict in the Bern trials, May 14, 1935, found the protocols to be largely a plagiary of Joly's book and improper and unlawful literature. Two of the defendants were fined. Upon appeal it was decided (1937), without regard to the question of authenticity, that the law was not broken because the protocols could not be defined as salacious.

"SUMMARY OF EVIDENCE

"1. The protocols are an anonymous document. No evidence has ever been presented that the protocols were the product of Jewish leaders.

"2. It was alleged by their publisher, Nilus, that the documents were stolen by a woman and were given to Russians who first published them. No one has ever personally identified the woman.

"3. The Russians who first published the protocols admitted that they did not see the original manuscript, but came into possession only of copies of the original.

"4. The first publisher in book form, Nilus, a Russian, admitted that he could not prove the authenticity of the document.

"5. Internal evidence discloses that references and language used in the protocols, supposed to have been done in 1897, are inconsistent with that date.

"6. Those who uphold the protocols as authentic contend that they were designed by very able but scheming Jews who, on the other hand, were extremely stupid in reducing their design to writing. This does not make sense.

"7. It was clearly demonstrated by a British journalist (non-Jewish) that large portions of the protocols were plagiarized from a book written to discredit the government of Napoleon III. Moreover, the French volume, it has been shown, was once the property of the Russian political police; and there is other evidence to indicate that the protocols originated with and were used by the Russian political police.

"8. Christian theologians have branded the protocols as forgeries.

"9. At a recent trial in Bern, Switzerland, the court declared the protocols to be forgeries.

"Two pertinent quotations in closing. The first is from Father Pierre Charles, S. J., who wrote a book on the subject:

" 'The proof has been given that these protocols are a forgery, clumsily plagiarized from the satiric work of Maurice Joly and composed with the aim of rendering the Jews odious by exciting against them the unreflecting blind passions of the mob.'

"The second is the statement of Judge Meyer of the police court of Bern, made at the close of the trial:

" 'I hope that 1 day there will come a time when no one will any longer comprehend how in the year 1935 almost a dozen fully sensible and reasonable men could for 14 days torment their brains before a court of Bern over the authenticity or lack of authenticity of these so-called protocols, these "protocols" that, for all the harm that they have already caused and may yet cause, are nothing but ridiculous nonsense'."

(The book by Dr. Curtiss, of which the foregoing is an abstract with quotations, contains a bibliography, pp. 107–112.)

## THE FORT SUMNER IRRIGATION PROJECT, NEW MEXICO

Mr. HATCH. Mr. President, I desire to take a moment or two because of some remarks which were made during the call of the calendar by the Senator from Texas [Mr. CONNALLY] concerning the project known as the Fort Sumner irrigation project. I am quite sure the Senator from Texas did not intend to make an assault on the financial integrity of that irrigation district. Nevertheless he did say, Mr. President, that the bill was designed to bail out the district; that the district had failed.

Mr. President, many years' acquaintance with that district and its financial affairs convinces me absolutely to the contrary. In all the hearings we have had on the bill, both in the House and in the Senate, and in all the discussions which have occurred between those interested in the project and other projects, never before have I heard anyone assault the financial integrity of the district. I might with much better grace assault the financial integrity of the Red Bluff district in Texas; but, Mr. President, I see no good to be accomplished by assaulting a neighbor, attacking his financial reputation or integrity, when that does me no good, as it would do me no good in this instance if I made such an attack on the Red Bluff district, and I shall not do so.

The fact is, Mr. President, that the Fort Sumner irrigation district was a private concern organized many years ago. It has continued throughout the years as a private irrigation district. When most, if not all, the irrigation districts in the United States were receiving the benefits of the Federal reclamation laws, receiving money without interest, the Fort Sumner people were meeting their obligations and were paying annual rates of interest, as they are now doing.

The purpose of the bill, Mr. President, is not to relieve a financial condition for a district that has failed. It is to provide the means of rehabilitating the properties of the district. At Fort Sumner there is a diversion dam diverting the water of the Pecos River under water rights long established, and there is no controversy over water rights. The bill should not affect or determine water rights. That dam now has in the center an earth-filled section. Any considerable flood on the Pecos River would wash out that earth-filled section and destroy it, possibly destroy the entire dam. Other parts of it are washing out now. The canal and other laterals of the district need rehabilitating. It was proposed to give to this district the same consideration that is received by other irrigation districts throughout the country.

The bill does provide—I had forgotten it until the Senator from Texas mentioned it—for a 70-year period of time, instead of the usual 40-year period, but other districts have received extensions of time for payment. But that is not important. That is an immaterial matter which could be worked out, and does not affect the merits of the district whatsoever, or of the bill. That could be agreed upon.

I do not want to argue and shall not argue the merits of the proposal except to say that the condition of the Pecos River is such that even now this spring, when there are rains falling in New Mexico, floods could rise and that dam could go out. It will take time to work out a compact at the best. Many years have passed, and we have not been able to agree. It has not always been the fault of New Mexico. It has not always been the fault of Texas. But it is just one of those complicated things. It is hoped that we can reach an agreement that will require completion, at the best, in perhaps 1, 2, or 4 years, because such compacts have to be ratified by the legislatures of the States and then have to be ratified by the Congress. Floodwaters do not wait for agreement. They come down as they did so disastrously in Oregon within a week. What we are trying to do is not to prejudice Texas, not to injure her in any way, but merely to preserve what we have at Fort Sumner. I am quite sure that the Senator from Texas had no intention of reflecting upon the financial responsibility of that district, which has a most enviable record for the payment of its obligations.

Mr. CONNALLY. Mr. President, I have listened to the Senator from New Mexico, and I do not care to renew the argument over the bill, which was on the calendar, and to which I objected. I objected because I was representing the interests of my State. The Governor, the Board of Water Engineers of Texas, the Compact Commission, and all the other authorities who have anything to do with this subject have insisted that I take the position which I have taken.

I have no desire to reflect on New Mexico or on this district. What I said was prompted by the fact that we recently passed a bill, which is now before the House, appropriating $70,000, as I recall——

Mr. HATCH. No; it authorized expenditures up to $60,000. I shall be most happy to explain the bill.

Mr. CONNALLY. I do not care for an explanation. I merely wish to be accurate. We did authorize an appropriation out of the Treasury——

Mr. HATCH. Oh, no. We authorized the Bureau of Reclamation to use its funds.

Mr. CONNALLY. They are Government funds.

Furthermore, the Budget Bureau objected to the bill on the ground that it would require 70 years to repay the expenditures, whereas the rule in the case of other districts is 40 years.

If I have offended the Senator, I am very sorry, I meant no offense. I have no prejudice against New Mexico, but I have the duty, on this floor, at least to represent the interests of my people. That was all I did. I am sorry that I have aroused the ire of the Senator from New Mexico.

Mr. HATCH. Mr. President, inasmuch as the bill which we passed has been mentioned, I wish to explain just what that magnificent bill was. It was passed in anticipation of the possibility that flood waters might come down before we would have time to do the rehabilitation work necessary. We authorized the Bureau of Reclamation to expend out of its funds the sum of $60,000 when the floods came down. We authorized the Bureau to expend its funds to prevent disaster, damage, and destruction of property, and perhaps loss of life similar to that which took place in Oregon. After the fire started we authorized the fire department to help put it out, provided the people of Fort Sumner paid back the amount of the expenditures, as we agreed to do.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permament residence, and for other purposes.

Mr. SMITH. Mr. President, the Senator from Wisconsin [Mr. WILEY] is in Wisconsin today. I have received a request from his office that I place in the RECORD certain telegrams received by his office indicating the desires of some of his Wisconsin constituents that the number of displaced persons received by America be increased. Accordingly, I ask unanimous consent that the telegrams be inserted in the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WAUSAU, WIS., *May 27, 1948.*

Senator ALEXANDER WILEY,
*Washington, D. C.:*

Results of Governor's survey circulated to parents of school children by American Association of University of Women indicated 145 placements for displaced persons in Wausau area alone. Sentiment indicated the Wiley-Revercomb bill should double the quota.

MRS. WILLIAM URBAN,
*President, Wausau Branch, AUW.*

---

MADISON, WIS., *May 27, 1948.*

Senator ALEXANDER WILEY,
*Senate Office Building:*

Large representative Madison committee again urges you to accept amendment to S. 2242, to admit larger number of displaced persons without undue discriminations. General feeling in Wisconsin favors more liberal attitude.

ROSAMOND E. RICE,
*Secretary, Madison DP Committee.*

MADISON, WIS., *May 27, 1948.*
Hon. ALEXANDER WILEY,
*United States Senate:*
Strongly urge admission of more displaced persons than permitted by bill S. 2242.
LOWELL FRAUTSCHI.

---

WAUSAU, WIS., *May 27, 1948.*
Senator ALEXANDER WILEY,
*Washington, D. C.:*
People of this community show willingness help DP's. Hope you will feel same way.
EMMA STUART.

---

WAUSAU, WIS., *May 27, 1948.*
Senator ALEXANDER WILEY,
*Washington, D. C.:*
We hope you remember that thousands of Wisconsin people are watching how the DP legislation is being handled. We favor the admission of 100,000 DP's per year for 4 years. We hope you are representing us.
Mr. and Mrs. A. E. NATENSHON.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators, on page 3, beginning in line 25. The amendment is lettered "D."

Mr. WHERRY. Mr. President, let me say for the information of the Senate that it is our intention to proceed with the displaced persons legislation. We would like very much to conclude consideration of the pending measure. Because of the importance of the legislation, before debate is resumed I believe that there should be a quorum call. I therefore suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Millikin |
| Baldwin | Hawkes | Moore |
| Ball | Hayden | Morse |
| Bricker | Hickenlooper | Murray |
| Bridges | Hoey | Myers |
| Brooks | Holland | O'Daniel |
| Buck | Ives | O'Mahoney |
| Butler | Jenner | Pepper |
| Cain | Johnson, Colo. | Reed |
| Capper | Johnston, S. C. | Revercomb |
| Chavez | Kem | Russell |
| Connally | Kilgore | Saltonstall |
| Cordon | Knowland | Smith |
| Donnell | Langer | Sparkman |
| Downey | Lodge | Stennis |
| Dworshak | Lucas | Taft |
| Eastland | McCarthy | Thomas, Okla. |
| Ecton | McClellan | Thomas, Utah |
| Ellender | McFarland | Thye |
| Feazel | McGrath | Watkins |
| Ferguson | McKellar | Wherry |
| Flanders | McMahon | White |
| George | Magnuson | Williams |
| Green | Malone | Wilson |
| Gurney | Martin | Young |

The ACTING PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment lettered "D", beginning on page 4, in line 10, offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. MORSE. Mr. President, I feel that there is very little, if anything, that I need to add to the very able speech made last Friday by the Senator from Massachusetts in support of this amendment. However, I made a commitment to those in charge of the amendments that I would make a few brief comments in support of this particular amendment; and I always deliver on my commitments whenever it is humanly possible to do so. Therefore, I wish to reinforce with these few comments the able remarks made by the Senator from Massachusetts.

I preface my remarks by saying that in the fall of 1946, I made an inspection tour of displaced-persons camps in Europe, and I did so at the suggestion of the then Secretary of War, Mr. Patterson. Upon my return from that European trip, I advised him of some of my observations and conclusions in respect to the displaced-persons problem. I said then what I have said many times on the floor of the Senate, and what I repeat now: That the war placed upon our country a great moral obligation to see to it that justice was done at the close of the war to the thousands upon thousands of displaced persons who have, in fact, been placed in what amount to concentration camps. I hasten to add that they are concentration camps only in the sense that they are free of the type of persecution and punishment which were heaped upon displaced persons by the totalitarian States preceding VE-day. But one cannot go through the displaced-persons camps in Europe, Mr. President, without recognizing that our country, along with our allies who joined us in the fight for freedom, made a moral pledge that the persecution of minority groups by the totalitarian governments would be ended and the wrong corrected as far as it was humanly possible to do so. We have not fulfilled that pledge in its full measure as yet.

We made tremendous sacrifices of American manhood, Mr. President, in support of that great ideal; and I take the position that in fairness and in keeping faith with the men who sacrificed their all for that ideal, along with other ideals for which the war was fought, we cannot any longer be delinquent in carrying out our obligation to see to it that justice is done the displaced persons. I think the matter is as simple as that. So far as I am concerned, in considering the pending legislation, Mr. President, I shall not lose sight of that great goal.

I have said before on the floor of the Senate, and I now repeat, that I think following the war, the United States, along with other nations, should have participated in an international conference, preferably through the United Nations, if possible, for the distribution of the displaced persons throughout the world in freedom-protecting countries. Not only have we not done that, Mr. President, but I think the historical record is clear that we have not even taken the lead, as a nation, in proposing such an international conference for the distributing of displaced persons. It seems to me that the next best thing which we can do under the circumstances is to proceed with the passage of legislation of the type now before the Senate, by which we at least pledge ourselves to take 200,000 of the displaced persons and distribute them throughout our country in a manner which will be beneficial both to them and to the American people as a whole.

Therefore, Mr. President, with those preliminary remarks, I rise to support this particular amendment by making these formal comments: The purpose of this amendment is to establish a fair, adequate, and just basis for the selection of displaced-persons immigrants. It provides selection on the basis of a cross section of the groups and elements of displaced persons that existed in camps on January 1, 1948, in Italy and in the three western zones of Germany and Austria. At the request of the displaced persons, and for ease in control and administration, the Allied authorities in the International Relief Organization established the displaced persons in camps or centers according to groups and elements with a national, cultural, or historical affinity.

Mr. President, I recall a visit of mine to one of the displaced persons camps. It was a Jewish camp. I remember very well that the director of that camp was Harold Fishbein, the brother of the distinguished doctor in the United States, Dr. Fishbein. After I made an inspection of that camp, I observed that in comparison with some other camps, there was a problem of improving the facilities of the camp. There was a problem of improving the sanitation, there was a problem of inculcating within certain segments of the population of that camp a better understanding of cleanliness and sanitary conditions. Harold Fishbein obviously noticed that I was not particularly impressed with some of the things I observed in the camp; and he made this comment to me, "Senator, this is not the cleanest camp you have seen in Europe; is it?"

I said, "No; it is not."

He said, "But you should have seen it 6 months ago. I want you to keep in mind the fact that these people bring with them the habits, the mores, the cultures, and the traits which characterized them in the country from which they came. I do not want you to think of those in this camp solely as Jews; I want you to think of them primarily as Poles, because most of these people have come from the slums of Polish cities; and a characteristic of the Jews, of course, is their adaptability to the cultures and the mores of any people within whose boundaries they reside." He then went on to point out that most of the people in the camps had fled from persecution and any attempt to return them from whence they came would mean either their exile or death. He expressed the view that 95 percent of them wanted to go to Palestine. A few wanted to go to South America and Canada. A few wanted to go to the United States. However, I am satisfied that those from this camp who might be admitted into the United States under this bill would very quickly adapt themselves to American life. They showed every evidence of wanting to do whatever they could to meet whatever requirements we laid down. They showed the effects of terrible persecution and it seemed to me that their plight cried out to the humanitarianism of the American people.

As I inspected the camp and observed the adult education program going on in the camp, the technical and vocational

training that was being given to these people, the superior craftsmanship that characterized their work, I recognized the great potentiality of these people, Mr. President, as suitable emigrants to various countries of the world, including our own country. I have been insistent that we recognize that the displaced persons problem is not a Jewish problem. It is not a Polish problem. It is not a Czech problem. It is a problem that confronts all people who have fled from areas of persecution in Europe into displaced persons camps, which are now, Mr. President, being almost 100 percent financed by the American taxpayer. Only 20 percent in round numbers of these people are Jewish, and it is my position, Mr. President, that they should receive the same proportionate treatment that displaced persons of other nationalities should receive.

When I was in Vienna I visited another camp comprised almost entirely of Jews. I did not find a finer camp in all Europe, Mr. President, than this particular displaced persons camp filled with Jews. I call attention to this comparison of these two Jewish camps because in the latter camp we did not have the displaced persons coming from slum areas of some of the great cities of Europe that were overrun by Germany.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in just a moment. We had there a group of Jewish people, many of them being what we would call in this country middle-class people. They were people of considerable education and fine cultural background. Those people in my judgment ought to receive their proportionate treatment in the distribution of displaced persons as well as the people of other nationalities.

I yield to the Senator from West Virginia.

Mr. REVERCOMB. I was very much interested, Mr. President, in hearing the Senator say he had first visited the camp outside Berlin to which he has made reference, and that he then visited the camp in Vienna. The committee of which I was a member visited many of those camps, and I want to say that the camp in Vienna—I believe it is the same one the Senator visited, in the heart of the city of Vienna—was splendidly run and operated.

I want to call to the attention of the Senator the fact that the camp in Germany to which he referred was run by the PCIRO, while the camp in Vienna was under the control of the United States Army. Is not that correct?

Mr. MORSE. I think the Senator is correct.

Mr. REVERCOMB. There is a marked distinction in the operation of the two camps. The camp under the direction of the Army was splendidly run and clean, so different from the camp under IRO.

Mr. MORSE. Mr. President, I would suggest to my good friend from West Virginia that the great difference, however, was not so much in the operation of the camp, as far as the agency that was operating it was concerned, but the places from which occupants of the camps themselves came. I think the Senator would find that there is quite a difference in the territories from which the occupants of the two camps came. I think he will find that the camp to which I referred as being outside Berlin was made up largely of people who came in from the slum areas and the ghetto sections of large Polish cities.

Mr. President, I was saying that at the request of the displaced persons and for ease of control and administration, the allied authorities and IRO established the displaced persons in camps or centers according to groups and elements with a national, cultural, or historical affinity. For example, the major groups are the Balts, Poles, Soviets, Yugoslavs, Jews, and others. Except for the last-mentioned miscellaneous group, of which all camps have some, each of these groups is generally assigned to a separate camp. These groups are composed of elements. For example, the Baltic group is made up of Estonians, Latvians, and Lithuanians, and the Polish group consists of Poles and Ukranians, and so forth. I digress just to make a comment or two on one of the Sudetenland German displaced-persons camps. I was brought up as a boy in a German agricultural community in Wisconsin, and I was very much interested in observing this Sudetenland German displaced-persons camp, because I found there, Mr. President, people who put me in mind very much of our neighbors in the German community in Wisconsin, where I spent my boyhood. They were people of similar type, thrifty, hard-working German people who many years ago had gone to Czechoslovakia and who escaped from Czechoslovakia, or who were sent out from Czechoslovakia after VE-day.

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. REVERCOMB. I am impressed with what the Senator says about these so-called Volksdeutsche people who have been compelled to leave Czechoslovakia and Yugoslavia and Sudetenland, after they had lived there for several generations, I am advised. The Senator understands, however, that under the IRO constitution those people are not considered displaced, although I want to say I think they are very much, in fact, displaced people.

Mr. MORSE. It is my opinion that under the legislation that is pending it would be possible for a proportionate share of those people in those camps to be included among the 200,000 people that would come into this country.

Mr. REVERCOMB. I agree with the Senator, but to do so we shall have to make our own definition of displaced persons within the pending bill, as we have a perfect right to do.

Mr. MORSE. That will never bother me. I agree with the Senator from West Virginia that we should take our share of these people.

Mr. REVERCOMB. May I advise the Senator at this point, if he will yield further, that they are not extras and would not be extras in the amendment now pending to which the Senator speaks.

Mr. MORSE. I shall be very glad to support their being embraced in the final bill. I am simply calling attention to them because they are part of the displaced person population of Europe, no matter what definition is applied by the IRO. The comment I was seeking to make was that these people represent, as far as American immigration history is concerned, a type of people who have turned out to be among the best citizens of this country. They are people with a long agricultural background, they are a people which in my judgment could be distributed in the farming areas of America to the great benefit of our country. They in very short order would fit into the agricultural economy of this country.

May I say, as the record in this debate has already made clear, there is a great need for a good many displaced persons who can be absorbed into the agricultural economy of this country.

A check of the camps will show many who have a dairy background and they contribute a group of people who could be used in the dairy industry of this country. I think that any fear people may have to the effect that admitting 200,000 into the United States, is going to create an unemployment problem or augment an unemployment problem in this country, is a fear that is not well founded. If we distribute them widely enough and distribute them in accordance with their special skills and economic background, we shall have adequate room for them in this country without doing any damage to our employment needs.

To solve this displaced persons problem, resettlement in my judgment is required of all these groups and elements. Opportunities for resettlement should be distributed equitably to the displaced persons within these various groups and elements.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator speaks of distribution. So far as I am concerned, and I speak for the committee, I feel with certainty there is no distinction, certainly no discrimination, intended between any persons because of their religion or their race, but there are differences drawn among those persons who are in fact displaced persons and who have been in camp longest and have a preference. I take it that the Senator is as much interested in distribution in this country as he is in distribution among the camps.

Mr. MORSE. I certainly am.

Mr. REVERCOMB. The pending bill goes very definitely to that point, and it is necessary that it do so, in view of the history of distribution of the displaced persons who have already come into the United States.

We have the figures for approximately 17,000 of them since December 1945. As has been stated repeatedly on the floor, it is estimated that approximately 50,000 displaced persons will, under the present law, come into this country by July 1 of this year. Let us see what the statistics

show. Approximately 89.9 percent of those admitted into the United States during the fiscal year ending June 30, 1947, settled in cities or urban areas. Fifty percent settled in New York City alone. So it is a problem to see that they are properly distributed. That is one reason why there is a provision in the committee's bill, long considered by the committee, on this state of facts, which requires that 50 percent of the persons coming here shall go to the farm areas, for several reasons. Proper distribution of the persons who come in means a ready assimilation of them. The housing problem in rural areas is not so acute, and there is greater opportunity to find places in which to live without displacing persons now living here. So, when the Senator speaks of distribution, I hope and I know he includes the distribution of these persons, so that they shall not settle down in urban areas in groups and live there, but will settle in rural areas and take up whatever housing may be afforded them.

Mr. MORSE. I am glad to have the Senator's comment.

Mr. REVERCOMB. I should like also to say to the Senator that if one of the first amendments, supported by the able Senator from Oregon, should be followed through it would do away completely with the idea of distribution. Furthermore, even if this amendment, which I shall speak of later, is agreed to, it will put persons who are not, in fact, originally displaced persons, on a par with such persons, and will mix those who have come in long after the persons who were in moved out of their country and who are in truth the displaced persons who were first in the camps, and as to whom, while not giving complete preference to them, the committee thought they should have a 50-percent preference over others.

Mr. MORSE. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. In listening to the statement of the distinguished Senator from West Virginia, it occurred to me that in the question of distribution it is essential to place those who will come into the United States as nearly as possible with people of their own nationality, with relatives, if possible, but certainly with people who speak their language and who understand their problems. Some of them will be in the cities and some in the country. But to say that 50 percent must be farmers seems to me to be unfair to the persons who are now in camps, a large percentage of whom of certain racial groups are not farmers.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MORSE. Will the Senator permit me to reply, and then I shall give the Senator from West Virginia an opportunity to reply.

I think I understand the basis of what the Senator from West Virginia said in regard to the distribution problem. I think the Senator and I have this disagreement, that is, that he would propose to establish what I shall call a fixed or iron-clad procedure which compels distribution for distribution's sake, irrespective of individual needs, the background of the individual, his friends or relatives in this country, or where he might best fit into American economic life. I do not think we should handicap the administration of the problem by laying down a fixed rule such as the one which I think the Senator from West Virginia lays down by his 50 percent requirement. I should not be a bit surprised—I may be proved to be wrong as future events develop—to find a percentage distributed in the agricultural economy of this country far in excess of 50 percent. If that is the decision which the Administrator should reach after studying the case history of the individuals concerned, I think they should be put in the agricultural areas in whatever percentage the case history facts warrant. However, the decision should be determined by the background and the capabilities of the individuals concerned. What I do not like about the proposal of the Senator from West Virginia is that it seems to me the Senator is trying to apply a rather arbitrary rule of thumb to a human problem which should be left to the discretion of the Administrator, in the light of the needs of the individuals concerned.

I yield to the Senator from West Virginia.

Mr. REVERCOMB. If we were taking all the displaced persons, the argument of the Senator from Oregon might be sound; but we know we cannot take all of them; we can take only a proportion of them. As the bill stands now, 200,000 may come in. We must recognize the problems that will be faced. We must recognize the problem of housing; we must see that they are properly housed in rural districts where there is less crowding and less lack of housing facilities than in any urban center of the country.

Let me say in reply to the remark made by the able Senator from Massachusetts, if I may, when he speaks of settling them where their kinsmen are situated, that is a very laudable and desirable thing; but I point out that under our present law they come in as nonquota immigrants; they are not even charged against a quota. So I think that plays less part in this situation than may be indicated in the first place. It is a good thing for the immigrants who have come here and established themselves as citizens of this country that close kinsmen should have a preference. But they are not even charged against the quotas. So that the displaced-persons question does not involve to any great extent the question of kinsmen.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. SALTONSTALL. I did not mean such close kin as the Senator indicates. On Saturday evening I was in the city of Chicopee, where there are many citizens of Polish and French descent. It is logical for people who come from Poland, who speak Polish, and do not speak English, to migrate into a city of that character, where they can be employed. That is better than to go into an area in which their language is not spoken at all. That is what I had reference to.

Mr. REVERCOMB. Let me say to the Senator from Massachusetts that I want to understand him correctly. Does he feel that people who come here to be amalgamated, and to grow into this country, to be absorbed into its life must be grouped according to original nationality with those who speak the same language? I cannot agree with that view. That has been the theory of our law, but the law has worked out wonderfully well and those who have come have in most instances made excellent citizens. It is, however, because they have accepted and adopted the laws of this country, and not because they were congregated and grouped together. I think one of the valuable things in the bill is the provision for dissemination of these people throughout the country, so that they may become part and parcel of America and adopt the ideas of our Government and of our living, and make their contributions, rather than have them settled in close colonies among themselves, and particularly in the cities. I think that is to be avoided.

Mr. SALTONSTALL. Mr. President, I do not wish to prolong the discussion of this question with the distinguished Senator from West Virginia, but I merely point out, for instance, that in the churches in many American communities immigrants can understand the methods of worship, where the priests, we will say, speak their language. It is all very helpful. Of course those who may come into the country are going to be amalgamated into our customs and abide by our laws, but there are churches in Massachusetts where the services are conducted in French, some where the services are conducted in the Polish language, and I am confident that there are similar churches in the Senator's State. That is all I mean. I want them amalgamated into communities where they will be happy, and will make good citizens.

Mr. REVERCOMB. Of course it has its value, but let me state a very prime factor when it comes to receiving these people into the United States. Our country is becoming quite crowded. I read into the RECORD a few days ago a statement from the New York Times to the effect that the population of the United States has grown to more than 145,000,000. I think the prime factor in considering the entry of these foreigners, particularly where a number are to be brought in over and beyond the quota, is distribution generally among the people of this country, so that the immigrants may more quickly be taken up and become a part of America. That is necessary. Unless they become a part of America, unless they adopt the customs and thinking of America, we will have a very bad situation on our hands. It is with the expectation that they will do so that we have been supporting the immigration law.

Mr. MORSE. Mr. President, I think I understand the point of view of the Senator from West Virginia, and certainly with his over-all, ultimate objective the junior Senator from Oregon is not in disagreement. I think our disagreement is by way of the procedure we are to adopt, rather than the accomplishment of the over-all objective.

Mr. President, on page 4, lines 10 to 14 of the bill, which this amendment proposes to change, provides that 50 percent of visas issued shall be made available to eligible displaced persons whose place of origin or country of nationality has been annexed by a foreign power.

This provision is an administratively difficult restriction upon eligibility. Annexed is evidently meant to cover, in the main, the Baltic States and former Poland east of the Curzon line. The United States Government has definitely refused to recognize that such territories have been annexed.

In proof of that statement, Mr. President, I wish to introduce at this point an exhibit, which I shall call "Exhibit A." It consists of a letter from the State Department under date of March 26, 1948, a letter which went out to the governors of the various States of this country. It is a letter in which our Government makes very clear, through the State Department, that we at no time have recognized the Baltic states and Poland as being so-called annexed countries.

The PRESIDING OFFICER (Mr. THYE in the chair). Is there objection to the request of the Senator from Oregon?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
*Washington, March 26, 1948.*

The Honorable the GOVERNOR OF ———.

SIR: There have recently come to the Department's attention several cases in which a person acting as attorney for the Consul General of the Union of Soviet Socialist Republics in New York City, claimed the right in behalf of nonresident Latvians, Estonians and Lithuanians to receipt for their distributive shares derived from estates in process of probate.

The Department has never recognized the incorporation of Latvia, Estonia, and Lithuania into the Soviet Union, and consequently does not regard Soviet consular officers or their attorneys as having any right to act on behalf of nonresident Latvian, Estonian or Lithuanian nationals with respect to distributive shares owing to them from estates of persons dying in the United States. In the cases of Latvian and Estonian nationals, such right has been reserved to consular officers of the respective countries by article XXV of the Treaty of Friendship, Commerce and Consular Rights of 1928 between the United States and Latvia (45 Stat. 2641) and article XXIV of the Treaty of Friendship, Commerce and Consular Rights of 1928 between the United States and Estonia (44 Stat. 2379). Moreover, even in the absence of applicable treaty provisions, the Department does not consider that Soviet consular officers in the United States have any right to represent nationals of a third country, whether residing in the United States or elsewhere, without the country's consent. It is respectfully requested that you advise the courts of your State having to do with probate proceedings of the position of the Department with respect to the incorporation of the Baltic States into the Soviet Union, and that you request them in considering the validity of powers of attorney given by persons in the Baltic States to Soviet officials in the United States or their attorneys to give appropriate consideration to this Department's position of nonrecognition of Soviet sovereignty in Latvia, Estonia and Lithuania.

As you doubtless know, it has been generally recognized by American writers on international law as well as by the courts that the questions as to what regime in a foreign country is to be recognized as the government thereof and what persons are to be recognized as representing such regime are matters for determination by the executive branch of our Government, although there have been some instances in which the legislative branch has had a part in the recognition of new states. Needless to say, where the conclusion of a treaty or the sending of an ambassador or minister is involved, the Senate has a part. (I Moore, International Law Digest, 245–247; 1 Hackworth, Digest of International Law, 161 et seq.; 1 Hyde, International Law (2d ed.) 156 et seq.; Hershey, J. G., The Legal Effects of Recognition in International Law, p. 24; Berdahl, C. A. The Power of Recognition, 14 American Journal of International Law (1920) 519. See also *Jones* v. *United States* (137 U. S. 202, 212); *Oetjen* v. *Central Leather Co.* (246 U. S. 297, 302); *Guaranty Trust Co.* v. *United States* (304 U. S. 126, 137); *United States* v. *Pink* (315 U. S. 229, 230).)

Very truly yours,

ERNEST A. GROSS,
*The Legal Adviser*
(For the Secretary of State).

Mr. MORSE. Mr. President, the section as it stands, therefore, would either constitute a congressional recognition of the annexation, or it would bring about a nullification of the act, as at least 50 percent of the visas must be issued under the priority. If only a handful of cases qualified under this priority, the full 100 percent would be a negligible number.

Moreover, the section would imply that the displaced persons from the so-called annexed areas have suffered more, or are more deserving, than those from the U. S. S. R. or Yugoslavia or Poland.

There does not seem to be any justification for distinguishing in this manner among displaced persons from various areas behind the iron curtain.

This proposed amendment, if adopted, not only will correct this situation but will also make possible the selection of the best qualified from among all the groups of displaced persons; and will not discriminate against equally eligible groups or individuals.

AMENDMENT IS MORE PRACTICAL THAN DISTRIBUTION ACCORDING TO NATIONALITY ONLY

This proposal is not only fair and just, but it is also practical. The population of our country is made up of groups and elements similar to those represented among the displaced persons. Their origins are from the same areas and nationalities from which the displaced persons originate. These groups of citizens have a particular concern and interest in their like groups in our displaced persons centers.

To refer to an example I cited earlier in my remarks in regard to the German community in Wisconsin where I grew up, I think the administration of the act should be free to see to it that the displaced persons who could best adjust themselves to the mores and the characteristics of that particular Wisconsin community should be sent to that community. In other words, I do not want the Administrator tied down with any of the procedural restrictive clauses which seem to me to characterize the bill we are seeking to amend.

We are desirous of having wide distribution of the immigrants throughout the country. On that point I agree with the Senator from West Virginia. Their distribution as well as their rehabilitation will to a large measure be dependent upon the assistance of local citizens, communities, and agencies. Likewise, the support of national and local voluntary agencies in this undertaking is required. These agencies in the main have sectarian or group interests, as the Senator from Massachusetts has so ably pointed out in the colloquy this afternoon.

This amendment will stimulate the required support and coordinated efforts of all the local, State, and National groups and agencies. It will thereby assure the success of this program.

EFFECT OF AMENDMENT

This amendment requires distribution of the issuance of visas on a fair, just, and equitable basis. It requires a selection on a cross-section basis of the displaced persons population as existed on January 1, 1948. We must have some starting date from which to make the measurement, and January 1, 1948, seems to be a fair, practical, and reasonable one.

The actual numbers eligible by groups and elements will have to be determined by the displaced persons commission provided in section 4 of the bill. Based on the latest available compiled reports of the occupation authorities and PCIRO of displaced persons in camps, distribution among the respective groups and elements of 200,000 displaced persons under this amendment would be approximately as follows. The Senator from Massachusetts referred to these statistics in his speech Friday, and I ask unanimous consent to have them incorporated again in my remarks for emphasis purposes. They are presented in the form of a table, and I ask that the table be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

| | Percent | Number |
|---|---|---|
| Balts | 23 | 46,000 |
| Jews | 25½ | 51,000 |
| Poles | 42 | 84,000 |
| Soviet | ½ | 1,000 |
| Yugoslavs | 3½ | 7,000 |
| Others | 5½ | 11,000 |
| Total | 100 | 200,000 |

For more detailed break-down, see table B.

Mr. MORSE. I also ask consent to have inserted as exhibit B the January 1, 1940, estimate, in camp or in center, population by major groups and elements for Italy and three western zones of Germany and Austria.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EXHIBIT B

*Jan. 1, 1948 (estimate [1]), in camp or in center, population by major groups and elements for Italy and three western zones of Germany and Austria*

| Group element | Total population | Percent distribution | Numbers per 200,000 visas |
|---|---|---|---|
| Baltic | 146,000 | 23 | 46,000 |
| Estonian | 23,000 | | |
| Latvian | 76,000 | | |
| Lithuanian | 47,000 | | |
| Jewish | 163,000 | 25.5 | 51,000 |
| Polish | 266,000 | 42 | 84,000 |
| Poles | 172,200 | | |
| Ukrainian | 93,800 | | |
| Soviet | 4,000 | .5 | 1,000 |
| Yugoslav | 22,000 | 3.5 | 7,000 |
| Others | 34,000 | 5.5 | 11,000 |
| Total | 635,000 | 100 | 200,000 |

[1] Based on Nov. 30, 1947, occupation authorities and PCIRO reports.

Mr. MORSE. Mr. President, in concluding my remarks, I reiterate what I said in the beginning, that I think all we are seeking is to carry out what I conceive to be a great moral obligation owed displaced persons which rests upon the Allies who were victorious in the war. We have the obligation to see to it that these displaced persons are put in environments where they, too, can enjoy the freedom which we fought to save in World War II. We need to keep in mind the fact that today the American taxpayers are paying the bill for maintaining these thousands of displaced persons in what can be best described as concentration camps without persecution. Further, let me say that one cannot visit them, one cannot observe them, without recognizing the great psychological damage which is being done to the persons who are kept in these camps, in that their belief in our willingness to keep faith with them is badly shaken. Many of them at great risks fought for us behind the lines in the great underground army. They helped fight the enemy from the rear as our men attacked from the front. They believed in our fight for freedom.

Mr. President, I close by saying there is one other point we should not overlook, that here again it seems to me as a people are called upon to put into practice that great spiritual basis of democracy which, after all, is to do unto others as we would have them do unto us.

The PRESIDING OFFICER (Mr. THYE in the chair). The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators, on page 4, line 10, being the amendment lettered "D."

Mr. LANGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LANGER. Before we vote on the amendment offered by the distinguished Senator from Michigan on behalf of himself and other Senators, can I call up an amendment which I have lying on the table?

The PRESIDING OFFICER. No; the amendment that is before the Senate now is the amendment offered by the Senator from Michigan for himself and other Senators. It will have to be disposed of before the Senator from North Dakota can offer his amendment.

Mr. LANGER. Then, Mr. President, I am going to speak on my amendment which I propose to call up later. I ask that I not be interrupted, but at the conclusion of my remarks I shall be very glad indeed to answer any questions any Senator may care to ask me.

Mr. President, if today there were a bill introduced into the Senate which provided that a blood relative of General Eisenhower could not come to the United States I do not believe there would be a single vote in favor of it. If today a bill were introduced which provided that a blood relative of Wendell Willkie could not come to the United States I do not believe there would be a single vote in favor of it. If today a bill were introduced which provided that blood relatives of Harold Stassen could not come to the United States I do not believe there would be a single vote in favor of it. I could continue and enumerate literally thousands of names that are in the same category.

Carl Schurz, the father of civil service, and one of the most distinguished Senators in the history of this country, could not have come to the United States if the situation which now exists had existed at the time he came here. Some members of the Cabinet—and at one time a majority of the Cabinet of the United States—could not have come to America if the same conditions had existed then as exist now.

Mr. President, when I leave my office in the morning and look over toward the Congressional Library on the left I see a building which was designed by a man of German ethnic origin. If the present situation had then prevailed, even though legislation similar to that contained in the amendment proposed by my distinguished friends, the Senators from Massachusetts and Oregon, had been in effect, he could not have come to America.

As I walk toward the Capitol I see the dome of this beautiful building. The man who designed that dome could not have come to the United States had conditions which now prevail been in existence at that time.

Over to the left of me as I walk toward the Capitol is the beautiful Post Office Building. Yet the man who designed that building, who was a man of German ethnic origin, could not have come to the United States had present conditions then existed.

I walk up the steps of the Capitol. In the Capitol Building itself I see many beautiful paintings. One is Washington Crossing the Delaware. Yet the painter of that picture could not have entered the United States had the present law then been in existence, even though legislation similar to the amendments now proposed had also been enacted.

At the other end of the Capitol we find the beautiful painting, Westward the Course of Empire Takes Its Way. The painter of that mural likewise could not have come to the United States had the present situation existed when he came here.

Mr. REVERCOMB. Mr. President——

Mr. LANGER. Mr. President, I asked that I not be interrupted. I shall be glad to answer any questions when I have concluded my remarks.

Mr. President, in order to correct the situation I have described I have offered an amendment which is lying on the desk. I ask that it be read by the clerk. It is my amendment lettered "B."

The PRESIDING OFFICER. The Chair must say to the Senator from North Dakota that that amendment cannot be read at this time.

Mr. LANGER. Then, Mr. President, if the clerk cannot read it I shall read it and no one can stop me from reading it.

The PRESIDING OFFICER. The Senator can read it for the information of the Senate, but he cannot offer it at this time because there is an amendment now pending.

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. Is it not proper and entirely within the rules of the Senate to have the clerk read the amendment for the information of the Senate? That is what the Senator from North Dakota asked for, I believe.

The PRESIDING OFFICER. Yes. The Chair meant to say that the clerk could read the amendment for the information of the Senate, but that it could not be acted upon at this time.

Mr. LANGER. It was my request that the amendment be read.

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. I understand the Senator from North Dakota simply asked that the amendment be read for the information of the Senate.

Mr. LANGER. Entirely.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. At the end of the bill it is proposed to insert a new section, as follows:

SEC. 10. From and after the effective date of this act, all persons of German ethnic origin who were born in Poland, Czechoslovakia, Hungary, Rumania, or Yugoslavia, and who on the effective date of this act reside in and are citizens of Germany or Austria, shall, for the purposes of the immigration laws of the United States, be deemed to have been born in Germany or Austria.

Mr. FERGUSON. Mr. President, will the Senator yield for an inquiry?

Mr. LANGER. Mr. President, I have asked that I be not interrupted until I conclude my statement.

Mr. FERGUSON. I simply wish to say that the amendment would not be appropriate as an amendment to the displaced-persons bill. The Senator's amendment would amend the immigration law, since it provides that the persons covered by it shall be deemed to have been born in

Germany or Austria, and they would come in under the regular quota.

Mr. LANGER. I have an amendment lettered "A" which is an amendment of the immigration law, which I shall also offer.

Mr. FERGUSON. Does not the Senator's amendment lettered "B" provide that the persons in question shall be considered to have been born in Germany and Austria?

Mr. LANGER. Yes.

Mr. FERGUSON. So they would come into the United States under the regular immigration law, under the regular quotas.

Mr. LANGER. Yes. But I am offering three amendments, for three different purposes.

Mr. President, I was interested in what my distinguished friend, the Senator from Oregon [Mr. MORSE] said a moment ago. He said he was born in Wisconsin, in a German settlement, and he would like some of these displaced persons settled among their relatives in the State of Wisconsin. The distinguished Senator from Illinois [Mr. LUCAS] comes from a State in which there are many citizens of German origin. The same is true with respect to Minnesota, the State of the present Presiding Officer [Mr. THYE]. There are many individuals of German ancestry in the State of Minnesota. There are many citizens of German ancestry in the State of my distinguished friend, the Senator from Michigan [Mr. FERGUSON]. The same is true respecting many other of the States of the Union. Under the law as it now is, and as it is being administered by the Department of State, displaced persons who are relatives of such persons in our various States cannot come into the United States.

Mr. President, I have here scores of letters confirming that statement; and in my office I have several hundred more such letters. These letters come from fine citizens of the United States who have lived in one of our States for 30, 35 or 40 years and desire to have a brother or a sister or a nephew or a niece come into the United States. I found upon investigation that such persons are not admissible.

Mr. President, I was interested in the eloquent address made by the distinguished Senator from Oregon [Mr. MORSE]. In his closing remarks he said we "should do unto others as we would have others do unto us." But I suggest, Mr. President, that certainly the Senator from North Dakota during all the time he has served in the Senate never once has voted for any kind of bill that provided for discrimination, whether it was against the people of East India, the people of China, or Korea, or whether it was against Jews, Negroes, or Indonesians. I have always believed that all men ought to be treated upon an equal basis by this country, regardless of race, color, creed, or language.

We have before us a bill which promises to do much good for all the displaced persons. But no person of German ethnical origin is permitted to come into this country.

Mr. President, I need say only that this is a continuation of the kind of treatment which the German people have been receiving ever since the war ended. Yesterday the news came over the radio, and it was in all the daily newspapers of this country, I take it—certainly in all the Washington dailies and the New York Herald-Tribune—that at the election held 3 days ago in Germany 12½ percent voted the Communist ticket. The people of this country and Army officers were said to have been shocked and surprised. They could not understand it. If those folks had been reading some of the speeches made by the distinguished Senator from Mississippi [Mr. EASTLAND], or if they had followed some of the speeches made by the distinguished acting majority leader [Mr. WHERRY] they would understand perfectly why one out of eight voters who voted in the American zone 3 days ago voted Communist.

One has only to look back to what Herbert Hoover said a short time ago, after he returned from Europe, where he went at the request of President Truman. Herbert Hoover said at that time:

> There can be no decent-minded humane person who does not recoil at the periodic famines in Germany. And every thinking person will realize that maintenance of their working vitality is essential if Europe is to be restored and the American taxpayer relieved of this gigantic burden.

A few minutes ago my distinguished friend from Oregon [Mr. MORSE] referred to the fact that the American taxpayer had to foot the bill for these displaced persons. Although the displaced persons number roughly only 1,323,000, or even a smaller number, because some of them have gone since that count was made, nothing was said about approximately 10,000,000 Volksdeutsche who have poured in from the various countries I have named—Poland, Czechoslovakia, Hungary, Rumania and Yugoslavia. As the Russians came in and took possession of those countries, the citizens of those countries, whose forbears left Germany 100, 200, 300, 500 or 600 years ago, got out of those countries because they were of German ethnic origin. Nearly 15,000,000 of them left. Of those 15,000,000, between 4,000,000 and 5,000,000 are dead. They are gone, at a time when the United States is active in Europe ostensibly to help them.

Continuing with what Mr. Hoover said——

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I shall be glad to yield for questions after I shall have concluded. Mr. Hoover further stated:

> These periodic reductions of the ration during the past 2 years below the endurance level are not due to any ill will or lack of effort on the part of the Military Government in Germany itself. They arise from lack of Russia cooperation; bad crops; destruction of fertilizer factories—

I am certain that every Senator will remember the pleas made on this floor by the distinguished Senator from Mississippi [Mr. EASTLAND] and by the Senator from Nebraska [Mr. WHERRY] and various other Senators, that factories manufacturing fertilizer, soap, and many other things be left untouched. In spite of the advice of former President Herbert Hoover they were torn down. More than 600 of them were dismantled. Mr. Hoover said:

> They arise from lack of Russian cooperation; bad crops; destruction of fertilizer factories; added millions of expellees from adjoining areas; a weak local German government in collecting farm supplies; world food shortages; and the paralysis of bizonal manufacturing industries with the resultant lack of exports with which to buy food for themselves. With the British inability to pay their half share, the whole burden of covering the food deficit is now thrust upon the United States.

Mr. Hoover continued:

> I have recently supported additional congressional appropriations to raise the rations from the unbelievably low 1,340 calories for the "normal consumer" (2,200 is necessary for public health) and to maintain the extra-meal feeding of some 5,000,000 children now in progress.

Former President Herbert Hoover mentions 5,000,000 children. The other day we voted $67,000,000 for IRO to feed little children; but German children are specifically excluded.

I remember well when the late President Roosevelt said, in October 1943:

> We are not fighting the German women and the German children. We are fighting Hitler and all that Hitler stands for.

The net result is that after 3 years former President Hoover reported that 5,000,000 children needed to be fed. As a matter of fact, according to Mr. Hoover, they are not being fed at a standard necessary for public health.

Former President Hoover further stated:

> The total cost to the American taxpayer of feeding the Germans is now at the rate of $600,000,000 per annum, and even this is probably not enough. Nothing but a change in fundamental policies by the western nations so often recommended by many investigators, including myself, will remedy the situation.

In Europe with Mr. Hoover was Matthew Woll, chairman of the American Federation of Labor committee on international labor. What did he say?

> Germany, formerly the industrial heart of Europe, can atone for some of the wrong done to other nations by putting its skilled workers and factories at the service of the European Recovery Plan. The first step to that end is to provide Germans with food so that they may be sustained in body and mind and able to work.

I am coming back to this subject in a few minutes. I have before me an article which was published in the Saturday Evening Post, to show exactly why the Germans over there cannot work. Matthew Woll says:

> The first step to that end is to provide Germans with food so that they may be sustained in body and mind and able to work.

But, Mr. President, they cannot work. Why? During the time of Hitler there were only two parties in Germany. The Germans were either in favor of Hitler or they were against him. If they were against him, they were denominated

Communists. There were literally millions of people in Germany who were neither in favor of Hitler nor in favor of the Communists. But when the western nations obtained control and set up the military government in Germany, foolish as it may seem to the Senate, Mr. President, they began to denazify millions of people, and they subjected them to trial.

Here is what the Saturday Evening Post had to say about this matter, about which I have spoken time and time again upon the floor of the Senate. I read now from an editorial appearing in the Saturday Evening Post on July 12, 1947:

"How does denazification work in Germany?"

We have been lately getting a spate of official utterances to the effect that Europe must help itself because Uncle Sam has only two hands. This has been true for some time, just as it is also true that reorganization of Europe will require strong support from America, support which entails considerable risk; but, we hope, not so much risk as we would take by doing nothing at all. But recovery cannot occur until Europe takes the first steps. What has been stopping her? One impeding factor—

Says the Saturday Evening Post—and, Mr. President, I am not quoting from the Daily Worker; I am quoting from one of the most reputable and finest publications in the United States, the Saturday Evening Post, a publication which by no stretch of the imagination can be said to be a Nazi organ.

I read further from the editorial appearing in the July 12, 1947, issue:

One impeding factor at the very heart of Europe has been the policies carried out in Germany—

The policies of whom, Mr. President? They are the policies of the very ones named by former President Hoover—

the policies carried out in Europe under the heads of denazification and maintenance of a level of industry.

The population of Greater Hesse, in the American zone in Germany, is about 4,000,000.

Mr. President, all of Hesse is in the American zone, so the United States has had full control for 3 years of all of Hesse and of the 4,000,000 people there. Of those 4,000,000 Hessians, there are approximately 2,000,000 adults; and of those 2,000,000 adults, we learn that 800,000 are barred—from what, Mr. President? I read further:

Of those 4,000,000 Hessians, 800,000 are barred from all but the most menial tasks because they are awaiting trial for having been, at one time or another, members of the Nazi Party. The vast majority, of course, had no part in the atrocities and massacres of which their leaders were guilty.

Mr. President, like the mass of people in other countries whom we could mention, they just went along.

I read further:

In any event, until a German clerk or school teacher is cleared of the charge of having been a Nazi, he is not permitted to engage in any occupation above the status of manual labor. Even when he has been declared "clean" by a German denazification court, he often finds it impossible to get a job. The German ministries will not hire him, because they fear the American occupation authorities will hold this against them. And only in rare cases will the American military government employ Germans who have even been charged with past membership in the Nazi Party.

So, Mr. President, when Matthew Woll said:

The first step to that end is to provide Germans with food so that they may be sustained in body and mind and able to work—

Perhaps Mr. Woll did not know that many of the Germans cannot work, and that in one little part of the American zone, Greater Hesse, where there are 4,000,000 Hessians, 800,000 of them cannot obtain work except as manual laborers until they have been tried. Mr. President, altogether the occupation authorities have stated they will try millions of Germans. We can imagine how long it would take to try millions of people here in the United States. In Germany the occupation authorities are still trying them and trying them and trying them, 3 years after the war is over—and in the meantime they cannot work.

I read further from the editorial in the Saturday Evening Post:

The result, of course, is that reconstruction moves at a snail's pace, while the individual German listens more and more receptively to the blaring broadcasts from the other side of the iron curtain, "Who is keeping you unemployed? In the Soviet zone, Germans are sought for useful work. Who prevents you from producing exports with which you could buy food for your children? Not the Soviet occupation authorities"—

Says Russia.

Mr. President, there we have the situation in a nutshell. That is why one out of eight voters in the American occupation zone voted Communist a few days ago. I say the blame for that lies, first, with the Foreign Relations Committee of this body, and then with this body itself, because warning after warning after warning has been given that exactly that would happen.

Consider the poor German worker who has a number of small children, and who is getting, as former President Hoover has said, 1,340 calories, when, as he has said, 2,200 calories are necessary for health. Nevertheless, the German worker is getting just a little more than one-half the food necessary to keep body and soul together; and while in that starving condition he hears the Russian broadcasts:

Who is keeping you unemployed? In the Soviet zone, Germans are sought for useful work. Who prevents you from producing exports with which you could buy food for your children? Not the Soviet occupation authorities.

So, Mr. President, we are reaping what we have sown, as evidenced by the enormous Communist vote which was cast in that territory a few days ago.

I read further from the editorial in the Saturday Evening Post—and, Mr. President, mind you, this editorial was written a year ago, and I read the editorial on the floor of the Senate a year ago. But the Foreign Relations Committee did nothing about it; the Senate did nothing about it; the military occupation forces in the American zone did nothing about it. But now, after one out of eight persons in that zone have voted Communist, the American authorities and public are suddenly startled and very much surprised, as we learn from the newspaper articles of yesterday.

Now I read further from the editorial in the July 1947 issue of the Saturday Evening Post:

Is the best way to educate a people in the ways of democracy to arraign their whole middle class, not for individual crimes, but for association with a political party?

How many people are there in this country, Mr. President, who follow the Republican Party because of Theodore Roosevelt or Abraham Lincoln? Yet if conditions were reversed, they would be denazified if a foreign enemy took charge of this country. How many follow the Democratic Party of Jefferson and Andrew Jackson and Franklin D. Roosevelt? How many are following Mr. Wallace today? Yet, under this theory, the Saturday Evening Post asks the question:

Is the best way to educate a people in the ways of democracy to arraign their whole middle class, not for individual crimes, but for association with a political party? Boss Nazis seem to have less trouble getting jobs than do the little Nazi-for-revenue-only. Is it sound training in the "four freedoms" to deny a man employment even after he has been found innocent? How does our insistence that an accused Nazi is guilty until he proves himself innocent fit in with the various freedoms which we regard as essential?

Mr. President, the deepest-dyed murderer in this country, under Anglo-Saxon law, is presumed to be innocent until he is proved guilty, and yet over there they take millions and millions of people and say, "You cannot work, you cannot teach school, you cannot be a clerk, until you are denazified." So in the meantime the American taxpayer pays.

I read further:

Finally, taking it for granted that not everything can be constitutionally on the up and up in an occupied territory, what is the use of opposing Soviet expansion in the Mediterranean if we are to carry out a policy in Germany which makes Soviet expansion inevitable in the very heart of Europe?

But, Mr. President, the editor of the Saturday Evening Post knew what was happening. We are sending millions and billions of dollars to Greece and Turkey and many other countries, and although General Clay, the head of the occupation forces in Germany, said it was absolutely essential to keep Germany from going communistic and that Germany had to be the hub around which America had to work, nevertheless the advice of the Saturday Evening Post, the advice of men like the Senator from Mississippi [Mr. EASTLAND], the Senator from Nebraska [Mr. WHERRY], the Senator from Nebraska [Mr. BUTLER], and scores of other Senators, was not heeded by the Foreign Relations Committee nor heeded by the Members of this body. The result was that one out of eight voted Communist 3 days ago.

The Saturday Evening Post goes on to say:

The rank and file of AMG understand this. They want to see the policy changed.

A year ago nearly, but it has not been changed yet.

However, for some unaccountable reason—

For some unaccountable reason, Mr. President—

the Morgenthau planners, whose policy of revenge is still law, write the ticket.

They are writing the ticket today.

As a result, our occupation force in Germany—in sharp contrast to the situation in Japan—is limited to one positive policy—namely, denazification.

Ah, Mr. President, they tried it in Japan, but Joseph Keenan, the man sent by our Government to Japan, conferred with General MacArthur, and they said, "We do not want this Morgenthau policy in Japan." And they did not have it there. The result is, if war broke out tomorrow, Mr. President, millions of Japanese would be found fighting for the Stars and Stripes, because of the fine treatment they have received. But I ask any member of the Foreign Relations Committee, "Would we find the Germans fighting for the Stars and Stripes in Europe?"

Now, Mr. President, and fellow Senators, listen to this quotation from the Saturday Evening Post:

As a result, our occupation force in Germany—in sharp contrast to the situation in Japan—is limited to one positive policy—namely, denazification. In view of the rapidly mounting understanding of what is at stake in Europe for democracy and all that it implies, this is a shocking situation.

So says the Saturday Evening Post. A year ago, the Saturday Evening Post said "it was shocking." It has not changed from that day to this.

One day it will be corrected, but perhaps not until the average German is convinced that we are less concerned with his desire and ability to work than with his membership in a Berlin riding club, taken over by Hitler in 1936.

Or, I might add, Mr. President, than his being a member of a Verein, or the member of a singing society.

The Russians at least let us work—

There you have it all, Mr. President; there is the kernel.

The Russians at least let us work, more and more Germans are telling each other.

It is about time to consider teaching democracy to Germans the way General MacArthur is trying to teach it to the Japanese—namely, by practicing it. Surely there is not much point in spending millions to enable the Voice of America to tell the Germans how wonderful it is to have a bill of rights, while at the same time we act on the theory that a man can be tried for his political beliefs; is considered guilty until proved innocent; and may be placed in jeopardy half a dozen times for the same offense.

Mr. President, after an American court is through denazifying men all that is needed is for somebody to go and whisper to someone in authority, and the defendant can be tried all over again. He can be tried the third time or the fourth time. That is American democracy as it works in Germany, just as it is stated in this paper—

and the economic recovery essential to the survival of democracy won't happen until people are permitted to help themselves.

So you see, Mr. President, the prophecy which was made upon this floor within about a week after this article came out is coming true. Months before the article was written there were protests against the starvation in Germany, against denazification in Germany, against the dismantling of factories in Germany. Now it is so plain that even a blind man must know what has taken place, when, day before yesterday, it was found that one out of every eight persons voted the Communist ticket.

What does this bill do about it? The answer is "Nothing." I offered an amendment in the Judiciary Committee to take care of the situation. It was rejected by a vote of 5 to 4. When the bill came up for a vote in committee I was the only Senator voting against it.

I read from page 9 of the report of the Judiciary Committee with regard to displaced persons. I want to read it so plainly, and I want it in the CONGRESSIONAL RECORD so clearly that every single American citizen of German ethnic origin will know how every Senator on the floor votes when the amendment comes up. I hope we shall have a chance to have a vote so that the twenty-five or thirty millions of persons of German ethnic origin may know what is taking place here and who is responsible for it. This is the report of the members of the Judiciary Committee of the United States Senate, which committee has had time and time again, among its members, persons of German ethnic origin:

One notable exception--

I am reading from the report—

is a group numbering some 10,000,000 persons of German ethnic origin who lived in Poland, Czechoslovakia, and Hungary—

And I might add that those who lived in Rumania and Yugoslavia should be included—

many of whom were from families that had lived in these countries for generations, but who since the war, pursuant to the Potsdam agreement of August 1, 1945, have been expelled from these countries and forced into Germany and Austria. By September 1947, approximately 3,000,000 of these persons had entered the United States zone of Germany alone. These Volksdeutsche are by the constitution expressly excluded from the concern of the International Refugee Organization and are therefore ineligible for care and maintenance by the Organization, but some of them have been admitted into camps operated by the United States Army.

Mr. President, I have here a letter from a minister who lives in the State of South Dakota. I want to make it very plain that I come from North Dakota. This is a letter from a minister in the neighboring State of South Dakota. He is the Reverend E. J. Reichenberger. The letter was written on the 10th day of March 1948, from the town of Glencross, S. Dak. He says:

GLENCROSS, S. DAK., *March 10, 1948.*

DEAR SENATOR LANGER: I saw in the Omaha Tribune that you voted against the proposed DP's bill. I think this is the only possible stand a man of character and principle can take on this problem, as long as our administration denies the fundamental human rights to millions of really displaced persons, the Potsdam displaced Christians, and accepts Naziste race theories and practices.

I enclose an article on this problem which was printed in the Tablet, Brooklyn, N. Y., March 6.

Very sincerely yours,
(Rev.) E. J. REICHENBERGER.

I repeat the name of the town from which the letter was written. It is Glencross, S. Dak.

Mr. President, since I am on the subject of Reverend Reichenberger, I should like to read portions of the article which he enclosed:

AID TO POTSDAM VICTIMS CALLED FOR IMMEDIATELY—PRIEST CITES TRAGIC PLIGHT OF MILLIONS NOT CLASSIFIED AS DP'S BUT IN FAR WORSE CIRCUMSTANCES

(By Rev. Emmanuel J. Reichenberger, Sacred Heart Church, Glencross, S. Dak.)

Lord Bryce has called the extirpation of the Armenians by the Turks the hugest single crime committed during World War I. At Versailles tales of horror and bestiality were made known by President Wilson. Who could have expected that the crimes of the Turks would be repeated after this so-called crusade for liberty, decency, and humanity?

Fifteen to eighteen millions were expelled by the victors from their homelands, after they were robbed of everything.

I am speaking now, Mr. President, of the ten millions who are left. Here is what happened to them at the hands of the Russians:

Thousands of women were raped, thousands were murdered.

As I said a while ago, four or five millions of them cannot be accounted for; they are gone.

There were no provisions made for food, shelter, and the barest necessities of life.

Where was our Foreign Relations Committee, Mr. President; where was our FBI; where was the President of the United States? Many of those innocent people, people from Poland, from Rumania, from Yugoslavia, from Hungary, from Austria, had not borne arms against this country. Where was this great nation that was going to take care of everybody in the world, this nation that was not going to see women and children go hungry and starve to death?

This article continues:

They were herded together like cattle, taken across the border lines in trucks or cattle cars, thrown from the cars and left to their fate. A farmer who ships his cattle to the stock market provides food and shelter.

I am reading again of the forgotten people—of the Potsdam displaced Christians.

Potsdam. Potsdam. The agreement I finally got to put into the RECORD a few weeks ago. Potsdam. Potsdam agreement. An agreement signed by the President of this country, for the first time in America's history sending young men, and others, millions of them, into labor slavery.

These people are not settlers or refugees; they didn't want to leave their homes and their homelands, they were driven out by brutal force. If the term "displaced" makes any sense at all, they are displaced.

They must be called Potsdam displaced Christians, because Potsdam is the starting point of this greatest crime in modern history, the legal justification for crimes against humanity.

The dictate of the Big Three—

Truman, Attlee, Stalin, the three who drew up the Potsdam agreement, stated—

The three governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations or elements thereof, remaining in Poland, Czechoslovakia, and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

At Potsdam only Poland, Czechoslovakia, and Hungary were officially authorized to transfer, not criminals, not even members of the Nazi party, but German populations, members of the German race without regard for age, sex, health, profession, or even guilt. It was to be expected that the rest of the Balkan gang would listen carefully to their masters' humane voices and take occasion to start legalized wholesale robbery, murder, and perversities—of course, in the same orderly and humane manner.

The problems of the Potsdam displaced Christians are well treated in three pamphlets: Land of the Dead, Tragedy of a People, Men Without the Rights of Men, published by the Committee Against Mass Expulsion, 112 East Nineteenth Street, room 706, New York City.

Since the Big Three, surrounded by hundreds of experts, have considered the question in all its aspects they must have known the extent of their experiment in human lives; they must have known that 15 to 18 millions would be the victims of their decisions. Perhaps the Big Three or at least their advisers knew some of the history of these territories; they must have known that the excuse that Stalin's most obedient servants had to protect themselves against an enemy in their midst is untrue, if not ridiculous.

Mr. President, I want the RECORD to show that I did everything possible to help these people. At first they could not get their mail in Europe, so one day I presented petitions and introduced a measure which provided that at least those people could get their mail, that a man living in Minnesota or Missouri or North Dakota, living anywhere in this country, could write to his brother, or send his starving old father or mother over there a little assistance.

Think of what was happening in this great country of ours. Month after month after month went by. American citizens of German ethnic origin, men related to families like that of Eisenhower, Stassen, of Minnesota; descendants of Carl Schurz, Einstein, and others could not even send packages, could not send a letter, could not send food, could not even write a letter to find out whether their relatives were still living. That is the record of America, yet some persons wonder why one out of every eight voted the communistic ticket in Europe 2 or 3 days ago.

It took months before we got the mails open. Then I introduced a bill which provided American citizens could send 22 pounds in a food package to Europe to save the lives of their relatives in Europe. Our committee reported the bill, I believe by unanimous vote, and it was passed.

Our committee reported a bill providing for reduced postage rates on food packages containing 22 pounds. The present rate of $3.57 for postage is almost prohibitive. In some instances the food and clothing contained in a 22-pound package does not cost as much as the postage.

In the month of October last American citizens sent 41,000,000 pounds of food to Europe in spite of the high postage rate. Those 41,000,000 pounds of food sent over there in the month of October saved thousands upon thousands of lives. I know that to be true, Mr. President, because our committee sent, through the Post Office Department, two representatives over there to investigate conditions. One was Dr. M. W. Roan, of Bismarck, N. Dak., who was a major in the First World War. The other was Hon. Anton Rieder, of Los Angeles, one of the outstanding citizens of California.

Mr. President, our committee reported a bill for which every single member except one voted favorably. We did so with the backing of Robert Patterson, the former head of the War Department. Mr. Patterson said that one package sent over there by an American to some relative or to some friend would do more, in his opinion, to keep the family of the relative or friend from going communistic than almost anything that America could do. We had a hearing on the bill and one of the best witnesses for the bill was not a citizen of one of the countries involved, Austria, Germany, Rumania, but an English woman, a lady who, after World War I, had had charge of sending bundles of food to England. She pled with our committee that we secure a reduction in postage rates on food packages as rapidly as possible.

Our committee reported the bill, and then the question rose as to what country should have the benefit of the reduced postal rates. The bill was referred to the Committee on Foreign Relations, 4 or 5 months ago, and there it remains today.

Congress passed the legislation implementing the Marshall plan, and there is a clause in it under which perhaps in some way Paul Hoffman can do something about this matter. A committee named the German-American Relief Committee, consisting of Ben Hoffman, of Milwaukee, Otto Hauser, of Milwaukee, and John Hetrick, of Rochester, N. Y., had an audience with the President of the United States, and had an audience with Paul Hoffman. Paul Hoffman is still considering the matter, and relatives in Europe of American friends of mine are still dying. Between 25,000,000 and 30,000,000 persons of German ethnic origin are unable to have any of their relatives brought over to the United States because of the position taken by the State Department. It will not recognize them for entry under the quota. Furthermore, under the terms of the pending displaced persons bill not one single person in the category to which I refer could come over here.

Mr. President, I listened to the distinguished Senator from Oregon [Mr. MORSE], who told how badly help was needed in the dairies of the United States. I have received hundreds of letters saying that displaced persons are needed in our mines and on our farms. I have received letters from women who say they cannot obtain the help they need in their homes to do housework. They would gladly take into their homes women who might be brought over here who could do housework or perform maid service.

Today the Senate passed a bill permitting eight alien Basque sheepherders to remain in the United States. One special bill, Mr. President, was passed covering eight sheepherders because farmers having flocks of sheep are unable to hire good sheepherders in the United States. Although the individuals in question were aliens who entered the United States illegally, without a dissenting vote the Senate passed a bill permitting them to remain. Yet there are 10,000,000 persons, some of them the best farmers and workers in Europe, not one can come to the United States. We must judge the future by the past.

What has happened to those who came over here previously? I want to be sure about the figures, so I shall consult the report of the Committee on the Judiciary. Of those who came over here, 89.5 percent stayed in the cities. I read from the report:

In connection with the resettlement of displaced persons in the United States, published statistics of those who entered the United States in the fiscal year ending June 1947, embracing 17,018, indicate distribution of those resettled as follows:

| | |
|---|---|
| Rural (by population less than 2,500) | 1,780 |
| Urban (by population 2,500 to 100,000) | 2,099 |
| Cities (by population 100,000 or more) | 13,139 |

The report continues on page 45:

From the statistics previously shown in this report (VIII), it will be noted that 89.5 percent of the 17,018 displaced persons admitted into the United States during the fiscal year ending June 30, 1947, settled in cities or in urban areas, and that 50 percent of these persons were destined to New York City alone.

Mr. President, half of them go to New York City. How is that going to help the dairy farmer or the mining industry? Some pretense is made in the bill that a certain percentage of the persons admitted shall be farmers. Oh, yes, it is so provided in the bill. England also had such a provision in her law, and England admitted some so-called miners, but after they had had these so-called miners a short time they sent nearly all of them back whence they came.

The European relative of a man living in North Dakota, South Dakota, Missouri, Minnesota, or Nebraska will not need a new house, because his American kinsfolk will let him live in the same house with them. The relative who sends for him knows about him. He knows whether or not he is a farmer or other worker. He knows what he can do and what the condition of his health is. He knows whether he wants him to come or not.

Senators speak eloquently on the floor of the Senate in favor of displaced persons. A little while ago, one Senator quoted the Biblical injunction to do unto others as we wish them to do unto us. Most Senators would not take displaced persons with big families into their houses. If they had a garage that could

be made habitable, they might permit them to occupy it, but they would not take them into their own homes. However, so far as I know, and judging from the letters which I have received, citizens in my State, who are of German ethnic origin, would be glad to have their relatives come over and live in the same houses with them, at least until they made enough money so that they could buy or build other houses—if they could find the material.

I am reminded of the colloquy which I had with the distinguished Senator from Minnesota [Mr. THYE] when we discussed the committee appointed by the Governor of Minnesota, and how they wanted displaced persons to come over. When I asked him whether or not the men and women who had talked with the committee or had written to the committee believed that they could bring their relatives over, he said, "Yes." So I made an investigation in the State of North Dakota. The Governor of that State also appointed a committee. I got in touch with some of the people of my State. What was their support of such legislation based upon? The so-called Stratton bill, which provided that relatives of American citizens might be brought over here. The 25,000,000 or 30,000,000 citizens of German ethnic origin never dreamed for a moment that they could not bring their relatives here.

By passing this kind of measure we can bar the relatives of men like Wendell Willkie, General Eisenhower, and Harold Stassen. We can bar distinguished men like Carl Schurz, who was once a Member of this body. Such a measure will never be passed with the vote of the senior Senator from North Dakota. I believe that the pending measure is a disgrace as is the denazification program for the Germans over there under the military occupation.

I place the responsibility on our Foreign Relations Committee, which ought to have been on the job helping the 25,000,000 or 30,000,000 people of German ethnic origin in this country who want to get their relatives over here. The committee should have been on the job, just as it should have been on the job in connection with the Voice of America. Why do we have a Foreign Relations Committee? We appropriate millions of dollars for radio purposes, and month after month the kind of drivel which was made available to us on the floor of the Senate a few days ago is handed out to the people all over the world.

Mr. President, I like to enjoy the respect, admiration, and affection of other Senators. I like to have Senators friendly to me. But, Mr. President, before I owe any admiration, friendship, or affection to other Senators, I owe it first to to the people of America, who trust us to carry out this job.

Two or three days ago in the elections in Germany one out of every eight voted the Communist ticket, after we had been in charge for 3 years. What do we learn from the press? Only that the military authorities and the State Department are surprised and shocked because one out of eight voted Communist.

As I previously stated, former President Hoover said that the Germans were starving. The Saturday Evening Post article stated that millions of them were being denazified. Nearly 3 years have gone by, and denazification courts are still in operation. We are denazifying middle class people because they belong to a certain political party; and they are presumed to be guilty until they are proved innocent. They cannot work. The clerk, the school teacher, and others cannot work. The American taxpayer is feeding them.

Now we are faced with a bill which does not even include people of German ethnic origin. They are barred. We bar relatives of the man who designed the dome of this Capitol. We bar relatives of the man who built the Congressional Library, the man who built the beautiful post office in this city, the man who painted the painting of Washington crossing the Delaware, the man who painted "Westward the Course of Empire Takes Its Way." They are barred by the Morgenthau policy. Yet we are asked to vote for that kind of measure.

I repeat that I shall vote against the bill even if I am the only Senator to do so. I have always been against discrimination, whether it affected Jews, Negroes, Indians, Chinese, Japanese, or Koreans. I cannot imagine Congress appropriating $67,000,000, as we did a few weeks ago, for children all over the world and specifically excluding children of German ethnic origin. Is it any wonder that one out of every eight voted the Communist ticket?

My second amendment is—

That the Secretary of State be, and he is hereby authorized and directed, to immediately resume general consular activities in Germany and Austria to the end that the German and Austrian quotas shall be available for applicants for immigration visas pursuant to the immigration laws.

I ask the distinguished Senator from Wisconsin [Mr. MCCARTHY], why the relative of a good American citizen residing in Wisconsin, a man of German ethnic origin, should be barred?

Mr. MCCARTHY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MCCARTHY. I heartily agree with the amendment which the Senator has just read.

Mr. LANGER. I wish I could have converted a greater number of members of the Committee on the Judiciary.

Mr. President, I have received hundreds of letters from my State. I am sure that other of my distinguished colleagues has also received scores of letters. These letters beg us to go to the immigration authorities and get action to the end that their relatives may be brought here. According to some of the letters which I have received, the writers of the letters understand that their relatives are starving. Former President Hoover said in the report that they are getting 1,320 calories, although they should be getting a minimum of 2,200 calories. That is the situation over there, Mr. President.

I think I can help if my amendment B is adopted. I think we should open the quota, as called for in my amendment A, which provides that at least 27,000 of these people of German ethnic origin should be admitted to the United States under the quotas for Austria and Germany.

Tomorrow I intend to submit my third amendment, which provides that under the definition of displaced persons, some of these expellees, or whatever we choose to call them, may be included.

The PRESIDING OFFICER (Mr. DONNELL in the chair). The question is on agreeing to the amendment lettered D, on page 4, in line 10, submitted by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. EASTLAND. Mr. President, I should like to address an inquiry to the Senator from Massachusetts [Mr. SALTONSTALL]. I see what he is driving at in his amendment D, but I think the clause in line 4, on page 1, "insofar as possible" destroys what otherwise would be the effect of the amendment. In other words, if that clause remains in the amendment, I think grave discriminations could be practiced if someone in the Department were disposed to practice discrimination.

I ask the Senator whether he will agree to delete that clause.

Mr. SALTONSTALL. Mr. President, so far as I am concerned—and I believe I speak for the other Senators who join with me in offering the amendment—I am agreeable to striking out the words to which the Senator has referred. They were placed in the amendment for the purpose of trying to have the quotas arrived at as exactly as possible, and with the idea that perhaps absolute exactness could not be secured, and that therefore some latitude would be necessary. Consequently those words were included in the amendment, so as to cover such a situation.

I agree with the Senator from Mississippi that the words do weaken the purpose of the amendment to a very considerable degree.

Mr. EASTLAND. The same clause appears on page 2 of the amendment, in line 4.

Mr. SALTONSTALL. I do not think the effect of the clause at that point is quite the same, because there the statement is:

It being the purpose of this provision to insure, insofar as possible, that no discrimination * * * shall occur.

Mr. EASTLAND. That is correct.

Mr. SALTONSTALL. Therefore, the suggestion the Senator has made does not apply to that clause in the same way it applies to the clause appearing on the first page of the amendment.

Mr. President, so far as I am concerned, I shall be glad to strike from the amendment, in line 4, on page 1, the words "insofar as possible," so that the amendment as thus modified will not contain those words at that point.

The ACTING PRESIDENT pro tempore. The Senator has a right to modify his amendment, and it will be modified accordingly.

The question is on agreeing to the modified amendment D offered by the

Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. EASTLAND. Mr. President, I shall not take much of the time of the Senate at this point. I simply desire to congratulate the distinguished Senator from North Dakota [Mr. LANGER] on the very fine speech he has just made.

Mr. President, conditions in Germany are terrible. Today people in Germany need help more than any other people in the world. If we consider the condition of these people who grievously need help, I think we should by all means adopt the amendment offered by the Senator from North Dakota. That is the righteous thing to do, it is the just thing to do, it is the proper thing to do; and the amendment should be adopted. By adopting the amendment, we shall secure in this country a bloodstream which can easily be amalgamated, a bloodstream which has contributed as much to the upbuilding of the United States as has any other people.

Mr. President, I have a friend who has given charity in Germany, and I wish to read into the RECORD at this point certain letters—I am not at liberty to give the gentleman's name—which he has received from Germans, and which picture the conditions there. One letter is missing from the file. It came from a lady who a year ago had six small children. She lost two of her children during the past year—a daughter 17 years of age and another daughter 15 years of age—from tuberculosis caused by malnutrition. Today she has four small children living, and three of them now have tuberculosis because they are undernourished.

Mr. President, the policies this Government has followed in those areas are horrible to contemplate. Certainly there should be no discrimination against those people, if we take action in the field of displaced persons. This bill, as it has been amended and as I am sure it will be amended by other amendments, will not be a displaced-persons bills; it will permit the entrance of additional immigrants into the United States. So by all means there should be no discrimination under it against persons of German ethnic origin. I submit that the amendment of the distinguished Senator from North Dakota should be adopted.

Mr. President, here is a letter dated April 24, 1948. This letter and the others were translated by the Library of Congress. As I have stated, I cannot use the name of the person to whom they were addressed. The original letter in German is attached to the translation, in each instance.

I now quote the letter:

You will probably be surprised to receive a letter from a total stranger and from so far away. I read your address in the paper; and as I also read that through your magnanimous gift you have helped many sick and needy, I am also coming to you with a request. Please help me. We are two completely bombed-out people. We have lost everything through the war and have only saved our lives. I have an old mother who is completely undernourished owing to present food conditions. I myself am completely run down physically and spiritually. Since both of us receive no more than the lowest ration points, we really don't know how to make ends meet. We get up hungry in the morning and go to bed hungry at night.

I want to tell you about ourselves. We are good people and have never done anything wrong in our lives.

Mr. President, please note this statement particularly:

I want to keep my old mother alive as long as possible, but unfortunately, on account of the food she receives, she falls down all the time because of weakness.

An old person who is so undernourished that she falls down because of weakness.

I read further from the letter:

My vocation is that of a shorthand-typist. I am in my forties and at present without a job. Due to the war and the lack of food I got a weak heart and cannot work at the present time.

Mr. President, this person is but one of literally thousands, I submit, who have developed heart trouble because of undernourishment.

I continue to read from the letter:

I am sure that you are able to feel with us in our bitter struggle for survival here in Germany and regarding the lack of food. You may be sure that any help from you will be appreciated. Or could you perhaps give our address to one of your friends who might be willing to help two needy, helpless people who innocently suffer from hunger and bitter need? We too, once upon a time, have seen better days.

May I repeat my request for your helping hand?

ERNA NEUMANN,
*Grunow Strasse 5, Quergeb Part (1)*
*Berlin-Pankow, Germany.*

Mr. President, I hold in my hand a letter dated April 21, signed by Mrs. Hanna Schnik, 16 24–B Heide, nee Gustke Marsch Strasse Holstein, Germany, reading as follows:

I have read in the papers about your noble efforts and work for Berlin. As I have been expelled from the eastern Germany (Koenigsberg, East Austria) and have lost my husband and my son, I would like to make a request. I do not like to do it, but my great need drives me to it. I have no shoes—shoes are quite a special care over here. Would it perhaps be possible for you to send me a pair of walking shoes, German size 41, about 28 centimeters long? I should be greatly obliged to you. I have written letters for 3 years to obtain a pair of shoes from the authorities here, but always in vain. Please do not be angry at my boldness, but I know of no other way out.

Mr. President, of this number of letters, that is the only one in which the writer did not speak of undernourishment. She spoke of a shortage of shoes. There are thousands of instances in which children cannot go to school because they have no shoes. There are thousands of instances of sickness caused by lack of clothing. Compare those people with the inmates of displaced persons camps, who are overnourished, who have plenty of clothes, who have the necessities and some of the luxuries of life, and in many instances have servants working for them, with automobiles to take them over the countryside. They can come to this country. Oh, yes; we will take them. But when it comes to little children who are undernourished, when it comes to older people, when it comes to the needy, the oppressed, the people who were in the underground movement during the war, who sided with this country, who helped America win the war—no they cannot enter.

But here is a great pressure group with millions of dollars at its disposal, filling the radio with propaganda—"Admit displaced persons." They forgot to tell us that a great number of the persons in the camps, many thousands of them, are not displaced persons. They left their homes from choice after the end of the war and went into the camps in order to get into the United States. They are not displaced persons. They take their places as any other emigrant. I submit they are entitled to no special consideration from the Congress of the United States.

They say, "Let us admit the needy, because we have to support the people in the displaced-persons camps." Yes, that is true. But we are supporting these people, we are supporting all the people in the occupied areas of Central Europe; and I should like to know why it is that hungry little children and men and women who were members of the underground aiding the United States during the war cannot stand on the same footing as an over-fed inmate of a displaced-persons camp who has the necessities and the luxuries of life, who has servants at his disposal, and who has an automobile to carry him around. This thing is not right; it is unjust.

But I go further. Here is a letter from Germany dated April 20, 1948. I cannot give the name of the person to whom the letter was addressed. The letters are here. The originals were written in German. The letters speak for themselves. Listen to this, Mr. President:

I apologize for writing to you for help and using your time for myself. I read in the newspapers of your wonderful gift to the tubercular sick children.

There was an institution, I am informed, of 67 little children suffering from tuberculosis caused by malnutrition. Listen to this letter:

I have myself three children which have tuberculosis, and we are living in great need and distress. For this reason I appeal to you from my heart to see whether you cannot help us in this need, or if you will give this letter to someone who can help.

There is no point in sending a food parcel. That does not solve anything. When the parcel is gone, hunger remains. The equitable and right thing to do is to place these people on an equal basis in the opportunity to get into this country, as the distinguished Senator from North Dakota proposes in his amendment. But I read further:

I give you a brief report of the condition of my family.

Mr. President, note this statement. By the way, I may say that accompanying the letter was a health certificate from the health authorities in the town in Germany where this lady lives, verifying the truthfulness of her statement. She further says:

I am a widow since 1941 and still have four children, ages from 8 to 16 years.

Note that, Mr. President, 4 children ages 8 to 16 years.

I get the insurance for myself and children, a total of 135 marks ($13.50) per month, from which I have to pay 40 marks for rent, balance which is for clothes and food. I have lost through the war everything and I have to start from the beginning with a little dole (social security) which is very hard with the little money I get. Last year fate hit me very hard. On April 12 I lost a daughter of 17, and on December 7—

Mr. President, listen—

my second daughter of 15 years. Both died with tuberculosis. It was very hard to lose two such very nice children. From the four other remaining children, three are sick and also have tuberculosis.

Mr. President, that is a horrible condition. It is terrible that people should be discriminated against by the Congress of the United States.

I read on:

With the little money which I get it is impossible to buy any additional or strengthening foods. For this reason I am appealing to you to send my sick children some food.

Mr. President, here is a letter verified by the health authorities of the town in which this lady resides:

Charity which has been distributed in Berlin has gone over to the social officers and since I am obtaining the social security (insurance) I am not getting help from there (she cannot get food from the welfare agency because she gets social security).

There is a confirming statement from the Tuberculosis Society attached, showing that there are three cases of active tuberculosis in her family.

I read further:

I would like to ask this. Neither my dead husband or I was ever in the party, and were politically absolutely clean.

Hoping that I have not appealed in vain and thanking you in advance, I am,

Mrs. ELLA ROTTER,
*(1) Berlin, S. O. 36, Manteuffelstr. 49, V. III R.*

Mr. President, those are terrible conditions. They are true. I say it is wrong that we should exclude those persons from the provisions of this bill. When has it become a disgrace to be a person of German descent? Some of the best blood in this country, which flows in the veins of millions of our people, came from Germany and central Europe. Why should we charge little children with the responsibility of war? We cannot say that we want displaced persons because we support those persons in camps. The appropriations each year by Congress have amounted to millions of dollars to feed the people in the occupied areas.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. REVERCOMB. I should like to point out, if I may, that the presently pending amendment does not meet the problem which has been so eloquently referred to by the Senator from Mississippi. In other words, the pending amendment deals with an entirely different subject.

Mr. EASTLAND. I am speaking of the amendment which the Senator from North Dakota said he would offer.

Mr. REVERCOMB. The amendment which he will offer?

Mr. EASTLAND. Yes.

Mr. REVERCOMB. But the pending amendment which is to be voted on next does not cover this situation at all.

Mr. EASTLAND. Of course it does not.

Mr. REVERCOMB. I thank the Senator.

Mr. EASTLAND. Mr. President, the Senator from West Virginia was not present when I began my remarks. This subject has nothing to do with the pending amendment. I simply stated that I joined the Senator from North Dakota and was commenting on his speech.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. EASTLAND. I yield.

Mr. REVERCOMB. Let me say to the able Senator that I understood the situation myself, but I thought, for the sake of the record, it should be pointed out that there was no relationship whatsoever between the pending amendment and the one with reference to which the Senator is now speaking.

Mr. EASTLAND. That is correct.

Mr. President, here is another letter, which is dated April 20, 1948, and which is signed by Mrs. Regina Riedmair, Aussere Wiener Strasse 121, IV (13b), Munich 8, Germany:

I read in the Sueddeutsche Zeitung this morning that you have in the most charitable and noble manner tended to the needs of sick Berlin children. I want to join in thanking you most cordially for your wonderful deed. I also want to thank the victorious powers with all my heart for all the good they have done, and also for the liberation from the 12-year pressure of the last regime.

Even though life is terribly difficult in Germany nowadays, the frightful war with all its terror is over. My husband and I are 65 and 68 years old, respectively. We are ailing, and have a tubercular son of 31.

There is another instance, Mr. President, of tuberculosis caused by malnutrition. It is the case of a young man in the bloom of life, 31 years of age, who has tuberculosis. There are literally hundreds of thousands of such cases in that unhappy country today.

I read further from the letter:

There is lack of food as well as of clothes. We surely cannot be held responsible for present conditions in Germany, and I can bring documentary proof to this effect. None of us had anything to do with the Nazi Party. We were bombed out completely on July 12, 1944. We have no relatives abroad. If you should be able to help us in some way, we should be most grateful to you. You would bring some joy into our poor, dreary life. The Germans should be ashamed of ourselves to observe how the other countries are trying to ease the great need, and after all, it was Germany who started the war. May the good Lord give us soon a lasting peace with all peoples. May God help us through this misery. May He protect you and yours.

Mr. President, there is another instance of terrible need, an instance of starvation, lack of clothing, lack of food, lack of the very necessities of life. Instead of attempting to help the people who actually need help, we are discriminating against them, and going to the displaced persons camps, where the people are overfed and enjoy some of the luxuries of life, and saying that they should have precedence, priority, over persons who are actually starving to death.

I say, again, Mr. President, that the distinguished Senator from North Dakota has rendered a great public service in calling this matter to the attention of the country and in offering the amendment which he has offered.

I have here a letter dated April 24, 1948, signed by Oskar Trautwach, Berg Strasse 75, Berlin N. 4, Germany. It reads as follows:

I read in the papers here in Berlin that you had donated 1,000 pounds of food, which went to the children's hospitals.

My wife and I are sickly and old people. I was born in 1876 and my wife in 1884. Both of us are suffering from hunger and cold.

We want to beg you most urgently, could you perhaps help us? If not, please give us an address to which we could write. We should be satisfied with anything at all. Besides, we are refugees.

Then, Mr. President, he gives the sizes of the clothing and shoes they need, with which details I shall not burden the Senate.

Please send us some food. As soon as we are able to do so we shall repay you. Please enclose bill.

Thanking you in advance, and may the good Lord give you good health, I am with best regards.

It is signed, as I said, by Oskar Trautwach, Aussere Wiener Strasse 121, IV (13b) Munich 8, Germany.

Mr. President, here is another letter, signed by Frieda Bockhardt, of Neuenburgerstr. 10, Berlin SW., 68, dated April 16.

The undersigned permits herself to approach you with the request to have a little CARE gift sent to her.

Often I go to visit a family where I can experience how this family * * * benefits by the CARE gifts which you send. This family has six school-age children; your packages seem to come just when the need there is the greatest. I experience, then, along with them, how these children use all these precious foods and how good they taste to them.

The second paragraph reads:

When I am then alone at home and think about it, my heart bleeds a little and the wish arises, "If I could only one time receive some food."

For a long time I had the idea to write with the aforementioned request.

I am a single woman, 49 years old, employed as a sales assistant. Unfortunately, 70 percent incapacitated through an accident, I am still satisfied as to what may come and how it may come, and try to master my own life. I received a letter that I might get some help, and ask you to forgive me for the above request.

Mr. President, no branch of the white race has suffered as these people have suffered in the past few years, and I submit, in the interest of this country, they should not be discriminated against in the pending bill. I further submit, Mr. President, that there is not a paragraph, there is not a sentence, not a phrase, there is not a word in the displaced persons bill, which will benefit the people of

the United States. There is not a section in it which will help this country one iota.

The bill should be defeated; but if we are to pass legislation of that kind it should be equitable and just, and in order to make it equitable, the amendment offered by the Senator from North Dakota should be agreed to.

I read further from a letter written on the 13th of April, by Brigitte Mebes, director of an orphans' home at 37 am Sandwerder, Berlin-Wansee, where a great many tubercular little children live, children tubercular from undernourishment.

Mr. HATCH. Mr. President, before the Senator begins the reading of the letter, I wish to make an inquiry. I realize what the Senator is saying, and the communications could be multiplied world without end, I am sure, from practically every country in Europe, especially the war-devastated areas.

I have had requests in the last few minutes, however, from a number of Senators, as to whether or not it would be possible to have a vote tonight. It is now after 5 o'clock, and I am wondering if the Senator could give us some indication of how long he will speak.

Mr. EASTLAND. I told the distinguished senior Senator from Massachusetts that I was not attempting to prevent a vote this afternoon. I shall conclude in a moment or two, and I shall have nothing else to say on the amendment. I understand the Senator from West Virginia will speak on the amendment. About that I do not know, but I shall be through in a moment.

Mr. HATCH. I hope the Senator understands that I was not at all questioning his right to take as much time as he desired. I was merely trying to get the information so that I might pass it on to others.

Mr. EASTLAND. I am giving information which I think the Senate should have, and when it is in the RECORD, it will be agreeable to me that a vote be taken on the pending amendment.

I read further:

Yesterday we received from the ladies of the American Press Club your food packets. I hope that you can imagine how exceedingly wholesome this food will be for our children.

I might say, Mr. President, that those very children are hungry and undernourished at this time. I might say that many of them will die in the next few months because of undernourishment. Yet we discriminate against the poor, the weak, the helpless people, who do not have a great propaganda agency, with millions of dollars at its disposal, to work for them.

I read further:

I suppose that you are informed about our children's home. The home is situated in Berlin-Wansee at the great Wansee-Lake. Sixty-five children and youths are now staying with us. They are orphans or fugitives or children of mothers who have to earn their living as their husbands are lost in the war, or are prisoners of war.

Mr. President, here are some recruits against communism, children whose fathers are prisoners of war in Russia, men who will never return. Here are some recruits against communism, but we are discriminating against them. We say they cannot come into the United States, that we should take some displaced persons. The records show there are Communist agents and Communist saboteurs with whom Mr. Stalin hopes to get into the United States. In a day or so I shall read news articles on that subject which recently appeared in the New York Times.

I read further:

That is the reason why the children must be cared for in our home.

The home was opened in 1945 in our greatest distress. There was no furniture here. People did not know in those dreadful times where to place the numerous children who had no homes. Nowadays the times became somewhat better. The children feel at home and very comfortable. The children play as well indoors as out of doors in the garden, the older ones go to school and the youths are apprentices. For these fellows, 14 to 19, I am very anxious in getting a supply to better their nourishment.

Listen to this:

They have to work very hard and get only rather a small ration card. Although I am endeavoring as much as I can to give the fellows a supply, they feel always very hungry, and would like to have some more food than I can give them. The times with the great difficulties of our nourishment last too long for these boys in the age of development.

To protect the children and especially the youths from the dangers of our very troublesome time with its consequences resulting from them, is our greatest endeavoring. We can only succeed in this if a certain basis for nourishment is given. Otherwise they become tired and dull.

Mr. President, there are young lives being ruined. There are young lives being destroyed. There is suffering without example in modern history. Yet here we discriminate against such people. I continue reading from the letter:

Their strength must be sufficient for that children and youths can be occupied with play and work.

It is for us a new and difficult situation that we are alone not able to give the children the necessities. Now we are exceeding grateful for the undeserved and unexpected aid which we get from foreign countries.

I think, Mr. President, that a very small fraction of 1 percent of the needy children come in the category which occasionally receive a food package from abroad.

We are very often quite disconcerted, especially as we are quite unknown to you.

After having received your wonderful packets the childen got for supper after their daily soup a surprising pancake—

Just think, they have only soup for their meal, and then on a special occasion when they receive extra food they are given one pancake—

in order they should feel at once the effect of your kind gift. But now the treasurers are shut up and were distributed very carefully, for it is very undistinctly how the children's future will be formed.

Mr. President, there are 65 little children today who are starving to death, but they are more fortunate than the others, because occasionally they have received food packages.

I read another letter signed by Mrs. Anna Weigel, Possenhofen Huus, 5½ Starnbergsee Ober, Possenhofen, Post Pocking, Postleitzahl, 13b, American zone, Germany. It is dated April 20, 1948.

I am taking the liberty of making a request of you. A young American, whose name I do not know, gave me your address. At that time I gave him water for his cooler. Since at his inquiry I told him that I had not received a package from America, he told me to write you. You must know some one who will send us a package, he said.

I am 68 years old and live here with my daughter whose husband is missing in Russia. My daughter cannot earn much and I have two grandchildren, two girls 8 and 9 years old.

Think of your own little children, Mr. President. Would you want them discriminated against and thus denied the necessities of life? Two little girls, one 8 and one 9 years of age. Listen:

We have to live on the calories allotted to us for with what my daughter earns we cannot buy anything on the black market. We are all undernourished, and I am emaciated.

Now listen:

I myself am 1.6 meters tall and weigh only 98 pounds.

Think of it. Her weight is only 98 pounds, and she has two little daughters who are starving to death.

I would like to ask you if it is possible to help us with a gift package of food, since no one thinks of us. I am writing only for the sake of the children. There are many people who would like to give pleasure if they only knew that it was appropriate. Many do not know real need and how we need simple things like shoes and stockings and many other things. I will complain no more, but rejoice if my request meets with favor. How glad we would be and how thankful if we should receive something some day. Please do not look upon this letter as a begging one.

With the friendliest greetings from Germany.

Mr. President, these are people of the kind who helped build America, who made America great, who made America strong. I hope the Senate will not listen to the great pressure group, the great lobby organization that is behind this displaced persons program, an organization with a pay roll in Washington of $150,000 a year, something unknown, something unheard of in the history of the United States.

Here is another letter dated May 6, 1948, signed by Mrs. Charlotte Karner, Berlin-Charlottenburg, Giesebrechtstr. 15, Germany. I will read this letter.

Because of great care and indescribable need I am presuming to write to you and ask for immediate help, since it is a question of saving the life of my husband and the father of the family.

Mr. President, there is a woman who writes for help because it means the saving of the life of her husband.

My family now consists of three persons. The late war destroyed our home and all our possessions through bombing. We own nothing any longer and the only clothes we own are those on our backs.

My husband, formerly the head of a mercantile establishment, at 53 had to become a soldier again, since he was not a National Socialist. In 1945 he came out of war im-

prisonment as an invalid and today is unable to work. He has bad heart trouble, is greatly undernourished with hunger, oedema in his face and legs, and has been in hospitals and clinics many times. Because my husband is unable to work, we are in great financial need and receive some help from the city of Charlottenburg. My own small wages are not enough for food, and it is therefore, not possible to offer my husband any help. We can not get the coffee so urgently needed to stimulate his heart activity, and we have no relatives or friends abroad who can help us. Therefore, I am asking you to send us a gift package and to realize that I make this request because of my great need. My sole wish is to try in every way to restore my husband to health again from the severe illness he contracted in 1945, so that he will be able to work again.

I am enclosing a doctor's certificate to prove his illness.

Mr. President, the doctor's certificate was enclosed to verify the accuracy of that lady's statement.

I read further. This is a letter from a German doctor. She gives her time to an orphans' home for undernourished children who have tuberculosis. We discriminate against those little children, because we favor in this bill overfed and rich people, and exclude the poor, the weak, and the helpless from the benefits of the bill.

This is what she says:

Last week the ladies of the Press Center brought our children your magnanimous gifts of food, clothes, baby linen, wool, soap, things to repair the shoes with, and toys. Only he who knows what bitter need means can understand the joy and surprise your gifts brought to the children and the release it meant for us in these days of worry. Our children have lost everything, their homes, their parents, their brothers and sisters, and their health.

What greater calamity could befall anyone? I read further:

Their childhood is burdened by bitter experiences. How deeply they feel and suffer their fate was manifested by little Manfred, aged 8. After having received his marvelous presents, he asked shyly, "Aunt Doctor, are you also going to give me new parents? I have nobody in the world."

As long as the children are in our hospital we try to be their parents and home. So you will understand how grateful we are for every help.

Let me thank you herewith from all my heart for all the understanding you have shown toward our children.

Dr. Med. KATHARINA RIES,
*Chief Physician of the Ritterberg-Kinder-Klinik Lichterfelde-West—Germany.*

That is all of the letter which is pertinent. Post cards were enclosed from orphan children, showing their condition.

Here is a letter from Helena Dymek, written from Berlin, Germany, during the month of May:

As you know, the starvation in Germany is very great, especially with people who have no money to buy food on the black market which only rich people can do and the black marketeers. One who has to live on the ration cards must hunger very much and deprive himself of all the necessary things.

I am 62 years old and I am alone. I have suffered for over 5 years with a stomach ailment and have ulcers caused by poor nourishment without fat, and two hours after every meal I have indigestion and pain in my back, chest, and intestines which is the cause of the sick stomach. In order that I can help my stomach ailment I write to you, with the appeal to help me in my need.

HELENA DYMEK,
*Ebert Ip. Str. 47, Berlin, E 34.*

That is all of the letter which is pertinent to the subject which the Senator from North Dakota [Mr. LANGER] has presented to the Senate. This friend has given me many more letters which are in the file, with which I shall not burden the Senate at this time. I stated that I would not attempt to prevent a vote on the pending amendment tonight.

The distinguished Senator from North Dakota has performed a great service in presenting his amendment. At the same time he has shown the inadequacies, the injustice and the unfairness in the present bill. I submit that if the bill is passed, if we are to enter that field, we should not discriminate against the poor, the weak, and the helpless, and in favor of those who have millions of dollars—$170,000,000 was raised last year—and a great lobby organization to push this measure through Congress and to protect their interests.

I certainly hope that the amendment of the Senator from North Dakota will be adopted.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment D, offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. WHERRY. Mr. President, inasmuch as this is the closing argument prior to the vote on the amendment, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Ball | Gurney | Martin |
| Baldwin | Hoey | Morse |
| Brooks | Holland | Murray |
| Buck | Ives | O'Daniel |
| Cain | Jenner | Revercomb |
| Capper | Johnston, S. C. | Saltonstall |
| Donnell | Kem | Smith |
| Dworshak | Knowland | Stennis |
| Eastland | Langer | Taft |
| Ferguson | Lodge | Thye |
| Flanders | McCarthy | Wherry |
| George | McGrath | Williams |
| Green | McKellar | Wilson |

The ACTING PRESIDENT pro tempore. Thirty-nine Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators, and Mr. ELLENDER, Mr. FEAZEL, Mr. HAWKES, Mr. LUCAS, Mr. MCMAHON, and Mr. RUSSELL answered to their names when called.

The ACTING PRESIDENT pro tempore. Forty-five Senators have answered to their names. A quorum is not present.

Mr. WHERRY. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BRIDGES, Mr. CONNALLY, Mr. CORDON, and Mr. THOMAS of Utah entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment, as modified, proposed by the Senator from Michigan [Mr. FERGUSON] for himself and certain other Senators, beginning on page 4, line 10, and lettered "D."

Mr. REVERCOMB. Mr. President, if the Senate will bear with me for a few moments, I feel that we can close the argument on the amendment, which is the pending question. If the amendment shall be adopted, it will be the first of a series of amendments which will completely destroy the committee bill in its text, its purpose, and its protections. The Senate has already voted and made its decision as to the numbers that should be admitted under the bill. The number has been increased from 100,000 to 200,000. That does not in any sense change the structure of the bill itself. The bill can deal with any number. However, if the amendment now proposed shall be accepted, it will be one of a series of amendments which will change the whole purpose and the whole working of the bill.

Mr. President, let us see what the amendment would do. The bill provides that 50 percent of the displaced persons to be brought into this country shall come from countries that have been annexed de facto by any foreign country What, in fact, is the effect of that? What are the countries? I may say they are the Baltic countries of Lithuania, Latvia, Estonia, and East Poland. That provision was made because those people are the ones who are, in fact, displaced. They cannot go home. There is some evidence as to others; there is a difference of opinion as to the extent to which persons may have been displaced from other lands. But this much we know, that those from the countries we have named as having been annexed by another nation, cannot return with safety either to themselves or to their families.

This bill, Mr. President, does not require that all displaced persons shall be taken from those countries. It is a selection only to the extent of 50 percent. The pending bill contemplates taking people from all the camps in the proportions that the groups bear to the whole number. That would be very good if we did not have the question in fact of the mixing in the camps of really displaced persons and those who are not displaced. This very amendment contemplates that an amendment is to follow, which has already been printed and which was alluded to by the able Senator from Massachusetts when advocating the pending amendment, extending the group of those who may be considered as original displaced persons. What does that mean? It means that with those who are actually displaced we would class persons who are emigrants westward in this great movement in Europe. So I say, that if the amendment be adopted it does away with the first preference to the displaced persons, and secondly, it

does away with the provision written into the bill by the committee giving preference to those who were in the camps on January 1, 1948.

Let me point out also something in the pending amendment that may very much mislead us. It says the selection shall be based upon the elements or groups segregated or designated for the purpose of being cared for by the International Refugee Organization. I say candidly that there are many who have been admitted to the camps who are not in fact properly classed as displaced persons. They come into a country because they desire to emigrate from their homes. They are not driven out. If the companion amendment, which naturally must go with the pending amendment, and which the able Senator from Massachusetts said would be offered along with it when it is acted upon, were adopted, it would include people who are not in fact displaced persons but who for 2 years after the close of hostilities in Europe moved westward across Europe.

The International Refugee Organization through its committee that is acting today has taken those people into the camps. I do not criticize the IRO for so doing. The people had no place to go, but they are not in truth refugees who could not return home, and who are to be classed in fact and in truth as displaced persons.

That in essence, Mr. President, is the effect of the pending amendment. I urge that it be not adopted, for the very reason that if it be, then it is to be followed by a series of amendments which, as I have said, will absolutely enlarge the scope of this bill, not limiting it to displaced persons, but in fact making of it an immigration bill.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. REVERCOMB. I am very glad to yield to the Senator from California.

Mr. KNOWLAND. I should like to make an inquiry of the Senator. In the original bill as it came from the committee how does the proportion of the stateless persons in the DP camps actually compare with the total number of displaced persons? In other words, what I am trying to ascertain is how the figure of 50 percent was obtained. I may say to the able Senator from West Virginia I think there is some equity in giving a preference to stateless persons; that is, where their country has been absorbed against their will and they cannot return without fear of execution.

It seems to me such people do have in fairness and equity some reason for being given a preference, because they cannot go back. That would apply to Lithuanians, Estonians, and Latvians, whereas certain of the other people can go back to their places of origin without danger of execution.

On the other hand I would say to the Senator frankly I am still not convinced that the figure of 50 percent would necessarily be the proper proportion, and that is the reason for my inquiry.

Mr. REVERCOMB. I think the point is well taken. I will say to the able Senator that there are approximately 645,000 displaced persons in Germany and Austria. Of the Balts there are approximately 200,000; of the Poles from east of the Curzon line there are approximately 200,000, making a total of persons who have come from annexed lands approximately 400,000, or more than 50 percent of the total of those in the camps. So I do not think that 50 percent is out of line at all.

This question was the subject of discussion in committee, and I may say to the able Senator that all these figures were arrived at after a discussion of the facts and figures. I am glad to have had the Senator raise the point.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. REVERCOMB. I shall be glad to yield to the Senator from Vermont.

Mr. FLANDERS. Is the Senator making the assumption that those persons who have since come westward into the concentration camps could, for the most part, return without suffering execution?

Mr. REVERCOMB. I did not make that assumption. There is a great difference of opinion on that question. We have conflicting evidence about it. There are some persons who say that the Poles could go back and would have no difficulty whatsoever, that they would not be molested, that the Polish Government is endeavoring to lean over backward, so to speak, in that respect.

In other words, we have evidence showing that some Poles, if they returned, would be punished.

Mr. FLANDERS. I take it the original bill made no provision for those persons presently escaping from Czechoslovakia or other countries more recently taken over.

Mr. REVERCOMB. Of course, we should like to take care of all of them, but we know we cannot do that. They continue to flow westward not only from Czechoslovakia, but from Rumania and other countries.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield to the Senator from Ohio.

Mr. TAFT. Even under the amendment which is proposed those persons would not be included.

Mr. REVERCOMB. That is correct.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. REVERCOMB. Let me make my point before yielding.

It seems to me that persons who have been there longer, those who were moved out as slave labor, branded by the Nazis—I saw some of them in the camps—should be the ones to be chosen first if any preference is to be given. If we cannot take them all, we must be somewhat selective. We should try to be fair. Those who have been there the longest time and those who cannot go back home should be the first, certainly, to the extent of 50 percent consideration. That does not mean that the entire 200,000 quota will be taken from those persons, or that half will be taken from them and the other half be taken from those who do not fall within the category of the annexed states.

I now yield to the Senator from Nevada.

Mr. MALONE. I saw several of the camps. We were informed that a large number of displaced persons had left their countries following the close of the war. Does the Senator from West Virginia have any detailed information on that point?

Mr. REVERCOMB. There is no figure, so far as we can find, fixing the number definitely, but we are told that hundreds of thousands have come into the camps long after the close of hostilities. They are still coming in today.

Mr. MALONE. We were informed that approximately 80 percent had left their countries after the close of the war.

Mr. REVERCOMB. I think in wisdom we must draw a distinction between those who were compelled to flee, who could not remain in safety, and those who migrated and moved simply because they felt they could improve their economic condition. That was the problem which brought about the enactment of the immigration laws. It exists as much today as it did prior to the war. The same problem arose after the First World War, but probably not to so great an extent as we have it today. But we had to meet a similar problem, and it brought about the enactment of our present immigration laws.

We found that we could not do as we did in years gone by—simply open up the gates. After 1918, 1,400,000 persons came into this country. That compelled us to enact our present immigration laws.

I say to the Senate that if we adopt this amendment we shall not be adopting a displaced-persons bill. We shall be adopting an expansion of the immigration laws, because we are not confining it to displaced persons with a priority of 50 percent to those who are definitely displaced. We are bringing in persons who, in fact, are emigrants westward through Europe.

Without going into further detail, Mr. President, and in order that the Senate may make a decision upon this very grave question of just what kind of a bill it desires on the subject, I think we should now proceed to vote, so far as the Senator from West Virginia is concerned.

Mr. SALTONSTALL. Mr. President, I should like, in 3 or 4 minutes, to try to answer briefly some of the points raised by the Senator from West Virginia against the amendment upon which the Senate is about to vote.

The Senator said that these persons are not displaced persons. With that I most strenuously disagree. The amendment will permit to be considered, under the displaced-persons bill, persons who were in camps on January 1, 1948. The camps were officially closed by General Clay in April 1947. This amendment will permit, on a percentage or quota basis, persons to be considered as displaced persons, eligible for admission who were still in those camps on January 1, 1948.

The Senator from West Virginia says they are simply emigrants westward from the eastern countries. With that I thoroughly disagree. It will be recalled that there was a pogrom in May

1946. Many people were pushed westward by fear of that pogrom. Other persons who were living in those countries could not safely remain there because of communistic influences and their fear and dread of communism. So they went into camps. The camps were closed in April 1947. Up to that time, I submit, Mr. President, that the people who came into them were properly displaced persons, and not merely wanderers and emigrants westward.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator has mentioned the pogrom of 1946. That name has been given to it because in one locality there was a mob uprising, as a result of which, as I recall, 35 persons were killed. But the record is replete with testimony, even on the part of those who dealt with that subject, to the effect that so far as the Polish Government was concerned, it offered its protection to the people there, but that there was a local riot, and that 35 lost their lives. I think we should know what that incident was. Horrible as it was, it was not a wide-spread, terrible general pogrom, and no incident like it has occurred since.

I do not say that all persons other than these who are covered by the 50 percent are emigrants, but I say that many of them are not the genuinely displaced persons. As stated by the Senator from Nevada, information was given us that a very high percentage of the persons who are in those camps are persons who, because of their desire to improve their conditions, to get away from the economic debacle which had befallen their countries, were moving westward. No one blames them for that. But we have to be fair, and we must give relief where relief is most needed, because we cannot take them all. I feel that we should give the relief to those who cannot, and who we know cannot, return home, and those who have been in the camps for the longest time, since the Nazis sent them there as workers. Those are the one who should receive the benefits.

Mr. SALTONSTALL. I agree with the Senator that we should take those who cannot return to their homes, but I disagree that we should consider whether a man went into a camp in 1944 or 1946, if he went in as a sincere, bona fide displaced person who could not return to his home.

Mr. TAFT. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from Ohio.

Mr. TAFT. Is it not true that the chances of those behind this line going back, or being able ever to go back, are very much less than the chances of those going back to Austria or Hungary or Poland? Should we not give some priority to people who never can go back to the territory controlled by the Russian Government?

Mr. SALTONSTALL. As I understand the amendment, it does not prevent the people being included who cannot go back, or who are east of the Curzon line. It simply places them in a fairer proportion with the other people, west of the Curzon line, who also feel, for one reason or another, that they cannot return to their homes.

Mr. TAFT. Should there not be a slight preference—not much of a preference, but a slight preference—given to those who certainly cannot go back, since we are not going to take them all, whereas there is some hope that the others may be able to go home. There is some hope that some of the Poles may go back to Poland.

Mr. SALTONSTALL. Let me repeat to the Senator from Ohio that on January 1 this amendment, if agreed to, would result in the following being covered: 126,000 Balts, or 23 percent of the total population; 163,000 Jews, or 25½ percent; 266,000 Poles, or 42 percent; 22,000 Yugoslavs, or 3½ percent; 4,000 Russians, or one-half of 1 percent; all others, 34,000, or 5½ percent of the total of 635,000 people.

In other words, the Poles are 42 percent of the total who were in the camps on January 1, 1948.

Mr. TAFT. I still do not see that it is particularly a Jewish question. There may be Jews who came from the other side of the line, just as well as others. I see some reason for giving a priority to the people who are in the Russian occupied territory, where they are certain of being transported to Siberia if they go back, as opposed to the others. When there is some reasonable hope that they can ultimately return to their homes, it would be the best thing that could happen to them, probably.

Mr. SALTONSTALL. I believe a great body of these people who were in the camps were in the status the Senator mentioned. The difficulty is that with the bill in its present form, 50 percent of the people have to be farmers.

Mr. TAFT. That is another question.

Mr. SALTONSTALL. No; it is not entirely another question, because this would put it on an entirely quota basis, whereas if 50 percent must be farmers, we are cutting down certain groups very much.

Mr. TAFT. I do not think the farm provision is very reasonable. I do not see why we have to take both or none at all.

Mr. FERGUSON. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from Michigan.

Mr. FERGUSON. I merely wish to ask whether or not there is really a distinction between a displaced person who comes from east of the Curzon line and one who comes from west of that line. Does not the Senator think it is just as difficult for a Pole to return to either one of those places, for a reason he has assigned in his own mind as sufficient to cause him to leave his country and go to live in a displaced-persons camp?

Mr. SALTONSTALL. I agree with the Senator. I look upon a displaced person as one who sincerely in his own mind believes he cannot go back to his own home, and who was in the displaced-persons camp prior to April 21, 1947.

Mr. KNOWLAND. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from California.

Mr. KNOWLAND. I agree with the Senator from Ohio in this matter. It seems to me there is a very vast difference between persons whose country is not merely occupied by the Russians but in effect has been unilaterally annexed by the Russians, and those who are not in that category. So far as the Russian Government is concerned, though we have not recognized that aggression, they have incorporated Latvia, Lithuania, and Estonia into Russia, and they are almost part and parcel of the U. S. S. R. Certainly in that situation, from the point of view of a person who had fled for his life from any of those countries, he has very little opportunity of ever getting back to his homeland.

I was in Poland, as some of the other Members of the Senate have been. While it is true that in Poland there is at present a Communist-dominated government, that government is not incorporated into Russia itself, and there is a hope that at some time, when the Russian troops are withdrawn, the Polish people may again be able to reestablish a free republic of their own, just as perhaps the people of Hungary, Rumania, and Bulgaria may be able to do. The people who fled the Baltic States are apparently in a hopeless condition so far as ever getting home again is concerned, unless they want to be incorporated in the Soviet Union itself.

Mr. SALTONSTALL. In the meantime, I may say in reply to the Senator from California, a man who is a marked man, and who may today be in a displaced-persons camp, cannot go back to his home and feel safe. We have seen what has happened to the foreign minister of Czechoslovakia. We have seen what has happened to other people who have had to flee from Poland. Those people cannot go back, even in satellite countries which are at present Communist, and be safe. They would be liquidated. I think such a person has just as much right, if he is in a displaced-persons camp, to be considered as entitled to come here, as has the other type of person.

Mr. KILGORE. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield to the Senator from West Virginia.

Mr. KILGORE. Taking into consideration those who fled from the totalitarian aggressions of communism, as well as those who were interned by nazism, is it not a fact that both are equally entitled to consideration, and that under present conditions there will be no retirement, as suggested by the distinguished Senator from California, from Poland, Czechoslovakia, and other places, unless force is applied. Therefore is it not necessary for the Senate in considering a bill such as the Mundt-Nixon bill, dealing with communism in the United States, to protect those people who agree with us in ideology among the displaced persons, in order to protect our own Nation?

Mr. SALTONSTALL. I think the Senator from West Virginia has made a statement rather than asked a question. If I understand him correctly, however, I think I would agree with what he said.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. I must differ with the statement made by my good friend the Senator from Massachusetts when he says that there is no difference between the situation east of the Curzon line of Poland and west of it. We have evidence here that there is a very great difference. East of the Curzon line is Russian territory, with the threat of Siberia confronting the people there. We have no instance, so far as I know, of any "Siberia" west of the Curzon line.

In addition to that, East Prussia is a part of the land that has been taken and annexed to Poland. The natives of East Prussia in a large measure have been driven from East Prussia and that land is there for the use of those who return. We have evidence of men high in authority that people can return there. There is a difference of opinion about it. But, certainly, as has been said here, there is a vast difference between the lurking danger to one who goes back east of the Curzon line, and those who might return to the lands west thereof.

Mr. SALTONSTALL. Mr. President, I disagree that the word "must" is a proper word to use. There must be some differentiation. The only way I can emphasize the point is to call the Senator's attention to the officials in Poland and in other countries who have had to flee their countries for fear of what would happen to them. We see that in connection with the Polish people, and we recall that one of the most distinguished citizens of a country so situated committed suicide.

Mr. REVERCOMB. Mr. President, will the Senator yield for one more question?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. Of course, we know of the distinguished citizen who committed suicide. I do not know, and I do not know of anyone else who knows, the circumstances and pressures that brought that about. We have heard much about that matter.

Let me say to the able Senator from Massachusetts that many individuals have gone back to Poland. Eight million people who formerly were classed as displaced persons were in Germany at one time. Many of them have gone back to Poland to make their homes. There is evidence enough to establish that the situation is not as bad in the de facto unannexed countries as it is in those countries where the people who left cannot return because they know their lives would be in jeopardy.

Mr. SALTONSTALL. If the Senator were a person of Jewish faith he certainly would not have any feeling of security if he went back to the general vicinity where those 35 people were killed, or anywhere near that vicinity.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LUCAS. Does the amendment practically destroy the Curzon line so far as misplaced persons in Poland is concerned?

Mr. SALTONSTALL. I would not quite put it that way. The people who were properly in these camps from January 1, 1948, who arrived there prior to April 21, 1947, whether they were east or west of the Curzon line, can be considered.

Mr. LUCAS. In other words, the amendment would consider all the people of Poland rather than those——

Mr. SALTONSTALL. Who were properly in the displaced persons camps.

Mr. LUCAS. Yes; rather than those who are east of the Curzon line.

Mr. SALTONSTALL. It would put them in the same category.

Mr. LUCAS. Those west or east?

Mr. SALTONSTALL. Provided they were in the camps before April 21, 1947.

Mr. LUCAS. One further question. There is no distinction respecting the countries of Estonia, Latvia, and Lithuania?

Mr. SALTONSTALL. No.

Mr. LUCAS. Why should there be distinction respecting Poland, if there is no distinction respecting the other countries? I do not understand that.

Mr. SALTONSTALL. I do not think there ought to be, provided a man is sincere in his feeling that he cannot go back safely to his home in Poland.

Mr. TAFT. Mr. President, east of the Curzon Line is not in Poland. It is in Russia today. There is no Poland east of the Curzon line today.

Mr. LUCAS. I appreciate that, but it was Poland at one time before it was taken over.

Mr. TAFT. But I may say most of the persons there were not Poles. Most of them were White Russians.

Mr. LUCAS. Of that I am not so sure, because my information is that practically all the Polish people east of the Curzon line after the Hitler-Stalin pact, were transported to Siberia or into camps, and there are very few Polish people living east of the Curzon line, but plenty of them are left west of the Curzon line. It seems to me it would be highly discriminatory unless the amendment of the Senator is adopted, giving the people of all of Poland an opportunity to be considered so far as displaced persons are concerned.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Vermont.

Mr. FLANDERS. I should like to ask the Senator from Massachusetts why there is not sufficient flexibility left in the original bill in view of the 50 percent provided in line 10, on page 4? That on the face of it allows the remaining 50 percent to be administratively applied to the various displaced persons outside those from the countries enumerated. As I understood the figures a few minutes ago, those who were specifically intended to be taken care of constitute around 60 percent. The figures 60 and 50 percent are near enough together so that unless I obtain an understanding of this proposal which I now do not have, I would be inclined to go along with the bill as written.

Mr. SALTONSTALL. If the Senator from Vermont will read the debate on page 6583 of the CONGRESSIONAL RECORD of last Thursday I believe he will find language which answers his question:

> The largest percentage of farmers, 33 percent—
>
> Come from east of the Curzon line.
>
> Only 7 percent of the Baltic group, or 11,000, and 4 percent of the Jewish group, or 6,500, are listed as farmers.

So that the feeling of those of us who offered the amendment was that the committee bill was not as fair as the amendment we had offered, which would put it on a quota basis.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. REVERCOMB. I respectfully call the attention of the Senator to the fact that this particular amendment does not affect the kind of employment they may have. It does not affect the farm situation. There is another provision of the bill which contemplates 50 percent of farmers. The amendment cannot and does not apply to the farmers. It applies solely to the source of 50 percent of them, with the other 50 percent left to the annexed countries.

Mr. SALTONSTALL. Yes. The Senator is correct. But we are trying to put the matter on a quota basis so it will be fairer all around to all the different groups.

Mr. REVERCOMB. I point out that it does not at all affect the proposition of a quota for farmers.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. DONNELL. I should like to ask the Senator from Massachusetts what was the reason for the elimination in the amendment of the word "eligible" before the word "displaced"? May I explain particularly the point that is in my mind so that the Senator may address himself directly to it? The amendment provides that—

> Visas issued pursuant to this act shall be made available to each element or group among the displaced persons, as such elements or groups were segregated—

And so forth. The bill very carefully differentiates between displaced persons and eligible displaced persons. It seems to me it is a very fundamental distinction. The bill itself provides that not less than 50 percent of the visas issued pursuant to the act shall be available exclusively to eligible displaced persons and eligible displaced orphans.

The significance of that, as I see it, is this: The term "displaced persons" as it is defined at the bottom of page 1 and top of page 2 of the bill "means any displaced person or refugee as defined in annex I of the constitution of the International Refugee Organization, and who is the concern of the International Refugee Organization." As I understand, therefore, the term "displaced persons" is not limited at all to persons who entered Germany, Austria, or Italy prior to a given date, as is the fact in the case of

"eligible displaced persons." If I may proceed for a moment, the term "displaced persons," as will appear at page 8 of the committee report, would include not only persons entering up until January 1, 1948, but even up until the present time, so far as that term itself is used. At the bottom of page 8 of the report it is stated that—

> Generally speaking, eligibility under the constitution extends to all persons in the world who are or who may hereafter be out of their country of nationality or former residence and who are unwilling to return because of fear of persecution, and to persons who fled from Germany or Austria because of Nazi persecution and have returned but have not been resettled.

I think the importance of the inquiry which I make is this: The amendment provides that visas shall be made available "to each element or group among the displaced persons." That would include persons entering certainly up until the 31st of January 1947 because the only limitation in the amendment is that they were segregated or designated by the International Refugee Organization as of January 1, 1948, whereas the bill itself, with its limitation on page 4, which would be stricken out by the proposed amendment, limits the proposal to those who are defined in the bill as "eligible displaced persons," which class, so far as those who entered Germany, Austria, and Italy are concerned, includes only those persons who, on or after September 1939, and on or before December 22, 1945, entered one of those countries.

In other words, it seems to me—and I should be glad to have the comment of the Senator from Massachusetts—that the amendment very materially alters the entire theory of the definition of persons who are eligible to come into this country as displaced persons. The amendment would admit anyone who had come in up until the 1st day of January 1948. If there had been 100,000 persons, or 1,000,000 persons who had come in, or more than 1,000,000 persons who had come in between December 22, 1945, and December 31, 1947, they would all be eligible under the amendment; and the computation of the number is the various groups would be made not on the basis of those who had come into Germany prior to December 22, 1945, but on the basis of all those who had come in, including those who had come in up to December 1945, and all those who had come in thereafter, for two long years. So I address myself to the Senator from Massachusetts, and ask him if he does not think that the amendment, by the elimination of the word "eligible" and by enlarging the class of displaced persons to whom the amendment applies to include every one up to December 31, 1947, clearly does not alter entirely the theory of the bill as to who should be considered eligible displaced persons?

Mr. SALTONSTALL. In answer to the question of the Senator from Missouri I will say that the amendment does not alter the bill one iota. It does not alter it in one specific fact. By omitting the word "eligible" we simply select the quotas from the displaced persons, and then they must pass their screening test, which makes them eligible displaced persons.

Mr. DONNELL. In the amendment does not the Senator use the term "the displaced persons"?

Mr. SALTONSTALL. As a quota on which to base the possibility of selecting eligible displaced persons.

Mr. DONNELL. Is it not a fact that in the amendment the term used is "the displaced persons" and not "eligible displaced persons"? Second, is it not true that in the bill, on pages 1 and 2, "displaced person" is defined to mean "any displaced person or refugee as defined in annex I of the constitution of the International Refugee Organization and who is the concern of the International Refugee Organization"? Third, is not the term "eligible displaced person" distinctly limited, insofar as the first portion of subdivision (c) on page 2 is concerned, to those who, on or after September 1, 1939, and on or before December 22, 1945, entered Germany, Austria, or Italy? Is not each of my statements true?

Mr. SALTONSTALL. I would believe the Senator from Missouri at any time.

Mr. DONNELL. I know; but is not that a fact under the language of the bill?

Mr. SALTONSTALL. I do not agree with the Senator's interpretation of the amendment. If the Senator will listen to me for one moment, the amendment states that the persons who were properly in the camps on January 1, 1948, and who had gone there prior to the camps being closed, make a quota on the basis of which eligible displaced persons can be selected. The provision in the bill which the Senator mentions uses "eligible displaced person" to refer to those who came in between 1939 and 1945.

Mr. DONNELL. Yes.

Mr. SALTONSTALL. The bill provides that anyone who was properly there as a displaced person on January 1, 1948, can be considered in building up a quota from which eligible displaced persons may be selected.

Mr. DONNELL. Is it not therefore true, according to the Senator's own statement, which he has so frankly made, that under his amendment the persons to be considered would not be confined to those who had come in up to December 22, 1945, but would include all those to whom the Senator from West Virginia [Mr. REVERCOMB] has referred, who engaged in the emigration movement up to and including December 31, 1947?

Mr. SALTONSTALL. But I submit again to the Senator that it would not change the eligibility status of those who could come in and those who could not come in.

Mr. DONNELL. I shall not disturb the Senator by further inquiry. I know that he has very generously answered thus far. It is a fact, is it not, however, that under his amendment the language is that visas shall be made available to each element or group among the displaced persons? Second, the term "the displaced person" is defined as I have indicated, on pages 1 and 2 of the bill, and would include everyone who had come in up to and including December 31, 1947—not merely those who had left their homes in the stress of war, but those who had decided to emigrate between 1945 and December 31, 1947. In the third place, the bill itself, in the part which the Senator seeks to strike by the amendment, limits the persons to whom visas may be given to the eligible displaced persons; namely, those in the category to which I have referred, who came into Germany between 1939 and Decembr 22, 1945. Am I not correct in each of those statements?

Mr. SALTONSTALL. I think the Senator is correct from his point of view. Let me say in reply that, as the Senator knows, there is a further amendment to be offered, which limits the time to April 21, 1947. I argue that if the amendment should be adopted the people who were in the camps on January 1, 1948, and who had come in prior to April 21, 1947, would be the people from whom the eligible displaced person might be selected in the proper ratio.

Mr. DONNELL. Of course, we are now about to vote on this particular amendment. We have no assurance that the next amendment will be adopted. This particular amendment would permit persons to be brought into this country even though they came into Germany between December 22, 1945, and December 31, 1947.

Mr. SALTONSTALL. I submit to the Senator from Missouri that we are voting on amendments rather than a substitute bill because those of us who joined in the amendments felt that the committee, and the subcommittee of which the Senator was a member, had done such a good job in building up the framework of the bill that we did not wish to offer a substitute bill.

I hope this amendment will be adopted and I hope that the other amendment will also be adopted, in order that the framework of the bill which the Senator from Missouri helped to draft may become law, or at least pass the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. HOLLAND. I should like to ask the distinguished Senator from Massachusetts what kind of classification is involved in his amendment in the words which refer to the various groups, in line 5, on page 1 of the amendment. Quoting the words which the amendment would insert in the bill, beginning with the word "visas", in line 3—

> Visas issued pursuant to this act, shall be made available to each element or group among the displaced persons, as such elements or groups were segregated or designated for the purpose of being cared for by the International Refugee Organization.

My question is this: Just what method of classification is meant to be employed by the use of the words "element or group" and the words "elements or groups", as used in the amendment. Does that mean racial elements or groups or national or ethnic elements or groups, or does it mean present geographical location—in other words, whether they are located in the British or the American or the French zones of Germany or in

the similar zones of Austria or in Italy? By what sort of classification does the distinguished Senator mean that these visas shall be distributed among the displaced persons?

Mr. SALTONSTALL. I answer the Senator by saying that I understand that to be the technical method of describing the different peoples. For instance, the Balts are an element. A group might be comprised of Estonians, Latvians, and Lithuanians. That would be considered a group, whereas the Balts would be considered an element. The Poles are an element; but among the Poles there might be different groups.

Mr. HOLLAND. Does the Senator feel that the use of those general terms, without limiting them at all by the use of terms such as "ethnic" or "racial" or "national," or such a distinguishing term as "place of origin," would result in a careful basis of classification for the distribution of these visas?

Mr. SALTONSTALL. I understand that is the method by which the PCIRO has always classified them. I tried to look carefully into that matter. I found that the answer was that this is the technical method by which the PCIRO has identified these various people. I believe I answer the Senator's question when I say those words are perfectly clear to those who will have to administer this proposed act.

Mr. HOLLAND. Mr. President, I dislike to disagree with the distinguished Senator; but it seems to me it is wholly possible that those terms are so general that they mean nothing specific whatever, and that they might be construed as meaning something entirely different from what the distinguished Senator has said he understands they mean.

However, if they mean and are clearly interpreted to mean what the distinguished Senator says they mean, I wish to call attention to the fact that as I read the rest of the amendment, it provides that "no discrimination in favor of or against any such element or group among the eligible displaced persons shall occur." Which would mean, it seems to me, that no priority at all is given to persons who come from areas to which they cannot safely return because their areas have been taken over by a foreign power of a different ideology.

Does the Senator care to comment upon that point? Is any priority or preference given, for instance, to the Balts or the Poles from east of the Curzon line, by this formula?

Mr. SALTONSTALL. Mr. President, I repeat to the Senator that this has been worked out, and the PCIRO reports that of the persons in the camps on January 1, 1948, 126,000 of them were Balts, 163,000 of them were Jews, 266,000 were Poles, 22,000 were Yugoslavs, 4,000 were Russians, and 34,000 were classified as "all others"—or a total of 635,000. Those were the classifications reported by the PCIRO.

Mr. HOLLAND. Then I wish to ask an additional question: Is the Senator stating that no preference whatever is shown to the Balts or the Poles east of the Curzon line, under his amendment?

Mr. SALTONSTALL. Under this amendment, no particular preference is shown to those people. All these displaced persons are considered in the same status. I suggest to the Senator that if he or I were driven out of our homes because of fear or lack of security in our homes, I do not think there should be any great distinction as to whether we came from east of the Curzon line or west of it.

Mr. HOLLAND. Mr. President, I should like to ask another question, although I dislike to take more of the Senator's time. But I wish to say that I approve thoroughly of the position just taken by the Senator from Missouri [Mr. DONNELL], in that, by dropping the limiting word "eligible", the result is to bring about a completely different meaning, if the amendment be adopted.

I ask the distinguished Senator from Massachusetts to indulge me to the extent of looking on page 2 of the amendment, at the words following the figures "1948." I believe he will come inescapably to the conclusion that the proportion by which the visas will be distributed is entirely changed by the elimination of the word "eligible", because the words there, following the figures "1948", are as follows:

> In the proportion that the number of displaced persons in such element or group bears to the total number of displaced persons.

It would seem to me—and this is the question which I should like to address to the distinguished Senator from Massachusetts—does it not seem to the Senator, that the proportion which would be applied in awarding the visas to any particular element or group would, under those words, be necessarily based upon the ratio of the number of displaced persons—not limited to eligibile displaced persons—in such element or group to the total number of displaced persons in all groups, without having any reference at all to their eligibility?

Mr. SALTONSTALL. I respectfully reply to the Senator by repeating what I said to one of the other distinguished Senators, namely, that the words "displaced persons" are used on the former basis on which a quota can be worked out, and that a person will become an eligible displaced person when he is screened.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment D, as modified, proposed by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. KNOWLAND and Mr. LANGER and other Senators asked for the yeas and nays, and they were ordered.

The ACTING PRESIDENT pro tempore. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent and is paired with the Senator from Wyoming [Mr. ROBERTSON] who is absent on official business. If present and voting, the Senator from Indiana would vote "nay" and the Senator from Wyoming would vote "yea."

The Senator from Kentucky [Mr. COOPER] is absent on official business and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from South Dakota would vote "nay."

The junior Senator from Maine [Mr. BREWSTER], the Senator from Michigan [Mr. VANDENBERG] and the senior Senator from Maine [Mr. WHITE] are necessarily absent. If present and voting, the junior Senator from Maine [Mr. BREWSTER] would vote "yea."

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Oklahoma [Mr. MOORE] and the Senator from Kansas [Mr. REED] are detained on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate, and is paired with the Senator from Nevada [Mr. MCCARRAN]. If present and voting, the Senator from New Hampshire would vote "yea" and the Senator from Nevada "nay."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from South Carolina [Mr. MAYBANK], the Senator from Maryland [Mr. O'CONOR], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on important public business.

The Senators from Virginia [Mr. BYRD and Mr. ROBERTSON] are absent on official business.

The Senator from California [Mr. DOWNEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting the Senator from Kentucky would vote "yea" and the Senator from Tennessee would vote "nay."

The Senator from Nevada [Mr. MCCARRAN] is paired on this vote with the Senator from New Hampshire [Mr. TOBEY]. If present and voting, the Senator from Nevada would vote "nay" and the Senator from New Hampshire would vote "yea."

I announce further that if present and voting, the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 31, nays 40, as follows:

YEAS—31

| | | |
|---|---|---|
| Aiken | Kilgore | Saltonstall |
| Baldwin | Lodge | Smith |
| Ball | Lucas | Sparkman |
| Bridges | McGrath | Thomas, Okla. |
| Brooks | McMahon | Thomas, Utah |
| Ferguson | Magnuson | Thye |
| Flanders | Morse | Tydings |
| Green | Murray | Watkins |
| Hatch | Myers | Wilson |
| Ives | O'Mahoney | |
| Johnson, Colo. | Pepper | |

NAYS—40

| | | |
|---|---|---|
| Bricker | George | McKellar |
| Buck | Gurney | Malone |
| Butler | Hawkes | Martin |
| Cain | Hickenlooper | Millikin |
| Capper | Hoey | O'Daniel |
| Chavez | Holland | Revercomb |
| Connally | Jenner | Russell |
| Cordon | Johnston, S. C. | Stennis |
| Donnell | Kem | Taft |
| Dworshak | Knowland | Wherry |
| Eastland | Langer | Williams |
| Ecton | McCarthy | Young |
| Ellender | McClellan | |
| Feazel | McFarland | |

NOT VOTING—25

| | | |
|---|---|---|
| Barkley | Hill | Taylor |
| Brewster | McCarran | Tobey |
| Bushfield | Maybank | Umstead |
| Byrd | Moore | Vandenberg |
| Capehart | O'Conor | Wagner |
| Cooper | Reed | White |
| Downey | Robertson, Va. | Wiley |
| Fulbright | Robertson, Wyo. | |
| Hayden | Stewart | |

So Mr. FERGUSON's amendment D, as modified, was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 252. An act for the relief of the estate of Lee Jones Cardy;

S. 314. An act for the relief of Robert E. Lauritzen;

S. 825. An act for the relief of Ern Wright;

S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration;

S. 1055. An act for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce;

S. 1206. An act for the relief of Jack O'Donnell Graves;

S. 1588. An act for the relief of E. W. Strong;

S. 1729. An act for the relief of Gudrun Emma Ericsson;

S. 1771. An act authorizing the Secretary of the Interior to convey certain lands in Powell Townsite, Wyo., Shoshone reclamation project, Wyo., to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.;

S. 1886. An act for the relief of William M. Looney;

S. 1941. An act to authorize and direct the Secretary of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land; and

S. 2060. An act for the relief of Edgar Wikner Percival.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 34, 40, 41, 42, 43, and 54 to the bill, and concurred therein, and that the House insisted on its disagreement to the amendment of the Senate numbered 39.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 395) to extend the time for the release, free of estate and gift tax, of powers of appointment.

ORDER OF BUSINESS

Mr. WHERRY. Mr. President, I should like to state to the Members of the Senate that it is the intention to remain in session until 7 o'clock tonight. Beginning the session tomorrow at 11 a. m., it is the intention, if it meets with the approval of the Senate, to remain in session throughout the day, and, in the event consideration of the displaced persons bill is not concluded as the result of a full afternoon's session, to continue the session into the night—meaning quite late at night. If consideration of the bill can be concluded tomorrow, we should like to do so.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, JUSTICE, ETC.—CONFERENCE REPORT

Mr. BALL. Mr. President, I submit a conference report on House bill 5607, making appropriations for the Department of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes, and I ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will read the conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5607) making appropriations for the Department of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 23, 45, and 50.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 25, 26, 27, 28, 29, 30, 31, 33, 37, 44, 48, 51, 52, 53, and 55, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$20,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$569,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$25,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$43,750,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,150,000"; and the Senate agree to same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$650,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$9,750,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "$3,600,000, of which not to exceed a total of $100,000 may be expended for representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (22 U. S. C. 1131) and for entertainment"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following:

"International information and educational activities: For expenses necessary to enable the Department of State to carry out international information and educational activities as authorized by the United States Information and Educational Exchange Act of 1948 (Public Law 402, approved January 27, 1948), and to administer the program authorized by section 32 (b) (2) of the Surplus Property Act of 1944, as amended (50 U. S. C. App. 1641 (b)), including personal services in the District of Columbia; employment, without regard to the civil-service and classification laws, of persons on a temporary basis (not to exceed $50,000) and aliens within the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946 (22 U. S. C. 801–1158), except title VII and title VIII; expenses of attendance at meetings concerned with activities provided for under this appropriation (not to exceed $6,000); printing and binding; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration and script-writing, by contract or otherwise, acquisition of printed materials, purchase of objects for presentation to foreign governments, schools, or organizations, and information and educational activities outside the continental United States, all without regard to section 3709 of the Revised Statutes; $27,000,000, of which not to exceed $2,500,000 may be transferred to other appropriations of the Department of State: *Provided*, That, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of the international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That in the acquisition of lease-hold interests payments may be made in advance for the entire term or any part thereof: *Provided further*, That $3,000,000 of this appropriation shall be available, without regard to section 3709 of the Revised Statutes, exclusively for the purchase, construction, and improvement of buildings

and facilities, purchase and installation of necessary equipment for radio transmission and reception, and the acquisition of land and interest in land outside the continental United States by purchase, lease, rental, or otherwise, without regard to section 355 of the Revised Statutes, but title to any land so acquired shall be approved by the Secretary of State; and, in addition, the Department of State is hereby authorized to enter into contracts for the purposes specified in this proviso, and under the same conditions, in an amount not to exceed $1,000,000: *Provided further*, That funds herein appropriated shall not be used to purchase more than 75 percent of the effective daily broadcasting time from any person or corporation holding an international short-wave broadcasting license from the Federal Communications Commission without the consent of such licensee: *Provided further*, That funds appropriated herein shall be available for payment to private organizations abroad in pursuance of contracts entered into for the processing and distribution of motion-picture films."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,025,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,100,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$725,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "*Provided further*, That the War Assets Administrator, acting for and on behalf of the Reconstruction Finance Corporation, is authorized and directed to transfer to the United States without reimbursement or transfer of funds, legal title to a certain tract of land and improvements thereon at Los Angeles, California, covered by lease dated January 1, 1947, between the Civil Aeronautics Administration and the Reconstruction Finance Corporation and heretofore designated by that Corporation as Plancor 890 and declared surplus to the needs of that Corporation, and to transfer such property to the control and jurisdiction of the Federal Works Agency (Public Buildings Administration)"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,100,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$8,285,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,120,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 34, 39, 40, 41, 42, 43, and 54.

JOSEPH H. BALL,
STYLES BRIDGES,
B. B. HICKENLOOPER,
KENNETH MCKELLAR,
*Managers on the Part of the Senate.*

KARL STEFAN,
WALT HORAN,
IVOR D. FENTON,
CLIFF CLEVENGER,
JOHN J. ROONEY,
J. VAUGHAN GARY,
THOMAS J. O'BRIEN,
*Managers on the Part of the House.*

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report?

There being no objection, the report was considered and agreed to.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 5607, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
*June 1, 1948.*

*Resolved*, That the House recede from its disagreement to the amendments of the Senate Nos. 34, 40, 41, 42, 43, and 54 to the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes, and concur therein;

That the House insist on its disagreement to the amendment of the Senate No. 39.

Mr. BALL. Mr. President, I move that the Senate recede from its amendment No. 39.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Minnesota that the Senate recede from its amendment No. 39.

The motion was agreed to.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. FERGUSON. Mr. President, I now call up amendment lettered "G," and ask that it be made the pending question.

The ACTING PRESIDENT pro tempore. The Senator from Michigan calls up his amendment "G" to the displaced persons bill. The clerk will state the amendment for the information of the Senate.

The CHIEF CLERK. On page 2, lines 5 and 6, it is proposed to strike out the date "December 22, 1945" and insert in lieu thereof the date "April 21, 1947."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. GURNEY. Mr. President, I shall take but a moment. As the Senate knows, we have been waiting from week to week and from day to day for the Senate to clear the decks for action on the proposed selective service legislation. There was quite a firm indication that we would be through with the displaced persons bill tonight. That now is not possible. I am very hopeful we shall conclude, even before tomorrow night, the pending bill.

I feel that the selective service bill and the national security measures are of paramount importance, and we may be compelled tomorrow evening to make a motion to consider that legislation. Therefore I hope that we can proceed rapidly with the displaced-persons bill. I am almost at the point of moving tonight to lay aside the unfinished business. I do not know how much support I would receive. But certainly, if we are to take care of national security and give the selective-service bill a chance of passage at this session, we must be getting to it without many more days' delay.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. Mr. President, in the first place, I express the hope that the Senator from South Dakota will not make a motion which will have the effect of displacing the displaced-persons bill. We have been on this subject for some time. Regardless of its merits or lack of merits, I think it is a matter of sufficient importance to warrant final action. While I am supporting most wholeheartedly the Senator from South Dakota in his efforts in connection with the so-called draft bill, I think it would be most unfair to the Senate now, even under the exigencies of the need for an early adjournment, to lay aside the unfinished business without taking final action on it. I hope we may continue with the displaced-persons bill until final action is taken, even though we may have to postpone adjournment.

Mr. GURNEY. Mr. President, will the Senator yield further?

Mr. FERGUSON. I yield.

Mr. GURNEY. In answer to the Senator from New Mexico, I rose this evening to advise the Senate of the necessity of proceeding with national-security legislation. We must realize that the bill has not yet been taken up in the House. There will be a conference, and we do not have even 3 weeks in which to handle a bill of that importance.

I thank the Senator from Michigan.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WHERRY. I appreciate the remarks of the distinguished Senator from South Dakota. I realize the importance of the draft bill, but I want to say in defense of those who handled the displaced-persons bills that since it has been on the calendar it has been necessary to displace it many times in order to take up other measures. While it seems that the debate has been somewhat pro-

longed, a great deal of business has been transacted between the time this bill was made the unfinished business and up to this evening. I think, if the distinguished Senator will bear with us and permit us to continue discussion of the displaced-persons bill, we shall go a long way toward reaching a conclusion by tomorrow night.

I again ask that the Senators cause no delay in connection with the quorum call tomorrow, and that we may proceed with the unfinished business. I feel that we can finish it by 6 o'clock tomorrow evening. If we cannot, I should like to ask the Members of the Senate to stay tomorrow until it shall be finished.

Mr. President, I hope that the Senate will bear with me in that connection and will cooperate.

I ask unanimous consent that when the Senate takes a recess this evening it recess until tomorrow at 11 o'clock a. m.

The ACTING PRESIDENT pro tempore. Does the Senator propound that request at this time?

Mr. WHERRY. I ask unanimous consent that when the Senate recesses this evening it recess until tomorrow at 11 o'clock a. m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FERGUSON. Mr. President, I realize the importance of draft legislation, but I am hopeful that no motion will be made to lay aside the displaced-persons bill. I hope we shall conclude it in tomorrow's session.

It has been the policy of those who favored amendments to the bill to be as brief as possible in their discussion of them. The next amendment is merely a change of date from the date now in the bill, December 22, 1945, which was the date of the President's directive allowing displaced persons to come into this country. The amendment proposes to insert in lieu of that date the date of April 21, 1947, which was the date fixed by General Clay as the date for closing the camps for the receipt of displaced persons. It is an amendment which the Senator from Michigan and those who have sponsored it believe should be adopted.

A full explanation of the bill has been made. The Senator from New Jersey [Mr. SMITH] is prepared with reference to the facts and is ready to proceed with the amendment. By permitting him to do so I think we shall be able to save time in the discussion of the amendment.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. SMITH. Mr. President, I feel that the amendment referred to is probably the key to other amendments which have been proposed by the group of which the Senator from Michigan [Mr. FERGUSON] has been the leader. It is my purpose, if I may have the floor, to discuss this particular amendment, because when we discuss dates I think we shall have more clearly in mind the purpose of the amendment. I shall be glad to continue tonight, or to postpone discussion until tomorrow, if, by unanimous consent, I may have the floor tomorrow when the Senate meets.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. SMITH. I yield to the Senator from Nebraska.

Mr. WHERRY. In view of the statement made by the distinguished Senator from New Jersey, that he prefers to continue his speech tomorrow, and since it is nearly 7 o'clock——

The ACTING PRESIDENT pro tempore. The Senator from New Jersey has made a claim for the floor tomorrow.

The Chair does not know of any Senator who has a prior claim.

### EXECUTIVE SESSION

Mr. WHERRY. Mr. President, I move that the Senate proceed to the consideration of executive business, and that it consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. LANGER, from the Committee on Post Office and Civil Service:

Wayne C. Grover, of Utah, to be Archivist of the United States.

The ACTING PRESIDENT pro tempore. In accordance with the motion just agreed to, the clerk will proceed to state the nominations on the Executive Calendar.

### UNITED NATIONS

The legislative clerk read the nomination of Philip C. Jessup to be Deputy Representative of the United States of America, with the rank and status of Envoy Extraordinary and Minister Plenipotentiary, in the Security Council of the United Nations.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Henry F. Grady to be Ambassador Extraordinary and Minister Plenipotentiary of the United States of America to Greece.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

### COAST GUARD

The legislative clerk read the nomination of Raymond Thomas McElligott to be rear admiral.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. WHERRY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The ACTING PRESIDENT pro tempore. Without objection, the President will be forthwith notified.

### RECESS

Mr. WHERRY. I now move that the Senate take a recess until tomorrow at 11 o'clock.

The motion was agreed to; and (at 7 o'clock and 3 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, June 2, 1948, at 11 o'clock a. m.

---

### NOMINATIONS

Executive nominations received by the Senate, June 1, 1948:

#### DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for promotion in the Foreign Service of the United States of America, from Foreign Service officers of class 1 to Foreign Service officers of the class of career minister:

Charles E. Bohlen, of Massachusetts.
Herbert S. Bursley, of the District of Columbia.
Richard P. Butrick, of New York.
John M. Cabot, of Massachusetts.
North Winship, of Georgia.

#### IN THE MARINE CORPS

The below-named citizens to be second lieutenants in the Marine Corps:

Stuart M. Cohen, a citizen of Massachusetts.
Morris N. Jenkins, a citizen of Florida.
Donald A. McCartin, a citizen of Minnesota.
Frederic L. McGiffin, a citizen of Virginia.
Frank G. Peterson, a citizen of California.
John B. Garrett, Jr., a citizen of Texas.
John F. Merritt, a citizen of Texas.
Edward E. Smith, a citizen of Ohio.
Roy M. DuCharm, a citizen of Illinois.
Lyle H. Worster, a citizen of Maine.

The following-named permanent warrant officers, now serving in temporary commissioned ranks, to be permanent commissioned warrant officers in the Marine Corps, to rank with but after second lieutenants:

Reuben C. Collins
Charles B. Hirsch
Richard S. Hooker

The following-named officers for appointment to the temporary grade of colonel in the Marine Corps:

| | |
|---|---|
| Austin R. Brunelli | Edward H. Forney |
| Richard C. Mangrum | Samuel G. Taxis |
| Wayne H. Adams | Harry G. Fortune |
| John H. Cook, Jr. | Walter T. Short |

The following-named officers for appointment to the permanent grade of lieutenant colonel in the Marine Corps:

| | |
|---|---|
| Wade M. Jackson | William M. Gilliam |
| Frank J. Ervin | Hector R. Migneault |

The following-named officers for appointment to the temporary grade of lieutenant colonel in the Marine Corps:

Harry A. Waldorf
Nicholas A. Sisak
John W. Stevens II

The following-named officers for appointment to the permanent grade of major in the Marine Corps:

| | |
|---|---|
| Frank R. Wilkinson, Jr. | James C. Short |
| Irving B. Hayes | Howard M. Lee |
| Leslie A. Gilson, Jr. | Jules M. Rouse |
| Paul M. Smith | Fritz Stampfli |
| Whitman S. Bartley | George J. Brookes, Jr. |
| Bruce E. Keith | Robert E. Johnson |
| Robert S. Anderson | Gordon L. Allen |

The following-named officers for appointment to the permanent grade of captain in the Marine Corps:

| | |
|---|---|
| Wallace D. Blatt | Louis R. Daze |
| Carl E. Schmidt | John Finn, Jr. |
| Baxter R. Little | Donald S. Hopkins |
| Orlan R. Lodge | John R. Hyneman |
| George J. Edelmann, Jr. | John C. Shoden |
| | Richard B. Smith |

The following-named officers for appointment to the permanent grade of first lieutenant in the Marine Corps:

| | |
|---|---|
| Donald E. Holben | Jack H. Butler |
| James E. Condra | Robert D. Winn |
| James M. Hayes | Donald E. Morin |
| Patrick J. Hagarty | |

The following-named officer for appointment to the temporary grade of first lieutenant in the Marine Corps:

Roy L. Parker

---

CONFIRMATIONS

Executive nominations confirmed by the Senate June 1, 1948:

UNITED NATIONS

Philip C. Jessup to be a deputy representative of the United States of America, with the rank and status of Envoy Extraordinary and Minister Plenipotentiary, in the Security Council of the United Nations.

DIPLOMATIC AND FOREIGN SERVICE

Henry F. Grady to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

UNITED STATES COAST GUARD

Raymond Thomas McElligott to be a rear admiral in the Coast Guard, to rank as such from June 1, 1948.

---

WITHDRAWAL

Executive nomination withdrawn from the Senate June 1, 1948:

POSTMASTER

Miss Gloria C. Greene to be postmaster at Ward, in the State of West Virginia.

---

# HOUSE OF REPRESENTATIVES

## TUESDAY, JUNE 1, 1948

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Dear Lord and Father, Thou who dost guide the destinies of nations, we praise Thee for Thy manifold mercies which Thou hast bestowed upon us as a free people.

We pray that every section of our country will be led to rededicate itself to all that our flag symbolizes—liberty and union, now and forever, one and inseparable. Direct the Congress to emulate the thoughts and deeds of the wise men who established the foundations of our Government, and stimulate us all to do our whole duty as servants of the public.

O Master of men, hasten the day when the passions of war shall be stilled and all men be brought into the harbor of peace and good will. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Friday, May 28, 1948, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the Senate of the following titles:

S. 110. An act to amend the Interstate Commerce Act with respect to certain agreements between carriers; and

S. 1486. An act to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5770. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CORDON, Mr. REED, Mr. BRIDGES, Mr. SALTONSTALL, Mr. FLANDERS, Mr. TYDINGS, Mr. MCKELLAR, and Mr. HAYDEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6659. An act to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUCK, Mr. FLANDERS, and Mr. MAYBANK to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1676) entitled "An act to authorize the Secretary of War to proceed with construction at military installations, and for other purposes."

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2359. An act to authorize the payment of a lump sum, in the amount of $100,000, to the village of Highland Falls, N. Y., as a contribution toward the cost of construction of a water-filtration plant, and for other purposes; and

H. R. 4236. An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service.

SUPPLEMENTAL TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. CANFIELD, from the Committee on Appropriations, reported the bill (H. R. 6758, Rept. No. 2089) making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes, which was read the first and second time and, with the accompanying report, referred to the Committee of the Whole House on the State of the Union and ordered printed.

Mr. CANNON reserved all points of order on the bill.

RAILROAD RETIREMENT BENEFITS

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I am introducing a bill in which I am sure the Members of the House will be greatly interested. This bill is the product of an agreement between labor and management in the railroad industry, and grants to former railroad workers who are presently retired on pensions and to railroad workers who will retire in the future an increase in their retirement annuities of 20 percent. It grants to the carriers a reduction in their unemployment-insurance tax through the application of experience or merit rating similar to that granted to every other employer in the country who is subject to an unemployment-insurance tax. It also restores the provision for lump-sum death-benefit payments that was in effect before the 1946 amendment to the Railroad Retirement Act.

The Eightieth Congress during the past year and a half has been confronted with a great many proposals, both by labor and management, for amending the Railroad Retirement Act and the Railroad Unemployment Insurance Act. The proposals of labor were opposed by management, and those of management met with opposition from labor. As our committee studied these various proposals, we found it increasingly difficult to get proper statistics, as the figures submitted on both sides differed greatly.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. HALLECK. I am exceedingly interested in this subject, having been a member of the gentleman's committee and having struggled with the legislative problems involved in the matters to which the gentleman refers. I desire to commend him for introducing this bill. As I understand it, the employers and employees are agreed on the terms. I assume the public interest is likewise protected.

Mr. WOLVERTON. I thank the gentleman.

While the committee was struggling with the various estimates and endeavoring to arrive at a solution to the problem, conferences were held between

labor and management, and such meetings were conducted in the hope that the views of both sides might be reconciled. I am happy to state at this time that both labor and management have agreed upon the bill which I have introduced, and once again both sides are to be congratulated upon being able to sit down and settle their differences over the conference table. It will be recalled that the basic railroad retirement system was the result of agreement between labor and management, which is one of the outstanding reasons why it has worked so well. From my experience and interest in legislation affecting railroads and their employees, and particularly legislation dealing with retirement and unemployment-insurance problems, I can state that, so far as the public interest is concerned, the bill presents a sound solution to a difficult problem, and I am therefore very happy to offer it to the Congress.

I have previously announced that our committee would hold hearings tomorrow, June 2, on all legislation of this type, and I desire to state now that the bill which I have introduced today as a result of agreement between railroad labor and railroad management will be considered at that hearing. In view of all the circumstances I hope the hearing can be expeditiously concluded and the committee given an opportunity to give consideration to this matter promptly thereafter.

### FREE ERP AMERICAN COAL THREATENS THE RECOVERY OF EUROPEAN COAL INDUSTRY

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I rise to ask if American financial aid is speeding or retarding the European recovery we all want.

Last February, after France had been assigned the rich Saar coal fields, Robert Lacosta, the French minister of industry and commerce said, France was within reach of "absolute industrial recovery" and that "for the first time France now has more coal at her disposal than she can transport." It was then estimated that France's total coal imports, excluding those from the Ruhr, would average only about 800,000 tons a month.

On April 30, the New York Times reported that "while Polish coal is going unsold and British coal producers are finding difficulty in recovering the French market, France is planning to buy 6,750,000 tons of coal from United States suppliers during the next 9 months because she expects to have dollars"—ECA dollars, I presume. Now, Mr. Speaker, how can the European coal industry recover if their product must compete with American coal delivered free of charge. How can we raise the living standards of European miners if we force them to compete with Santa Claus.

On May 8, the New York Times corrected their earlier story by saying, "the correct statement is that France plans to buy 6,750,000 tons from the United States in each of the next three quarters." Now, Mr. Speaker, this is at the rate of 2,250,000 tons a month or almost three times the imports the French minister said France needed when it was thought they might have to pay for them.

Less than a week ago, it was reported from Geneva, "that even more purchases will be made in the Western Hemisphere, not because of the physical impossibility of supplying the items in Europe but because the countries can get dollars and cannot solve the intra-European payments' problems."

Mr. Speaker, so long as prospective customers can get free dollars for the asking, European producers will never regain neighboring markets at any price. I close with a more recent item from Geneva. This item says Poland is offering European countries 500,000 tons of United States-type coal but that "coal experts are very doubtful at present whether all the Polish coal will be taken up by the importing countries. For a variety of reasons, many importing countries prefer to continue dollar spending rather than to make adjustments necessary to make Europe more nearly self-sufficient in coal. One important reason is that many countries expect to get dollars from the ECA."

Mr. Speaker, I am forced to agree with the writer's conclusion "this is not the first, but it is probably the most important case where the availability of United States financial aid has served to retard rather than speed up the adjustments necessary to improve Europe's capacity to fend for itself economically."

### SPECIAL ORDER GRANTED

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes tomorrow following the legislative program of the day.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

### EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and to include two messages.

Mr. HUGH D. SCOTT, JR., asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial and two letters pertaining to the Navy's carrier program.

### DOES THE UNITED STATES PAY ITALY'S REPARATIONS TO RUSSIA?

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS of California. Mr. Speaker, who actually pays the reparations Italy is supposed to pay to Russia? I wonder if the Members of the Congress have thought of that? Through all the debate on the ERP, now called the Economic Cooperation Act, we heard a great deal about the necessity of stopping communism. We were to "contain communism." We were to stop communism and to see to it that our friends in Europe also stopped communism. We were never—no, never—to help the Soviet Union, and its satellites, back of the iron curtain.

What, never? Well, hardly ever. Gilbert and Sullivan ought to be living today. They would enjoy the State Department's foreign policy. I submit the figures as I read them. In the revised ECA figures, Italy is to get $704,000,000 worth of aid, in this first-year period. Production and trade figures would seem to indicate that Italy is more in need of help than other countries.

But Mr. Speaker, it was only a very short time ago that this same State Department felt that Italy had a surplus production. Certainly that was the evidence, for the State Department then proposed that the United States ratify a peace treaty which provided that Italy had to pay $100,000,000 in reparations to Russia. That treaty was ratified. I have heard nothing about that treaty being abrogated.

We are to give Italy $704,000,000 and Italy is to give Russia $100,000,000. It looks to me, Mr. Speaker, by simple subtraction, as if the American taxpayer was indirectly to pay Russia $100,000,000. How does it look to you? There may be direct or indirect shipping charges, but the net result, as I see it, from ECA aid to Italy under any terms as yet submitted to this Congress, will be for $100,000,000 to be taken out of the pay envelopes and bank accounts of the people of this Nation, to give that amount of aid to the Soviet Union. It is pure fiction to say that this $100,000,000 will be borne by Italy, and certainly it will not be borne by those Italians who were responsible for her part in the war.

Mr. Speaker, I do not recall that the State Department, when it asked for the ratification of the Italian peace treaty, ever informed this House, nor the other body, that the American taxpayer would have to supply the reparations for the Soviet Union.

It was either lack of foresight or misrepresentation. Either way we must admit that the ECA program will furnish aid and comfort to Russia. Either way it suggests we should ask the Committee on Appropriations to scrutinize closely this particular part of the ECA program and all foreign commitments brought to us by the State Department. I would like very much to know more about this matter. I hope the Committee on Appropriations will inform us.

### EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. JENISON asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by Gould Lincoln on Gov. Dwight Green, of Illinois.

Mrs. BOLTON asked and was given permission to extend her remarks in the

RECORD and include a speech made by General Bradley at Long Meadows, Mass., on yesterday.

Mr. JAVITS asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances.

HOUSING—THE TAFT-ELLENDER-WAGNER BILL

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, as the House heads into the final adjournment rush, the rank and file of veterans are going to await our answer on one subject—housing; and as I read the signs of the times, House Members will be judged with respect to housing in the coming campaign on what they do to bring about passage of the Taft-Ellender-Wagner bill, which has already passed the other body and waits on House action. I think the time has come for the committee to state to the House whether or not the bill will be reported out in time for floor action. Members will then be free to consult their own views in signing or refraining from signing the discharge petition. A large number of Members on both sides of the aisle signed the discharge petition in the last weeks. This shows that an increasing number of Members are recognizing the seriousness of the housing issue, and the fact that they can do something about it which will enable the people to know where they stand.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and that my remarks appear in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

THE DISASTROUS FLOOD AT VANPORT, OREG.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, I want to report briefly on the great flood that has taken place in the Northwest, particularly in the Columbia River area in the vicinity of my congressional district. This is the greatest flood that has ever visited that part of the country. As you know, the Columbia River is the second largest river in the United States, and by reason of its great length and great watershed it drains, about once in every 50 or 100 years there is a very disastrous flood, the last flood occurring in 1894.

The flood has done much damage in my immediate district. Vanport, you will recall, is a housing area that was established during wartime, as a matter of fact, the largest one. It contained at one time 42,000 people, and before the war ended it was the second largest city in the State of Oregon. The flood that was caused in that immediate area came by reason of the breaking of a railroad dike which permitted the waters from the Columbia River to come in over the area of Vanport, which is below the water level and which is protected by dikes. Within a half hour the entire area where the 18,700 people were housed, mostly veterans and their wives and children, was completely under water, and all of those houses either completely wrecked or floating around like corks. The people in the area, of course, had to escape as best they could. It happened about 5 o'clock in the evening. At the present time there is no definite information as to the loss of life. As a matter of fact, from early reports it seems there must be a very heavy loss of life, but as yet we have not been able to determine that. I immediately contacted the White House as well as the Public Works Administration and the War Department, and the Red Cross, and I am glad to say that every single agency was on their toes doing everything possible they could to supply relief in the way of shelter, food, nursing, the Army being ably assisted by the Red Cross, so the immediate situation is being taken care of by the Federal Government and the Red Cross and the local community, and I am certainly appreciative of the action taken, and the cooperation we received without delay.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Washington.

Mr. HORAN. On behalf of the State of Washington, I also want to express my own appreciation of the immediate assistance afforded by the Army engineers and the Red Cross. They have been most helpful, and they have been on the job from the very start of this devastation.

Mr. ANGELL. They have done a magnificent job. They were on the job all last night and in immediate contact with the situation.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Washington.

Mr. HOLMES. There has also been great destruction in the upper reaches of the Columbia Basin, along some of the tributaries of the Columbia, and last Thursday, in asking for a report from the Army engineers, I learned that they were cooperating with the other Government agencies in going to that area and trying to bring relief. They have materially assisted, and I appreciate so much what the various agencies are doing.

Mr. ANGELL. I thank the gentleman from Washington for his contribution.

EDWARD LAMB

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, Edward Lamb, Toledo, Ohio, attorney, portrayed by the gentleman from Louisiana, Representative HÉBERT, as a man saturated and drenched in Communist writings, associations, and affiliations was given five radio permits in 2 weeks by the Federal Communications Commission while keeping untainted, red-blooded Americans cooling their heels outside their corridors, often waiting for decisions and issuances of permits which are never reached.

The FCC well knew that Lamb's book, The Planned Economy of the Soviet Union, strongly approved the Russian economy for adoption in the United States of America. Lamb reiterated before the FCC that his book represented his views in 1934, then filed an affidavit saying he wanted to see changes and improvements made in the United States by constitutional means. That is communism in its mildest, convenient, and shifting form.

Lamb's book approved a slogan he saw in Russia: "The friend of communism is the friend of radio;" so, the FCC, operating with your money, gave Lamb not one, but five, radio stations located in Ohio and Pennsylvania, important industrial sections of the country. In the Bogato revolution and elsewhere, radio, and other forms of communication were immediately seized; but it seems that here in the United States of America the subversives will control them in advance.

Mr. Speaker, it is difficult to visualize how the officials of the FCC could have given a worse administration of this Department than it has during the past few years. The recent appointment by President Truman of Miss Frieda B. Hennock, of New York, to a 7-year term as a member of the Commission installs another leftist in this important position and certainly does not point to better administration.

She reputedly has been, or still is, a member of the National Lawyers Guild, branded as a Communist front organization by the Attorney General. Her appointment holds out no hope for better administration but indicates a continuance of maladministration. Fortunately the Republican controlled Senate will hold up confirmation until the next session of Congress. In the meantime the election of a Republican President may give an opportunity to clean up this department.

Mr. Speaker, no department of government throughout the years has been as consistently bad as the FCC. There is no hope for its improvement under the present administration. It has done great damage to individuals and much greater damage to the Nation. A change of administration in November is the only hope for relief.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Ohio.

Mr. RAMEY. Mr. Lamb has written me several times. He asks the oppor-

tunity to appear here and look his accusers in the eye and answer questions. He denies that he is a Communist. He was formerly assistant city law director of Toledo during the administration of the late mayor William T. Jackson.

Mr. VURSELL. Mr. Lamb certainly has a very questionable record dating back many years; however, I agree anyone accused should have an opportunity to state his position and refute accusations if he can.

FLOOD CONTROL

Mr. BRADLEY. Mr. Speaker, I ask unanimous consent to address the House, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADLEY. Mr. Speaker, the remarks of the gentleman from Oregon [Mr. ANGELL] concerning the present flood at Vanport City, Oreg., bring forth rather sharply the probability of a similar condition in southern California. In my district, in the event of a great flood, there would be 80,000, instead of 18,000 out of their homes. The great areas along the San Gabriel River have been built up due to the influx of people during the war. Nothing that we know of will prevent flooding these low areas if we should have a series of exceptionally heavy rains except the Whittier Narrows Dam, designed and recommended by the United States Army engineers, and which is in the present Army civil functions bill by the grace of the other body. I hope our conferees will see fit to allow this project to go through to become law—so we may make a start on it this year.

EXTENSION OF REMARKS

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include extracts from a sermon of Lyman K. Chambers on the full life of a lawyer.

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD and include a radio broadcast of Jack Beall entitled "Communism."

Mr. HARRISON (at the request of Mr. RIVERS) was given permission to extend his remarks in the RECORD in three instances.

Mr. STIGLER (at the request of Mr. ALBERT) was given permission to extend his remarks in the RECORD and include a statement.

Mr. LUCAS asked and was given permission to extend his remarks in the RECORD and include a letter from Harry A. Meissner to the editor of the Fort Worth Star-Telegram.

Mr. FERNANDEZ (at the request of Mr. CARROLL) was given permission to extend his remarks in the RECORD.

Mr. FOGARTY asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

PEACE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, on Sunday in the Metropolitan Methodist Church I listened to our chaplain pray for peace. I heard the minister preach a sermon on peace. I heard the chaplain this morning pray for peace. But instead of the peace talk that we have in Congress, everything seems to be in preparation for war. Every place I go, I find somebody wanting something to build up a greater war machine here in Congress, as sure as you build up a great war machine, just as sure will it be used. Stop talking war, start preaching peace and we will have it.

I was interested when I picked up the paper this morning to see that former Secretary of State Byrnes believes the Soviets seek a truce with the United States and urges talks. It seems to me that if we do more talking for peace instead of building up and preparing for war we would have peace, and we would not have any war in this country. Secretary of State Marshall should heed former Secretary of State Byrnes' advice. I think everybody ought to take the initiative now to try to do what we can to restore peace not only to ourselves but to all the world. It is the gravest question that faces the world today, and it ought to be something in which everybody would be interested. I hope we will have more peace talk and less war talk. We will get peace if we do that. On yesterday we observed Memorial Day, paid respect to our honored war dead who fought for their country. We can keep many thousands from going to a similar death, if we talk peace all over the world. Who wants to be killed? Who wants to go to war? Who wants to spend billions of dollars annually for war? Who wants to be taxed for this huge war machine? Nobody. Yet too many people here in Washington, in the Army, in the Navy, in the Air Force, in Congress, the White House and other branches of Government are talking us into conscription, into larger army, larger air force, and into everything that will eventually get us in a war. Talk peace, talk brotherhood and act accordingly. Pray for peace, think brotherhood and act accordingly. As we think so will we act. "Do unto others as we would that they should do unto us." This should be our motto, Peace to all the world—no more war.

PAY INCREASE FOR POSTAL EMPLOYEES

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I am very much disturbed over the lack of congressional action on the pay increase for postal employees.

It is evident the Congress will finish working about June 19. No matter what form the resolution might take—it is safe to say, I believe, there will be no further sessions after the Republican convention. Such a session would become a series of political meetings and would do an injustice to the American people.

We have less than 3 weeks in which to act if the postal employees are to receive the pay increase which they so justly deserve and which they have been led to expect would be forthcoming.

There is no group of workers in the country more deserving of an increase at the present time. Hundreds of thousands of words have been uttered in this chamber praising the faithful and excellent service rendered by postal employees. Their request for an increase needs no further justification. The majority party leadership must know that the measure providing the increase would be overwhelmingly approved by this House.

I appeal sincerely to the leadership of the majority party to bring out the legislation which provides an $800 increase—and make the increase in pay a permanent one. That is the measure I want to vote for and I am sure this House will approve such a measure by a tremendous majority.

EXTENSION OF REMARKS

Mr. COURTNEY asked and was given permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. MULTER (at the request of Mr. KEOGH) was given permission to extend his remarks in the RECORD in five instances.

Mr. WHEELER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD.

VETERANS AND HOUSING

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, enough housing at prices within reach of the veterans' pocketbook is still a dream. A Census Bureau survey of veterans' living arrangements late in 1946 found that 35 percent of married veterans in 108 areas were living doubled-up with other families, or in rented rooms, trailers, or tourist cabins. One-tenth of veterans were living in dwellings which were badly deteriorated or lacked adequate sanitary facilities.

No considerable undoubling has taken place since, for on March 15, 1948, when the House-Senate joint committeee rendered the report of its investigation of housing conditions it stated that 2,800,000 families were living doubled-up with other families. A majority of these doubled-up families are those of young veterans who were fighting overseas and

were late getting in on the scramble for housing.

Furthermore, when housing is available it is far beyond the reach of the average veteran. At the end of 1946, the veteran's family could afford on the average $51 for sale and $44 for rental housing. There has been some increase in incomes since then—but housing prices have risen much faster. In fact, the joint committee's report of March 15 points out that residential construction cost increases have outstripped cost of living increases since the end of the war.

There can be no question that the young veteran's family is economically unable to pay today's housing prices. The $10,000 house or the $80 rental is beyond his means. And where, in desperation, he does contract to pay the going prices, he is stretching his means beyond his endurance—probably cutting corners on food for his family to pay for the house.

It is not pleasant to contemplate how we are daily breaking the rosy promises we made to the veteran when he was fighting on the beaches of France and in the jungles of the Pacific. That he would have the opportunity to get a proper house to shelter his family after the fighting was over was certainly taken for granted by all of us. I think Congress indicated that when it passed a veterans' emergency housing program. But that program was abandoned and our good intentions have gone glimmering. The veteran still does not have his house at a reasonable price that he can afford.

The House has an opportunity today to make good on the country's promises to the veteran. The Senate has already acted on the Taft-Ellender-Wagner housing bill, designed to produce housing at reasonable prices. Now it is up to us. Our Banking and Currency Committee is currently holding hearings on the bill. It is my hope that we will get it for floor consideration shortly and that we will act favorably when we do get it.

EXTENSION OF REMARKS

Mr. BLATNIK asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Post.

A NEGRO COMMUNIST INSULTS THE UNITED STATES SENATE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, we were shocked to hear the report that the other body would likely sidetrack the anti-Communist bill, passed by the House, known as the Mundt-Nixon bill.

That would be one of the greatest blunders that body could possibly make at this time. The American people want that measure passed now.

On yesterday the Negro Communist, Paul Robeson, insulted every Member of the United States Senate. If the Members of that body do not cite him for contempt, they need not expect any other attitude on the part of the American people.

I hold in my hand a pamphlet issued by the Communist Party entitled, "The Negroes in a Soviet America."

It tells how they are going to take over all the land and reduce the people to the same system of slavery they have in Russia, only infinitely worse. One of their publications has a map of the Negro Soviet they propose to set up in the Southern States.

In this pamphlet "The Negroes in a Soviet America," they say—now listen to this:

> We must begin now—begin by organizing, by preparing our forces in our daily struggles to improve our conditions, by learning to take over. Above all we must build and support the only revolutionary party of the working class, the Communist Party. This party, composed of stanch revolutionists and militant workers, is training and leading the working class and the oppressed masses toward their great objective.
>
> Join the Communist Party, help create the powerful, great vanguard which is leading the masses toward socialism.

This Negro Robeson is a Communist. He showed his contempt for the United States Senate in the most flagrant manner.

Now, if they fail to cite him for contempt, they will disappoint patriotic Americans all over the country, and they will disappoint them still more if they fail to pass the anti-Communist measure known as the Mundt-Nixon bill.

Its passage at this time would do more to drive these traitors into the open, turn back the tide of anarchy which they have set in motion, and protect the American people from the curse of communism than anything else that has yet been attempted or proposed.

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include the comments of Miss Dorothy Thompson as published in the Washington Evening Star.

THE FLOOD SITUATION

Mr. MACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MACK. Mr. Speaker, it is my unhappy responsibility to call the attention of the House to one of the most tragic disasters in the recent history of the United States—to the terrible floods which are now causing such great and costly damage in the Columbia River Valley in the four States of Washington, Oregon, Montana, and Idaho.

This morning the damage from the present flood in the Columbia River Valley was estimated at $75,000,000, and that total was still mounting. This is the greatest American flood tragedy since 1937, when the lower Mississippi Valley was flooded, with $270,000,000 of property damage and the loss of several hundred lives.

We do not know yet, and will not until floodwaters recede, what the loss of life in the Columbia River Valley catastrophe has been, but it probably will be great.

On Saturday, at Vanport, Oreg., one section of the dykes that protect that city of 18,700 people were breached by the floodwaters and the entire city, in a matter of minutes, buried under an avalanche of water. Where the city stood is now a lake 10 to 15 feet deep, in which floats the wreckage of more than 4,000 homes which the floodwaters pounded to pieces as if they were match boxes. Roads and highways melted under the onrushing water, and now are, in places, completely destroyed, and soon must be rebuilt if commerce is to be restored. Public facilities in the region, such as power lines, telephone lines, and railroad trackage, have suffered damage that it is estimated will run into the millions.

The headquarters of the American Red Cross reported to me this morning that 4,073 homes have been destroyed by the flood, most of them in the Vanport area, and that another 1,409 homes were damaged, 150 of them in Clark County, Wash.

The floodwaters have not yet reached their crest, and will not until tomorrow. More damage undoubtedly is still to come. At Woodland, 1,000 population, center of a rich agricultural area, dykes have been breached and floodwaters have damaged many hundreds of acres of rich land. Near Kelso other dykes have broken and hundreds of citizens have been driven from their homes.

The Government must, and I know will, move swiftly in the interest of the public health and general welfare of our people, move to provide every possible relief for those who are homeless.

I talked with the United States Army engineer's offices both here in Washington and in Portland, Oreg., yesterday and today. I was informed that the engineers have funds to meet the immediate problem.

I talked with the Roads Administration and was informed that it has $6,000,000 of road money for flood-damaged highways available to State-highway directors for rebuilding flood damaged and destroyed primary and secondary roads. This $6,000,000 is available to the States on a 100-percent basis. No matching funds are required of the States.

The flood-control authorization bill to be passed upon this week by the Congress contains an item of $25,000,000 for emergency flood-control funds that can be expended by the United States Army engineers wherever flood-damaged dikes must be rebuilt.

This bill provides that the engineers not only may rebuild the damaged dike but also that they may expend up to $100,000 additional in each dike project in widening, increasing the height of the dike or otherwise improving and strengthening it. This principle, if employed in rebuilding destroyed dikes in the Columbia River Valley, will be most helpful in checking the repetition of so disastrous floods as now are occurring.

Every agency of the Government should, and I am sure will, move with speed to relieve the suffering of the 7,553 families which the Red Cross has an-

nounced have been affected by this Columbia area flood, and especially those 4,073 families which the Red Cross says have been made homeless.

Beyond that we must provide the money by which a better system of flood control will be provided in this great Columbia Valley area so that never again will there be a repetition of a great disaster of this kind along the shores of the Columbia River.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MACK. I yield.

Mr. RANKIN. The best thing that could happen would be for the conferees on the civil functions bill to accept the Senate provisions now.

The SPEAKER. The time of the gentleman from Washington [Mr. MACK] has expired.

FLOOD CONDITIONS IN THE NORTHWEST

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JONES of Washington. Mr. Speaker, I wish to join my colleagues from the States of Washington, Oregon, Montana, and Idaho in expressing our appreciation to the many agencies that are responding to the terrible tragedy we have had in the Northwest, and particularly the Red Cross; also, to subscribe to the remarks made by the other gentlemen from my State and from the Northwest.

The great Columbia River which has produced so much for us has now become a raging torrent, and we are told will not reach its high-water mark until tomorrow. We of the Northwest appreciate everything that is being done for us and the consideration that is being given.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Washington. I yield.

Mr. HOBBS. I asked the gentleman to yield simply to say that you gentlemen from the immediate vicinity of the tragedy are but expressing the thoughts and sentiments and heartbeats of all the rest of the Members of Congress. We are deeply sympathetic and anxious to do anything we can to aid in solving your problem.

Mr. JONES of Washington. I thank the gentleman very much for his contribution.

The SPEAKER. The time of the gentleman from Washington [Mr. JONES] has expired.

EXTENSION OF REMARKS

Mr. AUCHINCLOSS asked and was granted permission to extend his remarks in the RECORD and include a magazine article.

Mr. CURTIS asked and was granted permission to extend his remarks in the RECORD.

STEEL SCRAP IN EUROPE

Mr. MACY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MACY]?

There was no objection.

Mr. MACY. Mr. Speaker, when over 2 months ago, I called attention here on the floor to the overriding importance of bringing steel scrap back from the German Ruhr, I am sure that many did not fully comprehend the significance. You will recall that I wrote Secretaries Forrestal and Marshall and Admiral Smith of the Maritime Commission. The first two allowed they would give consideration and there was concession from the Maritime Commission that empty boats to the tune of space for 2,000,000 tons of this scrap a month was available.

Why has this scrap not started on its way? At the hearing held by our committee, all concerned, both business and Government, testified that there is no more important ingredient needful to the United States at this time, either in the waging of war or in the waging of peace.

Testimony by competent steel authorities is that four to five million tons more finished steel could have been made last year had scrap been abundant. Although the big steel companies recently reduced the price of their finished product, in the last few days they have intimated that prices may have to be advanced if scrap reserves sink lower. These reserves now stand at the lowest point in the records of our steel industry and constitute one of the greatest threats to the economy and security of our country.

In the 2 months that I have been urging prompt action on a foreign scrap-recovery program, much could have been done to increase our dangerously low reserve of scrap—a reserve of less than a month's supply. But no scrap has been returned. Instead, during the same 2 months we have managed to commit ourselves under the ECA program to a 10,500,000 ton further depletion of our potential scrap supply.

It does seem strange that in this age of advanced science that we are so unscientific—or is it that we know what to do but for some inexplicable reason fail to do it? I would like to see some compelling action taken by this House, and right now, to oblige the Federal agencies responsible, to so coordinate their operations as not to let one more day go by without starting the preparation of this scrap and the ordering of vesesls into foreign ports for its speedy return.

EXTENSION OF REMARKS

Mr. NIXON asked and was given permission to extend his remarks in the Appendix of the RECORD and include newspaper articles.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

The SPEAKER. The Chair thinks that has already been done, but if not, without objection the gentleman's request is granted.

There was no objection.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial from the St. Louis Star-Times.

Mr. RICHARDS asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Tribune.

Mr. LESINSKI asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address he delivered over Station WWJ at Detroit, Mich.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the RECORD in five separate instances and in each to include extraneous matter.

Mr. GATHINGS asked and was given permission to extend his remarks in two separate instances and include editorials.

NATHANIEL DYKE, JR.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a resolution adopted by the National Savings and Loan League at its Atlantic City meeting last week.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I should like to call the attention of the House to a resolution adopted by the National Savings and Loan League at its Atlantic City convention last week publicly thanking Nathaniel Dyke, Jr., for his services as a former member of the Federal Home Loan Bank Board.

As some Members of the House know, Mr. Dyke, an Arkansas businessman with extensive national business interests in the building supplies industry, was dismissed from the Federal Home Loan Bank Board last December because he refused to go along with Board policies with which he publicly disagreed. He did not think, for example, that it was right that the Home Loan Bank Board should throw into receivership the Long Beach, Calif., Federal Savings and Loan Association merely because of the capricious whim of John H. Fahey, board chairman.

Mr. Dyke fought for the reopening of the Long Beach Association and in doing so was dropped by the President from a further appointment to the board of which he had been promised the chairmanship only a few days before.

In view of this disgraceful treatment of Mr. Dyke, the resolution adopted by the National Savings and Loan League comes as a refreshing vindication of the former board member and will give Congress at the same time some idea of what people in the savings and loan industry—managers out on the firing line—think of Mr. Dyke and his qualifications.

This is the resolution in full:

Whereas Nathaniel Dyke, Jr., was an original member of the Federal Home Loan Bank Board under Reorganization Plan No. 3; and

Whereas he exhibited, during his brief term of service, courage and independence and a sincere appreciation of the problems facing savings and loan managers: Be it

*Resolved*, That the National Savings and Loan League express its sincere thanks to Mr. Dyke for the time and energy devoted to

the service of its members in the important capacity as a member of the Federal Home Loan Bank Board.

This public tribute to Mr. Dyke is a further vindication of the position he took when on the board. Soon after he was dropped by the President, the Long Beach association was returned to its rightful owners. Other policies that Mr. Dyke advocated were adopted.

The President treated Mr. Dyke as if he were some broken-down hack looking for a Government job to pay his rent. I know that impression has gained credence in some sections of the country. Of course, all of those in the home-financing business know that Mr. Dyke was fired, but very few know the real reason.

Well, Mr. Dyke's background should be enough to show that he did not need a Government job. He did not seek a Government job. It was thrust upon him in 1942, and since we were at war he thought it was his duty to pitch in and do what he could to help his country, which he had already served as a soldier in the first war. They gave him a job in the Lumber Division of the War Production Board, for which there was no salary. It cost him money out of his own pocket to live in Washington. After that he served as a consultant to the White House, the Smaller War Plants Corporation, and the Federal Deposit Insurance Corporation.

He had these various jobs from 1942 until he was appointed a member of the Federal Home Loan Bank Board last summer. He held all of these positions without compensation. His first Government salary which he had to accept under the law was with the Home Loan Bank Board where he was allowed to remain only 6 months.

Well, Mr. Speaker, in return for all of these personal sacrifices Mr. Dyke received a slap in the face for thanks. He did not even receive a thank-you card from the White House at a time when they were pinning medals of honor on the breasts of every Tom, Dick, and Harry in Washington. This is about the shabbiest treatment of a good, honest, and devoted American that I have seen in many years.

Thousands of businessmen know about the shameful way Mr. Dyke was treated. They view with a jaundiced eye the administration's lamentations about the inability to get top-flight business executives to serve in Government. They know that such a statement is a further hoax on the people and that they stand ready at any time to serve their country, but not if they are going to be treated like a bunch of crooks or to be made to appear sinister or foolish in the eyes of the public as the White House palace guard tried to do in the case of Mr. Dyke. Of course, their smear campaign against Mr. Dyke, their sly innuendoes, and anonymous letters sent to newspapermen—all of these campaigns of vilification boomeranged. Mr. Dyke is bigger today than he ever was. He is better thought of in his own industry, because he had the courage to speak up and the conviction to voice his beliefs and not to act just like a parrot.

That is why I am delighted to report to the House the full text of the resolution adopted by the National Savings and Loan League.

### NECESSITY FOR THE DRAFT ACT

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I take the floor at this time to strongly urge the Congress and the leadership to delay no longer in bringing the draft bill to the floor of the House. I fear that if Congress is to adjourn on the 19th of June, without having passed the draft bill, that we would be seriously jeopardizing this country's security.

The overtures and so-called peace offensive that has been going on in correspondence between Premier Stalin and Mr. Wallace will have succeeded tremendously beyond their hopes and their dreams if this Congress is lulled into a false sense of security by these so-called peace overtures.

The best way to achieve security for this Nation and for European peace is for this Congress to get busy and pass the selective-service bill now, so that our armed forces will be large enough to insure the safety of this country and to have an adequate influence in helping preserve freedom and democracy abroad.

### THE COMMUNISTS DESCEND ON WASHINGTON

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDOWELL. Mr. Speaker, tomorrow will be a good day when you leave your house to lock your doors and bar your windows because there will be some 10,000 Communists and fellow travelers of the Communists up here on Capitol Hill. They will come down in railroad trains. They will swarm over the Hill in their customary fashion writing insulting, dirty messages on the Government buildings here and on the statues; they will do all of the things that they have agreed to do for the last several weeks in the Daily Worker. They say they have raised a half a million dollars to defeat the so-called Mundt bill over in the Senate. How half a million dollars will affect their case I do not know; but anyway, get set for a big time tomorrow.

### COMMITTEE ON BANKING AND CURRENCY

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit this afternoon during general debate and notwithstanding the fact that the House may be in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

### PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

### GEORGE HAMPTON

The Clerk called the first bill on the Private Calendar, H. R. 3984, for the relief of George Hampton.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Hampton, 566 Campbell Street, Wilkinsburg, Pittsburgh 21, Pa., the sum of $12,361.23, in full settlement of all claims against the United States for personal injuries and property damage sustained when he emerged from the entrance of the Union Trust Building, Pittsburgh, Pa., and while crossing Grant Street was struck by a vehicle driven by William E. Wagner, who was employed by the United States postal service, on November 24, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### POWELL TOWN SITE, WYOMING

The Clerk called the bill (S. 1771) authorizing the Secretary of the Interior to convey certain lands in Powell Town Site, Wyoming, Shoshone reclamation project, Wyoming, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a patent to issue conveying that portion of the townsite of Powell, Wyo., on the Shoshone reclamation project, particularly described as block one hundred and thirty-three of Powell Townsite, township 55 north, range 99 west, sixth principal meridian, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo., in trust for use as a Veterans of Foreign Wars clubhouse and sports center; but in said patent there shall be reserved to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same.

SEC. 2. The conveyance herein authorized shall be made upon the express conditions that any use to which the area is put shall comply with all town ordinances and State laws; that within 30 days of the receipt of any request therefor from the Secretary of the Interior, the commander of the James S. McDonald Post 5054, Veterans of Foreign Wars, shall submit a report on the use made of the land herein granted the James S. McDonald Post 5054 during the period named in such request; and that in the event of his

failure so to report or in the event of a finding by the Secretary, which finding shall be final and conclusive, that the terms of the grant have not been complied with, the grant shall be forfeited and the title shall revert to the United States. The Secretary of the Interior is hereby authorized and empowered to determine the facts and declare the forfeiture and reversion aforesaid and restore said land to the public domain, and such order of the Secretary shall be final and conclusive.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUDRUN EMMA ERICSSON

The Clerk called the bill (S. 1729) for the relief of Gudrun Emma Ericsson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is authorized and directed to cause the immediate release of Gudrun Emma Ericsson (file No. [redacted]) from detention at Ellis Island, N. Y., and to permit her entry into the United States for permanent residence. The said Gudrun Emma Ericsson shall not again be subject to deportation by reason of the same facts upon which her present detention is based or upon which any outstanding order of exclusion or order and warrant of deportation has been issued. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEE JONES CARDY

The Clerk called the bill (S. 252) for the relief of the estate of Lee Jones Cardy.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Lee Jones Cardy, the sum of $4,244, in full satisfaction of the claims of such estate against the United States for compensation for the death of the said Lee Jones Cardy as a result of personal injuries sustained by him when the automobile in which he was riding was struck by a United States Army vehicle near San Diego, Calif., on November 17, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT E. LAURITZEN

The Clerk called the bill (S. 314) for the relief of Robert E. Lauritzen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Army is authorized and directed to pay to Robert E. Lauritzen, of Pacific Grove, Calif., out of any funds available for the pay of the Army, the sum of $1,017.60, in full satisfaction of his claim against the United States for reimbursement of amounts paid as fines, and for losses of Army pay resulting from his reduction to the grade of private, pursuant to the sentence of court martial, such sentence having been set aside pursuant to the order of the Secretary of the Army dated November 21, 1947, as follows:

1. Having received and approved the recommendations of the Army Board on Correction of Military Records in the case of Robert E. Lauritzen, Army serial No. 39130813, dated November 17, 1947, and under the authority vested in me by section 207 of the Legislative Reorganization Act of 1946 (Public Law 601, 79th Cong.), the Adjutant General is directed to correct the military records of Robert E. Lauritzen, Army serial No. 39130813, to show—

a. That his conviction by special court martial on November 17, 1944, was in error and based on testimony subsequently discovered to be false;

b. That the applicant was a master sergeant from June 15, 1944, until October 20, 1945;

c. That the applicant lost no time under Article of War 107.

2. The Adjutant General is further directed to issue the applicant an honorable discharge in accordance with the record as corrected.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERN WRIGHT

The Clerk called the bill (S. 825) for the relief of Ern Wright.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That notwithstanding the provisions of section 420 of the Federal Tort Claims Act, and subject to the provisions of section 422 of such act and the applicable provisions of part 3 of such act, the United States District Court for the District of Utah shall have the same jurisdiction, with respect to the claim of Ernest (Ern) Wright, of Salt Lake City, Utah, resulting from a collision between an automobile driven by Mr. Wright with another automobile driven by one Glen R. Woodward, in Salt Lake City, Utah, on November 10, 1943, that such court would have under the provisions of the Federal Tort Claims Act if such collision had occurred subsequent to January 1, 1945, and action on such claim had been timely brought: *Provided*, That such claim shall be forever barred unless action shall be brought thereon within 6 months after the date of approval of this act: *Provided further*, That no private bill or resolution, and no amendment to any bill or resolution, authorizing or directing the payment of money in settlement of, or otherwise recognizing, such claim except in accordance with a valid judgment rendered by such court, shall hereafter be received or considered in either the Senate or the House of Representatives.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRMA M. AND CHARLES Z. PIERCE

The Clerk called the bill (S. 1055) for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mrs. Irma M. Pierce, of Naples, Fla., the sum of $2,500, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her and for reimbursement of hospital, medical, and other expenses incurred by her as a result of an accident which occurred when the automobile in which she was riding was struck by a United States Army vehicle in Ellenton, Fla., on March 12, 1944; and (2) to Charles Z. Pierce, of Tampa, Fla., the sum of $400.40, in full satisfaction of his claim against the United States for compensation for property damage sustained by him and for reimbursement of hospital, medical, and other expenses incurred by him as a result of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK O'DONNELL GRAVES

The Clerk called the bill (S. 1206) for the relief of Jack O'Donnell Graves.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jack O'Donnell Graves, formerly a captain, Signal Corps, Army of the United States (ASN [redacted]) the sum of $453.76, in full satisfaction of his claim against the United States for mileage for travel performed by him by private conveyance from Fort Dix, N. J., to Nevada City, Calif., and return pursuant to Army orders dated July 16, 1946, which orders were revoked without his knowledge after his departure from Fort Dix, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. W. STRONG

The Clerk called the bill (S. 1588) for the relief of E. W. Strong.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. E. W. Strong, of Gasque, Ala., the sum of $1,500, in full satisfaction of his claim against the United States for compensation for the destruction of his oyster bed in Oyster Bay, Baldwin

County, Ala., as a result of dredging operations performed by the Corps of Engineers, United States Army, in 1943.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM M. LOONEY

The Clerk called the bill (S. 1886) for the relief of William M. Looney.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That William M. Looney, a substitute clerk in the post office at Canton, Pa., is hereby relieved of all liability to refund to the United States the amount of the overpayment of salary received by him from the date he returned to duty after discharge from the armed services and was paid at the rate of $1.49 per hour to the date when it was determined that the rate properly payable to him was $1.19 per hour. In the audit and settlement of the accounts of any postmaster or other transmitting disbursing officer of the Post Office Department or postal service, the payment of an hourly rate of $1.49 to the said William M. Looney during the time specified shall be considered to have been authorized.

SEC. 2. Any amount heretofore credited to the said William M. Looney or refunded to the United States by him on account of the overpayment described in the first section of this act shall be repaid to him out of any money available for the payment of salaries to substitute clerks of first- and second-class post offices.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STONE & COOPER COAL CO., INC.

The Clerk called the bill (H. R. 435) for the relief of Stone & Cooper Coal Co., Inc.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,289.59, to Stone & Cooper Coal Co., Inc., of Augusta, Maine, in full settlement of all claims against the United States for reimbursement of transportation cost in excess of normal rates of transportation prevailing prior to January 1, 1942, on coal received on and after May 18, 1942, to June 1, 1944, in and around New York Harbor area and in New England, which period was not included in the regulations of the Office of Price Administration on bituminous coal from district No. 3 in northern West Virginia: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHESTER O. GLENN

The Clerk called the bill (H. R. 1076) for the relief of Chester O. Glenn.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Chester O. Glenn, Spokane, Wash., the sum of $7,500. The payment of such sum shall be in full settlement of all claims of the said Chester O. Glenn against the United States arising out of personal injuries and property damage sustained by him on May 14, 1934, in a collision between the automobile owned and operated by him and a Civilian Conservation Corps truck on United States Highway No. 10A–195, one-half mile north of Wrencose, Idaho: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$7,500" and insert "$3,084."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JENNIE OLSEN ANDERSEN

The Clerk called the bill (H. R. 1528) for the relief of Jennie Olsen Andersen, widow, and Arthur Andrew Andersen, infant son, of Carl Edward Andersen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jennie Olsen Andersen, of Brooklyn, N. Y., the sum of $50,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the widow and next of kin of Carl Edward Andersen as the result of the accidental death of the said Carl Edward Andersen on December 3, 1943, in the building at 213 Washington Street, Newark, N. J., which building was occupied by and under the supervision of Public Buildings Administration, Office of Dependency Benefits, as the result of the negligent operation of an elevator in the said building by an employee of the Public Buildings Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$50,000" and insert "$5,000."

Page 1, line 8, after the word "for", strike out down to and including the word "Administration", page 2, line 7, and insert "the death of her husband, Carl Edward Anderson, sustained as the result of an accident of an elevator on December 3, 1943, in the building at 213 Washington Street, Newark, N. J., which was occupied by and under the control and supervision of the Public Buildings Administration, Office of Dependency Benefits."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Jennie Olsen Anderson."

A motion to reconsider was laid on the table.

BUNGE CORP. AND OTHERS

The Clerk called the bill (H. R. 2091) for the relief of the Bunge North-American Grain Corp., the Corporacion Argentina de Productores de Carnes, Herman M. Gidden, and the Overseas Metal & Ore Corp.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

JAMES I. MATHEWS

The Clerk called the bill (H. R. 2508) for the relief of James I. Mathews.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of Missouri and Mr. PLOESER objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

WALTER VANDAHL AND OTHERS

The Clerk called the bill (H. R. 2916) for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Lucile L. Rice, Mrs. Gladys Webb, and James E. Webb.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to Walter Vandahl and Esther S. Vandahl, of Randolph, Kans.; to pay the sum of $3,000 to Allabrada Adams, of Manhattan, Kans.; to pay the sum of $6,000 to Lucile L. Rice, of Alma, Kans.; to pay the sum of $5,000 to Mrs. Gladys Webb, of La Mesa, Calif.; and to pay the sum of $1,491 to James E. Webb, of San Diego, Calif., in full settlement of all claims against the United States for the death of Delores Vandahl, and for personal injuries and medical and hospital expenses for Allabrada Adams, Lucile L. Rice, Mrs. Gladys Webb, and for the damage to automobile belonging to James E. Webb, sustained as the result of an accident involving a United States Army vehicle at the east entrance of Fort Riley Military Reservation, Fort Riley, Kans., on November 30, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$10,000" and insert "$6,000."

Page 1, line 7, strike out "$3,000" and insert "$1,500."

Page 2, line 1, strike out "$6,000" and insert "$3,000."

Page 2, line 1, after the word "Rice", insert "Talbot."

Page 2, line 3, strike out "$1,491" and insert "$1,166."

Page 2, line 3, strike out the word "James" and insert "John."

Page 2, line 6, after the word "Vandahl", strike out down to and including the figures "1944" on line 12 and insert "and the expenses incurred in connection with her burial; for personal injuries, property damage, and loss of earnings sustained and the medical and hospital expenses incurred by the said Allabrada Adams, Mrs. Lucile L. Rice Talbot, and Mrs. Gladys Webb, and for the damage to the automobile of the said John E. Webb, all as a result of an accident that occurred on November 30, 1944, at the east entrance to the Fort Riley Military Reservation, Fort Riley, Kans., involving a United States Army vehicle."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Mrs. Lucile L. Rice Talbot, Mrs. Gladys Webb, and John E. Webb."

A motion to reconsider was laid on the table.

### ESTATE OF RUDOLPH MAXIMILIAN GOEPP, JR.

The Clerk called the bill (H. R. 3062) for the relief of the estate of Rudolph Maximilian Goepp, Jr.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representative of the estate of Rudolph Maximilian Goepp, Jr., deceased, late of New Castle, Del., the sum of $50,000. The said Rudolph Maximilian Goepp, Jr., who is survived by his widow, Mrs. Elizabeth Wenning Goepp, and three minor children, Carla E. Goepp, Rudolph Maximilian Goepp III, and Hildegarde W. Goepp, lost his life in an airplane crash near Stephenville, Newfoundland, on October 3, 1946, while traveling to Hoechst, Germany, at the request of the Department of Commerce, in the capacity of scientific consultant without compensation for the Office of Technical Services, Technical Industrial Intelligence Division.

With the following committee amendment:

Strike out all after the enacting clause and insert "That in the administration of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 751–791), the late Rudolph Maximilian Goepp, Jr., who died as the result of an airplane crash near Stephenville, Newfoundland, on October 3, 1946, while traveling to Hoechst, Germany, at the request of the Department of Commerce, in the capacity of scientific consultant without compensation for the Office of Technical Services, Technical Industrial Intelligence Division, shall be deemed to have been a civil employee of the United States within the purview of said act, at the time of his death, and compensation for death payable under said act shall accrue from date of his death and shall be payable to such of his dependents as may qualify under section 10 of said act, under the conditions therein provided, such compensation to be computed in the manner prescribed by said act upon the basis of the monthly pay, respectively, of such Rudolph Maximilian Goepp, Jr., in his employment under the direction of the Office of Technical Service, Technical Industrial Intelligence Division, or upon the basis of monthly pay of $175 in the event that at the time of death he was serving without compensation. Any compensation for death received by any such dependents under any other workmen's compensation law shall be credited against any compensation which such dependents may receive by reason of this act. No right to benefits shall accrue under this act unless a written claim for compensation is filed under such act of September 7, 1916, as amended within 1 year from the date of enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### MRS. JUDGE E. ESTES

The Clerk called the bill (H. R. 3713) for the relief of Mrs. Judge E. Estes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Judge E. Estes, the sum of $7,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by Mrs. Estes when the automobile in which she was riding was struck by an Army vehicle on June 16, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$7,500" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### CONFERRING JURISDICTION UPON GEORGIA DISTRICT COURT

The Clerk called the bill (H. R. 4663) conferring jurisdiction on the United States District Court for the Middle District of Georgia to hear, determine, and render monetary judgment upon the claims of the city of Macon, Ga.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That jurisdiction is hereby conferred upon the United States District Court for the Middle District of Georgia to hear, determine, and render monetary judgment upon any claims of the city of Macon, Ga., against the United States arising out of the alleged breach of obligations assumed by the United States with respect to properties and facilities leased to the United States by the city of Macon for use as the site of Camp Wheeler, Ga.

SEC. 2. In the determination of such claims the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person and to the same extent as if the city were the owner in fee of the properties and facilities leased. This act is intended to include all claims and permit recovery therefor by the city of Macon, for its own use and for the use of the owners of the property leased irrespective of any lack of privity of contract between such property owners and the United States, where such properties were made available and used in the manner stated as a result of leases by the city of Macon to the United States either of properties in the city's ownership or of properties in its possession under leases to it by other property owners, it being intended hereby to provide reimbursement to all such property owners for damages proved.

SEC. 3. Suit upon such claims may be instituted at any time within 2 years after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from any payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended, but the $10,000 limit which is applicable in the case of claims over which such court has jurisdiction under the provisions of such paragraph "Twentieth" shall not be applicable in the determination of these claims.

With the following committee amendment:

Strike out all after the enacting clause and insert "That jurisdiction is hereby conferred upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the owners in fee simple of the land leased by them to the city of Macon, Ga., and subleased by the said city to the United States for use by the Army as a part of the site of Camp Wheeler, Ga., for damages for the breach, if any, of their respective leases to the city of Macon: *Provided*, That in the determination of such claims the damages allowed, if any, shall be limited to the amounts to which such fee owners would have been entitled under the terms and provisions of their said leases to the city of Macon: *And provided further*, That this act shall be construed only to waive the lack of privity of contract between the United States and the said fee owners and not otherwise to affect any rights of the parties.

"SEC. 2. Proceedings for the determination of these claims shall be had in the same manner as in cases against the United States of which the district courts of the United States have jurisdiction under the provisions of paragraph 'Twentieth' of section 24 of the Judicial Code, as amended, but the monetary limit which is applicable in such cases shall not be applicable in the determination of these claims: *Provided*, That all suits hereunder shall be instituted within 1 year after the enactment of this act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment on the claims of the owners in fee simple of the land leased to the United States by the

city of Macon, Ga., for use as a part of the site of Camp Wheeler, Ga."

A motion to reconsider was laid on the table.

MRS. HOPE IRENE BULEY

The Clerk called the bill (H. R. 5270) for the relief of Mrs. Hope Irene Buley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hope Irene Buley (formerly Hope Irene Dotseth), Bozeman, Mont., the sum of $23,912.50. The payment of such sum shall be in full settlement of all claims of the said Mrs. Hope Irene Buley against the United States on account of personal injuries, loss of wages, and medical, hospital, and other expenses sustained by her as a result of being wounded, on December 25, 1942, in the Oasis Night Club, Black Eagle, Mont., by a bullet discharged from the gun of a member of the Military Police who was acting within the scope of his authority with respect to a disturbance in such night club: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$23,912.50" and insert "$7,912.50."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH ROWLAND

The Clerk called the bill (H. R. 6083) for the relief of Elizabeth Rowland.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Rowland, of route 1, Fosterville, Tenn., the sum of $2,212.50, in full settlement of all claims against the United States on account of loss of wages and personal injuries sustained by the said Elizabeth Rowland when the car in which she was riding was struck by a United States Army ambulance on United States Highway No. 241, 1 mile south of Murfreesboro, Tenn., on December 24, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELEANOR P. SIMMONDS

The Clerk called the bill (H. R. 2142) for the relief of Eleanor P. Simmonds.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $424 to Eleanor P. Simmonds, of Needham, Mass., in full settlement of all claims against the United States as reimbursement for storage for automobile placed in comcercial storage by the War Department from January 23, 1942, to November 12, 1946, in San Francisco, Calif., *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, after "Simmonds", insert "as administratrix of the estate of Norman B. Simmonds, deceased."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Eleanor P. Simmonds, as administratrix of the estate of Norman B. Simmonds, deceased."

A motion to reconsider was laid on the table.

WILLIAM R. RAMSEY

The Clerk called the bill (H . R. 2551) for the relief of William R. Ramsey.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, to William R. Ramsey, out of any money in the Treasury not otherwise appropriated, the sum of $5,791.32, in full and final settlement of all claims for work and services actually rendered and performed for and on behalf of the War Department, the said sum being the aggregate of the following items: (a) For work and services rendered and performed as principal clerk and as full administrative assistant at the Hawaiian Quartermaster Depot, Fort Armstrong, T. H., for the period of February 1, 1943, to March 15, 1944, salary and overtime, the sum of $4,624.67, which sum had actually been paid to said William R. Ramsey for the work and services rendered, but which was subsequently deducted from accumulated army retirement pay and from contribution to the civil-service retirement fund; (b) $166.66 for straight salary for period March 16, 1944, to March 31, 1944, for work and services rendered as in (a) above set forth, but for which no payment has been made; (c) $999.99 in lieu of earned accrued annual leave of 77½ working days, earned but not granted to said William R. Ramsey upon termination of employment by the War Department.

With the following committee amendment:

Page 1, line 6, strike out "$5,791.32" and insert "$3,112.26."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsiderd was laid on the table.

THOMAS A. HANLEY

The Clerk called the bill (H. R. 2552) for the relief of Thomas A. Hanley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas A. Hanley, of Honolulu, T. H., the sum of $49,175, in full settlement of all claims against the United States on account of damages and losses he sustained when the Lido Cafe, 1170 Nuuanu Avenue, Honolulu, T. H., of which he was the owner, was seized and his stock of merchandise confiscated by the Military Governor of the Territory of Hawaii in January 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$49,175" and insert "$22,417.63."

Page 1, line 8, after "losses", strike out the remainder of page 1 and all of line 1 on page 2, ending with "January 1942" and insert the following: "sustained by him by reason of the forfeiture to the United States on January 3, 1942, of the stock of liquor, wine, and beer of the Lido Cafe, 1170 Nuuanu Avenue, Honolulu, T. H., which cafe was owned and operated by the said Thomas A. Hanley."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HILDA LINKS AND E. J. OHMAN, PARTNERS, AND FRED L. KROESING

The Clerk called the bill (H. R. 4261) to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That jurisdiction is hereby conferred upon the district court for the Territory of Alaska, to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, or any of them, all of Anchorage, Alaska, for any losses and damages sustained by Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, in the mink-ranch business and occupation, conducted by them or any of them, at Anchorage, Alaska, arising out of air flights or maneuvers of the United States armed forces, or by virtue of any acts, or actions, of any and all officers, agents, or employees of the United States in connection with the opera-

tion of military aircraft or with the establishment and maintenance of military posts or bases in Alaska, or by all of said flights, maneuvers, acts, or actions: *Provided*, That the action in the District Court for the Territory of Alaska to establish such losses and damages may be instituted within 1 year from the date of the approval of this act, and the same right of appeal to the United States Circuit Court of Appeals for the Ninth Circuit from the judgment of the District Court for the Territory of Alaska shall be had as in other causes in that court.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY HILL

The Clerk called the bill (H. R. 4298) for the relief of Henry Hill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry Hill, of 5852 Calumet Avenue, Chicago, Ill., the sum of $4,900, in full satisfaction of his claim against the United States for reimbursement as the payee of 49 money orders for $100 each that were stolen from him during 1944, while he was serving with the armed forces and was in a hospital at New Guinea as a result of battle fatigue, and cashed at various Army post offices on forged endorsements and signatures: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOORE DRY DOCK CO., OAKLAND, CALIF.

The Clerk called the bill (H. R. 4516) for the relief of the Moore Dry Dock Co., of Oakland, Calif.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Navy Department be, and is hereby, authorized and directed to receive, consider, and pay the claims of the Moore Dry Dock Co. arising under Navy Department, Bureau of Ships contract NObs 10777, by reason of claimant's failure to comply with the provisions of article 5 (b) of said contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 3, strike out the bill down to the colon in line 8 and insert in lieu thereof the following: "That the Navy Department be, and is hereby, authorized to waive compliance by Moore Dry Dock Co. with the requirement of article 5 (b) of Navy Department, Bureau of Ships Contract NObs 10777, that estimates of the cost of performing change orders be submitted within 10 days of the receipt of such orders or within such further time as the naval inspector may allow in writing within said 10-day period."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRIETT PATTERSON ROGERS

The Clerk called the bill (H. R. 5169) for the relief of Mrs. Harriett Patterson Rogers.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,800, to Mrs. Harriett Patterson Rogers, of Forrest City, Ark., in full settlement of all claims against the United States as reimbursement for a judgment rendered against her and in favor of Jess L. Bell and others in the circuit court of Pope County, Ark. Such claim arising out of an accident on June 14, 1941, while the said Mrs. Harriett Patterson Rogers was on official business for the United States Agriculture Extension Service in the State of Arkansas: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENCE A. W. ARENS

The Clerk called the bill (H. R. 5147) authorizing the Secretary of the Interior to issue a patent in fee to Florence A. W. Arens.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is authorized and directed to issue to Florance A. W. Arens, of Billings, Mont., a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Mont.: Lots 11 and 12, section 2; lot 9, section 3; the east half of the east half of section 10; the west half of the east half of the east half of the west half, the west half of the east half of the west half, the west half of the west half, section 11, range 29 east, township 2 south, Montana principal meridian, containing 555 acres.

With the following committee amendment:

Page 2, line 2, strike out "five hundred and fifty-five acres" and insert "five hundred and fifty-seven and thirty-seven one-hundredths acres."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. COMPTON

The Clerk called the bill (S. 1941) to authorize and direct the Secretary of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to John F. Compton, formerly John Crazy Bull, Rosebud Sioux allottee, a patent in fee to the southeast quarter of section 32, township 36 north, range 26 west, sixth principal meridian, South Dakota, containing 160 acres.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PLYMOUTH MANUFACTURING CO.

The Clerk called House Resolution 606, referring the bill H. R. 6400 to the Court of Claims.

There being no objection, the Clerk read the resolution, as follows:

*Resolved*, That the bill (H. R. 6499) entitled "A bill for the relief of Plymouth Manufacturing Co.," now pending in the House of Representatives, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to section 151 of the Judicial Code, as amended; and the said court shall proceed expeditiously with the same in accordance with the provisions of said section and report to the House, at the earliest practicable date, giving such findings of facts and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to.

A motion to reconsider was laid on the table.

J. W. GREENWOOD, JR.

The Clerk called the bill (H. R. 4702) for the relief of J. W. Greenwood, Jr.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of J. W. Greenwood, Jr., former regional fiscal officer for the Central Administrative Services Division, Office for Emergency Management, Philadelphia, Pa., and he is hereby relieved from any liability to refund or pay to the United States the sum of $718.23, such sum being vouchers issued to enlisted personnel for travel expenses at the same rate as commissioned officers, whereas they were entitled to a lower rate under the Army regulations, and for other purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COOPERATIVE FOR AMERICAN REMITTANCES TO EUROPE, INC.

The Clerk called the bill (H. R. 4830) for the relief of Cooperative for American Remittances to Europe, Inc.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Cooperative for American Remittances to Europe, Inc., the sum of $51,513.89, in full satisfaction of its claim against the United States for refund of customs duties paid between December 1946 and April 1947, inclusive, on the importation of Cuban chocolate purchased by Cooperative for American Remittances to Europe, Inc., and reexported by it for relief purposes to Europe: *Provided*, That no part of the amount appropriated by this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES PATRICK HACKETT AND CHARLES L. STOVER

The Clerk called the bill (H. R. 5421) for the relief of the estate of James Patrick Hackett and Charles L. Stover.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,285.70 to the estate of James Patrick Hackett; to pay the sum of $6,275.78 to Charles L. Stover, East Keansburg, N. J. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries, and medical and funeral expenses sustained when they were struck by a United States Army vehicle while they were walking on Route 35, Middletown, N. J., on January 21, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 7, strike out "$6,275.78" and insert "$4,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDGAR WIKNER PERCIVAL

The Clerk called the bill (S. 2060) for the relief of Edgar Wikner Percival.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That (a) in the administration of the immigration and naturalization laws, Edgar Wikner Percival, temporarily residing in New York, N. Y., who was admitted into the United States on a visitor's visa, shall, upon payment of the required visa fee and head tax, be deemed to have been lawfully admitted into the United States for permanent residence as of the date of his last actual entry into the United States.

(b) Upon enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available quota for nationals of Australia.

SEC. 2. Said Edgar Wikner Percival shall not be deprived of any right or benefit conferred by section 1 of this act by reason of his departure from the United States before or after the date of enactment of this act for the purpose of any temporary visit to any place outside the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDMUND HUPPLER

The Clerk called the bill (H. R. 4047) for the relief of Edmund Huppler.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Attorney General is directed to cancel forthwith any warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien Edmund Huppler, of Imlaystown, N. J., and is directed not to issue any such further warrants or orders in the case of such alien insofar as any such further warrants or orders are based upon the same grounds as the warrants or orders required by this act to be canceled. For the purposes of the immigration and naturalization laws, the said Edmund Huppler who arrived at Galveston, Tex, on July 9, 1946, as a seaman, chief mate, on the steamship *Henry H. Blood*, shall, upon the payment of required head tax, be held and considered to have been lawfully admitted to the United States for permanent residence at such place and on such date. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduce one number from the Estonian quota of the first year that such quota becomes available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM C. POLLETT

The Clerk called the bill (H. R. 4994) for the relief of William C. Pollett.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That in the administration of the immigration laws, the alien William C. Pollett, of New Harbor, Trinity Bay, Newfoundland, whose wife is a citizen and resident of the United States and is the mother of his minor daughter, shall not be subject to the provisions of section 3 or of section 19 of the act of February 5, 1917, as amended (U. S. C., 1940 ed., title 8, secs. 136 and 155), insofar as such provisions may be applicable to him by reason of his conviction in Newfoundland, on March 31, 1945, for larceny of a chicken, or by reason of his admission of such conviction. The said William C. Pollett shall be admitted to, and shall be permitted to remain in, the United States for permanent residence if he is not inadmissible on any ground other than by reason of such conviction or his admission of such conviction.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917, as amended (8 U. S. C. 136 (e)), William C. Pollett, of New Harbor, Newfoundland, may be admitted to the United States for permanent residence under the Immigration Act of May 26, 1924, if he is found otherwise admissible under the provisions of the immigration laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES B. WALSH

The Clerk called the bill (S. 1281) for the relief of James B. Walsh.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MARCELLA KOSTERMAN

The Clerk called the bill (S. 1573) for the relief of Marcella Kosterman.

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

L. L. McCANDLESS

The Clerk called the bill (H. R. 915) for the relief of the estate of L. L. McCandless, deceased.

Mr. BOGGS of Delaware. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

GEORGE H. WHIKE CONSTRUCTION CO.

The Clerk called the bill (H. R. 1902) for the relief of George H. Whike Construction Co.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GLADYS JANOW ET AL.

The Clerk called the bill (H. R. 2431) conferring jurisdiction upon the United States District Court for the western district of Oklahoma to hear, determine, and render judgment upon the claim of Gladys Janow, the widow of David Jefferson Janow, for herself and seven minor children, namely, Vernon Janow, James Jefferson Janow, Virginia Janow, Hazel Janow, William Janow, Patsy Janow, and Jefferson Janow, said claim growing out of the death of said David Jefferson Janow, who was killed on or about the 25th day of January 1944 while working at the Enid Army Air Field at Enid, Okla., when he was struck by a United States Army airplane being

driven by Army student pilots at said Army air-field base.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HAWAIIAN DREDGING CO., LTD.

The Clerk called the bill (H. R. 6186) for reimbursement of the Hawaiian Dredging Co., Ltd.

Mr. BOGGS of Delaware. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

LUTHER BROS. CONSTRUCTION CO.

The Clerk called the bill (H. R. 6428) to reimburse the Luther Bros. Construction Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Luther Bros. Construction Co., of Fort Worth, Tex., in full settlement of all claims under contract No. I2r–15757, providing for the construction of earthworks and structures on the W. C. Austin project of the Bureau of Reclamation, Department of the Interior, in Oklahoma, such sum, not in excess of $285,191.49, as the Secretary of the Interior or his authorized representative may find is required to reimburse the Luther Bros. Construction Co. for losses, exclusive of profit, incurred by the company as a result of the failure of the United States to furnish steel reinforcement bars as required under paragraphs 23 and 77 of specifications No. 1133: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $25,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SMITH of Wisconsin. Mr. Speaker, in view of the fact that the committee has not had the reports, I ask unanimous consent to dispense with further call of the calendar at this time.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SECOND DECONTROL ACT

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6659) to continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes, with Senate amendments, disagree to the amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I assume the gentleman has taken this up with the minority member of the committee.

Mr. WOLCOTT. I did this morning in respect to a conference to be held this afternoon, so he knows I am going to ask to send this bill to conference.

Mr. RAYBURN. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection? The Chair hears none, and appoints the following conferees: Mr. WOLCOTT, Mr. GAMBLE, Mr. SMITH of Ohio, Mr. KUNKEL, Mr. SPENCE, Mr. BROWN of Georgia, and Mr. PATMAN.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATION BILL, 1949

Mr. STEFAN. Mr. Speaker, I call up the conference report on the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1949, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. STEFAN]?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 23, 45, and 50.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 25, 26, 27, 28, 29, 30, 31, 33, 37, 44, 48, 51, 52, 53, and 55, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$20,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$569,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment, insert "$25,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$43,750,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$7,150,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$650,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$9,750,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "$3,600,000, of which not to exceed a total of $100,000 may be expended for representation allowances as authorized by section 901 (3) of the Act of August 13, 1946 (22 U. S. C., 1131) and for entertainment"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following:

"International information and educational activities: For expenses necessary to enable the Department of State to carry out international information and educational activities as authorized by the United States Information and Educational Exchange Act of 1948 (Public Law 402, approved January 27, 1948), and to administer the program authorized by section 32 (b) (2) of the Surplus Property Act of 1944, as amended (50 U. S. C. app. 1641 (b)), including personal services in the District of Columbia; employment, without regard to the civil-service and classification laws, of persons on a temporary basis (not to exceed $50,000) and aliens within the United States; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946 (22 U. S. C. 801–1158), except title VII and title VIII; expenses of attendance at meetings concerned with activities provided for under this appropriation (not to exceed $6,000); printing and binding; hire of passenger motor vehicles; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); radio activities and acquisition and production of motion pictures and visual materials and purchase or rental of technical equipment and facilities therefor, narration and script-writing, by contract or otherwise, acquisition of printed materials, purchase of objects for presentation to foreign governments, schools, or organizations, and information and educational activities outside the continental United States, all without regard to section 3709 of the Revised Statutes; $27,000,000, of which not to exceed $2,500,000 may be transferred to other appropriations of the Department of State: *Provided*, That, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Department of State is authorized in making contracts for the use of the international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and

operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That in the acquisition of lease-hold interests payments may be made in advance for the entire term or any part thereof: *Provided further*, That $3,000,000 of this appropriation shall be available, without regard to section 3709 of the Revised Statutes, exclusively for the purchase, construction, and improvement of buildings and facilities, purchase and installation of necessary equipment for radio transmission and reception, and the acquisition of land and interest in land outside the continental United States by purchase, lease, rental, or otherwise, without regard to section 355 of the Revised Statutes, but title to any land so acquired shall be approved by the Secretary of State; and, in addition, the Department of State is hereby authorized to enter into contracts for the purposes specified in this proviso, and under the same conditions, in an amount not to exceed $1,000,000: *Provided further*, That funds herein appropriated shall not be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international shortwave broadcasting license from the Federal Communications Commission without the consent of such licensee: *Provided further*, That funds appropriated herein shall be available for payment to private organizations abroad in pursuance of contracts entered into for the processing and distribution of motion-picture films."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$1,025,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same wih an amendment as follows: In lieu of the sum proposed by said amendment, insert "$5,100,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$725,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "*Provided further*, That the War Assets Administrator, acting for and on behalf of the Reconstruction Finance Corporation, is authorized and directed to transfer to the United States without reimbursement or transfer of funds, legal title to a certain tract of land and improvements thereon at Los Angeles, California, covered by lease dated January 1, 1947, between the Civil Aeronautics Administration and the Reconstruction Finance Corporation and heretofore designated by that Corporation as Plancor 890 and declared surplus to the needs of that Corporation, and to transfer such property to the control and jurisdiction of the Federal Works Agency (Public Buildings Administration); and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$2,100,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$8,285,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment, insert "$4,120,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 34, 39, 40, 41, 42, 43 and 54.

KARL STEFAN,
WALT HORAN,
IVOR D. FENTON,
CLIFF CLEVENGER,
JOHN J. ROONEY,
J. VAUGHAN GARY,
THOMAS J. O'BRIEN,
*Managers on the Part of the House.*

JOSEPH H. BALL,
STYLES BRIDGES,
B. B. HICKENLOOPER,
KENNETH MCKELLAR,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5607) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF STATE

Amendment No. 1 appropriates $20,000,000 for salaries and expenses instead of $17,168,000 as proposed by the House and $21,101,000 as proposed by the Senate.

Amendment No. 2 appropriates $569,000 for printing and binding instead of $532,000 as proposed by the House and $582,000 as proposed by the Senate.

Amendment No. 3 appropriates $25,000 for North Atlantic fisheries instead of $30,000 as proposed by the Senate.

Amendment No. 4 appropriates $43,750,000 for Foreign Service instead of $42,500,000 as proposed by the House and $44,665,830 as proposed by the Senate.

Amendment No. 5 corrects punctuation as proposed by the Senate.

Amendment No. 6 appropriates $7,150,000 for living and quarters allowance instead of $7,000,000 as proposed by the House and $7,301,300 as proposed by the Senate.

Amendment No. 7 appropriates $650,000 for representation allowances instead of $500,000 as proposed by the House and $700,000 as proposed by the Senate.

Amendment No. 8 appropriates $170,000 for printing and binding as proposed by the House instead of $175,485 as proposed by the Senate.

Amendment No. 9 appropriates $9,750,000 for emergencies in the diplomatic and consular service instead of $9,250,000 as proposed by the House and $10,250,000 as proposed by the Senate.

Amendment No. 10 corrects formal language as proposed by the Senate.

Amendment No. 11 appropriates $30,000 for the Interparliamentary Union as proposed by the Senate instead of $20,000 as proposed by the House.

Amendment No. 12 appropriates $135,000 for the Caribbean Commission as proposed by the Senate.

Amendment No. 13 strikes out an appropriation for the Inter-American Economic and Social Council as proposed by the Senate.

Amendment No. 14 corrects formal language as proposed by the Senate.

Amendment No. 15 appropriates $1,536,352 for the Pan-American Union as proposed by the Senate instead of $347,143 as proposed by the House.

Amendment No. 16 appropriates $20,000 for the South Pacific Commission as proposed by the Senate.

Amendment No. 17 corrects a total.

Amendment No. 18 approves a change in language as proposed by the Senate.

Amendment No. 19 appropriates $3,600,000 for international contingencies as proposed by the House instead of $4,000,000 as proposed by the Senate.

Amendments Nos. 20 and 21 correct punctuation.

Amendment No. 22 appropriates $27,000,000 for international information and educational activities as proposed by the Senate instead of $28,000,000 as proposed by the House and allows $1,000,000 contract authorization instead of $2,000,000 as proposed by the Senate.

Amendment No. 23 provides $5,000 for entertainment as proposed by the House instead of $10,000 as proposed by the Senate.

Amendment No. 24 appropriates $4,100,000 for cooperation with American Republics instead of $3,900,000 as proposed by the House and $4,250,000 as proposed by the Senate.

Amendment No. 25 corrects formal language.

DEPARTMENT OF JUSTICE

Amendment No. 26 appropriates $875,000 for the Tax Division as proposed by the Senate instead of $800,000 as proposed by the House.

Amendments Nos. 27 and 28 reduce amount available for pay of bailiffs from $200,000 as proposed by the House to $100,000 as proposed by the Senate.

Amendments Nos. 29, 30, and 31 appropriate $27,150,000 for Immigration and Naturalization Service as proposed by the Senate instead of $26,900,000 as proposed by the House.

Amendment No. 32 appropriates $1,025,000 for salaries and expenses instead of $1,000,000 as proposed by the House and $1,050,000 as proposed by the Senate.

Amendment No. 33 appropriates $1,200,000 for printing and binding as proposed by the Senate instead of $1,100,000 as proposed by the House.

Amendment No. 34 is reported in disagreement.

Amendment No. 35 appropriates $5,100,000 for current census statistics instead of $3,899,000 as proposed by the House and $5,623,000 as proposed by the Senate.

Amendment No. 36 appropriates $725,000 for general administration instead of $635,000 as proposed by the House and $785,000 as proposed by the Senate.

Amendment No. 37 approves a change in language as proposed by the Senate.

Amendment No. 38 makes changes in language with respect to transfer of title to a parcel of land.

Amendments Nos. 39, 40, 41, 42, and 43 are reported in disagreement.

Amendment No. 44 appropriates $4,500,000 for the Bureau of Foreign and Domestic Commerce as proposed by the Senate instead of $5,300,000 as proposed by the House.

Amendment No. 45 earmarks $25,000 for a study of hard fibers as proposed by the House.

Amendment No. 46 appropriates $2,100,000 for field-office service instead of $2,000,000 as proposed by the House and $2,204,000 as proposed by the Senate.

Amendment No. 47 appropriates $8,285,000 for salaries and expenses, Patent Office, instead of $8,000,000 as proposed by the House and $8,350,000 as proposed by the Senate.

Amendment No. 48 appropriates $1,500,000 for printing and binding as proposed by the Senate instead of $1,750,000 as proposed by the House.

Amendment No. 49 appropriates $4,120,000 for Bureau of Standards instead of $3,900,000 as proposed by the House and $4,339,000 as proposed by the Senate.

Amendment No. 50 appropriates $21,880,000 for the Weather Bureau as proposed by the House instead of $22,380,000 as proposed by the Senate.

Amendment No. 51 limits the amount available for emergency medical service to $10,000 as proposed by the Senate.

Amendment No. 52 appropriates $468,000 for salaries of criers as proposed by the Senate.

Amendment No. 53 appropriates $1,844,000 for miscellaneous salaries as proposed by the Senate instead of $1,775,000 as proposed by the House.

Amendment No. 54 is reported in disagreement.

Amendment No. 55 appropriates $607,000 for travel expenses as proposed by the Senate instead of $577,000 as proposed by the House.

KARL STEFAN,
WALT HORAN,
IVOR D. FENTON,
CLIFF CLEVENGER,
JOHN J. ROONEY,
J. VAUGHAN GARY,
THOMAS J. O'BRIEN,
*Managers on the Part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

CALL OF THE HOUSE

Mr. RAYBURN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Obviously there is no quorum present.

Mr. STEFAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 85]

| | | |
|---|---|---|
| Abbitt | Elliott | Jones, N. C. |
| Anderson, Calif. | Engle, Calif. | Kearney |
| Barden | Fernandez | Kearns |
| Bates, Ky. | Folger | Kee |
| Blatnik | Fuller | Kennedy |
| Bloom | Gallagher | Kerr |
| Bonner | Goodwin | King |
| Buckley | Gwinn, N. Y. | Kirwan |
| Bulwinkle | Gwynne, Iowa | Klein |
| Butler | Hale | Lane |
| Byrne, N. Y. | Hall, | Lanham |
| Cannon | Edwin Arthur | Lesinski |
| Case, S. Dak. | Hall, | Ludlow |
| Chapman | Leonard W. | Lusk |
| Chelf | Hardy | Lynch |
| Chiperfield | Harrison | Macy |
| Clark | Hart | Meade, Ky. |
| Clason | Hartley | Meade, Md. |
| Clippinger | Havenner | Miller, Calif. |
| Combs | Heffernan | Morton |
| Corbett | Herter | Mundt |
| Dawson, Ill. | Holifield | Nodar |
| Delaney | Isacson | O'Konski |
| Dirksen | Jenison | O'Toole |
| Dolliver | Jenkins, Pa. | Owens |
| Dorn | Johnson, Ill. | Pfeifer |
| Durham | Johnson, Okla. | Philbin |
| Eaton | Johnson, Tex. | Phillips, Tenn. |
| Plumley | Sheppard | Thomas, N. J. |
| Powell | Short | Tibbott |
| Redden | Sikes | Tollefson |
| Riehlman | Simpson, Ill. | Towe |
| Riley | Simpson, Pa. | Twyman |
| Robertson | Smith, Maine | Vail |
| Rooney | Smith, Ohio | Weichel |
| Sadlak | Somers | West |
| Sasscer | Stanley | Whitaker |
| Scoblick | Stigler | Williams |

The SPEAKER. On this roll call, 318 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HARRIET TOWNSEND BOTTOMLEY

Mr. CASE of New Jersey submitted a conference report and statement on the bill H. R. 2389, an act for the relief of Harriet Townsend Bottomley.

EXTENSION OF REMARKS

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter in each.

Mr. JENKINS of Ohio asked and was given permission to extend his remarks in the RECORD and include an address by Spruille Braden.

WORLD ASSEMBLY FOR IDEOLOGICAL PREPAREDNESS IN CALIFORNIA

Mr. LEA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEA. Mr. Speaker, tomorrow marks the opening of an assembly which will be an important international conference. It is to be the world assembly for ideological preparedness which opens Wednesday and Thursday in the Hollywood Bowl in California and continues June 7 to 14 at the Mission Inn in Riverside. The assembly is to be held in connection with the tenth anniversary of moral rearmament.

Nearly a hundred distinguished visitors from overseas are expected for this conference, over half of whom have already arrived in this country. A good many of them are members of parliament in their own nations and more than a few are of cabinet rank. Eighty-two of our own Members of Congress from both houses and both parties joined in inviting them. We did so by cable to leaders of government, industry, and education in 24 countries.

A chartered plane with our friends from overseas arrived in New York Sunday and proceeded to Los Angeles yesterday. Among those on this plane were Knud Kristensen, recently Prime Minister of Denmark and now leader of the opposition in Parliament; Mme. Eugenie Eboue, member of the French Senate from Guadeloupe and widow of the former governor general of French Equatorial Africa; Dr. Michael Horlacher, of Germany, president of the Bavarian Parliament; Prof. Wilhelm Hoegner, former Prime Minister of Bavaria.

Also Lord Hardinge of Penshurst, Great Britain, former private secretary to King George VI, and Lady Hardinge; Fred Copeman, of Great Britain, president of the Central Lewisham Labor Party and Trade Council, a former Communist and member of the Comintern and commander of the Fifteenth International Brigade in the Spanish Civil War; Fausto Pecorari, former Vice President of the Italian Constituent Assembly; and Admiral Yngve Ekstrand, of Sweden, commander of the Baltic naval district.

Others who have come to our shores especially for this event include Sir Charles Mander of Wolverhampton, England, former president of Rotary International for England and Conservative Member of Parliament; General Pierre de Benouville, French Resistance leader during the war and present aide to General de Gaulle; Panayotis Kanellopoulos, former Prime Minister of Greece; and a group of British coal miners. A delegation of nine Japanese are arriving on the West Coast today, reported to be the largest group of Japanese to leave their country since the end of the war. The same can be said of the nine members of the German delegation. These groups have both come to the United States with the special permission of General Clay and General MacArthur.

It is also gratifying to report that at least one of our own Representatives will be personally in attendance to reflect the interest and good will of many of our Members. He is our honored friend, the gentleman from Illinois, ANTON J. JOHNSON.

No one, of course, has authority to speak for this House, but I am sure we all join in appreciation of the visit of these distinguished persons. They come to our shores animated by good will, a cooperative spirit and purpose to contribute to peace and understanding among men and nations.

They come in the hope of usefully contributing to the building of a better world. The accomplishment of that world is dependent upon our better understanding and cooperation among the nations. Acting together we will succeed.

EXTENSION OF REMARKS

Mr. HARNESS of Indiana asked and was given permission to extend his remarks in the RECORD and include an address by one of his constituents.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATION BILL, 1949

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: On page 49, line 14, insert the following:

"Technical and scientific services: For necessary expenses in the performance of

activities and services relating to the collection, compilation, and dissemination of technological information as an aid to business in the development of foreign and domestic commerce, including personal services in the District of Columbia; not to exceed $10,000 for services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), and not to exceed $20,000 for printing and binding, $200,000, of which $8,000 shall be transferred to the appropriation 'Salaries and expenses' under the Office of the Secretary: *Provided*, That the Secretary is authorized, upon request of any public or private organization or individual, to reproduce by appropriate process, independently or through any other agency of the Government, any scientific or technical report, document, or descriptive material, foreign or domestic, which has been released for public dissemination, and to sell such reproductions at a price not less than the estimated total cost of reproducing and disseminating same as may be determined by the Secretary, the moneys received from such sale to be deposited in a special account in the Treasury, such account to be available for reimbursing any appropriation which may have borne the expense of such reproduction and dissemination and making refunds to organizations and individuals when entitled thereto."

Mr. STEFAN. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate, No. 34, and concur in the same.

The SPEAKER. The question is on the motion of the gentleman from Nebraska [Mr. STEFAN].

The motion was agreed to.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was granted permission to extend his remarks in the RECORD.

STATE, JUSTICE, COMMERCE DEPARTMENTS, AND THE JUDICIARY APPROPRIATION BILL

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 39: Page 55, line 5, strike out "$10,099,000" and insert "$10,211,660."

Mr. STEFAN. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate numbered 39.

The SPEAKER. The question is on the motion of the gentleman from Nebraska.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. STEFAN. Mr. Speaker, amendments Nos. 40, 41, and 42 have to do with the Federal-aid airport program, in which the controversial item of Dallas and Fort Worth is contained. I ask unanimous consent that all three of those amendments may be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amendment No. 40: Page 57, line 16, strike out "$34,392,000" and insert "$37,000,000."

Amendment No. 41: Page 57, line 17, strike out "$33,892,000" and insert "$36,500,000."

Amendment No. 42: Page 58, line 8, after the word "appropriation", strike out the remainder of the line and all of lines 9, 10, and 11.

Mr. STEFAN. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 40, 41, and 42, and concur in the same.

The SPEAKER. The gentleman is recognized for 1 hour.

Mr. STEFAN. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. WILSON].

Mr. WILSON of Texas. Mr. Speaker, this is the same amendment about which we had a disagreement between Dallas and Forth Worth some 6 weeks ago. We have not composed our differences, as a matter of fact, and we still disagree about the matter.

To be as brief as possible—and I have only 10 minutes—the matter involves the building, partially with Federal money, of what is known as Greater Fort Worth International Airport. We now have the eighth airport in the United States—No. 8—so numbered by the CAA, known as Love Field. It is in the city limits of the city of Dallas. It is served by bus, streetcar, by taxicab, at reasonable rates, and by limousine. We have a $12,000,000 investment in that airport. It serves the people of Dallas and of that vicinity adequately, and is more convenient to everybody in that area.

The air lines meet out west of Dallas, a little more than halfway toward Fort Worth, and bought a strip of land, about 630 acres, and gave that land to Fort Worth for the building of an airport. In its justification for spending this money upon the midway airport, I would like to read what they say. This is the CAA now:

Our plan is to make Love Field a secondary air line airport.

In this expenditure of Federal money by the Federal Government in paying half the expense of building this new airport, which will not be a Fort Worth airport as they claim, but will be an airport that will strip Love Field of all of its traffic, only about 12 miles away, requiring the citizens of Dallas who furnish 80 percent of the traffic as between the Fort Worth and the Dallas area, it will force the people of Dallas to travel 19½ miles instead of 6½ miles to get on an airplane, or to carry air express or air mail or for any other purpose.

What did they do? First, to show how the air lines were working with the CAA we made this charge and we make it again: They did this thing without even consulting Dallas. They are spending Federal money and we object to it and we think in the name of common sense, it should be stopped. One or two members have told me this was the CAA's business, not the business of the Congress. I say there are two or three principles involved in this matter that go to the very root of our Government. When any man says that Congress has nothing to do with the expenditure of funds of the taxpayers to build civilian airports he forgets that in the 1938 Airport Act Congress reserved the right to approve every airfield above class 4, and he also forgets the Constitution. What did they do? Mind you, without taking Dallas into its confidence, without giving Dallas a hearing or anybody in Dallas, they raised this cow-pasture airport known as Midway at that time to class 6; they raised this airport from only class 4 to class 6. Love Field at that time was only a class 4 airport and I presume to kind of mollify Dallas they raised Love Field to class 5. We passed this amendment on the floor striking these funds from this bill to go to this Midway Airport which we claim is a pure waste of Federal money.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Texas. I yield.

Mr. JENNINGS. I aided in eliminating what I regarded this unnecessary waste of $2,608,000 from the measure as it was first reported to the House. Since that time a lawyer in Memphis undertook to approach me on the matter. He was interested in some great transcontinental air line. What air line is it that wants to erect this unnecessary airport out there at Fort Worth?

Mr. WILSON of Texas. American Airlines, Braniff, Pioneer Airlines, and Delta Airlines. Two of them appeared at the hearing at the time we struck the money from the House bill before the CAA decided they had better give Dallas a hearing. So they held a mock hearing in Austin. Two of the air lines appeared there then and said they had a part in acquiring this airport. They had given it to Fort Worth, taken it from Arlington, another small town in Tarrant County. They said they wanted this field to save them money, but I say that in saving the air lines money they lose sight of the convenience and necessity of the public.

Mr. JENNINGS. Will the gentleman yield further?

Mr. WILSON of Texas. I yield.

Mr. JENNINGS. How many airports are there in that area now large enough for the use of these transcontinental planes?

Mr. WILSON of Texas. Love Field has the property bought and paid for, with runway strips 10,000 feet in length. DC–6's and DC–4's land on them now and have been ever since they started using them. The Army used it during the last world war and the city of Dallas permitted it to be used by them to the exclusion of everybody else.

Mr. JENNINGS. Do those runways and that land that this city has bought out there cost the Federal Treasury anything?

Mr. WILSON of Texas. No. This time, Mr. Speaker, the CAA says they only intend to spend $800,000, but they only want to get their foot in the door. They will be back here next time for two or three or four millions; they will want an extensive amount of money to keep on expanding the runways and rebuilding and enlarging this airport; and all the while they are absolutely destroying an airport that the citizens of Dallas have built and paid for.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Texas. I yield.

Mr. RICH. I have been listening to the gentleman's argument, and I think it is sound as a dollar. It is about time that people all over the country stopped coming to the Federal Government and

asking for funds, especially at a time like this when we have no funds to waste. This matter is just an extravagant waste of funds. This city has air facilities close enough to it now without building these additional air facilities, certainly not until we find out how we are going to finance some of these things. The trouble is that the people of the country do not realize what a serious position we are in. I am glad the gentleman is making the fight he is and I hope that the Members will support him and knock this thing out.

Mr. WILSON of Texas. I know that the gentleman from Pennsylvania [Mr. RICH] and the gentleman from Tennessee [Mr. JENNINGS] know that. I appreciate their contribution.

Mr. Speaker, after we made this fight, the CAA then reduced this new airport from class 6 back to class 5 and gave us a hearing. They had 2 days of extensive hearings. The hearings are still in the bosom of the CAA. They have not said what they intend to do. I say to you that at a later date this Congress can determine whether this is a necessary expenditure, which we deny, and stop this foolish waste of Federal funds. There will be plenty of time to build an airport, because Fort Worth has an airport and we have an airport. We just recently developed a third airport south of Dallas for private fliers and propose to spend $3,000,000 of the city's money and $2,000,000 more on Love Field.

Is it the place of the Federal Government to come in with Federal money and destroy an already going airport, one of the best in the United States, with Federal money and without giving us notice or a chance to object or anything else? I say that the Congress should be interested in preserving a going airport.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Texas. I yield to the gentleman from Pennsylvania.

Mr. RICH. I said that the gentleman's argument is as sound as a dollar. Somebody back here has criticized me and asked, "How sound is a dollar." You can make the dollar sound if you will vote against this proposition, then we can be sure that eventually it will be worth something. If we spend the dollar it will be worth nothing.

Mr. WILSON of Texas. I agree with the gentleman.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Texas. I yield to the gentleman from Michigan.

Mr. CRAWFORD. First, I join with the gentleman in protesting against this motion which the committee has placed before the House. We are not only wasting Federal funds but we are using Federal funds to further subsidize the private air-line operators in this particular area. Is that not true?

Mr WILSON of Texas. That is right.

Mr. CRAWFORD. With the gentleman's familiarity with this particular case, what in his opinion is the reason for this motion coming back here in this form?

Mr. WILSON of Texas. I have no idea what the reason is. We had this matter on the floor of the House before and the House threw this item out.

Mr. CRAWFORD. Can the gentleman inform the House who represented the air lines on the other side of the case?

Mr. WILSON of Texas. I do not know who represented the air lines. There has been a good bit of pressure brought all around.

Mr. CRAWFORD. Does the gentleman know what particular gentleman in Texas represented them?

Mr. WILSON of Texas. Yes; I have heard that Mr. Creagar, national Republican committeeman of Texas.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. STEFAN. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. WILSON of Texas. Mr. Speaker, this is not a petty fight between Dallas and Fort Worth. That is what Fort Worth has tried to make it appear to be, but it is not a petty fight. Of course, they tried to make it appear that way. They have many locations close to Fort Worth where they can expand, enlarge, and build any kind of airport they want. We say that they and the CAA are in league with the air lines in order to destroy an investment of the local folks in Dallas and Dallas County who still owe many millions of dollars that are invested in our airport. When we furnish 80 percent of the traffic, 90 percent of the air mail, 85 or 90 percent of the air express, Mr. Speaker, I think we should be heard, and I think it is the responsibility of this Congress to see that the CAA or any other Federal agency does not indulge in a wanton waste of the taxpayers' money.

Mr. JENNINGS. Is this money to be used to begin a new airport?

Mr. WILSON of Texas. It is to begin an airport.

Mr. JENNINGS. How many airports are there out there now in actual existence?

Mr. WILSON of Texas. Dallas has about 12 commercial airports.

Mr. JENNINGS. How many has Fort Worth?

Mr. WILSON of Texas. Some 8 or 10, so the CAA says in its justification. Now they propose to build a new one with Federal funds, make a still larger one when there is a highway against it on one side and a river on the other side, which we think would make it dangerous.

Mr. Speaker, I do not seek to knock one dime from anybody else's airport, I do not seek to take away from any other district one penny, but I say Dallas should be permitted to support an airport such as Love Field. The Army spent a lot of money there during wartime, mostly in barracks, which are of no benefit to Dallas and which are occupied by other Government agencies now.

We certainly cannot face Federal competition if they are going to destroy us by building another airport and requiring us to drive 10, 12, or 15 miles farther, when we have one that is convenient and well equipped. There is no CAA money in our airport. No, the Army put some barracks out there and extended one runway for a few hundred feet, as I understand, and they used it during World War II.

My friends, I ask you to give this matter some serious consideration. Personally I believe it is wrong to throw away Federal funds, the taxpayers' money, when we already have ample airports in that district. I personally think it is the responsibility of every Congressman, Democrat and Republican, many of whom give mouth service to economy. But, they very seldom vote for economy. I think this is one time, and one small item that we can strip from this report and vote "no," and tell the committee to go back to the other body and stand pat upon the original judgment of this House. I say it is the individual responsibility of every single Congressman to his own constituency and to this great Nation that we love, to see that every penny that is sought to be wasted by one of the bureaus, be clipped off, whether it is $35 or $35,000,000. This is a small matter comparatively speaking, I admit that. But, my friends, I ask your support in trying to see in this particular instance that no Federal money is uselessly wasted on this new airport, when they already have sufficient airports. We have plenty of airport service, and those who know, the airport engineers, say that Love Field will be good for 10 or 15 years longer, if not longer than that.

My friends, I ask that you vote "no" and instruct this committee to go back to the committee of conference and tell them that this House believes in economy and that this is one way we are going to show it; we are going to cut these funds out. If they want to put them back in; let us stand pat because I believe it is right and I believe you believe it is right, if you know the facts.

I am sorry to have taken up this much of your time. My friends, I hope you will vote "no" on this motion to recede and concur.

Mr. STEFAN. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, on March 5, some 3 months ago, this House in Committee of the Whole considered the Commerce Department appropriation bill, and by a small vote approved the amendment offered by the gentleman from Texas [Mr. WILSON] to strike from this bill funds for the use of the Fort Worth Airport and also for other airports throughout the land. There was a considerable degree of levity on that day in which I was an unwilling participant, because Members of this House seemed to receive great fun in teasing us about the fight between Fort Worth and Dallas. But, my friends, it has reached the point beyond levity; it is a most serious thing. We are now considering the very lifeblood of the commercial life of the city of Fort Worth. The gentleman from Texas [Mr. WILSON] has made a very fine address on the subject of the Dallas Airport, and I agree with him in everything that he has said about the splendid features of that airport. It is a dandy airport. The only thing he did not tell you is that Fort Worth does not have an airport. We had one before

the war, and now we want to expand with a new one. It so happens Dallas helped us select this new site for an airport, between the two cities, but Dallas withdrew from it, so we have chosen to enlarge and improve it so that we will have an airport where Fort Worth planes can come in and land. Today, if a man who is a resident of Fort Worth wants to fly to Los Angeles or San Francisco or Washington or New York or anywhere on the eastern coast, he has to go to Dallas to get on a plane. That is a fact. There are gentlemen sitting in this gallery right today who have automobiles parked at the Dallas Airport. They could not reach Washington by transcontinental plane from Fort Worth.

The citizens of Fort Worth have passed a bond issue of $2,500,000 for this airport. The CAA included it in its allocation for this coming fiscal year. We had it before this House, and the gentleman from Texas [Mr. WILSON] by his amendment slashed it off. It was taken to the other end of the Capitol, and a thorough hearing was conducted upon the subject. The Dallas people presented six witnesses. Fort Worth presented three. There was but one dissenting vote in bringing it out in favor of Fort Worth. It came out of the full committee unanimously and came out of the Senate without objection.

The fact is, Mr. Speaker, that this is discriminatory legislation. This is legislation in an appropriation bill to remove funds which are included for one city, of all the cities in the land. The city of Fort Worth is paying taxes to support this Government and support this Federal airport-aid program, yet the distinguished gentleman from Dallas [Mr. WILSON] wishes to strike funds which would be allocated to Fort Worth in the expansion of her essential airport program. It should not be necessary for me to go into the merits of this matter, but I do wish to answer some of the statements which Mr. WILSON has made.

Mr. MACKINNON. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield to the distinguished gentleman from Minnesota.

Mr. MACKINNON. The gentleman from Dallas stated that 80 percent of the air traffic from Love Field originates in Dallas. Is that correct?

Mr. LUCAS. I cannot say, but we know that 40,000 people from Fort Worth went to Dallas last year to enplane.

Mr. MACKINNON. The point I am making is that if it is true then Dallas is hoisted on their own petard, because they have less than two times the population but furnish four times the traffic. The lack of availability to Fort Worth of the airport cannot help but be the principal cause of this great disparity in the use of air transportation. I suggest the possibility that Fort Worth would make greater use of air transportation if they had an air field that was more accessible to their city.

Mr. LUCAS. Certainly, that is the point. That is the very reason we want an airport, because Fort Worth citizens need such facilities for air travel service. The gentleman from Texas [Mr. WILSON] and the people of Dallas make great exclamation over the fact that Dallas has 80 percent of the traffic. You probably read the full-page advertisement in this morning's paper, where they said that Dallas has so much traffic, and that it would all be stolen by Fort Worth. There is not one thing in this bill that will provide that Dallas or any citizen of Dallas will have to go to Fort Worth to use the Fort Worth airport. But the gentleman from Texas [Mr. WILSON] complains that the Dallas airport will be ruined. It is not provided that the people of Dallas will have to go to Fort Worth. Fort Worth wants an airport. Dallas has one. They produce statistics showing that Dallas has all this traffic. Why, the traffic partly, and in large measure, comes from Fort Worth. They cannot deny it. It is true.

The gentleman from Dallas boasts that Dallas has 12 commercial airports. Sure, Dallas has 12 commercial airports, and how many does Fort Worth have? One; and must have another larger field. The one airport we have is too small for four-motored planes. CAA will not permit them to land there, loaded.

We believe we deserve Federal funds. The city of Dallas has not received any CAA funds for their airport; that is right, as the gentleman from Texas [Mr. WILSON] says, but during the war they received something like $6,000,000 in Army funds to enlarge Love Field. So you can see that it would be only fair that Fort Worth receive some funds under this Federal-airport program, matching them 50–50, when Dallas got theirs 100 percent.

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. REES. How far is it from Fort Worth to the so-called Dallas field?

Mr. LUCAS. It is 35 miles or more, depending on where you start. There are 35 miles between the two cities.

The gentleman from Texas [Mr. WILSON] says that Congress deserves the right to approve any airport above class IV. That is right, but not in an appropriation bill—not in an appropriation bill. The CAA provides that all class IV allocations shall be referred back to the Interstate and Foreign Commerce Committee of the two Houses, and at that time Dallas can make her objections. When Dallas made her objection to this allocation, the CAA immediately called hearings at a distant place, at Austin, an impartial place, and an examiner from Los Angeles was called to hear the evidence. Two whole days were consumed in hearing all the evidence on this question. CAA examiners are still digesting the report because there were so many technical features which were brought in that it will take some time for them to bring out their report.

The gentleman from Texas [Mr. WILSON] is attempting to strike from this bill $2,608,000, yet the gentleman from Nebraska [Mr. STEFAN] has said and the CAA reports that only $800,000 of it will go to the Fort Worth airport. Therefore he is striking from all parts, from your ports, throughout the land, $1,800,000 across the board. When this was pointed out to him in the other body, he acknowledged his mistake, but he does not rise here and say so. He appeals to your economy and says, "Let us cut $2,608,000 from the bill," when only $800,000 would be applied to Fort Worth. He says they are destroying Love Field. Let me tell you what is destroying Love Field. The CAA, Mr. Speaker, made this report recently:

> The CAA believes, from its studies, that Love Field will in the relatively near future reach a saturation point for scheduled air-carrier traffic alone. There is need for airports at both Dallas and Fort Worth. Eventually, two air-carrier airports for each of these communities may be required. Certainly three air-carrier airports for the total area of the two communities will eventually be required. Aircraft are used much more in this part of Texas than in many other parts of the United States. For the last 3 years, Love Field at Dallas has been accommodating about 60 percent as much traffic as the Washington National Airport and about 50 percent of the scheduled transport traffic handled at LaGuardia Field, N. Y.

According to a recent report which appeared in the Evening Star in a statement by Bennett H. Griffin, manager of the National Airport, he says:

> It will soon be necessary for another airport to be built in the vicinity of Washington.

Love Field handled 60 percent as much traffic as Washington, and yet the people of Dallas resent Fort Worth wanting to expand her airport facilities for her own citizens, when there is not enough airport facilities right here in Washington with all the airports that there are around here. I cannot see why the citizens and the leaders of the city of Dallas should object to this expansion. It comes with mighty poor grace on the part of the citizens of Dallas for them to object to the expansion of the airport facilities of her neighboring city. Let us leave this in the hands of the experts in our Government to determine. I ask that you vote for this motion to recede and concur.

The SPEAKER. The time of the gentleman has expired.

Mr. STEFAN. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Speaker, I would like to have the attention of the House for a few moments on an item that involves the sum of $2,608,000. When this matter was before the House on a previous occasion, we voted it down. We cut it out. It should have been cut out. It is admitted here that Fort Worth today has from 6 to 8 commercial airfields owned by the people of that city and that Dallas has from 10 to 12 commercial airfields owned by the people of that city.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. JENNINGS. Not now. The great transcontinental freight carriers and passenger planes land on many of these fields in the vicinity of those cities each day. I have always felt that if you are short of funds or have no money at all—and that is the condition of Uncle Sam, he is broke. He has not any money, that we ought to go into debt and obtain

money and spend it for only those things which are absolutely essential. Now, if the people of the city of Dallas are able to own and furnish airport facilities in the way of ten or twelve commercial airports, and if Fort Worth can own and furnish to the air lines from six to eight airports, why should the entire people of this country be called upon to expend $2,608,000 for an additional airport? Is there some politics in this matter? Is there some rivalry between the transcontinental air lines that wish the expenditure of this money by the people for their own purposes and profit? I happen to know that the American Air Lines is interested in this proposition, because after I participated in this debate when this matter was first considered and this item was cut out, one of the best friends I have in the world called me and, in a laughing sort of manner, said, "You were just joking, were you not, when you took part in this controversy between Dallas and Fort Worth? You did not really mean what you said?" I said to him in substance, "$2,608,000 is not a joking matter down in my neck of the woods. I was not joking. I was undertaking to save money."

My people are pressuring me every day, saying to me, "If you can spend billions abroad for purposes we are not acquainted with, and which may result in the utter loss of the money, why can you not do something to advance the cause of education among the children of our people?"

If I vote for this bill they will ask me that question again. They will say, "Why did you vote for an appropriation of $2,608,000 for an additional airport where there are about twenty now in existence? Did you do it for some political motive or did you do it to advance the private interests of an air line—the American Air Line or some other air line?"

I have no interest in the American Air Line or any other corporation that owns or flies transportation planes or passenger planes, but I do have an interest in the taxpayers of my district, my State, and of this country. How can we be heard to talk about economy when we wantonly throw away $2,608,000 of the people's money that ought to be left in the people's pockets? What are we doing anyway? Is there no such thing as economy under the sun? Can you talk economy out of the right corner of your mouth and then expenditure and profligacy out of the left corner of your mouth?

Let us send it back to conference with instructions to come in here and save $2,608,000.

The SPEAKER. The time of the gentleman from Tennessee [Mr. JENNINGS] has expired.

Mr. STEFAN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I think we ought to bring a little order out of the chaos that has gone on here. My good friend, my very esteemed and deeply beloved friend from Tennessee has a beautiful airport at Knoxville, built largely by the Federal Government. He also lives in the middle of that great Tennessee Valley to which the Federal Government has contributed very largely.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield to me?

Mr. HINSHAW. Gladly.

Mr. JENNINGS. We are satisfied with one airport. If I were here asking for two when we have one I ought to be booted out.

Mr. HINSHAW. All right; the gentleman got his airport. It is at Knoxville. It is a beautiful airport. It is equipped with an instrument landing system and all the rest of the things that go along with it, lovely concrete runways able to take the very largest ships. He also has in his district the Tennessee Valley Authority and the Atomic Energy Commission plant at Oak Ridge, Tenn. The gentleman has had plenty of Federal funds spent in his congressional district.

As far as the Dallas-Fort Worth situation is concerned it is a question whether you are going to build two airports or just one. I think everyone here who lives in an area such as the Minneapolis-St. Paul area or the Canton-Akron area, or a number of others realize that the most satisfactory solution of all is to have an airport between two major cities. In that way you are able to get better service for both cities because all of the air carriers can then stop at the single airport. It will increase the speed of travel in all directions because only one stop need be made. Also, the service to both areas is much better than if you had half the planes stopping at one place and half at the other or else having to make a short hop in between.

Mr. Speaker, I have no particular interest one way or the other in this controversy, but it seems to me it would be a matter of high policy on the part of the United States to establish but one major airport for these duo areas. It is a smart thing to do from the governmental standpoint. It is a wise thing to do from the transportation standpoint. It is a wise thing to do from the standpoint of both cities concerned. It is a great saving to the many people who have to travel long distances to go from the second city to the first.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. LUCAS. The gentleman from California is vice chairman of the Congressional Air Policy Committee. I would like for him to discuss briefly the airport needs for the 70-group air force program.

Mr. HINSHAW. I am sorry I am not able to do that because I do not have with me the figures concerned with the operation of the 70-group program.

Mr. Speaker, in conclusion let me say that we have a number of these problems all over the United States. They are located in different places where we have great major centers of population not too far apart, they are quite close to each other, as a matter of fact; and the logical and reasonable thing to do is to put an airport in the middle between the two. That is the smart thing to do. The Senate realizes that, the distinguished body on the other side of the Capitol, and so they have presented this amendment in which we are asked to concur.

I think that if the Senate can see it impartially in that way—and certainly the distinguished Senators from Texas are necessarily impartial in the matter, they are not biased one way or the other any more than we are biased on the subject—I think that we would do very well to concur in the Senate amendments and let the Civil Aeronautics Administration decide what is to be done without trying to make that decision right here on the floor.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. COLE of Missouri. I notice that only $800,000 in this appropriation goes for the Fort Worth airport.

Mr. HINSHAW. That is correct, only $800,000. It is not $2,608,000 for that area. The rest of the money is going to be used in different places. If you want to keep it in you had better vote to recede and concur.

Mr. HUBER. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HUBER. The gentleman a while ago said the Canton-Akron Airport. He should say the Akron-Canton Airport.

Mr. HINSHAW. Well, whichever way it goes.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. BROWN of Ohio. As the gentleman remembers a total of more than $500,000,000 was authorized in the act of 1946 to build airports. Actually the striking out of this amount will mean nothing in dollar savings to the people of this country, because the money will still remain, and it will be used for some other airport. Is not that correct?

Mr. HINSHAW. That is correct. We authorized that the money be spent, and eventually it will be spent in everybody's district.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield further?

Mr. HINSHAW. I yield.

Mr. BROWN of Ohio. And, of course, while we have friends in both Dallas and Fort Worth the fact is that there is a great question of rivalry between these two Texas cities. They are both great cities.

Mr. HINSHAW. That is quite obvious.

Mr. BROWN of Ohio. Does the gentleman agree that this Congress has no business trying to decide between those two cities when it does have an agency of Government which it has created, the Civil Aeronautics Authority, to pass on the actual need or necessity for airports, and that we should, therefore, leave it up to that agency to decide whether an airport is needed or not?

Mr. HINSHAW. The gentleman is eminently correct. If we recede and concur, the matter will be entirely up to the Civil Aeronautics Administration, which is competent to settle this question, much more so than we are on the floor of this House.

Mr. STEFAN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, here is a case where the good people of Dallas voted $4,000,000 of their own money to build an airport. That airport is operating and in first-class condition. Large planes are coming and going from it. It is within the city limits of the city of Dallas. Unfortunately, we have a situation in my own State where if you want to take a plane from Detroit you drive out about 32 miles. It is almost as easy to come to Washington by automobile as it is to go out to that airport and then come to Washington. So I am familiar with these long-distance drives. Here is an airport within the city of Dallas, built by the private funds of the people and exempted from the Federal tax box. This proposal is that we take Federal funds and destroy or at least place a stigma on that airport built by the city of Dallas.

Ralph Lee, airport engineer, in his statement on this proposition, says:

> Our plan is to make Love Field the secondary air-line airport to supplement the large airport to be developed at the Midway Airport site to serve the Dallas and Fort Worth metropolitan area.

I have friends and loved ones in both cities. Certainly I have no objection to Forth Worth having as good an airport as it wants, but I do have objection to my party and my side of the House saying that $1,208,000 is inconsequential as related to a $500,000,000 building program. I do have objection to my side of the House spending, then taxing the taxpayers and selling bonds to citizens under pressure, when it is unnecessary to do so.

Mr. Speaker, here is what the committee itself said on page 25 of the report:

> The committee wishes to call to the attention of the Administrator its apprehension regarding the future utility of the airport pattern being established. Instances have been called to the attention of the committee wherein approval for a certain class airport has been given despite the fact that a similar class airport exists in the immediate vicinity. It is not known, of course, how many instances such as this exist throughout the country, but the committee intends to go into this matter more fully in the future, and, should it become warranted, it may be obliged to make appropriations on an individual project basis.

Mr. Speaker, as one Member of this House I do not propose to surrender the representation of my district to the views of the CAA if we can get the facts and reach our own conclusions here. We have had too much governing by Government agencies so far anyway.

Now, let us take the tonnage with respect to the two cities involved. For the last quarter ending September 30, 1947, Dallas furnished 94,550 passengers, Fort Worth 14,318 passengers. Dallas furnished 378 tons of air mail, Fort Worth 90 tons of air mail. Dallas furnished 232 tons of air express, Fort Worth 20 tons. Dallas furnished 392 tons of air freight; Fort Worth, 16 tons.

Mr. Speaker, the facts speak for themselves. The gentleman from Fort Worth could have obtained these facts and presented them to the House had he not been afraid of the deathly showing which the statistics compiled by the experts and those in charge of the records indicate to us. There is no reason why this House should recede and concur. This House reached a conclusion based on the facts, and if we want to hold down these budgets and have at least a little respect for the taxpayers and the bondbuyers, then let us eliminate those expenditures which are unnecessary during the current fiscal year, and if airports have to be built in the name of National Defense, let the funds authorized be used where they should be used, and not use Federal funds to destroy values built up by the private citizens who have the initiative and the economic good sense and put up their own funds instead of asking the Federal Treasury to subsidize them.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. STEFAN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have a great many friends on both sides of this controversy, and I think that in order to clarify the atmosphere perhaps we should look at the situation as it is and not as we would like for it to be. The cold, cynical facts are that there has been for a great many years and probably will continue for a great many years in the future keen rivalry between the two cities of Dallas and Fort Worth. They are both great cities. They are both made up of people who believe in their own cities and who are zealous in promoting the welfare of their own cities.

The situation is simply this: Dallas has a great airport. The people of Fort Worth use that airport. The people of Fort Worth are requesting the CAA that they consider the construction of an airport for Fort Worth. There is some question whether the construction at Fort Worth will injure the airport at Dallas. Undoubtedly it will take away some trade from the Dallas airport because the Fort Worth people will no longer go to Dallas for air service.

This amendment was offered by the gentleman representing the Dallas district in good faith, I am sure. He is a great friend of mine and a great American. The amendment specifically prohibits Fort Worth from being considered in connection with any airport construction under the general Airport Act of 1946. That is a rather far-reaching step to take. His amendment was adopted in the House by a voice vote. The Committee on Appropriations did not see fit to ask for a roll call to call the Members back to the floor. The bill went to the Senate. The Senate committee struck out this language which would say that Fort Worth is the one city in America that cannot be considered for an airport under the Civil Aeronautics Act, where we authorize all this money. This matter went to conference. The House conferees came back here with a request that we recede and concur in the Senate amendment, which simply means this, that we would leave the whole matter up to the Civil Aeronautics Authority to decide whether or not there should be an airport at Fort Worth; whether it is needed or not, whether it is wise to put one there, as the gentleman from California explained.

Now, I do not propose to be an expert on airports; I am not. I cannot stand here and tell you whether Fort Worth needs an airport or does not need an airport. I simple say that is it unfair to select any one city in the United States and say by legislation, "This city shall not be considered under the law."

They talk about saving money. Of course that is a fallacious argument. This amendment does not save a penny, because under the Federal Airport Act of May 13, 1946, we authorized the expenditure of some hundreds of millions of dollars for airport construction. I forget the exact amount. May I ask the gentleman from California [Mr. HINSHAW] who knows, what the exact amount is?

Mr. HINSHAW. Five hundred million dollars over a 7-year period.

Mr. BROWN of Ohio. Five hundred million dollars over a 7-year period. If the money is not expended this year, it will still be authorized to be expended next year or the year after, any time during the 7-year period, so there is nothing whatsoever to this argument that you save a single penny. I am for saving money. If you can strike this out of the general authorization so that you will actually save money, that is one thing, but you save nothing by this action. All you do is say to one great city, "Because a rival city asks that you not be considered under a general law passed to take care of all the needs of all the country, you shall not be included." Fort Worth is still a part of the United States. To select Fort Worth of all cities of America and say to it, "You cannot possibly participate under the Federal Airport Act, providing and if the Civil Aeronautics Authority, established by this Congress, decides that you are entitled to an airport," I say is unfair and unjust.

I say to you also that this committee has acted wisely and well. If you vote "aye" to recede and concur, you will not only be doing justice to both cities, Dallas and Fort Worth, but you will also be supporting the action of both the House Committee on Appropriations and the Senate Committee on Appropriations. I contend we should support our committees in this particular matter.

Mr. STEFAN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, as a member of the subcommittee which has brought in this report, may I say that as far as I am concerned this is not a dispute between two cities nor is it a question of economy. I certainly am in favor of economy in this Government. I think the Members of the House know I have stood for economy on all occasions. To me, the question involved here is one of policy, and it involves a principle which is of the utmost importance to this country.

The Congress of the United States has approved an aviation program under which we propose to spend $500,000,000 over a period of 7 years. That is a lot

of money, but that expenditure has been authorized by the Congress. The question we are facing today is whether we are going to spend that money in an orderly manner or are going to make the expenditure of the funds a political football to be kicked about here in the Congress of the United States. What we have done in the past is to entrust to an administrative agency the determination after a proper and orderly investigation and study of the question as to where we shall locate our airfields, where we shall construct towers, and what facilities we shall provide for those airfields. The question of this particular airport has been considered by the Civil Aeronautics Authority. We face the proposition today of setting aside their findings and substituting our own individual opinions. I ask those Members of the House who are on the floor how many of you feel that you have sufficient facts to enable you to determine whether there should or should not be an airport at Fort Worth? I am a member of this subcommittee which has considered the question and I say to you that I do not know. I am, therefore, following the Civil Aeronautics Authority, the duly constituted agency of the Government that has been charged with the duty of determining this matter.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. RICH. Do you know of one agency of the Government, and if you do I would like to have you point it out, that has suggested some means to effect economy in the operation of government, where they do not want this, that, and the other thing in their department? I have not found one agency in the Government yet that really wants economy. You talk about being for economy. You show me an agency of the administration that wants economy.

Mr. GARY. The gentleman has asked me a question. May I ask him a question? Who directed this agency to spend $500,000,000? The Congress of the United States did that.

Mr. RICH. Then show me a Congress that is for economy. You say that every Member of Congress gets up here and is for economy. Show me the Members of Congress who are for economy. You are for spending all the time.

Mr. GARY. I am not criticizing the Congress for this $500,000,000 expenditure because in my judgment the encouragement of aviation is very important to progress and development of our country. Unless we develop aviation in this country, we are not going to have the transportation facilities that we need.

Mr. RICH. But do not wreck the country and the Government for aviation or anything else. There is a time when you have to stop spending, and that time is now. If you want to save America, then stop these things that these agencies of Government are recommending. If you do not, then you had better quit and go home because you will not have any Government to support.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. STEFAN. Mr. Speaker, I yield the gentleman one additional minute.

Mr. GARY. What I am trying to say to the gentleman is that the question of economy is not involved now. The $500,000,000 appropriation has been authorized by the Congress. You are not reducing that. What you are doing is cutting out of this appropriation bill an amount which has been allotted to the various airfields of the United States under the previous authorization of Congress. The time for the gentleman's appeal for economy was when the bill came before this body to authorize this expenditure.

Mr. RICH. Because you have authorized some money, do not spend it if you do not have to. Here is a place where you do not have to spend it.

The SPEAKER. The time of the gentleman from Virginia has again expired.

CALL OF THE HOUSE

Mr. HORAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-four Members are present, not a quorum.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 86]

| | | |
|---|---|---|
| Abbitt | Hardy | Plumley |
| Anderson, Calif. | Harrison | Powell |
| Banta | Hart | Price, Fla. |
| Barden | Hartley | Redden |
| Bates, Ky. | Havenner | Riley |
| Bell | Heffernan | Robertson |
| Bonner | Herter | Rooney |
| Buckley | Holifield | Sadlak |
| Bulwinkle | Isacson | Scoblick |
| Butler | Jenkins, Pa. | Scott, Hardie |
| Case, S. Dak. | Johnson, Ill. | Scott, |
| Chapman | Johnson, Okla. | Hugh D., Jr. |
| Chelf | Johnson, Texas | Sheppard |
| Chiperfield | Jones, N. C. | Short |
| Clark | Kearney | Sikes |
| Clason | Kearns | Simpson, Ill. |
| Cole, Kansas | Kee | Simpson, Pa. |
| Combs | Kefauver | Smathers |
| Dawson, Ill. | Kennedy | Smith, Maine |
| Delaney | Kerr | Smith, Ohio |
| Dirksen | Kilburn | Somers |
| Dolliver | King | Stanley |
| Dorn | Klein | Stigler |
| Doughton | Lane | Stockman |
| Durham | Lanham | Sundstrom |
| Eaton | Ludlow | Thomas, N. J. |
| Elliott | Lusk | Tibbott |
| Engle, Calif. | Lynch | Tollefson |
| Folger | Mack | Towe |
| Fuller | Meade, Ky. | Twyman |
| Gallagher | Meade, Md. | Vail |
| Gathings | Miller, Calif. | Weichel |
| Goodwin | Morton | West |
| Granger | Mundt | Whitaker |
| Gwinn, N. Y. | Murdock | Whitten |
| Gwynne, Iowa. | Nodar | Wigglesworth |
| Hale | O'Konski | |
| Hall, Edwin Arthur | O'Toole | |
| | Owens | |
| Hall, Leonard W. | Pfeifer | |
| | Philbin | |

The SPEAKER. On this roll call 311 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON VETERANS' AFFAIRS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file several reports on bills reported out of the Committee on Veterans' Affairs.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATION BILL, 1949

Mr. STEFAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion.

The question was taken; and on a division (demanded by Mr. WILSON) there were—ayes 129, noes 37.

Mr. WILSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and sixty-three Members are present, a quorum.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: On page 59, line 3, insert the following: "and the salaries of the other members of the Board shall be at the rate of $11,500 per anum."

Mr. STEFAN. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 43, and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: On page 76, line 16, insert the following: ": *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other acts of similar purport subsequently enacted) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF–4), senior (CAF–5), or principal (CAF–6) clerical grade, or assistant (CAF–7), or associate (CAF–8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P–1), assistant (P–2), associate (P–3), full (P–4), or senior (P–5) professional grade, as the appointing judge shall determine, subject to review by the individual council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any additional compensation under the Federal Employees Pay Act of 1945 and any other acts of similar purpose subsequently enacted) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed $6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed $7,500."

Mr. STEFAN. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 54, and concur in the same.

The Clerk read as follows:

Mr. STEFAN moves that the House recede from its disagreement to the amendment of the Senate No. 54 and concur in the same.

Mr. STEFAN. Mr. Speaker, this amendment concludes all the amendments that will be considered at this time, and we will have practically completed our duties in connection with this conference report. However, a number of questions have been asked, and I intend to reply to the interrogations of Members who have indicated that they want to question me on some of the items in which they are interested.

Mr. Speaker, I know how interested every Member of the House is in the matter of small business. You will recall that when we had this bill up for debate, the matter of the Office of Small Business was discussed, as well as the Office of Technical Service in the Department of Commerce. I indicated to the House at that time my deep interest in the welfare of small business and also that something be done to assist small business.

Mr. Speaker, I want to take this opportunity to inform the membership of the House that the Senate fully concurred in the recommendation of this committee to strengthen services to small business by consolidating the Office of Small Business with the activities of the Office of Domestic Commerce. There seems to have been some apprehension of late as to the intended purpose of this recommended consolidation of activities. The committee made this recommendation as a result of numerous complaints by businessmen that there exists too many segments and units of organization within the Bureau of Foreign and Domestic Commerce to which they must go in order to inform themselves as to any one particular commodity. The idea behind the recommendation of the House, which has just been confirmed by the Senate, was to reduce the number of contacts that a small businessman had to make in seeking information of particular interest to him. This apparently has now been accomplished.

Regarding the Office of Technical Services, I believe the conference has brought about a better situation relating to small business. I firmly believe that legislation is needed to bring the greatest efficiency in this work.

I am assured by the gentleman from Missouri, WALTER PLOESER, chairman of the House Small Business Committee, that such legislation is being prepared. Of course, passage is not to be expected this year.

There has been considerable information requested about the Voice of America, and the information and cultural program, known as the OIE, in the Department of State. Considerable has been printed regarding certain radio transcripts which had to do with various States, such as Wyoming, Utah, Pennsylvania, and perhaps some of the Southern States.

My colleague from Washington [Mr. HORAN] who had a great deal to do with writing the bill and writing the report, has asked that I reply to some interrogations that he has in mind at this time.

I yield to the gentleman from Washington [Mr. HORAN] for that purpose.

Mr. HORAN. I believe there are, including the President's own investigation, some five separate investigations going on at this time with regard to the Voice of America. Consequently, I felt we would have been derelict in our duty had we failed to give some explanation to the House of the scope and effect of the conference conclusions and agreements in this bill on that particular program.

When the conference report upon the State Department was before you a little while ago, this item was passed over and agreed to without any discussion. I feel it is our duty to explain the effect of this upon the operations of the Voice of America and our other efforts in the field of international education and information.

I want to know what the effect of the conference action, already concurred in by the House, would be on the Voice of America.

Mr. STEFAN. The action as the report indicates is that the Senate went along with the House as far as the amount is concerned. The House figure remains, with the exception tthat the contract authorization of $2,000,000 suggested by the Senate was cut to $1,000,000.

Mr. HORAN. How was that achieved—that reduction in the contractual authorizations?

Mr. STEFAN. The House suggested a cut from $2,000,000 to $1,000,000, on the basis that the State Department is now making some contracts, as an illustration, with the British Broadcasting Co., to lease some of the radio stations overseas, instead of making it necessary for us to construct new stations. I believe that should be explored further, and will result, I feel, in some economy. It was felt the $1,000,000 contract authority was sufficient in view of recent deficiency appropriations made.

Mr. HORAN. This subcommittee has been concerned with the growth of this new organization which got a running start, so to speak, with the operations of OWI during the war. We were concerned that there might be a great bureaucracy built up in the shape of Office of International Information and Education. We feared it would merely duplicate in many ways a good work already being done by our free and private institutions. Consequently, we were anxious to utilize every facility and every procedure that would keep this from becoming an overpowering agency of Government, controlling through propaganda. We felt that there was a supervising and coordinating job for the State Department, through OIE to do. Does the action of the conference avoid the dangerous trend in the direction of an oversized bureaucracy that could harden into a permanent form of a dangerously large propaganda machine?

Mr. STEFAN. There is no question about that; there is a proposal now that we set up an information or propaganda department in our Government with cabinet status. That, however, is merely a rumor. However, in spite of the fact that the House and the Senate increased the appropriation for OIE once more than they had last year the Department has sufficient funds for a good program. I also feel that the investigations on the part of both the Senate and the House, and also the plan to survey the appropriations made and by watching closely the operational field, we can make it impossible for this to be set up as a gigantic propaganda organization. All we want is to tell the world the actual truth about America.

I wish, however, to say something in behalf of the new Assistant Secretary of State, Mr. Allen, who has just begun to take control of this organization. The gentleman will recall that he said there were five or six organizations, or departments, or agencies, making investigations of the OIE. We, too, made some investigation into the Department of State. I know we have shown some actual good results. There is a new Assistant Secretary of State in charge of the Voice of America or what is known as the OIE, Mr. Allen, who was formerly Ambassador to Iran. He has only been on the job a short time. I can say in commendation of him that long before the newspapers published the stories about the State of Utah and the stories about what the OIE said regarding certain States, Mr. Allen called me personally, indicating that he himself disapproved of these transcripts, and he did something about it right away. He called them to my attention as chairman of the committee which makes appropriations for the Foreign Service and for the Department of State. He did not approve any of them and is sorry they had been broadcast. He made changes so this would not occur again.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. STEFAN. Mr. Speaker, I yield myself 10 additional minutes.

He discussed with me ways in which to keep a close check upon the release of any further transcripts dealing with any State in the Union or anything else about America in order that the true story of the United States be broadcast to the people of the world. I think in fairness to Mr. Allen I should tell that to the House.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. STEFAN. Gladly.

Mr. GARY. Is it not also true that in the Mundt bill which authorizes these activities in the State Department and which passed the Congress we have provided for the creation of an advisory board of laymen outside of the Department to advise with the Department in the administration of this program.

Mr. STEFAN. Not only that, not only the program for the dissemination of radio information but also the dissemination and distribution over the world of books, magazines, and newspapers. There is set up in the Department an advisory organization. In this particular instance, however, under an amendment passed—offered by the gentleman from Washington [Mr. HORAN]—we are endeavoring to put into the hands of private industry as much of this work of disseminating information as possible. However, there was some error on the part of the Department in not having a watchdog present in order to see to it

that right information was sent out. That, however, has now been corrected.

Mr. GARY. I may also say to the gentleman that it is my information that although this advisory committee that has been authorized by the Mundt bill has not been set up that considerable work has been done in selecting the members, and that the committee will be named within the next few days.

Mr. STEFAN. That is very true. They are very slow in selecting the committee, but in spite of what the gentleman says the Assistant Secretary of State has been making efforts to see that the right information be given to the world.

Mr. GARY. But the committee I speak of has been authorized by the Congress.

Mr. STEFAN. The gentleman from Virginia is absolutely correct.

Mr. HORAN. I would like to ask the chairman of the subcommittee if there is anything in the conference action that will in any way hamper Mr. Allen from putting out an effective or a truly American program?

Mr. STEFAN. In my opinion, there is not anything to prevent him from doing that. They have more money now than they have ever had for this particular purpose. I may say to the membership of the House this Voice of America in the State Department for which you are appropriating $27,000,000 is not the only voice of America for which you are appropriating money. This organization does not disseminate information in occupied areas, for instance. We have under General Clay in Germany one of the finest and most elaborate information organizations in the world doing practically the same thing that we are doing in OWI. They operate radio stations, they send out motion pictures, they set up libraries, they send out books and magazines. In fact, they do everything that you do with OIE and I refer to the organization which is composed of our own forces in the occupied areas. I want to assure you that organization is doing a good job in telling the real story about the United States of America.

There is another organization coming in here for a great deal of money, now known as ECA, once known as the ERP organization, the Marshall plan program. It has an elaborate program of furnishing information and disseminating information about the Marshall plan and a lot of things in reference to the United States of America. So you see, Mr. Speaker, we have sufficient organizations to tell the American story. All that is necessary is that the true story be told effectively.

It was the purpose of your committee when we brought before you appropriation requests to set up this Voice of America in a modest way to see to it that these agencies of Government that are charged with telling the world about us—that the American story in the far corners of the world, should tell the real story. I have faith in Mr. Allen and I know he will do his best to carry out the wishes of the Congress.

Mr. HORAN. The gentleman is aware of the fact, of course, that my idea of the true Voice of America is found in the hum of its factories and industries. The spirit of its people on their lush farms, the harmony of its free institutions, and in the purposefulness of its individuals. I have always felt that our American missionaries have been our best ambassadors, and that our educators and doctors have created more good will in a distraught world than any other emissary we have ever sent abroad. I am convinced of that.

Mr. STEFAN. I believe, and I think the gentleman will agree with me, that when we set up private industry to disseminate this information about America, that they had the same idea in view. Sometimes the agencies we set up do not take advantage of organizations in private industry that are set up and experienced in the art of radio, press, motion pictures, and so forth.

Mr. HORAN. Is there anything in the conference action that will keep the true Voice of America from coming into being under Mr. Allen at the present time, which will reflect the better side of our American institutions and individuals?

Mr. STEFAN. There is no reason why we cannot tell the real, the true, American story. There is nothing to hinder him from doing so.

Mr. HORAN. I thank the gentleman.

Mr. REES. Mr. Speaker, I realize it is almost useless for me or anyone else to secure reductions in a bill after its terms have been agreed upon by a conference committee representing both Houses of Congress. I understand that it becomes necessary to make compromises in order to reach agreements on items that are in dispute. I am disappointed, however, that after the House Committee on Appropriations had given each item careful study, and had in my opinion been most liberal, that the other body should increase these items by the millions and then, in order to reach a settlement, our committee is required to raise the amount in a total of several million dollars. Some of these items are, in my opinion, unwarranted.

There are some items, though comparatively small, that are, I think, a waste of money.

When this bill was considered several weeks ago I tried to secure the adoption of an amendment to reduce an appropriation of $500,000 for what is described "Representation allowances." It was conceded that most of the fund is spent for liquor to entertain foreigners abroad. Now, I find our committee comes back with an item, not for $500,000, but for $650,000. They say it is a compromise and that the other body wanted to spend even a larger amount. Do not forget there are other items in this bill also spent for so-called entertainment. But let me remind you that there are thousands of dollars that are allocated for expenses of our diplomats and other representatives so they can entertain foreigners in a big way. Mr. Chairman, I just do not believe we need to spend $650,000 a year for high-powered liquor and the frills that go with it in order to get along with representatives of other countries. Surely our diplomacy has not fallen to such a low ebb as that.

I believe $650,000 spent for food for the needy people of those countries would go a whole lot farther in cultivating a friendly feeling and better understanding with people of foreign countries, rather than to spend it for lavish parties for foreign diplomats. Do not forget $650,000 would go a long way in buying food for hungry children.

Mr. STEFAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Nebraska.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

EXTENSION OF REMARKS

Mr. FALLON asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD in three instances and include certain articles in each.

Mr. PATMAN asked and was given permssion to extend his remarks in the RECORD and include a speech by the Honorable Ernest O. Thompson, chairman, Texas Railroad Commission, on the New Look at the Oil Picture—What Is the Matter With the Oil Business? delivered at Tulsa, Okla., on May 18, 1948.

TREASURY AND POST OFFICE DEPARTMENTS SUPPLEMENTAL APPROPRIATION BILL, 1949

Mr. CANFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6758) making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Virginia [Mr. GARY] and myself.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey [Mr. CANFIELD].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H. R. 6758, with Mr. BUCK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANFIELD. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we now have before us the Treasury-Post Office supplemental appropriation bill. At the outset I wish again to express my personal indebtedness to my colleagues on this subcommittee and to pay a special compliment to the executive secretary, Mr. Hobbs, for a splendid piece of work. When the regular Treasury-Post Office appropriation bill for 1949 was presented, it was explained that no funds were included for Customs and Coast Guard,

because of management surveys which were being made of both agencies. Nor were refunds of internal revenue collections included in the regular bill, because it had not been possible to judge the effects of the Revenue Act of 1949. All three of these items are covered in this bill, which, although it is based on supplemental requests in some instances, is actually the regular annual appropriation bill for Customs and Coast Guard, and contains $191,158,755 for these items, $5,980,520 less than the estimates. Certain urgently needed supplemental funds are also included for the Post Office Department.

The management survey on Customs, by McKinsey & Co., and the one on the Coast Guard by Ebasco Services, Inc., are fine pieces of work, and the hearings indicate that both agencies considered them valuable, and are taking advantage of the recommendations made therein. Because of the readjustments necessary to carry out these recommendations, it was not deemed advisable by the subcommittee to cut too drastically. Customs in particular submitted estimates requesting less money than last year, in connection with which they also indicated that the action by Congress in making reductions in Customs last year, which was severely criticized in some quarters at the time, was justified and helpful.

Since Customs is voluntarily hoping to save $1,000,000 this year, and gives indications of further reductions next year if the McKinsey survey recommendations can be carried out, the subcommittee only reduced their estimates by $100,000.

The management survey did indicate that some additional funds for Coast Guard would be helpful, and would eventually lead to economies. On the basis of that report, supplemental estimates were submitted. The subcommittee, desiring to see a sound Coast Guard organization, and mindful too of that service's part in the national defense picture, granted in full the estimates for pay and allowances and personnel, and the only reductions made in the bill were for certain general expenses and for acquisitions. The general expense items were reduced about $1,600,000, which will not affect the operating program of Coast Guard nor reduce its effectiveness in any way. Of the $15,300,000 requested for acquisition, construction, and improvements, the subcommittee granted $11,100,000. This savings was possible through elimination of several large construction projects which were requested, the subcommittee feeling that they may have been desirable but not essential, and that it was not wise to permit work which might possibly draw materials and labor from vitally needed housing construction. The remaining funds carried are largely for establishment and improvement of aids to navigation, and for loran and weather stations which are now an essential part of national security.

The Revenue Act of 1948 so confused the situation as regards refunds of internal revenue collections that the Bureau of the Budget and Internal Revenue were not able to present concrete estimates of funds needed, and requested an indefinite appropriation. This was granted, and the language of the bill so provides.

The volume of postal business continues to increase in an unprecedented manner. The subcommittee has, therefore, felt obliged to include some urgently needed funds so that handling and delivering of the mail will not be impaired.

The bill is sound, economical, and will serve the public well. I hope that the House will pass it in its present form.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to my distinguished colleague from New Jersey.

Mr. HAND. May I say to my friend that I have no responsibility, of course, in connection with this appropriation bill, but I do have responsibility generally in connection with the Coast Guard.

Mr. CANFIELD. I am aware of the fact that the gentleman from New Jersey is chairman of the Subcommittee on the Coast Guard of the House Committee on Merchant Marine and Fisheries.

Mr. HAND. I am delighted to say that in my opinion the gentleman and his committee have done a very conscientious and a very splendid job as far as appropriations for the Coast Guard are concerned. I have gone over the bill and have read the report with great care. I notice also that you believe, and I think rightly so, that there should be some general mandate and some general limitation made by the Congress so that the Coast Guard will know once and for all exactly what their duties are.

May I further say to the gentleman that I particularly congratulate him and his committee on their responsibility in connection with the preparation of the Ebasco report. I think that is an intelligent way to handle these appropriation problems. I think you have done a very splendid job in connection with these appropriations.

Mr. CANFIELD. I know I speak for the committee when I thank the gentleman from New Jersey. I am also mindful of the fact that he is very close to the Coast Guard because of his assignment on the House Committee on Merchant Marine and Fisheries in charge of Coast Guard legislation.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Massachusetts.

Mr. HESELTON. As the gentleman knows, I have discussed with him and the clerk of the committee again the question of whether there is contained in this bill any appropriation for the purpose of installing new oil-burning equipment or converting from coal- to oil-burning equipment. While it is my understanding there is not, and therefore there would be no need of my pursuing the matter further, I know the gentleman and I are in full accord as to the desirability of making certain now that we carry on this conservation program during our absence in the recess, and that the Government also carries that on. I have in mind the item on page 10 that calls for the construction and rebuilding or extension of shore facilities, which I think is explained in the committee report as including only $285,000 for lifeboat stations, which call for no heating whatsoever.

Mr. CANFIELD. The understanding of the gentleman from Massachusetts is correct.

Mr. HESELTON. May I say further that the committee report points out clearly that the "equipment shops," an item of $13,000,000 on page 12, line 6, refers to mail bags, and the "Equipment, public buildings, $532,000," in line 7, does not include any proposed installation or conversion such as we have been discussing.

Mr. CANFIELD. That is correct. I think the gentleman from Massachusetts recalls the statement I made on the floor of the House when the regular supply bill for the Treasury and Post Office Departments was before us, and the letter from the Postmaster General, which I had incorporated into the RECORD at that time.

Mr. HESELTON. I do. I think the action of the gentleman from New Jersey [Mr. CANFIELD] and the entire committee is to be hailed with commendation by everyone in the Congress, both in connection with that in particular and with relation to the over-all matter.

Mr. CANFIELD. I thank the gentleman.

Mr. JONES of Washington. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Washington.

Mr. JONES of Washington. We can all recall the terrible upheaval we had in the Customs Service last year when they laid off several hundred people, who were later restored to the service. It was discovered that it was the largest appropriation per personnel in the history of the Customs Service. Coming from the great seaport city of Seattle and the Canadian border nearby, I have had considerable experience with that. The budget this year as it is set up shows no reduction in force whatsoever, as I understand it.

Mr. CANFIELD. Not only that, but may I say to the gentleman from Washington the Customs Service did a remarkable job last year as a result of a survey made by itself, and also with the McKinsey & Co. survey which was made at the instance of the Congress. They discovered not only that they could live on those appropriations, but they could effect a $520,000 cut in their request for 1949. They applied themselves and did a job. I wish to take this opportunity to salute the Secretary of the Treasury, the Acting Commissioner of Customs, and the Bureau of the Customs, for applying themselves in the interest of the American taxpaying public and turning in a real performance.

Mr. JONES of Washington. The gentleman and his committee have done an outstanding job in preparing this budget which has been presented to us here today.

Mr. CANFIELD. I thank the gentleman. I know the gentleman from Washington is pleased over the fact that the Coast Guard is now operating in his part of the country, which is suffering the devastating floods of the last few days. They are always there—semper paratus—when an emergency or disaster occurs.

Mr. Chairman, I reserve the balance of my time.

Mr. GARY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the chairman of the committee has very ably explained this bill. I do not think there is anything left that I can say except to pay tribute to the chairman of the committee. We have before us in this bill two departments of Government, one the Coast Guard and the other the customs department, both of which have had a management survey. The outside agencies that made these surveys submitted very lengthy and comprehensive reports. Our chairman took those reports and made a thorough study of them. When the various representatives of the departments came before the committee our chairman was thoroughly familiar with all of the recommendations in the reports, and he questioned the witnesses at length with reference to the proposed changes. We have here a report that has been very thoroughly considered. The only objection is that the chairman worked so hard over it that I was afraid at one time he would not be able to be present today to explain it. I certainly want to pay tribute to him for the work that he has done.

Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Chairman, it is my understanding that it is the plan of the Republican leadership to try to complete the work of the present Congress and adjourn not later than June 19. This means that we now have less than 3 weeks in which to consider and take final action with respect to numerous measures of great national and international importance.

The calendar of measures to be considered during these remaining days of the session will, of course, be arranged by the Republican leadership, and it is my desire to cooperate with that leadership in any way I can in their effort to bring before the Congress those measures requiring consideration during the present session.

I, therefore, desire to bring to the special attention of the leadership and to each Member of the House the legislative situation with respect to agriculture. Three laws will expire before the Eighty-first Congress convenes next January, and it would be most disastrous should the Congress fail during the remaining days of this session to take appropriate action for extending these laws.

The present 90 percent of parity support price program would expire on the 31st of December. If this program is not extended it will mean that the only support available for the so-called basic commodities will be that contained in the Agricultural Adjustment Act, ranging from 50 to 75 percent of parity as determined by the Secretary of Agriculture in his discretion, except in the case of tobacco where no limits are prescribed and the support would rest entirely in the discretion of the Secretary of Agriculture. The farmers of the Nation are entitled to a more definite assurance of what protection they might expect with regard to their 1949 crops, and I urge the leadership to call up for early consideration the bill H. R. 6248, reported by the House Committee on Agriculture. But in addition, if proper action is not taken within the next few days there will be no support program whatever for the so-called Steagall commodities, including hogs, eggs, chickens, dairy products, soy beans, flax seed, potatoes, and so forth. Certainly the leadership will not want this Congress to adjourn without giving the producers of these commodities the protection to which they are rightfully entitled.

Secondly, the present authority for the Commodity Credit Corporation will expire at the end of this month. As most of you know, that is the agency which carries out the support program operations. The House and Senate Committees have reported legislation to change the authority and operation of the Commodity Credit Corporation and there are some serious differences in the views of the two committees. Early consideration must be given to these measures because if the two bodies are not able to reconcile their differences without delay then it is very necessary that the Commodity Credit Corporation as at present constituted be extended for at least another year. If that is not done it is doubtful that the support program for the 1948 crop can operate.

The third and equally important law which expires is the Soil Conservation and Domestic Allotment Act. It will expire on December 31, before the next Congress convenes, and certainly this Congress will not stand by and permit this program, which is meaning so much to the preservation and restoration of the fertility of our soil, to be interrupted for one hour. Here, too, both Houses have measures under consideration which propose substantial changes in the present soil conservation program. These differences may become irreconcilable and I seriously doubt that in the light of these differences and the enormous importance of the subject the Congress can intelligently rewrite this program during the remaining days of this session. I, therefore, think that immediate consideration should be given to this extension of the present law in order to avoid the remote possibility that the Congress might adjourn without doing so.

I have never permitted myself to become partisan in my views or to act in a partisan manner in questions involving the welfare of the farmers of this Nation. I think their welfare should be kept above the level of partisan policies. My own committee has always kept its considerations above that level. What I say now is merely for the purpose of calling attention to the situation, of sounding a warning and expressing the earnest hope that early and favorable consideration will be given to these measures.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. H. CARL ANDERSEN. I wish to compliment the gentleman from Georgia on calling attention to the great necessity of securing the reenactment before December 31 of our price-support system. I think, Mr. Chairman, it is the one most important thing as far as agriculture is concerned pending today in Congress.

Mr. PACE. I share the views of the gentleman from Minnesota that the support program is the heart of the farm program and I think, as I have indicated here, we must not only extend the support-price program, but the life of the Commodity Credit Corporation and the life of the Soil Conservation and Domestic Allotment Acts. These three measures I believe, and I am sure the distinguished gentleman from Minnesota shares the belief, are of the utmost importance to the farmers of this Nation.

Mr. H. CARL ANDERSEN. The gentleman is absolutely correct.

Mr. CANFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SEELY-BROWN].

Mr. SEELY-BROWN. Mr. Chairman, as one who has a deep personal affection for and a sincere interest in the activities of the Coast Guard I join in paying very real tribute to the committee for the job they have done.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield at that point?

Mr. SEELY-BROWN. I am glad to yield.

Mr. CANFIELD. None knows more than the chairman of this subcommittee of the affection of the gentleman in the well of the House for the Coast Guard because I can bear this witness: He has been after me every day during this last year pressing his concern over this item. I cannot help but feel that he is pleased with the action taken by the subcommittee.

Mr. SEELY-BROWN. I thank the gentleman. I can very honestly say that the gentleman's sincere interest, his detailed study and his spirit of cooperation have certainly brought much-to-be-desired results. I believe one of the most important findings made by the committee was that the Coast Guard is without a clear mandate from the Congress regarding the scope and nature of its functions and that the Congress should provide such a mandate as soon as possible. I heartily endorse this recommendation of the committee.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield.

Mr. HAND. I wonder if I might not add to the words spoken a moment ago by the chairman of the subcommittee by saying that the gentleman from Connecticut [Mr. SEELY-BROWN] represents the district in which the Coast Guard Academy is located. The gentleman is and has been alert to the needs of the Coast Guard and devoted himself unsparingly to it. The Coast Guard, the committee, and the Congress are indebted to the gentleman and they and

the committee show their confidence in the gentleman by what they have incorporated in this bill.

Mr. SEELY-BROWN. I thank the gentleman.

Mr. GARY. Mr. Chairman, I yield 12 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Chairman, in March of last year the House considered a bill making appropriations for the Treasury and Post Office Departments for the fiscal year 1948. An item in that bill provided funds for the payment of tax refunds.

In the committee report of March 7, 1947, page 15, it was correctly stated that the previous Congress had provided whatever amount was necessary to make such refunds. I would like to read two sentences from last year's report:

> In the current appropriation act for the Treasury Department an indefinite appropriation was made for these refunds of tax collections. The language of the bill carrying this appropriation stated, "There is hereby appropriated such amount as may be necessary."

Mr. Chairman, that was a correct statement of the procedure of the previous Congress. But being dissatisfied with this procedure at that time, the committee went on to say:

> Believing in the principle that all appropriations should be stated in a definite amount and subject to definite control by Congress, the committee has made a specific appropriation of this item and has provided a total of $1,231,000,000 to meet these payments.

Mr. Chairman, the Congress followed the recommendation, and this action represented a claimed reduction of $800,000,000, the largest claim to economy made by the Congress last year. From this one small division of the Bureau of Internal Revenue was cut $800,000,000 and it was listed in Nation-wide broadcasts, in literature sent out over the length and breadth of the country, as the largest reduction of the budget made by the first session of the Eightieth Congress. Indeed, the committee report claimed this as a budget reduction:

> This is a reduction in budget estimates and is the committee's best estimate as to what these refunds may amount to.

And for what reason did the committee think $800,000,000 less money would be used to make tax refunds than had been estimated to be necessary by the Bureau of Internal Revenue, which, incidentally, has a remarkable record of accuracy in its estimates? Whenever they have been wrong, it has been mostly on the side of underestimation. Well, the principal reason given was that a tax-reduction bill was going to be enacted. I quote again from the report of last year:

> With the expectation of several million less taxpayers filing as a result of prospective tax changes in the tax laws, it is felt that the reduced figure would more nearly approximate the amount required for these refunds than the Bureau's estimate therefor.

In other words, Mr. Chairman, the Congress was going to redue taxes, therefore there would be less claims for tax refunds.

It was pointed out in debate last year but with no avail, that if we reduced the taxes there would be more claims for tax refunds, not less. It was pointed out that the Bureau of Internal Revenue had made for years a nonpartisan, nonpolitical estimate of the amount of money necessary for tax refunds, and that, after all, estimates of refunds neither reduced nor increased the ultimate necessary expenditure. If a taxpayer overpays his taxes, it was said, that overpayment never legally becomes the property of the United States. The taxpayer is entitled to a refund and to a prompt refund. No more money than is necessary would or could be expended; therefore, there was no saving involved, and yet by the Committee's report and by the statements of the distinguished gentleman from New York [Mr. TABER], who is the able chairman of the Committee on Appropriations, an $800,000,000 reduction in the budget was claimed and heralded throughout the land.

Well, what has happened since? Month before last the money ran out with which to pay tax refunds, as was predicted in March of last year. Taxpayers rightly felt they were entitled to a prompt refund of their over payments. So, a bill was brought in to increase that appropriation by $500,000,000. A plea was made on the floor at that time for the House to appropriate enough money to make prompt tax refunds through the present fiscal year. But, no, the congressional majority apparently wanted to march down the hill twice. They preferred two helpings of crow. So just recently Congress passed another bill appropriating an additional $568,000,000 to pay tax refunds.

Far from effecting any real economy, this procedure was no more than a mirage, a false claim of economy, a phony budget reduction.

Today, we again have before us the annual Treasury-Post Office appropriation bill for the next fiscal year. Again, we are dealing with the item of tax refunds. The situation now is a little different from last year. Last year when we considered this appropriation bill the passage of the Knutson tax reduction bill was only in prospect, and the committee said less money would be needed for tax refunds because of the expectation that the bill would become law. It did not.

Now, however, the bill has been enacted. But what do we find? We find that the committee now says in the report before us that more money, not less, is going to be needed for the payment of tax refunds because the tax reduction bill has been enacted. Now, when do they mean which? Last year or this year?

Let me read a gem from the report before us, page 3:

> The amount of funds required for this purpose will be contingent upon a number of unrelated factors which are not susceptible to measurement in advance and the situation is further complicated by recent developments.

What are some of those "unrelated factors"? Could it be that last year's claims of budget reduction in this item were unreal, unrelated to the facts? Or is it that this year's congressional acts of drastically reducing governmental revenue while at the same time vastly increasing governmental expenditures are factors unrelated to a sound fiscal policy?

The committee report finally concludes and recommends:

> Therefore, to meet these contingencies and to assure availability of adequate funds to make payments promptly, the committee recommends a continuing appropriation—

Of how much?—

> of such amounts as may be necessary.

So, without having saved one dollar, the Congress is back to the same procedure it followed before going on this bender of confusion.

The Bureau of Internal Revenue estimate of tax refunds for next year, as contained in the President's original budget, was $1,968,000. Since enactment of the tax-reduction bill, the estimate has been increased to $2,770,000.

Actually, then, today's action will increase the President's original budget estimate by an estimated $687,000,000 for tax refunds. Perhaps that is one explanation of the majority change of heart, the decision to go back to an indefinite appropriation this year. The increase over the original budget estimates, though, is nonetheless real.

Mr. CANFIELD. Mr. Chairman, I yield myself one-half minute.

Mr. Chairman, the gentleman from Tennessee has indulged in a lot of minuet dancing here this afternoon on this subject. I regret exceedingly he has not seen fit to tell the House that when I presented this bill last year on behalf of this committee I was very frank in my statement that no savings were represented therein. He said that before on the floor of the House, but he did not say it today, and he should have said so.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, the distinguished chairman of the subcommittee, who is always so gracious and helpful, will recall that during the hearings on this bill a presentation was made as to the need, even the necessity, for early reestablishment in Alaska of the Coast Guard headquarters. During the hearings Gov. Ernest Gruening, of Alaska, and I testified on that subject. We pointed out that a regional office was established in Alaska in 1939. It functioned extremely well, with great efficiency. In July of last year that regional office was abolished and was consolidated with the Seattle office, 750 miles to the south, where there cannot be the same understanding of Alaska needs and Alaska problems as there would be through the operation of an office right in Alaska. Alaska has 26,000 miles of coastline, a longer coastline than the continental United States. When a Coast Guard office is taken out of Alaska and put anywhere else in the United States, we submit that it is a proposition of the tail wagging the dog. We think the office ought to be reestablished somewhere in southeastern Alaska. The

United States Army maintains headquarters at Anchorage. The United States Navy is at Kodiak. There is no arm of the military government whatsoever in southeastern Alaska, and there ought to be. It could well go to some point in southeastern Alaska. I call attention of the House to the fact that at the headquarters which were maintained in Ketchikan from 1939 to 1947, there is a $2,500,000, 67-acre plant built especially for this purpose. I should like to ask the distinguished chairman if the committee gave further consideration to this.

Mr. CANFIELD. Mr. Chairman, first let me say to the Delegate from Alaska that we were very glad to have him appear before the subcommittee and make the presentation which he did in behalf of Alaska. He made a splendid statement. He also brought to us Governor Gruening of Alaska, who elaborated on his statement. Since that time, may I say to the Delegate, we have had examination of representatives of the Coast Guard appearing before the committee.

It is true that Ebasco, the engineering firm which conducted the Coast Guard survey recommended the reestablishment of the district office in the Territory of Alaska. The Coast Guard, I might add, is leaning toward action of that kind. It plans a most intensive survey this summer. It is not certain if a district office is established in the Territory of Alaska that it will go back to Ketchikan. I believe that Juneau, and perhaps other places, are under consideration. Late this summer we will have word from the Coast Guard as to just what is being done.

Mr. BARTLETT. I am very grateful to the gentleman from New Jersey.

Mr. JACKSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield.

Mr. JACKSON of Washington. I want to compliment the Delegate from Alaska on the excellent statement that he has made and likewise the chairman for the statement that he has made in explanation of this matter. I am reasonably familiar with the need for a district Coast Guard office in Alaska. I am sure that the Coast Guard, in view of the testimony presented to the committee, will give serious consideration to the relocation of the district office in Alaska. I do not believe any Member of the House needs to be convinced of the strategic importance of Alaska in view of the present international situation, in view of the tremendous coast line involved, and the large fishing operations in that area which make it of vital importance. As one member of the subcommittee, I hope the Coast Guard will relocate the office in Alaska.

Mr. BARTLETT. The gentleman from Washington has always been most helpful in matters having to do with the Territory.

Mr. CANFIELD. Let me say further to the Delegate that the gentleman from Washington pressed the point in the deliberations of the subcommittee and I want to say once again in conclusion that we were very much impressed by the forceful presentation that the Delegate made.

Mr. BARTLETT. I thank the gentleman.

Mr. GARY. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. JACKSON].

Mr. JACKSON of Washington. Mr. Chairman, the provisions of the bill have been very well explained. I merely want to take this time to compliment the chairman of the committee, the gentleman from New Jersey, and the other members of the committee for the fair and impartial way in which this bill has been considered. It represents the unanimous findings of our subcommittee. I am sure it will meet with similar approval in the House today.

The CHAIRMAN. The time of the gentleman from Washington [Mr. JACKSON] has expired.

Mr. CANFIELD. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. GRIFFITHS], a distinguished, hard-working member of our subcommittee.

Mr. GRIFFITHS. Mr. Chairman, when our committee reported H. R. 5770, a bill making appropriations for the Treasury and Post Office Department, we did not include appropriations for the Bureau of Customs and the Coast Guard because management surveys for these services had not been completed and the committee needed additional time for analysis and consideration. At the same time, appropriations for the refunding of internal revenue collections were not included because appropriate consideration could not be given at that time to this item. The effect of the Revenue Act of 1948 was undetermined in this regard.

Since the time of reporting H. R. 5770, carrying appropriations for the Post Office Department and although that bill has not as yet cleared both Houses of Congress, the President submitted a supplemental estimate for the Post Office. So, this bill before you today carries appropriations for the fiscal year 1949 for the Bureau of Customs, for the United States Coast Guard, for refunding internal revenue collections, and also supplemental appropriations for the Post Office Department.

For the Bureau of Customs, the amount requested for salaries and expenses was $32,500,000 or $520,000 less than appropriated for 1948 for this purpose. To this we have added $95,000 for printing and binding because it is proposed to consolidate these two appropriations.

Contrary to the flood of telegrams Members received last year, the reduction by Congress in appropriations below the estimates for 1948 have not reduced the efficiency or effectiveness of the Customs Service. The management survey showed economics can be attained and the committee commends the attitude and endeavor of the present Acting Commissioner and his staff in this regard.

The committee realizes the Bureau of Customs must be able to study and adjust their activities in view of the management study report and recommendations, and we have only made a slight reduction in their estimate of $32,500,000—$100,000 to be exact.

For customs refunds and draw-backs, the budget request of $18,000,000 is recommended in full.

The refunding of internal-revenue collections presents a problem and the committee recommends a return to an indefinite annual appropriation, which the Internal Revenue Department has had for the greater part of their history; prior to 1921 they had a permanent indefinite appropriation; then, from 1921 to 1943, they had definite annual appropriations. Beginning again with 1944 they had an indefinite annual appropriation. This carried through 1948. The 1948 appropriation was made a definite appropriation and your committee recommends for 1949 an indefinite appropriation. This appears necessary because the amount of refunds is contingent upon a number of unrelated factors and the Revenue Act of 1948 reduces rates on income and also includes the principle of community property in computing tax liability. In addition, the overpayments and excessive withholdings in the early months of the current year will result in more refunds. Also the decision of The Tax Court as regards methods of inventory valuation will have a bearing on refunds.

Since the amount paid is dependent entirely upon the law and is not related to availability of appropriations, in order to expedite payments, with possible resultant interest savings, promptly, the committee recommends a continuing appropriation of such amounts as may be necessary.

COAST GUARD

Previously I have referred to the management survey of the Coast Guard. This survey and report made many recommendations looking toward improving the efficient service and more economical operation of the Coast Guard. I commend the Treasury Department and Coast Guard officials for their cooperation and the promptness with which they have instituted many of the recommendations and their study of the report.

In fairness to the Coast Guard, it has been brought out that it is without a clear mandate from Congress regarding the scope and nature of its functions. Legislation has been prepared and introduced into Congress to correct this and it is the earnest recommendation of this committee that appropriate legislation be enacted in the near future to overcome this deficiency.

In the 1948 Appropriation Act, a flexibility factor in administering the budget was made available by including limitations on various items which totaled more than the actual amount appropriated. The budget for 1949 has eliminated this, but the committee feels that the Coast Guard, in view of the nature of its operations—that is, a service to meet emergencies arising—should have some flexibility in its budget and we have provided authority to transfer funds between various items provided no more than 5 percent of any item may be so transferred and of course only to meet emergencies and contingencies. We will expect a full accounting of such transfers when they present their 1950 budget.

Last year the committee in its report and on this floor criticized the accounting and fiscal controls of the Coast Guard. That these were well founded is borne out by the report of the management survey. At present the Coast Guard lacks the technical personnel to institute an up-to-date accounting and inventory control. We realize an adequate organization along these lines is necessary and have approved the full amount, $2,267,780, requested for salaries and expenses, Office of the Commandant, and strongly recommended the employment of a competent accountant or firm to institute the program and train its personnel.

POST OFFICE DEPARTMENT

Although H. R. 5770, making appropriations for the Post Office Department, is not enacted, additional funds in the amount of $158,686,100 for 1949 have been requested by the President. The necessity for additional funds results from:

First. Increase in postal business.

Second. Higher transportation rates.

Third. Increase voted by Congress of 1 cent per mile—6 cents to 7 cents—for rural carriers' maintenance allowance; also, certification by CAB of new foreign and domestic mail service plus salary increases granted railroad employees performing side services in the handling of mail.

Fourth. Price increase in commodities and contractual services. Equipment such as satchels, straps, street letter boxes, and so forth, all needed for expansion of the service including personnel for office of Solicitor.

Fifth. Mail bags. It is not possible to procure material and it is necessary to bring the supply up to standard. Even the $13,000,000 provided in this bill will not do that, but it is for all the bags they have any prospect of securing.

There are other items requested. For example, clerks and carriers; transportation of mails, and so forth, that will require additional funds if present predictions materialize, but we have deferred action on these until actual need is demonstrated. If it does, it will be necessary to provide supplemental amounts before the end of the fiscal year.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read the bill.

Mr. CANFIELD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BUCK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6758) making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes, directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. CANFIELD. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that all Members have five legislative days within which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF (at the request of Mr. MILLS) was granted permission to extend his remarks in the RECORD and include a resolution adopted by the Ways and Means Committee.

Mr. DINGELL. Mr. Speaker, I have previously caused two interesting and forceful editorials from the Detroit Free Press with regard to the reciprocal trade agreement program to be inserted in the RECORD. I now ask unanimous consent to extend in the Appendix two brief editorials, one from the Pontiac, Mich., Press, and the other from the Saginaw, Mich., News.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include excerpts.

CAMP WHITE, MEDFORD, OREG.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1035) to provide for the acquisition of the hospital at Camp White, Medford, Oreg., for use as a domiciliary facility by the Veterans' Administration.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Camp White, Medford, Oreg., and known as Camp White Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

SEC. 2. That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Clinton, Iowa, and known as Schick General Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

Mr. MARTIN of Iowa. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the concurrent resolution, House Concurrent Resolution 54 expressed the judgment of Congress of the United States that Schick General Hospital, Clinton, Iowa, be equipped, occupied, and used by the Veterans' Administration for convalescent or domiciliary cases. When this bill passed the House, July 23, 1947, the Committee on Veterans' Affairs presented a committee amendment which was approved also by the House as follows:

That it is the judgment of the Congress of the United States also that the use of Schick General Hospital for the care of veterans, particularly convalescent or domiciliary cases, should not interfere with or displace the proposed construction of a permanent veterans hospital at Iowa City in order to make use of the services of the staff of the University of Iowa Medical School.

The bill, S. 1035, now before us for consideration sets out in section 2 the following:

That the Administrator of Veterans' Affairs is authorized and directed to acquire from the War Assets Administration the tract of land with improvements thereon formerly used for hospital purposes at Clinton, Iowa, and known as Schick General Hospital, and to operate and maintain thereon a facility for domiciliary care for veterans.

Inasmuch as the proposed hospital for Iowa City is planned primarily for operational cases and general medical care and especially to make use of the services of the staff of the University of Iowa Medical School which is located in Iowa City, the proposed use of Schick General Hospital for domiciliary care is not overlapping or conflicting in any way with the proposed Iowa City Hospital. However, during the course of the hearings before the Committee on Veterans Affairs of the House of Representatives statements were made by representatives of the Veterans' Administration that have made it necessary for me to clarify the matter for the information and guidance of Congress in your consideration of the bill S. 1035, now before you.

When I received word this morning that the Committee on Veterans' Affairs desired to bring the bill, S. 1035, up for consideration today in order to make the facilities of the hospital at Camp White, Oreg., immediately available for the flood victims along the Columbia River, I called the Veterans' Administration to secure assurance from them that the enactment of this bill into law will not deprive the veterans of eastern Iowa of the hospital planned for Iowa City. The Veterans' Administration officials very kindly acted immediately on my request and they have just called me within the last few minutes to give me the information contained in their letter to me of this date as follows:

VETERANS' ADMINISTRATION,
*Washington, D. C., June 1, 1948.*

Hon. THOMAS E. MARTIN,
*House of Representatives,*
*Washington, D. C.*

DEAR MR. MARTIN: You inquired today as to the effect the enactment of Senate bill 1035, "An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for the use as domiciliary facilities by the Veterans' Administration," would have on the operation and construction of a proposed Veterans' Administration hospital at Iowa City.

Even though Senate bill 1035 were enacted the Veterans' Administration expects to con-

tinue with the construction and subsequent operation of the Iowa City hospital. As previously indicated by testimony and reports furnished the Congress, such operation, if conducted concurrently with the operation of hospital beds incident to the proposed domiciliary activity in the same relative area, would cause a serious problem of staffing. The effect of this on either or both activities cannot be definitely foreseen at this time.

Sincerely yours,

O. W. CLARK,
*Executive Assistant Administrator.*

Because of the great need of the veterans for the hospital facilities planned for Iowa City and also the great need for the Veterans' Administration to secure the help, cooperation, and services of the University of Iowa Medical School, the assurance given me in the above letter by the Veterans' Administration officials is of tremendous importance. Such assurance enables me to approve the immediate enactment of the bill, S. 1035.

In my opinion, the location of the veterans' hospital facility just across the street from the great Medical College and State Hospital of the University of Iowa will give the Veterans' Administration its most outstanding project for carrying out the highly meritorious program of the Veterans' Administration for the coordination of their facilities with the leading colleges of medicine throughout the United States.

(Mr. MARTIN of Iowa asked and was given permission to revise and extend his remarks and include therein a letter from the Veterans' Administration addressed to him.)

Mr. ELLSWORTH. Mr. Speaker, I rise in opposition to the pro forma amendment and take this moment to say that the passage of this bill now unquestionably will be of great benefit to many who may have been injured or subjected to exposure in the flood in Oregon in the last few days. I believe, if the bill is passed and we can secure early signature by the President, that the flood victims should be greatly benefited by this action we take today. It is a splendid action on the part of the House to expedite this legislation.

By unanimous consent, the pro forma amendment was withdrawn.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration."

A motion to reconsider was laid on the table.

### HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

### EXTENSION OF REMARKS

Mr. HARNESS of Indiana. Mr. Speaker, I ask unanimous consent that in the remarks I expect to make later today in the Committee of the Whole on the Navy construction bill I may include therein letters, telegrams, news items, and editorials.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the Appendix of the RECORD and include therein a copy of the speech made by her on the amendment to the GI bill of rights, the Homestead Act, over the National Broadcasting System on Saturday last.

### SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the other special orders.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

### NAVY PUBLIC WORKS BILL

Mr. BATES of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6341), to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6341, with Mr. KEEFE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill now before the Committee is the so-called Navy public works bill, providing for the authorization of projects not only on the mainland but at Naval Establishments throughout the world. The total amount of money embraced within the provisions of this bill is approximately $209,689,500, which is a reduction of $41,736,860 from the original bill that the Committee considered a number of months ago, H. R. 3314, which contained a total authorization of $251,426,360. Of the total amount embraced in the bill about $23,780,274 or roughly 11 percent is for housing and barracks. Of this amount for housing and barracks $13,585,480 is for the mainland and the other $10,194,794 is for overseas.

All of the projects in this bill have been very carefully screened and approved by the Joint Research and Development Board of the Army and Navy. All the projects considered in this bill are of top priority in the master plan of the Navy Department in the promotion and expansion of its naval facilities.

I may say at the outset that originally when the request came in from the officers in the field to the Navy Department as to what would be considered to be the facility requirements of the various naval stations, including housing and barracks, the sum total was in the neighborhood of $2,500,000,000. Through the screening process of the Navy Department and before the projects and the budget were submitted to the Bureau of the Budget, the Navy Department itself cut that down to approximately $800,000,000.

The committee has also in mind a further amendment as the result of the precedent we established in the Army public-works bill a week ago when we changed the character and type of housing that would be authorized in the various facilities in the country and overseas. If you will recall, a week ago we had the Army public-works bill before us which provided housing facilities for the Army and Air Force, and we originally intended to recommend two types of housing—one with a space limitation of 1,250 square feet for company grade officers, and the other with a space limitation of 1,080 square feet for noncommissioned officers. It was probably felt, and I was in full agreement, that in view of the general condition of the country we ought to pare down the cost of construction wherever we can do so consistent with the needs of the service. We recommended to the House last week and they adopted a program eliminating the 1,250-square-foot type of house and limiting construction of family quarters to the 1,080-square-foot size, which we felt was ample for living quarters for the Army and the Air Force. We saved something like $13,000,000 as the result of the elimination of the 1,250-square-foot houses and the limitation of all units to the 1,080-square-foot size. By adopting a similar program in connection with the bill before us today—and I intend to offer an amendment which will accomplish this result as the discussion proceeds—we will be able to save $1,206,000 in this bill. This saving is very much smaller than the similar saving of $13,000,000 in the Army bill, but that is because the total cost of all projects for housing in the Navy bill amounts to very much less than that of authorized projects for housing in the Army and Air Force bill, due to the fact that the Navy bill provides for a very much smaller percentage of housing. If I recollect correctly, the number of houses embraced in the Army and Air Force bill a week ago was something like 3,500. In the bill before us now we have only 415 houses. If the House in its wisdom sees fit to use the $1,206,000 that we will save as the result of the offering of this amendment, cutting down the 1,250-square-foot size and making everything uniform at 1,080 square feet, we will be able to increase that program of 415 by 78 additional houses; in other words, we could then have a total program of 493 houses.

Housing projects are planned, under this bill, for only a very limited number of stations. We have a total of only 105 houses authorized, of which 34 are to be built for officers and 75 for enlisted personnel at Point Mugu, and we will also have a total of 140 houses at the naval ordnance test station at Myokern, Calif., which are all civilian houses. The other houses are at White Sands, N. Mex., where provisions are made for 11 officers'

houses, 94 for enlisted men, and 48 for civilians, or a total at White Sands, N. Mex., of 153 houses.

We have only 17 houses authorized for overseas construction. Five of them would be at Argentia, Newfoundland, and the others at Adak and Kodiak, Alaska. In brief, Mr. Chairman, that is the situation so far as housing is concerned.

We have a number of very important items in the bill that will provide for urgently needed expansion of our naval facilities, and some of them will, I realize, require a substantial expenditure of public funds. We have projects at the Inyokern Station in California, a naval ordnance testing station, which will provide facilities for testing guided missiles in free flight. That includes also the acquisition of land and the construction of field laboratories and a ground range. At Point Mugu, Calif., we have a naval air-missile test center which was originally to cost $34,500,000. It has been cut down in this bill to $30,000,000. At Point Loma, San Diego, there will be facilities for a naval electronics laboratory at a cost of $1,590,000, and at Trenton, N. J., an aeronautical turbine laboratory, to cost $22,750,000. We also have additional research and development projects authorized at the Naval Ordnance Laboratory at White Oak, Md., at a cost of $2,275,000. We have the David Taylor model basin, where a former German high-speed wind tunnel is to be erected at an estimated cost of $1,400,000. The use of this wind tunnel in lieu of constructing a new one will save $1,500,000. The Navy now has no wind tunnels for high-speed testing.

We also have a number of facilities that we are expanding in the Pacific area, particularly in Guam. We have a large item in the bill for the building of a naval medical center on the island of Guam. This new naval medical center will be a joint enterprise. Not only the Navy but the Marine Corps and the Army and the Air Force will have medical facilities close at hand in a joint enterprise; the amount provided in this bill is $25,000,000. This naval medical center is planned on what we call a chassis or administration building for 1,500 beds but will actually provide accommodation of 1,000 beds.

We also have a naval ammunition depot expansion to provide high-explosive storage facilities at Guam, which will cost $10,000,000. We also have an expansion of our communications center in the provision of a naval radio station at Guam estimated to cost $5,750,000. We also have new facilities for supply requirements, including storage buildings and fuel pipe lines, and so forth, with an estimated cost of $14,675,000, at Guam. We are expanding the Fleet Marine Force Base in Guam, including complete service depot facilities, at an estimated cost of $5,823,000.

We are also planning on expanding our naval radio stations in Alaska, Pearl Harbor, and Hawaii, at a cost of several million dollars. All of these projects, as I said at the outset, are of the very highest priority.

We also have an item in the bill for the construction of a Naval Academy airfield at Sandy Point, near Annapolis. The estimated cost of that field is $12,000,000. The final determination of the site at which that field is to be located has been made on the basis of the independent reports of six separate site-selection boards of the Navy. Naval aviation has become part of the curriculum of the Naval Academy, and it is important that we give the boys of the Academy, along with the book training they receive, the indoctrinational training in the tactical uses of naval aircraft of the latest types, which is planned at this naval air training field at Sandy Point in Annapolis.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mrs. ROGERS of Massachusetts. There will be no doubt about the passage of that provision, will there? It would be unthinkable not to give the boys the benefit of it.

Mr. BATES of Massachusetts. We hope so. Every Member of this House has at least 3 to 5 boys in the Naval Academy. The Navy Department thinks so much of this Naval Academy airfield from the standpoint of top priority that they listed it 5th in the list of 500 Navy Department projects, as being essential and necessary if we are going to give these boys a proper background and training in the field of aeronautics.

Mrs. ROGERS of Massachusetts. It will probably mean the saving of the lives of many of these boys if they have that training there.

Mr. BATES of Massachusetts. Not only that, but it will mean the saving of lives because of a better understanding of all of our naval operations and activities. We are training boys now on ships, on the surface, and under the surface of the water, and it is the intention of the Navy that they be trained in and have a full understanding of the art of aerial navigation.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. BUCK. Surely the gentleman does not mean that lives will be saved by using the new field at Annapolis as compared with using Andrews Field?

Mr. BATES of Massachusetts. Of course, there are two different questions involved there. One question is whether or not, as the gentlewoman has said, we would be actually saving lives. Of course, the officers on the ships should have a better understanding of the problems in the air, that is, the problems of the men who are operating the ships above the water, just as they now have a better understanding of the problems of the men operating the ships under the water. Certainly in the long run we would be saving lives all around because of a better understanding of the problems of naval operation, both sea and air. It will mean the saving of lives, not only of the men on the ships, but of the lives of men in the air combat forces in action.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself 10 additional minutes.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. COLE of New York. On the question whether lives would be saved if the training of the midshipmen is to be done at the airport located at Annapolis rather than at Andrews Field, I am sure the gentleman would agree that if the training is to take place at Andrews Field in its presently congested condition, the lives of the midshipmen would be in great jeopardy.

Mr. BATES of Massachusetts. Of course, it is very obvious that the use of Andrews Field is entirely out of the question. Andrews Field cannot be used for two reasons. First of all, it is 40 miles away from the Naval Academy, and secondly, as the gentleman has so well stated, Andrews Field today is an operating station. Because of the congestion now at Andrews Field, the Air Transport Service has asked the Navy Department for permission to utilize the Patuxent Base for the use of their transport planes because they do not have room for themselves at Andrews Field.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. VAN ZANDT. With your knowledge of the Navy certainly you will agree that one of the most dangerous things we can subject a midshipman to while in training is to place such training at an airport where actual operations utilize all the time and facilities.

Mr. BATES of Massachusetts. Of course, all the airports around Washington are highly congested. Andrews Field, the National Airport, and the naval air station, have a great deal of traffic, and something must be done to alleviate the conditions which now exist there. We know that the Air Transport Service today has asked the Navy Department for an opportunity to store their planes at Patuxent because of this congestion.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. BUCK. It is not contemplated that any of the cadets will operate planes at the new field, is it?

Mr. BATES of Massachusetts. No, sir, but it is contemplated that the cadets should receive training in the air. As a result of the training program, tied in and coordinated with the curriculum at the Naval Academy, it is estimated that these planes will be in the air 150 hours per day at the naval air station at Sandy Point. Thus, a large number of planes will be in continuous use.

Mr. BUCK. Will the gentleman then please tell us something about the congestion at Andrews Field as compared, for example, with the Washington National Airport?

Mr. BATES of Massachusetts. The whole thing is the so-called Washington flying area. I am quite familiar with the National Airport, because I fly out of and into that port a good deal. But I know the whole area around Washington is very congested to the point, as I said, that the Army Transport Services have asked the Navy Department to permit

them to store their planes down at the Patuxent Naval Air Station. We have a letter here to that effect asking the Navy Department to provide space for them at Patuxent. That letter was written within the last 2 or 3 weeks.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. RIVERS. Is it not true that with this new air program and the jet propelled planes which the Navy is going to have and which will have to take off from these new type carriers, it is highly important that we give the boys every possible opportunity for indoctrination along with their basic and other studies at the Academy?

Mr. BATES of Massachusetts. That is right. There is no way by which we can take them far away from the Academy, and give them the training and cordinate it with the classes which are very essential at the Academy. Sandy Point Airfield is only 5 miles away from the Academy. Andrews Field is about 40 miles away.

Mr. RIVERS. We have held hearings on this during the last year, and it was brought out that these boys will need to be the best trained fliers in the world. They think to start it off with this in mind is the best thing.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. SEELY-BROWN. With reference to the statement just made by the gentleman from South Carolina [Mr. RIVERS], that the Navy expects that graduates of the Academy will be adequately trained, I might point out that I think it is very important that we pay particular attention at this time to the training of all of our pilots. We talk about a 70-group Air Force. I might say I am personally concerned with the problem as to where and how we are going to train the pilots needed for an Air Force of this size.

Mr. BATES of Massachusetts. These boys are not going to be trained as pilots. They are just going to be indoctrinated. They are going up into the air with other pilots and will receive a better understanding of engineering, electronics, and everything connected with the air. The psychological effect will be tremendous.

I just want to answer the gentleman from New York [Mr. BUCK] further with regard to Andrews Field. This letter was addressed to the Chief of Naval Operations on May 7, 1948, and is signed by John P. Whitney, Rear Admiral, United States Navy, the new Deputy Commander, under General Kuter, of the Military Air Transport Service. He says this:

> It is requested that authority be granted to the Military Air Transport Service to base a limited number of MATS aircraft in the following categories at the Naval Air Station, Patuxtent River, Md."
>
> A thorough investigation discloses that the only Air Force bases within a reasonable proximity to the National Airport, namely, Bolling Field and Andrews Field, are both at saturation point with aircraft assigned other commands within the Air Force and would require heavy outlays of funds to provide suitable facilities, presently nonexistent, to handle the type of aircraft and operations under discussion.

When they asked the privilege of basing a limited number of MATS aircraft at Patuxent, in Maryland, we investigated that matter very thoroughly and find that is true. But aside from that, if we are going to compel these boys to go 40 miles away from the Naval Academy to Andrews Field, it is going to be impossible to coordinate this training in the air with the studies at the Naval Academy. Not only that, the only thing that would be saved would be the cost of the land, a little over a million dollars. We would have to build the same facilities in order to meet the requirements. It would be impossible to carry on that important work at Andrews Field without jeopardizing the lives of the boys and the lives of others. Of course, we feel that the Sandy Point site that has already been selected by 6 different naval boards and has been recommended by the Governor of Maryland, the mayor of Annapolis, the Chamber of Commerce of Annapolis, and those civic organizations that are interested in what is going on in that area, is the proper location for the establishment of this new naval air base.

Mr. FALLON. Mr. Chairman, will the gentleman yield

Mr. BATES of Massachusetts. I yield.

Mr. FALLON. You stress the absolute need for an airfield in close proximity to the Naval Academy. Why is it that the West Point cadets have to take their indoctrination training in Virginia each year?

Mr. VAN ZANDT. They do not.

Mr. FALLON. Well, they did last year. Their air strip, where they have been taking their indoctrination is almost 30 miles from the Academy. I understand that that field is not being used any more; that they would rather use other types of fields which the Army has already established.

Mr. BATES of Massachusetts. The reason, of course, is because it is so far away. They cannot coordinate it with the curriculum at West Point in a satisfactory manner. In the summertime they had to go out and pitch tents in order to give the boys summer training at the time when the midshipmen of the Naval Academy are on their summer cruise familiarizing themselves with ships at sea.

Mr. FALLON. Why is it that the Navy proposes to reclaim 2,400 acres, which is almost three times the size of the National Airport?

Mr. BATES of Massachusetts. Only because the National Airport is limited in area. They cannot expand because of the geographical area in which it is located. We know that National Airport has been developed as a result of considerable filling out into the river, and we know the great amount of congestion that is there today. They are not equipped for the ships of the future. The Navy feels that because of the geographical area at Sandy Point and because it is absolutely imperative to get the proper-sized landing strip they should acquire this area of land that the gentleman is talking about.

Mr. FALLON. Three times the size of the National Airport?

Mr. BATES of Massachusetts. It is not a question of being three times the size, it is a question of the terrain of the locality together with the needs of the future.

I yield to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. The gentleman understands that during the last war amphibious warfare was developed to the point where it was almost perfect. In order to maintain that standard it is necessary that all officers of the Navy be indoctrinated not only as to the operations of craft under the surface of the water, and on the surface of the water, but in the air. Is not that right?

Mr. BATES of Massachusetts. That is right.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself two additional minutes.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HESELTON. The gentleman will recall that when a somewhat similar bill with reference to the military and air forces was before us last week, the gentleman and I discussed the question of new installations of oil burners and conversions from coal- to oil-burning equipment, and he most satisfactorily answered the question I asked there. I know the gentleman believes that the question I am about to ask has nothing to do with this legislation. Nevertheless, because I do believe the time is right now to take care of the future I want to ask the gentleman again if it is the intention of the committee to place any limitation in the housing appropriation that I understand is involved in this bill, providing that there shall be no such installations or conversions unless it can be clearly demonstrated that it is wise and economical to undertake it?

Mr. BATES of Massachusetts. I think everybody is of the opinion that where we can conserve oil today we should. I know that is the gentleman's interest. It is my interest and the interest of everybody who has had the experience of a cold New England climate the last few years, to conserve wherever we can. It cannot, of course, be tied into the provisions of this bill, as the gentleman understands, I am surely in sympathy with his ideas and hope that by every means possible oil will be conserved, especially fuel oil, that the effort will be made particularly by the Navy Department and all concerned.

Mr. HESELTON. May I ask the gentleman a question for my own information on this problem that he has discussed with the other Members. I have been at several large fields in the vicinity of Andrews Field and Patuxent. As to the distance from the Academy, in connection with a field adequate for the type of operation the gentleman has

discussed, can the gentleman tell us what the distance is from Annapolis to Andrews Field, and also what the distance is from Annapolis to the Patuxent site?

Mr. BATES of Massachusetts. About 40 miles by highway to Andrews, and about 60 miles by road to Patuxent.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from Maryland is recognized for 10 minutes.

Mr. SASSCER. Mr. Chairman, as outlined by the distinguished chairman of the Subcommittee on Posts and Stations of the Armed Services Committee, this is the Navy public works bill, a bill directed to the physical plants, the housing, the training, and other scientific research necessary in connection with our proposed defense program.

Briefly, the showing before the Armed Services Committee on housing was most impressive. The committee, following some suggestions, went back and revamped the square-feet unit in the particular houses and saved money. The testimony shows that both in the continental United States and without there is acute need for permanent houses. Certainly as to scientific research, such things as guided missiles, ordnance tests, in this day when so much time and effort is being directed to the gradual shift of conflict to science, that phase of the program is vitally necessary.

Mr. Chairman, in order to save time I might just as well get to the controversial items. One of the items that has all of a sudden become controversial, following an extremely active propaganda campaign, is the so-called expansion program at the United States Naval Academy. In order that we may not be influenced by the misleading propaganda that has gone out, I will try to pick up several of the objections that have come forth in this barrage. Before going into that, the one important thing in considering this bill is the question whether or not this field is necessary. In appraising the necessity for it, let us go back just a few years and trace the history.

This Congress shortly before the war by unanimous vote, I think, after hearings in the committee, passed legislation authorizing and approving an airfield at the United States Naval Academy. Following that, and still without objection because the barrage of propaganda had not been started, the Congress made some appropriations for this item. In the meantime war came on and in order to conserve material for war construction the building of things that were directed to permanent training were discontinued and this project was temporarily suspended and later on by passage of the Rescission Act all previous authorizations were nullified. That is the reason it is necessary to have legislation on this matter again. Mark you, this Congress previously has either unanimously or by overwhelming majority approved this very item.

The Navy then came forth with its public-works bill about a year ago and included in that public-works bill was the expansion program at Annapolis, including the indoctrination field and training field at Annapolis. The subcommittee held long and careful hearings.

Just about that time opposition came, primarily from Gibson Island, a summer colony approximately 2 miles away from the nearest runway, a very desirable summer colony where powerful and influential people have their summer homes. An association was formed to fight the location of this field at Sandy Point. It probably might be appropriate to remark here that this is really not an expansion fight, it is not a fight directed to whether or not the Naval Academy should have this field, it is primarily a site fight. After considerable search and investigation the Navy indicated they were going to locate this field at Sandy Point. Until that time there was little or no opposition. This opposition, as I said a moment ago, was brought up by the imaginary damage done to this colony 2 miles from this airfield.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Most of those people are not permanent residents of that area, anyway, are they?

Mr. SASSCER. The vast majority of the people on Gibson Island are residents of the city of Baltimore and have their homes down at Gibson Island.

Mr. GAVIN. They are only down there during the summer season, I presume.

Mr. SASSCER. By and large, I think that is true.

Mr. GAVIN. And they are about the only people who would be inconvenienced to any extent, if you could say they would be inconvenienced.

Mr. SASSCER. If you could say they were inconvenienced, that is the sum of the so-called inconvenience. Of course, on this particular section that is sought to be taken some people would be dislocated, but due to large holdings far fewer people would be inconvenienced if this Sandy Point site was taken than if the site on the other side of Annapolis were taken, where there are some twenty-thousand-odd people within a radius of 2 miles, where as on this site there are only about 2,000 people.

Mr. GAVIN. As I recall, the city administration of Annapolis and the various organizations there are wholeheartedly in accord on this proposed site and endorse this site.

Mr. SASSCER. The gentleman's recollection of the rather fiery committee hearings is correct. The county commissioners of Anne Arundel County, the town government of Annapolis, the various civic organizations, the labor organizations of the Federal employees at Annapolis, and the chamber of commerce are overwhelmingly in favor of it.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 additional minutes.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. It might be well for the gentleman to explain that the recent primary campaign in Maryland showed the true division of the people on this matter as to whether or not they were for or against same. Would the gentleman explain that result of the primary campaign?

Mr. SASSCER. This controversy was unfortunately a rather heated issue in the recent campaign. Much of the time this propaganda was injected into it, and it was rather a burning issue in that particular county, and the returns were rather definitely and overwhelmingly the other way.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to my colleague from Maryland.

Mr. FALLON. The gentleman has explained that the opposition stems from 2 miles away from the airport site.

Mr. SASSCER. There is also some opposition stemming from the other congressional districts.

Mr. FALLON. I was going to ask the gentleman if he had heard of opposition from the people who are being dislocated from their homes, the people who own property where the site is to be located, and whether he has heard opposition from people who have an interest in the State of Maryland, in regard to the enormous expenditures that we are creating now, and if he has heard any opposition from people who are opposed to making the State of Maryland a small State by reason of taking acre after acre of land for public projects, and does not the gentleman feel that they have a real objection in voicing opposition to the State of Maryland becoming a Government project, so-called?

Mr. SASSCER. In answer to my distinguished colleague from Baltimore, of course the people who are on this particular point of land object to the property's being taken. That is one of the unfortunate things that public improvement, whether it be municipal or national, has to meet. But it is a question of weighing the over-all national interest with the State interest and the interest of Anne Arundel County, and when that is put in the scales it is overwhelmingly on the side of the airfield.

As to the objection, and this type of propaganda that has been flooding around about the Federal Government coming in and taking over sites in Maryland, there are a number of Federal installations in my district. No doubt I have experienced the same thing other Members of Congress have experienced, that after the war, when there was talk of closing up a site here or a site there, in many cases where there was objection when the installation was established there was a tremendous effort to retain the activities when they were threatened due to the terrific economic value of those sites to the local economy, as in the case of Annapolis, where the pay roll runs into the millions and the number of people employed runs several thousand.

As to the objections of which my colleague inquires, I weighed this matter

very carefully, all the numerous arguments in favor of and against the field. The report of the Board of Visitors to the Naval Academy in 1946, of which my colleague from Maryland was a member, dealt with this subject. I am sure he studied this project carefully, as did all members of the Board of Visitors. At that time my colleague who just interrogated me, after his careful study, made this report:

The establishment of a centralized aviation department and entrance this summer upon an extensive aviation indoctrination at Annapolis dictates the immediate acquisition of the airfield site approved by the Naval Academy.

I am reading from the report of the Board of Visitors of 1946.

Mr. FALLON. Mr. Chairman, will the gentleman yield further?

Mr. SASSCER. I yield.

Mr. FALLON. I remember very well the signing of that report at the Naval Academy in 1946.

Mr. SASSCER. I may say to the gentleman that it had great influence on me in my decision in favor of the airfield.

Mr. FALLON. May I remind the gentleman, however, that no site was discussed. The program was discussed at the meeting I attended. I am still in favor of adopting an indoctrination program at the Naval Academy, but the thing I cannot understand is why we have to triplicate airfields in a small portion of the southern part of Maryland. When the Government has spent over $200,000,000 on airfields in that part of Maryland, why do we have to add another? Why cannot one of the existing fields be utilized? As I understand, the indoctrination training of a midshipman takes 6 to 12 hours of the curriculum in a year. If the cadets of West Point can travel to Virginia to get their indoctrination, why cannot the midshipmen at Annapolis be taken to Cedar Point, where the taxpayers have spent over $100,000,000 on one of the greatest naval installations in the East?

Mr. SASSCER. I shall be very glad to come to that. I think that it is extremely significant that when the people studying these problems of the Naval Academy, as three Boards of Visitors have done, excluding the board to which my colleague contributed so materially, came up with a recommendation similar to the one that my colleague signed—and I might call his attention to the fact that this was before the barrage of propaganda had started—that there should be immediate acquisition of the air field site approved by the Naval Academy for this purpose, and the only site under discussion about that time was the so-called Sandy Point site. That is extremely significant.

Mr. FALLON. May I correct the gentleman to say that it was not approved at that time?

Mr. SASSCER. It was not approved in the report, but what you recommended in your report was the immediate acquisition of a field for this training, and I say again that had great weight with me. The study that the gentleman has made of this subject had great weight in the decision that I made, knowing his interest in the State of Maryland.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. FALLON. I might say again that that was adopting a program, and not a site. If the gentleman's town needed a new incinerator plant, I certainly would be for it, but I certainly would not recommend the Sasscer estate for its location.

Mr. SASSCER. I appreciate the gentleman referring to my humble home as an estate. But should the public interest dictate that I give my home up, as reluctant as I might be, I would probably have to bow to the public interest with reference to the particular site involved. The people on Sandy Point are far more affected than those at Gibson Island.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. BUCK. Would the gentleman, out of his broad knowledge of the subject, give us a brief exposition of the function of naval aircraft in defense of our country, drawing a line between naval aircraft and army aircraft?

Mr. SASSCER. I am glad the gentleman asked that question, because a good deal of this propaganda that has been going out from time to time has attempted to bring about confusion with reference to that matter.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself 10 additional minutes.

This propaganda has attempted to make it appear that this is tied to Army aviation. I will attempt to answer the gentleman's question. In the so-called National Security Act of 1947 and the subsequent conferences between Mr. Forrestal, then Secretary of the Navy, and members of the high command, when they were examining the question of the unification of the services, the gentleman no doubt recalls that the question of the role of the Navy in this future unification, was one of the things that gave a number of people some concern. There were many Members of the House, and I was one of them, and there were many very able Members on your side who were quite skeptical at that time of the possible future of the Navy and Marine Corps after unification, and a little fearful of what might happen to the Navy and the Marine Corps as a result of unification. Into the Unification Act these words were written:

All naval aviation shall be integrated with the naval services as a part thereof, within the Department of the Navy. Naval aviation shall consist of combat service and training forces, and shall include land-based naval aviation, air transportation essential for naval operations, air weapons, and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

Then, following that, on March 28, 1948, Secretary Forrestal announced the results of the Key West Conference with the Joint Chiefs of Staff. That announcement prescribed, among other functions of the Navy, the Marine Corps, and so forth, including operations of sea-based aircraft and other land-based air components. Among the functions of the Navy was the responsibility of maintaining the sea-based aircraft insofar as it was related to naval operations.

That is an obligation that this Congress placed upon the Navy in the merger, a duty to maintain the efficiency and build up and train its naval personnel, for we all know that in air-based carriers, antisubmarine warfare, the protection of convoys to a certain extent, the naval air and ships must balance together and become one component and an inseparable part. It may be well here, although I feel it is unnecessary, to pay tribute to the splendid job that our Navy performed in the Pacific and wherever it was called upon in the recent war, and particularly naval aviation. With that mandate in the unification act of Congress, the Navy, from the top level of the Secretary, down through the admirals, charged with maintaining and carrying out this program, has made careful studies. Six boards, as stated by the gentleman from Massachusetts [Mr. BATES] recently, have studied this subject, and every one of them has recommended this indoctrination program at Annapolis, and I think most of them recommended this particular site.

Following that, boards of visitors—and I have the names here, including many Members of this House and leading educators from throughout the country who serve annually on these boards—make the same recommendation to which I referred a moment ago, calling attention to the necessity for this indoctrination program and of the training program.

Our committee is a particularly hard-working committee, both in the subcommittee and in the full committee. After extensive hearings, that committee unanimously approved this program.

Going back to the question of establishing need, the reflected thought all leads to one conclusion, the necessity of this program. Right here I would like to point out an inconsistency in this propaganda that has been flying about. This is a well-financed campaign, just like some of the others to which reference has recently been made, in which half-page newspaper advertisements appear, with which the Congress has been deluged day after day with misleading propaganda as to the possible uses of these other fields.

Here is one of them, a half-page advertisement, distributed by the lobby opposing this program.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. In just a minute.

It sets forth reasons why this field should not be at Annapolis. This is over the authority of the Magothy River Association.

Right in the next breath the attorney, that is, one of the innumerable people that have been lobbying against this project, says in a letter written to the gentleman from Massachusetts [Mr. BATES] as chairman of the subcommittee:

The Magothy River Association is not arguing that the Naval Academy should not have an airfield for the flight indoctrination of its midshipmen. It respectfully suggests

that no sound reason has been advanced as to why Sandy Point is the only site which can be utilized as essential to (a) the national defense or (b) the preservation and expansion of the Academy. We go even further and contend that the alternative site which we have outlined above not only fulfills the Navy objectives but also will meet the many objections voiced to the site at Sandy Point.

On the one hand, these ads showing why the project should not go to Annapolis, and on the other hand we have the letter I have just read.

This other site spoken of in the letter is right at Annapolis, on the other side of Annapolis, a little commercial airfield that is for sale. When these various sites came up I, like anyone else dealing with a highly controversial issue in his district, wanted to get it worked out as peacefully as possible, and when any site came up it was referred to the Navy Department, and they were asked to investigate it.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself five additional minutes.

They checked that site. A runway of required length would point right into the city of Annapolis. It is within a radius of 3 miles of some 20,000 or more people. The Navy says that the terrain is not suitable. One reason they need area in their field at Annapolis is because they are projecting it for the future needs of aircraft and affording the students an opportunity to become familiar with new planes as they are developed.

The point I probably went around Robin Hood's barn trying to make is that on the one hand newspaper publicity says it should not be at Annapolis; on the other hand, the Council for the same association says it is not opposing its being there, but put it over on the other side at this so-called Eastport site, which comes back to the point we were a moment ago, that when you get down to the crux of it, it is not a fight as to whether we should have this facility for the Naval Academy, but a site fight, objecting to this so-called Sandy Point site.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. GAVIN. Hearings were held; quite extensive hearings. I cannot recall one technical air expert who objected to this location for the field. Can the gentleman?

Mr. SASSCER. I may say to the gentleman that six boards studied it carefully, and they all came up in agreement as to necessity and site.

I now yield to my colleague the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Just for the record, in the gentleman's remarks he cited these organizations and people as being against the indoctrination program. I think he meant against the site; did he not?

Mr. SASSCER. That is what I said.

Mr. FALLON. They did not express any opposition to the program.

Mr. SASSCER. I may say to the gentleman that he can vote for the bill in perfectly good conscience with his line of reasoning, because the bill does not pick out a site. It just calls for an airfield in the immediate vicinity of Annapolis.

Mr. FALLON. Just a slight amendment would put me in accord with it.

Mr. SASSCER. The whole argument falls more or less by the weight of its own opposition to a site rather than opposition to the field at Annapolis.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield.

Mr. SASSCER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The fact is that the gentleman now speaking represents the whole area in which this dispute is now taking place. It is in his congressional district. Certainly he knows the area, he knows the people, he knows their wants, and he weighs the wants of the people against the needs of the Government. The other site that has been mentioned here by this so-called association, recommended in part at least by some of their associates, will cost more money to the Government than the so-called Sandy Point site. The cost of the Sandy Point site, including acquisition of the land, would be $11,000,000. That is in the bill. The estimated cost of the other site is $15,397,000. Now, of course, somebody else owns that small airport, and naturally they want to get rid of it. It is up to us to see that we get the best field possible for the Government.

Mr. FALLON. May I say to the gentleman that I have not recommended any site, nor do I represent any association. My suggestion is to explore the available facilities that the Government now owns within a radius of 45 miles, and I think there are three or four of them.

Mr. BATES of Massachusetts. I made no reference to the gentleman's recommendation at all. I did make reference to the recommendations of this association that represents the Annapolis site with a population of 20,000 people within a radius of 3 miles, which will cost the Government $3,000,000 more to acquire than the site we are recommending.

Mr. FALLON. There is other opposition besides the site opposition. There is the opposition of people who have an interest in the shore line of Maryland. The Government owns almost half of it now. We are trying to preserve that for the residents of Maryland and for their use. Once the Government takes it over the citizens are not allowed to use it any more, recreationally or for any other purpose.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, I may say to the gentleman from Maryland that the question of exploring all these other sites to which he just referred has been gone into. There is Cedar Point, Andrews Field, and the one he suggested some time back.

Mr. FALLON. I wish the gentleman would name them. There is Phelps Field. The Government owns that.

Mr. SASSCER. They were all carefully checked.

Taking them up one by one, there is Cedar Point. The field at Cedar Point is running at capacity; it is over a hundred miles away from the Naval Academy and there are the elements of safety involved, the element of absence of space involved, and the element of time involved. The element of time is vital at the Academy and for that reason it is necessary to have an indoctrination field there where during their course of study they can go out and study the latest aircraft within a few minutes, where they can also get field instruction within a short space of time. When you multiply the number of hours by the number of midshipmen there it runs into an extremely high figure in the air and when you do that Cedar Point becomes impracticable.

Now, Andrews Field was suggested. I asked the Department to check the feasibility of its use. For a year this whole public works bill involving housing, involving guided missiles, and scientific research, in this time of tension has been held up while all this investigation has been going on. The result of the investigation comes back exactly where the original recommendation of the Navy was, the lack of feasibility of this site. To get to Andrews Field from Annapolis you have to come practically to Washington, because it is south of Washington, or else travel over difficult roads. There will be larger activities there after MATS come in with their extensive activity than when it was the headquarters of the Continental Air Force. The National Guard will still train there. Some of the larger type aircraft is used there. Right at the time that this propaganda was going on about using Andrews Field, the commanding officer there and at Bolling Field wrote to the Navy and told them of the crowded conditions in those two fields, asking that they store and service down at Patuxent some of these large four-engine planes now at Andrews Field. The safety of these midshipmen is a primary factor, as well as the time it would take to reach their destination, and training them down at Andrews Field with all of that activity, in addition to the impossibility of working out an adequate curriculum under the circumstances.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. BUCK. Does the gentleman feel it is an advantage to have indoctrination take place at a field that is not busy?

Mr. SASSCER. I will say to the gentleman from New York that I do not profess to be an expert on training of any kind, particularly air training, and my only answer would be based on such information and study as I made, with the application of a certain degree of common sense. Certainly the safety factor is on the side of the non-too-busy field, and where enormous amount of aircraft are coming into a field such as Andrews, the hazards would be far greater than there would be at Annapolis.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. SASSCER. Mr. Chairman, I yield myself five additional minutes.

If you take the number of midshipmen at the Academy and the number of hours that they get a year in flying, it runs into high arithmetic with practically full utilization of the field.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. There are 1,600 midshipmen who are going to take this indoctrination training. They will make eight trips to this airport a year. Their elapsed time to and from the station would be 1½ hours. The total number of flights required each day during the academic year would be 150 flights a day. That is going to be a pretty busy airport during the whole period of the academic year.

Mr. SASSCER. If you would attempt to put that activity into Andrews Field, miles away, the thought would die in birth.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that there are but few, if any, survivors in an airplane crash?

Mr. SASSCER. That is very true.

Mrs. ROGERS of Massachusetts. So we certainly owe it to these boys to provide every safety in training that we possibly can give them.

Mr. SASSCER. I thank the gentlewoman for her contribution.

There is an element also of the saving of money and of the practical approach to the problem in this thought, that if the Navy gives all these boys indoctrination training during stay at the Academy, at the end of the 4 years they can tell who would have the aptitude for aviation and who would have not. Then they can cull out those who do have the aptitude and send them on to Pensacola or wherever they care to for their actual training, without a resultant loss of time and the expense of training those who do not have the aptitude. This air indoctrination program and the familiarity with it is directed not only to those who fly the airplanes but those who ride the surface ships. It is felt in the Navy that should go right through the Navy, because we know today that the battleship without naval air support is almost as obsolete as the bow and arrow, and that the Navy surface craft and submarine is becoming more and more interlocked with aviation every day.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. My very good friend and colleague from Maryland [Mr. FALLON] referred to the training they received as 6 to 12 hours. We might correct the record at this point. They receive 24 hours of training.

Mr. SASSCER. That is correct.

Mr. FALLON. That is authentic, then?

Mr. GAVIN. Yes, that is correct. I referred the matter to our friend the gentleman from Massachusetts [Mr. BATES], who states it is correct.

Mr. SASSCER. That is my understanding.

Mr. FALLON. That is 24 hours in a year?

Mr. SASSCER. No, it is 24 hours during the course.

Mr. BATES of Massachusetts. Twelve hours a year. They make 8 trips to the station, an hour and a half each trip.

Mr. SASSCER. Mr. Chairman, this matter has been studied from every angle by numerous civilian and military groups, passed by a previous Congress, and approved by the Armed Services Committee. I trust for the security of the country and efficiency of our Navy that if an effort is made to strike this item out the effort will not prevail.

Mr. BATES of Massachusetts. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. KEEFE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6341) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, had come to no conclusion thereon.

## EXTENDING TIME FOR RELEASE OF POWERS OF APPOINTMENT

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 395) to extend the time for the release, free of estate and gift tax, of powers of appointment, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 2, after line 12, insert:

"EXTENSION OF TIME FOR ASSESSMENT OF DEFERRED EXCESS PROFITS TAX

"SEC. 3. (a) Section 710 (a) (5) of the Internal Revenue Code is hereby amended by adding at the end thereof the following: 'Notwithstanding any other provision of law or rule of law, to the extent that any amount of tax remaining unpaid pursuant to this paragraph is in excess of the reduction in tax finally determined under section 722, such excess may be assessed at any time before the expiration of 1 year after such final determination.'

"(b) The amendment made by this section shall be effective as if made by section 222 (b) of the Revenue Act of 1942."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## CONSTRUCTION OF WORKS AT NOME, ALASKA

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 621, Rept. No. 2124), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6228) to provide for the construction of shore protective works at the town of Nome, Alaska. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one to recommit.

## AMENDING ACT TO EXPEDITE HOUSING IN CONNECTION WITH NATIONAL DEFENSE

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 622, Rept. No. 2125), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 5710) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Public Works now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one to recommit.

## CARRYING OF MAIL ON STAR ROUTES

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 623, Rept. No. 2126), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move than the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (S. 263) to provide for the carrying of mail on star routes, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill

and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Post Office and Civil Service now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## GOLDEN JUBILEE OF FLAG DAY

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, on the 14th day of June, there will be a national celebration of the golden jubilee of Flag Day.

Beginning the week of June 6 and on that date at Valley Forge, under the auspices of the National American Flag Day Association, headed by Hon. William T. Kerr, of Yeadon, Pa., this celebration will be begun.

I ask unanimous consent to extend my remarks at this point and include a statement by the national president of the Flag Day Association.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The statement is as follows:

### 1. WHY JUNE 14 IS FLAG DAY

We call June 14 Flag Day because it is the birthday of Old Glory, the anniversary of the adoption by the Continental Congress June 14, 1777, of the Stars and Stripes as the emblem of the United States. With that date began the history of our flag as a symbol of our nationality. It has been a legal holiday in Pennsylvania since 1937, but several States now provide for the issuance of a proclamation by Governors asking patriotic observance of Flag Week, June 8 to 14, and especially Flag Day, June 14. Each succeeding year it is becoming the greatest unofficial holiday on our calendar.

### 2. FLAG DAY HONORS LIVING AND DEAD

We have, as we should, holidays commemorating certain outstanding American events and birthdays, but when we celebrate Flag Day we not only recall June 14, 1777, when Congress "resolved that the flag of the United States be 13 stripes alternate red and white; that the Union be 13 stars, white in a blue field, representing a new constellation," but we honor every known and unknown American, whether high or low, rich or poor, of every race, color, and creed, who in our country's battles, helped keep our flag unashamed, and we also honor those whose battles for civic righteousness have won unheralded victories in peace. It is honorable for one to be willing to die, if need be, for one's country, but we need today, more than ever, Americans who will truly live for our Nation that our free institutions may not perish through treachery within or from assault without.

### 3. EVERYONE FAVORS FLAG DAY

There may be differences of opinion among some classes of our people regarding the observance of certain holidays or special days, in honor of noted statesmen, soldiers, or others, or of special events, for the human mind is critical; probably we could not get a unanimous voice on the merits of anyone or anything; but there is scarcely a doubt that every true American will unite in the view that our own emblem—the Stars and Stripes—is deserving of every tribute, because our flag represents all of us without regard to age, rank, sex, race, color, or creed, for all the institutions of our Republic.

While only Pennsylvania has made Flag Day a legal holiday we are hopeful that our National Government will soon give it congressional recognition. However, President Woodrow Wilson, May 30, 1916, really made Flag Day, June 14, a continuing unofficial national holiday when he said, "I therefore suggest and request that throughout the Nation and if possible in every community the 14th of June be observed as Flag Day. * * * This year (1916) and in the years to come."

### 4. TO DISPLAY OUR FLAG, A SERMON TO THE EYE

If during Flag Week, June 8 to 14, and especially on June 14—Flag Day—we could have a great general display of Old Glory, no matter what the flag's size or cost, it would make such an impression in every community, the moral effect could not be estimated. It would be an unanswerable argument against every foreign ism. It would preach a sermon to the eye, calling all to reconsecrate themselves to the great principles of our Government.

### 5. WHEREVER OLD GLORY FLOATS THERE IS A SHRINE

Flag Day emphasizes that our flag is more than a mere banner which claims power or a great history, though it has both. To every real American our flag is the symbol of all that we are and hope to be; what we are, our flag is. It is an emblem of freedom in its truest sense. No stain has ever marred it; no clouds have dimmed its stars. Its mission is and always has been to champion the cause of the oppressed. Wherever Old Glory floats there is a shrine, and it is the only flag in all the world's history which has never bowed in defeat.

### 6. TRUE AMERICANS

Flag Day calls to all, who enjoy the inheritances bequeathed to us by illustrious forefathers, that they love our flag, honor, and respect our laws and institutions, and help preserve these inheritances unimpaired so that they may be passed on to the generations to follow. Whoever does that, not alone on Flag Day, when bands play and orators inspire, but every day, these are true Americans.

We often speak and talk of Americanization as if it applies only to those who happened to be born outside of the United States. It is not alone the alien who needs Americanization; that is not only for those born across the seas; some of us may need it ourselves, we who were born on American soil.

### 7. NO DIVIDED LOYALTY

As we celebrate Flag Day we say to everyone that there must be no divided loyalty of citizenship; that nothing will be accepted but an unqualified, unreserved, wholehearted allegiance to our Republic, that no citizen can or should have or hold any mental reservations of allegiance to any other earthly power, for there is a present demand for a strong crusade for true, sturdy Americanism. No nation can exist part loyal and part disloyal. We cannot afford to permit any class to cherish fealty to an alien land, to put foreign ties above American citizenship, to be supported in prosperity from our veins while they repay us with venomous poison. There are isms in our midst which would destroy our Republic if they could, whose leaders and teachers have no place here. Our national reins should be drawn tighter, and they and all others like them should be deported.

### WHAT WE ARE, OLD GLORY IS

On Flag Day and every day let us not forget that our flag is the symbol of American ideals and principles, and represents all our people. Let us tell its history and redouble our efforts, especially among the rising generations, to teach reverence for our flag, our laws, and our institutions. We are the makers of our flag; what we are Old Glory is. We should fly it on Flag Day, and other days also, as evidence that we truly value our citizenship and to arouse in others a sense of gratitude and thankfulness for the blessings we have and enjoy because we live in free America. We should do this without selfish boasting as we see the rise of totalitarian states, dictatorships, and diminishing power of democracies abroad under the heel of pagan intolerance. Here, because the great mass of our people are God fearing, we have liberty, freedom, and constitutional democracy, making us the greatest republic of all times. But what of the future? What about your children and mine, our grandchildren, the Americans of tomorrow? Let us resolve to preserve it as our forefathers willed it and enshrine the love for our flag, our Nation, and American institutions in all our hearts in consecrated, loyal, unselfish service to God and country.

### MAKE FLAG DAY JUNE 14 FLAG DAY EVERY DAY

All of us in our school days were stirred with pride when we recited Patrick Henry's "Give me liberty or give me death" but reviewing the history of our Nation and knowing that the only hope for the permanence of our Republic is a devotion to our institutions, and undivided loyalty and a unity of spirit, I am convinced that Patrick Henry's greatest patriotic legacy to us was in the speech when he said in the Continental Congress, "I am not a Virginian, I am an American"—and when the day comes that all of our people of whatever race, color, or creed no matter where they were born, abroad or in this country, declare sincerely and by deed and actions say, "I am an American" all these "isms" which troubled us today will vanish. Make Flag Day June 14 flag day every day in the hearts and affections of all our people. Let these words be the prayer of every American:

"What builds the Nation's pillars high
And its foundations strong,
What makes it mighty to defy
The foes that round it strong?
No gold, but only men can make
A people great and strong;
Men who, for truth and honor's sake,
Stand fast and suffer long.
Brave men who work while others sleep
Who dare while others fly—
They build a nation's pillars deep
And lift them to the sky."

## EXTENSION OF REMARKS

Mr. REED of New York asked and was granted permission to extend his remarks in the RECORD in two instances, in each case to include extraneous matter.

Mr. ABERNETHY asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. MURDOCK asked and was granted permission to extend his remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. TOLLEFSON (at the request of Mr. HOLMES), for the period through Thursday, June 3, on account of official business.

To Mr. SIMPSON of Illinois (at the request of Mr. STRATTON), for the balance of the week, on account of attending funeral of his nephew, Maj. Donald A. Simpson.

To Mr. COOPER, on Wednesday and Thusrday of this week, on account of important business.

To Mr. CHIPERFIELD (at the request of Mr. BISHOP), for several days, on account of illness in family.

To Mr. FOGARTY, on Wednesday, on account of death in the family.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 5 minutes.

THE CIVIL AERONAUTICS ADMINISTRATION

Mr. HESELTON. Mr. Speaker, I take this time only to inform the House, and to place in the RECORD, the fact that the Senators from Massachusetts have filed in the other body a bill identical to H. R. 6747 which was filed by myself on May 28 in behalf of the entire Massachusetts delegation in the House.

I have received a number of messages indicating a very definite interest in this problem on the part of a great many authorities in our States, cities, and towns. As I suggested Friday, I hope that our colleagues from States other than Massachusetts will take up the problem with their State and local authorities and obtain their recommendations as to this program of the Civil Aeronautics Administration.

During the recent hearings before the House Interstate and Foreign Commerce Committee, I made a request for detailed information as to the basis, in legislative history, of the construction, by the Civil Aeronautics Administration, of section 11 as it was written. I had hoped to have that information by this afternoon so that we could all examine it carefully. I have repeated my request and hope to be able to include it in the RECORD within the next few days.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

AMERICAN VETERANS' AFFAIRS COMMITTEE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I will only take a few moments. On tomorrow I am introducing a resolution which will change the name of the Committee on Veterans' Affairs to "The American Veterans' Affairs Committee."

It has been my experience during the years I have been a Member of Congress that veterans' legislation comes up for passage at the last of the session rather than the first. To my mind it is inexcusable, because the soldiers came first during the war when they might help us. They should come first now that the war is over, when we should pass legislation for them.

This has taken place at every session since I have been a Member. It is obvious that the name should be changed to "The American Veterans' Affairs Committee." Then when Calendar Wednesday is used the veterans could have an early call. Then I believe votes could be secured for a call of Calendar Wednesday.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 669. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 1508. An act for relief of Mrs. Lula Wilson Nevers;

H. R. 2131. An act for relief of Fred E. Gross;

H. R. 3805. An act for relief of Thomas A. W. Elder; and

H. R. 6071. An act to provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 110. An act to amend the Interstate Commerce Act with respect to certain agreements between carriers;

S. 1486. An act to provide for payment of salaries covering periods of separation from the Government service in the case of persons improperly removed from such service; and

S. 2277. An act to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 28, 1948, present to the President, for his approval, bills of the House of the following titles:

H. R. 3731. An act authorizing modifications in the repayment contracts with the lower Yellowstone irrigation district No. 1 and the lower Yellowstone irrigation district No. 2;

H. R. 3785. An act to authorize the State of Minnesota to condemn lands owned by the United States in the county of Cass, State of Minnesota, for fish propagation, and for other purposes; and

H. R. 5874. An act to establish a District of Columbia Armory Board, and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly the House (at 5 o'clock and 28 minutes p. m.), according to its order previously entered, adjourned until tomorrow, June 2, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1604. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $292,000, and a draft of a proposed provision, for the fiscal year 1949, for liquidation of the lend-lease program (H. Doc. No. 685); to the Committee on Appropriations and ordered to be printed.

1605. A communication from the President of the United States, transmitting a revised estimate of appropriation for the fiscal year 1949 involving an increase of $3,115,000 for the National Military Establishment—Department of the Navy (H. Doc. No. 684); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANFIELD: Committee on Appropriations. H. R. 6758. A bill making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2089). Referred to the Committee of the Whole House on the State of the Union.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. S. 2455. An act to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft; without amendment (Rept. No. 2091). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of California: Committee on Merchant Marine and Fisheries. H. R. 4690. A bill to amend the act of July 30, 1947, permitting vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States; with amendments (Rept. No. 2092). Referred to the Committe of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Post Office and Civil Service. H. R. 6618. A bill to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes; with an amendment (Rept. No. 2093). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Kansas: Committee on Education and Labor. H. R. 6045. A bill amending the act approved December 2, 1942, which provides compensation for injury, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor; without amendment (Rept. 2094). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANDIS: Committee on Education and Labor. H. R. 6647. A bill to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act; with amendments (Rept. No. 2095). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 5842. A bill to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; without amendment (Rept. No. 2096). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Ways and Means. H. R. 6162. A bill to make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquor; without amendment (Rept. No. 2097). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. S. 2201. An act supplementing the act entitled "An act authorizing the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State," approved April 7, 1938; without amendment (Rept. No. 2098). Referred to the House Calendar.

Mr. HOPE: Committee on Agriculture. H. R. 5418. A bill to provide for the reconstruction of the dam on Wolf Creek, Perryton, Tex., and for the repair of the Rita Blanca Dam, Dalhart, Tex.; without amendment (Rept. No. 2099). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration; without amendment (Rept. No. 2100). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of New York: Committee on Armed Services. H. R. 6300. A bill to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts (an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States naval hospital, Chelsea, Mass.; without amendment (Rept. No. 2101). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. S. 2593. An act to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Va.; without amendment (Rept. No. 2102). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. S. 2592. An act to authorize the Secretary of the Army, Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico in accordance with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings; without amendment (Rept. No. 2103). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 6633. A bill to authorize an exchange of lands and interests therein between the city of San Diego, Calif., and the United States, and for other purposes; without amendment (Rept. No. 2104). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLACKNEY: Committee on Armed Services. S. 1520. An act to amend section 3 of the act of August 24, 1912 (37 Stat. 554), as amended, so as to provide reimbursement to the Post Office Department by the Navy Department for shortages in postal accounts occurring while commissioned officers of the Navy and Marine Corps are designated custodians of postal effects; without amendment (Rept. No. 2105). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLACKNEY: Committee on Armed Services. S. 1795. An act to repeal section 1 of the act of April 20, 1874, prescribing regulations governing inquiries to be made in connection with disbursements made by disbursing officers of the Army (18 Stat. 33; 10 U. S. C. 174); without amendment (Rept. No. 2106). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLACKNEY: Committee on Armed Services. S. 1790. An act to amend the act of Congress entitled "An act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching 18 years of age for the purpose of computing longevity pay, or for other pay purposes," approved March 6, 1946; without amendment (Rept. No. 2107). Referred to the Committee of the Whole House on the State of the Union.

Mr. STEVENSON: Committee on Post Office and Civil Service. H. R. 4786. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service, to establish uniform procedures for computing compensation, and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service; with amendments (Rept. No. 2108). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 621. Resolution providing for consideration of H. R. 6228, a bill to provide for the construction of shore protective works at the town of Nome, Alaska; without amendment (Rept. No. 2124). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 622. Resolution providing for consideration of H. R. 5710, a bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; without amendment (Rept. No. 2125). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 623. Resolution providing for consideration of S. 263, an act to provide for the carrying of mail on star routes, and for other purposes; without amendment (Rept. No. 2126). Referred to the House Calendar.

Mr. SIKES: Committee on Armed Services. S. 153. An act authorizing the Secretary of the Army to have prepared a replica of the Dade Monument for presentation to the State of Florida; without amendment (Rept. No. 2127). Referred to the Committee of the Whole House on the State of the Union.

Mr. DONDERO: Committee on Public Works. H. R. 6332. A bill to authorize the Commissioner of Public Buildings to lease to the Temple Methodist Church, a nonprofit corporation of San Francisco, Calif., that portion of the federally owned building known as 100 McAllister Street, San Francisco, Calif., which was previously occupied by the Temple Methodist Church; with amendments (Rept. No. 2128). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 5134. A bill to amend Public Law No. 432, Seventy-sixth Congress, to include an allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for vocational-rehabilitation purposes; with amendments (Rept. No. 2129). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 5734. A bill to authorize the Administrator of Veterans' Affairs to convey to the city of Cheyenne, Wyo., for public-park and golf-course purposes, certain land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyo.; without amendment (Rept. No. 2130). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6234. A bill to authorize the establishment of internships in the Department of Medicine and Surgery of the Veterans' Administration; without amendment (Rept. No. 2131). Referred to the Committee on the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6507. A bill to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewal of level premium term insurance for a second 5-year period, and for other purposes; without amendment (Rept. 2132). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6716. A bill to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, Calif., to the State of California for the use of the University of California; without amendment (Rept. No. 2133). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6730. A bill to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years; without amendment (Rept. No. 2134). Referred to the Committee of the Whole House on the State of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calandar, as follows:

Mr. JENNINGS: Committee on the Judiciary. H. R. 355. A bill for the relief of Eugene J. Bearman; without amendment (Rept. No. 2109). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1782. A bill for the relief of Albert (Jack) Norman; with amendments (Rept. No. 2110). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 1783. A bill for the relief of the L. J. Houze Convex Glass Co.; with an amendment (Rept. No. 2111). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 1910. A bill for the relief of the legal guardian of Robert Lee Threatt, a minor; with an amendment (Rept. No. 2112). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2349. A bill for the relief of Mrs. Gertrude Wooten; without amendment (Rept. No. 2113). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 2395. A bill for the relief of the Cypress Creek Drainage District of the State of Arkansas; without amendment (Rept. No. 2114). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 2435. A bill for the relief of Arthur G. Robinson; with an amendment (Rept. No. 2115). Referred to the Committee of the Whole House.

Mr. FOOTE: Committee on the Judiciary. H. R. 2531. A bill for the relief of Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tikmenev; with an amendment

(Rept. No. 2116). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 3727. A bill for the relief of Mrs. Marion T. Schwartz; with amendments (Rept. No. 2117). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4179. A bill for the relief of Paul E. Rocke; without amendment (Rept. No. 2118). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 4292. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States; without amendment (Rept. No. 2119). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4458. A bill for the relief of Mr. and Mrs. Richard E. Deane; with an amendment (Rept. No. 2120). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on the Judiciary. H. R. 4644. A bill for the relief of E. Brevard Walker, trading as E. B. Walker Lumber Co.; without amendment (Rept. No. 2121). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 5484. A bill for the relief of Mrs. Rebecca Levy; with an amendment (Rept. No. 2122). Referred to the Committee of the Whole House.

Mr. ELSTON: Committee on Armed Services. S. 1551. An act to authorize the Secretary of the Navy to sell to Anthony P. Miller, Inc., a parcel of unimproved land adjacent to the Anchorage housing project at Middletown, R. I.; without amendment (Rept. No. 2123). Referred to the Committee of the Whole House.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD:

H. R. 6758. A bill making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

By Mr. BATES of Massachusetts:

H. R. 6759. A bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

By Mr. CELLER:

H. R. 6760. A bill to provide for the admission of certain displaced persons in Shanghai, China, to the United States for permanent residence; to the Committee on the Judiciary.

By Mr. GAVIN:

H. R. 6761. A bill to authorize the construction of flood-control works in the Allegheny River Basin at Warren, Youngsville, Sheffield, and Oil City, Pa.; to the Committee on Public Works .

By Mr. WELCH:

H. R. 6762. A bill to amend the Alaska game law; to the Committee on Public Lands.

H. R. 6763. A bill to consolidate the Parker Dam power project and the Davis Dam project; to the Committee on Public Lands.

H. R. 6764. A bill to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation; to the Committee on Public Lands.

By Mr. GRANT of Indiana:

H. R. 6765. A bill to provide for the temporary free importation of plywood; to the Committee on Ways and Means.

By Mr. WOLVERTON:

H. R. 6766. A bill to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEFEVRE:

H. R. 6767. A bill to authorize the participation of States, Territories, and insular possessions in revenues from national parks, national monuments, and other areas subject to the primary administrative jurisdiction of the National Park Service, to provide for the acquisition of land within certain areas administered by the National Park Service, and for other purposes; to the Committee on Public Lands.

By Mr. CROSSER:

H. R. 6768. A bill to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to amend the Social Security Act to provide liberalized exemptions in income and property holding to the blind; to the Committee on Ways and Means.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JACKSON of Washington:

H. R. 6769. A bill to extend the benefits of section 2 of the act of June 29, 1943, to Lt. Col. Earl B. Hochwalt, and to relieve him from liability to refund certain overpayments in retirement pay; to the Committee on the Judiciary.

By Mr. RAMEY:

H. R. 6770. A bill for the relief of Otto Karl Preis; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2031. By Mr. BLOOM: Petition of citizens of the Twentieth Congressional District of New York, urging support of House Concurrent Resolution 59 for the strengthening of the United Nations; to the Committee on Foreign Affairs.

2032. By Mr. BURKE: Petition of members of Holy Cross Church in Dayton, Ohio, supporting legislation providing that 200,000 displaced persons be admitted to the United States during the next 2 years and recommending changes so that greater justice may be afforded to smaller nations; to the Committee on the Judiciary.

2033. By Mr. McGARVEY: Petition submitted by the members of the Nurses Alumnae Association of St. Joseph's Hospital, Philadelphia, Pa., requesting that the benefits of the Social Security Act be extended to all nurses, whether self-employed or the employees of nonprofit institutions; to the Committee on Ways and Means.

2034. By Mr. SMITH of Wisconsin: Resolution of Woman's Society of Christian Service of Union Grove Methodist Church, Union Grove, Wis., against peacetime military conscription; to the Committee on Armed Services.

2035. By the SPEAKER: Petition of Oswego Council, No. 227, Knights of Columbus, New York, petitioning consideration of their resolution with reference to amending or defeat of H. R. 2953; to the Committee on Education and Labor.

2036. Also, petition of Lodge 4278, IWO, New York City, petitioning consideration of their resolution with reference to defeat of the Mundt bill, H. R. 5852; to the Committee on Un-American Activities.

2037. Also, petition of I. C. Ellis, Orlando, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2038. Also, petition of J. B. Harris, Miami, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2039. Also, petition of David Kauffman, Zephyrhills, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2040. Also, petition of Martin Lezin and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

2041. Also, petition of Irene Eastman and others, of Phoenix, Ariz., petitioning consideration of their resolution with reference to investigation of the conduct of war-crimes trials before the United States military tribunals at Nuremberg, Germany, especially those relating to German industrial leaders, such as that of Friedrich Flick, and those now under way of the leaders of I. G. Farbenindustrie and of the Krupp steel combine; to the Committee on Rules.

2042. Also, petition of the Brotherhood of Locomotive Firemen and Enginemen, petitioning consideration of their resolution with reference to an appointment of a Director General of Railroads to bargain the rights of railroad workers; to the Committee on Interstate and Foreign Commerce.

# SENATE

## WEDNESDAY, JUNE 2, 1948

*(Legislative day of Tuesday, June 1, 1948)*

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord, let us never be afraid of a new idea or unreceptive to a new thought, lest we pull down the shades of our minds and exclude Thy holy light. When confronted by mystery, help us to remember that we do not have to explain all we know or understand all we believe. But give us the grace of humility and the spirit of the open mind, the courage to persist in face of difficulties, and a steady confidence in the power of truth.

Help us all to learn something this day, that we shall be wise at its close and more ready for our eternal home when we are one step nearer.

Through Jesus Christ our Lord. Amen.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 1, 1948, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on

June 1, 1948, the President had approved and signed the following acts:

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for the disposition of potassium," approved October 2, 1917;

S. 1637. An act for the relief of Leo Hamermann;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians; and

S. 2077. An act to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 435. An act for the relief of Stone & Cooper Coal Co., Inc.;

H. R. 1076. An act for the relief of Chester O. Glenn;

H. R. 1528. An act for the relief of Jennie Olsen Anderson;

H. R. 2142. An act for the relief of Eleanor P. Simmonds, as administratrix of the estate of Norman B. Simmonds, deceased;

H. R. 2551. An act for the relief of William R. Ramsey;

H. R. 2552. An act for the relief of Thomas A. Hanley;

H. R. 2916. An act for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Mrs. Lucile L. Rice Talbot, Mrs. Gladys Webb, and John E. Webb;

H. R. 3062. An act for the relief of the estate of Rudolph Maximilian Goepp, Jr.;

H. R. 3713. An act for the relief of Mrs. Judge E. Estes;

H. R. 3984. An act for the relief of George Hampton;

H. R. 4047. An act for the relief of Edmund Huppler;

H. R. 4261. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska;

H. R. 4298. An act for the relief of Henry Hill;

H. R. 4516. An act for the relief of the Moore Dry Dock Co., of Oakland, Calif.;

H. R. 4663. An act to confer jurisdiction upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment on the claims of the owners in fee simple of the land leased to the United States by the city of Macon, Ga., for use as a part of the site of Camp Wheeler, Ga.;

H. R. 4702. An act for the relief of J. W. Greenwood, Jr.;

H. R. 4830. An act for the relief of Cooperative for American Remittances to Europe, Inc.;

H. R. 4994. An act for the relief of William C. Pollett;

H. R. 5147. An act authorizing the Secretary of the Interior to issue a patent in fee to Florence A. W. Arens;

H. R. 5169. An act for the relief of Mrs. Harriett Patterson Rogers;

H. R. 5270. An act for the relief of Mrs. Hope Irene Buley;

H. R. 5421. An act for the relief of the estate of James Patrick Hackett and Charles L. Stover;

H. R. 6083. An act for the relief of Elizabeth Rowland;

H. R. 6428. An act to reimburse the Luther Bros. Construction Co.; and

H. R. 6758. An act making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes.

## REPORT ON OPERATIONS OF UNRRA (H. DOC. NO. 686)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations.

(For text of President's message, see today's proceedings of the House of Representatives on p. 6944.)

## DISPOSITION OF EXECUTIVE PAPERS

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. LANGER and Mr. MCKELLAR members of the committee on the part of the Senate.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the California Society of the Sons of the American Revolution, San Francisco, Calif., protesting against the enactment of House bill 6396, to authorize, for a limited period of time, the admission of displaced persons into the United States for permanent residence; ordered to lie on the table.

A resolution adopted by the delegates of the twenty-second biennial State legislative board of the Brotherhood of Locomotive Firemen and Enginemen, assembled at Oklahoma City, Okla., favoring the appointment of a director general of railroads and that such director general be ordered to bargain and adjudicate any wage and rules requests of the court-restrained executives of the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Switchmen's Union; to the Committee on Labor and Public Welfare.

By Mr. CAPPER:

Petitions signed by 197 members of women's societies of the Methodist Church in the State of Montana, praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAIN, from the Committee on Public Works:

S. 2591. A bill to provide for the acceptance on behalf of the United States of a statue of Gen. Jose Gervasio Artigas, and for other purposes; without amendment (Rept. No. 1439).

By Mr. MALONE, from the Committee on Public Works:

H. R. 3402. A bill to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.; without amendment (Rept. No. 1441); and

H. R. 3915. A bill to increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes; without amendment (Rept. No. 1442).

By Mr. VANDENBERG, from the Committee on Foreign Relations:

S. Res. 213. Resolution calling on the President for information concerning the Potsdam agreements and violations thereof by Soviet Russia; adversely (Rept. No. 1440).

By Mr. LANGER, from the Committee on Post Office and Civil Service:

H. R. 5112. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; without amendment (Rept. No. 1443).

By Mr. CAPEHART, from the Committee on Interstate and Foreign Commerce:

S. 1447. A bill to prohibit the importation of foreign wild animals and birds under conditions other than humane, and for other purposes; with amendments (Rept. No. 1447); and

H. R. 2721. A bill to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," as amended by the act approved August 14, 1946; with amendments (Rept. No. 1448).

By Mr. KNOWLAND, from the Committee on Appropriations:

H. R. 6355. A bill making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes; with amendments (Rept. No. 1444).

By Mr. DWORSHAK, from the Committee on Appropriations:

H. R. 6430. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1949, and for other purposes; with amendments (Rept. No. 1445).

By Mr. YOUNG, from the Committee on Appropriations:

H. R. 6500. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes; with amendments (Rept. No. 1446).

By Mr. BYRD, from the Committee on Armed Services:

S. 2400. A bill to authorize the President, in his discretion, to permit the stoppage of work on certain combatant vessels: without amendment (Rept. No. 1449); and

H. R. 3735. A bill to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes; with amendments (Rept. No. 1455).

By Mr. KILGORE, from the Committee on Armed Services:

S. 2621. A bill authorizing the extension of the functions and duties of Federal Prison Industries, Inc., to military disciplinary barracks; without amendment (Rept. No. 1450).

By Mr. GURNEY, from the Committee on Armed Services:

S. 2770. A bill to fix the rank of the assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements; without amendment (Rept. No. 1451).

By Mr. SALTONSTALL, from the Committee on Armed Services:

H. R. 5344. A bill to prevent retroactive checkage of retired pay in the cases of certain enlisted men and warrant officers appointed or advanced to commissioned rank or grade under the act of July 24, 1941 (55

Stat. 603), as amended, and for other purposes; without amendment (Rept. No. 1452).

By Mr. MAYBANK, from the Committee on Armed Services:

H. R. 4272. A bill to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the armed forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes; with an amendment (Rept. No. 1453).

By Mr. BRIDGES, from the Committee on Armed Services:

H. R. 5758. A bill to amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters, and nieces and nephews, of deceased members and former members of the armed forces; without amendment (Rept. No. 1454).

By Mr. WILSON, from the Committee on Armed Services:

H. R. 4032. A bill to amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States; without amendment (Rept. No. 1456).

By Mr. BALDWIN, from the Committee on Armed Services:

H. R. 5882. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes; with an amendment (Rept. No. 1457).

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 2, 1948, he presented to the President of the United States the enrolled bill (S. 1035) to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. REVERCOMB introduced Senate bill 2786, to amend section 2402 (a) of the Internal Revenue Code, as amended, and to repeal section 2402 (b) of the Internal Revenue Code, as amended, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. McCARTHY:

S. 2787. A bill for the relief of Mary Thomas Schiek, a Red Cross employee injured by the Army; to the Committee on the Judiciary.

## REPEAL OF TAX ON CERTAIN MATERIALS AND COSMETICS

Mr. REVERCOMB. Mr. President, I ask unanimous consent to introduce a bill and make a brief comment upon it.

The PRESIDENT pro tempore. Without objection, the Senator from West Virginia may proceed.

Mr. REVERCOMB. Mr. President, this bill which I intend to introduce at the end of my remarks is to amend section 2402 (a) of the Internal Revenue Code, as amended, and to repeal section 2402 (b) of the Internal Revenue Code, as amended. It deals with the tax upon certain materials and cosmetics used by barbers and beauty-parlor operators or similar establishments in their business. At the present time there is a rather high tax upon such cosmetics and supplies. This bill would repeal that tax insofar, and insofar only, as the materials are used by those engaged in the business or profession wherein such materials are used.

I feel that it is only right that the tax upon those materials used in the work of such operators, or in their business, should be removed, as much so as a tax is omitted from the tools of trade. Therefore I am introducing this bill for a repeal of the tax on the materials used in the business by those engaged in the professions I have mentioned.

I ask unanimous consent to introduce the bill at this time for proper reference upon that subject.

There being no objection, the bill (S. 2786) to amend section 2402 (a) of the Internal Revenue Code, as amended, and to repeal section 2402 (b) of the Internal Revenue Code, as amended, introduced by Mr. REVERCOMB, was received, read twice by its title, and referred to the Committee on Finance.

## HEARINGS BEFORE COMMITTEE ON PUBLIC WORKS—INCREASE IN LIMIT OF EXPENDITURES

Mr. REVERCOMB submitted the following resolution (S. Res. 247), which was referred to the Committee on Public Works:

*Resolved*, That the Committee on Public Works of the United States Senate is hereby authorized to expend from the contingent fund of the Senate, during the Eightieth Congress, $5,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act of 1946.

## ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA—AMENDMENT

Mr. CAIN submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 843) to provide additional revenue for the District of Columbia, which was referred to the Committee on the District of Columbia, and ordered to be printed.

## REPEAL OF OLEOMARGARINE TAXES—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 2245) to repeal the tax on oleomargarine, which was ordered to lie on the table and to be printed.

## HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 435. An act for the relief of Stone & Cooper Coal Co., Inc.;

H. R. 1076. An act for the relief of Chester O. Glenn;

H. R. 1528. An act for the relief of Jennie Olsen Anderson;

H. R. 2142. An act for the relief of Eleanor P. Simmonds, as administratrix of the estate of Norman B. Simmonds, deceased;

H. R. 2551. An act for the relief of William R. Ramsey;

H. R. 2552. An act for the relief of Thomas A. Hanley;

H. R. 2916. An act for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Mrs. Lucile L. Rice Talbot, Mrs. Gladys Webb, and John E. Webb;

H. R. 3062. An act for the relief of the estate of Rudolph Maximilian Goepp, Jr.;

H. R. 3713. An act for the relief of Mrs. Judge E. Estes;

H. R. 3984. An act for the relief of George Hampton;

H. R. 4047. An act for the relief of Edmund Huppler;

H. R. 4261. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska;

H. R. 4298. An act for the relief of Henry Hill;

H. R. 4516. An act for the relief of the Moore Dry Dock Co. of Oakland, Calif;

H. R. 4663. An act to confer jurisdiction upon the District Court of the United States for the Middle District of Georgia to hear, determine, and render judgment on the claims of the owners in fee simple of the land leased to the United States by the city of Macon, Ga., for use as a part of the site of Camp Wheeler, Ga.;

H. R. 4702. An act for the relief of J. W. Greenwood, Jr.;

H. R. 4830. An act for the relief of Cooperative for American Remittances to Europe, Inc.;

H. R. 4994. An act for the relief of William C. Pollett;

H. R. 5169. An act for the relief of Mrs. Harriett Patterson Rogers;

H. R. 5270. An act for the relief of Mrs. Hope Irene Buley;

H. R. 5421. An act for the relief of the estate of James Patrick Hackett and Charles L. Stover;

H. R. 6083. An act for the relief of Elizabeth Rowland; and

H. R. 6428. An act to reimburse the Luther Bros. Construction Co.; to the Committee on the Judiciary.

H. R. 5147. An act authorizing the Secretary of the Interior to issue a patent in fee to Florence A. W. Arens; to the Committee on Interior and Insular Affairs.

H. R. 6758. An act making supplemental appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

## WORLD HEALTH ORGANIZATION

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 98) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor, which was to strike out all after the enacting clause and insert:

That the President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and not to exceed one alternate to attend sessions of the Executive Board. Such representative must be a graduate of a recognized medical school and have spent not less than 10 years in active practice as a physician or surgeon.

Such representative shall be entitled to receive compensation at a rate not to exceed $12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed $10,000 per annum for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation: *Provided further*, That no citizen of or resident in the United States shall participate in any session, conference, or meeting, or other work of the World Health Organization or of any subordinate committee or organization thereof without the consent of the Secretary of State.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed $1,920,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with article 56 of the Constitution of the Organization: *Provided, however*, That the annual United States quota of contribution to the total budget of the Organization shall not be greater in proportion than the United States quota of contribution to the total budget of the United Nations; and

(b) such additional sums, not to exceed $83,000 for the fiscal year beginning July 1, 1947, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C., 111), and section 3709 of the Revised Statutes, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that, in the absence of any provision in the World Health Organization Constitution for withdrawal from the Organization, the United States reserves its right to withdraw from the Organization on a 1-year notice: *Provided, however*, That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

SEC. 5. In adopting this joint resolution, the Congress does so with the understanding that nothing in the Constitution of the World Health Organization in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said Constitution.

The PRESIDENT pro tempore. Without objection the Senate will disagree to the amendment of the House, ask for a conference with the House thereon, and, by unanimous consent, the Chair will name the conferees. Is there objection? The Chair hears none, and appoints the senior Senator from Michigan [Mr. VANDENBERG], the senior Senator from Texas [Mr. CONNALLY], and the junior Senator from Massachusetts [Mr. LODGE] conferees on the part of the Senate.

### LET US REMEMBER OUR DEAD—POEM BY HARRY H. SCHLACHT

[Mr. IVES asked and obtained leave to have printed in the RECORD a poem entitled "Let Us Remember Our Dead," written by Harry H. Schlacht, and published in the New York Journal-American of May 30, 1948, which appears in the Appendix.]

### PRAYER OF ISRAEL REBORN—POEM BY KATE S. HEYMAN

[Mr. IVES asked and obtained leave to have printed in the RECORD a poem entitled "Prayer of Israel Reborn," by Kate Selma Heyman, which appears in the Appendix.]

### ELECTRONICS FOR AIR LANES—ARTICLE BY HAROLD MANSFIELD

[Mr. CAIN asked and obtained leave to have printed in the RECORD an article entitled "Achilles Heel," relating to the development of electronics for air lanes, written by Harold Mansfield, and published in the April issue of the Boeing Airplane Co. magazine, which appears in the Appendix.]

### ADDRESS BY SENATOR McCLELLAN BEFORE SOUTHERN CYPRESS ASSOCIATION AND ASSOCIATED INDUSTRIES

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an address delivered by him at a convention of the Southern Cypress Association and Associated Industries, at Jacksonville, Fla., on May 26, 1948, which appears in the Appendix.]

### COMMITTEE MEETING DURING SENATE SESSION

Mr. WHERRY asked and obtained consent for a subcommittee of the Committee on Interstate and Foreign Commerce to sit during the session of the Senate this afternoon.

### STAMPS COMMEMORATING ONE HUNDREDTH ANNIVERSARY OF THE POULTRY BUSINESS

Mr. BALDWIN. Mr. President, yesterday on the call of the Unanimous Consent Calendar, the Senate passed Senate Joint Resolution 154. This resolution authorizes the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry business of the United States. On last July 25 the House of Representatives passed House Joint Resolution 246, which is identical to the measure passed here yesterday. The Senate Committee on Post Office and Civil Service has not reported House Joint Resolution 246, although, of course, it did report the Senate version.

I ask unanimous consent that the Senate Committee on Post Office and Civil Service be discharged from further consideration of House Joint Resolution 246 and ask, further, unanimous consent that the vote on the passage of Senate Joint Resolution 154 be reconsidered and that consideration of that measure be indefinitely postponed. And, then, I ask unanimous consent for the consideration and passage of House Joint Resolution 246, thus clearing the measure for the signature of the President, and putting the Senate in the position of adopting identically the same measure on the same piece of paper as the one that came from the House.

The PRESIDENT pro tempore. The clerk will read the House joint resolution by title.

The CHIEF CLERK. A joint resolution (H. J. Res. 246) to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry industry in the United States.

The PRESIDENT pro tempore. Without objection, the Committee on Post Offices and Civil Service is discharged from further consideration of House Joint Resolution 246.

Is there objection to the present consideration of House Joint Resolution 246?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed

Mr. RUSSELL. Mr. President, I should like to inquire if this is the same resolution which passed the Senate previously.

The PRESIDENT pro tempore. It is identical with the one which passed the Senate yesterday.

Without objection, a motion will be entered to reconsider the vote on the passage of Senate Joint Resolution 154, and the House will be requested to return the joint resolution to the Senate.

### HAWAIIAN STATEHOOD

Mr. BUTLER. Mr. President, I am today in receipt of a letter from Mr. J. R. FARRINGTON, Delegate from Hawaii, which I request be printed in the RECORD. Immediately following the letter, I ask that the attached open letter to the Honolulu Advertiser also be printed. Mr. FARRINGTON'S letter is fully explanatory, and I am very glad to comply with his request that his letter and the accompanying letter or article be included in the body of the RECORD. I should also like to state that the statements in former insertions were not my statements, but were quotations from others.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., June 1, 1948.*

Senator HUGH BUTLER,
*Chairman, Senate Interior and Insular Affairs Committee,*
*Washington, D. C.*

DEAR SENATOR BUTLER: In the record of the hearings held on April 15 by the Committee on Interior and Insular Affairs of the Senate on statehood for Hawaii there appears a letter addressed to you under date of February 2, 1948, by W. H. Hill, of Hilo, Hawaii, a member of the Senate of the Territory of Hawaii. The letter appears on page 469 of the proceedings, and was incorporated in the RECORD at your request. I was not given the opportunity to read the letter prior to its presentation or to answer the allegations that it contains. Neither was I questioned about any of the points raised when I appeared before the committee as a witness.

Mr. Hill makes this statement:

"I think it well to point out that Delegate JOSEPH R. FARRINGTON, who is active in the movement for immediate statehood, was endorsed by this CIO-PAC and reciprocated

with the unequivocal support by his newspaper of the CIO program in Hawaii."

The statement "reciprocated with the unequivocal support by his newspaper of the CIO program in Hawaii" is false.

It is a fabrication that was created during the campaign of 1946 by the Honolulu Advertiser, a competing newspaper in Honolulu, which supported the election to Congress of my Democratic opponent, William H. Borthwick.

The CIO-PAC Committee was a local organization representing a certain portion of labor in Hawaii. The endorsement of this organization was aggressively sought by Mr. Borthwick, with the support of Gov. I. M. Stainback, a Democrat, who was appointed to this position by President Truman.

The committee endorsed my candidacy on its own volition and solely because of its belief that my reelection would advance the cause of statehood for Hawaii.

I did not support then nor do I support now the CIO program. I am a Republican and was elected to Congress as such.

The people of Hawaii were fully apprised of this situation, and despite unwarranted attacks on me, that were largely the result of a strike in the sugar industry that was then in progress, I was reelected by a very substantial majority.

The record of the Senate's consideration on May 20 of the resolution offered by Senator KNOWLAND, of California, a resolution which he offered on his own volition to discharge the committee from further consideration of H. R. 49, shows that you introduced into your comment under unanimous consent a pamphlet and certain unsigned letters that repeat allegations similar to those made by Senator Hill that reflect on my character as a public official.

I was present on the floor of the Senate during the course of your remarks. In asking that these unsigned letters be published in the CONGRESSIONAL RECORD you did not disclose the fact that they contained unfriendly references to me. I regard these references to me in these anonymous statements as both untrue and extremely unfair.

I request, therefore, that in fairness to me this letter be published in the RECORD and that following it be published the text of "an open letter to the Honolulu Advertiser," addressed to the editor of that newspaper, under date of April 21, 1948, and published in the Honolulu Star-Bulletin, of Honolulu, and the Hilo Tribune-Herald, of Hilo, Hawaii. I enclose a copy of the letter for that purpose.

I think it is only fair also that the Members of the Senate be informed that there is nothing whatsoever contained in the allegations about me appearing in the material inserted in the RECORD that was not a matter of public information and widespread discussion in Hawaii prior to the election of 1946 and was not available to Senator GUY CORDON, of Oregon, when he investigated the question of statehood for Hawaii as chairman of your Subcommittee on Territories.

Sincerely yours,

J. R. FARRINGTON,
*Delegate from Hawaii.*

---

[From the Honolulu Star-Bulletin of April 22, 1948]

OPEN LETTER TO THE HONOLULU ADVERTISER

WASHINGTON, D. C., *April 21, 1948.*

EDITOR, THE HONOLULU STAR-BULLETIN:

Your editorial attack of April 18 surprised me for only one reason.

This is that it appeared within less than 4 days after the president, publisher, and general manager of your newspaper, Lorrin P. Thurston, arrived in Washington to join with me in a series of conferences on statehood for Hawaii, to be among my guests at luncheon at the capital, and at supper in my home when my wife and children were hosts to many of our good friends in Washington, and to commend me warmly for my statement last Thursday before the Senate Interior and Insular Affairs Committee.

I am sure that if Lorrin thought that I was a Communist sympathizer, a fellow traveler, and had any doubt about my supporting the American form of government, all of which you seem to have, he would have been unwilling to join with me in these conferences and to have accepted any of my hospitality.

I think the plain truth is that neither of you have any such doubts, as I happen to have learned that Lorrin came on here as the result of a few adroitly placed telephone calls from you to personnel on the staff of the Chamber of Commerce of Honolulu.

Naturally they felt they had no other alternative than to inspire the motion that brought about the action of the chamber of commerce in sending Lorrin on to Washington to join in the fight for statehood.

I am not complaining about this, but it seems to me that if you want me to be frank the least you can do is to be the same yourself.

So far as the balance of the editorial is concerned, it merely repeats allegations you have been making continuously since the fall of 1946 when you attempted to defeat me for reelection, to send a Democrat to Congress, and destroy my usefulness as a public servant.

None of these has succeeded, as the results of the election and my record in this Congress have shown. You should know this even if you have been unwilling to keep your readers informed of what I have done.

Your files for September and October 1946 will show that I met both from the stump and in radio talks the charges that I sought the endorsement of the CIO-PAC and approved the latter's program.

I did neither.

The CIO-PAC endorsed my reelection of its own volition.

This was a voluntary act on its part taken despite the fact that the same endorsement was aggressively sought by William Borthwick, my Democratic opponent, whose election was strongly urged by yourself and your new-found friend, Gov. Ingram M. Stainback.

I did not endorse the CIO-PAC program. The CIO-PAC endorsed my position on statehood for Hawaii and nothing beyond that. And this was entirely consistent with the Republican platform, which promised cooperation with all groups in the community in seeking statehood for Hawaii.

Statements that other considerations were involved in this incident are lies.

The Star-Bulletin's policy in handling the news of industrial controversies had been an object of criticism from certain sources long before this incident ever arose. This was the result of the Star-Bulletin's determination to present fully and objectively both sides of industrial disputes.

Allegations that consideration of news policy entered in any way, directly or indirectly, into the action taken by the CIO-PAC on my candidacy for reelection are a fabrication of your own, created to serve your own partisan and commercial purposes, regardless of what you or anyone else says, and what is more, I believe you know it is.

During the campaign you dubbed me "Statehood Joe" and lambasted me from hell to breakfast because I insisted my return to Congress was important to the advancement of legislation for statehood for Hawaii.

In the light of what has happened, in the light of the election of Republicans to control in both Houses of Congress, and in the light of the progress made on statehood for Hawaii, are you so bold as to suggest now that the election of Mr. Borthwick, a Democrat, would have served the best interests of Hawaii and of statehood?

I think it is completely plain now to the people of the Territory, if it is not to you, that the election of Mr. Borthwick would have served only the Governor's desire that a well-trained undertaker be chosen to arrange for an early funeral for statehood for Hawaii.

It is plain this measure would have been dead from the day Mr. Borthwick took office.

Now as to the question of communism, let me say this:

You suggest yourself some doubt that I have any sympathy with communism. The fact of the matter is that you don't dare to say this in your news columns because you know it is both untrue and libelous. This is one thing you can't say about me as a public official and get away with, although you have been doing your best to lead people to believe this without saying it.

I do not now and never have had any sympathy with the Communist Party or any of its friends anywhere. It is today recognized as an instrument of Soviet Russia's imperialist program.

Its preachments of class and religious hatred are the antithesis of all we stand for in this country and particularly venomous in their application to Hawaii.

It is our responsibility to expose this activity wherever it manifests itself in Hawaii and to correct the conditions on which it thrives.

This is a national program in whose solution we can participate with infinitely greater effectiveness as a State than within the restrictions of the territorial form of government.

I am sure you agree with the foregoing. Otherwise you would not have so assiduously sought to have Lorrin sent on to Washington to assist in the fight for statehood.

But where I don't agree with you is in your practice of accusing your competitors and those who are in disagreement with you on other issues of being Communist sympathizers.

This is an old game that almost anyone can see through. But it is nevertheless unfortunate, as the cry of "Wolf, Wolf" on this issue completely destroys any confidence people may have when the alarm you sound is genuine.

I believe this is just the position in which you put yourself in your last attack on me.

And I am sure most of the Republicans who haven't forgotten your campaign to elect a Democrat to Congress and your current manifestations of love and affection for Governor Stainback feel exactly the same way.

Sincerely yours,

STATEHOOD JOE.

## ORDER OF BUSINESS

Mr. WHERRY. Mr. President, last night I made the statement relative to the session today that unless the displaced-persons legislation was passed in the afternoon session we would hold a night session tonight. It is impossible at this hour to decide whether the bill will be passed or not. There are 16 amendments to be considered. It seems to me that it is only fair that I should say now that there will be a night session tonight, and that all Senators should prepare for it. It is our present intention, if it meets with the approval of the Senate, to continue in session this afternoon and tonight until at least 9 or 10 o'clock. If the displaced-persons bill is concluded, we intend to proceed with the draft bill, which will be made the unfinished business. I think now is the time to make the announcement. I hope I can obtain the full cooperation of all Senators, that a quorum will always be present, and that we can expedite the work before the Senate.

Mr. AIKEN. Mr. President, is it contemplated to hold a Saturday session this week?

Mr. WHERRY. We have not yet announced a Saturday session this week. We have announced Saturday sessions for the 2 weeks following. I am inclined to think that there will be a session this Saturday. The reason we did not announce it was that a number of committees were holding meetings. An announcement will be made either tomorrow or next day. I feel that the Senate should be advised that there may be a Saturday session this week. That announcement will be made later. However, it is definitely intended that there shall be Saturday sessions in the following weeks.

Mr. AIKEN. I thank the Senator. I thought we ought at least to have warning.

CONSIDERATION OF TREATIES

The PRESIDENT pro tempore. The Chair would like to make a brief statement in connection with the Executive Calendar. There are now four treaties on the Executive Calendar which were reported on May 26, 1948. All four of them deal almost exclusively with purely technical matters. They represent a year's work on the part of technicians not only in the administrative branch of the Government, but also in the legislative branch. They involve exhaustive studies by all the legislative authorities involved.

Last week end the chairman of the Committee on Foreign Relations sent a letter to each Member of the Senate transmitting brief résumés of the treaties and indicating their technical character, and asking Senators to notify the chairman if they had any objections.

It is perfectly obvious that these treaties cannot be taken up if they are the subject of controversy. In the opinion of the Chair no controversy is involved; but in view of the situation as indicated, the Chair again requests Senators who think they have any doubts about any of these subjects to communicate with the Chair, if possible, during the course of the day. Before the session ends this evening the Chair would like to ask for an executive session to ratify the four treaties, which, the Chair repeats, are essentially technical in character, but represent an amount of labor in preparation which it would be quite tragic to waste as a result of adjournment without action.

ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to amendment G offered by the junior Senator from Michigan [Mr. FERGUSON] for himself and other Senators. The Chair recognizes the Senator from New Jersey [Mr. SMITH].

Mr. WHERRY. Mr. President, will the Senator from New Jersey yield to me for a quorum call?

Mr. SMITH. I yield.

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Morse |
| Baldwin | Hawkes | Murray |
| Ball | Hayden | Myers |
| Bricker | Hickenlooper | O'Conor |
| Bridges | Hill | O'Mahoney |
| Brooks | Hoey | Pepper |
| Buck | Holland | Reed |
| Butler | Ives | Revercomb |
| Byrd | Jenner | Robertson, Va. |
| Cain | Johnson, Colo. | Russell |
| Capehart | Johnston, S. C. | Saltonstall |
| Capper | Kem | Smith |
| Chavez | Kilgore | Sparkman |
| Connally | Knowland | Stennis |
| Cordon | Langer | Taft |
| Donnell | Lodge | Thomas, Okla. |
| Downey | Lucas | Thomas, Utah |
| Dworshak | McCarthy | Thye |
| Eastland | McClellan | Tydings |
| Ecton | McFarland | Umstead |
| Ellender | McGrath | Vandenberg |
| Feazel | McKellar | Watkins |
| Ferguson | McMahon | Wherry |
| Flanders | Magnuson | White |
| Fulbright | Malone | Williams |
| George | Martin | Wilson |
| Green | Millikin | Young |
| Gurney | Moore | |

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] and the Senator from South Dakota [Mr. BUSHFIELD] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Texas [Mr. O'DANIEL], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

The Senator from New Jersey [Mr. SMITH] has the floor.

Mr. SMITH. Mr. President, I propose to address myself to the pending question, which is the amendment lettered "G" in the series of amendments submitted by the Senator from Michigan [Mr. FERGUSON], for himself and other Senators. This amendment proposes, on page 2, lines 5 and 6, to strike out the date "December 22, 1945," and insert in lieu thereof the date "April 21, 1947."

These respective dates have to do with the determination of what is meant in the bill by "eligible displaced persons." On page 2 of the pending bill the following language appears:

(c) "Eligible displaced person" means a displaced person as defined in subsection (b) above, (1) who on or after September 1, 1939, and on or before December 22, 1945, entered Germany, Austria, or Italy, and who on January 1, 1948, was in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna or the American zone, the British zone, or the French zone of either Germany or Austria—

And so forth. The only difference between those proposing the amendment on this point and the committee is the question whether the date should be, as indicated in the bill, December 22, 1945, when these people entered those zones, or whether, as we claim, the date should be April 21, 1947. I shall address myself to the issue presented by the suggested change of date.

The pending amendment proposes to substitute the critical date of April 21, 1947, for the date of December 22, 1945, in the definition of eligible displaced persons in section 2, page 2, line 2, of the committee bill.

The question of the date of eligibility is important because it involves serious administrative problems, as well as practical and humanitarian considerations. The proposed date, April 21, 1947, which date I am supporting, was the date fixed by General Clay, commander of the occupation forces in Germany, on which the displaced persons camps in the American zone of Germany would be closed to further admissions. It was necessary to set a date because of the fluctuating movement through our occupation zones of the various types of displaced persons, including refugees from the various occupied countries. In fixing an authoritative date, it was made possible for the occupying authorities and eventually the International Refugee Organization definitely to catalog and check up on all the displaced persons who might be eligible for ultimate repatriation or resettlement by the IRO.

Let me emphasize that point for a moment. I am trying to demonstrate to my colleagues that we have a very definite package, if we may call it that, of displaced persons for whom the United States is responsible and of whom we must make some dispostion. We have already gone as far as we can go, apparently, and the IRO has gone as far as it can go, in repatriating these people; and we have, as General Clay pointed out when he closed the camps, fixed a date, namely, April 21, 1947, after which we have been unwilling to accept any more persons into the camps where we are responsible. That was the date fixed. Whether we agree about it or not, we have the responsibility of dealing with that problem.

As soon as that date was fixed, we began cataloging everyone in the camps, as of that date, for whom we were responsible and of whom we would have to make some disposition, and we turned over that responsibility to the IRO as soon as the IRO came into existence. That cataloging has continued since then, and I am advised it has been completed. It presents the complete package as to the responsibility of the United States as far as the displaced persons are concerned. That is why I insist that for administrative purposes and for all other purposes that is the date we should adopt, in place of the date fixed by the committee. Both the American occupying authorities in Germany and Austria and the IRO itself in Geneva have complete data with regard to all those who may be eligible under the definitions for resettlement.

It is for this reason primarily that I referred to the date of April 21, 1947, as the critical date.

The date of December 22, 1945, which appears in the pending bill, limits the eligibility of displaced persons to those who entered Germany, Austria, or Italy between September 1, 1939 and December 22, 1945. The date obviously excludes any refugees who entered those countries between December 22, 1945, and the so-called critical date, April 21, 1947. There is a period of a little less than 2 years during which we assumed responsibility in our camps for certain persons—I shall try to describe the status of those persons—who came into our camps between those two dates.

In advocating this change of date, as proposed in the pending amendment, let me develop more in detail the reasons supporting the change:

First. The earlier date, as contained in the committee bill, apparently was selected merely because it was the date of issuance of the President's directive making regular immigration quota numbers available to displaced persons, and giving them priorities for such quota numbers. There was nothing in the President's directive which necessarily fixed December 22, 1945 as a limit for eligibility. There is no valid and logical connection that I can find between this date and the fundamental issues presented by the displaced persons problem. There is no relationship between this date and the responsibility of the United States. When I say "responsibility," I refer to the people in the camps in the American zones of Germany and Austria whom we are now taking care of or whom we took care of until the IRO took over, and for whom we still have the responsibility of seeing that they are looked after, and that ultimately some disposition is made of them.

Apparently the object of selecting the December 1945 date was to include only those displaced persons who had been forcibly brought into Germany, Austria, and Italy by the Axis countries for their war purposes. Presumably the committee had in mind that we should feel a responsibility only for those who were brought in by force by the Axis countries, to work for them during the war.

Apparently the framers of the pending bill felt there should be a distinction between those forcibly brought in and those refugees who came in voluntarily because of persecution or fear of persecution. Even if such a distinction were defensible, which I submit it is not, in light of the way the whole situation has developed, it would not be achieved by the earlier date—that is, by December 22, 1945. This is because of the fact that a great number of persons now present in the camps came in voluntarily prior to December 22, 1945, as refugees fleeing before the advance of the Russian armies. If we try to decide between those who were forcibly brought in and those who came in because of fear, we do not arrive at a clear distinction, because prior to December 1945 there were many who fled because of the Russian armies.

Since there was no registration as of December 22, 1945—and a moment ago I pointed out that the registration has been made as of the later date of April 22, 1947—it is now impossible to distinguish between those voluntary refugees and those who were forcibly brought into Germany for war-production purposes.

But beyond this point, the earlier date of December 1945 would exclude other refugees who, for the same reasons, fled into the same areas between December 1945 and the critical date of April 1947 from Yugoslavia, Hungary, Rumania, and Poland, all of whom were accepted and treated by our armies on the same basis as those who had been taken care of prior to December 1945.

The people who came into our zones because they would not accept the control of their countries by foreign dictators, were accepted by our camps until April 21, 1947; and I can see no logical reason for treating them differently from those who came in prior to December 22, 1945.

I submit, therefore, the date of December 22, 1945, contained in the bill has no official standing, but does not accomplish what apparently was its purpose of distinguishing between classes of displaced persons—that is, those forcibly brought in and the refugees who fled for fear of persecution—and leads to unnecessary difficulties and confusion in administration. It would be very difficult to make such a distinction in light of the fact that our cataloging brings us down to April 21, 1947; and I refer to both our own catalog and the IRO catalog. Those persons have been very carefully screened and cataloged for whatever disposition is made by means of our legislation or any other legislation for dealing with this problem.

Second. The later date is preferable from an administrative standpoint.

The date of April 21, 1947, which as I have stated was the date determined by General Clay for closing admissions to the camps, has an official standing and establishes a clear and logical basis on which to determine eligibility of displaced persons. The order of General Clay, fixing that date, after which no further admission of displaced persons to the camps would take place, also provided, as I said before, for registration of displaced persons, and therefore this date is the more practical, and the only date for determining eligibility with any accuracy.

Should we use the earlier date, as provided in the bill, we would be in difficulty from the beginning. Without any clear basis for determining eligibility, it would be up to the individual to produce records showing his own eligibility. This would not only present a most difficult administrative problem, but would undoubtedly lead to the temptation to falsify records and to produce fraudulent documents, which the distinguished Senator from West Virginia has called to our attention in his opening remarks. We admit that there has been a large degree of fraud, but it is because we have not had an intelligent method of cataloging these people and determining the ones with whom we have to deal. I submit that the date, April 21, 1947, which is General Clay's deadline, is the logical date.

If we adopt the later date, which I am advocating, which is the official "General Clay" date, at which time a complete registration was made, we have indisputable evidence of eligibility, and we have it in a very convenient form. It makes the administrative problem comparatively simple. Even those who entered after April 21, 1947, on a hardship basis, are easily distinguishable from those who were in the camps before that date, so that we know who they are and there can be no problem of eligibility arising from fraud. We shall have our catalog made up as of April 21, 1947, and anybody who comes in after that will not be eligible. The point is that those who entered after the April 21, 1947, date would not be eligible, under the provisions of this bill, and if we accept the earlier date of December 1945 as a cut-off, we have no sure criterion by which to judge this particular point. I am pleading now for administrative simplicity in respect to this matter.

It was for these reasons that the earlier cut-off date, as provided for in the bill, namely, December 22, 1945, which is the date of the President's original directive, was severely criticized by the subcommittee of the House Committee on Foreign Affairs which made a study of this particular point last summer. As a matter of fact, the earlier date has since been changed by administrative action to the so-called critical date of April 21, 1947, for the purpose of putting the provisions of the President's directive into effect. It is now the established date for giving priority under our immigration laws. April 21, 1947, is the date that has been recognized since General Clay made his important announcement with regard to closing the camps as the official date for determining what the size and what the dimensions and what the quality of our packages are to be.

Third. Aside from these administrative considerations, however, the humanitarian side of the picture emphasizes the preference for the later date. The problem of displaced persons is basically one of a wartime condition, and its aftermath of dislocation and disruption. It involves those who were displaced because of conditions resulting from the war just as much as those who were displaced forcibly during the conduct of the war. It should therefore include those who fled before the occupation armies of the Communist dictatorship, and those who fled from their homelands because of fear of political or religious persecution, because they are just as much entitled to displaced persons status as those who were forcibly deported.

I recognize, in making this statement, that we must find a stopping place somewhere and must determine the dimensions of the problem with which we have to deal. For the reasons I have enumerated above, it seems to me obvious that the date of April 21, 1947, fixed by General Clay, and which is the basis of the registration program, is fair and equitable to all concerned and can reasonably be used to solve this particular part of our problem. The earlier date of December 22, 1945, works a very

special injustice on a large number of displaced persons who it would seem should have equal consideration under this proposed act. It is clear that the plight of those who came in after 1945, and up to the time the camps were closed in 1947, representing the 2-year period, is as great as those who entered Germany, Austria, or Italy prior to that date. Their reasons for not returning to their place of origin are the same as those of any other displaced persons. Furthermore, all these persons are eligible for DP status under the constitution of the IRO. So there is no conflict with the IRO definition.

By all the principles of basic human rights upon which our Government is founded, it should be the purpose of this bill to insure that within the groups selected for resettlement there shall be no discrimination in favor of or against any racial, religious, or national element or group. One unfortunate consequence of using the 1945 cut-off date would be a harsh discrimination against a large number of the Jewish element of the present displaced persons population. Many of these poor people fled from fear of pogroms and other persecution in Poland, the Ukraine, and the Balkan States. They are, in fact, displaced persons, the same as those who entered the camps before them. They are the victims of the anti-Semitic drive started by Hitler in his outrageous persecutions of the Jewish people during the war, with its resulting aftermath, leaving literally thousands of homeless persons without a country and not wanted. To discriminate against these people would not be in keeping with the spirit which motivates the legislation we are now considering.

As a matter of fact, the total number involved is somewhere in the neighborhood of 200,000, of which our proportion might be perhaps one-third, or approximately that. It would be about 50,000 people, or a little more, of the entire group I am discussing.

It is to be sincerely hoped that an early settlement of the Palestine situation may contribute to the solution of this distressing problem. But in the meantime, the opportunity is certainly afforded for the United States to work with the other members of the United Nations in welcoming a fair proportion of these unfortunate people to start their lives anew in our own free country.

Our action in my judgment may well contribute to the acceleration of an equitable settlement of the Palestine question, if we are willing to accept some of these people in the United States.

Fourth. Practical considerations require us to use the date of April 21, 1947, rather than the December 1945 date. For practical reasons it is just as necessary to resettle displaced persons who entered camps between December 22, 1945, and April 21, 1947, as it is to resettle those who entered before that time. They present to us who have the responsibility for them, because they are in our camps, the same problems as that presented by those who entered before the earlier date, for we have them on our hands; our armies have assumed the responsibility for them, and they are in our care. So long as we are in Germany, we shall have them in our care, unless we settle them somewhere else. We cannot turn them out on the already disrupted economy of the countries of western Europe. Unless they are accepted by the other countries according to the plan which is attempted to be worked out, it will be a matter for IRO. We cannot forcibly turn them out and say to them, "You have got to go to Belgium, to France, or to some other country." We cannot repatriate them forcibly to the countries of their origin. To do that would be to follow the suggestion of the Soviets that these people be forced to go back to the countries of their origin. It means they would go back to immediate persecution and probable destruction.

The permanent problem of displaced persons will therefore never be settled, so far as the responsibility of the United States is concerned, unless those who entered the camps between the two critical dates are accorded the same rights as to eligibility as all other displaced persons. These persons have suffered the same uprooting and persecution as those who were forcibly dislocated by the Nazis during hostilities. Their problems and miseries are as great as any other displaced persons.

As a matter of fact, this group includes only about 20 percent of the total displaced persons problem, and therefore our share would be a comparatively small fraction of the 200,000 total which we propose to admit during the next 2 years. It will of course in no way increase that total. We have decided by our action here that the ceiling shall be 200,000. We are not increasing that by this suggestion. We are simply suggesting that the people who came in between the dates mentioned shall be eligible, and a comparatively small fraction of them would be included in our over-all figure. I am confident this number will be no great problem so far as ultimate resettlement is concerned. By our program, under the defense bill, with which we are in accord, care is taken to provide that no one shall even leave foreign shores for this country until we find for him a proper place and a suitable occupation so as to enable him to fit into our economy.

In light of the foregoing consideration, it is submitted that the date of eligibility, as proposed in the present bill, should be changed from December 22, 1945, to April 21, 1947, as provided in the pending amendment.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SMITH. I yield to the Senator from New Mexico.

Mr. HATCH. The Senator has just been discussing the change of date. I want to make the situation clear for the RECORD. If I understand correctly, the only effect of changing the date will be to establish a uniform date. The one established by the bill would then correspond with the President's directive, the recommendations of General Clay, and also the date fixed by IRO.

Mr. SMITH. That is correct. I may say that the President's directive was originally the date that appears in the committee bill, but since that time it has been changed to coincide with the so-called General Clay date. The date we are advocating in this amendment, April 21, 1947, is the date, as the Senator suggests, fixed by the IRO to determine the status of displaced persons.

Mr. HATCH. By the adoption of the amendment we shall avoid the confusion of having different dates with respect to different agencies, and shall have one uniform date. Is that correct?

Mr. SMITH. The Senator is entirely correct on that point.

Mr. HATCH. Changing the date will not in any way change the number of people who will be eligible to come to the United States.

Mr. SMITH. No. As I have stated, we have decided, by the amendment which was adopted a few days ago, that 200,000 shall be the ceiling. The change of date will not in any way affect that number. It will make the entire problem easier to adjust.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. REVERCOMB. Mr. President, the amendment offered by the Senator from Michigan [Mr. FERGUSON], for himself, the Senator from New Jersey [Mr. SMITH], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Oregon [Mr. MORSE], is a companion amendment to the one upon which the Senate voted yesterday.

To point out as clearly as I can what the amendment accomplishes, I call attention to the bill itself, on page 2, lines 3, 4, 5, and 6. It will be noted there that—

> (c) "Eligible displaced person" means a displaced person as defined in subsection (b) above, (1) who on or after September 1, 1939, and on or before December 22, 1945, entered Germany, Austria, or Italy.

The purpose of the fixing of dates was to designate who would be considered eligible to come in under the terms of the bill. It will be noticed that there is a difference in definition between a displaced person and an eligible displaced person. The necessity for that difference is apparent, because there are many more displaced persons than can possibly be taken in under any ideas advanced by Members of the Congress or by anyone else. It will be remembered that, as to displaced persons, it is claimed, under the IRO definition, that there are many millions of them. Early in the discussion of the question I pointed out that not only were there approximately 600,000 displaced persons in the American zones in Germany and Austria, but that there are displaced persons in the British zone and the French zone. Furthermore, there are displaced persons' camps throughout the Middle East. There are persons who claim displaced persons' status in North Africa; there are displaced persons who claim that status in China. As we were advised by the acting head of the PCIRO, the International Refugee Organization which is acting today, representatives of the new State of Pakistan claimed that there were 10,000,000 citizens of that new country who were displaced. Moreover,

the heads of some of the churches have told the members of the committee who went abroad last fall, when we met them in Geneva, Switzerland, that there were perhaps 10,000,000 more persons who would be brought into the western sections of Europe and who were on the move westward. Further than that, there are 10,000,000 or 12,000,000 Volksdeutche whose situation was so well and so eloquently described yesterday by the able Senator from North Dakota [Mr. LANGER]. Therefore there are a great number of displaced persons. It then became a question of with which group of the displaced persons we should deal and attempt to legislate with respect to their entry into this country.

Mr. President, I have a very interesting letter upon that point which I should like to call to the attention of the Senators. It bears the heading "Council on European refugee organizations, 416-22 Tongshan Road, Shanghai." It was written on May 15, and was received by my office on May 24 in the course of this debate. I shall read the letter. It is very enlightening upon the subject of the great number of persons who have been classed as displaced persons under the idea of the IRO. The letter reads as follows:

SIR: Of the 6,000 central European refugees still left in Shanghai, the vast majority falls under the oversubscribed quotas under the American immigration law. Their situation is hopeless, they cannot and do not want to go back to their homelands, and all countries have closed their doors upon them. Their only chance of ever again leading normal lives is to go to the United States.

Let me interpolate that we hear this cry from all over the world. That is the reason, Mr. President, why I would enjoin upon my colleagues of the Senate great care in dealing with the subject, because this country of ours today, as was also true after the First World War, finds itself in the position of being the land toward which the movement of all peoples is directed. As I pointed out yesterday, our immigration laws were brought about by the same situation after the First World War. We are confronted with a similar situation today, upon even a larger scale. So we must bear in mind that, great as our sympathy may be for any people anywhere, we have a problem to meet here at home, when persons not only from central Europe, but from Shanghai, Pakistan, and north Africa are all headed for this country. We should deal with the question with fairness; our sympathy is with those who are displaced and distressed; we want to be helpful; but, at the same time, as practical men representing the people and the well-being of this great country, we must approach it from a practical point of view. We must indeed be animated by sympathy, but we cannot, and we know we cannot, take care, within the boundaries of this land, of all of the people who have been classed as displaced persons throughout the world.

I continue to read the letter, because it points out the feeling of those who are in Shanghai. I might say it well points out the feeling of those who are in India, Pakistan, north Africa, and in the Middle East where the IRO is exercising its jurisdiction. It will show indeed the vastness of the problem and the great number of displaced persons as classified under IRO. I continue to read:

But under the present law, they would have to wait from up to 3 years in the best and up to 100 years in the worst cases. So they had pinned all their hopes on the bills providing for an increased admittance of DP's now before Congress.

Unfortunately the two bills commonly credited with the best prospects of becoming law, the Wiley (Revercomb) and the Fellows bills both seem to apply to Europe only and to exclude Shanghai.

I stop there, Mr. President, to say this: Of course the writer of the letter is interested in Shanghai. He does not mention the other places throughout the world. But what he says must apply with equal feeling in the hearts of those elsewhere. I continue to read:

But on the other hand, they threaten to deprive us of the only slight advantage we hitherto had, of enjoying preference as bona fide DP's under the Truman directive. The Wiley bill provides under section 7 flatly for an end to all preference for DP's as from July 1, 1948—

That is an incorrect statement—

which would result in placing us on the same footing with the many nonrefugee Austrians, Poles, etc., who want to go to America, thus extending our waiting period indefinitely.

There I say, Mr. President, he is correct, and particularly correct, if the amendment offered and now pending before the Senate is adopted.

I continue the reading:

The Wiley bill provides under section 7 flatly for an end to all preference for DP's as from July 1, 1948, which would result in placing us on the same footing with the many nonrefugee Austrians, Poles, etc., who want to go to America, thus extending our waiting period indefinitely. The Fellows bill would work out even more disastrously for us. For by mortgaging the small quotas of future years in favor of an increased admittance of the DP's now in Germany, Austria, and Italy, it would completely wipe out our chances not only for the present, but for many years to come as well.

It would indeed be the height of irony if, by a bill ostensibly intended to better the lot of the DP's, we Shanghai refugees would not only gain nothing, but even lose the only small advantage already granted to us in compensation of our many sufferings.

Please do not close your eyes to our fate. We have gone through German concentration camps, Japanese persecution, the disgrace of the ghetto, bombardments, hunger, and misery. We are facing our tenth summer in a subtropical climate, in dilapidated and overcrowded rooms, with inadequate hygienic conditions, threatened by infectious diseases. Eighty percent of us are partly or totally dependent on IRO and AJDC support. To all this has now come the political tension which, even if the worst is avoided, might any time explode into local disturbances. If, God forbid, something of this kind happens, we shudder at imagining what may happen to the vast majority of us, living in a low-class wharf and factory district in the midst of a hostile and uneducated population. We have been twice saved from nearly certain death, but we cannot expect a miracle to repeat itself indefinitely.

In the eleventh hour we appeal to you to use your influence to have us included in any legislation for an increased admittance of DP's into the United States.

Yours very truly,

COUNCIL OF EUROPEAN REFUGEE ORGANIZATIONS,
KARL REDISCH, *Chairman.*
SHANGHAI.

Mr. SMITH. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. In a moment I shall yield.

Let me say to my colleagues that this is a very appealing letter. Such letters come from all over the world, and they indicate the extent of the problem of displaced persons, the number of whom runs into the millions upon millions of persons under the general classification of the IRO. So it became necessary that there be some definition arrived at. Knowing that this country could not take any substantial part of them, it was necessary that a definition be arrived at as to who would be eligible to come in under any bill which might be passed by the Congress.

As to those who were eligible, the words "eligible displaced persons" were used. Therefore I have given the background as to why there must be a definition in this bill. We cannot leave it wide open, we cannot say that we are going to take in persons from all the world. This country cannot absorb them, with its 145,000,000 population today, and with its serious housing problem.

I know that today we have the wonderful blessing of employment. I know that never before have our people been so well supplied with the opportunity to work and make a living, and I have the heart and the faith that that condition will continue. I hope so. I pray so. Let me say, Mr. President, that if it should come about that we were facing days of unemployment, as we have faced them in the past, there is not a man who would rise on this floor, with our people out of work in this country, and ask for the admission in large numbers of people from any other section of the world. That is the problem we confront. We have to consider the conditions here at home.

For my own part, I think the Senate has gone too far in the great number it has already fixed in the bill; but that is the will of the Senate. A number has been named. I think it is too great a burden upon this country, particularly under an experimental law such as is proposed, when we ought to have given it a trial to see if it would work, to see if we could house those affected by it, to see if we could find work for them here without displacing our own citizens. But the judgment has been rendered by the Senate, and those of us who do not want that number must, in the result, accept the verdict of the majority.

Mr. SMITH. Mr. President——

Mr. REVERCOMB. Just a moment. So I say that it became absolutely essential to define who should be eligible out of the vast millions of people who have been classified, rightly or wrongly, as displaced, and so classified and defined under IRO.

I now yield to the Senator from New Jersey.

Mr. SMITH. I call the Senator's attention to the fact that I am entirely

in accord with the approach he makes to the letter from China. Obviously we cannot deal with all the refugees or all the displaced persons in the world, no matter under what definition.

I emphasized in my remarks, and I repeat, that what we are trying to do in the proposed legislation is to deal with the problems presented to us by the displaced persons in Germany and Austria, in the camps for which we have been responsible. I merely take the date General Clay took, April 21, 1947, the date after which we said we could take no more people into these camps. I took that date for the administrative reasons I have mentioned, and I took it because those people have been definitely cataloged. We know who they are. So far as dealing with them is concerned, they can be handled in our over-all picture as to Germany and Austria.

I am not in favor of our going out into the world any further than is the Senator. Our viewpoint is the same. We are determining what the policy is with which we have to deal. That is why I emphasize this date. As I see it, it is the only practicable administrative date we can apply. If we took the earlier date, all we could do would be to exclude the 200,000 people coming between the two dates, largely Jewish people who were subjected to pogroms and for whom we have a great sympathy.

If we do not deal with them, they will still be on our hands in Germany, and we will have to deal with them there. I am deeply hopeful that the administrative problem will be settled, but we cannot turn our backs on these persons and say that we have no responsibility. They are in our camps. We are feeding them there, and we will continue to do so until they resettle elsewhere.

I am not disagreeing with the over-all picture the Senator is presenting, or the suggestion he makes that we are not responsible for displaced persons all over the world. We are responsible for those in Germany for whom we have assumed responsibility, because we have taken them into our camps.

Mr. DONNELL. Mr. President, will the Senator from West Virginia yield that I may ask a question?

Mr. REVERCOMB. In a moment. Let me say to the able Senator from New Jersey, concerning the responsibility of this country, that this Government has subscribed to IRO by the action of the Senate, and we have appropriated some $73,500,000. IRO is operating these camps all over the world. If we are to be logical about the matter, if our connection with IRO means anything, we have just as much interest elsewhere as we have in Germany, Austria, and Italy. But I would say to the Senator that we have had to establish a limit, not upon the basis of our action here, but upon a reasonable, sane, and practical basis. We have limited our participation to taking people from the zones of Germany, Austria, and Italy, not only the American zones, but those over which the British have dominion and those over which the French have dominion.

The Senator has made the statement that he wants to extend the date to April 21, 1947, because it was the date fixed by General Clay. I shall later want to address myself to that point, in order to show as well as I can that the date fixed by General Clay, to which he refers, has no more connection with the DP problem than any date that General Clay may have placed on any order he may have issued from general headquarters in Berlin. To that subject I shall address myself later.

I now yield to the Senator from Missouri.

Mr. DONNELL. Mr. President, will the Senator from West Virginia permit me to ask the Senator from New Jersey a question?

Mr. REVERCOMB. Yes.

Mr. DONNELL. As I understood the Senator from New Jersey, he referred to the order of General Clay as fixing April 21, 1947, as the date for closing the displaced-persons camps in the American zones not only of Germany but of Austria. Is not the Senator in error in including Austria in that statement? Did General Clay have any jurisdiction whatsoever over Austria?

Mr. SMITH. I was under the impression that General Clay cooperated with the military authorities in Austria as well, and that they fixed that date as being the date after which they would not take people into the military camps. Obviously I was in error in that respect. All I meant to say, however, was that having fixed that date beyond which he would not take people into the military camps, and that being the date on which the cataloging of the people took place, it made the matter rather simple from an administrative standpoint.

Mr. DONNELL. May I submit, respectfully, to the Senator that the bill refers not only to displaced persons who are in the American zone in Germany, or indeed in any the other zones in Germany, but refers, as the Senator from West Virginia said, to those who are in Italy and in Austria?

I am unable to see, Mr. President, how the fact that General Clay may have made an order with respect to closing DP camps only in Germany would make the date as of which his order is effective have any applicability at all to the persons in Austria or in Italy. It seems to me it is illogical to say that merely because General Clay in one particular country, and making his order applicable only to the American zone, had fixed a particular date for the closing of the DP camps in that zone, the bill, which does not confine itself at all to that one zone, but goes into French zones and British zones and outside Germany into Austria and into Italy—I say it seems to me illogical to take the date which the General had fixed as to one particular zone in one country and make it applicable to all the other zones in all three of these countries.

Mr. SMITH. Mr. President, I should like to address a question to the Senator from Missouri. How would the Senator deal with the people who came into these camps in Germany between 1945 and the date which General Clay fixed?

Mr. DONNELL. My judgment is that they should not be dealt with in this bill. I think the purpose of the bill is to confine itself to displaced persons, namely those who were displaced not by voluntary immigration into Germany or Austria or Italy, but were displaced by the havoc of war; those who came in up to a reasonable time after the conclusion of the war with Germany. I think the date of December 22, 1945, is an appropriate date. That was the date on which the President issued his directive. That is the date, indeed, which, up until February 12 this year, the State Department had itself used as the one to be considered for immigration to the United States under the President's directive. It was not until February 12 that the date of December 22, 1945, was advanced to April 21, 1947.

So, Mr. President, it seems to me that the philosophy of the bill is, as has been indicated not only today, but in connection with the companion amendment which was proposed and defeated yesterday, to confine the relief to those persons who can reasonably be considered as having been displaced by the war, and those up to December 22, 1945, are the ones who are in this bill so considered. Undoubtedly there have been many others—I do not know the numbers—who have come in since December 22, 1945.

If I may trespass for a moment further on the Senator's time, I should like to say that I hold in my hand a document issued by the Common Council for American Unity, which I am told is a reputable organization, which, relative to the change in dates from December 22, 1945, to April 21, 1947, which change, as I have indicated, did not occur until February 12 of this year, says:

> This change in dates, which will increase considerably the number of displaced persons who can be considered for immigration from Germany and Austria also affects the definition of displaced persons outside of Germany and Austria.

So, Mr. President, we have a bill in the form in which it has emanated from the committee, which is designed to offer relief to persons who were displaced by the war. We have fixed December 22, 1945, as a reasonable date to consider that the displacement of those persons terminated. It may be that as a matter of fact, others who were displaced by the war have come in since. But we have to adopt arbitrarily some date, and we thought that that being the date of the President's directive, was a reasonable one.

I ask the Senator to permit me one or two more sentences. I do not believe we should extend from December 22, 1945, until April 21, 1947, approximately 2 years after the war with Germany was over, the time within which people could come to the camps and allow all those who had come into the camps within that 2-year period to be considered as persons displaced by the war. I think it is unreasonable that we should attach ourselves to any such long deferred date.

So, Mr. President, in answer to the question of the Senator from New Jersey as to what we would do with the persons who came into the camps after December 22, 1945, I say without any lack of sympathy for those people, because we of course all sympathize with them, that

we have to draw the line somewhere. We cannot take in the displaced Pakistans. We cannot treat as displaced persons all those who in these disturbed days may be moved by the desire to better themselves in some way. We must adopt a reasonable date after the termination of the war, and consider that the persons who came into the camps in Germany, Austria, and Italy before that date were displaced by the war, and confine ourselves to that class of persons, at least in the pending proposed legislation.

Mr. President, I thank both Senators for their indulgence.

Mr. SMITH. Since General Clay's order fixed the date as of April 21, 1947, we have been cataloging the displaced persons as of that date. The over-all picture in the European problem roughly is 1,000,000 persons. Within our area, under our responsibility, there are 600,000 persons. We have just decided we would take in 200,000. I am trying to classify the people who make up the package, with whom we should deal, exactly as the Senator is doing. I say that here is a package fully prepared. The cataloging coincides on both sides, with General Clay's order and the President's directive, and it makes it a simple administrative problem, aside from the humanitarian point that 200,000 persons, many of whom were driven out of their homelands by pogroms, are to be admitted into America. We make appeal for the poor Jewish people who were driven out of their native lands and are now homeless.

Mr. DONNELL. I may answer the very proper inquiry of the Senator from New Jersey respecting the administrative problem in two ways. In the first place, in Germany, obviously, up until the 12th day of February of this year, our State Department had all the information or at least it is reasonable to assume it had, as to the persons who were in the zones on December 22, 1945, because it had been using that date continuously from December 22, 1945, until February 12, 1948, over two long years. It is not reasonable to assume that if they did have records, appertaining to December 22, 1945, they have destroyed them.

In the second place, I answer the Senator by the fact that the fixing of the date of April 21, 1947, obviously does not solve the administrative problem with respect to those who are in Italy or those who are in Austria. Indeed, it does not solve it with respect to those who are in the British or the French zones even in Germany itself. I take it that General Clay certainly would have had no jurisdiction to make an order applicable to any zone except the American zone in Germany. Therefore, Mr. President, first, on the ground that the State Department has used the date of December 22, 1945, continuously from that date until February 12, 1948; and, secondly, on the ground that General Clay's order could not have an effect in the other zones, and that we cannot, therefore, find any basis, so far as the facts thus shown indicate, for thinking that we could find out who were there on April 21, 1947, I submit that the administrative advantage is all on the side of selecting the date of December 22, 1945, instead of the date April 21, 1947.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. SMITH. With all due respect for the distinguished Senator from Missouri, for whom I have the highest regard, he has entirely overlooked the fact that the date of April 21, 1947, has also been taken by the IRO as the date for cataloging. The eligible lists of the IRO are based upon that date. We have a vast amount of information to help us administer the provision on the basis of that date. That is not true of the date December 22, 1945. From the administrative standpoint, I disagree entirely with the conclusions of the Senator. So far as any date can be made an official date, April 21, 1947, has been made the official date; and it takes care of some of the other problems.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. DONNELL. Does the Senator take the view that the information as to what persons were in the various zones as of December 22, 1945, has been lost or dissipated since February 12, 1948?

Mr. SMITH. It would be very difficult to distinguish between those who were there then and those who came in between that date and 1947. It is a very difficult administrative problem.

I apologize to the Senator from West Virginia for taking so much of his time.

Mr. DONNELL. I thank the Senator from West Virginia very much for his courtesy.

Mr. REVERCOMB. I invite my colleagues who engaged in this interesting discussion to interrupt again whenever they feel like it, because such interruptions help to develop the subject.

Before the interesting colloquy to which we have just listened began I was pointing out why it was necessary that we have the term "eligible displaced persons" in the bill. That is the reason why a date must be fixed. We are all agreed upon that point. The Senator from New Jersey agrees that there must be a beginning and a terminal date. Our argument is on the question of what should be the terminal date.

The subcommittee which considered this question spent many months seeking to find a fair basis, the proper dates for the beginning and ending of the period within which eligible displaced persons must have come into these zones. In those discussions the subcommittee took into consideration every possible date. It will be remembered that the war in Europe ended on May 8, 1945. Could not that date have been taken if we really wanted to bring under the provisions of a displaced-persons bill those who were first displaced and those who were genuinely displaced? If we extend the date, as is proposed by the amendment, we mix with the displaced persons those who have fled or moved from their respective countries. Some of them felt that they could not remain, but many left simply because they were on the march toward America.

The date of December 22, 1945, approximately 7 months after the cessation of fighting, was agreed upon for these reasons: It allowed 7 months' time after Germany had fallen and after the Allied troops had occupied that entire section, during which time people could move freely. How did we arrive at that date? How did it come before us for consideration to begin with? On December 22, 1945, the President issued a directive in which he said to the immigration authorities, "Those persons who are displaced and who have become displaced before the date December 22, 1945, shall be given preference under the quotas." From that date until February 1948 was the date governing the admission of displaced persons into the United States.

We speak of records. The only record which this Government has had for the admission of displaced persons is based upon the date December 22, 1945, allowing a margin of 7 months after the cessation of hostilities to determine who were in fact displaced persons.

While the committee was meeting and in the process of agreeing upon this date, suddenly the State Department changed the date and made it April 21, 1947. The subcommittee was then in session working on the bill and fixing a terminal date as a basis of classification for the admission of displaced persons.

What does it mean when we extend the time until 2 years after the cessation of fighting as a basis for defining displaced persons? Are they really displaced? Perhaps some of them are. As I have said, we cannot take care of all of them. When we make the selection, should we not take care of those who we know were displaced, who in time of war were moved out of their countries, those who were seized and placed in concentration or work camps in Germany? Are they not really the displaced persons? Are they not more genuinely displaced than the great horde of people who fled from their torn and economically wrecked countries? If we must make a selection, should we not give preference in a displaced persons' bill to those who were genuinely displaced, those who were first displaced, and who, in reality, should be classified as displaced persons?

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. DONNELL. Would not the effect of adopting this amendment, which would advance to April 21, 1947, the termination date of the period within which all persons coming into the various zones should be considered as displaced persons, be to reduce the chances of each individual who arrived there by December 22, 1945, of being included within the term "displaced persons," who are eligible to be brought to the United States?

Mr. REVERCOMB. Of course it would. The word "discrimination" has been used on the floor of the Senate. I say that if this amendment is adopted, it will be a rank discrimination against the really displaced individual.

Mr. DONNELL. Is it not true that if we who are here today were among those

in the displaced persons' camps, or within the various zones, without reference to the camps, on December 22, 1945, under the provisions of the bill each of us would stand a better chance of coming to America than if the number so classified were enlarged, thus diluting our chances? That is perfectly clear, is it not?

Mr. REVERCOMB. Naturally that conclusion follows. We cannot dilute the classification and the definition without doing a wrong to those who really and in truth come under that definition.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. REVERCOMB. I yield.

Mr. RUSSELL. I do not know whether the Senator has touched on the phase of the question I am about to mention. I have not been able to be present during all the discussion on the bill. However, I received a letter from a very capable young American who is in Germany at the present time. He had been traveling with the team of Canadians who went over to select displaced persons who were to be permitted to enter Canada. He stated that the more latterly accepted displaced persons, those who had been accepted into camps after the conclusion of hostilities, in any number of cases had forged passports. They had forged birth certificates, forged college degrees, and even forged family Bibles. It was exceeding difficult to process and screen those who had come in after the conclusion of hostilities. It was my informant's opinion that a great many of them were Russian agents and that they had been deliberately planted by the Russian Government in those positions, so that they could go into the democracies who were accepting displaced persons, and could cause trouble there, through subversive activities.

I do not know as to the correctness of that information, but that man wrote to me in the utmost good faith, and he quoted at great length one of the members of the Canadian team. He said, further, that the International Refugee Organization, so far as its screening was concerned, amounted to absolutely nothing; he said that certain groups had all the priorities and preferences, and that they were thrust upon the Canadians, to the detriment of the real displaced persons and their chances of making a new start in life.

I do not know whether that matter has been called to the attention of the Senator from West Virginia; but my informant wrote to me in the utmost good faith, and cited the times and places where those instances occurred, and referred to the great difficulty their officials had had due to the counterfeiting of vital papers, which makes it very easy for Soviet and Communist agents to slip into this country and other countries, if we give an undue priority to those who entered the displaced persons camps too long a time after the cessation of hostilities, and when all Europe was in a state of flux.

Mr. REVERCOMB. Mr. President, I am glad to have that information and those comments from the Senator from Georgia.

The information furnished me is very much in keeping with the evidence taken on our trip in Europe. That evidence was transcribed, and is in the record of the committee. It is to the effect that 40 percent of the applications for visas on the part of displaced persons to come into this country under the President's directive was forged and fraudulent. That is the number that have been discovered, and I shall say they were discovered due to the diligent work of the consular officers, even with the small staffs they had. Furthermore, let me say that attached to some of those staffs were some of the intelligence men who had served in the Army; and through the work thus carried on it was discovered that 40 percent of the application papers were forged. Of course, no one knows how many forged papers escaped detection. We do not know that.

Mr. RUSSELL. Would it not protect our national interest if we should go back to those who can be identified, and whom we know were truly the victims of the Nazi persecution?

Mr. REVERCOMB. Of course, it is only fair that we go back to and consider those who are in truth the victims of Nazi persecution. That is the purpose of the committee bill: so that the persons permitted to enter the United States will really be displaced persons, those who were forced to leave their native lands and enter Germany and those who, being in Germany, were picked up and placed in the work camps. They are the ones who should receive the first consideration, inasmuch as we know that we cannot take all of the displaced persons. They are the really displaced persons.

Now, Mr. President, commenting further upon the danger of expanding the number so that it will include persons who were not forced to go into Germany by the Nazi regime, so that it will include persons who simply moved westward in order to leave the country—for many of them had that desire long before the war; they were prospective emmigrants—I say there is the threat, which has been mentioned here, of a subversive influx, particularly by Communists. I have heard it stated with great earnestness by various persons, among them some of my colleagues in the Senate, that there is not much danger that Communist agents will enter this country through these channels. I disagree with that view, and I believe the facts will refute it. That point has been raised by the Senator from Georgia.

The staff of one of the consular officers of the United States, representing our Government in Germany, has stated that this situation is tailor-made for the passage of Communist agents into the United States.

The record shows, under the transcribed testimony, that in the area of Stuttgart, Germany, alone, there are 6,000 known Communists in and around the displaced persons camps in that area. If 6,000 are known, how many of them are unknown, Mr. President?

So, much as we dislike to speak of it in connection with these unfortunate people, I say it is inescapable that the Communist has infiltrated and hidden himself among them. There will be fewer Communists among the poor people who were forced out of their own country or who, being in Germany or Austria, were compelled to go into the camps and work, than there will be among those who have moved to the camps within the 2-year period following the end of the war—the ones whom the Senators who favor this amendment seek to have included under this bill.

As I have just stated, 6,000 Communists have been spotted in that one area at Stuttgart, Germany, and, as I have also said, no one knows how many have not been spotted there or how many there are in other areas, and who are not now active. Of course, they are not working there now to commit any destructive act toward our Government, for they are in what is called a dormant state, awaiting the time when they can reach the destination they seek, where they will do their nefarious work.

Mr. President, I wish to call to the attention of the Senate, and particularly to the attention of those who say that communism is not rampant in the displaced-persons camps, a United Press dispatch appearing in the Washington Post on Thursday, March 25, 1948, this very year. I shall read a part of the article, and I wish Senators to listen to this interesting report by the United Press:

Frankfurt suburb sealed off by GI's in black-market raid.

Mr. President, this matter has more than the black market element in it. If it related solely to the black market, that would be a small thing as compared with the matter to which it really relates. The headline does not tell what is contained in the body of the report.

I read further:

FRANKFURT, GERMANY, March 24.—Sixteen hundred American soldiers sealed off the Frankfurt suburb of Zeilsheim today in what United States authorities described as the biggest black-market raid of the occupation.

As I have said, this article was written in March 1948.

I read further:

The raid followed a report yesterday in the United States Army information and education bulletin that German black marketeers were selling American dollars to the Soviets, who used the money to finance Communist action committees in many countries.

Mr. President, is there any doubt that communism is alive in that section? I say that camp. It can hardly be called a camp, for it is a suburb, and most of the houses are built of brick. They were formerly owned by Germans, who were ousted, and the displaced persons were placed in them. That is the camp which was raided on March 25, 1948, following a report that black marketeers were selling American dollars to the Soviets, who

used the money to finance Communist action committees in many countries.

I read further from the article:

GI's and German police conducted a house-to-house search and combed a * * * camp at Zeilsheim, which has been notorious as one of the largest black market centers in western Germany.

Military police officers said the raid netted more than six truckloads of contraband, three men wanted by the Army Criminal Investigation Division, and $2,500 in greenbacks.

So, Mr. President, much as we sympathize with the displaced persons, do not let anyone say, "Oh, no; there are no subversive activities in these camps." No, they are not actively subversive except in the instance called to our attention through a United Press dispatch of this year. But there can be no doubt that there are these Communist activities dormant in the camps, and, in this one, apparently quite active.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. REVERCOMB. Let me finish the reading from the article:

The contraband consisted mostly of American cigarettes, candy, and toilet articles. Some penicillin was seized.

A small amount of American scrip, issued only yesterday, already had found its way into illegal channels at Zeilsheim, authorities said.

The point I make is that there is far less likelihood of getting out of the camps and among the people those infected with communism if those who are taken are the real displaced persons, the poor unfortunate man or woman who was picked up in Germany and placed in the camp to work, or who was picked up in some other country and forced back into Germany, or persons who within the 7 months following that period, through fear of their lives, fled to the DP camps. If the time is extended as requested to 2 years after the close of hostilities, the real DP will have been deprived of his opportunity to be relieved from his condition and there would have been placed in his stead, one who might not indeed be a DP, but one seeking to flee his country for the sake of improving his economic surroundings and condition. There would be a greater probability and likelihood of bringing into the DP classification as eligible for admission to this country those who have subscribed to Communist doctrines, and those who themselves may be intentional agents, than would be the case if the classification were left as it is fixed in the bill.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. EASTLAND. The Senator knows, of course, that thousands of displaced persons have voluntarily left Russia and Russian-occupied territory. It has been the policy of the Russian Government to see that they did. I should like to call the Senator's attention to a news article published in the New York Times on February 1 of this year, stating that the British had diverted 15,000 displaced persons to Cypress, where they were thoroughly screened. Of that 15,000, 1,000 were found to be agents of the regime in power in Russia, or to have voluntarily joined subversive organizations. There have been admitted to displaced persons camps since the close of the war thousands of persons in that category. There has been no screening of them. We have no system of screening, no system for the detection of agents and others belonging to subversive organizations. Does the Senator not think that if the pending amendment should be adopted there would be admitted into this country thousands of people who would come under the category of those screened by the British at Cypress, of whom 1,000 out of 15,000 were ascertained to be Communist agents or members of subversive organizations? I may say to the Senator, the statement appeared in the newspapers and was denied, yet later it was confirmed officially by the British Government.

Mr. REVERCOMB. I would, of course, say to the Senator I cannot tell how many would come; no man can tell. But I feel that if the time were extended there would be a greater likelihood of the admission of a large number of those tainted with communistic ideas and doctrines, and undoubtedly some of the Communist agents. The bill provides a method of screening them, and preventing the entry into this country of persons who are today working to tear down this Government. We are now confronting that problem in a committee with respect to drafting legislation that will stop the activities of those representing a foreign government in this country, whose activities are directed toward injuring the Government of our own people. That problem is being dealt with. It has become so acute that legislation has already passed the House of Representatives and is now in a committee of the Senate, designed to outlaw any organization that takes its orders from a foreign government, and seeks to injure the Government of this country. Ah, it is a very live question. It is a very serious one, Mr. President. It is one we must watch, one that we must consider and weigh with great care in dealing with any piece of legislation that becomes our duty to handle in this body.

I feel indeed that if the time shall be extended to include those who have moved into camps within a 2-year period following the close of hostilities, we shall have invited a situation in which there are likely to be admitted within our borders more of those who will work toward the destruction of this Government.

Mr. President, I now want to address myself to the main point which has been made by the Senator from New Jersey in advocating an extension of the time from December 22, 1945, to April 21, 1947, as the terminal date for the classification of those who may be eligible to enter the country.

The principal reason advanced by the able Senator from New Jersey in support of his amendment was that it coincided with the date fixed by General Clay, the head of the military government in the American zone of Germany. It appears that General Clay set April 21, 1947, as a deadline for the entrance of displaced persons into camps. That was when the Army had control of the camps. But the order issued by General Clay did not affect Austria; it did not affect the British zone in Germany, or the British zone in Austria; it did not affect Italy. This bill covers all of those territories and areas.

Taking the date fixed by General Clay, even if the Army had continued to control the camps, would be no more than taking the date of any document which General Clay may have issued——

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield to the Senator from Missouri.

Mr. DONNELL. Did the order issued by General Clay affect either the French sector of Berlin or of Vienna, or the French zone of either Germany or Austria? The Senator referred to the English zone alone, as I recall.

Mr. REVERCOMB. I am glad to have that point called to my attention, so that I can enlarge and correct my statement. The order of General Clay did not and could not affect any British zone or French zone, nor could it affect the American zone in Austria or in Italy, because the jurisdiction of General Clay extended only over the American zone in Germany.

Mr. DONNELL. Nor could it have affected the French or British sectors of either Vienna or Berlin. Is that correct?

Mr. REVERCOMB. That is likewise correct. In other words, the bill covers all those sectors and areas which have been described in the questions of the Senator from Missouri and in the statement which I have just made, whereas, whatever date be taken, the order applied only to the American zone in Germany.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. SMITH. I am advised that the military authorities in Austria took the same date at the same time in order to make it uniform.

Mr. REVERCOMB. It is possible that they might have conferred so as to coincide with the date fixed by General Clay. I am not advised upon that point.

Mr. SMITH. General Clark in Austria made an identical order.

Mr. REVERCOMB. I accept that statement, but that applies only to the military zone of the United States in Austria. It does not apply to the British or French zones, or to any other zone in Italy.

Mr. SMITH. We are discussing what should be the date fixed. I am not saying that my date applies to the other zones, any more than the Senator from West Virginia can say that the date in 1945 applies. We want to find a logical determination. It is beside the point to say that the Clay order did not affect the rest of Europe——

Mr. REVERCOMB. I do not think it is one bit beside the point. It is the date fixed by the President of the United States——

Mr. SMITH. Mr. President, will the Senator yield further?

Mr. REVERCOMB. Let me finish. It is the date fixed by the President of the United States for those who could enter this country as displaced persons. It was the terminal date in the classification, and it applied to any displaced person, no matter whence he might come.

Mr. SMITH. The date fixed by the President in his directive had nothing to do with determining eligibility. He simply said that on that date a priority would be given, under the usual quotas, to displaced persons. The order was issued, and from then on persons in the displaced-persons group were able to apply for visas under the quota system. That is a totally different question.

Mr. REVERCOMB. If the Senator does not think that does not affect eligibility, with all respect to him, I will say that he has a very different understanding from mine as to what it means. The displaced persons who had entered the displaced-persons camps prior to December 22, 1945, were the ones to be considered as eligible to take a preference visa under the quota system of this country. That creates eligibility.

Let us proceed a little further. Who else accepted that date? The State Department accepted December 22, 1945, as the terminal date prior to which persons would be classified as displaced persons. The record, Mr. President, of the entrance of eligible displaced persons has been established and has continued based upon that date up until February of this year. Why change it? What made them change it? Why the sudden act on the part of the State Department to change the date which had been used for more than a year? They had adopted the date. Why did they change it? That change came, Mr. President, when the subcommittee dealing with this subject, meeting in connection with it from time to time, and almost from day to day, was considering the very problem of fixing a terminal date and a classification for eligible displaced persons. Then suddenly the State Department, after having accepted for more than a year the date of December 22, 1945, moved the date up to April 21, 1947.

Ah, Mr. President, the moving and changing of the date can have no force in guiding us as to who should be considered displaced persons.

If we are to properly classify and define those who shall be admitted into the United States, since we must take a limited number, we should fix a date that will more really and more definitely encompass those whom we know to have been truthfully displaced, and who cannot return home.

As I have said, that covers, first, those who were forced by the Nazi Government to go into camps, those who lived in Germany, and those who from captured countries were forced to come into Germany and there work in slave labor. We should give to them the preference and the first consideration, because it is due them. Do not dilute the numbers with persons who may not in fact be displaced, but, as I have said, some of them are doubtless emigrants not forced to flee for their lives.

Mr. President, there is another reason why there is no basis for taking the figure contained in General Clay's order. The reason is that General Clay is no longer in charge of the displaced persons camps. On July 1, 1947, the control of those camps was taken from the Army and placed in the IRO, and what an unfortunate day that was for the poor displaced persons, and what an unfortunate day it was for the management of the camps. I say that without any thought of doubt upon the subject whatsoever. I saw camps which were operated by IRO, and I saw some which were operated by the Army, and there was no comparison in the conditions within those camps. The Army camps were well operated, clean, neat, the people lived under better conditions.

I think the Senate should know that 80 percent of the personnel of IRO handling these camps was from the old UNRRA. The subcommittee members visited some of the camps, and in every one to which we went we found them operated by what were called "teams", and without exception those teams were former UNRRA employees, the same UNRRA that wasted the money of this Government with so very little in the way of accomplishment of the good purposes for which it was originally created.

General Clay no longer has control of these camps. I am certain that the able Senator from New Jersey does not mean to say that after April 21, 1947, people have not gone into these camps. I am certain the able Senator from New Jersey would not leave the impression intentionally that the gates of the displaced persons camps closed on April 21, 1947. Many have come in since, and today, under the UNRRA team government, those who come there and say they are hardship cases, are admitted. I do not blame those in charge; I am talking about the condition. If there are hardship cases, they should be taken in, but thousands upon thousands have entered the camps, and are in those camps today, who have entered since the date of April 21, 1947.

Mr. SMITH. I am not sure how many entered, but the cataloging date was that date, and that is the date we are responsible for.

Mr. REVERCOMB. Who is responsible for it?

Mr. SMITH. The cataloging date was April 21, 1947, and that is the date the Army set.

Mr. REVERCOMB. I heard the Senator ask on the floor of the Senate in the debate this morning, "What are we going to do with all those people who came in after December 22, 1945?" I could well ask the same question, What are we going to do with the people who came in after April 21, 1947?

Mr. SMITH. In answer to the Senator, I will say that that was the date we fixed beyond which the camps would not take these people. It may be that out of compassion some were taken in, but the cataloging was of that date, and that was the date we took as the date of our responsibility. The IRO took that date. That is the information I get from the State Department and the Army, and I cannot go beyond that. I have no doubt that some people have been on the fringes and were taken care of, but they are not our responsibility.

Mr. REVERCOMB. They are in the IRO camp, and they belong to the same category with those who came in there prior to April 21, 1947. The date which was really originally fixed, first by the edict of the President of the United States, secondly by the State Department, was December 22, 1945. That was the date set, as I have said, for the classification of displaced persons to be admitted into this country. But regardless of dates set, Mr. President, regardless of any date arbitrarily set, or set with reason, the real, basic reason why we should stick to an earlier date is that we will give the preference to the really displaced persons; we will not dilute their numbers with those who have been emigrants westward; we will not dilute their numbers with those who would be more likely to be agents of some subversive idea of government. If we leave the date as fixed in the bill, after study of the subcommittee and the committee, at December 22, 1945, those who are included as displaced will be the first consideration of the Government of the United States.

Mr. President, at this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Gurney | Moore |
| Baldwin | Hatch | Morse |
| Ball | Hawkes | Murray |
| Bricker | Hickenlooper | Myers |
| Bridges | Hill | O'Conor |
| Brooks | Hoey | O'Mahoney |
| Buck | Holland | Pepper |
| Butler | Ives | Reed |
| Byrd | Jenner | Revercomb |
| Cain | Johnson, Colo. | Robertson, Va. |
| Capehart | Johnston, S. C. | Russell |
| Capper | Kem | Saltonstall |
| Chavez | Kilgore | Smith |
| Connally | Knowland | Sparkman |
| Cordon | Langer | Stennis |
| Donnell | Lodge | Taft |
| Downey | Lucas | Thomas, Utah |
| Dworshak | McCarthy | Thye |
| Eastland | McClellan | Tydings |
| Ecton | McFarland | Umstead |
| Ellender | McGrath | Vandenberg |
| Feazel | McKellar | Watkins |
| Ferguson | McMahon | Wherry |
| Flanders | Magnuson | White |
| Fulbright | Malone | Williams |
| George | Martin | Wilson |
| Green | Millikin | Young |

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

The question is on amendment lettered "G," offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. MORSE and other Senators asked for the yeas and nays, and they were ordered.

Mr. REVERCOMB. Mr. President, I desire to call to the attention of Senators present the fact that the amendment which is now pending and about to be voted on is a companion amendment to the amendment which was voted upon yesterday and which the Senate declined to adopt. In other words, the amendment acted on yesterday was offered with the idea of doing away with the preference to those countries which had been annexed, and it was tied into, and very much worked along with, the pending amendment, which deals with the question of extending the time for the classification of displaced persons.

I have but to call the attention of the Senate to the statement of the able Senator from Massachusetts [Mr. SALTONSTALL] when he was advocating the amendment which was voted on yesterday, which appears in the CONGRESSIONAL RECORD of May 27, 1948, at page 6581. The Senator from Massachusetts [Mr. SALTONSTALL] made this statement:

These figures are based on the date January 1, 1948. My argument is based on the theory that the amendment which also is to be offered, which would change the date from December 1945, to April 21, 1947, will be adopted.

The Senate did not adopt the amendment to which the Senator from Massachusetts was speaking when he made that statement. The amendment which is now pending is the amendment to which the Senator alluded as the one upon which his argument was then being made. Having declined to adopt the amendment on which the statement was based, the Senate, in order to be consistent, in order to keep the bill intact, and not to tear it to pieces in its construction and operation, should decline to adopt the pending amendment; and Senators should therefore vote against it.

Mr. DONNELL. Mr. President, will the Senator from West Virginia yield to me in order that I may make an inquiry of the Senator from New Jerey?

Mr. REVERCOMB. I yield.

Mr. DONNELL. Frequent references have been made to the order issued by General Clay. Yet that order has never been shown to us. I wonder if there is available here a copy of that order? Is there a copy of the order which was issued by General Clay in the possession of the Senator from New Jersey?

Mr. SMITH. I do not think I have it with me on the floor.

Mr. DONNELL. Was his order, according to the Senator's understanding, that only those persons who were in the displaced camps on April 21, 1947, could stay there, or was the order, as the Senator understands it, that only those in the American zone on April 21, 1947, would be eligible to admittance to camps? Which was the order, if it was either of those?

Mr. SMITH. I understood the order was against any further admissions to the camps in Germany, and that Gen. Mark Clark made an identical order as of the same date for Austria.

Mr. DONNELL. Mr. President, it would seem to me that that makes it even more evident that we should not adopt the date of April 21, 1947, because while the bill refers to the eligibility of persons as being determined by whether or not they were in the zones—not merely the camps, but in the zones or the sectors—now it would appear that the order issued by General Clay did not even relate to the zones at all, but simply said that the only persons who could remain in the camps were those already in the camps. Yet, of course, there were many persons outside the zones. It seems to me, therefore, if the understanding of the Senator from New Jersey is correct, that the order issued by General Clay is even less an authority for the amendment which he proposes than the arguments thus far adduced would seem to indicate.

Mr. SMITH. Mr. President, whether we take the date which the Senator is advocating, December 22, 1945, or the date which I am advocating, April 21, 1947, we are simply trying to find some point at which to determine a cut-off date. From then on we do not have to consider this as our problem. The order which has been referred to was issued. The people had notice of it. We said, "From now on we cannot take further responsibility."

April 21, 1947, is the date which has been used by the State Department. I have ascertained the facts from the State Department. The Department officials stated that they simply could not get authentic information based upon the earlier date, and that they had to change the date to April 21, 1947, because that was when the cataloging began. Since that order was placed in effect, it has been possible to check up on all these people. The date in the President's directive has been changed for the same reason. It has been almost impossible to straighten out the records based upon the earlier date.

The Senator has stated that there must have been a record of some kind. The President did not make the date December 22, 1945, the test of eligibility. He simply said, "We now issue the order that displaced persons shall have priority in applying for visas under the regular quota system of the Immigration Service." His directive did not make any change in the immigration laws. It did not do anything except to give priority to certain eligible persons under the laws as they existed. It has nothing to do with the settlement of a period of time in which the package would be wrapped up. Later more displaced persons came into the area. General Clay issued an order setting the date as April 21, 1947. That was the date used by our forces in determining the occupation of the camps. That was the date used by the IRO in determining the deadline for developing this particular package.

Mr. DONNELL. Mr. President, I hold in my hand a release issued by the Common Council for American Unity, previously mentioned, in which is set forth a definition. It is stated to have been that issued by the Visa Division of the Department of State, in which the Department of State said, in express terms:

A displaced person in Germany or Austria is one who (a) has resided since December 22, 1945, in the zones of Germany and Austria occupied by the armed forces of the United States, or in the British or American sectors of Berlin and Vienna, and (b) is classifiable within one or more of the following categories:

As I understand, the definition given by the Department of State certainly indicates that it was addressing itself to the date December 22, 1945, as the date which was the cut-off in determining who were displaced persons.

Let me say, in concluding this observation, that it seems to me that the Senator from New Jersey has touched upon the vital point very properly, although I disagree with him in his conclusion. The primary question is whether or not the earlier date should be used in determining who shall be considered as eligible displaced persons. I respectfully submit that it is far more logical to select a date only approximately 6 months after the conclusion of the German war as the date on the basis of which to determine what persons were displaced by the ravages and horrors of war, rather than to go forward a year and 5 months or 6 months and say that included in that category are not merely those who were in the various zones 5 or 6 months after the end of the war, but also people who came in a year and a half subsequently. So I associate myself vigorously, and with as much clarity as I am capable of, with the position taken by the Senator from West Virginia, that the pending amendment should be defeated.

Mr. SMITH. Mr. President, I appreciate the observation of the Senator; but as he read the statement of the definition I believe it referred to residence in the zones on a certain date. It did not refer to the time prior to that date.

Mr. DONNELL. It referred to residence in the zones of Germany and Austria, not in the camps, which are entirely different, of course.

Mr. SMITH. However, that is not the point I am making. I agree with the Senator from West Virginia that we must definitely determine a cut-off point. The entire question is whether it shall be the date used in the President's original directive, or whether, in the light of the fact that we are all aware that the poor people who were fleeing from the Jewish pogroms in Poland and elsewhere rushed into our zone, they should be included in our definition of displaced persons. At that point there was no question of definition. We did our defining later. The only question is whether we should receive some of those who suffered from the aftermath of the war, as well as from the war itself, on the same basis as we received people into the camps until the date when General Clay and other authorities felt there should be a deadline. We established such a deadline. We said, "No more can come in. We cannot take care of any more refugees. We are overrun now."

That is the point at which we should determine the question of eligibility. There is a difference of opinion. I submit the position of my colleagues and myself. I respect the position of the Senator from Missouri and the Senator from West Virginia, but I think they have made a mistake in not accepting the cataloging date of both the IRO and our military forces, in order to determine the qualifications, background, and eligibility of all these people. If we continue to accept the earlier date, according to advices which I have received from both the Department of the Army and the State Department, there will be great confusion.

Mr. CAIN. Mr. President, I should like to ask the distinguished Senator in charge of the bill several questions.

As the junior Senator from Washington understands, the problem now before us is this: The Senate is seeking, as best it can, to help displaced persons who are

most deserving of help, and those who have suffered most from the tortures and ravages of war. If that conclusion is correct, does it not logically follow that if we were to accept the date of April 21, 1947, as advocated by the Senator from Michigan and his colleagues, we would be denying admission into this country, under the terms of the bill, to the very people whom we seek most to help through this legislation?

Mr. REVERCOMB. Undoubtedly that is true. I believe the Senator has placed his finger on the issue involved. The Senate has voted that 200,000 may come in. The Senator from Washington has stated—and I think properly—that we should give preference to those who have suffered most, and who are in fact displaced. If we dilute the number by extending the date, manifestly some of those deserving of first consideration will be deprived of the opportunity for admission.

Mr. CAIN. I am very much interested in the Senator's response to my question. I raise the question because of my own personal experience in Europe during 3 years of the war, and after the war as a visiting Senator representing this body.

As I understand, there are roughly about 850,000 displaced persons whom we and other nations now seek to help. The bill before us provides for the admission into this country of 200,000. That excludes from consideration by us under the terms of this legislation approximately 650,000 displaced persons. Therefore from my point of view the only sound practice is to accept the date on the basis of which we shall have the greatest reason to believe that every person brought to this country as a displaced person is entitled to the consideration which the bill extends. Whatever happens, we shall be forced to leave behind in Europe many deserving men and women. We cannot bring them all in. For that reason I think the date so ably supported by the Senator from West Virginia and the Senator from Missouri is deserving of our consideration and support.

Mr. President, I should like to make one further observation. It is obvious to any man who has ever traveled in Europe and through the camps that most of the men and women who live in the camps are fine citizens. A great many of them are deserving of the best we have to offer in this country. However, I want the RECORD to show that it is obvious that a number of men and women who have entered the displaced persons camps in Europe since 1945 have entered of their own free will, and because they considered a displaced persons camp to be a way station on their journey toward the largess of the United States.

Since the displaced-persons problem first came into being, authorities have been concerned over the practice of repatriation—encouraging people to return to the lands whence they came. In our wisdom—and, I think, properly so—it was judged that no men or women would be forced, against their will, to return to their native state. But if the date supported by the Senator from West Virginia is adopted by the Senate and the House of Representatives, I have reason, within myself, to believe that repatriation will come alive again, and a considerable number of men and women and their children, who came into the camps since 1945, will know for the first time in no uncertain language that, "It is time we went back, and went to work where we came from, because the United States of America has gone so far, and is going no farther."

Mr. President, by way of a further affirmative word of support for the date fixed by the bill, I say that it will best serve the purpose of America in giving intelligent consideration to those who are deserving of the greatest care and attention by the opportunity and comfort of our country.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

Mr. CAIN. I yield.

Mr. DONNELL. I am putting this in the form of an inquiry, but I think it is only simple justice to the Senator from Washington—who has very modestly refrained from saying it himself—to say that without being appointed on a committee, as I understand, he went to Europe and visited camp after camp, last fall, in October and November. In my judgment, he made a careful, detailed, and conscientious investigation of the conditions in those camps. I should like the RECORD to show that the Senator from Washington is speaking not merely from some past history of several years ago, but at least in part from his extensive and intelligent investigation and study while he was in Europe last October and November.

Mr. CAIN. The Senator is very kind.

Mr. REVERCOMB. Mr. President, if the Senator will yield, let me join my colleague, the Senator from Missouri, in stating that the Senator from Washington has performed a valuable service for the Senate, for the entire Congress, and for the people of the United States in the study which he himself made of the displaced persons problem. Not only did the able Senator from Washington come face to face with the displaced persons problem through the time of his service in the Army of his country and during the closing days of the war and also in the days immediately following the close of the war, but, as has been stated here, he went to Europe at the time of the committee's visit there. He went there at his own expense. He went through the camps, often with members of the committee, and he was a great help to the work of the committee at that time. So it is with particular good feeling that I hear the Senator from Washington today sustain the committee, after its months and months work upon this serious problem. I am glad, indeed, to hear the statement of the Senator from Washington sustaining the committee's position and asking his colleagues in the Senate to vote against the pending amendment, because I feel that this very formula of fixing the eligible and admissible displaced persons is indeed the heart of this bill. If it be destroyed the displaced persons part of this proposed legislation will likewise be destroyed and we will have not a displaced persons bill, but another general immigration bill added to the existing immigration laws of the country. That is the important consideration in connection with the pending question.

The Senator from Washington has made it clear that unless we leave the dates remain as they are in the bill—and they are dates which long have been recognized by the executive branch of our Government, and have been unchanged until this very year of 1948—we shall ruin the chances of the real displaced persons to secure the relief which the Congress and the country are trying to give to them.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "G" offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

On this question the yeas and nays have been ordered, and the Clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Kentucky [Mr. COOPER] is absent on official business and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from South Dakota would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate. If present and voting, the Senator from New Hampshire would vote "yea."

The Senator from Oklahoma [Mr. MOORE] and the Senator from Ohio [Mr. TAFT] are detained on official business. If present and voting, the Senator from Ohio [Mr. TAFT] would vote "yea."

The senior Senator from Maine [Mr. WHITE] and the junior Senator from Maine [Mr. BREWSTER] are necessarily absent. If present and voting, the junior Senator from Maine [Mr. BREWSTER] would vote "yea."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Arizona [Mr. HAYDEN] is absent on official business.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business at one of the Government departments.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Texas [Mr. O'DANIEL], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Tennessee would vote "nay."

If present and voting, the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 29, nays 49, as follows:

YEAS—29

| | | |
|---|---|---|
| Aiken | Ives | Murray |
| Ball | Johnson, Colo. | Myers |
| Bridges | Kilgore | O'Conor |
| Brooks | Lodge | O'Mahoney |
| Chavez | Lucas | Pepper |
| Downey | McCarthy | Saltonstall |
| Ferguson | McGrath | Smith |
| Green | McMahon | Sparkman |
| Hatch | Magnuson | Thomas, Utah |
| Hill | Morse | |

NAYS—49

| | | |
|---|---|---|
| Baldwin | Fulbright | Millikin |
| Bricker | George | Reed |
| Buck | Gurney | Revercomb |
| Butler | Hawkes | Robertson, Va. |
| Byrd | Hickenlooper | Russell |
| Cain | Hoey | Stennis |
| Capehart | Holland | Thye |
| Capper | Jenner | Tydings |
| Connally | Johnston, S. C. | Umstead |
| Cordon | Kem | Vandenberg |
| Donnell | Knowland | Watkins |
| Dworshak | Langer | Wherry |
| Eastland | McClellan | Williams |
| Ecton | McFarland | Wilson |
| Ellender | McKellar | Young |
| Feazel | Malone | |
| Flanders | Martin | |

NOT VOTING—18

| | | |
|---|---|---|
| Barkley | Maybank | Taylor |
| Brewster | Moore | Thomas, Okla. |
| Bushfield | O'Daniel | Tobey |
| Cooper | Robertson, Wyo. | Wagner |
| Hayden | Stewart | White |
| McCarran | Taft | Wiley |

So amendment G, offered by Mr. FERGUSON for himself and other Senators, was rejected.

## ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. LODGE. Mr. President, it will soon be a year since the Congress passed the so-called Lodge-Brown bill setting up a Commission on the Organization of the Executive Branch of the Government. At the time it seemed to me that the action of Congress was historic—not only had it passed this bill unanimously in both branches; it was also the first time that Congress had ever given full authority to search for an over-all solution to the problem of Government reorganization. All previous efforts had been fragmentary. In view of the importance of the problem and the tremendous strides which the Commission has made since it came into existence, under the chairmanship of former President Hoover, I felt justified in seeking a report from Mr. Hoover which would give to the Congress and the public a picture of what has been accomplished and what may be expected in the future.

Mr. Hoover replied to me under date of May 22. The matter is of such importance that I shall read his letter to the Senate:

MY DEAR SENATOR LODGE: I have your letter of May 11 inquiring as to the progress of the work of the Commission on Organization of the Executive Branch of the Government, of which authority you were a joint author.

I need scarcely mention that the Commission is deeply conscious of its responsibility to the Congress and to the American people as a whole. As a nonpartisan 12-man group, composed of one-third from representatives appointed by the President, by the Speaker of the House and by the President of the Senate, equally of Democrats and of Republicans, and the wide authorities under the act, it represents the most formidable approach yet made to this national problem. The subject has been the concern of every President and every Congress for over 50 years. But the efforts of reorganization have been fractional. This is the first time full authority has been given to search for a solution as a whole.

That it is imperative is obvious when we consider that the number of persons at 3 years after the First World War who were receiving regular payments from the Federal Government was about 2,200,000, and 3 years after the Second World War it is about 13,400,000. The budget 3 years after the First World War was about $4,000,000,000 per annum, whereas 3 years after the Second World War it is $40,000,000,000. There are insufficient savings left in the hands of the people to repair, maintain, and improve the tools of production and distribution upon which our standard of living depends. These figures obviously indicate the necessity for important structural changes in the Government to secure the maximum efficiency and economy.

Our field of inquiry not only concerns every citizen, it concerns the very strength and vitality of democracy itself. The success of this mission may well set the pattern for future joint participation by private citizens and Government representatives on matters affecting national welfare.

The Commission held its first meeting September 29, 1947. There have been regular meetings to date, with practically the entire membership present. Each of us is devoting a substantial portion of time to this work. The Commission is assisted by a relatively small staff, several of whom are devoting services without compensation. We have the full cooperation of the administrative officials of the Government and the advantage of many exhaustive investigations by the Congress.

Early in our work we decided that in such a huge problem we must have the aid of leading and experienced citizens for determination of fact and recommendations as to remedies. We, therefore, divided the work into partially departmental but mainly functional segments; we created some 22 task forces to undertake the work, with authority to them to engage such research aid as they might require. We have been extremely fortunate in the response of outstanding men and women to serve as members of our "task forces." Some of these "task forces" are near completion of their research and near the stage of tentative conclusions. As their fields may, in some cases, partly overlap, we are now initiating a series of conferences between them.

I enclose herewith a list of the investigations and their staffs which we have inaugurated.

We anticipate that all project studies will be completed by the autumn. Then each will be subject to careful analysis by the Commission in formalizing its own report and recommendations to the Congress in January 1949, as provided in the act.

In making our report to the Congress, it is my present opinion that we should present initially a broad review of the fundamental structural reorganization of the executive arm that is needed, this report to be followed by separate reports upon various functions and departments, with detailed recommendations.

In the meantime, the whole Commission believes that it would be unfortunate to announce any findings or tentative conclusions until after the election. Only by keeping our effort entirely removed from the political field will the final report be recognized, as Congress intended, as truly nonpartisan.

Yours faithfully,

HERBERT HOOVER.

Mr. President, I think it is noteworthy that this Commission is attacking the reorganization of the Government on a functional basis, and has succeeded in dividing that subject into 22 separate functions. I think it is of interest to the Senate to realize that there will be in January a preliminary report, which will be followed by separate reports upon the various functions and departments of the Government.

I shall ask to have printed following these remarks the names of all of the very able citizens who are in one way or another identified with the work of the Commission on Organization of the Executive Branch of the Government. Members of the Senate will note that work has been broken down into 22 projects. These projects are: First, Office of the President and its relation to the departments and agencies; second, Post Office Department; third, procurement functions of civilian departments; fourth, transportation and communication functions; fifth, veterans' affairs; sixth, public welfare functions; seventh, fiscal, budgeting, and accounting functions; eighth, Federal-State administrative relationships; ninth, public-works functions; tenth, Federal field offices; eleventh, revolving funds and business enterprises of the Government, other than lending agencies; twelfth, lending agencies; thirteenth, Federal personnel management; fourteenth, foreign affairs; fifteenth, natural resources; sixteenth, regulatory agencies; seventeenth, agricultural activities; eighteenth, medical services; nineteenth, Indian affairs; twentieth, Government statistical services; twenty-first, records management; twenty-second, national security organization.

I believe that when Members of the Senate read of these different activities and see the caliber of men who were engaged on them, they will have a feeling that when this Commission finally reports next January, it will have given to the people of this country a method whereby their government can become truly economical in the best sense of the word, and—what is even more important—truly effective.

Mr. President, I ask unanimous consent to have printed following my remarks a list of all the very able men and women who are giving of their time and effort to carry out this work.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Appointed to the Commission by the President: Vice Chairman, Dean Gooderham Acheson, former Under Secretary of State; Arthur Sherwood Flemming, Civil Service Commissioner; James Forrestal, Secretary of Defense; George Houk Mead, former member of Federal Price Control Board.

Appointed by the President pro tempore of the Senate: George David Aiken, Senator from Vermont; Joseph Patrick Kennedy, former Ambassador to Great Britain; John Little McClellan, Senator from Arkansas; James Kerr Pollock, professor of political science, University of Michigan.

Appointed by the Speaker of the House of Representatives: Chairman, Herbert Hoover, former President of the United States; Clarence J. Brown, Representative from Ohio; Carter Manasco, Representative from Alabama; James Henry Rowe, Jr., former Assistant Attorney General.

PROJECTS ORGANIZED

*1. Office of the President and its relation to the departments and agencies*

Project director: Chairman Herbert Hoover.

Assisted by (on the presidency): Don K. Price, associate director, Public Administration Clearing House.

Assisted by (on departmental organization): H. Struve Hensel, former Assistant Secretary of the Navy.

Assistant to Mr. Price: Stephen K. Bailey.

Assistant to Mr. Hensel: Prof. John D. Millett, of Columbia University.

*2. Post Office Department*

Project directors: Robert Heller & Associates, Inc., management engineers.

Represented by: Frank Elmendorf and staff.

*3. Procurement functions of civilian departments*

Project director, Russell Forbes, formerly director of the division of research in public administration, New York University; commissioner of purchase, New York City.

Purchasing: Robert R. Nash, formerly director, purchase analysis division, purchasing department, Ford Motor Co., Detroit, Mich.; Joseph L. Ernst, formerly purchasing agent, Rochester Board of Education, Rochester, N. Y.; Herbert L. Brown, formerly director, purchase analysis of the Lincoln-Mercury division, Ford Motor Co., Detroit, Mich.

Storing and distribution: John V. O'Connell, formerly supervising engineer for the bureau of stores, purchase department, city of New York; J. H. Geary, formerly assistant manager of stores, Erie Railroad Co., Hornell, N. Y.

Inspection: Leon J. Jacobi, inspection and standards engineer, the Detroit-Edison Co., Detroit, Mich.

Standardization of specifications: Dana M. Barbour, on loan from the Division of Statistical Standards, Bureau of the Budget.

Property identification: Frank A. Cisar and Vladimir S. Kolesnikoff, Division of Statistical Standards, Bureau of the Budget (working at the Bureau).

Property utilization: Geith G. Barr, on loan from the Property Management Section, Division of Administrative Management, Bureau of the Budget.

Traffic management: Bell and Ussery, traffic consultants, Investment Building, Washington, D. C.

Legal problems: Sidney D. Goldberg, attorney, formerly associated with the Department of the Interior and the Bureau of the Budget.

Secretary and office manager: Mrs. Myrtle M. Watson, formerly secretary and administrative assistant to Finance Adviser to Commander in Chief, European Command (OMGUS), Berlin, Germany.

Advisory committee: W. Z. Betts, director, division of purchase and contact, State of North Carolina; Harry Erlicher, vice president in charge of purchases, General Electric Co.; Thomas D. Jolly, vice president in charge of purchases and engineering, Aluminum Co. of America; R. C. Haberkern, vice president in charge of purchases, R. J. Reynolds Tobacco Co.; Carl Ilgenfritz, vice president in charge of purchases, U. S. Steel Corp. of Delaware; George A. Renard, executive secretary-treasurer, National Association of Purchasing Agents; John P. Sanger, vice president in charge of purchases, U. S. Gypsum Co.; Charles E. Smith, vice president in charge of purchases, New York, New Haven, and Hartford R. R.

*4.. Transportation and communications functions*

Project director: Dr. Charles Dearing, Brookings Institution.

Assistant project director: Dr. Wilfred Awen, Brookings Institution.

*5. Veterans' affairs*

Chairman: Col. Franklin O'Olier, former chairman of the board, the Prudential Life Insurance Co. of America.

Advisory committee: John Stevenson, president, Penn Mutual Life Insurance Co., Philadelphia, Pa.; Edmund Fitzgerald, president, Northwestern Mutual Life Insurance Co., Milwaukee, Wis.; Paul Clark, president, John Hancock Mutual Life Insurance Co., Boston, Mass.

Survey director: Valentine Howell, vice president and actuary, the Prudential Life Insurance Co. of America.

Assisted on insurance phase by: Albert F. Jacques, vice president, the Prudential Life Insurance Co. of America; William R. Cunningham, Paul C. Sanborn Associates, New York City; Roland Mangini, manager, planning department, John Hancock Mutual Life Insurance Co., Boston, Mass.; Mason Sears, Boston, Mass.; Victor Henningsen, comptroller, Northwestern Mutual Life Insurance Co., Milwaukee, Wis.

Activities Other Than Insurance and Hospitalization

Director: Thomas M. Searles, president, Equity Co., Philadelphia.

Assisted by: the Trundle Engineering Co., and staff.

*6. Public welfare functions*

Project director: Dr. Lewis Meriam, vice president, the Brookings Institution, and staff.

*7. Fiscal, budgeting, and accounting functions*

Project director: John W. Hanes, member SEC, 1938, Assistant Secretary of the Treasury, 1938; Under Secretary of the Treasury, 1938–39.

Assistant to director: Kenyon Boocock, New York City.

Advisers: Daniel W. Bell, former Under Secretary of the Treasury, 1940–46; and president, American Security and Trust Co., Washington, D. C.; Roswell F. Magill, former Under Secretary of the Treasury, 1937–38, and partner, Cravath, Swain & Moore, New York City; Edward F. Bartelt, Fiscal Assistant Secretary of the Treasury; Walter F. Frese, Chief, Accounting Systems Division, General Accounting Office; Frederick Lawton, Administrative Assistant to the President.

Accounting Phase

Director: T. Coleman Andrews, certified public accountant, Richmond, Va.

Executive assistant and director of research: T. Jack Gary, Jr., certified public accountant.

Advisory committee (members of the committee on Government accounting, American Institute of Accountants): Edward A. Kracke, Haskins & Sells, certified public accountants, New York City; Maurice E. Peloubet, Pogson & Peloubet, certified public accountants, New York City; J. S. Seidman, Seidman & Seidman, certified public accountants, New York City; Weston Rankin, Price Waterhouse & Co., certified public accountants, New York City; Harry Howell, certified public accountant, Washington, D. C.; Donald F. Stewart, certified public accountant, Savannah, Ga.

Budgetary Phase

Project director: A. E. Buck, Institute of Public Administration.

Assisted by: Henry Burke, former budget director of Alabama, of Tennessee, and of North Carolina; Prof. Rowland Eggers, Columbia University; Prof. John D. Millett, Columbia University; Peter Langhoff, director of research, Young & Rubicam, Inc., New York City.

*8. Federal-State administrative relationships*

Chairman: Thomas Jefferson Coolidge, chairman of the board, United Fruit Co.; Under Secretary of the Treasury, 1934–36.

Committee: John Burton, director of the budget, State of New York; William Anderson, professor, University of Minnesota; Senator Harry F. Byrd, of Virginia; Governor Frank Carlson, of Kansas; William L. Chenery, publisher, Collier's Weekly; John W. Davis, senior partner, Davis, Polk, Wardwell, Sunderland & Kiendl, Ambassador to Great Britain, 1918–21; Democratic nominee for President, 1924; Charles A. Edison, Governor of New Jersey, 1941–44; Assistant Secretary of the Navy, 1939–40, and president, Thomas A. Edison, Inc.; Dean William I. Myers, Cornell University.

Research director: Frank Bane, executive director, council of State governments.

Secretary of committee: Charles Stockton, Choate, Hall & Stewart, Boston, Mass.

*9. Public works functions*

Chairman and director: Robert Moses, chairman of the New York State Council of Parks and of the Triborough Bridge and Tunnel Authority.

Executive secretary: Holden A. Evans, Jr., former executive secretary, New York State Public Works Planning Commission; former director, New York City Airport Authority.

Assistant secretary: W. Don Wilson.

Advisory committee: R. H. Baldock, president, American Association of State Highway Engineers, State of Oregon; S. D. Bechtel, president, Bechtel Corp., San Francisco, Calif.; Gilmore D. Clarke, of Clarke, Rapuano, and Holleran, consulting engineers; Richard E. Dougherty, vice president, New York Central Railroad: Gano Dunn, president, J. G. White Engineering Corp.; Aymar Embury II, architect, city of New York and consultant to Port of New York Authority; Thomas F. Farrell, chairman, New York City Housing Authority; Thomas K. Finletter, Coudert Bros., and recently chairman, President's Air Policy Commission; G. Donald Kennedy, vice president, Automotive Safety Foundation; Ben Moreell, president, Jones & Laughlin Steel Corp.; Robert P. Patterson, formerly Secretary of War; Charles H. Purcell, director, Department of Public Works, State of California; John A. Reilly, president, General Contractors Association, vice president, the Arundel Corp.; Thorndike Saville, dean, College of Engineering, New York University; Charles H. Sells, superintendent, New York State Department of Public Works; Luther C. Steward, president, National Federation of Federal Employees.

Consultants: W. Earle Andrews, of Andrews & Clark, consulting engineers, New York; William N. Carey, executive secretary, American Society of Civil Engineers; William S. Chapin, consulting engineer, Triborough Bridge and Tunnel Authority; Frederick A. Collins, special counsel; G. Frank Dougherty, counsel, Long Island State Park Commission; William F. Heavey, consultant engineer, New York City Department of Marine and Aviation; Arthur S. Hodgkiss, executive officer, New York City Department of Parks; Arthur E. Howland, chief engineer, Long Island State Park Commission, Jones Beach State Parkway Authority, Bethpage Park Authority; William S. Lebwohl, deputy corporation counsel, city of New York; M. J. Madigan, of Madigan-Hyland, engineers; Emil Praeger, chief engineer, Madigan-Hyland, engineers; John C. Riedel, chief engineer, Board of Estimates, city of New York; Sidney M. Shapiro, deputy engineer, Long Island State Park Commission; Arthur V. Sheridan, commissioner of borough works, the Bronx, New York; George E. Spargo, general manager of the Triborough Bridge and Tunnel Authority, deputy construction coordinator, New York; Harry Taylor, assistant general manager, Triborough Bridge and Tunnel Authority; director, office of construction coordinator, New York City.

*10. Federal field offices*

Project director: Dr. Julius Klein, Assistant Secretary of Commerce, 1929–33, and staff.

*11. Revolving funds and business enterprises of the Government other than lending agencies*

Project director: Maj. Gen. Arthur H. Carter, former fiscal director, Army Service Forces (Haskins & Sells).

Research director: Col. Andrew Stewart, former deputy fiscal director, Army Service Forces.

Consultant on power and irrigation project: Col. A. B. Roberts, consulting engineer, Cleveland, Ohio.

*12. Lending agencies*

Project director: Paul Grady, former assistant to the Secretary of the Navy (Price Waterhouse & Co.).

Advisory committee: Paul Bestor, president, the Trust Co. of New Jersey; Donald D. Davis, president, Minnesota & Ontario Paper Co.; Walter J. Cummings, chairman of the board, Continental Illinois National Bank & Trust Co. of Chicago; Walter D. Fuller, president, the Curtis Publishing Co.; George L. Harrison, president, New York Life Insurance Co.; Arnold B. Keller, senior consultant, International Harvester Co.; Walter Lichtenstein, financial and economic consultant, Chicago, Ill.; James H. McGraw, Jr., president, McGraw-Hill Publishing Co., Inc.; Prof. Sumner H. Slichter, Harvard University; Allan Sproul, president, Federal Reserve Bank of New York.

*13. Federal personnel management*

Chairman: John A. Stevenson, president, Penn Mutual Life Insurance Co.

Committee: Lawrence A. Appley, vice president, Montgomery Ward & Co.; Vannevar Bush, chairman, Research and Development Board; Senator Harry F. Byrd, of Virginia; Alvin E. Dodd, president, American Management Association; Franklin D'Olier, former chairman, the Prudential Life Insurance Co. of America; Dr. Alvin C. Eurich, acting president, Stanford University; Dean Earl G. Harrison, University of Pennsylvania Law School; Dr. Robert L. Johnson, president, Temple University; David Lilienthal, chairman, Atomic Energy Commission; James P. Mitchell, vice president, Bloomingdale Bros.; Robert Ramspeck, executive vice president, Air Transport Association of America; A. W. Robertson, chairman of the board, Westinghouse Electric Co.; Dr. George D. Stoddard, president, University of Illinois; Rawleigh Warner, chairman of the board, the Pure Oil Co.; Alfred H. Williams, president, Federal Reserve Bank of Philadelphia; Prof. Leonard D. White, department of political science, University of Chicago.

Project director: Richard Paget of Cresap, McCormick, & Paget, management engineers, New York City.

*14. Foreign affairs*

Committee: Harvey H. Bundy, Assistant Secretary of State, 1931–33; Assistant to the Secretary of War, 1941–45; James Grafton Rogers, Assistant Secretary of State, 1931–33; professor of law, Yale University, 1935–42.

Adviser: Henry L. Stimson, former Secretary of War and of State.

Executive secretary: John F. Meck, Jr., former assistant dean, Yale Law School.

*15. Natural resources*

Chairman: Leslie Miller, former Governor of Wyoming.

Committee: Horace Albright, former Director, National Park Service; John Dempsey, former Governor of New Mexico; Donald H. McLaughlin, president, Homestake Mining Corp.; Dr. Isaiah Bowman, president, John Hopkins University; Dr. Gilbert White, president, Haverford College; Ralph L. Carr, former Governor of Colorado; Prof. Samuel T. Dana, dean of school of forestry and conservation, University of Michigan.

Research: Legislative Reference Service, Library of Congress.

*16. Regulatory agencies*

Committee: Prof. Robert R. Bowie of the Harvard Law School; and Assistant to the Military Governor of Germany, 1945–46; Owen D. Young, former chairman of the board, General Electric Co.; Robert LaFollette, former Senator from Wisconsin.

Project director: Prof. Robert R. Bowie.

Executive assistant: Harold Leventhal, Washington, D. C.

*17. Agricultural activities*

Chairman: Dean H. P. Rusk, Illinois State College of Agriculture, Urbana, Ill.

Committee: Dean H. W. Martin, school of agriculture, Rutgers University, New Brunswick, N. J.; Dr. D. Howard Doane, Doane Agricultural Service, St. Louis, Mo.; F. W. Peck, executive director, Farm Foundation, Chicago, Ill.; Prof. John Gaus, Harvard University, Cambridge, Mass.; Dean W. A. Schoenfeld, Oregon State College, Corvallis, Oreg.; Chester Davis, president, Federal Reserve Bank, St. Louis, Mo.; William Rhea Blake, executive vice president, National Cotton Council.

Research director: G. Harris Collingwood.

Consultant: Gen. H. P. Seidemann, the Brookings Institution.

*18. Medical services*

Chairman: Tracy S. Voorhees, president, the Long Island College Hospital, and special assistant to the Secretary of the Army.

Committee: Dr. O. H. P. Pepper, professor of medicine, University of Pennsylvania; Dr. Hugh Jackson Morgan, professor of medicine, Vanderbilt University; Dr. W. C. Menninger, the Menninger Foundation, Topeka, Kans.; Dr. Ray Lyman Wilbur, Stanford University; Dr. Frank R. Bradley, director of Barnes Hospital, St. Louis, Mo.; Dr. R. C. Buerki, director of hospitals, University of Pennsylvania; Charles Rowley, former trustee of Massachusetts Investors Trust; Henry Isham, president of the board of trustees of Passavant Hospital; Dr. Paul R. Hawley, former Chief Medical Director, Veterans' Administration; Dr. Michael DeBakey, associate professor of surgery, Tulane University, New Orleans, La.; Dr. Allen O. Whipple, clinical director, Memorial Hospital, New York City; Goldwaite H. Dorr, of Dorr, Hammond, Hand & Dawson, New York City; former special assistant to Secretary of War Stimson; Edward D. Churchill, M. D., professor of surgery, Harvard Medical School, Harvard University; Alfred Newton Richards, vice president in charge of medical affairs, University of Pennsylvania.

Secretary: Rear Adm. Joel T. Boone, Secretary of the Secretary of Defense's Committee on the Medical and Hospital Services of the armed forces.

*19. Indian affairs*

Chairman: Prof. George Graham, department of political science, Princeton University.

Committee: John R. Nichols, president, New Mexico College of Agriculture and Mechanic Arts; Charles J. Rhoads, former Commissioner of Indian Affairs; Rev. Dr. Gilbert Darlington, treasurer of the American Bible Society.

Project director: Prof. George Graham, Princeton University.

*20. Government statistical services*

Dr. P. K. Whelpton, Scripps Foundation for the Study of Population Problems, Miami University, Oxford Ohio; Prof. Samuel S. Wilks, department of mathematics, Princeton University; Prof. John D. Millett, department of public law and government, 517 Fayerweather Hall, Columbia University; Mr. Martin R. Gainsbrugh, National Industrial Conference Board, 247 Park Avenue, New York; Mr. George Soule, 3 East Sixth-ninth Street, New York; Dr. Clarence D. Long, national bureau of economic research and department of political economy, John Hopkins University, Baltimore, Md.; Frederick C. Mills, national bureau of economic research and department of economics, Columbia University.

*21. Records management*

Research director: E. J. Leahy, executive director of the National Records Management Council.

Consultants: Wayne Grover, Acting Archivist of the United States; Robert H. Bahmer, Director of Records Management, Department of the Army; Robert E. Angel, Director of Office Methods Branch, Department of the Navy; Edward Wilber, Department of State; F. M. Root, Westinghouse Electric Co., Pittsburgh, Pa.

*22. National security organization*

Chairman: Ferdinand Eberstadt, president, F. Eberstadt & Co., New York City; chairman, Army and Navy Munitions Board, 1942; and former vice chairman, War Production Board, 1942–43.

Civilian committee: Mr. Thomas Archer, vice president and director of General Motors Corp.; Mr. Charles W. Cole, president of Amherst College; Mr. Hanson Baldwin, of the New York Times; Mr. Robert E. Wood, chairman of the board, Sears, Roebuck Co.; Mr. Lewis Strauss, of the Atomic Energy Commission; Dr. Frederick A. Middlebush, president of the University of Missouri; Mr. Robert P. Patterson, of Patterson, Belknap & Webb, New York City; Mr. James Knowlson, president of Stewart-Warner Corp.; Mr. John Cowles, president, Minneapolis Star and Tribune Co.; Mr. Raymond B. Allen, president of the University of Washington; Mr. Chester I. Barnard, of the Rockefeller Foundation.

Military advisory committee: Gen. Gilbert R. Cook, Gen. Robert W. Hasbrouck, Col. Truman Smith, Admiral Ben Moreell, Admiral R. S. Edwards, Admiral John H. Towers, Gen. Ira Eaker, Gen. James Doolittle, Gen. Edward Curtis.

Consultants: Mr. John M. Hancock, of Lehman Bros., New York.; Gen. Dwight Eisenhower; Gen. Stanley D. Embick; Admiral Ernest J. King; Admiral Chester W. Nimitz; Gen. Carl Spaatz; Gen. Frederick Anderson; Mrs. Oveta Culp Hobby.

---

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF GOVERNMENT

POLICY STATEMENT ADOPTED AT COMMISSION MEETING ON OCTOBER 20, 1947

The reorganization of the Government can be approached from three points of view: First, the necessity or desirability of a given function of the Government; second, the exploration of the most advantageous structure of arrangement of these functions; and third, the improvement of its management.

There are certain obvious functions which need not be enumerated which are primary in government. There are certain functions which are useful in the development of national life and in the preservation of national ideals. But in all functions there is the question of priority within national ability to pay. There are still further questions as to boundaries of Federal versus State and local functions which jeopardize local government; and there are boundaries in functions by the overstepping of which government begins to stultify the initiative and productivity of the people.

The questions concerning structure largely revolve around consolidation of the activities of similar major purpose under one direction in order to prevent the waste, overlap, duplication, and to secure unity and formulation and coordination of policies. In this same field of structure there are large problems created by failure in the past to pay full regard to the separation of legislative, executive, and judicial powers; there has been much transgression over our fundamental concept of single-headed responsibility in administrative agencies and joint responsibility of several minds in legislative or judicial agencies.

Assuming proper definition of function and proper structure, the efficiency of internal management becomes the measure of economy or waste in government.

Public Law 162 creating this Commission states that the purpose of the Commission is to study and determine and recommend what changes are necessary in the executive to promote economy, efficiency, and improved services in the transaction of the public business by—

1. Limiting expenditures to the lowest amount consistent with the efficient performance of the essential services, activities, and functions;

2. Eliminating duplication and overlapping of services, activities, and functions;

3. Consolidating services, activities, and functions of a similar nature;

4. Abolishing services, activities, and functions not necessary to the efficient conduct of Government; and

5. Defining and limiting executive functions, services, and activities.

Thus it is clear that the Commission is not confined to recommending management or structural changes which improve the efficiency of performance of the executive branch but is clearly directed to exploring the boundaries of Government functions in the light of their cost, their usefulness, their limitations, and their curtailment or elimination.

At various times over 40 years, commissions of investigation and recommendation have been appointed by the Congress and by the President. A mass of effectual information has been secured. At times a limited authority has been given by the Congress to the Executive to act in this field. Useful results have been accomplished by the Congress and the Executive even with the limitations of powers that have been given. A perusal of these reports and of the actions taken in this field indicate that the major consideration has been given to structural changes. In no case has there been such a breadth of authority and instruction for so thorough an examination and recommendation as has been given under this law.

As a matter of fact at no time has there been such a public desire for a complete reconsideration of the province of the Federal Government and overhaul of the business methods of Federal administration and their relationship to the citizen. The need is much greater than at any time in the past. The huge expansion of the executive branch during the past 20 years has been made in an atmosphere of hurry and emergency which now calls for calm challenge.

COMMISSION PROCEDURE

It is imperative that the Commission make a fresh and more vigorous approach to the problem assigned to it than has hitherto been made.

For such a program it is proposed that the Commission should:

1. Denominate (for the purposes of its work) the principal groups of major-purpose activities and such functional problems as may extend over such groups.

2. Determine which of these groups or these functions should be taken up initially for consideration.

3. Enlist eminent and experienced citizens to explore and furnish the Commission with their steady judgment on what action should be taken in respect to each separate group or function. Such leaders would add public confidence to the conclusions of the Commission and would reduce the number of questions for final determination by the Commission. Each leader would need be free to organize his own task force to survey the particular functions assigned to them. They should be furnished with all existing material by the Commission's staff. Should they require further research, they should be authorized to secure their own research assistants.

4. This approach does not require much of an initial or an elaborate regular staff by the Commission, but rather a minimum staff which would coordinate and make available to these task forces the great mass of information now already accumulated by various parts of the Government.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration;

H. R. 1572. An act for the relief of Basque aliens;

H. R. 3638. An act to amend section 10 of the act establishing a National Archives of the United States Government;

H. R. 4954. An act to authorize the construction, operation, and maintenance, under Federal reclamation laws, of the Kennewick division of the Yakima project, Washington;

H. R. 5151. An act authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi;

H. R. 5155. An act to authorize the Secretary of the Interior to have made a joint reconnaissance survey of the Chesapeake and Ohio Canal;

H. R. 5283. An act to provide for the disposal of surplus sand at Fort Story, Va.;

H. R. 5553. An act to amend paragraph 1772 of the Tariff Act of 1930, as amended;

H. R. 5587. An act to add certain lands to the Theodore Roosevelt Memorial Park, in the State of North Dakota, and for other purposes;

H. R. 5607. An act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes;

H. R. 5965. An act to amend paragraph 813 of the Tariff Act of 1930;

H. R. 6056. An act to amend an act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, N. Y.;

H. R. 6078. An act to amend section 303 (e) of the Interstate Commerce Act, as amended;

H. R. 6091. An act to withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108) as amended, and to restore it to its previous status under the control of the Territory of Hawaii;

H. R. 6242. An act to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap;

H. J. Res. 340. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of the American Turners Society in the United States;

H. J. Res. 341. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska;

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purposes of exhibition at the International Industrial Exposition, Incorporated, Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; and

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and gift tax, of powers of appointment, and for other purposes.

ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. FERGUSON obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from Michigan yield to me for a moment?

Mr. FERGUSON. I yield.

Mr. WHERRY. Mr. President, if I may have the attention of Members of the Senate for a moment, it seems to me there is some doubt now as to whether all the amendments which have been proposed to the pending bill will be offered. I am wondering whether the time has not arrived when we might obtain a unanimous-consent agreement with respect to voting both on the amendments and also on the final passage of the bill. I respectfully ask those in charge of the bill on behalf of opponents and proponents, and those who may be offering additional amendments whether such an agreement could be entered into. I had in mind something like this: A unanimous-consent agreement to vote on the pending amendment and all other amendments, at a certain hour, allowing plenty of time to those who would like to propose amendments, but at that time to vote upon the pending amendment and upon all amendments, also the third reading of the bill. That would end the consideration of all amendments, and then, possibly one or two hours later, a vote could be had on the final passage of the bill, dividing the time equally meanwhile between proponents and opponents of the measure. I am wondering if such an offer might not be acceptable to the proponents and opponents of the bill.

Mr. FERGUSON. Mr. President——

Mr. WHERRY. The Senator from Michigan has the floor. I appreciate very much his having yielded to me.

Mr. FERGUSON. I merely wanted to say that so far as those interested in the amendments are concerned, there is no desire to prolong the debate.

Mr. WHERRY. I understand that.

Mr. FERGUSON. Any reasonable limitation of time I am sure would be satisfactory.

Mr. WHERRY. How about the Senator from West Virginia?

Mr. REVERCOMB. Mr. President, I feel that the remarks of the acting majority leader are entirely in order, and that there is a lack of time. However, I want to point out that there are pending at this time some 20 amendments which have been printed and are lying on the desk, to be called up. So far as I know they will all be called up. I hope at the proper time we can fix a time for voting, and it will be perfectly agreeable to discuss that with the acting majority leader a little later. However, I cannot foresee the situation, and hence cannot agree to fixing such a time at this hour.

Mr. WHERRY. In order to have the suggestion in the minds of Senators, would the hour of 4 o'clock be suitable

for voting on the then pending amendment and all other amendments to the bill, and would the hour of 6 o'clock be a suitable time for voting on passage of the bill?

Mr. REVERCOMB. I trust very much the Senator will not insist upon that, or even make the request at this time, until we can see, and see very clearly, what we are going to do with approximately 20 amendments which may be called up. I may say to the Senator that if we were to fix the hour that he suggests, we would hardly have time to vote, much less to discuss the amendments. Without suggesting any time, let us go into the situation and see just how far we can proceed before trying to fix any time. Does the Senator see my point?

Mr. WHERRY. Mr. President, I realize that if the distinguished Senator does not want a unanimous-consent request presented at this time, it would be useless to proceed further with it. I should like to suggest this, however: Would the Senator from West Virginia consider making the hour 6 o'clock, adding the words "or prior thereto"? That is, in the event debate is concluded on the amendments before 6 o'clock, would that hour be of interest to the Senator?

Mr. REVERCOMB. Mr. President, I ask, as I have asked before, that the Senator at this time does not attempt to fix any hour until we can see what disposition can be made of the amendments.

Mr. WHERRY. Very well.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. FERGUSON. Mr. President, the next amendment, with reference to which I shall speak for a brief time, is to provide——

The PRESIDING OFFICER. Will the Senator please state the lettering on the amendment?

Mr. FERGUSON. It is amendment C.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 5, line 13, before the period, to insert the following: "and, except as otherwise provided in this act, to perform all the functions of administration and coordination necessary for the selection, and the transportation to and settlement in this country, of eligible displaced persons and eligible displaced orphans."

On page 7, beginning with the word "but" in line 17, strike out down through and including the period in line 20, and insert in lieu thereof the following: "but the determination of eligibility of displaced persons and displaced orphans under the other immigration laws of the United States shall be by the officials who administer such laws."

Mr. FERGUSON. Mr. President, it is very important that if the bill be passed—and the Senator from Michigan hopes that it will be passed—it be such legislation as will best carry out the wishes of Congress and of the people. For that reason the amendment, being amendment C, is very vital and important in connection with the subject.

Let us see what it will provide. Section 4 of the bill as reported by the committee provides as follows:

SEC. 4. There is hereby created a Commission to be known as the Displaced Persons Commission, consisting of three members to be appointed by the President, by and with the advice and consent of the Senate, for a term ending June 30, 1951. Each member of the Commission shall receive a salary at the rate of $10,000 per annum. The Commission shall be empowered to incur such obligations and to employ such assistants, within the limits of its appropriation, as may be necessary. There are hereby authorized to be appropriated such sums of money as may be necessary to enable the Commission to discharge its duties. It shall be the duty of the Commission to formulate and issue regulations, necessary under the provisions of this act, and in compliance therewith, for the admission into the United States of eligible displaced persons and eligible displaced orphans.

In other words, down to that point the bill provides for the appointment of a commission, and the salaries of its members, and prescribes that the commission shall formulate and issue the regulations necessary to carry out the provisions of the bill.

It is the desire of the sponsors of this amendment that there be inserted at that point the following language:

And, except as otherwise provided in this act, to perform all the functions of administration and coordination necessary for the selection, and the transportation to and settlement in this country, of eligible displaced persons and eligible displaced orphans.

In other words, the amendment would make the Commission responsible for displaced persons who would come into the United States. It would have the right to determine in Europe who were proper, eligible displaced persons or displaced orphans. It would provide in this country for places in which the displaced persons could live, and could supervise such places. It could supervise the question as to whether or not such persons had employment, whether or not the employment would oust someone else from employment. The Commission would be authorized to perform all the functions contemplated by the bill instead of allowing some of them to be under the jurisdiction of other departments. If we are to approve a Commission by and with the advice and consent of the Senate, such Commission should be given full authority over the program and should be responsible to the Congress of the United States. That is why it is essential to insert the words "to perform all the functions of administration and coordination necessary for the selection, and the transportation to and settlement in this country, of eligible displaced persons and eligible displace orphans."

If the commission does not provide for the transportation of such persons, who will provide for their transportation? Therefore, in order to clarify the language and make it definite, it is essential that that wording be included.

On page 7 of the bill, beginning with the word "but" in line 17, the amendment would strike out down through and including the period in line 20, and insert other words in lieu thereof. First I shall read what would be stricken out. It is necessary to read the whole sentence, which begins in line 14. I read:

No eligible displaced person and no eligible displaced orphan shall be admitted into the United States under the provisions of this act except in pursuance to the regulations of the Commission.

That is the language the amendment would strike out.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Is it amendment C about which the Senator is speaking?

Mr. FERGUSON. Yes.

Mr. REVERCOMB. I am unable to follow the Senator in his reading from page 5 of the bill.

Mr. FERGUSON. I am reading from page 7.

Mr. REVERCOMB. Amendment C affects language on page 5.

Mr. FERGUSON. And also line 17, page 7, beginning with the word "but."

This is the language which the amendment would strike out. It is an exception:

Except as otherwise expressly provided in this act, the administration of this act shall be by the officials who administer the other immigration laws of the United States.

Then the amendment would insert this language:

But the determination of eligibility of displaced persons and displaced orphans under the other immigration laws of the United States shall be by the officials who administer such laws.

In other words, the Commission would determine the eligibility of displaced persons and displaced orphans.

It has been pointed out on the floor that in the past the immigration authorities in Europe have not been able to supervise the visaing of passports of such displaced persons. It was even indicated that 40,000 had either forged or otherwise erroneous papers and had been refused admittance. This amendment attempts to place upon the Commission the responsibility of screening these persons. It would place upon the Commission the responsibility of determining the eligibility of displaced persons and displaced orphans.

The immigration laws would still be in force and effect. But the Commission, constructed and manned in accordance with the action of Congress, would have the responsibility of actually administering the law. If that is not done, then we can expect no adequate administration of the law.

The amendment is not difficult to understand. It merely reposes in the Commission the power and the authority to administer the law. They are obliged to perform their duties and their functions under the proposed law and under the immigration laws.

Mr. REVERCOMB. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Cain | Dworshak |
| Baldwin | Capehart | Eastland |
| Ball | Capper | Ecton |
| Bricker | Chavez | Ellender |
| Bridges | Connally | Feazel |
| Brooks | Cooper | Ferguson |
| Buck | Cordon | Flanders |
| Butler | Donnell | Fulbright |
| Byrd | Downey | George |

| | | |
|---|---|---|
| Green | McClellan | Russell |
| Gurney | McFarland | Saltonstall |
| Hatch | McGrath | Smith |
| Hawkes | McKellar | Sparkman |
| Hayden | McMahon | Stennis |
| Hickenlooper | Magnuson | Taft |
| Hill | Malone | Thomas, Okla. |
| Hoey | Martin | Thomas, Utah |
| Holland | Millikin | Thye |
| Ives | Moore | Tydings |
| Jenner | Morse | Umstead |
| Johnson, Colo. | Murray | Vandenberg |
| Johnston, S. C. | Myers | Watkins |
| Kem | O'Conor | Wherry |
| Kilgore | O'Daniel | White |
| Knowland | O'Mahoney | Williams |
| Langer | Pepper | Wilson |
| Lodge | Reed | Young |
| Lucas | Revercomb | |
| McCarthy | Robertson, Va. | |

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

Mr. FERGUSON. Mr. President, I wish to make a further brief explanation of the proposal to strike out certain language on page 7 of the bill and the insertion in lieu thereof of other language. It will be noted that it is proposed to insert the following language:

> But the determination of eligibility of displaced persons and displaced orphans under the other immigration laws of the United States shall be by the officials who administer such laws.

There is no desire by the amendment to take away from those who are charged with the enforcement of the present immigration laws any of their power or authority. There are laws and regulations now in effect prohibiting the entry of persons having criminal records, diseased persons, and Communists. The present officials would determine whether persons seeking entry were eligible under those laws, but the new Commission would determine all questions of eligibility under the pending legislation, involving questions of security and other questions bearing on the eligibility of displaced persons.

If we do not make these changes we shall be creating positions for three Commissioners to do three things: First, to provide rules and regulations; second, to receive reports from immigrants every 6 months—which would be merely a clerical function, because there is no provision as to what shall be done with the reports—and, third, to submit annual reports to Congress. It is the purpose of the amendment to make the Commissioners active participants in the administration of the law.

Mr. REVERCOMB. Mr. President, the plan set forth in the amendment offered by the Senator from Michigan is one of several plans considered by the subcommittee and by the full committee—particularly by the subcommittee—in framing the bill. With regard to methods of administration, the distinction between the provisions of the bill as reported by the committee and the change suggested by the amendment may be summed up as follows: Under the provisions of the bill as reported by the committee, the Commission would prescribe rules and regulations and be the directive head of the agency for the administration of the law; but the means of performing the work would be left in the hands of the established immigration authorities. If this amendment were adopted it would cause endless confusion in the procedures for the admission of displaced persons into this country.

There are already in the field, in our various consular offices abroad, trained officials who, during the course of more than 30 years, have become experienced in processing and handling immigrants into this country. In the past several years they have dealt with the problem of displaced persons. Although the amendment provides that the determination of eligibility under the immigration laws is to be made by the officials who administer such laws, the amendment undertakes to vest the Commission with power to perform all functions of administration and coordination.

Under the provisions of the bill as reported by the committee the plans and the general methods of administration would be prescribed by a Commission appointed by the President and confirmed by the Senate; but the Commission would prescribe only rules and general methods to be followed in the execution of the plan. The performance of the functions of administration would be left in the hands of the established immigration authorities, as has been done for 30 years.

If we were to make the change suggested by this amendment, what would it mean? It would mean bringing in to do this work persons who have had no experience whatsoever in the issuance of permits or visas. It would mean bringing in to deal with a very complex subject, the admission of displaced persons, officials who have never met the problem presented by the bill. The amendment would ignore and brush aside those who for more than 30 years have been charged with the admission of immigrants into the United States.

The result would be less efficiency and more confusion. As compared with the plan outlined in the bill, there would be a great additional expense. The appointment of a great army of new Government employees would necessarily entail greater cost. The new employees would be without experience. I express the very definite apprehension that if this amendment should be adopted, we would see a repetition of the experience of IRO in selecting employees of UNRRA, who made such a dismal failure in the administration of that organization.

Why not leave the administration in the hands of trained immigration authorities and officials? Let the Commission prescribe the rules under which displaced persons shall be admitted in accordance with the provisions of the bill; but let the administration be in the hands of experienced officials, who could do the work more efficiently and at less cost to the Government. We discussed this problem in the subcommittee meetings; and after discussion we arrived at the conclusion that the administration should be left in the hands of the immigration authorities.

I think the issue is very clear. I do not believe that extended discussion is necessary to understand this amendment. Therefore, I express the hope that it will not be adopted, because I see in the adoption of the amendment endless confusion, greater cost, and the ignoring of experienced personnel already in the Government, who have been trained for more than 30 years in handling this problem, and who for the past several years have been dealing with displaced persons.

For these reasons I hope that the amendment will be rejected.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. DONNELL. Regarding the question of the quantity of work which would be required of the agents of the Commission if this amendment were adopted, is it not a fact that the bill, as it has been amended, would permit the admission into this country of 200,000 persons, but that that is by no means equivalent to saying that only 200,000 persons would have to be investigated and studied? The facts as to their specific needs will have to be obtained. Is it not true that it may reasonably be expected that many hundreds of thousands of persons in addition to the 200,000 who will be selected will come forward seeking admission under the terms of the bill?

Mr. REVERCOMB. I think that is unquestionably correct. The bill as it is now written provides for the admission of 200,000 over a period of 2 years. That is in accordance with the judgment of the Senate. That is not the judgment of the Senator from Missouri or the Senator from West Virginia, but our judgment has been overriden, and we bow to the judgment of the Senate.

If we admit 200,000 displaced persons into this country that means that many hundreds of thousands in addition will have to be examined with great care. The question is, Who should perform that task? Should it be performed by experienced personnel who have dealt with the subject for 30 years and who are now members of an organization which is in operation at this time? Or should we, as the amendment provides, turn the administration over to a new organization of inexperienced persons to deal with an important and very complex subject?

Mr. DONNELL. Mr. President, I am very much impressed by the point to which the Senator has addressed himself. Is it not true that under the act there will be a great volume of inquiry which will have to be made with respect to the various applicants? For illustration, it is stated on page 2 of the bill that it will be necessary to find out, first, when the specific applicant entered Germany, Austria, or Italy, and whether he was there on January 1, 1948; and, second, whether he is qualified under our laws for permanent residence in the United States; and, third, whether he "is a person of a vocation, skill, or occupation needed in the locality in the United States in which such person proposes to reside, and (4) for whom assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have decent, safe, and

sanitary housing without displacing some other person from such housing."

I shall not go into all the various details; but I ask the Senator if it is not true that not only would there be a tremendous number of persons who in reasonable probability would have to be processed by the great number of employees who obviously would have to be engaged by the Commission if the amendment were adopted, but also the volume of work would be extremely heavy and there might be either delay or inefficiency in the processing of these persons, if the plan envisaged by the amendment should be adopted. Is not that correct?

Mr. REVERCOMB. That is undoubtedly correct. Those questions must be gone into; those inquiries must be made, and those examinations must be followed, one after another. All of them are most important to the proper administration of this proposed law, and they require experienced personnel, men who have previously dealt with immigration matters. Although in this connection they would be dealing with displaced persons in part, yet the processing would be very much the same as that required in connection with regular immigration matters, because the inquiries have been mentioned by the Senator from Missouri would have to be made with respect to each case. Certainly we would not wish to have inexperienced persons do that work.

Mr. DONNELL. Is it not true that the amendment might reasonably be expected to bring about a great duplication of personnel, because we already have in the Immigration Service men who are acquainted with this general type of work, and they would remain employed by the Immigration Service; yet we would build up under the new Commission a great number of inexperienced employees, as the Senator has said, or a number of persons from UNRRA whose experience might or might not qualify them for this new work. Is not that the opinion of the chairman of the subcommittee, from his experience with the problems embraced in connection with the study of this bill?

Mr. REVERCOMB. That is a fair assumption. I have not found that the UNRRA personnel have had experience which qualifies them for this work.

Mr. DONNELL. So the net result would be, would it not, that if this amendment were adopted, in the first place there obviously would be the necessity for creating within a short period of time a large force of new employees, persons who for the most part would doubtless be inexperienced and would suddenly be confronted with the necessity of making careful, detailed, extensive investigations involving all these questions and other questions in addition to the ones I have already mentioned, relating to hundreds of thousands of persons who would be eligible to secure the advantages of this law? Is not that the situation with which we would be confronted if the amendment were adopted?

Mr. REVERCOMB. I feel certain that the Senator from Missouri has stated the situation correctly and with great clarity. There is no question that if this amendment were adopted there would be duplication, for we would have to have the Immigration Service, anyway; and, in addition, it would be necessary to set up, for the 200,000 displaced persons—with 100,000 of them to be admitted during each of 2 years—a distinct and separate organization which would conflict with the organization already in existence.

Mr. DONNELL. Moreover, it would be a temporary organization, for this bill envisages only a 2-year period during which the program will be in operation, does it not?

Mr. REVERCOMB. That is correct.

Mr. DONNELL. So the employees of the new organization would be seeking employment for only 2 years. It seems to me—and does not the Senator agree—that the type of persons who would seek employment for only 2 years might not be up to the standards required for the proper enforcement of a law such as this one.

Mr. REVERCOMB. I think that is an entirely reasonable conclusion.

Mr. DONNELL. I thank the Senator.

Mr. REVERCOMB. Mr. President, I feel that this discussion has brought before the Senate an understanding of the issues in connection with the amendment. If the bill as now written is passed, without the inclusion of this amendment, the Commisison will lay down the rules, but the performance and the administration will be under the experienced Immigration Service of the United States. Doubtless the Immigration Service will enlist others in the work; doubtless more persons will be employed—and I hope they will be—to make the necessary investigations. But whoever may be employed will be employed by those who know the work and have had experience in it, and the work will be under the direction of persons who have experience in it.

On the other hand, if the amendment were adopted, there would be duplication of effort, as I have said. Under the amendment the work would be done by persons who have had no experience in this field, and we would not be using in the work the personnel of our long-established immigration system, which has been handling these matters over a long period of time. In addition, we would be adding a great burden in terms of additional cost to the Government.

Therefore, Mr. President, I urge that the amendment be rejected.

Mr. FERGUSON. Mr. President, I think a short explanation and reply should be made to the argument which has just been presented.

As I understand the facts, if this Commission is not to be given any duty other than that of making rules and regulations and receiving reports from the immigrants, then I see no reason for the creation of the Commission.

Mr. DONNELL. Mr. President, will the Senator yield to me

Mr. FERGUSON. I yield.

Mr. DONNELL. I should like to call attention to the fact that among the duties of the Commission which will require a great deal of work is the duty of reporting, "On February 1, 1949, and each year thereafter to the President and to the Congress on the situation regarding eligible displaced persons, eligible displaced orphans, and displaced persons."

And the bill further provides that—

> Such report shall also include information respecting employment conditions, the housing situation, the place and type of employment and the residence of eligible displaced persons who have been admitted into the United States pursuant to the provisions of this act.

I call that to the attention of the Senator.

Mr. FERGUSON. I mentioned previously the annual report.

Mr. DONNELL. I thought the Senator referred to the receiving of reports.

Mr. FERGUSON. First will be the receiving of the information from the immigrants, and second the preparation and submission of the annual report.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. Another duty will be imposed upon the commission, namely, to see that the displaced persons who enter the United States are properly disseminated over the country. That is one of the most important duties and one of the most important provisions of the bill.

Mr. FERGUSON. Mr. President, a few days ago I heard on the floor of the Senate the argument, in effect, that the present Immigration Commissioner does not have the necessary personnel to enable him properly to execute the laws now in effect. It was said that 350,000 persons have entered the United States, and no one knows how many have left the United States and no one knows how many at the present time are illegally in this country.

But now we find that we are confronted with the argument that the present Commissioner of Immigration should be given all the authority to administer this proposed act. Of course, the purpose of the act is to create a new commission which will be charged with the responsibility of carrying out the terms of the act.

It is also said at this time, on the floor of the Senate, that persons who formerly were employed by UNRRA or persons of that caliber will be employed by the new commission. Mr. President, if I thought the same kind of employees would be used by the proposed commission as were used by UNRRA, I would not favor the pending bill. There is nothing before the Senate to show that the new commission will employ the same type of employees that were employed by UNRRA. No one can say that the proposed commission would not obtain the best possible employees, and I hope that is what they will do, if confirmed by the Senate.

The present personnel of the Immigration Service is not qualified by experience to carry out the provisions of the pending measure. They have not administered anything like it heretofore. The Consular Service that is today overburdened would be given the

added burden of administering the program. It is their request, Mr. President, that a new commission to be appointed take over the burden of administering the new law. It is, therefore, very important that the new Commissioners be approved by the Senate and be held responsible to the Senate for carrying out the terms and conditions of the new law.

Mr. SMITH. Mr. President, I am supporting the pending amendment because it seems to me the committee has overlooked the fact, in dealing with the administration of the act, that it presents a peculiar problem, a problem which we have never confronted before. It is not an ordinary immigration problem. We need to place somewhere the responsibility to make the program move. We are providing by the pending legislation for the admission of 200,000 people within a period of 2 years. Responsibility must be placed somewhere, Mr. President. I should prefer to see the directive given to an advisory board, but in any event, the commission for which the committee has provided should be able to set up the necessary machinery to take the initiative. They will have to go abroad. They will have to do the things that neither the Immigration Service nor the Consular Service is qualified or equipped to do. They would not in any way bypass those services. They would use them all the way through in determining their own responsibilities. But it is necessary that somebody move in this matter, and my judgment is that unless we give administrative power to the Commission as provided by this very simple amendment, it will result in the program's going by default, and nothing aggressive or positive will be done in the effort to accomplish the purpose sought. We would be left with the problem on our hands, as we have been for the last 2 years, because there would be no affirmative placing of responsibility.

It seems to me we have all had experience sufficient to know that when there is an agency of the nature of the Immigration Service having its own work to do, and when we have the various consuls throughout the world, who have their responsibilities to pass on the applications, we are not going to get anywhere, unless initiative is placed somewhere. The point I make is that there is nothing now in the bill which makes adequate provision for admitting 200,000 people, and bringing about a solution of the problem of persons in the camps for whom we have a responsibility. I feel that, as the bill is now framed, the commission is not adequately empowered to handle this program successfully. I think the matter is merely being left up in the air, with a few regulations to be issued, but with the question unanswered as to who is to make the program move. I see no answer to that question. I think administrative powers must be granted to someone in order to get the program moving, and that unless we adopt some such amendment as the one proposed by the Senator from Michigan, we shall not properly activate this movement at all and we shall find ourselves in a few months with nothing being done, with nobody taking the initiative. We cannot expect the Immigration Service to take the initiative completely.

I submit, Mr. President, the pending amendment is a very important one, and should be adopted. It is vital to the entire program. If we do not want to move, then let us not adopt that amendment. If we do want to move, if we want this problem solved, let us place responsibility somewhere definitely to move it.

Mr. REVERCOMB. Mr. President, before proceeding to a vote on the amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN answered to his name when called.

Mr. WHERRY. Mr. President, if I may inquire, are there to be other speeches before the vote?

Mr. REVERCOMB. Not that I know of.

Mr. WHERRY. I am satisfied that, because of the length of time required for a vote, all Senators will be here. I do not ask that the Senator withdraw the suggestion of a quorum call, but I feel we are not saving any time. I am satisfied all Senators are ready to vote.

The PRESIDING OFFICER. The Senator from West Virginia has the floor. Does the Senator want the quorum call discontinued?

Mr. REVERCOMB. No. I have suggested the absence of a quorum for the reason that several Senators have asked me, "Will you have a quorum call before the vote?"

Mr. WHERRY. Very well; I have no objection.

Mr. REVERCOMB. So I suggested the absence of a quorum.

The PRESIDING OFFICER. The quorum call will continue.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

| | | |
|---|---|---|
| Aiken | Hatch | Murray |
| Baldwin | Hawkes | Myers |
| Ball | Hayden | O'Conor |
| Bricker | Hickenlooper | O'Daniel |
| Bridges | Hill | O'Mahoney |
| Brooks | Hoey | Pepper |
| Buck | Holland | Reed |
| Butler | Ives | Revercomb |
| Byrd | Jenner | Robertson, Va. |
| Cain | Johnson, Colo. | Russell |
| Capehart | Johnston, S. C. | Saltonstall |
| Capper | Kem | Smith |
| Chavez | Kilgore | Sparkman |
| Connally | Knowland | Stennis |
| Cooper | Langer | Taft |
| Cordon | Lodge | Thomas, Okla. |
| Donnell | Lucas | Thomas, Utah |
| Downey | McCarthy | Thye |
| Dworshak | McClellan | Tydings |
| Eastland | McFarland | Umstead |
| Ecton | McGrath | Vandenberg |
| Ellender | McKellar | Watkins |
| Feazel | McMahon | Wherry |
| Ferguson | Magnuson | White |
| Flanders | Malone | Williams |
| Fulbright | Martin | Wilson |
| George | Millikin | Young |
| Green | Moore | |
| Gurney | Morse | |

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment lettered "C" offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. REVERCOMB. Mr. President, the amendment offered by the Senator from Michigan would change the administration of the displaced-persons bill so that its administration would be entirely under the commission which is provided for, and would not come under the direction of the immigration authorities. The bill itself provides that there shall be established a commission which shall lay down rules and perform certain functions of great importance, but that the execution of the law shall be in the hands and under the direction of the immigration authorities.

With that explanation, I submit that the amendment should not be adopted, and I hope that the vote upon it will be "nay."

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "C," offered by the Senator from Michigan [Mr. FERGUSON] for himself and other Senators.

Mr. FERGUSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] is necessarily absent and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator from Maine would vote "yea" and the Senator from South Dakota would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate. If present and voting, the Senator from New Hampshire would vote "yea."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Tennessee would vote "nay."

If present and voting, the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 35, nays 50, as follows:

YEAS—35

| | | |
|---|---|---|
| Aiken | Hill | Murray |
| Ball | Ives | Myers |
| Bridges | Johnson, Colo. | O'Conor |
| Chavez | Kilgore | O'Mahoney |
| Cooper | Knowland | Pepper |
| Downey | Lodge | Saltonstall |
| Ferguson | Lucas | Smith |
| Flanders | McGrath | Sparkman |
| Fulbright | McKellar | Taft |
| Green | McMahon | Thomas, Utah |
| Hatch | Magnuson | Thye |
| Hayden | Morse | |

NAYS—50

| | | |
|---|---|---|
| Baldwin | George | O'Daniel |
| Bricker | Gurney | Reed |
| Brooks | Hawkes | Revercomb |
| Buck | Hickenlooper | Robertson, Va. |
| Butler | Hoey | Russell |
| Byrd | Holland | Stennis |
| Cain | Jenner | Thomas, Okla. |
| Capehart | Johnston, S. C. | Tydings |
| Capper | Kem | Umstead |
| Connally | Langer | Vandenberg |
| Cordon | McCarthy | Watkins |
| Donnell | McClellan | Wherry |
| Dworshak | McFarland | White |
| Eastland | Malone | Williams |
| Ecton | Martin | Wilson |
| Ellender | Millikin | Young |
| Feazel | Moore | |

NOT VOTING—11

| | | |
|---|---|---|
| Barkley | Maybank | Tobey |
| Brewster | Robertson, Wyo. | Wagner |
| Bushfield | Stewart | Wiley |
| McCarran | Taylor | |

So Mr. FERGUSON'S amendment C was rejected.

Mr. FERGUSON. Mr. President, I now call up my amendment F.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 3, line 3, it is proposed to strike out the words "decent, safe, and sanitary" and insert in lieu thereof the word "adequate."

Mr. FERGUSON obtained the floor.

Mr. LUCAS. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from Illinois.

Mr. LUCAS. Did I understand the Senator to say he was calling up amendment F?

Mr. FERGUSON. Yes.

Mr. LUCAS. According to the way I read the documents in front of me, that is an amendment offered by the Senator from North Dakota [Mr. LANGER].

Mr. FERGUSON. No; it is "4-1-48-F."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. FERGUSON. Mr. President, it will take only a few minutes to make an analysis of the amendment. The question involved is one of the housing of the displaced persons after they reach the United States.

The pending bill uses the words "decent, safe, and sanitary," as relating to housing. On page 3, line 2, the language is, "shall not become public charges and will have decent, safe, and sanitary housing without displacing some other person from such housing."

The amendment merely would change the words "decent, safe, and sanitary" to "adequate." In other words, those who are responsible for the enforcement of the act would be permitted to allow a displaced person to come in if he were to be adequately housed without displacing another person, and they would not have to determine that it was a decent place, that it was a safe place, or that it was a sanitary place. The interpretation of those words would make it very difficult for the immigration authorities to pass on the admission of the immigrants, whereas if the words were "adequate" the provision would be sufficient.

Mr. REVERCOMB obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. I yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I wish to announce to the Members of the Senate that I hope they will remain in the Senate Chamber until the amendments are disposed of, without the necessity of a quorum call on each amendment. If it is necessary to have a quorum call when each amendment is voted on, it will mean another 15 or 20 minutes. I suggest that if Senators will cooperate it will be possible to handle a great many of the amendments as they are brought up by voice votes, at least I suggest that Senators remain in the Senate Chamber so that if a record vote shall be demanded, it will not be necessary to have a quorum call.

Mr. REVERCOMB. Mr. President, the language used in the bill is employed with respect to furnishing houses for those who enter. The words "decent, safe, and sanitary housing" are taken from the Housing Act.

I am reluctant to accede to the suggestion of the amendment that we delete the word "decent" or the word "safe," or the word "sanitary." What would we have if that were done? We do not want the displaced persons to be given indecent housing, we do not want it left open so that they may be put in unsafe places, and certainly I think it a proper requirement of the law that they be placed in sanitary housing. If we use the word "adequate," a very broad and uncertain term, it will be left to the judgment of someone who may say the housing is or is not adequate.

I think the provision should be more restrictive, and if we are to require for our own people decent, safe, and sanitary housing, as is required in the Housing Act, I feel that that provision should go in the pending bill, so that the Commission shall see to it that the people who come here as immigrants, and are required to have homes and places in which to live, will be housed in places which are decent and not indecent, are safe and not unsafe, and are sanitary. I think it a proper requirement, and I think it a fair requirement, I think it a necessary requirement.

I therefore urge, Mr. President, that the amendment be rejected.

Mr. HATCH. Mr. President, the Senator from West Virginia is the chairman of the subcommittee which conducted the hearings and investigation, and I had hoped that the Senator would accept this amendment.

Mr. REVERCOMB. Apparently we have not reached that point, but I trust we may.

Mr. HATCH. Apparently we have not reached it with respect to the pending amendment.

Mr. President, I am sure that every Member of Congress would like to see every one of these poor unfortunate displaced persons not only adequately housed but decently housed and safely housed under the most sanitary conditions possible. But I realize full well—and that is what I fear—that words such as "decent, safe, and sanitary" are open to a construction and an interpretation which might go far beyond what the committee itself has in mind, and could be so restrictively construed as to defeat every purpose the subcommittee had in mind in recommending the bill and the full committee had in mind in reporting it, for giving those words strict construction could amount to an absolute prohibition against any person coming into America under the bill.

Mr. President, I can think of nothing more cruel than to give to these unhappy people, as the bill does, the great hope that some number of them may find asylum and refuge in our great country, and then, by the same act, so provide that the hope is destroyed, and they who have been led up to the mountaintop of hope are then cast down into the valley of hope unfulfilled. No Member of the Senate wants to do such a thing. I think every one of us is sincere in his endeavor to see to it, whatever may be done by the bill finally, whether 50,000 or 200,000, or whatever other number may be admitted under it, that when the legislation is finally enacted undue restrictions will not be placed upon those admitted so they will be denied the very thing we promise to give them.

So, Mr. President, we earnestly urge that by this simple amendment the word "adequate" be substituted for the other words, and that there be some leeway given so these persons will be adequately housed without displacing other persons, and that the other words which may be construed so restrictively, so narrowly, as to defeat the purposes of the bill, will be stricken. I even now dare to express the hope that members of the committee will join with us in adopting the amendment.

Mr. TYDINGS. Mr. President, I suggest for the consideration of the Senator from West Virginia that it might be advisable to strike out the word "decent" and leave the words "safe and sanitary" in the amendment. When we bring transient workers into the country to work in the agricultural industries the rules require that they shall have safe and sanitary habitation. It seems to me such rules have worked very well. The insertion of the word "decent" would bring about such a tremendous latitude that it would seem to be drawing the line a little too fine. If a house is safe and sanitary it goes a long way toward being a decent house. I make that suggestion to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, I may say to the able Senator from Maryland that I am very much impressed by his suggestion. He speaks of persons brought into the country as itinerant workers, who stay in the United States a comparatively short time, and who may be placed in camps while here. Those who would come into the United States under the bill, I may say, would come here for permanent residence. It seems to me that one of the things which ought to be avoided is to place them in camps in the United States.

Mr. TYDINGS. I think there is a great deal to be said for that point of view, but there is nothing in the bill which would prohibit them from being placed in camps. They could be placed in camps, and in my opinion, the camps would be decent places in which to live. If the Senator desires to bar such persons from

living in camps I think the language should be specific to that effect. There are certainly plenty of persons who live in camps who have a very decent habitation. Many camps are generally accepted as homes.

My point is that if a place in which to live is safe and is sanitary it pretty well meets the requirements that should be made in permitting someone to live in the house. I think the word "decent" is a terrifically large, an extremely expansive word from the standpoint of definition. It can mean so many different things. A decent place in which to live in New England might not be a decent place in which to live in Minnesota, or vice versa. The thing is as wide open as all outdoors.

Mr. REVERCOMB. If the word "decent" is a restrictive term, how much more can complaint be made of the word "adequate," which is exceedingly loose and gives a wide latitude of discretion? Who is going to say whether a place in which a person lives is adequate?

Mr. TYDINGS. Why not strike out the word "decent," and insert in its place the word "adequate," so the language of the amendment would be "adequate, safe, and sanitary"?

Mr. HATCH. Mr. President, I will say that so far as I am concerned—and I am not the author of the amendment—I think the suggestion made by the Senator from Maryland would remove to a large part some of the fears I expressed. "Safe and sanitary" housing is quite different from "decent" housing.

Mr. TYDINGS. I suggested that the language be "adequate, safe, and sanitary."

Mr. HATCH. I do not think the word "adequate" is needed. I think "safe and sanitary" would be a vast improvement.

Mr. REVERCOMB. Mr. President, I agree to the suggestion made by the Senator from Maryland to strike out the word "decent" and leave in the amendment the words "safe and sanitary," and will accept the amendment in that form.

Mr. FERGUSON. Mr. President, the Senator from Michigan will modify his amendment by striking out the word "decent," and will allow the words "safe and sanitary" to remain. We believe that language would mean the same as "adequate."

The PRESIDING OFFICER. The Senator from Michigan modifies his amendment by the change he has suggested.

Mr. FERGUSON. Yes; I so modify it.

Mr. REVERCOMB. Let me inquire what the parliamentary situation now is. The Senator from Michigan has modified his amendment so that if it be adopted, the bill will read, on page 3, line 3: "public charges and will have safe and sanitary housing."

Mr. FERGUSON. That is correct.

The PRESIDING OFFICER. And the comma after the word "safe" is stricken.

Is there objection to the amendment lettered "F," as modified by the Senator from Michigan [Mr. FERGUSON]? The Chair hears none, and, without objection, the amendment is agreed to.

Mr. BROOKS. Mr. President, I now call up my amendment lettered "B," and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 1, line 8, after the word "means", it is proposed to insert "(1)."

On page 2, before the period in line 2, it is proposed to insert a comma and the following: "and (2) a person who during World War II bore arms against the enemies of the United States and is unable or unwilling to return to the country of which he is a national because of persecution or his fear of persecution on account of race, religion, or political opinions."

On page 2, before the comma in line 17, it is proposed to insert a semicolon and the following: "or a person described in subsection (b) (2) of this section."

On page 4, line 14, beginning with the word "to", it is proposed to strike out down through the comma in line 17 and insert in lieu thereof the following: "first to those eligible displaced orphans who, on January 1, 1948, were located in displaced-persons camps and centers, and to eligible displaced persons who during World War II bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion, or political opinions, and second, to other eligible displaced persons who, on January 1, 1948, were located in displaced-persons camps and centers."

The PRESIDING OFFICER. Without objection, the three amendments read by the clerk will be considered en bloc, inasmuch as they all refer to the same subject matter.

Mr. BROOKS. Mr. President, this amendment to Senate bill 2242 is designed to provide for the eligibility for entry into this country of persons such as the ex-Polish soldiers now stranded in England and elsewhere in Europe outside their own country, who, during World War II, bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion, or political opinions.

The amendment would place these former soldiers in a preferred category along with, but not ahead of, orphans who are located in displaced-persons camps and centers.

If we are to open our arms to any unfortunate persons abroad, who could be considered more deserving than those who have already by their very acts and deeds proved themselves to be of the caliber which would make for good American citizenship?

The record of Polish soldiers in World War II is unique and outstanding. In the fall of 1939 Poland, isolated from its allies, France and Great Britain, nevertheless chose to stand alone against the German might. From September 1 to October 5, after being attacked without warning, and in spite of the overwhelming superiority of the aggressors in numbers and armament, the Polish armed forces fought for 35 days until they were crushed and well-nigh destroyed. This brave action, according to captured German documents, delayed Hitler's offensive against France and Great Britain by more than 8 months. Thereafter, and without delay, a new constitutional government in exile began to organize new Polish armed forces outside of Poland. Its appeal was answered by a total of about 60,000 Polish soldiers who succeeded in escaping from Poland and internment camps in Rumania and Hungary. Augmented by Polish immigrants in France and by volunteers from all over the world, by May 1940 the new Polish armed forces in France numbered 80,000 trained men.

These men distinguished themselves on the Maginot line, in Alsace, in Libya, and in Italy. Their pilots, fighting as a part of the Royal Air Force, were unexcelled.

No greater exploit may be recorded than that of the Polish Second Army Corps, when it captured the Monastery of Monte Cassino, in Italy, in a sweeping assault, at the cost, however, of almost 1,000 killed and 3,000 wounded.

Thousands of graves of Polish soldiers may be found at Monte Cassino and other parts of Italy, graves which might well have contained the bodies of American soldiers had it not been for the sacrifices of these young Polish men. After VE-day, when most of the American and English soldiers were permitted to return to their homes, the Polish soldiers were forced to remain in Italy. Their presence, no doubt, in a large measure prevented Italy from falling under the power of communism. For this reason these soldiers were in a special way branded for recrimination and threats by Stalin's government in Warsaw.

In the fall of 1946 most of them were transported in military units to England, where a considerable number of them have remained, fearful of returning, and not desiring to return, to their native land. There they have lived under military discipline and under strict English laws and regulations. For the most part they are single men. After 2 years in England they have a working knowledge of the English language. In case of emergency, it is reasonable to assume that they would have strong personal motives to enlist as defenders of the United States. Many of these men, now in Great Britain, who have relatives or close friends in the United States, have filed their applications for admission into this country with the American consuls in London and Edinburgh. They have been given assurance by their superiors that their applications would be given favorable consideration. Therefore they have never considered establishing themselves permanently in England or elsewhere in Great Britain.

In no sense of the word would this amendment open the way for the admission into this country of a group of undesirables. This amendment would make eligible for admission only those ex-soldiers who fought against the common enemy. They would still be subject to all the "screening" provisions of Senate bill 2242 as well as those of existing immigration laws. It would not affect the bringing of any such former soldiers into this country but would merely make them eligible for entry

subject to all the conditions and safeguards imposed by Senate bill 2242 and our immigration laws.

Surely no group of persons should be considered as more deserving or more welcome to our shores than the brave men who fought side by side with our soldiers in World War II in the common cause against dictatorship. As a group, it might truly be said that they, of all displaced persons in Europe, are for immigration purposes, the most deserving and the most desirable.

A favorable vote by the Senate on this amendment would be a fitting expression of American gratitude to those who have fought for democracy, a morale-builder for all the free countries of the world, and would no doubt prove to be far more effective in offsetting communistic propaganda than millions of dollars spent for radio and other propaganda programs.

It would be America's answer to the freedom-loving peoples of the world to the question "Does America, the stalwart exponent of human liberties, believe in rewarding those who stand up in battle and fight for those liberties?'

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. BALDWIN. As I understand the Senator's amendment, it would not increase the number provided for in the bill.

Mr. BROOKS. It would not.

Mr. BALDWIN. It would merely give priority to people who have demonstrated their faith and belief in freedom by being willing to risk their lives for it.

Mr. BROOKS. That is the intention.

Mr. BALDWIN. The effect of this amendment is to give priority to men who fought in the Polish Army.

Mr. BROOKS. That is the intent of the amendment.

Mr. BALDWIN. Mr. President, I wish to associate myself with the Senator in his remarks in favor of this amendment. Sometime ago a bill was introduced to make possible the admission of these soldiers to the United States. There has never been any action on the bill. This amendment accomplishes exactly the purposes intended by that bill, and I am heartily in accord with it.

Through the years we have always been able to find thousands of people who would speak for freedom; but the number of those who have been willing to fight for it has never been too large. These men have demonstrated their willingness to fight for it. I think they are entitled to the priority which this amendment provides.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. DONNELL. As I understood in response to the question asked by the Senator from Connecticut, the Senator from Illinois indicated that his intention was to include by his amendment members of the Polish Army, the Anders army, which the Senator mentioned earlier. Is that correct?

Mr. BROOKS. That is the main purpose.

Mr. DONNELL. I well appreciate the appealing nature of the point which the Senator makes, and I can well feel the sentiment of sympathy and justice which he evidences; but I am fearful of two things.

In the first place, the amendment was never submitted to our committee. We do not know what the effect of the amendment would be. It is not limited by its terms to Poland. It refers to "a person who during World War II bore arms against the enemies of the United States and is unable or unwilling to return to the country of which he is a national because of persecution or his fear of persecution on account of race, religion, or political opinions."

Take Ethiopia, for example——

Mr. BROOKS. Let me ask the Senator a question. Is it not the main purpose of the bill to admit people who are displaced because they are afraid to go home for fear of persecution because of race, creed, or political opinion?

Mr. DONNELL. I think there is no intention on the part of the framers of the bill to do other than take care of eligible displaced persons as defined in subsection (c) on page 2. The displaced persons thus defined are limited to persons who entered Germany, Austria, Italy, or other areas, as set forth on that page.

The thought to which I should like to have the Senator address his attention is illustrated by the following:

As I understand, the language of his amendment would not apply solely to the Polish Army, or to European armies. I observe, for example, that Ethiopia declared war on Germany, Italy, and Japan on December 14, 1942. I do not know whether Ethiopia had troops in the field who would come under this description, but it is entirely possible that she may have had. It is entirely possible—we are not advised as to the facts at this time—that there may be substantial numbers of members of that army somewhere who are unwilling to return to the country of which they are nationals, because of the fear of persecution for some of the reasons cited in the amendment. As we run down the list of Allies of the United States, countries which furnished troops against the enemies of the United States in World War II, I observe that Argentina declared war on Germany and Japan on March 27, 1945; Australia declared war on Germany on September 3, 1939, and on Japan on December 8, 1941; Belgium declared war on Japan on December 20, 1941—and so forth. I could continue to read the list. For instance, Brazil declared war on Japan; Chile declared war on Japan; China declared war on Germany, Italy, and Japan.

I shall not burden the Senate with reading the entire list of the Allies; but it seems to me that this amendment is of such an uncertain nature in its effect that even though it may have merit as an abstract proposition, it is very dangerous to introduce it into the bill without proper consideration by the committee.

I fully sympathize with the patriotic endeavor which was made by the armies the Senator has in mind; but it seems to me that this bill has been the subject of extremely careful consideration, and the language of the bill is such as to confine its operations within certain limits, namely, Germany, Italy, Austria, and so forth, as set forth on page 2 of the bill. But now, without any consideration whatsoever by either the subcommittee or the full Committee on the Judiciary, a proposal to interject another class of persons who may not be in Germany, Italy, or Austria at all, but may be scattered at any place under the heavens throughout the wide, wide world, involves such an element of uncertainty that it seems to me the amendment should not be placed in the bill.

I submit that thought to the Senator from Illinois, who undoubtedly has given consideration to the other thoughts which have been submitted to him.

Mr. BROOKS. Mr. President, I appreciate very much what the Senator has said. He and I are fully aware of the purpose of the bill. I do not believe the amendment will go beyond the scope of the bill—in other words, the European picture—because it still comes within the purpose of the bill, but merely gives priority. That is my intention.

Mr. DONNELL. Mr. President, I have no doubt that is the intent of the distinguished Senator from Illinois. But I point out that section 2 of the bill contains the statement that—

> (b) "Displaced person" means any displaced person or refugee as defined in Annex I of the Constitution of the International Refugee Organization and who is the concern of the International Refugee Organization.

This amendment would add to that portion of section 2 a distinct, separate, additional class. It would be a class that is not limited by the International Refugee Organization or by its constitution, and is not limited by the provision that the individual shall have been the concern of the International Refugee Organization, and is not limited in scope to any class of people in the world. For instance, although I do not know the actual fact, I can well imagine that in China there may be troops who fought against our enemies in World War II, and those troops may be outside of China, not in Europe at all, but in some other portion of the Orient, and they may be fearful of returning to their homes in China because of the distressing war conditions which now prevail and have prevailed for so many years in their country.

So it seems to me, with all due respect to the thought the Senator from Illinois has in mind, that this matter requires much more careful consideration much more deliberate attention, and much greater thought than it is possible to give it on the floor of the Senate in connection with a hasty interpolation of such an amendment into a displaced-persons bill which has reference solely to persons in Austria, Germany, and Italy. I believe the amendment would cause great uncertainty.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. HATCH. I merely wish to ask whether the Senator from Illinois has available figures by which he can tell us how many persons would be admitted under the terms of his amendment.

Mr. BROOKS. No; I do not. I cited the fact that there were approximately 60,000 Polish soldiers who escaped from Poland and from internment camps, and volunteered to fight against Germany after Poland fell. I do not know how many of them are alive or where all of them are.

Mr. HATCH. It seems to me the amendment will apply to other nations, as well.

Mr. DONNELL. Mr. President, let me ask the Senator where he finds within the amendment any restriction to Polish soldiers.

Mr. BROOKS. I stated that those who would be admitted under the amendment would be eligible as displaced persons. They still would be subject to whatever immigration laws are on the statute books, and they still would be subject to a very careful screening test.

So I do not believe the amendment would enlarge the number of persons to be admitted to anywhere near the extent the Senator has indicated.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. HOLLAND. I should like to ask the distinguished Senator to comment on a situation which is causing me trouble. It seems to me that his amendment is so broad that it would cover that portion of the several millions of people in India who have been displaced either from Pakistan to India or from India to Pakistan, and who bore arms in the Indian Army during the war, because certainly they were fighting on our side. I have checked that point as carefully as time permitted; and it seems to me quite clear that any number of veterans of the Indian service during the Second World War, who now are amongst the several millions of displaced persons in India, would clearly be included under the amendment.

I have just asked the secretary of the committee, and he tells me that the Indians are eligible, under other laws, for admission to the United States.

I wonder whether the Senator from Illinois has given consideration to that particular point, which causes me quite grave concern; for if what I understand about this matter is true, I think it should be given very serious consideration in connection with the amendment.

Mr. BROOKS. Mr. President, I had not considered that all of India or all the millions of people in India would be included. I stated specifically what my purpose was.

Although Senators state that we have not had time to consider the amendment at length, yet it has been printed and has been on the table for several days. It seems to me that the amendment might be accepted and taken to conference, where proper language could be drafted, if the present language of the amendment is not satisfactory, so that any further limitations which may be deemed necessary may be made.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. BALDWIN. As I understand the amendment, the purpose is to admit to the United States, under the displaced-persons proposed legislation, the men who fought in the armies of our allies, against the enemies of the United States, but who were at that particular time either citizens of a country that was at war with the United States or citizens of a country which later came under the influence of a country which was hostile to the United States. Is that correct?

Mr. BROOKS. They would be subject to all the screenings and all the other terms of this bill. The same rules would apply to them, except we would give them priority, and they would be eligible because of their service.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. BROOKS. I yield.

Mr. HOLLAND. I should like to ask the Senator again to consider the point I raised; because upon further consideration of it myself, and after the point has been considered by other Senators, it seems to us completely clear that any number of displaced persons in India, who served in the Indian Army during the Second World War, are clearly included within the language of this amendment. Since that is not the intention of the distinguished Senator, it seems to me his amendment should certainly be rephrased so as to preclude any such possible interpretation.

Mr. BROOKS. Does the Senator have any suggested language to correct it, so that it might meet with his approval?

Mr. HOLLAND. I do not; but as drafted now it is quite clear to me that it does apply, just as stated by me. I would certainly have to oppose the amendment so long as it is in that form, although I confess to much sympathy with the purpose of the distinguished Senator as announced when he presented his amendment.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. DONNELL. I think we could multiply illustrations. The one suggested by the Senator from Florida is exceedingly apt. I may say it would not at all occur to me, but it seems to me that as we run down the list of countries which declared war against the enemies of our country during World War II, there will be found illustration after illustration creating uncertainty in the mind of at least one Senator as to what the conditions are in a given country and what the effect of the amendment would be. The list would include not only the countries I have mentioned. I think I read the list as far as China. Further countries could be mentioned. I shall not name them all, but I find Egypt—I do not think I mentioned Egypt—which declared war on Germany and Japan. Even little Finland declared war against Germany. France is in the list. Of course we intend to include France in the bill anyway. But as we go on down the list, we find various other countries. Greece ended relations with Japan on December 7, 1941, the date of the attack on Pearl Harbor. There is no statement in the book from which I read as to whether Greece declared war and I do not recall. At any rate, continuing down the list, we find that Hungary declared war on Germany on January 20, 1945; Iran, or Persia, declared war on Japan March 1, 1945, and so on.

It seems to me that inasmuch as the amendment broadly includes "a person who during World War II bore arms against the enemies of the United States and is unable or unwilling to return to the country of which he is a national," obviously there is no limitation at all. An Egyptian, an Ethiopian, any one of the other nationals to whom I have referred, Pakistanese and the Indians, to whom the Senator from Florida referred, would all be included within the amendment.

It seems to me, Mr. President, that while the Senator has a very fine sentiment in his mind, it is an illustration of the fact that on an important matter of legislation—and it is an exceedingly important matter we have before us—affecting a problem, complicated as is the displaced-persons problem, it is unwise here on the floor of the Senate to attempt to write into the bill something that would extend its operation not in the aggregate of figures, it is true, but would extend it beyond the borders of Germany, Italy, and France, possibly into Egypt, Ethiopia, China Pakistan, India, and other nations of the world.

I respectfully submit the amendment should not prevail, because of the impossibility of the Senate, or at least of the Senator who is speaking, properly to determine a matter of this great importance without further consideration.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. BROOKS. I yield.

Mr. BALDWIN. Would it not be possible to insert in the bill, on page 1, line 4, after the word "who", "even though he was a citizen of Finland, Poland, Russia," naming such countries as it might be desired to include within the provisions of the bill? If desired, it could be limited to Poland, or, other countries could be added which at one time were at war with the enemies of the United States. It seems to me, Mr. President, the amendment of the Senator from Illinois expresses an excellent and a worthy idea, and we should not be denied the chance of having it in the law merely because it is not limited in scope. Would the Senator accept such an amendment as I have suggested?

Mr. BROOKS. I am very grateful for the great concern and sympathy of members of the committee for the purpose of the Senator from Illinois. I am entirely conscious of the importance of the bill, and I know that all these questions should always be threshed out. But in the course of my experience I have found that a great many proposals are offered on the floor and accepted. They are taken to conference, and in conference the leading minds of the committee considering an amendment can work it out with great satisfaction. Senators having expressed the sympathy they have for my purpose, I ask them to accept the amendment and to work it out in conference with the House.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. REVERCOMB. Mr. President, if I understand the amendment, which, as

has been stated, has not been before the committee for consideration and which receives consideration upon the floor for the first time in the course of debate, the first part of the amendment adds words to the definition of displaced persons. The bill, which was worked out in the subcommittee, says that " 'displaced person' means any displaced person or refugee as defined in annex I of the constitution of the International Refugee Organization and who is the concern of the International Refugee Organization." To that definition the Senator would add the words, "a person who during World War II bore arms against the enemies of the United States and is unable or unwilling to return to the country of which he is a national because of persecution or his fear of persecution on account of race, religion, or political opinions."

Let me say to the able Senator, I feel it is not necessary to put that language in the bill. He will find that any person who was in the army of an ally, who cannot return to his country because of fear of persecution because of race, religion, or political opinions, is a displaced person, and comes within the language of the bill. Therefore, I would say that the first part of the amendment of the able Senator is not essential at all.

I join those who say that so far as the Anders' Army men are concerned, or anyone else who served in the cause of the Allies, but particularly with respect to Anders' Army, composed of Polish soldiers, they are displaced and are generally considered as displaced persons, who cannot return to their homelands. They first fought with Germany against Russia, and then when Russia changed over and became an ally of this country, or rather, an ally of the countries allied with us, these men joined the Allies and fought Germany.

The Senate knows of their bravery and heroic service in the campaign through Italy. They were mostly members of Anders' Army, and as I see it, that is the principal concern at the moment of the Senators from Illinois and Connecticut. All America has great respect for them. We are told that most of the Anders' Army men have been in the British zone in Germany. Some of them are in Britain, and, as I understand, some of them have already gone to Canada under a new law of immigration and they have also gone to other countries. But they would come under the general bill without the language contained in the amendment, and without the amendment itself.

Let us go further. We have talked about those who would come in under the definition of a displaced person. The second part of the Senator's amendment deals with eligible displaced persons; that is, those who are eligible to come into this country. Let me say, to begin with, that the members of Anders' Army of displaced persons, if they are in Germany, Austria, or Italy, or whether they be in the British, the French, or the American zones, are still displaced persons and eligible to come in under the proposed law.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. BALDWIN. It seems to me that they could come in as eligible displaced persons, anyway, under the definition of displaced persons, and they would be considered as eligible displaced persons if they were in the occupation zones.

Mr. BROOKS. Would the Senator from West Virginia object to taking the second half of the amendment, which gives priority, if they are eligible, as the Senator says, "first to those eligible displaced orphans who, on January 1, 1948, were located in displaced persons camps and centers, and to eligible displaced persons who during World War II," and so forth?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BROOKS. I shall be glad to yield.

Mr. VANDENBERG. It seems to me that if the Senate follows the recent suggestion of the Senator from Illinois there is no possibility of any latitude beyond the purpose of the bill itself, and there is only one net result. That is that a priority similar to that which is already contemplated with respect to orphans shall be given to those who, in the heat of battle, have bared their breasts to the common enemy of our country and our Allies and who thus deserve the consideration which the Senator asks. I can see nothing left except eligibility for priority. Is not that true?

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. REVERCOMB. The bill provides that priority in the issuance of visas shall be given to those eligible displaced orphans and eligible displaced persons who were, on January 1, 1948, located in displaced-persons camps and centers.

Mr. BROOKS. That is merely to place them ahead of all the other displaced persons who are eligible. It shows some recognition of persons who were willing, when driven out of their country, not to lie down, but to fight again in several different countries before they got through. They are still displaced persons and do not want to go home.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. WHERRY. Is it not a fact that they are probably the persons who are suffering most, and is it not doubtful that they have any homes to which to return? It seems to me the Senator from Illinois has a very definite program for those who joined at a time when we needed aid and help in the fight. Because of that fact, it seems to me that the amendment should be given our utmost consideration.

Mr. BROOKS. Mr. President, I shall be glad to amend my amendment, since the first part of it has caused such resistance, and I shall start my amendment in line 3, on page 2, where priority is given, if they are eligible otherwise, after the orphans and before the others. I am sorry that I cannot work it out to take in the others, but I do not know how to reach them at this moment.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. REVERCOMB. The Senator understands that there is already in the bill a provision for 50 percent of these people who will be within the eligible displaced persons class to be admitted to this country and who come from those countries which have been annexed. I am wondering how far this amendment might affect that situation?

Mr. BROOKS. They should have the first priority in entering this country.

Mr. REVERCOMB. I am trying to find out whether it does affect them. When amendments are brought up on the floor of the Senate, I think we should definitely know what result they would have.

Mr. BROOKS. I do not think the amendment as now presented would change or affect anything except that if 2 men are eligible, the man who actually bore arms would have priority.

Mr. REVERCOMB. If that is the effect of it, there is nothing wrong with the amendment. But I am trying to arrive at the fact. I wish there were some way in which we could sit down and consider what can be done.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BROOKS. I yield to the Senator from Kentucky.

Mr. COOPER. I should like to ask the Senator this question. I have been looking at the definition of "displaced person", on page 1 of the bill, and then at the definition of "eligible displaced person" on page 2 of the bill. As I interpret the Senator's amendment, if there are those who bore arms against the enemies of the United States who now reside in Germany, Austria, or Italy, they are now covered by the bill. Is it not true that the Senator's amendment goes farther, and would include such persons who are not in Germany, Austria, or Italy.

Mr. BROOKS. It does.

Mr. COOPER. It would permit the admission of persons who are not resident in Germany or Austria or Italy. If we could find any person anywhere in the world who bore arms against the enemies of the United States, that person would be eligible for admission.

Mr. BROOKS. I wonder if the Senator was present when I amended my amendment by striking the first part of it and starting it on the next page.

Mr. COOPER. Yes. That was done just a moment ago.

Mr. BROOKS. It merely provides that if they are eligible they shall be given priority.

Mr. COOPER. As amended, the bill will give priority to a person who actually bore arms against the enemies of this country if he is otherwise eligible under the pending bill.

Mr. BROOKS. That is correct.

Mr. COOPER. I ask the distinguished Senator if he can give me some examples of persons whom his amendment would reach if such persons are not now reached by the bill.

Mr. BROOKS. I have stricken a part of the amendment. I wanted to reach

out and call them eligible, but because of the points made by distinguished members of the Judiciary Committee it might encompass such a large group that the real purpose would be destroyed. So I have now stricken the first part of the amendment; and will give the Senator an example. If there were two men in a displaced-persons camp and one had borne arms against an enemy of the United States, he would have priority over the other man.

Mr. COOPER. If he had been a member of the armed forces of a country——

Mr. BROOKS. If he had borne arms.

Mr. COOPER. I say, if he had been a member of the armed forces himself.

Mr. BROOKS. If he was a member of the armed forces that bore arms against our enemies, he certainly would be taken in.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. CAIN. What would be the effect of the amendment presently offered by the Senator from Illinois on the provision of the bill which requires that 50 percent of the displaced persons to be admitted into this country must be agricultural workers? Would it unbalance what the Senator from West Virginia is attempting to achieve?

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BROOKS. I shall be glad to yield.

Mr. REVERCOMB. I have not made that specific inquiry. Let me say to the Senator from Illinois that if I am wrong I want to be corrected. If there are two men in a displaced-persons camp, within the categories fixed by the bill for selection, the one who bore arms against the enemies of this country would be selected over the one who did not bear arms. Is that correct?

Mr. BROOKS. That is correct.

Mr. REVERCOMB. Does it go any further than that?

Mr. BROOKS. No.

Mr. REVERCOMB. May I make this suggestion, that if the Senator will withdraw his amendment at this time and permit us to sit down and try to work it into the proper place——

Mr. BROOKS. Why not adopt it, and then if it is desired later to change it, we can discuss it later.

Mr. REVERCOMB. I will say this to the Senator, then. So far as I may do so, if it meets with the approval of the other members of the Judiciary Committee, I shall accept the amendment offered by the Senator from Illinois, as changed, with the understanding that if the persons fall into the categories already fixed under the terms of the bill as written, and there are two persons, for instance, one having borne arms in behalf of this country, and the other not having borne arms, the one who bore arms shall receive preference. That is the purpose of the amendment.

Mr. DONNELL. Mr. President, will the Senator from Illinois yield?

Mr. BROOKS I yield.

Mr. DONNELL. Could the Senator at this time tell us the exact language he proposes, and where he proposes to insert it? I for one have some hesistancy in voting for the adoption of an amendment based on a mere expression of intention, without knowing precisely what we are adopting.

Mr. BROOKS. I think the Senator from Missouri realizes what I was trying to do with the first part of my amendment, but I can see that there is probably justifiable resistance to it because it encompasses so many different people in so many different lands. For that reason I am striking the first part of my amendment——

Mr. DONNELL. By the "first part," the Senator means what?

Mr. BROOKS. Striking out all down to line 3 on page 2.

Mr. DONNELL. Very well.

Mr. BROOKS. That eliminates persons from eligibility, per se, merely because they bore arms.

Mr. DONNELL. In other words, it dot not leave the amendment open to the criticism that it is applicable all around the globe?

Mr. BROOKS. That is exactly correct. It is applicable within the scope of the eligibility provided by the bill reported by the committee.

Mr. DONNELL. That is in subdivision (c) of section 2?

Mr. BROOKS. That is correct. Then on page 4, line 14, the amendment would strike out, beginning with the word "to."

Mr. DONNELL. That is the Senator's amendment would begin in line 14, page 4?

Mr. BROOKS. That is correct; after the word "to." I will read my amendment. On page 4, line 14, beginning with the word "to", the amendment proposes to strike out down through the comma in line 17, and insert in lieu thereof the following: "first to those eligible displaced orphans who, on January 1, 1948, were located in displaced-persons camps and centers, and to eligible displaced persons who during World War II bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion, or political opinion, and second, to other eligible displaced persons who, on January 1, 1948, were located in displaced-persons camps and centers."

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. REVERCOMB. In order that we may have a clear understanding, the priority mentioned is subsequent to and takes subsequent order to any priority which now exists in the bill. Does the Senator understand what I mean? Fifty-percent priority is given, for instance, to those persons who come from the lands we have described as "annexed." Fifty percent, as the bill is written, shall be persons who will be engaged in agricultural pursuits. The priority, of which the Senator speaks, in favor of the one who has borne arms, will come subsequent to those categories fixed by the bill?

Mr. BROOKS. And fall within the categories.

Mr. REVERCOMB. They must fall within the categories, and the categories must come first before the priority?

Mr. BROOKS. I am sorry I have to submit the amendment in that way, but I think I can have it accepted in that form. I am afraid I do not have in mind at the moment language which would eliminate the points made by the Senator from West Virginia and the Senator from Missouri, so I shall submit the amendment in the form I now suggest.

Mr. REVERCOMB. Very well. I am very glad indeed, if it meets with the approval of the other members of the committee, and under the terms as we have discussed it here, to accept the amendment, as modified, as an amendment to the bill to be taken to conference.

Mr. VANDENBERG. Mr. President, will the Senator from Illinois yield?

Mr. BROOKS. I yield.

Mr. VANDENBERG. May I suggest one further change for clarification? The Senator's amendment refers first to those eligible, and so forth, and then in line 12, "and, second, to other eligible," and so forth, whereas there are actually three categories in his amendment. I wonder if it would not be much plainer if, in line 7, after the word "and," the word "second" were inserted, and then, in line 12, the word "second" were changed to "third," so that the Senator would identify his three categories. Would not that be advantageous?

Mr. REVERCOMB. I have not followed the suggestion.

Mr. VANDENBERG. If there is any doubt about it, I withdraw the suggestion.

Mr. REVERCOMB. I want the benefit of the suggestion; but I did not follow it.

Mr. VANDENBERG. The Senator from Illinois has identified two categories by number.

Mr. REVERCOMB. The Senator is grouping the orphans as one?

Mr. VANDENBERG. Orphans first, veterans second, other eligible displaced persons third, whereas, as submitted, the Senator from Illinois has only two identifications, when, as a matter of fact, he has three classifications.

Mr. BROOKS. I think that probably clarifies the amendment, and I ask unanimous consent to modify my amendment to read first, second, and third, as indicated by the Senator from Michigan.

Mr. REVERCOMB. Mr. President, we shall be very glad, in the light of the discussion we have had on the floor today, to take the amendment, as changed, to conference for consideration of the conferees.

Mr. FERGUSON. Mr. President, as a member of the Committee on the Judiciary, I see no objection to the amendment as modified, and I think it should be agreed to.

Mr. DONNELL. Mr. President, I should like to have the RECORD show that I also have no objection to accepting the amendment and taking it to conference.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The question is on agreeing to the modified amendment of the Senator from Illinois [Mr. BROOKS].

The amendment, as modified, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5770) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANFIELD, Mr. DIRKSEN, Mr. GRIFFITHS, Mr. SCHWABE of Oklahoma, Mr. GARY, Mr. BATES of Kentucky, and Mr. JACKSON of Washington were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1641) to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5816) to amend the act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 252. An act for the relief of the estate of Lee Jones Cardy;

S. 314. An act for the relief of Robert E. Lauritzen;

S. 825. An act for the relief of Ern Wright;

S. 1055. An act for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce;

S. 1206. An act for the relief of Jack O'Donnell Graves;

S. 1588. An act for the relief of E. W. Strong;

S. 1729. An act for the relief of Gudrun Emma Ericsson;

S. 1771. An act authorizing the Secretary of the Interior to convey certain lands in Powell Townsite, Wyo., Shoshone reclamation project, Wyoming, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.;

S. 1886. An act for the relief of William M. Looney;

S. 1941. An act to authorize and direct the Secretary of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land;

S. 2060. An act for the relief of Edgar Wikner Percival; and

H. R. 3680. An act to amend sections 207, 213, 215, 216, 220, 222, and 225, of title 2 of the Hawaiian Homes Commission Act, 1920, as amended.

ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

Mr. IVES. Mr. President, I offer an amendment and ask that it be read, and I request its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 8 it is proposed to strike out section 8 and, in lieu thereof, to insert the following:

SEC. 8. After June 30, 1948, and prior to July 1, 1950, an immigrant under 14 years of age who is an orphan because of the death, or disappearance indicating the death, of one or both parents as a result of World War II and who is qualified under the immigration laws of the United States for permanent residence therein, shall be admitted into the United States as a nonquota immigrant (in addition to the persons authorized to be admitted by section 3 of this act), if a citizen of the United States furnishes, in accordance with such rules and regulations as may be prescribed by the Displaced Persons Commission, evidence satisfactory to such Commission that such citizen is willing and financially and legally able to adopt, rear, and educate such orphan and will undertake with due diligence to effect such adoption under the laws of the State of his domicile.

Mr. IVES. Mr. President, the reading of the amendment itself is really an explanation of it. The amendment is a substitute for section 8, which in its present form is decidedly both restricted and restrictive. It seems to me that the amendment which I am now offering, if it were to be adopted, would be the most humanitarian provision in the whole displaced-persons program. It applies to little children only—children under 14 years of age, who have been orphaned by the war, one or the other of whose parents or both have died because of the war. Obviously a provision has to be made through the displaced persons commission, provided for in the bill, for their appropriate adoption in the United States by people who are qualified and able to adopt them. I can see no sound objection to such an amendment as this.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. McCARTHY. I might say at this time that the chairman of the Committee on the Judiciary, the senior Senator from Wisconsin [Mr. WILEY], and myself, have submitted an amendment almost identical to the amendment of the Senator from New York. I think the amendment of the Senator from New York is, I will say freely and frankly, slightly better than ours. I should like to join wholeheartedly with the Senator from New York in support of his amendment, and if it is adopted, the senior Senator from Wisconsin and I will not call up our amendment.

Mr. IVES. The Senator from New York thanks the Senator from Wisconsin.

Mr. REVERCOMB. Mr. President, will the Senator from New York yield to me?

Mr. IVES. I yield.

Mr. REVERCOMB. Since the Senator from Wisconsin has made his statement, I point out to the able Senator from New York that in his amendment he is not dealing at all with a displaced persons bill. He is dealing entirely with the general immigration law pertaining to orphans. The displaced persons bill covers the displaced orphans question. There are approximately 3,000 displaced orphans in the areas of Germany, Austria, and Italy, and they are to be admitted under the bill.

I was very much impressed, I may say, by the amendment offered by the senior and junior Senator from Wisconsin, which is very definite, and applies to and is within the scope of the displaced-persons bill with which we are dealing, as a sort of a separate subject. In that amendment it is provided that orphans "with respect to whom satisfactory arrangements have been made for adoption by man and wife who are citizens of the United States, in accordance with the laws of the State of residence of the adoptive parents," may come in. However, I point out to the able Senator from New York, and I should be very glad to have him discuss it, that his amendment deals with general immigration, and applies to orphans all over the world. It may be a very laudable amendment; I shall not say it is not; but it applies to orphans everywhere in every land, whereas the displaced-persons bill, dealing with the orphans of the areas affected by it, applies only to Austria, Germany, and Italy. The question is whether or not it is desired to mix the two.

Mr. IVES. Mr. President, in reply to the able Senator from West Virginia, the Senator from New York will state that he is well aware that it applies to children all over the world who would qualify under it. Any orphan—and bear in mind, Senators, that the child must be an orphan—any orphan, at least one of whose parents has died because of the war and who is to be adopted by an American citizen, would be eligible under the amendment. I do not know whether one wants to call these poor little children immigrants or displaced persons. I am not particularly interested in that. But it occurs to me that in a very broad sense any youngster under 14 years of age anywhere in the world, who has neither mother nor father nor anybody under the canopy of heaven to look after him except somebody in the United States, is a displaced person in every sense of the word. That is why I am for this particular amendment, and I hope it will prevail.

Mr. McCARTHY. Mr. President——

The PRESIDING OFFICER (Mr. BRICKER in the chair). Does the Senator from New York yield to the Senator from Wisconsin?

Mr. IVES. I yield.

Mr. McCARTHY. I might say that in case the amendment of the Senator from New York fails we, of course, intend to call up the other amendment. When we deferred to the Senator from New York we were fully aware that his

amendment was much broader in its scope. I think his amendment is a much better and a much more humane amendment than is ours. It should be kept in mind, of course, that it will let no orphans into the country unless they would otherwise qualify under the immigration law. So it will not open the doors too widely. We must also keep in mind that it applies only to the orphans who were orphaned by World War II. I am fully aware of the scope of the bill, and will say again that I prefer the amendment of the Senator from New York to the amendment submitted by my colleague, the senior Senator from Wisconsin, and myself.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. COOPER. The Senator from West Virginia has asked if the amendment of the Senator from New York extends the provisions of the bill to a group which has not thus far been considered as displaced persons. There is a great humanitarian appeal which addresses us when the word "orphan" is mentioned—any orphan any place in the world. But we must remember that we are discussing displaced persons. Several times in the debate the suggestion has been made that the benefit of the bill should be extended to persons who are not displaced persons. Displaced persons are those who were the victims of the Nazi or the Fascist regimes. So far as I am concerned, I believe the bill ought to be limited to those who are properly displaced persons, and that others including those who are the concern of the amendment offered by the Senator from New York should be considered by an amendment to the regular immigration law.

Mr. McCARTHY. Mr. President, will the Senator from New York yield so I may ask the Senator from Kentucky a question?

Mr. IVES. Yes.

Mr. McCARTHY. Is the Senator from Kentucky aware of the fact that before any of these orphans would be eligible to come in under this particular amendment, arrangements would have to be made for their adoption and that the adoptive parents would have to furnish proof that they were financially and morally able to take one of these children. So I can see no possibility that any of these particular orphans would become problems. Under the law the home to which the orphan is brought must be approved. It must be shown that the adoptive parents can take care of the particular orphan. I cannot see how any harm could arise by the adoption of the amendment. After all, we did take a part in making some of these children orphans, and it seems the humane and honest and decent thing to do to permit those who can be adopted to come to this country.

Mr. COOPER. Mr. President, I understand perfectly that the orphans must be adopted before they can come to the United States. I also know that the amendment presents a great humanitarian appeal to all of us. I am simply making the point that the pending bill is directed to those who are properly called displaced persons, and persons who were displaced by the enemies of the United States, and I do not believe the bill should extend to other groups.

Mr. IVES. Mr. President, in reply to the able Senator from Kentucky, for whose judgment I have a very high respect, I should like to say that it seems to me in this particular instance we should not become too legalistic. These youngsters are in effect displaced persons. They are the victims of Nazi tyranny and Nazi conquest. They are the victims of fascism. They are the victims of the war. If it were not for that I would never be offering an amendment of this kind on the floor of the Senate. But in every true sense of the word, if we want to be perfectly frank and fair about it, these youngsters are the first and the greatest sufferers among all the displaced persons of the world. That is why I am offering the amendment.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. TAFT. The amendment would apply to German, Austrian, and Italian, as well as orphans of all other nationalities, would it not?

Mr. IVES. Yes.

Mr. TAFT. Would not the amendment be in the nature of a change or modification of the immigration laws, rather than a proper amendment to a measure dealing with the displaced persons problem?

Mr. IVES. Undoubtedly it deals with the immigration laws, as I pointed out; but it deals also with the displaced-persons situation.

When it comes to German youngsters, Austrian youngsters, or Italian youngsters, these children are the future citizens of the world. They are children of an age at which they have not been subjected to the type of indoctrination which we abhor in the United States. These youngsters would become good American citizens.

We talk constantly of discrimination. We are the melting pot of the world. Never should we discriminate in basic things, particularly when it comes to children, who have in them tremendous possibilities as future citizens of the United States.

Mr. President, I point out further that in effect the entire displaced persons approach is a modification of our immigration laws. That is the whole idea behind the bill itself. I do not know with what it deals if not with our immigration laws. So if it applies to immigration, it applies to everything connected with immigration.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. RUSSELL. The Senator's amendment is very general in its terms. As he states, he wishes it to apply all over the world. It would, of course, apply in the case of China, Burma, or any other section of the world where people were killed during World War II. Does the Senator offer the amendment without regard to quota limitations on Chinese, Burmese, or other nationals?

Mr. IVES. Mr. President, if it came to the adoption of Japanese children—I think that would be more to the point, because we have Japanese-Americans in this country, and in all probability we have plenty of Chinese-Americans—the children would have to be accepted under our immigration laws and would have to be adopted by American citizens; as such, they would have the care and bringing up which is so necessary. It is doubtful that many children from Japan or China could be adopted in the United States. That is utterly unlikely. I realize that the terms of the amendment are broad, but I point out again that these are children, future citizens of the world, who at their present age can be made loyal Americans, as good as we can produce in this country. There are sufficient protective features in the amendment to provide the right kind of home environment.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. BALDWIN. It is true, is it not, that the amendment applies only to children under 14 years of age?

Mr. IVES. That is true.

Mr. BALDWIN. In the course of time the provisions of the amendment would become inoperative, because the number of eligible children under 14 years of age will decrease as time goes on, and, consequently, there is the best kind of limitation upon the permanent application of such legislation.

Mr. IVES. Yes. I thank the Senator from Connecticut for that observation. I also point out that there is an over-all time limit of July 1, 1950. There is no permanency about this proposal; it is thoroughly restricted, and so justified that the Senator from New York cannot comprehend objection to it.

Mr. REVERCOMB. Mr. President, I have listened with interest to this discussion. I realize the very great appeal to all of us when we deal with orphans. They are never the cause of the trouble, but are the sufferers from it.

However, it has been pointed out that this amendment is an amendment of the general immigration laws. That is more than merely a statement. The general immigration laws, founded upon years of study, establish certain quotas upon nationals of other countries who are admitted into this country. We have not attempted to break down immigration quotas. I hope that we shall not attempt to do so in dealing with the displaced persons problem.

Let me point out to the able Senator from New York that the first thing I see wrong with his amendment is the definition of an orphan. The language is:

> An immigrant under 14 years of age who is an orphan because of the death, or disappearance indicating the death, of one or both parents—

A child's father may be living, and in good circumstances——

Mr. IVES. I have never heard of an orphan who had a parent living. The amendment says:

> An orphan because of the death * * * of one or both parents as a result of World War II.

Mr. REVERCOMB. Let us read the amendment:

After June 30, 1948, and prior to July 1, 1950, an immigrant under 14 years of age who is an orphan because of the death, or disappearance indicating the death, of one or both parents as a result of World War II.

I am very glad to have the explanation of the Senator; but the way the amendment is written, it would certainly leave the inference that the word "orphan" is used to define, in certain instances, a child one of whose parents is deceased.

Be that as it may, it seems to me that the able Senator's amendment is too broad in its scope to be included in the limited bill with which we are dealing, which covers Germany, Austria, and Italy. The Senator's amendment covers the world. We have not attempted to deal with the displaced-persons problem throughout the world. We have had to limit the terms of the bill, by general consent. There is no objection to that. Why write into it any measure dealing with a world-wide problem? It seems to me that the great-hearted proposal of the Senator from New York has no place in this bill, and may well be taken up in the study of the general immigration laws which I trust will continue throughout the months ahead.

Mr. IVES. Mr. President, in response to the able Senator from West Virginia, I merely point out that if we are to await such study and the legislation which may result from it, it will be too late to take care of a large number of youngsters who could be taken care of by the enactment of this particular amendment at this time.

I have read again the language in the amendment regarding the death or disappearance of one or both parents, and to me it definitely indicates that both parents must be dead. One or both of them may have died as a result of the war.

Mr. REVERCOMB. Mr. President, before proceeding further I should like to indicate to the Senator from New York and the Senator from Wisconsin [Mr. McCARTHY] that so far as I am concerned, if it meets with the approval of other members of the committee, I am willing that the amendment to be proposed by the Senator from Wisconsin shall be written into the bill. However, let me say candidly that in view of the situation which arises in connection with the amendment of the Senator from New York, with all due respect to him and his amendment, I do not feel that it should be accepted in this limited displaced persons bill.

Mr. DONNELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Missouri?

Mr. IVES. I yield.

Mr. DONNELL. I should like to ask the Senator from New York a question. I understand that his amendment proposes to strike out section 8 and insert in lieu thereof the section which he has presented. I am wondering whether he really intends, as he examines the two, to accomplish just that result. If so, would he not be depriving an eligible displaced person who is already lawfully adopted by man and wife who are citizens of the United States, and who at the time of the adoption are in Italy or in the American zone, of the right to be admitted into the United States as a nonquota immigrant? The amendment proposed by the Senator from New York applies only to orphans with respect to whom there is a prospective adoption. He would strike out the section which gives the benefit of the displaced persons bill to orphans who have already been adopted. Should he not leave in the present section 8, and simply offer his amendment as a new section, without striking out section 8 as written into the bill?

Mr. IVES. Mr. President, in reply, I am perfectly willing to follow that suggestion by inserting an "(a)" after "section 8" in line 5, and then following it with a subsection "(b)," to take care of my amendment. I do not think the two are in conflict at all.

Mr. President, I so modify the amendment.

The PRESIDING OFFICER. The amendment will be modified accordingly.

The question is on agreeing to the modified amendment submitted by the Senator from New York.

Mr. DONNELL. Mr. President, upon further consideration, I am of the opinion that the amendment suggested by the Senator from New York should not be adopted as a part of this bill, but that the Judiciary Committee should have the right to consider the proposal further. I am aware of the fact that the Senator from New York appeared before the subcommittee on displaced persons, which subcommittee also has, as part of its functions, the further general amendment of the immigration laws. But it appears to me that it would be unwise to strike out the existing section 8 of the bill.

Do I correctly understand from the Senator from New York that now he does not intend to do that?

Mr. IVES. Mr. President, I have now modified my amendment in that way.

Mr. DONNELL. Then I should like to state that I am in full harmony with the Senator's action in doing so; but, nevertheless, I am opposed to the adoption of the amendment as a part of this bill.

Mr. IVES. Mr. President, I desire to have my modification perfectly clear. On page 8 of the bill, in line 5, after the numeral "8", I have proposed to insert in parentheses the letter "a"; and then after line 11, following the present section 8, which in connection with my amendment would now be identified as section 8 (a), I would insert my amendment as a new paragraph, identified as "(b)"; and in my amendment, in line 9, page 1 thereof, as it is now printed, the word "section" would be changed to "sections", and after the numeral "3" would be inserted "and 8 (a)."

Then the matter in parentheses on lines 8 and 9 of page 1 of my amendment would read as follows:

(In addition to the persons authorized to be admitted by sections 3 and 8 (a) of this act.)

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from New York.

Mr. REVERCOMB. Mr. President, I urge the Senate to reject this amendment, because, regardless of the quota numbers, it simply would open up this matter to all the world—to Asia and to every other continent on the globe—and would permit the entry of an unlimited number of persons, if they were not older than 14 years of age. Such a provision is a general immigration matter. It has no place in the displaced-persons bill. I say with all respect to my colleague the Senator from New York that I hope the amendment will not be adopted as a part of this bill, but will be taken before the committee dealing with the general subject of immigration and will be given consideration in that connection.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from New York. [Putting the question.]

The amendment was rejected.

Mr. McCARTHY. Mr. President, I call up the amendment which has been printed as intended to be proposed by the senior Senator from Wisconsin and myself. It is lettered "B," and I ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 8, line 5, after the word "orphan", it is proposed to insert "(1)."

On page 8, line 9, after the comma following the word "Austria", it is proposed to insert: "or (2) with respect to whom satisfactory arrangements have been made for adoption by man and wife who are citizens of the United States, in accordance with the laws of the State of residence of the adoptive parents."

Mr. McCARTHY. Mr. President, this amendment deals with the same subject covered by the amendment offered by the Senator from New York, but it does so in a much more restricted manner.

If we turn to page 8 of the bill, to section 8, we find that under it a couple who are citizens of the United States can go to certain areas of Europe and adopt a displaced orphan, and then bring that orphan into the United States quota free. In other words, John Jones and Mrs. Jones could go to Europe and adopt a child, and could bring that child back to the United States quota free.

This amendment, as proposed by the chairman of the Judiciary Committee and myself, merely provides that John Jones and Mrs. Jones can adopt that child without going to Europe to pick it up. They must make satisfactory arrangements under the laws of their particular States. Of course, such laws vary as between the respective States. For example, in Wisconsin, the home must be investigated by the proper social agency, and the financial responsibility of the adoptive parents must be certified.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. McCARTHY. Certainly.

Mr. SALTONSTALL. Is it possible for a husband and wife in Wisconsin to go to Europe, see a child there, return to Wisconsin without that child, and then have authority to adopt the child and have it brought to the United States.

Mr. McCARTHY. I would not suppose that there would be many families who would travel to Europe to look at a child, return to the United States without the child, and then propose to adopt it while they were here and while the child was still abroad, if under section 8 they could adopt the child by bringing it back to the United States with them.

This amendment merely provides that a family which cannot go to Europe to pick up an orphan child, can make the necessary arrangements in this country, and then the child can be brought into the United States in the same manner, quota free, as if the husband and wife had gone to Europe to adopt it.

Mr. SALTONSTALL. Can a child be adopted in the State of Wisconsin without being in the State of Wisconsin?

Mr. McCARTHY. No; the child would have to be brought to Wisconsin first.

Mr. SALTONSTALL. Then how could the child be brought to Wisconsin before it could be known that it was legally adopted?

Mr. McCARTHY. The amendment provides that when the proposed parents make satisfactory arrangements for the adoption of the child, the child may be brought to the United States. Of course, the particular arrangements will depend upon the laws of the particular State concerned. In my State the laws are very restrictive. The home of the intended parent must be carefully examined; and after a thorough examination of all conditions, the home must be certified as being a proper one for the proposed adopted child. Of course, the rules and regulations differ as between the various States.

But in this amendment we simply say that instead of requiring the husband and wife to travel to Europe to adopt the child, the necessary arrangements may be made under the State law, and the child may be brought into the United States under those conditions.

I have discussed this amendment with the Senator from West Virginia [Mr. REVERCOMB], and he informs me that this particular amendment is not objectionable to him.

Mr. CAIN. Mr. President, what happens if the proposed foster parents decide they do not want the child, after the child has been brought to this country—for instance, if they decide that they do not wish to adopt the child, even though that was previously their intention when they made arrangements by mail for the child to be brought to the United States to be adopted?

Mr. McCARTHY. That point might be covered by requiring the proposed adoptive parents to put up bond, or something of that sort. Of course, the amendment would be administered with the ordinary common sense; and if that were done, I think there would be no difficulty.

Mr. CAIN. The administrative agency would be the agency within one of the 48 States having jurisdiction over the problem of adoption. The Senator would not know what the rules and regulations are actually going to be in most cases, would he?

Mr. McCARTHY. When I refer to administrative agencies, I speak of the agencies administering the entire displaced persons bill, not of setting up any new agency.

Mr. CAIN. Then it would in most cases take a considerable period of time for proper examinations and investigations to be made, to permit correspondence to pass back and forth, to make certain, or at least to make it as certain as possible, that the foster parents knew what they were doing when they made a request for the order.

Mr. McCARTHY. I fear it would be a rather lengthy proceeding.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

Mr. McCARTHY. I yield.

Mr. DONNELL. I am not clear as to the meaning of the term "satisfactory arrangements." Arrangements satisfactory to whom? What does that mean?

Mr. McCARTHY. It obviously means arrangements that are satisfactory to the administering agency. Within the bill there is set up an agency that will administer the displaced persons bill, and they will also administer the amendment I propose.

Mr. DONNELL. Suppose arrangements are made; that is to say, an agreement is made by the parents, who are conducting correspondence, under which they are to adopt the child. The child is brought to America. This is a slight variation of the question asked by the Senator from Washington [Mr. CAIN]. Suppose the court before which the adoption proceedings shall be held declines to grant the adoption. Is the child still to remain in this country in the custody of the contemplated adoptive parents, who have been unable to perfect the adoption?

Mr. McCARTHY. Of course, I can not answer that question and give a guarantee, the Senator will understand. But let us say the Senator is the administrator of this particular law, and that I apply for the adoption of a child. This section provides I must make satisfactory arrangements in accordance with the laws of my State. First, the laws of my State require that I have a wife, which I do not have; second, I must be a citizen of the State; third, a social agency must examine my home; fourth, they must keep it under observation and make trips to my home over a period I believe of from 3 to 6 months. I forget all the details. Finally, the social agency certifies to the court that I am a proper prospective adoptive parent. Assuming, in conjunction with that showing, that I am financially able to take care of the child; would that be considered by the Senator, if he were the administrator, as a satisfactory arrangement? I cannot conceive of any judge under those circumstances saying, "Despite the fact that the home has been approved, I arbitrarily refuse to allow the adoption." At least, there would be no danger of that happening in my State, and I assume that would hold true in most of the other States.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. McCARTHY. I yield to the Senator from Illinois.

Mr. LUCAS. I should like to pursue the question asked by the Senator from Washington for a moment. There is nothing in the Wisconsin law or in the laws of any other State which would compel people who have made application for the adoption, to take the child once the child came into the country. What would happen to the child in the event they refused to take him, once he came here from Europe?

Mr. McCARTHY. I may answer the Senator by asking, what will happen to any of the orphans who may be allowed to come in under the displaced persons bill? The Senator knows we are allowing other orphans to come in. I do not know what may happen. First, if the Senator from Illinois and his wife applied for the adoption of a child, and they went through all the technicalities necessary to do that, I assume they would be serious about the proposal.

Mr. LUCAS. That is not the point I raised.

Mr. McCARTHY. Let me finish, please. I assume the Senator would not abandon the child. I assume he would be serious; he would want the child. What would happen to the child, in the event the Senator should say he wanted to give up the child, and said, "No; I have changed my mind. I do not want the child"? I can only assume the social agency or the Administrator would take steps to have someone else adopt the child. Frankly, I have not endeavored to cover that contingency in the amendment.

Mr. LUCAS. It seems to me it is very important to know exactly what would happen to an orphan coming into this country, in the event those who had made application to adopt the child should change their minds, once the child arrived in America. The Senator correctly says that everyone is presumed to be acting in good faith. The persons making the application let us say acted in good faith, but this is a "sight unseen" proposition in many cases, probably 98 percent of them. Certainly we ought to know something about that situation before we agree to the amendment.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. REVERCOMB. The Senator from Illinois has asked a pertinent question, and I believe it is met under the general terms of the bill. I refer to page 3, subsection (d):

> For whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly.

In other words, it becomes the duty of the Commission not only to prescribe such rules and regulations as may be necessary, but to supervise to an extent to see that they are complied with and that the orphan will be cared for properly. That is with respect to the displaced orphan who may come into this country for any purpose or under any circumstances.

Mr. LUCAS. Mr. President, will the Senator from Wisconsin further yield for a question?

Mr. McCARTHY. I yield.

Mr. LUCAS. Do I correctly understand from the last statement made by the Senator from West Virginia that orphans coming to America under this bill would be admitted, and then, after being admitted, the amendment offered by the Senator from Wisconsin would apply to orphans in this country, after they come in under the quota or under the displaced persons bill we are now discussing, and which we hope will be passed, or am I to understand it to mean that the amendment would apply only to orphans in European countries? If, under the bill, applications may be made abroad for orphans coming to America that is another proposition.

Mr. REVERCOMB. If I understand the Senator's inquiry correctly, I think I can best answer it by reading this short provision from the bill:

(d) "Eligible displaced orphan" means a displaced person (1) who is under the age of 14 years, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) who is an orphan because of the death or disappearance of both parents, and (4) who, on or before the effective date of this act, was in Italy or in the American zone, the British zone or the French zone of either Germany or Austria, and (5) for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly.

So I take it if a man and wife living in this country desired to adopt an orphan who had not yet been brought to this country, they would have to do it through the Commission and under the regulation of the Commission. Provision is made in the bill as it is now written for persons who are abroad, that is, American citizens who are abroad, to adopt on the ground, that is, in Europe, and bring the child back with them, without quota assignment; but the problem posed by the amendment is that of sending over to get the child, or going over and bringing the child back, and having the adoption proceedings here.

Mr. LUCAS. That is exactly what I thought the amendment did.

Mr. REVERCOMB. That is correct.

Mr. LUCAS. I was not wrong in my impression. Therefore, I raised the question which we discussed a moment ago as to what would happen in the event of an application being made in accordance with the terms of the bill, and those who make the application refused to adopt the orphan.

Mr. REVERCOMB. I will say to the distinguished Senator that the same thing would happen as would happen to an orphan who might be brought here not for the purpose of adoption. The law provides that satisfactory assurances must be given to the Commission that he will be properly cared for. I should say, then, that if someone should violate those assurances the Commission would have to go about its work and find a place for the child to live.

Mr. LUCAS. I am sure the child would be cared for in some way, and I am glad to have that interpretation from the Senator from West Virginia, because I can see that it might become extremely important in connection with the disposition of a large number of orphans for whom someone might make application, and yet, when they arrived, might feel that they were not in position to take care of them. Someone must take care of the residue. If the Senator is correct, they would come in under the same category as would orphans who are arranged for in the bill itself. That may be correct. I hope it is.

Mr. WHERRY. Vote!

Mr. REVERCOMB. Mr. President, it seems to me that the amendment offered by the Senator from Wisconsin adds another method of adoption of orphans. The amendment permits adoption under the laws of this country. Both amendments have a good purpose. The Senator from Missouri has raised some question with regard to it. As I said before, it is entirely agreeable to me, if it is agreeable to the other members of the committee. Of couse I want the other members of the committee to be satisfied with the purpose and the composition of the amendment before it is accepted.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. HICKENLOOPER. This may be a strained interpretation of the provision, in anticipation, but inasmuch as the particular amendment is bottomed entirely upon the laws of the State which is the residence of the adoptive parents, I am wondering whether orphans could be excluded if the State legislature, for instance, in connection with adoption, should write into its statutes a provision that any organization which wanted to bring over 10,000 orphans for prospective fathers and mothers to look over and decide whether they wanted to adopt them, could do so, and would be qualified, under this amendment, to bring in great numbers without any definite assurance of adoption or of finding homes for them.

If the Senator will permit, I should like to get the views of the Senator from Wisconsin on the question.

Mr. McCARTHY. I should like to call the Senator's attention to line 4 of the amendment, which reads as follows:

Or (2) with respect to whom satisfactory arrangements have been made for adoption by man and wife who are citizens of the United States, in accordance with the laws of the State of residence of the adoptive parents.

Mr. HICKENLOOPER. I am speaking about a change in the laws of a State. If there were a change made in the laws of a State to arrange for the adoption of 5,000 orphans, it would still be necessary to provide satisfactory arrangements for them. Satisfactory to whom?

Mr. McCARTHY. Someone some place must decide whether the arrangements are satisfactory.

Mr. HICKENLOOPER. It is the laws of the State that decide it. The administrator has nothing to do with it.

Mr. McCARTHY. The application must be made by the administrator.

Mr. HICKENLOOPER. Yes. But when the basic qualifications have been met by the orphan, then it is the law of the State that must be satisfied. As I said at the outset, this may be a strained interpretation, in anticipation, but it is entirely conceivable that a State legislature might say, "We will write into the law a provision to permit prospective fathers and mothers, adoptive parents, to bring over a great number of children to see if we can have them adopted by the prospective parents." I think that would meet the qualifications of the Senator's amendment.

Mr. McCARTHY. In view of the fact that the subcommittee has found as a fact that there are approximately 3,000 orphans who are qualified under the definition of an eligible displaced orphan, there is no possibility of any State taking in 10,000 of them. I cannot conceive of the State of Iowa, the State of Wisconsin, or any other State making it possible for anyone to adopt 10,000 children. The amendment provides for arrangements to be made for adoption by man and wife, not adoption by a State; not by some social agency, but by man and wife. Unless a man were extremely wealthy he could not qualify to adopt anywhere near 10,000. If he had sufficient money to adopt 10,000, and if there were 10,000 orphans in Europe to be adopted, I would say, "Good. Let him adopt them."

Mr. HICKENLOOPER. I made no suggestion that any one man and wife would adopt 10,000, or even 10. I am speaking of a change in the adoption statutes of a State which might provide that a man and his wife might agree to adopt a child, if, upon inspection, the child met their desires, and the statutes could be so enlarged that hundreds of men and their wives could enter into some sort of a community agreement, bring over many children and, after they arrive, say, "We do not want them." What would be done with them after they were refused?

Mr. McCARTHY. Before I came to the Senate I was a circuit judge. One day a lawsuit was being tried, and a doctor on the stand was asked a hypothetical question which he refused to answer. I instructed him that he must answer the question. He said, "The facts embodied in the question are such that I can never assume them to be true."

I believe that would pretty much apply to the Senator's question. There is no danger, that I can foresee, that any State would take such action. The Senator must keep in mind that it is provided that satisfactory arrangements must be made before adoption by a man and his wife. The question of whether the arrangements are satisfactory must obviously be passed upon by someone, and that is the administrator of the law. If one wishes to adopt a European child, before it can be done he must apply to have the child brought into the country. He must offer proof that he has complied with the State laws and that he is an eligible parent.

I cannot answer the question of the Senator any further.

Mr. HICKENLOOPER. The figure of 10,000 was purely an example. I did not have any particular number in mind.

I am very much in favor of permitting adoption by parents who are qualified

and have the intention, desire, and all the other qualifications to take care of the children. I am not opposed to bringing in these youngsters. The fact of the matter is that I think, if anything, I am more in favor of bringing in the younger persons than the older ones. I think, for our own selfish benefit, we probably would be better served by bringing in the younger ones. So I am not against the adoption procedure nor bringing in young orphans. But I think we are approaching the problem in very much of a loose fashion and I think the definitions and the restraints, especially in this amendment, are subject to question. I think that if people can see the child they are going to adopt and are willing to take the child and bring it into this country, it is a very fine thing, but I can envision some abuses under the amendment.

I may vote for the Senator's amendment, but I cannot vote for it enthusiastically. I think perhaps the benefits of the amendment will outweigh the dangers, but I think there is definite danger of abuse in the Senator's amendment, which may be minor in comparison with the merits of the proposal.

Mr. McCARTHY. Mr. President, I may say to the Senator that the purpose of inserting the language "in accordance with the laws of the State of residence" was to provide an additional precaution, that is, that no parent would be eligible unless he first showed that he was qualified under the laws of the particular State. When I drafted that I particularly had in mind our own Wisconsin law, which acts as a perfect safeguard for the child. This was intended merely as an additional safeguard.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield to the Senator from Washington.

Mr. CAIN. Did I understand the junior Senator from Wisconsin to say that in his opinion there were approximately 3,000 orphans who could be adopted under the provisions of his amendment?

Mr. McCARTHY. I understood the chairman of the subcommittee, who studied this matter very extensively, to make that statement. Am I correct in that?

Mr. CAIN. Approximately 3,000 orphans?

Mr. REVERCOMB. We are advised that there are three-thousand two-hundred-odd orphans who are known to be displaced. That was the information given the committee.

Mr. CAIN. In section 8 of the committee bill there are time limits within which the adoptions must take place. The Senator's amendment does not include, does it, any years within which an adoption must be consummated, or does it by inference cover the years provided for in the committee bill? The bill says the transaction must take place between June 30, 1948, and prior to July 1, 1950.

Mr. McCARTHY. I call the attention of the Senator to the fact that my amendment is inserted between the word "Austria," on page 8, line 9, and the word "may." That leaves the same time limits in the amendment as authorized in section 8. In other words, the time limits would apply the same to a man who went to Europe to adopt a child, and one who remained here and had the child brought here.

Mr. CAIN. Against that time limit, I wonder what sort of an organization would be required administratively to do a competent job, within a 2-year period, of processing approximately 3,000 orphans.

Mr. McCARTHY. If in the 2-year period it were impossible for prospective adoptive parents to get approval of their proposed adoption, we still would have lost nothing. This opens a possible door to the bringing in of more children who were orphaned by the war, and opens the door to giving them decent homes.

I think there is much to the Senator's thought. If it should prove to be unworkable because it would be difficult to get approval because of the time lag incident to the 2-year limitation, nothing would be lost. If it should result in bringing in 1 or 10 or 100 orphans, and giving them homes, something would be accomplished.

Mr. CAIN. I raised the question because my very limited experience in adoption matters indicates that the minimum time, in the ordinary adoption case, is a year, and often two or more years are consumed before the parents actually legally adopt the child. Therefore, I was trying to explore what the amendment actually would mean in results.

Mr. McCARTHY. I would much prefer extending the date to 1955 or 1960. I would have liked to provide that a special agency be set up to do the work, but I knew that if I did the objection to this particular amendment would be so great that it might be defeated. I tried to simplify it as much as possible, and if any orphans are brought in under it, something will have been accomplished.

Mr. CAIN. What I think we should be conscious of, if the amendment shall be adopted, is that it will not achieve its intended purpose of bringing in orphans in considerable numbers. We are going to have to disappoint many orphans on whom processing procedures have been started, or we must at the end of the 2-year period extend the law. Perhaps we could agree with the junior Senator from Wisconsin that we should extend the date at the outset, rather than some 2 years from now.

Mr. REVERCOMB. Mr. President, if the Senator from Wisconsin will yield, I wish to say, in view of the statement I made a few moments ago with respect to the attitude of the committee on the amendment, that I am advised that it is satisfactory to the committee that the amendment as written by the Senator from Wisconsin may be accepted and put in the bill.

Mr. McCARTHY. I thank the chairman of the subcommittee very much.

Mr. DONNELL. Mr. President, I should like to have the RECORD show that I have withdrawn my opposition, and have so stated to the Senator from West Virginia.

Mr. CAIN. Mr. President, if I may be permitted to address one last question to the Senator from Wisconsin——

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. The discussion proceeding on the other side of the aisle is hardly audible on this side. I thought I understood the Senator from West Virginia to make some announcement about accepting an amendment. I could not understand what it was. Has there been any agreement as to the particular amendment now pending?

The PRESIDING OFFICER. Apparently not yet.

Mr. REVERCOMB. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I yield.

Mr. REVERCOMB. I will say to the Senator from New Mexico, raising my voice, that it is agreeable to the members of the Committee on the Judiciary now on the Senate floor to accept the amendment in the language now offered by the Senator from Wisconsin.

Mr. HATCH. Has the Senator from Wisconsin modified his amendment in any way?

Mr. McCARTHY. No; there is no modification.

Mr. HATCH. It is just as printed?

Mr. McCARTHY. As printed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY].

The amendment was agreed to.

Mr. LANGER. Mr. President, I now offer my amendment marked "B."

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert a new section at the end of the bill, as follows:

SEC. 10. From and after the effective date of this act, all persons of German ethnic origin who were born in Poland, Czechoslovakia, Hungary, Rumania, or Yugoslavia, and who on the effective date of this act reside in and are citizens of Germany or Austria, shall, for the purposes of the immigration laws of the United States, be deemed to have been born in Germany or Austria.

Mr. LANGER. Mr. President, yesterday I discussed the proposed amendment, and mentioned only Poland, Czechoslovakia, Hungary, Rumania, and Yugoslavia. A little later in the discourse I shall take up some of the smaller countries which are likewise involved.

At the present time I wish to bring to the attention of the Senate a portion of a speech that was delivered by the able Senator from West Virginia [Mr. REVERCOMB].

Mr. DONNELL. Mr. President, will the Senator be kind enough to state what amendment it is to which he is addressing himself?

Mr. LANGER. It is my amendment lettered "B."

The address of the Senator from West Virginia to which I refer was made on May 20, 1948. The Senator from West Virginia at that time stated:

I feel it proper at this time to call to the attention of the Senate one group particu-

larly active, known as the Citizens Committee on Displaced Persons.

Mr. President, before I proceed further I wish to know why it is necessary to spend hundreds of thousands of dollars to get Congress to pass a bill.

The Senator from West Virginia continued:

At this point I ask unanimous consent that there be inserted in the body of my remarks an excerpt from a legislative bulletin issued by the national legislative committee of the American Legion on May 21, 1947, pertaining to 23 registered lobbyists, with salaries aggregating $152,000 a year, who represent the Citizens Committee on Displaced Persons. I ask unanimous consent that it be inserted at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"In addition to numerous organizations registered with the Senate and House of Representatives who are working in behalf of the admission of displaced persons, either by relaxing immigration quotas or otherwise, during the past quarters, the following persons have been registered with Congress as legislative representatives of the Citizens' Committee on Displaced Persons:

| *Name* | *Annual salary* |
|---|---|
| "James M. Kiernan | $15,000 |
| Thomas N. Cooley | 12,000 |
| Leo J. Margolin | 12,000 |
| Jack Wasserman | 12,000 |
| Vinton E. Ziegler | 8,000 |
| William S. Bernard | 7,500 |
| Curtis Edward Johnson | 7,500 |
| Myron Ray Ely | 6,000 |
| Robert W. Pearson | 6,000 |
| Helen Alcott Shuford | 6,000 |
| Clara Leiser | 5,220 |
| Pearl Richardson | 5,220 |
| Peggy Harris | 5,220 |
| John T. D. Franzen | 5,040 |
| Eric Kocher | 5,040" |

Mind you, Mr. President, I am reading the names of registered lobbyists, not stenographers, not the personnel they employed, but I am reading the names of those who registered under the lobbying act provided for when Congress adopted the La Follette-Monroney Act.

| | |
|---|---|
| Blossom Steinart | $5,040 |
| Beatrice Wellington | 5,040 |
| Meredith Selby | 4,800 |
| Elizabeth Buck | 4,320 |
| Patricia Ritter | 4,080 |
| Elizabeth Gardiner | 4,020 |
| Charlotte E. Abbott | 4,000 |
| Harry L. Bennett, Jr | 3,000 |

Making a total of $152,020 paid out by one organization, only one, to secure the passage of the pending bill by the Senate and by the House.

But that is not all. I see my distinguished friend the Senator from New Jersey [Mr. HAWKES] is present in the Senate Chamber. He is one of the most successful businessmen in the United States. I venture to say that in his very successful business it was only on very rare occasions that he ever gave a person working for him an unlimited expense account. But it is different in the case of these 23 lobbyists who are here to put over this bill, and who apparently have been here for months and months, if not years. I read further from the bulletin issued by the American Legion:

In addition to salaries, these people also receive actual amount of out-of-pocket expenses, which include such items as air and railroad fares, hotels, meals, telegraph, telephone, and postage. As they are operating from two different addresses in New York City, which no doubt requires much traveling to Washington in connection with their lobbying activities, these expenses are no doubt very extensive.

So first of all, Mr. President, I became interested as a member of the committee in exactly what these lobbyists were doing here. Were they on the square? Did they really want to help displaced persons over there or were they, or some of them, actuated by revenge to get the law fixed up in such a way that under no conditions could certain persons be included within its terms?

Mr. President, I have received hundreds of petitions on this subject. The particular ones I have in my hand happen to come from the city of Philadelphia. It will be noticed that they are all similarly prepared and, apparently, are widely circulated. The petitions represent a protest on the part of the people of the United States. I shall read one of the petitions.

Whereas the United States Congress is now considering the adoption of special legislation concerning the admittance of refugees and displaced persons to this country; and

Whereas all of the present bills and amendments would be their manner of defining—

By their manner of defining—

displaced persons exclude all persons of German ethnic origin from Rumania and Yugoslavia (former territories of the Austro-Hungarian Empire).

Therefore we, the undersigned residents of Philadelphia, Pa., request you most respectfully and most urgently to include such persons in the amendment offered by you to S. 2242 in the United States Senate.

These petitions are signed by many persons. I have thousands of such petitions. I now ask to have the form of the petition printed in the RECORD, together with the number of the names attached thereto. I do not care to have the names and addresses of those signing the petition printed in the RECORD; simply the number of persons who signed the petitions.

There being no objection, a form of the petition was ordered to be printed in the RECORD, as follows:

To the HONORABLE UNITED STATES SENATOR WILLIAM N. LANGER:

Whereas the United States Congress is now considering the adoption of special legislation concerning the admittance of refugees and displaced persons into this country; and

Whereas all of the present bills and amendments would by their manner of defining displaced persons exclude all persons of German ethnic origin from Roumania and Yugoslavia (former territories of the Austro-Hungarian Empire).

Therefore we, the undersigned residents of Philadelphia, Pa., request you most respectfully and most urgently to include such persons in the amendment offered by you to S. 2242 in the United States Senate.

(Signed by 188 persons.)

Mr. LANGER. Mr. President, we come down to the proposition as to what these 23 lobbyists, who received salaries totally $152,020, together with unlimited expense accounts, who have been working on this matter for over a year, if not more, were doing; for what kind of legislation they were lobbying.

I have before me a pamphlet, a part of which I shall read later. It was issued by an organization known as the Committee Against Mass Expulsion. To show the Senate the character of those interested in the pamphlet, I will say that the officers of the committee are Roger Baldwin, William Henry Chamberlin, George F. Counts, Sidney Hook, Paul Hutchinson, John LaFarge, Louis Lochner, Norman Thomas, Dorothy Thompson, Oswald Garrison Villard, Christopher Emmet.

Dorothy Thompson, a gallant fighter for what she thinks is right, and who has been trying her level best to see that justice is done, is head of a refugee committee, and I want to show to the Senate the character of the people with whom she works. I should like to read from this pamphlet. Under the heading "Annex No. 1," we find the following:

Striking confirmation of many of the facts outlined in this pamphlet has just come to us through a report issued by the Refugee Defense Committee of Great Britain. That committee has probably done more than any other single group since the war to defend the rights of political refugees. Especially displaced persons from Eastern Europe like the Balts, Poles, Serbs, and Croats, who fear persecution if they return to their native lands.

The president of the Refugee Defense Committee is who? The president of that committee is not some irresponsible lobbyist getting $10,000, $12,000, or $15,000 a year—

The president of the Refugee Defense Committee is Lord Halifax, the chairman is Lord Beveridge, and it includes such distinguished Liberal and Labor leaders as Harold Nicholson, Michael Foote, M. P., Vernon Bartlett, M. P., Sir Arthur Salter, M. P., and Prof. Gilbert Murray. It is affiliated with the Refugee Defense Committee in America, which is headed by Dorothy Thompson.

As I stated a moment ago, this is the pamphlet which Dorothy Thompson and her associates on the committee have signed.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I prefer not to be interrupted now. I shall be glad to answer questions later.

Mr. EASTLAND. I wish to comment on the opposition to the Senator's amendment.

Mr. LANGER. I yield for that purpose.

Mr. EASTLAND. It is strange to me that gentlemen who always want an amendment in bills to the effect that there shall be no discrimination because of race, creed, color, or country of national origin are opposing the very same amendment, which the Senator from North Dakota wishes to insert in this bill. If it is just in one case, it seems to me that certainly in justice it should be placed in this bill, and that the Senator's amendment should be adopted.

Mr. LANGER. I thank the Senator. I agree with him. He is quite right. We see the very men who have been talking most about discrimination opposing this

amendment and similar amendments in this body.

As I stated yesterday, in my judgment one of the greatest crimes of the century has been the program of denazification in Germany. Yesterday on this floor I read an editorial from the Saturday Evening Post. That editorial was written on July 12, a year ago. A year before that editorial was written my distinguished friend from Mississippi [Mr. EASTLAND] said almost the same things in a speech on the floor of the Senate. A year later the Saturday Evening Post repeated almost verbatim what the distinguished Senator from Mississippi had said on the floor of the Senate.

I have another article, written by one of the associates on the Committee Against Mass Expulsion. The article was written by Louis Lochner, a man who for years was chief of the Berlin bureau of the Associated Press. So, Mr. President, I call to witness the man who for years was the head of the Berlin bureau of the Associated Press. Mr. Lochner wrote an article which was published in the June issue, 1948, of the Reader's Digest. I should like to hear Senators who are opposed to my amendment defend, if they can, the denazification policy, which was described so well in the Saturday Evening Post editorial which I read yesterday. This is what Louis Lochner says:

With 3 years of occupation in Germany behind us, it is time to ask whether our occupation policies have been sound. Have they been in accord with our concept of democracy? Have they been efficient? I propose to throw light upon one major policy, denazification.

In the unanimous opinion of responsible anti-Nazi Germans with whom I am in constant correspondence, as well as of many Americans in Military Government with whom I have talked, the greatest single damage to faith in American purposes in Germany has been done by this policy as hitherto administered.

I wonder how many Senators know what has been going on in Germany under the so-called denazification policy. I remember when the distinguished Senator from Mississippi spoke. Only six Senators were in the Chamber. Later when I had occasion to discuss the question, an even smaller number were present. It seems to be utterly hopeless to get that policy before the Senate. I am trying again today.

Mr. Lochner further stated:

Under denazification, persons classed as major offenders are sent to work camps for from 2 to 10 years. They are stripped of their property, are permanently disqualified to hold public office, and for not less than 10 years must remain ordinary laborers.

A man may be a most efficient engineer, but if he is convicted as a major offender he cannot take part in the rehabilitation of his country. He must remain a laborer, doing manual work. That has been the policy for 3 years of our government in Germany.

Persons classified as offenders share the same fate, except that their work-camp service and their menial labor is limited to 5 years, and confiscation of property may be only partial. Lesser offenders may be placed on probation, during which some of the restrictions imposed on major offenders and offenders apply to them also. Followers may be fined and demoted.

These punishments are for political activity in, or association with, the Nazi Party under Hitler. Yet anyone who has lived in a totalitarian state knows that it is almost impossible to continue to live and work unless one associates with the party in power. The greater a man's ability, the more pronounced his technical skill, the higher his administrative position—the more is he under pressure somehow to get along with the totalitarian regime, be it only by contributing financially. Hundreds of thousands of Germans with a know-how of one sort or another, who went along in 1933–45, are today prevented from placing their skills at the disposal of their battered country because they were classified as major offenders or offenders. And it is the American taxpayer who is footing the bill for the resultant German inefficiency in government, industrial management, technology, agriculture, and welfare administration.

Belatedly, Gen. Lucius D. Clay, supreme commander for the American zone, announced this spring an amelioration of policy by which most of the remaining denazification trials will become unnecessary. Only the most serious Nazi offenders, estimated variously from 10,000 to 150,000, will be tried individually.

In other words, after 3 years of prosecution there are between 10,000 and 150,000 left to be prosecuted.

Then, Mr. President—

the rest will be rushed through a sort of "traffic court" procedure by which they may pay a fine with no further formality. But, unfortunately, the damage has been done. A bitterness has been sown in German hearts which will not soon disappear.

Mr. President, I may say that the bitterness which Mr. Lochner mentions in this article was shown approximately 4 days ago, when one out of every eight of the people in that zone voted the Communist ticket, and then the newspapers in the United States, on Sunday, stated how shocked and surprised the American authorities and the American people were because of that.

I read further:

Moreover, there has been no indication as yet that those who have already been put through denazification proceedings will have their sentences reviewed.

Every discerning American to whom I have spoken in Germany agrees: It just does not make sense to keep trained people from using their skills. Whatever temporary satisfaction may be gained from seeing, say, a former bank president mowing the lawn of an American military government official, the fact remains that this man's training in finance might well be used at this time of financial chaos in the Reich. To compel a traffic engineer to pile up bricks of a bomb-shattered apartment house does not improve the transportation system which this engineer might help to restore if allowed to throw his technical skill into the balance.

Common sense would seem to dictate that every former Nazi (except the criminal offender and the ideological activist) should be tied into the German economy wherever his training and his talents can be used to the greatest advantage for the common good. It is ironical that Nazis should be reduced to the status of common laborers, thereby escaping all responsibility for getting their country back on its feet economically, at the same time that the "victorious" American taxpayer is digging deep into his pockets to give western Germany a new lease on life.

Let me now turn to another aspect of the denazification problem—one which will shock any American who pauses to recall the basic concepts of Anglo-Saxon law. Under the denazification law: (1) A man may be considered guilty until he has proved his innocence. (2) A person may be arrested automatically if he held a certain office, title, or job. (3) Any suspect may be held indefinitely without hearing or trial.

Few Americans realize that in our American zone of Germany any person accused of having been a Nazi has had to drop his work and, until his trial came up, engage in menial labor. In other words, the American concept that a man is innocent until proved guilty did not apply in the occupation zone which we set out to imbue with the blessings of democracy.

Take the case of Kurt M., of Stuttgart, one of Germany's leading radio experts. His position placed him automatically in the class of presumptive offender. From 1945 on he was prohibited from having anything to do with radio. Those of us who knew him were ready to testify that he had actively opposed nazism. But there were so many cases ahead of him in the crowded denazification court that he could not be heard until December 1947. Then, at long last, Kurt M. was allowed to prove his active participation in the resistance movement. An unusual thing happened after he finished: the public prosecutor himself rose to move acquittal.

Nobody apologized to Kurt M. for keeping him out of the radio industry for 2 years. Nobody reimbursed him for his financial loss. He was lucky to have been cleared. But all this while he might have helped put Germany back on her feet.

Even now I am not sure that Kurt M. is free to work as he pleases. For every judgment by the denazification courts is subject to review by an institution of the American military government known as Special Branch of Public Safety. There is almost invariably a big time lag between the verdict of the denazification court and review of the case by Special Branch. Moreover, the power of Special Branch is almost as unlimited as was that of the Gestapo.

In Munich, Ludwig D. was accused of having falsified his questionnaire, in that he allegedly neglected to state that he was a Nazi Party member.

Questionnaires are somewhat familiar to us. I remember hearing various Senators discuss questionnaires only a short time ago, comparatively, it would seem. They discussed them on the floor of the Senate during the war. From this article we learn that questionnaires are now being used in Germany, too. Evidently the Americans took the questionnaire idea with them to Germany. So we see that German businessmen are accused of having falsified their questionnaires—in this case a questionnaire in which the businessman allegedly neglected to state that he was a Nazi Party member.

I read further from the article:

Now, it is easy to establish who belonged, since the master records of the Nazi Party were found in Munich. Inquiry established that Ludwig D. had not falsified his questionnaire since he had never been a party member. He was acquitted. But Special Branch insisted the case must be held up for review. Why? Special Branch smugly replied no reason need be given; the man must be rearrested. Eight months have passed and, as far as my informant knows, the acquitted man is still in a work camp.

Falsification of questionnaire is a convenient charge to launch against anybody. The questionnaire, or fragebogen, comprises 131 questions.

Think of that, Mr. President—131 questions. Those questionnaires are

worse than the questionnaires we used to have here only a short time ago. I remember hearing my distinguished friend the Senator from New Jersey talk about the questionnaires our businessmen received; but they were not as complex as the questionnaires which are used in Germany today; for, believe it or not, the questionnaires in use in Germany at this time include 131 questions, all of which must be answered.

Then we are told by the article:

It is frequently filled out many times over by the same person, as he tries for various job openings. Few persons can remember exactly what replies they give to every one of the 131 queries. All the questionnaires, however, ultimately land in Special Branch. When a man is caught replying differently to any question on the various forms he filled out, he is usually regarded as a deliberate falsifier.

One day Frau G, the daughter of a lord mayor of Berlin in the days of the Weimar Republic, came to me in great distress. She was charged by Special Branch with falsifying the questionnaire. They would not tell her what she had supposedly falsified, but through an acquaintance in Special Branch I learned that she had failed to include her husband, then in Russian captivity, among her blood relations.

Frau G was genuinely surprised when I told her of the charge. "Why," she said, "in Germany a spouse is not regarded as a blood relation." She produced German lexicons to prove her case. Yet because Special Branch didn't know the German definition for blood relation, Frau G was not only threatened with arrest but was denied the right to continue her husband's publishing business.

A few weeks later I met an editor who had been put in a concentration camp by the Nazis for his subversive views, and who was now applying for a license to start a paper again. I found him poring over our questionnaire.

"This is the twenty-fourth questionnaire I have filled out," he sighed. "Don't your compatriots know yet who I am and what my political record is?"

Another oft-heard criticism of our denazification policies is that a man is classified automatically, and is considered prima facie guilty if he falls within the category of Nazi. But who is a Nazi? To the average fair-minded German, the real Nazi is a man who held an influential political office, such as gauleiter or kreisleiter, or an officer of the Gestapo, or one of the SS or SA brutes, or a profiteer who waxed rich because of his party connections.

If the denazification courts had been charged with punishing this type of German only, excellent legal talent would have been available and proper justice would have been meted out to the guilty. Instead, the denazification law tried to catch every person who in any way had been identified with the Nazi regime, even though he was active only in some affiliated organization.

As I said yesterday, if he was a member of a singing society, or if he was a member of a lodge like the Verein, or a member of a card-playing club, he was promptly hailed as a Nazi.

Moreover, a man who was a party member before 1937 is automatically presumed to be an "ardent" Nazi, whereas anybody who acquired membership after 1937 is automatically credited with having acted under duress.

Before 1937, they called him an "ardent" Nazi. Remember that word. Before 1937 he was an "ardent" Nazi; after 1937, he was not.

This arbitrary boundary line is decidedly inadequate. While many Germans acted under duress after 1937, many also joined up because by then nazism had become "respectable"—oddly enough by the grace of foreign countries and prominent foreign visitors and statesmen.

It was equally wrong to assume that all Germans who joined the party before 1937 were "ardent" and must be punished by throwing them out of their jobs and prohibiting them from practicing the professions for which they had been trained.

A doctor, a lawyer, or any other professional man who before 1937 joined the Nazi Party, no matter for what reason, is automatically barred from practicing his profession.

There is the interesting case of Dr. Rudolf B., now living in a village near Würzburg. He had become vice mayor of the little city of Delitzsch in 1925, and had sharply opposed the growing Hitler movement. In 1932, when the town nearly went bankrupt, he was assigned to salvage its finances. In the midst of this task Hitler came to power. Hundreds of citizens urged him to join the party, so that he might continue his effective work. He acquiesced, hoping that by joining he might influence events in a decent direction. When he found out that the Nazi Kreisleiter, or county boss, was a crook, he had him arrested. From then on he was a marked man. In 1936 the Nazis ousted him from office because of "political unreliability." He turned to writing, and on four occasions his books were forbidden because they did not follow the party line.

In April 1945 the American era began in Bavaria—

In Bavaria, where, 4 days ago, one out of every eight persons voted the Communist ticket.

In April 1945 the American era began in Bavaria and Dr. B. was automatically apprehended as a pre-1937 Nazi. When his trial finally came up, the denazification court ruled that he must be regarded as a lesser offender and surrender 10 percent of his earthly possessions, even though the court expressly conceded that he had fought the Nazis wherever he could.

The pay-off, however, was the grotesque additional ruling: for the next 2 years Dr. B. must not write books, although he had not become an author until after the Nazis kicked him out of his job, and although his books were forbidden by the Nazis.

It should not be forgotten that anti-Nazi Germans were often urged by their foreign friends to join the movement in order to become a leavening force. In Berlin in the early thirties, one of my daughters and my son attended a school famed for the truly liberal spirit inculcated by the principal, Direktor K. Came the Nazi regime. Direktor K. held a protective hand over the Jewish pupils as long as attendance by Jews was permitted.

He protected the Jews. He wanted the little Jewish children to go to school. He protected them. What happened to him?

Naturally the rumor reached Nazi headquarters that Direktor K. was not administering his school according to Nazi principles. At the urgent request of many parents, he was prevailed upon to join the party, for experience had shown that the Nazis assumed a school was following the party line once the principal and the teachers were Nazis.

This deserving principal was summarily dismissed under denazification, for by the record he was a pre-1937 member.

During the Hitler regime 85 percent of the teachers in Germany joined the Nazi Teachers' Federation. That naturally means that thousands of classrooms are now vacant.

Eighty-five out of every hundred are barred.

One cannot escape the feeling that special branch even today is still imbued with the same vindictive spirit that was behind the totally discredited Morgenthau plan.

One of the most egregious blunders we have made is our insistence that the status of every German be entered upon the identification card which he must have and produce on innumerable occasions.

Let us see how that works out.

Thus, if a man has been classified as an "ardent" Nazi, that fact is recorded upon his identification card, for everyone to see.

The result is the very opposite from what our denazification "experts" hoped to achieve: the identification card has become an instrument for renazification rather than denazification.

We all know that nazism is not dead in Germany. But as the party has been outlawed, it would normally prove rather difficult to organize the leftovers. We are doing the job for them, and that, too, in a legal way. We certify to a man on his identification card that he has been classified as a Nazi. To any doubting fellow sympathizer such as classified Nazi need merely show his card and the two birds of a feather can flock together.

One of the tragedies of American denazification is the fact that we went at this job without the slightest inkling of what our procedure really involved.

Mr. President, I venture to say that if I sent out a questionnaire to the leading financiers of this country, or to the presidents of all our universities, or to all the persons whose names are contained in Who's Who in America and I asked in the questionnaire how many Germans were tried in the denazification court, they could not come within several hundred thousand of the exact number who were tried or would be tried.

A former chief denazification officer at the Office of Military Government in Berlin tells me that our officials were surprised to discover what enforcement of the law entailed. That law classified as Nazis so many persons that every fourth individual in the American zone would have to be tried.

Is it any wonder, Mr. President, that judges were taken from our courts all over the United States and sent over there to preside as judges?

Over 3,000,000 Germans would come up for individual trials. The remaining 9,000,000 in the zone were for the most part dependents of the accused. Before the status of the presumptively guilty 3,000,000 could be established in special courts which at best could hear only five or six cases per session, the 9,000,000 dependents might reach the starvation level.

Once our denazification branch awakened to what should have been clear at the beginning, the impossibility of making the law work was in part recognized. An amnesty for young people under 28 years of age was proclaimed, and the courts were spared about a million individual trials.

We will still have many thousands to try.

Later on, Gen. Joseph T. McNarney proclaimed an amnesty which affected about 800,000 Germans in low-income brackets. The presumption still was, however, that anybody with a higher income must necessarily have been a Nazi.

Imagine that, Mr. President—Americans separating low-income persons from high-income persons. One group had property and the other group had not.

Thus class warfare was unwittingly fostered by our authorities. All factory owners or managers, for instance, were automatically classified as Nazis.

Many thoughtful persons urged at the time of the amnesty for the 800,000 "little men" that an end be put to the whole proceedings, excepting for criminal and activist Nazis. We could have won the hearts of millions of Germans by such a generous gesture. But more than a year had yet to elapse before General Clay late in March of this year announced a new amelioration of procedure, which is expected vastly to reduce the number of cases still to be handled. The inexorable logic of events compelled us to do something that should have been done long ago.

Russia beat us to it, and we wonder why one out of every eight persons in Bavaria voted Communist 4 or 5 days ago.

If we had any proper psychological understanding of the German people, we should have realized how decisively a law aimed only at the real offenders and criminally responsible persons might have helped us in our struggle for the German soul, a struggle which the Russians are winning on the denazification sector because of their more realtistic approach to the problem.

Russia gets only the criminal Germans; America takes them all.

We seem always to trail behind the Russians in denazification matters. Our amnesty for young people came only after the Russians in their zone had proclaimed that they did not intend to punish youth for the Nazi misdeeds. Our most recent action came only after the Russians had announced that they would end all denazification proceedings.

The Russians have stated that former Nazis free of criminal taint will be entitled to employment in almost all fields without being subject to discrimination because of their political past. If we persist in keeping former Nazi with technical know-how out of so-called key positions, it is not difficult to foresee an exodus of technical, scientific, and managerial skill from our zone to the Russian zone.

If our military authorities do not want engineers, or scientific, managerial, skilled, and technical help, they will go to the Russian zones.

I ask unanimous consent that the remainder of this article by Louis Lochner be printed at this point in my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

The Clay directive, while stopping most individual trials, still bars so-called offenders from holding public office or key positions in industry. The American taxpayer's bill for keeping western Germany going will mount accordingly.

It would seem imperative to review the cases hitherto tried. The men whose fate I detailed are entitled to the same treatment that will now be accorded those "chargeable" Germans whose status more or less by accident has not yet been determined. It should be remembered that the denazification courts were instructed as far as possible to schedule the minor trials first. Ironically, therefore, many "real" Nazis are now likely to benefit from the Clay reform, since the prosecutor can at his own discretion reclassify them in a lower category of offenders. There was no such possibility for the men and women already tried. Classification then was automatic. Time thus seems to have worked in favor of those whose record, on the face of things, seems less free from Nazi taint than that of many hitherto tried.

In short, a magnanimous gesture of forgiveness and forgetting for all who have hitherto been tried—barring, of course, the criminally guilty and the ideological leaders—would help us attain the respect of the Germans and rally to our standard those who are ready to embrace real democracy.

Mr. LANGER. Mr. President, I now wish to return to Dorothy Thompson and the Committee Against Mass Expulsion.

This little pamphlet entitled "Men Without the Rights of Man" contains this:

We, the undersigned Americans, all members of the Committee Against Mass Expulsions, once again appeal to the American public and to world opinion on a matter of great urgency and deep concern to all who believe in the moral values of our civilization.

Some 20,000,000 people from different countries, mostly in eastern Europe, have been deported during the last 3 years, since Hitler's defeat.

Who are these people who have come into the American zone in Germany? They are the descendants of Germans of ethnic origin who went into Czechoslovakia, Yugoslavia, Rumania, Poland, and Hungary hundreds of years ago, from one to seven or eight hundred years ago. They made those countries. They were agriculturists. Who were they? They were Wendell Willkie's forefathers, Harold Stassen's forefathers, Carl Schurtz' forefathers, and thousands more I could name.

As I said yesterday, Mr. President, the man who built the Congressional Library, the man who built the dome of this Capitol, the man who designed the Post Office Department, the man who produced by his own handiwork the painting in this very building of Washington Crossing the Delaware, and the painting Westward the Course of Empire Takes Its Way, were all Germans of ethnic origin. Yet under this bill, unless my amendment shall be adopted, a descendant of one of those men could not come into the United States. They could not come under the 27,000 quota. The Department of State will not let any of that kind come in. They cannot come in under the displaced-persons bill because these people getting $152,000 a year as lobbyists to fix up this bill, have fixed it all right, so that not a relative of Wendell Willkie, or Harold Stassen, or Carl Shurtz, or Eisenhower, or any of the rest of our great men of the last war, could come into the United States.

Mr. President, that is the kind of a law we are asked to enact. That is what they are spending $152,000 a year and unlimited expenses for.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. BRICKER in the chair). Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. LANGER. I yield.

Mr. EASTLAND. The people whom the Senator from North Dakota desires to help under his amendment were displaced, were they not, as a result partly of the connivance of our own Government at Potsdam?

Mr. LANGER. Certainly.

Mr. EASTLAND. The Senator is attempting, on behalf of the American people, to rectify a great wrong, which cost thousands of men and thousands of helpless women and little children their lives.

Mr. LANGER. Most assuredly. Let me read one paragraph of what was signed at Potsdam. And remember, they were dealing with relatives of some of the men I have named, dealing with the relatives of between twenty-five and thirty million people who live in this country. Go to New Ulm, Minn., and see some of the fine farms there, from one end of the county to the other. Those are the people about whom I am talking today. I said yesterday that we hear talk about bringing in displaced persons, and we hear of these beautiful ideas—"We need them in the dairy industry, we need them out there upon the farms, we need them in the mines, we need maids for housewives." But what does the cold-blooded record show? It shows that 89.5 percent go to large cities, and do not go near the farms. That is the record. When England took a number of them and put them in the mines, within a few weeks she had to send them back; they were not any good as miners. And mind you, Mr. President, England took the chance to select them before we select them.

Now, back to the Potsdam agreement, which my distinguished friend, the Senator from Mississippi, mentioned a moment ago, an agreement signed by the President of the United States, Attlee, of Great Britain, and Joe Stalin. Among other paragraphs this is what they signed:

The three governments having considered the question in all its aspects, recognize that the transfer to Germany of German populations or elements thereof, remaining in Poland—

They may have been there for 800 years—

Czechoslovakia, and Hungary, will have to be undertaken. They agree that any transfers that take place shall be effected in an orderly and humane manner.

Mr. President, I shall show how humane it was. I have here a letter from Van Nuys, Calif., which I received this morning, a letter written by Mr. Matthew Alexy. His address is 15474 Morrison Street, Van Nuys, Calif. I do not know this gentleman, but here he is pleading for these people. He says:

HONORABLE SENATOR: I was pleased to receive your letter of the 24th of April regarding the displaced and expelled Slovak Germans. It is very kind of you to take interest in their behalf. * * *

It is with a heavy heart that I am compelled to burden you some more and take advantage of your offer to be of service, as this is very close to me, and did not mention the tragedy of my own family in my first letter to you.

My father and mother died of starvation and grief in the concentration camp, although their house was only a block away, and my brother and his family who also were dispossessed and thrown into the camp.

There they were, Mr. President, for hundreds of years living over there in these countries, when the Russians came in, and they were dispossessed, and under the Potsdam agreement they had to go, they were moved, and of the 15,000,000, between four and five million are dead. When Mr. Truman and Mr. Attlee and Mr. Stalin signed this agreement, they signed the death warrant of between four and five million people. Yet there was no protest on the part of the Senate.

Mr. President, there are various letters printed in the pamphlet, some of which I think would interest the Senate. They are vouched for by Norman Thomas, by Dorothy Thompson, and others of their associates. Some of the letters contain language which I do not care to quote on the Senate floor. The language is too horrible to read. There are so many terrible things contained in the letters, descriptions of what took place among the women and children, what was done to them by some of their conquerors, that I would rather not read the letters into the RECORD.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LANGER. Yes.

Mr. WHERRY. The amendment to which the Senator is now speaking goes back to the definition of a displaced person, which would eliminate persons of German ethnic origin. Is that correct?

Mr. LANGER. Yes; that is correct.

Mr. WHERRY. And because of that fact persons who come under the definition of displaced persons, but who are not of German ethnic origin——

Mr. LANGER. No, Mr. President, I am not trying to change the definition of a displaced person.

Mr. WHERRY. No; I do not mean that the Senator is. What I am trying to find out is this: If a person of German ethnic origin is without a home, by reason of the many conditions brought about as the result of the war, or because of some things that occurred before the war, that person will not be admitted to the United States because he is not properly classified as being a displaced person. Is that correct?

Mr. LANGER. Yes.

Mr. WHERRY. Mr. President, I happened to be a member of the congressional delegation which was sent to Europe to investigate the atrocities in the political prison camps. That delegation was sent over there before the war was concluded. The Senator recalls that, does he not?

Mr. LANGER. Yes.

Mr. WHERRY. At that time the question was raised as to the atrocities which had been committed. The Commander in Chief of the Army and the President of the United States felt that a congressional delegation should go to Europe and witness for itself what had happened at Buchenwald, what had happened at Dachu, and what had happened at other concentration camps. I talked with many of the inmates of those camps. I found, and it is contained in the report made by the delegation, that the first 5,600 of the political prisoners who were placed in the Buchenwald concentration camp were German people, some of whom came from areas east of the Curzon line, who were in prison because they would not accept the doctrine of Hitler. Some had been imprisoned as long back as 1933. That was one of the first things I learned upon visiting concentration camps in Germany.

Mr. President, I do not know how broad the definition "displaced persons" is, but certainly one who was imprisoned in a political prison camp in Germany, even though he was of German ethnic origin, and who was opposed to Hitlerism, and for that reason was imprisoned, should be classified as a displaced person and be permitted to come into this country under some quota.

Mr. President, I have not said anything on the bill because I have followed the committee straight through with the exception of one amendment, as I have felt that the committee has given the matter proper study. But at the time the IRO was set up I raised the question, when the distinguished Senator from West Virginia and I engaged in a colloquy respecting the definition of a displaced person. I also raised the point that persons of German ethnic origin apparently had been legislated against. We were assured that at that time that nothing wrong would be done. I say to the Senate that there are many persons in my State who have relatives over there of German ethnic origin who are as much displaced persons as anyone else, and who were as patriotic and as much opposed to Hitler as persons who it is now proposed be given the privilege of coming to America.

Mr. LANGER. Mr. President, may I state what I am trying to do by my amendment? First, I will say that I am not trying at all to change the definition of displaced persons. All I am trying to do is to have the act provide that—

All persons of German ethnic origin who were born in Poland, Czechoslovakia, Hungary, Rumania, or Yugoslavia, and who on the effective date of this act reside in and are citizens of Germany or Austria, shall, for the purposes of the immigration laws of the United States, be deemed to have been born in Germany or Austria.

So that if my second amendment is adopted a quota of 27,000 such persons will be permitted to enter the United States. I am not trying to make displaced persons out of them.

I am sure that all Senators have received letters from persons living in their States in which those who write them say they cannot have their fathers, their mothers, their sisters, or brothers brought to this country, although they have requested that they be permitted to enter. But by the adoption of my amendment 27,000 such persons a year could enter the United States from Austria and Germany. I beg the Senate to support my amendment.

Mr. WHERRY. Mr. President, I ask if the only way persons who offered their lives for their country, who took up arms against Hitler, and who were imprisoned and confined in concentration camps because they were opposed to Hitlerism can be given consideration in the bill is by adoption of the amendment offered by the Senator from North Dakota?

Mr. REVERCOMB. I will say to the Senator from Nebraska that there are two definitions in the bill. One is a definition of a displaced person. The other is a definition of an eligible displaced person who may, under the terms of the bill, enter the United States. We are not proposing, under the bill, to take in all displaced persons. An eligible displaced person is defined as being a displaced person who comes under such a definition in the IRO constitution.

Mr. WHERRY. Which does not include people of German ethnic origin.

Mr. REVERCOMB. The Senator from Nebraska is correct when he states that both he and I raised this particular question when the IRO constitution was before the Senate.

Further than that, I want to say that it is absolutely inescapable as a matter of right, as a matter of fairness, that the people to whom the Senator from North Dakota referred are genuinely displaced persons. The tragic part of it, so far as America is concerned, is that they are displaced as a result of an agreement entered into by our Government. They were driven from their homes in Poland, in Yugoslavia, and in what was formerly Czechoslovakia, and sent into Germany. They had been in those countries for generations. The strong anti-German feeling that swept those lands after the fall of Hitler caused persons there who were not of German ethnic origin to drive them out of those countries into Germany. In the Potsdam agreement, which was referred to by the Senator from North Dakota, the United States agreed to the removal of those people. To say that they are not displaced is simply to blind one's self to fact. They were driven out of their countries; they were forced out. I saw some of them in the Army camps. They cannot come into IRO camps. I saw one camp operated by the Army in Vienna. In that camp there were farmers who had been uprooted from the soil after living in what had been their native land, the land of their forefathers, for generations. I am very much impressed by the argument made by the Senator from North Dakota that they are displaced, and if we are going to be factual, if we are going to be fair, if we are going to look at the very root, the very truth of the situation, we cannot escape that fact.

Mr. WHERRY. Mr. President, will the Senator from North Dakota yield so I may ask another question?

Mr. LANGER. I yield.

Mr. WHERRY. I thank the Senator from West Virginia for the observation he has just made. But did the committee do anything about the matter when the legislation was being considered by it?

Mr. REVERCOMB. No; the committee did not include those persons as displaced persons.

Mr. WHERRY. Why not?

Mr. REVERCOMB. Because it was felt at that time that the whole situation would have to be dealt with under the definition of a displaced person in the IRO constitution. But let me say to the Senator from Nebraska that I said in the committee meeting, and I say it again,

that if in truth it is desired to reach those who are displaced, we cannot avoid including the persons the Senators have just referred to, and that has been my position all the time.

Mr. WHERRY. I deeply appreciate the observation just made.

Mr. LANGER. I offered the amendment in the committee, and it was defeated 5 to 4.

Mr. WHERRY. Mr. President, in connection with this problem we are taking in this particular segment, that group and the other group, in certain percentages. I do not see why in the world a certain percentage cannot be allotted to these people.

I agree with the Senator from West Virginia. He has been in Europe. I have been over there. Certainly the people whom we are discussing should be given some consideration. There ought to be at least a token quota. Take the case of a person of German ethnic origin, born just across the line. He has been driven out of his homeland. There is no place for him to go. There is no quota for him. We talk about helping displaced persons. I would just as soon help them as any other group that could be brought into the United States. They make good citizens in Nebraska, and they will make good citizens anywhere. Not even a token quota is permitted for these people. I think it is wrong. The people who had the courage to stand up and fight Hitlerism, and who were taken out of the camps and have no place to go today, ought to have just as much consideration as anyone else, on a percentage basis.

Mr. EASTLAND. Mr. President, the situation is even worse than the Senator from Nebraska pictures. We are admitting people who in reality are not displaced persons.

Mr. WHERRY. That is correct.

Mr. EASTLAND. We are admitting people who voluntarily left their homes. Now we are discriminating against people who were forcibly driven from their homes by the connivance of our own Government.

Mr. WHERRY. I agree with the Senator from Mississippi.

I have not entered the debate, because I was going along with the committee, which has done so much work. I wish to compliment the committee on its labors. But this is a revelation to me. I think these people are entitled to some quota. I have gone along with the bill, taking in people who voluntarily left their homes when they could get substance across the line. But we are barring people who at the very beginning stood up and were counted. We are not even giving them a percentage quota in the bill. I did not know it.

Mr. EASTLAND. We are admitting wealthy people under the terms of the bill. The hearings show that some of the people who will come here actually have servants working for them and ride around in automobiles. Yet we are discriminating against people who are actually starving at this time, many of them with tuberculosis from malnutrition. That is not right. We are perpetuating a great injustice in this bill.

Mr. COOPER. Mr. President, I should like to ask the Senator from North Dakota a question about his amendments. If I read the amendments correctly, they are not directed in any way toward changing the definition of displaced persons.

Mr. LANGER. That is correct.

Mr. COOPER. They simply amend the immigration law; is that correct?

Mr. LANGER. That is correct.

Mr. COOPER. It should be clear that this discussion has nothing to do with the problem of displaced persons.

Mr. LANGER. Yes; it has, for this reason: Unless this amendment is adopted, I shall offer a third amendment to define these people as displaced persons. If we are to bar these 27,000 people from coming to this country from Germany and Austria, as our State Department is doing, I shall offer the amendment which the Senator from Michigan [Mr. FERGUSON] is now examining.

Mr. COOPER. I think that the two problems should be kept separate. This amendment does not deal with displaced persons. As I understand the Senator's amendments, they only provide that quotas shall be made available for Germany and Austria, and that expellees shall be eligible for inclusion in such quotas.

Mr. LANGER. That is correct. I have known the Senator so long and so well that I know his attitude against discrimination of any kind. There is no reason under heaven why those people should be discriminated against, and everyone else allowed to enter except the people who fought Hitlerism. They were driven out by Russia. Why should they be barred?

Mr. COOPER. Let me say to the distinguished Senator that so far as I am concerned, I certainly have no objection to quotas being made available for Germany, Austria, Italy, and for expellees of their ethnic origin, and in fact I favor the quotas. But I would object at this time to having them considered as displaced persons.

Mr. WHERRY. Must they be defined as displaced persons in order to permit the establishment of quotas for them?

Mr. COOPER. No.

Mr. WHERRY. Would the committee accept the amendment of the distinguished Senator from North Dakota?

Mr. REVERCOMB. I will say to the able Senator that I understand that an amendment is being drafted to include persons who were driven out of those countries, as displaced persons, and make them eligible displaced persons, with the same period of limitation as applies to others.

Mr. WHERRY. As I understand, that would be acceptable to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. No. I have never been a member of the Subcommittee on Immigration. The distinguished Senator from West Virginia is chairman of the subcommittee which is concerned with immigration laws. A while ago I stated that if the amendments were limited solely to allowing quotas for Germany and Austria, and to permit the inclusion in those quotas of expellees of German ethnic origin, that I favor and will support the amendment. But if it should be attempted to designate them as displaced persons, I will oppose the amendment.

The problem which we are considering results from the displacement of nationals of the United Nations by Nazi aggression. I do not speak of the character of these people as individuals, but we must remember that one of the causes of the war was the problem created by these groups of Germanic origin. I refer to the Sudeten Germans in Czechoslovakia and in Austria, and to certain groups in Poland. Whether all of them were willingly parties to circumstances which accelerated the war, I do not say; but some of them were parties and they were one of the causes of the beginning of the war. I do not believe that they belong in the same category for consideration as displaced persons as do those who were the victims of the Nazis.

I agree with comment of the distinguished Senator from North Dakota concerning the treatment of the Volksdeutsche in Czechoslovakia, Poland, and Austria. This was in measure true, because the people of those countries recognized that the Volksdeutsche had been partly responsible for the beginning of the war. I was in Czechoslovakia in 1945. I saw people of German origin driven from their homes. Their money and their possessions were taken from them. They lived in the fields and in the weather. They were the victims of the cruelty of the Czechs. Nevertheless, I say they were members of groups which, to some degree, helped to bring about the war. I do not believe that they should be considered as displaced persons for the purposes of this bill.

Mr. FERGUSON. Mr. President, an examination of amendments A and B of the Senator from North Dakota indicates to the Senator from Michigan that all they attempt to do is to recognize the people referred to as German or Austrian citizens, depending upon their ethnic origin. Amendment A would allow them to come in under the German and Austrian quotas, when such persons are admitted. As I understand the law at the present time, both German and Austrian citizens are alien enemies, and therefore are not being admitted to America at this time. But some time in the future, after peace is established, those people could be treated as Germans or Austrians, and could come to America under the German or Austrian quota.

Mr. REVERCOMB. Mr. President, some Germans are coming in today under the preference quota. It is a matter of ruling in the State Department, and not a matter of law. I am advised by the director of the committee staff that a number of German nationals are coming in.

Mr. FERGUSON. Does the Senator mean German aliens who are enemies?

Mr. REVERCOMB. Yes; German citizens.

Mr. FERGUSON. Then these people would be admissible?

Mr. REVERCOMB. Under the preference quota.

Mr. FERGUSON. How do they come in under the preference quota? Is it because they have relatives in this country?

Mr. REVERCOMB. Yes.

Mr. FERGUSON. But that is aside from the regular quota.

Mr. REVERCOMB. Yes.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. Under amendment A, it is provided—

That the Secretary of State be, and is hereby, authorized and directed to immediately resume general consular activities in Germany and Austria to the end that the German and Austrian quotas shall be available for applicants for immigration visas pursuant to the immigration laws.

I should think that would be a direction to open up the immigration quotas, to which I personally would have no objection, certainly.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. REVERCOMB. Let me say that those who have been found to be Nazis cannot come into the United States, under the State Department's ruling. But under the preference quotas, German and Austrian nationals not found to be Nazis are admitted.

Mr. FERGUSON. Then, under the preference-quota arrangement, I can see no objection to that provision.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HATCH. Let me repeat my understanding of what the Senator from Nebraska was talking about. To reach the situation he was discussing, the German people themselves would require a change in our immigration laws and an enlargement of the quotas; is not that correct?

Mr. REVERCOMB. No; I do not follow that at all. The old German quota was approximately 25,000 a year. Under that, of course, there is the so-called preference quota.

Today the preference quota, I am advised, is open, and the Germans are coming in, provided that they have not been classed as of the Nazi faith.

Mr. HATCH. Mr. President, I thought the Senator from Nebraska was complaining about the native-born Germans.

Mr. WHERRY. I was. However, I think I understand the amendments. I believe that if the committee would accept amendment A and amendment B of the Senator from North Dakota, that would do everything but redefine displaced persons. Am I correct in that understanding?

Mr. REVERCOMB. I understand that amendment A and amendment B do not make these people displaced persons.

Mr. WHERRY. That is correct; they do not write a new definition. If amendment A is accepted, if I understand it correctly, a quota will be set up and then those people will be given citizenship in Germany or Austria, as the case may be, and then they will be permitted to come to the United States under the quota, which will apply to 27,000 persons.

Mr. President, I wish to be identified as being in total support of amendment A and amendment B, although I do not agree because of the reasons I have given, to have a new definition made of displaced persons. Perhaps the Senator from New Mexico will recall the reasons I gave. But I think it is certainly in order that amendment A and amendment B be accepted at this time, if the committee so feels, but that the definition of displaced persons properly remains the same, although I myself think the term should be redefined.

Mr. REVERCOMB. Mr. President, so far as the Senator from West Virginia is personally concerned, he is entirely willing that the amendments be made a part of this bill.

So far as accepting them for the committee is concerned, in this case, as in the case of other amendments, I have been reluctant to accept them without the approval of those who have worked with me on the bill. But so far as I am concerned, I think it is fair to place them in the bill at this time.

Mr. WHERRY. Mr. President, I ask unanimous consent that amendments A and B of the Senator from North Dakota be considered jointly, and that the vote be taken on both of them at the same time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question now is on agreeing to amendments A and B of the Senator from North Dakota [Mr. LANGER].

The amendments were agreed to.

Mr. BALDWIN. Mr. President, I call up amendment A, under date of May 24, 1948, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. One page 8, line 23, it is proposed to insert the following:

SEC. 10. (a) During the first two fiscal years following the passage of this act the Attorney General is authorized upon receipt of a fee of $18, which shall be deposited in the Treasury of the United States to the account of miscellaneous receipts, to record the admission for permanent residence as of the date of his last entry into the United States of any alien in the United States, if such alien entered the United States prior to April 1, 1948, is otherwise admissible under the immigration laws, and is determined to be a displaced person residing in the United States as defined in this section: *Provided*, That the number of displaced persons permitted to remain permanently in the United States pursuant to this section shall not exceed 15,000. Upon the adjustment of status of an alien as provided for herein the Secretary of State shall, if the alien was a quota immigrant at the time of entry, reduce by one the immigration quota of the country of the alien's nationality as defined in section 12 of the Immigration Act of May 26, 1924 (43 Stat. 160–161; U. S. C., title 8, sec. 212), for the fiscal year then current or next succeeding year in which a quota number is available, but not more than 50 percent of any quota shall be used for this purpose in a given fiscal year: *Provided*, That quota deductions provided for in this section shall be made within the 50-percent limitations contained in section 3 of this act.

(b) When used in his section, the term "displaced person residing in the United States" means a person who lawfully entered the United States as a nonimmigrant under section 3 or as a nonquota immigrant student under subsection (e) of section 4 of the Immigration Act of May 26, 1924, as amended (43 Stat. 154; 47 Stat. 607; 54 Stat. 711; 59 Stat. 669; 8 U. S. C. 203), and who is a person displaced from the country of his birth or of his last residence as a result of events subsequent to the outbreak of World War II, and who is unable or unwilling to return to the country of his birth or of which he is a national because of persecution or his fear of persecution on account of race, religion, or political opinions.

Mr. BALDWIN. Mr. President, the purpose of this amendment is to include under the provisions of this bill up to 15,000 aliens who now are legally in the United States. The Department of Justice estimated, last year, that approximately 15,000 persons had come from Europe to the United States and had entered the United States legally and properly. I submit that they are properly considered as displaced persons. The group referred to is composed of aliens, as I have said, who came to the United States legally under the provisions of section 3 and subsection (e) of section 4 of the Immigration Act of 1924. They constitute diplomats, foreign officials, visitors, transients, and students, who have failed to maintain their status or to depart. They have failed to maintain their status because it was impossible for them to do so. They have failed to depart because they have no place to go. They are essentially displaced persons.

Under the present law they are deportable, but the Department of Justice is reluctant to deport them because apparently they have the same reasons for not returning to their native countries as do the displaced persons presently in Europe. So "it would seem anomalous not to admit them for permanent residence while at the same time admitting displaced persons whose circumstances are in general the same"—and I am quoting that sentence from the State Department report.

This amendment, I am advised, is going to be offered as an amendment to the House bill.

All this amendment would do would be to permit to remain in the United States refugees—who otherwise are admissible under our immigration laws—if they entered the United States legally prior to March 15, 1948. No illegal entries would be legalized by this amendment, and the 15,000 refugees now in the United States would also be charged to the quotas established under this bill up to 50 percent of those quotas.

A typical example of the 15,000 refugees now in the United States is the former leader of the peasant party in Poland, Stanislau Mikolajczyk. He came here as a refugee. He is legally here, but the question is, can he legally remain. In order for him to come in under the provisions of the bill, as I understand, he would have to go back and be put into a displaced-persons camp in Europe and then apply there under the provisions of the bill. He is a typical outstanding example, but there are a great many others. What is going to happen, for example, to

the members of the embassies of countries that have been drawn beneath the iron curtain? Where are they going? Why are they not displaced persons? Why can they not be included under the provisions of the bill?

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. BALDWIN. I yield to the Senator.

Mr. SALTONSTALL. Do I correctly understand that the 15,000 people to whom the Senator refers will be in addition to the 200,000 who are included in the bill?

Mr. BALDWIN. They will not. Under the provisions of the amendment, these people will be charged up to 50 percent of the quotas already established in the bill, so the amendment would admit no additional persons.

Mr. SALTONSTALL. Does the amendment say that clearly? I got the impression from the amendment that the 15,000 were already in this country and would be in addition to the 200,000 who would come in under this bill.

Mr. BALDWIN. I read from line 5 on page 2 of the amendment:

> Upon the adjustment of status of an alien as provided for herein the Secretary of State shall, if the alien was a quota immigrant at the time of entry, reduce by one the immigration quota of the country of the alien's nationality as defined in section 12 of the Immigration Act of May 26, 1924.

Mr. SALTONSTALL. They would not be included in the 200,000, but they would be included in the quotas under the immigration law, would they not?

Mr. BALDWIN. That is correct.

Mr. SALTONSTALL. Up to 50 percent of those quotas?

Mr. BALDWIN. I find it necessary to correct myself, Mr. President. The amendment provides for a possible additional 15,000. I was under a mistaken understanding of that particular provision. It does add a possible 15,000 to the quota established by the bill.

Mr. SALTONSTALL. It will also take up 50 percent of the immigration quotas of any of these countries, so that if today a man is in Poland, let us say, or in Austria, or in any of the other countries, and is awaiting his turn on the immigration quota of the particular country, he would be handicapped to the extent of 50 percent of the quota for the next 2 years by refugees who are already in this country. Is that correct?

Mr. BALDWIN. That is correct. But the problem is, What is to be done with the people who are already in this country? They came in legally, but if they remain too long they will be here illegally, and the fact that they came here in the first place indicates a sincere desire on their part to come here and become Americans. Will we have to deport them and send them back to displaced-persons camps in countries abroad in order that they may await their turn under the bill?

Mr. SALTONSTALL. It is a question, is it not, of which is fairer?

Mr. BALDWIN. That is correct.

Mr. SALTONSTALL. May I further ask the Senator if he can give me a very brief observation as to what a nonimmigrant is under section 3 of the Immigration Act of May 26, 1924, and what a nonquota immigrant student is, under subsection E of section 4 of the same act?

Mr. BALDWIN. I would say they were persons who had come in legally for temporary residence here only, and had not come here in the first instance as immigrants with the idea of later becoming citizens. Apparently the law has been so construed that people who could not come in under the immigration quota could come in under other provisions of the law with visas as students or visitors or transients passing through to Canada or some other country. No doubt the letter of the law in that respect as it applies to them may very well have been violated. Nevertheless, they are in; at least from their own point of view, they are in the United States legally under proper provisions of the immigration laws.

Mr. SALTONSTALL. Mr. President, is the test to be applied to them that would be applied to a person in a displaced-persons camp, the test being that they are "unable or unwilling to return to the country of their birth"?

Mr. BALDWIN. Yes; in all other respects they must measure up to the same requirements and meet the same tests as are provided under this bill for the people who come from the displaced-persons camps of Europe.

Mr. SALTONSTALL. If that be so, should there not be provided in the bill some stricter test of unwillingness to return? In other words, should he not have to state his unwillingness under oath, or in some other way? Under the amendment, a person could simply say, "I am unwilling to return." Of course he probably is unwilling to return, but there is no other test provided as I read the Senator's amendment. Is not that too easy?

Mr. BALDWIN. I agree that the same tests should be applied to them as those who come in under provisions of the bill.

Mr. SALTONSTALL. If the amendment is so vague, should it not be made stronger as to the test of their unwillingness, referred to on page 3 of the amendment?

Mr. BALDWIN. I am perfectly willing that that should be done. I think it should be. I had assumed that the language of the amendment was substantially the same as that in the original bill.

Mr. SALTONSTALL. So, in the opinion of the Senator from Connecticut it will be more helpful to us in this country and more helpful in solving the displaced-persons problem over the years to use 50 percent of the quota and apply it to people who are already in this country, rather than to bring in an equal number of new ones from abroad, even though they might make perfectly good citizens. They may even be members of families who are in this country, and yet the amendment would handicap them in favor of people who have been here for the past 4 or 5 years.

Mr. BALDWIN. I think that is true, but, in my opinion, it is improbable that we can enact any law of this kind that would not have in it the possibility of some injustice. The question here is the balance of justice. It seems to me that people who are here and who might, if they had stayed in Europe and were in the camps be considered as displaced persons, certainly ought to be considered. They are here. If we have to send them back we shall have to make some provision for them. Some of them are highly desirable people and have manifested the highest sincerity and conviction for freedom and for free government, and as a result of that have come here, and it seems to me that they are just as desirable and as a matter of convenience, it is highly to our advantage to include them and not make it necessary for them to go all the way back and start all over again.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BALDWIN. I yield.

Mr. FERGUSON. As I view this bill, if a French citizen were in France, obtained a passport to go to Costa Rica, passed through America, and remained here, not having paid a head tax, he could remain here, under this amendment. So, if he arrived in America by trick, he could remain here by paying the head tax and the visa fee. Does that seem fair, when such a person is compared with a displaced person? I realize that there are many people who came here as students and who now do not want to return to their country. There are approximately 200,000 of them. This amendment would take care of 15,000. We have had a method in the past of taking care of worthy persons, such as foreign ministers. It would require a special act to permit them to remain here. During the war persons were admitted to other countries on forged passports. Our State Department knew the passports were forged, and other nations knew it. If such persons arrived in the United States in any way they could remain here under the quota system. Is that correct?

Mr. BALDWIN. I read from line 18, page 2, of my amendment:

> When used in this section, the term "displaced persons residing in the United States" means a person who lawfully entered the United States as a nonimmigrant under section 3, or as a nonquota immigrant student under subsection (e) of section 4 * * * and who is a person displaced from the country of his birth or of his last residence as a result of events subsequent to the outbreak of World War II, and who is unable or unwilling to return to the country of his birth—

Such a man would be subject to the same screening, the same examination, as would other displaced persons.

Using the Senator's example as a typical one, I should think that under those circumstances the authorities who had to deal with the question of eligibility under the law would not admit a person such as the one described.

Mr. FERGUSON. As I understand, subsequent to the outbreak of World War II, if such a person said that there was something which made him unwilling to return, he would come within the quota and would not have to return.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BALDWIN. I yield.

Mr. EASTLAND. I should like to ask the Senator from Michigan a question. I have not read the amendment, but, as the Senator knows, during the war instructions went from the State Department to Latin-American countries requesting those countries to take immigrants on forged documents.

Mr. FERGUSON. That is what I had in mind.

Mr. EASTLAND. I think the facts are that a great number of such persons who entered on forged documents, which this Government knew at the time were fraudulent, are in this country. Could they remain here if this amendment should be adopted?

Mr. FERGUSON. I understand it would allow them to remain here. That is the question I was asking the Senator from Connecticut.

Mr. BALDWIN. I may say, in answer to that question, that this amendment, if adopted, will become part of the bill. It uses the term "displaced person residing in the United States," and describes a displaced person residing in the United States. But the amendment, if it shall become a part of the bill, will be subject, of course, to the definition of "displaced person" as it appears in the body of the bill itself. An eligible displaced person is very carefully and completely described on page 2, subsection (c), line 3, of the bill. So the provisions which are applicable to define a displaced person in the bill will also apply to the amendment. Displaced persons covered by the amendment would be persons who, were they in Europe, would be subject to the same provisions as are set forth in the bill. Now that they are in the United States, the only thing added to the definition is a description of them as displaced persons in the United States. But they would have to meet the requirements of a displaced person as set forth in the body of the bill itself.

Mr. EASTLAND. Even though they resorted to fraud in order to get into the country?

Mr. BALDWIN. No. This bill applies only to persons who come here legally and lawfully, subject to the screening they would have to undergo under the provisions of the bill itself. There is as good an opportunity of detecting any fraud, collusion, or anything of that kind as there is with reference to the 200,000 who would be admitted under the bill.

Mr. FERGUSON. Will the Senator further yield?

Mr. BALDWIN. I yield.

Mr. FERGUSON. The persons who come here on nonimmigrant passports do not go through the same screening as does a person who comes in and pays a visa fee and a head tax. This amendment would permit persons to come in and remain here.

We passed a law only last week which permits the Attorney General to screen these persons and come to Congress with regard to the question of whether they should remain here. Congress could pass on whether they entered, as indicated by the Senator from Mississippi, on forged passports. I am referring to House bill 3566.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BALDWIN. I yield.

Mr. REVERCOMB. As I understand the Senator's amendment, 15,000 people would be affected. There are 15,000 people who came into this country under the pretext of visiting, or stopping in this country in transit to some other destination. We find there has been for a long time a practice to evade the immigration laws of the United States. It is doubtful that many of these persons ever had any intention of going through the country. They stopped here as they planned to do, and here they stay. It is not anything new. In the last 7 years 1,111,244 nonimmigrants, who came over on temporary permits, arrived in the United States. During the same period 843,957 departed. Those who did not depart, as was their duty under the law, number 267,287 persons.

Let me say to the able Senator from Connecticut that there is no need for the amendment which he has offered to protect those who should stay here. The Senate and the House have passed House bill 3566, which is in conference at this time. Under that bill the Attorney General is authorized, in meritorious cases, to permit individuals to remain in this country and to report the case to Congress. Under the present law, if Congress should take no action, a person may stay here for permanent residence. Under the law as passed this year, Congress must take positive action in order for such persons to remain here. So, it seems to me, there is really no need for the amendment in those meritorious cases in which the Attorney General can extend the time and report to Congress.

Mr. BALDWIN. Mr. President, will the Senator permit me to interrupt him there for a question?

Mr. REVERCOMB. Certainly.

Mr. BALDWIN. Take the case of Mikolajczyk, for example. He is here, at least we have accepted him. I am not familiar enough to know on what status he is here, but apparently it is a legal one.

Mr. REVERCOMB. That is what I want to know. The Senator says we accepted him. Was it as a visitor?

Mr. BALDWIN. At that time we accepted him as a visitor.

Mr. REVERCOMB. Very well.

Mr. BALDWIN. Assume he had that type of visa. What happens to a man like that under the provisions of the bill, without the amendment I have suggested? What opportunity does he have?

Mr. REVERCOMB. If he came here as a visitor, his status is that of a visitor, and when his time as a visitor is over, he is supposed to depart from the country.

Mr. BALDWIN. Where does he go?

Mr. REVERCOMB. There is one thing certain, that he is not compelled to depart—and that is one of the problems here—unless there is some country ready to accept him.

Mr. BALDWIN. My point is that if we are to continue to keep a great many people in a state of suspense like that, then it is high time we had some law which dealt with that particular situation. The purpose of the amendment is to deal with it in a lawful way.

The Senator mentioned the act which gives to the Attorney General the ability to extend the visas, and extend the right to remain, in meritorious cases. What is the final result of a situation like that? When is the final determination made? Obviously that kind of a person could not come in under the provisions of this bill without my amendment.

The next thing he would have to do would be to return to a displaced persons' camp or return to his own country—to which he cannot return—and come in under some immigration quota, or go back to another country which might keep him until he could be included under some immigration quota. It seems to me there is a group of people here who are in a state of suspense, with no definite law that deals with their specific cases.

Mr. REVERCOMB. Mr. President, will the Senator yield to me further?

Mr. BALDWIN. I yield.

Mr. REVERCOMB. The Senator has painted a picture which I do not believe squares with what goes on in this country under the immigration laws, and I say that with all due respect. There are hundreds of thousands in this country today who have been here some time. The Senator asks what would happen in the case he mentioned, if the person had no place to go. No one is ever deported from this country, nor can he be deported from this country, unless some country will receive him, and will advise our Government that they will receive him. The Attorney General has the power at the present time in these cases under the law to extend the time, and he can extend it one time after another. Then he reports the case to the Congress. Four thousand such aliens are here today, and if Congress does not act under the present law, such a person is admitted for permanent status in the country.

There is a third method which can be used, and that is the employment of a special bill, which is introduced in the Congress, to give the person permanent status. In the Eightieth Congress approximately a thousand of those bills have been introduced. So there is no reason in the world, where there is a meritorious case, why it cannot be taken care of. But if the Senator's amendment is agreed to, it gives blanket permission to 15,000 people simply because they happen to be in the country, and then a great wrong can be done under his amendment, whereas the righteous case can be protected under the present law I have just described to the Senator.

Mr. BALDWIN. The Senator says that under our immigration laws no man is deported unless there is a country that will receive him.

Mr. REVERCOMB. That is correct.

Mr. BALDWIN. Let us take Mikolajczyk's case. He is here in a temporary status.

Mr. REVERCOMB. Yes.

Mr. BALDWIN. When his time expires, the question will arise, shall he be deported? In determining that question one of the elements is going to be, Is there a country that is ready to receive him? I have no doubt that the present government of Poland would be very glad to receive him back in Poland. What would we do for him under those circumstances? He is typical of hundreds of meritorious cases, I think.

Mr. REVERCOMB. There have been referred to the Congress and to the Committee on Immigration special bills, and the rule has been followed throughout that relief will be granted in any case where there is danger of bodily harm coming to the person who would be deported. The State Department, I am advised, has stayed the deportation of anyone, regardless of his political faith, if there were danger of physical injury at the hands of the government to which he would be returned.

We have had several special bills with regard to which the argument has been made that, "Unless this bill be passed he will be returned to his native land, where his situation is such that he will be subjected to bodily harm," and such a bill is passed, and the man's deportation is stayed. That has been done without exception. I do not think there is any danger imminent in the case of the gentleman of whom the Senator speaks, and I think the laws are ample to take case of such cases. I can see great danger in the amendment offered by the Senator from Connecticut. I cannot see any need for it whatsoever.

Mr. BALDWIN. Mr. President, in response to what the Senator has said, it may very well be that in a meritorious individual case Congress will take some action. But I thought that in the particular bill we are now considering we were trying to work out an orderly process for dealing with these displaced persons, so that we would not have to deal with the matter piecemeal or seriatim, but would have a definite program.

My question is, what is the program the committee has in mind, what is the program the Congress has in mind, for these 15,000 people who are lawfully in the United States, a large proportion of whom, if not all of whom, are just as much displaced persons as those set forth in the body of the bill? What is the program for them? Why do we not deal with that particular subject now? That is the purpose of this particular amendment.

Mr. President, I should like to modify my amendment by inserting in line 8, page 1, after the word "States", the language "subsequent to September 1, 1939, and" so that the clause would read, "if such alien entered the United States subsequent to September 1, 1939, and prior to April 1, 1948."

The PRESIDING OFFICER. The amendment will be modified as suggested.

Mr. BALDWIN. That would cut off a large number of people who otherwise might seek the benefits of the provisions of the amendment.

I should like to modify the amendment further on page 2, line 1 by putting around the words "displaced person" in lines 1 and 2 quotation marks, and by striking out the word "section" in lines 2 and 3 and inserting in lieu thereof the word "Act", so that the clause would read, "is otherwise admissible under the immigration laws, and is determined to be a 'displaced person' residing in the United States as defined in this act."

Mr. President, I should like to modify the amendment further by adding another sentence on page 3, line 5, as follows:

> Any person seeking admission under the provisions of this section shall be subject to all of the requirements herein set forth in this act excepting as they may be altered by this section.

The PRESIDING OFFICER. The amendment will be modified as suggested.

Mr. BALDWIN. It seems to me, then, Mr. President, we have met the objections which have been presented to this particular amendment.

I might say that when the Stratton bill was originally under consideration an objection was advanced to that particular bill to the effect that it did not deal in any regular, orderly way with these 15,000 people, that it left them in a state of suspense.

I submit, Mr. President, that the purpose of the amendment is to do justice to people who have come here legally and properly, who cannot go back to their homes for the same identical reasons that prevent the people treated under the 200,000 quota from going back to their homes. In other words, the amendment sets forth a complete, regular program for these people who are perfectly properly in the United States, and I submit are as much displaced persons as almost anyone can be.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Connecticut, as modified by him.

## THE VOICE OF AMERICA

Mr. CHAVEZ. Mr. President, of course, all of us are interested in doing something for the displaced persons of the world, but I think once in a while we should pay some attention to what is going on in the United States, and I should like to take a little of the time of the Senate in order to express some thoughts on a matter which has appeared in the newspapers for the last 3 or 4 days. The newspapers have been full of the story of the Voice of America and the broadcasts which were made to Latin America and the misinformation carried therein. I hope the members of the Committee on Foreign Relations who are present will take the words I am about to utter in the spirit in which they are meant.

Mr. President, the American press has lately been filled with the purported indiscretions of the Voice of America and how wrong and detrimental information has been given to Latin America.

Hearings by congressional committees are now being held. In my opinion, those hearings are in order, but nothing is going to be solved if the hearings are only for the purpose of finding out who is guilty of giving wrong and damaging information to Latin America.

While it is true that the National Broadcasting Co. was extremely derelict in carrying out its purported obligations to the State Department, and while it is true that both the script writer and the broadcaster in this instance were wrong, the fact still remains that basically the guilt is with the State Department.

The question for the future is not whether the State Department fell down in assigning the contract for broadcasting but whether it is going to continue to do so. I believe that due to my racial and historical background, to my acquaintance with the psychology of the people of the Latin-American countries, I can contribute an opinion both to the Senate of the United States and even to the State Department as to what the trouble is.

I had a great deal of experience with broadcasts to Latin America during the last war. I made many a short-wave broadcast to those countries, where I know they were favorably received. The people in those countries felt that somebody in official life in the United States could talk to them in their own language and appeal to them in words they could understand and that the broadcaster really represented American thought and ideals.

The whole trouble with the State Department, the whole trouble with the Voice of America to Latin America is that neither the State Department nor the Voice of America are using American resources for that purpose. They are going elsewhere. Instead of using American men and American women who actually understand our way of life, as the hearings will indicate, they go outside the United States to obtain a script writer and a broadcaster to tell what happens in Kokomo, Ind.

Speaking specifically of broadcasts to Latin America during the war and even now, by the Voice of America, both agencies became dependent upon using people from outside of the United States, and, Mr. President, there is where the trouble lies.

In the month of August 1846 Gen. Stephen Watts Kearney, the General of the Army of the West, raised the American flag over the old Palace of the Governors at Santa Fe, N. Mex., and from there started the winning of the American Southwest. As a result, New Mexico, Arizona, California, Utah, Nevada, and part of Colorado were annexed to the United States.

The populations of those States at that time were as much Spanish as any country in Latin America. Since then, notwithstanding their historical background, their racial background, and religious background, they have been assimilated and have become loyal citizens of the United States of America.

The change was complete. From one thought of political philosophy they changed to the American political philosophy and since then that type of population of American people has contributed its all to the American way of life, including training, education, and dying.

There are in the Spanish southwest Americans who would be able to help the State Department and the Voice of America and give a true picture of our ideals and traditions and our way of life. But neither the State Department nor the Voice of America has seen fit to go through the Universities of Texas, New Mexico, Colorado, Utah, Arizona, Southern California, the University of California or Stanford, besides many other universities who have fine colleges and schools of romance languages and history of Latin America.

They could obtain men and women highly trained, highly qualified to give an actual picture of American life through the Voice of America, but what do they do? What did they do during the war? They obtain persons from outside the United States to tell what happens inside the United States. That, Mr. President, is the trouble with the Voice of America. Why were not professors from the University of Texas used for the purpose? Why were not good businessmen from Texas chosen for the purpose? Why were not fine professional men, lawyers, scientists, dentists, doctors, and engineers, by the hundreds, men who have served this country in every endeavor, including the fighting of her wars, not used for the purpose?

The Senator from Texas [Mr. CONNALLY] is present. He knows that men of his State who were lieutenants in the armed services, who were captains, majors, and of other ranks in the armed services could tell the people of Latin America what is actually happening in the United States, and we would be proud of what they presented.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CONNALLY. I thank the Senator for referring to me. What he said respecting persons in my State is true. Many such citizens reside in Texas who would be capable and able representatives of the State Department in imparting to Latin America information about the United States.

Mr. CHAVEZ. That is true. What is the trouble we are having, which committees of Congress are now investigating? I have nothing but the best of feelings toward Venezuela. I have nothing but the best of feelings toward Cuba. I fought for them, and the Senator from Texas helped me, when I thought section 206 of the sugar bill was wrong. But what do they know about San Angelo, Tex.? What do the men who write the scripts or make the broadcasts know about Paducah, Ky., or Casper, Wyo.? The Senator from Wyoming [Mr. O'MAHONEY] is present. I know that he could get first-class Americans in his State, persons with a Spanish background, who could broadcast a true story of Wyoming.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. O'MAHONEY. I am happy that the Senator from New Mexico made reference to the State of Wyoming. It is true that there are many persons there, as there are in New Mexico, who could properly tell these stories. Unfortunately, however, by reason of the Reorganization Act which was passed in the Seventy-ninth Congress, and because of other circumstances, including the election of 1946, the Senator from New Mexico was compelled to retire from the Appropriations Committee. I served on that committee with him for many years, and know how valuable were the services which he rendered. Had he still been a member of that committee last year—and I am glad that he now goes back to the committee—he would have known that the responsibility for the employment of non-Americans to make these broadcasts does not rest with the State Department, but with the National Broadcasting Co.

Last year the Committee on Appropriations reported a bill making appropriations for the Voice of America, and specifically instructed the State Department to make contracts with private broadcasting companies. It was not because the State Department did not want to employ its own personnel that the private companies were brought in, but because the Congress of the United States withdrew the appropriation and then instructed the State Department to make contracts with private companies. The authors of the broadcasts were not employed by the State Department, but by the private companies. That record should be clear.

Mr. CHAVEZ. It certainly is clear. It is extremely clear to me. The State Department, however, was paying the contractors with money appropriated for the State Department. That should be clear also.

Mr. O'MAHONEY. That is true.

Mr. CHAVEZ. No one can tell me that when the Congress of the United States appropriates money for the State Department with which to enter into a contract with the National Broadcasting Co., the State Department, which is to foot the bill, cannot say, "Let us use Americans to tell about the United States."

The Senator from Utah [Mr. THOMAS] is present in the Chamber. At the University of Utah there is a wonderful school of romance languages, as well as a school of Latin-American history. Yet it is necessary to go outside the United States in order to find someone to tell what happens at Ogden, Utah. That is what I am objecting to. I think that is the whole trouble in a nutshell. Why is it that we cannot make use of American resources in Texas, New Mexico, Wyoming, Colorado, Utah, Arizona, California, and Oregon? In the beautiful little city of Eugene, Oreg., there is as fine a school for the teaching of Spanish as there is in Latin-America. But are we making use of such resources? We are not.

Why is it necessary to obtain people from any other country in order to sell America? We have doctors of philosophy, engineers, newspaper workers, radio experts, authors, poets, scholars, school teachers, and university professors. Cornell University, Harvard, Columbia, Purdue, or Northwestern could furnish Americans who would know how to sell America to the people of Latin-America. A person may have enough social graces to be a success in Washington, but if he does not know Hyattsville or Rockville, Md., or Winchester, Va., how in the name of common sense could he be successful in selling Hyattsville, Rockville, or Winchester to Latin America? Does not the State Department or the Voice of America trust Americans of that type to sell America to people of the same background, people who would understand their language, and even the philosophy of the Hail Mary in Spanish?

Getting down to basic Americanism, unless a person such as the ones who have heretofore been doing the broadcasting reads about such places in a book, what does he know, or what can any other non-United States American know about Paducah, Ky., Kokomo, Ind., North Platte, Nebr., Auburn, Calif., or Santa Fe, N. Mex.?

I hope that Senators will appreciate the point I have in mind. I hope the State Department will some day become aware that we have resources in the United States to carry out the program which it says is so good, and with respect to which it appears that it depends upon Congress only for appropriations, Congress being considered only a nuisance.

## ADMISSION OF DISPLACED PERSONS

The Senate resumed the consideration of the bill (S. 2242) to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDING OFFICER (Mr. IVES in the chair). The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. BALDWIN], as modified.

Mr. MYERS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "End Delays, Pass Bill To Admit DP's," published in the Philadelphia Inquirer of June 2, 1948.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### END DELAYS—PASS BILL TO ADMIT DP'S

In considering the bill to admit displaced persons from the camps of war-shattered Europe, Congress has an opportunity to demonstrate anew its faith in the humanitarian and moral principles on which this Nation was founded.

By passing, without a series of petty restrictions, the bill now bogged down in time-consuming debate, the Senate will be acting in full accord with the traditions which have made America great. But with adjournment only a few weeks off, there is grave danger that the legislation will be talked to death.

The existence, 3 years after VE-day, of camps crowded with war victims, continues to be a blight on the record of the United States in doing its share toward alleviating the suffering caused by war.

Lack of faith in the greatness of our own country, rather than any lack of humanitarian feelings, seems to be the basis for objections to the admission of DP's.

At a time when employment is reaching new highs, it is clearly a sign of wavering confidence in the future to express fears that the jobs of Americans will be jeopardized by the admission of 200,000 additional persons.

It is true that there is a housing shortage, and finding homes for DP's would be an additional burden. But the housing problem will not be solved by closing our doors to outsiders; it is a problem which the Nation has the resources and ability to overcome, regardless of immigration changes.

Fears that the DP's are mostly Communists, and would take part in subversive activities once they landed here, fail to take into account the fact that most of the persons still in camps are there because they dare not return to their native lands, now dominated by the Soviets.

In these camps are men, women, and children of all races and religions, bound together by common suffering, and, unfortunately, by the indifference of others to their plight.

There is little question that a large number could be assimilated by the United States, which, in the past, has been a refuge for the oppressed of all nations. Other countries, with far more homogeneous populations, have welcomed DP's and are making of them useful citizens.

Aside from the humanitarian aspects of this question, there is a hard-headed, practical side which has great importance to the American taxpayers. So long as these people remain in camps in areas occupied by the American Army, they will be a huge expense to the Government.

Letting down the bars to a number of them will give them a chance to pay their own way, and at the same time contribute to the life of this Nation.

In the face of the moral obligation to do our share toward finding havens for these persons who felt the Nazi terror and cannot face the new terror of communism, the delays of Congress in taking action are hard to understand.

Hopes for a decisive stand on the issue were raised when the Senate voted to increase the quota to 200,000 But the course of the debate since then, and the submission of amendments which arouse doubts as to their sponsors' real interest in passing a bill, have rendered it wholly possible that the legislation will die.

If the DP's are not admitted, it will mean that the United States is turning its back on the misery war brought to nearly a million innocent people It will mean that we have failed to show true leadership in solving one of the most heart-rending issues of the peace.

The plight of the displaced persons poses a problem which should be met in a spirit of generosity and confidence in the Nation. Congress will express the sentiments of most Americans by voting to welcome these victims of the world's failure to keep peace. The time to act is now.

Mr. McGRATH. Mr. President, I wish to make a statement for the RECORD, in the interest of speeding final action on the bill now before the Senate.

The Senator from New Mexico [Mr. HATCH] and I have on the desk an amendment in the nature of a substitute for the displaced persons bill which the Senate has been considering all day. We have concluded that the Senate has probably reached the point in its consideration of this question where there is little hope or chance that we can get out of the Senate an effective and workable displaced persons bill.

Inasmuch as the substitute which we have submitted is very much in line with the provisions of the bill which is pending in the House of Representatives, we shall not at this time call up our substitute. I regret to have to make this announcement, but I wish to make it perfectly clear in the RECORD that our reason is that the provisions in the substitute bill, also covered in some of the House legislation, make it desirable that we do nothing to prevent the conferees considering this legislation from being free at least to make some liberalization in the provisions of the bill.

I feel that if the attitude of the Senate, as displayed in its actions on the amendments which have been thus far before it, persists to the end, we shall have succeeded in doing little more than passing a bill for the exclusion of displaced persons from the United States, rather than a bill for the admission of displaced persons.

I am sorry indeed to note that the mountain has labored and brought forth a mouse, but that is the situation in which we find ourselves. I express the hope that after the Senate is through and we hear from the country we may hope, for the sake of humanity and the world, and the fulfillment of our moral obligation, that the Congress will see its way clear to pass some sort of compromise which may come out of the conference between the House and Senate.

So, Mr. President, in order not to allow anyone to be able to say that the Senate has already turned down many provisions that are found in the substitute bill, and thereby make it ineligible for consideration in conference, the Senator from New Mexico and myself have reluctantly come to the conclusion not to call up our substitute during the course of this debate.

Mr. EASTLAND. Mr. President, I wish to make a few remarks in opposition to the bill and also in opposition to the amendment of the distinguished Senator from Connecticut. I had intended to make some lengthy observations on this measure; but the hour is growing late, and I shall try to confine what I have to say to a very few minutes.

Mr. President, there is nothing in the pending bill or in the pending amendment or in any amendment which has been printed and lies at the desk, to be offered later, which would in any way benefit the United States of America. Not one of those amendments would help our country.

A great many persons entertain the opinion that the United States is a charity organization, that we are conducting an eleemosynary institution. But, Mr. President, we are considering legislation which in the long run will do immense damage to the United States.

Oh, yes; it is said that we shall admit only 200,000 displaced persons. But, Mr. President, this move is only an opening wedge; this is just the beginning of the destruction of our present immigration statutes.

When the present immigration law was written in 1924, many great Americans said that was a turning point in the history of our country. But I am sorry to say that program is being destroyed. It is being destroyed piecemeal, and this bill is the opening wedge in the movement to destroy it.

Mr. President, of the aliens who have entered our country in the past few years—the same kinds and same types as the persons who will be admitted to the United States under the provisions of the pending bill—of course many of them are good people, but the very opposite is true as to a majority of them.

Furthermore, with a tremendous housing shortage in the metropolitan areas of the United States, it should be pointed out that 95 percent of those aliens have located in the city of New York and in other metropolitan areas, where they fill up the slums, whereas only 1 percent have gone on the farms of the United States, where they are needed.

Mr. President, the proponents of this measure have flooded the country with propaganda on an unprecedented scale. I venture to say that there is no Senator in this Chamber whose office has not been deluged with propaganda at the behest of the foreign blocs and the deluded humanitarians who have been the victims of the specious propaganda which minority blocs have disseminated. Full page advertisements costing thousands of dollars have been run in important newspapers, and I have seen them run day after day in the New York newspapers, some of them advertisements that cost $2,000 a piece—and well-meaning people who know nothing of the background of the immigration problem fall for this sort of thing, whereas the millions of ordinary American citizens who do not want these foreigners admitted are unorganized and, individually, lack the money with which to reply to the attack.

Mr. President, the lobby backing the displaced-persons bill is one of the most powerful lobbies in American history. Millions of dollars are being spent to fill the press and the radio of the Nation with canned editorials, syndicated columns, and sentimental appeals based on misleading information. Many of the best people in the country, including leading ministers, have fallen for this propaganda as a result of not having made a careful study of the immigration question. They are eager to play the role of the good Samaritan. They forget, as one of my colleagues in the House wisely put it, that the good Samaritan, though he dressed the wounds of the wounded man and carried him to an inn and paid for his lodging, did not take the stranger home with him, nor open up his household to the stranger and the stranger's family for permanent abode. We have already played the good Samaritan to the displaced persons of Europe and to millions of others throughout the world. We have discharged the obligations of good will and Christianity. Now let us discharge the obligations of good sense, and make these displaced persons return to their homelands and go to work or go to some of the underpopulated countries of the world where they can fit in far better than here.

Mr. President, it is certainly interesting to note from figures which have been compiled for 8 of the 10 countries in the Marshall plan, that in those countries there is a shortage of labor to the extent of 677,000 laborers at the end of this year. The records of the refugee organizations show that 60 percent of the dis-

placed persons are skilled laborers. They are badly needed in Europe to rebuild the devastated countries. There is a labor shortage there. Those displaced persons are skilled workers. Yet, instead of letting them stay there and go to work to rebuild that stricken continent, we are considering legislation to bring them to the United States, where they are not needed, and where the majority of our people do not want them.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. RUSSELL. I do not know whether the distinguished Senator from Mississippi proposes to go any further into his argument about the danger of the precedent which this proposed legislation will establish. That is the point which frightens me about the enactment of this legislation. No one can go to Europe without feeling great compassion for millions of people in and out of the displaced persons camps; but I have also had occasion in times past to visit in India and in China. The numbers of displaced persons in Europe today are a mere bagatelle as compared with the numbers of displaced persons in India. Since the division of India under the agreement by which Britain surrendered her domination over India, and by which India assumed commonwealth status, she has been divided into two countries, Pakistan and India. Tens of thousands of Indians have been persecuted and slain because they were Hindus or other non-Moslem people and happened to be in the area that was designated as Pakistan at the time when that declaration was made. Moreover, tens of thousands of Moslems have been killed and their homes burned and their goods and belongings destroyed because they happened to be in the area which, under the division of India, has been designated as India. There are probably 10 or 12 displaced persons wandering about in India at this very hour, without food or clothing or the other bare necessities of life, for every one of the persons in the displaced persons' camps in Europe for whom it is proposed that we provide.

I am quite sure that if we inaugurate this movement on the theory that we owe it to the persons who are displaced and have no home to which they may move, it can be said with equal truth, and with greater reason, that we should accept tens of thousands of Indians and Moslems from India; and of course there are millions of displaced persons in China.

Mr. EASTLAND. I may say that on that point the Senator is exactly right. This is the beginning of an assault to tear down this country's immigration restrictions. It will be found that the Federal Council of the Churches of Christ in America is leading a campaign in this country today to tear down any restriction against Chinese immigration and to throw the United States open to unlimited immigration from China.

Mr. RUSSELL. I certainly would not dispute the Senator's statement, but we have already started the process of whittling away our immigration laws. Within the past few years we have changed them to grant a quota to immigrants from China. We have passed legislation granting a quota to immigrants from India. We have enacted legislation which permits a quota, I think, from Korea, and there is legislation now pending to allow to Siam a quota of immigrants. Of course all other countries will come along.

If we have whittled away the laws we had enacted in 1924 after the most exhaustive study that was perhaps ever given any legislation, and if we then set the precedent of admitting a large number of displaced persons who, while their plight may be very deplorable, are yet much better off than the displaced persons of India and China, I do not see how the Congress could resist legislation to take over many times this number of people from India and China.

I myself was in Calcutta, India, in 1943, when there was a great famine there. They had a black-out at night due to the fact that the Japs were bombing the place periodically. If one walked down the street he would stumble in almost every block over the body of some person who was lying there too weak to walk. He would see men early in the morning come out with trucks, pick up the bodies of the dead who had died of starvation during the night, and throw them onto the truck with no more ceremony than they would yield to a piece of timber. They would take them out in large numbers to the edge of the town to the so-called burning ghats, where the bodies of those pathetic figures were consumed with fire.

In the recent war no one, at any place, suffered much more than did those people. Millions of them are now displaced, and I apprehend and predict that if we inaugurate this policy we shall be confronted with other legislation later to set large quotas of immigrants from other lands where millions are suffering all the horrors that followed in the wake of World War II.

Mr. EASTLAND. Mr. President, I thank the distinguished Senator from Georgia. I certainly agree with him that we are dealing here with dynamite. In my judgment we shall come back next year to face other bills of this character, designed to destroy our immigration system. When we do that, we change the whole form of American life and the ideals of the people of this country. We also change the viewpoint of the men who come to the Congress of the United States.

There was an election in the city of New York this spring for Congress in which a gentleman on Mr. Wallace's ticket was elected from a district, more than 50 percent of whose voters were foreign-born. I think there are very few other congressional districts in the United States where a man representing that viewpoint could have been elected.

Mr. President, the Senator from North Dakota read into the RECORD the names of the men lobbying for the pending bill who registered under the Legislative Reorganization Act of 1946. He named the salaries they were getting, which showed that $152,000 a year is being spent in salaries alone for lobbyists and other men dispensing propaganda to secure the passage of the pending legislation. In addition, there were a great many other out-of-pocket expenses running into thousands of dollars.

Mr. President, I have in hand a copy of the legislative bulletin of the American Legion, published on May 21, 1947. In that bulletin the American Legion gives the names of those lobbyists and their salaries, and I should like to read to the Senate what the great American Legions says about the pending bill and about the pending drive to destroy our immigration system. I read from the bulletin:

> The intensive, aggressive, all-out drive, supported by numerous organizations and apparently with unlimited financial backing, continues and the agitation goes on to break down our immigration laws to admit so-called displaced persons into our country. Addressing a national triennial dinner of one organization last week, United States Attorney General Tom Clark and Secretary of War Robert Patterson urged that the United States admit "its share of displaced families."

Mr. President, I intend in a moment to discuss what should be our fair share and exactly what this country has done. It has more than fulfilled any obligation. We have already more than taken in our fair share of displaced people. But I read further from the American Legion:

> Also in a press conference President Truman made a similar plea. The term "fair share" is used almost exclusively as applying to United States obligations in connection with displaced persons.

Mr. President, listen to this:

> However, no mention is ever made of the thousands of displaced persons who entered the country during wartime as refugees or under some other so-called emergency action—if these figures were compiled they would no doubt show that the United States is already harboring more than its "fair share" of displaced persons.

I read on from the Legion:

> In addition to numerous organizations registered with the Senate and House of Representatives who are working in behalf of the admission of displaced persons, either by relaxing immigration quotas or otherwise, during the past quarter the following persons have been registered with Congress as legislative representatives of the Citizen's Committee on Displaced Persons.

Those names are already in the RECORD, But, Mr. President, the Legion goes on and gives the other expenses to which those lobbyists are entitled, and then the Legion says:

> The foregoing will give you some idea of the strength of the opposition to this item on our legislative program.

The American Legion says that one of the items in its legislative program is the defeat of the pending measure.

It behooves all Legionnaires—

Senators, listen:

> It behooves all Legionnaires, members of the American Legion Auxiliary, and our families and friends to be continuously alert to the fight we have on our hands and to work hard to counteract the efforts of those who would admit thousands of aliens, in spite of the fact that millions of veterans and other

American citizens are inadequately housed and that thousands of disabled and other veterans are struggling to rehabilitate themselves in useful occupations which might be taken by aliens others are seeking to have admitted to our country.

That, Mr. President, is the viewpoint of the great American Legion, the organization that protects the interests of the American veteran. They say that in passing this bill we shall be depriving veterans of homes, preventing them from rehabilitating themselves and from securing employment.

Mr. President, in addition to this one organization specifically devoted to lobbying for the admission of displaced persons as immigrants, every left-wing organization in the country has been lobbying to the same end. What appears to be a public clamor for lowered immigration barriers is actually a synthetic and largely alien demand. It is the old Gideon technique whereby a few make so much noise that they are mistaken for a multitude. Let us not be deceived by this synthetic clamor. The real voice of America is the millions back home on the farms, in the factories, in the offices, in the stores, and in the home. Were these real Americans one-tenth as articulate as these lobbyists, they would let us know in no uncertain terms that they favor a strengthening of our immigration barriers rather than a relaxation.

Mr. President, one of the appeals made by this potent immigration lobby is the "our share" appeal. We are told that America has "a moral obligation to do its fair share toward admitting these displaced persons." The hypocrisy of this argument is shown by the fact that we have already done far more than our share. We have already accepted 600,000 refugees since 1933, not to mention a vast number which have entered the United States illegally.

While I do not know whether the figures are accurate, I am reliably informed that more than 300,000 have come into this country as students but who, in reality, have come here to remain permanently.

I have already pointed out that America spent over $350,000,000,000 in the war itself to liberate the peoples of Europe, including those we are now asked to accept as immigrants. We have spent $22,000,000,000 already in postwar loans and relief and are about to spend $17,000,000,000 more under the Marshall plan. Vast sums have been contributed by private charity. No other country in all history has spent one-tenth as much, no, not one-hundredth as much, to succor foreign lands, as has the United States. So far as accepting our share of immigrants is concerned, I would like to point out that we have accepted 23½ times as many as have Canada and South Africa and 21½ times as many as has Australia, even though these nations are thinly populated and can use immigrants far more readily than can the United States.

Those countries are offering inducements; they are advertising; they send commissions and attempt to get immigrants to come there.

I agree with the distinguished Senator from Michigan [Mr. FERGUSON] that this is a problem growing out of the war, which must be solved. There is a saying that the sun never sets on British possessions. There are thousands of square miles of fertile, virgin territory, underpopulated, and which, if developed and placed in production, would contribute to the economy of the world and to the benefit of all of us. Instead of bringing these persons to this country, where there is no use for them at this time, they should be occupying the areas to which I have referred. If we take 200,000 of the displaced persons, we will not have settled the problem. It is merely a crack in the door. The cry will be to take the rest of them; let us tear down the immigration barriers. If we want to settle the question, let them go to the British Empire, to the French Empire, to South Africa, or to Australia, to Brazil, the Argentine, and other South American countries which are underpopulated. Those countries have unlimited natural resources, and they desire these people. If there had been half the work and half the clamor to get them admitted to those countries as has been expended on getting them to America, the whole problem would have been settled and the Congress of the United States would not be faced with the clamor to admit them into this country.

Mr. President, in every respect the United States has done its fair share many times over. Let us have done with pretending that the United States is deficient in warm-hearted interest and charity toward the suffering of other lands. To claim that we have not done our fair share is simply an insult to the intelligence, patriotism, and humanity of Americans.

One of the items of misinformation the public is given by this powerful immigration lobby is the statement that the displaced persons are in danger of persecution and even death if they return home.

I have heard that argument bandied about on the floor of the Senate during the debate. The statement has been made that they would be persecuted. Let us see what Maj. Gen. Lowell R. Rooks, the head of UNRRA, had to say on that specific question. I submit, Mr. President, that he knows more about the question than does any other person in the world. He knows it with all its ramifications. There is what he said on June 4, 1947, in the Christian Science Monitor. He declared that of the 7,000,000 displaced persons repatriated between 1945 and 1947, not a single instance of persecution or reprisal had come to his attention. So far as I have been able to ascertain, not one substantial case of persecution after repatriation has ever been submitted to a committee of Congress. The displaced persons now in the 300 camps of Europe are there simply because they do not want to go home, because they do not want to work, and some of them, as the New York Times stated, have a mission to do for Stalin in America.

Mr. President, American military authorities have had to resort to inducement to encourage DP's to return to their native lands. Last year, our military authorities offered a 60-day supply of food as a bonus to DP's in the American zone of Germany, if they would go home. As a result, 48,000 Poles returned to their home land. The better elements among the DP's have already been repatriated. Now we are asked to admit the worst of them to make future citizens of the United States.

Some of the Senators who have seen the displaced-persons camps have commented in private conversations on the type of persons occupying the camps. Of course, there are many good persons there, but as a rule, the very worst are left. We are asked to take them into this country.

Mr. President, in the mass of printed matter which has been issued by the State Department in support of the Marshall plan, I find a document entitled "European Recovery Program," chapter L, entitled "Manpower." On page L–3 of this document there is set forth the fact that from 8 to 10 countries from which manpower data were obtained at the Paris Conference there are reported requirements by the end of 1948 for 677,000 additional workers which they wish to meet by immigration. Further down on the same page the statement is made that among 520,000 able-bodied adult displaced persons about 60 percent have skills. Thus, Mr. President, in Europe alone, according to our own State Department, there is evidence that the major part of the population in the camps we maintain for displaced persons can be absorbed into Europe's industrial or agricultural life. It is the estimate of 8 of the 10 countries in the Marshall plan that next fall, a few months from now, they will need 677,000 workers by immigra ion. That is necessary if the Marshall plan is to function as the American Congress and Government hope it will.

Further down on the same page will be found the statement that among 520,000 able-bodied displaced persons more than 60 percent have skills. An official document of the State Department of the United States, a department with lobbyists swarming around this Chamber at this time lobbying for the pending bill, states that 60 percent of 520,000 they checked have skills, and that 677,000 additional workers are needed by immigration if the Marshall plan is to succeed.

Thus, Mr. President, in Europe alone, according to our State Department, there is evidence that the major part of the population in the camps we maintain for displaced persons can be absorbed into Europe's industry or agricultural life.

If we do not make the Marshall plan work, if it does not function as we expect it will, if it is not possible to get the manpower, we will be asked next year for additional money. If we take the official documents of the American Government, showing the requests of other countries for labor by immigration, there is no necessity in the world for the passage of the pending bill.

Arthur Caldwell, Australian Immigration Commissioner, recently stated, as quoted in a New York Times article, "If we could bring 200,000 adult and junior workers here tomorrow, Australia would give them all work within a week."

Another newspaper article bears this headline "South America wants 7,000,000 immigrants in 10 years."

Robert Prigent, Minister of Population in France, declared recently, "Unless we impc t 3,000,000 workers within next 10 years, France cannot survive."

Mr. President, those are requests for millions of immigrants. They can be absorbed in Europe, and they are asking that they be absorbed there. If the displaced persons desire to work and better their condition, I want to know why they do not stay in Europe, cooperating under the Marshall plan. If they would make good citizens of the United States, why is it that the countries which are asking for immigrants do not take them? Why are we asked to take people whom Australia and other countries will not permit to come within their borders? Why is it that the missions go there and pass these people by, if they would make good, substantial American citizens?

To say that the displaced persons have nowhere else to go except to the United States, as the displaced persons lobbyists say, is simply to disseminate misinformation, in my opinion. The real solution of the displaced-persons problem is to require the beneficiaries of the Marshall plan, especially the French and British Empires, with their vast unsettled areas, to accept these people as immigrants as a condition precedent to granting these nations additional loans. This would be a popular and constructive feature to add to the Marshall plan.

Mr. President, I submit that if any attention in the world had been given to that plan as a condition to granting loans to those countries—they say they need the immigrants, they say they have to have them—we would have had this problem settled. All this Government has to do now is to make demand that they take these people, and the displaced-persons problem will be settled. There will be a solution, and, mind you, Mr. President, the pending bill will not in any way settle the problem.

Australia with only 2.5 persons per square mile, Africa with only 14.7 persons per square mile, and South America with only 14.1 persons per square mile, could all use them far better than can the United States, with 43.7 persons per square mile.

This country has reached a time when we have diminishing resources. We have reached a time when we will not, with an average harvest, be a great exporter of food. We shall be barely able, as our soils become depleted, to feed our own population, and I submit that there is no place in this country for these people to settle.

Mr. President, it may seem that I object too strenuously to the admission of only 200,000 displaced persons to the United States. This legislation, however, is but the entering wedge. The left-wing forces who are now clamoring for the admission of 200,000 have in mind the eventual complete destruction of our immigration barriers. Some of the misled church groups in this country, the Federal Council of Churches and others, have actually advocated the complete elimination of immigration barriers to permit the unlimited immigration of Chinese to the United States. It is all part of the same picture. The proposed legislation is merely the opening wedge, and I consider it fraught with grave danger to the United States.

Mr. President, the fact is that existing immigration laws are so liberal that they should be strengthened rather than weakened. Let me cite various features of our existing statutes relating to immigration which reveal their liberality.

One hundred and fifty thousand five hundred and one European immigrants are permitted annually to enter the United States under quotas. All countries in the Western Hemisphere have no quota restrictions. Over and above European quotas, we permit the entry of wives and minor children of American citizens, ministers, professors, certain classes of merchant seamen. We place no limit on the number of visitors and students, with the result that hundreds of thousands of them are now in the United States.

In World War II we naturalized 110,000 aliens in the United States Army. We brought in about 100,000 war brides who became American citizens. All told, under existing laws, we probably bring into America each year not less than two or three hundred thousand immigrants, which is far more than the United States can properly assimilate.

Mr. President, the racial origins clause of the Immigration Act of 1924 aimed to insure two-thirds of our immigrants coming from Northern and Western Europe has largely been circumvented. The British Isles, Scandanavia, Germany, Holland, France, and other countries of western Europe failed to use more than a small share of the quotas allowed them. Meanwhile the nations of Eastern Europe made full use of their quotas. The net result has been that the countries which under the law were intended to supply us two-thirds of our immigrants supplied us only 13.6 percent. Those intended to be limited to one-third supplied us 86.4 percent of our immigrants.

Moreover, Mr. President, there come into the United States each year from Puerto Rico 100,000 persons, most of whom locate in the city of New York and add to the housing shortage and the slum problem in that city. So I say that our immigration laws should be strengthened rather than relaxed, as would be done by the pending bill.

Mr. President, I want to say a few words about the relationship of immigration to the housing problem. It is a matter of official record—listen to these figures—that in September 1945 when full-scale demobilization got under way the number of married couples who had doubled up was approximately 1,300,000. Five months later in February 1946 the number had risen to approximately 2,149,000 and within another 4 months in June 1946 that number had increased to 2,600,000. Just 4 months later the number had jumped to 2,600,000 couples. The last figure which I have seen on the subject indicated that in April 1947, just a little over a year ago, 2,764,000 married couples, or 8.3 percent of all married couples in private households, were sharing the living accommodations of other persons.

I have before me a column entitled "Capitol Stuff," which was published recently in the Washington Times-Herald. It was written by John O'Donnell. I read from it a telegram which shows how veterans feel about the matter. Veterans will be adversely affected if the program we are now considering is adopted. The telegram is from Jim Morton, 220 South Street, New York. I read from it as follows:

> It appears Congress will open our doors to thousands of immigrants at a time when the Nation cannot house its own.
>
> In New York and elsewhere in the Nation veterans are dwelling with in-laws or in Quonset huts, cold-water flats or worse. Marriages are being postponed for want of housing. If housing is obtainable for displaced persons why are veterans homeless?

I want an answer to that question. I think some of the proponents of the bill should answer it. If we are to provide housing for the people we permit to enter the United States under the bill, why is not housing available for the men who in uniform served their country, and who offered their lives to save the Nation?

Mr. Morton mentioned a Senator's name, which I shall not read. He said further:

> The Senator seeks to boost the admission quota to 200,000. He may have found dwelling space for them but has eminently failed to provide for his own people.

"Has eminently failed to provide for his own people." There, Mr. President, is an indictment of the Congress, which proposes to admit 200,000 persons from abroad, when we have failed to provide housing for the veterans of the United States.

I read further from the telegram:

> Thousands of veterans are hopping mad about the DP admission when families the Nation over exist in reconverted barracks and beg for housing. The question of bringing immigrants to an ill-housed America should be raised as a campaign issue. Whom shall we shelter—our homeless or Europe's?

We are keeping American veterans from getting homes, housing, in order to take in the homeless from across the seas.

Mr. President, if there were no other arguments against this bill it seems to me that there is a conclusive argument against it in these facts.

Figures from other sources indicate that 40 percent of our veterans are still living doubled up with relatives and friends while 25 percent of our married veterans are without houses of their own.

Those are figures which have been substantiated from Government sources.

I wish to point out to my colleagues another important fact which seems to be too often overlooked. I quote from a

document entitled "Current Population Report October 7, 1947," published by the Bureau of the Census:

> Population growth for the whole period since the last census (April 1, 1940) has in fact been unusually great. The January 1947 figure represents an increase of about 11,000,000, or 8.4 percent in these 6¾ years, as compared with an increase of less than 9,000,000, or 7.2 percent in the entire decade preceding April 1, 1940.

Mr. President, during the year 1946 alone, our population increased by 2,279,000 people, and it seems to me evident that we must look forward to the time in the near future when population growth in this country will have to become stabilized, or there will be a progressive deterioration in our American standard of living. We burned up our natural resources on an unprecedented scale in fighting the last war, and as a result the end of many of our resources is actually in sight.

Now, Mr. President, if we have to choose, as we must, between the distribution of such resources as remain to us among the people now here and their descendants, or among foreigners to whom we owe no obligation whatsoever, I have no hesitation in indicating the course which I think we should pursue.

We should defeat this bill and every measure of a similar character which comes before us. We should advise the executive branch of the Government that we expect it to demand of the foreign nations which we have saved from destruction, that the least thing they could do is to take the displaced-persons problem off our hands; and, finally, we should consider a drastic reduction in the number of immigrants who are now permitted to enter under existing statutes.

The claim that immigration has strengthened the United States in the past and would strengthen it now is refuted by the fact that the immigrants we secure now settle usually in the metropolitan centers, and that they will not help America because of their alien philosophies, and their biologic incompatibility with America's parent stocks.

Mr. President, recently I read a very learned discussion on immigration. The author, a very prominent American, traced radicalism, socialism, communism, our labor troubles, the subversive elements we have in the United States today to the immigrants we took from eastern Europe. We are intensifying that very situation now.

I have never in my life seen such a demonstration as that made by the thousands who came to Washington today to lobby against the Mundt-Nixon bill. Looking at those people, I should say that nine-tenths of the white persons in the group were from eastern Europe. There can be no doubt what their political philosophy is. If I correctly understand, they were here boldly and brazenly under the banner of the Communist Party. We are opening the floodgates. We are further intensifying our problem. We are taking America away from the people who built it and made it great.

The best proof that a nation can be ruined by unwise immigration policies is afforded by the history of Greece and Rome, which nations remained great and productive, and with a high state of civilization so long as there were full-blooded Greeks and Romans to carry on their civilization. But they rapidly deteriorated when unwise immigration policies resulted in intermarriage with other races.

Mr. President, I believe that this is a question which should receive the very serious attention of the Congress. I should like to read from a report of the House Committee on Immigration and Naturalization, in 1924. The report accompanied the bill which now constitutes our present National Origins Act. I quote from the report:

> Since it is an axiom of political science that a government not imposed by external force is the visible expression of the ideals, standards, and social viewpoint of the people over which it rules—

No statement ever made was truer than that. A government not imposed by force from the outside expresses the ideals and traditions of the people over which it rules. Do we want to intensify our problem by admitting people of the type who were in Washington today under the banner of communism—people who, if given half a chance, would take over our Government by force and destroy our ideals?

I read further:

> It is obvious that a change in the character or composition of the population must inevitably result in the evolution of a form of government consonant with the base upon which it rests. If, therefore, the principle of individual liberty, guarded by a constitutional government created on this continent nearly a century and a half ago, is to endure, the basic strain of our population must be maintained and our economic standards preserved.

Those are prophetic words.

> The basic strain of our population must be maintained and our economic standards preserved.

Are we doing that in this bill? Are we meeting that test, or are we taking a step which will bring in eastern European philosophies such as communism and socialism, which will produce unrest in the United States and tend to destroy the liberties of the American people?

Many good people have come from that section of Europe; but I have noticed that they are incapable of grasping our form of government. They are incapable of grasping the idea of individual liberties. They are incapable of grasping the rights which a citizen of this country possesses. They are organized today to destroy this country. They marched on Washington today by the thousands to deliver an ultimatum to the Congress of the United States. I say that we are getting away from American ideals when we admit to this country from eastern Europe people with an Oriental philosophy, a philosophy not compatible with that of the people of the United States.

Immigration by alien-type races, far from strengthening a nation, constitutes the surest method of conquering a nation. That fact can be demonstrated beyond doubt. Unwise immigration policies mean the destruction of America, just as surely as they destroyed Greece and Rome, and just as surely as they destroyed every other great country of ancient times.

The North American Continent was first inhabited by Indians. Then the western European branch of the white race, with far superior endowments, conquered the continent by immigration. Shall America now undergo a second conquest by immigration of races alien in spirit and purpose to those who built this Nation? That is the true significance of this issue. No issue more important can face the Congress.

Biological conquest is far more serious than military conquest. Biological conquest is final. There is no appeal from it. It is a condition which cannot be remedied. It is as irrevocable as death.

Differential birth rates must also be considered as a phase of conquest by immigration. For the past 15 years we have seen an attempt made to break away from our form of national government, which is based upon a separation of legislative, executive, and judicial powers. We have seen an attempt made to concentrate power in the hands of the Executive. We have seen an increasing effort made to destroy State rights, powers, and sovereignties.

I believe that one of the principal factors contributing to the growth of tyranny, paternalism, and socialism in the United States has been the character of our immigration during the past 40 years. Let us not increase the power of those forces already making a dangerous onslaught against the foundations of American institutions. Let us not admit even 200,000 as an opening wedge. The conquest of America by communism which Stalin recently predicted would occur within 5 years. It can be facilitated in no better way than by the lowering of our immigration barriers.

Mr. President, this is a time of world tension and climactic struggle, when we should labor unceasingly to make America strong. While we are laboring to deport and expel Communists in our midst, let us not relax our immigration restrictions and admit many more of Stalin's agents into this country. Should a third world war occur, I feel that this Nation would be faced with sabotage of its industrial resources by Red agents already in our midst, who have come into the country in the past few years. The argument is made that if we pass this bill, they will be screened. I submit that the intelligence officers of the American Army will verify the statement that no effective method of screening has ever been devised, and that there is absolutely no way to protect this country from that danger except by keeping such people out of the United States.

Records show without dispute that of those in displaced persons camps in Europe who apply for admission into this country, 40 percent of the number investigated were applying on the basis of forged and fraudulent documents. Those were the ones who were caught, by methods which were inadequate. The presumption is certainly logical—I believe

conclusive—that thousands came here on forged documents. We knew nothing about their background. The British diverted 15,000 to Cyprus, and gave them a thorough screening. The British Government found that 1,000 of the 15,000 were Communist agents, or that they had voluntarily joined the Communist organizations.

Is that the kind of people we want in America? Our Military Intelligence officers tell us that we cannot have an efficient system of screening. We do not know whom we are getting. Our own committee reports show two camps in Germany where forged documents were being manufactured wholesale to get immigrants into the United States. Admission to this country was sought through fraud and corruption. We are opening the door, here, for 200,000 more. This bill will be merely an opening wedge for the tide that later will come.

Mr. President, these are times that try men's souls, as much as any times in all American history. Every issue must be decided solely on the basis of what is best for our Nation. In my judgment this bill does not meet that test. If this bill is not best for America, only harm can come to America because of its enactment. Because of the impossibility of careful screening, as has been demonstrated; because the admission of more immigrants will accentuate our own housing problem and will contribute to eventual unemployment in the United States; because there are plenty of other places in the world where there is far more room for the displaced persons than in the United States—for all these reasons, Mr. President—I oppose the passage of this bill. I am also opposed to the amendments which are pending to the bill. Mr. President, if this measure is enacted, I think it will do more than any other step which has been taken, to destroy our country and to destroy the institutions we love, the institutions that have built America and made her great.

Mr. McCLELLAN. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. KEM in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I wish to compliment the able Senator from Mississippi on the speech he has just delivered on this vital issue. I wish to say to him that I think his argument is both persuasive and thought-provoking; and many of the facts he has presented and many of the arguments he has made should be, in my judgment, conclusive as to the decision that should be made by the Senate on this measure.

I wish to ask the Senator, inasmuch as he has referred to the position of the American Legion on this issue, if he has read, as I am sure he must have, the very able address which was made last year by Col. Paul H. Griffith, national commander of the American Legion, at the Fifty-sixth Annual Convention of the Daughters of the American Revolution.

Mr. EASTLAND. Mr. President, I have read the address. I think the Senator from Arkansas should read it to the Senate at this time. There are now many Senators present who, I know, would be interested in what the national commander of the American Legion had to say.

Mr. McCLELLAN. Mr. President, I did not rise to take time to read that address now.

Mr. EASTLAND. I wish to ask the Senator from Arkansas to read it to the Senate, so that the Senate may be informed.

Mr. McCLELLAN. Mr. President, I shall not take time to read the address now; but I thought it would be very fitting to have that address appear in the RECORD immediately following the able address the senior Senator from Mississippi has made.

Mr. President, I wish to say that I associate myself on this issue with many of the views the able Senator from Mississippi has expressed, and also with the sentiments expressed by Colonel Griffith in the address he made on the occasion to which I have referred. I truly believe that the views Colonel Griffith expressed at that time represent the views of a great majority of the members of the American Legion, the organization of ex-servicemen which has the largest membership of any ex-servicemen's organization in this Nation.

Mr. President, I cannot support this bill. So far as I can foresee anything in the future and so far as I can apprehend the future results and consequences of any measure, I believe the enactment of this measure will be a great mistake. If we open the door and start this process and this program, there never will be an end to it. There will be a clamor and a demand, there will be pressure from here and there, from this group and that group, from this class and that class, and from the nationalities of different countries, from different races, and from persons of one faith and another, who will say, "You have let in a group of this class and another and we are just as worthy for admission into the United States as are they."

Mr. President, I say to my colleagues that America cannot provide a Utopia for the world. There are limits to which we can go in alleviating the distress and suffering of humanity. If we do not stay on guard and preserve this great country, which has been built by real Americans, and if we do not protect and maintain it, it will not be long before the distressed countries of the world will have no place to turn for help. Of course we can provide assistance to a large extent, within certain limits; and we are doing that. Already we have obligated our Nation for approximately $7,000,000,000 a year, for the next 4 years, to help foreign countries. Unless we find a way to economize in our national expenditures; unless the pressure and the necessity are removed, so that we shall not have to spend billions upon billions of dollars a year to maintain adequate national defenses, we shall be faced within the next year or so with the necessity of returning to deficit spending, and thus increasing our staggering national debt.

For those reasons, and for the many other reasons which have been stated by the able Senator from Mississippi, and others, I shall vote against the pending bill.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, the speech to which I have referred, which was delivered by Col. Paul H. Griffith, national commander of the American Legion, at the fifty-sixth convention of the Daughters of the American Revolution, on May 22, 1947.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

As national commander of the American Legion, the world's largest veterans' organization, I am happy to bring greetings to this DAR Congress from more than 3,500,000 defenders of America in two world wars.

The American Legion and the DAR have a powerful bond in common. They are both 100-percent American organizations. Love of country is our common business. The perils of our Nation are our common concern.

Between two such thoroughly patriotic groups utmost frankness is always in order in a common approach to any pressing national problem. We have such a problem before us here today in immigration. We have never pulled our punches in the past in facing important issues. We will not pull any punches today.

I am not going to discuss immigration in an academic manner here today. I am going to attack it as a growing menace to America.

Immigration in 1947 has run amuck.

It has become a lawless torrent that is undermining the very foundations of our American way of life.

It is robbing the returned veteran of his opportunities.

It is building of a fifth column in this country that may well be the margin by which we may meet with disaster in the next war.

Let's get down to some grim facts. Let's look at the realities of our immigration problem today and close our ears to the sob stuff with which we are being beguiled.

Legal immigrants are entering this country at a rate of 154,000 a year. That amounts to about 425 foreigners a day admitted lawfully.

But for every legal immigrant for whom Richard opens the door to America, there are at least 10 illegal immigrants—black-market immigrants—if you please. They belong to the Sneak-Into-America 1947 World Club.

Every day thousands of foreigners run our borders or skip our laws in illegal entries into the United States. Nobody knows what the actual score is. Whatever it is, it is fantastic.

The present immigration flow, a trickle of legal entries and a flood of illegal ones, has made the United States a laughing stock of the world. The greatest international sport today is running the American immigration laws under false colors. It's a game in which the foreigners can't lose because the umpires are asleep, the fans are too busy filling themselves with peanuts and soda pop, and the players make their own rules.

The skulduggery that is going on under our existing immigration laws is simply beyond belief.

Seamen, many of them that only in name, are jumping ships in American ports.

Foreigners arriving in transit on the way to other lands, make it a permanent sit in the good old U. S. A.

Aliens dropping in on visitors' visas manage to get lost in our wide open spaces.

Overseas students come here to study and make it life jobs.

Outlanders from the four corners of the earth run our borders daily along the Canadian and Mexican boundaries and over the Caribbean waters, making a mockery of our meager patrols.

All these foreigners are thumbing their noses at our laws. They know that Americans always have been indulgent and generous and easy marks for heart appeals. So every foreigner who violates our immigration laws figures he has an ace in the hole.

That ace is the reluctance of the American people generally to separate families.

If and when, as occasionally happens, a foreigner who has entered this country illegally or overstayed his leave or crooked his way into America in some way or other, is apprehended, that alien's first move is to get married—if he isn't already. Then his case immediately becomes a hardship case. That means it would involve a hardship on members of his family to separate the family group. Special interest groups and misguided organizations and individuals will set up a clamor for fair treatment of such hardship cases, meaning by that the legalization of the status of such foreigners.

Let us put this typical 1947 illegal immigrant under a magnifying glass. He is a black-market immigrant—a law violator. He cannot hope to become a citizen of the United States unless he adds perjury to his immigration law breaking, for he dares never to tell the truth about how he got into the country. He is thus foreordained to being a noncitizen and a nonvoter unless he practices more fraud. At the best he is thus not a likely good citizenship asset.

This immigrant—let's not fool ourselves—did not break our laws, practice deceit and fraud on our authorities and cover himself with lies just to enter America to help make it a better country. No. He sneaked into America for what he could get out of it, for what he could despoil it of—not only in material assets but in its spiritual wealth as well. For he didn't come here as a candidate for conversion to Americanism. He came here, the odds are, as a missionary and evangelist of foreign philosophies of life and government.

It is a far cry from the present type of immigrants to the sturdy stock who came here as pioneers. These earlier immigrants were men and women who came here openly and lawfully, to become citizens, to accept our ideal and to help build this Nation with hard work and thrift. We proudly declare these were our ancestors. They were an asset in the wresting of an empire out of a wilderness.

Today the wilderness is conquered. The empire has been built. It needs believers in it who will maintain it, preserve it, strengthen it and defend it.

The illegal immigration flow—the black-market immigrants—is a Godsend to communism in the United States. With thousands of foreigners illegally leaping our immigration barriers every day with the greatest of ease, imagine how many Communists, Bolshevists, unrepentant Nazis and Fascists and peddlers of other foreign "isms" are infiltrating into the American scene.

Gerhart Eisler, alias Hans Berger, the No. 1 Communist in the United States today, whom the Government is now trying to punish and deport for breaking our laws and practicing fraud upon us, is a product of the present immigration flow, legal and illegal.

We have in this country today still at large, a band of Communist atomic spies whose names were disclosed to our Government by Prime Minister Mackenzie King, of Canada, more than 20 months ago. These Red secret agents have not been arrested, have not been tried, and for all I know have not even been hampered in their plotting against the security and welfare of this Nation, although their identities now have been known to Government officials since September 1945. To what group do these enemy operators in the United States look to for aid and support? The answer is obvious—to our enormous black market immigrant group.

The American people have been led to believe that our present quota immigration laws are selective. Nothing could be farther from the truth. The fact is, that while we specify the country of origin from which immigrants may come to the United States, we do little or nothing to certify that those who do come are capable and desirous of embracing our American way of life.

This condition bids fair to become America's Trojan horse of the twentieth century. If allowed to persist, it will destroy the very base of our living standards.

To avert this catastrophe, the American Legion believes that our immigration laws should be selective in fact as well as in name. We call for selection not only by Nation but by person so that only those who measure up to America's freedoms and responsibilities will sift through to America's shores.

I have shown you the moral and the political reasons why the American Legion in the interest of future good citizenship is demanding drastic tightening of our immigration laws.

There are impelling economic reasons also why immigration should be suspended immediately for at least a year. These reasons involve a national obligation to America's veterans.

The American Legion does not want the doors opened wider because it believes that the rights of Americans—first of all veterans—come first and come ahead of any claims of foreigners.

Department of Labor figures showed 2,330,000 Americans were out of work and looking for jobs on March 31, this year. Of these 850,000 were veterans.

There are today possibly as many as 3,500,000 of our people who are half-housed, ill-housed, or actually unhoused. Again the veteran is in the unfortunate majority. Every large newspaper in the United States is carrying daily agony columns of veterans seeking any kind of a shelter.

Our industry has not yet hit its reconversion stride. Consumer goods remain scarce and inferior and some still are rationed. Inflation is here, with a vicious cycle of rising prices and costs making shortages more acute.

Our economic experts predict that the unployment situation is going to be worse before it gets better. Our housing experts say it will be years before the shortage of homes is remedied.

Immigration means competition for American veterans and other citizens for jobs, housing, and consumer goods.

Every foreigner in the United States, whether here legally or illegally, is a veteran's immediate rival for a job, for an apartment, for a house, for a suit of clothes, for a hard-to-get new automobile.

The foreigner's presence in the American labor market, his bid for housing and his use of consumer goods represents a discrimination against the veteran who needs a job, a home, a car, and a suit because he gave them all up to fight for America. The veteran now should have first priority on these necessities of personal reconversion. To give these "musts" to an alien is a slap in the face for the veteran who believed enough in America to risk his life in her defense and is entitled to first consideration.

And mark this well—if economic conditions grow bad, it will be the veteran that will be the stabilizing influence for law and order and it will be the black-market immigrant who will be the nucleus for disorder and violence.

For those who argue that immigrants would would be an asset now to our economy, the American Legion says that if they are valuable workers and producers as claimed, then no country needs them as much as their own. Half of Europe is in ruins. Skilled workers and men with trained minds are sorely needed for the reconstruction of war-devastated nations.

Likewise if these potential immigrants are anti-Communists as claimed on their behalf, they can render freedom the greatest service by remaining to combat the spread of communism in their own countries. The young veterans of America already have contributed immeasurably to the overthrow of tyranny throughout the world. It is up to the people freed from the yokes of nazism and fascism to do their part now in defending freedom against other slavish isms.

There was a time when immigration was a source of national strength for America. That was in the days of free land and of expanding frontiers. Those conditions no longer exist. Today we are trying to readjust to normalcy from the greatest war in all history which took 15,000,000 of our young men and women away from their homes and pursuits and put them into uniforms.

Under these present conditions the need for the run of the mill immigrant has vanished. We don't need the help of foreigners on our farms, in our factories, and in our offices when our own veterans and our own war workers can fill every job available.

At the same time the type of immigrants flowing into this country—both legally and illegally—is the lowest in all our history. We are getting the cast-offs of all Europe.

Furthermore, immigration has become a racket of specific racial, religious or economic groups. They are perverting immigration to increase their own strength and thus pushing back the time when all arrivals in this country will have become assimilated.

The American Legion contends therefore that immigration no longer provides benefits for our Nation at this time—only liabilities. That is why present immigration is a growing menace to America. It conflicts with one paramount objective all loyal Americans have—keeping America always American. The present type of immigrant is poor material for good Americanism. He is poor material for assimilation.

Let's get wise and smart. It pays to start charity and fairness at home. Let's be the "Richards" to open the door of American opportunities first to American veterans and American war workers. When we have properly taken care of our own, then we can and we should help the strangers at our door.

Mr. HATCH. Mr. President, I wish to address myself to the pending amendment, which has been offered by the Senator from Connecticut [Mr. BALDWIN]; and I desire to ask him several questions, if I may.

As I understand the amendment, it relates only to persons who now are legally in the United States.

Mr. BALDWIN. That is correct; it relates to persons who now are legally in the United States under temporary visas of one kind or another.

Mr. HATCH. Persons who came to the United States under any fraudulent process would not be entitled, under this amendment, to remain in the United States, would they?

Mr. BALDWIN. That is correct.

Mr. HATCH. Mr. President, would the aliens now in this country, who would be permitted to remain in the United States under this amendment, be charged to the quota for their country?

Mr. BALDWIN. Mr. President, I wished to obtain the floor, before my distinguished friend spoke, so as to suggest a modification on page 2 of my amendment. The modification would be to strike out the words, in lines 7 and 8 on page 2 of my amendment, "if the alien was a quota immigrant at the time of entry."

With those words stricken out, Mr. President, it is my humble opinion that the persons who would be admitted under this particular amendment would be charged to the quotas of the particular countries from which they came, up to 50 percent of those quotas. In other words, if there are quotas available they will be charged to those quotas, so that the pending bill would probably admit less than 15,000 under its provisions.

Mr. HATCH. The Senator has modified the amendment accordingly, has he not?

Mr. BALDWIN. That is correct.

Mr. HATCH. Then is the answer to my question that they are chargeable to the regular quotas?

Mr. BALDWIN. Up to 50 percent of those quotas.

Mr. HATCH. And that no more than 50 percent of a quota can be utilized for this purpose?

Mr. BALDWIN. That is correct.

Mr. HATCH. Is it the Senator's opinion there will be less than 15,000?

Mr. BALDWIN. It would be at most 15,000. The probabilities are it would be substantially less.

Mr. HATCH. Would they have to meet all the requirements of our regular immigration laws?

Mr. BALDWIN. They would.

Mr. HATCH. Mr. President, I want to speak a word in support of the amendment. To me it is a most important amendment and one which perhaps is not fully appreciated. I fear Senators think it would add to the number of displaced persons who would come in under the bill, which is not correct. They would come in under the regular immigration quotas and be chargeable to those quotas for the year.

Mr. President, I am thinking of a number of people whom I know, who are now in this country, who are here temporarily, who are here legally, who would meet all the requirements of the immigration law, and who certainly should be permitted to remain.

One man, Mr. President, I have in mind in particular is a man whom I met under very unusual circumstances. It happened to be my fortune with other Members of the Senate and of the House to visit several countries of Europe last year. We were in Warsaw. There, at a public reception, we met Stanislaw Mikolajczyk. He had endangered his life to come to that reception to meet people from America. More than one Pole told me that night that Mr. Mikolajczyk was actually endangering his life by conversing with us. At his request the next day a small group of us went to his house and visited with him at length. He told us all the troubles of Poland, all the terrible conditions that had existed in that unfortunate country, and how he had been driven from office because he believed in democratic institutions of government.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HATCH. I yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator is making a very interesting discourse and he mentions a man who is visiting this country, and who would be in danger of his life if he returned home. Of course the Senator knows that with respect to diplomats coming into this country or those who come even as I take it, representing government in exile, they cannot be deported without the consent of the State Department; so as long as the State Department feels that they should be here, they are safe and have a haven in this country.

Mr. HATCH. I understand, and I thank the Senator from West Virginia. But I am reliably informed that present laws do not permit Mr. Mikolajczyk to remain in America.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HATCH. I yield. He does not have a diplomatic status.

Mr. REVERCOMB. If he does not have a diplomatic status, then there are two other means, as I understand, for the gentleman to remain here. The first is an extension of his time by the Attorney General, under authority which is given and which is exercised in many cases. Under the present law if the Attorney General for good cause sees fit to extend the time for one who is here on a temporary visa, he may do so, and he then reports it to the Congress. As the law exists today, unless the Congress takes adverse action, so I am advised, he may remain here permanently. We have acted upon that law this year. I refer to House bill 3566, which, I may say, is now in conference.

There is another method so long as the Congress is in session, and that is by passing a private bill. The Eightieth Congress, as I stated earlier, has before it approximately 1,000 private bills dealing with the cases of individuals as to whom there would be a hardship.

Another situation that arises in such a case as the one cited by the Senator is that if there is no country to receive the man, if there is a country that says he may not come there, he cannot be deported, and he is not deported. Again, it has been the policy of the Government never to deport anyone when he would be in danger of his life or of bodily harm if he were deported.

I call these instances to the attention of the Senator because there are many ways of meeting the situation referred to and the situations which might arise under the amendment proposed by the Senator from Connecticut.

Mr. HATCH. I thank the Senator from West Virginia. I want to proceed with my brief remarks. I do not want to take much time. I mentioned the case of Mr. Mikolajczyk because his status was so plain in my own mind and because I shall never forget the conversation we had with him at his home that morning for more than 2 hours.

After he had told us that perhaps it would be better for him to remain in Poland and suffer the fate that was visited upon Nikola Petkov in Bulgaria, though we had urged him to flee and seek asylum in America or Great Britain, when we left there that night or that morning, somebody in our party said, "We shall never see that man alive again." Indeed, he was a marked man. But fortunately he reconsidered, and by our aid and the aid of others, he was able to flee in a dramatic manner, familiar now to every Senator, and to find asylum in our country.

Mr. President, without some legislation either in the form of a private bill, such as the Senator from West Virginia has suggested, or by some of the other methods, there is no way for him now to remain in this country. He could be deported and returned to a country which would be very glad to receive him. They would take him back in Poland. Yes, they would take him back. They would try him and he would be executed as surely as I am standing here.

Mr. President, I prefer to deal with questions like that in the manner in which the Senator from Connecticut deals with it, by the Congress enacting legislation that will give these people the right to remain under our regular immigration laws, charging them to the quotas of their respective countries. That, Mr. President, if I am correctly informed as to the purpose and intent of the amendment, is all that it does.

I pause for the Senator from Connecticut, or any other Senator, to correct me, if the amendment has any other purpose or effect.

There is no correction, Mr. President. Then, this amendment would give to those persons, whatever the number might be, the right to remain, provided they meet all the requirements of our immigration laws and are charged to the quotas of their countries. The only thing that could be accomplished by rejecting this amendment and sending these persons back to their homes, if they lived in countries where they would be persecuted, would be to permit them to come back again across the water and comply with the regular quota requirements.

Mr. President, there are other refugees than Mr. Mikolajczyk in this country. I met a man in Hungary who fled under similar circumstances. There are many other persons here who cannot remain in their own lands because they oppose tyranny. They hate communism and totalitarianism, as do the majority of persons in the displaced persons camps. They are fugitives from tyranny and from persecution. They are pleading for freedom.

With all due respect to every word which the Senator from Mississippi [Mr. EASTLAND] said tonight, I submit that the finest citizens America has ever had have been those who have come to our shores to avoid persecution and to find freedom. They are the people, our ancestors, who have made this country great.

Mr. President, I submit, without regard to displaced persons, this particular amendment should be adopted.

Mr. HOLLAND. Mr. President, I am sorry that I cannot agree with the position taken by the distinguished and able Senator from New Mexico. In my judgment, this amendment is a bad one, which, in a most unwarranted way, would interfere with the functioning of the immigration laws of the United States.

I think it would be a great mistake for the Senate to adopt the amendment as a part of its worthy effort to take care of the displaced persons problem in a reasonable and equitable manner.

Mr. President, before the amendment to the amendment was made a few minutes ago by the distinguished Senator from Connecticut [Mr. BALDWIN], it would have been the case that the amendment would have added 15,000 to the 200,000 persons provided for under the law. Under the change which has been made by the distinguished Senator from Connecticut, that situation does not continue to be true. I do not know, and I suspect that no other Senator knows, how large a percentage of the 15,000 would be, under the changed amendment, charged against the regular quotas, and how many would be in addition to the 200,000. But it is certainly the case that there would be a decided addition to the 200,000, which is one ground on which I object to the amendment.

Another ground, one which is a great deal more serious, is that the class of persons described by the amendment as displaced persons residing in the United States—though I submit that there is scanty reason for using the term "displaced persons residing in the United States," because they are not residing here—they are persons who have come in as visitors or as students, under visas, to secure which they had to say that they did not want or expect to become permanent residents of the United States, but, instead, that they wanted to come here to visit or to enter higher institutions of learning. They also had to make declaration——

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment. They had to make declaration that they would not accept employment of any kind when they came here. They are mostly, in the very nature of things, persons of means who have sought refuge here, either to visit or to attend our institutions of higher learning.

I want to call to the attention of the Presiding Officer and the Senators who are here the fact that the giving of preference to these persons in this matter, which is exactly what would be done under the amendment, would mean a complete disruption of the ordinary methods of handling immigration; that deserving persons who did not have the means to come here and enter as students, or reside in our apartment hotels, or otherwise, for indefinite periods of time, but who, instead, had to take their chance and put in their applications in the regular way, showing their desire to come into the United States with their families to become citizens and producers—those persons would have to wait and have their chance for American citizenship postponed because of the fact that the persons who have come here under temporary visitors visas as students or as visitors, would be given preference and would replace those persons on the regular roll of applicants who are awaiting hopefully the time when the consul to whom they have applied will say, "You time has come."

Mr. President, this is no minor matter. I have in my files long correspondence with a family of Polish people who happened to have in my own home town relatives who were anxious to help them come to the United States. They are displaced Polish agriculturists who have been trying to get in and who have been told that they occupy a certain position on the roll, and they are living hopefully from day to day, from week to week, and from month to month until the time comes when they can come to the United States. The family is composed of a father, mother, and three children, as I recall.

The committee bill gives preference, up to 50 percent of the total number to be admitted, to persons who have an agricultural background and who want to engage in agriculture in this country.

I call the attention of the Senators to the fact that the adoption of the amendment will set back indefinitely persons of that kind and will put us in the position of having sold this precious privilege which is so earnestly desired by so many displaced persons, to people who are able to pay the price of transportation, admissions into universities or colleges, or as transients in hotels or hotel apartments in the United States.

I do not believe that the Senate of the United States wants to take a position which would give that kind of preference to people who have come here not as applicants for bona fide citizenship but who, instead, have come here ostensibly as temporary visitors, or under their applications as persons who do not desire to become permanent residents or citizens of the United States. The effect of the amendment would be that every person chargeable to quotas of the entire 15,000 who could be admitted under this bill would be placed ahead of persons who in good faith have filed their applications and have been given a certain place on the roll and are waiting, looking eagerly to this land of promise and hope.

I do not believe the people of the United States want that kind of a verdict coming from the Congress of the United States which would give preference to people who have come here under color of wanting to do one thing, when they will now say they have come as refugees and expect to remain as permanent residents, persons who, by the very nature of things, possess means, as opposed to the more or less difficult and straitened circumstances of many of those persons who want to come in and whom this Nation would be glad to have come in under the provisions of the bill.

I now yield to the Senator from Connecticut.

Mr. BALDWIN. Mr. President, in answer to the statement of my distinguished friend that people who do not intend to become citizens of the United States will come here under visas as students, and in answer to the statement regarding subterfuge, I have this to say:

Under this particular amendment it is up to the State Department to say whether or not these people meet the requirement that they must be refugees, they must be displaced persons, they must have a place to which they can return, and they must have come here because they were driven out of their respective countries. In other words, a displaced person, under this particular amendment, is defined no differently than a displaced person under any other provision of the bill. That would mean that probably a student would not be admitted under this particular amendment unless he could demonstrate that he was a bona fide student, and he intended to pursue his studies in the United States, and it was apparent that his political views and political convictions made it impossible for him to go home. Then, of course, he would be a displaced person.

Answering the claim that this amendment might make it possible for a person to get into the United States by subterfuge, I would merely say that the people admitted under this provision would be no different from those admitted under the bill or the present law. They would be screened by the State Department; their sincerity, their truthfulness, their qualifications would be carefully examined.

The amendment provides that "If you, Stanislaw Mikolajczyk are here in the United States legally, but under circumstances which make it necessary for you sometime to return to your country or to some other country, you are just as much a displaced person as though you had fled from Warsaw and gone into a displaced-persons camp in the American zone." That is the only thing the amendment does, and, having in mind the fact that there are many people in the United States who might fall under this provision and that our share of those who may come from abroad may fairly be estimated at 200,000, this amendment merely adds an additional maximum of 15,000.

Where there is a quota available, under this particular amendment those who come in under the terms of the amendment will have to be charged to the quota, but I shall have to confess that there is a possibility, although not a probability, that provision for 15,000 will be required. I doubt very much that that will be so, but it seems to me well worth while, now that we are dealing with the problem of displaced persons fairly generally, and in a comprehensive way, to pass some legislation which will lay down a permanent workable program for those who are already in the United States, and who would be surely displaced persons if they were not here, but were in a displaced-persons camp in Europe. That is all the amendment does.

Mr. HOLLAND. Mr. President, I thought that the Senator rose to address a question to me, but I appreciate his comments.

I close by calling attention again to the fact that there is no doubt in the world that every person admitted out of this 15,000, when chargeable to the quota, will put back the time of entry of someone else, and that when charged to the quota, it will put back the time of entry of persons who are now awaiting very hopefully.

I call to the attention of the distinguished Senator from Connecticut the fact that under the wording of his amendment it is provided that up to 50 percent of the quota in each of the years covered by the bill and by the amendment could be used by giving preference to those persons who have already come here, thus displacing 50 percent of the people who would normally come here, under the quotas, from the particular racial or national source. It would double the time of waiting for the persons who have already in good faith filed their applications, and are now awaiting a chance to come in.

I am hoping the Senator will give us such answer as he may have to the point which I have made, and which I think is inescapably the truth, that the preferential admission of students and visitors who are already here will set back, replace, displace, those displaced persons who have already filed their applications, and who are now patiently awaiting admission under the quota.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. BALDWIN. Let me ask the Senator if he would be in favor of amending the original bill by adding another 15,000 to the number provided in the bill, which would obviate all the difficulties he mentions.

Mr. HOLLAND. I would say that I would not be in favor of increasing the number. It is my view that the 200,000 is more than the committee recommended, more than a great many in the Senate who intended to support the original bill can support, and that every additional group added interposes additional handicaps to the passage of the bill. I want to see the bill passed. I will not support the bill if the number is further augmented.

Mr. WHERRY. Mr. President, is it the Senator's understanding that if this amendment shall be agreed to, it will add 15,000 to the 200,000?

Mr. HOLLAND. It would have added 15,000 to the 200,000 as first worded. As reworded by the Senator, it would add a portion of those 15,000, and I do not know, and I do not believe the Senator from Connecticut knows, how many of the 15,000 would be added to the 200,000.

Mr. BALDWIN. Mr. President, I do not think we could say. I think that if the immigration quota is used up to 50 percent it will be necessary to apply it straight; if not, it will have to be applied up to 50 percent. It is quite impossible to say what the result would be.

Mr. HOLLAND. The Senator does admit, however, that his amendment would increase the number beyond the 200,000, does he not?

Mr. BALDWIN. I admit that the amendment would increase the number up to possibly another 15,000, but probably not more than half of that.

Mr. REVERCOMB. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from West Virginia.

Mr. REVERCOMB. When the Senator from Connecticut makes the statement, which I wish to follow and understand, that the 15,000 persons covered by his amendment are to be charged against the quota, does he mean that they are not to be charged against the 200,000 displaced persons, but against the regular quota of immigrants from the country?

Mr. BALDWIN. That is correct.

Mr. REVERCOMB. In other words, the Senator is cutting down the regular quota immigrants if the quota exists and the number is charged against it. It may be all used up. In that event, the number kept here is added to the 200,000. Is that correct?

Mr. BALDWIN. That is correct.

Mr. REVERCOMB. So that it is quite reasonable to assume that a substantial part of the 15,000 covered by the amendment will be added to the 200,000.

Mr. BALDWIN. Let me say, in further comment upon what my distinguished friend from Florida has said, that there is no way of determining now, or perhaps at anytime, whether the men, women, and children who would come in under this provisior are any more deserving or any less deserving than those who are in displaced persons camps in Europe. This amendment is designed primarily to avoid a great deal of inconvenience and difficulty, not only to these displaced persons but to our own immigration authorities and to our own people generally. Likewise it would save considerable expense.

Mr. HOLLAND. I take it that the Senator agrees that anyone admitted under the amendment and charged to the quota of a particular country would necessarily set back and postpone the date of admission of another person already entered for that quota?

Mr. BALDWIN. That is correct. But, Mr. President, that happens every day now. There is always a limit to what we can take, and there are always persons who will be disappointed. So it seems to me that it would cause no undue hardship nor would it create any new condition than one we already know.

Mr. HOLLAND. I call to the attention of the Senator that to my mind it makes a very great distinction, because it puts us in the position of giving preferential consideration to people who had means enough to get away from the hardships of Europe, and who have come over here either to go to school or to reside as transients for awhile. It gives them preferred treatment by displacing in their favor persons who do not have the means or opportunity to follow that course, but who had to wait for their turn for admission under the quota.

Mr. BALDWIN. Mr. President, I reply to that statement by saying that the fair implication of what my distinguished friend has said is that the people who could come in under this particular provision are all people of wealth and means who came here because they had money. That is not so. There are a great number of refugees who came here and barely arrived here, men who braved the oceans in small ships, persons of that kind, persons who got here by the underground. They have no means. They are dependent upon their friends and their relatives who have taken them in.

I call the attention of my distinguished friend to the fact that in one of the displaced persons camps of Europe it was demonstrated that they had more than $500,000 in American currency. Those people have money also. Where did they get it? They are able to deal in the black market. Why are they so much more entitled to consideration than persons who have already come here and have indicated their courage and their diligence and their energy by getting here themselves?

Mr. HOLLAND. Mr. President, I call to the attention of the Senator the fact that he has injected a completely new issue in the argument in that he admits that his amendment applies to persons who have come here by underground means, and are not lawful entries, and applies to those persons who have come here in small ships and have irregularly landed on our shores but are not lawful entries. Whereas as I had understood the presentation of his amendment heretofore, the Senator from Connecticut was very carefully confining its application to persons lawfully entering the United States and here under lawful visas.

Mr. BALDWIN. That is correct. But do we want to kick out Mikolajczyk? Do we want to kick out the Estonians who came to our shores in their small ships? They came here by their own underground method, we wanted in some way to keep them here, but it was found that they were here only on a temporary basis. What we want to try to do by the amendment is to provide a permanent, lasting basis for keeping them here, and doing it in an orderly and honorable way.

Mr. HOLLAND. I call attention to the fact in closing that anyone who has entered the United States irregularly, and not under a regular, lawful visa is not protected by the provisions of the Senator's amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Connecticut [Mr. BALDWIN], as modified by him.

Mr. REVERCOMB. Mr. President, I shall take but a few minutes of the time of the Senate to discuss the amendment. I have already discussed it in colloquy with the Senator from Connecticut. I oppose the amendment because it is nothing in the world but a relief bill.

Mr. COOPER. Mr. President, will the Senator permit me to make a brief statement?

Mr. REVERCOMB. I should like to complete my statement.

Mr. COOPER. I know the Senator would like to conclude, but will he permit me to say a word upon the amendment?

Mr. REVERCOMB. Permit me to finish.

The amendment offered by the Senator from Connecticut is little more than a private relief bill. The language of it is very much in the terms of the private relief bills, approximately 1,000 of which have been before the Eightieth Congress, to relieve and prevent the deportation of individuals who have special cases and are here under special circumstances.

I oppose the amendment for two reasons. In the first place it is not necessary to grant relief to those persons who are entitled to stay here. In the second place the amendment grants a refuge to persons who came here as temporary visitors who now ask to be made permanent residents of this country. I think it will afford, if I may say so, a way to evade the immigration laws.

Without further discussion, I submit that the amendment should be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut, as modified by him. [Putting the question.] The "noes" appear to have it.

Mr. BALDWIN. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEM. Mr. President, I offer an amendment in the form of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment appears to be a long one. Would it be agreeable to the Senator from Missouri if the amendment were printed in the RECORD at this point in full, and thereby avoid the necessity of having it read by the clerk?

Mr. KEM. Yes.

The PRESIDING OFFICER. Without objection, the amendment will be printed at this point in the RECORD.

Mr. KEM's amendment proposes to strike out all after the enacting clause and insert:

That this act may be cited as the Displaced Persons Act of 1948.

SEC. 2. When used in this act the term—

(a) "Commission" means the Displaced Persons Commission created pursuant to this act;

(b) "Displaced person" means any displaced person or refugee as defined in annex I of the constitution of the International Refugee Organization and who is the concern of the International Refugee Organization.

(c) "Eligible displaced person" means a displaced person as defined in subsection (b) above, (1) who on or after September 1, 1939, and on or before December 22, 1945, entered Germany, Austria, or Italy and who on January 1, 1948, was in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna or the American zone, the British zone or the French zone of either Germany or Austria; or a person who, having resided in Germany or Austria, was a victim of persecution by the Nazi government and was detained in, or was obliged to flee from such persecution and was subsequently returned to, one of these countries as a result of enemy action, or of war circumstances, and on January 1, 1948, was in one of said sectors or zones but had not on January 1, 1948, been firmly resettled therein, and (2) who is qualified under the immigration laws of the United States for permanent residence, and (3) who is a person of a vocation, skill, or occupation needed in the locality in the United States in which such person proposes to reside, and (4) for whom assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have safe and sanitary housing without displacing some other person from such housing. The spouse, and unmarried dependent child under 21 years of age, of an eligible displaced person shall if otherwise qualified for admission into the United States for permanent residence, also be deemed an eligible displaced person.

(d) "Eligible displaced orphan" means a displaced person (1) who is under the age of 14 years, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) who is an orphan because of the death or disappearance of both parents, and (4) who, on or before the effective date of this act, was in Italy in the American zone, the British zone or the French zone of either Germany or Austria, and (5) for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly.

SEC. 3. In addition to persons admissible as immigrants under other laws of the United States, and subject to the provisions of this act, a number of eligible displaced persons and eligible displaced orphans not to exceed 140,000 may be admitted into the United States for permanent residence during the fiscal years ending June 30, 1949, and June 30, 1950, of which number not more than 70,000 may be admitted during the fiscal year ending June 30, 1949.

Eligible displaced persons and eligible displaced orphans may be permitted entry into the United States pursuant to this act irrespective of nationality: *Provided, however,* That not less than 50 percent of the visas issued pursuant to this act shall be available exclusively to eligible displaced persons and eligible displaced orphans whose place of origin or country of nationality has been annexed by a foreign power. Priority in the issuance of visas shall be given first to those eligible displaced orphans who, on January 1, 1948, were located in displaced-persons camps and centers, and second to eligible displaced persons who during World War II bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion, or political opinions, and third to other eligible displaced persons who, on January 1, 1948, were located in displaced-persons camps and centers, but in exceptional cases visas may be issued to those eligible displaced orphans and eligible displaced persons located outside of displaced-persons camps and centers upon a showing, in accordance with the regulations of the Commission, of special circumstances which would justify such issuance. Upon the issuance of an immigration visa to any eligible displaced person or eligible displaced orphan as provided for in this act, the consular officer shall use a quota number from the immigration quota of the country of the alien's nationality as defined in section 12 of the act of May 26, 1924 (U. S. C., title 8, sec. 212), for the fiscal year then current at the time or the next succeeding year in which a quota number is available: *Provided,* That no quota shall be so used by more than 50 percent in any fiscal year.

SEC. 4. There is hereby created a Commission to be known as the Displaced Persons Commission, consisting of three members to be appointed by the President, by and with the advice and consent of the Senate, for a term ending June 30, 1951. Each member of the Commission shall receive a salary at the rate of $10,000 per annum. The Commission shall be empowered to incur such obligations and to employ such assistants, within the limits of its appropriation, as may be necessary. There are hereby authorized to be appropriated such sums of money as may be necessary to enable the Commission to discharge its duties. It shall be the duty of the Commission to formulate and issue regulations, necessary under the provisions of this act, and in compliance therewith, for the admission into the United States of eligible displaced persons and eligible displaced orphans. The Commission shall formulate and issue regulations for the purpose of obtaining the most general distribution and settlement of persons admitted under this act throughout the United States and its Territories and possessions, and not less than 50 percent of the visas issued pursuant to this act shall be available exclusively to eligible displaced persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits: *Provided, however,* That the wife, and unmarried dependent child or children under 21 years of age, of each of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits. It shall also be the duty of the Commission to report on February 1, 1949, and each year thereafter to the President and to the Congress on the situation regarding eligible displaced persons, eligible displaced orphans and displaced persons. Such report shall also include information respecting employment conditions, the housing situation, the place and type of employment and the residence of eligible displaced persons who have been admitted into the United States pursuant to the provisions of this act. At the end of its term the Commission shall make a final report to the President and to the Congress.

SEC. 5. Every eligible displaced person, except an eligible displaced person who shall have derived his status because of being the unmarried dependent child under 21 years of age of an eligible displaced person, who shall be admitted into the United States shall report, on the 1st day of January and on the 1st day of July of each year until he shall have made four reports to the Commission, respecting the employment, place of employment, and residence of such person and the members of such person's family and shall furnish such other information in connection with said employment and residence as the Commission shall by regulation prescribe: *Provided,* That if such person enter the United States within 60 days prior to either the 1st day of January or the 1st day of July, the first report need not be made until the next date on which a report is required to be made. Such report shall be made to the Commission during its term and thereafter to the Attorney General. Any person who willfully violates the provisions of this section shall, upon conviction thereof, be fined not to exceed $500, or be imprisoned not more than 6 months.

SEC. 6. No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this act. The burden of proof shall be upon the person who seeks to establish his eligibility under this act. Any person who shall willfully make a misrepresentation for the purpose of gaining admission into the United States as an eligible displaced person shall thereafter not be ad-

missible into the United States. No eligible displaced person and no eligible displaced orphan shall be admitted into the United States under the provisions of this act except in pursuance to the regulations of the Commission but, except as otherwise expressly provided in this act, the administration of this act shall be by the officials who administer the other immigration laws of the United States. Except as otherwise provided in this act, all immigration laws, including deportation laws, shall be applicable to eligible displaced persons and eligible displaced orphans who are admitted into the United States pursuant to this act.

SEC. 7. After June 30, 1948, no preference or priority shall be given to any person because of his status as a displaced person, or his status as an eligible displaced person, in the issuance of visas under the other immigration laws of the United States.

SEC. 8. An eligible displaced orphan (1) who is lawfully adopted by man and wife who are citizens of the United States and who at the time of the adoption are in Italy or in the American zone, the British zone, or the French zone of either Germany or Austria, or (2) with respect to whom satisfactory arrangements have been made for adoption by man and wife who are citizens of the United States, in accordance with the laws of the State of residence of the adoptive parents, may, after June 30, 1948, and until July 1, 1950, be admitted into the United States as a nonquota immigrant.

SEC. 9. After June 30, 1948, and until July 1, 1950, that part of section 3 of the Immigration Act of February 5, 1917, which excludes from admission into the United States persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly, shall not be applicable to eligible displaced persons and eligible displaced orphans. After June 30, 1948, and until June 30, 1950, eligible displaced persons and eligible displaced orphans shall be exempt from paying the fee for the issuance of an immigration visa and exempt from paying the head tax.

SEC. 10. From and after the effective date of this act, all persons of German ethnic origin who were born in Poland, Czechoslovakia, or Hungary, and who reside in and are citizens of Germany, shall, for the purposes of the immigration laws of the United States, be deemed to have been born in Germany.

SEC. 11. That the Secretary of State be, and is hereby, authorized and directed to immediately resume general consular activities in Germany and Austria to the end that the German and Austrian quotas shall be available for applicants for immigration visas pursuant to the immigration laws.

Mr. KEM. Mr. President, the substitute amendment is in the nature of a compromise. The original bill fixed the number of displaced persons to be admitted at 50,000 a year for 2 years. By the amendment offered by the able Senator from Michigan [Mr. FERGUSON] for himself and other Senators, the number was increased to 100,000 a year for 2 years. My substitute amendment would fix the number at 70,000 a year for 2 years. This figure, Mr. President, of 70,000, is the number of quota immigrants admitted to the United States in the year 1947. Incidentally that number is larger than the number of those admitted in any year since the year 1931.

In my view, the amendment of the Senator from Michigan alters the bill in such a way that it departs entirely from its original theory. The original theory was to admit an experimental number of 50,000 a year for an experimental period of 2 years. The idea was that at the end of that period Congress could take another look at the matter. The amendment doubles that number and increases the number to be admitted very substantially.

There is one other change made by the amendment in the nature of a substitute. It provides that the persons admitted as displaced persons shall be charged against the quota of so-called quota immigrants to be admitted under the existing law. It seems to me that the amendment should appeal to Members of the Senate who feel that 200,000 is entirely too large a number with which to experiment under existing circumstances.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, offered by the Senator from Missouri [Mr. KEM].

Mr. REVERCOMB. Mr. President, I desire to be heard very briefly upon the substitute. In doing so, I wish to review this legislation in a summary way so that we may dispose of the question within a short time.

The amendment in the nature of a substitute makes two changes in the bill as it has been amended up to this point. The first change, as stated by the able Senator from Missouri, is as to numbers. The second change is a provision that those who enter this country under the displaced-persons law shall be charged to the quota of the country from which they come or of which they are nationals. I am advised that the latter provision is written into the bill which is now before the House of Representatives for consideration. We therefore have two differences between the bill which has been before the Senate, as amended up to this time, and the substitute now offered.

The committee which reported the bill which gave the Senate an opportunity to vote upon this question provided, first, that 50,000 a year should be admitted for 2 years, making a total of 100,000 displaced persons to enter the country within that time. It further provided that 50 percent of the persons to enter the country should come from those lands which de facto had been annexed by a foreign country. It further provided that 50 percent of the persons who should come to this country under the displaced-persons law should be persons who worked in agriculture.

There is provision for the creation of a commission. There is provision for examination into the background and qualifications of displaced persons, to see whether or not they meet the regular requirements for immigrants into the United States.

We have made considerable progress during the debate, which has been extended. The only difference which has been brought about in the bill as reported by the committee has been with respect to the change of numbers. Many feel that the number adopted by the Senate is too high. I recall how the committee labored over the question, on the basis of the facts available—not only evidence which was submitted before the committee and evidence in the record which was made before the committee of the House of Representatives, but also testimony and visual evidence gathered on a trip to Europe.

Many factors played their part in the conclusions of the committee when it arrived at the figure of 50,000. Those who served upon the committee have stood by the bill. We voted for the number recommended by the committee, but it was the wish of the majority of the Senate to change it.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. COOPER. I do not like to interrupt the Senator, but I do not want the impression left that it was the unanimous opinion of the committee that 100,000 should be the limit of those to be admitted in 2 years. I am sure that the Senator did not mean to leave that impression. He will remember that two members of the subcommittee of five voted in the subcommittee, and four or five Senators of the full committee voted in the full committee that 100,000 be admitted annually.

Mr. REVERCOMB. Let me say to the Senator from Kentucky that my statement was that the subcommittee made that recommendation to the full Judiciary Committee, and that the Judiciary Committee, in turn, recommended the number of 50,000 to the Senate. I have not said, and I do not say, that all members of the subcommittee or all members of the full Judiciary Committee agreed upon the figure of 50,000 reported in the bill. But since my able friend from Kentucky has raised the question, I remind him that the figure of 100,000 was the largest figure suggested to the subcommittee which dealt with the subject for entrance in the next year. Lesser figures were also recommended. I recall—and I am sure the Senator from Kentucky will recall—that a figure of 75,000 was submitted for consideration. The substitute amendment tries to reach a compromise between the figure in the committee bill and the view expressed earlier in these discussions, and approved by a vote of the Senate, namely, the figure of 100,000 a year.

I feel that the Senate, with unanimity of feeling in sustaining its committee, can very well support the amendment in the nature of a substitute. There is reason for the figure of 70,000 which is suggested. Last year that was the approximate number of quota immigrants who entered the United States. As has been stated, that was the largest number to enter in any one year for several years. So I feel that we may do well to support the substitute and let it become the bill of the Senate. Let it more nearly represent the report of the committee, sustaining the committee, and let it go to conference with the House, unless the House sees fit to pass the bill which we pass.

Mr. FLANDERS. Mr. President, I should like to inquire of the Senator from West Virginia whether, in setting

a number which is the sum total of the current quota, we are not in some way completely changing the basis of selection as compared with that in the committee bill.

Mr. REVERCOMB. No; I will say to the Senator from Vermont that we are not changing the basis of selection. We are simply changing the number. Whatever the figure might be, it would not change the other provisions of the bill or the basis of selection.

Mr. FLANDERS. Unfortunately, we do not have the substitute bill before us. I am trusting to my recollection of what the Senator from Missouri [Mr. KEM] said in describing it. I judged that the quotas were to be the guide.

Mr. REVERCOMB. No. As I understand the substitute, the quotas are not to be the guide. The fact that 70,000 was the number used was based upon reason, because 70,000 nonquota immigrants entered the country in the past year.

Mr. KEM. Mr. President——

Mr. REVERCOMB. May I answer further?

Whatever the number might be, it would not affect the workings of the mechanism or the administration of the law. However, the figure of 70,000 comes nearer the figure of 50,000, which was recommended by the committee after extended discussion of the subject, than does the previous action of the Senate.

Mr. FLANDERS. Let me now ask the Senator from Missouri whether the substitute coincides with the bill before us in every other respect.

Mr. KEM. Except in one other respect, to which I referred. The substitute provides that the number of displaced persons shall be charged against the quota which comes in under existing law.

Mr. FLANDERS. That is the point which I may have misunderstood. If it is charged against the quota, does that mean that none beyond the quota may be admitted?

Mr. KEM. It merely means that the number of displaced persons admitted shall be charged against the quota.

Mr. FLANDERS. Does the quota become a minus quantity under certain circumstances?

Mr. REVERCOMB. Mr. President, if I may reply to the question, it is the custom today, when anyone is permitted into the country by special enactment, to charge such admission against the quota whenever the quota number is available.

Mr. FLANDERS. Is the number of those admitted to be charged against an accumulated quota, or the unused quota for past years?

Mr. REVERCOMB. No. It is not to be charged against an accumulated quota, but against the quota fixed by law.

Mr. FLANDERS. Again I ask, does not this provision change the whole plan of operation of the bill from that set forth in the original bill? Does not this proposal change it to a strict immigration-quota bill?

Mr. REVERCOMB. It does not. It simply mortgages—that is the word which has been used—the quotas fixed under the law.

Mr. FLANDERS. That means that the quotas may be exceeded, and that the numbers admitted may be taken out of the subsequent immigration quotas.

Mr. REVERCOMB. That is my understanding. The quota may be exceeded up to 50 percent.

Mr. President, let me read the language. I understand it was taken from the proposed House bill, which has not yet been acted upon, although it has been reported from the committee in the House of Representatives:

> Upon the issuance of an immigration visa to any eligible displaced person or eligible displaced orphan as provided for in this act, the consular officer shall use a quota number from the immigration quota of the country of the alien's nationality as defined in section 12 of the act of May 26, 1924 (U. S. C., title 8, sec. 212) for the fiscal year then current at the time or the next succeeding year in which a quota number is available: *Provided*, That no quota shall be so used by more than 50 percent in any fiscal year.

Mr. FLANDERS. Can the Senator from West Virginia give assurances that the simple 50 percent addition does not change the way in which the displaced persons will be admitted or the countries from which they will be admitted?

Mr. REVERCOMB. In my opinion it does not.

Mr. FLANDERS. It seems to me that something more than a curbstone opinion is required.

Mr. REVERCOMB. Well, that is my best opinion, whether it be curbstone or otherwise.

We have done this sort of thing time and again. For instance, if relief is granted to a certain person who stays in the United States and is granted permanent residence in the United States, if he is to be charged to the Greek quota, that charge is made against the first number that is available. That does not affect the Greek quota, except it mortgages the quota in the future. That is my understanding of this language.

Mr. FLANDERS. Mr. President, my best guess is that this proposal will change the number of persons admitted under the original bill. From this discussion I have no assurance that it will not do so.

I further observe that it will reopen a question which this body has already decided—namely, the numbers of persons to be brought into the United States under this displaced persons bill in the two succeeding years.

Since it changes action which the Senate already has taken, and since we have only this very vague assurance as to its not changing the classes and the countries from which these people shall be admitted, I hope and trust that the amendment will be rejected.

Mr. REVERCOMB. Mr. President, I may say that it is my opinion, and I am so advised by those who have studied this particular language, that this proposal will not change the number of such persons who can enter the United States. If I thought it would, I would not be in favor of it, because the bill as brought forth from the committee has been adopted by the Senate, so far as that phase of it is concerned.

I favor the substitute, and I hope it will be adopted.

Mr. AIKEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. IVES in the chair). Does the Senator from West Virginia yield to the Senator from Vermont?

Mr. REVERCOMB. I yield.

Mr. AIKEN. Even though it does not change the selection of the displaced persons of the different nationalities to be admitted, does it not mean that if the displaced persons admitted to this country are charged against the quotas, there might not be any normal quota immigration from those countries for possibly 20 or 30 years?

Mr. REVERCOMB. There is a limitation of up to 50 percent.

Mr. AIKEN. Does the Senator mean that under no circumstances would the quota for a country for 1 year be reduced more than 50 percent?

Mr. REVERCOMB. Yes.

Mr. AIKEN. But it could be reduced 50 percent, could it?

Mr. REVERCOMB. Yes.

Mr. KEM. Mr. President, I ask for the yeas and nays on this question.

Mr. FERGUSON. Mr. President——

The PRESIDING OFFICER. The question has not yet been put. The Chair recognizes the Senator from Michigan before the question as to the yeas and nays is put.

Mr. FERGUSON. Mr. President, I think it is well for the Senate to deliberate for a few moments upon the substitute. It has not been read or printed. I think it is well for us to consider what we are about to vote upon.

As I have read this proposal, it attempts to change the amendment which was added to the bill, providing that 200,000 persons be brought in on nonquota visas. The substitute would admit, in the first year, 70,000; and in the 2 years 140,000. I can see perfectly well why those who advocated a total admission of 100,000 would now call this proposal a compromise. But if the Senate now votes for the substitute, it will, in effect, be changing the previous vote by which the Senate determined that the total number admitted should be 200,000.

Mr. President, something further will be done by the substitute, if it is adopted. If it is adopted, this bill will not then be a displaced-persons nonquota bill. It will not be a bill for the relief of displaced persons, to bring them to the United States at one time and to charge them to a nonquota arrangement; but it will charge 50 percent to each year's quota, so that in the case of Poland, which has a quota of approximately 7,300 for each year, approximately 3,500, or one-half of the annual quota, could be charged against the quota for 1 year; and if 15,000 Poles were brought to the United States under the Displaced Persons Act it would not be possible for the regular quota numbers of Poland to enter the United States for some 5 years.

Mr. President, under the quota system we have an arrangement, whereby relatives and dependents are permitted to enter the United States to the extent of

50 percent of the regular quota for any 1 year. This substitute would interfere with that arrangement, too. Then this bill would not be a nonquota bill, but it would be a quota bill; it would charge to the future quotas the numbers of such persons admitted; and then the bill would not be a quota bill. Then we would have to reverse the decision we previously had made; instead of saying that 200,000 displaced persons may be admitted, as we have previously voted, we would say that 140,000 persons would be admitted.

I hope the Senate will not change the number it has already determined upon, and I hope the Senate will not adopt the quota proposal.

Mr. REVERCOMB. Mr. President, I do not care to discuss the matter further, because I feel that we understand the substitute measure which changes the number from 100,000 a year to 170,000 for 2 years.

I wish to state that in advocating the substitute I speak in my own right as a Member of the Senate. I am not speaking for the committee. I think it fair to the other members of the committee to make that statement at this time.

Mr. TAFT. Mr. President, I myself feel very strongly that if we are going to try to do our share in this world problem, we should admit at least 200,000 of these displaced persons. I think to handle this matter in a minor way, to handle it in a way which, in effect, will be a trivial way, will not do much good, and will not be a contribution to solving what is one of the great world problems today.

I certainly hope we retain the figures presently in the bill.

Mr. DONNELL. Mr. President, I was one of the members of the committee and, as such, I favored admitting 50,000 persons a year, rather than 100,000 a year. However, it seems to me that the Senate has considered the question of the numbers to be admitted. To my mind there is very much force in what the Senator from Michigan has said, namely, that the Senate has already debated this question and has determined the number which it deems proper to be admitted.

Furthermore, it seems to me that by following the plan of charging the numbers who enter the United States against the quotas, we shall be very considerably veering away from the general plan of the bill as presented by the subcommittee.

For the reasons I have just indicated, although I personally favored admitting 50,000 a year, inasmuch as the Senate has previously determined the number which it deems proper to be admitted, I am quite willing to abide by that decision of the Senate; and I shall vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute proposed by the Senator from Missouri [Mr. KEM].

Mr. WHERRY, Mr. FERGUSON, Mr. KNOWLAND, and other Senators asked for the yeas and nays, and they were ordered.

Mr. HATCH. Mr. President, I wish to say that those of us who are supporting this bill and the various amendments to it have done so in the firm belief that the figure 200,000 is the smallest figure we can agree upon at this time, and that the proposed substitute bill should be rejected.

Mr. WHERRY. Mr. President, the yeas and nays have been ordered; have they not?

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Nevada [Mr. MALONE] is detained on official business and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator from Nevada would vote "yea," and the Senator from South Dakota would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate. If present and voting, the Senator from New Hampshire would vote "nay."

The Senator from Wisconsin [Mr. MCCARTHY], the Senator from Minnesota [Mr. THYE], and the Senator from Iowa [Mr. WILSON] are detained on official business. If present and voting, the Senator from Wisconsin [Mr. MCCARTHY] and the Senator from Minnesota [Mr. THYE] would vote "nay."

The junior Senator from Maine [Mr. BREWSTER] and the senior Senator from Maine [Mr. WHITE] are necessarily absent. If present and voting, the junior Senator from Maine [Mr. BREWSTER] would vote "nay."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR] the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Kentucky would vote "nay," and the Senator from Tennessee would vote "yea."

On this vote the Senator from Tennessee [Mr. MCKELLAR] is paired with the Senator from New York [Mr. WAGNER]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from New York would vote "nay."

I announce further that the Senator from Maryland [Mr. TYDINGS] is paired on this vote with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Alabama would vote "nay."

The result was announced—yeas 27, nays 50, as follows:

YEAS—27

| | | |
|---|---|---|
| Byrd | Hawkes | McFarland |
| Capehart | Hickenlooper | Moore |
| Connally | Hoey | O'Daniel |
| Dworshak | Holland | Revercomb |
| Eastland | Jenner | Robertson, Va. |
| Ellender | Johnston, S. C. | Russell |
| Feazel | Kem | Stennis |
| George | Langer | Umstead |
| Gurney | McClellan | Williams |

NAYS—50

| | | |
|---|---|---|
| Aiken | Flanders | Morse |
| Baldwin | Fulbright | Murray |
| Ball | Green | Myers |
| Bricker | Hatch | O'Conor |
| Bridges | Hayden | O'Mahoney |
| Brooks | Hill | Pepper |
| Buck | Ives | Reed |
| Butler | Johnson, Colo. | Saltonstall |
| Cain | Kilgore | Smith |
| Capper | Knowland | Taft |
| Chavez | Lodge | Thomas, Okla. |
| Cooper | Lucas | Thomas, Utah |
| Cordon | McGrath | Vandenberg |
| Donnell | McMahon | Watkins |
| Downey | Magnuson | Wherry |
| Ecton | Martin | Young |
| Ferguson | Millikin | |

NOT VOTING—19

| | | |
|---|---|---|
| Barkley | Maybank | Tydings |
| Brewster | Robertson, Wyo. | Wagner |
| Bushfield | Sparkman | White |
| McCarran | Stewart | Wiley |
| McCarthy | Taylor | Wilson |
| McKellar | Thye | |
| Malone | Tobey | |

So Mr. KEM's amendment in the nature of a substitute was rejected.

Mr. PEPPER obtained the floor.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. WHERRY. Mr. President, inasmuch as there is no pending amendment, and I understand that there are no further amendments, I suggest that we might proceed to the third reading of the bill.

The PRESIDING OFFICER. The question is on the third reading of the bill?

The bill was read the third time.

Mr. PEPPER. Mr. President, like many other Senators, I have voted for every liberalizing amendment which has been offered to this bill, not only the amendment increasing from 100,000 to 200,000 the total number of displaced persons who may be admitted, but also amendments broadening the scope and, I believe, the fairness of the bill itself. The measure, as amended by this body, is the only one which appears to have a chance of passage by the Senate, and I am therefore compelled to vote for it despite its most serious defects and discriminatory features. I am voting for it because it may permit even a handful of displaced persons to enter this country, and because it will enable us to offer a hand of friendship and a haven for some of those unfortunate persons, no matter how small the number may be.

Just as we are upon the threshold of final vote upon the bill, in view of the emergency of the situation, I cannot refrain from making a few observations with regard, at least, to the appalling inadequacy of the bill which is now before the Senate.

In the New York Times of February 11, 1948, there was an advertisement in favor of the Stratton bill, which I think fairly well comprehends and symbolizes the situation.

These are the facts—

The editorial says—

Three years after the war there are almost a million displaced persons in western Europe.

This bill takes care of 200,000 in 2 years. They represent almost all religions. Approximately 80 percent are Christians of various denominations; 20 percent are Jews. Most of the displaced persons are natives of Poland, Latvia, Lithuania, and Estonia. Others come from Yugoslavia, Greece, Russia, and various other European countries.

Yet, Mr. President, this bill, as has previously been pointed out, gives preference to a minority of the displaced persons clamoring today for admission and sanctuary in this, our free country. It has already been stated for the RECORD by other Senators, but I reiterate that if we consider the German territory it will be found that the Baltic States, under the language of the bill, get half of all the quotas that are to be accommodated, the Balts having 171,000 and the Jews having 128,100. Yet, Mr. President, who among the displaced persons have been so persecuted, so cruelly massacred and butchered, as have been the Jewish people? Why the justification for laying down in the bill itself an absolute requirement that 50 percent of the persons to be benefited shall come from a minority-population area, so far as displaced persons are concerned?

In the second place, Mr. President, I have the figure from the International Refugee Organization that from the Baltic countries they have in their custody and care 136,919, from the three countries of Estonia, Latvia, and Lithuania, whereas they have in their custody from all countries displaced Jews to the number of 170,748. One hundred and seventy thousand Jews, one hundred and thirty-six thousand Balts; yet we give 50 percent of the available quota to the Balts. That is discrimination against those who deserve to be equally the beneficiaries of the haven of refuge we are offering here in America.

In the third place, the bill lays down conditions which also have the effect of discriminating, I humbly submit, against the Jewish people. It provides that 50 percent of the people who get visas, who come within the reach and benefit of the bill, must have had agricultural background, experience, and training in the country from which they come. It happens that the pattern of the economy, the pattern of life, of those people in the areas whence they come, did not put half of them into that category. There again criteria have been laid down which, if not by design, at least by effect, discriminate against the most persecuted of all the displaced people. If their case does not appeal to the human conscience then no amount of suffering is capable of moving the human heart.

I do not know that the agricultural demand for labor in this country justifies the assignment of half of all those who come in under the bill to the various agricultural communities. There may be instances, isolated areas, where farm labor may be needed, yet I have not been satisfied that agricultural labor is more needed in this country as a whole than labor is needed in many other activities of our economy.

At least I have an article from the New York Times which tells of how there has been an effort by employers and employees in the garment trade to bring in 2,000 tailors from among these displaced persons, and they have not been permitted to do so. There are jobs available in industry for skilled tailors among the displaced persons, yet we do not give them their equal share. They have to be distributed and allocated among the geographical areas of this country, so that half of them at least will go to such areas, instead of to the varous industrial and service activities.

Mr. President, I say that if not by design at least by effect the bill discriminates against the Jews, and also against the farm worker, whether the need may exist for farm labor in all the communities of this country or not.

In the next place, I had hoped that the sponsors of certain amendments dealing with the standards of admission were going to press for votes on what I thought were excellent amendments. I refer particularly to amending the qualifications for admission, the criteria to determine the eligible classes, on page 2 and the top of page 3. The conditions in the bill are as follows: They must be people who are qualified under the immigration laws of the United States for permanent residence. I am not raising any question about that standard. I do question No. 3, "who is a person of a vocation, skill, or occupation needed in the locality in the United States in which such person proposes to reside."

In the first place, Mr. President, in this bill designed to help supply needed labor to agriculture, or is the bill aimed to provide sanctuary for a displaced, a persecuted, a miserable, a wretched, a homeless people?

In the next place, it lays down a criterion that may not have any just and fair relationship to the need of the person to be rescued. There may be people more needing rescue who may not have these requisite skills which may happen to be desired in certain portions of the American economy.

Again, No. 4, on page 2, line 21, "and for whom assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment." How can we say that they can be admitted with assurance that they will not displace some other worker in the American economy? How can we tell with minute accuracy just what will be the economic effect of their coming? How can we say, again, Mr. President, that we will not make any sacrifice "in order to give you sanctuary, we will not receive you unless it is to our benefit that you be permitted to come"? That is all right in the service of the national interest, but if it be the basis upon which the bill is passed, let us claim no moral or Christian credit for it, for we are only serving ourselves by the criteria which the displaced persons must meet as provided in the language of the bill.

"Will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges." That is in the present immigration law. That is a condition applicable to any immigrant coming into this country. I shall not speak specifically about that except to say that I wonder what sort of a country we would have today if only the well to do, if only those had been admitted who had some financial sponsor of responsible character here to receive them, to guarantee that they would not be public charges when they came. I ask the question, how many poor people, whose labor and whose brawn and whose struggles have helped to build America, could ever have gotten into the United States under such criteria of admission as those?

Has it become impossible for a poor man or a poor woman to come to this land of the free and have an opportunity to make a future? It seems to me as if we are going to admit only those who do not hurt us at all, or those who have some responsible relatives here who have already made a success, or those who are going to be sponsored and given sanctuary by some sort of an organization.

Mr. CHAVEZ. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Along the lines suggested by the Senator from Florida, where would Pittsburgh, Cleveland, Detroit, New York, Philadelphia, and all the other industrial cities of the country be, if there had always been such a regulation in the immigration laws?

Mr. PEPPER. America would not have been the America we have today if it had not been for the immigrants who poured across our borders and took upon their strong shoulders the work of building America, and, thank God, we did not ask whether they had any rich relatives in America when they came. If we had laid down that criterion, many of us would never have gotten here, because our ancestors would not have arrived.

Mr. President, this is a bill for the fortunate, those who have some sponsor in America who will give them sanctuary and guarantee that they will never become public charges.

I call attention to another condition which appears at the top of page 3. It must be shown that they will have safe and sanitary housing available to them without displacing some other person from such housing. Where are the empty houses into which they are going to be put? Where is the safe and sanitary housing project which is now empty awaiting them? If we are not going to receive anybody except to put him in a

vacant house or a vacant apartment or a vacant room, how many are we going to receive? In other words, I am beginning to wonder what we are really going to accomplish by the bill. It looks as if it has been so tightly drawn, Mr. President, that nothing can get through it. I raise the very serious question not only about the morality of such criteria in what appears to be a moral bill, but I raise the question whether with the conditions attached it will do any good to anybody at all.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KILGORE. Would the Senator from Florida kindly designate the building accommodations around Plymouth Rock when the *Mayflower* landed there?

Mr. PEPPER. I think it would be well to say that these immigrants shall have the same housing accommodations that were available to the Puritans who came to Plymouth Rock. But the Puritans who came to Plymouth Rock found some habitation, and these pilgrims who come here, if they are permitted to come at all, will build their habitation.

Oh, but it may be said, "We want to be sure that the people who come are responsible." Mr. President, we are all interested in that. And I may call attention to section 6 of the bill on page 7, as follows:

> No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this act.

Now that is proper. Everyone, I think, must have his character, his history, and his eligibility examined by competent authority designated by the President of the United States.

Mr. President, what more criteria, what other criteria should be required? That they be of good character. We know that they have been persecuted for their convictions. They were not Quislings. They were not willing to accept the terms of a master who would have given them sanctuary. These are people who would not go home because they were not willing to submit to the onerous burdens which might be imposed upon them by a regime they hated. These are people who have been willing to give up home and family and ambition and careers to preserve a conviction they cherished close to their hearts.

I say, Mr. President, that if they have lived in these concentration camps—DP camps, as we call them, by a milder name—if they have been persecuted because of conscience, if most of them fought as our allies against our enemies, and if we discover by investigation that they are of good character, what else should we require? Why limit the number who can come to the fortunate who have rich sponsoring relatives here who can guarantee they will never fail and become a public charge? Why say, "No, you cannot come until half of you find a place on the farms of America, and until you can find a house, or an apartment, or a room that nobody else needs or is occupying, and until we can be sure that you are not displacing a man, woman, boy, or girl from any job they now may have?"

I ask Senators if that is the kind of bill we want to hold out as affording a refuge, relief, and sanctuary to those miserable wretches in the displaced persons camps of Europe. When they read that, Mr. President, are they going to fall on their knees in homage to America and say, "Thank God, America has lost none of her great character or her high purpose or her generous sentiments"?

Mr. President, I realize there are some who think that immigration is a menace to this country. I, of course, respect their sentiments, but I do not agree with their conclusions. There are some who think immigrants will mean fewer jobs for the employed in this country. I happen to have some figures here which I think indicate the contrary.

In 1880 there was an increase of 24.8 percent in the population of the United States, but the gainfully employed in America increased 30.7 percent, an increase of 6 percent greater than the increase in population.

By 1900 the population increase was 21 percent, but the gainfully employed increased 27.9 percent, nearly 8 percent more gainfully employed than the population increase.

By 1910, when the population had increased 21 percent, the gainfully employed increased in excess of 31 percent, or more than 10 percent greater than the population increase.

1920 was the only one of the decades when the contrary occurred. The population increase was 15 percent, and the gainfully employed only 9 percent.

But by 1930, while the population increased 15 percent, the gainfully employed increased 17.3 percent.

By 1940 the population increased 7.2 percent and the gainfully employed increased 9.1 percent.

So, Mr. President, within the bounds of any kind of reason more people with strength and skill and courage, coming to us will build a greater America. They will not break down or wreck the America we have. All our history proves it. Some of the most prosperous decades in American history were those when we had immigration flowing unrestricted upon these shores. I do not now propose unrestricted immigration into America, yet, Mr. President, if I may be permitted to say so, I am somewhat embarrassed that it appears to be the conclusion of the Senate that we can accommodate only 200,000 in 2 years, and provide in addition that they must meet the criteria I spoke of a moment ago.

We are a nation of 145,000,000. Yet we can take but 100,000 a year for 2 years.

Mr. President, I have here figures provided by the International Geneva Organization on the resettlement of people. The statement shows that Canada said she would take 60,000 at the time the publication was issued. Australia said she would take 30,000. South American countries said they would take 80,000. Argentina said she would take 25,000. Brazil said she would take 12,000. Belgium said she would take 60,000. France said she would take 40,000 to 50,000. The United Kingdom said she would take 60,000. At that time we were taking 30,000 by Executive order. Now we propose to take a total in 2 years of 200,000 of these miserable people, provided, Mr. President, they have a rich sponsor in America, provided half of them have had agricultural experience and skill and will be distributed over the agricultural areas of America, and provided it can be shown that they will have a place in which to reside, that they will have a house, an apartment, a room, or a quonset hut, or a tent, and provided further, Mr. President, that they happen to come from the favored area, the Baltic area, which is given a preference in the bill.

Mr. President, a little while ago we had before us the Stratton bill, which offered sanctuary to 400,000 in 4 years. That was little enough. I do not know what ever happened to that bill. I do not know why 400,000 was found to be too many. Who said it was too many, and what was the basis and justification of the finding that they could not be absorbed? We have added millions to our population, and we have the highest level of employment we have ever had, and the highest national income we have ever had. It does not seem that the mere addition of contributing population tends to render a disservice to our country.

I close by reading lines which should be read by every school child in America, and by every citizen in this broad land upon some patriotic occasion when we are being reminded of the great spirit and soul of the American people. Senators know what it is. It is the inscription on that beacon which stands in New York Harbor to invite the people of the world to sanctuary in America:

COLOSSUS

(By Emma Lazarus)

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cries she
With silent lips. "Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door."

I wonder if we should not add a postscript under those moving words on the Statue of Liberty, saying, "This does not today offer America's welcome or invitation to the teeming and tortured millions of the world."

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. ELLENDER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. WHERRY. I announce that the Senator from Maine [Mr. BREWSTER] is necessarily absent and is paired with the Senator from South Dakota [Mr. BUSHFIELD] who is necessarily absent. If present and voting, the Senator from Maine would vote "yea" and the Senator from South Dakota would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Wisconsin [Mr. WILEY] are absent on official business. If present and voting, the Senator from Wisconsin [Mr. WILEY] would vote "yea."

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate. If present and voting, the Senator from New Hampshire would vote "yea."

The Senator from Wisconsin [Mr. MCCARTHY], the Senator from Minnesota [Mr. THYE], and the Senator from Iowa [Mr. WILSON], are detained on official business. If present and voting, the Senator from Wisconsin, the Senator from Minnesota, and the Senator from Iowa would vote "yea."

The Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], and the Senator from Maine [Mr. WHITE], are necessarily absent. If present and voting the Senator from Kansas would vote "yea."

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

On this vote the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Tennessee would vote "nay."

On this vote the Senator from Maryland [Mr. TYDINGS] is paired with the Senator from Tennessee [Mr. MCKELLAR]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Tennessee would vote "nay."

The Senator from Nevada [Mr. MCCARRAN] is paired on this vote with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from South Carolina would vote "nay."

I announce further that, if present and voting, the Senator from Alabama [Mr. SPARKMAN] and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 63, nays 13, as follows:

YEAS—63

| | | |
|---|---|---|
| Aiken | Butler | Donnell |
| Baldwin | Cain | Downey |
| Ball | Capehart | Dworshak |
| Bricker | Capper | Ecton |
| Bridges | Chavez | Ferguson |
| Brooks | Cooper | Flanders |
| Buck | Cordon | Fulbright |
| Green | Langer | O'Mahoney |
| Gurney | Lodge | Pepper |
| Hatch | Lucas | Revercomb |
| Hayden | McFarland | Robertson, Va. |
| Hickenlooper | McGrath | Saltonstall |
| Hill | McMahon | Smith |
| Hoey | Magnuson | Taft |
| Holland | Malone | Thomas, Utah |
| Ives | Martin | Umstead |
| Jenner | Millikin | Vandenberg |
| Johnson, Colo. | Morse | Watkins |
| Kem | Murray | Wherry |
| Kilgore | Myers | Williams |
| Knowland | O'Conor | Young |

NAYS—13

| | | |
|---|---|---|
| Byrd | George | Russell |
| Connally | Hawkes | Stennis |
| Eastland | Johnston, S. C. | Thomas, Okla. |
| Ellender | McClellan | |
| Feazel | O'Daniel | |

NOT VOTING—20

| | | |
|---|---|---|
| Barkley | Moore | Tobey |
| Brewster | Reed | Tydings |
| Bushfield | Robertson, Wyo. | Wagner |
| McCarran | Sparkman | White |
| McCarthy | Stewart | Wiley |
| McKellar | Taylor | Wilson |
| Maybank | Thye | |

So the bill (S. 2242) was passed.

The bill as passed is as follows:

*Be it enacted, etc.*, That this act may be cited as the Displaced Persons Act of 1948.

SEC. 2. When used in this act the term—

(a) "Commission" means the Displaced Persons Commission created pursuant to this act;

(b) "Displaced person" means any displaced person or refugee as defined in Annex I of the Constitution of the International Refugee Organization and who is the concern of the International Refugee Organization.

(c) "Eligible displaced person" means a displaced person as defined in subsection (b) above, (1) who on or after September 1, 1939, and on or before December 22, 1945, entered Germany, Austria, or Italy and who on January 1, 1948, was in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna or the American zone, the British zone, or the French zone of either Germany or Austria; or a person who, having resided in Germany or Austria, was a victim of persecution by the Nazi government and was detained in, or was obliged to flee from such persecution and was subsequently returned to, one of these countries as a result of enemy action, or of war circumstances, and on January 1, 1948, was in one of said sectors or zones but had not on January 1, 1948, been firmly resettled therein, and (2) who is qualified under the immigration laws of the United States for permanent residence, and (3) who is a person of a vocation, skill, or occupation needed in the locality in the United States in which such person proposes to reside, and (4) for whom assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be suitably employed without displacing some other person from employment and that such person, and the members of such person's family who shall accompany such person and who propose to live with such person, shall not become public charges and will have safe, and sanitary housing without displacing some other person from such housing. The spouse, and unmarried dependent child under 21 years of age, of an eligible displaced person shall, if otherwise qualified for admission into the United States for permanent residence, also be deemed an eligible displaced person.

(d) "Eligible displaced orphan" means a displaced person (1) who is under the age of 14 years, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) who is an orphan because of the death or disappearance of both parents, and (4) who, on or before the effective date of this act, was in Italy or in the American zone, the British zone, or the French zone of either Germany or Austria, and (5) for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly.

SEC. 3. In addition to persons admissible as immigrants under other laws of the United States, and subject to the provisions of this act, a number of eligible displaced persons and eligible displaced orphans not to exceed 200,000 may be admitted into the United States for permanent residence during the fiscal years ending June 30, 1949, and June 30, 1950, of which number not more than 100,000 may be admitted during the fiscal year ending June 30, 1949.

Eligible displaced persons and eligible displaced orphans may be permitted entry into the United States pursuant to this act irrespective of nationality: *Provided, however,* That not less than 50 percent of the visas issued pursuant to this act shall be available exclusively to eligible displaced persons and eligible displaced orphans whose place of origin or country of nationality has been annexed by a foreign power. Priority in the issuance of visas shall be given first to those eligible displaced orphans who, on January 1, 1948, were located in displaced-persons camps and centers, and second to eligible displaced persons who during World War II bore arms against the enemies of the United States and are unable or unwilling to return to the countries of which they are nationals because of persecution or fear of persecution on account of race, religion, or political opinions, and third, to other eligible displaced persons who, on January 1, 1947, were located in displaced-persons camps and centers, but in exceptional cases visas may be issued to those eligible displaced orphans and eligible displaced persons located outside of displaced-persons camps and centers upon a showing, in accordance with the regulations of the Commission, of special circumstances which would justify such issuance.

SEC. 4. There is hereby created a Commission to be known as the Displaced Persons Commission, consisting of three members to be appointed by the President, by and with the advice and consent of the Senate, for a term ending June 30, 1951. Each member of the Commission shall receive a salary at the rate of $10,000 per annum. The Commission shall be empowered to incur such obligations and to employ such assistants, within the limits of its appropriation, as may be necessary. There are hereby authorized to be appropriated such sum of money as may be necessary to enable the Commission to discharge its duties. It shall be the duty of the Commission to formulate and issue regulations, necessary under the provisions of this act, and in compliance therewith, for the admission into the United States of eligible displaced persons and eligible displaced orphans. The Commission shall formulate and issue regulations for the purpose of obtaining the most general distribution and settlement of persons admitted under this act throughout the United States and its Territories and possessions, and not less than 50 percent of the visas issued pursuant to this act shall be available exclusively to eligible displaced persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits: *Provided, however,* That the wife, and unmarried dependent child or children under 21 years of age, of each of such persons may, in accordance with the regulations of the Commission, be deemed to be of that class of persons who have been previously engaged in agricultural pursuits and who will be employed in the United States in agricultural pursuits. It shall also be the duty of the Commission to report on February 1, 1949, and each year thereafter to the President and to the Congress on the situation regarding eligible displaced orphans and displaced persons. Such

report shall also include information respecting employment conditions, the housing situation, the place and type of employment, and the residence of eligible displaced persons who have been admitted into the United States pursuant to the provisions of this act. At the end of its term the Commission shall make a final report to the President and to the Congress.

SEC. 5. Every eligible displaced person, except an eligible displaced person who shall have derived his status because of being the unmarried dependent child under 21 years of age of an eligible displaced person, who shall be admitted into the United States shall report, on the 1st day of January and on the 1st day of July of each year until he shall have made four reports to the Commission, respecting the employment, place of employment, and residence of such person and the members of such person's family and shall furnish such other information in connection with said employment and residence as the Commission shall by regulation prescribe: *Provided*, That if such person enter the United States within 60 days prior to either the 1st day of January or the 1st day of July, the first report need not be made until the next date on which a report is required to be made. Such report shall be made to the Commission during its term and thereafter to the Attorney General. Any person who willfully violates the provisions of this section shall, upon conviction thereof, be fined not to exceed $500, or be imprisoned not more than 6 months.

SEC. 6. No eligible displaced person shall be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such agency of the Government of the United States as the President shall designate, regarding such person's character, history, and eligibility under this act. The burden of proof shall be upon the person who seeks to establish his eligibility under this act. Any person who shall willfully make a misrepresentation for the purpose of gaining admission into the United States as an eligible displaced person shall thereafter not be admissible into the United States. No eligible displaced person and no eligible displaced orphan shall be admitted into the United States under the provisions of this act except in pursuance to the regulations of the Commission but, except as otherwise expressly provided in this act, the administration of this act shall be by the officials who administer the other immigration laws of the United States. Except as otherwise provided in this act, all immigration laws, including deportation laws, shall be applicable to eligible displaced persons and eligible displaced orphans who are admitted into the United States pursuant to this act.

SEC. 7. After June 30, 1948, no preference or priority shall be given to any person because of his status as a displaced person, or his status as an eligible displaced person, in the issuance of visas under the other immigration laws of the United States.

SEC. 8. An eligible displaced orphan (1) who is lawfully adopted by man and wife who are citizens of the United States and who at the time of the adoption are in Italy or in the American zone, the British zone, or the French zone of either Germany or Austria, or (2) with respect to whom satisfactory arrangements have been made for adoption by man and wife who are citizens of the United States, in accordance with the laws of the State of residence of the adoptive parents, may after June 30, 1948, and until July 1, 1950, be admitted into the United States as a nonquota immigrant.

SEC. 9. After June 30, 1948, and until July 1, 1950, that part of section 3 of the Immigration Act of February 5, 1917, which excludes from admission into the United States persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly, shall not be applicable to eligible displaced persons and eligible displaced orphans. After June 30, 1948, and until June 30, 1950, eligible displaced persons and eligible displaced orphans shall be exempt from paying the fee for the issuance of an immigration visa and exempt from paying the head tax.

SEC. 10. From and after the effective date of this act, all persons of German ethnic origin who were born in Poland, Czechoslovakia, Hungary, Rumania, or Yugoslavia, and who on the effective date of this act reside in and are citizens of Germany or Austria shall, for the purposes of the immigration laws of the United States, be deemed to have been born in Germany or Austria.

SEC. 11. That the Secretary of State be, and is hereby, authorized and directed to immediately resume general consular activities in Germany and Austria to the end that the German and Austrian quotas shall be available for applicants for immigration visas pursuant to the immigration laws.

## ADDITIONAL BILLS AND JOINT RESOLUTION INTRODUCED

Additional bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'MAHONEY (for himself and Mr. MURRAY):

S. 2788. A bill to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands; to the Committee on Interior and Insular Affairs.

(Mr. RUSSELL (for himself, Mr. CORDON, Mr. MORSE, Mr. CAIN, Mr. MAGNUSON, Mr. YOUNG, Mr. BALL, Mr. THYE, Mr. DWORSHAK, Mr. GEORGE, Mr. HOLLAND, Mr. PEPPER, and Mr. MURRAY) introduced Senate bill 2789, to provide emergency aid for the repair, restoration, or reconstruction of public facilities damaged or destroyed by certain catastrophes, which was referred to the Committee on Appropriations, and appears under a separate heading.)

By Mr. TAFT:

S. J. Res. 226. Joint resolution to print the monthly publication entitled "Economic Indicators" (with an accompanying paper); to the Committee on Rules and Administration.

## EMERGENCY AID TO RESTORE PUBLIC FACILITIES DESTROYED BY RECENT CATASTROPHES

Mr. RUSSELL. Mr. President, I ask unanimous consent to introduce a bill, and request its appropriate reference. I desire to make a very brief statement on the bill.

The bill is to provide emergency aid for the repair or restoration of public facilities damaged or destroyed by certain recent catastrophes. The bill, Mr. President, grew out of the fact that there were pending in the Committee on Public Works two or three measures dealing with catastrophes in specific localities. It was prepared before the occurrence of the great catastrophe in the Pacific Northwest. After some discussions, participated in by the Senator from North Dakota [Mr. YOUNG], the Senator from Minnesota [Mr. BALL], and myself, the bill has ample safeguards to protect the Federal interests, because it is provided that no grants can be made to assist local public agencies in the repairs or restorations, if they have adequate taxing capacity or borrowing power to repair them on their own initiative.

The bill is offered on behalf of myself and the senior Senator from Oregon [Mr. CORDON], the junior Senator from Oregon [Mr. MORSE], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. CAIN], the Senator from North Dakota [Mr. YOUNG], the senior Senator from Minnesota [Mr. BALL], the junior Senator from Minnesota [Mr. THYE], the Senator from Idaho [Mr. DWORSHAK], my colleague from Georgia [Mr. GEORGE], the senior Senator from Florida [Mr. PEPPER], and the junior Senator from Florida [Mr. HOLLAND]. I earnestly hope that the committee to which the bill is referred will give it early consideration in order that an amendment providing appropriations for this purpose may be in order in connection with the next deficiency bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MORSE. Mr. President, I wish to say that my colleague [Mr. CORDON] and I are very happy to join the Senator from Georgia in offering this bill. We want to express to the Senator, in behalf of our State, our appreciation for collaborating in the introduction of the bill.

I have just received, within the last hour, the latest report on the flood conditions in the Pacific Northwest. The Columbia River is rising again, and it looks as though what we had hoped a few hours ago would be a receding flood is now going to create another crest, resulting in thousands of acres being under water within the next few hours. The situation is becoming steadily worse. We need not only the authorization which the Senator from Georgia has provided for in his bill, but we shall need, in my judgment, to have the Congress of the United States pass, within the next few days, appropriations for the President's emergency fund, so that money may be made available for expenditure by the President in affording immediate relief to that stricken area in the degree which is needed. As I said yesterday, it is rather shocking to discover that although the President at the present time has power to declare the area an emergency area, he does not have any money which he can spend to provide actual and immediate relief to the thousands upon thousands of stricken people. We shall need such funds, Mr. President, in order to take care of the immediate relief needs.

I have been advised by telephone in the last hour that there is a need for an increased amount of National Guard equipment in the State of Oregon. We are calling upon the Army officials to see what can be done in the next few hours in supplying the State with such equipment, in the form of tents, blankets, and tent equipment needed to house what are now estimated at more than 20,000 people in the immediate Portland area, who are homeless tonight, and many thousands of whom do not have even temporary quarters.

Mr. RUSSELL. Mr. President, I wish to say to the Senator from Oregon that I am sure that the heart of the American people goes out to those of his constituency who are in such great distress.

For my part, I shall be glad to join with him in further measures for relief which I know will be necessary. This bill will be inadequate to care for the situation in Oregon. I shall be happy to join with him, and I am sure the Members of the Senate will be willing to devote in dealing with such a situation in this country as much as we have been attempting to spend for the benefit of citizens of other lands.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAGNUSON. Mr. President, I am very happy to join with the Senator from Georgia in the very important measure which he has offered. While he has so well stated that it will take care of long-range rehabilitation, there is great need for immediate emergency work, and we hope that tomorrow the Senators from Oregon and Washington, the two stricken areas, will present to Congress proposed legislation for an immediate appropriation which would have no conflict with the measure offered by the Senator from Georgia. The situation is growing worse. The foresight of the Senator from Georgia in having a measure prepared and ready to meet such a situation is remarkable. The Senators from Oregon and the Senators from Washington appreciate the opportunity to join in sponsoring the proposed legislation.

There being no objection, the bill (S. 2789) to provide emergency aid for the repair, restoration, or reconstruction of public facilities damaged or destroyed by certain catastrophes, introduced by Mr. RUSSELL (for himself, Mr. CORDON, Mr. MORSE, Mr. CAIN, Mr. MAGNUSON, Mr. YOUNG, Mr. BALL, Mr. THYE, Mr. DWORSHAK, Mr. GEORGE, Mr. HOLLAND, Mr. PEPPER, and Mr. MURRAY), was received, read twice by its title, and referred to the Committee on Appropriations.

## ACTIVITIES OF THE BUREAU OF RECLAMATION

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I have received from Mr. Roscoe J. Anderson, of Redding, Calif.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

REDDING, CALIF., *May 25, 1948.*

Hon. HUGH BUTLER,
*United States Senate,*
*Washington, D.C.*

MY DEAR SENATOR: I have received a page of the CONGRESSIONAL RECORD, covering a speech by you, entitled "Interpretation of Federal Statutes by the Bureau of Reclamation." I am delighted to receive this and to find your position on such a sound foundation, but I assure you the proposed method of handling the resale of power is even more unorthodox.

Within the city of Redding, we own and operate our own power plant, and also our own water plant. We tried, at the end of 1943, and on through 1944 and 1945, to buy power from the Bureau. About 2 years were spent in trying to arrive at an agreement with them. They spread their propaganda in the press, private talks, and public speeches trying to pressure us into signing what they called their contract. The contract as proposed by them contained a few lines as to the sale of power, and 17 long pages on the regulation and control of the city government in handling the power. They proposed to set up our office (although we had been managing our own power system for 25 years), control the personnel, establish rates, and maintain control on everything, including the disposition of revenues. Moreover, they included a pro rata clause which meant that if they shut down one of the two generators, which they were then operating, we would receive only one-half the proposed quantity of power. Their first proposal was to run only one feeder line into the city. We have found that three separate lines are absolutely necessary, owing to sudden storms in this locality. For a year and a half during which they coerced us through the press and in other ways to sign their contract, they did not even suggest a price for the power.

I am convinced that their proposals were entirely unconstitutional. They would cause us to sign away all of our rights under the tenth amendment. Such action is all too near the border line of treason for me to have anything to do with it.

The Shasta Dam is only about 9 miles from us in a direct line, and a large part of the water stored in it is from rain and snow in our country. We naturally felt we should have the right to use some of the natural resources in our own territory.

After each meeting the Bureau would promise to make concessions. Then they would immediately present us with a new contract containing the same unconstitutional provisions. Through all this time I was a member of the city council, and I am now mayor of the city of Redding. As businessmen we would like to buy the power where we can get it at the lowest price, consistent with good service; but as Americans we value the American way of life, the right to local self-government, more than we do cheap power.

Under the Bureau proposal, the proposed contract, any complaint from any citizen concerning the operation of the power district would be referred to the Secretary of the Interior. Again and again I asked these gentlemen to cite the congressional statute which would always insist that they were compelled to take that stand by virtue of a law passed by Congress.

Finally, we entered into a contract with the Pacific Gas & Electric Co., which contract will expire in a couple of years, and before that time is up, if the Bureau will talk with us as businessmen and not as dictators, we would like to buy the power from them, in order to get the best price. In fact, I believe our citizens would be willing to construct their own power lines to the dam and take the power direct from the powerhouse, if we could get the proposed rates without dictation.

The point the Bureau objected to, according to their statement, was that we were making a profit on the power, and were spending that profit mostly on city streets. But that is the way our people want it, and in spite of the profits we make we still have one of the lowest rates in existence; 70 percent of our power is consumed within the homes, which shows great use of electrical energy by our people.

Unless the gentlemen in Congress can limit bureaucracy to its proper functions, it is my opinion that the American way of life will eventually go the way of the dictator countries.

Trusting that this information will be of value to you, I am,

Very truly yours,

ROSCOE J. ANDERSON.

## LEAVE OF ABSENCE

Mr. BALDWIN, asked and obtained consent to be absent from the Senate tomorrow, Thursday, June 3, 1948.

## EXCERPTS FROM "NUREMBERG: PROCEEDINGS SUBSEQUENT TO GOERING ET AL."

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD certain introductory remarks of mine for an article which I should also like to have printed.

There being no objection, the introductory remarks and the article were ordered to be printed in the RECORD, as follows:

Mr. President, the world today is faced with the discouraging picture of a deplorable contest for power among the very nations which united so successfully in World War II to repel and destroy the military threat to international order and peace created by the Axis military machines. The peace for which millions of soldiers of these Allied Nations suffered and died is very far from reality. The union of the battlefield has disintegrated into the disunion of the council chambers, and the arrogant bristlings of mighty nations cause despair among people and fear among diplomats. In three short years after the end of the long and costly war, alliances are already being redrawn, and statesmen warn of dark days ahead.

And yet I am sure that no Member of this body has ever ceased to hope that real peace among men and nations will one day be achieved. Even in the despair of today, there is the deep-rooted hope in all of us that one day man will live and work in an atmosphere free from threat of international belligerence. Recently the Secretary General of the UN charged the great powers of the world with ignoring and damaging the prestige and effectiveness of the UN. This charge we all uneasily recognize as a serious one. No Member of this body would like to believe that the political leaders of this country's affairs have willfully circumvented or in any way flouted the position and prestige of the UN. And conversely, if expediency, dictated by realities of a difficult international situation, has required unilateral action by this Government outside of rather than within the UN, all of us have continued to hope that one day all political action among nations will take place within that body and within the framework of the needs of all nations expressed through the UN.

Until that day arrives, it is important that there be developed an adequate body of international law whereby the affairs of men and nations can be scrutinized by the International Court of Justice through rules, customs, agreements, and juridical expressions which may be applied equally to and for all men and all nations. If we hope that one day all international disagreements may be peacefully resolved by an international court of justice, we must equip that court with an adequate body of law which it may express and which should be the basis for its judgments.

This Government has taken considerable strides in the development of such a body of law, through its participation in the creation, operations and deliberations of the International Military Tribunal. As the leading proponent of this historic international trial and its greatest contributor in terms of financial and moral support, this Government has helped to judicially define and condemn the actions of men who, in the name of sovereign governments, prepare, plan, and wage aggressive war and commit crimes against peace. Where in the past centuries war has been accepted as a natural phenomenon in the relations of men, and international legal scholars have concurred in this acceptance, society has belatedly learned that if man is to survive, the impulse of nations to attack their neighbors militarily for settlement of whatever dis-

pute must be checked. This feeling, expressed in several international agreements after World War I, including the Kellogg-Briand Pact, was written into juridical international law by the judges of the IMT.

The American Government has gone forward since that trial, and has conducted subsequent trials before American military tribunals which have added to the developing body of international law.

One of the cases in which judgment has been rendered is of surpassing importance to the people of this and of every government of the world, and should be permanently inscribed in the dockets of the court of international justice. This was the trial of the Nazi lawyers and judges who, in the Hitler Ministry of Justice, and the People's Court and Special Courts created to deal summarily with offenses committed by groups chosen for extermination by the National Socialist Party, perverted the law and the legal system to accomplish Hitler's ghastly aims. Hitler selected Jews and Poles and other peoples in the "incorporated eastern territories" for genocide and complete extermination, or for lesser forms of discrimination, because they represented what he chose to regard as a threat to the welfare of the Nazi Aryan order. In carrying out this obviously criminal program, Hitler's subordinates in the Ministry of Justice passed a succession of laws which destroyed all personal civil rights and property rights of his intended victims. The law courts into which these helpless miserables were dragged and victimized were a vile mockery of everything that a law court is supposed to be. The judges administered sentences which were either prearranged by general classification or specifically with respect to individuals who had incurred special disfavor of the Nazi Party. The judges and prosecutors worked hand in hand with the Gestapo and the SS, and permitted the accused to be delivered into concentration camps for extermination through work or the gas chambers regardless of acquittal or conviction. These judges and lawyers eagerly provided a medium whereby the Hitler program could be carried forth through a hollow mockery of legal form.

The Honorable Charles M. LaFollette, formerly a member of our House of Representatives, and presently military governor of Wuerttemberg-Baden, on behalf of the United States chief of counsel for war crimes, prosecuted 15 Nazi judges and lawyers associated with the Ministry of Justice and with the people's and special courts. Of these, one committed suicide, four who were convicted of war crimes and crimes against humanity received life sentences, four were acquitted, and the remaining six were sentenced to imprisonment for terms of years. Judge James T. Brand, of Oregon, presided over the three-man tribunal, which took testimony for 7 months, hearing 138 witnesses, and reading 641 documentary exhibits for the prosecution, and 1,452 for the defense. The judgment which covers 300 pages of the transcript of record, contains a history of the Nazi legal system and of crimes committed under the guise of legality by Nazi judges and prosecutors which should be now and for all times a guide for governments and for statesmen who are concerned with the achievement of a peaceful international order. It is an earnest and learned exposition of the rights of men in international society. I desire to insert the accompanying passages concerning this trial which appear in the forthcoming issue of the University of North Carolina Law Review in the CONGRESSIONAL RECORD.

---

EXCERPTS FROM "NUREMBERG: PROCEEDINGS SUBSEQUENT TO GOERING ET AL." BY W. A. ZECK

CONCEPTS OF INTERNATIONAL LAW

As originally conceived, Nuremberg afforded Allied jurists an unequalled opportunity to enact the most significant international law governing the relations of nations and people that has yet been written. Through the medium of justice through law, properly expressed, even though by victorious nations sitting in judgment upon the vanquished, by calm and dispassionate judicial proceedings, the occasion was afforded once and for all to fill the gaps in the obviously inadequate body of international law, which would prevent aggressor nations and willful and autocratic governments from shielding themselves behind a legal veil and escaping individual responsibility for the most horrible of crimes, perpetrated on the widest possible scale.

The International Military Tribunal seized this opportunity in part at least and determined that treaties and international commitments could not be willfully broken and criminal responsibility avoided merely because of the absence of a judicial forum. It fixed responsibility upon the men of government who use public office and commit crimes against peace, war crimes, and crimes against humanity. It identified the Goerings, the Ribbentrops, the Keitels, the Rosenbergs, as men of crime who performed their criminal activities in the name of the Reich Government, and must be held responsible for their crimes. It decided once and for all that individuals are subject to international law, that sovereign states have no right to wage aggressive wars, and that heads of sovereign states and other political leaders are not immune from criminal responsibility.

The International Military Tribunal trial and judgment were only a step in the development of international law and in punishing the crimes of German war makers. Of necessity, it dealt only with the ring leaders, all of whom were men in the top governmental stratum. As important, or possibly more important was the task still remaining when the International Military Tribunal was dissolved. To the American tribunals now sitting in Nuremberg and to the zonal courts of the British, French, and Russian Governments, had they chosen to establish courts, were extended the opportunity of defining the responsibility of industrialists who create and support governments, arm men illegally, prepare them for aggressive war and commit crimes against peace for easily discernible motives of self-aggrandizement expressed through individual and corporate power, domination of world industrial markets, and the seizure of the properties and organizations of competitors; the field marshals and generals commanding large military forces who passed on obviously criminal military orders received from higher sources; the cabinet ministers in the foreign office who incited Naziphiles throughout the world to commit disloyal acts against their governments; the judges and lawyers of the ministry of justice who perverted Nazi law in aid of a program of genocide, and utilized the courts as a weapon in the hands of the tyrant rather than a forum for the protection of basic moral and legal rights; the medical doctors who murdered in the interest of the Nazi definition of science; and the goons and gun squadrons who murdered, tortured, and looted in support of the Hitler program. This is the opportunity which beckoned all the judges, approximately 2 dozen in number, who came from many American States to participate in the war-crimes program.

The challenge to the judicial skill, courage, and imagination of these jurists was great, but no greater than society's pressing need for international authority to curb the evil impulses of men and nations. Judicial skill in Nuremberg required a facile adjustment of the common-law trained mind to an application of principles of international law. Imagination was needed to comprehend the needs of men in terms of international law, to understand the historical threat of uncontrolled sovereignty and the interdependence of peoples regardless of nationality. Above all, courage of the highest order, intellectual, moral, and personal courage were required to be possessed by judges who would ignore national interest and political and economic prejudice in legislating judicially for all mankind.

Unfortunately, few of the judges have been able to grasp the monumental opportunity afforded them. Of the seven separate opinions which have been handed down to date, only two display any aggressive concept of the dynamic implications of international law. These are the opinions of the Justice Tribunal, presided over by Judge James T. Brand of Oregon, and the Flick Tribunal, headed by Judge Charles B. Sears of New York. In the opinions of these two courts, the lawyer can sense an awareness of the size and implications of the activities of the accused in terms of personal judgment and of their meaning for society in general. Beyond this point, however, the parallel of their activities cease. While the Justice Tribunal attempted to make a broad and expansive judicial finding which, if it did not broaden international law, would at least state the judicial breadth of existing international law, the Flick Tribunal, in contrast, set up the extremely narrow limits of criminality, and kept its legal findings within the narrowest scope of western national criminal law. Whereas Judge Brand and his associates attempted positively to condemn the activities of the Nazi judges and prosecutors who assisted the Hitler Government to carry out their criminal and heinous activities in terms that would apply not only to Nazi Germany but to all nations, the opinion of Judge Sears' court frequently reads like a lengthly apology for the Nazi industrialists who built and fed Hitler's war machine before and during the war, used vast quantities of foreign slave labor and prisoners of war in their war plants, and coerced Jewish owners of private businesses into making forced sales of their enterprises so that the Flick organization could achieve a position of industrial domination in Germany and throughout Europe. Where the Justice Tribunal took an aggressive attitude toward granting man the protection of international law which he so desperately needs, the Flick Tribunal's approach is a negative one, creating an impression that the activities of a sovereign government in the domestic sphere are completely immune from international scrutiny, and that citizens of a sovereign government who engage in criminal activities dictated by the unlawful policies of that government are immune from criminal responsibility.

THE JUSTICE CASE

In the Justice case, 15 judges and lawyers who were members of the Reich Ministry of Justice, and officials of the people's and special courts, were charged with the commission of war crimes and crimes against humanity under Control Council Law No. 10. The gravamen of the charge alleges that, between September 1939 and April 1945, the defendants unlawfully, willfully, and knowingly were principals in and accessories to the commission of atrocities and offenses against persons and property including murder, torture, illegal imprisonment, and other inhumane acts. For the purpose of creating a reign of terror to suppress political opposition to the Nazi regime, extraordinary irregular courts were established. Immediately after the acquittal of three of the four defendants charged with complicity in the Reichstag fire, in 1933, the Nazi court system was revised to include special courts (Sondergerichte) and the people's court (Volksgerichtshof). These were established by the Reich Ministry of Justice, which assumed total control of the administration of justice, including preparation of legislation concerning all branches of law, and control of the courts and prisons. Special courts sat in the various territorial

subdivisions of Germany and of the "protectorate" (Bohemia and Moravia). Their jurisdiction extended to all "political" cases, as well as to all acts deemed inimical to the party, the government, and, after the outbreak of war, to the continued prosecution of the war. The people's court became the court of original and final jurisdiction in cases of "high treason" and "treason." This court had jurisdiction over the investigation and prosecution of all cases before it, and there was no appeal from its decisions. It was presided over usually by two Nazi judges and five party officials appointed by Hitler from the Elite Guard and the party hierarchy. Both the people's and the special courts acted in collaboration with the Gestapo, the SS and the OKW (army high command).

The indictment charges that German nationals and civilians of occupied countries were subjected to criminal abuse of judicial and penal processes by the people's court and special courts. The special courts subjected Jews of all nationalities, Poles, Ukrainians, Russians, and other indiscriminately classes as "gypsies," to discriminatory and special penal laws and trials, and denied them all semblance of judicial process. All of these persons were arbitrarily designated "associal" and by agreement between the Ministry of Justice and the SS were turned over to the SS and to the Gestapo for "protective custody" in concentration camps such as Auschwitz and Lublin, where they were systematically murdered. The German criminal laws by decree of the Ministry of Justice, broadened the definition of treason to include passive defeatism, petty misdemeanors, and trivial private utterances as justification for the extermination of Jews and other German nationals and citizens of the occupied countries. The Justice Ministry, people's court, and special courts implemented the unlawful annexation and occupation of Czechoslovakia, Poland, and France by employing summary proceedings and prearranged sentences against such persons and followed these drumhead trials, which were held a few hours after service of the indictment, with immediate execution.

The Ministry of Justice participated with the OKW and the Gestapo in the execution of Hitler's "night and fog" decree, whereby civilians of occupied territories who had been accused of crimes of resistance against occupying forces, were spirited away for secret trial by special courts within the Reich. The victims' whereabouts, trial, and subsequent disposition were kept completely secret, thus serving a dual purpose of terrorizing their relatives and associates, and making it almost impossible for a defense to be made. The accused were not informed of the disposition of their cases, and those who were acquitted or had served their sentences were handed over by the Justice Ministry to the Gestapo for protective custody.

The Ministry of Justice granted immunity and amnesty to Nazi Party members who committed major crimes against German nationals and civilians of occupied territories and participated in the theft of Jewish property and in revoking Jewish citizenship, by signing appropriate decrees which changed the family and inheritance laws and forfeited Jewish property at death to the Reich with no compensation to the Jewish heirs. Through suspension of the criminal process, the Ministry of Justice also participated in Hitler's program of inciting the German civilian population to murder allied airmen forced down within the Reich. All of the foregoing acts were charged as war crimes and crimes against humanity.

Included among the 10 defendants who were convicted of participating in war crimes and crimes against humanity (an eleventh was convicted of SS membership), were prosecutors of special and people's courts, judges, and members of the Ministry of Justice. The defendant accused of SS membership received a 5-year sentence. Other sentences included one of 7 years, four of 10 years, and four of life imprisonment.

## PALESTINE PARTITION AND THE DISPLACED-PERSONS PROBLEM OF EUROPE—ADDRESS BY SENATOR MURRAY

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address entitled "Palestine Partition and the Displaced-Persons Problem of Europe," delivered by Senator MURRAY on May 7, 1948, which appears in the Appendix.]

## PROMOTION OF NATIONAL DEFENSE—INCREASE IN PERSONNEL OF ARMED FORCES

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1319, Senate bill 2655.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2655), Calendar No. 1319, to provide for the common defense by increasing the strength of the armed forces of the United States, including the Reserve components thereof, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

There being no objection, the Senate proceeded to consider the bill.

## ORDER OF BUSINESS—LEGISLATIVE PROGRAM

Mr. WHERRY. Mr. President, I now move that the Senate proceed to the consideration of executive business.

Mr. LUCAS. Mr. President, before that question is put by the Chair, I wish to inquire from the acting majority leader what the program will be for the remainder of this week.

Mr. WHERRY. In answer to the distinguished acting minority leader's question, let me state that now the unfinished business is the Selective Service Act.

Mr. LUCAS. I am speaking primarily in reference to whether more night sessions are planned for this week.

Mr. WHERRY. In reply to the Senator I should like to make this observation: If it meets with the approval of the Senate, after the distinguished Senator from South Dakota [Mr. GURNEY] has presented his formal remarks on the selective service bill, which I am informed will take perhaps in the neighborhood of an hour, it is now the intention to ask unanimous consent that Senate bill 2655 be temporarily laid aside, and that the Senate take up Calendar 1298, House Joint Resolution 296, which we term the status quo Social Security Act, and to have it presented to the Senate. I am informed by the distinguished chairman of the Finance Committee, the Senator from Colorado [Mr. MILLIKIN], that he hopes to have action on that measure concluded within an hour.

Then there are three appropriation bills ready for consideration: The Labor-Federal Security appropriation bill, the District of Columbia appropriation bill, and the legislative appropriation bill; and the chairman of the Appropriations Committee has asked that they be taken up following the consideration of House Joint Resolution 296.

If that is concluded tomorrow, and if we continue the debate on the Selective Service Act, I say to the distinguished Senator that it is our intention, if it meets with the approval of the Senate, to have the Senate continue in session until 5 o'clock or perhaps 6:30 o'clock tomorrow evening, and then have a session on Friday, but not have a session tomorrow night, unless it becomes apparent tomorrow that it is absolutely necessary to do so.

It is not our intention now to have a session on Saturday, unless it becomes apparent that such a session will be necessary in order to secure action on the measures I have indicated and to get the debate on the Selective Service Act under way.

Mr. LUCAS. I was inquiring particularly about Saturday, because certain Members of the Senate on this side of the aisle have made a specific request that a session on Saturday be avoided, if possible, in view of the fact that they will be away.

Mr. WHERRY. I think the distinguished Senator's request should be given full consideration, and I am inclined to agree with it.

I ask the acting minority leader this question: If it becomes necessary to work extra hours, would the Senator prefer to have a session tomorrow night or Friday night or a session on Saturday?

Mr. LUCAS. Of course, I shall confer with the other Members of the Senate, on this side of the aisle, but I say now that I should prefer to have a brief session on Friday night, rather than a long session on Saturday, because on Saturdays it is difficult to obtain a quorum.

Mr. WHERRY. I say now that I think it is planned not to have a session tomorrow night and not to have a session on Saturday, but that will be contingent on our being able to obtain a quorum.

I wish to state that I deeply appreciate the cooperation of Senators during the long session today, which now has lasted nearly 12 hours. Several Members of the Senate have said jokingly that I am a Simon Legree and a slave driver. I deeply appreciate the cooperation Senators have given today and the quorums which have been present.

Mr. LUCAS. Did the Senator say that remark was made jokingly?

Mr. WHERRY. I think it was made jokingly. Certainly there has been fine cooperation, and I appreciate it.

Mr. LANGER. Mr. President, can the Senator tell us when it is expected that the long-range agricultural program bill will be reached?

Mr. WHERRY. Mr. President, I myself am deeply interested in that matter. I have asked that question, but I must say that, of course, we are taking just one week at a time.

Mr. TAFT. Mr. President, if the Senator will yield to me, let me say that possibly if the Senator from North Dakota will not offer to that bill some amendments which it is understood he is con-

sidering offering, we shall reach that measure more quickly.

Mr. WHERRY. Perhaps so.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. AIKEN. I should like to say that today I have been receiving communications from farmers and farm organizations all over the United States, due to rumors which went out from Washington yesterday to the effect that the House and Senate policy leaders were making no plans for including in the agenda for the rest of this session of Congress the long-range farm-program bill. To my mind, it is absolutely unthinkable that the Congress would adjourn and go home without enacting that proposed legislation.

So far I am concerned, I would prefer to have the Congress remain in session all summer, rather than let down the farmers of the United States, as will certainly be the case if the Congress does not act upon that program.

Furthermore, it is essential that it be acted upon very soon, because the House of Representatives has not acted upon it, either; and undoubtedly it will be necessary to have a conference before that legislation can be consummated.

But if that cannot be done before the 19th of June, I, for one, would insist that the Congress return thereafter, and remain in session until that measure—possibly the most vital piece of legislation to come before the Congress this year—is acted upon.

Mr. WHERRY. Mr. President, I deeply appreciate the observations which my colleague the Senator from Vermont, the Chairman of the subcommittee of the Committee on Agriculture, has made. I am very sympathetic with the observations he has made. I assure him that so far as I personally am concerned, after the program for this week has been completed, we shall look into the long-range farm program bill with the idea that we shall reach its consideration.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. LUCAS. I think it is only fair that the acting minority leader state that he wholeheartedly agrees with the Senator from Vermont with respect to the long-range farm program bill. The Senator from Illinois happens to be a member of the Committee on Agriculture and Forestry, and an immeasurable amount of time has been spent in the preparation of that bill.

I certainly hope that the Republican policy committee will include in their "must" program this long-range farm and agricultural program bill, because I do not see how the Congress can adjourn without giving serious consideration to that measure, along with some other measures which, according to the newspaper accounts, have not been included in the program which has been submitted or at least given out to the newspapers in regard to what the majority expect to do between now and the 19th of June.

Mr. WHERRY. Mr. President, I have announced the program for the week. If we consider the Executive Calendar at this time, we shall transact some additional business.

I assure the acting minority leader that as the days pass, the program will be outlined in advance, as we have done throughout the session, and more information upon it will be obtained in that way.

Mr. President, has the question been put?

The PRESIDING OFFICER. No; it has not.

Mr. WHERRY. I ask that the question be put.

## EXECUTIVE SESSION

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. IVES in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GURNEY, from the Committee on Armed Services:

Maj. Gen. Brehon Burke Somerville, United States Army, retired, and sundry other officers, for advancement on the retired list;

Gen. Lucius DuBignon Clay, O9318, Army of the United States (major general, U. S. Army), to be commander in chief and military governor, United States zone, Germany, with the rank of general;

Lt. Gen. Clarence Ralph Huebner, O4552, Army of the United States (major general, U. S. Army), to be deputy commander in chief, United States zone, Germany, and commanding general, United States Army, Europe, with the rank of lieutenant general;

Lt. Gen. Willis Dale Crittenberger, O3548, Army of the United States (major general, U. S. Army), to be senior United States Army member of the Military Staff Committee of the United Nations, with the rank of lieutenant general, vice Lt. Gen. Matthew Bunker Ridgway;

Maj. Gens. Ray Edison Porter and John Wilson O'Daniel, Army of the United States, for appointment as major generals in the Regular Army of the United States, and Col. David Lewis Ruffner, Army of the United States, to be a brigadier general in the Regular Army of the United States; and

Rear Adm. George L. Russell, United States Navy, to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of 4 years.

By Mr. BUCK, from the Committee on Banking and Currency:

Richard B. McEntire, of Kansas, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1953.

## TREATIES

The PRESIDING OFFICER. The next order of business is the call of the calendar. The clerk will state the first item on the calendar.

Mr. VANDENBERG. Mr. President, before taking up the first treaty on the calendar, I wish to make a very brief statement to the Senate. I am asking the Senate tonight to act upon four treaties, each one of which is essentially technical in character, none of which, I can assure the Senate, involves any of the kind of questions which usually have been the subject of high controversy on the floor of the Senate during this session.

Each one of the treaties represents the culmination of many, many months of technical work by the experts of the Government. Each one of the treaties represents a unanimous finding by the Senate Foreign Relations Committee. I sent to every Senator last week end a letter including each one of these treaties with an urgent request that they be given advance study as far as possible, and that I be notified if there were any objections. I have heard none. As each treaty is presented, a very brief statement can be made, which I think will indicate the justification for ratification.

With this preliminary statement, I ask the Chair to lay before the Senate first the treaty regarding international telecommunication.

## INTERNATIONAL TELECOMMUNICATIONS CONVENTION

The Senate, as in Committee of the Whole, proceeded to consider the convention with annexes, Executive B (80th Cong., 2d sess.), an International Telecommunications Convention with annexes; a final protocol to the convention; and radio regulations annexed to the convention, with appendixes, signed at Atlantic City on October 2, 1947, by the delegates of the United States of America and by delegates of certain other countries, which was read the second time.

The PRESIDING OFFICER. The convention with annexes is open to amendment. If there be no amendment to be proposed, the convention with annexes will be reported to the Senate.

The convention with annexes was reported to the Senate without amendment.

Mr. VANDENBERG. Mr. President, the distinguished Senator from Maine had hoped to be present to make a brief statement regarding this treaty. He, I think we can all concede, is the best-informed man in the Senate in respect to the subject matter involved in the treaty, the subject matter being the revision of the Madrid Convention, the reconsideration of the Cairo radio regulations, the establishment of an international high-frequency broadcasting organization, and the allocation of frequencies to the service of high-frequency broadcasting. An orderly system of international rule and practice, which would give assurance of the largest and most efficient use of radio internationally with a minimum of interference and friction in the use of the available airways, is the matter involved.

I am very sure that the chairman of the committee would be at a total loss to understand the technicalities of the treaty even if it were explained for days.

Therefore, the action which he recommends to the Senate is based upon the same reasons which he believes justify the Senate in accepting the treaty. I make this simple statement in respect to it.

The Senator from Maine, at the conclusion of his report, which is the report I sent to every Senator last week end, certifies as follows:

No governmental agency opposes ratification of this treaty, and I know of no American commercial interest which has raised its voice against ratification. There is an extraordinary unanimity of view among all interests that the Senate should take prompt and affirmative action. I urge this course upon the committee and upon the Senate.

Mr. President, I know the Senate Foreign Relations Committee felt—a feeling which I am sure the Senate will share—that when the Senator from Maine was willing to devote his recuperating strength during the last 3 weeks to a careful study of this treaty, the judgment of the Senator from Maine on a subject of this nature was of paramount value, and in view of a total lack of opposition, either in public or by private interests in the United States, in respect to this area of action, I believe the Senate will be of opinion that the Senator's approval of the treaty, which may perhaps be his final formal act in connection with his distinguished public service, deserves the ratification which the committee itself has given.

Mr. President, I submit that the treaty is entitled to be ratified.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of Executive B, Eightieth Congress, second session, the International Telecommunications Convention with annexes; a final protocol to the convention; and radio regulations annexed to the convention, with appendixes, signed at Atlantic City on October 2, 1947, by the delegates of the United States of America and by delegates of certain other countries.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention with annexes is ratified.

## TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION WITH CHINA

Mr. VANDENBERG. Mr. President, I ask that the Senate proceed to consider the Treaty of Friendship, Commerce, and Navigation Between the United States of America and the Republic of China.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive J (80th Cong., 1st sess.), the Treaty of Friendship, Commerce, and Navigation Between the United States of America and the Republic of China, together with a protocol thereto, signed at Nanking on November 4, 1946, which was read the second time as follows:

TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

The United States of America and the Republic of China, desirous of strengthening the bond of peace and the ties of friendship which have happily long prevailed between the two countries by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic and commercial aspirations of the peoples thereof, have resolved to conclude a Treaty of Friendship, Commerce and Navigation, and for that purpose have appointed as their Plenipotentiaries,

The President of the United States of America:

Dr. J. Leighton Stuart, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of China, and

Mr. Robert Lacy Smyth, Special Commissioner and Consul General of the United States of America at Tientsin; and

The President of the National Government of the Republic of China:

Dr. Wang Shih-chieh, Minister for Foreign Affairs of the Republic of China, and

Dr. Wang Hua-cheng, Director of the Treaty Department of the Ministry of Foreign Affairs of the Republic of China;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following Articles:

ARTICLE I

1. There shall be constant peace and firm and lasting friendship between the United States of America and the Republic of China.

2. The Government of each High Contracting Party shall have the right to send to the Government of the other High Contracting Party duly accredited diplomatic representatives, who shall be received and, upon the basis of reciprocity, shall enjoy in the territories of such other High Contracting Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law.

ARTICLE II

1. The nationals of either High Contracting Party shall be permitted to enter the territories of the other High Contracting Party, and shall be permitted to reside, travel and carry on trade throughout the whole extent of such territories. In the enjoyment of the right to reside and travel, the nationals of either High Contracting Party shall be subject, within the territories of the other High Contracting Party, to the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, provided that they shall not be subject to unreasonable interference and that they shall not be required to apply for or carry any travel documents, other than (a) valid passports or (b) other documents of identification issued by the competent authorities of their respective countries.

2. The nationals of either High Contracting Party shall, throughout the whole extent of the territories of the other High Contracting Party, be permitted, without interference, to engage in and to carry on commercial, manufacturing, processing, scientific, educational, religious and philanthropic activities not forbidden by the laws and regulations enforced by the duly constituted authorities; to engage in every profession not reserved exclusively to nationals of the country; to acquire, hold, erect or lease, and occupy appropriate buildings, and to lease appropriate lands, for residential, commercial, manufacturing, processing, professional, scientific, educational, religious, philanthropic and mortuary purposes; to employ agents or employees of their choice regardless of nationality; to do anything incidental to or necessary for the enjoyment of any such rights and privileges; and to exercise all these rights and privileges upon the same terms as nationals of such other High Contracting Party in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

3. The nationals of either High Contracting Party shall not in any case, in the enjoyment of the rights and privileges provided by paragraphs 1 and 2 of this Article, receive treatment with respect to such rights and privileges less favorable than the treatment which is or may hereafter be accorded to the nationals of any third country.

4. Nothing in this Treaty shall be construed to affect existing statutes of either High Contracting Party in relation to immigration or the right of either High Contracting Party to enact statutes relating to immigration; provided, however, that nothing in this paragraph shall prevent the nationals of either High Contracting Party from entering, traveling and residing in the territories of the other High Contracting Party in order to carry on trade between the United States of America and the Republic of China, or to engage in any commercial activity related thereto or connected therewith, upon terms as favorable as are or may hereafter be accorded to the nationals of any third country entering, traveling and residing in such territories in order to carry on trade between such other High Contracting Party and such third country or to engage in commercial activity related to or connected with such trade; and provided further that nothing in the provisions of Section 3 of the Immigration Act of the United States of America dated February 5, 1917, which delimit certain geographical zones for the purpose of restricting immigration, shall be construed as preventing admission into the United States of Chinese persons and persons of Chinese descent.

ARTICLE III

1. As used in this Treaty the term "corporations and associations" shall mean corporations, companies, partnerships and other associations, whether or not with limited liability and whether or not for pecuniary profit, which have been or may hereafter be created or organized under the applicable laws and regulations enforced by the duly constituted authorities.

2. Corporations and associations created or organized under the applicable laws and regulations enforced by the duly constituted authorities within the territories of either High Contracting Party shall be deemed to be corporations and associations of such High Contracting Party and shall have their juridical status recognized within the territories of the other High Contracting Party, whether or not they have a permanent establishment, branch or agency therein. Corporations and associations of either High Contracting Party shall have the right to establish their branch offices in the territories of the other High Contracting Party and to fulfill their functions therein after they have complied with requirements of admission not inconsistent with the provisions of the following paragraph, provided that the right to exercise such functions is accorded by this Treaty or the exercise of such functions is otherwise consistent with the laws and regulations of such other High Contracting Party.

3. The High Contracting Parties, adhering generally to the principle of national treatment with respect to the matters enumerated in this paragraph, agree that corporations and associations of either High Contracting Party shall be permitted, throughout the whole extent of the territories of the other High Contracting Party, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, to engage in and carry on commercial, manufacturing, processing, financial, scientific, educational, religious and philanthropic activities; to acquire, hold, erect or lease, and occupy appropriate buildings, and to lease appropriate lands, for commercial, manufacturing, processing, financial, scientific, educational, religious and philanthropic purposes; to employ agents or employees of their choice regardless of nationality; to do anything incidental to or necessary for the enjoyment of such

rights and privileges; and to exercise all these rights and privileges, without interference, upon the same terms as corporations and associations of such other High Contracting Party unless otherwise provided by the laws of that High Contracting Party. The preceding sentence, and all other provisions of this Treaty according to corporations and associations of the Republic of China rights and privileges upon the same terms as corporations and associations of the United States of America, shall be construed as according such rights and privileges, in any state, territory or possession of the United States of America, upon the same terms as such rights and privileges are or may hereafter be accorded therein to corporations and associations created or organized in other states, territories or possessions of the United States of America.

4. Corporations and associations of either High Contracting Party shall not in any case, in the enjoyment of the rights and privileges provided by this Article, receive treatment with respect to such rights and privileges less favorable than the treatment which is or may hereafter be accorded to corporations and associations of any third country.

ARTICLE IV

1. The nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, rights and privileges with respect to organization of and participation in corporations and associations of such other High Contracting Party, including the enjoyment of rights with respect to promotion and incorporation, the purchase, ownership and sale of shares and, in the case of nationals, the holding of executive and official positions, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, upon the same terms as nationals, corporations and associations of any third country. Corporations and associations of either High Contracting Party, organized or participated in by nationals, corporations and associations of the other High Contracting Party pursuant to the rights and privileges enumerated in this paragraph shall be permitted to exercise the functions for which they are created or organized, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, upon the same terms as corporations and associations that are similarly organized or participated in by nationals, corporations and associations of any third country. With respect to the ownership of stock by nationals, corporations and associations of either High Contracting Party in corporations and associations of the other High Contracting Party engaged in mining on public lands of such other High Contracting Party, neither High Contracting Party shall be obligated by the provisions of this paragraph to accord rights and privileges greater than those which its nationals, corporations and associations receive from the other High Contracting Party.

2. The nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, and in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, the right to organize and participate in, including the right to control and manage, corporations and associations of such other High Contracting Party for engaging in commercial, manufacturing, processing, scientific, educational, religious and philanthropic activities; provided, however, that neither High Contracting Party shall be obligated to accord within its territories to the nationals, corporations and associations of the other High Contracting Party, treatment with respect to such organization and participation, including the right to control and manage, as favorable as that which is or may hereafter be accorded to its own nationals, corporations and associations.

3. Corporations and associations of either High Contracting Party organized and participated in, including those controlled and those managed, by nationals, corporations and associations of the other High Contracting Party pursuant to the rights and privileges enumerated in the preceding paragraph shall be permitted to engage in and carry on such commercial, manufacturing, processing, scientific, education, religious and philanthropic activities within the territories of the High Contracting Party under the laws of which they are organized upon the same terms as corporations and associations of such High Contracting Party organized and participated in, including those controlled and those managed, by its own nationals, corporations and associations, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

ARTICLE V

Should either High Contracting Party hereafter accord rights in respect of exploration for and exploitation of mineral resources in its territories to nationals, corporations or associations of any third country, such rights shall be accorded to nationals, corporations or associations of the other High Contracting Party, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

ARTICLE VI

1. Throughout the whole extent of the territories of each High Contracting Party the nationals of the other High Contracting Party shall receive the most constant protection and security for their persons and property, and shall enjoy in this respect the full protection and security required by international law. To these ends, persons accused of crime shall be brought to trial promptly, and shall enjoy all the rights and privileges which are or may hereafter be accorded by the laws and regulations enforced by the duly constituted authorities; and nationals of either High Contracting Party, while within the custody of the authorities of the other High Contracting Party, shall receive reasonable and humane treatment. In so far as the term "nationals" where used in this paragraph is applicable in relation to property it shall be construed to include corporations and associations.

2. The property of nationals, corporations and associations of either High Contracting Party shall not be taken within the territories of the other High Contracting Party without due process of law and without the prompt payment of just and effective compensation. The recipient of such compensation shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XIX of this Treaty, be permitted without interference to withdraw the compensation by obtaining foreign exchange, in the currency of the High Contracting Party of which such recipient is a national, corporation or association, upon the most favorable terms applicable to such currency at the time application therefor is filed, provided application is made within one year after receipt of the compensation to which it relates. The High Contracting Party allowing such withdrawal reserves the right, if it deems necessary, to allow such withdrawal in reasonable instalments over a period not to exceed three years.

3. The nationals, corporations and associations of either High Contracting Party shall throughout the territories of the other High Contracting Party receive protection and security with respect to the matters enumerated in paragraphs 1 and 2 of this Article, upon compliance with the laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, no less than the protection and security which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party and no less than that which is or may hereafter be accorded to the nationals, corporations and associations of any third country.

4. The nationals, corporations and associations of either High Contracting Party shall enjoy freedom of access to the courts of justice and to administrative tribunals and agencies in the territories of the other High Contracting Party, in all degrees of jurisdiction established by law, both in pursuit and in defense of their rights; shall be at liberty to choose and employ lawyers, interpreters and representatives in the prosecution and defense of their rights before such courts, tribunals and agencies; and shall be permitted to exercise all these rights and privileges, in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities, on terms no less favorable than the terms which are or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party and no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of any third country. Moreover, corporations and associations of either High Contracting Party which do not have a permanent establishment, branch or agency within the territories of the other High Contracting Party shall be permitted to exercise the rights and privileges accorded by the preceding sentence upon the filing, at any time prior to appearance before such courts, tribunals or agencies, of reasonable particulars required by the laws and regulations of such other High Contracting Party without any requirement of registration or domestication. In the case of any controversy susceptible of settlement by arbitration, which involves nationals, corporations or associations of both High Contracting Parties and is covered by a written agreement for arbitration, such agreement shall be accorded full faith and credit by the courts within the territories of each High Contracting Party, and the award or decision of the arbitrators shall be accorded full faith and credit by the courts within the territories of the High Contracting Party in which it was rendered, provided the arbitration proceedings were conducted in good faith and in conformity with the agreement for arbitration.

ARTICLE VII

The dwellings, warehouses, factories, shops, and other places of business, and all premises thereto appertaining, of the nationals, corporations and associations of either High Contracting Party, located in the territories of the other High Contracting Party, shall not be subject to unlawful entry or molestation. There shall not be made any visit to, or any search of, any such dwellings, buildings or premises, nor shall any books, papers or accounts therein be examined or inspected, except under conditions and in conformity with procedures no less favorable than the conditions and procedures prescribed for nationals, corporations and associations of such other High Contracting Party under laws and regulations enforced by the duly constituted authorities within the territories thereof. In no case shall the nationals, corporations or associations of either High Contracting Party in the territories of the other High Contracting Party be treated less favorably with respect to the foregoing matters than the nationals, corporations or associations of any third country. Any visit, search, examination or inspection which may be permissible under the exception stated in this Article shall be made with due regard for, and in such a way as to cause the least possible interference with, the occupants of such

dwellings, buildings or premises or the ordinary conduct of any business or other enterprise.

ARTICLE VIII

1. The nationals, corporations and associations of either High Contracting Party shall be permitted to acquire, hold and dispose of real and other immovable property throughout the territories of the other High Contracting Party subject to the conditions and requirements as prescribed by the laws and regulations of such other High Contracting Party, and, subject to the provisions of the succeeding sentence, the treatment accorded to such nationals, corporations and associations shall not be less favorable than that accorded to nationals, corporations and associations of any third country. In the case of any state, territory or possession of the United States of America which does not now or does not hereafter permit the nationals, corporations and associations of the Republic of China to acquire, hold or dispose of real and other immovable property upon the same terms as nationals, corporations and associations of the United States of America, the provisions of the preceding sentence shall not apply. In that case, the Republic of China shall not be obligated to accord to nationals of the United States of America domiciled in, and to corporations and associations of the United States of America created or organized under the laws of, such state, territory or possession treatment more favorable than the treatment which is or may hereafter be accorded within such state, territory or possession to nationals, corporations and associations of the Republic of China.

2. If a national, corporation or association of either High Contracting Party, whether or not resident and whether or not engaged in business or other activities within the territories of the other High Contracting Party, is on account of alienage prevented by the applicable laws and regulations within such territories from succeeding as devisee, or as heir in the case of a national, to real or other immovable property situated therein, or to interests in such property, then such national, corporation or association shall be allowed a term of three years in which to sell such property or interest, this term to be reasonably prolonged if circumstances render it necessary. The transmission or receipt of such property shall be exempt from the payment of any estate, succession, probate, or administrative taxes or charges other or higher than those now or hereafter imposed in like cases upon the nationals, corporations or associations of the High Contracting Party in whose territory the property is or the interests therein are situated. Moreover, such devisee or heir shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XIX, be permitted without interference to withdraw the proceeds of the sale of such property, by obtaining foreign exchange, in the currency of the High Contracting Party of which the devisee is a national, corporation or association, or of which the heir is a national, during a period not in excess of three years after application therefor, upon the most favorable terms applicable to such currency at the time application for the withdrawal of such proceeds is filed, provided such application is made within one year after receipt of the proceeds of sale to which it relates.

3. Nothing in paragraphs 1 and 2 of this Article shall modify or supersede Article IV of the Treaty of January 11, 1943, between the United States of America and the Republic of China for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters or the paragraph relating to that Article in the exchange of notes accompanying that Treaty.

4. The nationals of either High Contracting Party shall have full power to dispose of personal property of every kind anywhere within the territories of the other High Contracting Party, by testament, donation or otherwise and their heirs, legatees or donees, being persons of whatever nationality or corporations or associations wherever created or organized, whether resident or non-resident and whether or not engaged in business within the territories of the High Contracting Party where such property is situated, shall succeed to such property, and shall be permitted to take possession thereof, either by themselves or by others acting for them, and to retain or dispose of it at their pleasure, exempt from any restrictions, taxes or charges other or higher than those to which the heirs, legatees or donees of nationals of such other High Contracting Party are or may hereafter be subject in like cases. The nationals, corporations and associations of either High Contracting Party shall be permitted to succeed, as heirs, legatees and donees, to personal property of every kind within the territories of the other High Contracting Party, left or given to them by nationals of such other High Contracting Party or by nationals of any third country, and shall be permitted to take possession thereof, either by themselves or by others acting for them, and to retain or dispose of it at their pleasure, exempt from any restrictions, taxes or charges other or higher than those to which the nationals, corporations and associations of such other High Contracting Party are or may hereafter be subject in like cases. Nothing in this paragraph shall be construed to affect the laws and regulations of either High Contracting Party prohibiting or restricting the direct or indirect ownership by aliens or foreign corporations and associations of the shares in, or instruments of indebtedness of, corporations and associations of such High Contracting Party carrying on particular types of activities.

5. The nationals, corporations and associations of either High Contracting Party shall, subject to the exception in paragraph 2 of Article X, receive treatment, in respect of all matters which relate to the acquisition, holding, leasing, possession or disposition of personal property, no less favorable than the treatment which is or may hereafter be received by nationals, corporations and associations of any third country.

ARTICLE IX

The nationals, corporations and associations of either High Contracting Party shall be accorded within the territory of the other High Contracting Party effective protection in the exclusive use of inventions, trademarks and trade names, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities; unauthorized manufacture, use or sale of such inventions, or imitation or falsification of such trademarks and trade names, shall be prohibited, and effective remedy therefor shall be provided by civil action. The nationals, corporations and associations of either High Contracting Party shall be accorded throughout the territory of the other High Contracting Party effective protection in the enjoyment of rights with respect to their literary and artistic works, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities; unauthorized reproduction, sale, diffusion or use of such literary and artistic works shall be prohibited, and effective remedy therefor shall be provided by civil action. In any case, the nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, all rights and privileges of whatever nature in regard to copyrights, patents, trademarks, trade names, and other literary, artistic and industrial property, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities which are or may hereafter be enforced by the duly constituted authorities, upon terms no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party, and, in regard to patents, trademarks, trade names and other industrial property, upon terms no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of any third country.

ARTICLE X

1. The nationals of either High Contracting Party residing within the territories of the other High Contracting Party, and the nationals, corporations and associations of either High Contracting Party engaged in business or in scientific, educational, religious or philanthropic activities within the territories of the other High Contracting Party, shall not be subject to the payment of any internal taxes, fees or charges other or higher than those which are or may hereafter be imposed by laws and regulations enforced by the duly constituted authorities upon the nationals, corporations and associations of such other High Contracting Party. Moreover, in the case of corporations and associations specified in the preceding sentence, such taxes, fees or charges shall not be imposed upon or measured by any income, property, capital or other criterion of measurement in excess of that reasonably allocable or apportionable to the territories of such other High Contracting Party.

2. The nationals, corporations and associations of either High Contracting Party shall not be subject to the payment of any internal taxes, fees or charges imposed by laws and regulations enforced by the duly constituted authorities within the territories of the other High Contracting Party other or higher than those which are or may hereafter be imposed upon the nationals, residents, corporations and associations of any third country, except that the foregoing provisions of this paragraph shall not apply to any advantage in respect of internal taxes, fees or charges which is or may hereafter be granted to the nationals, residents, corporations or associations of any third country, either (a) pursuant to legislation extending the same advantage to all countries, or to the nationals, residents, corporations or associations thereof, on the basis of reciprocity, or (b) in a treaty or other agreement, concluded with such third country for the avoidance of double taxation or the mutual protection of revenue.

ARTICLE XI

Commercial travelers representing manufacturers, merchants and traders domiciled in the territories of either High Contracting Party shall, on their entry into and sojourn in the territories of the other High Contracting Party and on their departure therefrom, be accorded treatment no less favorable than the treatment which is or may hereafter be accorded to commercial travelers of any third country in respect of customs and other privileges and, subject to the exception in paragraph 2 of Article X, in respect of all taxes and charges of whatever denomination applicable to them or to their samples.

ARTICLE XII

1. The nationals of either High Contracting Party shall, throughout the territories of the other High Contracting Party, be permitted to exercise liberty of conscience and freedom of worship and to establish schools for the education of their children, and they may, whether individually, collectively or in religious or educational corporations or associations, and without annoyance or molestation of any kind by reason of their religious belief or otherwise, conduct religious

services and give religious or other instruction, either within their own houses or within any other appropriate buildings, provided that their religious and educational activities are not contrary to public morals and that their educational activities are conducted in conformity with the applicable laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

2. The nationals of either High Contracting Party shall be permitted within the territories of the other high contracting party to bury their dead according to their religious customs in suitable and convenient places which are or may hereafter be established and maintained for the purpose, subject to the mortuary and sanitary laws and regulations, if any, which are or may hereafter be enforced by the duly constituted authorities.

3. Places of worship and cemeteries shall be held in respect and free from disturbance or profanation.

ARTICLE XIII

With respect to that form of protection granted within the territories of either high contracting party by the applicable laws establishing civil liability for bodily injuries or for death, and giving to relatives or heirs or dependents of an injured person a right of action or a pecuniary compensation, such relative or heirs or dependents of the injured person, himself a national of either high contracting party and injured within any of the territories of the other high contracting party, shall, regardless of their alienage or residence outside of the territory where the injury occurred, enjoy the same rights and privileges as are or may hereafter be granted under like conditions to nationals of such other high contracting party.

ARTICLE XIV

1. The nationals of each high contracting party shall be exempt from compulsory military or naval training or service under the jurisdiction of the other high contracting party, and shall also be exempt from all contributions in money or in kind imposed in lieu thereof.

2. During any period of time when both of the High Contracting Parties are, through military or naval action in connection with which there is general compulsory military or naval service, (a) enforcing measures against the same third country or countries in pursuance of obligations for the maintenance of international peace and security, or (b) concurrently conducting hostilities against the same third country or countries, provisions of paragraph 1 of this Article shall not apply. However, in such an event the nationals of either High Contracting Party in the territory of the other High Contracting Party, who have not declared their intention to acquire the nationality of such other High Contracting Party, shall be exempt from military or naval service under the jurisdiction of such other High Contracting Party if within a reasonable time prior to their induction for such service they elect, in lieu of such service, to enter the military or naval service of the High Contracting Party of which they are nationals. In any such situation the High Contracting Parties will make the necessary arrangements for giving effect to the provisions of this paragraph.

3. Nothing in this Article shall be construed to affect the right of either High Contracting Party to debar from acquiring its citizenship any person who seeks and obtains exemption in accordance with the provisions of paragraph 1 or 2 of this Article.

ARTICLE XV

The High Contracting Parties reaffirm their adherence to a program of purposes and policies, open to participation by all other countries of like mind, designed to bring about an expansion of international trade on a broad basis, and directed to the elimination of all forms of discriminatory treatment and monopolistic restrictions in international commerce.

ARTICLE XVI

1. In all matters relating to (a) customs duties and subsidiary charges of every kind imposed on imports or exports and the method of levying such duties and charges, (b) the rules, formalities, and charges imposed in connection with the clearing of articles through the customs, and (c) the taxation, sale, distribution or use within the country of imported articles and of articles intended for exportation, each High Contracting Party shall accord to articles the growth, produce or manufacture of the other High Contracting Party, from whatever place arriving, or to articles destined for exportation to the territories of such other High Contracting Party, by whatever route, treatment no less favorable than the treatment which is or may hereafter be accorded to like articles the growth, produce or manufacture of, or destined for, any third country. If the Government of either High Contracting Party requires documentary proof of origin of imported articles, the requirements imposed therefor shall be reasonable and shall not be such as to constitute an unnecessary hindrance to indirect trade.

2. With respect to the matters referred to in paragraph 1 of this Article, the nationals, corporations and associations, vessels and cargoes of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than is or may hereafter be accorded to the nationals, corporations and associations, vessels and cargoes of any third country. In all matters relating to (a) customs duties and subsidiary charges of every kind imposed on imports or exports and the method of levying such duties and charges, (b) the rules, formalities, and charges imposed in connection with the clearing of articles through the customs, and (c) taxation within the country of imported articles and of articles intended for exportation, the nationals, corporations and associations of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party.

3. No prohibition or restriction of any kind shall be imposed by either High Contracting Party on the importation, sale, distribution or use of any article the growth, produce or manufacture of the other High Contracting Party, or on the exportation of any article destined for the territories of the other High Contracting Party, unless the importation, sale, distribution or use of the like article the growth, produce or manufacture of all third countries, or the exportation of the like article to all third countries, respectively, is similarly prohibited or restricted.

4. If the Government of either High Contracting Party imposes any quantitative regulation on the importation or exportation of any article, or on the sale, distribution or use of any imported article, it shall as a customary practice give public notice of the total quantity or value of such article permitted to be imported, exported, sold, distributed or used during a specified period, and of any change in such quantity or value. Furthermore, if either High Contracting Party allots a share of such total quantity or value to any third country, it shall allot to the other High Contracting Party, with respect to any article in which the latter has an important interest, unless it is mutually agreed to dispense with such an allotment, a share based upon the proportion of the total quantity or value supplied by, or in the case of exports a share based upon the proportion exported to, the territories of such other High Contracting Party during a representative period, account being taken insofar as practicable of any special factors which may have affected or may be affecting the trade in that article. The provisions of this paragraph relating to imported articles shall also apply in respect of limitations upon the quantity or value of any article permitted to be imported free of duty or tax, or at a specified rate of duty or tax.

ARTICLE XVII

1. Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of each High Contracting Party pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective High Contracting Parties except as is or may hereafter be otherwise specifically provided for in statutes of either High Contracting Party with respect to the importation of articles into its insular territories and possessions.

2. No administrative ruling by the Government of either High Contracting Party effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territories of the other High Contracting Party, or imposing any new requirement with respect to such importations, shall as a general rule be applied to articles the growth, produce or manufacture of the other High Contracting Party already en route at the time of publication thereof in accordance with paragraph 1; provided that, if either High Contracting Party customarily exempts from such new or increased obligations articles entered for consumption or withdrawn from warehouse for consumption during a period of thirty days after the date of such publication, such practice shall be considered full compliance with this paragraph. The provisions of this paragraph shall not apply to administrative orders imposing antidumping duties, or relating to regulations for the protection of human, animal or plant life or health, or relating to public safety, or giving effect to judicial decisions.

3. Each High Contracting Party shall provide some procedure, administrative, judicial or otherwise, under which the nationals, corporations and associations of the other High Contracting Party, and importers of articles the growth, produce or manufacture of such other High Contracting Party, shall be permitted to appeal against fines and penalties imposed upon them by the customs authorities, confiscations by such authorities and rulings of such authorities on questions of customs classification and of valuation of articles for customs purposes. Greater than nominal penalties shall not be imposed by either High Contracting Party in connection with any importation by the nationals, corporations or associations of the other High Contracting Party, or in connection with the importation of articles the growth, produce or manufacture of such other High Contracting Party, because of errors in documentation which are obviously clerical in origin or with regard to which good faith can be established.

4. The Government of each High Contracting Party will accord sympathetic consideration to such representations as the Government of the other High Contracting Party may make with respect to the operation or administration of import or export prohibitions or restrictions, quantitative regulations, customs regulations or formalities, or sanitary laws or regulations for the protection of human, animal or plant life or health.

ARTICLE XVIII

1. Articles the growth, produce or manufacture of either High Contracting Party, imported into the territories of the other High Contracting Party, shall be accorded

treatment with respect to all matters affecting internal taxation no less favorable than the treatment which is or may hereafter be accorded to like articles the growth, produce or manufacture of such other High Contracting Party.

2. Articles grown, produced or manufactured within the territories of either High Contracting Party in whole or in part by nationals, corporations and associations of the other High Contracting Party, or by corporations and associations organized or participated in by such nationals, corporations and associations, shall be accorded within such territories treatment with respect to all matters affecting internal taxation, or exportation from such territories, no less favorable than the treatment which is or may hereafter be accorded to like articles grown, produced or manufactured therein in whole or in part by nationals, corporations and associations of the High Contracting Party within the territories of which the articles are grown, produced or manufactured, or by corporations and associations organized or participated in by such nationals, corporations and associations. The articles specified in the preceding sentence shall not in any case receive treatment less favorable than the treatment which is or may hereafter be accorded to like articles grown, produced or manufactured in whole or in part by nationals, corporations and associations of any third country, or by corporations and associations organized or participated in by such nationals, corporations and associations.

ARTICLE XIX

1. If the Government of either High Contracting Party establishes or maintains any form of control of the means of international payment or of international financial transactions, it shall accord fair and equitable treatment to the nationals, corporations and associations and commerce of the other High Contracting Party with respect to all aspects of such control.

2. The Government establishing or maintaining such control shall impose no prohibition, restriction or delay on the transfer of payment for any article the growth, produce or manufacture of the other High Contracting Party which is not imposed on the transfer of payment for the like article the growth, produce or manufacture of any third country. With respect to the rates of exchange and with respect to taxes or charges on exchange transactions, articles the growth, produce or manufacture of the other High Contracting Party shall be accorded treatment no less favorable than the treatment which is or may hereafter be accorded to like articles the growth, produce or manufacture of any third country. The provisions of this paragraph shall also extend to the application of such control to payments necessary for or incidental to the importation of articles the growth, produce or manufacture of the other High Contracting Party. In general, any such control shall be administered so as not to influence to the disadvantage of the other High Contracting Party the competitive relationships between articles the growth, produce or manufacture of such other High Contracting Party and like articles the growth, produce or manufacture of any third country.

3. In all that relates to the transfer of profits, dividends, interest, payments for imported articles, and of other funds, to loans and to any other international financial transactions, either between the territories of the two High Contracting Parties or between the territories of the High Contracting Party the Government of which establishes or maintains the control referred to in paragraph 1 of this article and the territories of any third country, the Government establishing or maintaining the control shall accord to the nationals, corporations and associations of the other High Contracting Party treatment no less favorable than the treatment which is or may hereafter be accorded to its own nationals, corporations and associations, and no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of any third country which make or receive like transfers and loans, and which are parties to like transactions, between the territories of the same two countries. Moreover, the Government establishing or maintaining such control shall accord to the nationals, corporations and associations of the other High Contracting Party, in all that relates to any such transfers, loans and other transactions between the territories of the two High Contracting Parties, treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of any third country which make or receive like transfers and loans, and which are parties to like transactions, between the territories of the High Contracting Party the Government of which establishes or maintains the control and the territories of such third country. The treatment accorded by this paragraph shall apply to the rates of exchange and to any prohibition, restriction, delay, tax or other charge on the transfers, loans and other transactions covered by this paragraph; and such treatment shall aply whether the transfers, loans and other transactions take place directly or through an intermediary or intermediaries in a country or countries not parties to this Treaty. In general, any such control shall be administered so as not to influence to the disadvantage of the other High Contracting Party the competitive relationships between the nationals, corporations and associations of such other High Contracting Party and the nationals, corporations and associations of any third country.

ARTICLE XX

1. If the Government of either High Contracting Party establishes or maintains a monopoly or public agency for the importation, exportation, purchase, sale, distribution or production of any article, or grants exclusive privileges to any agency to import, export, purchase, sell, distribute or produce any article, such monopoly or agency shall accord to the commerce of the other High Contracting Party fair and equitable treatment in respect of its purchases of articles the growth, produce or manufacture of foreign countries and its sales of articles destined for foreign countries. To this end the monopoly or agency shall, in making such purchases or sales of any article, be influenced solely by considerations, such as price, quality, marketability, transportation and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms. If the Government of either High Contracting Party establishes or maintains a monopoly or agency for the sale of any service or grants exclusive privileges to any agency to sell any service, such monopoly or agency shall accord fair and equitable treatment to the other High Contracting Party and to the nationals, corporations, associations and commerce thereof in respect of transactions involving such services as compared with the treatment which is or may hereafter be accorded to any third country and to the nationals, corporations, associations and commerce thereof.

2. The Government of each High Contracting Party, in the awarding of concessions and other contracts, and in the purchasing of supplies, shall accord fair and equitable treatment to the nationals, corporations and associations and to the commerce of the other High Contracting Party as compared with the treatment which is or may hereafter be accorded to the nationals, corporations and associations and to the commerce of any third country.

ARTICLE XXI

1. Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either High Contracting Party, and carrying the papers required by its national law in proof of nationality, shall be deemed to be vessels of that High Contracting Party both within the ports, places and waters of the other High Contracting Party and on the high seas. As used in this Treaty, "vessels" shall be construed to include all vessels of either High Contracting Party whether privately owned or operated or publicly owned or operated. However, the provisions of this Treaty other than this paragraph and paragraph 5 of Article XXII shall not be construed to accord rights to vessels of war or fishing vessels of the other High Contracting Party; nor shall they be construed to extend to the nationals, corporations and associations, vessels and cargoes of, or to articles the growth, produce or manufacture of, such other High Contracting Party any special privileges restricted to national fisheries or to the products thereof.

3. The vessels of either High Contracting Party shall have liberty, equally with the vessels of any third country, to come with their cargoes to all ports, places and waters of the other High Contracting Party which are or may hereafter be open to foreign commerce and navigation.

ARTICLE XXII

1. The vessels and cargoes of either High Contracting Party shall, within the ports, places and waters of the other High Contracting Party, in all respects be accorded treatment no less favorable than the treatment accorded to the vessels and cargoes of such other High Contracting Party, irrespective of the port of departure or the port of destination of the vessel, and irrespective of the origin or the destination of the cargo.

2. No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges, of whatever kind or denomination, levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports, places and waters of either High Contracting Party upon the vessels of the other High Contracting Party, which shall not equally and under the same conditions be imposed upon national vessels.

3. No charges upon passengers, passenger fares or tickets, freight moneys paid or to be paid, bills of lading, contracts of insurance or re-insurance, no conditions relating to the employment of ship brokers, of whatever nationality, and no other charges or conditions of any kind, shall be imposed in a way tending to accord any advantage to vessels of either High Contracting Party as compared with the vessels of the other High Contracting Party.

4. Within the ports, places and waters of each High Contracting Party which are or may hereafter be open to foreign commerce and navigation, competent pilots shall be made available to take the vessels of the other High Contracting Party into and out of such ports, places and waters.

5. If a vessel of either High Contracting Party shall be forced by stress of weather or by reason of any other distress to take refuge in any of the ports, places or waters of the other High Contracting Party not open to foreign commerce and navigation, it shall receive friendly treatment and assistance and such supplies and materials for repair as may be necessary and available. This paragraph shall apply to vessels of war and fishing vessels, as well as to vessels as defined in paragraph 2 of Article XXI.

6. In no case shall the treatment accorded to the vessels and cargoes of either High Contracting Party with respect to the matters referred to in this Article be less favorable than

the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

ARTICLE XXIII

1. It shall be permissible, in the vessels of either High Contracting Party, to import into the territories of the other High Contracting Party, or to export therefrom, all articles which it is or may hereafter be permissible to import into such territories, or to export therefrom, in the vessels of such other High Contracting Party without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in vessels of such other High Contracting Party.

2. Bounties, drawbacks and other privileges of this nature of whatever kind or denomination which are or may hereafter be allowed, in the territories of either High Contracting Party, on articles imported or exported in national vessels shall also and in like manner be allowed on articles imported or exported in vessels of the other High Contracting Party.

ARTICLE XXIV

1. Vessels of either High Contracting Party shall be permitted to discharge portions of cargoes at any ports, places or waters of the other High Contracting Party which are or may hereafter be open to foreign commerce and navigation, and to proceed with the remaining portions of such cargoes to any other such ports, places or waters, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner, in the same voyage outward, at the various ports, places and waters which are or may hereafter be open to foreign commerce and navigation. The vessels and cargoes of either High Contracting Party shall be accorded, with respect to the matters referred to in this paragraph, treatment in the ports, places and waters of the other High Contracting Party no less favorable than the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

2. Should either High Contracting Party accord the rights of inland navigation or coasting trade to vessels of any third country such rights would similarly be accorded to the vessels of the other High Contracting Party. The coasting trade and inland navigation of each High Contracting Party are excepted from the requirement of national treatment and are to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that vessels of either High Contracting Party shall enjoy within the territory of the other High Contracting Party with respect to the coasting trade and inland navigation treatment as favorable as the treatment accorded to the vesels of any third country. Trade between either High Contracting Party and its insular territories or possessions shall be considered coasting trade within the meaning of this paragraph.

ARTICLE XXV

There shall be freedom of transit through the territories of each High Contracting Party by the routes most convenient for international transit (a) for persons, whether or not they are nationals of the other High Contracting Party, together with their baggage, directly or indirectly coming from or going to the territories of such other High Contracting Party, (b) for persons who are nationals of the other High Contracting Party, together with their baggage, regardless of whether they are coming from or going to the territories of such other High Contracting Party, and (c) for articles directly or indirectly coming from or going to the territories of such other High Contracting Party. Such persons, baggage and articles in transit shall not be subject to any transit duty, to any unnecessary delays or restrictions, or to any discrimination in respect of charges, facilities or any other matter; and all charges and regulations prescribed in respect of such persons, baggage or articles shall be reasonable, having regard to the conditions of the traffic. Except as may hereafter be agreed by the High Contracting Parties with respect to non-stop flight by aircraft, the Government of either High Contracting Party may require that such baggage and articles be entered at the proper customhouse and that they be kept in customs custody whether or not under bond; but such baggage and articles shall be exempt from all customs duties or similar charges if such requirements for entry and retention in customs custody are complied with and if they are exported within one year and satisfactory evidence of such exportation is presented to the customs authorities. Such nationals, baggage, persons and articles shall be accorded treatment with respect to all charges, rules and formalities in connection with transit no less favorable than the treatment accorded to the nationals of any third country, together with their baggage, or to persons and articles coming from or going to the territories of any third country.

ARTICLE XXVI

1. Nothing in this Treaty shall be construed to prevent the adoption or enforcement of measures:

(a) relating to the importation or exportation of gold or silver;

(b) relating to the traffic in arms, ammunition and implements of war, and, in exceptional circumstances, all other military supplies;

(c) relating to the exportation of national treasures of historical, archaeological or artistic value;

(d) necessary in pursuance of obligations for the maintenance of international peace and security, or for the protection of the essential interests of the country in time of national emergency; or

(e) imposing exchange restrictions in conformity with the Articles of Agreement of the International Monetary Fund, signed December 27, 1945, so long as the High Contracting Party imposing the restrictions is a member of the Fund, provided that neither High Contracting Party shall utilize its privileges under section 3 of Article VI or section 2 of Article XIV of such Agreement in such a manner as to impair any of the provisions of this Treaty.

2. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either High Contracting Party against the other High Contracting Party or against the nationals, corporations, associations, vessels or commerce thereof, in favor of any third country or the nationals, corporations, associations, vessels or commerce thereof, the provisions of this Treaty shall not extend to prohibitions or restrictions:

(a) imposed on moral or humanitarian grounds;

(b) designed to protect human, animal, or plant life or health;

(c) relating to prison-made goods; or

(d) relating to the enforcement of police or revenue laws.

3. The provisions of this Treaty according treatment no less favorable than the treatment accorded to any third country shall not apply to:

(a) advantages which are or may hereafter be accorded to adjacent countries in order to facilitate frontier traffic;

(b) advantages accorded by virtue of a customs union of which either High Contracting Party may, after consultation with the Government of the other High Contracting Party, become a member so long as such advantages are not extended to any country which is not a member of such customs union; or

(c) advantages accorded to third countries pursuant to a multilateral convention of general applicability, including a trade area of substantial size, having as its objective the liberalization and promotion of international trade or other international economic intercourse, and open to adoption by all the United Nations.

4. The stipulations of this Treaty do not extend to advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, to the Republic of Cuba, or to the Republic of the Philippines. The provisions of this paragraph shall continue to apply in respect of any advantages which are or may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change which may take place in the political status of any of the territories or possessions of the United States of America.

5. The provisions of this Treaty shall not be construed to accord any rights or privileges to corporations and associations engaged in political activities or with respect to the organization of or participation in such corporations and associations. Moreover, each High Contracting Party reserves the right to deny any of the rights and privileges accorded by this Treaty to any corporation or association created or organized under the laws and regulations of the other High Contracting Party which is directly or indirectly owned or controlled, through majority stock ownership or otherwise, by nationals, corporations or associations of any third country or countries.

ARTICLE XXVII

Subject to any limitation or exception provided in this Treaty or hereafter agreed upon between the Governments of the High Contracting Parties, the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to comprise all areas of land and water under the sovereignty or authority of either High Contracting Party, except the Panama Canal Zone.

ARTICLE XXVIII

Any dispute between the Governments of the two High Contracting Parties as to the interpretation or the application of this Treaty, which the High Contracting Parties can not satisfactorily adjust by diplomacy, shall be submitted to the International Court of Justice unless the High Contracting Parties shall agree to settlement by some other pacific means.

ARTICLE XXIX

1. This Treaty shall, upon its entry into force, supersede provisions of the following treaties between the United States of America and the Republic of China in so far as such provisions have not previously been terminated:

(a) Treaty of Peace, Amity and Commerce, signed at Wang Hea, July 3, 1844;

(b) Treaty of Peace, Amity, and Commerce, signed at Tientsin, June 18, 1858;

(c) Treaty Establishing Trade Regulations and Tariff, signed at Shanghai, November 8, 1858;

(d) Treaty of Trade, Consuls and Emigration, signed at Washington, July 28, 1868;

(e) Immigration Treaty, signed at Peking, November 17, 1880;

(f) Treaty as to Commercial Intercourse and Judicial Procedure, signed at Peking, November 17, 1880;

(g) Treaty as to Commercial Relations, signed at Shanghai, October 8, 1903;

(h) Treaty Establishing Rates of Duty on Imports Into China, signed at Washington, October 20, 1920; and

(i) Treaty Regulating Tariff Relations, signed at Peiping, July 25, 1928.

2. Nothing in this Treaty shall be construed to limit or restrict in any way the rights, privileges and advantages accorded by the Treaty for the Relinquishment of Extraterritorial Rights in China and the Regulation of Related Matters and accompanying exchange of notes between the United States of America and the Republic of China signed at Washington on January 11, 1943.

ARTICLE XXX

1. This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Nanking as soon as possible.

2. This Treaty shall enter into force on the day of the exchange of ratifications, and shall continue in force for a period of five years from that day.

3. Unless one year before the expiration of the aforesaid period of five years the Government of either High Contracting Party shall have given notice to the Government of the other High Contracting Party of intention to terminate this Treaty upon the expiration of the aforesaid period, the Treaty shall continue in force thereafter until one year from the date on which notice of intention to terminate it shall have been given by either High Contracting Party.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed this Treaty and have affixed hereunto their seals.

DONE in duplicate, in the English and Chinese languages, both equally authentic, at Nanking, this fourth day of November, one thousand nine hundred forty-six, corresponding to the fourth day of the eleventh month of the thirty-fifth year of the Republic of China.

J. LEIGHTON STUART [SEAL]
ROBERT LACY SMYTH [SEAL]
WANG SHIH-CHIEH [SEAL]
WANG HUA-CHENG [SEAL]

---

PROTOCOL

At the moment of signing this day the Treaty of Friendship, Commerce and Navigation between the United States of America and the Republic of China, the undersigned Plenipotentiaries have agreed upon the present Protocol which shall have the same validity as if provisions were inserted in the text of the Treaty to which it refers:

1. The provisions of Article II, paragraph 1, shall not be deemed to affect the right of either High Contracting Party to enforce statutes prescribing reasonable requirements concerning the registration of aliens within its territories, it being understood that identity cards which are now or may hereafter be required by the duly constituted authorities of such High Contracting Party shall be valid throughout the entire extent of the territories of that High Contracting Party, and that treatment accorded to nationals of such other High Contracting Party with respect to such requirements shall not be less favorable than that accorded to nationals of any third country.

2 (a). Without prejudice to rights given elsewhere in the Treaty, Article II, paragraph 2, refers only to rights and privileges to be enjoyed by nationals of either High Contracting Party as individuals, and shall not be construed to imply the right of such nationals to form corporations or associations on the same terms as nationals of the other High Contracting Party.

(b) The words "not forbidden by the laws and regulations enforced by the duly constituted authorities", as used in Article II, paragraph 2, shall be construed to mean such prohibitory laws and regulations as are applicable alike to nationals of the country and to nationals of the other High Contracting Party.

3. Rights in respect of "exploration for and exploitation of" mineral resources as referred to in Article V shall be construed to mean the rights to conduct mining enterprises and operations, as distinct from the ownership by nationals, corporations or associations of one High Contracting Party of interests in corporations or associations of the other High Contracting Party which are or may be engaged in mining operations in the territory of such other High Contracting Party.

4. The provisions of Article VIII, paragraph 1, shall not be construed to limit in any way rights or privileges accorded in other provisions of the Treaty with respect to real or other immovable property.

5 (a). The word "unauthorized", as used in Article IX, shall be construed to mean unauthorized by the owner of the industrial, literary or artistic property in any given case.

(b) The provision in the first sentence and in the second sentence of Article IX, that "effective remedy therefor shall be provided by civil action" shall not be construed to preclude remedies by other than civil action if such remedies are provided for by laws and regulations which are or may hereafter be enforced by the duly constituted authorities.

(c) So long as the laws and regulations of either High Contracting Party do not accord to its own nationals, corporations and associations protection against translations, the provisions of the third sentence of Article IX shall not be construed to obligate that High Contracting Party to accord to nationals, corporations or associations of the other High Contracting Party protection against translations.

6. Without prejudice to rights which are otherwise enjoyed or may hereafter be enjoyed, the word "grown" as used in Article XVIII, paragraph 2, shall not be construed to confer any right upon nationals, corporations or associations of either High Contracting Party to engage in agriculture within the territories of the other High Contracting Party.

7. The words "international financial transactions", as used in Article XIX, paragraph 3, shall be construed to include importation or exportation of paper money and governmental securities, it being understood that each High Contracting Party retains the right to adopt or enforce measures relating to such importation or exportation, provided the measures do not discriminate against nationals, corporations and associations of the other High Contracting Party in a manner contrary to the provisions of that paragraph.

8. The concluding sentence of paragraph 1 of Article XX shall not be construed to apply to postal services.

9. The words "gold or silver", as used in Article XXVI, paragraph 1, shall be construed to include bullion and coin.

10. Advantages which are or may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba or to the Republic of the Philippines as stipulated in Article XXVI, paragraph 4, whenever extended to any other country, shall similarly be extended to the Republic of China.

J. LEIGHTON STUART
ROBERT LACY SMYTH
WANG SHIH-CHIEH
WANG HUA-CHENG

The PRESIDING OFFICER. The treaty and protocol are open to amendment. If there be no amendment to be proposed, the treaty and protocol will be reported to the Senate.

The treaty and protocol were reported to the Senate without amendment.

Mr. VANDENBERG. Mr. President, this treaty was examined for a long time by a subcommittee of the Foreign Relations Committee of which the distinguished Senator from Utah [Mr. THOMAS] was chairman, and I should like to defer to him for a brief statement regarding the treaty and the reservation.

Mr. THOMAS of Utah. Mr. President, this is the first treaty between China and a western country, wherein China has met with the western country on an equal basis—the first treaty, of course, since the renunciation of extraterritoriality. The treaty lays the foundation for commercial relations with China on a plane in accordance with what may be called the ideal American notion in regard to trade.

The reservation was found necessary because there was some question about translations, and that question having raised other questions, it seemed better to base the treaty upon our former treaties with China, and to rely upon a future bilateral agreement with China dealing with the protection of translations.

A reservation was, therefore, attached, since which time I have found no one objecting to the treaty. I think it is ready for acceptance by the Senate.

The PRESIDING OFFICER. The resolution of ratification with the reservation will be read.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of Executive J, Eightieth Congress, first session, the Treaty of Friendship, Commerce, and Navigation Between the United States of America and the Republic of China, together with a protocol thereto, signed at Nanking on November 4, 1946, subject to the following reservation:

The Government of the United States of America does not accept section 5 (c) of the protocol relating to protection against translations of literary and artistic works, and with the understanding that United States interests in this respect will be interpreted in accordance with the provisions of the treaty as to commercial relations signed at Shanghai, October 8, 1903, until further negotiations and agreement concerning translations are forthcoming. The United States stands ready to enter into immediate negotiations with China for further improvement in copyright relationships with particular emphasis upon the desire of the United States to afford protection of translations. The Senate is of the opinion that the protection of the author of literary and artistic property in the exclusive right to translate or authorize the translation of his works is of importance as a matter of justice to the author and is of equal importance as a means for assuring a true translation and faithful presentation for peoples who must receive it in a language other than the original. Under present-day conditions, such protection is essential to promote effective diffusion of literary and artistic works and to encourage responsible industries engaged in the production of such works within a country.

The Senate further understands that the treaty does not obligate either party to extend most-favored-nation treatment with respect to copyright.

The PRESIDING OFFICER. The question is on agreeing to the reservation to the resolution of ratification.

The reservation was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification with the reservation. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification, with the

reservation, is agreed to, and the treaty and protocol are ratified.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION WITH THE ITALIAN REPUBLIC

Mr. VANDENBERG. Mr. President, I ask that the Treaty of Friendship, Commerce, and Navigation Between the United States of America and the Italian Republic be now considered.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive E (80th Cong., 2d sess.). The Treaty of Friendship, Commerce, and Navigation Between the United States of America and the Italian Republic, together with a protocol and an additional protocol, relating thereto, signed at Rome on February 2, 1948, which was read the second time, as follows:

TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE ITALIAN REPUBLIC

The UNITED STATES OF AMERICA and the ITALIAN REPUBLIC, desirous of strengthening the bond of peace and the traditional ties of friendship between the two countries and of promoting closer intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic and commercial aspirations of their peoples, have resolved to conclude a Treaty of Friendship, Commerce and Navigation based in general upon the principles of national and of most-favored-nation treatment in the unconditional form, and for that purpose have appointed as their Plenipotentiaries.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

Mr. JAMES CLEMENT DUNN, *Ambassador Extraordinary and Plenipotentiary of the United States of America to the Italian Republic,*

and,

THE PRESIDENT OF THE ITALIAN REPUBLIC:

The Honorable CARLO SFORZA, *Minister Secretary of State for Foreign Affairs.*

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following Articles:

ARTICLE I

1. The nationals of either High Contracting Party shall be permitted to enter the territories of the other High Contracting Party, and shall be permitted freely to reside and travel therein.

2. The nationals of either High Contracting Party shall, within the territories of the other High Contracting Party, be permitted, without interference, to exercise, in conformity with the applicable laws and regulations, the following rights and privileges upon terms no less favorable than those now or hereafter accorded to nationals of such other High Contracting Party:

(*a*) to engage in commercial, manufacturing, processing, financial, scientific, educational, religious, philanthropic and professional activities except the practice of law;

(*b*) to acquire, own, erect or lease, and occupy appropriate buildings, and to lease appropriate lands, for residential, commercial, manufacturing, processing, financial, professional, scientific, educational, religious, philanthropic, and mortuary purposes;

(*c*) to employ agents and employees of their choice regardless of nationality; and

(*d*) to do anything incidental to or necessary for the enjoyment of any of the foregoing rights and privileges.

3. Moreover, the nationals of either High Contracting Party shall not in any case, with respect to the matters referred to in paragraphs 1 and 2 of this Article, receive treatment less favorable than the treatment which is or may hereafter be accorded to the nationals of any third country.

4. The provisions of paragraph 1 of this Article shall not be construed to preclude the exercise by either High Contracting Party of reasonable surveillance over the movement and sojourn of aliens within its territories or the enforcement of measures for the exclusion or expulsion of aliens for reasons of public order, morals, health or safety.

ARTICLE II

1. As used in this Treaty the term "corporations and associations" shall mean corporations, companies, partnerships and other associations, whether or not with limited liability and whether or not for pecuniary profit, which have been or may hereafter be created or organized under the applicable laws and regulations.

2. Corporations and associations created or organized under the applicable laws and regulations within the territories of either High Contracting Party shall be deemed to be corporations and associations of such High Contracting Party and shall have their juridical status recognized within the territories of the other High Contracting Party whether or not they have a permanent establishment, branch or agency therein.

3. Corporations and associations of either High Contracting Party shall, within the territories of the other High Contracting Party, be permitted, without interference, to exercise all the rights and privileges enumerated in paragraph 2 of Article I, in conformity with the applicable laws and regulations, upon terms no less favorable than those now or hereafter accorded to corporations and associations of such other High Contracting Party. The preceding sentence, and all other provisions of this Treaty according to corporations and associations of the Italian Republic rights and privileges upon terms no less favorable than those now or hereafter accorded to corporations and associations of the United States of America, shall be construed as according such rights and privileges, in any state, territory or possession of the United States of America, upon terms no less favorable than those upon which such rights and privileges are or may hereafter be accorded therein to corporations and associations created or organized in other states, territories or possessions of the United States of America.

4. Moreover, corporations and associations of either High Contracting Party shall not in any case, with respect to the matters referred to in this Article, receive treatment less favorable than the treatment which is or may hereafter be accorded to corporations and associations of any third country.

ARTICLE III

1. The nationals, corporations and associations of either High Contracting Party shall enjoy, throughout the territories of the other High Contracting Party, rights and privileges with respect to organization of and participation in corporations and associations of such other High Contracting Party, including the enjoyment of rights with respect to promotion and incorporation, the purchase, ownership and sale of shares and, in the case of nationals, the holding of executive and official positions, in conformity with the applicable laws and regulations, upon terms no less favorable than those now or hereafter accorded to nationals, corporations and associations of any third country. Corporations and associations of either High Contracting Party, organized or participated in by nationals, corporations and associations of the other High Contracting Party pursuant to the rights and privileges enumerated in this paragraph, and controlled by such nationals, corporations and associations, shall be permitted to exercise the functions for which they are created or organized, in conformity with the applicable laws and regulations, upon terms no less favorable than those now or hereafter accorded to corporations and associations that are similarly organized or participated in, and controlled, by nationals, corporations and associations of any third country.

2. The nationals, corporations and associations of either High Contracting Party shall be permitted, in conformity with the applicable laws and regulations within the territories of the other High Contracting Party, to organize, control and manage corporations and associations of such other High Contracting Party for engaging in commercial, manufacturing, processing, mining, educational, philanthropic, religious and scientific activities. Corporations and associations, controlled by nationals, corporations and associations of either High Contracting Party and created or organized under the applicable laws and regulations within the territories of the other High Contracting Party, shall be permitted to engage in the aforementioned activities therein, in conformity with the applicable laws and regulations, upon terms no less favorable than those now or hereafter accorded to corporations and association of such other High Contracting Party controlled by its own nationals, corporations and associations.

ARTICLE IV

The nationals, corporations and associations of either High Contracting Party shall be permitted within the territories of the other High Contracting Party to explore for and to exploit mineral resources, in conformity with the applicable laws and regulations, upon terms no less favorable than those now or hereafter accorded to nationals, corporations and association of any third country.

ARTICLE V

1. The nationals of each High Contracting Party shall receive, within the territories of the other High Contracting Party, the most constant protection and security for their persons and property, and shall enjoy in this respect the full protection and security required by international law. To these ends, persons accused of crime shall be brought to trial promptly, and shall enjoy all the rights and privileges which are or may hereafter be accorded by the applicable laws and regulations; and nationals of either High Contracting Party, while within the custody of the authorities of the other High Contracting Party, shall receive reasonable and humane treatment. In so far as the term "nationals" where used in this paragraph is applicable in relation to property it shall be construed to include corporations and associations.

2. The property of nationals, corporations and associations of either High Contracting Party shall not be taken within the territories of the other High Contracting Party without due process of law and without the prompt payment of just and effective compensation. The recipient of such compensation shall, in conformity with such applicable laws and regulations as are not inconsistent with paragraph 3 of Article XVII of this Treaty, be permitted without interference to withdraw the compensation by obtaining foreign exchange, in the currency of the High Contracting Party of which such recipient is a national, corporation or association, upon the most favorable terms applicable to such currency at the time of the taking of the property, and exempt from any transfer or remittance tax, provided application for such exchange is made within one year after receipt of the compensation to which it relates.

3. The nationals, corporations and associations of either High Contracting Party shall within the territories of the other High Contracting Party receive protection and security with respect to the matters enumerated

in paragraphs 1 and 2 of this Article, upon compliance with the applicable laws and regulations, no less than the protection and security which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party and no less than that which is or may hereafter be accorded to the nationals, corporations and associations of any third country. Moreover, in all matters relating to the taking of privately owned enterprises into public ownership and the placing of such enterprises under public control, enterprises in which nationals, corporations and associations of either High Contracting Party have a substantial interest shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than that which is or may hereafter be accorded to similar enterprises in which nationals, corporations and associations of such other High Contracting Party have a substantial interest, and no less favorable than that which is or may hereafter be accorded to similar enterprises in which nationals, corporations and associations of any third country have a substantial interest.

4. The nationals, corporations and associations of either High Contracting Party shall enjoy freedom of access to the courts of justice and to administrative tribunals and agencies in the territories of the other High Contracting Party, in all degrees of jurisdiction established by law, both in pursuit and in defense of their rights; shall be at liberty to choose and employ lawyers and representatives in the prosecution and defense of their rights before such courts, tribunals and agencies; and shall be permitted to exercise all these rights and privileges, in conformity with the applicable laws and regulations, upon terms no less favorable than the terms which are or may hereafter be accorded to the nationals, corporations and associations of the other High Contracting Party and no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of any third country. Moreover, corporations and associations of either High Contracting Party which are not engaged in business or in nonprofit activities within the territories of the other High Contracting Party shall be permitted to exercise the rights and privileges accorded by the preceding sentence without any requirement of registration or domestication.

ARTICLE VI

The dwellings, warehouses, factories, shops, and other places of business, and all premises thereto appertaining, of the nationals, corporations and associations of either High Contracting Party, located in the territories of the other High Contracting Party, shall not be subject to unlawful entry or molestation. There shall not be made any visit to, or any search of, any such dwellings, buildings or premises, nor shall any books, papers or accounts therein be examined or inspected, except under conditions and in conformity with procedures no less favorable than the conditions and procedures prescribed for nationals, corporations and associations of such other High Contracting Party under the applicable laws and regulations within the territories thereof. In no case shall the nationals, corporations or associations of either High Contracting Party in the territories of the other High Contracting Party be treated less favorably with respect to the foregoing matters than the nationals, corporations or associations of any third country. Moreover, any visit, search, examination or inspection which may be permissible under the exception stated in this Article shall be made with due regard for, and in such a way as to cause the least possible interference with, the occupants of such dwellings, buildings or premises or the ordinary conduct of any business or other enterprise.

ARTICLE VII

1. The nationals, corporations and associations of either High Contracting Party shall be permitted to acquire, own and dispose of immovable property or interests therein within the territories of the other High Contracting Party upon the following terms:

(*a*) in the case of nationals, corporations and associations of the Italian Republic, the right to acquire, own and dispose of such property and interests shall be dependent upon the laws and regulations which are or may hereafter be in force within the state, territory or possession of the United States of America wherein such property or interests are situated; and

(*b*) In the case of nationals, corporations and associations of the United States of America, the right to acquire, own and dispose of such property and interests shall be upon terms no less favorable than those which are or may hereafter be accorded by the state, territory or possession of the United States of America in which such national is domiciled, or under the laws of which such corporation or association is created or organized, to nationals, corporations and associations of the Italian Republic; provided that the Italian Republic shall not be obligated to accord to nationals, corporations and associations of the United States of America rights in this connection more extensive than those which are or may hereafter be accorded within the territories of such Republic to nationals, corporations and associations of such Republic.

2. If a national, corporation or association of either High Contracting Party, whether or not resident and whether or not engaged in business or other activities within the territories of the other High Contracting Party, is on account of alienage prevented by the applicable laws and regulations within such territories from succeeding as devisee, or as heir in the case of a national, to immovable property situated therein, or to interests in such property, then such national, corporation or association shall be allowed a term of three years in which to sell or otherwise dispose of such property or interests, this term to be reasonably prolonged if circumstances render it necessary. The transmission or receipt of such property or interests shall be exempt from the payment of any estate, succession, probate or administrative taxes or charges higher than those now or hereafter imposed in like cases of nationals, corporations or associations of the High Contracting Party in whose territory the property is or the interests therein are situated.

3. The nationals of either High Contracting Party shall have full power to dispose of personal property of every kind within the territories of the other High Contracting Party, by testament, donation or otherwise and their heirs, legatees or donees, being persons of whatever nationality or corporations or associations wherever created or organized, whether resident or non-resident and whether or not engaged in business within the territories of the High Contracting Party where such property is situated, shall succeed to such property, and shall themselves or by their agents be permitted to take possession thereof, and to retain or dispose of it at their pleasure. Such disposition, succession and retention shall be subject to the provisions of Article IX and exempt from any other charges higher, and from any restrictions more burdensome, than those applicable in like cases of nationals, corporations and associations of such other High Contracting Party. The nationals, corporations and associations of either High Contracting Party shall be permitted to succeed, as heirs, legatees and donees, to personal property of every kind within the territories of the other High Contracting Party, left or given to them by nationals of either High Contracting Party or by nationals of any third country, and shall themselves or by their agents be permitted to take possession thereof, and to retain or dispose of it at their pleasure. Such disposition, succession and retention shall be subject to the provisions of Article IX and exempt from any other charges, and from any restrictions, other or higher than those applicable in like cases of nationals, corporations and associations of such other High Contracting Party. Nothing in this paragraph shall be construed to affect the laws and regulations of either High Contracting Party prohibiting or restricting the direct or indirect ownership by aliens or foreign corporations and associations of the shares in, or instruments of indebtedness of, corporations and associations of such High Contracting Party carrying on particular types of activities.

4. The nationals, corporations and associations of either High Contracting Party shall, subject to the exceptions in paragraph 3 of Article IX, receive treatment in respect of all matters which relate to the acquisition, ownership, lease, possession or disposition of personal property, no less favorable than the treatment which is or may hereafter be accorded to nationals, corporations and associations of any third country.

ARTICLE VIII

The nationals, corporations and associations of either High Contracting Party shall enjoy, within the territories of the other High Contracting Party, all rights and privileges of whatever nature in regard to patents, trade marks, trade labels, trade names and other industrial property, upon compliance with the applicable laws and regulations respecting registration and other formalities, upon terms no less favorable than are or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party, and no less favorable than the treatment now or hereafter accorded to nationals, corporations and associations of any third country.

ARTICLE IX

1. Nationals, corporations and associations of either High Contracting Party shall not be subjected to the payment of internal taxes, fees and charges imposed upon or applied to income, capital, transactions, activities or any other object, or to requirements with respect to the levy and collection thereof, within the territories of the other High Contracting Party:

(*a*) more burdensome than those borne by nationals, residents, and corporations and associations of any third country;

(*b*) more burdensome than those borne by nationals, corporations and associations of such other High Contracting Party, in the case of persons resident or engaged in business within the territories of such other High Contracting Party, and in the case of corporations and associations engaged in business therein, or organized and operated exclusively for scientific, educational, religious or philanthropic purposes.

2. In the case of corporations and associations of either High Contracting Party engaged in business within the territories of the other High Contracting Party, and in the case of nationals of either High Contracting Party engaged in business within the territories of the other High Contracting Party but not resident therein, such other High Contracting Party shall not impose or apply any internal tax, fee or charge upon any income, capital or other basis in excess of that reasonably allocable or apportionable to its territories, nor grant deductions and exemptions less than those reasonably allocable or apportionable to its territories. A comparable rule shall apply also in the case of corporations and associations organized and

operated exclusively for scientific, educational, religious or philanthropic purposes.

3. Notwithstanding the provisions of paragraph 1 of the present Article, each High Contracting Party reserves the right to: (*a*) extend specific advantages as to taxes, fees and charges to nationals, residents, and corporations and associations of all foreign countries on the basis of reciprocity; (*b*) accord to nationals, residents, and corporations and associations of a third country special advantages by virtue of an agreement with such country for the avoidance of double taxation or the mutual protection of revenue; and (*c*) accord to its own nationals and to residents of contiguous countries more favorable exemptions of a personal nature than are accorded to other nonresident persons.

ARTICLE X

Commercial travelers representing nationals, corporations or associations of either High Contracting Party engaged in business within the territories thereof, shall, upon their entry into and sojourn within the territories of the other High Contracting Party and on departure therefrom, be accorded treatment no less favorable than the treatment now or hereafter accorded to commercial travelers of any third country in respect of customs and other rights and privileges and, subject to the exceptions in paragraph 3 of Article IX, in respect of all taxes and charges applicable to them or to their samples.

ARTICLE XI

1. The nationals of either High Contracting Party shall, within the territories of the other High Contracting Party, be permitted to exercise liberty of conscience and freedom of worship, and they may, whether individually, collectively or in religious corporations or associations, and without annoyance or molestation of any kind by reason of their religious belief, conduct services, either within their own houses or within any other appropriate buildings, provided that their teachings or practices are not contrary to public morals or public order.

2. The High Contracting Parties declare their adherence to the principles of freedom of the press and of free interchange of information. To this end, nationals, corporations and associations of either High Contracting Party shall have the right, within the territories of the other High Contracting Party, to engage in such activities as writing, reporting and gathering of information for dissemination to the public, and shall enjoy freedom of transmission of material to be used abroad for publication by the press, radio, motion pictures, and other means. The nationals, corporations and associations of either High Contracting Party shall enjoy freedom of publication in the territories of the other High Contracting Party, in accordance with the applicable laws and regulations, upon the same terms as nationals, corporations or associations of such other High Contracting Party. The term "information", as used in this paragraph, shall include all forms of written communications, printed matter, motion pictures, recordings and photographs.

3. The nationals of either High Contracting Party shall be permitted within the territories of the other High Contracting Party to bury their dead according to their religious customs in suitable and convenient places which are or may hereafter be established and maintained for the purpose, subject to the applicable mortuary and sanitary laws and regulations.

ARTICLE XII

1. The nationals of either High Contracting Party, regardless of alienage or place of residence, shall be accorded rights and privileges no less favorable than those accorded to the nationals of the other High Contracting Party, under laws and regulations within the territories of such other High Contracting Party that (*a*) establish a civil liability for injury or death, and give a right of action to an injured person, or to the relatives, heirs, dependents or personal representative as the case may be, of an injured or deceased person, or that (*b*) grant to a wage earner or an individual receiving salary, commission or other remuneration, or to his relatives, heirs or dependents, as the case may be, a right of action, or a pecuniary compensation or other benefit or service, on account of occupational disease, injury or death arising out of and in course of employment or due to the nature of employment.

2. In addition to the rights and privileges provided in paragraph 1 of this Article, the nationals of either High Contracting Party shall, within the territories of the other High Contracting Party, be accorded, upon terms no less favorable than those applicable to nationals of such other High Contracting Party, the benefits of laws and regulations establishing systems of compulsory insurance, under which benefits are paid without an individual test of financial need: (*a*) against loss of wages or earnings due to old age, unemployment or sickness or other disability, or (*b*) against loss of financial support due to the death of father, husband or other person on whom such support had depended.

ARTICLE XIII

1. The nationals of each High Contracting Party shall be exempt, except as otherwise provided in paragraph 2 of this Article, from compulsory training or service in the armed forces of the other High Contracting Party, and shall also be exempt from all contributions in money or in kind imposed in lieu thereof.

2. During any period of time when both of the High Contracting Parties are, through armed action in connection with which there is general compulsory service, (*a*) enforcing measures against the same third country or countries in pursuance of obligations for the maintenance of international peace and security, or (*b*) concurrently conducting hostilities against the same third country or countries, the exemptions provided in paragraph 1 of this Article shall not apply. However, in such an event the nationals of either High Contracting Party in the territories of the other High Contracting Party, who have not declared their intention to acquire the nationality of such other High Contracting Party, shall be exempt from service in the armed forces of such other High Contracting Party if within a reasonable period of time they elect, in lieu of such service, to enter the armed forces of the High Contracting Party of which they are nationals. In any such situation the High Contracting Parties will make the necessary arrangements for giving effect to the provisions of this paragraph.

ARTICLE XIV

1. In all matters relating to (*a*) customs duties and subsidiary charges of every kind imposed on imports or exports and in the method of levying such duties and charges, (*b*) the rules, formalities, and charges imposed in connection with the clearing of articles through the customs, and (*c*) the taxation, sale, distribution or use within the country of imported articles and of articles intended for exportation, each High Contracting Party shall accord to articles the growth, produce or manufacture of the other High Contracting Party, from whatever place arriving, or to articles destined for exportation to the territories of such other High Contracting Party, by whatever route, treatment no less favorable than the treatment now or hereafter accorded to like articles the growth, produce or manufacture of, or destined for any third country.

2. With respect to the matters referred to in paragraph 1 of this Article, the nationals, corporations and associations of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party; and with respect to such matters the nationals, corporations and associations, vessels and cargoes of either High Contracting Party shall be accorded, within the territories of the other High Contracting Party, treatment no less favorable than the treatment which is or may hereafter be accorded to nationals, corporations and associations, vessels and cargoes of any third country.

3. No prohibition or restriction of any kind shall be imposed by either High Contracting Party on the importation, sale, distribution or use of any article the growth, produce or manufacture of the other High Contracting Party, or the exportation of any article destined for the territories of the other High Contracting Party, unless the importation, sale, distribution or use of the like article the growth, produce or manufacture of all third countries, or the exportation of the like article to all third countries, respectively, is similarly prohibited or restricted.

4. If either High Contracting Party imposes any quantitative regulation, whether made effective through quotas, licenses or other measures, on the importation or exportation of any article, or on the sale, distribution or use of any imported article, it shall as a general rule give public notice of the total quantity or value of such article permitted to be imported, exported, sold, distributed or used during a specified period, and of any change in such quantity or value. Furthermore, if either High Contracting Party allots to any third country a share of such total quantity or value of any article in which the other High Contracting Party has an important interest, it shall as a general rule allot to such other High Contracting Party a share of such total quantity or value based upon the proportion of the total quantity or value supplied by, or in the case of exports a share based upon the proportion exported to, the territories of such other High Contracting Party during a previous representative period, account being taken in so far as practicable of any special factors which may have affected or may be affecting the trade in that article. The provisions of this paragraph relating to imported articles shall also apply in respect of the quantity or value of any article permitted to be imported free of duty or tax, or at a lower rate of duty or tax than the rate of duty or tax imposed on imports in excess of such quantity or value.

5. If either High Contracting Party requires documentary proof of origin of imported articles, the requirements imposed therefor shall be reasonable and shall not be such as to constitute an unnecessary hindrance to indirect trade.

ARTICLE XV

1. Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of each High Contracting Party that have general application and that pertain to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of each High Contracting Party, except as otherwise specifically provided for in statutes of the United States of America with respect to the importation of articles into its insular territories and possessions.

2. No administrative ruling by the United States of America effecting advances in rates of duties or charges applicable under an

established and uniform practice to imports originating in the territories of the Italian Republic, or imposing any new requirement with respect to such importations, shall as a general rule be applied to articles the growth, produce or manufacture of the Italian Republic already en route at the time of publication thereof in accordance with the preceding paragraph; reciprocally, no administrative ruling by the Italian Republic effecting advances in rates of duties or charges applicable under an established and uniform practice to imports originating in the territories of the United States of America, or imposing any new requirement with respect to such importations, shall as a general rule be applied to articles the growth, produce or manufacture of the United States of America already en route at the time of publication thereof in accordance with the preceding paragraph. However, if either High Contracting Party customarily exempts from such new or increased obligations articles entered for consumption or withdrawn from warehouse for consumption during a period of thirty days after the date of such publication, such practice shall be considered full compliance by such High Contracting Party with this paragraph. The provisions of this paragraph shall not apply to administrative orders imposing antidumping or countervailing duties or relating to regulations for the protection of human, animal or plant life or health, or relating to public safety, or giving effect to judicial decisions.

3. Each High Contracting Party shall provide some administrative or judicial procedure under which the nationals, corporations and associations of the other High Contracting Party, and importers of articles the growth, produce or manufacture of such other High Contracting Party, shall be permitted to appeal against fines and penalties imposed upon them by the customs authorities, confiscations by such authorities and rulings of such authorities on questions of customs classification and of valuation of articles for customs purposes. Greater than nominal penalties shall not be imposed by either High Contracting Party in connection with any importation by the nationals, corporations or associations of the other High Contracting Party, or in connection with the importation of articles the growth, produce or manufacture of such other High Contracting Party, because of errors in documentation which are obviously clerical in origin or with regard to which good faith can be established.

4. Each High Contracting Party will accord sympathetic consideration to such representations as the other High Contracting Party may make with respect to the operation or administration of import or export prohibitions or restrictions, quantitative regulations, customs regulation or formalities, or sanitary laws or regulations for the protection of human, animal or plant life or health.

ARTICLE XVI

1. Articles the growth, produce or manufacture of either High Contracting Party, imported into the territories of the other High Contracting Party, shall be accorded treatment with respect to all matters affecting internal taxation, or the sale, distribution or use within such territories, no less favorable than the treatment which is or may hereafter be accorded to like articles of national origin.

2. Articles grown, produced or manufactured within the territories of either High Contracting Party in whole or in part by nationals, corporations and associations of the other High Contracting Party, or by corporations and associations of the High Contracting Party within the territories of which such articles are grown, produced or manufactured which are controlled by nationals, corporations and associations of the other High Contracting Party, shall be accorded within such territories treatment with respect to all matters affecting internal taxation, or the sale, distribution or use therein, or exportation therefrom, no less favorable than the treatment now or hereafter accorded to like articles grown, produced or manufactured therein in whole or in part by nationals, corporations and associations of the High Contracting Party within the territories of which the articles are grown, produced or manufactured, or by corporations and associations of such High Contracting Party which are controlled by such nationals, corporations and associations. The articles specified in the preceding sentence shall not in any case receive treatment less favorable than the treatment which is or may hereafter be accorded to like articles grown, produced or manufactured in whole or in part by nationals, corporations and associations of any third country, or by corporations and associations controlled by such nationals, corporations and associations.

3. In all matters relating to export bounties, customs drawbacks and the warehousing of articles intended for exportation, the nationals, corporations and associations of either High Contracting Party shall be accorded within the territories of the other High Contracting Party treatment no less favorable than the treatment which is or may hereafter be accorded to the nationals, corporations and associations of such other High Contracting Party.

ARTICLE XVII

1. The treatment prescribed in this Article shall apply to all forms of control of financial transactions, including (*a*) limitations upon the availability of media necessary to effect such transactions, (*b*) rates of exchange, and (*c*) prohibitions, restrictions, delays, taxes, charges and penalties on such transactions; and shall apply whether a transaction takes place directly, or through an intermediary in another country. As used in this Article, the term "financial transactions" means all international payments and transfers of funds effected through the medium of currencies, securities, bank deposits, dealings in foreign exchange or other financial arrangements, regardless of the purpose or nature of such payments and transfers.

2. Financial transactions between the territories of the two High Contracting Parties shall be accorded by each High Contracting Party treatment no less favorable than that now or hereafter accorded to like transactions between the territories of such High Contracting Party and the territories of any third country.

3. Nationals, corporations and associations of either High Contracting Party shall be accorded by the other High Contracting Party treatment no less favorable than that now or hereafter accorded to nationals, corporations and associations of such other High Contracting Party and no less favorable than that now or hereafter accorded to nationals, corporations and associations of any third country, with respect to financial transactions between the territories of the two High Contracting Parties or between the territories of such other High Contracting Party and of any third country.

4. In general any control imposed by either High Contracting Party over financial transactions shall be so administered as not to influence disadvantageously the competitive position of the commerce or investment of capital of the other High Contracting Party in comparison with the commerce or the investment of capital of any third country.

ARTICLE XVIII

1. If either High Contracting Party establishes or maintains a monopoly or agency for the importation, exportation, purchase, sale, distribution or production of any article, or grants exclusive privileges to any agency to import export, purchase, sell, distribute or produce any article, such monopoly or agency shall accord to the commerce of the other High Contracting Party fair and equitable treatment in respect of its purchases of articles the growth produce or manufacture of foreign countries and its sales of articles destined for foreign countries. To this end, the monopoly or agency shall, in making such purchases or sales of any article, be influenced solely by considerations, such as price, quality marketability transportation and terms of purchase or sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing or selling such article on the most favorable terms. If either High Contracting Party establishes or maintains a monopoly or agency for the sale of any service or grants exclusive privileges to any agency to sell any service, such monopoly or agency shall accord fair and equitable treatment to the other High Contracting Party and to the nationals, corporations and associations and to the commerce thereof in respect of transactions involving such service as compared with the treatment which is or may hereafter be accorded to any third country and to the nationals, corporations and associations and to the commerce thereof.

2. Each High Contracting Party, in the awarding of concessions and other contracts, and in the purchasing of supplies, shall accord fair and equitable treatment to the nationals, corporations and associations and to the commerce of the other High Contracting Party as compared with the treatment which is or may hereafter be accorded to the nationals, corporations and associations and to the commerce of any third country.

3. The two High Contracting Parties agree that business practices which restrain competition, limit access to markets or foster monopolistic control, and which are engaged in or made effective by one or more private or public commercial enterprises or by combination, agreement or other arrangement among public or private commercial enterprises may have harmful effects upon the commerce between their respective territories. Accordingly, each High Contracting Party agrees upon the request of the other High Contracting Party to consult with respect to any such practices and to take such measures as it deems appropriate with a view to eliminating such harmful effects.

ARTICLE XIX

1. Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either High Contracting Party, and carrying the papers required by its national law in proof of nationality, shall be deemed to be vessels of that High Contracting Party both within the ports, places and waters of the other High Contracting Party and on the high seas. As used in this Treaty, "vessels" shall be construed to include all vessels of either High Contracting Party whether privately owned or operated or publicly owned or operated. However, the provisions of this Treaty other than this paragraph and paragraph 4 of Article XX shall not be construed to accord rights to vessels of war or fishing vessels of the other High Contracting Party; nor shall they be construed to extend to nationals, corporations and associations, vessels and cargoes of, or to articles the growth, produce or manufacture of, such other High Contracting Party any special privileges restricted to national fisheries or the products thereof.

3. The vessels of either High Contracting Party shall have liberty, equally with the vessels of any third country, to come with their cargoes to all ports, places and waters of the other High Contracting Party which

are or may hereafter be open to foreign commerce and navigation.

ARTICLE XX

1. The vessels and cargoes of either High Contracting Party shall, within the ports, places and waters of the other High Contracting Party, in all respects be accorded treatment no less favorable than the treatment accorded to the vessels and cargoes of such other High Contracting Party, irrespective of the port of departure or the port of destination of the vessel, and irrespective of the origin or the destination of the cargo.

2. No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges, of whatever kind or denomination, levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports, places and waters of either High Contracting Party upon the vessels of the other High Contracting Party, which shall not equally and under the same conditions be imposed upon national vessels.

3. No charges upon passengers, passenger fares or tickets, freight moneys paid or to be paid, bills of lading, contracts of insurance or re-insurance, no conditions relating to the employment of ship brokers, and no other charges or conditions of any kind, shall be imposed in a way tending to accord any advantage to national vessels as compared with the vessels of the other High Contracting Party.

4. If a vessel of either High Contracting Party shall be forced by stress of weather or by reason of any other distress to take refuge in any of the ports, places or waters of the other High Contracting Party not open to foreign commerce and navigation, it shall receive friendly treatment and assistance and such repairs, as well as supplies and materials for repair, as may be necessary and available. This paragraph shall apply to vessels of war and fishing vessels, as well as to vessels as defined in paragraph 2 of Article XIX.

5. The vessels and cargoes of either High Contracting Party shall not in any case, with respect to the matters referred to in this Article, receive treatment less favorable than the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

ARTICLE XXI

1. It shall be permissible, in the vessels of either High Contracting Party, to import into the territories of the other High Contracting Party, or to export therefrom, all articles which it is or may hereafter be permissible to import into such territories, or to export therefrom, in the vessels of such other High Contracting Party or of any third country; and such articles shall not be subject to any higher duties or charges whatever than those to which the articles would be subject if they were imported or exported in vessels of the other High Contracting Party or of any third country.

2. Bounties, drawbacks and other privileges of this nature of whatever kind or denomination which are or may hereafter be allowed, in the territories of either High Contracting Party, on articles imported or exported in national vessels or vessels of any third country shall also and in like manner be allowed on articles imported or exported in vessels of the other High Contracting Party.

ARTICLE XXII

1. Vessels of either High Contracting Party shall be permitted to discharge portions of cargoes, including passengers, at any ports, places or waters of the other High Contracting Party which are or may hereafter be open to foreign commerce and navigation, and to proceed with the remaining portions of such cargoes or passengers to any other such ports, places or waters, without paying higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner, in the same voyage outward, at the various ports, places and waters which are or may hereafter be open to foreign commerce and navigation. The vessels and cargoes of either High Contracting Party shall be accorded, with respect to the matters referred to in this paragraph, treatment in the ports, places and waters of the other High Contracting Party no less favorable than the treatment which is or may hereafter be accorded to the vessels and cargoes of any third country.

2. The coasting trade and inland navigation of each High Contracting Party are excepted from the requirements of national and most-favored-nation treatment.

ARTICLE XXIII

There shall be freedom of transit through the territories of each High Contracting Party by the routes most convenient for international transit (*a*) for persons who are nationals of any third country, together with their baggage, directly or indirectly coming from or going to the territories of the other High Contracting Party, (*b*) for persons who are nationals of the other High Contracting Party, together with their baggage, regardless of whether they are coming from or going to the territories of such other High Contracting Party, and (*c*) for articles directly or indirectly coming from or going to the territories of the other High Contracting Party. Such persons, baggage and articles in transit shall not be subject to any transit duty, to any unnecessary delays or restrictions, or to any discrimination in respect of charges, facilities or any other matter; and all charges and regulations prescribed in respect of such persons, baggage or articles shall be reasonable, having regard to the conditions of the traffic. Either High Contracting Party may require that such baggage and articles be entered at the proper customhouse and that they be kept whether or not under bond in customs custody; but such baggage and articles shall be exempt from all customs duties or similar charges if such requirements for entry and retention in customs custody are complied with and if they are exported within one year and satisfactory evidence of such exportation is presented to the customs authorities. Such nationals, baggage, persons and articles shall be accorded treatment with respect to all charges, rules and formalities in connection with transit no less favorable than the treatment which is or may hereafter be accorded to the nationals of any third country, together with their baggage, or to persons and articles coming from or going to the territories of any third country.

ARTICLE XXIV

1. Nothing in this Treaty shall be construed to prevent the adoption or enforcement by either High Contracting Party of measures:

(*a*) relating to the importation or exportation of gold or silver;

(*b*) relating to the exportation of objects the value of which derives primarily from their character as works of art, or as antiquities, of national interest or from their relationship to national history, and which are not in general practice considered articles of commerce;

(*c*) relating to fissionable materials, to materials which are the source of fissionable materials, or to radio-active materials which are by-products of fissionable materials;

(*d*) relating to the production of and traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on for the purpose of supplying a military establishment;

(*e*) necessary in pursuance of obligations for the maintenance of international peace and security, or necessary for the protection of the essential interests of such High Contracting Party in time of national emergency; or

(*f*) imposing exchange restrictions, as a member of the International Monetary Fund, in conformity with the Articles of Agreement theerof signed at Washington December 27, 1945, but without utilizing its privileges under Article VI, section 3, of that Agreement so as to impair any provision of this Treaty; provided that either High Contracting Party may, nevertheless, regulate capital transfers to the extent necessary to insure the importation of essential goods or to effect a reasonable rate of increase in very low monetary reserves or to prevent its monetary reserves from falling to a very low level. If the International Monetary Fund should cease to function, or if either High Contracting Party should cease to be a member thereof, the two High Contracting Parties, upon the request of either High Contracting Party, shall consult together and may conclude such arrangements as are necessary to permit appropriate action in contingencies relating to international financial transactions comparable with those under which exceptional action had previously been permissible.

2. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either High Contracting Party against the other High Contracting Party or against the nationals, corporations, associations vessels or commerce thereof, in favor of any third country or the nationals, corporations, associations, vessels or commerce thereof, the provisions of this Treaty shall not extend to prohibitions or restrictions:

(*a*) imposed on moral or humanitarian grounds;

(*b*) designed to protect human, animal or plant life or health;

(*c*) relating to prison-made goods; or

(*d*) relating to the enforcement of police or revenue laws.

3. The provisions of this Treaty according treatment no less favorable than the treatment accorded to any third country shall not apply to:

(*a*) advantages which are or may hereafter be accorded to adjacent countries in order to facilitate frontier traffic;

(*b*) advantages accorded by virtue of a customs union of which either High Contracting Party may, after consultation with the other High Contracting Party, become a member so long as such advantages are not extended to any country which is not a member of such customs union;

(*c*) advantages accorded to third countries pursuant to a multilateral economic agreement of general applicability, including a trade area of substantial size, having as its objective the liberalization and promotion of international trade or other international economic intercourse, and open to adoption by all the United Nations;

(*d*) advantages now accorded or which may hereafter be accorded by the Italian Republic to San Marino, to the Free Territory of Trieste or to the State of Vatican City, or by the United States of America or its territories or possessions to one another, to the Panama Canal Zone, to the Republic of Cuba, to the Republic of the Philippines or to the Trust Territory of the Pacific Islands; or

(*e*) advantages which, pursuant to a decision made by the United Nations or an organ thereof or by an appropriate specialized agency in relationship with the United Nations, may hereafter be accorded by either High Contracting Party to areas other than those enumerated in subparagraph (*d*) of the present paragraph.

The provisions of subparagraph (*d*) shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its territories or possessions to another irrespective of

any change in the political status of any of the territories or possessions of the United States of America.

4. The provisions of this Treaty shall not be construed to accord any rights or privileges to persons, corporations and associations to engage in political activities, or to organize or participate in political corporations and associations.

5. Each High Contracting Party reserves the right to deny any of the rights and privileges accorded by this Treaty to any corporation or association created or organized under the laws and regulations of the other High Contracting Party in the ownership or direction of which nationals of any third country or countries have directly or indirectly a controlling interest.

6. No enterprise of either High Contracting Party which is publicly owned or controlled shall, if it engages in commercial, manufacturing, processing, shipping or other business activities within the territories of the other High Contracting Party, claim or enjoy, either for itself or for its property, immunity therein from taxation, from suit, from execution of judgment, or from any other liability to which a privately owned and controlled enterprise is subject therein.

7. The provisions of this Treaty shall not be construed to affect existing laws and regulations of either High Contracting Party in relation to immigration or the right of either High Contracting Party to adopt and enforce laws and regulations relating to immigration; provided, however, that nothing in this paragraph shall prevent the nationals of either High Contracting Party from entering, traveling and residing in the territories of the other High Contracting Party in order to carry on trade between the two High Contracting Parties or to engage in any commercial activity related thereto or connected therewith, upon terms as favorable as are or may hereafter be accorded to the nationals of any third country entering, traveling and residing in such territories in order to carry on trade between such other High Contracting Party and such third country or to engage in commercial activity related to or connected with such trade.

ARTICLE XXV

Subject to any limitation or exception provided in this Treaty or hereafter agreed upon between the High Contracting Parties, the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to comprise all areas of land and water under the sovereignty or authority of either of the High Contracting Parties, other than the Canal Zone, and other than the Trust Territory of the Pacific Islands except to the extent that the President of the United States of America shall by proclamation extend provisions of the Treaty to such Trust Territory.

ARTICLE XXVI

Any dispute between the High Contracting Parties as to the interpretation or the application of this Treaty, which the High Contracting Parties shall not satisfactorily adjust by diplomacy, shall be submitted to the International Court of Justice, unless the High Contracting Parties shall agree to settlement by some other pacific means.

ARTICLE XXVII

1. This Treaty shall be ratified, and the ratifications thereof shall be exchanged at Rome as soon as possible.

2. This Treaty shall enter into force on the day of the exchange of ratifications, and shall continue in force for a period of ten years from that day.

3. Unless one year before the expiration of the aforesaid period of ten years either High Contracting Party shall have given written notice to the other High Contracting Party of intention to terminate this Treaty upon the expiration of the aforesaid period, the Treaty shall continue in force thereafter until one year from the date on which written notice of intention to terminate it shall have been given by either High Contracting Party.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have affixed hereunto their seals.

Done in duplicate, in the English and Italian languages, both equally authentic, at Rome, this second day of February one thousand nine hundred forty-eight.

For the Government of the United States of America:

JAMES CLEMENT DUNN.

For the Italian Government:

SFORZA.

---

PROTOCOL

At the time of signing the Treaty of Friendship, Commerce and Navigation between the United States of America and the Italian Republic, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have further agreed on the following provisions, which shall be considered as integral parts of said Treaty:

1. The provisions of paragraph 2 of Article V, providing for the payment of compensation, shall extend to interests held directly or indirectly by nationals, corporations and associations of either High Contracting Party in property which is taken within the territories of the other High Contracting Party.

2. Rights and privileges with respect to commercial, manufacturing and processing activities accorded, by the provisions of the Treaty, to privately owned and controlled enterprises of either High Contracting Party within the territories of the other High Contracting Party shall extend to rights and privileges of an economic nature granted to publicly owned or controlled enterprises of such other High Contracting Party, in situations in which such publicly owned or controlled enterprises operate in fact in competition with privately owned and controlled enterprises. The preceding sentence shall not, however, apply to subsidies granted to publicly owned or controlled enterprises in connection with: (*a*) manufacturing or processing goods for government use, or supplying goods and services to the government for government use; or (*b*) supplying, at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practicably obtainable by such groups.

3. The concluding sentence of paragraph 1 of Article XVIII shall not be construed as applying to postal services.

4. The provisions of paragraph 2 (*a*) of Article I shall not be construed to extend to the practice of professions the members of which are designated by law as public officials.

5. The provisions of paragraph 2 of Article XI shall not be construed to affect measures taken by either High Contracting Party to safeguard military secrets.

In witness whereof the respective Plenipotentiaries have signed this Protocol and have affixed hereunto their seals.

Done in duplicate, in the English and Italian languages, both equally authentic, at Rome this second day of February one thousand nine hundred forty-eight.

For the Government of the United States of America:

JAMES CLEMENT DUNN.

For the Italian Government:

SFORZA.

---

ADDITIONAL PROTOCOL

In view of the grave economic difficulties facing Italy now and prospectively as a result of inter alia, the damage caused by the late military operations on Italian soil; the looting perpetrated by the German forces following the Italian declaration of war against Germany; the present inability of Italy to supply, unassisted, the minimum needs of its people or the minimum requirements of Italian economic recovery; and Italy's lack of monetary reserves; at the time of signing the Treaty of Friendship, Commerce and Navigation between the United States of America and the Italian Republic, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have further agreed on the following provisions, which shall be considered as integral parts of said Treaty:

1. The provisions of paragraph 3 of Article XIV of the above-mentioned Treaty and that part of paragraph 4 of the same Article which relates to the allocation of shares, shall not obligate either High Contracting Party with respect to the application of quantitative restrictions on imports and exports:

(*a*) that have effect equivalent to exchange restrictions authorized in conformity with section 3 (*b*) of Article VII of the Articles of Agreement of the International Monetary Fund;

(*b*) that are necessary to secure, during the early post-war transitional period, the equitable distribution among the several consuming countries of goods in short supply;

(*c*) that are necessary in order to effect, for the purchase of imports, the utilization of accumulated inconvertible currencies; or

(*d*) that have effect equivalent to exchange restrictions permitted under section 2 of Article XIV of the Articles of Agreement of the International Monetary Fund.

2. The privileges accorded to either High Contracting Party by subparagraphs (*c*) and (*d*), paragraph 1, of the present Protocol, shall be limited to situations in which (*a*) it is necessary for such High Contracting Party to apply restrictions on imports in order to forestall the imminent threat of, or to stop, a serious decline in the level of its monetary reserves or, in the case of very low monetary reserves, to achieve a reasonable rate of increase in its reserves, and (*b*) the application of the necessary restrictions in the manner permitted by the aforesaid paragraph 1 will yield such High Contracting Party a volume of imports above the maximum level which would be possible if such restrictions were applied in the manner prescribed in paragraphs 3 and 4 of Article XIV of the Treaty.

3. During the current transitional period of recovery from the recent war, the provisions of Article XVI, paragraph 1, of the Treaty shall not prevent the application by either High Contracting Party of needed controls to the internal sale, distribution or use of imported articles in short supply, other than or different from controls applied with respect to like articles of national origin. However, no such controls over the internal distribution of imported articles shall be (*a*) applied by either High Contracting Party in such a manner as to cause unnecessary injury to the competitive position within its Territories of the commerce of the other High Contracting Party, or (*b*) continued longer than required by the supply situation.

4. Neither High Contracting Party shall impose any new restriction under paragraph 1 of the present Protocol without having given the other High Contracting Party notice thereof which shall, if possible, be not less than thirty days in advance and shall not in any event be less than ten days in advance. Each High Contracting Party shall afford to the other High Contracting Party opportunity for consultation at any time concerning the need for and the application of restrictions to which such paragraph relates as well as concerning the application of paragraph 3; and either High Contracting Party shall have the right to invite the International Monetary Fund to participate in such consultation, with reference to restrictions to which subparagraphs (*a*), (*c*) and (*d*) of paragraph 1 relate.

5. Whenever exchange difficulties necessitate that pursuant to Article XXIV, para-

graph 1 (*f*), the Italian Government regulate the withdrawals provided for in Article V, paragraph 2, the Italian Government may give priority to applications made by nationals, corporations and associations of the United States of America to withdraw compensation received on account of property acquired on or before December 8, 1934, or, if subsequently acquired:

(*a*) in the case of immovable property, if the owner at the time of acquisition had permanent residence outside Italy, or, if a corporation or association, had its center of management outside Italy;

(*b*) in the case of shares of stock, if at the time of acquisition Italian laws and regulations permitted such shares to be traded outside Italy;

(*c*) in the case of bank deposits, if carried on free account at the time of taking;

(*d*) in any case, if the property was acquired through importing foreign exchange, goods or services into Italy, or through reinvestments of profits or accrued interest from such imports whenever made.

The Italian Government undertakes to grant every facility to assist applicants in establishing their status for the purposes of this paragraph; and to accept evidence of probative value as establishing, in the absence of preponderant evidence to the contrary, a priority claim.

6. Whenever a multiple exchange rate system is in effect in Italy, the rate of exchange which shall be applicable for the purposes of Article V, paragraph 2, need not be the most favorable of all rates applicable to international financial transactions of whatever nature; provided, however, that the rate applicable will in any event permit the recipient of compensation, actually to realize the full economic value thereof in United States dollars. In case dispute arises as to the rate applicable, the rate shall be determined by agreement between the High Contracting Parties.

In witness whereof the respective Plenipotentiaries have signed this Protocol and have affixed hereunto their seals.

Done in duplicate, in the English and Italian languages, both equally authentic, at Rome, this second day of February one thousand nine hundred forty-eight.

For the Government of the United States of America:

JAMES CLEMENT DUNN.

For the Italian Government:

SFORZA.

---

(This errata sheet is identical with the errata sheet which is attached to the signed original of the treaty)

ERRATA

The following minor typographical errata appear in the official printed texts of the Treaty of Friendship, Commerce and Navigation between the United States of America and the Italian Republic, signed February 2, 1948:

*In the Italian text* (hand-corrected on the original signed copies of the Treaty):

Preamble, line 3. In the phrase "di promuovere", eliminate the word "di".

Preamble, line 8. The words "questi scopi" should read "questo scopo".

Article VII, paragraph 3, line 4. The word "donatori" should read "donatari".

*In the English text* (not corrected on the signed copies):

Article VI, line 16. The words "shall made" should read "shall be made". [Page 8, line 18, this document.]

Article VII, [sic, VIII] line 8. The word "that" should read "than". [Page 10, line 9, this document.]

Article XVII, paragraph 2, line 2. The word "on" should read "no". [Page 16, par. 2, line 3, this document.]

Article XXII, paragraph 1, last line. The word "coyntry" should read "country". [Page 19, par. 1, last line, this document.]

Article XXIII, line 16. The word "unde" should be "under". [Page 19, line 18, this document.]

---

NOTES EXCHANGED

F. O. No. 827

ROME, *February 2, 1948.*

His Excellency Count CARLO SFORZA,
*Minister of Foreign Affairs,*
*Rome.*

EXCELLENCY:

I have the honor to refer to the proposals advanced by representatives of your Government, during the course of negotiations for the Treaty of Friendship, Commerce and Navigation signed this day, for facilitating and expanding the cultural relations between the peoples of our two countries.

I take pleasure in informing you that my Government, recognizing the importance of cultural ties between nations as developing increased understanding and friendship, will undertake to stimulate and foster cultural relations between our two countries, including the interchange of professors, students, and professional and academic personnel between the territories of the United States of America and of Italy, and agrees to discuss at a later time the possibility of agreements designed to establish arrangements whereby such interchange may be facilitated and whereby the cultural bonds between the two peoples may generally be strengthened.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES CLEMENT DUNN.

[Translation]

ROME, *February 2, 1948.*

The MINISTER OF FOREIGN AFFAIRS.

EXCELLENCY:

I have the honor to refer to Your Excellency's note of this date, which reads as follows:

"I have the honor to refer to the proposals advanced by representatives of your Government, during the course of negotiations for the Treaty of Friendship, Commerce and Navigation signed this day, for facilitating and expanding the cultural relations between the peoples of our two countries.

"I take pleasure in informing you that my Government, recognizing the importance of cultural ties between nations as developing increased understanding and friendship, will undertake to stipulate /sic/ and foster cultural relations between our two countries, including the interchange of professors, students, and professional and academic personnel between the territories of the United States of America and of Italy, and agrees to discuss at a later time the possibility of agreements designed to establish arrangements whereby such interchange may be facilitated and whereby the cultural bonds between the two peoples may generally be strengthened.

"Accept, Excellency, etc."

I have the honor to inform Your Excellency that the Italian Government will undertake, for its part, to stimulate and foster cultural relations, including the interchange of professors, students, and academic personnel, and to discuss the possibility of cultural agreements between our two Governments in accordance with the ideas expressed in Your Excellency's note.

I take pleasure in availing myself of this occasion, Excellency, to renew to you the assurances of my highest consideration.

SFORZA.

The PRESIDING OFFICER. The treaty, together with a protocol and an additional protocol, are open to amendment. If there be no amendment to be proposed, the treaty and protocols will be reported to the Senate.

The treaty and protocols were reported to the Senate without amendment.

Mr. VANDENBERG. Mr. President——

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Rhode Island.

Mr. McGRATH. Will the Senator please explain the relationship of the concord between the Vatican and the Italian Government?

Mr. VANDENBERG. I was about to say that this treaty also was handled by a subcommittee headed by the distinguished Senator from Utah [Mr. THOMAS], and I defer to him in connection with the presentation.

Mr. THOMAS of Utah. Mr. President, in answer to the Senator's question, I think the concord between the Vatican and Italy would in no sense affect this treaty. This is the first treaty since the peace treaty which has been negotiated by the United States with any of the former enemy countries. The treaty is on the basis not only of mutuality, but of true friendship and understanding. It is the first treaty with Italy since we renounced the former commercial treaty which went back to 1871, when the Italian Kingdom came into existence. During the days of Mussolini we discontinued our friendly relations with Italy and also our treaty of friendship. I think this treaty marks the beginning of what may be called a new era in treaty making in the United States. It is a treaty which was promised in the peace treaty with Italy, and it carries out the broad provisions of the peace treaty, such as the guaranty of freedom of worship, freedom of information, and so forth. Those matters are new. The treaty contains the most-favored-nation clause.

Not during the hearings or at any time during the discussion of the treaty did any question arise regarding the concordat between the Vatican and Italy. Therefore, I cannot directly answer the Senator's question, unless there is some provisional question in which the Senator is interested. But I think it in no way interferes with the arrangement between the Vatican and Italy.

Mr. McGRATH. Mr. President, if I am correctly informed, this is the first treaty entered into by the United States dealing with the matter of religious concernment of States. I should think, in a matter of that kind, the views of the Vatican State would be elicited, at least, before we should be called upon to pass upon the treaty. After all, this is a treaty of friendship, commerce, and navigation. I fail to see how the matter of religious concernment of a State should enter into the making of that kind of a treaty. I am very much afraid we are embarking, in this instance, upon a new approach to American participation with other countries in the concernment of those matters about which we wish to establish trade and commerce. I thought the matter might have been worked out by the committee. It probably has not.

Can the Senator inform me of the extent to which the treaty we are now called upon to ratify deals with matters of the religious concernment of the country involved?

Mr. THOMAS of Utah. It deals with no matter of religious concernment, except that there shall be freedom of religion, and freedom for American religion. American religion exists in Italy. There will be protection for American churches, if Americans build them, just as we would have protection for Italian churches in our country. There is no theological or religious notion, no propaganda, nothing in relation to belief, excepting that if Americans should go to Italy, as they have gone, and establish an American church, of whatever sect, Italy guarantees to that church and to those people the freedom of religion which we would guarantee the Italians if they should come here and establish a church.

I am sure, Mr. President, that there is nothing in relation to the theories regarding religion, other than the great American idea that there shall be given to American citizens the same right, so far as freedom of religion is concerned, as we would give to Italy. There is freedom to own churches, freedom to come and go, freedom to proselyte, if they wish to proselyte. There can be no conflict with the ideas of theology or religion, which are controversial.

Mr. McGRATH. I have no objection to the noble principles expressed. Religious groups should have such rights. I should like to have it appear in the RECORD, however, that those rights have not at any time been denied to any religion in Italy, regardless of the fact that the Government may be largely of the persuasion of one faith. What I should like to establish, Mr. President, is that if this country is now embarking upon writing treaties with countries which seek to deal with religion, we here and now establish the fact that we shall embody that principle in every treaty we write with any country on trade, friendship, and commerce, from now on.

I think we are probably taking a very noble step tonight in ratifying this treaty. It will mark a milestone in American diplomacy. I should not, however, like to see the provisions which I know are in this treaty written into the Italian treaty and eliminated from treaties to be considered in the future on the same subject. That was my purpose in rising and raising the question. I want to have it distinctly understood that the Italian Government, regardless of its predominant religious feeling, has never in all its history refused to any other religion the right to enter Italy and practice it freely or to proselyte, as the distinguished Senator has said, if it see fit to proselyte.

I do not believe that our Government should be the first to break down the barriers which have heretofore been considered as confining the rights of states to do within their borders what they wish. I hope, Mr. President, if we see fit to write a treaty of friendship, commerce, and navigation with the British Empire, with the Norwegian Government, or with any other state that holds unto itself the right to have a state religion, we shall write into that kind of a treaty the very same clause we are writing into the treaty with Italy.

If we may have that understanding, I am perfectly happy and contented to go along with the treaty as proposed.

Mr. THOMAS of Utah. Of course, I cannot guarantee an understanding about future treaty writing; but, so far as the chairman of the subcommittee is concerned, he would like to see embodied in every treaty all the religious rights which have already been embodied in the Italian treaty. I think that what we have done with regard to the Italian treaty is merely a carrying out of the peace treaty with Italy.

I am glad to agree with the Senator from Rhode Island that Italy has always allowed the establishment and the freedom of churches, and the freedom of schools when they have come from the outside, and they have not been molested.

Mr. President, I think that probably we are moving forward even better than we realize tonight in ratifying this treaty, and I trust that the principle we have put into it—freedom of education, freedom of religion, and freedom of information—will be embodied in every commercial treaty of friendship which may be entered into in the future.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of Executive E, Eightieth Congress, second session, the Treaty of Friendship, Commerce, and Navigation between the United States of America and the Italian Republic, together with a protocol and an additional protocol, relating thereto, signed at Rome on February 2, 1948.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the treaty and protocols are ratified.

## CONVENTION BETWEEN UNITED STATES AND FRANCE ON DOUBLE TAXATION, AND SUPPLEMENTARY PROTOCOL RELATING TO TAXES ON ESTATES AND INHERITANCES

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive A (80th Cong., 1st sess.), between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two Governments relating to income taxation signed at Paris on July 25, 1939, and a supplementary protocol, signed at Washington on May 17, 1948, modifying in certain respects the convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two Governments relating to income taxation signed at Paris on July 25, 1939, which were read the second time, as follows:

CONVENTION, BETWEEN FRANCE AND UNITED STATES OF AMERICA, ABOUT DOUBLE TAXATION AND FISCAL ASSISTANCE

The Government of the United States of America and the Provisional Government of the French Republic,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the Convention between the two Governments relating to income taxation signed at Paris on July 25, 1939,

Have designated for this purpose as their respective Plenipotentiaries:

The Government of the United States of America: Mr. Jefferson Caffery, Ambassador Extraordinary and Plenipotentiary of the United States of America in France,

The Provisional Government of the French Republic: Mr. Georges Bidault, President of the Provisional Government of the French Republic, Minister for Foreign Affairs who, after having exchanged their full powers found to be in good and due form, have agreed as follows:

### TITLE I

*Taxes on estates and inheritances*

Article 1

(1) The taxes which are the subject of this Title are:

(a) for the United States of America, the Federal estate tax, and

(b) for France, the tax on inheritances.

(2) This Title shall also be applicable to all other taxes of a substantially similar character imposed by either Contracting State after the signing of the present Convention, or imposed by the government of any territory to which the present Convention applies under Article 17.

(3) The present Convention is concluded with reference to United States and French law in force on the day of its signature. Accordingly, if these laws are appreciably modified the competent authorities of the two States will consult together for the purposes of adapting the provisions of the present Convention to such changes.

Article 2

(1) In this Title, unless the context otherwise requires:

(a) The term "United States" means the United States of America, and when used in a geographical sense means only the States, the Territories of Alaska and of Hawaii, and the District of Columbia.

(b) The term "France", when used in a geographical sense, means only metropolitan France, excluding Algeria and the Colonies.

(c) The term "tax" means the French tax on inheritances or the Federal estate tax of the United States, as the context requires.

(2) In the application, by one of the Contracting States, of the provisions of this Title, any term which is not otherwise defined shall have, unless the context requires a different interpretation, the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of this Title.

Article 3

(1) For the purpose of this Title, the question whether a decedent was domiciled in the territory of the Contracting States at the time of his death shall be determined in conformity with the law in force in that territory.

(2) In the case of the death of a person domiciled in the territory of one of the Contracting States, the situs of any of the following property or property rights shall, for the purpose of the imposition of the tax and for the purpose of the credit provided for in

Article 5, be determined exclusively in accordance with the following rules:

(a) Real property shall be deemed to be situated at the place where the land involved is located. Real property includes leases of such property, unless such leases are of eighteen years' duration or less, but excludes mortgages and other liens on such property as security. The question whether any other property or right in property constitutes real property shall be determined in accordance with the law of the place where the land involved is located.

(b) Corporeal movable property, except as hereinafter prescribed, as well as bank notes and any other kind of money which is legal tender at the place of issuance, shall be deemed to be situated where it is physically located at the time of the decedent's death.

(c) Ships and aircraft shall be deemed to be situated at the place of registration or documentation of the ship or aircraft.

(d) The goodwill of a business firm (including for the purposes of this subparagraph rights in a lease other than one deemed to be real property under the provisions of subparagraph (a) of this Article) or the goodwill attached to the practice of one of the liberal professions shall be deemed to be situated where the business is carried on or the profession is practiced.

(e) Patents, trademarks and designs shall be deemed to be situated at the place where they are registered.

(f) Copyrights and rights or licenses to use any copyrighted material, patent, trademark or design shall be deemed to be situated at the place where the rights arising therefrom are exercisable.

(g) Shares in a corporation (including shares held by a nominee for the benefit of the decedent) shall be deemed to be situated at the place in which, or under the laws of which, such corporation was created or organized.

(h) Bills of exchange and checks shall be deemed to be situated at the place of the drawee's residence, and negotiable promissory notes at the place of residence of the maker.

(i) All property other than hereinbefore mentioned shall be deemed to be situated in the State in which the deceased person was domiciled at the time of his death.

Article 4

The Contracting State which imposes tax in the case of a decedent who, at the time of his death, was not domiciled in its territory but was domiciled in the territory of the other Contracting State:

(a) shall allow every abatement, exemption, deduction, or credit, which would be applicable under its law if the decedent had been domiciled in its territory, in an amount not less than the proportion thereof which the value of the property, situated according to Article 3 in such State and subject to the tax of such State, bears to the value of the property which would have been subject to the tax of such State if the decedent had been domiciled in its territory; and

(b) shall (except for the purpose of subparagraph (a) of this Article and for the purpose of any other proportionate allowance otherwise provided) take no account of property situated according to Article 3 outside its territory in determining the amount or rate of tax.

However, the provisions of this Article shall not apply to the tax imposed by the United States in the case of a deceased citizen of the United States.

Article 5

(1) The contracting State imposing tax in the case of a deceased person, who, at the time of his death, was domiciled in such State (or was a citizen thereof if such State is the United States), shall allow against its tax (as otherwise computed) a credit for the amount of the tax imposed by the other contracting State with respect to property situated in the territory of such other contracting state and included for tax purposes by both States, but the amount of credit shall not exceed the portion of the tax imposed by the former State which is attributable to such property. The provisions of this paragraph shall not apply with respect to any property referred to in paragraph (2) of this article.

(2) If the decedent is regarded by each of the contracting States as being domiciled in its own territory, each State shall, in addition to the credit authorized by paragraph (1) of this article, allow against its tax (as otherwise computed) a credit for the part of the tax imposed by the other State with respect to property included for tax purposes by both States and situated or deemed to be situated

(a) in the territory of both contracting States, or

(b) outside of both territories.

The total of the credits authorized by this paragraph shall be equal to the amount of tax imposed with respect to such property by the State imposing the smaller tax, and shall be divided between the two States in proportion to the amount of tax imposed by each of the two contracting States with respect to such property.

(3) For the purposes of this Article, the amount of the tax of each Contracting State attributable to any designated property shall be ascertained after taking into account any applicable abatement, credit, remittance, diminution, or increase, as provided by its law, other than any credit authorized by this Article.

Article 6

(1) Any claim for a credit or a refund of tax founded on the provisions of this Title shall be made within a period of five years from the date of the death of the decedent.

(2) Any such refund shall be made without payment of interest on the amount so refunded.

TITLE II

*Tax on incomes*

Article 7

The provisions of the convention and protocol between the United States of America and the French Republic signed at Paris on July 25, 1939 are hereby modified and supplemented as follows:

(a) In the enumeration of French taxes to which the convention of July 25, 1939, applies the reference to the national tax on undistributed profits which is set forth as number (3) in Article 1 (b) of Title I is eliminated as the tax has ceased to be imposed in France since January 1, 1941. The second paragraph of Article 15 of said convention is abrogated.

(b) For the purposes of Article 7 an individual resident of France deriving from sources within the United States rents from real property, or royalties in respect to mines, quarries, or other natural resources may elect for any taxable year to be subject to United States tax as if such resident were engaged in trade or business within the United States through a permanent establishment therein in such taxable year. For the purposes of Article 7 the term "royalties" as used in the second paragraph of such article shall, as to amounts paid on or after January 1, 1945, be deemed to include rentals in respect of motion picture films.

(c) Article 8 is amended by adding after the words "other State" in the first paragraph thereof the following: "(other than citizens of such other State").

(d) (1) Article 14, B, a) is amended by striking out "12" and inserting in lieu thereof "25". This subparagraph shall be deemed to be effective as of January 1, 1945, with respect to the taxation of income acquired since that date on which the French tax has not been collected.

(2) The last paragraph of Article 14, B, b) is abrogated and replaced by the following provisions: "However, the provisions of the first and second paragraphs of Article 114 of the French Code on direct taxation relative to the taxation of aliens domiciled or resident in France shall continue to be applied."

(e) By adding immediately after Article 17 the following new article:

"ARTICLE 17A

"The American corporations affected by Article 17 of the Convention of July 25, 1939, which remain subject to the provisions of Article 3 of the Decree of December 6, 1872 which were not placed under the special regime established by Articles 5 and 6 of the Convention for the avoidance of double taxation between the United States of America and France signed April 27, 1932 may, during a new period of six months from the date of exchange of the instruments of ratification of the present Convention, exercise with reference to past years the option provided in those two Articles under the conditions which they prescribe."

(f) Paragraph VIII of the Protocol is amended to read as follows:

"VIII.

"As used in this Convention, the term "competent authority" or "competent authorities" means, in the case of the United States of America the Commissioner of Internal Revenue or his duly authorized representative, and in the case of France the Chef du Service de la Coordination des Administrations Financieres or his duly authorized representative."

TITLE III

*Administrative assistance*

Article 8

(1) With a view to a more effective imposition of the taxes referred to in Title I of the present Convention and in the tax Convention of July 25, 1939, and to the prevention of fraud in the case of such taxes, the Contracting States agree that their competent authorities will exchange all the information which they possess or can procure under their respective laws that may be of use to the competent authorities for these purposes. The information transmitted under the provisions of this Convention by one of the Contracting States to the other Contracting State shall not be published, revealed or disclosed to any person except to the extent permitted under the laws of the latter State with respect to similar information.

(2) In no case shall the provisions of this Title relating to disclosure of information in particular cases or to mutual assistance in the collection of taxes be construed so as to impose upon either of the Contracting States the obligation to carry out administrative measures at variance with the regulations and practice of either Contracting State or to supply particulars which are not procurable under its own legislation or information which is of such nature that it would involve violation of an industrial, business, or trade secret or compromise its security.

(3) The State to which application is made for information or assistance shall comply as soon as possible with the request addressed to it. If, for any of the reasons set forth above, it is unable to comply with such request it shall inform as soon as possible the State making the application.

Article 9

(1) In conformity with the provisions of the preceding Article the competent authorities of the United States will transmit without request to the competent authorities of the French Republic:

(a) As regards any person, corporation or other entity having an address in France and

deriving from sources within the United States rents, dividends, interest, royalties (including income from authors' rights), income from trusts, salaries, wages, bonuses, pensions, annuities, or other fixed or determinable periodical income, the name and address of such person, corporation or other entity as well as the amount of such income.

(b) As regards—

(A) a decedent who was a citizen of, or domiciled in, the United States, any information disclosed by United States estate tax records relative to property of such decedent situated in France; and

(B) a decedent domiciled in France, any information disclosed by United States estate tax records relative to property of such decedent situated in the United States.

(c) Any particulars which the competent authorities of the United States may obtain from banks, savings banks or other similar institutions concerning assets belonging to individuals whose addresses are in France or to French corporations or other entities, as well as information on the amount of payments of coupons from securities which are made to the account of these persons.

(d) Any particulars which the competent authorities of the United States may obtain from inventories in the case of property passing on death concerning debts contracted with individuals whose addresses are in France or French corporations or other entities.

(2) The information referred to in subparagraph (a) of paragraph (1) of this Article will be transmitted as soon as possible after December 31 of each year. The information referred to in subparagraphs (b), (c) and (d) of paragraph (1) of this Article will be transmitted as soon as practicable in the course of audit of estate tax cases.

Article 10

(1) In conformity with the provisions of Article 8, and independently of the enumeration below, the competent authorities of the French Republic will transmit spontaneously to the competent authorities of the United States information which they can obtain on the existence of property belonging to the estates of persons, domiciled at the moment of their death either in France or in the United States or of citizens of the United States, and which may be taxable under the estate tax laws of the United States.

(2) They will furnish in particular to these authorities:

(a) the copy of the transcript of the report of the opening of safety boxes or sections of safety boxes which were rented by the decedents or their spouses if these persons were domiciled in the United States or if they were citizens thereof;

(b) the copy of the transcript of the reports of the inventory of the content of sealed envelopes and locked boxes deposited by said persons with bankers, brokers or other persons receiving habitually deposits of this type;

(c) the copy of the lists of securities, cash or documents of evidences of value belonging to the estate of a person domiciled in the United States transmitted by corporations or companies, brokers, bankers, ministerial officers (notaries), business agents, custodians;

(d) the report of the opening of each individual or joint account opened with one of the persons designated under the preceding subparagraph and concerning one or more citizens of the United States.

(3) They will also furnish to these authorities:

(a) the name and address of each natural or juridical person having an address in the United States and drawing from sources situated in France income from immovables, dividends, interests, royalties, salaries, wages, bonuses, pensions, annuities, or other periodical (fixed or variable) incomes, accompanied by an indication for each of the said persons of the amount of this income;

(b) all information which they can obtain from banks, savings banks or other analogous institutions on assets belonging to persons who have an address in the United States or corporations or other United States juridical persons as well as information on the amount of payments of coupons from securities which are made to the account of these persons;

(c) all information which they can obtain from inventories at death concerning debts which are due to persons residing in the United States or corporations or other United States juridical persons.

(4) The information referred to in paragraph (2) and subparagraph (c) of paragraph (3) above will be transmitted as quickly as possible and as soon as it comes to the attention of the competent authorities of the French Republic; the information referred to under subparagraphs (a) and (b) of paragraph (3), as quickly as possible in the first six months of each year.

Article 11

The competent authorities of each of the Contracting States shall be entitled to obtain from the competent authorities of the other Contracting State information concerning concrete cases affecting natural or juridical persons as far as the application of the taxes referred to under Title I of the present Convention and the taxes under the tax Convention signed July 25, 1939 is concerned.

Article 12

(1) The two Contracting States undertake to lend assistance and support to each other in the collection of the taxes to which the present Convention or the Convention of July 25, 1939, relates, together with interest, costs, and additions to the taxes and fines not being of a penal character according to the laws of the State requested, in the cases where the taxes are definitively due according to the laws of the State making the application.

(2) In the case of an application for enforcement of taxes, revenue claims of each of the Contracting States which have been finally determined will be accepted for enforcement by the State to which application is made and collected in that State in accordance with the laws applicable to the enforcement and collection of its own taxes.

(3) The application will be accompanied by such documents as are required by the laws of the State making the application, to establish that the taxes have been finally determined.

(4) If the revenue claim has not been finally determined, the State to which application is made will take such measures of conservancy (including measures with respect to transfer of property of non resident aliens) as are authorized by its laws for the enforcement of its own taxes.

Article 13

(1) The competent authorities of the two Contracting States may prescribe regulations necessary to interpret and carry out the provision of the present Convention and the Convention of July 25, 1939. With respect to those provisions relating to exchange of information and mutual assistance in the collection of taxes, such authorities may, by common agreement, prescribe rules concerning matters of procedure, forms of application and replies thereto, conversion of currencies, transfer of sums collected, minimum amounts subject to collection, payment of costs of collection, and related matters.

(2) Should any difficulty or doubt arise as to the interpretation or application of the present Convention or the Convention of July 25, 1939, or their relationship to Conventions between one of the Contracting States and any other State, the competent authorities of the Contracting States may settle the question by mutual agreement.

Article 14

Any taxpayer who shows proof that the action of the revenue authorities of the Contracting States has resulted in double taxation in his case in respect of any of the taxes to which the present Convention, or the present Convention, or the Convention of July 25, 1939, relates, shall be entitled to lodge a claim with the State of which he is a citizen or, if the taxpayer is a corporation or other entity, with the State in which it is created or organized. Should the claim be upheld, the competent authority of each State may come to an agreement with the competent authority of the other State with a view to equitable avoidance of the double taxation in question.

Article 15

As used in the present Convention, the term "competent authorities" means, in the case of United States of America, the Commissioner of Internal Revenue or his duly authorized representative, and, in the case of the French Republic, the Chef du Service de la Coordination des Administrations Financières or his duly authorized representative.

TITLE IV

*General provisions*

Article 16

Upon the coming into force of the present Convention, the provisions of Articles 20 to 26, inclusive, constituting Title II, of the Convention between the United States of America and the French Republic, signed at Paris on July 25, 1939, shall be superseded and replaced by the provisions of Articles 8 to 15, inclusive, constituting Title III, of the present Convention to the extent that such provisions may be applicable with respect to the taxes which are the subject of the Convention of July 25, 1939.

Article 17

(1) So long as the present Convention shall be in force, either of the Contracting States may, by written notification to the other Contracting State through diplomatic channels, declare its desire that the operation of either

(a) Title 1, and other provisions of the present Convention which may be applicable with respect to the taxes which are the subject of Title I, or

(b) the Convention of July 25, 1939 as modified and supplemented by the present Convention,

or both, shall extend to all or any of its colonies, overseas territories, protectorates, or territories under its mandate or trusteeship which impose taxes substantially similar to those which are the subject of Title I of the present Convention or which are the subject of the Convention of July 25, 1939, as the case may be.

(2) The provisions of the present Convention, or the Convention of July 25, 1939, as modified and supplemented by the present Convention, with respect to which a notification is given in accordance with paragraph (1) of this Article, shall apply to the territory or territories named in such notification,

(a) as to the taxes which are the subject of Title I of the present Convention: in the case of persons who die on or after the date or dates specified in the notification (it being understood that such date or dates shall be not less than sixty days from the date of the notification), or, if no date is specified in respect of any such territory, on or after the date of such notification, or,

(b) as to the taxes which are the subject of the Convention of July 25, 1939: on and after the first day of January following the

date of the notification (it being understood that such first day of January shall be not less than sixty days from the date of the notification),

unless, before the date on which the provisions would otherwise be applicable to a particular territory, the Contracting State to which the notification is given shall have informed the other Contracting State, in writing through diplomatic channels, that it does not accept such notification in respect of that territory. In the absence of such an extension, the provisions which are the subject of the notification shall not apply to any such territory.

(3) At any time after the expiration of a period of one year from the effective date of an extension made by virtue of paragraphs (1) and (2) of this Article, either of the Contracting States may, by a written notice of termination given to the other Contracting State through diplomatic channels, terminate the application of the provisions to any of the territories of the former State to which such provisions have been extended; in which case,

(a) in so far as concerns estates or inheritances in the case of persons who die on or after the date or dates specified in such notice (it being understood that such date or dates shall be not less than sixty days from the date of such notice), or, if no date is specified, on or after the sixtieth day after the date of such notice, or

(b) in so far as concerns the application of the Convention of July 25, 1939, as modified and supplemented by the present Convention, on and after the first day of January following the date of such notice (it being understood that such first day of January shall be not less than sixty days from the date of the notice),

the provisions, as the case may be, shall cease to be applicable to the territory or territories named in such notice; provided, however, that this shall not affect the continued application of such provisions to the United States, to France, or to any other territory to which such provisions apply and which is not named in the notice of termination.

(4) For the application of any of the provisions to any territory to which it is extended by the United States or by the French Republic, references to "United States" or, as the case may be, "France", or to the territory of one (or of the other) Contracting State, shall be construed to refer to the territory to which such provisions shall have been extended.

(5) For the purpose of the present Convention, Algeria shall be considered to be a French territory to which the provisions of this Article shall apply.

Article 18

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

(2) The provisions of Title I, and the other provisions of the present Convention in so far as they may be applicable with respect to the taxes which are the subject of Title I, shall enter into force on the day of the exchange of instruments of ratification, and shall be applicable solely to estates or inheritances in the case of persons who die on or after that date.

(3) The provisions of Title II, and the other provisions of the present Convention in so far as they may be applicable with respect to the taxes which are the subject of the Convention of July 25, 1939 and of Title II of the present Convention, shall, except as otherwise provided in the present Convention, enter into force on the first day of January following the exchange of instruments of ratification.

Article 19

(1) The present convention shall remain in force for a minumum period of 5 years after the date of the exchange of the instruments of ratification.

(2) If, not less than 6 months before the expiration of such period of five years, neither of the Contracting States shall have given to the other Contracting State, through diplomatic channels, written notice of its intention to terminate the present Convention, the Convention shall remain in force after such period of five years until either of the Contracting States shall have given notice of such intention, in which event

(a) the provisions of Title I, and the other provisions of the present Convention in so far as they may be applicable with respect to the taxes which are the subject of Title I, shall not be effective as to estates or inheritances in the case of persons who die on or after the date (not being earlier than the sixtieth day after the date of the notice of termination) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice; and

(b) the provisions of Title II, and the other provisions of the present Convention in so far as they may be applicable with respect to the taxes which are the subject of the Convention of July 25, 1939 nd of Title II of the present Convention, shall not be effective on or after the first day of January following the expiration of a six-month period after the date of the notice of termination.

In testimony whereof, the Plenipotentiaries above-named have signed the present Convention and affixed thereto their seals.

Done at Paris, in duplicate, in the English and French languages, this 18th of October 1946.

For the Government of the United States of America:

JEFFERSON CAFFERY

For the Provisional Government of the French Republic:

BIDAULT

---

PROTOCOL

The Government of the United States of America and the Government of the French Republic, desiring to conclude a supplementary Protocol modifying in certain respects the Convention signed at Paris October 18, 1946, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates and inheritances and for the purpose of modifying and supplementing certain provisions of the Convention between the two Governments relating to income taxation signed at Paris on July 25, 1939.

Have agreed as follows:

ARTICLE I

(1) Article 12 of the Convention of October 18, 1946, is amended by adding thereto the following paragraph:

"(5) The assistance provided for in this Article shall not be accorded with respect to citizens, corporations or other entities of the State to which application is made nor with respect to estates of such citizens."

(2) For the purposes of Title I of the Convention of October 18, 1946—

(a) The determination whether a citizen of the United States acquired a domicile in France will, for the purposes of the French tax on inheritances, be made in conformity with Article 103 of the French Civil Code as in effect on the date of signature of this Protocol.

(b) The determination whether a citizen of France acquired a domicile in the United States will, for the purposes of Federal estate taxes, be made in conformity with Section 81.5 of the United States Estate Tax Regulations as in effect on the date of signature of this Protocol.

(3) Article 9 of the Convention between the two Governments relating to income taxation signed at Paris on July 25, 1939, is amended to read as follows:

"ARTICLE 9

"An individual who is a resident of one of the Contracting States shall be exempt from tax by the other Contracting State upon compensation for personal services (other than income from the exercise of a liberal profession) performed during the taxable year within such other Contracting State if (a) he is present in such other Contracting State for a period or periods aggregating less than the taxable year and (b) such services are performed for or on behalf of a resident, corporation or other entity of the former Contracting State.

"This provision does not apply to the income referred to in Article 8."

(4) The provisions of Article 10 of the Convention signed July 25, 1939 between the United States and France shall be applied on a reciprocal basis.

(5) Title I of the Convention between the two Governments signed at Paris on July 25, 1939, is supplemented by the following Article:

"ARTICLE 19A

"In the case of taxes on property or on increment of property, the following provisions shall be applicable:

"(1) If the property consists of:

"(a) immovable property and accessories appertaining thereto;

"(b) commercial or industrial enterprises, including maritime shipping and air transport undertakings:

the tax may be levied only in that contracting State which is entitled under the preceding articles to tax the income from such property.

"(2) In the case of all other forms of property, the tax may be levied only in the State of domicile. However, the value of furniture is taxable in the State of the residence to which the furniture appertains.

"(3) In applying paragraph (2) above, the domicile of physical persons corresponds to the normal residence understood in the sense of permanent habitation; domicile of corporations or other juridical persons to the place of the site of their actual management.

"(4) This article shall become effective only as to taxes enacted on or after the date of exchange of the instruments of ratification of this protocol."

ARTICLE II

(1) This protocol shall be ratified and the instruments of ratification thereof shall be exchanged at Washington.

(2) This protocol shall become effective and continue effective in accordance with articles 18 and 19 of the convention of October 18, 1946, as though this protocol were an integral part of that convention.

In witness whereof the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed this protocol and have affixed thereto their seals.

Done in duplicate, in the English and French languages, at Washington this 17th day of May 1948.

For the Government of the United States of America:

[SEAL] G C MARSHALL

*Secretary of State of the United States of America.*

For the government of the French Republic:

[SEAL] HENRI BONNET

*Ambassador Extraordinary and Plenipotentiary of the French Republic in Washington.*

The PRESIDING OFFICER. The convention and the supplementary protocol are open to amendment. If there be no amendment to be proposed, the convention and supplementary protocol will be reported to the Senate.

The convention and supplementary protocol were reported to the Senate without amendment.

Mr. VANDENBERG. Mr. President, in connection with the treaty with France, which is the final one on the calendar, and which deals fundamentally with the question of double taxation, I cannot refrain from saying that this treaty has had the highest consideration by a subcommittee headed by the distinguished Senator from New Jersey [Mr. SMITH]. At the outset, there was a wide divergence of view among interested parties in the United States, but in the final analysis the treaty is in a form which has resolved the difficulties, and since it deals with taxation, what to me is the final mark of approval is that it has the approval of Mr. Stamm, speaking for the Joint Congressional Committee on Taxation.

I defer to the distinguished Senator from New Jersey for any statement he may feel necessary to be made in connection with the treaty.

Mr. SMITH. Mr. President, at the opening of the Eightieth Congress, in January 1947, this matter was referred to a subcommittee of the Committee on Foreign Relations of which the Senator from Maine [Mr. WHITE] at that time was the chairman. The Senator from New Mexico [Mr. HATCH] and I were the other members of the subcommittee.

After we had opened the hearing and invited the attendance of interested persons who did business in France, and various groups, such as the National Foreign Trade Council, the Joint Committee on Taxation, United States Associate International Chamber of Commerce, and American business interests and American residents of France, we discovered that there had been developed in the studying of this convention a number of objections as to the way by which, under the convention, our country undertook to collect taxes for the government of France.

This matter was of such concern that we held a number of hearings, and finally, at the suggestion of the members of the subcommittee, the gentlemen who represented these American interests in France were asked to confer with members of the State Department, and with Mr. Stamm, as the Senator from Michigan has stated, and finally, after long negotiations, we arrived at certain conclusions with regard to the objections which had been raised.

We discovered that there had been embodied in the convention certain methods of collection of taxes which we as a subcommittee felt were not desirable, and at our request the whole matter was reviewed again by the State Department representatives, with the net result that after many months of negotiation we finally arrived at an agreement which was to take care of the objections, in the form of a protocol and a supplemental document which was interpretative of what was meant by the convention.

For those who may be interested in the technical points, we have embodied on page 2 of the report which I have submitted with the convention the eight principal objections which were raised by the various interested parties to the convention as originally drafted, and on the following pages we indicate how a satisfactory agreement was reached as between the subcommittee and the representatives of the State Department who negotiated the convention, and then between the State Department representatives and the objectors among the American people doing business in France, and finally after approving the form we had it resubmitted to the French authorities, their technical experts went into conversations with our experts, and arrived at this agreed protocol, which is reported with the convention, and which we recommend be approved, as it has to be approved by a two-thirds vote of the Senate.

The subcommittee recommends the ratification both of the convention and of the supplemental protocol.

Mr. McMAHON. Mr. President, will the Senator yield for a question?

Mr. SMITH. I yield.

Mr. McMAHON. I have not had any time to study this matter, but is there anything in the treaty which will relieve the rich parasites who frequented the Park Avenue hotels during the war, and made large profits on the stock market, and enable them to escape taxation on their profits?

Mr. SMITH. The attempt has been made to prevent evasion of taxes, and attempt has been made also to prevent collection of double taxation, where American residents of France, for example, have incomes here and have property in France, and who would be taxed twice, both in income taxes here and in income taxes there. We tried in both countries to provide for the collection of taxes from persons from whom taxes should be collected, whether Americans in France or French nationals in America.

Mr. McMAHON. I do not know of any of our nationals in France making money there.

Mr. SMITH. That is true.

Mr. McMAHON. Whenever one would go into the hotels and restaurants in New York there could be seen evidences of the way some nationals of foreign countries were making a great deal of money on the stock market, and I hope there is nothing in the treaty which will permit them to get out from under proper tax liability.

Mr. SMITH. So far as I know, there is nothing which will permit them getting out from under our tax laws, but I cannot answer in detail without knowing of the specific cases.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of Executive A, Eightieth Congress, first session, a convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two governments relating to income taxation signed at Paris on July 25, 1939.

*Resolved further (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of Executive G, Eightieth Congress, second session, a supplementary protocol, signed at Washington on May 17, 1948, modifying in certain respects the convention between the United States of America and France, signed at Paris on October 18, 1946, for the avoidance of double taxation and the prevention of evasion in the case of taxes on estates and inheritances, and for the purpose of modifying and supplementing certain provisions of the convention between the two Governments relating to income taxation signed at Paris on July 25, 1939.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention and supplementary protocol are ratified.

ARCHIVIST OF THE UNITED STATES

The PRESIDING OFFICER. The clerk will state the nomination on the Executive Calendar.

The legislative clerk read the nomination of Wayne C. Grover, of Utah, to be Archivist of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. WHERRY. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be so notified.

RECESS

Mr. WHERRY. As in legislative session, I now move that the Senate recess until tomorrow at 11 o'clock a. m.

The motion was agreed to; and (at 11 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 3, 1948, at 11 o'clock a. m.

---

NOMINATIONS

Executive nominations received by the Senate June 2 (legislative day of June 1), 1948:

DIPLOMATIC AND FOREIGN SERVICE

J. Klahr Huddle, of Ohio, now Ambassador Extraordinary and Plenipotentiary to Burma, to serve concurrently and without additional compensation as the representative of the United States of America on the Kashmir Commission of the Security Council of the United Nations.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

John P. Gardiner, of the District of Columbia.
Peyton A. Kerr, Jr., of Virginia.
Robert C. Martindale, of California.
Charles Nelson Spinks, of California.
Carroll M. Terry, of Alabama.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

William C. Brister, of the District of Columbia.
Harry W. Johnstone, of the District of Columbia.
Maurice S. Rice, of the District of Columbia.
Robert W. Tucker, of Virginia.
Joseph A. Todd, of Mississippi.
David G. Wilson, Jr., of Oregon.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Milton Barall, of New York.
Joseph Chase, of New York.
Leon B. Poullada, of California.
Richard M. Scammon, of Illinois.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Willard Allan, of New Jersey.
Russell C. Heater, of California.
Paul R. Hughes, of California.

DEPARTMENT OF JUSTICE

Herbert A. Bergson, of Massachusetts, to be an Assistant Attorney General, to fill an existing vacancy.

IN THE NAVY

Vice Adm. Forrest P. Sherman, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving under a designation in accordance with section 413 of the Officer Personnel Act of 1947.

---

CONFIRMATION

Executive nomination confirmed by the Senate June 2 (legislative day of June 1), 1948:

ARCHIVIST OF THE UNITED STATES

Wayne C. Grover, to be Archivist of the United States.

---

WITHDRAWAL

Executive nomination withdrawn from the Senate June 2 (legislative day of June 1), 1948:

POSTMASTER

Mrs. Anne M. Bailey to be postmaster at Kingston, in the State of West Virginia.

---

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, JUNE 2, 1948

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou in whose all-loving embrace we dwell and from whom all our longings and hopes spring, grant that these sacred moments at the altar of prayer may prepare us for our labors with unfaltering faith in an unfailing God.

We pray that we may be custodians of that which is dear to every American heart—the right to worship, the right to speak, and the right to work. Teach us that we cannot dispense with the heart and soul of things and survive. Our hearts are not right if they fail to pulsate with human sorrow, and no virtue is safe if it is not hostile to wicked works.

O deliver us from the snare of the fowler and from the noisome pestilence that infest our country. Lead us to the citadels of calm reason and study, to the quiet of the home altar, and to the church for spiritual renewal; these are the powers that make a nation grand and glorious. In the name of Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 28, 1948:

H. R. 3510. An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska.

On May 29, 1948:

H. R. 6203. An act to incorporate the Roman Catholic Archbishop of Washington a corporation sole.

On June 1, 1948:

H. R. 3219. An act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes; and

H. R. 5193. An act to amend the Nationality Act of 1940.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 1572. An act for the relief of Basque aliens;

H. R. 3638. An act to amend section 10 of the act establishing a National Archives of the United States Government;

H. R. 3680. An act to amend sections 207, 213, 215, 216, 220, 222, and 225 of title 2 of the Hawaiian Homes Commission Act, 1920, as amended;

H. R. 4954. An act to authorize the construction, operation, and maintenance, under Federal reclamation laws, of the Kennewick division of the Yakima project, Washington;

H. R. 5151. An act authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi;

H. R. 5155. An act to authorize the Secretary of the Interior to have made by the Public Roads Administration and the National Park Service a joint reconnaissance survey of the Chesapeake & Ohio Canal between Great Falls, Md., and Cumberland, Md., and to report to the Congress upon the advisability and practicability of constructing thereon a parkway, and for other purposes;

H. R. 5283. An act to provide for the disposal of surplus sand at Fort Story, Va.;

H. R. 5553. An act to amend paragraph 1772 of the Tariff Act of 1930, as amended;

H. R. 5587. An act to add certain lands to the Theodore Roosevelt National Memorial Park in the State of North Dakota, and for other purposes;

H. R. 5965. An act to amend paragraph 813 of the Tariff Act of 1930;

H. R. 6056. An act to amend an act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, N. Y.;

H. R. 6078. An act to amend section 303 (e) of the Interstate Commerce Act, as amended;

H. R. 6091. An act to withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii;

H. R. 6242. An act to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap;

H. J. Res. 246. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry industry in the United States;

H. J. Res. 340. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of the American Turners Society in the United States;

H. J. Res. 341. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska; and

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 2798. An act to amend section 5, Home Owners' Loan Act of 1933, and for other purposes;

H. R. 3433. An act to amend the act entitled "An act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes;

H. R. 3628. An act to revise the method of issuing patents for public lands;

H. R. 5065. An act to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admission tax when admitted free; and

H. R. 5816. An act to amend the act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 582. An act authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes;

S. 1243. An act to provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes;

S. 1260. An act to create a commission to hear and determine the claims of certain motor carriers;

S. 1274. An act conveying all right, title, and interest of the United States in and to certain lands in Wilkinson County, Miss., to the heirs, assigns, and successors in title of William Collins;

S. 1275. An act conveying all right, title, and interest of the United States in and to certain lands in Warren County, Miss., to the heirs, assigns, and successors in title of Moses Evans;

S. 1560. An act to facilitate the performance of research and development work by and on behalf of the Departments of the Army, the Navy, and the Air Force, and for other purposes;

S. 1561. An act to protect the national security of the United States by permitting the summary termination of employment of civilian officers and employees of various departments and agencies of the Government, and for other purposes;

S. 1797. An act to authorize the advance on the retired list of Lt. John T. McDermott,

United States Navy (retired), to the grade of lieutenant commander;

S. 1861. An act to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service;

S. 2174. An act to amend further sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 110 and 112), relating to allowances;

S. 2186. An act to amend section 5 of the act entitled "An act to amend the laws relating to navigation, and for other purposes";

S. 2281. An act to provide for an air parcel-post service, and for other purposes;

S. 2479. An act providing for the suspension of annual assessment work on mining claims held by location in the United States;

S. 2495. An act to authorize adjustments of rentals paid for premises leased for 10 or more years for use as post offices;

S. 2505. An act to amend the act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such act, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes;

S. 2510. An act to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes;

S. 2549. An act to increase the lending authority of Export-Import Bank of Washington;

S. 2553. An act to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Mass.;

S. 2554. To promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes;

S. 2617. An act to include certain lands in the Carson National Forest, N. Mex., and for other purposes;

S. 2622. An act to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes;

S. 2642. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942;

S. 2643. An act to amend the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939;

S. 2675. An act to amend the Organic Act of Puerto Rico;

S. 2743. An act providing for the more expeditious determination of certain claims filed by Ute Indians;

S. 2747. An act to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company;

S. J. Res. 154. Joint resolution authorizing the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry business in the United States; and

S. J. Res. 202. Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to O'Sullivan Dam.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5607) entitled "An act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes."

The message also announced that the Senate had ordered that the Secretary be directed to request the House to return to the Senate the joint resolution (S. J. Res. 154) entitled "Joint resolution authorizing the issuance of a special series of stamps commemorative of the one hundredth anniversary of the poultry business in the United States."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. J. Res. 98) entitled "Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. VANDENBERG, Mr. LODGE, and Mr. CONNALLY to be the conferees on the part of the Senate.

### NATIONAL MILITARY ESTABLISHMENT APPROPRIATION BILL, 1949

Mr. ENGEL of Michigan, from the Committee on Appropriations, reported the bill (H. R. 6771) making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes (Rept. No. 2135), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. KERR reserved all points of order on the bill.

### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HINSHAW. Mr. Speaker, on behalf of the chairman of the Committee on Interstate and Foreign Comerce, I ask unanimous consent that that committee may have permission to sit today during general debate in the House and to act on a measure it has before it and, if necessary, that the committee may have until midnight tonight to file a report thereon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

### EXTENSION OF REMARKS

Mr. MACK asked and was given permission to extend his remarks in the RECORD and include a radio speech.

Mr. LOVE asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. COURTNEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include two communications from constituents.

### WHAT IS ECA DOING TO THE TURKS?

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, here are a set of facts as I get them.

Turkey has 100,000 tons of tobacco available for export. Before the war her tobacco exports averaged over 30,000 tons per year and her largest customer was Germany.

But now ECA is making tobacco export and import allocations for Marshall plan countries.

ECA is reported as restricting Turkish exports of tobacco to only 10,000 tons—about one-third their prewar average.

Yet during the next 15 months we are scheduled to send for free about $200,000,000 worth of tobacco to Turkey's old tobacco customers.

This means that our ECA planners are eliminating Turkey's hopes of selling her tobacco production.

The $64 question is, If we prevent her from selling this important crop, how can Turkey achieve recovery?

She cannot feed or clothe her people with our gifts of submarines and tanks. If she is to recover she needs a fair chance at world trade.

Mr. Speaker, this deal sounds like ERP means European recovery prevention.

What kind of reciprocal trade is this?

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Pennsylvania.

Mr. RICH. How about this wine we are sending over there that we are paying for? Will that help the people over there any?

Mr. BUFFETT. I doubt it, but I have not checked into this matter yet.

The SPEAKER. The time of the gentleman from Nebraska has expired.

### PERMISSION TO ADDRESS THE HOUSE

Mr. MACKINNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. MACKINNON addressed the House. His remarks appear in the Appendix.]

### FIFTEEN-MILLION-DOLLAR SUBSIDY FOR NEWSPAPER, MAGAZINE, AND MOVIE PROPAGANDA ON BEHALF OF ERP

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an article that appeared in this morning's Washington Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, there appears on the front page of the Washington Times-Herald of this morning an article about the ERP or Marshall plan money that is being spent for newspaper, magazine and movie propaganda to put that proposition over, running up $15,000,000.

I do not know whether that statement is true or not; but if it is true, it cer-

tainly is an outrage, and some committee of the Congress that is authorized to do so should investigate it, and should do it now.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. RICH. I have heard some radio commentators in the last couple of days telling the people that it is the duty of the American people to do everything provided in the ERP plan. When I hear these statements it leads me to believe that perhaps some of the radio commentators might be investigated also.

Mr. RANKIN. Yes. The title to this newspaper article is "$15,000,000 Subsidy To Salve Supporters of Marshall Plan."

It includes newspapers, magazines, and moving pictures.

Now, Mr. Speaker, Congress if it has been duped by that kind of propaganda, it is about time Members of both Houses wake up and take an inventory.

Let me say to the gentleman from Pennsylvania [Mr. RICH] that if he will read this article he will find it includes some radio interests.

If the American people have been duped into spending untold billions of dollars, to be poured into the coffers of foreign countries under these conditions, it is a disgrace for the Congress to sit idly by and let that thing go on indefinitely without investigating the matter thoroughly.

Mr. Speaker, the complete article to which I refer follows:

FIFTEEN-MILLION-DOLLAR SUBSIDY TO SALVE SUPPORTERS OF MARSHALL PLAN—NEWSPAPERS, MAGAZINES, MOVIE FIRMS TO GET UNITED STATES CASH, SECRET HEARING TOLD

(By Willard Edwards)

A selected few American newspapers and magazines which shouted the loudest for the $6,000,000,000 Marshall plan are to share approximately $5,000,000 a year under the project, it was learned yesterday.

Another $10,000,000 annually is to be divided between book publishers and motion-picture producers who similarly were active in the propaganda campaign for the foreign spending experiment.

The $15,000,000 fund, contributed by American taxpayers, will be used to subsidize and boost the foreign circulation of those publications which earned the State Department's favor by zealous advocacy of the Marshall program.

The House Appropriations Committee heard the details at a recent closed-door session. Members caustically commented that the money obviously was a reward for services rendered.

A $1,000,000-a-year subsidy for the Paris edition of the New York Herald Tribune, one of the more vociferous exponents of the foreign spending scheme, topped the list of benefits.

The Paris Herald would receive $827,000 yearly for a proposed sale of 75,000 copies daily in the occupied zone in Germany. The blocked German marks it receives for such sales would be turned over to the Government. Another $150,000 a year would be paid the Herald Tribune for circulation of its Paris edition in the occupied zone in Austria.

ONE HUNDRED AND TEN THOUSAND DOLLARS FOR TIMES

The New York Times would receive $110,000 a year which was its estimated cost of selling 20,000 copies in the German occupied zone of its Sunday weekly overseas edition.

The principal magazine beneficiaries and the yearly sums they would receive for circulation are as follows:

Life magazine, $853,000, of which $663,000 would be for publication in England, $100,000 for publication in France, and $90,000 in Italy.

Time magazine, $360,000, of which $330,000 would be for publication in England and $30,000 for publication in Italy.

Newsweek magazine, $200,000, of which $129,000 would be for publication in England and $71,000 in Italy.

Reader's Digest, $305,000, of which $200,000 would be for a French edition and $105,000 for an Italian edition.

CIRCULATION BOOSTER

J. Noel Macy, assistant director of the Office of International Information of the State Department, who explained the secret plan to the committee, said these magazines could boost their foreign circulation by two-thirds with aid of the Government subsidy.

The yearly subsidy for publishing the magazines in Great Britain alone would be $1,168,454 under the plan. Another annual contribution of $6,018,422 would be provided for circulation of books in Britain.

"I suppose this is advanced as a part of the 'stop communism' theory of the Marshall plan," Representative WIGGLESWORTH, Republican, of Massachusetts, noted at the hearing. "I should think England would be the last place where we would need this program.

KEEFE CAN'T UNDERSTAND

"Don't understand the philosophy of this program at all," commented Representative KEEFE, Republican, of Wisconsin. "Don't these magazines get paid in dollars for advertisements? They can use the foreign currency they receive for services, material, and rent in foreign countries."

"It's a way of telling the American story, supporting the work of the Voice of America," said Macy.

"It appears to be only a scheme to bail these people out," remarked KEEFE.

The European recovery program authorizes the $15,000,000 subsidy, Macy said, as a "guaranty of investments in enterprises producing or distributing informational media."

"These newspapers, magazines, motion pictures, and books now going into Europe receive foreign currencies which they are unable to convert into dollars," he told the committee. "The fund would enable them to convert these foreign currencies into dollars."

All motion-picture companies which distribute films abroad would be eligible for this purpose, Macy added. These include Loews, Paramount, Fox, RKO, Universal, Warner Bros., Columbia, Monogram, Republic, United Artists, and Selznick.

Macy asserted that the payments would cover only the actual dollar cost of production. No profits would be involved, but present losses would be eliminated, he remarked.

## EXTENSION OF REMARKS

Mr. ENGEL of Michigan asked and was given permission to revise and extend the remarks he will make in Committee of the Whole today and include certain tables.

## MILITARY FUNCTIONS APPROPRIATION BILL, 1949

Mr. ENGEL of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6771) making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, the time to be equally divided and controlled by the gentleman from North Carolina [Mr. KERR] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

## CALL OF THE HOUSE

Mr. BUFFETT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. HALLECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 87]

| | | |
|---|---|---|
| Anderson, Calif. | Harless, Ariz. | Owens |
| Barden | Hart | Peterson |
| Bell | Hartley | Pfeifer |
| Bland | Heffernan | Ploeser |
| Buckley | Hendricks | Powell |
| Bulwinkle | Holifield | Riley |
| Carroll | Javits | Rizley |
| Celler | Jenkins, Pa. | Robertson |
| Chapman | Johnson, Ill. | Sabath |
| Chiperfield | Johnson, Okla. | Scoblick |
| Clark | Johnson, Tex. | Scott, Hardie |
| Clippinger | Jones, N. C. | Shafer |
| Combs | Kearney | Sheppard |
| Cooper | Kearns | Short |
| Davis, Tenn. | Kee | Sikes |
| Dawson, Ill. | Kefauver | Simpson, Ill. |
| Dirksen | Kennedy | Simpson, Pa. |
| Dolliver | King | Smathers |
| Domengeaux | Knutson | Smith, Maine |
| Dorn | Lane | Smith, Ohio |
| Durham | Lesinski | Stigler |
| Elliott | Lewis, Ky. | Stratton |
| Engle, Calif. | Ludlow | Taber |
| Fellows | Lusk | Teague |
| Fernandez | Lyle | Thomas, N. J. |
| Flannagan | McCormack | Tollefson |
| Fletcher | McDowell | Towe |
| Fogarty | Mathews | Twyman |
| Fuller | Miller, Calif. | Vail |
| Gallagher | Monroney | Wadsworth |
| Gathings | Morrison | West |
| Gossett | Mundt | Whitaker |
| Gwynne, Iowa | Nixon | Whittington |
| Hall, Edwin Arthur | Norton | Wood |
| | O'Toole | Worley |

The SPEAKER. On this roll call 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## DEPARTMENT OF THE NAVY APPROPRIATION BILL, 1949

Mr. PLUMLEY, from the Committee on Appropriations, reported the bill (H. R. 6772) making appropriations for the Department of the Navy and the Naval Service for the fiscal year ending June 30, 1949, and for other purposes (Rept. No. 2136), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. THOMAS of Texas reserved all points of order on the bill.

## EXTENSION OF REMARKS

Mr. HERTER asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. CHENOWETH asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mrs. SMITH of Maine (at the request of Mr. CANFIELD) was given permission to extend her remarks in the RECORD and include a radio address.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include a Memorial Day tribute to the Veterans of the Spanish-American War.

Mr. CLASON asked and was given permission to extend his remarks in the RECORD and include a Memorial Day address by General Bradley.

Mr. ARENDS asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. JONES of Washington asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PRIEST asked and was given permission to extend his remarks in the RECORD and include excerpts from the book entitled "Star-Spangled Radio."

Mr. MAHON asked and was given permission to extend his remarks in the RECORD and include excerpts.

Mr. HARRIS asked and was given permission to extend his remarks in the RECORD and include a poem by Mr. Carlisle.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD in two instances and include in each extraneous matter.

Mr. WHEELER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GAMBLE asked and was given permission to extend his remarks in the RECORD in five instances and include editorial and speeches.

Mr. GWINN of New York asked and was given permission to extend his remarks in the RECORD and include a tabulation of figures.

Mr. GROSS asked and was given permission to extend his remarks in the RECORD and include an address delivered by Speaker MARTIN on Memorial Day at the Gettysburg National Cemetery.

## MINING

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, time is short. Thousands of little mine owners throughout the country in those areas where metals are produced are patiently awaiting action by Congress on the Russell bill, H. R. 6623. Some are exhausting their meager funds keeping their little mines in standby condition pending action by the Congress. These are the miners who bring into production the new mines of America. Their operations in many instances in mountainous areas support the economies of whole communities. They are the same ones who went all out for production during the war and depleted their ore reserves. Now they want to develop new ore, and explore for additional ore bodies as well as carry on production of metals in short supply, such as copper, lead, zinc, tungsten, and manganese.

Hundreds of these mines were shut down when the President vetoed the Allen bill, passed by the Eightieth Congress, during its first session. Many of the objections of the President have been overcome in the Russell bill and all indications are that changed conditions make it imperative that we act on this legislation before adjournment.

Those of us from mining States know of the metal shortages just as those from manufacturing centers realize that more metal must be produced and our reserves rebuilt if we are to maintain a healthy economy as well as provide for stock-pile requirements.

Much work has been done by the Public Lands Committee on this measure and as chairman of the subcommittee of the House Select Committee on Small Business, I can assure the Members of the House that after extensive hearings in the field we need legislation such as the Russell bill to keep our Nation secure and prevent our depending on foreign sources for our metals.

Let us pass the Russell bill post haste and prevent further destruction of the marginal and little mines of America.

## LET THE NATION MONITOR THE VOICE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, we are all aware that any average high school rhetoric student could have produced better Latin-American broadcast scripts for the Voice of America than were turned out recently by State Department contractees.

The Voice material revealed by Sentor CAPEHART will go down as the most stunning example of reverse public relations in American history.

Now Assistant Secretary of State George V. Allen has said that the State Department's international broadcasting division should have maintained a system of controls and checks that would have prevented the abortive Know North America series.

He asks Congress to give the State Department more clear-cut authority over such broadcasts. Private broadcasting companies do not want to be under governmental controls.

Mr. Speaker, the best monitoring job in this Nation would be done by the American people. It would cost the Government no additional money. It would not put commercial radio under further controls.

If every script broadcast to a foreign nation under the Voice of America were translated into English and put on the radio at a certain time each day—and let the soap operas fall where they may—you may be sure that they would receive careful audition by the great American radio audience.

I think the FCC, the Congress, and the State Department should work out such a system. Let our Nation of listeners be the censors.

## VOTE ON RECIPROCAL TRADE AGREEMENTS BILL

Mr. LEA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California

There was no objection.

Mr. LEA. Mr. Speaker. On the 26th of May, four roll calls occurred in the House on the reciprocal trade agreements bill. Prior to that time my colleague, the gentleman from California [Mr. ENGLE], requested me to arrange that he be not paired on any votes as to that measure. I furnished the pair clerk a written memo intended to be in accordance with that request. Through some inadvertence, for which I criticize no one, the RECORD discloses the distinguished gentleman from California [Mr. ENGLE] is paired on each of the four roll calls. As that was contrary to his desire, I give this information to the House to correct the record.

## UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 686)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States of America:*

I am transmitting herewith the twelfth quarterly report of expenditures and operations under the United Nations Relief and Rehabilitation Administration Joint Resolution, Public Law 267, Seventy-eighth Congress, approved March 28, 1944.

This report covers the period from April 1, 1947, to June 30, 1947.

HARRY S. TRUMAN.

THE WHITE HOUSE, *June 2, 1948.*

## FEDERAL AID TO EDUCATION

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, we learned today that the Congress will adjourn as scheduled on June 19. This leaves 16 legislative days until adjournment. This means that this Congress will adjourn without providing many major bills of vital importance to the national welfare.

I regret exceedingly, Mr. Speaker, that among the list of bills included as "must" legislation before adjournment, I do not find the proposed legislation for Federal aid to education.

I have just signed the discharge petition for the consideration by this House of S. 472 which passed the Senate on April 1, 1948. I did so, Mr. Speaker, because the Committee on Education and Labor in the House has failed and refused to report this bill to the House for consideration in a normal course of procedure.

The Congress can ill afford to continue to ignore Federal aid in the education and welfare of our children, the citizens of tomorrow who will shoulder the responsibility of our Government and the welfare of the Nation.

The Senate passed this bill by an overwhelming majority which indicates, in my opinion, the interest of the American people. This proposed legislation has been most carefully considered and widely indorsed throughout the country by organizations and people from every walk of life. There is no greater need, no more urgency, and no more important issue than that which provides for the education and training of our boys and girls. There is no better way to provide for the future security of our Nation. This is not a difficult problem. It is a simple approach that has been worked out over a period of 5 years. It is my opinion that if the Congress does not provide this aid there will not only be deterioration in our country's public educational system, but I fear the public schools of many States face imminent break-down.

Under this proposed legislation the Federal Government would make grants to the States under a well-defined formula of $300,000,000 a year in order that all of our school children may have an opportunity to prepare themselves for life. As has been said, this amounts to a little more than the cost of building two of our great, super aircraft carriers. We are providing $16,000,000,000 for national defense next year, with which I am in full accord and wholeheartedly supported. However, if we would provide only a small percentage of this amount for the education of our children, it would in my opinion do more to protect our future security and in the interest of our national defense than any other funds the Congress has appropriated.

What does this mean, Mr. Speaker? It means the Federal Government will assist the States in equalizing educational opportunity through Federal allotments of not less than $5 per child of school age to any State, and sufficient additional amounts to those States which, after making reasonable effort to provide support for schools, are still unable to produce an amount necessary to guarantee a minimum educational program. This minimum is defined as that kind of a school that can be provided by an average annual, current expenditure of not less than $50 per pupil in average daily attendance.

It does more than this, Mr. Speaker. It places the limitation on Federal control. It leaves the control at the local and State levels. There is a positive prohibition against impairment of local and State control of public elementary and public secondary education. In fact to assure this policy, there is a safeguard which says that Federal agencies or officials are prohibited from attaching "any term or condition of any agreement or any other action taken under this act—or any limitation or provision in any appropriation made pursuant to this act," and so forth.

While it might be argued that Federal aid may be favorable to the poor sections of our country, and I think most of us recognize that there are disparities within the States, it is the principle that should determine this whole issue. The principle of equalization in educational opportunities should be the motivating influence for the enactment of this legislation. That is what this bill would do. Such a principle has been recognized in legislation of the past wherein the Federal Government has contributed to educational cost, and particularly with vocational aid to higher education.

My own State of Arkansas is endeavoring to do its part in the field of education, and I think Arkansas is a fairly good example of other States, and particularly in the South in using its resources for the support of its schools. We contribute something like 3 percent of our income to education when the national average is approximately 1½ percent. Yet we are having a struggle as is being experienced in other States and areas throughout the Nation. Under this proposal Arkansas would receive not the minimum or the maximum under the formula. We would receive $12,390,000. This would enable us to provide adequate salaries for teachers, and retain many in the teaching profession where otherwise they are seeking better opportunities in more lucrative positions. This would enable us to provide better facilities for school children and thereby raise the standard of our educational program.

Mr. Speaker, we have worked many years on this program and this is the first time I believe that the majority has come to an accord as to the provisions and approach to this problem. It would be in my opinion a terrible catastrophe for this legislation to die with the end of this session for the lack of an opportunity of the membership of this House to vote on it. I cannot too strongly urge it to be included in the program of the next 2 weeks and favorably acted upon by this Congress.

## MILITARY FUNCTIONS APPROPRIATION BILL, 1949

The SPEAKER. The question is on the motion offered by the gentleman from Michigan [Mr. ENGEL] that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6771.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6771, with Mr. HERTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ENGEL of Michigan. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include several tables compiled by myself, and I ask that they be included in the form as submitted.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL of Michigan. Mr. Chairman, the Committee on Appropriations submits herewith the annual appropriation bill for the Departments of the Army and Army Air Force for the year ending June 30, 1949.

The 1949 budget, including supplemental estimates for increase in the Departments of the Army and Air Force strength, aggregate $7,157,842,000. The bill recommends appropriations of $6,509,939,000, a decrease in cash of $647,903,000 from the budget estimates submitted and an increase of $356,165,879 from the fiscal year 1948 appropriations. Contractual authority of $50,000,000 for research and development activities and the procurement of equipment, and so forth, for the Signal Corps is provided in this bill.

The bill provides adequate funds for a military force up to 1,250,000. The bill includes $6,800,000 for the Secretary of National Defense; $200,000 for the National Security Council; $3,000,000 for the Security Resources Board; $891,736,000 for the United States Air Force; and $5,608,203,000 for the Department of the Army which makes up the total cash appropriation of $6,509,937,000.

In addition to the appropriations and authorizations provided for in this bill this Congress passed Public Law 527 which contained $608,100,000 cash for aircraft construction and $1,687,000,000 contract authorization for the Department of the Air Force. Summarizing we find that if this bill passes in its present form this Congress will have provided the Department of the Army and Department of the Air Force with $7,118,039,000 cash and $1,727,000,000 contract authorization or a total of cash and contract authorization for the Departments of the Army and Air Force alone of $8,855,039,000. This, of course, includes the $50,000,000 contract authorization for the Signal Corps referred to above.

### TOTAL AVAILABILITY FOR EXPENDITURE DURING 1949

If this bill is passed in its present form there will be available for expenditure to the Departments of the Army and Air Force during the fiscal year ending June 30, 1949, the sum of $12,438,731,820 including $3,583,692,820 of 1948 and prior years funds.

The following is a statement of such availability for expenditure:

| | |
|---|---|
| 1942–46 funds reappropriated in this bill | $336,930,000 |
| Available from 1947 funds: | |
| Army | 328,529,993 |
| Air | 324,287,218 |
| Total | 652,817,211 |
| Available 1948 funds | 2,593,945,609 |
| Available 1949 (if bill is passed) | 8,855,039,000 |
| Total available for expenditure, Departments of Army and Air Force for fiscal year ending June 30, 1949 | 12,438,731,820 |

### DEPARTMENT OF THE AIR FORCE

The bill provides for an Air Force with a strength of 444,500 and an average

strength of 416,084 officers and men as follows:

| | |
|---|---|
| Commissioned officers | 53,570 |
| Warrant officers | 2,074 |
| Nurses and members of the Women's Medical Specialists Corps | 900 |
| Enlisted personnel | 356,704 |
| Aviation cadets | 2,836 |
| Total average | 416,084 |

The present budget requested under appropriation title "General Expenses" is $909,486,000, of which $355,492,000 is for the employment of 137,156 civilian employees. The committee recommends a reduction of $25,000,000 and of 11,500 civilian employees from the item "Salaries, operation of depots, stations, and organizations."

Under the appropriation "Salaries, Office Secretary of the Air Force" the committee made a reduction of $150,000. The appropriation is for $900,000, $806,313 of which is for the employment of 210 employees. Various other deductions were made in personnel aggregating $25,000,000 in the total sum so reduced.

DEPARTMENT OF THE ARMY

The Department of the Army requested an appropriation of $6,165,395,000. Your committee recommends an appropriation of $5,545,993,000, a reduction of $619,438,000, complete break-down of which can be found in the committee report.

CIVILIAN EMPLOYEES

The present budget estimate contains $1,319,073,003 for 547,100 civilians to support an Army and Air Force of approximately 1,250,000. This includes services of personnel outside of the Army. Of this, $1,212,000,000 is for the Departments of the Army and Air Force for the pay of 545,636 civilian employees. The Air Force asked for 137,156 civilian employees as against 110,728 employees actually on the pay roll July 1, 1947. They asked for $355,492,000 for personnel as against $291,394,221 for the fiscal year 1948.

The Department of the Army asked for 408,480 civilian employees for the fiscal year ending July 1, 1949 and had 303,534 on the pay roll on July 1, 1947.

They asked for $916,006,523 as against $740,775,159 for the present fiscal year. The above figures are actual figures of employees on the pay roll and money actually expended or that will be expended for their pay during the fiscal year 1948. In fairness it should be said that included in the increase in force of both Army and Air Force to be serviced are some 28,000 foreign employees who were transferred from Korean and Austrian local currency pay rolls to the dollar pay rolls. The total also includes temporary employees for rehabilitation of facilities. Nevertheless, in the judgment of the committee the pay rolls are still excessive. Your chairman believes that further reduction can and should be made in the future.

DEPARTMENTS OF THE ARMY, AIR FORCE PERSONNEL

Your committee has long felt that lump-sum appropriations to the various services in the Department of the Army were uneconomical and made it impossible to control Army personnel.

1948 PERSONNEL

Your committee after very careful consideration recommended a cut in the War Department—including Air Force—personnel for the present fiscal year ending June 30, 1948, in the sum of $184,086,216. This, according to a detailed statement submitted in the committee report, would have taken 74,631 civilian employees off the Army and Air Force pay roll. The House passed the bill as recommended by your committee with this cut in personnel. The other body refused to concur with the action of the House with the final result that only a net savings of approximately $143,000,000 was made instead of $184,086,216 as proposed by the House, and only 58,371 civilians were eliminated from the 1948 budget instead of 74,631 as proposed by the House. It will be noted that I said "eliminated from the budget" instead of "eliminated from the pay roll."

WAR DEPARTMENT 1948 PERSONNEL BUDGET PADDED

Further investigation shows that the War Department budget officer for 1948 requested and the Budget Bureau allowed $179,478,125 for 80,772 civilian employees over and above the ceiling allowed that Department by law and actually on the pay roll as of July 1, 1947, the beginning of this present fiscal year. That bill passed the Congress in its final form on July 25, 1947. While Congress eliminated 58,371 civilian employees from the budget, it did not eliminate one civilian employee from the pay roll. We would have had to eliminate 22,501 more or a total of 80,772 civilian employees from the budget before even beginning to eliminate any civilian from the pay roll on July 1, 1947. In other words, the War Department budget for the fiscal year ending June 30, 1948, as submitted by the War Department budget officer through the Budget Bureau contained $179,478,125 for the pay of 80,772 civilian employees, over and above the ceiling set by law. This was known to the War Department budget officer. When Congress cut 58,371 civilian employees off the budget, the War Department still had some $55,000,000 "fat" in the budget for more than 22,000 employees they knew they were not allowed by law on July 1, 1948.

Under the lump-sum system of appropriating, these funds allowed by the Congress could be used for any purpose within the appropriation of each service.

At the conclusion of my remarks I am inserting a complete statement as to personnel on hand based on the reports to this committee by Maj. Gen. W. H. Arnold, present Chief of the Budget Division. Major General Arnold was not the budget officer who submitted and justified the 1948 budget. I am sure the entire committee joins me in expressing my personal appreciation to General Arnold and his staff for the very valuable assistance he has given us in furnishing at all times complete information requested by your committee.

Pages could be written and quoted from the record on the loose manner in which personnel funds were being handled. The following are a few illustrations. The Ordnance Department budget contained $25,000,000 for 10,000 civilian employees which they did not have on the pay roll on July 1, 1947. Congress eliminated more than 5,000 of these. The balance of the 4,683 employees were never employed and the money was used to buy spare parts. Let me quote from the testimony. On page 858 of the hearings we find the following, Mr. Storey, Department budget officer, testifying:

Mr. ENGEL. In other words, the Ordnance Department asked for 10,000 more employees than they actually had on the pay roll at the time they requested them. Is that right?

Mr. STOREY. Yes, sir; as of July 1, 1947.

Again:

Mr. ENGEL. Then Mr. Storey, these 4,683 employees we are talking about were a part of that 10,000—which you did not have on the pay roll at the time we gave you the money; is that right?

Mr. STOREY. That is right, as of July 1, 1947.

Again on page 861:

Mr. ENGEL. How much money was put in the budget for those 10,000 employees which you do not have, approximately?

Mr. STOREY. Roughly $25,000,000.

Again on page 856, referring to the 4,683 employees we read the following:

Mr. ENGEL. In other words the $11,234,564 of personnel money that Congress appropriated for personnel purposes was transferred to procurement; is that right?

General HUGHES. Yes, sir.

Mr. ENGEL. What became of your 4,683 employees?

General HUGHES. They just were not hired, that is all.

I had been erroneously informed that these 4,683 civilians had been transferred to the Greek-Turkish aid program. In denying that this had been done, General Hughes made the following statement:

The suggestion was made to me that that was a good way of beating the personnel ceiling—I said—we will not transfer any people from the regular rolls to Greek and Turkish aid or from any other place to another.

It would be interesting to learn who it was that suggested "a good way of beating the personnel ceilings" provided by law.

Before concluding my observations on ordnance I want to say that both General Hughes and Mr. Storey have been very fair and helpful. General Hughes was within the law and had the legal right to transfer the funds referred to. The responsibility was that of Congress and our committee in allowing these funds to be made in a lump sum.

Another illustration: The Engineer Corps were given a total of $174,289,644 for 65,709 employees allowed. They actually had 74,073 employees and spent $189,993,293, plus another $83,450,085 for overseas employees under Project 430. It was represented to the committee that they had some 15,000 overseas employees when they actually had 27,000 paid out of project 430. The discrepancy lay in overseas employees. Under the War Department system General Wheeler, Chief of Engineers, has no control over and often no knowledge of overseas engineers' funds or employees. The funds were al-

located by the War Department budget officer.

I could continue at length with illustrations. However what I am interested in is, What can and what is Congress going to do about it?

THE ONLY REMEDY IS TO EARMARK PERSONNEL FUNDS

The only apparent remedy is to abolish lump-sum appropriations and earmark such funds in such a way so personnel funds cannot be diverted. Your committee has tried to do this in such a way as not to handicap the Departments of the Army and Air Force in the use of such funds for the purpose for which Congress intended them to be used. Roughly speaking, personnel funds can be placed into three categories.

First. Projects known as 01, which are purely personnel funds, including administrative, field, and so forth. These funds should be earmarked.

Second. Money appropriated which may or may not be used for personnel. For instance, Congress appropriates money for weapons. This money is justified purely for that purpose. An illustration would be the funds for Garand rifles, which may be made at Springfield Arsenal or by private manufacturers, gun carriages at Rock Island Arsenal, gun tubes at another arsenal. Congress intended these funds to be spent for rifles, guns, and so forth. The ordnance should have the privilege of either letting these contracts out to private industry or to our own arsenals where we are trying to retain the know-how to make such weapons. The amount appropriated for such purpose is the real ceiling of expenditure. Quartermaster funds for clothing, transportation funds which may be expended for employing men to man vessels or to charter vessels, and many similar illustrations can be given including research and development. Such funds should not be earmarked.

Third. Funds specifically appropriated to modify equipment, overhauling of such equipment, renovation of ammunition, and so forth. Again this would include the various services. Such funds should not be earmarked. The committee has taken all these funds into consideration and has tried to draft a bill which will earmark funds to prevent abuse and the using of funds for personnel which were not intended to be used for that purpose on the one hand and to prevent funds intended for equipment, supplies, and so forth to be diverted to personnel not engaged in the production of such equipment and supplies.

The total personnel funds for the Department of the Army in this budget are $916,006,523. Of this total $769,848,570 are purely project 01 personnel or personnel in either classifications which should be earmarked, leaving the balance of $146,157,953 for so-called industrial employees. The committee recommends that the amount for the first class be reduced in the sum of $169,848,570 and that $600,000,000 be allowed and earmarked for personnel service only.

DEPARTMENT OF THE AIR FORCE

The total personnel funds for the Department of the Air is $355,492,000 of which $325,000,000 is for purely 01 personnel or personnel that should be earmarked in the opinion of the committee. The balance of $30,492,000 should be classified as industrial employees. The committee has reduced the first item from $325,000,000 to $300,000,000, a reduction of $25,000,000 and of 11,500 employees and has earmarked the remaining $300,000,000.

If the recommendations of the committee are adopted by the House and by Congress it will mean that $900,000,000 of the personnel funds of both Army and Air Corps will be earmarked for that purpose solely and if not used for that purpose will revert to the Treasury. This will give the double safeguard of having Congress earmark the funds and of having the Byrd law and Rees law limit the number of employees. Had this been done in the 1948 appropriation bill, the money for more than 80,000 employees asked for by the Budget over and above the personnel ceiling set by law would have reverted to the Treasury regardless of what amount Congress allowed for that purpose. This was actually done in Pay of the Army, 1948 budget. Our committee said to the Army, "We want you to have an Army of 1,070,000 officers and men. We want you to have an Air Corps of 400,000 officers and men. We will give you enough money for that size Army and Air Corps. But if for any reason you do not have an Army of 1,070,000 officers and men, if for any reason you do not have an Air Force of 400,000 officers and men, we want to be sure that the pay, subsistence, and so forth, we have appropriated for the men you do not have, will be spent for no other purpose and will revert to the Treasury." They did not have an Army of 1,070,000 officers and men. They did not have an Air Force of 400,000 officers and men. The result was they could not spend the money appropriated for pay, and so forth. The President recommended a recission of $150,000,000 in Pay of the Army. Congress increased this to $200,000,000 and that amount was rescinded, could not be spent and was therefore not drawn out of the Treasury. Had these funds not been earmarked and had they been appropriated in a lump sum as pay of civilian personnel, equipments, and so forth, ways would undoubtedly have been found to spend such funds in part or in whole. That is exactly what the committee is trying to avoid. Earmarked civilian personnel funds if not used for that purpose cannot be drawn from the Treasury. I believe that the provisions placed in this bill will accomplish that result at least in part. The committee has been rather liberal in its exceptions for the first year and will undoubtedly readjust the limitations in the next bill.

LOSS OF AIRPLANES THROUGH WRECKAGE

The record shows that the Air Force plane replacement is based on the assumption that they will wreck during the fiscal year 1949, for which we are making appropriations, a total of 1,062 planes, the replacement value of which runs into millions of dollars. It is based upon the assumption that we will wreck 112 bombers, 570 fighters, 44 transports, 104 liaison planes, and 232 trainers during the coming year. Percentagewise it means that we will wreck during the coming year, 27.5 percent of our fighter planes; 8.8 percent of the medium, and 16 percent of the light bombers. Either the figures are inflated or there is something wrong with the Air Force operational system. I have asked the Secretary for the Department of Air and the Chief of Staff to investigate the matter and they have promised to do so.

ARMY MEDICAL CORPS AND THE HAWLEY BOARD

It will be recalled that I spoke last year about the excess hospital capacity in the Panama Canal Zone. I obtained the latest figures since then and found that the situation has not changed. The Canal Zone is 20 miles wide and approximately 50 miles long, with a good road from the Atlantic to the Pacific side.

Atlantic side: On the Atlantic side the armed forces and the Canal Zone built at a tremendous cost three new hospitals with a total capacity of 676 permanent beds. The Army built Fort Gulick with a permanent bed capacity of 250. The latest figures show that only 71 were occupied. Marguerita Canal Zone Hospital has 226 permanent beds with only 49 occupied. Coco Solo, the Navy hospital, has 200 permanent beds with only 72 occupied. So we had a total bed capacity on the Atlantic side of 876 permanent beds with only 192 occupied.

Pacific side: On the Pacific side we have a new hospital built during the war with 378 beds called Fort Clayton, with only 173 occupied. In addition we have the large Gorgas Hospital, operated by the Canal Zone, with 718 permanent and 194 temporary beds. They removed all military patients from this hospital, where they had to pay a per diem cost to Fort Clayton Military Hospital, where they obtained hospital services for the families of officers for subsistence rates of about $1.50 per day. This left vacancies in Gorgas. The Army always reports not the number of permanent beds but the number of authorized beds, which is always less than the number of permanent beds. In this way reports seem to indicate that the hospitals are filled when in fact they are sometimes half empty.

I have been trying to have them get together ever since I was in Panama in December 1946. While the committee was in session General Armstrong, Deputy Surgeon General, testified:

I received a telephone message a few minutes ago that Fort Gulick has been closed.

The patients were transferred to the Navy hospital on the Atlantic side. I asked Captain Gilmore of the Navy Medical Corps why the 49 patients at Marguerita Canal Zone Hospital could not be transferred to the Navy hospital and Marguerita Hospital closed. He replied that they could take care of them. A few days later I was informed that Marguerita Hospital had been closed and the patients transferred to the Navy hospital. According to the arrangements as I understand them, the Navy is to handle all Army and Navy patients in the Navy hospital on the Atlantic side while the Army is to handle all Army-Navy patients at Fort Clayton on the Pacific side. Each service reimburses

the other for patients hospitalized on a per diem basis. This will mean the closing of two hospitals with a total bed capacity of 476 permanent beds and should mean a substantial savings. I went into the Army Medical Corps operations rather carefully and feel that these two services are doing a splendid job in cooperating with each other. I was informed that the Hawley board will have many more similar recommendations to make in the way of consolidating not only hospital facilities but supply stations and warehouse facilities. Procurement is also being consolidated and done jointly by these two services. The recommendation of the Hawley board will be watched very closely by your committee. We are very much interested in the extent to which such recommendation will be carried out.

TABLE I.—*Civilian employment (Military Establishment appropriation) (United States plus overseas)*

| | Number | Amount |
|---|---|---|
| Requested in 1948 budget: | | |
| Army | 363,079 | $870,507,755 |
| Air Force | 131,955 | 341,139,750 |
| Total | 495,034 | 1,211,647,505 |
| Actual at start of 1948 (July 1, 1947): | | |
| Army | 303,534 | 740,775,159 |
| Air Force | 110,728 | 291,394,221 |
| Total | 414,262 | 1,032,169,380 |
| Increase requested for 1948 (over actual at start of year): | | |
| Army | 59,545 | 129,732,596 |
| Air Force | 21,227 | 49,745,529 |
| Total | 80,772 | 179,478,125 |
| Allowed by the Congress for 1948: | | |
| Army | 316,613 | 755,915,226 |
| Air Force | 120,143 | 310,803,832 |
| Total | 436,756 | 1,066,719,058 |
| Reduction made by the Congress: | | |
| Army | 46,466 | 114,592,529 |
| Air Force | 11,812 | 30,335,918 |
| Total | 58,278 | 144,928,447 |
| Excess allowed by the Congress over actual at start of year: | | |
| Army | 13,079 | 15,140,067 |
| Air Force | 9,415 | 19,409,611 |
| Total | 22,494 | 34,549,678 |

These tables have been confirmed by the Army and Air Force budget officers.

TABLE II.—*Civilian employment (Military Establishment appropriation) (United States only)*

| | Number | Amount |
|---|---|---|
| Requested in 1948 budget: | | |
| Army | 276,559 | $708,928,928 |
| Air Force | 108,055 | 287,668,050 |
| Total | 384,614 | 996,596,978 |
| Actual at start of 1948 (July 1, 1947): | | |
| Army | 207,279 | 561,933,369 |
| Air Force | 89,345 | 245,698,750 |
| Total | 296,624 | 807,632,119 |
| Increase requested for 1948 (over actual at start of year): | | |
| Army | 69,280 | 146,995,559 |
| Air Force | 18,710 | 41,969,300 |
| Total | 87,990 | 188,964,859 |

TABLE II.—*Civilian employment (Military Establishment appropriation) (United States only)*—Continued

| | Number | Amount |
|---|---|---|
| Allowed by the Congress for 1948: | | |
| Army | 235,244 | $604,209,709 |
| Air Force | 97,677 | 260,540,442 |
| Total | 333,021 | 864,750,151 |
| Reduction made by the Congress: | | |
| Army | 41,215 | 104,719,219 |
| Air Force | 10,378 | 27,127,608 |
| Total | 51,593 | 131,846,827 |
| Excess allowed by the Congress over actual at start of year: | | |
| Army | 28,065 | 42,276,340 |
| Air Force | 8,332 | 14,841,692 |
| Total | 36,397 | 57,118,032 |

TABLE III.—*Civilian employment (Military Establishment appropriation) (overseas only)*

| | Number | Amount |
|---|---|---|
| Requested in 1948 budget: | | |
| Army | 86,520 | $161,578,827 |
| Air Force | 23,900 | 53,471,700 |
| Total | 110,420 | 215,050,527 |
| Actual at start of 1948 (July 1, 1947): | | |
| Army | 96,255 | 178,841,790 |
| Air Force | 21,383 | 45,695,471 |
| Total | 97,638 | 224,537,261 |
| Increase requested for 1948 (over actual at start of year): | | |
| Army | −9,735 | −17,262,963 |
| Air Force | 2,517 | 7,776,229 |
| Total | −7,218 | −9,486,734 |
| Allowed by the Congress for 1948: | | |
| Army | 81,269 | 151,705,517 |
| Air Force | 22,466 | 50,263,390 |
| Total | 103,735 | 201,968,907 |
| Reduction made by the Congress: | | |
| Army | 5,251 | 9,873,310 |
| Air Force | 1,431 | 3,208,310 |
| Total | 6,682 | 13,081,620 |
| Excess allowed by the Congress over actual at start of year: | | |
| Army | −14,986 | −27,136,273 |
| Air Force | 1,083 | 4,567,919 |
| Total | −13,903 | −22,568,354 |

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. WALTER. How does the number of warrant officers provided for compare with the present number of warrant officers?

Mr. ENGEL of Michigan. We gave them the number of warrant officers that they asked for. We did not cut the warrant officers this time at all. The only cut we made in the Air Force was a cut of $25,000,000 for civilian personnel.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. CASE of South Dakota. It should be evident to the membership of the House that the facts which the gentleman from Michigan is bringing to our attention make not less than ridiculous the claims that were made last year when the committee proposed the cut it did in civilian personnel. The Members may remember that we cut the asking allegedly for civilian employees in the United States by a certain percentage and those overseas by a lesser percentage. Many howls went up because of that. But the RECORD should show, as the gentleman from Michigan is pointing out, that in spite of those cuts those personnel ceilings were never reached; and all the clamor and furor was for the purpose of getting some additional dollars with the expectation of using them for something else than personnel.

Mr. ENGEL of Michigan. Under the lump-sum system of appropriating, these funds allowed by Congress could be used for any purpose within the appropriation of such service. Ordnance could use every dollar they had for anything they wanted to use it for. The same was true of the engineers and others.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Louisiana.

Mr. BROOKS. I want to compliment the gentleman on the very fine report he is making, and I also compliment the entire committee on its position in reference to the National Guard and the Organized Reserves. I think that is something that has been overlooked in this development, and that we are behind in providing for them. I notice the committee increased the amount for the National Guard this year over last year, and also increased the amount for the Organized Reserves.

Mr. ENGEL of Michigan. May I say to the gentleman that I have been on this committee for 12 years, and the National Guard for years has had the cooperation of our committee, especially during the war. I think relations have been very fine and satisfactory.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Louisiana.

Mr. BOGGS of Louisiana. I join in the complimentary remarks made by my colleague from Louisiana. The gentleman from Michigan is discussing the largest appropriation bill that has been brought before the House this year, and has made a very excellent statement from the standpoint of both the welfare of the Army and the welfare of the taxpayers of this country. I think all the Members of this body should appreciate that.

Mr. ENGEL of Michigan. I thank the gentleman. We did not tie them down as much as I thought they should be tied down, but we wanted to be liberal this year to see how it works out. Next year we will have had a yeaf's experience on this thing. I think the Army and the Air Force are going to cooperate. Next year we can tie down the loose ends.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. On page 16 of the committee report, on the subject of the Organized Reserves, the committee states:

> The committee was not impressed with the presentation of the needs for the funds requested or with the manner in which this program is apparently being conducted.

I wonder if the gentleman will explain to the House just what he means. I wish the gentleman would ask that question of the gentleman from Kansas [Mr. SCRIVNER], who has handled National Guard and Reserve items.

Mr. KERR. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, one of the most vital and far-reaching requirements that will face this body during the current session of the Eightieth Congress is that of national security. The frontiers of our national security, the front lines of the defense of our way of life and form of government are far-flung. Prior to World War II, it was said that the Navy was the first line of defense. More recently, the Air Force has assumed that title. The claim, however, in my opinion, is not quite accurate. During World War II and, for that matter, during all wars, the ground soldier has been called upon actually to capture and hold territory—territory from which other units of the military forces could operate. At the end of hostilities, the ground soldier of our Army was placed on duty in the captured countries of Germany, Austria, Korea, Japan, and Trieste, and these areas now actually held by the ground soldiers are the front lines of this country in its international relationships. So, I say to you that neither branch of the service should attempt to call itself the first line of defense. All are equally important in their own sphere of activity.

I want to mention today the need for an adequate army for our country. Our committee has sat for 8 weeks listening to testimony of 266 witnesses presented by the Secretary of Defense, the Secretary of the Air Force, the Secretary of the Army, the Chiefs of Staff, and other high-ranking officers of the Army in testifying to the needs for an Air Force strength of 460,000 and an Army strength of 790,000 men for the coming fiscal year. This is an increase over the present strength of the military forces, and no one regrets more than I the need for increasing these forces. The testimony, however, has convinced me, and I think has convinced other members of the subcommittee, that an increased force is vital to our security needs.

The determination of what our military strength should be in order to provide a reasonable degree of security is conditioned by two factors: First, the strength required in troops overseas to enforce and uphold our commitments there, a requirement which at the present time is occupying a great portion of our Army; second, the strength required in forces at home. This includes the Regular Army and reserve components necessary to accomplish the needed missions in the zone of the interior.

The proposed increase which was presented as an urgent requirement of the armed forces is designed to maintain our overseas occupation forces at the minimum necessary strength and to build an effective mobile striking force.

As of the first of this year, our military strength was spread very thin, including components in Korea, Germany, Trieste, and the United States. The numbers we now have are considered inadequate by those who should know for a proper defense of this country.

In support of its increased force, the budget has presented a request for over $7,000,000,000 for fiscal year 1949. I will not go into detail as to the breakdown of this amount. That will be found in the report submitted by the committee on this bill but, generally, the funds provided are to be used as follows:

First. Carry out present occupational missions overseas, treaty commitments, and to support and defend outlying bases.

Second. Supply and maintain forces overseas, including the Air Force.

Third. Maintain a mobile striking force to meet emergencies and for possible commitments to the United States.

Fourth. Furnish logistical support within the United States for the Army and for the Air Force.

Fifth. Maintain an adequate program of intelligence.

Sixth. Continue a progressive research and development program.

Seventh. Develop a strong National Guard, Organized Reserve Corps, and Reserve Officers' Training Corps.

Eighth. Train replacements.

Ninth. Continue a sound service school system.

Members of the Congress generally are not military strategists. We must depend upon the military staff to recommend to us proper requirements after careful consideration of plans. Members of the committee may, and, as a matter of fact have, in this budget differed with the military as to the quantity of dollars needed for certain projects, but we must take their advice as to the basic needs in troops and equipment. The Air Force and the Regular Army are vital parts of these plans, as are the civilian components of the National Guard, Organized Reserves, and Reserve Officers' Training Corps. Our purpose must be to provide a military force with the necessary funds and authorizations to maintain a force sufficient to perform our military missions and to provide an adequate defense to our citizens. The regular forces commonly referred to as the standing Army should be sufficient to accomplish these purposes in normal times. Under our system, the standing Army is augmented by civilian components which gives to the standing Army the units which make it capable of immediate expansion to war strength in the event of an emergency. During an emergency the National Guard has merged with other forces and forms the Army of the United States. The National Guard is now reorganizing for peace time on a volunteer basis and is exceeding the strength estimates of a year ago. The committee was informed that the National Guard, Air, will have, at the beginning of fiscal year 1949, 355 units and that the National Guard, Army, will start that fiscal year with 4,500 units. The expansion of these units will soon reach the saturation point unless there is additional construction of armories.

The funds requested for support of the National Guard are necessary for the continued growth and development of this vital component of the Army and Air Force. The program is well under way, and it can reasonably be expected with the funds provided that the National Guard will be able to take its place most effectively in augmenting the Army and Air Force should an emergency arise. The importance of the National Guard program cannot be overemphasized at this time. The Organized Reserve Corps now contains over 700,000 officers and enlisted men on paper. Legislation authorizing inactive-duty training pay has recently been enacted and legislation for the construction of armories is pending. This should enable a program of training to be started at an early date.

The Army educational system, carefully studied and revised in light of World War II experience, should provide for an orderly and progressive education of both officers and enlisted men so that each can function effectively in the performance of his work. Approximately 45 percent of all men entering the Army will receive some type of specialist training after the period of basic training. It is encouraging to know that the Army's school system is being further developed and becoming an important part of the training given the military forces. Under present conditions, it is necessary to train both officers and enlisted men to a high degree along technical, scientific, and other lines. Many schools and scientific courses for advanced training cannot logically be given in the Army's educational system. This need is filled by the selection of certain individuals to be sent to recognized universities and colleges to receive training in the specialties required by the armed forces. The present budget carries authority for some 1,100 such students to attend vital courses in research and development and other technical subjects in 100 of the leading educational institutions of the country.

At this point I wish to insert in my statement a report recently published in the News Leader, a paper published in Richmond, Va., entitled "United States Has Paid for Two of Its Nine Wars."

The article is as follows:

UNITED STATES HAS PAID FOR TWO OF ITS NINE WARS

NEW YORK, June 1.—It takes a long, long time to clean up a battlefield.

It isn't finished when the mortal debris and the broken weapons are taken away and the crops cover the maimed earth again.

There's much more to it than that. It takes generations to clean up a battlefield. One lifetime for the hurt to heal, perhaps several lifetimes for the hate to heal. And eventually someone has to foot the bill for the battlefield.

Only two of its nine wars have been written off the books. They are the Revolutionary War and the War of 1812. The others are still being paid for.

Memorial Day is an outgrowth of the first United States billion-dollar war—the Civil War Between the States, which cost the North alone $3,000,000,000 in 4 years, 110,070 battle dead, and 221,791 who died of disease.

But the Government by 1933 had expended $7,698,594,101—twice the initial cost of the war—to the Union veterans. The Southern States paid the Confederates, of whom 56 still live. There are only 52 living Union

veterans—but last September 18,351 persons were still on the Civil War pension list.

The brief Spanish-American War cost $1,901,962,000, but only 700 American lives in battle. Some 280,564 saw service. By 1933 Spanish-American War pension costs totaled $811,819,000.

But all these were peanut wars in terms of cost compared to the two world wars.

The First World War sent 4,800,000 Americans into uniform. More than 51,000 were killed or died of combat wounds, and 56,000 died of "flu" and other diseases. The Treasury in 1920 estimated the tab for this conflict at $24,000,000,000. In 1927 Treasury Secretary Andrew Mellon raised the estimate to $47,957,272,333. Still owed and unpaid by foreign countries from this First World War is about $15,000,000,000.

The Second World War cost soared above $300,000,000,000. It cost more in blood, too, than any previous American war—about 275,000 lives. And more than 14,500,000 men entered the armed forces—more than the total that had fought in our country's eight other wars.

It is a fact that the only two wars this Government has ever settled for is the War of the Rebellion and the War of 1812. It took about a hundred years to settle those. If you take into consideration the money involved and the loss of life in those wars as compared to the money spent in the recent three or four wars since the War Between the States, you will see that upon the same basis it will take about 500 years for this country to really settle for the wars we have engaged in.

Mr. Chairman, I cannot neglect to repeat what I have heretofore stated on this floor more than one time, that our committee is most fortunate in having an outstanding chairman who has made a thorough study of these war appropriation bills, and who is better qualified, in my opinion, to handle this subject than any other Member of this House.

The executive secretary of this committee, Mr. Lambert, is one of the most efficient officers in this Congress. It has always given me great pleasure to confer with and to work with the magnificent chairman of our committee and the fine secretary who has been assigned to us, and who has taken care of the work of the committee.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. KERR] has expired.

Mr. KERR. I yield myself one additional minute, Mr. Chairman.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. KERR. I yield.

Mr. MAHON. I share the sentiment of the gentleman in paying high compliment to the chairman of our subcommittee, and Mr. Lambert, the able and efficient executive clerk of our committee. I think the gentleman would also want to say a word of praise in behalf of Col. Robert Moore, who worked with the committee constantly this year, and who has worked with the committee in previous years. In my judgment, he is one of the ablest men in the War Department.

Mr. KERR. I deeply share in the sentiment expressed by my very good friend from Texas.

Mr. MAHON. And I am sure the other members of the committee have for Colonel Moore the same high regard.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CASE of South Dakota. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the gentleman from Michigan, the chairman of our subcommittee, was called off the floor for a couple of minutes. He has just returned. I am sorry he was not here a moment earlier to hear a very fine tribute paid to him by the ranking minority member, the distinguished gentleman from North Carolina [Mr. KERR], which was joined in by the gentleman from Texas. But to add to what has been said, I am sure that the majority members of the committee feel the same way about the leadership of the chairman of this committee and I am sure that we would also want to join in what the gentleman from North Carolina has said with respect to the services of our able and faithful clerk, Mr. Robert Lambert, and the services of Colonel Moore.

Colonel Moore has been working on the appropriation bills for a number of years. This year he had the particular responsibility of organizing the witnesses who came before our committee. He was always courteous, cooperative, and willing to try to provide the information which the committee sought to get.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. NICHOLSON. I notice there is a pretty substantial amount for maintaining the Army in foreign countries. Did the committee get any information as to how soon we might be able to eradicate that enormous amount of money?

Mr. CASE of South Dakota. Unfortunately the committee did not get anything definite on dates, and unfortunately I doubt if the witnesses before us could venture much of a guess on that because the time that our forces will be maintained in foreign countries is dependent upon things outside of the control of the Appropriations Committee or outside of the control of the War Department. It links itself up with the general foreign policy of the country and the unsettled conditions abroad.

Speaking of the services of the gentleman from Michigan and the aims of this committee, I think attention should be called to two things in connection with this bill: The first is the amount of the reduction in the budget estimate.

In proposing a reduction of $647,903,000, this committee is proposing to the Congress to accomplish better than 25 percent of the total target reduction in the budget proposed by the resolution adopted from the Joint Legislative Budget Committee in this session of Congress. You remember the target was $2,500,000,000. The savings proposed by the committee on this bill make a considerable and substantial contribution toward the goal.

The second thing to which attention should be directed in connection with this report is the ceiling on civilian personnel. The language proposed for placing a ceiling on the amount of money available for civilian employees is this committee's second step in the elimination of fund transfers.

During a number of years the gentleman from Michigan has fought the so-called transfer clause in military appropriations. It was hard to avoid it during wartime. Under the old general transfer clause in military appropriations there could be a transfer of 5 or 10 percent from the Air Force to the Army, or vice versa, or from any other branch of the Army to another; that is, you could take 10 percent of the engineering money and transfer it to the Quartermaster Corps, or 10 percent from the Surgeon General's Office or the Medical Corps and transfer it to some other branch. We eliminated that transfer clause after the war, but there still remained this field of transfer within a branch itself. Large sums of money running into the hundreds of millions of dollars are appropriated for these branches, and, broadly speaking, these dollars could be used either for personnel or matériel. The language which the committee has put in the bill eliminates the possibility of that transfer by placing a ceiling on the amount that can be used for civilian employees.

Those are two of the outstanding things in the bill; first, the total cut in the budget estimates, and, second, the elimination of transfer of funds between personnel and matériel within the different branches of the Army or the Air Force.

This bill also should be remembered for the fact that it sets up, for the first time, separate appropriations for the Air Force and the Army under the provisions of the unification bill.

It is my personal conviction that we will not accomplish a complete elimination of overlapping and duplication of expenses within the defense establishment until there is a complete merger of the appropriation subcommittees for Army, Air Force, and Navy. Something of that sort is necessary to parallel the merging of the legislative committees. Today we do have the old legislative committees of military affairs and of naval affairs merged into the Committee on the Armed Services. There is a chance there to unify policies as between the different branches of the Military Establishment. To effectuate this, however, a unified, over-all approach must be carried into the field of appropriations, in my judgment.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. In the gentleman's subcommittee did you go into the number of officers who were still holding temporary ranks quite far above what their permanent ranks would be and what effect that has on the over-all financial picture of the Army?

Mr. CASE of South Dakota. We did to some extent. There was some discussion of how we might reduce that

practice. I recall at one point an officer stated that if we were going to do that we would have his resignation at once, because he could get so much more money on the outside and he would be out of the Army the next morning; however, I do not know that that attitude is universal. As I have said there was some consideration given to the matter the gentleman brings up. It was our thought that the most we can do at the present time on that is to urge the Military Establishment to avoid the excessive use of these temporary ranks. While that leaves something to be desired it seemed to be as much as we could do in view of the additional responsibilities of the Army and Air Force in the supplemental appropriations, also in the regular funds for industrial mobilization and planning.

There were three fields in which the committee was reluctant to make large reductions. Those were, first, the field of industrial mobilization and planning; second, research and development; and third, appropriations that had to do with the Reserve components such as the National Guard and the Organized Reserves. I think it is a fair statement to say that the committee feels that at the present state of world affairs we ought to maintain our research, our development, our planning for industrial mobilization and the Reserve components.

During the remarks of the gentleman from Michigan, the gentleman from Pennsylvania asked certain questions about the Reserves and the reason why the Army Reserve was not up to the position of the Naval Reserve.

There might be several answers to that. One answer is that certain people in the Military Establishments, I would say particularly in the Army, have been hopeful of getting universal military training. It is my opinion that as long as they thought they might get universal military training they were not too eager to have the Organized Reserves and the National Guard developed to full strength.

As to comparing the Reserves of the Army and Navy there is another reason, which is that the inducements for joining the Naval Reserves are much greater than they are for joining the Organized Reserves of the Army and the ROTC units. That was well pointed out in a statement to us by Secretary Symington of the Air Force.

As a matter of fact, when he was before us, I asked him about the Holloway plan used by the Navy. Secretary Symington in response said this:

SECRETARY SYMINGTON. We have a plan. Of course, we do not have the Holloway plan. I have two boys, one of whom, the older, was in the Army, at one time, and the other was in the Marines. They are in the same class in college now. If one of the boys should join the Navy plan, he would get what is equivalent to about $1,200 a year. Under the Army ROTC the other would get about what is equivalent to an average of $250 a year. I think that we all recognize that that is inequitable, and it is being studied by the Gray Board, headed by Assistant Secretary of the Army, Gray, and they expect to have a report out shortly which will recommend an equalization of that entire picture in all the civilian components.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that the Navy was on their feet and they really went after this Reserve program and put it into effect, while the Army was asleep?

Mr. CASE of South Dakota. That may be, but I think the Navy is about as good a lobby organization as there is around Capitol Hill.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. TIBBOTT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, first I want to pay tribute to the chairman of our Committee on the National Military Establishment, military functions appropriation bill, 1949, the gentleman from Michigan [Mr. ENGEL], for the fair and impartial manner in which he conducted hearings on the bill before you. Our chairman has worked hard and for long hours on this measure and has done a magnificent job.

It will be my purpose to discuss in a general way, in the time allotted to me, several divisions of the Quartermaster Corps.

The appropriation which our subcommittee recommended for the fiscal year 1949 for the Quartermaster Corps of the Army is $1,034,720,000 which includes supplemental. This amount is $121,720,000 less than the budget estimates.

During the hearings on the bill before us the committee was mindful of the responsibilities of the Quartermaster General, such as purchases for the Army, the Air Force, the National Guard, ROTC, the civil governments overseas, and various other programs.

It seems that the Quartermaster Corps, in setting up food service schools has established a sound economy. I doubt if anyone would deny that these schools are serving a useful purpose. This corps of the Army had a certain number of people trained in hotels throughout the Nation for a period of 6 months with the intent to conserve food and to reduce waste. The Quartermaster Corps then had these people train a number of officers, after which the Army's own schools were established. This kind of training in these service schools has advanced to such an extent that there is less waste of food and food products.

Industrial mobilization planning, according to the testimony at our hearings, shows that the Army reached a conclusion that if the United States became engaged in a war tomorrow, American industry during the first year of hostilities could not produce more than 50 percent of the essential items required by the Quartermaster Corps. They base their conclusion on their experience of World War II and on the size of the Army which it is considered necessary to have in the future.

The Army maintains that until they have determined the quantities of items that industry, as industry exists today, could produce, they cannot realistically estimate the ultimate cost of their industrial preparedness program.

Our hearings will divulge that the number of recruits in the Army within the past 2½ years, have brought about 1,400,000 men into the service, a greater number than they ever recruited before. A good many of this number are short-term enlistments.

The Department of the Army is now starting a career service for the purpose of getting longer enlistments. They want men to remain in the service. To accomplish this, they seek appropriations for advertising and in support of a very large installation in the field. The advertising, according to the hearings, are in magazines, newspapers, service papers, radio, and billboard posting. Incidentally, the radio time is given to the Army without cost. The advertising is on a Nation-wide basis.

According to the hearings on this bill the Army concedes volunteer enlistments are their choice. They maintain that it is cheaper to train a volunteer soldier than it is to train a man who comes into the service against his will. Then, too, a volunteer comes into the service for 3 years, or longer, thus they have an opportunity to make a career man of him.

The Department of the Army has an objective of 30,000 recruits a month, or 360,000 a year, including the Air Force. This figure does not include reenlistments.

The advantage for long-term enlistments are several. A 3-year enlistment in the Army is considered a career plan. The individual comes in as a Private and works his way up through the ranks. He can enlist for a specific unit and for a certain school. A high school graduate can enlist and select his school before enlistment and be assured of getting that school if he enlists for 3 years.

In a study of requirements concerning this program of education in civilian institutions, the Army has considered the possibility; of, first, through procurement channels by recruitment or commissioning of personnel with the proper educational qualifications; second, by the efficient utilization through proper assignment, of Army personnel having the proper education; third, by the hiring of qualified civilians for the positions requiring a special educational background.

The entire training program is based on a careful study of job requirements against which is matched a survey of the availability of trained personnel, to meet these requirements. Training is provided only for sufficient personnel to fill, on a continuing basis, those positions requiring special education.

We are given to understand that there has been an effort by the War Department to obtain qualified personnel through placing Reserve officers on active duty; however, the number of requests by inactive servicemen component officers for recall to extended active duty are not increasing.

The Adjutant General's School, located at Camp Lee, Va., trains students for Army-wide purposes. They have five

courses for officers and nine courses for enlisted men. The capacity of the officers course is 170 and the enlisted men 1,150. It is anticipated that during the fiscal year of 1949 the Army will turn out over 11,000 students. At the present time the school has 150 officer students and 770 enlisted students. It is staffed with 95 officers, 209 enlisted men, and 69 civilians, as of April 7, 1948.

The subjects taught at this school are courses in Army administration, also training personnel for duty and disciplinary barracks and custodial duties, such as guards. Some of the courses are for 3 weeks duration, others 12 weeks, and the longest course is for regular officers of 39 weeks. There are special courses which are available to the men, depending on the rank of those who are in the service.

Coming now to recruitment of officers and enlisted men for the Regular Army and the Air Force, we find from the hearings that the number one problem of the Army's recruitment is in the Air Force. The present and future eligibility of requirements for specialized skills necessitates the maintenance of high standards for men in the service. For instance, the Army Air Force of today, containing as it does so many combat men of World War II, represent a higher level of general intelligence and all-around ability than any peacetime military establishment in the history of our country. Volunteer recruiting made this possible. The Army wants to keep it that way, and to do so they must keep their standards high.

Testimony given to us is to the effect that overseas service is unpopular today because of parents' concern over the international situation. It is also recognized that pay for an overseas enlisted man does not compare too favorably with the pay of civilians employed by the Government or private business.

The hearings show, too, that approximately 90 men out of every 100 who enlist are coming from civilian life. The average age at enlistment is 19 years.

Another important program is the procurement for the Air Force of aviation cadets. Classes are of 12 months' duration. They are being stepped up rapidly from 350 as of October 1947 to 1,560 in March of 1949. Applicants who have at least 2 years of college credits, or pass an equivalent examination, single, and between the ages of 20 and 26½ years must be maintained. Just as pressing and serious is the reenlistment program.

As for the industrial college of the armed forces, it represents the highest level of the military educational system devoted to the scientific study of the problems of economic mobilization procurement and procurement planning. It has been in existence for 24 years and has established an enviable record in training officers who have eventually succeeded to the highest level positions in military procurement and procurement planning.

Experiences in World War II emphasize the need for an increasingly large body of officers thoroughly trained in industrial procedure as well as in subjects of a military nature.

With a growing scarcity of essential commodities and an ever-increasing possibility of total war, it is imperative that we place ourselves in a position where, through proper training, our officers will be able to exercise better administrative procedures and more qualified in a technical direction during national emergency times.

The real purpose of the college is to prepare officers of the armed forces and selected civilians for an important command staff and planning assignments in the National Military Establishment. Two types of civilian personnel are represented in this estimate, professional and clerical.

The civilian experts possess advantages in technical and professional education to a degree not available among military personnel assigned to the staff and faculty.

The clerical force represents the normal investments of an activity of this nature in its administration, library service, publication of materials, registration of students, stenographic and typing service to students.

The recruiting program of National Military Establishment stresses the educational opportunities offered by the armed forces. A recent research shows that the educational opportunities are the primary inducement for many of today's volunteers. Men who are eager to improve themselves are the men that the Army needs and this program should certainly benefit those who volunteer their services to our country.

Mr. SCRIVNER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is an important piece of legislation, and it was not unaccompanied by many difficulties. It is interesting to know that the hearings on this particular bill began about the 25th of March, and it was submitted to us first on the original 1949 request for appropriations. You can realize, looking back, that that was about 10 days after the President had made his speech of March 17, which in some quarters was or could be interpreted as an open and standing challenge to communistic Russia. It was known that there would be a request for additional funds before this session was over. For that reason, when the hearings on the original presentation was concluded, those hearings were continued until such time as there should come to us a request from the President for additional funds supplementing the original 1949 request. That request came in May, just a few days ago. We reopened our hearings and went through the entire program again to learn from officials of the Army and Air Force what additional funds they would need under this supplemental request.

It should be perfectly clear that the increase for the most part, was predicated upon the assumption that the Congress would enact selective service, which would bring our forces up to the desired strength, the strength which the military heads of this Nation feel is absolutely essential for the continued protection of this country in these somewhat critical times.

That means simply this, that if the Congress does not enact selective service there will not be a greater increase in the forces as anticipated by the heads of the armed services, and both in this appropriation and in the Navy appropriation as well there should be many hundreds of millions of dollars susceptible to rescission before the end of this fiscal year.

In preparing these appropriations you must realize that the Army and Navy and Air Force and these committees must project their thinking many months into the future. The armed forces work on the original budget, trying to estimate the needs for the year 1949, which begins the 1st of July 1948. These figures were presented to the Bureau of the Budget. The Bureau of the Budget scanned them and in many cases decreased the requests made. That report of the Bureau of the Budget then goes to the President, and he, in turn, adopts it and he submits it to us in the opening days of the session. Then the hearings begin.

I am calling your attention to that so that you can see that in many cases it really takes more or less of a fortune teller to tell exactly what the needs of the armed services are going to be estimating as they must 18 months in advance.

Much discussion has been had about air strength. The Air Force anticipates it will be able to get up to its desired strength without the necessity of the enactment of selective service, because they can offer so many advantages to the young men. In fact, it is hard for many of us to see why the younger men do not see the great advantages that are presented to them. I would like to point out one thing in the presentation of the supplemental requests. In discussing the program to be followed to build up within this country, within the continental United States, a greater mobile striking force which will be necessary if any emergency arises, we were told that the Army was undertaking a program which would give many advantages to these youngsters by way of promotion. They told us in no uncertain terms that the policy which is now to be adopted will provide that as soon as a man has completed his basic training of 4 months he will be immediately promoted to private first-class. Then, after 6 months, if a vacancy exists, and he can qualify by passing an examination, that man can be promoted to the rank of corporal. Even where there is no existing vacancy in his unit, after 12 months that promotion becomes practically automatic.

The same thing is true in the promotion to the rank of sergeant. After 6 months as a corporal, then he is entitled to take an examination, and if a vacancy exists, he can obtain appointment as sergeant, but whether a vacancy exists or not, after 12 months have elapsed he will be entitled to take an examination for promotion to the rank of sergeant.

Those things, with all of the increased pay, should be an inducement for young men to take up this service and build for themselves a great future.

Another thing which I think the Congress should take to heart and think over during the coming months is this,

that in order to build up these necessary divisions for a military striking force within this country, if occasion demands, the Army is planning to reduce the basic training period to a matter of 8 weeks, and then complete the rest of the training within the newly organized and expanded units. My idea is simply that if that is possible and if that type of training is adequate under such circumstances then we might turn our thoughts to the somewhat similar plan which used to be called the Plattsburg plan, namely, building up a large reserve of trained young men in this Nation; in other words, as we think of the future of the Nation and its necessity today, what we must do with the least inconvenience to those concerned. If, in time of emergency, they feel that 2 months' basic training is sufficient to put these men into units and continue from there, then particularly with the growing idea of UMT to augment the reserve forces, the civilian forces, the Reserves, the National Guard, and the ROTC, it would seem that a program of summer training of 10 weeks or possibly 12 weeks would give to these various reserve units men with sufficient basic training to step into organized units and complete their training in the various armory and other training programs. I am throwing that out just merely as a suggestion for the Members of Congress to consider during the coming months. Such a plan should eliminate much criticism of universal training.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I gladly yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is the gentleman satisfied with the equipment that is now being allocated to the National Guard?

Mr. SCRIVNER. I am coming to that right now. I will answer the gentleman's question by suggesting that he obtain the hearings and read the report given to us by General Cramer, who, incidentally, is a National Guardsman himself of many years of service and much outstanding and very glorious service too, I may say.

It will be recalled that a year ago when we discussed the program for the National Guard we discussed many of the problems and difficulties that the Guard had been encountering, the first one being, of course, the fact that the President by a stop-spend order out of 1947 funds appropriated by Congress had stopped the spending of over half of the funds allocated to the National Guard in its very formative year. That was overcome to a certain extent in the appropriations for 1948 and I think still further overcome by the appropriations for the coming fiscal year, 1949.

One of the big difficulties we encountered a year ago was the fact that the uniforms being issued to the National Guard were not good; as a matter of fact, they were lousy. I asked General Cramer specifically what the condition was now, and he assured me that the condition was decidedly improved. They are getting new uniforms, the same uniform that is being issued to the Army. The only difficulty they are encountering now is—and it is a practical one—that sometimes they are not getting the exact sizes in the units that they would like to have. That is a problem that could be largely solved within the States between units. Some of them will have many small uniforms and large men, so that they can change around between units. We did that for years prior to the war. I was really happy to receive the report that General Cramer gave us, which was much better than it was a year ago, and that brightness is indicated by the rapid growth which the National Guard has made. They have exceeded the expectations of a year ago. That improved condition relates to other equipment as well.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Louisiana.

Mr. BROOKS. Would the gentleman care to make some observations regarding the Organized Reserves?

Mr. SCRIVNER. I will take that up next. As a matter of fact, General Cramer told us that the National Guard expected to reach their 250,000 men by the 30th of June this year and that they expected they would have no difficulty in reaching 300,000 by 1949 and 350,000 by 1950 despite the fact that the armory facilities are very limited, despite the fact that they are conducting drill in every sort of makeshift type of armory that is conceivable. General Cramer pointed out the necessity that eventually we must go into an armory building program. That is also a need of the Reserves because they too are limited by armory facilities.

They pointed out and we discussed the fact that today the armory dollar will not buy what it should, due to scarcity of material, the high price of material, the drain of manpower, and the high price of labor, as well as a lot of other things, and it was determined in our minds at least that this is not the time to undertake an armory training program, particularly since housing must take priority. We have confidence in these men who devote their lives to National Guard service that despite the difficulties they are encountering they will do a splendid job and if an emergency arises the National Guard will respond as it has in the past, and that the record it will write on the pages of history will be just as glorious as it has always been.

There were nine National Guard divisions in the Pacific, there were nine National Guard divisions in Europe and had it not been for the existence of those troops, civilians, if you please, who were ready to go when the call came, no one can tell now what turn the war might have taken.

You will remember that the great majority of those men at Corregidor were National Guard troops, they fought from Guadalcanal up to Tokyo. The same thing is true in Europe. The National Guard troops were ready to go and they took part in every invasion from North Africa through Sicily, including the Battle of the Bulge and up to the very gates of Berlin. That is a history that cannot be exceeded by anything in the past and they do not need to apologize to any organization under the sun for the record they made.

Another interesting point that was called to our attention as it related to the Naional Guard was the rapid advances that the Air National Guard is making. Today two-thirds of the fighter planes in the United States are being flown, operated and maintained by National Guard units. They are ready to go, they are ready to participate in any defense that this Nation calls upon them to participate in.

Turning to the subject of the Organized Reserves, they also ran into some difficulties due to a stop-spend order issued by the President as it related to funds in the 1947 appropriation.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TIBBOTT. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SCRIVNER. Mr. Chairman, the Reserves before the war did not have the same type of organization that the National Guard had. There was not anything, and is not now, in the War Department that closely corresponds to the National Guard Bureau. Going back to the picture before the war, it was purely voluntary. Those were men who were interested in the defense and the welfare of the Nation to the extent that they joined these various units and the Officers Reserve Association and participated in voluntary attendance at lectures by officers who might be assigned, participating in a rather skeletonized program, if you wish to call it that, of training and instruction under the direction of Regular officers sent out to the various units for the promotion of that type of training. When you stop to think of the difficulties under which they operated and the great contribution they made during World War II they deserve the heartiest commendation of the Nation and particularly of this Congress. Had it not been for these men who had taken that time to train themselves we would have been caught woefully short of officers who with the training necessary to contribute their services in time of need upon hasty call.

Recently the Congress passed legislation which will permit payment to mem- of the Organized Reserve for armory drill. That is something new, that is something which should encourage younger men to participate in these Reserve activities. Money for that is included in this bill. It will be of great value when a program is adopted, which I am sure it will be, of training somewhat similar to the National Guard training program; a fixed program with a regular drill schedule, and all of that.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Pennsylvania.

Mr. MUHLENBERG. I think it might be well to put in the record the fact that the Reserve Corps also had to outfit themselves at their own expense.

Mr. SCRIVNER. That is true. That is another situation that I am glad the gentleman called attention to, because

in this appropriation bill there is provision made for the purchase and issuance of supplies and equipment of all kinds—clothing, right on up and down the line—just as it has been issued in the past to the National Guard. That, too, should also encourage participation in these activities.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Louisiana.

Mr. BROOKS. This bill then contains the first money for active duty training pay for the Reserves.

Mr. SCRIVNER. That is right.

Mr. VAN ZANDT. Will the gentleman yield?

On page 16 of the committee report, under Organized Reserves, the committee says as follows:

> The committee was not impressed with the presentation of the needs for the funds requested or with the manner in which this program is apparently being conducted.

Would the gentleman elaborate upon that statement?

Mr. SCRIVNER. Some of the remarks in the hearings there will indicate some of the things that have happened. In other words, it is in the making, but as yet there is no firm, fixed training program that is as progressive as it should be. Then, it should also be remembered that the National Guard units are D-day units, units that will be ready to go into the field upon 24 hours notice. That is not true of the Reserve units with the exception of a few specially classified, such as, for instance, communications, which will be an organization set up as it was in the past, for instance, within the framework of a telephone system, those communication men who know all about construction, maintenance, operation, and all that, or the railroad-operating units that will be organized within the various systems. Of course, they are doing that type of work every day, but they will be organized and ready to go on 24 hours notice. It is anticipated that the others will be M-day plus 90 days, 6 months, and a year.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. TIBBOTT. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SCRIVNER. In other words, it is anticipated that as to most of the Reserve units of these in training prior to M-day will start in concentrating on organization of the Reserve units around the presently organized and existing cadre units.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield.

Mr. VAN ZANDT. Will the gentleman agree that a spirit of cooperation prevails today between the regular establishment of the Army and the Reserves which will make possible the Reserve program the gentleman has outlined?

Mr. SCRIVNER. I would not limit that question to today. I do not think the regular establishment has ever had the proper attitude toward any of the civilian components, either National Guard or Reserves.

Mr. VAN ZANDT. If the Navy has been able to maintain a real spirit of cooperation, why should not the Army do the same.

Mr. SCRIVNER. Well, I do not agree that it has existed all the way through as it relates to the regular Navy and the Naval Reserves, or temporary officers. As the gentleman knows, there is some difference there, too. The old class ring enters into it some there, too. The Reserve officers and the Reserve enlisted men have made such a great contribution to the Nation that no one can under-value it. There should be a better feeling not only felt but shown by the regular components to civilian units.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Louisiana.

Mr. BROOKS. I am sure the gentleman will agree with me in this, too, that unless we do build up our reserve establishment to the size it should be, there is no escape from having to adopt a permanent compulsory method of obtaining the size defense we need.

Mr. SCRIVNER. If the gentleman will read the hearings he will find that it is anticipated that much of the strength in the Reserve and National Guard is to come through that same selective or compulsory service about which he is talking.

In closing, in order to answer a question that has been propounded two or three times, may I say this. In view of the fact that you tell us we now have an Army and an Air Force of approximately 900,000 men, why is it necessary to increase the size? All you have to do to find the answer is take a map of the world and see the distribution of our troops, scattered as they have never been scattered before in time of peace. You will find approximately 125,000 to 130,000 in the Far East; altogether too few in Alaska, some 7,000, most of them in support of Air Force installations; about 9,000 scattered through the Pacific, approximately 100,000 in Germany; 5,000 in Trieste, and 14,000 scattered around other installations, leaving about 280,000 soldiers in the United States. But when you conceive of the number necessary to operate all of the transportation, your Quartermaster Corps service, and your medical service, all of those things which go to maintain an Army and keep it in being, you wind up with about 50,000 combat troops ready to go now. In my opinion that is altogether too few. It is my hope that even without any selective service law being enacted by this Congress, with the new inducements, the greater opportunity for advancement that will be offered to these men under the new Army program, we will soon have the number of men necessary to form in this Nation more than one and a half or two divisions of mobile units which will be ready to go to any spot where action may arise upon a less than 24-hour notice.

In conclusion, I want to pay tribute to the untiring efforts of our chairman and to the splendid spirit of cooperation shown us by the members of the minority. We have not agreed on all phases of this bill, it is true, but as with all legislation there must be compromise. However, we have given the Army and the Air Force those funds which will make it possible for them to meet any emergency which can be seen in the near or foreseeable future. The action of the Congress in approving this measure is really saying in no small way that you have confidence in this committee which has worked so hard, so long, and so diligently, a committee which is controlled by only three things, the welfare of the Nation, the needs of the armed forces, and the ability of the public to carry them on.

Mr. KERR. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I am not as familiar with the appropriation bill for the Military Establishment this year as I usually am, because I was unable to attend some of the hearings on account of duties incident to service on the Deficiency Subcommittee and the Subcommittee on Government Corporations. However, I think the bill before us today is a good one, one of the best we have had in some time.

It seems rather unusual in a way that we should be talking about spending so many billions for war preparation at this time, after having so recently experienced the horrors and sacrifices of World War II. We feel our Nation is in some peril, otherwise this huge bill would not be before the House today for passage. I think it is a very healthy thing that the Congress and the people of this country do feel that in the light of the circumstances in the world today, our country is in some peril. There is no gainsaying the fact that there are many dangers lurking about us. Since it is impossible to foresee the future, there is only one thing that wise men can do, and that is, undertake to prepare for emergencies which may possibly arise. This is certainly a very striking contrast to the public attitude following World War I. At the end of World War I, many people said, "We have made a horrible mistake in allowing the world to be thrown into war. Undoubtedly the nations of the world have learned their lesson as a result of World War I. Now the world is safe for democracy. No future trouble is on the horizon. There is no necessity for thinking about war again. We can live in peace. Now we can neglect our Military Establishment, our Army, Navy, and Air Forces." That was the prevailing sentiment following World War I.

But that sentiment and that attitude contributed in part to the coming of World War II. A completely different approach is being made to our present-day problems. We are fearful of the future. We are unsure of ourselves. Therefore, while we hope and pray for the best, we feel it is incumbent upon us even at very great cost to prepare for the worst.

This year I think the Congress has probably done more than it has ever done in peacetime for a permanent, safe, military program. The Congress has instituted a far-reaching program in the air. We all realize that the various branches of the services are important,

but it remained for this session of Congress during this year 1948 to accept its responsibility of providing a first-class peacetime Air Force. Our military appropriations for this year have been remarkable in that Congress has assumed this burden, as heavy as it is. Of course, in addition to the Air Force, we must have a Navy, and an Army. It is necessary that the various branches of our national defense be reasonably well balanced.

Gen. Omar Bradley, the able Chief of Staff of the Army, puts it this way:

Due to the tremendous destructiveness of modern weapons and the ruthlessness of their application it is worth while considering where on the globe we should plan to fight the next war if we become involved in it. Our last two wars have been fought overseas. Our people have not been attacked at home. Our slow industrial and manpower mobilization has been protected during both wars. In those wars our people were not called upon to endure the sacrifices and sufferings that a war at home entails. For this and other reasons we should plan definitely to fight overseas—if fight we must. I believe the Nation, if made to understand the choices involved, will support this idea regardless of cost. However, until guided missiles and rockets have progressed far beyond their present stage, the ability of the United States to fight the initial phase of the next war beyond its borders depends almost entirely on its ability to push forward and hold the air bases which will provide the support and protection for the strategic air offensive which must start immediately. Any failure to seize and hold a forward line for an immediate air offensive will result in the certainty of hostile occupation of that line and the danger of a war at home. The Army will play a large part in keeping war away from home.

When President Truman sent his budget to the Congress in January, he requested a specified number of dollars for national defense. But since that budget was sent to us supplemental budget estimates have come to the Congress, and we have appropriated for military purposes far more than the sums included in the original budget of the President. In a strict sense of the word, we certainly are not making a record of economy. However, in truth the program is a program of true economy.

If the Members will look at the tables in the back of the report, they will observe the various reductions that have been made in the requests that have been submitted by the President. It will be easy to see that the major reduction in this bill which was made by the committee was a reduction in the sum of $197,000,000 in the request for the Ordnance Department of the Army.

We have had many kind things to say about the members of the subcommittee. We have worked in harmony, and we do have a hardworking and an excellent committee, and we are generally in agreement. We want to reduce the expenses of the Government. However, I take very emphatic exception to the $197,000,000 cut that was made in Ordnance. I think the cut was entirely too drastic, and I have sent to the desk an amendment to restore the major portion of that sum. However, I have now concluded that I will not actually offer the amendment when the time comes for amendments to be offered. It seems to me that the wiser course is to permit this bill to go in its present form to the Senate. The Ordnance Department can then appear, with General Bradley, before the Senate committee, and the officers of the Army will then have the opportunity to explain that this cut is wholly unacceptable, as I am sure it is unacceptable.

We have learned that it is poor economy to have anything less than the most modern weapons and the finest equipment. We learned from our experience in World War II that if you spend enough money, ingenuity, and energy on weapons, you save men's lives. You can always count on me as one member of this committee to supply adequate funds for weapons of all kinds on the ground, on the sea, and in the air. This bill ought to include necessary funds to provide our Army with ammunition, artillery, and a limited number of modern tanks. This bill ought to provide our Army with necessary equipment to make it a first-class striking force. In view of the $197,000,000 reduction in ordnance, the bill before us does not meet the minimum requirements. This is an extravagant reduction because it would mean that many of the plants and much of the equipment which we now have could not be adequately maintained and protected. In other words this bill does not make adequate provision for the modernization of the weapons of the Army and Air Force, and it does not provide adequate maintenance for the equipment which we do have.

I am convinced that when the other body takes up the bill for consideration the necessary corrections can be made at that time. That course will give the officers of the Army adequate opportunity to be heard with respect to the cuts. That at the present time has not been possible because this bill was only reported out of committee this morning.

Another serious mistake in the bill, in my judgment, is the $18,000,000 reduction in the budget estimate for engineer service. However, the effects of this reduction can be more carefully weighed by the Senate after the Army is advised of the action taken this morning by the House Appropriations Committee.

In other words, Mr. Chairman, I wish to make two special reservations in regard to the bill before us. Generally speaking, I think the bill is a good one and I know that our subcommittee has been most diligent in seeking to present legislation worthy of your approval.

The CHAIRMAN. The time of the gentleman from Texas [Mr. MAHON] has expired.

Mr. ENGEL of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I have today offered a House resolution authorizing and requesting the President of the United States to designate the 20th day of June 1948 as Emblem Day. The resolution requests the President to call upon officials of the Government to display the flag of the United States on all Government buildings on such day and requests that he invite the people of the United States to observe the day with appropriate ceremonies in eulogy of the American eagle, the official emblem of the United States.

The suggestion for the designation of June 20 of each year as Emblem Day comes from one of the greatest fraternal organizations in the United States—the Fraternal Order of Eagles. A resolution calling for the observance of Emblem Day was first adopted by the Wisconsin State Aerie Convention of Eagles in 1942. As a result of this action Emblem Day was first observed by the members of Wisconsin Aeries. In 1943 the Grand Aerie, Fraternal Order of Eagles, made it a day of commemoration on the national calendar. Throughout the entire Nation members of this fraternity, which was so largely instrumental in arousing national interest in the designation of Mothers' Day, are carrying on a campaign to make Emblem Day one of patriotic observance throughout the United States. This day does not belong to members of the Fraternal Order of Eagles alone. It belongs to the entire Nation. It is highly fitting, however, that an organization that from its inception adopted the American eagle as its symbol should now seek to make it the emblem of our country not only on the great seal and coins and medals of honor, but in the hearts and souls of all true Americans. The eagle represents the sovereignty of our Republic and imparts to every American devotion to democracy and our free way of life. The eagle not only dominates the great seal of America—it appears on the faces of our coins, and it caps the standard of our flag. The American eagle and the flag go together. Americans have come to revere the one with the other.

The American eagle embodies the characteristics that all Americans admire. It typifies courage. It symbolizes the strength and hardihood of our Nation. It never seeks battle with smaller birds or birds that lack its own strength. It symbolizes strength in spirit and action. When it soars through the sky it possesses a grace and majesty that arouses vast respect and admiration. It has virile qualities that humans may well emulate. One of these is a fondness for its young. The American eagle displays a tender regard for its offspring, and is at all times keenly interested in their welfare. It is a trait that all Americans must regard as most worthy.

How did the Great Seal of America come into being and how did the American eagle become the distinguished symbol? It is a fascinating story in American history and is well worth recording in the Records of the Congress. After the signing of the Declaration of Independence on July 4, 1776, the founding fathers began to give some thought to a Great Seal. John Hancock, president of the Continental Congress, appointed a committee of three great Americans to prepare a device for a Great Seal. The members of this committee were Benjamin Franklin, John Adams, and Thomas Jefferson. They found their task no easy one. The Continental Congress was displeased with the first design offered. Thus the

matter rested for a few years while the business of carrying on the Revolutionary War went forward. At the conclusion of the war, attention was again directed to the problem of preparing a great seal for the new Nation. John Lowell of Massachusetts was named to head a new committee. The design it proposed, however, was rejected as too crude. In 1782 John Hancock, who presided over Congress then, appointed a new committee to work with the Secretary of the Congress, Mr. Charles Thomson. This committee went to Philadelphia and made inquiries in an effort to report to the Congress a new suggestion for a Great Seal. The committee was referred to a bright young college graduate, William Barton, a master of arts. He promised action and after extensive research submitted a proposal to the committee. Its outstanding figure was the American Eagle, which held in its beak a scroll with the motto "E Pluribus Unum," a latin phrase meaning "One out of many." This phrase indicated the new union constituting one Nation out of many States. The right talon of the Eagle clutched an olive branch as an emblem of peace. The left talon held 13 arrows to indicate the combined might of 13 States.

The Congressional committee was delighted. It recommended that the design be simplified, and on June 20, 1782 nearly 6 years after the job was started, the Congress adopted the Great Seal of the United States of America. The front of the seal, which represents the power of Congress, is dominated by the Eagle with a shield or escutcheon upon its breast. The colors of the American flag are represented—red for hardiness and valor; white for purity; blue for vigilance, perseverance, and justice.

The great seal was first used by Gen. George Washington on September 16, 1782, when he was authorized to exchange prisoners. It was used constantly until 1841, when the engraving device was worn out. President Tyler then instructed Secretary of State Daniel Webster to have another made. The engraver had difficulty in etching out all 13 arrows in the eagle's talons. In making the new device he provided for only 6 arrows. Thus for more than 40 years thereafter the design on the great seal indicated the American eagle grasping only 6 arrows. This seal was likewise worn out and President Arthur decreed another, which was used until 1903. President Theodore Roosevelt and Secretary of State John Hay decided upon some improvements in the basic design. They requested artists to make the eagle more handsome, more dignified, and a better proportioned bird. This was accomplished, and today the great seal of the United States is considered by heraldry experts to be the most artistic and beautiful national seal in the world.

The American eagle symbolizes all of the attributes that we have come to associate with our American heritage. For thousands of years men have honored, respected, and admired the eagle. He was revered as a messenger of the gods. For more than 150 years the bald or American eagle has been the symbol of the sovereignty of the United States. In requesting the President to proclaim June 20 in each year as Emblem Day, we do so because it is felt that it will afford another opportunity for people throughout the United States to give honor to the sovereignty of our country. The sovereignty of a free people is the most precious in the world. It is our American birthright. It has been preserved with the blood and sacrifices of hundreds of thousands of our fellow countrymen on the field of battle. Under this sovereignty America and its institutions have grown strong and prospered.

In the observance of Emblem Day the people of America will have an opportunity to again rededicate their hearts and minds to the furtherance of the American ideals which the eagle symbolizes and to the strength and future greatness of our Nation.

Mr. Chairman, as a member of the great Fraternal Order of Eagles, I want to pay tribute to the leadership and to the rank-and-file membership of that great fraternity that through collective action seeks to establish by Presidential proclamation June 20 in each year as a day on which all Americans may rededicate themselves to the ideals of our country and to express gratitude for the benefits of our great democracy.

Mr. ENGEL of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES. Mr. Chairman, I have asked for this time to discuss rather briefly the question of personnel as it relates to the War Department. Before doing so I also want to commend the distinguished gentleman from Michigan for the untiring efforts he has put forth in an attempt to bring wise and well-considered legislation to this House. He has worked diligently and hard, early and late, on this legislation. I want to discuss just briefly with him some of the things that have to do with personnel in the War Department. In the report of the committee, page 11, there is a statement that at one time there was one civilian for every four members of the armed services, but now it has gotten down to the place where we have one civilian for every two in armed forces. It seems to me that this question of civilian personnel in the War Department ought to be subject to considerable investigation.

The thing I want to call attention to now is that the method by which we reduce personnel in departments where it is deemed necessary to do so is by reduction in appropriations. It seems that that is about the only method we have been able to work out thus far. We say to these departments that they can have only so much of the total appropriation for personnel and that they will have to live within that amount of money. What happens in too many cases, however, is that they will make a big showing by saying they discharged a number of people from the pay roll and make that report to the Appropriations Committee and to the Civil Service Committee when as a matter of fact they keep the high-salaried employees, some of whom that are not needed, on the pay roll and release a lot of folks in the lower-salary brackets whose assistance may be essential. An example of that kind came to my attention just a few hours ago when an employee in one of the departments downtown called my attention to the fact that they had been ordered to take 21 employees off the roll in order to meet the amount of the cut in appropriations. They have cut 21, all low-salaried people, off the pay rolls, but discharged no one in the higher brackets. They are still there; all the 7, 8, 9, and 10-thousand-dollar people are there, but the little three and four thousand-dollar people, the ones who really do most of the work, they are the ones they are going to release.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Pennsylvania.

Mr. MUHLENBERG. Under the efficiency-rating system a man's salary and importance depends upon the number of people he has underneath him. It is not therefore to his advantage to release the lower-bracket people because by so doing their own efficiency rating changes.

Mr. REES. That is a matter that has been the subject of study in our committee for some time and we have been trying to devise means of dealing with the practice to which the gentleman calls attention; that is to say, that an individual gets credit according to the number of people working under him. We expect to make a report to the House on that subject within a short time.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Kansas.

Mr. SCRIVNER. I was just going to ask the gentleman what hope we have of remedying some of the conditions he has pointed out; whether we can hope to see the situation cleared up.

Mr. REES. The House Committee on the Post Office and Civil Service hopes it may have the assistance and cooperation of the Committee on Appropriations and the House in carrying out recommendations that will be made to this House within the next few weeks in the matter of personnel.

Mr. SCRIVNER. I can assure the gentleman as one member of the Committee on Appropriations that if the Civil Service Committee will bring in some bills that will correct some of these abuses I will certainly be glad to support them.

Mr. REES. The difficulty faced by a legislative committee is to bring out a bill that will fit conditions generally in all departments and also meet such conditions as were brought to the attention of the House by the gentleman from Michigan.

We are anxious to deal as constructively, as well as effectively with the problem. I might add that we are disappointed in that, in far too many cases we do not have the cooperation and assistance from Department and Agency heads to which we are entitled in dealing with this important problem of personnel.

Mr. ENGEL of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Michigan.

Mr. ENGEL of Michigan. If this bill becomes law in its present form we will have a double safeguard. We will have the safeguard of earmarking funds so they can be spent for nothing but personnel. In other words, there is no inducement for any department to come in and increase its personnel budget, for they will not be allowed to use the personnel under the Rees law and the Byrd law, nor can they transfer money from personnel funds for use for other purposes. The investigators we have in the War Department and the Air Force inform me that the Rees law and the Byrd law were very, very effective in reducing the number of personnel in the various departments.

Mr. REES. I appreciate the gentleman's statement.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read the bill.

Mr. ENGEL of Michigan (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there any points of order on the bill? [After a pause.] The Chair hears no response. Are there any amendments to the bill?

Mr. ENGEL of Michigan. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HERTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6771) making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. ENGEL of Michigan. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MAHON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 350, nays 2, not voting 79, as follows:

[Roll No. 88]

YEAS—350

| | | |
|---|---|---|
| Abbitt | Davis, Wis. | Jones, N. C. |
| Abernethy | Dawson, Utah | Jones, Wash. |
| Albert | Deane | Jonkman |
| Allen, Calif. | Delaney | Judd |
| Allen, Ill. | Devitt | Karsten, Mo. |
| Allen, La. | D'Ewart | Kean |
| Andersen, H. Carl | Dingell | Keating |
| | Domengeaux | Keefe |
| Andresen, August H. | Dondero | Kelley |
| | Donohue | Keogh |
| Andrews, Ala. | Doughton | Kerr |
| Andrews, N. Y. | Douglas | Kersten, Wis. |
| Angell | Eaton | Kilburn |
| Arends | Eberharter | Kilday |
| Arnold | Ellis | Kirwan |
| Auchincloss | Ellsworth | Klein |
| Bakewell | Elsaesser | Kunkel |
| Banta | Elston | Landis |
| Barrett | Engel, Mich. | Lanham |
| Bates, Ky. | Evins | Larcade |
| Bates, Mass. | Fallon | Latham |
| Battle | Feighan | Lea |
| Beall | Fellows | LeCompte |
| Beckworth | Fenton | LeFevre |
| Bell | Fisher | Lemke |
| Bender | Flannagan | Lesinski |
| Bennett, Mich. | Fletcher | Lewis, Ky. |
| Bennett, Mo. | Folger | Lewis, Ohio |
| Bishop | Foote | Lichtenwalter |
| Blackney | Forand | Lodge |
| Bland | Fulton | Love |
| Blatnik | Gallagher | Lucas |
| Bloom | Gamble | Lyle |
| Boggs, Del. | Garmatz | McConnell |
| Boggs, La. | Gary | McCormack |
| Bolton | Gathings | McCowen |
| Bonner | Gavin | McCulloch |
| Boykin | Gearhart | McDonough |
| Bradley | Gillette | McDowell |
| Bramblett | Gillie | McGarvey |
| Brehm | Goff | McGregor |
| Brooks | Goodwin | McMahon |
| Brophy | Gordon | McMillan, S. C. |
| Brown, Ga. | Gore | McMillen, Ill. |
| Brown, Ohio | Gorski | Mack |
| Bryson | Gossett | MacKinnon |
| Buchanan | Graham | Macy |
| Buck | Granger | Madden |
| Buffett | Grant, Ala. | Mahon |
| Bulwinkle | Grant, Ind. | Maloney |
| Burke | Gregory | Manasco |
| Burleson | Griffiths | Mansfield |
| Busbey | Gross | Martin, Iowa |
| Butler | Gwinn, N. Y. | Mason |
| Byrne, N. Y. | Hagen | Mathews |
| Byrnes, Wis. | Hale | Meade, Ky. |
| Camp | Hall, Leonard W. | Meade, Md. |
| Canfield | | Merrow |
| Cannon | Halleck | Meyer |
| Carroll | Hand | Michener |
| Carson | Hardy | Miller, Conn. |
| Case, N. J. | Harris | Miller, Md. |
| Case, S. Dak. | Harrison | Miller, Nebr. |
| Celler | Hart | Mills |
| Chadwick | Harvey | Mitchell |
| Chelf | Havenner | Morgan |
| Chenoweth | Hays | Morris |
| Church | Hébert | Morrison |
| Clason | Hedrick | Morton |
| Clevenger | Herter | Muhlenberg |
| Coffin | Heselton | Multer |
| Cole, Kans. | Hess | Murdock |
| Cole, Mo. | Hill | Murray, Tenn. |
| Cole, N. Y. | Hinshaw | Murray, Wis. |
| Colmer | Hoeven | Nicholson |
| Cooley | Hoffman | Norblad |
| Corbett | Holmes | Norrell |
| Cotton | Horan | Norton |
| Coudert | Huber | O'Brien |
| Courtney | Hull | O'Hara |
| Cox | Jackson, Calif. | Pace |
| Cravens | Jackson, Wash. | Passman |
| Crawford | Jarman | Patman |
| Crosser | Jenison | Patterson |
| Crow | Jenkins, Ohio | Peden |
| Cunningham | Jennings | Peterson |
| Curtis | Jensen | Philbin |
| Dague | Johnson, Calif. | Phillips, Calif. |
| Davis, Ga. | Johnson, Ind. | Phillips, Tenn. |
| Davis, Tenn. | Jones, Ala. | Pickett |
| Ploeser | Rooney | Sundstrom |
| Poage | Ross | Taber |
| Potter | Russell | Talle |
| Potts | Sabath | Taylor |
| Poulson | Sadlak | Thomas, Tex. |
| Preston | Sadowski | Tibbott |
| Price, Fla. | St. George | Trimble |
| Price, Ill. | Sanborn | Vail |
| Priest | Sarbacher | Van Zandt |
| Rains | Sasscer | Vinson |
| Ramey | Schwabe, Mo. | Vorys |
| Rankin | Schwabe, Okla. | Vursell |
| Rayburn | Scott, Hugh D., Jr. | Walter |
| Redden | | Welchel |
| Reed, Ill. | Scrivner | Welch |
| Reed, N. Y. | Seely-Brown | Wheeler |
| Rees | Shafer | Whitten |
| Reeves | Smith, Kans. | Wigglesworth |
| Regan | Smith, Va. | Williams |
| Rich | Smith, Wis. | Wilson, Ind. |
| Richards | Snyder | Wilson, Tex. |
| Riehlman | Somers | Winstead |
| Rivers | Spence | Wolcott |
| Rizley | Stanley | Wolverton |
| Rockwell | Stefan | Wood |
| Rogers, Fla. | Stevenson | Woodruff |
| Rogers, Mass. | Stockman | Worley |
| Rohrbough | Stratton | Youngblood |

NAYS—2

Isacson Marcantonio

NOT VOTING—79

| | | |
|---|---|---|
| Anderson, Calif. | Hobbs | Pfeifer |
| Barden | Holifield | Plumley |
| Buckley | Hope | Powell |
| Chapman | Javits | Riley |
| Chiperfield | Jenkins, Pa. | Robertson |
| Clark | Johnson, Ill. | Scoblick |
| Clippinger | Johnson, Okla. | Scott, Hardie |
| Combs | Johnson, Tex. | Sheppard |
| Cooper | Kearney | Short |
| Dawson, Ill. | Kearns | Sikes |
| Dirksen | Kee | Simpson, Ill. |
| Dolliver | Kefauver | Simpson, Pa. |
| Dorn | Kennedy | Smathers |
| Durham | King | Smith, Maine |
| Elliott | Knutson | Smith, Ohio |
| Engle, Calif. | Lane | Stigler |
| Fernandez | Ludlow | Teague |
| Fogarty | Lusk | Thomas, N. J. |
| Fuller | Lynch | Thompson |
| Gwynne, Iowa | Miller, Calif. | Tollefson |
| Hall, Edwin Arthur | Monroney | Towe |
| | Mundt | Twyman |
| Harless, Ariz. | Nixon | Wadsworth |
| Harness, Ind. | Nodar | West |
| Hartley | O'Konski | Whitaker |
| Heffernan | O'Toole | Whittington |
| Hendricks | Owens | |

So the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hope with Mr. Teague.

Mr. Kearney with Mr. Pfeifer.

Mr. Anderson of California with Mr. Holifield.

Mr. Scott, Hardie, with Mr. Miller of California.

Mrs. Smith of Maine with Mr. King.

Mr. Towe with Mr. Lane.

Mr. Thomas of New Jersey with Mr. Kennedy.

Mr. Short with Mr. Chapman.

Mr. Simpson of Pennsylvania with Mr. Kefauver.

Mr. Knutson with Mrs. Douglas.

Mr. Jenkins of Pennsylvania with Mr. Cooper.

Mr. Chiperfield with Mrs. Lusk.

Mr. Dolliver with Mr. Klein.

Mr. Mundt with Mr. Buckley.

Mr. Nodar with Mr. Fogarty.

Mr. Wadsworth with Mr. Riley.

Mr. Plumley with Mr. Sikes.

Mr. Owens with Mr. Stigler.

Mr. Kearns with Mr. Heffernan.

Mr. Hall, Edwin Arthur, with Mr. Lynch.

Mr. Simpson of Illinois with Mr. Fernandez.

Mr. Smith of Ohio with Mr. Smathers.

Mr. Gwynne of Iowa with Mr. O'Toole.

Mr. Harness of Indiana with Mr. Clark.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

TREASURY-POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1949

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5770), making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CANFIELD, DIRKSEN, GRIFFITHS, SCHWABE of Oklahoma, GARY, BATES of Kentucky, and JACKSON of Washington.

EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks in the RECORD and include an article by Doris Fleeson appearing in the Washington Star of yesterday.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD.

Mr. EBERHARTER asked and was given permission to extend his remarks in the Appendix of the RECORD and include two editorials.

Mr. BLATNIK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the Minneapolis Tribune.

Mr. BAKEWELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the St. Louis Post-Dispatch.

LEWIS PETERS

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill (H. R. 403) for the relief of Lewis and Louise Peters be restored to the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD.

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include an article appearing in the American Bar Association Journal.

WOMEN'S ARMED SERVICES INTEGRATION ACT OF 1948

Mr. SHAFER. Mr. Speaker, I call up the conference report on the bill (S. 1641) to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1641) to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps and the Naval and Marine Corps Reserve, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 4, 7, 13, 14, 21, 22, 23, 24, 25, and 26.

That the Senate recede from its disagreement to the amendments of the House numbered 6, 8, 9, 10, 15, 16, 17, 18, and 19, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "Integration Act of 1948"; and the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken by the House amendment insert the following:

"ARMY

"SEC 101. Effective the date of enactment of this title, there is established in the Regular Army a Women's Army Corps, which shall perform such services as may be prescribed by the Secretary of the Army."

"SEC. 102. The authorized commissioned, warrant, and enlisted strengths of the Women's Army Corps of the Regular Army shall from time to time, be determined by the Secretary of the Army, while the authorized commissioned, warrant, and enlisted strengths of the Regular Army, but shall not exceed 2 per centum of such authorized Regular Army strengths, respectively: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of regular personnel in the Women's Army Corps of the Regular Army shall at no time exceed five hundred commissioned officers, seventy-five warrant officers and seven thousand, five hundred enlisted women, and such number of commissioned officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

"SEC. 103. (a) From the officers permanently commissioned in the Women's Army Corps, Regular Army, the Secretary of the Army shall select to serve during his pleasure, but normally not to exceed four years, one officer to be Director of the Women's Army Corps who shall be adviser to the Secretary of the Army on Women's Army Corps matters, and who, without vacation of her permanent grade, shall have the temporary rank, pay, and allowances of a colonel while so serving; one officer to be Deputy Director thereof, who, if permanently commissioned in a lower grade, shall, without vacation of her permanent grade, have the temporary rank, pay, and allowances of a lieutenant colonel while so serving; and from among officers of the Women's Army Corps (including Women's Army Corps officers of the Army of the United States or any component thereof serving on extended active duty) the Secretary of the Army shall select to serve during his pleasure such number of officers as he may determine necessary to fill positions designated by him in the administration and training of the Women's Army Corps, who, if permanently commissioned in a lower grade, shall, without vacation of permanent grade, have the temporary rank, pay, and allowances of lieutenant colonel or major while so serving, as the Secretary of the Army may determine: *Provided*, That after July 1, 1952, such officers shall be selected from among commissioned officers in the permanent grades of lieutenant colonel or major, except the Director and Deputy Director who shall be selected from among officers in the permanent grade of lieutenant colonel: *And provided further*, That prior to July 1, 1952, the Secretary of the Army may extend that date one time until such later date as he may select for that purpose but such later date shall not be later than July 1, 1956.

"(b) Unless entitled to higher retired rank or pay under any provision of law, each such commissioned officer who shall have served for two and one-half years as Director or Deputy Director of such corps may upon retirement at the discretion of the President be retired with the rank held by her while so serving, and with retired pay at the rate prescribed by law computed on the basis of the base and longecity pay which she would receive if serving on active duty with such rank, and if thereafter recalled to active service shall be recalled in such rank.

"SEC. 104. (a) Commissioned officers of the Women's Army Corps of the Regular Army shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years and who possess such qualifications as may be prescribed by the Secretary of the Army.

"(b) Except as modified or otherwise provided by express provisions of law, original appointments of officers in the Women's Army Corps of the Regular Army shall be made from among qualified female persons in the manner now or hereafter prescribed by law for appointment of male persons in the Regular Army except as may be necessary to adapt said provisions to the Women's Army Corps of the Regular Army.

"(c) Officers shall be permanently commissioned in the Women's Army Corps of the Regular Army in grades from second lieutenant to lieutenant colonel, inclusive. The authorized number in permanent grade of lieutenant colonel shall be such as the Secretary of the Army shall from time to time determine but shall not exceed 10 per centum of the total authorized commissioned strength of such corps.

"(d) Title V of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress, approved August 7, 1947) is amended as follows:

"(1) Subsection 502 (c) of said Act is amended by inserting in the first sentence thereof immediately after the words 'as chaplains,' the additional words 'in the Women's Army Corps,', and by inserting in the second sentence thereof immediately after the words 'the Medical Department,' the additional words 'the Women's Army Corps,'.

"(2) Subsection 502 (d) of said Act is amended by inserting immediately after the words 'of the chaplains of the Regular Army;' the additional words 'of the Women's Army Corps of the Regular Army;'.

"(3) Subsection 505 (b) of said Act is amended by inserting immediately after the first proviso contained in paragraph (1) thereof the following additional proviso: '*Provided further*, That in the Women's Army

Corps promotion list there shall be no officers in the permanent grade of colonel and the authorized number in the permanent grade of lieutenant colonel shall not exceed 10 per centum of the total strength authorized for that promotion list but the percentages not authorized in these grades by virtue of this proviso shall be allotted by the Secretary of the Army to grades below lieutenant colonel in such promotion list:'.

"(4) Subsection 505 (c) of said Act is amended by inserting in paragraph (1) thereof immediately after the words 'Air Corps,' the additional words 'the Women's Army Corps,', and by inserting the following additional paragraph at the end of said subsection:

"'(8) The Women's Army Corps promotion list shall contain the names of all promotion-list officers of the Women's Army Corps.'

"(5) Subsection 507 (a) of said Act is amended by changing the period at the end of paragraph (4) thereof to a colon and inserting after such colon the following proviso: *'Provided,* That any selection board convened to consider and recommend officers of the Women's Army Corps of the Regular Army for promotion to any grade may contain officers of the Women's Army Corps of the Regular Army in any grade above that of major either in the Women's Army Corps of the Regular Army or under temporary appointment in the Army of the United States.'

"(6) Subsection 509 (a) of said Act is amended by changing the period at the end of said subsection to a colon and inserting after such colon the following additional words: *'Provided,* That the provisions of this section shall not apply to promotion of officers of the Women's Army Corps of the Regular Army to the grade of lieutenant colonel.'

"(7) Said Act is amended by inserting between sections 509 and 510 the following new section:

"'WOMEN'S ARMY CORPS PROMOTION-LIST OFFICERS—PROMOTION TO GRADE OF LIEUTENANT COLONEL

"'SEC. 509A. Women's Army Corps promotion-list officers shall be promoted to and appointed in the permanent grade of lieutenant colonel in the Regular Army only when a vacancy exists in the number of lieutenant colonels authorized for that promotion list. Such officers shall be appointed in that grade only when selected and recommended for that grade by a selection board under regulations prescribed by the Secretary of the Army.'

"(8) Subsection 514 (b) of said Act is amended by renumbering paragraphs (2) and (3) thereof so that they will appear as paragraphs (3) and (4) thereof, respectively, and inserting immediately before such paragraphs the following new paragraph:

"'(2) for any officer appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 of title I of the Women's Armed Services Integration Act of 1948, the period of service credited to such officer at time of her appointment under the provisions of subsection (b) of such section, increased by the period of her active commissioned service in the Regular Army subsequent to such appointment;'.

"(9) Subsection 514 (d) of said Act is amended by changing the period at the end of the last proviso contained in paragraph (4) thereof to a colon and inserting after such colon the following additional provisos: *'Provided further,* That any of the officers of the Women's Army Corps of the Regular Army in the permanent grade of lieutenant colonel may, in the discretion of the Secretary of the Army, be retained on the active list until thirty days after that date upon which thirty "years' service" is completed: *And provided further,* That any officer of the Women's Army Corps of the Regular Army in the permanent grade of lieutenant colonel, who is serving in the temporary grade of colonel by virtue of occupying the position of Director of said Corps, may, in the discretion of the Secretary of the Army, be retained on the active list while serving in such temporary grade.'"

"(10) Subsection 514 (d) of said Act is further amended by inserting after the end of paragraph (4) thereof the following new paragraph:

"'(5) After June 30, 1953, unless provided otherwise by some provision of law, each officer of the Women's Army Corps of the Regular Army, heretofore or hereafter appointed in the permanent grade of major, who is not retired or separated at an earlier date under other provisions of law, shall be eliminated from the active list and retired on that date which is thirty days after the date upon which she completes twenty-five "years' service", unless she is appointed in the permanent grade of lieutenant colonel in the Regular Army, before that date.'"

"(e) The Women's Army Corps promotion list described in section 505 of the Officer Personnel Act of 1947, as amended, shall be established as soon as officers are appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 of this title. The names of all officers appointed under the provisions of section 108 of this title shall be placed on such promotion list immediately below those officers of the same grade having the same or next greater period of service for promotion purposes.

"(f) Commissioned officers of the Women's Army Corps of the Regular Army are promotion-list officers and they shall be included among officers referred to by that term in all provisions of law relating to promotion-list officers generally, unless otherwise specifically provided.

"(g) The Secretary of the Army shall prescribe the military authority which commissioned officers of the Women's Army Corps may exercise, and the kind of military duty to which they may be assigned.

"(h) The Secretary of the Army, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission of any officer appointed in the Women's Army Corps.

"(i) There shall be no permanent grade promotions in the Women's Army Corps of the Regular Army to the grades of captain, major, or lieutenant colonel until the making of promotions to fill initial requirements in these grades in accordance with the provisions of subsection (j) of this section.

"(j) Permanent grade promotions to fill initial requirements in the Women's Army Corps promotion list in the grades of captain, major, and lieutenant colonel shall be made on that date which is fifteen months after the date of enactment of this title or at the earliest practicable time thereafter under provisions identical to those contained in section 518 of the Officer Personnel Act of 1947 except that the first two sentences of paragraph (1) of subsection (a) thereof shall not apply and in the remainder of said section, insofar as promotions in the Women's Army Corps of the Regular Army are concerned, wherever the date 'July 1, 1948' appears and wherever the date 'June 30, 1948' appears there shall be substituted in lieu thereof that date which is fifteen months after the date of enactment of this title and, insofar as promotions of officers of the Women's Army Corps of the Regular Army to the grade of lieutenant colonel are concerned, the provisions of subsection 518 (b) thereof shall not apply, and, insofar as promotions in the Women's Army Corps of the Regular Army are concerned, the phrase 'years' service' as used therein shall mean the amount of service credited to persons appointed in the Women's Army Corps of the Regular Army under the provisions of section 108 (b) of this title at time of appointment increased by the period of active commissioned service in the Regular Army performed by such persons subsequent to appointment.

"(k) After the making of promotions to fill initial requirements prescribed in subsection (j) of this section, all permanent grade promotions in the Women's Army Corps of the Regular Army to the grades of captain, major, and lieutenant colonel shall be suspended until that date which is twenty-four months after the date of enactment of this title and at that time section 509 and section 509A of the Officer Personnel Act of 1947, as amended, shall become effective for permanent grade promotions of officers of the Women's Army Corps of the Regular Army to the grades of captain, major, and lieutenant colonel.

"SEC. 105. (a) Under such regulations as the Secretary of the Army may prescribe, female citizens of the United States may be appointed warrant officers in the Women's Army Corps of the Regular Army in each of the several warrant officer grades under the provisions of law now or hereafter applicable to the appointment of male persons in such warrant officer grades in the Regular Army and all laws now or hereafter applicable to warrant officers of the Regular Army shall be applicable to such warrant officers.

"(b) The Secretary of the Army, under such regulations as he may prescribe, may terminate the appointment of any warrant officer appointed in the Women's Army Corps.

"SEC. 106. (a) Original enlistments and reenlistments in the Women's Army Corps of the Regular Army, from among female persons who possess such qualifications as the Secretary of the Army may prescribe, may be accepted under applicable provisions of law which govern original enlistments and reenlistments in the Regular Army of male persons except as may be necessary to adapt said provisions to the Women's Army Corps of the Regular Army: *Provided,* That no person shall be enlisted in the Women's Army Corps of the Regular Army who has not attained the age of eighteen years: *And provided further,* That no person under the age of twenty-one years shall be enlisted in such corps without the written consent of her parents or guardians, if any.

"(b) The Secretary of the Army, under such regulations as he may prescribe, may terminate the enlistment of any enlisted woman in the Women's Army Corps, and each person whose enlistment is so terminated shall be discharged from the Army.

"SEC. 107. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers, warrant officers, and enlisted men of the Regular Army; to former male commissioned officers, warrant officers, and enlisted men, of the Regular Army; and to their dependents and beneficiaries, shall in like cases be applicable, respectively, to commissioned officers, warrant officers, and enlisted women of the Women's Army Corps, Regular Army, to former commissioned officers, warrant officers, and enlisted women of the Women's Army Corps, Regular Army, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the Women's Army Corps: *Provided,* That the husbands of women officers and enlisted personnel of the Regular Army shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such officers and enlisted personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

"SEC. 108. (a) At any time not later than a date two years following the date of enactment of this title, the President is authorized to appoint officers in the Women's Army Corps of the Regular Army, by and with the advice and consent of the Senate, in the grades of second lieutenant, first lieutenant, captain,

and major, subject to the conditions and limitations hereinafter set forth. Persons appointed under the provisions of this section shall—

"(1) be female citizens of the United States at least twenty-one years of age, of good moral character, physically qualified for active military service, and have such other qualifications as may be prescribed by the Secretary of the Army; and shall

"(2) have served honorably in the active Federal service as commissioned officers in the Women's Army Corps of the Army of the United States at some time between July 1, 1943, and the date of enactment of this title.

"(b) Each person appointed as a commissioned officer of the Women's Army Corps of the Regular Army under the provisions of this section shall be credited, at the time of appointment, with service equivalent to the total period of active Federal service performed by her after attaining the age of twenty-one years as a commissioned officer in the Army of the United States from July 1, 1943 to the date of such appointment, or a period of service equal to the number of days, months, and years by which her age at the time of such appointment exceeds twenty-five years, whichever period is the greater: *Provided*, That in computing the total period of active commissioned Federal service of any such person who was honorably discharged or relieved from active service subsequent to May 12, 1945, there shall also be credited the period from the date of her discharge or relief from active service to the date of her appointment in the Women's Army Corps of the Regular Army under the provisions of this section.

"(c) For the purpose of determining the grade in which each such person shall be originally appointed under the provisions of this section, a computation shall be made of the amount of service with which each such person would have been credited as of the date of enactment of this section under the provisions of subsection (b) of this section had she been appointed in the Women's Army Corps of the Regular Army under the provisions of this section on that date. The amount of service so computed for each such person is hereinafter referred to as the amount of such person's 'enactment service'. Persons appointed in the Women's Army Corps of the Regular Army with less than three years 'enactment service' shall be appointed in the grade of second lieutenant; persons with three or more years 'enactment service', but less than seven years 'enactment service', shall be appointed in the grade of first lieutenant; persons with seven or more years 'enactment service', but less than fourteen years 'enactment service', shall be appointed in the grade of captain; and persons with fourteen or more years 'enactment service', but less than twenty-one years 'enactment service', shall be appointed in the grade of major: *Provided*, That no person appointed in the Women's Army Corps of the Regular Army under the provisions of this title shall be entitled, by reason of such appointment, to any pay or allowances for any period prior to the date of acceptance of such appointment.

"(d) No person with twenty-one or more years 'enactment service' shall be appointed as a commissioned officer of the Women's Army Corps of the Regular Army under the provisions of this section.

"(e) For the purpose of determining eligibility for promotion, each person appointed as a commissioned officer in the Women's Army Corps of the Regular Army under the provisions of this section shall be credited, as of the time of such appointment, with continuous commissioned service on the active list of the Regular Army equal to the period of service credited to her under subsection (b) of this section.

And the House agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "female persons"; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows:

On page 2, line 8, of the House engrossed amendments, strike out "102" and insert in lieu thereof "110"; and the House agree to the same.

Amendment numbered 12: That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken by the House amendment insert the following:

"NAVY AND MARINE CORPS

"SEC. 201. All laws or parts of laws which now or hereafter authorize enlistments in the Regular Navy and which now or hereafter authorize appointments of commissioned and warrant officers in the Regular Navy shall, subject to the provisions of this title, be construed to include authority to enlist and appoint women in the Regular Navy: *Provided*, That no woman shall be enlisted in the Regular Navy or Naval Reserve who has not attained the age of eighteen years: *And provided further*, That no woman under the age of twenty-one years shall be enlisted in Regular Navy or Naval Reserve without the written consent of her parents or guardians, if any.

"SEC. 202. The number of enlisted women on the active list of the Regular Navy at any one time shall not exceed 2 per centum of the enlisted strength now or hereafter authorized for the active list of the Regular Navy, and the number of commissioned and warrant women officers on the active list of the Regular Navy at any one time shall not exceed 10 per centum of the authorized number of enlisted women of the Regular Navy: *Provided*, That for a period of two years immediately following the date of this Act, the actual number of women in the Regular Navy shall at no time exceed five hundred commissioned women officers, twenty warrant women officers, and six thousand enlisted women, and such number of commissioned women officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

"SEC. 203. Women commissioned in the Regular Navy under the provisions in this title shall not have permanent commissioned grade on the active list of the Regular Navy above that of commander. The number of women officers on the active list of the line of the Regular Navy in the permanent grades of commander and lieutenant commander shall not exceed 10 per centum and 20 per centum, respectively, of the number of women officers on the active list of the line of the Regular Navy above commissioned warrant grade at any one time. Computations to determine such numbers shall be made as of January 1 of each year. Whenever a final fraction occurs in any computation made pursuant to this section, the nearest whole number shall be taken, and if such fraction be one-half the next higher whole number shall be taken. Upon determining such numbers, the Secretary of the Navy may further determine the number, which may be a lesser number, of women officers on the active list of the line of the Regular Navy which may serve in each of such grades and the numbers so further determined shall be held and considered as the authorized numbers until subsequent computations and determinations are made. No woman officer of the Regular Navy shall be reduced in grade or pay, or be separated from the active list, as the result of any such computation or determination.

"SEC. 204. All original appointments of women to commissioned grade in the Regular Navy above the grade of commissioned warrant officer, other than appointments effected pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be in the grade of ensign or lieutenant (junior grade) at the discretion of the President. Such appointees shall be female citizens of the United States who on July 1 of the year in which appointed are over twenty-one and under thirty years of age. No person shall be appointed pursuant to this section until she shall have established her mental, moral, educational, professional, and physical qualifications to the satisfaction of the Secretary of the Navy.

"SEC. 205. From the women officers serving in the grade of lieutenant commander or above, one woman officer may be detailed to duty in the Bureau of Naval Personnel as an assistant to the Chief of Naval Personnel. She shall have the rank of captain while so serving, and shall be entitled to pay and allowances as are now or may be hereafter prescribed by law for a captain of the Regular Navy, and her regular status as a commissioned officer in the Navy shall not be disturbed by reason of such detail.

"SEC. 206. (a) The respective provisions of law now existing or hereafter enacted relating to the promotion by selection of line and staff officers of the Regular Navy not restricted in the performance of duty which are not inconsistent with the provisions of this title are hereby made applicable to women officers of the Regular Navy.

"(b) A woman officer of the grade of ensign in the Regular Navy shall be eligible for promotion to the grade of lieutenant (junior grade) on the third anniversary of the date of rank stated in her appointment to the grade of ensign.

"(c) Selection boards for the recommendation of women officers of the Regular Navy for promotion in grade shall consist of not less than six nor more than nine officers of the line or appropriate staff corps of the Regular Navy. The Secretary of the Navy shall determine the composition of such boards.

"(d) Women lieutenant commanders, lieutenants, and lieutenants (junior grade) of the line of the Regular Navy shall become eligible for consideration by a selection board for promotion to the next higher grade in the fiscal year on June 30 of which they will have completed four, four, and three years, respectively, of service in their grades and shall retain such eligibility until recommended for promotion in the approved report of a board on selection or until separated from the active list. In computing such service in grade, an officer appointed pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall be credited in the grade to which so appointed with all time from the date of rank stated in her appointment in that grade while an officer of the Naval Reserve, exclusive of time in such grade under a temporary appointment which, by its terms, was for a period of limited duration: *Provided*, That no such officer shall become eligible for consideration by a selection board unless all officers of the same grade senior in lineal rank are eligible for such consideration. In each other instance, service in grade shall be computed from the date of rank stated in the appointment to the grade concerned.

"(e) Women officers of the Staff Corps of the Regular Navy shall have as their running mates women officers of the line of the Regular Navy, women staff officers appointed pursuant to the Act of April 18, 1946 (60 Stat. 92), shall, upon appointment, be assigned

running mates as the Secretary of the Navy shall direct; in all other instances, running mates shall be assigned in the manner prescribed by law now existing or hereafter enacted relating to the assignment of running mates to male staff officers of the Regular Navy.

"(f) A woman staff officer of the Regular Navy shall become eligible for consideration for recommendation for promotion to the next higher grade when the President approves the report of a line selection board in which the running mate of such staff officer or a woman line officer junior to such running mate is recommended for promotion to the next higher grade above that held by the staff officer.

"(g) The recommendations of the selection boards in the cases of women officers of the line of the Regular Navy shall be based upon their comparative fitness for the duties to which they are assigned in the line of the Regular Navy.

"(h) The recommendations of the selection boards in the cases of women officers of each of the respective staff corps of the Regular Navy shall be based upon their comparative fitness for the duties to which they are assigned in each of the respective staff corps of the Regular Navy.

"(i) The number to be furnished the appropriate selection board in respect to the promotion of women officers of the line of the Regular Navy to the grades of commander and lieutenant commander shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of vacancies existing for such officers in the grade concerned plus the estimated number of such vacancies which will occur during the ensuing twelve-month period and minus the number of such officers then on the promotion list.

"(j) The number to be furnished the appropriate selection board in respect to the promotion of women line officers of the Regular Navy to the grade of lieutenant shall be determined by the Secretary of the Navy as of the date of the convening of the board and shall be equal to the number of women line officers of the Regular Navy of the grade of lieutenant (junior grade) who are eligible for consideration by such board. The board shall recommend such of the eligible officers who, in the opinion of at least two-thirds of the members of the board, are qualified for promotion and shall so certify in its report. Women line officers recommended for promotion to the grade of lieutenant in the approved report of a board on selection shall become eligible for promotion to that grade on July 1 following the date of approval of the report of the board and, upon promotion, shall be entitled to the pay and allowances of the higher grade from the date of their eligibility for promotion.

"(k) Each selection board appointed to recommend women staff officers of the Regular Navy for promotion to the grade of commander or lieutenant commander shall recommend for promotion to the grade concerned in the corps for which it was appointed such eligible officers, in number not to exceed the number furnished it by the Secretary of the Navy, who, in the opinion of at least two-thirds of the members of the board, are best fittted to assume the duties of the next higher grade. The number furnished the appropriate board for each such grade in each corps shall be a fraction of the number of women officers in the next lower grade of the corps concerned who in that fiscal year first become eligible for consideration for recommendation for promotion to the next higher grade; the numerator of such fraction shall be a number equal to the total number of women line officers recommended for promotion to the grade concerned in the approved report of the immediately preceding line selection board; the denominator shall be a number equal to the number of women line officers eligible in the fiscal year concerned for consideration for recommendation for promotion to the grade concerned, exclusive of those who were senior to the junior such officer recommended for promotion to the grade concerned in the approved report of the second preceding line selection board and of those junior in lineal rank to the junior woman line officer recommended for promotion to that grade in the approved report of the immediately preceding line selection board; if the number so determined be a mixed number and the fraction thereof be one-half or greater, the fraction shall be regarded as a whole number; if such computation produces no whole number, the fraction shall be regarded as a whole number.

"(l) Each selection board appointed to recommend women staff officers of the Regular Navy for promotion to the grade of lieutenant shall recommend such of the eligible officers who, in the opinion of at least two-thirds of the members of the board, are qualified for promotion and shall so certify in its report.

"(m) Should any women officers of the line or Staff Corps of the Regular Navy of the grade of lieutenant (junior grade), recommended in the report of a selection board for promotion, be not acceptable to the President when such report is presented to him for approval or disapproval, the board shall be so informed and the names of such officers shall be removed from the report of the board and no further selection of women officers shall be made at that time.

"(n) Upon promotion to the grade of commander or lieutenant commander, a woman officer of the line of the Regular Navy shall be entitled to the pay and allowances of such grade from the date of the occurrence of the vacancy to which she is promoted to fill.

"(o) Each woman staff officer of the Regular Navy recommended for promotion in grade in the approved report of a board on selection shall become eligible for promotion to the grade for which recommended on the date that the line officer who is to be her running mate in such grade becomes eligible for promotion to that grade and, upon promotion, shall be entitled to the pay and allowances of the higher grade from the date upon which she becomes eligible for promotion thereto.

"(p) Women officers of the line or Staff Corps of the Regular Navy shall not increase the authorized number of commissioned officers of the line or Staff Corps concerned and such women officers shall be excluded from any computations made pursuant to sections 103 and 203 of the Officer Personnel Act of 1947. Women officers of the Regular Navy of the grades of chief pay clerk, pay clerk, and acting pay clerk shall not increase the authorized number of officers of those grades.

"(q) Any requirement of sea or foreign service in grade prescribed by law for promotion shall not apply to the promotion of women officers of the Regular Navy.

"(r) The provisions of law now existing or hereafter enacted relating to the promotion of male warrant officers and to advancement to higher pay periods of male commissioned warrant officers shall apply in like manner to women warrant and commissioned warrant officers.

"SEC. 207. (a) All provisions of law now existing or hereafter enacted relating to retired officers of the Regular Navy and to the retirement or separation from the active list of officers of the Regular Navy, except those provisions relating to the same subject matter provided for in the following subsections of this section and except those provisions of the Officer Personnel Act of 1947, which relate to the retirement and discharge of officers for failure of selection for promotion, are hereby made applicable to women officers of the Regular Navy.

"(b) Each woman officer of the grade of commander in the Regular Navy, or a woman officer serving as an assistant to the Chief of Naval Personnel with the rank of captain, who attains the age of fifty-five years or completes thirty years' active commissioned service in the Regular Navy and the Naval Reserve, whichever is earlier, shall be retired by the President on the first day of the month following that in which she attains such age or completes such service, and except as otherwise provided by law, shall be placed on the retired list in the permanent grade held by her at the time of retirement: *Provided*, That a woman commander or lieutenant commander who serves as an assistant to the Chief of Naval Personnel with the rank of captain and who attains the age of fifty years while so serving may be retired by the President on the first day of the month following that in which she ceases to serve as such assistant to the Chief of Naval Personnel, and if so retired may be placed on the retired list in the rank authorized by subsection (d).

"(c) Each woman officer of the Regular Navy who attains the age of fifty years while serving in the grade of lieutenant commander or below shall be retired by the President on the first day of the month following that in which she attains such age, and, except as otherwise provided by law, shall be placed on the retired list in the permanent grade held by her at the time of retirement: *Provided*, That this subsection shall not apply to an officer of the grade of lieutenant commander who is on a promotion list for the grade of commander or to one while serving as an assistant to the Chief of Naval Personnel with the rank of captain.

"(d) Any woman officer of the Regular Navy who may be retired for any reason while serving as an assistant to the Chief of Naval Personnel under section 205 of this title, or who subsequent to such service may be retired for any reason while serving in a lower grade, may, if she shall have served two and one-half years or more as such assistant, be placed on the retired list, at the discretion of the President, in the rank held by her while serving as such assistant to the Chief of Naval Personnel: *Provided*, That the commissioned officer first detailed to duty in the Bureau of Naval Personnel as an assistant to the Chief of Naval Personnel, pursuant to this title, shall without limitation as to the time she shall serve in such capacity, upon retirement be retired with the rank held while so serving, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay she would have received if serving on active duty with such rank.

"(e) Each woman officer of the Regular Navy who is placed on the retired list in her permanent grade pursuant to subsection (b) or (c) of this section shall receive retired pay at the rate of 2½ per centum of the active-duty pay to which entitled at the time of retirement, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay.

"(f) Each woman officer of the Regular Navy retired because of physical disability incurred in line of duty shall, if placed on the retired list in a grade or rank higher than her permanent grade, receive retired pay equal to 75 per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the grade or rank in which placed upon the retired list.

"(g) Each woman officer of the Regular Navy retired for other than physical disability incurred in the line of duty shall, if placed on the retired list in a grade or rank higher than her permanent grade, receive retired pay equal to 2½ per centum of the active-duty pay to which she would be entitled if serving, at the time of retirement, on active duty in the grade or rank in which placed

upon the retired list, multiplied by the number of years for which entitled to credit in the computation of her active-duty pay, not to exceed a total of 75 per centum of said active-duty pay.

"(h) If any instance in which retired pay is computed pursuant to subsections (e) and (g) of this section, a fractional year of six months or more shall be considered a full year in computing the number of years by which the rate of 2½ per centum is multiplied.

"(i) Women officers of the grade of lieutenant commander in the Regular Navy whose names, on June 30 of the fiscal year in which they complete twenty years' active commissioned service in the Regular Navy and the Naval Reserve, are not then on a promotion list for promotion to the next higher grade shall be placed on the retired list on that date.

"(j) Women officers of the grades of lieutenant and lieutenant (junior grade) in the Regular Navy whose names on June 30 of the fiscal year in which they complete thirteen and seven years' active commissioned service, respectively, in the Regular Navy and the Naval Reserve are not then on a promotion list for promotion to the next higher grade shall be honorably discharged from the Navy on that date with a lump-sum payment computed on the basis of two months active-duty pay at the time of their discharge for each year of commissioned service, but not to exceed a total of two years' pay: *Provided,* That for the purpose of this subsection a fractional year of six months or more shall be considered a full year in computing the number of years' commissioned service upon which to base such lump-sum payment.

"(k) The retired pay of a woman officer of the Regular Navy who is commissioned in the Regular Navy pursuant to the Act of April 18, 1946 (60 Stat. 92), as now or hereafter amended, shall not be less than 50 per centum of her active-duty pay at the time of retirement.

"SEC. 208. All provisions of law now existing or hereafter enacted relating to male personnel of the Navy, except those provisions relating to the same subject matter specifically provided for in this title, shall, where applicable, be construed to include women: *Provided,* That so much of subsection 5 (a) of the Act of April 18, 1946 (60 Stat. 92), as amended, which reads 'but no such person shall be appointed to a grade or rank higher than the highest grade or rank in which he served on active duty' shall not apply to any woman who may be appointed pursuant to that Act if she would have attained a higher grade or rank had she remained on active duty until the date of this Act.

"SEC. 209. The Secretary of the Navy may prescribe the quantity and kind of clothing and equipment which shall be furnished annually to enlisted women of the Regular Navy, including that required upon their first reporting for duty, and the amount of a cash allowance to be paid to such enlisted women in any case in which such clothing and equipment is not so furnished to them.

"SEC. 210. The Secretary of the Navy may prescribe the manner in which women shall be trained and qualified for military duty in the Regular Navy, the military authority which they may exercise, and the kind of military duty to which they may be assigned: *Provided,* That they shall not be assigned to duty in aircraft while such aircraft are engaged in combat missons nor shall they be assigned to duty on vessels of the Navy except hospital ships and naval transports.

"SEC. 211. All provisions of law relating to pay, leave, money allowances for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits, or emoluments, of male personnel of the Regular Navy are hereby made applicable to women personnel of the Regular Navy: *Provided,* That the husbands of women officers and enlisted personnel of the Regular Navy shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such officers and enlisted personnel shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support."

And the House agree to the same.

Amendment numbered 20: That the Senate recede from its disagreement to the amendment of the House numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "the Women's Armed Services Integration Act of 1948, and such transfer of enlisted personnel shall be for a period to be determined by the Secretary of the Navy but not longer than twelve months after the effective date of the Act last cited in this section"; and the House agree to the same.

Amendment numbered 27: That the Senate recede from its disagreement to the amendment of the House numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken by the House amendment insert the following:

"(b) The number of enlisted women on the active list of the Regular Marine Corps at any one time shall not exceed 2 per centum of the enlisted strength now or hereafter authorized for the active list of the Regular Marine Corps: *Provided,* That for a period of 2 years immediately following the date of this Act, the actual number of enlisted women in the Regular Marine Corps shall at no time exceed 1,000.

"(c) The number of commissioned and warrant women officers on the active list of the Regular Marine Corps at any one time shall not exceed 10 per centum of the authorized number of enlisted women of the Regular Marine Corps: *Provided,* That for a period of 2 years immediately following the date of this Act, the actual number of women officers in the Regular Marine Corps shall at no time exceed 100 commissioned women officers and 10 warrant women officers, and such number of commissioned women officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of 2 years.

"(d) From the women officers serving in the grade of major or above in the Marine Corps, one officer may be detailed to duty in the office of the Commandant of the Marine Corps to assist the Commandant in the administration of women's affairs. She shall have the rank of colonel while so serving, and shall be entitled to the pay and allowances as are now or may be hereafter prescribed by law for a colonel of the Regular Marine Corps, and her regular status as a commissioned officer in the Marine Corps shall not be disturbed by reason of such detail. The provisions of section 207 of this title relative to the retirement of women officers detailed as assistant to the Chief of Naval Personnel shall apply in the same manner and under the same relative conditions to women officers of the Marine Corps detailed to duty in the office of the Commandant of the Marine Corps as provided in this subsection.

"SEC. 214. (a) The Secretary of the Navy, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission or warrant of any woman officer in the Regular Navy or Marine Corps.

"(b) The Secretary of the Navy, under such regulations as he may prescribe, may terminate the enlistment of any enlisted woman in the Regular Navy or Marine Corps, and each such person whose enlistment is so terminated shall be discharged from the service.

"SEC. 215. The provisions of title III of the Officer Personnel Act of 1947 shall not be applicable to women officers of the Regular Navy and Naval Reserve and those provisions of titles I and II of the said Act which are not inconsistent with the provisions of this Act shall be operative with regard to women officers of the Regular Navy from the effective date of this Act.

"SEC. 216. Women officers of the Naval Reserve who on the date of approval of this Act are serving under temporary appointments in grades above commissioned warrant officer may continue to serve under such temporary appointments until such appointments are terminated by the President, or until such officers are appointed in the Regular Navy, but no such temporary appointment may continue in effect later than six months after June 30 of the fiscal year following that in which the present war shall end or the first day of the twelfth month following the effective date of this Act, whichever may be earlier: *Provided,* That, notwithstanding any other provisions of law, women officers of the Naval Reserve who at the time of appointment in the Regular Navy are serving under temporary appointments which by their terms are for a period of limited duration, may, on appointment in the Regular Navy, be given temporary appointments pursuant to the provisions of the Act of July 24, 1941 (55 Stat. 603), as amended, which shall be under the same conditions, in the same grade, and with the same precedence as those temporary appointments held by such officers in the Naval Reserve at the time of their appointment in the Regular Navy.

"SEC. 217. The provisions of this title shall not be construed to apply to women officers of the Navy Nurse Corps.

"TITLE III

"AIR FORCE

"SEC. 301. All laws or parts of laws which now or hereafter authorize enlistments, and appointments of commissioned and warrant officers in the Regular Air Force shall, subject to the provisions of this title, be construed to include authority to enlist and appoint women in the Regular Air Force.

"SEC. 302. The authorized commissioned, warrant, and enlisted strengths of female persons in the Regular Air Force shall, from time to time, be determined by the Secretary of the Air Force, within the authorized commissioned, warrant, and enlisted strengths of the Regular Air Force, but shall not exceed 2 per centum of such athorized Regular Air Force strengths, respectively: *Provided,* That for a period of two years immediately following the date of this Act, the actual number of women in the Regular Air Force shall at no time exceed three hundred commissioned officers, forty warrant officers and four thousand enlisted women, and such number of commissioned female officers shall be appointed in increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum at approximately equally spaced intervals of time during the said period of two years.

"Sec. 303. (a) Commissioned female officers of the Regular Air Force shall be appointed by the President, by and with the advice and consent of the Senate, from female citizens of the United States who have attained the age of twenty-one years and who possess such qualifications as may be prescribed by the Secretary of the Air Force.

"(b) Except as modified or otherwise provided in this title or by other express provisions of law, original appointments of female officers of the Regular Air Force shall be made in the manner now or hereafter prescribed by law for male persons in the

Regular Air Force except as may be necessary to adapt said provisions to such female officers.

"(c) Female officers shall be permanently commissioned in the Regular Air Force in grades from second lieutenant to lieutenant colonel, inclusive. The authorized number in permanent grade of lieutenant colonel shall be such as the Secretary of the Air Force shall from time to time prescribe but shall not exceed 10 per centum of the total authorized female commissioned strength.

"(d) The provisions of section 509 of the Officer Personnel Act of 1947 shall not be applicable to promotion of female officers to the grade of lieutenant colonel. Female officers shall be appointed in the permanent grade of lieutenant colonel only when a vacancy exists in the number of lieutenant colonels authorized by the Secretary of the Air Force for female officers and only when selected and recommended for that grade by a selection board under regulations prescribed by the Secretary of the Air Force.

"(e) As soon as practicable after completion of the appointments provided for in section 308 of this title, the name of each such female commissioned officer shall be entered on the Air Force promotion list in such position among officers of her grade as may be determined by a board of general officers appointed for this purpose by the Secretary of the Air Force and under such regulations as he may prescribe: *Provided*, That all such female officers shall be placed on the Air Force promotion list without change among themselves in their relative positions then held on the interim promotion list established under the provisions of section 309 of this title.

"(f) Under regulations prescribed by the Secretary of the Air Force, any selection board convened to consider and recommend female officers of the Regular Air Force for promotion to any grade may contain female officers senior in permanent grade and temporary rank to any female officer being considered by such selection board for promotion.

"(g) At any given time there may be one, but not more than one, female Air Force officer on duty serving in the temporary grade of colonel: *Provided*, That any female officer retired in the grade of colonel and recalled to active duty in such grade shall not be considered within this limitation. Appointment of a female Air Force Officer on active duty to the temporary grade of colonel, if not sooner terminated, shall terminate on that date which is four years after the date of appointment to such temporary grade.

"(h) Female officers of the Regular Air Force shall be eliminated from the active list and retired or separated, as the case may be, under the provisions of law now or hereafter applicable to male officers generally of the Air Force promotion list, and they shall receive retired pay or severance pay, whichever is applicable, computed as provided under such law: *Provided*, That any female officer in the permanent grade of lieutenant colonel may, in the discretion of the Secretary of the Air Force, be retained on the active list until that date which is thirty days after the date upon which thirty 'years' service' is completed: *Provided further*, That any female officer in the permanent grade of lieutenant colonel, who is serving in the temporary grade of colonel, may, in the discretion of the Secretary of the Air Force, be retained on the active list while serving in such temporary grade: *Provided further*, That any female Regular Air Force officer who shall have served two and one-half years on active duty in the temporary grade of colonel may, upon retirement, at the discretion of the President, be retired in such higher temporary grade and with retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which she would receive if serving on active duty in such grade, and if thereafter recalled to active duty shall be recalled in such grade: *Provided further*, That female officers in the permanent grade of major shall not be eliminated from the active list by reason of not having been selected for promotion to the permanent grade of lieutenant colonel: *Provided further*, That on and after June 30, 1953, each female officer in the permanent grade of major who is not retired or separated at an earlier date under other provisions of law shall be eliminated from the active list on that date which is thirty days after the date upon which she completes twenty-five 'years' service' unless she is appointed in the permanent grade of lieutenant colonel in the Regular Air Force before that date: *And provided further*, That in its application to female officers of the Regular Air Force the term 'years' service' as used in section 514 of the Officer Personnel Act of 1947, and as used in this paragraph, shall be defined as the period of service credited to a female officer on appointment into the Regular Air Force, increased by the period of her active commissioned service in the Regular Air Force subsequent to such appointment.

"SEC. 304. Under such regulations as the Secretary of the Air Force may prescribe, female citizens of the United States may be appointed warrant officers in the Regular Air Force in each of the several warrant officer grades under the provisions of law now or hereafter applicable to the appointment of male persons in such warrant officer grades in the Regular Air Force.

"SEC. 305. Original enlistments and reenlistments in the Regular Air Force from among female persons who possess such qualifications as the Secretary of the Air Force may prescribe may be accepted under applicable provisions of law which govern original enlistments and reenlistments in the Regular Air Force of male persons except as may be necessary to adapt said provisions to such female persons: *Provided*, That no woman shall be enlisted in the Regular Air Force who has not attained the age of eighteen; *And provided further*, That no woman under the age of twenty-one years shall be enlisted in the Regular Air Force without the written consent of her parents or guardians, if any.

"SEC. 306. Except as otherwise specifically provided, all laws now or hereafter applicable to male commissioned officers, warrant officers, and enlisted men of the Regular Air Force; to former male commissioned officers, warrant officers, and enlisted men of the Regular Air Force; and to their dependents and beneficiaries, shall in like cases be applicable, respectively, to female commissioned officers, warrant officers, and enlisted women of the Regular Air Force, to former female commissioned officers, warrant officers, and enlisted women of the Regular Air Force, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to such female persons: *Provided*, That the husbands of such female persons shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such female persons shall not be considered dependent unless their father is dead or they are in fact dependent on their mother for their chief support.

"SEC. 307. (a) The Secretary of the Air Force shall prescribe the military authority which female persons of the Air Force may exercise, and the kind of military duty to which they may be assigned: *Provided*, That they shall not be assigned to duty in aircraft while such aircraft are engaged in combat missions.

"(b) The Secretary of the Air Force, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission, warrant, or enlistment of any female person in the Regular Air Force.

"SEC. 308. (a) At any time not later than two years following the date of enactment of this title, the President is authorized to appoint female officers in the Regular Air Force, by and with the advice and consent of the Senate, in the grades of second lieutenant, first lieutenant, captain, and major, subject to the conditions and limitations hereinafter set forth. Persons appointed under the provisions of this section shall (1) be female citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and have such other qualifications as may be prescribed by the Secretary of the Air Force; and (2) have served honorably in the active Federal service as commissioned officers in the armed forces of the United States, at some time between July 1, 1943, and the date of enactment of this Act.

"(b) Each woman appointed as a commissioned officer in the Regular Air Force under the provisions of this section shall be credited, at the time of appointment, with service equivalent to the total period of active Federal service performed by her after attaining the age of twenty-one years as a commissioned officer in the armed forces of the United States from July 1, 1943, to the date of such appointment, or a period of service equal to the number of days, months, and years by which her age at the time of such appointment exceeds twenty-five years, whichever period is the greater: *Provided*, That in computing the total period of active Federal commissioned service of any such person who was honorably discharged or relieved from active service subsequent to May 12, 1945, there shall also be credited the period from the date of her discharge or relief from active service to the date of her appointment in the Regular Air Force under the provisions of this section.

"(c) For the purpose of determining the grade in which each such person shall be originally appointed under the provisions of this section, a computation shall be made of the amount of service with which each such person would have been credited as of the date of enactment of this section under the provisions of subsection (b) of this section had she been appointed in the Regular Air Force under the provisions of this section on that date. The amount of service so computed for each such person is hereinafter referred to as the amount of such person's 'enactment service'. Persons with less than three years 'enactment service' shall be appointed in the grade of second lieutenant; persons with three or more years 'enactment service', but less than seven years 'enactment service', shall be appointed in the grade of first lieutenant; persons with seven or more years 'enactment service', but less than fourteen years 'enactment service', shall be appointed in the grade of captain; and persons with fourteen or more years 'enactment service', but less than twenty-one years 'enactment service', shall be appointed in the grade of major.

"(d) No woman with twenty-one or more years' 'enactment service' shall be appointed as a commissioned officer in the Regular Air Force under the provisions of this section.

"(e) For the purpose of determining eligibility for promotion, each person appointed as a commissioned officer of the Regular Air Force under the provisions of this section shall be credited, as of the time of such appointment, with continuous commissioned service on the active list of the Regular Air Force equal to the period of service credited to her under subsection (b) of this section.

"SEC. 309. (a) Upon appointment of female officers in the Regular Air Force under the provisions of section 308 of this title, the names of all female commissioned officers of the Regular Air Force shall be carried on an

interim Air Force promotion list for female officers and shall on each such officer's appointment be placed thereon next below the officer of her grade on such list having the same or next greater amount of service credit for promotion purposes.

"(b) The Secretary of the Air Force following enactment of this Act shall reserve such portion of the vacancies existing on the Air Force promotion list as he may deem necessary in the grades of captain, major, and lieutenant colonel for promotion thereto of qualified female officers. There shall be no permanent grade promotion appointments of female officers of the Regular Air Force to the grades of captain, major, and lieutenant colonel until that date which is fifteen months after the date of enactment of this title; such promotions shall be made on such date or at the earliest practicable time thereafter: *Provided*, That selection of such female officers for promotion shall be governed by regulations prescribed by the Secretary of the Air Force, which regulations, except where inconsistent with this section, shall be in general similar to the provisions prescribed for promotion of officers on the Air Force promotion list set out in section 518 of the Officer Personnel Act of 1947: *Provided further*, That in prescribing regulations for promotion of female officers to the grade of lieutenant colonel, the provisions of section 518 (b) thereof shall not be followed: *And provided further*, That the promotion of female officers hereunder shall be made upon the interim promotion list described in this section.

"SEC. 310. (a) Effective on the date of enactment of this title, the appointment and enlistment of women in the Officers' and Enlisted Section of the Air Force Reserve shall be authorized.

"(b) Except as otherwise specifically provided, all laws now applicable to male commissioned officers and former commissioned officers of the Officers' Reserve Corps, to enlisted men and former enlisted men of the Enlisted Reserve Corps, and to their dependents and beneficiaries, shall be applicable, respectively, to female commissioned officers and former commissioned officers, to enlisted women and former enlisted women, of the Air Force Reserve, and to their dependents and beneficiaries, except as may be necessary to adapt said provisions to such female persons: *Provided*, That the husbands of such female persons shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such female persons shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

"(c) Appointments of women to commissioned grade in the Air Force Reserve may be made by the President alone in grades from lieutenant colonel to second lieutenant, inclusive, from female citizens of the United States who have attained the age of twenty-one years and who possess such other qualifications as may be prescribed by the Secretary of the Air Force: *Provided*, That any person who has served satisfactorily in the temporary grade of colonel in the Women's Army Corps established by Act of July 1, 1943 (57 Stat. 371), or in the temporary grade of colonel in the Regular Air Force, may, if otherwise qualified, be appointed in the grade of colonel in the Air Force Reserve.

"(d) Enlistments of women in the Air Force Reserve may be accepted under the provisions of law now applicable to enlistments of male persons in the Enlisted Reserve Corps, under such regulations, in such grades or ratings, and for such periods of time as may be prescribed by the Secretary of the Air Force.

"(e) The President may form any or all such female persons of the Air Force Reserve into such organizations and units as he may prescribe."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows: In lieu of the amended title proposed by the House, amend the title so as to read: "An Act to establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Air Force, Regular Navy and Marine Corps, and in the Reserve components of the Army, Navy, Air Force, and Marine Corps, and for other purposes"; and the House agree to the same.

PAUL W. SHAFER,
W. G. ANDREWS,
DEWEY SHORT,
OVERTON BROOKS,
LYNDON JOHNSON,
CARL T. DURHAM,
*Managers on the Part of the House.*

CHAN GURNEY,
RAYMOND E. BALDWIN,
LEVERETT SALTONSTALL,
M. E. TYDINGS,
LISTER HILL,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1641) "To establish the Women's Army Corps in the Regular Army, to authorize the enlistment and appointment of women in the Regular Navy and Marine Corps, and the Naval and Marine Corps Reserves, and for other purposes", submit the following statement in explanation of the action agreed upon by the conferees and recommended in the accompanying conference report:

The measure, as originally passed by the Senate, would have authorized the commissioning and enlisting of women in the Regular and reserve components of the Army and the Navy. However, the measure was passed by the Senate prior to the enactment of the National Security Act of 1947 and the Officer Personnel Act of 1947.

As passed by the House of Representatives, the measure would have authorized the commissioning and enlisting of women in the reserve components only of the Army, the Navy, the Air Force, and the Marine Corps.

The conferees have agreed upon the philosophy of employing women in the regular, as well as in the reserve components, of our armed forces. The conferees have further agreed upon the necessity of providing a finished bill in which the newly created Air Force is given its components of women and have agreed upon numerous changes in form made necessary in all services by the Officer Personnel Act of 1947, and the National Security Act of 1947.

The conferees have agreed, however, that in the initial integrations of women into the regular services the law should provide a safeguard against the newly created regular components being filled at the outset by indiscriminate numbers being employed in amounts larger than existed for the male components of the services during the recent integrations of male officers. The conferees have provided, therefore, in each title of the bill relating to each of the three services a maximum number of officers and enlisted personnel which may be integrated within the first two years after the date of enactment of this Act.

The conference agreement provides that during the period of two years immediately following the date of enactment the actual strengths of the regular components of women authorized for the Army, Navy, Air Force, and Marine Corps shall at no time exceed:

*Next 2 years*

| | |
|---|---|
| Army (officers) | 500 |
| Army (warrant officers) | 75 |
| Army (enlisted) | 7,500 |
| Navy (officers) | 500 |
| Navy (warrant officers) | 20 |
| Navy (enlisted) | 6,000 |
| Air Force (officers) | 300 |
| Air Force (warrant officers) | 40 |
| Air Force (enlisted) | 4,000 |
| Marine Corps (officers) | 100 |
| Marine Corps (warrant officers) | 10 |
| Marine Corps (enlisted) | 1,000 |

*Authorized after 2 years*

| | |
|---|---|
| Army (officers) | 600 |
| Army (warrant officers) | 120 |
| Army (enlisted) | 12,000 |
| Navy (officers, including warrant officers) | 1,000 |
| Navy (enlisted) | 10,000 |
| Air Force (officers) | 400 |
| Air Force (warrant officers) | 52 |
| Air Force (enlisted) | 6,740 |
| Marine Corps (officers, including warrant officers) | 200 |
| Marine Corps (enlisted) | 2,000 |

The conferees have agreed further that the number of officers authorized to be commissioned during the period of 2 years after enactment shall be integrated in increments not to exceed 40%, 20%, 20%, and 20% respectively .

These provisions, providing as they do a brake upon indiscriminte commissioning and enlisting, will provide leeway during the future for the induction of new members of the corps and will prevent any suggestion of favored treatment given to women in this matter as against the treatment received by male officers during their integration periods into the Army, Navy, Air Force and Marine Corps.

The conferees agreed upon the following minor technical changes in the bill:

(a) By amendment number 1, the House changed the short title of the Act. The conferees have agreed that the short title of the Act shall be "Women's Armed Services Integration Act of 1948".

(b) By amendment number 3, the House shortened the caption of Title I to read simply "Army". The conferees agreed on this caption; it is included, however, with the reinstatement of the sections dealing with establishment of the Women's Army Corps in the Regular Army.

(c) Amendment number 4 merely involves renumbering a section. The conferees restored the original section number.

(d) Amendment number 5 merely involved changing the language "Women's Army Corps" to read "such female persons". The conferees agreed upon the words "female persons".

(e) Amendments number 6, 8, 9 and 10 merely changed the words "Secretary of War" to read "Secretary of the Army". The conferees agreed to the House amendments.

(f) Amendment number 7 struck out from the section dealing with the Officers' Reserve Corps, a reference to the Director of the Women's Army Corps of the Regular Army. Conferees reinstated this reference in view of the fact that they have agreed to include women in the Regular Army.

(g) By amendment number 13 the House shortened the caption of Title II to read "Navy and Marine Corps". The conferees agreed on this caption. It is included however with the reinstatement of the sections dealing with authorization of women in the Regular Navy and Marine Corps.

(h) Amendments number 14 and 21 merely involve renumbering of sections. The conferees restored the original section numbers.

(i) Amendments number 15 and 16 merely made a technical change in the caption of Title V of the Naval Reserve Act of 1938, and the conferees accepted the House amendments.

(j) Amendments 17 and 19 merely changed the phraseology of "ratings, grades, or ranks" to read "ratings or grades" to conform with the Officer Personnel Act of 1947. The conferees accepted the House amendments.

(k) Amendment number 20 permitted the establishment of a definite date of expiration of enlistment of enlisted members of the Women's Reserve, transferred under the Act, to the Naval Reserve. The conferees accepted the House amendment except that the transfer must be for a period not longer than twelve months after the passage of this Act.

(l) Amendments number 22, 23, 24, 25 and 26 merely involved striking out references to the Regular Navy and Marine Corps. In view of the action of the conferees, permitting women in the regular services, the House conferees receded from these amendments and accepted the original references to the Regular Navy and Marine Corps.

The remaining amendments affected the substance of the proposed legislation.

The House by amendment number 2 struck out from the Senate bill all of sections 101 through 108. The sections stricken by the House amendment pertain to the establishment of the Women's Army Corps in the Regular Army. The conferees have agreed to place back in the bill sections numbered 101 through 108, making provisions substantially the same as the sections which were stricken from the Senate bill, but containing certain limitations which were not included in the comparable Senate sections and also including a number of technical changes necessitated by the enactment of the National Security Act and the Officer Personnel Act during the first session of the 80th Congress.

In general, these sections provide that:

(a) A Woman's Army Corps will be established in the Regular Army.

(b) The strength of the Regular Women's Army Corps will not exceed 2 percent of the authorized strength of Army officers, warrant officers, and enlisted personnel of the Regular Army, respectively.

(c) A Director will be appointed in the temporary grade of colonel.

(d) Officers will be appointed in grades from second lieutenant to lieutenant colonel inclusive; lieutenant colonels will not exceed 10 percent of the Corps' authorized officer strength.

(e) Warrant officers will be appointed under the same provisions as apply to male warrant officers.

(f) Female personnel may enlist or reenlist under regulations that apply to male personnel, except that no woman under 18 may enlist and no woman under 21 may enlist without consent of parent or guardian.

(g) All laws applying to men will apply to women unless otherwise provided.

(h) Husbands and children of Women's Army Corps personnel will not be considered as dependents unless they are in fact dependent upon them.

The conferees agreed to changes which temporarily restrict the size of the Corps, and bring title I into line with Public Law 381, 80th Congress, 1st session, (Officer Personnel Act of 1947) which was passed after S. 1641 was enacted.

They also agreed on a change to provide for the integration of Women's Army Corps officers of World War II since male integration under Public Law 281, 79th Congress, terminated 31 December 1947.

Another change agreed to by the conferees reduces from four years to two and one-half years the length of time that the Director and Deputy Director must serve in order to be eligible, at the discretion of the President, for the retirement benefits of the rank held while so serving. Title II provides such retirement for the woman Navy officer of comparable status, as originally passed by the Senate.

The conferees further agreed to restrict the size of the Corps by a proviso that, during the period of two years immediately following passage of the proposed legislation, the actual number of Women's Army Corps personnel of the Regular Army shall at no time exceed 500 officers, 75 warrant officers and 7500 enlisted women; and that the 500 commissioned officers shall be appointed in increments of 40 percent, 20 percent, 20 percent and 20 percent at approximately equally spaced intervals of time during the two years immediately following enactment of the proposed legislation.

The conferees agreed to the House amendment number 11 with a provision that it be renumbered. This amendment inserts in the bill a new section 110 which provides that the existing Women's Army Corps law will be continued in effect for one year after enactment of this bill. This is necessitated by enactment of Public Law 239, 80th Congress, which repealed, as of July 1, 1948, the present Women's Army Corps law. This amendment will permit the Army to use the present organization as an administrative vehicle for carrying personnel pending enlistment or appointment in the Women's Army Corps of the Regular Army or in the Organized Reserve Corps.

Amendment number 12 struck out from the Senate bill all of sections 201 through 211. The sections stricken by the House amendment pertain to the enlistment and appointment of women in the Regular Navy.

S. 1641, as passed by the Senate included provisions for the appointment and enlistment of women in the Regular Navy and made existing laws and those hereafter enacted in this connection applicable to women except as otherwise provided in this bill.

It provided that the strength of enlisted women on the active list of the Regular Navy would not exceed 2 per centum of the authorized strength of the Regular Navy and that the number of commissioned and warrant women officers would not exceed 10 per centum of the enlisted women strength. All women in the Regular Navy were to be within the authorized strength of the Regular Navy.

Women would not be enlisted who had not attained the age of 18 years and would require parents or guardian consent if under 21 years. Appointments of women to commissioned grade above commissioned warrant officer would not be made, other than under Public Law 347, 79th Congress, unless the woman was over 21 years of age and under 30 years on July 1 of the year in which appointed.

The number of Commanders and Lieutenant Commanders of the line would not exceed 10 and 20 per centum respectively of the number of women officers on the active list of the line of the Regular Navy.

As of 1 January each year a computation would be made to determine the maximum number of Commanders and Lieutenant Commanders in the line based on the above percentages. The bill provided that a further determination might be made by the Secretary of the Navy and that the numbers so determined might be less than the 10 and 20 per centum maximum allowed. The numbers so further determined were to be considered the authorized numbers in these grades until subsequent determination was made.

All original appointments to commissioned grade in the Regular Navy above the grade of commissioned Warrant Officer, other than by transfer of present Naval Reserve officers, would be in the grade of Ensign or Lieutenant (junior grade), at the discretion of the President.

Women would not be given permanent commission above the grade of Commander. Provision was made for the detailing of one woman officer of the grade of Lieutenant Commander or Commander to duty in the Bureau of Naval Personnel as an Assistant to the Chief of Naval Personnel and to give her the temporary rank of Captain while so serving.

Women officers of the line of the Regular Navy would become eligible for consideration by a selection board for promotion to the next higher grade in the fiscal year on June 30 of which they would have completed the following service in grade:

| | *Years* |
|---|---|
| Lieutenant (junior grade) | 3 |
| Lieutenant | 4 |
| Lieutenant commander | 4 |

The promotion of all women officers, in the line or staff corps, from the grade of Lieutenant (junior grade) to the grade of lieutenant would be by selection but the numbers to be promoted would be all those eligible officers who are considered qualified by the selection board.

Women officers of the grade of Ensign would be eligible for promotion to the grade of Lieutenant (junior grade) on the third anniversary of the date of rank stated in their appointment to the grade of Ensign.

Women officers of the staff corps of the Regular Navy would have women officer running mates in the line. A woman staff officer of any grade would become eligible for consideration for promotion by a selection board when her running mate or a woman line officer junior to her running mate had been recommended for promotion to the next higher grade.

The numbers to be promoted to the grades of Commander and Lieutenant Commander of the line in each year would be determined on the basis of vacancies existing and the number of vacancies which would occur during the ensuing 12 months minus the number of officers who might be on the promotion list. Such numbers would be furnished the appropriate selection boards. The composition of selection boards was also defined.

The number of Lieutenant Commanders or Lieutenants in any staff corps to be selected each year for promotion to the next higher grade would be directly related to the number of line officers recommended for promotion to the grades of Commander and Lieutenant Commander that same year. In this way promotion to these grades in the staff corps would be kept in phase with the promotion in the line.

The provision of law relating to the promotion of male Warrant Officers and to advancement to higher pay periods of male commissioned Warrant Officers would apply in like manner to women Warrant and Commissioned Warrant Officers.

Women officers of the Regular Navy of the grade of Commander would be retired upon reaching the age of 55 years or the completion of 30 years active commissioned service. This would also apply to a woman officer serving as an assistant to the Chief of Naval Personnel with the temporary rank of Captain.

The bill contained a provision to permit a Lieutenant Commander who reached the age of 50 years while serving as an assistant to the Chief of Naval Personnel to remain on the active list until detachment from such duty.

Also, any woman officer retired while serving as an assistant to the Chief of Naval Personnel or who subsequent to such service might be retired for any reason while serving in a lower grade might, if she served for 2½ years as such assistant, be retired in the temporary rank held while serving as an assistant to the Chief of Naval Personnel.

Women officers of the Regular Navy of the grade of Lieutenant Commander or below would be retired upon reaching the age of 50 years.

A Lieutenant Commander in the Regular Navy whose name, on June 30 of the fiscal year in which she completed 20 years active commissioned service, is not on the promotion list, would be placed on the retired list.

A Lieutenant of the Regular Navy whose name on June 30 of the fiscal year in which she completed 13 years active commissioned service, is not on the promotion list, would be honorably discharged from the Navy on that date with a lump sum payment, total not to exceed 2 years' pay.

The same applied to Lieutenants (junior grade) not on the promotion list in the year she completed 7 years' active commissioned service.

The bill provided that the retired pay of a woman officer of the Regular Navy commissioned pursuant to authority contained in Public Law 347, 79th Congress, would not be less than 50 percent of her active duty pay at the time of retirement.

The laws relating to male officers having to do with retired pay and retirement because of physical disability would be applicable to women officers.

Enlisted women would become eligible for transfer to the Fleet Reserve and retirement in accordance with the laws which are applicable to male enlisted personnel of the Regular Navy.

All provisions of law relating to pay, leave, money allowance for subsistence and rental of quarters, mileage and other travel allowances, or other allowances, benefits or emoluments of male personnel of the Regular Navy would be applicable to women except that husbands had to be in fact dependent on their wives. Children would not be considered dependents unless their father was dead or they were in fact dependent on their mother for their chief support.

The quantity and kind of clothing to be furnished enlisted personnel and the military authority which women would exercise was to be determined by the Secretary of the Navy.

The House receded from its position on amendment No. 12 and the provisions for the enlistment or appointment of women in the Regular Navy, as described above, were reinstated by the conferees with some modifications. The reasons for these modifications are indicated below:

(a) The deletion or substitution of the words "rank", "grade", "advancement", and "promotion" throughout this title is considered necessary in view of section 405 of Public Law 381 which abolished the prior staff corps grades with rank in grade and substituted the line grades therefor. Under prior staff corps laws, officers of the staff corps were advanced in rank. Under the provisions of the Officer Personnel Act of 1947 all officers, line and staff, are promoted in grade.

(b) Provision has been added to section 2020 prescribing a limitation on the number of women who may be appointed and/or enlisted in the Regular Navy within the first 2 years after the enactment of this act. This will limit the number of women in the Regular Navy to 500 officers, 20 warrant officers, and 6,000 enlisted personnel, for the next 2 years.

(c) Section 203 is changed to include a technical clarification of a final fraction.

(d) The composition of selection boards is changed in section 206 (c) to bring them into conformance with the provisions of the Officer Personnel Act of 1947.

(e) Section 206 (d) is changed by substituting the word "time" for "active service" in order that women Reserve officers transferred to the Regular Navy may be credited with inactive duty in the same manner as male Reserve officers similarly transferred. This section is further changed to clarify eligibility for selection to the next higher grade.

(f) Section 206 (e) is changed in order to permit the assignment of running mates as the Secretary of the Navy may direct. It is considered necessary as a result of the enactment of the Officer Personnel Act of 1947.

(g) Section 206 (k) is changed to clarify eligibility for selection to the next higher grade.

(h) Section 206 (m) clarifies action to be taken on the report of a selection board.

(i) Section 206 (p) excludes women officers from the computation required to be made to determine the number in each rank under the Officer Personnel Act of 1947.

(j) Section 206 (q) excludes women officers from sea or foreign service requirements for promotion.

(k) Section 207 (a) is changed to include a technical clarification regarding retirement provisions considered necessary as a result of the enactment of the Officer Personnel Act of 1947.

(l) Section 208 is changed in order to permit the appointment of women Reserve officers transferred under provisions of the Act of April 18, 1946, to the Regular Navy in the same manner as male Reserve officers who were transferred to the Regular Navy.

(m) In Section 210, the conferees agreed to a proviso that prohibits the assignment of women to aircraft engaged in combat missions or on vessels of the Navy except hospital ships and naval transports.

Amendment number 18 limits the duty that women naval reservists may perform by prohibiting their assignment to aircraft engaged in combat missions or to vessels of the Navy except hospital ships and naval transports. The Senate conferees accepted the House amendment.

Amendment number 27 struck out from the Senate bill remaining references to women in the Regular Navy and Marine Corps; but added a new title to the bill providing for women in a reserve status in the Air Force in view of the National Security Act of 1947 which established the Air Force as a separate department of the Military Establishment.

The conferees agreed to reinstate all provisions that pertained to the Regular Navy and Marine Corps, but modified as outlined below.

Provisions have been added to section 213 (b) and (c) prescribing a limitation on the number of women who may be appointed and enlisted in the Regular Marine Corps within the first two years after the enactment of this Act. This limits women in the Regular Marine Corps to 100 officers, 10 warrant officers, and 1,000 enlisted women, for the next two years.

Section 213 (d) was modified to permit the assignment of a Major or Lieutenant Colonel woman officer to duty in the office of the Commandant of the Marine Corps to assist the Commandant in the administration of women's affairs.

Section 214 (a) and (b) have been reinstated, modified to include the termination of appointments of warrant women officers under the same provisions as provided for commissioned officers.

Two new sections, sections 215 and 216, have been inserted to exclude women officers from the temporary provisions of the Officer Personnel Act and to authorize women officers of the Naval Reserve to continue to serve on active duty until transferred to the Regular Navy pursuant to the proposed legislation or for a period not to exceed 12 months after enactment of the proposed legislation.

Provision has also been made to permit women officers of the Naval Reserve on active duty at the time of transfer to the Regular Navy who are serving under a temporary appointment, which by its terms are for a period of limited duration, to be given a temporary appointment under the same condition.

Section 217 reinstates section 215, as passed by the Senate.

In addition the conferees agreed to modify Title III of the House bill, by permitting the enlistment and appointment of women in the Regular Air Force.

When S. 1641 passed the Senate the present Air Force was a part of the Army. The provisions of S. 1641 as it passed the Senate would thus have been equally applicable to female persons of the then Army Air Forces. Subsequent to Senate action and before House action on S. 1641, the present Air Force was established by the National Security Act of 1947. Under authority of such enactment, the Secretary of Defense by Transfer Order #1, of the National Military Establishment, dated September 26, 1947, transferred the Army Air Forces to the United States Air Force. In view of the Air Force thus becoming an equal major armed service, the House in its version of S. 1641 provided a separate title for female persons of the Air Force. A separate title is herein continued for female persons of the Air Force which contains similar provisions as herein provided for female persons of the Army, except as is necessary for conformance to the structure provided the Air Force under the National Security Act of 1947. As such enactment did not divide the Air Force into various arms and services, or "corps", no separate corps for female persons is established. Such females are thus taken directly into the existing Air Force structure. As female officers serving with the Army Air Forces were all Army officers detailed to duty with the Army Air Forces, the Air Force has no separate body of World War II women from which to draw its initial officer complement. This has been resolved by authorizing the Air Force to integrate former female officers of any of the armed services. The limitation in the House version of S. 1641 precluding assignment of female persons of the Air Force to duty in combat aircraft is continued herein. A similar limitation to that contained in Titles I and II is provided that will limit the actual strength of female persons in the Regular Air Force during the two year period following enactment of this Act to 300 officers, 40 warrant officers and 4,000 enlisted women. The officers so authorized are to be appointed in approximately equally spaced increments of not to exceed 40 per centum, 20 per centum, 20 per centum, and 20 per centum thereof, respectively.

In effect the conferees have agreed upon permitting the enlistment and appointment of women in the Regular Army, Air Force, Navy, and Marine Corps, with provisions limiting the number of women to be appointed or enlisted for the next two years. This, of course, does not preclude the number of Reserves that may be continued on active duty, but will provide for a sizeable cadre of career women in the regular services.

PAUL W. SHAFER,
W. G. ANDREWS,
DEWEY SHORT,
OVERTON BROOKS,
LYNDON JOHNSON,
CARL T. DURHAM,
*Managers on the Part of the House.*

Mr. SHAFER. Mr. Speaker, the conferees on S. 1641 have agreed to the proposition that women should be authorized to be enlisted or appointed in the Regular Army, Navy, Marine Corps, and Air Force.

The net effect of the conference report is that women will become a part of the Regular Military Establishment. They will have practically the same career opportunities and retirement privileges

as do males. They will be entitled to all the benefits and privileges of Regular male personnel.

The reason for the long conference report and the complicated statement of managers is due to the fact that the House struck out of the Senate bill all provisions making reference to women in the Regular services. By agreeing to permit women to become a part of the Regular services it was necessary to accept the Senate version of the bill. However, subsequent to the passage in the Senate of S. 1641, the Congress passed and the President signed the Officer Personnel Act of 1947 and the National Security Act. As a result many modifications in the Senate bill were necessary to bring S. 1641 into line with those laws.

Thus the conference report before you involves, to a very large extent, provisions of law with respect to the appointment and commissioning of women as officers in the Regular services. This, in turn, involves many complex problems of integration, selection, and retirement. These features are similar to those found in the Officer Personnel Act of 1947.

The House conferees insisted upon a compromise, however, which has the effect of limiting, for the next 2 years, the number of women officers and enlisted personnel who may become a part of the Regular Establishment. This does not preclude the services from making use of as many Reserves as they have appropriations for. But it was done to make the ratio of integration of women officers somewhat similar to that which prevailed in the integration of male officers.

| | Officers | Warrant officers | Enlisted |
|---|---|---|---|
| Army | 500 | 75 | 7,500 |
| Navy | 500 | 20 | 6,000 |
| Air Force | 300 | 40 | 4,000 |
| Marine Corps | 100 | 10 | 1,000 |

After 2 years the services will be permitted to enlist or appoint women in the Regular services up to 2 percent of their authorized strengths. This would permit approximately 600 women Army officers, 120 warrant officers, and 12,000 enlisted; 1,000 women Navy officers, including warrant officers, and 10,000 enlisted; 400 women Air Force officers, 52 warrant officers, and 6,740 enlisted; and 200 women Marine Corps officers, including warrant officers, and 2,000 enlisted.

Thus the practical effect of the passage of this bill would be to permit the enlistment and appointment of women in the Regular Army, Navy, Marine Corps, and Air Force.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. How much money will maintaining this Women's Corps in the Army cost?

Mr. SHAFER. It will not cost any more than it is costing now because if you do not have these women doing this work you will have men doing it.

Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Speaker, as one of the conferees on the bill S. 1641, I feel that I must explain the reasons why I could not sign the conference report which, if enacted, would permit the enlistment and appointment of women in the Regular as well as the Reserve components of the armed services.

Many kind words have been spoken with regard to the great services performed by our women during the war. I heartily concur in all of the laudatory remarks that have been made. I too have great admiration and respect for the women who served in the armed forces during the war.

But I cannot as yet accept the principle of having women soldiers, women sailors, and women Marines in the Regular services.

What we are asked to approve today is an organizational change in the structure of the Armed Services which is as extreme and far reaching as any ever contemplated by any nation. If we approve this conference report women will become an integral part of the armed forces of the United States in peacetime for the first time in our history. I have not forgotten that we have nurses, and we now have women dieticians and technicians in the armed forces and that these women are doing an outstanding job. But this conference report contemplates the use of women in the armed forces in all branches and in not just a few specialized jobs. If the proponents of this measure claim that these women will be used to fill clerical and stenographic billets only, then I would say that no convincing evidence has been presented that these jobs could not be done as well by civilian employees. But I believe that the proponents of the bill will concur when I say that the services intend to use these women in various capacities. Therefore, it would seem to me to be the better part of wisdom to permit this great experiment to be tried for the next few years through the employment of women in the Reserve components, so that if it fails, it can be discontinued. I wish to stress this fact—once made a part of the Regular Service, women officers will be continued on until court-martialed or until retired. Women officers are not subject to limited enlistments as are enlisted personnel. Once commissioned in the Regular service they will remain until they reach the retirement age or are retired for physical disability or are passed over for selection or are court-martialed and removed from the service.

The argument has been made that it is necessary to offer women careers in the service in order to obtain personnel of intelligence and competence. To me that could be interpreted to mean that the women now serving on active duty in a Reserve status or in the Women's Army Corps do not possess those qualities, because they have stayed on active duty in a reserve status or in a temporary status, and no assurance has ever been given to them that they would become a part of the Regular service. However, I am sure that the services look upon these women as highly competent officers because they intend to obtain most of their officers from this group. Thus, the women now in service have stayed on in a Reserve or temporary status, and I believe many of them would continue in the same manner.

Mr. MACKINNON. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. MACKINNON. How is the bill worked out with respect to the authority to command as between men and women? Are Army restrictions or limitations imposed?

Mr. COLE of New York. I stand to be corrected by the chairman of the committee, but it is my understanding that the women will have all of the qualifications and authority of the male officers, and consequently would have the authority to command men.

Mr. MACKINNON. Is that correct, Mr. Chairman?

Mr. COLE of New York. Mr. Speaker, I yield to the gentleman from New York [Mr. ANDREWS] to answer the question of the gentleman from Minnesota.

Mr. ANDREWS of New York. To answer my good friend from Minnesota, I should not say that the authority to command is extended in any way, either by law or by assignment, equal to that in the case of men. But by sheer reason of the assignment itself, the Secretary of War shall prescribe the authority which commissioned officers of the Women's Army Corps may exercise and the kind of duty to which they may be assigned. It is by virtue of the assignment that they would have the authority, and it is true that very few of these women are in an assignment where the authority to command is of any importance whatever.

Mr. MACKINNON. I understand, then, that it is contemplated by that section that the Secretary of War might issue general orders prescribing the authority of women in the Regular Army to command male personnel?

Mr. ANDREWS of New York. That might be the case, but the chances are that the only real authority to command would be in a supervisory or administrative capacity over the members of the WAC outfit itself.

Mr. COLE of New York. Mr. Speaker, I decline to yield further.

Why is there such a rush to make these women a part of the Regular service? The argument is continuously made that women will not stay in the Army, Navy, Marine Corps, or Air Force unless they have assurance of their continuation in the services. I have discussed this insofar as it pertains to officers, but what about enlisted women? Well, what is there in the law today that guarantees an enlisted man that he will be accepted for reenlistment? There is none. The main argument of offering a career to women is really almost entirely a matter of offering a permanent career to the women officers involved. The maximum number of women officers affected in this bill is about 2,400. General Eisenhower, when he appeared before the Armed Services Committee, stated he did not think very many women would stay in the services for any length of time, and that the majority of them would serve one or two enlistments and then get married and get out of the service. I think that is likewise true of the officers. If

we can assume that only one-half of the officers involved in this bill would remain in service, then that means that we are making an organizational change in the structure of the armed services, which may have far-reaching effects, for the benefit of not more than 1,200 women officers. I am firmly convinced that, rather than take this step, the House would be better advised to wait for a period of 5 years to see how women work out in the services in the Reserves in peacetime, rather than make a change now which, once made, cannot be undone. I am sure that enough women will remain on active duty in the Reserve components, providing appropriations are available, to assure the continuation of the cadre of trained personnel that the services have stressed so much.

Thus, I urge the House to consider carefully this report. If we give this a 5-year trial period, I am confident that many problems will appear that have not yet been considered. We will then be in a position to judge whether women should become a part of the Regular Military Establishment. Disability statistics will then be available for fair evaluation. Rotation of shore and sea billets will be clearly established. Questions of costs and segregation of the sexes will be made clear. And, finally, we will then be in a position to determine whether or not a separate branch of the service for women exclusively should be established. I cannot refrain from expressing my grave doubts as to the advisability of this report. It is not a question of women's rights or equality of the sexes; it involves our armed forces and should be carefully analyzed.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. SCRIVNER. In view of the gentleman's long experience on the committee, I think his observations should carry a great deal of weight and should be given great consideration. But I would like to ask the gentleman this: Where will we be if this bill is enacted, in case selective service is adopted, with reference to its application to the drafting of women?

Mr. COLE of New York. According to the terms of the Selective Service Act, it applies only to male citizens.

Mr. SCRIVNER. But if you are going to carry this out logically, then it should apply likewise to the drafting of women?

Mr. COLE of New York. The gentleman is entirely right.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. CASE of South Dakota. Do I understand that if this conference report should be voted down, existing law would provide for the continuance of the Reserve components in which women are admitted?

Mr. COLE of New York. That is true, insofar as the Navy is concerned. It is not true of the Women's Army Corps, which expires on June 30 of this year.

Mr. CASE of South Dakota. But that could be extended.

Mr. COLE of New York. It could be very easily extended.

The SPEAKER. The time of the gentleman from New York [Mr. COLE] has expired.

Mr. SHAFER. Mr. Speaker, I yield 30 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, when this bill came before the House, I supported the version of the bill which came out of the House Armed Services Committee. I supported it because it bore the approval of the House Armed Services Committee. I recognize, however, that a serious problem existed in the service with reference to the WAVES and WAC's and other women components of the armed forces, and that the House bill did not entirely solve that problem.

Mr. Speaker, during the war the WAC's were first organized as a part of the War Department.

When the WAC's were first organized they bore the initials WAAC, Women's Army Auxiliary Corps. Subsequently they were called the WAC. The difference between the two was this, that initially the WAC's were placed in the War Department but were not made a part of the Army itself. Experience soon showed that a problem existed under these circumstances and the Congress decided in its wisdom to make them a part of the Army itself in wartime. In time the number of women in the WAC's reached the high figure of 112,000, if my memory serves me correctly. They were able and in my opinion rendered magnificent service to the Nation.

On the other hand, in the Navy the WAVES were placed in the Reserves and were called to active service during time of war. I think the WAVES likewise performed an outstanding service to the Nation and certainly are entitled to the plaudits of our people for what they did during the time of great emergency just passed. Demobilization now has occurred. Our armed services have reached a low point as far as numbers are concerned, and we are trying to place the women's components on a stabilized, more permanent basis. The armed forces have now a rather small group of Waves and Wacs and members of the other women's components of the armed services and they are in the position that they do not know what their future is going to be. The WAC's will go out of existence within a very short time unless some legislation is enacted putting them into the Army itself on a more permanent basis. I favor that. It operates on the same principle as employees who work in our offices. We have to give our employees assurance that they are on a permanent basis or we do not get good, efficient, competent help. We must satisfy them in advance that they are not going to be there only temporarily. Unless we put these young women into the permanent establishment they have no assurance as to the future, but are subject to any whim of Congress in failing to appropriate sufficient funds or any whim of the War Department, the Navy Department or the Air Force in any change in policy regarding the use of women in the armed forces, all of which will affect their future. Otherwise they have no feeling of permanency or stability. They are entitled to more consideration.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I am glad to yield to the distinguished gentleman from New York.

Mr. COLE of New York. Is there any reason why that assurance with respect to permanency of position, making it a career which all agree is an important consideration, why that could not be given to these women in a civilian status rather than a military status?

Mr. BROOKS. Yes; we have studied that very carefully, I may say to the distinguished gentleman from New York in whose judgment I have a great deal of confidence. I have seen him work on the Armed Services Committee and he is always sincere in his attitude and firm in his judgment. I commend him for his work there; but there is a big difference.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. BROOKS. Mr. Speaker, I yield myself four additional minutes.

Mr. Speaker, it was found that you could get people to serve in a civilian status—good, competent people; you can let them select their own housing and local adjustments, but there is one thing I was convinced could not be obtained in reference to civilian employees and that was mobility. The reason for the establishment of the WAC's and the WAVES was to give that organization mobility, the power to move on short notice from one position to another or from one point of the country to another on short notice. Suppose there are in the WAC's a number of young women from my own district down in Louisiana. If they are civilian employees they are not going to come willingly to Washington. If they are military employees, they will be ordered up here. They are so adjusting their lives that they will be easily mobile and easily able to go from one part of the country to the other. That is something you cannot get from civilian employees. There is no way to do it otherwise.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from New York.

Mr. BUCK. Does this legislation make any provision for maternity leave for these permanent regular establishment women?

Mr. BROOKS. Not in this particular bill.

Mr. BUCK. How does the gentleman contemplate that will be handled, assuming a person is a Regular Army officer?

Mr. BROOKS. It will be handled in the same way it was handled during the late war. The gentleman is familiar with that situation. The gentleman does not take the position that that fact would militate against the use of women in the War Department or in the armed forces?

Mr. BUCK. During the war in case of pregnancy the woman was discharged from the service.

Mr. BROOKS. That is substantially correct.

Mr. BUCK. That would be the case under this legislation?

Mr. BROOKS. Yes.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield? I understand the gentleman says this is a matter of employment.

Mr. BROOKS. No; I did not intend to say that, I will say to the gentleman. It is a matter of mobility, getting these young women in an organization so that if they are needed in one part of the country they will be available; if they are needed in another part of the country they will be available. You cannot get that in civilian employment. You can get it in organizational employment such as this would be.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. This bill has absolutely nothing to do with the drafting of women. It is entirely voluntary. It will have nothing to do with the drafting of women later on. That will be an entirely separate matter.

Mr. BROOKS. I thank the gentlewoman from Massachusetts for her observation. I do not see how we can go before the country and tell the people we have done our level best to get people voluntarily into the armed forces, yet refuse to accept these young women who rendered such a competent service in time of emergency. If we sit here and refuse to accept them, then tell the country we must have selective service, we have to have compulsion in the armed forces and we refuse to select thousands of young women who are willing and able to perform the services, I do not see how we can justify that before the country.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Why cannot women or girls perform these duties without putting a uniform on?

Mr. BROOKS. I just explained that to the gentleman. You cannot get mobility unless you put these young women in uniform and put them in housing where they are segregated from the rest of the population. You do not have the facility to move them from one position in one part of the country to another part of the country.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

Mr. SHAFER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS of New York. Mr. Speaker, to be sure, this bill presented a rather difficult proposition to the members of the Armed Services Committee from the start. This is a conference report and I may say it was agreed to by 6 out of the 7 House conferees.

The real difference between the original Senate position and the House position was that the Senate provided that all of the Wacs, Waves, and so forth, would be taken into the service and the House after some consideration of the situation passed the bill in a form that would put them in as part of the Reserves.

In the conference we took into consideration the fact that some 160,000 Reserve officers were considered for some 25,600 positions and that some 25,000 applied for 10,000 positions in the Navy and that some 6,000 Marine Reserves applied for only 2,000 commissions given in the Marines.

It is not true that there is no precedent, because for some time women have been commissioned in the Army and the Navy Nurse Corps. In a sense it is a housekeeping position. All these positions that will be filled by women at the present time are of a so-called housekeeping nature such as your excellent secretaries in many of your offices or women in official capacities as stenographers, clerks, and telephone operators, women that men would have to replace. As has been said here, if they were replaced by men, it would take that many men away from active duty of the Army and the Navy and the Air Force, who hold those positions by virtue of enlistment or the draft. It has been said that they would have to be drafted.

The mere fact that women are now serving in the Nurse Corps of the Army or the Navy is no reason why they should be included in the draft. There is nothing in the draft to that effect, and the word is not used anywhere in connection with the draft, and there is no possibility that it would be. It seems what this bill does, it establishes a ratio as was established in the case of enlisted men and Reserve officers, and over a period of years they would be screened, and you would have competition.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of New York. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. I would like to ask the gentleman from New York if his committee took into consideration the difference of having women in peacetime or women in wartime in the service?

Mr. ANDREWS of New York. Yes, we did. Of course, the alternative would be that in many jobs you would have civil-service employees, and we would have less control over them than we would have with the enlisted personnel, and the cost would be greater. For instance, we obviate the time and one-half for overtime, and the statistics show that very few women would be willing to take the assignments which women in the service are obliged to take and are willing to take under orders. There are many outlying bases, such as in Germany and Japan, where women are serving today, to which bases you could not get civil-service employees to go.

Mr. NICHOLSON. Mr. Speaker, if the gentleman will yield further, the reason, then, is money?

Mr. ANDREWS of New York. No; it is not money. It is the fact that those women are in the service. They received their indoctrination in the service and they are accustomed to the officers under whom they work, and in the long run they make better servants than the civil-service employees, and they relieve a man who would otherwise be training for active duty.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of New York. I yield to the gentleman from New York.

Mr. BUCK. In furtherance of the question I asked the gentleman from Louisiana, I have been advised that any woman member of the armed services would be discharged in the event of pregnancy, and therefore you are going to defeat the very purpose of building up a career service among those women, it seems to me.

Mr. ANDREWS of New York. Not necessarily. That is only the gentleman's opinion.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BROOKS. Mr. Speaker, we have no further requests for time.

Mr. SHAFER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, when this bill was originally presented to the House Committee on the Armed Services, I joined with other members of the committee in supporting it. However, after several executive sessions of the committee, I joined others on the committee in the thought that the bill should provide that the WAVES, WAC's, Marinettes, and SPARS should become part of the Reserves rather than the Regular Establishment. The bill was brought to the floor and, if my memory serves me correctly, we debated it for 2 hours and by an overwhelming voice vote the bill passed. Then, of course, the bill went to conference. The conferees of the House have bowed to the Senate, and we are today being asked to accept the Senate version of the bill, which makes the WAVES, WAC's, and so forth, part of the Regular Establishment. I resent the fact that we have to throw away 2 hours of debate and bow to the wishes of the body on the other side of the Capitol.

I feel that the House should know that there is a lot of opposition to this bill on the part of officers and the enlisted men of the Navy. There are some in this House who served in the Navy as officers, and they will not deny and cannot deny the fact that for every job ashore filled by a Wave officer you deny a male officer, who, after several years at sea, the right to come ashore and occupy such an assignment. My associations with officers of the Navy, especially at sea, have convinced me that the officer who is at sea, lives for the day when his tour of duty at sea expires, so he can be assigned to a job ashore, thus permitting him to be with his family. Therefore, if we establish Waves in all jobs ashore, we will deny such officers at sea the right to come ashore for such an assignment.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Ohio.

Mr. ELSTON. The point has been made that we have the nurses' organization in the Army. It is a fact, however, is it not, that we had a nurses' organization in the Army for a great many years before it became permanent?

Mr. VAN ZANDT. That is correct. We have a similar nurses' organization for the Navy.

Let me point out the position of the enlisted man. There is not a member of the House Committee on Armed Services who has not received a telephone call or a call in person from enlisted men objecting to the idea of having to take orders from a WAVE officer. Put yourself in the position of an enlisted man and I am sure you will agree with them.

Mr. BRADLEY. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from California.

Mr. BRADLEY. May I say to the gentleman that I think he well and truly represents the feelings of the officers and enlisted men of the service.

Mr. VAN ZANDT. I could do nothing else. If I did, I would certainly be disregarding the wishes of many of my shipmates in the Navy.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Louisiana.

Mr. BROOKS. It was found a number of years ago that even the nurses' organization had such serious problems that the law had to be changed so as to make the nurses' organization part of the Regular Army. The gentleman is familiar with that.

Mr. VAN ZANDT. That is correct.

Mr. BROOKS. Until the amendment to the law about 4 or 5 years ago, the nurses had only equal status with those in the Army, rather than the same status. The law had to be changed.

Mr. VAN ZANDT. I favored giving the nurses of the Army and the Navy permanent status, but I feel that nurses cannot be compared to or put on the same basis with the WAVE officers.

Mr. SHAFER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like to take this time to explain what I hear from the enlisted men. They feel that it is a matter of justice to do this. The women served during the war. Some of the women were killed. They were ready to do what was required of them, just as they are today. Many statements from enlisted men come to me. It seems to me this is the American way of doing, and it is the way my colleagues have always done. They are not Germans and they treat women on an equal basis.

Mr. CASE of South Dakota. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. CASE of South Dakota. There were a great many men who were in the Reserves who lost their lives during the war, too.

Mrs. ROGERS of Massachusetts. That is very true.

Mr. CASE of South Dakota. It seems to me you cannot adopt this proposal and escape the logic of following through by including women when you adopt either a draft or a UMT bill.

Mrs. ROGERS of Massachusetts. That is an entirely different proposition from this, as I see it. There is nothing in this bill that would require a draft of women.

Mr. CASE of South Dakota. If you take the first the other will follow.

Mrs. ROGERS of Massachusetts. I am very sure that the drafting of women will not follow this step.

Mr. SHAFER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. COLE of New York) there were—ayes 46, noes 52.

Mr. SHAFER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 206, nays 133, answered "present" 1, not voting 91, as follows:

[Roll No. 89]

YEAS—206

| | | |
|---|---|---|
| Abbitt | Fallon | Lichtenwalter |
| Abernethy | Fisher | Lodge |
| Albert | Flannagan | Lucas |
| Allen, Calif. | Fletcher | Lyle |
| Allen, La. | Foote | Lynch |
| Andrews, Ala. | Forand | McCormack |
| Andrews, N. Y. | Fulton | McDonough |
| Auchincloss | Gamble | McGregor |
| Bakewell | Garmatz | McMahon |
| Bates, Ky | Gary | Madden |
| Bates, Mass. | Gathings | Mahon |
| Battle | Gavin | Maloney |
| Beall | Gearhart | Manasco |
| Beckworth | Goodwin | Mansfield |
| Bennett, Mich. | Gordon | Marcantonio |
| Bennett, Mo. | Gorski | Martin, Iowa |
| Blackney | Grant, Ala. | Meade, Ky. |
| Bland | Gregory | Meade, Md. |
| Blatnik | Gwinn, N. Y. | Merrow |
| Bloom | Hagen | Michener |
| Boggs, Del. | Hale | Miller, Conn. |
| Boggs, La | Halleck | Miller, Md. |
| Bolton | Hand | Mills |
| Boykin | Hardy | Morgan |
| Brooks | Harless, Ariz. | Morris |
| Brown, Ga. | Harris | Morrison |
| Bryson | Harrison | Morton |
| Buchanan | Havenner | Muhlenberg |
| Burke | Hays | Murdock |
| Burleson | Hébert | Murray, Tenn. |
| Byrne, N. Y. | Hedrick | Norblad |
| Canfield | Hendricks | Norton |
| Cannon | Herter | O'Brien |
| Carson | Heselton | O'Konski |
| Case, N. J. | Hinshaw | Pace |
| Celler | Hoeven | Patman |
| Chadwick | Holmes | Patterson |
| Clason | Hope | Peden |
| Cole, Kans. | Huber | Peterson |
| Colmer | Isacson | Philbin |
| Cooley | Jackson, Calif. | Phillips, Tenn. |
| Corbett | Jackson, Wash. | Pickett |
| Coudert | Jarman | Preston |
| Courtney | Jenison | Price, Fla. |
| Cox | Jones, Ala. | Price, Ill. |
| Cravens | Jones, N. C. | Priest |
| Cunningham | Jones, Wash. | Ramey |
| Dague | Judd | Rayburn |
| Davis, Ga. | Karsten, Mo. | Richards |
| Davis, Tenn. | Kean | Rivers |
| Dawson, Utah | Keating | Rogers, Fla. |
| Deane | Keefe | Rogers, Mass. |
| Delaney | Kelley | Rohrbough |
| D'Ewart | Kilburn | Rooney |
| Dingell | Kilday | Russell |
| Domengeaux | Kirwan | Sabath |
| Donohue | Klein | Sadlak |
| Douglas | Kunkel | St. George |
| Eaton | Lanham | Sasscer |
| Elsaesser | Larcade | Scott, Hugh D., Jr. |
| Engel, Mich. | LeCompte | Seely-Brown |
| Evins | Lesinski | Shafer |
| Thompson | Wigglesworth | |
| Smith, Kans. | Trimble | Wilson, Tex. |
| Smith, Va. | Vinson | Winstead |
| Somers | Vorys | Wolverton |
| Spence | Wadsworth | Wood |
| Stanley | Walter | Worley |
| Thomas, Tex. | Welch | Youngblood |

NAYS—133

| | | |
|---|---|---|
| Allen, Ill. | Gallagher | Miller, Nebr. |
| Andersen H. Carl | Gillette | Mitchell |
| | Gillie | Murray, Wis. |
| Andresen, August H. | Goff | Nicholson |
| | Gossett | O'Hara |
| Angell | Graham | Passman |
| Arends | Granger | Phillips, Calif. |
| Arnold | Grant, Ind. | Poage |
| Banta | Griffiths | Potter |
| Barrett | Gross | Potts |
| Bell | Harness, Ind. | Rains |
| Bishop | Harvey | Rankin |
| Bonner | Hess | Redden |
| Bradley | Hill | Reed, Ill. |
| Bramblett | Hobbs | Rees |
| Brehm | Hoffman | Reeves |
| Brophy | Horan | Rich |
| Brown, Ohio | Hull | Riehlman |
| Buck | Jenkins, Ohio | Rizley |
| Buffett | Jennings | Rockwell |
| Busbey | Jensen | Ross |
| Butler | Johnson, Calif. | Sanborn |
| Byrnes, Wis. | Johnson, Ind. | Sarbacher |
| Camp | Jonkman | Schwabe, Mo. |
| Case, S. Dak. | Kearns | Schwabe, Okla. |
| Chelf | Kerr | Scrivner |
| Chenoweth | Kersten, Wis. | Smith, Wis. |
| Church | Landis | Snyder |
| Clevenger | Latham | Stefan |
| Coffin | LeFevre | Stevenson |
| Cole, Mo. | Lemke | Stockman |
| Cole, N. Y. | Lewis, Ohio | Taber |
| Cotton | Love | Talle |
| Crawford | McConnell | Taylor |
| Crow | McCowen | Tibbott |
| Curtis | McCulloch | Vail |
| Davis, Wis. | McDowell | Van Zandt |
| Devitt | McGarvey | Vursell |
| Dondero | McMillan, S. C. | Weichel |
| Eberharter | McMillen, Ill. | Wheeler |
| Ellis | Mack | Whitten |
| Elston | MacKinnon | Williams |
| Feighan | Macy | Wilson, Ind. |
| Fellows | Mathews | Wolcott |
| Fenton | Meyer | Woodruff |

ANSWERED "PRESENT"—1

Reed, N. Y.

NOT VOTING—91

| | | |
|---|---|---|
| Anderson, Calif. | Hart | Ploeser |
| Barden | Hartley | Plumley |
| Bender | Heffernan | Poulson |
| Buckley | Holifield | Powell |
| Bulwinkle | Javits | Regan |
| Carroll | Jenkins, Pa. | Riley |
| Chapman | Johnson, Ill. | Robertson |
| Chiperfield | Johnson, Okla | Sadowski |
| Clark | Johnson, Tex. | Scoblick |
| Clippinger | Kearney | Scott, Hardie |
| Combs | Kee | Sheppard |
| Cooper | Kefauver | Short |
| Crosser | Kennedy | Sikes |
| Dawson, Ill. | Keogh | Simpson, Ill. |
| Dirksen | King | Simpson, Pa. |
| Dolliver | Knutson | Smathers |
| Dorn | Lane | Smith, Maine |
| Doughton | Lea | Smith, Ohio |
| Durham | Lewis, Ky. | Stigler |
| Elliott | Ludlow | Stratton |
| Ellsworth | Lusk | Sundstrom |
| Engle, Calif. | Mason | Teague |
| Fernandez | Miller, Calif. | Thomas, N. J. |
| Fogarty | Monroney | Tollefson |
| Folger | Multer | Towe |
| Fuller | Mundt | Twyman |
| Gore | Nixon | West |
| Gwynne, Iowa | Nodar | Whitaker |
| Hall, Edwin Arthur | Norrell | Whittington |
| | O'Toole | |
| Hall, Leonard W. | Owens | |
| | Pfeifer | |

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Cooper for, with Mr. Reed of New York against.

Additional general pairs:

Mr. Towe with Mr. Hart.

Mr. Nodar with Mr. Keogh.

Mr. Sundstrom with Mr. O'Toole.

Mrs. Smith of Maine with Mr. King.

Mr. Mundt with Mr. Heffernan.

Mr. Short with Mr. Kefauver.
Mr. Hardie Scott with Mr. Pfeifer.
Mr. Kearney with Mrs. Lusk.
Mr. Jenkins of Pennsylvania with Mr. Miller of California.
Mr. Leonard W. Hall with Mr. Monroney.
Mr. Bender with Mr. Fogarty.
Mr. Chiperfield with Mr. Multer.
Mr. Knutson with Mr. Crosser.
Mr. Thomas of New Jersey with Mr. Chapman.
Mr. Simpson of Pennsylvania with Mr. Powell.
Mr. Smith of Ohio with Mr. Carroll.
Mr. Gwynne of Iowa with Mr. Kennedy.
Mr. Anderson of California with Mr. Holifield.
Mr. Clippinger with Mr. Barden.
Mr. Fuller with Mr. Lane.
Mr. Ploeser with Mr. Buckley.
Mr. Plumley with Mr. Riley.
Mr. Owens with Mr. Teague.
Mr. Twyman with Mr. Whitaker.
Mr. Dolliver with Mr. Sheppard.
Mr. Nixon with Mr. Smathers.

Mr. BAKEWELL changed his vote from "nay" to "yea."

Mr. WOLCOTT changed his vote from "yea" to "nay."

Mr. BROWN of Ohio changed his vote from "yea" to "nay."

Mr. JONES of Alabama changed his vote from "nay" to "yea."

Mr. CELLER changed his vote from "nay" to "yea."

Mr. JARMAN changed his vote from "nay" to "yea."

Mr. MORRIS changed his vote from "nay" to "yea."

Mr. REED of New York. Mr. Speaker, I have a live pair with the gentleman from Tennessee, Mr. COOPER. I voted "no." I withdraw my vote and answer "present."

Mr. DINGELL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## ESTABLISHMENT OF THE THEODORE ROOSEVELT NATIONAL MEMORIAL PARK

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 5816, an act to amend the act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 16, strike out all after "9," down to and including "line" in line 23 and insert "thence continuing northerly to the southeast corner of Government lot 9, section 5, township 140 north, range 102 west; thence northwesterly to the northwest corner of Government lot 2 in said section 5; thence westerly."

Page 4, line 21, strike out all after "thence" over to and including "corner" in line 14, page 5, and insert "southerly along the west line of said section 20 to the northwest corner of the southwest quarter of section 20; thence easterly to the northwest corner of the southeast quarter of section 20; thence southerly to the southwest corner of the southeast quarter of said section 20; thence easterly along the north lines of section 29 and section 28, to the northeast corner of section 28; township 141 north, range 101 west; thence southerly along the west line of section 27, township 141 north, range 101 west, to the southwest corner of said section 27; thence easterly along the north lines of sections 34, 35, and 36 to the northeast corner of section 36, township 141 north, range 101 west; thence southerly along the east line of said section 36 to the southwest corner of section 31, township 141 north, range 100 west; thence easterly to the southeast corner of said section 31; thence southeasterly along a line to the northwest corner."

Page 6, line 22, strike out all after "west;" down to and including "acres" in line 25 and insert "and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5."

Page 7, after line 2 insert:

"SEC. 2. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States."

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

## INTERNATIONAL AVIATION FACILITIES

Mr. WOLVERTON. Mr. Speaker, I call up the conference report on the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes; and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'International Aviation Facilities Act.'

"DEFINITIONS

"SEC. 2. For the purposes of this Act:

"(1) The term 'Air Coordinating Committee' means the committee established by Executive Order Numbered 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or equivalent powers whether created by Executive order or legislative enactment.

"(2) The term 'airport property' means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies."

"(3) The term 'airway property' means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airway communications, and meteorological facilities.

"(4) The term 'foreign territory' means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

"ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

"SEC. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the objectives of the International Civil Aviation Organization, the Administrator of Civil Aeronautics (hereinafter referred to as the 'Administrator') and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, to acquire, establish, and construct airport property and airway property in foreign territory: *Provided, however,* That, except in the case of airport property transferred under section 8, no airport (as defined in section 1 of the Civil Aeronautics Act of 1938, as amended) may be acquired, established, or constructed under authority of this section unless funds for such purpose have been specifically appropriated by the Congress.

"TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

"SEC. 4. Subject to the concurrence of the Secretary of State, the Administrator and the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

"ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

"SEC. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States, funds from any foreign government or from any international organization as

payment for any facilities supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this Act or the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

"TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

"SEC. 6. With the unanimous approval of the Air Coordinating Committee, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this Act, to the foreign government involved or to any international organization. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to make such transfer upon such terms and conditions as he deems proper, including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

"FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE REPUBLIC OF PANAMA

"SEC. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communications, and air traffic control facilities and services in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

"(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

"(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this Act.

"(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this Act.

"TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISHMENT TO THE ADMINISTRATOR OF THE WEATHER BUREAU

"SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefore, airport property and airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

"(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

"(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this act shall be considered as property transferred pursuant to this section.

"AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

"SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

"POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

"SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improvement, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, reengineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed twenty years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this Act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make just and reasonable charges for aeronautical services (including but not limited to landing fees and fees for the use of communication services); and (6) to acquire, by purchase or otherwise, real or personal property, or interests therein, which he may consider necessary for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdiction of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500 or to imprisonment not exceeding six months, or to both such fine and imprisonment.

"(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

"(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

"(d) The provisions of section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not apply to any of the leases or contracts made by the Administrator or the Chief of the Weather Bureau pursuant to the provisions of this Act.

"UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

"SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized and directed, in carrying out the provisions of this Act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated. *Any agency of the United States Government receiving any such request is hereby authorized to furnish such facilities or to perform such services.*

"AUTHORIZATION FOR APPROPRIATIONS

"SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

And the Senate agree to the same.

CHAS. A. WOLVERTON,
CARL HINSHAW,
LEONARD W. HALL,
CLARENCE F. LEA,
J. PERCY PRIEST,
*Managers on the Part of the House.*

OWEN BREWSTER,
HOMER CAPEHART,
By OWEN BREWSTER,
ALBERT HAWKES,
By OWEN BREWSTER,
ED C. JOHNSON,
ERNEST W. MCFARLAND,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all after the enacting clause of the House bill and inserted matter in the nature of a substitute which did not differ greatly from the provisions of the House bill.

Sections 1, 2, 4, 5, 7, 8, 9, and 12 of the conference substitute are the same as the corresponding provisions of both the House bill and the Senate amendment.

In section 3 of the House bill it was provided that the authority to acquire, establish, or construct airport property or airway property in foreign territory could be exercised only where appropriations had been made specifically for such purpose. In the conference substitute this limitation has been replaced by a less restrictive provision that, except in the case of airport property transferred under section 8, no airport (as defined in section 1 of the Civil Aeronautics Act of 1938, as amended) may be acquired, established, or constructed under authority of the section unless funds for such purpose have been specifically appropriated by the Congress. The provision in the comparable section in the Senate amendment which would have permitted acquisition, establishment, or construction of airport property or airway property in the Territories and possessions of the United States has not been included. In section 3 of the conference substitute the words "and to conduct related services" have been omitted as unnecessary in view of the provisions of section 10.

With reference to sections 4 and 5 of the conference substitute, the committee of conference has taken cognizance of the provisions of the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.), by which the Secretary of State, among other things, is authorized "to utilize, with the approval of the President, the services, facilities, and personnel of the other Government agencies," for the training of nationals of other governments; and, under certain conditions, to accept funds from other governments in connection with such training. It is the committee's specific intent, in recommending this proposed legislation, that no training program shall be undertaken pursuant to section 4 which is considered by the Secretary of State to be in conflict with the purposes of the United States Information and Educational Exchange Act of 1948.

By clause (5) of section 10 (a) of the House bill, the Administrator of Civil Aeronautics was authorized, in connection with the administration of airport property and airway property, "to make just and reasonable charges for aeronautical services (including fees and use of navigational aids, communication services and landing facilities and similar services". In the conference substitute this clause is changed to read "to make just and reasonable charges for aeronautical services (including but not limited to landing fees and fees for the use of communication services)".

Subsection (d) of section 10 of the conference substitute, making section 3709 of the Revised Statues inapplicable to leases or contracts made under this legislation, was not in the bill as it passed the House but was contained in the Senate amendment.

Section 11 of the conference substitute authorizes and directs the Administrator and the Chief of the Weather Bureau, in carrying out the provisions of the act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States agencies, on a reimbursable basis. Essentially the same provision was in both the House bill and the Senate amendment, the only difference being that in the House bill (as in the conference substitute) it was mandatory, and in the Senate amendment it was permissive. In the conference substitute a sentence has been added to make it perfectly clear that Government agencies will have authority to furnish facilities and services under the arrangements contemplated by the section.

CHAS. A. WOLVERTON,
CARL HINSHAW,
LEONARD W. HALL,
CLARENCE F. LEA,
J. PERCY PRIEST,
*Managers on the Part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. GATHINGS asked and was granted permission to extend his remarks in the RECORD and include a poem.

Mr. DINGELL asked and was granted permission to insert in the Appendix of the RECORD a statement from a Customs employee as a part of his remarks.

Mr. DONOHUE asked and was granted permission to extend his remarks in the RECORD and include a resolution.

Mr. BEALL asked and was granted permission to extend his remarks in the Appendix of the RECORD.

CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. BATES of Massachusetts submitted a conference report and statement on the bill (S. 1676) to authorize the Secretary of War to proceed with construction at military installations, and for other purposes.

WATER FILTRATION PLANT AT HIGHLAND FALLS, N. Y.

Mr. BATES of Massachusetts presented a conference report and statement on the bill (H. R. 2359) to authorize the payment of a lump sum, in the amount of $100,000, to the village of Highland Falls, N. Y., as a contribution toward the cost of construction of a water filtration plant, and for other purposes.

NAVY PUBLIC WORKS BILL

Mr. BATES of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6341) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6341, with Mr. KEEFE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair wishes to announce that when the Committee rose on yesterday the gentleman from Massachusetts [Mr. BATES] had 33 minutes remaining, and the gentleman from Maryland [Mr. SASSCER] had 15 minutes remaining.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself 4 minutes for the purpose of answering questions.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. CASE of South Dakota. I should like to ask the gentleman from Massachusetts whether or not it is proposed to offer an amendment to the bill in section 3, to make the limitations on family quarters for the Navy authorized by this bill conform to the limitation which was adopted in the recent authorization bill for military construction for the Army and the Air Force?

Mr. BATES of Massachusetts. Mr. Chairman, I have such an amendment at hand, and I do intend to offer it at the appropriate time, because the bill as amended provides for a limitation on quarters to 1,080 square feet which will result in a saving in the bill itself of $1,206,000.

Mr. CASE of South Dakota. And will provide the same treatment for all branches of the service?

Mr. BATES of Massachusetts. Precisely as in the Army public-works bill that we considered a week or so ago.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. RICH. Mr. Chairman, I wish to ask the gentleman from Massachusetts if the bill is passed carrying $12,000,000 for the air base at Annapolis, if he is going to do what he can to prohibit the Navy from making that the great grand affair they are talking about now, as one of the greatest airports the Nation has ever seen by having stores, theaters, and everything that does not belong to airports.

Mr. BATES of Massachusetts. Mr. Chairman, the question the gentleman from Pennsylvania brings up is with regard to the so-called naval air station at Sandy Point, Md., next to the Naval Academy, which will be used for the purpose of indoctrination of midshipmen at the Academy. The project itself was subject to rigid scrutiny by the Armed Services Committee of the House over a long period of time. The committee has held several meetings, and we are fully convinced from what the naval authorities say that the ultimate cost will be $12,000,000. We do not intend to enlarge the project.

Mr. RICH. I thank the gentleman from Massachusetts. It seems to me that the Army and Navy ought to get away from some of these grandiose things they are trying to do. Everything has to be glorified and glamorized. It is time these glorified projects were halted. They should have only the airport.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, the more I read about the expense of the military establishments of the country the more I favor agreement for international disarmament. Such costs are almost beyond the ability of any country to carry.

Apparently many Members of the House think we have reached the stage of push-button warfare. We voted for a 70-group Air Force. We voted last week for Army installations. Today we are considering Navy installations. We just voted $7,000,000,000 in the regular appropriation bill for the Army and the Air Force. Yet the draft bill, the bill to provide the men to operate all these facilities, is still stalled in the Rules Committee.

The most disturbing feature about the bill now before us is its indication that there has not been unification of our armed forces. The Army, the Navy, and the Air Force in many particulars are still operating as separate entities. Up in Jersey City, N. J., for example, is a firm known as M. W. Kellogg Co., mechanical engineers. The Navy has one contract with this company for development along a certain line. The Army has another contract with the same company for almost identical work. The Army built for the company a laboratory for the testing of liquid fuel. Now it is proposed in the pending bill to erect another laboratory for this same sort of testing—one firm, two contracts, two separate laboratories.

I suggest that a laboratory to test liquid rocket fuel should be located where rocket missiles are tested rather than in a congested metropolitan area such as Jersey City. Another consideration is this: This laboratory at Jersey City must be built sound proof and explosion proof due to its nearness to the city of New York. Location elsewhere would naturally save taxpayers money.

The Air Force, as per my understanding, has a splendid high-speed wind tunnel in California; yet under this bill we are asked to construct two high-speed wind tunnels for the Navy. The Air Force must have one wind tunnel for the Air Force and the Navy must have two separate wind tunnels for the Navy.

At Guam this bill carries $84,000,000 for installations, including cold-storage facilities, warehouses, and so forth. Last week we appropriated $5,000,000 for the Air Force at Guam and $4,000,000 for the Army at Guam. In each case duplicate warehouses and cold-storage facilities were provided.

We have unification in name only in the above-cited instances.

Coming down to the Sandy Point Air Field at Annapolis, the chairman of the subcommittee has told us that it is priority No. 5 on the Navy's priority list. I wonder if the chairman of the subcommittee would tell what are priorities 1, 2, 3, and 4?

Mr. BATES of Massachusetts. Of course, the highest priorities would have to do with research and development and the defense of the country. Those are the first priorities.

Mr. BUCK. Will the gentleman be specific? He has said that Sandy Point is No. 5. What are Nos. 1, 2, 3, and 4?

Mr. BATES of Massachusetts. As I said at the outset, the defenses of our country are obviously our first priorities. The development of our research organizations is a first priority. Every project in this bill is of top priority. That has been determined by the Joint Chiefs of Staff of the Army and Navy.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman from New York five additional minutes.

Mr. BUCK. Mr. Chairman, we have in this bill dozens of research items. I gather that the gentleman does not know just what priorities 1, 2, 3, and 4 are. However, if Sandy Point Airfield is priority No. 5 and all the rest of the projects rate lesser priorities, the great controversy as to the desirability of the Annapolis Airfield suggests that the items beyond No. 5 cannot be especially critical.

There are a great many peculiar things about this Sandy Point Airport. We are told, in the first place, that the field is for flight indoctrination of midshipmen. This should call for an active location, yet they tell us that Andrews Field is too active. By that theory a nurse would be indoctrinated in her sick aunt's bedroom rather than in a hospital. No midshipmen will handle airplane controls in this indoctrination course. For that reason the angle of danger is no factor. No valid reason has been given as to why Andrews Field would not meet this situation as well as a brand new $12,000,000 airfield in the vicinity of Annapolis.

It is proposed that Sandy Point carry a runway of 10,000 feet. I wonder what sort of naval aircraft will need a runway of that length.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Why, the most modern aircraft, the jet-propelled aircraft of today and the jet-propelled aircraft of tomorrow.

Mr. BUCK. They require a 10,000-foot runway?

Mr. VAN ZANDT. Absolutely, and any aviation construction engineer will tell you that they do not build any air strip today unless it is 10,000 feet long.

Mr. BUCK. As part of the indoctrination course of midshipmen, will they be flying these new jet planes?

Mr. VAN ZANDT. Not exactly.

Mr. BUCK. Will they be passengers in jet planes?

Mr. VAN ZANDT. Yes. They will be there as students.

Mr. BUCK. For what?

Mr. VAN ZANDT. To familiarize themselves with the general type of airplane.

Mr. BUCK. And that work could not adequately be done at the many other air fields which the Navy now maintains?

Mr. VAN ZANDT. Certainly, it could be accomplished at Pensacola or at Sand Point, in the State of Washington. But, are you going to take the midshipmen all the way to Pensacola or to Sand Point and take them away from their classroom work?

Mr. BUCK. You do not have any Navy air fields closer than Pensacola and Sand Point?

Mr. VAN ZANDT. Not for the purpose of instruction.

Mr. BUCK. For what is Andrews Field used?

Mr. VAN ZANDT. Andrews Field is an Army field. At the present time there are 178 planes based there: 83 P–80's, active group; 25 P–47's, National Guard; 10 miscellaneous reserve planes; 50 administrative planes; and 10 Strategic Air Command planes.

Mr. BUCK. How does the traffic there compare with traffic at Washington Airport?

Mr. VAN ZANDT. We have no absolute figures on the traffic, but we do know that these groups that are stationed there at the moment are constantly using the runways for takeoff and for landing, and we know that the National Airport is used daily by commercial aircraft.

Mr. BUCK. I was trying to get the comparative traffic density of the two airports.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The gentleman has mentioned Andrews Field. It has often been mentioned during the discussion and the hearings on the bill, but the plain facts are that all the air fields around Washington, Andrews Field, Bolling Field, the Naval Air Field at Anacostia, and the National Airport operate in a highly congested area. Insofar as Andrews Field is concerned, and about it being so overcrowded, the representative of the NATS, which is the Air Transport Command, recently, the exact date being May 7, wrote a letter to the Navy Chief of Operations in which they asked that authority be granted to use but a limited number of aircraft at that point, and that others should be based at Anacostia and Patuxent, due to the saturation point at that air field. In other words, it is an operational field, and we just cannot bring those boys from the Naval Academy to Andrews Field, 40 miles away, and then bring them into the midst of this dense air traffic where they have to operate 150 hours a day. It is just out of the question, and anybody who has suggested Andrews Field just does not realize the facts.

Mr. BUCK. Could they not be flown to Andrews Field?

Mr. BATES of Massachusetts. Whether they could or not, they could not operate because of the crowded conditions there today, which is resulting in the NATS requesting the naval authorities to permit them to use planes now located at Andrews Field down in the Patuxent area.

Mr. BUCK. What is the situation at Patuxent Field?

Mr. BATES of Massachusetts. Well, of course, Patuxent Field is a big Navy operating field.

Mr. BUCK. Where do the Navy officers stationed in Washington take their flying in order to qualify for flight pay?

Mr. BATES of Massachusetts. At the Anacostia Navy Air Feld.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SASSCER. Mr. Chairman, I yield 7 minutes to the gentleman from Maryland [Mr. MEADE].

Mr. MEADE of Maryland. Mr. Chairman, as a Congressman from Maryland but not from the district in which the Sandy Point airport is proposed to be located, I should like to offer a few facts and observations with respect to the airport.

May I emphasize at the outset that, having served in the Navy myself, I am vitally interested in the Navy's having sufficient airports and in its having indoctrination courses in aircraft on fields large enough for them. The only point I am making with respect to this airport is that it seems to me absolutely foolhardy that the most valuable waterfront property in the entire State of Maryland must be the only land in the State that the Navy considers available for this airport.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. The gentleman says this is the most valuable site in the State of Maryland. Just what is over there that is of such great value—industrially, economically, or otherwise?

Mr. MEADE of Maryland. It is waterfront property.

Mr. GAVIN. What is there now on that water-front property?

Mr. MEADE of Maryland. There are a great many homes there. About 1,200 homes will be affected by this move.

Mr. GAVIN. Most of the objections come from the people who use that place as a summer colony, is not that right?

Mr. MEADE of Maryland. That is not correct. A great many objections are coming from people who will be put out of their homes there, summer residents and permanent residents, but there are floods of protests coming from people such as the Association of Commerce in Baltimore, the mayor of Baltimore, and the people who run the ships on Chesapeake Bay.

Mr. GAVIN. There is no objection from the people of Annapolis and that vicinity, the city administration of Annapolis, and the service organizations. Extensive hearings were held, and the objections came from people who are summer residents.

Mr. MEADE of Maryland. The gentleman stated that there is no opposition from Annapolis. The gentleman is completely incorrect in that. The gentleman also said the city government is in favor of it. I wonder if he knows that five out of nine members of the city government at Annapolis are either former naval employees or former pensioners of the Navy?

Mr. GAVIN. The mayor of the city of Annapolis appeared before our committee and stated that the opinion of the people there was overwhelmingly in favor of it.

Mr. MEADE of Maryland. I wonder if the Members happen to know that the proposed Sandy Point Airport will be three times the size of the Washington Airport. It is proposed to have an initial cost of $12,000,000, but experts in such lines figure it will cost $40,000,000 before they are finished with it. It is planned to give only 24 hours of indoctrination during the 4-year period to each midshipman. This means an average of 6 hours a year. As for flying these midshipmen to other suitable fields, I have contacted Secretary Symington, the Secretary of Air, and he has agreed that there is a great deal of merit in my suggestion that they use Andrews Field, and has said that he would cooperate in every way in working out a solution.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield to the gentleman from Pennsylvania.

Mr. WALTER. The gentleman has just stated that the facilities at Andrews Field would be made available for the training of these midshipmen.

Mr. MEADE of Maryland. That is correct.

Mr. WALTER. The fact of the matter is that the facilities at Andrews Field today are so inadequate that the Air Force has endeavored to obtain the use of the naval facilities at Patuxent.

Mr. GAVIN. Mr. Chairman, will the gentleman yield further?

Mr. MEADE of Maryland. I yield.

Mr. GAVIN. May I call to the gentleman's attention in regard to Andrews Field to the fact that we are training 1,600 American youths, who will be making 150 flights a day off the field. We should provide a field with adequate facilities and runways to give these boys this training with safety. Why send them up to Andrews Field when we should have a field where they will not be subject to the terrific air traffic such as exists at Andrews Field? The safety factor is all important in this program.

Mr. MEADE of Maryland. I must say it is far from pleasant for me to take a position in opposition to my very, very good friend, the dean of the Maryland delegation, but I feel that I owe it to the people of my district who are going to be affected by this, as well as the people of Maryland generally, to oppose this move. I notice the Navy had no difficulty at all in flying a squad of 200 football players for training out to the Pacific coast last summer for indoctrination in football. It seems to me that for the little amount of indoctrination that they are going to get—24 hours in the air over a 4-year period—they would not have very much trouble if they had to take them to the Patuxent Airport or to Andrews Field.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield.

Mr. BROOKS. I cannot believe that the gentleman is serious when he makes the suggestion that we take young boys in the Academy, who are just beginning to learn to fly, to be trained at a field dedicated to advanced flying, such as Andrews Field. I cannot believe that he would want to mix them up in such a way as to bring about a most unhealthy and unwholesome condition.

Mr. MEADE of Maryland. In answer to the gentleman, I can just say that the Secretary for Air, who I am sure knows much more about this than I do, thinks there is a great deal of merit in the suggestion, and has offered to cooperate with the Navy in working it out.

Mr. BATES of Massachusetts. Mr. Chairman, if the gentleman will yield, with reference to the statement that the gentleman has just made that the Secretary of Air says there is a good deal of merit to that suggestion, I am sure that the gentleman cannot show us where the Secretary for Air ever made such a statement. He was asked in a letter by Members of Congress what he had to say about Andrews Field, and whether or not it could be operated by the Navy. He said if the Navy asked him, he would be glad to give whatever views he had on it, but he certainly did not express any views.

Mr. MEADE of Maryland. I would like to call to the attention of the members of the committee an article which appeared in the Washington Post of just a few days ago on May 22. Perhaps this will clarify some of the statements that have been made as to how busy Andrews Field is. I quote from the Washington Post:

> The Strategic Air Command, nerve center of the Nation's long-range bombing forces, will be moved inland to Omaha, where it will have greater safety against attack and closer contact with its B–29 bases, it was disclosed yesterday.
>
> The command, under Gen. George C. Kenney, is now at nearby Andrews Field, Md., which it will vacate within 90 days.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield.

Mr. WALTER. Do you know how many men are involved in that transfer?

Mr. MEADE of Maryland. No; I do not.

Mr. WALTER. A very few hundred men are involved. As a matter of fact, the removal of those men in nowise relieves the very congested condition that exists at Andrews Field today.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield so that I may clarify the gentleman's statement?

Mr. MEADE of Maryland. I yield.

Mr. VAN ZANDT. Only the administrative force is affected at Andrews Field, and not planes.

Mr. MEADE of Maryland. Does the gentleman mean to say that the Strategic Air Command is not an operating force?

Mr. VAN ZANDT. The administrative force is being moved from Andrews Field to Omaha.

Mr. MEADE of Maryland. So the gentleman understands that in making this move, they are not moving any planes to Omaha?

Mr. VAN ZANDT. They are not.

Mr. MEADE of Maryland. That is certainly news to me.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield.

Mr. HARNESS of Indiana. If you want to merge the services, they could very well move their operations from Andrews Field to make room for the Academy to use it. The Army has all kinds

of installations throughout the United States.

Mr. MEADE of Maryland. I want to emphasize once more, that I am in no way opposed to the Navy having the largest air force or airplane fields in the world. I want to see a strong Navy Air Force, but the only objection I make is that I do not want to see them take the most valuable water-front property that we have in the State of Maryland for that, and spend the taxpayers' money when they have other fields that are adequate and which are available.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. MEADE of Maryland. I yield.

Mr. GAVIN. I understand that the Governor of the State of Maryland endorsed this project. Is that right?

Mr. MEADE of Maryland. Not to my knowledge. I know the mayor of Baltimore is opposed to it, and a great many organizations are opposed to it.

Mr. SASSCER. The Governor of Maryland signed the report of the Board of Visitors endorsing this site.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, I hope to come here as an impartial witness as to this airport and the necessity for it. I am not a member of the Armed Services Committee but I have been a member of the Board of Visitors at Annapolis, on the appointment of the Speaker in the year 1947.

On this Board of Visitors I went with an open mind and spent most of 1 week in Annapolis investigating the facilities, finding out what the training program was, helping to make recommendations to get a better educational program. In that investigation I was assigned to a subcommittee on the air facilities, and teaching of foreign languages. With me on that committee was Father Kavanaugh, president of Notre Dame University. I am sure everybody here will say that he was impartial; and Admiral Clevarius, president of Brewster Polytechnic Institute.

We went over the proposed location completely. We examined it from the point of view of the Academy, from the point of view of the taxpayers, and also from the point of view of the residents. And we approved the proposed airport unanimously.

We found that they were going to take 2,400 acres, but we found that it was the nearest location that could be taken, and it was also the least valuable of any property near Annapolis. We found that instead of twelve or fifteen hundred houses, as has been claimed here, at most there are 150 summer houses and a few local residents. We found there are very few paved roads in the area, and that most of them are dirt and unimproved roads. We found, too, that 1,700 of the 2,400 acres are in one tract, in one farm group, owned by one person. So that it is mostly farm land and summer-colony land. It is out on a promontory over beyond the ferry and across the river from Annapolis.

The problem comes up on the training of Navy men. As you know, some of us went into the Navy in 1941 and 1942 as civilians. We were given, in my case, 60 days indoctrination. At the end of 60 days I was turned out as a hopeful aviation specialist officer from Quonset Point Training Station in Rhode Island. At the end of about 30 days' duty on a carrier, I found myself on the bridge of a carrier as officer of the deck on a ship taking on and putting off planes. I very rarely refer to that, but I do it in order to show you that you need to prepare for adequate training of people in the Navy to work with people who are running the planes. I was not running a plane, but on the bridge of that carrier we worried many times what signals to give when they had to be given quickly. So that every Navy officer needs indoctrination with naval technicians that have to do with aviation. The fleet has changed. Previously the battleship was the important factor. Now the center of the main task force is the carrier. The battleship is the heavy armament; the cruisers, the next lighter armament, and the destroyers are out as pickets and screen beyond that.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. BATES of Massachusetts. The gentleman received that training at Quonset Point?

Mr. FULTON. Yes.

Mr. BATES of Massachusetts. I recall, in 1939, when the Navy Department recommended, by a special board, the selection of Quonset Point Naval Air Station as the proper site from a strategic viewpoint, and the same kind of opposition developed at that time. As I walked over the land at the time, there were but a few summer residences. Nevertheless, we put it through, and that station was invaluable during the war period, as the gentleman says. On this site a few summer residents are opposing this very important work.

Mr. FULTON. I want to thank the gentleman, because Quonset Point, R. I., certainly turned out a group of naval officers with whom I was pleased to be associated.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman from Pennsylvania five additional minutes.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. VAN ZANDT. It may be well for the gentleman to mention in addition to the need for long landing strips at Sandy Point they likewise need shore line in order to engage in amphibious practice.

Mr. FULTON. That is a very good point and something that could not be achieved at Andrews Field because Andrews Field was designed to be used by Army planes. It is not usable by types of seaplanes such as the Navy must operate. For these various reasons Andrews Field is not suitable for this training purpose.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. GAVIN. I am glad to have the gentleman develop the point that we should build adequately—we should have an adequate area. Too often in the past we find that a program soon outgrows its original concept and the further development program becomes most costly and difficult. We must remember that instead of building here for 1 year or 2 years we are building for the next 50, 75, or 100 years, and adequate area should be provided where the program can be carried out with some degree of adequacy for the future.

Mr. FULTON. I believe the gentleman has made a good point as to the size of the field because we all know that the Washington Airport today is inadequate. In flights to and from Pittsburgh two or three times a week, I have often found myself in a plane stacked six deep over the Washington field waiting for a chance to get down. You cannot have student pilots, even though they are operating dual-control ships with an instructor in the ship, waiting around like they have to wait around at the Washington Airport for their turn at landing. You have to do as they have done at the service fields in Florida, spread your fields out when they get to a certain saturation point in training because you have to keep the airways open for these student pilots.

Mr. MUHLENBERG. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Pennsylvania, himself a distinguished colonel of the Second World War.

Mr. MUHLENBERG. I believe it would be a very wise thing to have in the RECORD a definition of the word "indoctrination," an explanation of what it means.

Mr. FULTON. I shall be pleased to answer that.

Mr. MUHLENBERG. I believe there is a great deal of danger of misconception as to what this 6½ hours of indoctrination really means for the students.

Mr. FULTON. The word "indoctrination" does not mean simply flying time; the word "indoctrination" means learning all things that have to do with planes. For example there will be 12 hours in the air actually for each of these 1,600 students within a 2-year period, but there will be 200 hours of instruction in and about planes. The students must go out to where the plane is and see the method of parking, the method of handling, the method of operating the airport, the method of assembly and repair of the ships, the method of training the crews of enlisted men who operate the planes, the method of handling the ammunition and the weapons that are put on the planes. For example, on the rocket and the jet planes you cannot possibly learn all about them in a 12-hour period, so obviously a much greater time must be spent learning the many things connected with them, learn from the planes

themselves. We fellows in the last war had to learn it on the carriers, but the trouble is when you learn it that way you come to the end of your learning entirely too quickly. You find that when you are in the situation that rather than take a risk you take no action at all. Your modern task force and disposition will run from 50 to 100 ships ranged in various concentric circles, and if there is one ship that makes an error within that concentric circle of ships that are proceeding in the same direction you can have ships damaging each other, you could have the whole disposition lost because of a fire that might occur from a plane's striking another ship.

Now, may I also comment upon the statement by the gentleman from Pennsylvania [Mr. VAN ZANDT], on the length of the airfield and the strips. They are going to need airfields for jet planes that have strips 10,000 feet in length. That is the minimum. The best length of the strip for an airfield for the new jet planes is 12,000 feet. You could not use adequately the Washington Airport for any degree of traffic of jet planes or military type planes because of a mixture of all kinds of air traffic. You must separate your air traffic and have airfields devoted to one purpose clear through.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. VAN ZANDT. In order to use the Washington National Airport its strips would have to be doubled and its area quadrupled from the 750 acres it now covers. If they were to lengthen the strips to 10,000 feet or more, they would have to have more than 2,400 acres.

Mr. FULTON. That is correct.

Mr. DONOHUE. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentle- from from Massachusetts.

Mr. DONOHUE. Could the gentleman tell us how many Navy fields have been abandoned by the Navy since the end of the war?

Mr. FULTON. Of course, there have been many Navy fields abandoned. The question is not the number of fields the Navy has, but the number of fields that are applicable for a particular purpose and are making efficient use of the taxpayers' money. For example, we have abandoned many ships and we are laying up many ships that it is not possible to use under the present conditions or under the future conditions existing in the next war. Even in our merchant marine we have laid up many ships that are seaworthy but cannot be efficiently operated because it is better to dispense with them and have something efficient than to have an inefficient continuing installation that will, No. 1, not do the best job, and, No. 2, endanger lives, as this would to our midshipmen.

Mr. DONOHUE. Is it not true that the only training the cadet will get at the Academy will be the primary training?

Mr. FULTON. The 4 years' training given to the midshipmen will include this indoctrination of 200 hours over-all.

Mr. DONOHUE. In a ground school?

Mr. FULTON. The primary training the gentleman speaks of is basic flying knowledge. They will also learn how planes are managed, how they are operated, how they are gunned, how to handle the ammunition and how, in general, the Air Force is managed.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. DONOHUE. Is it not so that that information is obtained through a synthetic training program?

Mr. FULTON. Does the gentleman mean the primary training?

Mr. DONOHUE. In connection with the primary training.

Mr. FULTON. Not alone, nor even a major part. As soon as possible, the students go aloft with an instructor at dual controls, then when they have sufficient flight time, they will solo in the trainers. They will not actually be flying trainers alone, because they will be getting the feel of these large bombers, of the fighters, of these various jet planes with dual-control operation. They have to learn when they are in the Navy how to work with people who are going to have the specialized training. That is what I am emphasizing today.

Mr. DONOHUE. How far is the Patuxent River station from Annapolis?

Mr. FULTON. About 40 or 50 miles.

Mr. Chairman, answering the gentleman's previous question, our subcommittee of the Board of Visitors looked into the situation of endangering traffic and taking the least glide angle you can assume, about 40 to 1, if you take that glide angle or you take that rise angle, you will find it is clear above the sealane traffic because the channel there is out from the shore. As a matter of fact, there is no automobile traffic that will be endangered in the least because the main road is very far from the strips. With reference to the one house of historic value near this location, it will still be outside the complete traffic circle or the traffic pattern so that the historic house will not be bothered by the airport at all.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. SASSCER. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, in 1943 the then Committee on Military Affairs went into this very thing and it was suspended because they had a 3-year curriculum and it could not be done then and still carry out the program of running the men through the mill at Jacksonville, Pensacola, Corpus Christi, and other places which were indispensable at that time. The then chairman of the committee, Hon. CARL VINSON, made this statement:

> I want to say I am certainly glad that the Bureau is recommending an aviation field at Annapolis because I hope that we can at last instill in the Navy the importance of aviation being started right at the Academy and go on through with it.

Now let me say this to you. We suspended operations, but during that interim many, many investigations have been made, and last year our committee, now the Committee on Armed Services, went into this thing very thoroughly and completely, and it was the decision then of our considered judgment that we needed this airport at Annapolis if we were to have a balanced Navy. Now, if you do not want to have a balanced Navy, do not give it to Annapolis, but if you do, it is indispensable, because no longer do your Navy men ply the seas alone; they ply the air, and there are no better aviators in the world. They fly the best advanced planes in the world and the hardest planes to manage, because, believe you me, and I have seen it, if you think it does not take a good aviator to put his plane on the pin point of a moving carrier, you are mistaken. We need this airfield if we are to have a modern Navy.

Mr. SASSCER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I just want to clear up a few points for the record. In the first place, the opponents of this measure have been minimized by the proponents for this particular airport site. There are many homes on this site where people live all the year round and it will be necessary, if this site is selected, for these people to seek a new place to live. In addition to that, there are opponents to this site but not the program. I have not received one protest against the indoctrination program and I do not think that my colleague from Maryland and myself want to be misunderstood on that score. We are for the program, and I express that by signing the report of the Board of Visitors at Annapolis in 1946. The shore line from Aberdeen to Cedar Point is fast becoming saturated with Government projects. The State of Maryland, a small State, is fast becoming full of Government projects. I feel that a site, for this airport, has not been explored to the degree that it could be by using already owned Government property as a site in southern Maryland. Last year the cadets at West Point—and we think just as much of their lives and their training as we do the men at Annapolis—traveled many miles, as far as Virginia, for their indoctrination training.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I want to compliment the two gentlemen from Maryland who have just spoken and who are making a hard fight against this project. They are representing the people of their districts, and they are doing

a fine job in representing them here. They are entitled to that consideration and appreciation from the people they represent.

But, Mr. Chairman, I sat through the hearings, which were long and exhaustive, of the Committee on the Armed Services, and I realize the urgency and the importance of constructing this airport and constructing it there at the site selected. It is true, Mr. Chairman, that people will be inconvenienced in that vicinity. It is always true when a large tract of land is taken over for an airport that some people are inconvenienced, and you will always have a howl from those who are displaced because of the urgent need of a public construction. But, Mr. Chairman, we are thinking of national defense and we are thinking of the safety and the preservation of our Nation. The personal inconveniences of the people who will have to be removed to other locations ought to be subordinated to the great interest of the public welfare. In the consideration of the Navy Department and the Committee on Armed Services this tract is needed for the Academy if we are going to do a good job by the Navy and by the defense of our country. I think we must back them up in this project and permit them to go ahead with this airport there and round out the training at Annapolis.

Mr. SASSCER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in the general debate yesterday this item was fully discussed. In that debate I think those of us who approve the expansion program at Annapolis effectually answered all the various things that have appeared in this barrage of propaganda that has hit the House and that has been working against this bill for quite some time.

In order to clear up two or three of the things that have been said this afternoon, may I call the attention of the Members to the fact that this item has been probably as carefully studied as anything that has been before this Congress. The Congress of the United States by unanimous action about 5 years ago approved this very item. Then the war came on and it was suspended for a while. The Rescission Act of court wiped out all those authorizations and they had to start afresh. The Committee on Armed Services after long and tortuous hearings both in the subcommittee and the full committee again unanimously approved it.

Remember that it is the Secretary of the Navy who is charged with the education of the midshipmen. Under the Merger Act of 1947, and in the conferences in which Mr. Forrestal engaged at Key West, it was definitely determined that from the very nature of naval operations naval air is a part of a task force as much as the ships, and naval air has been reserved to the Navy. With that thought, the Secretary of the Navy and Admiral Radford came before the committee and said it is impellingly necessary to have this indoctrination field. With all that collective thought, and with the importance of our Navy and the Naval Academy in mind, it certainly seems that this item should be approved.

To go back for a moment to the battle of Maryland, I can well appreciate the solicitude of my genial colleagues from Baltimore for their constituents who have summer homes on an island within my district.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Navy is hereby authorized to establish or develop naval installations and facilities by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilites; or by the completion of such construction, installation, or equipment specifically approved by the Secretary of the Navy and heretofore undertaken as follows:

CONTINENTAL UNITED STATES

Naval air station, Alameda, Calif.: Test cells for turbine engines; $230,000.

Mr. BUCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUCK. Mr. Chairman, at what point will amendments be in order to the section of the bill now being read, which contains all the individual items?

The CHAIRMAN. Amendments will be in order at the conclusion of the reading of each section. Section 1 goes over to line 4 on page 8, and amendments to that section will be in order when the Clerk has concluded reading it.

Mr. BATES of Massachusetts. Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment.

Mr. BUCK. Mr. Chairman, I object.

The Clerk read as follows:

Naval Academy, Annapolis, Md.: Facilities for flight indoctrination, including the acquisition of land (2,400 acres); $12,000,000.

National Naval Medical Center, Bethesda, Md.: Chapel, $205,000.

Marine training and replacement command, Camp Joseph H. Pendleton, Oceanside, Calif.: Acquisition of land, 575 acres; $46,500.

David Taylor Model Basin, Carderock, Md.: Wind tunnels and associated facilities; $1,410,000.

Naval amphibious base, Little Creek, Va.: Acquisition of land, 4,000 acres, on Bloodsworth Island, Dorchester County, Md.; $120,000.

Naval supplementary radio station, Dupont, S. C.: Radio operating building; $74,000.

Naval ordnance test station, Inyokern, Calif.: Acquisition of land, 60,000 acres; aerodynamics field laboratory (aerodynamics range), ground range, external ballistics, and electronics experimental installation; 115 duplex houses (230 family units); $3,670,500.

Naval air station, Key West (Boca Chica), Fla.: Acquisition of land, approximately 1,000 acres; $60,000.

Naval ammunition depot, Jersey City, N. J.: Liquid fuel rocket test laboratory; $306,000.

Naval Reserve Armory, Lawrence, Mass.: Acquisition of land, 5 7/10 acres; $100.

Naval Reserve Armory, Lowell, Mass.: Acquisition of land, 4 acres; $800.

Naval air station, Mojave, Calif.: Acquisition of land, 28 acres; $500.

Naval magazine, Montauk, L. I., N. Y.: Acquisition of land, 44 acres; $53,300.

Naval auxiliary air station, Oceana, Va.: Acquisition of avigation easements over approximately 400 acres of land; $46,000.

Naval air station, Patuxent River, Md: Facilities for bombing target: $309,000.

Naval air missile test center, Point Mugu, Calif.: Sea test range, and test and evaluation facilities, including supporting facilities, services, and accessory construction, $30,000,000.

Naval Construction Battalion Center, Port Hueneme, Calif.: Acquisition of land and improvements, 624 5/100 acres; $150,000.

Naval electronics laboratory, Point Loma, San Diego, Calif.: Laboratory supply and utility buildings, including services and accessories, $1,590,000.

Norfolk naval shipyard, Portsmouth, Va.: Acquisition of land, 4 857/1000 acres; $4,370.

Naval radio station, Skaggs Island, Sonoma, Calif.: Addition to radio operating building; $315,000.

Naval supply annex, Stockton, Calif.: Acquisition of land (small island), 3 88/100 acres; $1,800.

Aeronautical turbine laboratory, Trenton, N. J.: Laboratory buildings and facilities, including collateral equipment and accessory construction; $22,750,000.

Naval ordnance laboratory, White Oak, Md.: Completion of supersonic wind tunnels and aerodynamics range; explosives research facility; $2,275,000.

Naval unit, White Sands Proving Ground, Las Cruces, N. Mex.: Additional housing facilities; instrumentation of the 100-mile range and camp facilities; facilities for pilotless aircraft test range; $6,194,730.

Radio transmitting station (location to be determined): Radio transmission facilities, including collateral equipment and accessory construction; $7,000,000.

Naval research laboratory (location to be determined): Underwater sound reference laboratory; $1,120,000.

For correction of deficiencies in existing or approved facilities, for emergency projects authorized by the Secretary of the Navy, and repairs incident to casualties thereto within the continental United States, for the fiscal years 1948 and 1949; $3,000,000.

OUTSIDE CONTINENTAL UNITED STATES

Naval operating base, Adak, Alaska: Ship-repair facilities; cold-storage building, ice-cream plant and milk facilities; two storehouses; dispensary; utility distribution systems, including water, sewer, electric power, heating plant, roads, walks, and drainage; $11,296,000.

Naval supplementary radio activity, Adak, Alaska: Operations building and associated facilities; $2,500,000.

Naval radio station, Adak, Alaska: Consolidated communication facilities, including buildings and accessories; $2,395,000.

Naval operating base, Argentia, Newfoundland: Facilities for fixed operation of mobile ground approach unit; water-treatment plant; $109,200.

Naval radio station, Argentia, Newfoundland: Consolidated communication facilities, including buildings and accessories; $2,385,000.

Naval radio station, Greenland: Consolidated communication facilities, including buildings and accessories; $1,020,000.

Naval operating base, Guam: Dredging and filling at Apra Harbor; utility distribution systems, including electric transmission, steam-generating plant, island water supply system, water storage and distribution, sewage and drainage systems, and extension of roads; barracks, mess hall, and galley; $21,000,000.

Naval medical center, Guam: Development of hospital facilities, including buildings and accessories; $25,000,000.

Naval air station, Guam: Facilities for fixed operation of mobile ground control approach unit; $16,500.

Naval ammunition depot, Guam: High explosive storage facilities and accessories; $10,000,000.

Naval radio station, Guam: Permanent communication facilities, including buildings and accessories; $5,750,000.

Naval supply center, Guam: Permanent facilities, including storage buildings, fuel pipe lines, and accessories; $14,675,000.

Fleet Marine Force Base, Guam: Development of facilities, including buildings, service depot facilities, and accessories; $5,823,000.

Submarine base, Guam: Marginal bulkhead, including base site preparation and accessory construction; $1,670,000.

Naval ammunition depot, Oahu, Hawaii: Acquisition of land, 520 acres at Waikele and Kipapa Gulches; acquisition of land at West Loch for barricaded sidings, 159.14 acres; $270,000.

Naval air station, Kodiak, Alaska: Facilities for fixed operation of mobile ground control approach unit; $16,500.

Naval radio station, Kodiak, Alaska: Consolidated communication facilities, including buildings and accessories; $2,225,000.

Naval shipyard, Pearl Harbor, Hawaii: Fire protection for drydock numbered 2; modernization of water-front lighting; $143,700.

Naval base, Pearl Harbor, Hawaii: Water pumping station at Waiawa Gulch; $3,575,000.

Naval station, Roosevelt Roads, Puerto Rico: Acquisition of land, Culebra Island; $110,000.

Naval operating base, Saipan: Air intercept training facilities; facilities for fixed operation of mobile ground approach unit; $165,000.

Naval radio station, Summit, Canal Zone: Increase transmitter power output; $612,000.

Supplementary naval radio activity, Wahiawa, Hawaii: Permanent facilities for supplemental radio activity and accessories; $3,000,000.

For correction of deficiencies in existing or approved facilities, for emergency projects authorized by the Secretary of the Navy, and repairs incident to casualties thereto outside the continental United States, for the fiscal years 1948 and 1949; $3,000,000.

SEC. 2. To accomplish the above authorized construction the Secretary of the Navy is authorized to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation, purchase, or otherwise.

SEC. 3. Family quarters for personnel of the Navy constructed on or subsequent to the effective date of this act whether heretofore, herein, or hereafter authorized shall not be of greater net floor area per unit than the following:

For flag officers, 2,100 square feet.

For captains, 1,670 square feet.

For commanders and lieutenant commanders, 1,400 square feet.

For warrant officers, commissioned warrant officers, and commissioned officers through the rank of lieutenant, 1,250 square feet.

For enlisted personnel and noncommissioned officers, 1,080 square feet.

For the purposes of this act, net floor area is defined as all floor space inside the exterior walls, excluding basement (or service space in lieu of basement), attic, garage, and porches.

The above area allowances shall supersede the limitations contained in the act of July 8, 1946 (Public Law 492, 79th Cong.), and may be increased by not to exceed 10 percent for all quarters outside continental United States and by not to exceed 10 percent for quarters of commanding officers of stations or installations over and above that to which his rank would entitle him. Quarters for civilians shall be limited to conform to the allowances for officers or men of comparable status according to responsibility, rating, and pay, as determined by the Secretary of the Navy to be appropriate.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary for the purposes of this act, but not to exceed $69,800,000, for public works in continental United States during the fiscal year 1948, and $59,971,160 for public works outside continental United States during the fiscal year 1948. With respect to projects within and without continental United States, the approximate cost for each project enumerated in section 1 of this act may, in the discretion of the Secretary of the Navy, be varied upward or downward 10 percent, but the total cost of projects in continental United States authorized by his act shall not exceed $92,932,600, and the total cost of projects outside continental United States authorized by this act shall not exceed $116,756,900. Any such appropriation shall be available under the direction of the Secretary of the Navy for expenses incident to construction including administration, overhead, planning, and surveys, and shall be available until expended.

Mr. BATES of Massachusetts (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that the bill be printed in the RECORD, and that it be open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Masachusetts?

There was no objection.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: On page 9, line 2, after word "porches", strike out the period, insert a colon followed by the words: "*Provided*, That no family quarters for personnel of the Navy shall be constructed with the funds authorized for appropriation herein in excess of a net floor area of 1,080 square feet per unit: *Provided further*, That family quarters constructed with the funds authorized for appropriation herein shall be of the multiple type (generally eight families to a unit) or apartment type (generally six families to a unit) except where tropical or desert climates render the use of multiple-type dwellings deleterious to health and welfare, and except where one, two, or three two-family units are necessary to provide the exact number of family quarters authorized herein for construction at a station."

Mr. BATES of Massachusetts. Mr. Chairman, this amendment follows precisely the amendment that we offered to the Army public-works bill a week ago with respect to the space limitation for the type of houses that are to be built within the provisions of the bill. The bill limits the size of the house to a floor space of 1,080 square feet. It is in conformity with the amendment offered a week ago and adopted by the House, and also by both the conferees in the House and the Senate. It results in a saving of $1,206,597 on the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The amendment was agreed to.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am delighted that the Navy Department is going to supply an airfield for the midshipmen at Annapolis. It may interest you to know that in the testimony given before the Congressional Aviation Policy Board, of which several of us here are members, the Assistant Secretary of the Navy for Air, Mr. Brown, made the statement that the battleship is now an obsolete vessel, and that the carrier air arm is the main striking force of the Navy. The battleship or antiaircraft cruiser these days is apparently for the protection of carriers, and the main striking force is on the carrier.

It has seemed to me for a long time that it was about time the Navy took aviation seriously. I am delighted that they are going to teach the boys something about it at Annapolis.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Yes, I yield.

Mr. VAN ZANDT. It may be well to add that the battleship and cruiser of today is coming into its own again by reason of the installation of devices to fire rockets and guided missiles.

Mr. HINSHAW. I am glad to hear the gentleman say that, although I think it is a lot of boloney myself. They have not yet been able to fire a rocket or a guided missile off of a ship that they could guide within 1 degree. There is no accuracy to it.

Mr. VAN ZANDT. If the gentleman will yield, I would like to say to the gentleman that the carrier *Midway*, some months past, fired a guided missile from its deck. While it was not a complete success, yet——

Mr. HINSHAW. Well, let us say they fired a missile, but they did not guide it.

Mr. VAN ZANDT. The operation was a success in general.

Mr. HINSHAW. That is, they got it off the ship. I appreciate the efforts that they are making, and I hope that some day they can be successful in launching a guided missile off of an aircraft carrier, a battleship, or anything else, but still the battleship is an obsolete weapon as such. It is an antiaircraft vessel at the present time, and practically all cruisers and battleships that are being overhauled are being made into antiaircraft vessels. However, it does seem to me that talking about giving 6,000 or 2,000 students 6 hours per year in the air from a 2,400-acre airport is asking for an awful lot of airport. Nine hundred acres would be about the size for that sort of training, unless what you want to do is to grow a lot of grass and cow pasture around it.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield again?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. There are 1,600 students to receive this indoctrination, and each will receive 24 hours of training over a period of 2 years.

Mr. HINSHAW. Yes, that is true. You will find that many students, housed in nearly any one of these training centers with an airport of 640 acres, received 200 hours inside of a few months.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HARNESS of Indiana. I wonder if the gentleman has seen the elaborate plans over at Annapolis for the building of a great swimming pool and a great shopping center, and a museum.

Mr. HINSHAW. I hope that is not to be on the airport.

Mr. HARNESS of Indiana. That is supposed to be on the 2,400 acres.

Mr. HINSHAW. Oh, I did not know about that. Of course, that makes a different picture out of it.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Well, if I am going to yield all the time, I will have to have more time.

I ask unanimous consent to proceed for five additional minutes, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. BATES of Massachusetts. Allow me to say to the gentleman that about one-third of the 2,400 acres is marsh land and water, and the terrain in that area is such that you cannot lay out landing strips without the necessary land embraced within the provisions of this bill.

Of course, reference was made by the gentleman from Indiana to some architect's delight some years ago, when thought was being given to the very large expansion of the Naval Academy and its facilities, as well as the number of midshipmen there; but it has nothing to do with the present project, and certainly is not in the works for consideration.

Mr. HINSHAW. That may all be true but the land on which the National Airport now stands was all under water at one time, not even marshland, it was under water. They can make fills at this Sandy Point area, level off this field and have adequate runways and have a very nice 2,400-acre place.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HESELTON. In addition to the fact that the training program is from 12 to 24 hours does not that mean that not more than 48 planes would be used?

Mr. HINSHAW. I do not know, but it would take a very small number, not even 48, to supply all of the hours, 24 in 2 years for each midshipman, under this program. It is a very inadequate program.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. BATES of Massachusetts. Bear in mind the fact that there are 1,600 midshipmen each of whom over a 2-year period will receive 24 hours flight training. That means that number of hours in actual flight operation. It is the equivalent of 150 hours a day, 150 flight hours.

Mr. HINSHAW. You could get that out here at Hybla Valley Airport, which is only a little cow-pasture airfield.

Mr. BATES of Massachusetts. You cannot do it with the type of equipment they will be using.

Mr. HINSHAW. I do not want to argue with the committee. I think it is a good idea that they are going to give these Naval Academy boys flight training. I would be more enthusiastic about it if they were going to give them 300 hours a year instead of 12. Then they would be getting something more nearly adequate to what is actually needed. This business of giving them a little training, 24 hours in 2 years, to my mind is the craziest thing I ever heard of.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. COLE of New York. Frankly, I cannot understand just what the gentleman's position is. He says he favors having the midshipmen receive indoctrination training and yet I think he feels that the training should be done in a small area.

Mr. HINSHAW. I think the type of training they will be given can be given in a small area. You can only put a certain number of runways on any given 2,400-acre field because you cannot have the runways too close together or the fields too close together. If their proposition were to establish three 600-acre fields within the Annapolis area that would be much more useful than laying out the 2,400 acres as one field for the use of these little planes.

Mr. COLE of New York. But if the indoctrination training is to be worth anything at all they must have familiarity with the biggest airplanes as well as with the smallest.

Mr. HINSHAW. I may say to the gentleman that if they want to take the midshipmen off in large airplanes and fly them some place, then they better take them down to Patuxent, Md., where they are equipped to handle the biggest planes, where they fly them, and service them, and all that sort of thing. All the equipment is there and that is the logical place for big-plane work.

As far as flying jet planes is concerned, that is something else. They are developing jet planes now that they can launch off the flight deck of carriers with a maximum runway on the carrier of about a thousand feet, yet here they are talking about 10,000-foot runways. If they need only a thousand feet to operate jets on carriers but 10,000 feet on the land, it does not sound very reasonable.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HARNESS of Indiana. I have just talked with the Air Corps and the War Department with regard to the distance the cadets have to go from West Point to Stewart Field. It is a 32-minute trip. They tell me it is a 40-minute trip from Annapolis down to Patuxent.

Mr. HINSHAW. It is more than that.

Mr. HARNESS of Indiana. That is what I understand, it is 40 minutes.

Mr. HINSHAW. It is about 60 miles.

Mr. HARNESS of Indiana. And about 20 minutes by air.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. The gentleman a moment ago referred to a cow pasture as a good place for these boys to train. He surely does not mean that any such area would be satisfactory for this training program.

Mr. HINSHAW. For the size and type of planes they will use in primary training and the little flying they will do, depending on how rough it is. A level cow pasture has served thousands of others for the same purpose.

Mr. VAN ZANDT. What type or character of military plane? I am not speaking of the Taylor or the Piper Cub, I am talking about a standard military plane.

Mr. HINSHAW. The AT–6 can take off from a cow pasture.

Mr. VAN ZANDT. And can land?

Mr. HINSHAW. Certainly.

Mr. VAN ZANDT. Without breaking the landing gear?

Mr. HINSHAW. It depends upon whose cow pasture it is and how rough it is.

I am simply saying that I am delighted that the Naval Academy is going to have a field because I think it is about time that they recognized the fact that air is really their striking arm. My only hope is that the Navy will give thorough indoctrination and not be satisfied with any 24 hours in 2 years. That is peanuts. They ought to be ashamed of themselves to think about making it so little.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HESELTON. Has the gentleman any information as to how much of those 24 hours in flight is going to be spent in training on the jet planes?

Mr. HINSHAW. There is not any of it going to be spent in training on the jet planes, because there is not going to be sufficient time for them to learn to handle the ordinary trainer plane, let alone the jet plane in 24 hours flying time in 2 years.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. Does not the gentleman know that jet planes have landed on the decks of carriers?

Mr. HINSHAW. Yes; but if they did it on 800 feet——

Mr. VAN ZANDT. Of course they were assisted by retention cables.

Mr. HINSHAW. Yes, certainly.

Mr. VAN ZANDT. Does the gentleman know——

Mr. HINSHAW. But these midshipmen are not going to fly jet planes in 24 hours of primary training, my friend.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. HUGH D. SCOTT, JR. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am not an expert on aviation, I know virtually nothing about it, but I have had an opportunity to visit the Naval Academy as a member of the Board of Visitors and four successive Boards of Visitors have recommended the establishment of this airfield. This bill does not provide for a swimming pool, it does not provide for an elaborate shopping center; it does provide for the safety of the midshipmen whom you and I send to the Academy, your boys whom you appointed, and it provides for the protection and safety of the Nation. In my opinion, it is extremely desirable that we have adequate, ample facilities for that purpose. More than that, it is most desirable in time of war that we have

naval officers who in their early days were trained to recognize naval aircraft.

May I say to those advocates of a great air force for the Army and Navy, against which I have no criticism generally, that it would not hurt the Army at all if they were a body of men trained in naval aviation, given basic training, so that they could tell a submarine when they see one. If any of the Members of the House are curious as to what I mean by that statement, I refer to the recent bombing of the submarine *Carp*, a Navy submarine, by an Air Force plane off the west coast, which resulted in the hospitalization of 50 Navy boys.

That submarine had a pattern of depth bombs laid around it by a pilot who did not know his recognition and 50 boys, some of them from your home towns, went to the hospital in San Diego recently because that pilot did not know his recognition. I think it would be highly desirable if we trained pilots at the Naval Academy who could recognize naval vessels so that we would not have to depend upon our Air Force pilots alone, as remarkable and magnificent as their work is in other fields, who cannot tell a submarine when they see one and cannot tell an American submarine from an enemy submarine.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from Maryland.

Mr. SASSCER. I was very much interested in the gentleman's comment with reference to his study of Annapolis and the subsequent report of the Board of Visitors recommending the immediate acquisition of a field there. The Members of Congress who were members of the Board of Visitors to the Navy Academy are John E. Fogarty, William S. Knudsen, George H. Fallon, William J. Healy, Jack Z. Anderson, Chan Gurney, Raymond E. Baldwin, Burnet R. Maybank, James G. Fulton, Edward T. Miller, Gov. William P. Lane, Willis W. Bradley, Mrs. Katharine St. George, Hugh D. Scott, Jr.

After careful study of the problem there they, as the members of the Board of Visitors, made the same recommendation as to the need for an immediate field at Annapolis.

Mr. HUGH D. SCOTT, JR. I thank the gentleman for his contribution. May I conclude by saying that as far as I have heard the only substantial opposition to this program comes from a group of summer residents in the Gibson Island section who come from my State, from the city of Baltimore and other places, who hold their selfish interests, in my opinion, above the welfare of the Nation. I have no sympathy with them. I have no sympathy with them and I do not wish in any sense to be associated with them. That is the main reason I am speaking today. Otherwise I would have kept quiet about this bill.

I think the bill ought to pass, and I trust that it will.

Mr. FALLON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FALLON: Page 2, strike out lines 4, 5, and 6.

Mr. FALLON. Mr. Chairman, first I would like to correct an impression that my colleague, the dean of our Maryland delegation, made just a few minutes ago when he said that I signed a report favoring this program. Well, that is partly true. I signed a report favoring an indoctrinating training program but did not sign a report favoring this site.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Maryland.

Mr. SASSCER. The bill before the House does not call for any site. It is just an authorization, so the gentleman can in good conscience vote for this bill.

Mr. FALLON. I might say to my colleague if this item is left in the bill, Sandy Point will be the site, in fact the Navy has already selected it. There are many reasons why I am opposing the bill, and one of the most important reasons is I have had quite a lot of letters and telephone calls in regard to this expenditure at a time when our peacetime budget is all out of proportion. Since the war both sides of the House have been preaching economy. Today, when the Army and the Navy are giving up airfield installations throughout the country, we are talking now of creating a new one with an initial cost of $12,000,000. What the upkeep of that will be each year will be a guess. However, I have seen the plans, that the project will call for a very elaborate installation at Sandy Point. It carries with it many recreational facilities which are not in the bill. The only thing that the committee has seen is the plan supplied by the Navy, a lay-out of the air strips and the penciled part of the plans on a map showing the location. When you talk about acquiring 2,400 acres—because of the terrain it was necessary to take that many—I am sure that some of the acreage where the terrain might not be suitable for an airport is not adaptable, those residents that live there would desire it to be left as residential property. The airport that was built at Stewart Field by the Army was built on a mountain and a filled-in valley, and it was reported at one time that it cost as much as the Panama Canal. I hope, if this bill passes, that this will not happen at Annapolis. When you say that the summer residents are the only people opposing this bill, that is absolutely not true. Living on this property are hundreds and hundreds of people who live there all the year round. It is their home. They have been there for generations. They are the people that are referred to as the powerful lobby fighting this bill, furnishing propaganda to the Congress to defeat it. They are the people who are fighting for their homes, the people who have a real interest in it.

The other interest that might be called a lobby is the Baltimore Association of Commerce, the shippers in Baltimore, people who are interested in the port of Baltimore, who are opposing this. The reason for that is that that point is the bottleneck of the Bay—it is the narrowest point of the Bay. Shipping is condensed there. The shippers and operators of Baltimore report that with training planes flying over the shipping the danger will cause a rise in insurance and charter rates, with resultant loss of business for the port of Baltimore. Flying aircraft with inexperienced personnel over the waters of Chesapeake Bay off Sandy Point where shipping is concentrated proves a definite hazard.

The new municipal airport located a few miles north of this proposed site, with about 100 planes coming in and leaving every hour and the building of the Chesapeake Bay bridge at this point creates too many hazards exposed to these young, inexperienced trainees.

Mr. VAN ZANDT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it has been stated on the floor that elaborate plans are in existence relative to this airport which may require the spending of possibly thirty or forty millions of dollars. In my hand I hold a list of the various items and the amounts each will cost. In connection with same we have the assurance of the Navy Department that the total cost will not exceed $12,000,000. What more in the way of total cost can the committee expect from the Navy Department?

The gentleman from Maryland a moment ago mentioned the opposition of the shippers of Baltimore and vicinity, claiming that the aircraft will interfere with the ships as they ply to and from Baltimore. The United States Army Engineers, the agency responsible for supervision over the maintenance of navigable waters, has advised that the construction of this field will in no way interfere with Chesapeake Bay shipping. I think that should be the answer to the point made by the gentleman from Maryland.

I feel the members of the committee will agree by this time that an airfield is necessary for the indoctrination of the midshipmen at the Naval Academy. With that settled, let us see who is opposing the location of the field. I am sure by this time we will all agree that the residents of the Sandy Point area represent the real opposition. We find, and this is authentic, there are 466 residents who will actually be displaced by the taking of this land. To prove that all of them are not permanent residents of this area, let me refer to an editorial taken from the Evening Capital, an Annapolis paper, of May 5, 1948. The editorial is as follows:

THE PEOPLE SPEAK

Elections at times clear the air by puncturing propaganda claims, and similar ballyhoo, by forcing the cards down on the barrel head where they can be seen and counted.

That is just what happened in Anne Arundel County on Monday as far as the opposition to a Naval Academy airport at Sandy Point is concerned.

For many months the opposition has been making a point of citing the alleged public reaction against an airport in this section. There have been claims made of the number of people who were opposed to such airport. During the Monday primary election these claims were brought down to a place where they could be measured and weighed.

Representative LANSDALE G. SASSCER, running for renomination to Congress from the Fifth Maryland District, has been a continued supporter of the airport. His position was well known. Even during the campaign he spoke out directly on the subject

and continued his work in Washington to advance the project.

The present airport, if approved by Congress, would be constructed at Sandy Point in the Third Election District of Anne Arundel County. The site is located in the second precinct of the third district—the so-called Arnold precinct. The Magothy River sections and Gibson Island—where opposition to the airport was supposed to be strong, also are in the Third Election District. Some of the residents of these sections vote in the Arnold precinct and some in the other precinct of the Third Election District—the first precinct, known as the Jacobsville, or Mountain Road, precinct.

Representative SASSCER, in his bid for renomination, had to run in Anne Arundel County, which is part of the Fifth Congressional District, and in the third election district, which is an important part of Anne Arundel County.

So, here was a situation made to order for the opposition to the Naval Academy airport to show its strength. Here was the Representative, who had favored the airport, running for office in their own back yard, so to speak.

It was natural to conclude that the opponents of the airport would endeavor to defeat Representative SASSCER, particularly in their own home precincts. And, the airport was an issue in the campaign.

But, what happened?

When the votes were counted Representative SASSCER had a majority in the third election district of 262 votes, receiving a total of 888 votes to 626 cast for his opponent. Not only that, but he swept through the Arnold precinct—in the area where the airport would be located—with a 141 majority, getting 402 votes to his opponents 261, and carried the other precinct of the district—the Jacobsville precinct, by 121 votes, polling 486 ballots to his opponent's 365.

Where was all the opposition to the Sandy Point airport? What became of the many persons in that area, at Gibson Island, along the Magothy River and in the Arnold area, who were reported as so opposed to the airport?

The editorial continues:

They—

That is, apparently, the residents of Sandy Point who own these palatial summer homes—

did not appear at the polls. Representative SASSCER took their home precincts from them with a good majority.

It happened on Monday that the cards went down and votes counted more than words. And when those votes were counted the proponent of the airport had the majority. That should dispose, once and for all, of claims as to the large number of persons in the section who oppose the airport. Whatever opposition may exist, is, the vote shows, in the minority.

The Senators and Representatives in the Congress can read the election returns. The result of the poll in Anne Arundel County on Monday gives them a measuring rod to gage all future claims of support made by the opponents of the airport. The opponents had their chance to show their strength—if it existed in large numbers—and they failed.

Not only did Representative SASSCER carry the third election district section, where the airport would be constructed, but he went on to carry every voting precinct in Anne Arundel County. The county gave him a majority of 2,261 votes. So, obviously the voters of the county do not bitterly oppose his stand on the airport.

Incidentally, Representative SASSCER also carried the section of Baltimore City that is included within the Fifth Congressional District, along with all the counties of the district. Again, it is obvious that the voters who gave him a majority are not opposed to his actions in the Congress, but approve them. And, in this Nation, the majority is supposed to rule.

Along the same line it is interesting to observe that Representative HUGH A. MEADE, Democrat, of the Second Maryland Congressional District, who has been an opponent of the Sandy Point Airport, was the only sitting Maryland Congressman defeated in the primary election. We make no claim that the airport situation figured in his case, but it is rather interesting to consider that Representative SASSCER, who favored the airport, was renominated with an 11,158 majority in his district, and Representative Meade, who has been vocal in opposition to the airport, was rejected by the voters.

Congressmen, who understand elections only too well, will be able to read a lesson in the results of the primary vote in Maryland.

There you have a decision of the residents of Anne Arundel County, the residents of the congressional district of our colleague, the gentleman from Maryland.

Mr. HESS. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. HESS. Of course, there is no opposition from the nonresidents because they could not vote.

Mr. VAN ZANDT. That is correct. They have no vote because they are not residents of that congressional district.

Mr. MEADE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. MEADE of Maryland. I am sure the gentleman would not insinuate that the only issue in the campaign of the gentleman from Maryland was the Sandy Point Airport. The gentleman from Maryland has served his district in an exceptional manner for a great many years. I am sure the people of his district are not going to judge him on his stand on one issue during his entire illustrious career.

Mr. VAN ZANDT. The gentleman is correct, but at the same time, one of the issues in the campaign of the gentleman from Maryland was the airport, and those who opposed the airport certainly helped to finance his opposition.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. BATES of Massachusetts. In addition to the expression of the will of the people at the election of my good friend, the gentleman from Maryland [Mr. SASSCER] in whose district this airport is located, the Chamber of Commerce of Arundel County unanimously approved this site in a letter which I have in my possession which was addressed to the chairman of the committee.

Mr. VAN ZANDT. That is correct.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman.

Mr. GAVIN. I merely want to call the attention of the gentleman to a statement presented to us at the time of the hearings. The Annapolis Rotary Club presented this statement to the Committee on Armed Services. That statement is as follows:

The Annapolis Rotary Club realizes the urgent need for an airport for the United States Naval Academy, and we heartily agree with the gentlemen of the Navy and the subcommittee who have designated the Sandy Point and St. Margaret area as a logical location, one which would inconvenience only a few families and utilize one of the smallest taxable return areas. The rotary club has gone on record unanimously in favor of this proposed airport.

I asked the gentleman how many members of the Rotary Club of Annapolis there were. He said 59 members, indicating that a very sizable proportion of the entire community life of Annapolis was represented. That, Mr. Chairman, is the opinion of the Annapolis Rotary Club.

Mr. VAN ZANDT. The opinion of the rotary club coincides with the opinion of the Governor of Maryland, who endorses this project.

To conclude let me add by saying the summer residents of Sandy Point are simply trying to tell the Congress how to run the affairs of the Navy.

Mr. WALTER. Mr. Chairman, I move to strike out the last word, and rise in opposition to the amendment.

Mr. Chairman, for a number of years various agencies of the Government and the Congress, whose responsibility it is to determine the needs of our armed forces, have looked carefully into the question of whether or not a field is necessary at the Naval Academy. Significantly enough, the Congress several years ago, by unanimous vote, approved this very project, and today when we consider the advisability of adopting or rejecting this amendment, we must bear in mind the fact that everyone who has had anything to do with the study of the needs of training naval aviators again reports unanimously the need for this facility. I cannot imagine anything more unsatisfactory in the training of a naval officer than to be compelled to move the trainees from one location for a distance of 30 miles, at least, in order to obtain part of their training.

Today the aviation arm of our Navy is the most important part of the Navy. It is necessary that every naval officer know something about naval aviation. I think an erroneous impression has been created, namely, that this facility will be provided for the purpose of training naval aviators. That is not the fact. The purpose is to give every embryo officer as much of an idea of the operation of the many intricate gears and gadgets used in aviation as is possible. Ultimately, many of the men who will receive flight training will wind up in command of various naval vessels, but until such time as there are naval aviators who can no longer fly the type of planes that are provided today, it is necessary to have as many young men trained in naval aviation as is possible. I think it would be a blunder if this amendment were to be adopted.

The opposition to this provision is a natural one, and I feel very sympathetic to the gentleman whose constituents are

complaining about the loss of their property. Just recently I was in a similar position when I found that 23,000 acres in my district would not be turned back to the people who perhaps were entitled to it. But, after all, when you consider the over-all needs of the Navy, and the inability to use the present facilities to adequately train these men in accordance with the recommendations made by the naval officers, whose responsibility it is to know, and the Board of Visitors at the Naval Academy, and everyone who has studied this problem, it seems to me that those people who will be directly affected might well make the slight contribution to the defense and security of their country that the turning over of their property for compensation will require them to do.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. GAVIN. There are 1,600 American boys being trained, with flights of 150 per day, and proper facilities and proper safety should be provided to protect the lives of those boys who are going to carry out our national defense program in the future.

Mr. WALTER. There is no question about that. As was developed in the general debate, the facilities at Andrews Field are not adequate. More than that, the field is 30 miles away. To move men there would require approximately an entire day's time.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield.

Mr. WALTER. I yield.

Mrs. ROGERS of Massachusetts. Is it not true, in the case of an emergency, when the training of naval cadets is speeded up, it is very important to have the training field near by the cadets?

Mr. WALTER. Of course it is, because, after all, there is the question of housing and transportation and all those problems that makes it very difficult to move the men.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and amendments thereto close in 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. BRADLEY] is recognized for 3 minutes.

Mr. BRADLEY. Mr. Chairman, I dislike to take the time of the Committee at this late hour. I have refrained from speaking on this bill because some might think I have some personal interest in it, as a graduate of the Academy. But in view of the remarks made by the gentleman from Maryland about shipping, I can hardly refrain from offering a short rebuttal. Let us keep the record straight. I think I know about Chesapeake Bay, and I know about the Naval Academy and the planes that would fly from this airport. The channel is many miles off this prospective airport site. How anybody can conceive that a few planes flying from this airport could endanger merchant ships going up and down a channel several miles away, or could endanger the aircraft, I fail to understand.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY. I yield.

Mr. FALLON. What I said was that reports from the shippers in Baltimore who ply the ships between foreign ports and Baltimore was to that effect. They were not my words.

Mr. BRADLEY. I believe that those who made this report must be seeing the picture in a rather peculiar way, to say the least. In my own mind, I am certain, and I will say to the Committee that these planes can in no way endanger shipping in Chesapeake Bay, and I do not believe they will increase the insurance rates in any way whatsoever.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY. I yield.

Mr. RICH. Is it not a fact that Secretary for Air Symington has offered Andrews Field to the Naval Academy? And is it not a fact that Andrews Field is not any farther from the Naval Academy than the West Point Field is from the Military Academy?

Mr. BRADLEY. I will say to the gentleman that I do not know the answers to those questions.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Maryland [Mr. MEADE].

Mr. MEADE of Maryland. Mr. Chairman, I have no desire at this late hour to hold the committee any longer than just to clear up one statement that was made with respect to a communication from Secretary for Air Symington. Under date of April 7, I wrote the following letter to Mr. Symington:

APRIL 7, 1948.

Hon. W. STUART SYMINGTON,
*Secretary for Air,*
*The Pentagon, Washington, D. C.*

DEAR MR. SECRETARY: Currently the House of Representatives is considering passage of a bill (H. R. 3314) which would authorize the Navy to acquire a large block of land for construction of an air facility for flight indoctrination for midshipmen at the Naval Academy. For this purpose the Navy has selected a site near Sandy Point which has been opposed by many, among whom is the mayor of Baltimore and the Baltimore Chamber of Commerce.

In the interest of economy and to further the basic spirit behind the Armed Services merger, it has occurred to me that the air facilities at Andrews Field might be made immediately available to the Academy as a solution to their problem. Andrews Field is approximately the same distance away from the Naval Academy as Stewart Field is from the Military Academy at West Point.

I would appreciate having your views.

Very sincerely yours,

HUGH A. MEADE,
*Member of Congress.*

Under date of April 30, he wrote me the following reply:

DEPARTMENT OF THE AIR FORCE,
*Washington, D. C., April 30, 1948.*

Hon. HUGH A. MEADE,
*House of Representatives.*

DEAR MR. MEADE: The suggestion contained in your letter of April 7 that facilities be made available at Andrews Air Force Base for flight indoctrination of midshipmen strikes me as having considerable merit.

While our plans for the future use of Andrews Air Force Base call for full utilization of the facilities there, we are quite willing to readjust our plans so as to provide a portion of the facilities for naval use. Of course there are many factors involved, such as the extent of facilities required and the serious problem of congested air space in the Washington area, which have to be taken into consideration. Not being aware of the extent of naval requirements, I am, of course, not certain whether all these objections can be overcome to the Navy's satisfaction.

However, if approached by the Navy on this matter, we would be more than willing to do everything possible to meet their requirements.

Sincerely,

W. STUART SYMINGTON.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

The gentleman from New York [Mr. LATHAM] is recognized.

Mr. LATHAM. Mr. Chairman, I was somewhat shocked a few minutes ago to hear the gentleman from California say that he is glad the Navy is taking aviation seriously. I think this is typical of the general misunderstanding and ignorance concerning naval aviation operations and the relationship between naval air and naval surface operations. I suppose there was a time way back before this last war, many years before, when airplanes were incidental to naval operations, when a battleship had one or two aircraft to use for scouting purposes and when cruisers carried a couple of aircraft; but that day is long since past and gone, and such was not the situation during the last war.

Admiral Arthur W. Radford, Vice Chief of Naval Operations, in his testimony on the unification bill before the Expenditures Committee of the House, pointed out very clearly that during the last war and at the present time the function of the surface ships, the battleships, cruisers, transports, and so forth, is to support the naval air arm. Now, let us look at one or two figures just a moment. In one 3-month campaign in the Pacific the Japanese lost 7,830 aircraft out of which 4,155 were shot down by the fleet. I will not read any more at this time. That is enough.

In light of these statistics, the remark that the Navy is not taking aviation seriously is to me rather amusing.

This airfield will do this: It will merely bring the naval training set-up up to the level of the responsibilities that the Navy has today and the responsibilities which it had during the last war, and certainly it will have those responsibilities in any future conflict in which we might engage.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, the few words I have to say may be repetitious, but I do want to call the attention of the committee to the fact that the subcommittee and full committee have given a great deal of thought and study to this problem over a period of a year. In addition to that, six different naval selection boards have unanimously agreed not only that naval indoctrination flights should be carried out in the vicinity of the Naval Academy, but also that the site we have discussed this afternoon in the district represented by the gentleman from Maryland [Mr. SASSCER] should be the site upon which the airport be located.

Mr. Chairman, in 1943 this project was authorized and an appropriation was made for it. The thing that held it up at that time was the critical material situation, together with the fact that we were in the midst of a great war. Admiral King, then Chief of Naval Operations, did not think we should embark upon a program of building an airport at a time when the curriculum at the Naval Academy was on a 3-year basis. It is on a 4-year basis now, so that we should immediately embark upon this program of air indoctrination.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Maryland.

Mr. SASSCER. Reference has been made to a letter from Mr. Symington. May I call the gentleman's attention to the fact that this was a letter written not in the ordinary course of departmental work but as one of a series of letters passing back and forth between the gentleman from Maryland [Mr. MEADE] and Mr. Symington. In that letter it is stated that they had future plans for Andrews Field, but since then the NATS moved in. At the time that letter was written a request was made that some of the planes be moved away. The gentleman will see that this is not in Mr. Symington's department.

Mr. BATES of Massachusetts. Not only that, but Mr. Symington, in the letter that the gentleman from Maryland [Mr. MEADE] read this afternoon, said:

> Of course, there are many factors involved, such as the extent of facilities and the serious problem of the congested air space in the Washington area.

That is the Andrews Field area. We find since then a representative of NATS has requested the Navy Department to house some of their planes which are now at Andrews Field, at the Patuxent Naval Base.

Mr. Chairman, these are our boys. All the boys at the Naval Academy, with few exceptions, are boys we appointed. Certainly we do not want to throw them in the midst of heavy air traffic, which may mean their lives.

This bill has the unanimous report of the Navy Department and every board ever selected by it to consider the matter.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. FALLON].

The question was taken; and on a division (demanded by Mr. FALLON) there were—ayes 26, noes 73.

So the amendment was rejected.

Mr. BUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BUCK: Page, 3, line 3, strike out lines 3 and 4.

Mr. BUCK. Mr. Chairman, this amendment has to do with the liquid-fuel rocket test laboratory proposed for Jersey City, N. J., which is item 10 on page 4 of the report. The report states that the laboratory must be barricaded and soundproofed. That is obvious, because the laboratory is situated within rifle shot of the most congested area of population in the United States. There certainly seems no advantage to construct that sort of a laboratory in a location where the building must be soundproofed and barricaded at a great expense to the taxpayers.

Reading on further—and this is an example of the sort of misinformation which is given to the Congress, and on which the Congress is expected to legislate, the report says:

> There are presently no facilities available in the eastern part of the United States.

Now, I refer to the hearings on page 3707 where the following appears:

> The M. W. Kellogg Co. has also an existing facility of the type requested which was constructed under an Army Air Forces contract.

The report goes on to say that those facilities will be located about three-quarters of a mile from the Jersey City shops of the M. W. Kellogg Co., adjacent to the rocket motor-test laboratories presently in use for Army Air Forces development work. This new laboratory would be a complete duplication of a facility which already exists.

The natural place for a laboratory of this sort, of course, is at one of the great rocket-test fields which are provided in this very bill. It seems completely wasteful and completely ridiculous to build another laboratory alongside an already existing laboratory to do the same kind of work which the existing laboratory is already doing, and all this at a cost of about one-third of a million dollars.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman a moment ago in quoting from the hearings made the statement that the M. W. Kellogg Co. has already an existing facility of the type requested, and he stopped there. Now, had he continued, he would have said "which was constructed under an Army Air Forces contract and is used essentially full time on this work," which means that the facilities of that laboratory are used wholly by the Army Air Forces.

Mr. BUCK. Is the gentleman in a position to tell us the extent of this alleged full utilization?

Mr. VAN ZANDT. Other than what we have been informed by representatives of the armed forces.

Mr. BUCK. I decline to yield at this point.

When the report states that there are presently no facilities available in the eastern part of the United States, and then when the hearing states that this laboratory is to be built immediately adjacent to an existing similar laboratory, I somewhat question the faith which may be placed in the statements supplied by the armed forces.

Mr. BATES of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, all I want to say is that this is a very vital part of the program for guided missiles research. I hope the amendment will fail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BUCK].

The amendment was rejected.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BATES of Massachusetts: On page 10, line 1, strike out "$92,932,600" and insert "$91,949,950"; and in line 3 strike out "$116,756,900" and insert "$116,532,953."

Mr. BATES of Massachusetts. Mr. Chairman, the amendment provides a correction of the totals in the bill, to comply with the reduction of $1,206,597 brought about as a result of the amendment limiting the space in the buildings to be constructed.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KEEFE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6341) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, pursuant to House Resolution 619, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 1675) to authorize the Sec-

retary of the Navy to proceed with the construction of certain public works, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES of Massachusetts. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Strike out all after the enacting clause of the bill S. 1675 and insert in lieu thereof the provisions of the bill H. R. 6341 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which the bill H. R. 6341 was passed were vacated, and the bill was laid on the table.

Mr. BATES of Massachusetts. Mr. Speaker, I move that the House insist on its amendment to the bill S. 1675 and ask for a conference with the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. BATES of Massachusetts, ARENDS, COLE of New York, SASSCER, and BROOKS.

COMMITTEE ON WAYS AND MEANS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for leave to file before midnight tonight the report of the Committee on Ways and Means on the bill H. R. 6777 together with supplemental views of minority members of the committee desiring to file their views on the bill, and to file the technical analysis of bill's provisions by midnight Friday.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill S. 2454 and the bill H. R. 6728.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SECOND DECONTROL ACT OF 1947, TEMPORARY EXTENSION

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House may have until midnight tonight to file a conference report on the bill H. R. 6659.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Iowa asked and was given permission to extend his remarks in the RECORD and include some tables regarding European relief.

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Indianapolis Star.

VETERANS' RIGHTS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, revise and extend my remarks, and include a telegram.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following telegram has been sent to many Members of Congress by Francis M. Sullivan. It is as follows:

WASHINGTON, D. C. *June 1, 1948.*

Hon. EDITH NOURSE ROGERS,
*House Office Building,*
*Washington, D. C.:*

Consideration given service-connected disabled during Eightieth Congress is deplorable. But when Congress intends to take away established rights from service-connected seriously disabled, disabled American veterans wonder why the preference for foreigners through ERP and other foreign relief over men disabled in fighting such foreigners. Section 106 of H. R. 6712 will take away benefits from service-connected seriously disabled so as to put premium on laziness. Congress should not consider discontinuing tax exemption of disability compensation of former servicemen who are totally and permanently disabled, amputees, paraplegics, and other similar cases. Seriously disabled veterans who lift themselves by their own bootstraps should be commended instead of penalized. Section 106 of bill would eliminate any benefit of disability compensation for employed seriously disabled.

FRANCIS M. SULLIVAN,
*Director of National Legislation, Disabled American Veterans.*

Mr. Speaker, I think a mistake was made when this was put in the bill. I am very sure it will be removed, if not by the committee, then by the House.

I have asked that the name of Committee on Veterans' Affairs be changed to the American Veterans Affairs' Committee in order that if the calendar is called it will have an early place on the call of the calendar. Legislation dealing with disabled veterans has not been passed as it should in this Congress. The Veterans' Affairs Committee should have its full day, days, or weeks in order to discuss and pass legislation for our veterans. Much time is given to other matters of much less importance and to discussion of vast sums, sums given to foreign countries and much legislation is passed for that purpose. Our own veterans should come first. But I am hopeful that within the next 10 days, numerous bills will be passed.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may meet tomorrow, notwithstanding the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON VETERANS' AFFAIRS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that notwithstanding the House may be in session, the Committee on Veterans' Affairs may meet tomorrow and Saturday.

Mr. HALLECK. Mr. Speaker, reserving the right to object, the rule is that committees may meet only during general debate. Would the gentlewoman amend her request accordingly?

Mrs. ROGERS of Massachusetts. That is the request I made, Mr. Speaker. I thought that was understood in the rules of the House.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, the notice sent out by the majority whip indicated that the foreign aid appropriation bill would come up tomorrow. That bill will not be ready tomorrow, but the naval appropriation bill will be. We will accordingly proceed with the Navy appropriation bill tomorrow, and endeavor to take up the foreign aid appropriation on Friday.

It has been suggested that we consider some bills on the District Calendar on Monday next. Mr. Speaker, I therefore ask unanimous consent that it may be in order on Monday next to consider bills on the District Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Also, Mr. Speaker, many Members have inquired of me as to whether or not the Consent Calendar and the Private Calendar will be called again. Under the rules of the House, the Consent Calendar will be called on Monday next, but I believe it is better to call both the Consent Calendar and the Private Calendar on Tuesday next. Therefore, Mr. Speaker, I ask unanimous consent that it may be in order to call both the Consent and Private Calendars on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, does that mean that suspensions will come up on Tuesday?

Mr. HALLECK. No, it does not. The request I have submitted does not include the calling of suspensions.

Mrs. ROGERS of Massachusetts. Will the gentleman amend his request so as to include that?

Mr. HALLECK. No. I am sorry I cannot.

Mrs. ROGERS of Massachusetts. I do not want to object, Mr. Speaker, but I will have to object.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I object.

LEGISLATION PROVIDING FOR AIR-MAIL PARCEL-POST SERVICE

Mr. REES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES. Mr. Speaker, the House Post Office and Civil Service Committee today approved legislation to establish an air-mail parcel-post service, and recommended its passage. This bill is the result over a period of several months made by a subcommittee of the House Post Office and Civil Service Committee, as well as the entire membership of our committee.

Under the provisions of this legislation air-mail parcel post will be sent by air directly to approximately 565 cities in the United States. This service may be utilized by every user of the postal service under a provision that requires the Department to use a combination of surface and air transportation.

The bill provides for charges that will require that air parcel pay for all the services rendered.

The House Post Office and Civil Service Committee has been conducting investigations of postal services to determine among other things, where economies can be made in existing operations and where new services can be added which will not only pay their way but in addition thereto, show a profit to the postal service.

A report made by our committee, after careful study of the problem, covers two phases of air-mail operation. First, the air-mail subsidies amounting to over $15,000,000 annually which is being currently paid from the Post Office Department funds, and the second is the question of providing an air parcel-post service.

Our studies have developed that there is a vast amount of space on the airplanes for which the Department is now paying but not used for transportation of mail, so our committee has recommended this bill to institute air parcel-post service.

In addition to providing a fine service to the public, the volume of air parcel post will reduce the present deficit in first-class air mail. In excess of 19,000,000 ton-miles of space is now being paid for by the Post Office Department, but is not being used. This can be used to carry air parcel post without any additional cost to the Post Office Department. There are five carriers that are not now receiving a guaranteed minimum load which have recently been granted increases in mail pay amounting to over $5,000,000 annually. Under a recently adopted policy of the Civil Aeronautics Board the amount paid to these carriers for each ton-mile of mail carried decreases as the volume increases. It is conceivable that with the increased volume of mail going to these carriers the ton-mile payments can be reduced from the present charge of 60 cents to 40 cents.

The views of our committee concerning the manner in which air-line subsidy is handled, are set forth in a committee report. I commend your careful reading of it. When the Post Office Department appropriation bill was before the other body, the chairman of the committee referring to our report, said, "I commend this matter to the attention of every Senator. I believe it is something more important than we realize."

Our commitee report points out that under the present system, we have created a procedure for subsidizing the air lines which permits an administrative board to make determinations on a broad national policy without having the prior approval of Congress, and without having the approval of the House Appropriations Committee to grant funds necessary to put these policies into effect. I think the Members of the House can readily see that basically this is contrary to the policies of the Government which vests in the Congress control of Federal expenditures through appropriations.

An examination will disclose that the Civil Aeronautics Board through its authority to determine where subsidies shall be paid, has recently authorized a lump sum payment of $1,893,658 to the Southwest Airways which is a feeder line. Nine hundred and thirty-six thousand dollars of this amount is in addition to mail pay already received. This payment is to cover the period from December 2, 1946, to March 31, 1948. In other words, it is retroactive.

The Post Office and Civil Service Committee recommended that the subsidies paid to the air lines be based upon a direct appropriation rather than permitting the Civil Aeronautics Board to draw at will upon Federal funds. Such a procedure would not only have a beneficial effect upon the over-all expenditures for subsidies, but would as well, provide assistance in a uniform, fair, and unbiased manner.

At the time of the hearings on air mail, it was testified that only one air carrier having a ton-mile rate was paid on the basis of a minimum amount of mail, irrespective of whether it carried the amount of mail or not. To show you how that worked out, this particular air line was paid in 9 months of 1947, $2,211,420 as compared to $388,462.70 for the entire year of 1946 in which year—1946—it carried 200,000 more ton-miles of mail.

Since these hearings were held all the large lines with the exception of five are now paid based upon this minimum load requirement. This subterfuge permits the Civil Aeronautics Board to retain ton-mile rates paid to the carriers which are more nearly comparable and, at the same time, pay certain carriers a large sum of money additional, simply by raising the minimum load requirements.

In my opinion, the results of the investigation of our committee, both as it relates to the establishment of this air parcel post service and to the separation of subsidy, will be of great benefit to the taxpayers as well as the patrons of the Postal Service.

It is hoped, as I have said, that the establishment of air parcel post will provide for a much needed service to the people of this country, especially those who are farther away from large centers of population and at the same time provide a revenue that will reduce the amount of subsidies that are now being paid from the Federal Treasury and charged to the Postal Service. It is also expected that it will reduce the deficit in the Post Office Department by $10,000,000.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HOBBS. Mr. Speaker, does the same question of the rules of the House apply to the request made by the gentleman from Illinois [Mr. DIRKSEN] that applied to the other request? That is, that the committee is authorized to sit only during general debate.

The SPEAKER. The Chair finds upon inquiry that the request of the gentleman from Illinois [Mr. DIRKSEN] did not put any restrictions upon when the committee was to sit.

Mr. HOBBS. I understand; but the majority leader said that this request always included that understanding.

The SPEAKER. There has been an occasional diversion from the rule.

CONSENT AND PRIVATE CALENDARS

Mr. HESELTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HESELTON. Do I understand that the situation now is, because of the objection to the request of the majority leader, that all matters on the Consent Calendar and all matters on the Private Calendar will not likely be acted upon at this session?

The SPEAKER. Under the rule, the Consent Calendar would be called, of course, next Monday.

Mr. HESELTON. And the same thing is true of the Private Calendar?

The SPEAKER. The Private Calendar will not be called. The objection prevents further call of the Private Calendar.

Mr. HESELTON. And no further consideration will be given to bills on the Private Calendar at this session?

The SPEAKER. The Chair could not answer that, because the Chair does not know how long the Congress is going to be in session.

STAMPS COMMEMORATIVE OF ONE HUNDREDTH ANNIVERSARY OF THE POULTRY BUSINESS

The SPEAKER laid before the House the following communication from the Senate, which was read by the Clerk:

*Ordered*, That the Secretary be directed to request the House to return to the Senate the joint resolution (S. J. Res. 154) entitled "Joint resolution authorizing the issuance of a special series of stamps commemorating the one hundredth anniversary of the poultry business in the United States."

The SPEAKER. Without objection, the request is granted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. NODAR (at the request of Mr. MCMAHON) on account of illness in the family.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 582. An act authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national-forest land situated therein, and for other purposes; to the Committee on Public Lands.

S. 1243. An act to provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes; to the Committee on Public Lands.

S. 1260. An act to create a commission to hear and determine the claims of certain motor carriers; to the Committee on the Judiciary.

S. 1274. An act conveying all right, title, and interest of the United States in and to certain lands in Wilkinson County, Miss., to the heirs, assigns, and successors in title of William Collins; to the Committee on Public Lands.

S. 1275. An act conveying all right, title, and interest of the United States in and to certain lands in Warren County, Miss., to the heirs, assigns, and successors in title of Moses Evans; to the Committee on Public Lands.

S. 1560. An act to facilitate the performance of research and development work by and on behalf of the Departments of the Army, the Navy, and the Air Force, and for other purposes; to the Committee on Armed Services.

S. 1561. An act to protect the national security of the United States by permitting the summary termination of employment of civilian officers and employees of various departments and agencies of the Government, and for other purposes; to the Committee on the Post Office and Civil Service.

S. 1797. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; to the Committee on Armed Services.

S. 1861. An act to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation, and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service; to the Committee on Post Office and Civil Service.

S. 2174. An act to amend further sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (37 U. S. C. 110 and 112), relating to allowances; to the Committee on Armed Services.

S. 2186. An act to amend section 5 of the act entitled "An act to amend the laws relating to navigation, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

S. 2281. An act to provide for an air parcel-post service, and for other purposes; to the Committee on Post Office and Civil Service.

S. 2495. An act to authorize adjustments of rentals paid for premises leased for 10 or more years for use as post offices; to the Committee on Post Office and Civil Service.

S. 2505. An act to amend the act of August 1, 1947, to clarify the position of the Secretary of the Air Force with respect to such act, and to authorize the Secretary of Defense to establish six additional positions in the professional and scientific service, and for other purposes; Committee on Post Office and Civil Service.

S. 2510. An act to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes; Committee on Post Office and Civil Service.

S. 2549. An act to increase the lending authority of Export-Import Bank of Washington; Committee on Banking and Currency.

S. 2553. An act to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Mass; to the Committee on Armed Services.

S. 2617. An act to include certain lands in the Carson National Forest, New Mexico, and for other purposes; to the Committee on Public Lands.

S. 2622. An act to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes; to the Committee on Armed Services.

S. 2642. An act to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942; to the Committee on the District of Columbia.

S. 2643. An act to amend the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939; to the Committee on the District of Columbia.

S. 2675. An act to amend the Organic Act of Puerto Rico; to the Committee on Public Lands.

S. 2743. An act providing for the more expeditious determination of certain claims filed by the Ute Indians; to the Committee on Public Lands.

S. 2747. An act to amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Co.; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 202. Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to O'Sullivan Dam; to the Committee on Public Lands.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1572. An act for the relief of Basque aliens;

H. R. 3638. An act to amend section 10 of the act establishing a National Archives of the United States Government;

H. R. 3680. An act to amend sections 207, 213, 215, 216, 220, 222, and 225, of title 2 of the Hawaiian Homes Commission Act, 1920, as amended;

H. R. 4954. An act to authorize the construction, operation, and maintenance, under Federal reclamation laws, of the Kennewick division of the Yakima project, Washington;

H. R. 5151. An act authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi;

H. R. 5155. An act to authorize Secretary of Interior to have made a joint reconnaissance survey of the Chesapeake and Ohio Canal;

H. R. 5283. An act to provide for the disposal of surplus sand at Fort Story, Va.;

H. R. 5553. An act to amend paragraph 1772 of the Tariff Act of 1930, as amended;

H. R. 5587. An act to add certain lands to the Theodore Roosevelt Memorial Park, in the State of North Dakota, and for other purposes;

H. R. 5607. An act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes;

H. R. 5965. An act to amend paragraph 813 of the Tariff Act of 1930;

H. R. 6056. An act to amend an Act of Congress approved February 9, 1881, which granted a right-of-way for railroad purposes through certain lands of the United States in Richmond County, N. Y.;

H. R. 6078. An act to amend section 303 (e) of the Interstate Commerce Act, as amended;

H. R. 6091. An act to withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii;

H. R. 6242. An act to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap;

H. J. Res. 340. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of the American Turners Society in the United States;

H. J. Res. 341. Joint resolution to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Fort Kearney in the State of Nebraska;

H. J. Res. 384. Joint resolution to permit articles imported from foreign countries for the purposes of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; and

H. J. Res. 395. Joint resolution to extend the time for the release, free of estate and

gift tax, of powers of appointment, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 252. An act for the relief of the estate of Lee Jones Cardy;

S. 314. An act for the relief of Robert E. Lauritzen;

S. 825. An act for the relief of Ern Wright;

S. 1035. An act to provide for the acquisition of the hospital at Camp White, Medford, Oreg., and Schick General Hospital, Clinton, Iowa, for use as domiciliary facilities by the Veterans' Administration;

S. 1055. An act for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce;

S. 1206. An act for the relief of Jack O'Donnell Graves;

S. 1588. An act for the relief of E. W. Strong;

S. 1729. An act for the relief of Gudrun Emma Ericsson;

S. 1771. An act authorizing the Secretary of the Interior to convey certain lands in Powell Townsite, Wyo., Shoshone reclamation project, Wyoming, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.

S. 1886. An act for the relief of William M. Looney;

S. 1941. An act to authorize and direct the Secretaray of the Interior to issue to John F. Compton, formerly John Crazy Bull, a patent in fee to certain land; and

S. 2060. An act for the relief of Edgar Wikner Percival.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, June 3, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1606. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

1607. A letter from the Acting Secretary, Department of Agriculture, transmitting a draft of a proposed bill to give effect to the international wheat agreement entered into by the United States and other countries relating to the stabilization of supplies and prices in the international wheat market, and for other purposes; to the Committee on Banking and Currency.

1608. A communication from the President of the United States, transmitting a supplemental estimate of appropriation to be derived by transfer from another appropriation in the amount of $5,000 for the Post Office Department for the fiscal year ending June 30, 1948 (H. Doc. No. 687); to the Committee on Appropriations and ordered to be printed.

1609. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1949 in the amount of $4,366,000 for the Department of State (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

1610. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1949 in the amount of $1,587,750 for the Federal Security Agency (H. Doc. No. 689); to the Committee on Appropriations and ordered to be printed.

1611. A communication from the President of the United States, transmitting an estimate of appropriation for the several executive departments and independent offices to pay claims for damages, audited claims, and judgments rendered against the United States, as provided by various laws, in the amount of $12,838,409.60, together with an indefinite amount as may be necessary to pay interest and costs (H. Doc. No. 690); to the Committee on Appropriations and ordered to be printed.

1612. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1948 in the amount of $600,000 for disaster relief (H. Doc. No. 691); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGEL of Michigan: Committee on Appropriations. H. R. 6771. A bill making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2135). Referred to the Committee of the Whole House on the State of the Union.

Mr. PLUMLEY: Committee on Appropriations. H. R. 6772. A bill making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2136). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOFFMAN: Committee on Expenditures in the Executive Departments. S. 1747. An act to authorize credits in certain accounts of United States property and disbursing officers under the War Department, and for other purposes; without amendment (Rept. No. 2139). Referred to the Committee of the Whole House on the State of the Union.

Mr. FELLOWS: Committee on the Judiciary. H. R. 6652. A bill to amend the act of June 11, 1946, as amended; without amendment (Rept. No. 2140). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. S. 1791. An act to transfer certain lands at Camp Phillips, Kans., to the Department of the Army; without amendment (Rept. No. 2143). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. S. 2215. An act to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes; with an amendment (Rept No. 2144). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of New York: Committee on Armed Services. H. R. 6707. A bill to amend the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), and for other purposes; with an amendment (Rept. No. 2145). Referred to the Committee on the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. H. R. 3657. A bill to provide for a Board of Visitors to the United States Naval Academy and for a Board of Visitors to the United States Military Academy, and for other purposes; with amendments (Rept. No. 2146). Referred to the Committee on the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. H. R. 6494. A bill to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes; without amendment (Rept. No. 2147). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. S. 295. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended; with an amendment (Rept. No. 2148). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. S. 1214. An act to amend the act entitled "An act to provide for the training of officers for the naval service, and for other purposes," approved August 13, 1946, as amended; without amendment (Rept. No. 2149). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of New York: Committee on Armed Services. H. R. 5036. A bill to authorize the attendance of the United States Marine Corps Band at the national assembly of the Marine Corps League to be held at Milwaukee, Wis., September 22 to September 25, inclusive, 1948; without amendment (Rept. No. 2150). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. H. R. 6406. A bill providing procedures for the control of the use of penalty mail by Government departments; with an amendment (Rept. No. 2151). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. R. 6628. A bill to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes; with an amendment (Rept. No. 2152). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOLLEFSON: Committee on Merchant Marine and Fisheries. H. R. 4365. A bill granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission; with an amendment (Rept. No. 2153). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 6766. A bill to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes; without amendment (Rept. No. 2154). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. S. 1052. An act to fix the salaries of certain justices and judges of the Territory of Hawaii; without amendment (Rept. No. 2155). Referred to the Committee of the Whole House on the State of the Union.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 5687. A bill relating to the jurisdiction of the circuit courts of appeals to review decisions of the Tax Court; with amendments (Rept. No. 2156). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6635. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; with an amendment (Rept. No. 2157). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOLLIVER: Committee on Interstate and Foreign Commerce. H. R. 6726. A bill to amend the Public Health Service Act to provide for, foster, and aid in coordinating research relating to dental diseases and conditions, and for other purposes; with an amendment (Rept. No. 2158). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLSWORTH: Committee on Interstate and Foreign Commerce. H. R. 6732. A bill to amend the Public Health Service Act to support research and training in poliomyelitis and other diseases, and for other purposes; with an amendment Rept. No. 2159). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 5154. A bill to extend the period within which the Secretary of Agriculture may carry out the purpose of the Soil Conservation and Domestic Allotment Act by making payments to agricultural producers; with amendments (Rept. No. 2160). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 6657. A bill to amend section 77 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 2161). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 945. A bill relating to the payment of fees, expenses, and costs of jurors; with amendments (Rept. No. 2162). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. H. R. 6773. A bill to provide for an air parcel-post service, and for other purposes; without amendment (Rept. No. 2163). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOFFMAN: Committee on Expenditures in the Executive Departments. Thirteenth intermediate report on investigation of surplus real property and consolidation of facilities of the armed services in the San Francisco Bay area; without amendment (Rept. No. 2164). Ordered to be printed.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. S. 2454. An act to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes; without amendment (Rept. No. 2165). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 6728. A bill to authorize medical and hospital service for those employed in the maritime service, and for other purposes; without amendment (Rept. No. 2166). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee on Ways and Means. H. R. 6777. A bill to extend the coverage of the old-age and survivors insurance system, to increase certain benefits payable under such system, and for other purposes; without amendment (Rept. No. 2168). Referred to the Committee of the Whole House on the State of the Union.

---

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CRAVENS: Committee on the Judiciary. H. R. 1220. A bill to confer jurisdiction upon the United States District Court of Maryland to hear, determine, and render judgment upon the claims of James D. Sigler and Frederick P. Vogelsang III; with amendments (Rept. No. 2137). Referred to the Committee of the Whole House.

Mr. HOFFMAN: Committee on Expenditures in the Executive Departments. H. R. 5113. A bill for the relief of the heirs of John W. Mitchell; with amendments (Rept. No. 2138). Referred to the Committee of the Whole House.

---

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ENGEL of Michigan:

H. R. 6771. A bill making appropriations for military functions administered by the National Military Establishment for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

By Mr. PLUMLEY:

H R. 6772. A bill making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

By Mr. REES:

H. R. 6773. A bill to provide for an air parcel-post service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H. R. 6774. A bill to authorize adjustment of rentals paid for premises leased for 10 or more years for use as post offices; to the Committee on Post Office and Civil Service.

By Mr. BARTLETT:

H. R. 6775. A bill to authorize the construction, protection, operation, maintenance, rental, and sale of housing for persons engaged in defense activities in the Territory of Alaska; to the Committee on Banking and Currency.

By Mr. MULTER:

H. R. 6776. A bill to exempt from certain penal provisions persons serving in armed forces of the United Nations or of certain other groups for the purpose of preserving peace in Palestine; to the Committee on the Judiciary.

By Mr. REED of New York:

H. R. 6777. A bill to extend the coverage of the old-age and survivors insurance system, to increase certain benefits payable under such system, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 6778. A bill to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; to the Committee on Armed Services.

By Mr. FULTON:

H. R. 6779. A bill to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ISACSON:

H. R. 6780. A bill to promote the national defense, to establish national ownership and operation of the military aircraft industry and other munitions industries which may be designated, and to promote the peace by eliminating the commercial motive and profiteering from the production of munitions needed for national defense; to the Committee on Armed Services.

By Mr. LOVE:

H. R. 6781. A bill to provide for the appointment of certain officers in the Army and Navy Nurse Corps; to the Committee on Armed Services.

By Mr. ANGELL:

H. R. 6782. A bill to provide emergency aid for the repair, restoration, or reconstruction of public facilities damaged or destroyed by certain catastrophes; to the Committee on Public Works.

By Mr. MURDOCK:

H. R. 6783. A bill to authorize the disposal of withdrawn land in tracts too small to be classed as farm units under the Reclamation Act; to the Committee on Public Lands.

By Mr. NORBLAD:

H. R. 6784. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; to the Committee on Public Works.

By Mr. HARLESS of Arizona:

H. R. 6785. A bill to amend the Civil Service Retirement Act of May 29, 1930, to provide annuities for certain former employees of the Government; to the Committee on Post Office and Civil Service.

H. R. 6786. A bill relating to the disposition of moneys collected by the Federal Government as grazing fees from certain public lands situated in the State of Arizona; to the Committee on Public Lands.

H. R. 6787. A bill to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz.; to the Committee on Public Lands.

By Mr. MACK:

H. R. 6788. A bill to provide emergency aid for the repair, restoration, or reconstruction of public facilities damaged or destroyed by certain catastrophes; to the Committee on Public Works.

By Mr. CORBETT:

H. J. Res. 416. Joint resolution providing for the printing and binding for the use of the House 1,500 copies of Cannon's Procedure in the House of Representatives; to the Committee on House Administration.

By Mr. KEEFE:

H. J. Res. 417. Joint resolution authorizing the President of the United States of America to proclaim June 20, 1948, as Emblem Day; to the Committee on the Judiciary.

By Mr. HORAN:

H. J. Res. 418. Joint resolution to provide assistance to farmers whose property was destroyed or damaged, in whole or in part, by floods in the Columbia River Basin in 1948, in order to enable them to continue farming operations to produce food to meet the international shortage; to the Committee on Appropriations.

By Mr. DIRKSEN:

H. Res. 624. Resolution agreeing to the conference requested by the Senate on the bill H. R. 5883, making appropriations for

the Department of Agriculture (exclusive of the Farm Credit Administration) for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULTON:

H. R. 6789. A bill for the relief of Stephen L. Carmalt; to the Committee on the Judiciary.

By Mr. HENDRICKS:

H. R. 6790. A bill for the relief of William F. Thomas; to the Committee on the Judiciary.

H. R. 6791. A bill for the relief of Walter Werner Tech; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 6792. A bill for the relief of Sampson Ross; to the Committee on the Judiciary.

By Mr. STEFAN:

H. R. 6793. A bill for the relief of Katherine L. Anderson, a civil-service employee, permanently injured through negligent treatment at the Army Advisory Group Station Hospital at Nanking, China; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2043. By Mr. BLOOM: Petition of citizens of New York City to the Congress of the United States, to provide for the admission of displaced persons; to the Committee on the Judiciary.

2044. By Mr. ELSTON: Petition of Robert Schick and 54 other residents of Cincinnati, Ohio, and vicinity, urging support of H. R. 6397; to the Committee on Interstate and Foreign Commerce.

2045. By the SPEAKER: Petition of United Public Workers of America (CIO), petitioning consideration of their resolution with reference to endorsement of the Federal pay-raise bill; to the Committee on Post Office and Civil Service.

2046. Also, petition of citizens of Hot Springs, Ark., petitioning consideration of their resolution with reference to endorsement of H. R. 2953, the Federal aid to education bill; to the Committee on Education and Labor.

2047. Also, petition of John Flores, of New York City, and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

2048. Also, petition of Mrs. Robert Galbreath and others, of Florida, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2049. Also, petition of T. S. Kinney, Orlando, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2050. Also, petition of Mrs. Kent Pendleton, Eustis, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2051. Also, petition of Earl C. Scott, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2052. Also, petition of Miss Sarah Kleinschmidt, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2053. Also, petition of George E. Larson, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.